

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 5 September 2012.

PRESENT

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

Mrs. R. Camamile CC
Mrs. J. A. Dickinson CC
Dr. R. K. A Feltham CC
Mr. G. A. Hart CC
Dr. S. Hill CC

Mr. A. M. Kershaw CC
Mr. W. Liquorish JP CC
Ms. Betty Newton CC
Mrs. R. Page CC
Mr. R. J. Shepherd CC

In Attendance:

Mr. Max Hunt CC (for Minute 292)

285. Minutes.

The minutes of the meeting held on 30 May 2012 were taken as read, confirmed and signed subject to the following amendments:

- (a) The name of Mr. W. Liquorish JP CC being added to the attendance list; and
- (b) In minute 274 the removal of the name of Mr. Hart CC from the list of those members declaring an interest as a member of a district council and the addition of the following paragraph below that list of members:

“Mr. G. A. Hart CC declared a personal, non-prejudicial interest in respect of this item having been a member of the Cabinet at a time when the proposals for a community budget for families with complex needs (now referred to as ‘Troubled Families’) were agreed.”

286. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

287. Questions asked by members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

288. Urgent Items.

There were no urgent items for consideration.

289. 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.

290. Declarations of the Party Whip.

There were no declarations of the party whip.

291. Presentation of Petitions.

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

292. Leicester and Leicestershire Integrated Transport Model.

The Commission considered a presentation by the Director of Environment and Transport concerning the Leicester and Leicestershire Integrated Transport Model (LLITM). A copy of the slides forming the presentation, together with an explanatory note marked 'B', is filed with these minutes.

Arising from the presentation, the following points were noted:

- Clients had not fully appreciated the time it took to run the Model and this had caused some initial difficulties. It was not feasible for the Model to have all the data required to perform well on every stretch of road as it included over 22,000 links. Though it was clearly not possible to collect, analyse and input traffic flow and journey time data on every road link, it was confirmed that the Model was built to standards set by the Department for Transport and would provide a robust evidence base in the event of applications reaching appeal;
- The decision on when it was appropriate to use the Model was largely dependant on the number of dwellings in an application. Officers were preparing guidance for councillors and the public on this issue;
- Developers were required to pay the Council a fee to run the Model, which would provide them with valuable data to inform the choices they made about their development. It was felt that those developers who chose not to run the model were susceptible to challenge later in the planning process.

Mr. Max Hunt CC had asked to be present at the meeting, having originally requested that the Commission consider the matter. Mr. Hunt had submitted a paper setting out his concerns about the LLITM, a copy of which is filed with these minutes. With the consent of the Chairman, Mr. Hunt addressed the Commission and stated that councillors had found it difficult to "sell" the Model to district councils as there was insufficient information available on what the Model could achieve. With more information it was hoped that it would also be easier to deliver a consistent message to the public.

Arising from consideration of Mr. Hunt's paper and the comments made, the following points were noted:

- Though there had been some initial disagreement between the Council and the Highways Agency in respect of the Model's assessment of traffic impact on trunk roads, the two organisations were now working together more closely to improve the Model and the Highways Agency was now satisfied with the Model's output;
- There had been complaints from Charnwood Borough Council about the delay they had experienced in developing their Core Strategy as a result of the Model's underestimation of traffic congestion in Loughborough. It was acknowledged that, although there was clearly a learning curve in developing an innovative piece of technology such as the LLITM, there had been a number of delays in the process due to the time it had taken the Borough Council's consultant to understand how the Model functioned and changes made to the initial brief they provided;
- There would inevitably be difficulties in satisfying the public that the data provided by the LLITM was accurate. It would be equally important to make the public aware that the Model was not perfect, but was the best option available to make assumptions about the transport behaviours of residents in the future.

Following the discussion, Mr. Hunt asked that he receive a written officer response to his paper.

RESOLVED:

- (a) That the presentation and explanatory paper be noted;
- (b) That the comments submitted by Mr. Hunt be noted and that a written officer response be issued to him with a copy to all members of the Commission for information.

293. Consultation on the Draft Renewable Energy Strategy.

The Commission considered a report of the Director of Environment and Transport concerning the Draft Renewable Energy Strategy. A copy of the report, marked 'C', is filed with these minutes.

The Director indicated that the Draft Strategy had been prepared by the Leicestershire Together Environment Board and was currently the subject of consultation with partners. All responses received thus far, including that of the Commission, would be considered by the Environment Board at its meeting on 12 September. A final version of the Strategy would then be recommended to the Leicestershire Together Board, prior to approval being sought at executive level at the County Council and all partners.

