

At a meeting of the ENVIRONMENTAL AND PLANNING REVIEW COMMITTEE held in the CIVIC CENTRE on MONDAY, 11TH DECEMBER, 2006 at 5.30 p.m.

Present:-

Councillor Blackburn in the Chair

Councillors Fletcher, Higgins, Paul Maddison, L. Scott, Wares, Whalen and Wood.

Also Present:-

Councillors Allan, Arnott, Lawson, Porthouse, Rolph and Tate.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors MacKnight, Tansey and Tate.

Declarations of Interest

There were no declarations of interest.

Minutes of the Last Meeting of the Committee

1. RESOLVED that the minutes of the meeting of the Committee held on 13th November, 2006 (copy circulated) be confirmed and signed as a correct record, subject to page 6, paragraph 8, reference to the No. 38 still going into the City Centre via the Interchange be amended to read "into the Interchange via the City Centre" and that the reference to the 'Transport Minister' be amended to the 'Chairman of the Strategic Rail Authority'.

Matters Arising from the Minutes

The Chairman advised that local bus companies had been invited to the January meeting of the Committee as stated in resolution 3(ii).

Councillor Whalen referred to page 9, bullet point 6 and the long-term decline in cycle use and was advised by Leyton Rahman, Principal Engineer, that the data collection for Tyne and Wear had been insufficient but that new systems were now in place and recent information showed an increase in cycle use.

Councillor Wood referred to page 11 of the minutes and the request for a report on the Strategic Transport Corridor and the proposed new Wear Bridge and was advised that it was proposed that a report be submitted to the January meeting.

Variation in Order of Business

At this juncture, the Chairman proposed that the Committee hear Item 9 – Decriminalised Parking Enforcement – Options for Service Delivery followed by Item 8 – Decriminalised Parking Enforcement – Action Plan Update.

Decriminalised Parking Enforcement – Options for Service Delivery

The City Solicitor submitted a report (copy circulated) which asked Members to review the executive decision taken by Cabinet on 22nd November, 2006 in relation to the future operational management of parking in the City.

(For copy report – see original minutes).

The Chairman advised that three Members of the Committee had called-in the executive decision of Cabinet published on 24th November, 2006, suggesting that the decision had not been taken in accordance with the principles set out in Article 13 (Decision Making) of the Constitution.

Councillor Wood informed the Committee that the decision had been called in on the basis that the decision had not been made in accordance with principle (a) proportionality, (i.e. the action must be proportionate to the desired outcome), of Article 13.02 of the Constitution. He advised that there may also be a concern regarding human rights but that the main concern was proportionality.

Councillor Wood highlighted problems that had occurred with the Traffic Regulation Orders and line markings and expressed the view that, in the circumstances, it was inappropriate to give the Development and Regeneration Directorate responsibility for the operational management of on-street parking. He also referred to the staff vacancies in the Section as a result of which the resources may not be available to support the extra responsibilities.

In closing, Councillor Wood advised that it was felt that it would be more appropriate and would reinstate faith in the public's perception of the service if an organisation other than NCP or the Council was contracted to take on board the operational management of on-street parking.

Councillor Blackburn considered that Councillor Wood, in his presentation, had failed to provide any evidence to suggest that the decision of the Cabinet had not been made in accordance with Article 13 of the Constitution.

Councillor Scott referred to the importance of the Committee's role in ensuring that the Cabinet complied with the criteria for decision making set out in the Constitution. However, he felt that there was a need to examine the process by which the decision was made as it was such a big issue in Sunderland and understood the Councillors' concerns and views, however he felt that the decision had been made after the Cabinet had measured and weighed each option out, consulted on each option, and then made their decision ensuring that the option was the best for the Council and residents of Sunderland, whilst continuing to act in a wise and proportionate manner.

Councillor Whalen advised that after reviewing the decision he felt Cabinet had adhered to the five principles of decision making as set out in Article 13.02 of the Constitution and that the decision should stand.

Phil Barrett, Director of Development and Regeneration, advised that Cabinet had made the decision to provide the parking service 'in-house' but as yet no decision had been made that the service would be based in the Development and Regeneration Directorate.

