



REGENERATION AND RESOURCES SCRUTINY SUB COMMITTEE

MINUTES of the meeting of the REGENERATION AND RESOURCES SCRUTINY SUB-COMMITTEE held on 15 DECEMBER 2004 at 7:00PM at the Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Toby Eckersley (Chair)
Councillor Jane Salmon (Vice Chair)
Councillors Jonathan Hunt, Billy Kayada, Eliza Mann, Michelle Pearce, Charlie Smith.

OFFICERS: Simon Bevan - Planning and Transport Policy Manager
Cathy Doran – Financial Strategy Accountant
Stephen Gaskell – Head of Corporate Planning and Performance
Carina Kane – Scrutiny Project Manager
Lyn Meadows – Assistant Borough Solicitor
John Sanderson – Development Control Group Manager

APOLOGIES FOR ABSENCE

Apologies for lateness were received from Councillors Hunt and Smith.

CONFIRMATION OF VOTING MEMBERS

The Members listed as being present were confirmed as the Voting Members.

NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

The Chair agreed to accept the following items which had not been circulated with the main agenda:

Supplemental Agenda 1, Item number 3:

- Policy & Resourcing Strategy 2005/08

DISCLOSURE OF INTERESTS AND DISPENSATIONS

None.

RECORDING OF MEMBERS' VOTES

Council Procedure Rule 1.17(5) allows a Member to record her/his vote in respect of any motions and amendments. Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and was available for public inspection.

The Sub-Committee considered the items set out on the agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the

item bearing the same number on the agenda.

MINUTES

RESOLVED: That the Minutes of the Regeneration and Resources Scrutiny Sub-Committee meeting held on 18 November 2004 be agreed as a correct record of proceedings and signed by the Chair.

1 STATEMENT OF COMMUNITY INVOLVEMENT AND DEVELOPMENT CONTROL CONSULTATION POLICY [pages 1-86]

- 1.1 The Chair asked officers to guide the sub-committee through the agenda reports as these were very lengthy documents. Simon Bevan introduced the report titled "Discussion Document for the Statement of Community Involvement (SCI)", explaining that the SCI was required under the new Planning and Compulsory Purchase Act 2004. The Act required the production of a collection of 'local development documents' as part of the Local Development Framework (LDF) – a framework which would eventually replace the Unitary Development Plan (UPP).
- 1.2 The purpose of the SCI was to set out the process for consulting on the local development documents. The SCI itself would undergo a formal consultation process, and there would be an independent examination of it around June 2005. The examiner had the authority to make the final decisions of the document, and had significant discretion, including overturning key principles.
- 1.3 Simon also made the point that Southwark did significantly more to consult on planning than the statutory requirements which were very limited (as set out on page 65 of the agenda). Other boroughs looked to Southwark for advice, and aspects of its consultation had been included in good practice guides.
- 1.4 John Sanderson then introduced the report "Development Control Consultation Policy". This report stemmed from consideration of planning issues by Executive, their agreement to the Camberwell New Road Action Plan, and their request for a detailed comparison with the London Borough of Camden's policy.
- 1.5 John explained that there were three parts to the policy. The actual development control policy was set out in section 4 (page 57 of the agenda) and included guidance on how to consult with neighbours (table 2, page 60). The second part was the internal consultation processes for officers (page 62). Part three was the explanation of how the public could comment on planning applications and was set out on page 66 of the agenda.
- 1.6 John also briefly explained the recommendations being put forward to Executive. The report had been considered by the Planning Committee on the 9 December 2004 and the changes suggested had since been incorporated.
- 1.7 Members then commented on the reports, and asked officers to take their comments on board:

