

INFRASTRUCTURE OVERVIEW & SCRUTINY COMMITTEE

THURSDAY 27 FEBRUARY 2003 AT 10.00 AM

PRESENT: Councillor C Rutherford (Chairman), Councillors Crookdake, Dodd, Glover, B Hodgson, Martlew and Parsons.

ALSO PRESENT: Councillor G Prest, the Infrastructure, Environment and Transport Portfolio holder.

IOS.9/03 MINUTES

The Minutes of the meetings held on 23 January 2003 were approved and signed by the Chairman as a correct record.

In response to a Member's question on the Streetworks Review, the Overview and Scrutiny Support Officer advised that the Cumbria County Council Chief Executive had sent a written response regarding the County's involvement in District Overview and Scrutiny. This response would be considered by the Overview and Scrutiny Management Committee on 13 March 2003.

IOS.10/03 DECLARATIONS OF INTEREST

Councillor Crookdake declared a prejudicial interest, as a land owner, in the part of the discussion on Performance Monitoring of New Homes on Brownfield Sites, as it involved consideration of the land between London Road and Petteril Bank Road.

IOS.11/03 CALL-INS

There were no matters which had been subject to call-in.

IOS.12/03 MONITORING OF THE FORWARD PLAN

The Overview and Scrutiny Support Officer presented Report LDS.13/03 highlighting the Forward Plan (1 March – 30 June 2003) issues which fell within the ambit of this Committee.

In response to a Member's questions, the Portfolio holder advised that the Executive on 3 March 2003 would be considering the establishment of a joint Member and officer working group with Eden District Council to look at future options for Waste Management and not actually making decisions on the future service at that time.

RESOLVED – That the Forward Plan (1 March to 30 June 2003) issues which fell within the ambit of this Committee be noted.

IOS.13/03 WORK PROGRAMME

The Overview and Scrutiny Support Officer presented an Overview and Scrutiny Work Programme for 2002/03, which took into account matters scheduled to be dealt with by this Committee.

The Chairman reminded Members that a special meeting of the Committee has been arranged for Monday 24 March 2003 at 2.00pm for a session on "Development Plans and Planning Policy – An Introduction to reviewing the Local Plan". All Members of the Council had been invited to this special meeting.

Dr Taylor then proposed that monitoring of Best Value Action Plans should recommence from the first meeting of the new municipal year onwards.

Members referred to the Tourism subject review and, during discussion, it was suggested that progress on the issues which had arisen at that session could be reported to the Committee as part of the monitoring of the Tourism Best Value Action Plan.

RESOLVED – (1) That the work programme be noted.

2. That monitoring of the Best Value Review Action Plans recommence from the June 2003 meeting onwards.

(3) That the Overview and Scrutiny Support Officer ask:

(a) the Tourism Manager, when providing an update on the Tourism Best Value Review Action Plan, to include a section dealing with the issues which had been raised at the Tourism Subject review meeting and the progress on these issues

- b. the Economic Development Manager and the Rural Officer, when reporting on the Rural Strategy, to include an update on the Rural Action Zone.

IOS.14/03 REVIEW OF PERFORMANCE INDICATORS

With reference to Minute OSM.10/03, there was submitted report FS.10/02 informing Members of the outcome of a Review of selected performance indicators which were relevant to this Authority. The Audit Manager had undertaken the review following a request from the Town Clerk and Chief Executive for information which would give a "State of the Nation" appraisal for the Authority.

The Audit Manager had submitted an apology for absence due to ill health. The Overview and Scrutiny Support Officer advised that the report was based on historical information which was now a couple of years old. The Head of Strategic and Performance Services and the Policy and Performance Officer were developing a set of Performance Indicators which could be used to monitor and scrutinise performance within the Authority. The Management Committee had agreed that once developed, these indicators could be used by Overview and Scrutiny Committees to identify and focus on low performing areas. The set of indicators had not yet been fully developed, but would be reported to the first cycle of Overview and Scrutiny Committees in the new municipal year 2003/04.

Members suggested that these new indicators would enable comparisons to be made with performance in previous years.

RESOLVED – (1) That the report be noted.

(2) That it be noted that the Head of Strategic and Performance Services and the Policy and Performance Officer were developing a set of Performance Indicators which could be used to monitor and scrutinise performance within the Authority. These indicators would be reported to Overview and Scrutiny Committees during the cycle commencing in May 2003.

IOS.15/03 PERFORMANCE MONITORING: PROPORTION OF NEW HOUSING ON BROWNFIELD LAND

With reference to Minute IOS.87/02, the Head of Planning Services submitted Report P.10/03 providing an update on the Council's performance with regard to development of housing on brownfield sites.

Mr Eales advised that the Government had set a target for Cumbria of at least 50% of new homes to be developed on brownfield land. During the early 1990s over 60% of housing in Carlisle was developed on brownfield land, but in more recent years performance had dropped to around 35%, with performance improving in 2001/02 to 45% of completion.

