



Rutland County Council

Catmose Oakham Rutland LE15 6HP

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Record of a meeting of the **PLACES SCRUTINY PANEL** held in the Council Chamber, Catmose, Oakham at 7.00 pm on **Thursday 15 August 2013**

PRESENT: Mr J T Dale (Chairman, in the Chair)
Mr M E Baines
Mrs C J Cartwright
Mr W J Cross
Mr J Lammie
Mr B A Montgomery
Mr M A Oxley

OFFICERS PRESENT: Mrs V Brambini Operational Director for Places
Mr B Culpin Senior Planning Officer
Miss M Gamston Democratic Services Officer

IN ATTENDANCE: Mr T C King Portfolio Holder for Finance, Property, Development Control, Planning Policy, Economic Development and Tourism

Mr M D A Pocock Portfolio Holder for Highways, Waste and Recycling, Transport and Parking, Revenues and Benefits, Democratic Services

APOLOGIES: Mr D C Hollis and Mrs C L Vernon

251 RECORD OF MEETINGS

Mrs Cartwright requested that panel members listed as present on 20 June 2013 be altered to reflect her attendance.

Subject to the above, the Record of the Meeting of the Places Scrutiny Panel held on 20 June 2013, copies of which had been previously circulated, was confirmed and signed by the Chairman.

252 DECLARATIONS OF INTEREST

In respect of agenda item 8, Submission Draft Edith Weston Neighbourhood Plan, Mr Dale declared a non pecuniary interest as his daughter lives in the village and Mrs Cartwright declared a non pecuniary interest as she is a member of the Rutland Water Golf Club.

253 PETITIONS, DEPUTATIONS AND QUESTIONS

No petitions, deputations or questions had been received.

254 QUESTIONS WITH NOTICE FROM MEMBERS

No Questions with Notice had been received from members.

255 NOTICES OF MOTION FROM MEMBERS

No Notices of Motion had been received from members.

256 CONSIDERATION OF ANY MATTER REFERRED TO THE PANEL FOR A DECISION IN RELATION TO CALL IN OF A DECISION

No matter had been referred to the Panel for a decision in relation to call-in of a decision in accordance with Procedure Rule 206.

SCRUTINY

257 RUTLAND LOCAL PLAN DRAFT STATEMENT OF COMMUNITY INVOLVEMENT

Report No. 179/2013 from the Operational Director for Places was received.

The Senior Planning Officer, Mr Culpin, introduced the report the purpose of which was to consider the Draft Statement of Community Involvement. Members were informed that the Statement of Community Involvement (SCI) sets out how the Council intends to engage with the community and stakeholder through the planning process. This included the preparation of Local Plans and Supplementary Planning Documents and procedures for consulting the public on planning applications. The review took into account the recent changes in legislation and regulations. Members were also advised that although the Government was less prescriptive in terms of the Community Infrastructure Levy it was a statutory requirement for the Authority to have an up to date compliant SCI.

The SCI was to be considered by Cabinet on 3 September 2013 and if approved would be followed by a six week public and stakeholder consultation. Following the consultation, and any subsequent amendments, a report would be brought back to Members to consider for formal adoption by Council. Once adopted it would replace the SCI adopted in 2006.

During discussion the following points were noted:

- i) The SCI committed the Council to consulting with all bodies and to increased use of social media, etc;
- ii) The SCI covered Development Plan Documents, Supplementary Planning Documents, Neighbourhood Plans, Community Infrastructure Levy and Tree Preservation Orders;
- iii) The Council maintained a database with the contact details of established stakeholders and those that had either commented on previous consultations or had requested their details to be included. The electronic Local Plan

- iv) The SCI covered the Council's duty to co-operate with neighbouring authorities, key stakeholders and other organisations. An inspector would close an examination if not satisfied that the duty to co-operate had been considered. The Council would engage commensurate with the scale of the venture and where cross border impact was an issue;
- v) Concern over focus when engaging with under represented groups was expressed, for example, Rutland Youth Council which appeared to be widening its scope, need to make sure not over burdened;
- vi) It was acknowledged that consultation deadlines did not always allow for an organisation to meet within timescales. Members were advised that individual organisations of a partnership would be consulted in the own right if on the database to be consulted; a statutory consultee would be expected to respond in their own right as a group might not wish to commit as a whole;
- vii) That the main focus of any consultation was to reach out to as many of the community as possible;
- viii) That Appendix 4 to the Statement of Community Involvement: Consultation on Planning Applications, agreed by Development Control in 2012 had been incorporated into the document ensuring that it dealt with everything;
- ix) The problems facing Parish Councils and Parish Meetings with regards to information sharing and consultations. It was noted that not all Parishes/Meetings have a website or would have enough information to warrant it being updated regularly; although many did make use of email. That when a consultation was undertaken a variety of communication methods, traditional and modern needed to be used; that a lot of statutory consultation did not recognise the requirement for paper or noticeboard; that it was for Cabinet to give a steer on this;
- x) That the LRALC had a template available to assist with setting up a website;
- xi) Members were reminded that Rutland County Council had a website that was regularly updated; need to look at communication method of advising parishes where something affects them;
- xii) That there was a need to ensure effect quick proper consultation in a timely manner;
- xiii) Clarification was provided on paragraph 5.9 of the SCI where referrals to the Development Control and Licensing Committee are determined by the Committee Chairman or Vice Chairman. Whilst the Scheme of Delegation in the constitution formally governs the process it was noted a meeting to discuss the request for a referral could take place to discuss the details prior to a referral request being accepted.

