



Review Board

Thursday 9 October 2008 7.30pm

Council Chamber
Civic Offices, Addlestone

Members of the Review Board

Councillors P B Tuley (Chairman), H W Meares (Vice Chairman), D A Cotty, A J Davis, P A Francis, Mrs L M Gillham, R N Jones, A M Moore and A P Tollett

AGENDA

Notes:

- 1) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Review Board so resolves.
- 2) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mr J Gurmin, Committee Section, Administration and Leisure Department, Committee Section, Runnymede Civic Centre, Station Road, Addlestone (Tel Direct Line: 01932 425624). (Email: john.gurmin@runnymede.gov.uk).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.
- 4) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

LIST OF MATTERS FOR CONSIDERATION

PART I

Matters in respect of which reports have been made available for public inspection

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PART II

Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection.

- a) Exempt Information
(No reports to be considered under this heading)
- b) Confidential Information
(No reports to be considered under this heading)

1. FIRE PRECAUTIONS

The Chairman will read the Fire Precautions which set out the procedures to be followed in the event of fire or other emergency.

2. NOTIFICATION OF CHANGES TO REVIEW BOARD MEMBERSHIP

3. MINUTES

To confirm and sign the Minutes of the Review Board held on 3 July 2008 (to be included in the Council Summons/Minute Book to be circulated on 8 October 2008) as a correct record.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Committee Administrator at the start of the meeting. A supply of the form will also be available from the Committee Administrator at meetings.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is personal and prejudicial.

Members may wish to note Part 2 of the Code of Conduct for Members (pages 314 to 316) which sets out the definitions of personal and prejudicial interests.

Members' attention is drawn to Paragraphs 11 and 12 of the Code of Conduct which relate to prejudicial interests arising in relation to overview and scrutiny committees. These paragraphs read as follows:-

"Prejudicial interests arising in relation to overview and scrutiny committees

11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where –
- (a) that business relates to a decision made (whether implemented or not) or action taken by another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken, you were a member of the committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

12. (1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority –
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held –
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

Unless you have obtained a dispensation from your authority's standards committee

- (b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise”.

6. REVIEW OF CAR PARKING PROVISION AT ST.PETER'S HOSPITAL, CHERTSEY (DTS)

1. Purpose of Report

1.1 **The Chairman of the Review Board has asked for this review due to public concerns about the adequacy of car parking provision at St. Peter's Hospital and the ability of patients, visitors and staff to adequately access the site and its services.**

2. St Peters Site Description

2.1 St Peters is a 490-bed acute hospital situated in 21 hectares of Green Belt parkland to the west of Chertsey and is accessed via the A320 roundabout on Guildford Road near junction 11 of the M25 motorway. The hospital has a secondary access off the B386 Holloway Hill on its north-western boundary.

2.2 The hospital campus includes a range of health care facilities, including the following:

- The Abbey Wing – Maternity and neo-natal units;
- The Departmental Block – including Out Patients;
- The Runnymede Hospital;
- The Prince Edward Wing – intensive care unit;
- Accident and Emergency Unit;
- The Ramps Area – including the doctor's mess and medical records/administration functions;
- The Duchess of Kent Wing;
- The Silverlands Close staff accommodation;
- The Abraham Cowley Unit;
- The Greenlands staff accommodation;
- The First Steps Nursery;
- Bournemouth NHS Trust unit; and
- The Chimneys Site maintenance area.

2.3 Prior to the granting of planning permission for a decked car park, there were 476 pay and display parking spaces for patients and visitors, in six different locations (309 in the main out patient car park) and 19 spaces which provided for 20 minutes free parking.

