

Customers and Communities Overview and Scrutiny Panel

Wednesday 6 February 2013

PRESENT:

Councillor Tuffin, in the Chair.

Councillor Michael Leaves, Vice-Chair.

Councillors Philippa Davey, Martin Leaves, Jordan, Jarvis, Damarell, Casey and Ball.

Co-opted Representative: Mr Meakin.

Apology for absence: Councillor Haydon.

Also in attendance: Councillor Penberthy, Cabinet Member for Cooperatives and Community Development, Robin Carton, Public Protection Service Manager, Nicola Horne, Environmental Protection and Monitoring Unit Manager, Paul Barnard, Assistant Director for Planning Services, Darin Halifax, Lead Officer, and Katey Johns, Democratic Support Officer.

The meeting started at 4 pm and finished at 5.35 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.

46. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by councillors in accordance with the code of conduct in relation to items under consideration at this meeting.

47. **MINUTES**

Agreed the minutes of the meeting held on 7 November 2012.

CHAIR'S URGENT BUSINESS

48. **Welcome**

The Chair welcomed Steve Meakin, newly appointed co-opted representative to his first meeting of the panel, and welcomed the return of Councillor Jarvis following his recent illness.

49. **TRACKING RESOLUTIONS**

The panel noted its tracking resolutions schedule.

50. **CLAUSE 5 OF THE GROWTH AND INFRASTRUCTURE BILL**

Further to minute 93(4) of the Overview and Scrutiny Management Board, the Assistant Director for Planning Services was in attendance to report on Clause 5 of the Growth and Infrastructure Bill. Members heard that –

- (a) the Growth and Infrastructure Bill had been laid before Parliament on 18 October 2012 and made provision for promoting growth and facilitating infrastructure;
- (b) the Bill was currently at Committee Stage in the House of Lords;
- (c) Clause 5 allows for the modification or discharge of affordable housing requirements secured through Section 106 agreements attached to the grant of planning permission;
- (d) there were seven possible impacts of Clause 5 on communities which, in summary, were –
 - the lack of localism and democracy
 - unintended delays in development
 - additional burdens placed on local planning departments
 - stifling innovation and the positive planning framework
 - less affordable housing provision
 - less sustainable developments
 - more legal challenges
- (e) in the view of the Assistant Director for Planning Services, Clause 5 was fundamentally flawed and would have potentially significant impacts on the city's growth agenda generally and specifically on the levels of affordable homes that would be delivered in the future to meet the needs of local communities.

In response to questions raised, Members were advised that –

- (f) Clause 5 would allow the bypassing of agreed affordable housing provisions to be determined by unelected Planning Inspectors;
- (g) various professional bodies and planning authorities had made representations to government on the proposals which had been the subject of a Select Committee discussion, particularly in relation to Clause 5 and Clause 1;
- (h) the proposals would more than likely result in less consultation with ward councillors.

Members reiterated the concerns expressed by the Assistant Director for Planning Services and suggested that they ought to be lobbying their Members of Parliament in order to influence the legislation as it proceeded through Parliament.

Agreed that a copy of the Assistant Director for Planning Services' report be sent to the City's Members of Parliament seeking their comments to be reported back to the panel in due course.

51. **REVIEW OF NOISE SERVICES - UPDATE**

Further to minute 14, Councillor Penberthy, Cabinet Member for Cooperatives and Community Development, Robin Carton, Public Protection Service Manager, and Nicola Horne, Environmental Protection and Monitoring Unit Manager, were in attendance to update the panel on the outcome of the review into Noise Services. Members were advised that the driver for the review and the identified improvements had been the manifesto pledge to "look for ways to improve the way the Council dealt with noisy neighbours and antisocial behaviour, especially in the evenings and weekends".

In response to questions raised, Members heard that –

- (a) whilst the geographical information presented seemed to imply that there was more of a problem in areas with a particularly high density of houses in multiple occupation, further data collection was required before that could be substantiated;
- (b) tackling noise nuisance often involves partnership working and officers from the public protection service worked with relevant partners where necessary, including the students union and the Dean of Plymouth University, private sector landlords, the antisocial behaviour unit, community safety partnership, the police and mental health services;
- (c) the public protection service had dealt with over 1700 cases during 2012, 300 of which had been active at any one time, and had received an 89 per cent positive response rate from those that had used the service;
- (d) where there had been repeat offences at the same address, officers had pursued prosecution and equipment had been confiscated;
- (e) if they were aware of noise issues in their particular wards, they should contact the appropriate team so that the matter could be followed up;
- (f) the equipment used by the public protection service to measure noise was highly sophisticated and had to be of the required standard in order to stand up in court.

The report was noted with thanks being expressed to the officers for their attendance.

52. **POLICE AND CRIME PANEL MINUTES**

The panel noted the minutes of the Devon and Cornwall Police and Crime Panel meeting held on 17 January 2013. In attendance for consideration of the item was Councillor Penberthy, one of the Council's representatives appointed to the Devon and Cornwall Police and Crime Panel. He reported that the next meeting would be on Friday 8 February 2013, the agenda for which included consideration of the –

- Draft Police and Crime Plan
- Police and Crime Commissioner's Proposed Level of Precept

A copy of Plymouth's response to the consultation on the Draft Police and Crime Plan was tabled for members' information, along with a paper which provided an overview of community safety in Plymouth. Councillor Penberthy advised members that the letter to Tony Hogg, the Police and Crime Commissioner, would be sent out the following day and he would therefore welcome any comments by midday on Thursday 7 February. In addition, any comments or thoughts on the precept should be submitted to him prior to the meeting on Friday.

He suggested that, whilst the minutes were informative and useful, it may be more appropriate for members to receive the minutes of the Safe and Strong Board whose agenda was more closely aligned to that of this scrutiny panel and included –

- Crime statistics
- Domestic abuse
- Drug and alcohol treatments
- Community safety partnerships
- Welfare reform

The Chair thanked the cabinet member for his attendance and for bringing the matter to the panel's attention.

Agreed that –

- (1) a link to the minutes of the Devon and Cornwall Police and Crime Panel would be circulated to members via e-mail by the Democratic Support Officer once they were published;
- (2) the minutes of the Safe and Strong Board would be included as a standard item for future meetings.

53. **WORK PROGRAMME**

The panel noted its work programme for 2012/13.

54. **EXEMPT BUSINESS**

There were no items of exempt business.