

OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND ENVIRONMENTAL SERVICES)

MEETING HELD AT THE TOWN HALL, BOOTLE
ON TUESDAY 19TH MARCH, 2013

Overview
& Scrutiny



PRESENT: Councillor McKinley (in the Chair)

Councillors Booth, Gatherer, Lappin, P. Maguire,
Weavers and Welsh.

Also Present: Councillor Fairclough, Cabinet Member for
Transportation.
Councillor Maher, Cabinet Member for Regeneration
and Tourism.
Councillors Dorgan, Papworth and Veidman

30. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bennett and Jones.

31. DECLARATIONS OF INTEREST

No declarations of interest were received.

32. MINUTES

RESOLVED:

That the minutes of the meeting held on 22 January 2013 be confirmed as a correct record.

33. CALL IN - HOUSING IN MULTIPLE OCCUPATION AND FLATS SUPPLEMENTARY PLANNING DOCUMENT

The Committee considered (a) the report of the Director of Corporate Commissioning, which set out the decision of the Cabinet on the above matter and the reason given for call-in; and (b) the report of the Director of Built Environment in relation to this matter.

The decision taken by the Cabinet on 14 February 2013 (Minute No. 111) in relation to this matter was as follows :-

“Decision Made:

The supplementary planning document be approved subject to the insertion of the following text before table 3 in the document, to provide clarity on where the size standards in the table apply:

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“These minimum standards will apply to all self-contained flats whether the development is part of a HMO (Use Classes C4 or Sui Generis HMO) or part of a scheme consisting entirely of self-contained flats (Use Class C3)”.

Reasons for Decision:

To adopt the supplementary planning document for decision making for Planning applications and enforcement purposes.

Alternative Options Considered and Rejected:

None.

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At the above Meeting the following amendment to the minutes was agreed:-

Decision Made:

That the minutes of the Cabinet meeting held on 14 February 2013 be confirmed as a correct record subject to the resolution in Minute No. 111 being amended by the addition of the following text in the supplementary planning document:

“The Council will look favourably upon applications for one bedroom flats where previously they have been discouraged”.

The Chair, Councillor McKinley, reported on the procedure for consideration of the call-in.

The Senior Democratic Services Officer, Mrs. Ruth Harrison, reported on the validity of the call-in and highlighted that the call-in requisition:-

- had been received within the specified call-in period in accordance with Chapter 6, paragraph 37 of the Constitution;
- had been signed by three Members of the Council who weren't Members of the Cabinet, in accordance with Chapter 6, paragraph 38 (a) of the Constitution; and
- referred to a specific decision made by the Cabinet and provided a reason in accordance with Chapter 6, paragraph 40 of the Constitution.

The Committee considered the comments of Mrs. Amanda Biagetti, Service Manager, Planning Services on the background to this matter and Councillor Maher Cabinet Member for Regeneration and Tourism, addressed the Committee in relation to the decision taken.

Councillor Papworth, on behalf of Councillors Dorgan and McIvor, outlined and amplified the following reason for call-in:-

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"The decision contravenes sub-paras (b) and (c) of Para 40 of Chapter 6 of the Council's Constitution; in other words, that the Cabinet decision is unsound, being based on facts not taken into account, and would lead to very unwise future decisions by the Council. In particular: a. Cabinet was advised that ample consultation had taken place; this is disputed by my constituent, who is the largest provider of HMO's in Sefton, and who also represents a considerable number of other landlords. He had about 10 minutes in which to read and comment on the SPD. b. The Supplementary Planning Document seeks to impose the same rules on HMO's as on flats. This seems unwise, as the two regimes are subject to different rules re Building Regulations, Environmental Health, Licensing and Benefits. c. Disabled access to HMO's is usually impossible, as there are no lifts. d. The conditions about roof-lights and windows in HMO's are unworkable and wholly unnecessary. e. Whilst noise insulation in a flat is of course desirable, to provide it in an HMO means insulating each room separately, which would be prohibitively costly. f. The document appears to rule out the use of terraces as HMO's, which seems to limit their development for no good reason. g. The requirement for S.106 funds of over £1,500 per HMO is excessive. Altogether, the SPD appears likely to put the Council at a considerable disadvantage (at precisely the moment when Liverpool is easing its conditions!), by making the development of HMO's financially unviable, and thus decimating the supply of new affordable housing. My constituent already has a substantial record of successful appeals against Planning decisions, and would far prefer to assist the Council by taking part in genuine consultations before a revised SPD is prepared. "

The Chair of the Committee, Councillor McKinley, invited Mr Latham representative of the public who was in attendance at the meeting to address the Committee.