2.4 Staff parking comprised a total of 675 spaces in 18 different locations.

2.5 The Pay and Display service is operated by CP Plus and parking charges for Monday to Sunday are as follows:-

Up to 2 hours	£2.00
Up to 3 hours	£2.50
Up to 4 hours	£3.00
Up to 24 hours	£5.00
Weekly Permit	£10.00

- 2.6 Any vehicle parked without a valid ticket is liable to be clamped, and faces the following penalty charges:

Clamp notice	£40.00
Clamp release	£40.00

- 2.7 Car parking is provided free of charge to drivers displaying the orange or blue card within their vehicle. All special car parking is provided near to the main hospital entrances and signs clearly direct the way for people with a disability. Holders can park in any designated space on site free of charge.
- 2.8 There is a long history of parking problems at the hospital with capacity problems for both visitors and staff. Parking on access roads and around the entrances to the main car park has been common and at times of peak visitor demand (weekdays around 11:00 am and 3:00 pm) the main patient/visitor car park near the departmental block can lock up as visitors search for a space.
- 2.9 A comprehensive parking study was commissioned in March 2006 to accompany a decked car park planning application. This looked at staff parking, visitor/patient parking, on-street parking and parking in additional areas. The results are shown in the tables below:

Staff Parking

Hour Starting	Max. Total
@7:00	158
7:00	244
8:00	601
9:00	757
10:00	774
11:00	771
12:00	759
13:00	744
14:00	721
15:00	688
16:00	576
17:00	385
18:00	207
19:00	172
20:00	147
@21:00	114

- 2.10 The total number of marked spaces available was 691. Therefore capacity was exceeded between 9:00 and 14:00.

Patient/Visitor Parking

Hour Starting	Max. Total
@7:00	51
7:00	87
8:00	291
9:00	453
10:00	469
11:00	460
12:00	448
13:00	400
14:00	428
15:00	415

16:00	351
17:00	233
18:00	216
19:00	198
20:00	146
@21:00	88

- 2.11 The total number of marked spaces available was 454. Therefore capacity was exceeded between 10:00 and 14:00.

On-Street Car Parking

Hour Starting	Max. Total
@7:00	63
7:00	74
8:00	144
9:00	240
10:00	274
11:00	288
12:00	264
13:00	256
14:00	244
15:00	224
16:00	211
17:00	153
18:00	131
19:00	121
20:00	100
@21:00	83

- 2.12 On-street parking peaks at a total of 288 vehicles between 11:00 and 12:00 with over 200 vehicles parked between 09:00 and 17:00. Much of this parking was taking place on double yellow lines aimed to maintain access for emergency vehicles and the majority of vehicles parked were displaying staff permits.

Additional Areas Parking

Hour Starting	Max. Total
@7:00	191
7:00	220
8:00	378
9:00	641
10:00	677
11:00	679
12:00	658
13:00	660
14:00	678
15:00	596
16:00	488
17:00	374
18:00	229
19:00	189
20:00	168
@21:00	148

- 2.13 This table refers to parking at the Chimneys maintenance area, Hayworth House NHS area, Bournwood NHS frontage car park, Runnymede Hospital car park and Greenlands housing accommodation area.

2.14 Based on this data, it was estimated that in the morning peak demand, there was a shortfall in parking for both visitors and staff of 98 spaces. If on-street parking restrictions were enforced, this would rise to a shortfall of 243 spaces. If access was removed to the Greenlands housing accommodation area the shortfall would increase to 371 spaces.

3. Parking Standards

3.1 In terms of hospital parking standards, the Surrey Parking Strategy states that the maximum standard should equate to 1 space per 5 staff plus 1 space per 10 visitors.

3.2 In 2006, the hospital indicated that staff requiring access to car parking at the site was approximately 2,800. In addition, the hospital has approximately 1,200 visitors per day, generated by 160 inpatients and 637 outpatient's appointments.

3.3 Based on the Surrey Parking Strategy standards outlined above, the maximum provision is 680 spaces. Runnymede Borough Local Plan standards for hospitals reflect those of Surrey County Council.

3.4 This compares to the actual number of marked spaces (in 2006) of 1,145. Clearly, the current operational reality at the hospital is widely different to the aspirational aims of the Surrey Parking Strategy.

