
Scrutiny Management Committee

26 February 2007

Report of the Director of City Strategy

Sustainable Development Scrutiny Sub Committee

Summary

1. This report provides advice to the Scrutiny Management Committee on the various recommendations made by the Planning & Transport Scrutiny Board now called the Sustainable Development Scrutiny Sub-Committee in connection with their document 'Guidance for Sustainable Development'.

Background

2. The Sustainable Development Scrutiny Sub Committee presented their report 'Guidance for Sustainable Development' to Scrutiny Management Committee on 23 October 2006 following 2 years of work. The document is one of a number relating to sustainability issues that this and other Scrutiny Boards have been working on over the last few years. These reports include energy use in the council buildings and street lighting. This work has been a demonstration of the increasingly high profile of sustainability issues in York and also nationally and internationally.
3. The Scrutiny report that is the subject of this report is attached as Annex A. It is a comprehensive document that covers a wide range of sustainability issues. It makes 25 recommendations covering:
 - Planning and Supplementary Planning Guidance (SPG) (Recommendations 1 – 7 & 20);
 - Policies suggestions for the emerging Local Development Framework (LDF) (Recommendations 12 – 17);
 - Trees in the city and their wider role in managing carbon emissions (Recommendations 8 -11);
 - The role of Building Control in promoting sustainable construction techniques and technologies (Recommendations 18, 19 & 21);
 - The role of the Local Strategic Partnership (LSP) and the Local Agenda 21 (LA21) process in the city and the use of Quality of Life Indicators (Recommendation 23);
 - Internal council policy promoting sustainable construction (Recommendation 24).
 - Management of the highway (linked to many recommendations);
 - Regional coordination (Recommendation 25).

4. The Sub Committee was assisted in its work by a number of individual Officers however a formal officer review of the recommendations is helpful to identify any potential gaps, duplication and to provide a focus for action. This report offers this advice.
5. This report provides Officer commentaries upon the recommendations made and suggest an approach that the Executive may wish to adopt in respect of each. Annex B contains the recommendations made within the 'Guidance for Sustainable Development' and that advice.

Consultation

6. During the formulation of the recommendations in the scrutiny report 'Guidance for Sustainable Development' the following officers/teams were consulted:
 - Sustainability Officer
 - Building Control
 - Tree officers
 - City Development.
7. In the preparation of this report for Scrutiny Management Committee the following officers/teams have also been consulted:
 - LSP and LAA officers
 - Transport Planning Unit and Network Management Section
 - York Consultancy.
8. Annex B also gives details of the consultation that relate to the recommendations proposed in the scrutiny report. Currently for the SPG Sustainable Design & Construction and in the future for the LDF.

Options

9. Members have two basic options to move forward any recommendations made by the Sustainable Development Scrutiny Sub Committee into council policy:
 - a. Take forward the recommendations as they stand in the 'Guidance for Sustainable Development or;
 - b. Take forward the recommendations of the scrutiny report as suggested by officers in Annex B and above.
10. The adoption of option [a] would not avoid the need for consultation on the proposed policy changes and new policy development in addition to the consultation for their inclusion in the LDF. Given that the development of many of the policies/strategies proposed in the scrutiny report recommendations involves the same staff as are developing the LDF, the adoption of this option will reduce the effort being devoted to that process and introduce delays. This option is not therefore recommended.

In opting for option [b] Members will clearly be slightly delaying the formal introduction of any revision in policies and strategies. However, the integration of the recommendations in the scrutiny report with existing and proposed policies

and strategy development areas provides a more efficient use of resources and provides for more focused action. Therefore, this option is recommended.

Analysis

11. The 'Guidance for Sustainable Development' report covers a very wide range of issues as mentioned above but lacks some focus. However its broad nature clearly demonstrates the connection between these issues and the requirement of sustainable development principles to take all into account when considering decisions. What the report does highlight is the need for a council wide Sustainability Strategy to provide focus and direction to the actions in this area. Certainly recommendation 22 alludes to this.
12. Planning & Supplementary Planning Guidance (SPG), recommendations 1-7 & 20.
There is currently a Draft SPG Sustainable Design & Construction which offers guidance, advice and some minimum standards in relation to the implementation of the local plan policy GP4a. It is a draft for consultation and includes elements of some of the recommendations in the scrutiny report. The consultation period for the document finishes on 4th May 2007 and it is hoped the final draft will be presented to Planning Committee for approval in June/July 2007.
13. Local Development Framework (LDF), recommendations 12-17.
As a result of changes to Planning legislation, the Council is currently producing a Local Development Framework which will replace York's draft Local Plan. The first LDF policy document being produced is the Core Strategy, which will develop the overall planning vision for the City and guide the levels and broad location of future development in York. The Core Strategy document is at the Issues and Options stage, which is the first stage of production, and requires significant levels of debate on York's key issues. Such consultation will help to inform the content, scope and direction of the Core Strategy, which will be presented for further public consideration at the Preferred Options stage (likely to be April/May 2008) before being independently examined and finally approved in February 2009. Whilst the aspirations contained within the 'Guidance for Sustainable Development' report are positive ones for the City, until such time as the Preferred Options stage is reached, the Council should not have developed a single policy approach, but should be considering alternative means of achieving its aims. For this reason it would be prejudicial to agree to put forward a single agreed approach here, without properly opening up other policy approaches for consultation. Such an approach could lead to the LDF being judged unsound, and failing at examination. In addition, some of the detailed issues expressed within the report would be more suitable within a Development Control policy DPD or Supplementary Planning Document. Therefore, work on the emerging LDF will take forward these proposals as part of further consultation and policy development.
14. Trees, recommendations 8-11.
These recommendations relate to trees in the city and their role in mitigating and adapting to climate change. The recommendations and the current draft tree strategy deals with trees in council control and those in private ownership and as such contains proposals with implications for internal council policies, planning policies (LDF) and those relating to how the city reduces its impact and adapts to climate change. Therefore work on the council's Sustainable Development

Strategy, the LDF and the city Climate Change Strategy will take forward these proposals.

15. **Building Control, recommendations 18, 19 & 21.**
These recommendations quite rightly identify the vital role Building Control has to play in promoting and implementing sustainable design and construction. However their specific role will become clearer once the Draft SPG Sustainable Design & Construction has been adopted by the council.
16. **Local Strategic Partnership (LSP), Local Area Agreement (LAA) and Local Agenda 21 (LA21), recommendation 23.**
This recommendation links the work undertaken by LA21 some years ago to identify sustainability indicators for the city and the proposed baseline data and indicators required by the Local Area Agreement. Work has taken place to use LA21 indicators, national Quality of Life Indicators, other CYC data and those proposed by the York Environment Forum as a basis for LAA indicators. York's LAA is now with central government for approval.
17. **Sustainable construction of council buildings, recommendation 24.**
Following the success of a number of sustainable construction and renewable energy projects in York schools and more recently the EcoDepot, officers in the council's York Consultancy team have drafted a sustainable construction policy for the council. Work continues on it and it is hoped it will be approved in mid 2007.
18. **Highway implications.**
A number of the recommendations in the scrutiny report have links to transport and highway management. This interrelation will be vital in the development of policies for the emerging LDF. It is clear that care is required in the balance of social, economic and environmental issues.
19. **Regional Coordination, recommendation 25.**
This recommendation suggests a close working relationship with the Yorkshire & Humber Assembly with specific outcomes. These can be taken forward as part of the council's continual liaison with the Assembly.

Corporate Priorities

20. As mentioned above the report considers a broad range of issues it therefore seems that the adoption of appropriate and balanced policies in regard to sustainability would underpin the delivery of a significant number of the Corporate Objectives, in particular it address the following of the recently agreed 13 Improvement Priorities:
 - Decrease the tonnage of biodegradable and recyclable products going to landfill,
 - Increase the use of public and other environmentally friendly modes of transport,
 - Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces,
 - Improve the quality and availability of decent, affordable homes in the city,
 - Improve leadership at all levels to provide clear consistent direction to the organisation,

- Improve the way the council and its partners work together to deliver better services for the people who live in York,
- Improve efficiency and reduce waste to free-up more resources.

Implications

21. There are no specific Financial, Human Resources, Equalities, Legal, Crime & Disorder, ITT, Property or Other implications arising as a consequence of the recommendations made in this report.

Risk Management

22. The risks to the council in terms of this report are low. However, in regard to the subject matter and the need to deliver on the 13 Improvement Priorities the risks associated with not having the appropriate balanced policies in place are significant.

Recommendations

23. It is recommended that the advice given in Annex B be adopted so that there is an integration of the recommendations in the scrutiny report 'Guidance for Sustainable Development with existing and proposed policy and strategy development and consultation.

Reason: So as to respond appropriately to the outcome of the Sustainable Development Scrutiny Sub Committee

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Report Approved

Date 12/02/2007

Wards Affected:

All

For further information please contact the author of the report

Background Papers: Annex A to this report

Annexes

Annex A – copy of the scrutiny report 'Guidance for Sustainable Development '.

Annex B – comments upon the above and advice to the Executive