

**MINUTES of the meeting of General Overview & Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 11 February 2013 at 10.00 am**

**Present:** Councillor A Seldon (Chairman)

**Councillors:** EMK Chave, BA Durkin, DW Greenow, JW Hope MBE, MAF Hubbard, RC Hunt, Brig P Jones CBE, Mayo, R Preece and GR Swinford

**In attendance:** Councillors: AM Atkinson, RB Hamilton, RI Matthews, C Nicholls, GJ Powell and AJW Powers

**Officers:** Mr A Ashcroft; Mr S Burgess; Mrs Y Coleman; Mr J Callard; Mr K Singleton; Mr K Bishop; Mr G Hardy; Miss G Dean; Mr P James.

**35. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor EPJ Harvey; Councillor TM James, Councillor DB Wilcox; Miss E Lowenstein and Mr P Sell.

**36. NAMED SUBSTITUTES**

Councillor MAF Hubbard substituted for Councillor EPJ Harvey.

**37. DECLARATIONS OF INTEREST**

No interests were declared.

**38. MINUTES**

**RESOLVED:** That the minutes of the meeting held 14 January 2013 were confirmed as a correct record and signed by the Chairman.

**39. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY**

One written suggestion had been received from a member of the public and had been submitted via the Vice-Chairman. The issue related to scrutinising the Waste Contract and it was agreed it would be considered under agenda item 10 – Work Programme.

**40. QUESTIONS FROM THE PUBLIC**

One question had been received from Mrs Wegg-Prosser concerning agenda item 8 – Local transport Plan 2013/14 to 2014/15. The question principally concerned the availability of information referred to in the report. The written response was circulated at the meeting and a copy has been placed in the committee minute book.

**41. LOCAL DEVELOPMENT FRAMEWORK PROCESS**

The Committee were informed of how matters had progressed since the report to Cabinet in July 2012 and considered the consultation process to be undertaken in progressing the Local Development Framework.

The Cabinet Member (Environment, Housing & Planning) commented that the Local Development Framework (LDF) was entering a new phase. He was keen to ensure that all information pertaining to the questionnaire, included in the agenda, was available to ensure that respondents had an opportunity to make an informed and reasoned response. He appreciated the high level of Member involvement, quality of discussion and feedback. To ensure its clarity the draft questionnaire would be submitted to the Plain English Campaign to achieve the Plain English Crystal Mark. While the LDF timetable was tight, he offered the Committee the opportunity to receive a report on the response to the questionnaire and the executive's response to any issues raised. The Committee noted that all information would be available via a dedicated Council website.

The Assistant Director Economic, Environment and Cultural Services reported that Council at its meeting in July 2013 was scheduled to consider the revised LDF for adoption and he outlined the process leading to the formal Inspectorate examination in spring 2014 and adoption by the end of 2014.

During the course of discussion the following principal points were noted:

- A Member expressed concern regarding the soundness of the evidence base and whether alternatives had been adequately explored for example to test a 'no relief road' option.
- In relation to river water quality issues the Committee noted that high phosphate levels needed to be addressed. A Water Steering Group had been established at an operational level. That Group advised the broader Strategic Water Steering Board which also undertook the Council's liaison with neighbour authorities and major agencies. The preparation of a Nutrient Management Plan had been committed to by Natural England and the Environment Agency.
- Questions arose concerning the availability of agendas/minutes from the Water Steering Group.
- Members were being updated through the regular publication of LDF newsletters. A dedicated Council web site would host all the evidence being used in the LDF process.
- A large amount of work had been undertaken since the November 2011 consultation. Issues or options had been raised and where necessary the plan had been refined. In the last 6-9 months' work had been undertaken to clarify the detail. A significant proportion of that work had necessitated establishing a good relationship and negotiating with third party agencies.
- In relation to the consultation timetable it was considered that drop in sessions would attract greater parish council engagement than formal workshops. Attendees would also receive information about the Local Transport Plan and Neighbourhood Plans.
- Analysis of the 2011 consultation responses were available on the web site.
- Feedback on the 2011 consultation had led to a pause in the timetable to allow time for technical work to be undertaken.
- It was important that every Councillor was up to date with the timetable and proposals so that they were able to confidently engage with their electorate.
- Responding to questions on land availability identified in the Strategic Housing Land Availability Assessment, particularly the identification of small scale developments in rural areas, the Committee were informed that the Core Strategy set out the strategic number of houses for rural areas but did not identify specific sites. These may be identified in Neighbourhood Plans, on which parishes were making good progress in developing.
- The Cabinet Member (Environment, Housing & Planning) commented that a number of comments had come forward from rural Members and he anticipated that many of the rural issues' would be addressed in the report to Cabinet.

- A proposal was made that the Economic Viability Assessment should be subject to independent review to test the robustness of the evidence, however, on being put to the Committee the proposal was lost.
- Questioning the financial implications (paragraph 13 of the report) the Committee noted that there were risks if the plan did not proceed as intended. However, a budget was in place to get it through the plan period.

**RESOLVED: That**

- 1. The Committee noted the Hereford Local Plan – Core Strategy (draft) Questionnaire as set out in the agenda;**
- 2. It be recommended to Cabinet that:**
  - a. To enable the public to make a considered response to the questionnaire all evidence be made available via the dedicated web site for the LDF/consultation; and**
  - b. The agenda and minutes of the Water Steering Group also be published to the dedicated web site for the LDF/consultation.**

**42. LOCAL TRANSPORT PLAN 2013/14 TO 2014/15**

The Committee considered the draft Local Transport Plan 2013/14 to 2014/15 and provided comment to assist with its finalisation by Cabinet and adoption by Council.