4. The St. Peter's Travel Plan

4.1 The key objectives of this plan are outlined in the following paragraphs. The first was to reduce the impact of travel generated by staff. This was to be achieved by communications – providing greater information to staff about different travel options; car park management, including parking restraint; and providing other forms of access.

4.2 The second strand included promotion of the car sharing scheme. Cycling was to be promoted by providing cycle racks and showers for cyclists. Improved transport was proposed by providing an inter-site bus. One of the 'Peterbuses' was to be rerouted to optimise use and the 'Peterbuses' were to be phased with rail services.

4.3 In terms of public transport, a transport co-ordination centre was to develop electronic booking and there was to be continued communication with Surrey County Council to focus provision on social inclusion for those in need of access to healthcare.

4.4 Consideration was given to a revised staff parking policy that would introduce charging for staff parking; limiting the provision of parking permits to staff living over a certain distance from the hospital; and zoning staff parking charge rates and access to permits based on the level of public transport available between their home and the hospital.

4.5 It is unclear where the Trust are with implementation of the Travel Plan and the impact that this has had. A representative of the Trust will be attending the meeting who can advise on the latest position.

5. Planning Policy

5.1 Government guidance on transportation and parking issues is set out in Planning Policy Guidance Note 13: Transport (PPG13). The objectives of this guidance are to integrate planning and transport at the national, regional, strategic and local level to:

- i) promote more sustainable transport choices for both people and for moving freight;
- ii) promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and
- iii) reduce the need to travel, especially by car.

5.2 PPG13 requires development plans to set maximum levels of car parking for broad classes of development and states that local authorities should use parking policies, alongside other planning and transport measures, to promote sustainable transport choices and reduce reliance on the car for work and other journeys.

- 5.3 It particularly emphasises that development which generates large volumes of journeys should be located in sustainable locations.
- 5.4 It confirms that higher and further education establishments, schools and hospitals are major generators of travel and should be located so as to maximise their accessibility by public transport, walking and cycling. Similarly, proposals to develop, expand or redevelop existing sites should improve access by public transport, walking and cycling. Where related accommodation is to be provided, it should have ready access to the site by non-car modes.
- 5.5 In terms of parking, PPG13 states:
- "The availability of car parking has a major influence on the means of transport people choose for their journeys. Some studies suggest that levels of parking can be more significant than levels of public transport provision in determining means of travel (particularly for the journey to work) even for locations very well served by public transport. Car parking also takes up a large amount of space in development, is costly to business and reduces densities. Reducing the amount of parking in new development (and in the expansion and change of use in existing development) is essential, as part of a package of planning and transport measures, to promote sustainable travel choices. At the same time, the amount of good quality cycle parking in developments should be increased to promote more cycle use."*
- 5.6 The South East Plan Policy T4 relates to parking and states that planning authorities should adopt restraint-based maximum levels of parking provision for non-residential developments, linked to an integrated programme of public transport and accessibility improvements and also set maximum parking standards for other non-residential land uses in line with PPG13, reducing provision below this in locations with good public transport. Provision of sufficient cycle parking at new developments is also required. The Plan states:
- "The region exhibits a wide range of social and economic circumstances that necessitates a flexible approach to identifying appropriate levels of car parking provision. Such an approach should provide a level of accessibility by private car that is consistent with the overall balance of the transport system at the local level. Nevertheless, the constraints that will continue to exist in terms of the capacity of the transport system, when coupled with the need to re-balance the use of the transport system, means that overall local authorities should seek a level of parking provision that is tighter than that set out in PPG13."*
- 5.7 Policy T5 requires local authorities to identify major travel generating developments for which travel plans should be developed. Travel Plans are seen as a positive measure in enabling economic activity and growth in the region. It further states that local authorities can play a leading role in engaging the public, business community, health sector, education sector and transport industry in a meaningful partnership that promotes the co-ordinated development and implementation of travel plans.
- 5.8 Policy S2 promotes sustainable health services and states:
- "Local planning authorities should work closely with the Hospital Trusts, Primary Care Trusts, Mental Health Trusts and Learning Disabilities Trusts to ensure the provision of additional and reconfigured health and social care facilities to meet the anticipated primary care needs of communities. Where need is identified, land should be made available for additional community and primary care facilities."*
- Local authorities and the various NHS Trusts should work closely together to facilitate joint planning and to influence NHS estate strategies. Health Impact Assessments (HIAs) should become an integral part of the decision-making process."*
- 5.9 The text following this confirms that following the publication of the NHS Plan 'A Plan for Investment - A Plan for Reform' (2000), there has been a renewed focus on Local Delivery Plans providing the vision and actions needed at the local level to modernise services, improve the health of the local population and narrow inequalities in health. It is vital that the NHS works more closely with local authorities to ensure that changes to the configuration of health and social care provision are delivered in a sustainable manner.

