

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday 27 February 2002.

PRESENT

Mr. N. J. Brown CC (in the Chair)

Mrs. V. P. Bill CC	Mr. B. Chapman AE, CC
Dr. R. K. A. Feltham CC	Mr. S. J. Galton CC
Mr. D. A. Gamble CC	Mr. Mike Jones CC
Mr. P. C. Osborne CC	Mr. M. B. Page CC
Mr. J. B. Rhodes CC	Lt. Col. P. A. Roffey DL, CC
Mr. N. J. Rushton CC	Mr. S. D. Sheahan CC
Mr. D. A. Sprason CC	

80. Minutes of the meeting of the Commission held on 31st January, 2002

The minutes of the meeting held on 16th January, 2002 were taken as read, confirmed and signed, subject to the inclusion of Mr. M.B. Page CC in the list of members present at the meeting.

81. Questions asked by electors under Standing Order 35.

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

82. Questions asked by members under Standing Order 7(3) and 7(5).

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

83. Any other items which the Chairman has decided to take as urgent elsewhere on the agenda.

There were no urgent items for consideration.

84. Declarations of pecuniary and non-pecuniary interests in respect of items on this agenda.

There were no declarations of interest.

85. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations made under Overview and Scrutiny Procedure Rule 16.

86. Presentations of Petitions under Standing Order 36.

The Chief Executive reported that there were no petitions to be presented under Standing Order 36.

87. Planning Green Paper - 'Planning : Delivering a Fundamental Change'.

The Commission considered a report of the Acting Director of Planning and Transportation concerning the main proposals contained in the Government's recent Green Paper on "Planning : Delivering a Fundamental Change" and the proposed response to it from the Cabinet. A copy of the report, marked 'B' is filed with this minutes. Consideration was also given to the comments made by the Planning and Environment Scrutiny Committee on the report at its meeting on 21 February 2002 and to a news release from the County Council's Network. Copies of these two documents were circulated before the meeting and are also filed with these minutes.

The Commission in the course of the debate made comments as follows:

- i) There were difficulties with the present system of strategic planning and planning control which should be addressed. In particular :-
 - There was a need for speedier resolution of major and complex planning applications and for the development of a robust decision-making process to deal with such cases. It was noted that responsibility for the delay frequently lay with Government departments. However, any process of reform should ensure that the public were given appropriate rights to be consulted, ample opportunity to raise objections and were treated fairly.
 - The current system of forward planning involving structure plans and local plans could prove cumbersome in practice. The overlapping nature of the plans could lead to duplication and it was important to ensure that there was no conflict between structure plans and local plans.
 - The current system of forward planning and the responsibilities of county councils and district councils was not readily comprehensible to the public. Any change in the current approach should be designed to ensure a greater degree of transparency and that the system was readily understood.
- ii) The current plan-led system was essential as a means of controlling unlimited development and creating appropriate expectations of likely action in respect of planning control. There was a need for strategic and co-ordinating sub-regional planning. Whilst endorsing the comments at paragraph 26 of the report to Cabinet, the view was expressed that the key topic areas identified in the third bullet point of that paragraph could not be effectively dealt with at regional or district level (housing distribution, employment land allocations, retail floor space requirements, mineral and waste, green wedges). Co-ordination was required to ensure consistency of approach at district level. The proposed partial coverage of planning issues at sub-regional level was

insufficient to achieve these aims.

- iii) With regard to the proposals to increase responsibilities at regional planning level through the transfer of responsibilities from County Councils, the Commission was of the view that this would create serious problems, in particular:-
- The size of the region would have the effect that any regional planning body would be remote from district councils and local issues such as green wedges, town centres and school travel issues.
 - There would be problems of accountability to the general public and transparency; it would be difficult to ensure that members of the public were aware of the forward planning process.
 - It would be more difficult for the public to be involved in processes of consultation and objection in relation to the formulation of plans, than was currently the case.
 - It was likely that there would be problems of democratic deficit and so lack of democratic accountability at regional level.
 - The importance of probity in planning and an appropriate system for declarations of interest, as is well established in local government, could not readily be applied to regional decision-making processes involving non-elected representatives of interest groups, with a pre-conceived agenda in relation to planning issues.
 - There was no existing expertise at regional level sufficient to undertake the increased responsibilities.
- iv) County Councils, had a good track record of producing Structure Plans and adopting a co-ordinating role on issues where there might be inconsistency of approach by districts. Evidence of that success was to be found in the achievements of the County Council in reaching agreement on the allocation of housing development across the District Councils within Leicestershire.
- v) The proposal that counties should retain the preparation of minerals and waste local plan was inconsistent with the general approach, lacked clarity and would be likely to lead to further problems of confusion and lack of transparency in the planning system for the general public.
- vi) An alternative approach to the Government's proposal was to retain the existing system of structure plans whilst accepting that in some areas it would be appropriate for a "lighter touch" to be adopted and that efforts should be made to avoid duplication with local plans (or local development frameworks).

RESOLVED:-

- a) That the comments of the Planning and Environment Scrutiny Committee, be noted.

- b) That the response set out in the report of the Acting Director of Planning and Transportation to the Cabinet be endorsed, and that the Cabinet be requested to ensure that the views of Scrutiny Committee as set out above are incorporated within the final response.
- c) That the alternative proposal set out at paragraph 29 of the report be endorsed subject to:-
 - (i) The first bullet point being amended to emphasise the need for the regional planning role to be exercised by directly elected members of an appropriate regional body;
 - (ii) The preparation of local development frameworks or, as suggested in the response of the County Council's Network, area action plans should involve county councils; however, the primary responsibility should remain with district councils.
- d) That the Cabinet be requested to make arrangements with a view to ensuring that the views of the County Council are made clear to local MPs and that the strength of feeling of members and their unanimity of view be emphasised.

88. Draft Youth Justice Plan 2002/03 - 2004/05.

The Commission considered a report of the Chief Executive seeking views on the draft Youth Justice Plan for 2002/03 to 2004/05 prior to its submission to the Youth Justice Board for England and Wales. A copy of the report marked 'C' is filed with these minutes.

In response to questions, the Commission was advised as follows:-

- Whilst not specifically highlighted as a separate performance measure, the Plan did include references to work with young people in relation to drug use, in particular, the appointment of two specialist drug workers to the Youth Offending Scheme and the work of Leicestershire Drug and Alcohol Action Team;
- The age-range served by the Youth Justice Team was 10 – 17. The issue of reducing offending behaviour amongst younger children was recognised and was one of the key objectives of the Children's Fund bid submitted by the County Council;
- The success of parenting programmes had been somewhat limited particularly in relation to engaging parents in the process.

RESOLVED

- a) That in addition to the two priorities listed in 'Measure 1 – Prevention' consideration should be given to greater emphasis being placed within the Plan on the need for tackling young people's involvement with drugs and drug related crimes;

- b) That subject to the above, the draft Youth Justice Plan for 2002/03 to 2004/05 be endorsed.

2.00 – 3.50 p.m.
27th February, 2002.

CHAIRMAN