Councillor Wood, seconded by Councillor Maddison, moved that Members agree option ii. of the recommended alternative resolutions set out in paragraph 4 of the report and ask the Cabinet to review the decision. The matter being put to the vote and six Members voting against the motion and two voting in favour, it was resolved that the recommendation not be approved.

Councillor Whalen, seconded by Councillor Wares, moved that the Committee agree option I, namely, that it believes the decision is appropriate (and therefore should be implemented without further delay). The matter being put to the vote and six Members voting for the motion, and two voting against, it was:-

2. RESOLVED that the Committee believe the decision is appropriate (and therefore should be implemented without further delay).

Decriminalised Parking Enforcement – Action Plan Update

The City Solicitor and Director of Development and Regeneration submitted a report (copy circulated) which informed the Committee of the progress made with regard to the action plan developed from the post implementation review of the Council's Decriminalised Parking Enforcement (DPE) regime.

(For copy report – see original minutes).

Phil Barrett, Director of Development and Regeneration gave Members an update in relation to the action plan and the progress made from the post implementation review.

In response to a query from Councillor Maddison with regard to staff training, Mr. Barrett advised that as the law and legislation change all the time, training was constantly provided for staff. He also advised that the service had an experienced Manager so some form of training and learning was provided as part of their job on a daily basis.

Councillor Wood referred to paragraph 2.3 of the report and the difficulties associated with recruiting and retaining staff and asked if there was an expected timescale as to when the posts would be filled. Mr. Barrett firstly advised that the 21 vacancies were within the whole Transport and Engineering Service and that interim staff were in the posts at the moment and had been for some time. He informed Members that it was an issue both regionally and nationally but that Sunderland were investing in junior staff to get them trained and experienced to help provide a good learning ground to build on for the future.

Having given consideration to the report, it was:-

3. RESOLVED that the report be received and noted.

Study into the Council's Approach to Carbon Management – Evidence Gathering

The City Solicitor and Director of Community and Cultural Services submitted a report (copy circulated) which advised Members that Norma Johnston, Assistant Head of Environmental Services, was present to provide evidence with regard to the study into carbon management.

(For copy report – see original minutes).

Richard Reading, Principal Trading Standards Officer, gave a presentation to the Committee outlining the purpose of the Packaging (Essential Requirements) Regulations 2003, the routes to comply with the regulation and the activities in Sunderland.

(For copy presentation – see original minutes).

Norma Johnston, Assistant Head of Environmental Services and Peter High, Head of Environmental Services gave evidence to the Committee on issues such as packaging of consumer goods and the use of re-usable carrier bags and their contribution to reducing the levels of waste going to landfill.

Councillor Scott asked how much time was spent by Officers policing the regulations in proportion to encouraging and educating manufacturers and providers and was advised that for the last five years the majority of Officers' time had been spent offering advice and now they were providing further encouragement to do more.

In response to a query from Councillor Scott, Mr. Reading advised that there was a joint committee, made up of representatives from neighbouring authorities, which covered trading standards and helped influence providers. Ms. Johnston informed Members that it was also necessary to work on the consumer's way of thinking so they were more aware of issues and potential problems.

Mr. Reading gave an example of the packaging of medicines and tablets and how larger than necessary containers were used for them so that printed information could be on the bottle. The Chairman asked if they could be packaged better by providing the information on a separate sheet of paper which would allow a smaller bottle or container to be used. Mr. Reading advised that after consideration it had been felt that the information should be kept on the product to ensure the information was never lost as a matter of safety for the consumer.

Councillor Higgins mentioned the packaging used for loose soap powder which was always well below the top of the box and although she understood it was to allow for settling it did seem like a large space. Mr. Reading advised that he had seen production lines for soap powder and the space was necessary as boxes were full at the time, although within the package the powder did settle during transit.

The Chairman asked if the service received complaints regarding packaging from the public and was informed that they were unusual, with less than half a dozen in the last year. Ms. Johnston advised that the service worked in a more proactive manner, addressing issues and offering advice and encouragement before they become a problem.

Councillor Whalen asked how much, in weight, packaging made up in a landfill site and was advised by Mr. High that a study had been carried out earlier in the year which had shown that within an average household bin 50-60% was packaging from one of the top five supermarket chains.