The Committee had previously approved an Action Plan for improving performance. Mr Eales gave an update on progress with each of the points in the Action Plan and reported that for the period April to September 2002, 54.58% of housing units completed were on brownfield sites.

Members welcomed this improvement in performance but recognised that as brownfield sites were a finite resource, performance may fall in future years.

Mr Eales then answered Members' questions on specific aspects of the Action Plan, including:

- the powers to phase the release of greenfield land which has been identified for housing and the promotion of brownfield sites;
- measures in place to promote the development of problem pockets of brownfield land and the power to use Compulsory Purchase Orders;
- the Development Control Committee's powers in relation to considering and approving changes to plans of housing estates while they are being developed.

Members referred to the Urban Capacity Study and suggested that a summary of the Plan could be made available to Members of the public and developers.

RESOLVED – (1) That the report be noted.

(2) That, as part of the Local Plan Review, the Head of Planning Services investigate ways of making the Urban Capacity Study more accessible and available to members of the public and developers.

IOS.16/03 PERFORMANCE MONITORING – UPDATE ON PLANNING APPLICATIONS

With reference to Minute IOS.88/02, the Head of Planning Services submitted Report P.10/03 providing an update on the Council's performance with regard to the consideration of and decisions on planning applications.

Mr Eales advised that since the Committee had originally considered the matter,

performance had fallen further and performance in terms of major applications determined in 13 weeks, minor applications determined in 8 weeks and other applications determined in 8 weeks, did not compare favourably with Government targets.

Mr Eales then gave a number of reasons for this relatively disappointing performance and outlined the actions which were being taken to improve performance. Members and officers then discussed the actions which were aimed at improving performance and made the following specific comments/suggestions:

(a) Two Development Control Officers had been appointed – Members welcomed these appointments.

(a) The "cooling off" period which had been introduced to allow formulation of reasons for refusal when applications are decided against recommendation – This had been introduced as an experiment, if it was significantly adding time to the process, it should be reviewed. Options could include Members being reminded of the necessity to formulate sound reasons for refusal, or members and officers meeting together within 7 days of the meeting to ensure that the reasons are put in writing.

(b) A proposal that applications are subjected to a rigorous examination when they are received and if they are incomplete, they will not be registered until the complete application with comprehensive information required is submitted. Members supported this proposal, with fees not being cashed until the application is registered. If the requisite information is not provided within two weeks, the application and any fees could be returned to the applicant.

(c) An increase in the number of applications deferred for site visits had affected performance– Development Control Committee Members could be reminded of the criteria for holding a site visit as contained in the Planning Code of Conduct. In addition, better audio visual presentations could be made to Committee using video cameras.

(d) A more rigorous assessment of the need for Section 106 Agreements when the imposition of an appropriate planning condition could secure the same degree of certainty – Officers may benefit from specific training on use of Section 106 Agreements.

(e) Regular training should be given to Development Control Committee Members – this could be provided in-house and undertaken on an annual basis.

(f) The "Right to Speak" policy can create delays through late notification by applicants/objectors leading to deferral – the rules that new information should not be introduced 10 days before the meeting should be adhered to and enforced. Objectors could be asked to put objections in writing before they exercise their right to speak as objections should relate to material planning considerations only.

(g) Review of the scheme of delegation of planning decisions to officers.

Mr Eales advised that he would be submitting a report to the Development Control Committee in April 2003 and thereafter to the Executive on the planning applications process. He advised that he would take on board the Committee's comments in his report.

The Portfolio holder stressed that the performance indicators only referred to the speed of the process and not to quality. Members echoed his comments that the quality of the service was very important, and a quality service was provided by the Planning Services Unit.

RESOLVED – (1) That the Head of Planning Services take on board the Committee's comments as set out in (a) to (g) above when putting together his report to the Development Control Committee, particularly the need for training.

(2) That the Head of Planning Services report to this Committee on performance on planning applications in six to nine months time.

IOS.17/03 PROPOSED TALKIN CONSERVATION AREA

The Assistant Conservation Officer submitted report P.09/03 outlining the procedure followed by the Council in putting forward a proposal to designate a Conservation Area in Talkin village. The Executive would be making a decision on the designation of a Conservation Area at their meeting on 3 March 2003.

Mr McCoy advised that the City Council has a duty under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider areas of special architectural or historic interest within the District for designation as conservation areas.

Mr McCoy then outlined the procedure which is adopted by the Council for the designation of a conservation area and explained how that procedure had been followed in relation to the proposal to designate Talkin as a Conservation Area. He provided details of the consultation which had been carried out with residents, the Parish Council, Carlisle and District Civic Trust, the County Council and the Ward Councillor. The consultation had been in the form of a full distribution of an explanatory leaflet and an exhibition at the Village Reading Room.

Details were provided of the number of responses which had been received, the overall implication of which were that 45 residents opposed the designation, with 15 in favour.

Mr McCoy then answered various Members' questions on the extent of the consultations which had been carried out and the options which had been given to residents and others for consideration. In doing so he acknowledged that the leaflet had been sent to the wrong City Councillor and that Councillor Parsons is actually the Ward Councillor for the area.

