

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 10 November 2010.

PRESENT

Mr. S. J. Galton CC (in the Chair)

Mr. R. Blunt CC	Mr. M. B. Page CC
Mr. G. A. Boulter CC	Mrs. R. Page CC
Mrs. R. Camamile CC	Mr. B. L. Pain CC
Dr. R. K. A Feltham CC	Mrs. P. Posnett CC
Mr. Max Hunt CC	Mr. R. J. Shepherd CC
Mr. P. G. Lewis CC	Mr. R. M. Wilson CC

In Attendance:

Mr. D. A. Gamble CC (For Minute 118)
Mr. M. Griffiths CC (For Minute 118)
Mrs. L. A. S. Pendleton CC (For Minutes 118 and 120)

Mr. James Bowie, Chairman of LeicesterShire Promotions (For Minute 121)
Mr. Martin Peters, Chief Executive of LeicesterShire Promotions (For Minute 121)

111. Minutes.

The minutes of the meeting held on 1 September 2010 were taken as read, confirmed and signed.

112. Question Time.

Mr. Jeffrey Kauffman asked the Chairman the following questions under Standing Order 35:-

A6 Oadby to Leicester Bus Corridor

- “1. Was the County Solicitor aware of the change of design to the road layout before she wrote her reasons for proposal?
2. Who is it that decides what is a major or minor change?
3. Does the change of design of the road layout alter the County Solicitor’s opinion for the need for a 24 hour bus lane?
4. On what grounds did the County Solicitor write her letter dated 23 November 2009 that stated, “*there are negligible highway capacity implications in providing a bus lane as proposed here, as it makes use of a little used service lane*”?

5. What monitoring and evidence of improvement of bus running times has there been during the experimental period?
6. Are you aware that since the bus lane was announced, a bus company has ceased operating on the Oadby route?
7. What percentage of buses that do not stop at the racecourse bus stop, use the bus lane?
8. Have speed checks been carried out on the few buses that actually use the bus lane?
9. Do you agree that all buses that use the bus lane have to pull out into a 40mph carriageway at the end of the bus lane? This was not in the original design of the road layout?

Safety Concerns

10. How can it possibly be safe for the residents to exit their driveways by reversing their vehicles into a 40mph bus lane, (bearing in mind the buses tend to travel in excess of this limit) – it is not difficult enough with pedestrians walking behind our vehicles when trying to reverse out?
11. The original service lane was implemented to provide safe ingress and egress to the driveways of the residents' houses. What was the reason behind its implementation?
12. How can we possibly hitch up caravans, trailers etc without contravening the restrictions you have provided?
13. This is an urban area and heavily used by pedestrians and cyclists, so why have we a 40mph speed limit with buses in excess of ten tonnes travelling at this speed only feet away from the public?
14. How can disabled drivers wishing to visit park safely without contravening the restrictions presently imposed?
15. The properties in this row were sought after, however, our experience shows that since the introduction of the bus lane and the no-loading and parking restrictions, house values have dropped and the interest in these properties has waned because of the restrictions implemented. There is also 'rumbling' and shaking of nearby houses when buses travel past. Has consideration been given to compensating residents for this devaluation?"

The Chairman replied as follows:

- "1. When the Order is drafted and passed to the *County Solicitor*, the submission includes a Statement of Reasons alongside the Order Schedule, the list of consultees and a reference plan. Hence the *County Solicitor* will have been aware of the nature and extent of the scheme when the Statement of Reasons was signed. The *County Solicitor's*

primary concern will have been the legal accuracy of the Order rather than with the internal procedures leading up to the submission. Design changes leading up to that point would not have been highlighted.

