



Leicester
City Council

Minutes of the Meeting of the
OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Held: THURSDAY, 17 MARCH 2011 at 5.30pm

P.R.E.S.E.N.T.

Councillor Grant - Chair
Councillor Bhavsar – Vice-Chair

Councillor Aqbany
Councillor Clair
Councillor Newcombe

Councillor Bajaj
Councillor Joshi
Councillor Scuplak

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173. APOLOGIES FOR ABSENCE

There were no apologies for absence.

174. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda, and/or indicate that Section 106 of the Local Government Finance Act 1992 applied to them.

Councillor Joshi declared a personal interest in Item 7 'Affordable Housing Supplementary Planning Document (SPD)' as he had a family member who was a Council tenant.

175. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 3 March 2011 were agreed as a correct record.

176. PETITIONS

There were no petitions.

177. QUESTIONS/ REPRESENTATIONS/ STATEMENTS OF CASE

There were no questions, representations or statements of case.

178. TRACKING OF PETITIONS - MONITORING REPORT

The Director, Corporate Governance submitted a report that further updated Members on the monitoring of outstanding petitions.

The Board requested that the petition objecting to the closure of the Thurnby Lodge Housing Office be placed back on the monitoring form in order for the Board to monitor the progress of the recommendations set in January 2011, when officer evidence in relation to the petition was presented to the Board.

Councillor Scuplak asked officers to investigate whether a petition from residents of Colchester Road around road safety improvements had been received.

RESOLVED:

That the progress in relation to the Council's outstanding petitions be noted.

179. AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Strategic Director – Development, Culture and Regeneration, submitted a report that sought Cabinet approval to adopt an Affordable Housing Supplementary Planning Document (SPD) following a consultation period undertaken on a draft document.

The Head of Planning Policy and Design introduced the report and explained that it provided supplementary guidance to the Core Strategy to aid applicants and developers who were seeking to secure development where an element of affordable housing was required.

Members broadly welcomed the proposals set out in the report, and generally supported the requirement for developers to provide affordable housing. In response to a question regarding how the policy would relate to developments of converted factories, it was confirmed that the policies applied equally to all developments.

In response to a further point about whether affordable housing can be secured in all cases, the Head of Planning Management and Delivery confirmed that, as part of the consideration of an application, an assessment is made of whether the cost of providing affordable housing in a particular scheme would reduce profitability to the point that it was unlikely to proceed.

RESOLVED:

That Cabinet be asked to consider the comments made by the Board on the Document.

180. LEICESTER'S THIRD LOCAL TRANSPORT PLAN

The Chair agreed to consider the two following items together:

- (i) Leicester's Third Local Transport Plan (LTP)**
- (ii) Leicester's Local Transport Plan 2011 to 2026 Capital Programme 2011/12/13**

The Team Leader, Transport Strategy introduced both of the above items in the form of a PowerPoint presentation.

Members were informed that the Council had to produce an LTP by law. This plan aligned with Leicester's ambitions to become Britain's first sustainable city. The previous plan (LTP2) had aided the injection of £50m from Central Government into the local economy.

In terms of passenger flow, it was stated that on a typical day, 240,000 accessed the outer ring road with 120,000 using the inner ring road. Further to this, 80,000 pedestrians walked passed the Clock Tower each day. Members heard that 41% of people entered the city by bus, with 36% by car, 21% walked and 1.5% cycled.

With regard to carbon emissions, officers explained that nationally, transportation was responsible for 21% of co2 emissions, and that this figure stood at 17% for Leicester.

The Team Leader, Transport Strategy explained that there was a strong emphasis on increasing bus travel within both documents in light of the existing congestion problems, and the need to reduce co2 emissions and improve air quality. It was also pointed out that 30% of residents in Leicester did not have access to a car. Concerns were expressed by members with regards to the cost of bus travel, and that it was cheaper for families to often access the city centre via car rather than bus. Officers explained that Park and Ride operators had offered a number of pricing incentives, but it was acknowledged that this would not benefit all bus users. The Board were also informed that a Quality Bus Partnership had been formed, which looked at strengthening the quality of bus provision in Leicester. Officers acknowledged that the cost of bus travel was expensive for families, and stated that given the current economic climate, the Council would be reducing the subsidies that it provided to bus companies.

A further point with regard to buses was raised around the reasons for not continuing with a circle bus services which served the outer ring road. Officers confirmed that such a service had been withdrawn as it was not commercially successful, but acknowledged the frustrations of those who accessed the service previously.