Mr Latham made representations to the Committee in relation to the matter and emphasised that in his opinion two supplementary planning documents should be produced addressing Housing in Multiple Occupation and Flats individually.

Mrs. Amanda Biagetti and Councillor Maher responded to the representations made by Councillor Papworth and Mr. Latham.

Councillor Papworth concluded by reiterating the requirement for two individual documents based on the reasons for call in.

Councillor Maher and Mrs. Amanda Biagetti answered questions posed by Members of the Committee.

Members of the Committee observed that the issues raised within the reason for call in were based on opinion and not fact, and that all the issues (a) – (g) had been answered in full.

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RESOLVED: That

- (1) this Committee is not concerned about the decisions made by the Cabinet in relation to this matter; and
- (2) the matter be not referred back for further consideration.

34. REVIEW OF THE CALENDAR OF MEETINGS

The Committee considered a report of the Director of Corporate Commissioning in relation to a review of the calendar of meetings.

The Senior Democratic Services Officer, Mrs. Ruth Harrison, reported that in the calendar of meetings for 2012/13 each Overview and Scrutiny Committee had met on five occasions with the exception of the Overview and Scrutiny Committee (Performance and Corporate Services) which had met on six occasions. The additional meeting had been scheduled into the calendar of meetings in order that it could scrutinise the Council's Budget process.

The Senior Democratic Services Officer informed Members that the purpose of the report was to consult on the calendar of meetings and that each of the Overview and Scrutiny Committees would consider the report. It was reported that Members would be updated on the results of the consultation.

Members raised concern regarding a reduction in the frequency of meetings for that Committee and agreed that five Meetings per year was the correct number of meetings to fulfil its role.

RESOLVED:

That the Overview and Scrutiny Committee (Regeneration and Environmental Services) observed that five Meetings per year for the Overview and Scrutiny Committees was the correct number of meetings to enable the Committee to fulfil its role with the additional Meeting being scheduled for the Overview and Scrutiny Committee (Performance and Corporate Services) in order that it might scrutinise the Budget.

35. NEET WORKING GROUP - FINAL REPORT

The Committee considered the report of the Director of Corporate Commissioning that detailed the findings of the NEET (Not in Education, Employment or Training) Working Group.

RESOLVED: That:

- (1) the Committee support the following recommendations and commend them to the Cabinet to approve:-

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(A) That the Director of Young People and Families be authorised:-

1. to request head-teachers, and chairs of governors of high schools (including academies and free schools) within the Borough to consider increasing the breadth, range and quality of impartial advice and guidance provision for young people in schools, prior to leaving year 11, to receive advice on the full range of options available to them, and for information to also be made available to parents.
2. to request head-teachers of high schools and principals of colleges within the Borough to consider increasing the level of mentoring support and guidance for young people , in order for them to be better supported in learning about the range of options available to them, prior to leaving school and college.
3. to produce a follow-up report, to be submitted to the relevant Overview and Scrutiny Committee (s) in twelve months time, to include (i) whether the Council is receiving best value for money in terms of services provided within the NEETS area; and (ii) monitoring of looked after young people leaving Council care and their achievements or whether they subsequently fall into the NEETS category.
4. to produce six monthly reports, to be submitted to the relevant Overview and Scrutiny Committee, outlining the latest position with regard to the NEETS.
5. to ensure that the Council and its partners be encouraged to use all available statistical evidence to identify NEET hotspots and agree robust intervention targets to reduce numbers in these areas, together with agreed robust systems for monitoring and evaluating the impact of joint interventions; and

(2) Members and Officers be congratulated on the hard work undertaken in conducting the review and the production of the Final Report.