2. The impact of any design changes is determined by the teams involved with the design in the Environment and Transport Department. They are therefore best placed to assess whether such changes are of sufficient magnitude to warrant being brought to the attention of Members, and if necessary subjected to further consultation. This was not felt to be the case with this scheme.
3. The need for a 24 hour bus lane is assessed on the basis of highway safety, clarity and enforceability, as addressed in Question 1 above, and this is not affected by the reduced extent of the bus lane referred to in this comment.
4. The letter referred to is the Statement of Reasons referred to in Question 1 above. The use of the former service lane for parking was assessed by video survey in the early stages of the scheme. The survey indicated that the service lane is only lightly used for parking, and all the frontages have off-street parking.
5. Peak hour bus journey time surveys before and after the scheme was implemented have reduced by 44% between the Brabazon Road and Stoughton Drive South junctions.
6. The service that has ceased operation is the 131 evening service; the route is still used by six remaining services, one running every 12 minutes during the day, and every 30 minutes in the evenings and at weekends.
7. This has not been explicitly measured. However, as noted in Question 3 above, bus drivers must use their own judgement as to whether or not to use the bus lane, depending on whether journey time will be saved. If there are no passengers waiting at the Racecourse stop, and if there is little or no congestion, then it may well be that no journey time will be saved in using the bus lane, and there is no pressure on buses to do so in these circumstances.
8. Bus speed surveys carried out on three weekdays since implementation of the bus lane show that the speed of 85% of buses using the bus lane between 9.30am and 11.00am was 37.2mph, and the average speed 27.3 mph - well within the applicable speed limit.
9. The extent of the bus lane was curtailed from that shown at consultation for two main reasons:
 - More detailed design identified the need to provide a wider bus lane than initially envisaged to allow safe joint use by cyclists, and this was too wide to be accommodated alongside the existing general traffic lanes on the approach to the Racecourse roundabout beyond the bus lay-by.

- Consultation with cyclists revealed that cyclists wishing to stay on-road over the roundabout often wish to begin positioning themselves on the road earlier than the end of the bus/cycle lane as it was shown in the consultation plan, beyond the lay-by. Leaving the lane as it was would have left cyclists with uncomfortably sharp, and hence dangerous, manoeuvres to make if they were to be positioned appropriately at the roundabout.

In order to make the bus lane available to all traffic at off-peak periods, it would be necessary to realign the traffic lanes to provide continuity of the nearside (bus) lane. An option has been investigated to address this issue by realigning the lane into which the bus lane runs – it currently terminates in the bus lay-by – so that it aligns with the nearside of the carriageway between the lay-by and the Racecourse roundabout. Traffic in the offside lane is merged into the middle lane by the same point. It is, however, felt that this arrangement:

- *would involve a sub-standard taper over the merge length for the speed of road concerned;*
 - *would adversely affect the behaviour of traffic running up to the Stoughton Drive South signals, which would need to begin to merge ahead of the lights in order to be in the appropriate lane after the signals, with significant consequences for congestion at peak times;*
 - *would encourage this behaviour most at peak hours, when traffic flows and congestion would be likely to be at their greatest, and when the greatest amount of traffic would be in the offside lane;*
 - *would be potentially confusing for traffic turning right out of Stoughton Drive South, again particularly at peak times, needing to choose between joining the centre lane directly, or joining the offside lane and needing to merge into the centre lane almost immediately;*
 - *could pose problems for cyclists using the bus lane and staying on-road, potentially being placed in conflict with traffic crossing to the nearside lane after the end of the bus lane.*
10. If there is insufficient space within the property to turn vehicles round, the Highway Code suggests that motorists reverse into and drive out of driveways giving onto main roads. To ensure the greatest safety therefore, frontages should reverse into accesses. Regardless of whether reversing or driving forwards, however, it is incumbent on the motorist to exercise appropriate care when emerging onto the Highway.
11. After this length of time the reasoning for the provision of a service lane at this location is not clear, however regardless of the reasons, it is certain that traffic and wider environmental conditions were not as they are now. It is now considered that better use of the service lane can now be made by buses.

