

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 30 August 2006.

PRESENT

Dr. M. O'Callaghan CC (Chairman)

Mr. J. G. Coxon CC
Mr. S. J. Galton CC
Mr. D. W. Houseman CC
Mr. John Legrys CC
Mr. R. J. Shepherd CC

Mr. R. Fraser CC
Dr. S. Hill CC
Mr. Mike Jones CC
Mr. P. C. Osborne CC
Mr. E. D. Snartt CC

29. Minutes.

The minutes of the meeting held on 13 July 2006 were taken as read, confirmed and signed.

30. Question Time.

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

31. 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).

32. Urgent Items.

The Chairman reported that he proposed to discuss as an urgent item the contents of the report to the Cabinet on the review of secondary education in Melton Mowbray and the Vale of Belvoir.

33. Declarations of interest.

The following members declared personal non-prejudicial interests in relation to Item 11 – Housing Provision in the Leicester and Leicestershire Housing Market Area as members of District Councils:-

Mr. Coxon, Mr. Galton, Mr. Jones, Mr. Shepherd and Mr. Snartt.

34. 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.

35. Presentation of petitions under Standing Order 36.

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

36. Developer Contributions.

The Commission considered a report of the Director of Community Services concerning the review of the County Council's supplementary planning guidance for developer contributions towards County-wide services and infrastructure. A copy of the report marked 'A' is filed with these minutes.

In response to questions and comments the Commission was advised as follows:

- (i) officers were aware of the issue of the developers applying for a number of small scale developments over a number of years and thereby avoiding developer contributions. It was hoped that District Council approval of Local Development Frameworks would address this issue as would the arrangements for "pooled contributions".
- (ii) the proposed appointment of an officer to monitor developments would ensure that the County Council secured its share of developer contributions;
- (iii) there was no specific formula for assessing contributions for highway improvements, each case was considered on its merits depending on the impact of the development and the need for highway improvements;
- (iv) consideration would be given to the County Council seeking contributions, where appropriate, towards recreation facilities such as improvements to Country Parks.
- (v) with regard to contribution for health provision the County Council would endeavour to seek contribution for partnership activity where appropriate, following consultation with the Primary Care Trust (PCT). It was a matter for the PCT to seek contributions in relation to solely NHS activity. Consideration would be given to how the County Council could assist PCT's in seeking such contributions, particularly as PCT's were not statutory consultees.
- (vi) the concerns about the list of consultees was noted and would be looked at.
- (vii) the concerns about the lack of information regarding the types of social services activities for which developer contributions might be sought was noted and would be addressed in the final draft.

RESOLVED:

That the comments now made on the draft supplementary guidance for

developer contributions be drawn to the attention of the Cabinet.

37. Race Equality Scheme and Corporate Equality Plan.

The Commission considered a report of the Chief Executive concerning the progress on implementing the Race Equality Scheme 2005-07 and the Corporate Equality Plan 2005-07. The report also outlined the outcome of the assessment of the Council's progress against the Equality Standard for Local Government. A copy of the report marked 'B' is filed with these minutes.

Mrs. L.A.S. Pendleton, the Cabinet Lead Member for Rural Affairs, Tourism and Equal Opportunities attended the meeting and introduced the report.

In reply to questions members were advised as follows:

- (i) a pilot mentoring scheme for black and disabled staff had proved successful in the former Social Services Department and was being rolled out to other Departments of the Council; in this and other ways priority was being given to developing ethnic minority staff from within the County Council's workforce;
- (ii) the figures in relation to applicants for posts were less precise than those about employees as a significant proportion of applicants did not complete the monitoring forms regarding disability and ethnicity;
- (iii) there was regular monitoring and details about the ethnic mix in departments/sections could be made available to members on request.

RESOLVED:

- (a) That the progress made in implementing the Race Equality Scheme and Corporate Equality Plan be welcomed.
- (b) That the Cabinet Lead Member and officers be congratulated on the County Council's achievement of Level 2 of the Equality Standard for Local Government.

38. Disability Equality Scheme.

The Commission considered a report of the Chief Executive concerning the draft Disability Equality Scheme. A copy of the report marked 'c' is filed with these minutes.

Mrs. L.A.S. Pendleton CC, the Cabinet Lead Member for Rural Affairs, Tourism and Equal Opportunities attended the meeting. She introduced the report and advised members that there had been 14 meetings with various disabled groups and organisations to discuss the draft Strategy. The Strategy was broadly welcomed but a number of detailed comments were made and these were being analysed.