Members commented that they had received some comments from Members of the public that there had been a lack of consultation. However, after hearing from the officer and assessing the level of responses, they were satisfied that full consultation had been carried out.

Members also commented that they welcomed the presentation of an option for inclusion of Talkin Tarn within the Conservation Area.

RESOLVED – (1) That in view of the fact that the Council is not statutorily required to consult on the designation of Conservation Areas, the Committee endorse the consultation process which has been undertaken and commend the practice of consultation on Conservation Areas.

(2) That the procedure be endorsed as being appropriate and complete.

IOS.18/03 SUBJECT REVIEW – ENVIRONMENTAL PERFORMANCE OF THE COUNCIL

The Overview and Scrutiny Support Officer submitted Report OS.01/03 providing

background information to allow Members to discuss the subject review on Environmental Performance of the Council.

The Environmental Performance of the Council subject review could focus on how the people who work in the authority create waste, use energy and make use of transport. He outlined a number of aspects of environmental performance, including resource use, procurement and travel plans.

Dr Taylor proposed that a representative from another authority which has pursued improvements in its environmental performance be invited to a future meeting and at that time the Committee could decide which areas it wishes to prioritise and focus on. Member suggested that when prioritising matters for consideration, they could consider lighting and water usage levels in City Council buildings.

RESOLVED – (1) That the Overview and Scrutiny Support Officer invite a representative from an authority which has pursued improvements in its environmental performance to attend the meeting of the Committee in June 2003 to discuss the matter.

2. That at the meeting in June 2003, the Committee decide on the areas for prioritisation with the Environmental Performance review.

IOS.19/03 AMENITY LIGHTING PROGRAMME 2003/04

The Head of Commercial and Technical Services submitted a report CTS.02A/03 outlining the contents of a report which would be submitted to the Executive on 3 March 2003. The Executive would be asked to make decisions on recommendations for schemes to provide new amenity lighting in the District following the allocation of £17,350 in the 2003/04 revenue budget.

Mr Battersby summarised the existing allocation policy which was aimed at adding value to other Council initiatives and balancing the needs of the urban/rural communities.

He then advised that the following programme of work was being recommended to the Executive after consultation with the Police and having regard to requests received from the public, Council Members and Parish Councils:

	£
Talkin Village – 2 columns	1,450
Gilsland Village – 2 columns	1,200
Coney Street – 1 column	750
Denton Village – 1 column	750
Scotby Village Green – 1 column	750
Burgh-by –Sands – 1 column	750
Harold Street - 2 columns	1,500
Currock/Upperby – 12 columns - exact locations to be agreed with the Crime and Disorder reduction Team and community representatives	9,050

Houghton Village – 1 column

750

Reserve scheme had been identified for St James Road (2 columns), Borrowdale Gardens (1 column) and Church Street (1 column) if funding becomes available.

Mr Battersby added that the proposal for Talkin Village was linked to the potential for a Conservation Area designation.

The Community Safety Sergeant, on behalf of the Crime and Disorder Reduction Partnership (CDRP) Management Team, attended the meeting and commented on the recommendations. The CDRP were recommending that **all** of the amenity lighting budget should be targeted at the Currock and Upperby wards, as these wards were a hotspot area within the Crime and Disorder Strategy and therefore funding should be targeted at them in an effort to reduce crime and disorder. The CDRP recommendation was based on findings of the Best Value Review with specific reference to Section 17 of the Crime and Disorder Act 1998, which requires Local Authorities to consider crime and disorder in all the decisions they make.

Mr Baines added that the Partnership were currently attempting to secure match funding from Carlisle Housing Association, although he advised that no decision had yet been made on whether this funding would be available.

In response to Members' questions, Mr Battersby advised that this was an amenity lighting programme and that the County Council were responsible for highways lighting. He explained that the recommendations reflected a 70/30 split based on the urban/rural population split within the Carlisle area. He then answered Members' questions on lighting within the whole of the Carlisle area, advising that the focus of the Amenity Lighting Programme was on improving the overall lighting level.

Members referred to the proposed schemes and suggested that some of these could be funded from other sources e.g. Parish Councils, Neighbourhood Forums, County Council funding. Mr Battersby recognised that there were various funding sources available, but commented that these schemes had been the subject of specific funding applications to the City Council. He explained the procedure for assessing and prioritising requests for amenity lighting. He added that if funding for any of these schemes was not required because they were subsequently funded from other sources, reserve schemes had been identified.

During discussion, some Members supported and proposed Mr Baines recommendation that, as a one off, the whole budget should be used within the Currock and Upperby wards. However, other Members supported the recommendations contained within the report for the programme of work as outlined above.

After discussion and voting, it was,

RESOLVED – That the Executive be advised that the Committee supports the recommendations for the Amenity Lighting Programme as outlined above and detailed in Report CTS.02/03, but that the Executive be made aware that there are some other funding sources e.g. Neighbourhood Forums, which may be available for some of these locations.

(The meeting ended at 12.45)

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