12. The presence of the bus lane prevents stopping within the bus lane, and hitching/unhitching trailers and caravans cannot be considered a loading/unloading operation, so this must be carried out away from the bus lane, if it cannot be undertaken within property boundaries.
 13. Reference is made in Question 5 to the appropriateness of the current 40mph speed limit. There are many instances in the County where a 40mph speed limit applies in areas used by pedestrians and cyclists.
 14. Disabled people are not permitted to park in the bus lane at any time as the order currently stands. Therefore, if possible, space should be made for the duration within the existing off-street frontage parking provision for disabled people to park or be dropped off.
 15. Although there will be some noise and vibration from traffic on the A6, it is unlikely that the situation would have worsened for frontages at that distance from the road as a result of buses moving one lane closer. Indeed, the nuisance from a bus moving at a steady speed in the bus lane would be likely to be less than a bus further away subject to stop/start conditions at congested times.”
113. Questions asked by members under Standing Order 7(3) and 7(5).

Mr. Max Hunt CC asked the Chairman the following questions under Standing Order 7(3):-

- “1. Would the Chairman please provide the Commission with the following performance figures from the current LTP on tackling congestion by increasing the use of public transport, walking and cycling with less growth in car mileage and more effective vehicle use of congested road space, tabulated with the Baseline, Target, Outcome or Estimate at Target date and, where Estimated for 2010/11, the last statistic available:

Key Outcomes

- Person journey time per mile on key routes in urban Central Leicestershire;
- Time lost per vehicle km 07:00-10:00 in Loughborough;

Intermediate Outcomes

- Bus passenger journeys (boardings) per year;
- % of all residents satisfied with bus services;
- % of all residents satisfied with public transport information;
- % of buses between 1 minute early and 5 minutes late departing at the start of bus routes;
- % of buses between 1 minute early and 5 minutes late departing at intermediate timing points;
- % of buses between 1 minute early and 5 minutes late departing at bus stops between timing points;
- % of journeys to school by car as only pupil;
- Levels of cycling at representative counting points.

Contributory Outputs

- % of schools with adopted school travel plans;
 - % of major employers (>250) with workplace travel plans.
2. What progress have the City and County Authorities made on a joint project, referred to last January, for a smart card system for the effective management of concessionary fare usage within Leicester and Leicestershire; for use with individual bus companies; and an inter-operator smart card system, similar to the Oyster cards used in London?
 3. Would the Chairman give an update on the Leicester and Leicestershire Integrated Transport Model development and, in particular, what traffic systems it is currently capable of modeling, what it is proposed to model and how it can contribute to LTP3?"

The Chairman replied as follows:-

- “1. The answer to the question is enclosed in the table below and recorded per performance indicator (PI):

PI Ref	PI Description	2005/06 Baseline (unless stated)	2009/10 Actual	2010/11 Estimate (Q2)	2010/11 Target	Notes
LTP 1	Person journey time per mile on key routes in urban Central Leicestershire (minutes & seconds)	4m 21s (2004/05)	N/A	N/A	4m 37s	2009/10 result is expected December 2010
LTP 2	Time lost per vehicle km 07:00-10:00 in Loughborough (seconds)	34.3 secs (2005)	N/A	N/A	43.0 (2010)	Results are not yet available for 2008 onwards. Work is ongoing to convert data to meet DfT guidelines following a change in the traffic data collection agent
LTP 3	Bus passenger journeys (boardings) per year (millions)	15.04m	16.09m	15.70m (Q1)	16.59m	
LTP 4	% of all residents satisfied with local bus services (various surveys)	60% (MORI Survey)	57% (Joint survey)	N/A	55%	The PLACE survey has been postponed by the new Government.