In response to a query from Councillor Wares regarding recycling plastic and being behind other European countries, Mr. High advised that the issue was one which the European Union were reiterating and in waste management were focusing on reducing levels, re-using materials and recycling. Mr. High informed Members that there was a huge issue in relation to plastic bottled water as it is such a massive market. He advised that recycling plastics had been recognised by Government as a national issue as the facilities have not been available in all areas to recycle it. He informed Members glass was a more readily recoverable material than plastic but was being used less.

Councillor Fletcher informed Mr. High that she was aware of two large housing developments in Washington North Ward which had no recycling facilities at all. Mr. High advised that he understood there was recycling provision through the Kerb it and Green it schemes for all of the City but informed Members he would address the issue after receiving further information from Councillor Fletcher outside of the meeting.

The Chairman asked if any arrangements had been made for the collection and recycling of Christmas trees and was informed that if residents contacted the Council, they would be picked up and mulched.

Having given consideration to the report, it was:-

4. RESOLVED that the evidence submitted by Officers be received and noted.

Regional Spatial Strategy Panel Report

The City Solicitor submitted a report (copy circulated) appending the report which had been considered by Cabinet at its meeting held on 6th December, 2006. The Chairman of this Committee had requested that it be submitted to Members for information.

(For copy report – see original minutes).

The Head of Planning and Environment informed Members that the Panel had published its findings but that the twelve week consultation would not take place until the final draft of RSS was published in February, 2007.

In response to a query from the Chairman with regard to the relocation of the 'Tyne and Wear Park' to the Port of Sunderland site, Mr. Lowes said the location would be an issue. He also advised that in the future it would be hoped that port related businesses and firms would take up plots on the site, whereas the 'Tyne and Wear Park' would address a different sector of services and employment supply.

The Chairman had concerns over office provision being provided mainly in the City Centre, when developments at Doxford Park and Rainton Bridge had been successful. Mr. Lowes advised that this was a key dimension of the strategy and future developments would be focussed in the City Centre to help improve accessibility from a wider range of transport options.

In response to a query from Councillor Scott regarding the size of the Port of Sunderland site and it being seen as a regional site of importance, Mr. Lowes informed Members the first option was to retain the site for port usage and that only if this failed would other options consistent with the strategic objectives and plans be considered. He added that it was encouraging that the Panel had visited and therefore raised the profile of the site.

Having given consideration to the report, it was:-

5. RESOLVED that the report be received and noted for information.

Study into Road Safety and Child Pedestrian Accidents within the City – Progress Report

The City Solicitor submitted a report (copy circulated) which updated the Committee on the progress being made in implementing the recommendations of its study into road safety and child pedestrian accidents.

(For copy report – see original minutes).

Leyton Rahman, Principal Engineer, attended the meeting and gave Members a breakdown of casualties for the last three years, advising on 11% reduction in deaths and serious injuries had been reached in 2005 by Sunderland in comparison with only 5% reduction in Tyne and Wear and 3% nationally, on average.

The Chairman felt that the reductions made were encouraging and hoped the number of casualties would continue to fall.

In response to Councillor Woods' query regarding Home Zones and every residential area having the potential to be one, Mr. Rahman advised that the service were taking a gradual opportunistic approach to installing Home Zones, using areas where works were being undertaken already such as new builds or redevelopments.

He informed Members that it was difficult to change existing housing stock into Home Zones if they had not originally been designed for it, as they were expensive to create and had to be approached with great care in their design in order for them to be effective. In many cases it was preferable to adopt alternative traffic calming measures to meet the strategic needs of the area.

Mr. Lowes added that potential Home Zone areas and other traffic calming measures were now included in the Council's Residential Urban Design Guide so it was anticipated there would be an increase in the future to help meet Council's objectives.

Having given full consideration to the report, it was:-

6. RESOLVED that the Committee note the progress currently being made in relation to its previous recommendations.

Audit Summary Report: Better Scrutiny

The City Solicitor submitted a report (copy circulated) to provide the Committee with information following a workshop facilitated by the Audit Commission for Members involved with Review Committees.

(For copy report – see original minutes).

In relation to paragraph 4.2 the Committee considered that the Civic Centre was the most accessible and environmentally friendly venue for meetings, though Members recognised that when considering a specific local issue it may be appropriate to meet at an alternative, relevant venue.

Having considered the report, it was:-

7. RESOLVED that the Action Plan be endorsed.

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

(Signed) J. Blackburn
Chairman.