5.10 It continues,

“The local planning authorities should work with the relevant stakeholders including business community and Occupational Health services to ensure that the health implications of spatial planning decisions are fully considered and provided for. They should make use of Health Impact Assessments where appropriate, to facilitative evidence-based recommendations about practical ways to enhance the positive impacts of a proposal, and to remove or minimise any negative impacts on health, wellbeing and health inequalities that might arise or exist.”

5.11 Saved Structure Plan Policy DN3 relates to Parking Provision and indicates that development proposals should comply with the aim of promoting sustainable travel choices by reducing the land available for car parking but increasing cycle parking facilities. It confirms that maximum car parking standards will be set according to location, type of development and public transport accessibility.

5.12 Saved Policy MV9 of the Runnymede Borough Local Plan Second Alteration 2001 confirms that development will be required to comply with the parking standards set out in policies.

6. County Highway Authority

6.1 It is the role of Surrey County Council, as Highway Authority to provide a view as statutory consultee on matters relating to highways capacity, safety and car parking in relation to proposed development in the Borough.

6.2 A senior representative of the relevant section at Surrey County Council was invited to attend the Review Board but is unable to do so. The following comments have been sent to inform the Review Board of their approach.

“I set out below a few lines of text to explain the various issues, considerations and policies that the County has to work to, as consultee of your authority on planning matters.

At the outset, I would expect the organisation requesting additional parking to be making a case, justifying any review of parking. In this case, it appears that the NHS Trust might have plans for increasing parking, and we'll need to assess these if they came to planning application stage. I would encourage dialogue between the Trust and SCC to encourage maximum understanding between both parties prior to submission, so that there were no surprises in the application, or in our response to that application. I would also actively encourage the submission of a Masterplan for the Hospital, so that future aspirations are known, and so that the overall parking strategy and justification can dovetail with that.

Surrey County Council have to be mindful of the following, essentially divided into two main areas of consideration.

Policy/Justification of the increased parking provision:

- *Planning Policy guidance forms the basis upon which advice is given to your authority in respect of matters relating to parking. The main PPG/S guidance is PPG13. A consultation paper on the new PPS4 also needs to be considered (dated December 2007).*
- *PPG13 (Transport) has in part driven the content of SCC's parking standards, and Runnymede's Saved Local and the County's Saved Structure Plan Policies. All of these recognise that parking provision is a powerful tool in containing the current levels of traffic congestion that we all endure and complain about on a daily basis, but which is one of the costs of living in a buoyant part of one of the most prosperous parts of the United Kingdom. It is within this Plan Lead system that both Runnymede and Surrey County Council have to operate, especially when determining planning applications.*
- *Decisions on the appropriateness of allowing additional car parking at St Peter's hospital, need also to take account of:*

- *The recognition, as confirmed in paragraph 25 of the above draft PPS4, that hospitals can have particular parking needs. The issues surrounding difficulties in recruiting medical staff and other shift staff, and patients missing appointments due to parking difficulties add further to the weighing up process.*
- *Existing and potential Smarter Travel initiatives that might be compromised were parking made more available. Not only could additional parking discourage greater uptake of Smarter Travel initiatives, but it could also erode patronage/usage of existing provision, with the resultant demise of such services.*
- *The potential for additional journeys to be made by other modes.*
- *Recent decisions taken in respect of other hospitals/institutions in Surrey, and issues surrounding consistency/fairness.*
- *Justification for additional provision needs to be carefully made, in the light of the above policy; the above factors; and in the light of potentially increasing access difficulties in the immediate vicinity of the site (see second area of consideration).*

Ability of local network/junctions/accesses to accommodate increased traffic potentially generated by additional parking:

- *Increased parking provision is very likely to add to problems of congestion and access difficulties in the immediate vicinity of the hospital, and this needs to be assessed and modelled.*
- *Further afield it is likely to add to the unquantifiable year on year increase in congestion suffered on our wider networks, if professionals and other workers choose to travel rather than relocate.*

These are the main headline points that we would expect the NHS Trust to consider and assess, hopefully, prior to any submissions to Runnymede Borough Council as Planning Authority."

7. Recent Planning History

- 7.1 Planning permission was granted for a decked car park at the Hospital site in February 2007 (RU 06/1220) which gave a net increase of 164 spaces and 38 spaces for staff. A revised scheme was later approved (RU 07/1244). This reconfigured the car park and reduced the number of spaces by 10. In granting permission for this development, the Council balanced the need to provide for sustainable transport with the operational needs of a 24 hour health facility serving a wide area. Although the County Highways Authority objected to the proposal, the Government Office for the South East decided not to 'call-in' the application, allowing it to be determined locally.
- 7.2 Whilst it is understood that the staff provision has been implemented, the decked car park itself remains undeveloped. Given that the Trust emphasised in the application that this work was a priority, the lack of progress is not understood.
- 7.3 The Planning Committee has expressed concerns about the number of recent ad hoc planning applications and the lack of an updated masterplan for the site. In particular, details of car parking have been difficult to ascertain as individual planning applications both remove and replace car parking provision. A comprehensive parking plan has been requested, but not received. The planning authority has been supportive of development at the site, but the lack of a comprehensive approach is frustrating and undermines this support.

8. Purpose of Review

- 8.1 In inviting the Trust's representative to the Review Board, the following questions were posed for discussion:
- what policies the Trust has for parking at St Peter's Hospital in the future;
 - whether the Trust intends to produce a comprehensive plan of proposed parking provision either as a separate document or as part of a planning masterplan;

- iii) whether the Trust has plans to implement the approved decked car parking.
- 8.2 It would also be helpful to have an update on progress regarding the implementation of the Travel Plan and its impact, as well as current and future plans for parking management at the site and measures to promote alternative means of transport to and from the site.
- 8.3 It is hoped that a discussion of these issues will enable the Review Board to understand the constraints and aspirations of the Trust and facilitate greater information exchange that will allow an informed decision making planning process set against the backdrop of Government policies relating to restraint on car usage.

(FOR CONSIDERATION)

Background Papers

Parking Assessment for Proposed Additional Visitor Parking Provision, Denis Wilson Partnership, October 2006. (Supporting document to planning application RU 06/1220).

7. DEVELOPING AND STRENGTHENING OVERVIEW AND SCRUTINY – RESPONSE TO GOVERNMENT CONSULTATION PAPER (DAL)

1. Purpose of Report

- 1.1 **To formulate a response to the Government's proposals for developing and strengthening overview and scrutiny.**

2. Background Information

- 2.1 The Government White Paper "Communities in Control: Real People, Real Power" was published in the summer and the Department for Communities and Local Government (DCLG) issued a consultation paper entitled "Improving Local Accountability", which is the first of a series of consultation papers under the general heading of the White Paper. Chapter 2 of the consultation paper is called "Developing and Strengthening Overview and Scrutiny".
- 2.2 The report below summarises those contents of "Developing and Strengthening Overview and Scrutiny", which relate to "alternative arrangements" authorities such as Runnymede (i.e. authorities with populations of less than 85,000 which operate a Committee system rather than executive arrangements).
- 2.3 The Local Government Act 2000 and associated regulations required district Councils operating alternative arrangements to appoint one or more overview and scrutiny committees. In Runnymede, this Board satisfies this requirement.
- 2.4 "Developing And Strengthening Overview and Scrutiny" reports that another Government White Paper entitled "Strong and Prosperous Communities" found that while overview and scrutiny committees were good at reviewing service outcomes and involving external stakeholders, they were weak at reconciling community opinion or providing a forum for community debate. The 2008 White Paper "Communities in Control: Real People, Real Power" committed the Government to raising the visibility of the scrutiny function and to further enhance its effectiveness. The paragraphs below set out how the Government proposes to do this and also lists these eight consultation questions on which the Government is seeking responses by 30 October 2008, along with suggested replies. Some suggested general comments are also set out in paragraph 4.1 of this report.

3. Report

- 3.1 "Developing And Strengthening Overview and Scrutiny" refers to the Government's power to make regulations in respect of:
 - overview and scrutiny committees requiring information from partner authorities
 - publication of scrutiny reports, recommendations and responses

- establishing joint county and district overview and scrutiny committees
- enhancing the powers of district overview and scrutiny committees
- scrutiny in small district councils operating a streamlined committee system.
- taking forward the commitments in the 2008 White Paper "Communities In Control".

3.2 Requiring Information from Partner Authorities

- 3.2.1 The Government propose that in a two-tier area the lead council or any partner in a Local Area Agreement (LAA) should make available to a district council overview and scrutiny committee information relevant to an LAA target connected to that council's area and functions, including its legitimate concerns about the well being of that area.
- 3.2.2 The Government envisages only limited regulations on these matters. Regulations may set out information that must be disclosed and that which may not be disclosed by partner authorities to overview and scrutiny committees.
- 3.2.3 The Government proposes that partner authorities must provide information where that information is information in relation to any target which relates to that partner or relates to an agenda item of the overview and scrutiny committee concerned or has been requested by that overview and scrutiny committee
- 3.2.4 The Government also propose to set out the types of information that, and the circumstances in which information may be withheld by partners. Such information would include personal data covered by the Data Protection Act 1998 and information subject to commercial confidentiality and the Government intend that these provisions would apply equally to requests from any overview and scrutiny committee to partner authorities. Equally, partner authorities would not be required to provide information where the information requested was already publicly available.
- 3.2.5 The Government do not propose to specify in regulations any time limits for responses by partner authorities or the format of any such response (whether in writing or attendance at a meeting). The Government consider that these are detailed arrangements which will necessarily depend on the particular circumstances of individual requests.

Consultation Question 1: Do you agree with the Government's proposed approach in relation to overview and scrutiny Committees requiring information from partner authorities?

Suggested Response: Agree.

3.3 Publication of Scrutiny Reports, Recommendations and Responses

- 3.3.1 This provision is about the arrangements for publication of scrutiny reports, recommendations and responses. The Local Government and Public Involvement In Health Act 2007 strengthened the existing powers of overview and scrutiny Committees by enabling them to require a response from the local authority to a scrutiny report or recommendations. The provision also enhanced the transparency of the conduct of overview and scrutiny work by providing that where scrutiny Committees publish their report or recommendations, the authority must also publish their response. In certain circumstances, confidential or exempt information must or may be excluded.

Consultation Question 2: Do you agree with the proposal to apply the provisions in relation to exempt and confidential information without modification to local authority executives?

Suggested Response: Agree.

3.4 Establishment of Joint County and District Overview and Scrutiny Committees

- 3.4.1 This provision is about the establishment of joint overview and scrutiny committees in areas with both county and district councils so that they may work together collaboratively to make

reports and recommendations about the attainment of local improvement targets specified in the LAA for the area. The Government proposes that a joint overview and scrutiny committee may be established by the county council and one or more of the district councils within the county area. This will provide a framework through which the county and district councils can co-ordinate their efforts with relevant partners on the scrutiny of LAA targets.

3.4.2 The Government propose that joint committees should have broadly the same powers held by overview and scrutiny committees in responsible local authorities so that they may for example, appoint sub-committees and co-opt members. The Government also propose making similar provision for joint committees in respect of partners. On issues of common interest across the area the Government expects the joint committee (where one exists) to make requests for information from partners and proposes to specify this in the regulation framework. Where a joint committee does not exist, the Government expects the arrangements set out in paragraph 3.2 above to apply.

3.4.3 The Government also proposes that joint committees may make reports and recommendations to those local authorities or local authority executives for which the joint overview and scrutiny committee has been established. Where a joint committee makes a report to such a local authority or local authority executive, the Government propose that they will be required to respond within two months.

Consultation Question 3: Do you agree with the proposed approach towards joint overview and scrutiny Committees? Are there specific issues that should be considered as part of the approach?

Suggested Response: Agree. It is not necessary to have specific issues included as part of the approach. Consultation Question 6 (see paragraph 3.7.2) refers to introducing a power to set up area scrutiny Committees. It would be a duplication of resources to have both joint and area Committees and it is noted that it is proposed that either or both of these frameworks can be put into place by counties and districts.

3.5 Enhancing the Powers of District Overview and Scrutiny Committees

3.5.1 To enable district scrutiny Committees in two tier areas (such as Runnymede) to play an active role in scrutinising the delivery of LAA targets connected to the district council's area, the Government proposes to make regulations in relation to these powers, broadly mirroring those that will be available to lead councils (in Runnymede's case, this would be Surrey County Council). Within this remit the Government propose that:

- district council overview and scrutiny committees may make reports and recommendations on matters relating to a local improvement target to the relevant county council or the county council executive.
- the county council, or county executive will be required to respond within two months to a district scrutiny committee report or recommendation
- associated authorities will be required to have regard to reports and recommendations made by district overview and scrutiny committees.

3.5.2 To minimise the potential for duplication the Government propose to specify that the requirements on the County Council to respond and partner authorities to have regard to such district overview and scrutiny reports on LAA matters will apply in relation to matters on which a joint overview and scrutiny committee in the relevant responsible local authority area has not already considered and reported.

Consultation Question 4: Do you agree with the proposed approach to enable district scrutiny Committees to review the delivery of LAA targets?

Suggested Response: Agree.

3.6 Scrutiny in Small District Councils Operating a Streamlined Committee System

- 3.6.1 The Government have previously applied overview and scrutiny provisions to those small district councils operating a streamlined committee system ("alternative arrangements") and propose to do so again, applying the enhanced powers for district overview and scrutiny committees as set out in paragraphs 3.5.1 and 3.5.2 above, and providing that district councils operating alternative arrangements may also form part of a joint overview and scrutiny committee within the relevant county council area.

Consultation Question 5: Do you agree with the proposal to apply these new powers in Councils operating alternative arrangements? Are there any specific implications that should be taken into account in doing so?

Suggested Response: Agree. There are no specific implications which the Council has identified to be taken into account.

3.7 Taking Forward the 2008 White Paper "Communities In Control" Commitments

Power to Require Information Outside LAA Targets

- 3.7.1 In raising the profile of the overview and scrutiny function in local authorities, the Government want to ensure that scrutiny committees have the necessary capacity and powers to respond to the greater public interest. The Government intend to further strengthen the scrutiny function by extending the power to require information from partner authorities to matters outside the LAA targets.

Area Scrutiny Committees

- 3.7.2 The Government also propose to introduce a power for county and district councils to combine their respective scrutiny resources in 'area scrutiny committees' where they wish to do so. Such area committees would operate within the county area, combining existing district and county resource.

Consultation Question 6: What issues should be considered as part of any new power to establish area scrutiny committees?

Suggested Response: Consultation Question 3 (see paragraph 3.4.1) refers to introducing a power to set up joint scrutiny Committees. It would be a duplication of resources to have both joint and area scrutiny Committees and it is noted that it is proposed that either or both of these frameworks can be put into place by counties and districts.