						Please note results are from different surveys making direct comparison unreliable
LTP 5	% of all residents satisfied with public transport information (various surveys)	51% (MORI Survey)	51% (Joint survey)	N/A	45%	The PLACE survey has been postponed by the new Government. Please note results are from different surveys making direct comparison unreliable
LTP 6	% of buses between 1 min early and 5 mins late departing at the start of bus routes	72.4% (2006/07)	76.7%	N/A	85.0%	Reported annually - no estimate available
LTP 7	% of buses between 1 min early and 5 mins late departing at intermediate timing points	64.8% (2006/07)	68.2%	N/A	75.0%	Reported annually - no estimate available
LTP 8	% of buses between 1 min early and 5 mins late departing bus stops between timing points	-	-	-	-	Please note this PI was deleted from the PI set following the LTP Progress Report in 2008
LTP 9	% of journeys to school by car as only pupil	26.2% (2006/07)	23.5%	23.1%	23.0%	
LTP 10	Levels of cycling at representative counting points (Index) (Calendar year)	102.6 (2005)	116.1 (2009)	N/A	118.0 (2010)	Reported annually - no estimate available
LTP 12	% of major employers (>250 people) with workplace travel plans (WTPs)	26%	47%	49%	50%	
(LTP 11)	% of schools with adopted School Travel Plans (STPs) (School No's 2010/11 = 310)	38.5%	80.0%	87.0%	90.0%	Please note this PI was removed from the PI set following the LTP Progress Report in 2008 but is monitored as a local performance

						indicator
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2. Leicester City Council is leading the Smart Ticketing project supported by a government grant of up to £2.2m spread over the 2009/10 and 2010/11 financial years.
Grants totalling £1.9m have been made to date and cover the provision of the following:

- Upgraded ticket machines for all bus companies in central Leicestershire to allow reading of smart passes and tickets;
- Delivery of a HOPS (Host Operator Processing System) to record smart pass and ticket use;
- Purchase of smart ticket stocks;
- Back office hardware and software for bus companies.

The project will be rolled out over the next 3 years with the capacity to read all smart concessionary fare passes in central Leicestershire scheduled for April 2011 and wider roll out of smart tickets for 2012/13.

3. The Leicester and Leicestershire Integrated Transport Model (LLITM) is a land-use and transport interaction model. It deals with forecasting not only transport policy effects but also those of land-use changes and how both transport and land-uses interact. It is capable of modelling:

- Private transport impacts (car, lgv, hgv, walking and cycling) across seven purposes, three income bands for car drivers, four time periods as demand for travel varies by purpose, income and time of day;
- Public transport effects (bus and rail; new modes light rail, mixed modes – P&R);
- Forecast of travel demand choices by destination, mode, frequency, time of day, purpose – commuting, education, shopping, employer's business, non-home based, by income over a 24 hour day;
- Parking module for Loughborough and Leicester (extendable to other towns) for testing demand management policies;
- Land-use model forecasting - land-use changes on transport, changes in economic growth by industry type, changes in demand for education, migration of households from area to area by socio-economic type, retired, children, employed/unemployed, changes in population, best location for employment and housing location;
- Environmental impacts of land-uses and transport, associated noise and population affected, accident analysis; air quality - co2, Co, PM10 etc;

- Value for money appraisal – economic analysis.

LLITM is due for delivery this month and a framework for its operation effective from the 1 November. It is a one-stop modelling system that will take LTP3 strategies from option sifting, to detailed modelling of the preferred option right down to its full appraisal across all the key appraisal headings (Accessibility, Economic Growth, Quality of Life, Congestion, Environment, Acceptability, Integration including value for money and Wider Economic Benefits – agglomeration, productivity).

It is proposed to model:

- District housing allocations and core strategies (eg. the Lubbesthorpe proposal);
- Leicester City Centre Bus Management Scheme;
- A range of schemes and strategies in the core scenarios for 2016/2026;
- Developer proposals;
- LTP3 implementation plan;
- Network management duties;
- A retest of the PUA wide study done in PTOLEMY (halfway house in the absence of a comprehensive tool);
- MIRA –if promoters are willing to pay for it;
- Monitoring of network conditions over time in terms of congestion and identifying bottlenecks in the system and test of affordable solutions;
- Future policies as they come along.”

114. Urgent Items.

There were no urgent items for consideration.

115. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

116. Declarations of the Party Whip.

There were no declarations of the party whip.

117. Presentation of Petitions under Standing Order 36.

The Chief Executive reported that no petitions had been received under Standing Order 36.

