

At a meeting of the ENVIRONMENT AND ATTRACTIVE CITY SCRUTINY COMMITTEE held in the CIVIC CENTRE on MONDAY, 13TH JUNE, 2011 at 5.30 p.m.

Present:-

Councillor Miller in the Chair

Councillors Bonallie, E. Gibson, Heron, Lauchlan, Porthouse, Scott, Tye and A. Wright

Also Present:-

Councillor Tate – Chair of Management Scrutiny Committee

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors D. Richardson and I. Richardson.

Minutes of the Last Meeting of the Environment and Attractive City Scrutiny Committee held on 11th April, 2011

1. RESOLVED that the minutes of the last meeting of the Committee held on 11th April, 2011 be confirmed and signed as a correct record.

Declarations of Interest

There were no declarations of interest.

Annual Work Programme and Policy Review 2011-12

The Chief Executive submitted a report (copy circulated) for Members to determine the Annual Work Programme for the Scrutiny Committee during 2011-12 and the main theme for a detailed policy review.

(For copy report – see original minutes).

Helen Lancaster, Scrutiny Officer, presented the report and requested Members comments on the suggested topics.

The Chairman commented that he believed the suggested topic of Land Management was not for this Committee to consider but rather the Prosperity and Economic Development Scrutiny Committee. In relation to the Accessible City topic he advised that a great deal of work had been done to look at this over the last two years and did not think a study should be started so soon after this.

With reference to the Management of Coastal Areas the Chairman felt it may be awkward to do a policy review what with the Seaburn Masterplan only in its early stages and would be best to look at this topic at a later date.

The Chairman felt that Sustainable Council Transport was the best topic for the Committee to consider as there was a great deal to look at such as Electric Vehicles, the Financial Implications, the effects of our Carbon Footprint in creating the batteries and if over time this would be beneficial. The Chairman then requested Members views.

Councillor Heron agreed with the Chairman's comments and that the Committee should look at Sustainable Council Transport as its Policy Review.

Councillor Porthouse referred to the Accessible City topic and enquired if the dropped kerb scheme had been fully implemented.

Keith Lowes, Head of Planning and Environment advised that through the Performance Indicators there was a tremendous effort to hit the target for the dropped kerbs and that he would supply Councillor Porthouse with the specific information.

Councillor E. Gibson referred to the comments on Electric Vehicles and felt that it would be appropriate to include Nissan on any studies. Councillor Gibson also enquired if the charging points were progressing and if this should also be looked at.

Mr. Lowes advised that the rollout of the charging points was based on the funding available and could provide a baseline of information for this particular topic such as how many charging points were needed and such like.

Councillor A. Wright commented that the Sustainable Council Transport topic would challenge the Committee, which could look at Nissan, Smith's Electric Vehicles and the bus companies who were spending an incredible amount of money on Eco friendly vehicles.

Councillor A. Wright also commented that he was keen to look at the Management of Coastal Areas and the several agencies involved with the narrow strip up the coast, but agreed that now may not be the best time to consider this topic.

The Chairman commented that the Sustainable Council Transport topic allowed the Committee to look at the Council's infrastructure and how it fits in with our Economic Masterplan.

Members having agreed Sustainable Council Transport as their Policy Review, Ms. Lancaster advised that she would work with Officers on providing the Committee with a scoping report.

In relation to any Task and Finish activities the Chairman advised that everyone was invited to attend, with the same arrangements as last year to continue.

The Chairman also advised of a suggested informal meeting which would take place at 5.00 pm, before each Scrutiny meeting, this would be purely voluntary, for Members that wished to speak to the Chair/Vice-Chair for clarification or such like on the items/reports due to be discussed.

Councillor Tye enquired on the progress of the work on speed limits across the City as he had not seen any further feedback on the issue.

Ms. Lancaster advised that she believed the September meeting would be when any feedback would to be given and that she would look into the matter.

The Chairman advised that the available funding for the project had ceased which was disappointing.

Councillor Tye commented that he accepted that the funding had been taken away but there was still a need to introduce this.

Councillor Porthouse supported Councillor Tye's request and also informed of issues raised at a recent PACT meeting around Bus Lanes. Councillor Porthouse requested that if speed limits were to be looked at, then Bus Lanes be incorporated into the review also.

The Chairman advised that Bus Lanes were a separate issue to Councillor Tye's but the Committee could revisit the issue once the findings had come back from the Highways Department.

Councillor A. Wright informed that he was due to attend a meeting with Councillor Blackburn and Officers to discuss the issue of Bus Lanes and it may be the findings from that could come back to a future meeting of this Committee.

2. RESOLVED that the Committee:-

- (i) considered the draft Annual Work Programme for 2011-12;
- (ii) considered the list of suggestions for Policy Review and determined Sustainable Council Transport would be the topic for review; and
- (iii) submit the Work Programme to the Management Scrutiny Committee in its co-ordinating role.

Seaburn Masterplan and Design Code

The Deputy Chief Executive submitted a report (copy circulated) to advise the Committee of the responses received following public consultation on the Seaburn Masterplan and Design Code and to seek the Committee's comments on the revised document.

The Committee's comments would be reported to Cabinet on 6th July 2011 when agreement would be sought to approve the Seaburn Masterplan and Design Code as a Supplementary Planning Document.

(For copy report – see original minutes).

Councillor Porthouse commented that he felt the plan was excellent and looked first class.

In response to Councillor Porthouse's enquiry, Mr. Lowes advised that there were two fields to the South and the West of South Bents which were clearly allocated for open space on the development plan.

