

**OVERVIEW SCRUTINY GROUP
12TH DECEMBER 2016**

OSG 16TH
JANUARY 2017
ITEM 2

PRESENT: The Chair (Councillor Smidowicz)
 The Vice-chair (Councillor Bebbington)
 Councillors Bradshaw, Gerrard and Parsons

Chief Executive
Group Leader Plans, Policies and Place
Principal Planning Officer (PG)
Democratic Services Officer (LS)

60. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Group held on 14th November 2016 were confirmed as a correct record and signed.

61. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

62. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

63. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions had been submitted.

64. THURCASTON AND CROPSTON NEIGHBOURHOOD PLAN

A report of the Head of Planning and Regeneration Services, to consider “making” the Thurcaston and Cropston Neighbourhood Plan part of the statutory development plan for Charnwood in accordance with the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004, was considered for pre-decision scrutiny in order to make recommendations as appropriate to the Cabinet (item 6 on the agenda filed with these minutes).

The Group Leader Plans, Policies and Place and the Principal Planning Officer attended the meeting to assist the Group with its scrutiny of this matter.

Following questions from the Group, the Group Leader Plans, Policies and Place and the Principal Planning Officer (and the Chief Executive) provided the following responses:

- (i) The Neighbourhood Plan would be the first in Charnwood.
- (ii) The Plan had been prepared by the Parish Council. Borough Council officers had provided advice and support to the process, further details of which were outlined. There was a statutory requirement on the Borough Council to provide that support, to do so also assisted the

- Borough Council later in the process and was in line with aims set out in the Council's Corporate Plan.
- (iii) The result of the referendum was set out, approximately 96% of those who had voted had supported the Neighbourhood Plan.
 - (iv) How the Plan had been examined and the requirements in that respect were outlined.
 - (v) The legal duty on the Borough Council to "make" the Plan was discussed, together with examples of the limited circumstances under which it would be acceptable for the Borough Council not to do so. The process to date had confirmed the Plan as legally and statutorily compliant.
 - (vi) Once "made", the Borough Council would be required to make the Plan available, via its website and providing copies for those who needed to make use of it.
 - (vii) Once "made", the Neighbourhood Plan would be a material consideration in planning decisions.
 - (viii) Work being undertaken towards neighbourhood plans in a number of other parishes in the Borough was briefly discussed.
 - (ix) The earlier stages of the process were explained, including application for designation as a neighbourhood area and how areas not covered by a town or parish council could work towards a Neighbourhood Plan, notably Loughborough or areas within it.
 - (x) The Borough Council remained the local planning authority where a Neighbourhood Plan existed. A Neighbourhood Development Order had not been applied for, that was a separate process from that of a Neighbourhood Plan.
 - (xi) The positive feedback from both the Examiner and the Parish Council on the support provided to the process by the Borough Council was briefly outlined.
 - (xii) Arrangements were in place by which parish and town councils could share experience to mutual benefit and they often did so.
 - (xiii) The financial implications for the Borough Council of the support provided to the Thurstaston and Cropston Neighbourhood Plan (and other neighbourhood plans in progress) were briefly discussed. These were set out on page 2 of the Cabinet report, including the Government funding available. Given that position and the statutory duty of the Borough Council, it was unlikely to be appropriate to make any charges to parish and town councils in respect of neighbourhood plans. In response to a concern regarding the resource implications of supporting a number of neighbourhood plan processes at the same time, an estimate was given of the officer time currently spent on such support and how demands might be accommodated moving forward.
 - (xiv) A neighbourhood area could be designated without the parish council (or other designated group) having ownership of that land.
 - (xv) A neighbourhood plan was intended to be a positive tool to assist required development, rather than prevent it. Essential was a vision/objectives to inform the plan and evidence to support those. Reference was also made to the need for reasonable flexibility in relation to style of development, together with alternative mechanisms for influence such as Village Design Statements.

RESOLVED that the Cabinet be informed that the Group supports the recommendation as set out in the report of the Head of Planning and Regeneration.

Reason

Having considered the report and asked questions of the Group Leader Plans, Policies and Place and the Principal Planning Officer on the matter, the Group concluded that it would be appropriate that the Thurcaston and Cropston Neighbourhood Plan be “made” part of the statutory development plan for Charnwood, in accordance with the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004, in order to fulfil the legal duty to do so.

65. OVERVIEW SCRUTINY GROUP PRE-DECISION SCRUTINY – CABINET RESPONSE

A report of the Cabinet was considered setting out its responses to recommendations of the Group on pre-decision scrutiny items (item 7 on the agenda filed with these minutes).

RESOLVED that the Cabinet’s responses to the recommendations of the Group be noted.

Reason

The Group was satisfied that it added value where appropriate and welcomed the Cabinet’s consideration of the Group’s views and recommendations as part of its decision making process.

66. WORK PROGRAMME

A report of the Head of Strategic Support was considered, to enable the Group to consider its Work Programme and forthcoming Key Decisions and decisions to be taken in private by the Cabinet in order to schedule items for pre-decision scrutiny and to provide an opportunity for members of the Group to raise suggestions on issues for scrutiny (in addition to pre-decision scrutiny) which fell within the Group’s remit, for scheduling by Scrutiny Management Board (item 8 on the agenda filed with these minutes).

The Group considered the report (and further information on the forthcoming Key Decisions and decisions to be taken in private by the Cabinet provided by the Chief Executive at this meeting) and agreed to schedule items for pre-decision scrutiny prior to the next Cabinet meeting.

Further to a comment made by a member of the Group under this item at the Group’s last meeting (Minute 59 2016/17), the Chief Executive confirmed that he had asked that the programming of Cabinet consideration of the Council’s

Business Plan 2017/18 be looked at, with a view to that taking place prior to the period the plan would cover.

Members of the Group referred to (i) the outcomes of work undertaken on behalf of the Council by Professor D. Smith of Loughborough University in relation to Houses in Multiple Occupation in Loughborough and (ii) the current position with Loughborough Science and Enterprise Park. In response, the Group considered whether those matters might be appropriately looked at under its remit to scrutinise outside bodies to which funding had been provided by the Council. The Group concluded that what members of the Group were requesting were briefings or updates, rather than scrutiny exercises within the remit of the Group and which might add value. In addition, such information would be useful to councillors beyond those who were members of the Group. Therefore, arranging briefings for councillors on those matters would be the appropriate way forward.

RESOLVED

1. that the Group's current work programme be noted and updated following this meeting, in accordance with the decisions taken during consideration of this item and at this meeting;
2. that, following the discussion on the matters set out above, officers be asked to arrange suitable briefings for councillors on:
 - (i) The outcomes of work undertaken on behalf of the Council by Professor D. Smith of Loughborough University in relation to Houses in Multiple Occupation in Loughborough; and
 - (ii) Loughborough Science and Enterprise Park – Update.

Reasons

1. To ensure effective and timely scrutiny, either to provide Cabinet with advice prior to it taking a decision or to ensure that the Council and external public service providers and partners were operating effectively for the benefit of the Borough.
2. The Group considered that the information that could be provided by such briefings would be useful and of interest to councillors.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 23rd January 2017 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of the minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Group.