The Chair questioned why the Council was looking at the possibility of a tram network given the associated costs, and queried why the provision of new

roads had not been alternatively proposed. The Team Leader, Transport Strategy, reported that it would be no cheaper to construct a network of new roads compared to installing a tram network. The Chair was of the view that other options including lower carbon solutions for buses should be considered.

The Team Leader, Transport Strategy, stated that the key goals of the strategy were to increase economic growth and reduce co2 emissions. Members generally felt that it was important to ensure that the goals set could realistically be delivered.

There were mixed views from Members in respect of the mechanisms used for consulting on LTP3. Some members felt that the consultation event days were particularly useful and well attended. The Chair referred to the questionnaire exercise which was carried out and was of the view that the response rate was especially low. He was also concerned that the LTP3 goals of reducing co2 emissions and increasing economic growth did not reflect the priorities of local people, and that road safety was by far the biggest issue that was presented to him by constituents, and that the Council received a significant number of petitions, often with a considerable number of signatures, on road safety measures. He felt that more of a strategic link to improving road safety was required within LTP3. Officers responded by stating that a programme of safety schemes were proposed within the Capital Programme.

Members were informed that Leicester currently had 11,500 off-street parking spaces and 1,300 on street spaces. It was made clear that Nottingham had roughly one-third of this level of parking. The Chair enquired whether strategies within LTP3 had been modelled on a projected decrease in the flow of traffic as a result of less people working in the City Centre due to the economic crisis, and initiatives by organisations such as the Council to increase practises such as home working. Officers responded by stating that such changes were not statistically significant, and were likely to bear little change on overall traffic flow. The Chair stated that he was concerned that the strategy did not reflect overall trends within the economy.

In respect of the Capital Programme, it was explained that this covered large projects that would take place over several years as well as the continuation of existing projects. Such projects referred to included the works on Sanvey Gate, the Granby Street Gateway and improvements to City Centre bus stops. For 2011/12, members heard that £2.8m would be supplied from the Integrated Transport Block and £2.1m from the Highways Capital Maintenance Block.

The decision to progress with the Welford Road Bus Corridor was questioned. The Chair was of the view that the pilot study did not support extensive implementation. Officers stated that the study referred to took place a number of years ago and confirmed that the first phase of this programme had been successful, and were therefore progressing with the second stage.

RESOLVED:

- (1) That Cabinet be asked to consider the comments made by the Board on Leicester's Third Local Transport Plan; and

- (2) That Cabinet be asked to consider the comments made by the Board on Leicester's Local Transport Plan 2011 to 2026 Capital Programme 2011/12/13

181. CORPORATE CAPITAL PROGRAMME

The Chief Finance Officer submitted a report that presented a "corporate" capital programme for 2011/12.

The Head of Financial Control introduced the report and stated that the corporate capital programme is the part that can be spent at the Council's discretion and was traditionally funded from property sales. It was made clear that as such sales had fallen as a result of the economic downturn, and that it was expected for the current situation to continue for the next two years.

Members heard that the total amount funding sources within the programme for 2011/12 was £3.4m, and that projected spend for 2011/12 stood at £2.8m. This gave a balance of £600,000 available to be spent on additional projects or carried forward to fund the 2012/13 programme. In comparison to previous programmes, it was made clear that the 2011/12 Corporate Capital Programme was particularly small in the total level of projected spend, and the Head of Financial Control confirmed that in the past, three-year programmes had contained schemes which equated up to £30m and capital receipts at a value of £15m.

Following a query, it was confirmed that the Integrated Transport Package formed part of the Local Transport Plan Capital Programme. In response to a further query, officers confirmed that the Road Safety Grant was a one-off programme during 2010/11.

RESOLVED:

That Cabinet be asked to consider the comments made by the Board on the Document.

182. REVIEW OF THE CONSTITUTION

The Director of Corporate Governance submitted a report that asked the Board to consider and approve proposed changes to the Constitution.

The Director of Corporate Governance introduced the report and reported that the Council's constitution was required to be amended to reflect the changes in executive arrangements that would take place once a City Mayor was elected in May 2011. A schedule that identified each issue subject to change had been prepared, and a proposed amended constitution was available on the Council's website and in the Political Group rooms.

Members generally welcomed the retention of the title 'Lord Mayor' for the conduction of the historic and ceremonial functions attributed to the role.