118. Change to the Order of Business.

The Chairman sought and obtained the consent of the Commission to vary the order of business from that set out in the agenda for the meeting.

119. Proposed Bus and Cycle Scheme - A6 Leicester Road, Oadby.

The Commission considered a Cabinet report of the Director of Environment and Transport concerning proposals to make permanent an experimental 24 hour bus lane scheme on the A6, Leicester Road, Oadby. A copy of the report, marked 'B', is filed with these minutes.

The Chairman explained that the Cabinet report, which would be considered at a meeting on 16 November, had been brought before the Commission as a result of the questions submitted by Mr. Kaufman under Minute 112. It was felt that by debating this report, the Commission would be enabled to consider the issue fully and would also allow the respective local members to address the Commission, in addition to Mr. Kaufman himself.

The Director, in introducing the report, explained that the A6 bus and cycle scheme had been a key component of the LTP2 and was also a key factor in delivering performance improvements to bus services that were projected to be part of the LTP3. The scheme had initially been an 'experimental' traffic regulation order and would usually have been confirmed as permanent by the Director under delegated powers, however, given that local members had raised concerns a Cabinet decision on the matter was required.

With the consent of the Chairman, Mr. Kaufman addressed the Commission and explained that, despite being generally supportive of measures to encourage the use of public transport, he felt that as a result of the scheme regular highway had been lost at the racecourse roundabout and a continuous route along the road was not now available for other traffic. As part of his address, Mr. Kaufman raised the following additional concerns:

- The scheme that was built was not the same as that which was consulted on with local residents;
- At the initial consultation meeting, inaccurate plans of the scheme had been displayed;
- An additional meeting between local residents and Council officers had been promised but not convened. There appeared to have been a lack of communication between the two parties;
- The local members' views were not taken account of as part of the consultation process;

With the consent of the Chairman, the local members for Oadby, Mr. D. A. Gamble CC and Mr. M. Griffiths CC addressed the Commission and explained that they were thankful for the opportunity to speak on this item. They raised the following principal points:

- A public meeting with local residents had been agreed to by a Council officer but had not been convened;
- It had been agreed that the comments of local residents would be forwarded to a Council officer. There had been no response to those comments;
- There was much support in the area for a peak two hour bus lane, but there appeared to be no evidence to support 24 operation of a bus lane along that route;
- The approximate cost of the scheme - £308,000 – was not felt to represent good value for money for the taxpayer, particularly in the present economic climate;
- There was a lack of consistency between the stretch of road in the City, which was a peak hour bus lane and the County, which was due to be a 24 hour lane. It was felt that this would cause some confusion.

In response to the issues raised, the Director of Environment and Transport made the following points:

- The scheme had required some minor alterations, shortening the bus lane by some 60 metres, which was not outside public property and which were unforeseen at the time of consultation;
- The City Council had installed a peak hour bus lane along the A6, as they had had to take away a portion of the road from regular traffic. This had not been the case in the County's portion of the road. It was highlighted that the bus lane that was now in operation was not available for regular traffic beforehand;
- The safety and design features of the road layout would deliver quicker and more reliable movement along the A6;
- The fact that no public meeting had been held was the result of a misunderstanding. Council officers had understood the local Members to be making arrangements for the meeting to take place, as it was felt not to be the responsibility of Council officers to organise this. Had a meeting been convened, Council officers would have been willing to attend;
- There had appeared to be significant relief of congestion along the route as a result of the scheme and it had allowed the bus services better to keep to time;

- The £308,000 budget for the scheme had now been spent. This covered a number of improvements for cyclists and pedestrians in the area as well as the bus lane itself;
- Should there be a decision of the Cabinet to reconsider a two hour peak time bus lane it was likely that a new consultation process would have to be entered into.

In considering the points raised by the Director, Mr. Kaufman and local members, the Commission raised the following points:

- There was a genuine concern that drivers would be confused between the lack of consistency between the City and County portions of the road. A similar portion of road along the A6 approach to Loughborough had a peak hour bus lane, which it was felt members of the public did not always use outside of peak hours because it was labeled a 'bus lane';
- The LTP3's long term strategy of reduced use of coloured road surfacing appeared to be at odds with what was being proposed here;
- The consultation process did not appear to have been carried out satisfactorily.

It was proposed by Dr. Feltham and seconded by Mr. Page:

"That the Cabinet be advised that it is the Commission's view that the option for a two hour peak time bus lane on the A6, Leicester Road should be urgently investigated."

The motion was carried, 12 members having voted for the motion, none against andd with one abstention.

120. Development of Local Transport Plan 3.

The Commission considered a report of the Director of Environment and Transport concerning progress made in respect of the Local Transport Plan 3 (LTP3). A copy of the report, marked 'D', is filed with these minutes.

The Chairman welcomed the Cabinet Lead Member for Environment and Transport, Mrs. L. A. S. Pendleton CC to the meeting who was attending to respond to any questions the Commission had on the progress made to date.

Arising from discussion of the report, the following points were noted:

- The Council had a limited transport capital fund of £17 million and would need actively to engage businesses to ensure that they took ownership of transport issues;
- Despite the fact that a joint LTP3 would not now be pursued with the City Council, the two authorities continued to work together constructively on transport projects;

- Smarter ticketing for public transport, akin to the 'Oyster Card' in London, was seen as a way forward, though it was recognised that there were significant obstacles to overcome if this were to be fully achievable given the number of bus service operators in the County;
- The Council's Integrated Transport Model was due for delivery in November;
- There was concern that some districts were basing their housing projections on public transport provision, despite the possibility that services could be significantly reduced going forward. There was a danger that, particularly in rural areas, this could lead to isolation;
- The LTP3 was based on projected national population growth of 25%. The East Midlands was expected to grow more than any other area in the country;
- It would be important to continue to focus on addressing driver behaviour to ensure the safety of the road network. The Council would continue to host workshops for drivers;
- It would be essential to build resilience into the road network to ensure that works carried out by other agencies did not adversely affect traffic flow;
- The Glenfield Park and Ride scheme had been halted by the Coalition Government and currently sat on a list of projects that were worthy of further work in the future;
- It was hoped that parish councils would engage in the consultation process. It was felt that there had been little publicity of the LTP3 thus far and more needed to be done to ensure that parish councils were aware of and contributed to the strategy.

RESOLVED:

- (a) That, in noting the undertaken to date on the development of the LTP3 together with the consultation document, the comments outlined above be taken account of as part of the consultation process;
- (b) That the further work required to develop the LTP3 long term Strategy and Implementation Plan following consultation be noted;
- (c) That the Director of Environment and Transport be requested to deliver a presentation at a future meeting on the plans for the Leicester and Leicestershire Integrated Transport Model.

121. Presentation: Review of LeicesterShire Promotions' Performance.

The Commission considered a presentation by Mr. Martin Peters, Chief Executive and Mr. James Bowie, Chairman of LeicesterShire Promotions on activities during the past year and its plans going forward in acting as the Council's Destination Management Organisation. A copy of the slides forming the presentation is filed with these minutes.

Arising from the presentation, the following points were noted:

- The company had worked with borough and district councils mostly in respect of branding. One example of such work was the establishment of Melton as 'the Rural Capital of Food' which had led to much success and press coverage;
- A Tourism Forum was hosted once a year to engage partners and local businesses;
- The 'GoLeicestershire!' website was seen as a very successful marketing tool for attracting tourism to the County;
- The tourism industry was viewed as being likely to have a positive influence on the growth of other industries. The Company had, thus far, secured over £839 million of capital investment and created over 1,200 jobs in the City/County area;
- The County presently contributed £278,000 per annum to the company, the City contributed £546,000. The company turned over £1.4 million with a staff base of 11.

The Chief Executive advised the Commission that a review was currently being conducted of the Council's tourism and economic development arrangements which would involve both LeicesterShire Promotions and Prospect Leicestershire. That review was looking into the viability of a single delivery vehicle which would bring together the work of the two companies. It was important to note that emda funding had now been withdrawn and it was likely that local authorities, who were required to pursue significant savings, would also review their involvement in the future.