36. INTERIM REPORT - EMPLOYMENT DEVELOPMENT AND DEVELOPMENT OF LOCAL TOWN CENTRES AND ECONOMIES WORKING GROUP

The Committee considered the report of the Director of Corporate Commissioning that sought agreement to continue the work of the Employment Development and Development of Local Town Centres and Economies Working Group into the Municipal Year 2013/2014.

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The Cabinet Member for Transportation, Councillor Fairclough, requested that the Working Group give some thought to the 20 mile/hour zones when examining the Town Centres element of the review.

The Cabinet Member for Regeneration and Tourism, Councillor Maher, welcomed the review of Employment Development and Development of Local Town Centres and Economies and emphasised the importance of Members' involvement in the shaping of emerging policies.

The Senior Democratic Services Officer, Mrs. Ruth Harrison reported that the Working Group had a number of additional witnesses to interview and that both Cabinet Member for Transportation, Councillor Fairclough and Cabinet Member for Regeneration and Tourism, Councillor Maher would be invited to attend a meeting of the Working Group on 2 May 2013.

RESOLVED:

That the continuation of the Employment Development and Development of Local Town Centres and Economies Working Group into the Municipal Year 2013/14 be agreed.

37. CABINET MEMBER REPORTS

The Committee considered the report of the Director of Corporate Commissioning that updated Members on the activities of the Cabinet Member's for the period January 2013 for the following portfolio's that fall within the remit of this Committee:-

- Cabinet Member – Communities and Environment
- Cabinet Member – Regeneration and Tourism
- Cabinet Member – Transportation; and
- Cabinet Member – Children, Schools, Families and Leisure (Environmental element)

In accordance with the agreed procedure, the Cabinet Member update reports had been e-mailed to the Chair of the Committee, Councillor McKinley and he had indicated that he wished all of the reports to be included on the agenda for this meeting.

Councillor Welsh referred to a previous request regarding street lighting at Griffiths Drive, Southport, (Minute No 20 refers, Overview and Scrutiny Committee Regeneration and Environmental Services, 13 November 2013). Councillor Welsh thanked the Cabinet Member for Transportation, Councillor Fairclough for his assistance in addressing the issue.

Councillor Kelly raised concerns regarding the quality of road resurfacing work undertaken across the Borough and more specifically at Litherland. Cabinet Member for Transportation, Councillor Fairclough reassured Members that he was aware of the issues and was investigating the concerns.

RESOLVED:

That the Cabinet Member update reports be accepted.

38. WORK PROGRAMME KEY DECISION FORWARD PLAN

The Committee considered the report of the Director of Corporate Commissioning in relation to the Committee's programme of work. A number of Key Decisions within the latest Key Decision Forward Plan fell under the remit of this Committee and Members were reminded of their right to pre-scrutinise such items.

The Senior Democratic Services Officer, Mrs. Ruth Harrison reported that the Final Report from the NEET Working Group and the interim report of the Employment Development and Development of Local Town Centres and Economies Working Group had featured earlier in the Agenda.

The Chair, Councillor McKinley requested that an update report be submitted to the next Meeting of this Committee detailing the progress made in relation to the Port Hinterland Area Studies.

RESOLVED: That:

- (1) the Key Decision Forward Plan for period 1 April to 31 July 2013 be accepted;
- (2) progress, to date, of the Employment Development and Development of Local town Centres and Economies Working Group be accepted;
- (3) the Committee re-affirms agreement of the continuation of the Employment Development and Development of Local Town Centres and Economies Working Group into the Municipal year 2013/2014 in order that it may complete its work, as detailed in the scoping document, ensuring continuity in membership, wherever possible;
- (4) the Committee re-affirms progress of the NEET Working Group in completing its review and Final Report; and
- (5) the Director of Built Environment be requested to submit an update report in relation to the Port Hinterland Area Studies to the next meeting of this Committee detailing progress made.