Councillor Tye commented that he also felt it was an excellent plan but it seemed clear there had been public misunderstanding of what the plan was about and we needed to find a happy medium with what the public wanted and what was needed with particular reference to the skate parks and different perceptions.

Councillor Tye commented that he agreed with the responses received in relation to the Seaburn Centre and accepted the need for community facilities but that the building was in the wrong location.

Councillor E. Gibson stressed the importance of attracting tourism and the need for facilities to attract families and such like to the area.

Councillor A. Wright agreed with Councillor Tye, that the plan was there to offer guidance and no doubt there would be a great deal of work carried out on possible ways forward. Councillor A. Wright also agreed with Councillor Tye's comments in relation to the Seaburn Centre and queried the toilet provision in the area, due to the structural damage of the Tram Car toilets.

Les Clark, Head of Street Scene advised that the Tram Car toilets had been damaged during the Air Show, and a recent survey undertaken determined them unsafe. The structural integrity was being improved but for the foreseeable future the toilets would be closed until a plan was put in place to see if they could be re-opened. Mr. Clark suggested the issue be brought back to the Committee with a report on public conveniences.

Councillor A. Wright commented that it was an important subject as there was a gap in facilities for that area.

In response to Councillor Tye's enquiry of any short term plans for temporary facilities at the Tram Car toilets, Mr. Clark advised that there were no plans as yet, with cost and security issues involved for temporary facilities but he would include details in the forthcoming report.

In response to Councillor Scott's enquiry, Mr. Lowes advised that there were two significant areas which were in private sector ownership and a benefit of the Masterplan meant the Authority had a co-ordinated approach that allowed the opportunity to involve the private sector in plans for the Council owned land.

Mr. Lowes also advised that the issue of toilet provision had figured prominently in the comments received and that there was a budget for work to start on the Cat and Dog steps and facilities.

Councillor Heron commented on the need for some form of provision for disabled toilets this summer as there would be a shortage of facilities.

The Chairman commented that he looked forward to receiving the report and commented that now that we had a strategy, let's support it and see what happens.

3. RESOLVED that the Committee considered the amended Seaburn Masterplan and Design Code and its comments be referred to Cabinet for consideration.

Forward Plan – Key Decisions for the Period 1st June 2011 – 30th September 2011

The Chief Executive submitted a report (copy circulated) to provide Members with an opportunity to consider those items on the Executive's Forward Plan for the period 1st June 2011 – 30th September 2011 which relate to the Environment and Attractive City Scrutiny Committee.

(For copy report – see original minutes).

4. RESOLVED that the contents of the Forward Plan be noted.

Request for Inclusion of an Item for Consideration – Planning Applications

The Chief Executive submitted a report (copy circulated) for Members to consider the inclusion of an additional item in the Scrutiny Committee Work Programme.

(For copy report – see original minutes).

Ms. Lancaster presented the report and advised that a request had been received in the last municipal year, signed by 5 members which asked the Committee to give consideration to the current delegated powers for planning application decisions, together with recommendations for potentially removing delegated powers where planning applications of obvious public interest are involved. Additionally could

Members receive a scrutiny report explaining why public consultation was not performed prior to the planning application “11/00127/FUL – Wind Turbine St Robert of Newminster School” being submitted as “undertaking pre-application community consultation is best practice and it is something that the Planning and Environment Service actively encourages but isn’t obligatory”.

Elaine Waugh, Head of Law and Governance advised that the request was split into two parts and that the Scrutiny Committee’s function was geared towards looking at Strategy and Policy Making and not individual regulatory decisions or specific planning applications, therefore the legal advice would be to look at the delegated powers request only, should Members be minded to do so.

Councillor Tye commented that he felt the second part of the request to look at a specific planning application was inappropriate to come before this Committee but the delegated powers was an issue worth having a discussion on and giving further consideration to.

Councillor Scott commented that there was a great deal to be discussed on the delegated powers and where a number of items of public interest should not be delegated.

Councillor Heron commented that many Members had issues with delegated powers which needed consideration but expressed a need for caution as Members did not want to have to consider every person’s application for kitchen extensions and such like.

Councillor Porthouse queried who determined if an application would be of public interest or not and also enquired as to how many planning applications had been decided by delegated powers and how many by Committee over the last year.

Mr. Lowes advised that 90% of decisions were delegated and Officers had to try and predict which applications were controversial. A system was in place where Members could refer applications to Committee also.

Councillor Scott commented that if there was any reasonable doubt he would like the relevant Planning Officer to contact the Ward Members.

Councillor Heron wished to point out the dilemma Officers faced, on matters such as telephone masts, where some communities complained and other did not, therefore it was difficult to determine which applications could be controversial.

The Chairman commented that he did not see any value in Scrutiny looking at individual planning applications and suggested this be removed and for the Committee to determine the best course of action for the inclusion of an item on delegated powers only, with the possible options detailed in paragraph 4.1 of the report.

Councillor Porthouse proposed option (d) - Decide that the issue raised does not merit any response beyond noting the matter.

Councillor Tye suggested the item be considered by the Planning and Highways Committee first and then come back to this Committee at a later date.

The Chairman then proposed that option (e) be agreed – Decide to express a view or make a recommendation, by resolving accordingly, if the Committee considers it has sufficient information to make a fully informed decision.

Mr. Lowes advised that the topic had been included in Members training in the past and was happy to include it again.

5. RESOLVED that a report on delegated powers be brought back to the Committee at a later date with further engagement with the Planning and Highways Committee on the issue.

The Chairman thanked Members and Officers for their attendance and closed the meeting.

(Signed) G. MILLER,
Chairman.