The Director of Corporate Governance explained that there was some uncertainty around the governance arrangements that the City Mayor would wish to have in place, and that most arrangements would not become clear until that individual commenced office on 9 May 2011. It was confirmed that the City Mayor would not be a Councillor in law, except in limited circumstances, and would attend Full Council meetings at their own discretion, rather than being required to attend.

In response to a query relating to the political balance of the Standards Sub-Committee, the Director of Corporate Governance confirmed that this Committee was chaired by an independent member, and that the remaining vacancies were issued to Members of the Standards Committee. It was confirmed that there was no precise formula around which members participated in particular meetings of the sub-committee, but stated that he would be happy to review the current arrangements if they were seen as being problematic.

It was questioned whether the City Mayor would be permitted to vote during meetings of Full Council. The Director of Corporate Governance agreed to clarify such procedures. It was pointed out that the City Mayor would be allowed to present position statements and policy documents to the Council, but that the general role of the City Mayor during Full Council was to be determined by that person in office, and that such arrangements varied amongst those authorities who had already appointed an elected Mayor.

The succession arrangements for the City Mayor were questioned, and concerns were raised around the Deputy Mayor assuming a position of which they were not directly elected to do. The Director of Corporate Governance stated that such arrangements were presently not clear.

In response to a further query, it was confirmed that there was no direct provision in place to allow Full Council to appoint or remove Cabinet members, and that this function was performed solely by the City Mayor.

Following questions seeking clarity around the allowance arrangements of both the City Mayor and Deputy City Mayor, it was confirmed that the Council's existing Members Allowances Scheme included no provision for such roles, but that a report was to be submitted to Council on 24 March regarding this matter. The Director of Corporate Governance explained that in the absence of an approved scheme, the allowances could be based on the remuneration paid to the existing Leader and Deputy Leader of the Council or that the allowances could be freshly reviewed after the operation of the new executive arrangements.

The format of the Council's Cabinet and likelihood of the City Mayor holding formal Cabinet meetings was questioned. In response, Members were informed that the City Mayor could appoint between two and nine members of

Cabinet, but that the Mayor could opt to retain portfolios for themselves. It was also confirmed to Members that the existing rules which permitted a call-in of an executive decision would remain under the new arrangements. Concern was expressed in relation to the transparency of executive decisions that were not taken in the form of a public meeting. The Director of Corporate Governance explained that the law required such decisions to be subject to five clear days notice and a record would be publicly available.

The Director of Corporate Governance explained that the City Mayor and Deputy City Mayor would be appointed for four years and a Mayoral Assistant, if appointed, would be employed on 4-year fixed term contract. Further clarity was sought concerning the contractual arrangements of a Mayoral Assistant particularly in relation to the salary of this post, whether the position would be determined by an Employees Appointments Committee or whether the post was governed directly by the City Mayor. The Director of Corporate Governance agreed to provide further information on this matter.

In response to points raised by a member of the Youth Council around the status of a petition requesting removal of the City Mayor, the Director of Corporate Governance confirmed that neither a petition nor a vote of 'no confidence' by Full Council would lead to the removal of the City Mayor, but that both actions would highlight public opinion.

RESOLVED:

- (1) That Cabinet be asked to consider the comments made by the Board on the review of the constitution.
- (2) That clarification in relation to the voting rights of the City Mayor during Full Council meetings be sought; and
- (3) That the Director of Corporate Governance be asked to provide further information to all Members on position of Mayoral Assistant.

183. COMMUNITY COHESION AND SAFETY TASK GROUP - FINAL REPORT - NEIGHBOURHOOD WATCH

Councillor Bajaj submitted a report that provided the Board with the findings of the Community Cohesion and Safety Task Group's review into Neighbourhood Watch schemes in Leicester.

Councillor Bajaj introduced the report and he explained that the Task Group aimed to review the current position of Neighbourhood Watch schemes across Leicester and looked at how such schemes worked in partnership with other agencies.

The Board was informed that the work was supported by Marion Lewis of Leicestershire and Rutland Neighbourhood Watch and Inspector Bill Knopp.

Councillor Bajaj reported that the Task Group had concluded that Neighbourhood Watch schemes were successful in particular areas, but were not evenly spread across the city and that there were lower levels of the initiative within some communities. Whilst acknowledging the work that did take place, Councillor Bajaj felt that partner agencies could do more to enable Neighbourhood Watch to become more effective.