- Site notices needed to be more clearly visible, and informative. For example, use of colour and bold print, be simple to read, and include the decision date (so that it would be obvious when the notice could be taken down). There was also a suggestion that the actual decision could be put up on the site notice so that the community could be kept better informed. John said that these points could be picked up in 2005. The site notice was put up by the officer but the key concern was ensuring that all the neighbours were consulted.
- It was difficult to be kept aware of supplemental planning guidance drafts which were not area specific, e.g. telecommunications. A “refreshable folder” which was managed in a thematic way could assist. Simon Bevan explained that a contact list had been built up. It was easier to get people to comment on local issues, but more difficult for high-level policy/strategy.
- Cllr Pearce said that the development control policy seemed very relevant to traffic, and suggested that traffic officers should be encouraged to take the guidance on board. With reference to Dulwich, Cllr Pearce further suggested that the conservation team also needed greater support in dealing with consultation.
- Councillors were generally concerned about the geographical radius of those who were consulted on planning applications. For example the radius for those consulted should be influenced by whether the development was in a controlled parking zone, and extended to all user groups where the applications involved the loss of a community facility. Lyn Meadows clarified that there was no geographical limit on where objectors to planning applications lived, the limit only applied to supporters of an application.
- The importance of keeping the contact database up to date was stressed. Ward councillors often had good knowledge of the local residents’ groups that were being formed and disbanded, and the key people to contact for these. Simon said this had been done for the mailing list for original consultation on the UDP, but it needed to be kept up on a regular basis.
- With reference to the Imperial Gardens situation, there was some discussion on how planning could reach people who rented, rather than owned, neighbouring premises. There was a suggestion that this information could be determined by looking at who paid rates. John said that one limitation was that applications needed to be decided in a reasonable time-scale, and there was a limit on what could be done.
- There were concerns about the wording of the recommendations to Executive on page 37, and how much of the development control policy would be included in the SCI. John said he would reword the recommendation to make the intent clearer.
- Sub-committee members requested officers to keep in mind that paragraphs 2.9 and 2.10 of the development control policy report could require amendment once the recommendations had been received from Lord Ouseley.
- The Chair suggested that amenity societies be identified separately in the list of consultation groups.
- Councillor Pearce suggested that officers needed to review the requirement that only written comments on planning applications would be considered. Many people may struggle with this requirement. John agreed that this was a valid point – while Planning Aid was designed to provide assistance in this regard, there were cultural and language limitations that needed to be addressed.

1.8 The Chair thanked the officers for their time.

MOTION OF ADJOURNMENT

At 8:25 p.m. it was proposed, seconded and

RESOLVED: That the meeting stand adjourned for ten minutes for a comfort break.

At 8.35 p.m. the meeting reconvened.

2 CORPORATE PLAN [pages 87-88]

- 2.1 Stephen Gaskell introduced the Corporate Plan. He commented that there was an ambitious timetable for the plan because the intention was for it to be considered by Executive alongside the 2005/06 budget. The sub-committee was asked to consider the discussion points outlined in the agenda report in order to develop the plan at the earliest opportunity. Officers had noted the sub-committee's comments at the November meeting in relation to the quarterly performance report.
- 2.2 The timing of the plan was discussed, with the Chair suggesting it needed to be finalised in December so that it could be better used for budget setting. Stephen said the budget could still be set with the plan's framework in mind, and reminded the sub-committee that the plan was set within a medium term context (i.e. three years).
- 2.3 There was discussion about the strategic priorities. Cllr Kayada questioned how the objective to "build empowered and cohesive communities" could be defined and measured and said it was important the measures were meaningful. Cllr Pearce commented that a sharper focus was needed on the targets to be achieved and it was important to be able to say what the council was achieving. Officers advised that in reviewing the Corporate Plan there would be a revisiting of the targets/performance information to capture the right information. It was confirmed that 'Changing Face of Southwark' was not a strategic priority, and undertook to clarify this in future reports.
- 2.4 Members also discussed the role of external agencies in meeting performance targets. For example, achievement of "improving the health of the borough" was partly dependent on external agencies - although it was also recognised that council policies such as housing were very important in the borough's health.
- 2.5 In relation to the objective to "increase participation in employment" Cllr Mann asked to see figures of how many Southwark residents were employed in Southwark compared to those from outside Southwark. Members added that BME, and training in Southwark should also be considered. This information, if available, would need to come from Paul Evans. It was clarified that each objective had a range of performance indicators under it.
- 2.6 Cllr Mann raised concerns about the sustainability of local businesses, for example with the increase in supermarkets taking over corner shops, and suggested that this objective needed better wording. The Chair responded that this could be picked up when the sub-committee undertook the scrutiny on small businesses.
- 2.7 The Chair thanked the officers for their time.

RESOLVED: That Executive's annual revision of the Corporate Plan should be finalised by December to assist in transparency in budgeting.