In response to comments and questions the Commission was advised that:-

- good progress had been made on improving access to buildings but that

this was an on-going process. Resources had been made available in the Capital Programme for this work.

- the work in hand towards encouraging a culture where people felt safe to declare their disability would include awareness of mental health issues.

RESOLVED:

- (a) That the outcome of consultation with disability organisations be circulated to members for information.
- (b) That the draft Disability Equality Scheme be welcomed.

39. Housing Provision in the Leicester and Leicestershire Housing Market Area - Advice to the East Midlands Regional Assembly.

The Commission considered a report of the Chief Executive concerning the advice to be submitted to the East Midlands Regional Assembly on housing provision in Leicestershire. A copy of the report marked 'D' is filed with these minutes.

The Commission also considered written comments that had been submitted by the following members, copies of which are also filed with these minutes:

Mrs. J. A. Dickinson CC
Mr. M. J. Hunt CC
Mr. E. F. White CC

Mr. E. F. White CC attended the meeting under the Sensitive Issues Procedure and with the permission of the Chairman spoke on this matter. He urged the Commission to note and submit the concerns outlined in his written submission to the Cabinet.

During the discussion on this matter the following concerns were raised by members:

- The limited time available to members to consider the document and consult with local constituents in order to make informed comments.
- The lack of information on the criteria used to determine the proposed RSS housing allocation in relation to each district.
- The lack of clear reasons for moving away from the allocations previously determined under option 2B.
- The levels of involvement of District Councils in arriving at the proposed housing allocation and in identifying suitable locations for urban extensions.
- The lack of consultation and a formal decision to submit a Growth Point Bid, with the consequence that the decision as to the location of housing developments now appear to be determined at regional rather than local

level.

In response to the concerns expressed members were advised as follows:-

- The briefing for Members in July had covered most of the issues raised in the report. The main development since then had been the selection from a longer list of the locations of urban extensions which took account primarily of infrastructure constraints. For example urban expansion to the east of the Leicester and Leicestershire Urban Area had been rejected because the costs of transport improvements were too high.
- In providing advice to the Regional Assembly the County Council would reserve its position to consider, and if appropriate, amend its advice, in the light of the further assessment work for example on transport capacity and potential improvements.
- The previous allocation under Option 2B had not been agreed by all District Councils. These allocations were based on historic population growth and build rate trends which reflected the allocation of land in locations considered appropriate under previous planning strategies and did not reflect the capacity of the infrastructure to support developments.
- Discussions had been held with District Councils and none supported large scale growth in their areas.
- There were problems of congestion in all parts of the County although solutions are considered to be more achievable in those areas identified for major urban extensions than in other areas. The further testing of these locations would support or disprove this position.
- The focus on urban extensions would enable development in larger blocks and thereby enable the Council to access Growth Point funding for infrastructure improvements. This approach would improve the prospects of the Council in accessing developer contributions.
- Even without the Growth Point funding officers would still recommend large scale development as this was the only way to support development with effective infrastructure through public investment and developer contributions.

It was moved by the Chairman and seconded:-

- a) That the comments submitted by Mrs. Dickinson, Mr. Hunt and Mr. White be noted and forwarded to the Cabinet.
- b) That the Cabinet be advised that the Commission has grave concerns about the lack of clear information relating to the criteria used to justify changes in housing allocations from Option 2B to the new RSS figures and asks the Cabinet to consider further whether the proposed advice to the Regional Assembly is still appropriate;
- c) That the Cabinet be further advised that the Commission is concerned

about the capacity of District Councils to support the proposed RSS developments and the lack of certainty in funding for making infrastructure improvements, including improvements to transport provision and highways.”

The motion was put in parts, Parts (a) and (c) were put and carried unanimously. Part (b) was put and carried 8 members voting for that part of the motion and 2 against.

40. Urgent Item
Review of Education Provision in Melton Mowbray and Vale of Belvoir.

The Commission considered this matter, the Chairman having decided it was of an urgent nature, in view of the failure to advise the Children and Young People’s Scrutiny Committee of the additional option in relation to the review of secondary education in Melton Mowbray and the Vale of Belvoir.

The Chairman reported that he was extremely concerned that the report being submitted to the Cabinet on this matter now included an option which had not previously been discussed. He had asked the Chairman and Spokesmen of the Children and Young Persons Scrutiny Committee to raise this issue with the Director.

41. Date of Next Meeting.

RESOLVED:

That the next meeting be held on Wednesday 11 October 2006 at 2.00 pm.

2.30 – 5.35 pm
30 August 2006.

CHAIRMAN

