

## **Growth and Prosperity Overview and Scrutiny Panel**

**Monday 5 March 2012**

### **PRESENT:**

Councillor Nicholson, in the Chair.

Councillor Coker, Vice Chair.

Councillors Berrow, Churchill, K Foster, Murphy, Mrs Nelder, Mrs Nicholson (substitute for Councillor Martin Leaves), Dr. Salter, Wheeler, Williams and Wright.

Apologies for absence: Councillor Martin Leaves

Also in attendance: Gill Peele (Business Manager for Development), Paul Barnard (Assistant Director for Planning Services) and Helen Rickman (Democratic Support Officer).

The meeting started at 3.00 pm and finished at 5.00 pm.

*Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

### 71. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by Councillors in accordance with the code of conduct.

### 72. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's Urgent Business however under this item the Chair informed the panel that several agenda items initially scheduled on the work programme for this meeting had been postponed as they were not yet ready to be scrutinised.

### 73. **TRACKING RESOLUTIONS AND FEEDBACK FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

The Chair informed the panel that previous tracking resolutions had been completed and were therefore greyed out on the tracking schedule ready to be removed.

### 74. **DELEGATION FOR APPROVAL OF YOUTH UNEMPLOYMENT TASK AND FINISH GROUP REPORT**

The panel noted the recommendation in the delegation report however, at the Chair's suggestion, agreed that the Vice Chair should also be included as part of the consultation process.

Agreed that delegated authority is given to the Lead Officer, in consultation with the Chair and Vice Chair of the Growth and Prosperity Overview and Scrutiny Panel, to approve the final report of the Youth Unemployment Task and Finish Group.

75. **WRITTEN UPDATE ON GOVERNMENT POLICY CHANGES**

Paul Barnard, Assistant Director for Planning Services, provided the panel with an update on Government Policy Changes, specifically the Penfold Review.

The panel was informed that the aim of the Penfold Review was to identify areas to support and streamline the process for securing non-planning consents alongside, planning permission.

In response to questions raised it was reported that –

- (a) more detail would be provided on this review later in the year once Government released more information;
- (b) Government has strongly advised statutory consultees such as the Highway's Agency, Environment Agency and Natural England to promote sustainable development which should result in a better synergy with spatial planning;
- (c) the definition of 'sustainable development' wasn't considered to be clearly set out by the Government and needed to be interpreted carefully;
- (d) the Council's Core Strategy policies and supporting Area Action Plans and Supplementary Planning Guidance Notes remained the primary policy framework for considering planning applications;
- (e) the restrictions on listed buildings could be lessened to 'parts' of buildings;
- (f) with regards to Highway Consents, the Government was to consult upon publicity requirements associated with Traffic Regulation Orders, including road closures, to streamline the process and allow for local decision making; a response would be provided to the panel on whether this consultation had taken place;

The panel noted the implications of the implementation of the Penfold Review and thanked Paul Barnard for his clear and concise report.

Agreed that –

1. a further update on the Penfold Review would be provided to the panel in the future;
2. a response would be provided to the panel as to whether consultation had taken place regarding publicity requirements associated with Traffic Regulation Orders, including road closures.

76. **LOCALISM ACT**

Paul Barnard, Assistant Director for Planning Services, provided the panel with an update on the Localism Act.

The panel was informed that –

- (a) the Localism Act received Royal Assent on 15 November 2011;
- (b) the Act consists of the following sections:
  - Part 1 – Local Government
  - Part 2 – EU Financial Sanctions
  - *Part 3 – EU Financial Sanctions (Wales)*
  - Part 4 – Non-Domestic Rates
  - Part 5 – Community Empowerment
  - Part 6 – Planning Reforms
  - Part 7 – Housing
  - *Part 8 – London*
  - Part 9 – Compensation for Compulsory Acquisition
  - *Part 10 – General*
- (c) in terms of part 1 ‘Local Government’ the general power of competence has been introduced sooner than anticipated;
- (d) there were provisions for councils to choose which method of governance it wished to adopt; either executive, committee system or prescribed arrangements;
- (e) the Standards Board for England had been abolished;
- (f) there were new requirements for codes of practice of which the seven Nolan principles of public life were embedded;
- (g) with regards to part 2 ‘EU Financial Sanctions’ Power for Central Government to pass on EU fines and other sanctions to local government (£48).
- (h) Part 4 ‘Non Domestic Rates’ allowed for greater flexibility to local authorities to grant discretionary relief from business rates where reasonable to do so; this was coming into force April 2012;
- (i) Part 5 ‘Community Empowerment’ allowed for provisions such as council tax referendums, community right to challenge, lists of assets of community value and land of community value; all provisions to come into force in April 2012;
- (j) the demise of the Regional Spatial Strategy would have a minimal impact on Plymouth as the Council’s Core Strategy promoted high level of growth;