One question had been received from Mrs Wegg-Prosser principally concerning the availability of information referred to in the report. The written response, indicating that the reports were now available on the web site, had been circulated at the meeting and a copy has been placed in the committee minute book.

The Head of Transportation and Access circulated copies of a presentation hand out, copies of which have been placed in the committee minute book.

The Cabinet Member (Education and Infrastructure) highlighted that the Plan: had been developed following extensive consultation with a range of stakeholders; included the delivery programme and refreshed transport policies, and following feedback had been simplified to provide greater clarity on actions and delivery.

During the course of debate the following principal points were noted:

- It was suggested that the rail infrastructure had not been sufficiently explored. In response the Committee were informed that the Council had limited influence over the rail network or franchise companies. Negotiations were held on a regional basis and a number of improvements either had or will be implemented. In relation to a possible rail service to Rotherwas feasibility work currently indicated that a high level of subsidy was required which could not be justified.
- The cycle network needed to be attractive to encourage more users, however, the state of the roads with sizable potholes would dissuade many users. Improvements and new routes (e.g. Connect2) were being delivered.
- The Committee debated various aspects of highway repairs. In response the Cabinet Member (Education and Infrastructure) commented that road defect reports were double that of January 2012. The Council had currently made 5 claims under the Belwin Scheme for in excess of £2m. The Belwin Scheme related to emergency repair works and was therefore of a temporary nature. He further commented that the Council would receive a specific grant of £1.584m to improve and extend the life of the road network. This money will be used for preventative maintenance, capital works and would be prioritised for expenditure on C and unclassified roads.
- Through its contracts or subsidies the Council influenced a great deal of the passenger transport in the County. The Committee noted that a review of

passenger transport services would be undertaken. This would focus on the need to optimise the use of the network and get the most out of the capacity it can provide. This would include whether services linked to the right destinations e.g. rail station to town centre, and links to park and share sites. The review will also encourage community engagement in delivering local solutions. It was suggested that the Council should keep an overview of the local services while undertaking an enabler role.

- Concerning air quality no reference was made to Nitrogen Dioxide levels.
- It was suggested that greater focus should be given in the LTP to pedestrians to encourage a healthier lifestyle, encourage walking as a leisure activity and to reduce reliance on the car. This would help reduce traffic congestion and assist with economic growth.
- Communities interested in developing their own travel plans, that haven't already been contacted, can contact the Transportation Team for advice.
- The Council worked with ROSPA and local groups to promote 'safer driving'.
- While Hereford was the main market town it was suggested that greater emphasis could be given to the other market towns, particularly where future development may be based on Housing Market Areas.
- It was suggested that the Department for Transport circular 1/2013 'setting local speed limits' gave greater emphasis to speed management, 20 mph limits and 20 mph zones and this should be reflected in the LTP.
- It was alleged that the City Link Road was over specified and therefore cost more than necessary. The Committee were advised that the project was at a detailed design stage and would include pedestrian links to the city centre. The local ward member would be invited to participate in considering the design specification.
- Questioned on why the cycleway from the Wyevale Park and Cycle scheme would not now be completed the Committee were informed that priority was being given to schemes that emanate from the city centre. Unfortunately problems had emerged with this particular scheme. Information on Park and Share Schemes was available on the web site.
- Responding to questions concerning parking charges the Committee were informed that charges needed to be seen as part of the overall transport system to ensure that they contributed to the strategic aims. Town Councils also had to be involved at a local level to ensure local economic sustainability.

The Cabinet Member (Education and Infrastructure) and the Transportation Team were congratulates on a clear and forward thinking Local Transport Plan.

**RESOLVED: That**

- 1. The contents of the draft Local Transport Plan 2013/14 be noted; and**
- 2. It be recommended to Cabinet that:**
  - a. Greater emphasis be given in the LTP to Speed Management and the use of 20mph speed limits and 20mph zones; and**
  - b. Greater focus be given in the LTP to pedestrians to encourage a healthier lifestyle, leisure activities and reduced traffic.**

**43. PLANNING SYSTEM REVIEW - DEVELOPMENT CONTROL AND THE OPERATION OF THE CONSTITUTION - UPDATE**

The Committee received a progress report on the Executive's response to the scrutiny review of the planning system – development control and the operation of the constitution.

The Development Manager presented the report and indicated the current activity against each of the review recommendations.

On debating the report a number of Members questioned the legality of barring a member of the Planning Committee from voting on an application within their ward and suggested that the Audit and Governance Committee should give this matter further consideration. (see Recommendation added by Overview & Scrutiny Committee) It was also suggested that further consideration should be given to the local ward member(s) involvement in the redirection system (Recommendation 5).

**Resolved that:**

- 1. This Committee Recommends that the Audit and Governance Committee:**
  - a. Re-examines the constitution in relation to Planning Committee members being allowed to vote on planning applications within their wards; and**
  - b. consider whether the ward Member should be offered the option to attend the discussion about the redirection process concerning an application within their ward at the point of decision with the Chairman and officers.**
- 2. The position outlined in the update to the Executive response be noted.**

#### **44. COMMITTEE WORK PROGRAMME**

The Committee considered its work programme.

It was suggested that a strategic view needed to be taken concerning the work programme, principally covering the next 6 months, and how the Committee would address policy development issues for the next 12 months.

**RESOLVED: That the Chairman and Vice-Chairman review the committee work programme and put to the next meeting recommended items for the next 6 months and priorities for the next 12 months for policy development.**

The meeting ended at 1.06 pm

**CHAIRMAN**