A Dedicated Scrutiny Resource In County, Unitary and London Borough Councils

- 3.7.3 The Government intend to require some dedicated scrutiny resource in county, unitary and London Borough Councils across England (not alternative arrangement authorities). The Government states that this will ensure that every area in England is covered by a dedicated scrutiny resource to support the overview and scrutiny function in local government. One way in which the Government states that this may be achieved is through making similar provision to that for monitoring Officers and their resources as set out in the Local Government and Housing Act 1989.

Consultation Question 7: How might the requirement for dedicated scrutiny resource be put into practice?

Suggested Response: It is noted that this resource will only apply in executive arrangements authorities. In order to be effective scrutiny must be adequately resourced.

Petitions and Councillor Calls for Action

- 3.7.4 The Government also proposes a new duty on local authorities to respond to all petitions, including electronic petitions, relating to local authority functions or other public services where the local authority shares delivery responsibilities.

- 3.7.5 The Government wants to ensure that local authorities take petitions seriously, and will ensure that petitioners can appeal if they are not satisfied with their response. If the appeals body judges that a local authority's response was not adequate they could trigger a debate of the full council. Overview and scrutiny committees will be responsible for considering Councillor Calls for Action (CCfAs). The Government considers that they are therefore well placed to consider appeals when petitioners are not satisfied with the local authority response. The Government therefore proposes that appeals about a local authority's response to a petition should be considered by the Overview and Scrutiny Committee.
- 3.7.6 In the Government Response on "Local Petitions And Calls for Action Consultation" the Government states that it will issue guidance on the principles of Councillor Calls For Action, (CCfA)s before the end of 2008, explaining to Councillors how to deal with CCfAs. This guidance will cover the time frame for dealing with CCfAs, dealing with vexatious or repetitive CCfAs and CCfAs on issues which affect several wards, wards with more than one Councillor, and two-tier areas. It will also propose issues which local authorities might want to consider to ensure that CCfAs work effectively in their area.

Consultation Question 8: Do you agree that appeals about a local authority's response to a petition should be considered by the overview and scrutiny committee? What practical issues might arise?

Suggested Response: Agree. There may be conflict issues for Committee Members.

4. General Comments

- 4.1 There are three general observations that the Council would wish to make in responding to the consultation on developing overview and scrutiny which are as follows:-
- i) that findings of scrutiny Committees should always be reported to Full Council meetings to enhance the profile of this area of activity. There must be a credible feedback mechanism from the scrutiny operation into the decision making process;
 - ii) that the scrutiny function should be able to demonstrate a series of outcomes resulting from its deliberations and recommendations; and
 - iii) that in order to be effective, scrutiny must be adequately resourced.

Background Papers

None

THE BOARD IS ASKED -

whether it is content

- i) **with the suggested responses in this report to the Government's eight consultation questions and;**
- ii) **with the general comments made in paragraph 4 of the report; or if it wishes to make any amendments or additions.**

(TO RESOLVE)

Background Papers

None

8. PROGRESS REPORT ON ENFORCEMENT OF PLANNING CONTROL (DAL/DTS)

Attached at Appendix 'A' is the progress report on enforcement of planning control as at 30 September 2008 (to follow).

(FOR INFORMATION)

Background Papers

None

9. EXCLUSION OF PRESS AND PUBLIC

If the Review Board is minded to consider the foregoing reports in private session, it is the

OFFICERS' RECOMMENDATION that -

where appropriate, the press and public be excluded from the meeting during the discussion of the report(s) under Section 100A(4) of the Local Government Act 1972 on the grounds that the report(s) in question would be likely to involve disclosure of exempt information of the description specified in appropriate paragraphs of Part I of Schedule 12A of the Act.

(TO RESOLVE)

PART II

Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection

a) Exempt Information

(No reports to be considered under this heading)

b) Confidential Information

(No reports to be considered under this heading)