- (k) a new Neighbourhood Planning regime has been created and that this would involve the need for Neighbourhood Forums to be created;
- (l) local communities would have a greater say on local developments;
- (m) Section 143 – financial considerations are now a material planning consideration; this enabled Planning Committee to ask what was the New Homes Bonus of the project and what is the likely Community Infrastructure Levy?
- (n) there was to be a major reform of the housing allocation policy;

In response to questions raised it was reported that –

- (o) Ward Councillors would have the opportunity to play a more proactive role in the planning application process;
- (p) specific powers were introduced 2007?? Is this date correct? Needs checking to allow council's to impose fines with regards to rubbish collection; that power has been revoked. The power to charge for non-compliance with domestic waste recycling and refuse disposal has been repealed;
- (q) the panel would be provided with a copy of the community information pack when it was ready to be circulated to local community groups;
- (r) the Planning Committee had the opportunity to take into consideration how much weight financial issues should apply to each application; the Assistant Director for Planning Services agreed to provide this response in writing to the panel;
- (s) Council's were able to go to court if they could demonstrate deliberate concealment of development;
- (t) the Planning Committee was currently able to consider the density of development and efficient use of urban land;
- (u) the responsibility for lists of community value was yet to be established;
- (v) due to changes brought about by the Localism Act Planning Services needed to be reconfigured to meet new customer needs; a restructure of the service would take place shortly;

The Chair thanked Paul Barnard for his informative presentation.

Agreed that –

1. the Localism Act presentation would be emailed to panel members;
2. the information for community groups would be provided to panel members when available;

3. the Assistant Director for Planning Services agreed to provide the panel with a written response outlining the ability of the Planning Committee to take into consideration financial issues when considering applications.

## 77. **PLYMOUTH PLAN**

Paul Barnard, Assistant Director for Planning Services, provided the panel with an update on the Plymouth Plan.

The panel was informed that the aim of the Plymouth Plan was to reduce the number of plans, strategies and partnerships that the Council currently had. It was estimated that there was approximately 138 strategies within the council which was considered to be excessive. The Plymouth Plan aimed to be the key strategic plan for the city building on the city's vision and priorities.

In response to questions raised it was reported that –

- a) it was important that communities were engaging with the Plymouth Plan; the first formal stage of consultation would take place in December 2012; Submission would then take place in 2013 for adoption in April 2015;
- b) this plan would be reviewed every five years;
- c) it was yet to be decided when scrutiny would have the opportunity to consider the 'Issues and Options' report;
- d) the Assistant Director for Planning Services would report back to the panel options on the role of scrutiny with the Plymouth Plan.

At the commencement of this item dissatisfaction was raised by the panel regarding the lack of supporting paperwork for this issue, specifically a lack of terms of reference and what the Plymouth Plan aimed to achieve. The Chair advised the panel that the Plymouth Plan was at a very early stage of development and a verbal update was the most appropriate for the panel at this stage.

Agreed that the Assistant Director for Planning Services would report back to the panel options on the role of scrutiny with the Plymouth Plan.

## 78. **WORK PROGRAMME**

The panel noted the work programme for 2011/12 and agreed that –

1. the Youth Unemployment Task and Finish Group needed to be included onto the current work programme;
2. all items not considered by the panel this municipal year were to be included on the work programme for 2012/13;

3. approval be sought from the Overview and Scrutiny Management Board to include on the Growth and Prosperity OSP work programme for 2012/13 the 'relationship of Plymouth Community Homes with ward Councillors'.

79. **MINUTES**

Agreed that the minutes of the meeting held on 9 January 2012 are approved as a correct record.

Under this item clarification was sought as to the information relating to minute 60 (o) 'Local Development Framework Annual Monitoring Report' regarding the buildings at risk register; the panel requested, and it was agreed that, a copy of the original list is provided to Members via email.

80. **EXEMPT BUSINESS**

There were no items of exempt business.