

Minute from LCC Scrutiny Committee meeting held on 8th April, 2016

Minutes:

The Chair welcomed Andrew Mullaney, Head of Planning and Environment, to the meeting.

The Task Group had presented an interim report to the Scrutiny Committee in February. The Task Group had been formed at the request of County Councillor Liz Oades after concerns had been expressed by some district councils regarding the scope, content and timeliness of Lancashire County council consultation responses particularly regarding education, highways and flood risk management.

The scope of this review was limited to the County Council's consultation responses to district councils and did not include wider planning matters.

The Task Group had undertaken a review and had prepared a series of recommendations. District Councils were consulted on the draft recommendations, which had been subsequently modified following feedback.

The Task Group's recommendations were now presented for the Committee's consideration.

Councillors were invited to ask questions and raise any comments in relation to the report, a summary of which is provided below:

- Regarding the changing roles in the Environment Agency at LCC and the reporting back on flood risk, the Committee was informed that a lot of the responsibility had transferred to LCC's Flood Risk Authority. LCC's main role now was as a statutory consultee to district councils to provide advice on local flood matters.
- The question of whether LCC was a statutory consultee regarding education contributions was raised. It was a statutory consultee where education contributions had been agreed as part of the Community Infrastructure Levy Regulations 2010 (CIL), and amendments. It was Government policy to encourage LPAs to participate in CIL but in Lancashire the take up was fragmented.
- Members were informed that where the education contributions were part of CIL, then the LPA should consult the Education Authority to help it discharge CIL. In other areas where CIL did not apply, consultation with the Education Authority was discretionary.
- As it was not always clear that the LPA should consult the education Authority, LCC scanned the weekly lists of planning applications in all districts for schemes involving 10 or more dwellings. These were then brought to the attention of education colleagues who then decided whether to seek a developer contribution using their school provision model.
- On the subject of phased development the Committee was informed that the Authority could only consider the application brought before it, not what it might become.

- The Committee was not satisfied with the planning system as it was and Members felt that LCC should work along with the Planning Authority for a better infrastructure and there should be full infrastructure surveys. There should be better master planning and better infrastructure planning. There was no funding from developers to put an infrastructure in place. This was having an adverse effect on communities.
- It was felt that something should be put in writing for the Committee to approve and send off to Government.
- Regarding the response from Chorley Council: "Supportive of proposal to send comments to LCC Councillors and standardised conditions, provided they had been drafted in conjunction with LPAs." Members enquired what exactly the statement meant. Standardised conditions would streamline and free up officer time. Chorley planners wanted to proof check the conditions before they were standardised and did they meet the 3 tests in the National Guide.
- The Committee enquired if the County Council was trying to get a blueprint in place for infrastructure planning. The ultimate solution for this was to get much better joined up and timely land use planning and transport planning. There needed to be a strategic planned approach to housing provision, business provision and transport provision.
- LCC needed to be encouraged to look into enforcement and provide the resources to put into practice the restrictions that the developments should have. Maybe there should be ring fencing on housing application fees.
- Members would be updated on the process of the County Council and district councils working together regarding the Section 38 agreements at a later date.
- A lot of district councils did not have local plans in place and inappropriate development was taking place.

Resolved:

1. The Scrutiny Committee approve the recommendations of the Task Group
2. Request a response from the appropriate Cabinet Members for the July meeting of the Scrutiny Committee
3. Prepare a letter for the Scrutiny Committee to approve and send to the DCLG.