AGREED:

- i) That Panel noted the contents of Report No. 179/2013.
- ii) That comments to be reported to Cabinet.

258 SUBMISSION DRAFT EDITH WESTON NEIGHBOURHOOD PLAN

Report No. 178/2013 from the Operational Director for Places was received.

The Senior Planning Officer, Mr Culpin, introduced the report the purpose of which was

to consider the Submission Draft Edith Weston Neighbourhood Plan consultation document.

During discussion the following points were noted:

- i) That this was the first Neighbourhood Plan in Rutland to progress to the submission stage;
- ii) Only three Neighbourhood Plans had been adopted countrywide so there was not a lot of knowledge regarding the adoption stage. The Edith Weston submission document appeared to meet regulatory requirements;
- iii) The Draft Neighbourhood Plan identified areas of concern; it also recognised the proximity of Rutland Water and St George's Barracks;
- iv) The Plan made good reference to the Core Strategy and Site Allocation;
- v) Key issues identified were:
 - a) Level of Rutland Water tourism and environmental assets;
 - b) Conservation of historic environment;
 - c) New developments
- vi) That a key motivation was a large parcel of land north of the barracks under option to a national housebuilder that was not incorporated in the Site Allocations;
- vii) That any comments from this meeting would be taken to Cabinet, if approved, then to Council; Rutland County Council would then consult on and drive to an examination if required. Ultimately, before adopting the Plan there would be a local referendum;
- viii) Mr Baines queried the process and the requirement of draft Neighbourhood Plans to be scrutinised; that if every Plan had to go to Scrutiny, Cabinet and Council prior to consultation it could add weeks possibly months on to the process. Mr Baines stated that he understood that the process was supposed to be relatively speedy at this stage and that he thought the thrust was adequate consultation;
- ix) Members were advised that in 2006 Council had agreed that documents, regardless of status, would go through the scrutiny process. A Neighbourhood Plan did not need to be scrutinised to be compliant but it reflected the way that the Authority dealt with supplementary and development documents; when adopted a Neighbourhood Plan would be of the same status as a supplementary document. Adoption of a Plan was the decision of Council;
- x) That the process could be reduced from three stages to one, has to go to Council when adopted; needed to consider, if this Panel or Cabinet cannot make changes per se the Plan would need to go back to the Parish. For noting at this stage;
- xi) That if it was a question of timing representation could be made to the Chair;
- xii) Concern expressed that businesses within Neighbourhood Plan areas were not being engaged with as some were relatively hidden; that further work was required on the business side;
- xiii) That the Parish Plan needed to be used as a tool for officers to refer to when making a decision on an application; that the Parish Plan was still a useful tool at development level. The Neighbourhood Plan was more strategic;
- xiv) Mr Oxley commented that the content of the Plan was community driven and for Scrutiny to be asked to look at and comment, and then to Cabinet was not appropriate when putting together; appropriate when finalising. The Panel could only look at the Plan and comment on how put together. Ward

- xv) Disappointment expressed at the responses in Appendix 5 to Report No. 178/2013, particularly the lack of a response from Anglian Water, BT, Severn Trent Water. It was suggested that those responsible for putting the Plan together be asked for their reaction to the lack of response from key players. That a different approach may be to allow ward members to be involved in the process;
- xvi) That it would be useful to agree a process for the future:
 1. When received at first stage – let Scrutiny have to pass comment to officer (do not have the right to change)
 2. To go to Cabinet and not Council to go to next stage
- xvii) That a role for Scrutiny was to use expertise of having to deal with the supplementary process and give an early steer on issues;
- xviii) That the Plan did not make specific mention of affordable housing or nor small scale employment. However, it did refer to existing Council policies regarding site allocations;
- xix) Resources pressures to Council approximately £20,000 for a Neighbourhood Plan (worse case scenario). One of the ways to reduce costs long term would be to encourage villages to group together. If there was a significant uptake the Council would not have the resources to deal with and would have to look to link;
- xx) The Portfolio Holder, Mr King, requested a steer from the Panel on whether they were comfortable for the Plan not to go to Council, for Cabinet to make the decision in order not to delay the process. This to be checked with Legal as not a Council strategic plan therefore would not have to go to Council.

