

Cherwell District Council

Overview and Scrutiny Committee

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 9 October 2012 at 6.30 pm

Present: Councillor Ann Bonner (Chairman)

Councillor Tim Emptage
Councillor Jon O'Neill
Councillor Nigel Randall
Councillor Leslie F Sibley
Councillor Lawrie Stratford

Substitute Members: Councillor Rose Stratford (In place of Councillor Chris Heath)

Also Present: Councillor Michael Gibbard, Lead Member for Planning
Councillor Tony Illott, Lead Member for Public Protections

Apologies for absence: Councillor Daniel Sames
Councillor Colin Clarke
Councillor Chris Heath
Councillor Melanie Magee
Councillor Alastair Milne Home

Officers: Andy Preston, Head of Public Protection and Development Management
Bob Duxbury, Development Control Team Leader
Sean Gregory, Environmental Protection Officer
Natasha Clark, Team Leader, Democratic and Elections
Dave Parry, Interim Democratic and Elections Officer

21 Declarations of Interest

There were no declarations of interest.

22 Urgent Business

There was no urgent business.

23 Minutes

The Minutes of the meeting of the Committee held on 11 September 2012 were agreed as a correct record and signed by the Chairman.

In the course of considering the minutes, it was agreed that the Director of Development be asked to provide an update regarding the development proposals for RAF Bicester.

24

Air Quality across the District

The Chairman welcomed the Lead Member for Public Protection and the Environmental Protection Officer to the meeting.

The Environmental Protection Officer gave a presentation on the monitoring of air quality across the District. The Committee was informed of the legislative background, the responsibilities resting with the Council under Part IV of the Environment Act 1995, where monitoring was currently taking place across the District, and, in particular, how this was being undertaken. It was noted that, with regard to monitoring, three detailed assessments were currently in progress in respect of Oxford Road to Southam Road, Banbury; Kings End to Field Street, Bicester, and Bicester Road, Kidlington. In addition, where an earlier detailed assessment had indicated that national air quality targets were being exceeded, an Air Quality Management Area (AQMA) had been declared in respect of Hennef Way, Banbury and, as a result, additional studies were currently taking place to identify the source of the pollution and possible control measures.

A number of issues were raised by Committee members including:

- The means by which potential problem areas could be identified to the Council's officers and other agencies.
- Whether the Council had any powers to deal with problem Taxi vehicles and certain permit holding business operations.
- The possibility of developing an Air Quality strategy, and including air quality within the Performance Management Framework.
- Using the Planning process (section 106 Agreements and the Local Plan) to secure air quality requirements.

The Head of Public Protection and Development Management and the Environment Protection Officer explained that it was agreed that Members' local knowledge was key, and they should be encouraged to report potential problems to the Public Protection team for initial assessment. The other issues raised would be considered further when Officers reported back to the Committee at a future meeting.

Resolved

- (1) That the work on monitoring of air quality across the district be commended.
- (2) That officers be requested to include information regarding Air Quality monitoring in the Members' Bulletin, including advice on how to report areas of concern.

- (3) That a report be submitted to the Overview and Scrutiny Committee meeting in March, 2013 advising further on the issues now raised.

25 **Planning and Building Control Enforcement**

The Lead Member for Planning, Head of Public Protection and Development Management, and Development Control Team Leader submitted an information document explaining the background to a recently completed review of the service. The review had concluded that, notwithstanding current budgetary pressures, some additional resource was necessary if the Council's enforcement function was to meet its targets and remain effective.

The proposed solution was to increase resources for a two year duration to be funded Planning Reserve fund. It was considered a measured response to the issue and allowed for further monitoring and review.

The Lead Member for Planning advised the Committee that whilst planning enforcement was a discretionary service, the need to correct planning errors and strengthen the council's reputation as Local Planning authority was imperative.

The Committee was strongly of the view that any reduction in service provision, or even continuation of the status quo, would be counter productive for the District as a whole and for the credibility of the planning process in particular. The effective implementation of planning regulations and policy played a key role in ensuring the creation of a business friendly District of opportunity, and the proposals were fully supported.

Resolved

- (1) That the proposals to enhance the council's planning enforcement service be noted and supported.

26 **Overview and Scrutiny Committee Work Programme 2012/13**

The Committee considered the report of the Head of Law and Governance which presented the Overview and Scrutiny Work Programme 2012/13.

Executive Work Programme

The Committee agreed that there were no items on the Executive Work Programme for October 2012 to January 2013 that they wished to include on their Work Programme in 2012/13. However, it was noted that the Government had recently issued new requirements regarding the notice period to be given regarding key decisions by the Executive, decisions made with the public and press excluded, and decisions made by Officers under delegated authority. The Committee queried the position regarding decisions made by Lead Members, and the Team Leader, Democratic and Elections, undertook to provide some clarification.

Resolved

- (1) That the Overview and Scrutiny Committee work programme 2012/13 be noted.
- (2) To no items in the current version of the Forward Plan (September to December, 2012) be included on the Work programme for 2012/13.
- (3) That information be provided to all Members regarding the recent changes to the notice period to be given regarding key decisions by the Executive, decisions made with the public and press excluded, decisions made by Officers under delegated authority and decisions taken by Lead Members

The meeting ended at 8.10 pm

Chairman:

Date: