



## Rutland County Council

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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 24 April 2014**

**PRESENT:**

- Mr J T Dale (Chairman, in the Chair)
- Mr M E Baines
- Mrs C J Cartwright
- Mr G Condé (for Mr Hollis)
- Mr J Lammie
- Mr B Montgomery
- Mr J R Munton
- Mr M A Oxley
- Mr CA Parsons (for Mr Cross)
- Mr D L Richardson
- Mrs C L Vernon

**OFFICERS PRESENT:**

- Mr D Brown Director for Places (Environment, Planning & Transport)
- Mr J Faircliffe Housing Strategy and Enabling Officer
- Mrs D Mogg Monitoring Officer and Director for Resources
- Mr P Parmar Property Manager
- Mr P Phillipson Director for Places (Development and Economy)
- Mrs S A Ramsay Corporate Support Officer

**IN ATTENDANCE:**

- Mr T C King Portfolio Holder for Places (Development) and Finance
- Mr M D A Pocock Portfolio Holder for Places (Environment & Transport) and Resources

**ALSO PRESENT** Mr R J Gale

**APOLOGIES:**

- Mr W J Cross
- Mr D C Hollis

### **974 RECORD OF MEETINGS**

The Record of the Meeting of the Places Scrutiny Panel held on 13 March 2014, copies of which had been previously circulated, was confirmed and signed by the Chairman.

The Record of the Special Meeting of the Places Scrutiny Panel held on 2 April

2014, copies of which had been previously circulated, was confirmed and signed by the Chairman.

**975 DECLARATIONS OF INTEREST**

No Declarations of Interest were received in respect of items on this agenda for this meeting.

**976 PETITIONS, DEPUTATIONS AND QUESTIONS**

No Petitions, Deputations or Questions had been received.

**977 QUESTIONS WITH NOTICE FROM MEMBERS**

No Questions with Notice from members had been received.

**978 NOTICES OF MOTION FROM MEMBERS**

No Notices of Motion had been received from Members.

**979 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.

**980 HIGHWAY CAPITAL PROGRAMME**

Report No. 77/2014 from the Director for Places (Environment, Planning and Transport) was received, the purpose of which was to consider the highway capital programme for 2014/15 and the procurement and delegation arrangements for programme delivery.

The Chairman invited the Portfolio Holder for Places (Environment & Transport) and Resources to introduce the report.

During discussion the following points were noted:

- i) Members asked about the high friction surfacing in Caldecott and why this was not a higher scoring scheme due to the number of accidents at the B675 junction. Officers advised that accident “hot spots” were identified using data provided by the Police.
- ii) Where an accident had occurred but no injuries were reported, the Police did not record those in the database and so whilst there may be local knowledge of many accidents at any given location, some of the data is not recorded and so the authority would not be aware. This

- iii) Members asked how problems on a Public Right of Way (PROW) were dealt with, officers advised that the procedure was the same as reporting a problem on the highway, but that any accidents attended by the Police on a PROW were very rare. There was little infrastructure on PROWs requiring capital maintenance and the revenue maintenance budget related to grass cutting and other such tasks.

Mr Montgomery advised fellow members that the Leicestershire and Rutland Access Forum discussed local PROW in detail and should members wish to refer any issues to they them may be able to assist.

- iv) Mr Lammie reassured members that the officer co-operation he had received on these matters was good, he had been emailed, as Ward Member, in regard to Caldecott issues and the view of both himself and the Parish had been taken into account. He also advised that the Council website was good for reporting problems on the highway, for example; pot holes.

## **AGREED**

That the Panel recommend to Cabinet that:

- i) the highway capital programme for 2014/15 at appendix 1 to Report No 77/2014 be approved;
- ii) the Council continues to use the Midlands Highway Alliance (MHA) Medium Schemes Framework for procuring schemes over the approved Term Maintenance Contract Threshold;
- iii) the Council continue to use Leicestershire County Council's framework agreement to procure structural engineering work undertaken through the structural consultancy services trading agreement;
- iv) authority is delegated to the Director for Places (Environment, Planning & Transport) in consultation with the Portfolio Holder for Places (Environment & Transport) and Resources and Ward Member(s) to approve the detail of the integrated transport schemes.

## **981 STREET LIGHTING TASK AND FINISH GROUP REPORT**

A verbal update was received from Mr Lammie.

The group had received the officer response to their proposals along with a draft outline of the policy wording. A meeting was held to formulate a response and a further meeting, with highways and contractors, was held to ensure the figures quoted for the proposed scheme were accurate. A paper would be submitted to the next meeting of the Panel.

## **982 S106 POLICY REVIEW**

Report No. 110/2014 from the Director for Places (Development and Economy) was received, the purpose of which was to:

- i) summarise how the Community Infrastructure Levy (CIL) and Section 106 (S106) policy are being brought into line through recent CIL reforms, proposed changes to S106 policy and the release of the final version of the National Planning Practice Guidance; and
- ii) consider how the approach to the Council's S106 policy could be revised now in response to i) above before it is submitted to Cabinet for consideration.

The Chairman invited the Portfolio Holder for Places (Development) and Finance to present the report. Government was consulting on S106 / CIL and Affordable Homes. CIL regulations had already been issued and did not apply for self build properties, residential annexes and extensions however no guidance had been used for sizes on these. Government was also consulting on the number of Affordable Housing Contributions on developments of less than ten properties; a potential lack of Affordable Housing contributions could mean the authority was unable to deliver this.

During discussion the following was noted:

- i) Developments falling into the above criteria, self-build, residential annexes and extensions could result in developers waiting for the CIL regulations to take effect and try to renegotiate S106 and CIL contributions;
- ii) Members asked for clarification on self-build properties, in particular whether a property constructed by a commissioned architect / builder was still classed as self build if the proposed resident was not actively involved. Officers advised that there was a regulation for commissioned properties in that the person who commissions the build would have to reside in the property for a minimum of 3 years.

### **AGREED**

That the panel noted the contents of the report and considered the revised approach to S106 Policy on residential extensions, annexes and self-build housing as set out in Appendix C to this report.

## **983 EXCLUSION OF THE PUBLIC AND PRESS**

It was recommended that the public and the press be excluded from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, and in accordance with the Access to Information provisions of Procedure rule 239, as the following item of business was likely to involve the disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

## **RESOLVED**

That the public and press be excluded from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, and in accordance with the Access to Information provisions of Procedure rule 239, as the following items of business were likely to involve the disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

### **984 BARLEYTHORPE HALL**

Report No. 107/2014 from the Director for Places (Development and Economy) was received the purpose of which was to provide clarification on the bid received for the redevelopment of Barleythorpe Hall (further to Cabinet Report No. 65/2014)

The Chairman invited the Portfolio Holder for Places (Development) and Finance to introduce the report. The errors in the figure quoted as part of the verbal update to Report 65/2014 was explained as an error in the documentation received by Innes England in that an email sent to the Property Manager had been cropped, losing information on the original offer.

During the discussion the following points were noted:

- i) the original offer was still an option but would result in potential loss of amenity for residents in Manor Lane, with more proposed vehicular access points from the Hall grounds onto the road;
- ii) the current bid limits the access onto Manor Lane but this is reflected in the value of the offer, this being lower than the original;
- iii) members queried the advice being presented by Innes England regarding the figures, due to the errors as advised;
- iv) members were pleased that the proposed development included the retention of the hall itself and asked that this be made a condition of the sale;
- v) members questioned the process of buying the former business centre on the site for conversion to Rutland County College, rather than using Barleythorpe Hall which was owned by the Council. The Portfolio Holder advised that the former business centre was already being used in an educational style and that converting the hall was likely to be a more costly option due to the alterations needed to convert a residential property to an educational one.

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The exempt session was closed at this point and the public and press were readmitted to the meeting.

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The Monitoring Officer clarified the next stage for the report was for Cabinet to make a decision, the report would not be considered by Council as stated on the Forward Plan.

**AGREED:**

That the Panel recommend that Cabinet accepts the preferred bidder in the context of the exempt papers to this report, with the following being a condition of the sale:

- i) access for those properties proposed on Manor Lane being restricted;  
and
- ii) the structural retention of the Hall.

**985 PROGRAMME OF MEETINGS AND TOPICS**

**WORK PROGRAMME 2013/2014 AND REVIEW OF FORWARD PLAN**

The Panel was asked to consider the Forward Plan and Work Programme 2014/2015.

**986 ANY OTHER URGENT BUSINESS**

No items of urgent business had been previously notified to the person presiding.

**987 DATE AND PREVIEW OF NEXT MEETING**

Thursday 12 June 2014

- Waste Management Strategy
- Parking Review 2014
- Home to School Transport Policy
- Section 106 Policy

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The Chairman closed the meeting at 8.45pm.

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