AGREED:

- i) That Panel noted the contents of Report No. 178/2013
- ii) That the Portfolio Holder to take to Cabinet as per item xx) above.

259 STREET LIGHTING UPDATE

A verbal update was received from Mr Lammie.

Members were informed that the terms of reference for the Task and Finish Group were agreed in September 2012. After which the Group had met with officers and had found that the Council did not have a full up to date inventory or map of the lighting in the county; contentious issue over who was responsible for what. Having undertaken an audit at the end of 2012 officers were able to collate data to evaluate. The Council now had a fully inventory and had produced a map. This information had been presented at the Parish Council Forum in July 2013. The county currently had 4648 lights with an approximate annual energy cost to the Council of £129,000 including a budget for Cost pressure – looking to increase 10% next year. Parishes currently pay £1 per community rate payer, if have parish lights, as set by Cabinet in 1992. There was a great degree of variance with £13,000 be contributed toward the total cost for parish lights of £35,000, the Council made a grant to the Parishes to cover the shortfall. Great discrepancies had been found in the amounts that parishes contributed to the costs, for example, Ashwell paid £193 (25% of costs) whereas Langham paid £807 (47% of costs). It had also come to light that some Parishes paid the energy supplier direct as well as the Council, for example, Greetham and Ketton. That there was no clear policy on where

lights should be erected or how they should be funded; the Local Authority, Town Councils and Parish Council were all lighting authorities. It appeared that the question of ownership had been further complicated in Rutland by the changes to Local Government when Uppingham and Oakham Urban Councils became part of the District Council Uppingham kept ownership of the lights and Oakham did not. There was a great discrepancy in who provided lighting and how much was paid towards it. The major anomaly was Oakham which contributed nothing towards streetlighting, owning only five lights in Cutts Close, the 1700 other lights being paid for by the Council.

During the discussion the following points were noted:

- i Most maintenance paid for by the Parishes, a small grant existed to assist with this. The Council paid for the maintenance of highway lights;
- ii Officers aware that this was a difficult problem to deal with. With budgetary cuts in place highly unlikely that the Council would take back street lighting, needs to be at least cost neutral. A succinct report was required, regarding the options, to come back to Scrutiny because of the pressures on the Medium Term Financial Plan (MTFP);
- iii It was recognised that many lights required updating/improving;
- iv The initial thinking of the Task and Finish Group was to sidestep the issue of ownership and find a scheme where each Parish, where lighting, contributed a percentage towards the cost of energy consumption. Feedback had been received from Parishes but required all to sign up to; given the current situation it was unlikely this was attainable;
- v The Task and Finish Group was due to meet to discuss options for the way forward;
- vi That some Parishes had energy/maintenance agreements with E-on;
- vii Total cost of street lighting was approximately £250,000; 25% of lights (less trunk road lighting) in Oakham, if the Town Council was to become responsible for these lights the precept would increase by approximately 20%;
- viii Concern expressed that Parishes set precepts from October/November onwards and that officers now needed to be asked to feedback in terms of the MTFP. It was recognised that Oakham was an enormous problem to overcome. Task and Finish Group to request officers to produce an options paper;
- ix Concern expressed that whilst the delay continued streetlights were not being renewed;
- x That the Council should be able to distinguish through routes and local routes. That the solution had to be equitable;
- xi That consideration needed to be given to standardising streetlights;
- xii A further report to be brought to this Panel;
- xiii Neil Tomlinson, Contracts & Maintenance Engineer, was thanked for his support.

The Chair, Mr Dale, thanked the Task and Finish Group for their hard work.

AGREED:

- i) That Panel noted the verbal update.
- ii) That a further report would be brought to this Panel.

PROGRAMME OF MEETINGS AND TOPICS

260 WORKING PROGRAMME 2012/13 AND REVIEW OF FORWARD PLAN

The Panel was asked to consider the Forward Plan and Work Programme 2012/13.

Members held no discussion on this item.

Members were advised that a Special meeting was to be held on Thursday 5 September. Agenda items: Q1 reports, Oakham Enterprise Park, Strategic Risk Register and Strategic Aims and Objectives.

Apologies were received from Mrs Cartwright, Mr Cross and Mr Pocock.

261 REVIEW OF RISK REGISTER

Members held no discussion on this item.

262 ANY OTHER URGENT BUSINESS

Hedge on the A6003 by the Sounding Bridge

Mr Oxley reported that the hedge on the right of bend at the Sounding Bridge, travelling towards Oakham had been badly chopped back in a sensitive area for wildlife and birds.

The Operational Director for Places, Mrs Brambini, undertook to look into and would report back.

263 DATE AND PREVIEW OF NEXT MEETING

Thursday 5 September 2013 at 7.00 pm (Special)

Thursday 28 November 2013 at 7.00 pm

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The Chairman closed the meeting at 9.00 pm.

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