The representatives of LeicesterShire Promotions withdrew from the meeting at this point. Members expressed views comparing the presentations of LeicesterShire Promotions and Prospect LeicesterShire. Comments were made that LeicesterShire Promotions were able to demonstrate a track record of effective service delivery in the area of tourism over a period of time and had developed constructive relationships with private sector service providers in this area.

Mr. Hunt raised concerns about coming to a view on the future of the two companies without a formal briefing that explained in detail the decision making process for this matter.

RESOLVED:

- (a) That Mr. Peters and Mr. Bowie be thanked for their informative presentation and that the company and its staff be congratulated for their work in promoting the County's tourism offering;
- (b) That the comments outlined above be brought to the attention of the appropriate body responsible for making a decision on the future of the Council's tourism and economic development arrangements and that the Head of Legal Services be asked to provide advice to members on the decision making process for this matter;
- (c) That an update report on the future of the Council's tourism and economic development arrangements be submitted to the Commission's next meeting on 15 December.

122. Petition Requesting the Provision of a Footpath Between the Villages of Cosby and Broughton Astley.

The Commission considered a briefing note of the Director of Environment and Transport concerning a petition which had been submitted the Commission on 9 June 2010 signed by 326 local residents requesting the provision of a footpath between the villages of Cosby and Broughton Astley. A copy of the report, marked 'C', is filed with these minutes.

In considering the matter, members were mindful of the Council's present financial situation which required savings of approximately £90 million. The Council was having to make 'smarter' choices about how it spent its limited budget and it was felt that requests of this kind could not be accommodated in the present financial climate.

RESOLVED:

That the Director of Environment and Transport be asked to write to the lead petitioner, Mr. Zac Kraymer, explaining that it was the Commission's view that the provision of a footpath along the route specified was neither feasible nor justifiable in the present economic climate.

123. Leicestershire and Leicester Waste Development Framework.

The Commission considered a Cabinet report of the Chief Executive concerning Waste Site Allocations Policies which required Cabinet and full County Council approval before being submitted to the Secretary of State for Communities and Local Government for Examination by the Planning Inspectorate . A copy of the report, marked 'E', is filed with these minutes.

The Chief Executive reported that the High Court had decided that the Secretary of State had acted unlawfully in revoking the Regional Strategies (RSs). However, it was still the Government's intention to abolish the RSs through the Localism Bill, which was expected to be published in November 2010 and come into force in the autumn of 2011.

Arising from discussion of the report, the following points were noted:

- Environmental Health had concerns with the allocations of further sites in the Mountsorrel area and this was a factor why no sites had been allocated at this time;
- Newhurst quarry already had the benefit of planning permission for waste management. The planning application which was refused permission by the Development Control and Regulatory Board in respect of that site was for a different waste management solution to that previously approved and was also the basis of the developer's submission to have the site allocated. For those reasons, the site was not recommended for allocation;
- Flexibility was built into the Site Allocations document in order that, in the event that proposals came forward on non-allocated sites, the Council could consider granting planning permission under certain circumstances (eg. necessary to replace or provide additional capacity);
- The Whetstone site was adjacent to the railway. Some members emphasised the importance of considering the use of rail for transport of waste.

RESOLVED:

That comments of the Commission as outlined above be submitted to the Cabinet for consideration at its meeting on 16 November.

124. Date of next meeting.

It was noted that:

- (i) the next meeting of the Commission would be held on Wednesday 15 December at 9.20am and would incorporate a discussion with the Leader on the prospects going forward in the Medium Term Financial Strategy;
- (ii) The 8 December (at 2.00pm) date originally intended for the Commission's next meeting would now be used for a Scrutiny Commissioners' meeting, to which all Deputy Commissioners were invited for an item to discuss the Commission's agenda for the next six months;
- (iii) a further meeting of the Commission would now take place on Wednesday 19 January 2010 at 2.00pm.