The Task Group report recommended Cabinet to support Neighbourhood Watch in raising its overall profile and encouraged the development of greater collaborative working between the Council and partner organisations. Furthermore, it was proposed to promote Neighbourhood Watch more widely via Ward Community Meetings.

Members of the Board generally welcomed the work that had been undertaken and the recommendations that were consequently devised. Councillor Joshi spoke of the positive effects of schemes within his ward since they had been established.

In response to a question around the justification for seeking further investment in establishing Neighbourhood Watch, it was explained that there were clear benefits in expanding the number of local schemes, and that the Police also desired to develop the work of Neighbourhood Watch.

RESOLVED:

- (1) That the recommendations of the Community Cohesion and Safety Task Group be supported; and
- (2) That a divisional response to the review be brought back to the Board within three months.

184. REGENERATION AND TRANSPORT TASK GROUP - FINAL REPORT - A BUSINESS PLAN FOR REPAIRS TO POTHOLES ON THE CITY'S ROADS

Councillor Newcombe submitted a report that provided the Board with the findings of the Regeneration and Transport Task Group's review into a business plan for repairs to potholes on the City's roads.

Councillor Newcombe introduced the report and informed Members that a third severe winter running had highlighted the problems of lack of investment in the road infrastructure. It was made clear that the Council had put extensive resources into dealing with the problem of potholes. Councillor Newcombe stated that it was recommended to build in some flexibility in the financial regime to allow a carry-forward so that work can be committed to be done when the weather allowed it.

The meeting was also informed that it was intended for the 'One Clean Leicester' initiative to improve the reporting process of road and pavement problems.

It was noted by the Board that the report to the Cabinet Lead Member in March

2010 had identified that a growth bid of £4m annually would be required to arrest the deterioration of Leicester's roads.

RESOLVED:

- (1) That the recommendations of the Regeneration and Transport Task Group be supported; and
- (3) That a divisional response to the review be brought back to the Board within three months.

185. REGENERATION AND TRANSPORT AND ENVIRONMENT AND SUSTAINABILITY TASK GROUP - JOINT FINAL REPORT - REVIEW OF AIR QUALITY IN LEICESTER

Councillor Newcombe and Councillor Joshi submitted a joint report that provided the Board with the findings of the Regeneration and Transport and Environment and Sustainability Task Group's review into the review of air quality in Leicester.

Councillor Newcombe introduced the report and explained that the review was triggered by the fact that the Sustainable Cities index placed Leicester amongst the worst performing UK cities in terms of air quality. Councillor Newcombe questioned the methodology used within that exercise and asked for the Divisional Response to provide further information in response to the index. A further parliamentary report also raised concerns about air quality. Around 250 premature deaths a year could be caused in Leicester by this problem.

The Task Group identified a number of relatively small measures that could be put in place to improve air quality. Councillors Newcombe and Joshi explained that the main emphasis of the recommendations was that more of a strategic approach to tackling air quality was required. It was also felt that the Health Scrutiny Committee could look at the matter more closely in relation to the impact on health outcomes.

Members heard that the review included a site visit to Sheffield City Council to discuss issues involved there and strategies adopted to address them. It was noted that Sheffield was a Beacon authority in its approach to tackling poor air quality.

RESOLVED:

- (1) That the recommendations of the Regeneration and Transport Task Group be supported; and
- (4) That a divisional response to the review be brought back to the Board within three months.

186. REGENERATION AND TRANSPORT TASK GROUP - FINAL REPORT - LAND MANAGEMENT COMPANIES

Councillor Newcombe submitted a joint report that provided the Board with the findings of the Regeneration and Transport review into Land Management Companies (LMSs).

Councillor Newcombe reported that this review aimed to attempt to tackle the three-way relationship between residents who paid for common land, the Land Management Company which managed the work and the developer which employed the Land Management Company.

The recommendations of the review included measures to improve the communications between residents and Land Management Companies. It was also intended to set out a framework by which developers, residents and LMCs know what to expect from an early stage, the standard of upkeep which can be expected and the costs involved.

Councillor Newcombe paid thanks to those who had contributed to the review, including the New Hamilton Residents' Association who were continually informative, helpful and able to provide detailed evidence to a number of hearings.

It was noted that section 2.3 of the report was to be revised slightly.

RESOLVED:

- (1) That subject to a revision of 2.3, the recommendations of the Regeneration and Transport Task Group be supported; and
- (5) That a divisional response to the review be brought back to the Board within three months.

187. CLOSE OF MEETING

The meeting closed at 8:30pm.