3 POLICY AND RESOURCING STRATEGY 2005/08 [Pages 100-129]

- 3.1 Stephen Gaskell briefly introduced the reports, commenting that the provisional local government settlement had been announced three weeks later than expected so it had not been possible to prepare a provisional budget as planned. Executive had agreed the recommendations as listed in the reports. Attention was drawn to the fact that the government had removed the funding ceiling on grant increases – the table on page 110 of the agenda showed the overall increase to the Formula Spending Share (FSS) from 2004-05, and compared Southwark to London and National increases. The increase shown was purely new funding.
- 3.2 The education budget figure was to be reported to the Secretary of State on the 31st December 2004. Members asked to receive a copy of the letter sent to the Secretary of State about the education budget, as well as the mechanistic calculations related to this.
- 3.3 In response to questioning, Stephen highlighted that the difference between the FSS and the formula grant was the assumed council tax; and it would be up to Executive to decide whether medium term pressures would be drawn out in the report to Executive on the 18th January 2005. The information about the government's intention for a three-year settlement had only arrived that day, and the Chair suggested it would be useful to inform members about how a move to the three-year settlement could impact on prudential borrowing.
- 3.4 During discussion, Members asked for further details on a number of aspects of the reports, which officers agreed to investigate further. The requested information was:
- a comparison of how far council spending is from the Formula Spending Share for 2004/05 (officers informed Members that this comparison could not be done for 2005/06 as the budget was not yet established);
 - a comparison of the linkage between Civic Protection and the Environment Protection and Cultural Services block;
 - whether the extra cash for Civic Protection had to be spent for this purpose, and if so, how broadly this could be interpreted;
 - whether there was more money in the access and social services grant for adult social services;
 - the outcome of consultation with the DfES on how the Schools Block grant amount will be rectified given that there is no intention for a new City Academy in 2005/06.
- 3.5 Officers were also asked to ensure that the February Executive paper discussed the point that there would be greater pressures as a result of more onerous licensing requirements and limitations on the fees that could be charged. Lyn Meadows informed the sub-committee that the consultation document on licensing fees had only recently been released and it indicated that fees would be set very late in the process.

RESOLVED:

1. That the report to Executive on the 18th January 2005 should include quantification and analysis of the medium term pressures referred to in paragraph 15 of the report to the Executive on 14 December 2004, particularly in light of the likely 3-year financial settlements from 2006/07 onwards and the likelihood of less generous settlements.
2. That, as envisaged by the Executive Member for

Resources at the interview on 18 November 2004, charges by service area in respect of the Customer Service Centre for 2005/06 should be made available to Executive in the report presented to them on the 18th January 2005.

4 WORK PROGRAMME [pages 89-99]

- 4.1 The Chair followed up on information received in response to sub-committee requests at previous meetings. A report on sickness data had been received from the Head of Human Resources, and Members asked that he attend the February meeting to outline subsequent progress and to discuss arrangements for long-term sickness. The Chair told the sub-committee that the officer response to their question about when debts from leaseholders for major repairs were booked in the accounts raised more questions than it answered, and that he was planning to seek further clarification from officers.
- 4.2 The Chair informed the sub-committee that had not received a response from the Chair of the Overview and Scrutiny Committee (OSC) to his letter seeking guidance on the input of the scrutiny sub-committees to the 2005/06 budget process. The Chair said he was therefore inclined not to call a special meeting in January to discuss the budget, as it would be too late to have meaningful input at that point. Members were happy with this.
- 4.3 The Chair explained that the November OSC meeting had passed a couple of tasks on to the sub-committee. The first was a request that the sub-committee's interview with the Executive Member for Resources should establish progress on effecting Executive's decision on the scrutiny report "Audit Commission Annual Letter". However as the sub-committee had already interviewed the Executive Member at the meeting in early November, the Chair responded that Chair of OSC should write directly to the Executive Member and cc the letter to himself for information.
- 4.4 The second task was for the sub-committee look at resource aspects of the reports prepared for the November 2004 and January 2005 OSC items on the use of temporary staff, and to report back to OSC. Members were happy to add this to their work programme for February 2005.
- 4.5 The Chair also suggested an addition to the sub-committee work programme – to scrutinise the appropriation of land from Housing for planning purposes at Potter's Field, citing concerns about the transparency and resources involved. However other Members were not keen to take this on, and suggested instead that the Chair pursue this separately through the Borough Solicitor and the District Auditor.
- 4.6 There was discussion about the item on small businesses for the February 2005 meeting. The February meeting would be a scoping exercise, with Paul Evans in attendance, and would include discussion of the paper that went to Executive on small businesses. Members wanted a more creative approach to the scrutiny and suggestions included inviting the Southwark Chamber of Commerce or East Street Market Traders Association. It was also suggested that contact be made with other local authorities with a good reputation in this area, possibly including Manchester Council. The Scrutiny Project Manager was asked to look at the availability of funds to assist in this and report back.

The meeting closed at 10:19pm.

CHAIR:

DATE: