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MEETING	SCRUTINY MANAGEMENT COMMITTEE
DATE	28 JULY 2008
PRESENT	COUNCILLORS GALVIN (CHAIR), ASPDEN, FUNNELL (AS SUBSTITUTE FOR BLANCHARD), MOORE (AS SUBSTITUTE FOR WAUDBY), SIMPSON-LAING, TAYLOR AND R WATSON
APOLOGIES	COUNCILLORS BLANCHARD, SCOTT AND WAUDBY
IN ATTENDANCE	COUNCILLOR WISEMAN

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## **7. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Councillor Aspden declared a personal non-prejudicial interest in agenda item 4 (Update on Implementation of Recommendations of Previous Scrutiny Reviews), in relation to the Home to School Transport review, as an employee of North Yorkshire County Council at Tadcaster Grammar School.

## **8. MINUTES**

RESOLVED: That the minutes of the last meeting of the Committee held on 16 June 2008 be approved as correct record and signed by the Chair.

## **9. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

## **10. UPDATE ON IMPLEMENTATION OF RECOMMENDATIONS OF PREVIOUS SCRUTINY REVIEWS**

Members received a report which provided them with update information on the implementation of recommendations made as a result of the reviews completed since 2004.

The reviews related to Highways Maintenance Procurement Process and PFI, Home to School Transport, and Reducing Carbon Emissions. A further update relating to the Reducing Carbon Emissions review was circulated at the meeting (attached as Appendix 1 to these minutes).

- RESOLVED: (i) That all of the recommendations from the Highways Maintenance Procurement Process and PFI review be signed off;
- (ii) That all of the recommendations from the Home to School Transport review be signed off;
- (iii) That recommendations 1, 4 and 8 from the Reducing Carbon Emissions review be reviewed again and the remaining recommendations be signed off.<sup>1</sup>

REASON: To raise awareness of those recommendations which still have to be implemented.

Action Required

1 - To further review the outstanding recommendations. GR

## 11. PLANNING ENFORCEMENT - FEASIBILITY REPORT

Members received a report which asked them to consider a scrutiny topic registered by Councillor Wiseman to scrutinise the resources available to the Planning Enforcement Team and to look at the timescales for completion of enforcement cases.

- RESOLVED: (i) That it be agreed to proceed with the review, commencing in autumn 2008;
- (ii) That the remit at Annex G of the report be agreed with the following amendments:
- a) To add the words, "including Section 106 Agreements," to the end of key objective i.;
- b) To reword key objective iv. to read, "To review the Council's processes and procedures to improve the handling of planning enforcement cases";
- (iii) That examining the impact of the Powers of Enforcement – Takeaways Scrutiny Review be included in the review;
- (iv) That the offer of attending a training course, as set out in paragraph 17 of the report, be accepted;<sup>1</sup>
- (v) That an ad-hoc Scrutiny Committee be established on a 2:2:1 basis, with a Liberal Democrat chair, and nominations be sought from Group Secretaries;<sup>2</sup>

- (vi) That the timeframe for the review be agreed as 3-6 months.

REASON: To progress with a review of the topic.

Action Required

- 1 - To hold the training course;
- 2 - To seek nominations from Group Secretaries.

JB  
GR

Councillor J Galvin, Chair

[The meeting started at 5.00 pm and finished at 5.35 pm].

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Board and Topic	Rec No.	Recommendation as approved by the Executive on 7 November 2006	Update on Recommendations as of July 2008
<b>Reducing Carbon Emissions Scrutiny Sub-Committee (Review Completed Sept 2006)</b> Contact Steve Waddington, & Mike Slater (rec 9 & 10) Jacqueline Warren (all other recs), Mark Grandfield (rec 7) and Dilys Jones (rec 8)	1	That Climate Change Strategies and Action Plans are developed by the Council's Sustainability Officer as a matter of urgency. This to be done with a view to best practice approaches used by other Local Authorities. It is acknowledged that the Council is already well advanced in developing its strategies for dealing with climate change, in so far as it has powers to do so, and anticipates that a consultants report will be submitted to Executive shortly. At that time the SMC may, of course if they wish, <b>choose to review the contents of the report</b> ".	Sustainability Officer is leading a core group from the LSP - Environment Partnership - to create a Climate Change Strategy for York. The strategy will target mitigation and adaptation to future climate change and the group is currently drafting and writing the evidence base for this strategy (including best practice from other local authorities). By Spring 2009.
	2	That the Local Development Framework and our present planning policy framework include a Calderdale/Merton Style Target. This target will require developers to ensure that: i. at least 10% of all energy required is provided from renewable sources in all new and significantly refurbished developments from this point and up to 2010, including domestic development. ii. After 2010 the target rises for onsite embedded renewable to be greater than or equal to 15% between 2010 and 2015 iii. Then rises again to be greater than or equal to 20% between 2015 and 2021 etc.  This proposal to be referred to the LDF Working Group for their consideration	Regional Spatial Strategy and Regional Assembly provide strategic policy framework  This is currently implemented through Development Control teams and the Council's Interim Planning Statement on Sustainable Design and Construction and with assistance from the Sustainability Officer and City Development Teams.  This is will be investigated and implemented based on current guidance and best practices and will implemented through the Council's emerging LDF process.  This is will be investigated and implemented based on current guidance and best practices and will implemented through the Council's emerging LDF process.
	3	That the City of York Council researches planning policies adopted by other local authorities with a view to applying them in York, if appropriate, in order to specifically ensure energy efficiency by design. That all plans submitted to the Local authority be tested on these criteria. The proposal to be referred to the LDF Working Group for their consideration.	The provisions of the "Interim Planning Statement on Sustainable Design and Construction"are implemented through Development Control teams, the Sustainability Officer and City Development Teams.
	4	That the authority enforce Parts L and F of the Building Regulations as a matter of urgency, resolving any training and resourcing issues that may need addressing, whilst recognising that the deployment of resources will be influenced by the Councils annual budget build process	Building Control continue to enforce Parts F&L of the Building Regulations. The necessary training has taken place for the current legislation, however it is proposed to amend Part L (Energy Conservation) within the next year so retraining may be required. It is also proposed to create further links between the Building Regulations and the Code for Sustainable Homes, however no time frame has been set for this.
	5	That the Council, through officers in consultation with its Elected Member Energy Champion request that the Yorkshire and Humber Assembly and/or Yorkshire Forward facilitate region wide BREEAM assessor training for the region's Development Control (and other appropriate) Officers with the aim of reducing costs to individual Local Authorities, with the aim of reducing future expenditure.	BREEAM training has been provided in 2007 to Development Control Officers and Planning Committee Members through the BRE and in assistance with the Sustainability Officer. Refresher presentations are also to be implemented in 2008 by the Sustainability Officer.
	6	That information, including any response to regional questionnaires, on the Councils position be reported to the City Strategy EMAP at an appropriate time	Agreed.
	7	That the authority adopt clearer lines of communication to ensure that information already collated by Housing Officers regarding thermal efficiencies improvements and other Carbon reduction measures, is shared with the Sustainability Officer. This should be done to ensure housing data relevant to the developing Environmental Management System (EMAS) is integrated. Officers in Housing should work with the Authority's Sustainability Officer to agree the best format for such data sharing and, ensure advice regarding targeted improvements in housing and the reporting of these outcomes are delivered under EMAS	All data recorded on the Housing Stock in terms of energy efficiency is held within the housing stock condition database and administered by the Asset management data Analyst. The sustainability officer is invited to work closely with the data analyst as and when required to resolve any information requests that are required as part of this process.
	8	That the Housing Strategy & Enabling Group - Housing Standards & Adaptations Officer and other officers in housing where relevant work with York EEAC officers consult upon, devise and adopt a 'Energy Efficiency and Thermal Comfort Strategy and Action Plan' for the authority commencing this year. The Officers are recommended to use the Regional Action Plan (Annex C) NEA guidance (Annex F) and activities outlined at paragraph 50 of this report as a primary steer in shaping the process	Have just completed a PSSCS the results of which are currently being analysed to provide the base line evidence for a Private Sector Renewal Strategy which will include energy efficiency and thermal comfort measures, linked to fuel poverty. This work will be completed by December 2008.
	9	That the Local Authority ensures that CYC Officer and Member Positions on the Energy Partnership Board are always filled.	Mark Grandfield Asset Manager is the officer rep

Board and Topic	Rec No.	Recommendation as approved by the Executive on 7 November 2006	
<b>Reducing Carbon Emissions Scrutiny Sub-Committee (Review Completed Sept 2006)</b>	10	That Annual and inter-year joint working be conducted between EEAC's Local Authority Support Programme Co-ordinator and CYC Housing Officers to ensure that opportunities for the use of renewable are considered as part of the HRA and Housing Capital Business plan. Where such opportunities are cost neutral or affordable within the life of the business plan, micro-renewable should be installed as part of the development of the business plan. Consultation between housing officers and EEAC should cover improvements scheduled to buildings fabric, such as photovoltaic roof tiles when roofs need replacement and/or heating, water systems replacements (i.e. can carbon minimising heat pumps be applied) etc; Consultation should also explore opportunities to bring in external grants revenue.	The opportunities for the use of renewable are considered as part of the HRA and Housing Capital Business plan as part of the current refresh
Scrutiny Comment as of 26 February 2007: Executive have only recently considered and approved these recommendations therefore to soon to report on their implementation. Suggest update in September 2007			