The Commission was generally supportive of the Draft Strategy and its target to achieve 11% renewable energy generation. Though the target was significantly less than the Government's national target of 30%, it was acknowledged that Leicestershire was unable to harness other renewable

sources such as marine, tidal and off-shore wind power, which placed it at a distinct disadvantage to some other local authorities. However, some concern was expressed about the use of wind farms, particularly in relation to their concentration and the lack of infrastructure to cope with the energy they generated.

It was clear that wind farms would continue to face opposition from the public. A point was made that in other European countries, such as Germany and Holland, there had been a greater acceptance of renewable energy sources because communities had been more involved in the approval process. It was felt that at present there was little guidance provided to communities in the UK and that this had led to a much less sympathetic response.

A suggestion was made that further work be carried out through the Leicester and Leicestershire Enterprise Partnership to explore the opportunities of job creation through renewable energy sources, such as solar panels.

The Commission noted that Peter Williams, Head of Environmental Management was due to retire on 28 September. Members took the opportunity to place on record their thanks to Peter for his years of advice and support and to wish him a long and happy retirement.

RESOLVED:

- (a) That the Draft Renewable Energy Strategy be welcomed;
- (b) That the comments of the Commission as outlined above be considered by the Leicestershire Together Environment Board as part of the consultation process.

294. Review of Local Government Funding.

The Commission considered a presentation by the Director of Corporate Resources concerning the review of local government funding and the localisation of council tax rates. A copy of the slides forming the presentation is filed with these minutes.

Arising from the presentation, the following points were noted:

- The Cabinet would consider a draft response to the consultation on the local government resource review at its meeting on 14 September. There were a number of uncertainties regarding the new system, some major concerns regarding the various transfers of resources that would take effect next year and issues with regard to the operation of the new system;
- The localisation of council tax benefit could have major implications for the County Council. District councils were currently consulting on this issue with the public and preceptors. A response by the preceptors was due to be considered by the Cabinet on 14 September. There were clear practical benefits and efficiencies to be harnessed by operating one scheme across all districts;

- An expression of interest had been submitted to the Government jointly by the County Council, City Council, the Fire Authority and the district councils for the pooling of business rates. Any scheme would need to be designed and agreed by 19 October and the Cabinet would be considering the matter at its meeting on 16 October. Pooling was potentially an attractive option as it would help to retain more levy within the County Council;
- It was likely that there could be a comprehensive spending review in the autumn of 2013 which would result in further cuts to local government funding.

RESOLVED:

That the presentation be noted.

295. Police Reform and Social Responsibility Act.

The Commission considered a report of the County Solicitor concerning the arrangements for the operation and composition of the Police and Crime Panel (PCP). A copy of the report, marked 'D', is filed with these minutes.

Mr. J. T. Orson JP CC had been invited to attend the meeting to discuss his role as the Council's member on the PCP, but unfortunately had been unable to attend the meeting at short notice.

The County Solicitor updated the Commission as follows:

- Given the short timescales, there would be a need for the Police and Crime Commissioner (PCC) to agree the Police and Crime Plan and the precept early in the New Year;
- A shadow Police and Crime Panel was being established to commence work prior to the election of the PCC in November to agree operational arrangements and protocols;
- The role of the PCP was to support and challenge the Police and Crime Commissioner. There would clearly be a role for the Scrutiny Commission to comment on reports of the PCP and have regard to its work. Having the Council's representative on the PCP attend Commission meetings would be one way in which the Commission could challenge the PCP and influence issues such as the precept. A suggestion was made for Commission meetings to be arranged so as to enable it to meet to comment on the documents the PCP would be considering with specific timescales, such as the Police and Crime Plan and the precept;
- The Home Office had increased support funding for PCP's to £53,000. At present, it was not known exactly how this would be used, though the PCP would require committee, legal and policy support.

RESOLVED:

- (a) That the current position regarding the election of a Police and Crime Commissioner and the establishment of a Police and Crime Panel to scrutinise the PCC be noted;
- (b) That it be noted that work is underway to develop a protocol which will inform the working relationship between the Commission (as the Crime and Disorder Scrutiny Committee) and the PCP and that this document will be considered by the Commission at its November meeting.

296. Date of next meeting.

It was NOTED that the next meeting of the Commission would be held on 7 November at 2.00pm.

297. Programme of Commission Meetings in 2013.

It was NOTED that the following dates would form the Commission's provisional programme of meetings for 2013 (all meetings to start at 2.00pm):

Wednesday 30 January
Wednesday 27 February
Wednesday 27 March
Wednesday 5 June
Wednesday 4 September
Wednesday 6 November

2.00 pm - 5.00 pm
05 September 2012

CHAIRMAN