

DEVELOPMENT AND ENVIRONMENT STANDING SCRUTINY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 26th April 2011 at 10.00 a.m.

Present: Councillors John McDowall (Chair), Eddie Bulik, Stan Fisher, Ann Galbraith, John Hampton, Mary Kilpatrick and Mairi Low.

Apology: Councillor Mike Peddie.

Attending: L. Bloomer, Executive Director – Development and Environment; V. Andrews, Head of Legal and Administration; R. MacDonald, Head of Community Development; C. Cox, Planning Manager; P. Linton, Performance and Change Management Manager; and A. Gibson, Committee Administrative Officer.

Also Present: Councillors Peter Convery (Portfolio-holder), Helen Moonie and Philip Saxton.

1. Variation in order of business.

In terms of Council Standing Order No. 10, the Panel agreed to vary the order of business as hereinafter minuted.

2. Item for Call-in – Leisure Card Scheme Revision.

Reference was made to the Minutes of the Leadership Panel of 19th April 2011 (Page 248, paragraph 16) when that Panel, having considered a report of 1st April 2011 by the Executive Director – Children and Community, had decided:-

- (1) that the price of a Leisure card be increased from £1 to £10 per annum;
- (2) that the eligibility criteria for the leisure card should be limited to those in receipt of a state retirement pension and those in receipt of one or more of Job Seekers Allowance, Income Support, Incapacity Benefit, Disability Benefit, Council Tax Rebate, Housing Benefit and the Disablement War Pension and to individuals aged 17 and above who were in full time education or training;
- (3) that the discount offered should be standardised to a 25% reduction, on activities that were eligible under the current scheme;
- (4) that these changes would be implemented from 1st June 2011; and
- (5) to delegate to the Executive Director – Children and Community, the development of an assistance scheme for formal carers which would be implemented from 1st June 2011.

The Panel was advised that the report had been the subject of a call-in (issued) for the following reasons:-

- (a) for a more comprehensive explanation of the potential impact of universal benefit and the impact on people in receipt of universal benefit; and
- (b) to further explore the impact on the Council's policy (aim 11).

The Chair invited Councillor Saxton to explain his reasons for the call-in and, thereafter, the Panel heard Councillor Saxton advise:-

- that the increase from £1 to £10 for the leisure card represented a 1000% increase;
- that a detailed impact assessment of the proposals should have been undertaken before the proposals were implemented;
- that the public should have been consulted on the proposals, prior to the report being presented to the Leadership Panel;
- that bearing in mind that one of this Council's priorities was to encourage a healthy lifestyle, the proposals would discourage a number of people from undertaking this lifestyle; and
- that, in his view, the proposals would cost the Council money instead of savings being made.

Councillor Moonie similarly expressed her concerns and her support for the Call-in and advised:-

- that the various benefits detailed at (2) above would eventually be replaced by "universal benefits";
- that those currently on benefits would have difficulty in affording the price rise of the leisure card and that a discounted card should be provided for those or alternatively the possibility of the card being paid for in instalments.

The Head of Community Development responded to the questions raised by Councillors Moonie and Saxton.

Following a full discussion various questions and comments were raised by Members of the Panel.

Decided: following review

- (i) that the decision of the Leadership Panel in respect of this matter be confirmed and implemented; and
- (ii) that a report by the Head of Community Development be taken to the Leadership Panel in a year's time, detailing the number of people on benefits who possessed a leisure card at this present time, compared to those who possessed one in a year's time.

3. **Item for Call-in – Planning Response to the Economic Downturn – Update.**

Reference was made to the Minutes of the Leadership Panel of 19th April 2011 (Page 247, paragraph 15) when that Panel, having considered a report of 21st March 2011 by the Executive Director –Development and Environment, had decided:-

- (1) to continue to give priority in work programmes to development proposals that have potential to make a significant contribution to the local economy; and
- (2) to continue to give recognition when applying the Supplementary Planning Guideline “New Housing Development and Affordable Housing: A Guideline for Developers” to the impact of the economic downturn when assessing development viability including the price paid for land, the impact of infrastructure provision and the relationship of payments/revenue to cash-flow from the development in terms of possible phasing and deferment of payments.

The Panel was advised that the report had been the subject of a call-in (issued) for the following reasons:-

- (a) to further clarify and consider aspects/assumptions of the recommendations/narrative at 2(i), 4.3,4.4 and 3.2 of the report;
- (b) to explore the implications of moving from interim measures to implementation on an ongoing basis;
- (c) to consider the possibility/potential for the Supplementary Planning Guideline (SPG) change to effectively deliver a policy change and examination of appropriate processes in relation to such (compared with paragraph 4.6);
- (d) to consider and to seek clarification on the impact of the proposals on strategy, long term impact and viability of policy HI3 going forward;
- (e) for clarification on the mechanism for allocation of sites, the provision/availability of alternatives (in relation to the role planning plays) and the consequent ability of the planning process to provide optimum support for affordable housing (compared with paragraphs 4.7, 4.8 and 4.9);
- (f) for clarification on the Chief Planner’s letter to the nature of affordable housing, officers’ interpretation (at 3.8) and the Council’s intentions in relation to the use of public subsidy relative to this;
- (g) to consider the relationship/impact on the emerging Local Development Plan (of the proposals contained within the report);
- (h) for further information in respect of paragraphs 4.7 to 4.9 and its relationship to potential for allocation of sites and possible impact on the Council’s revenue/capital budgets going forward and for consideration of the potential arising to produce additional failure to access grant funding; and
- (i) for an explanation in relation to corporate consideration of recurring revenue streams (for the purposes of affordable housing) relative to the implementation of the report and/or the allocation of sites and/or application of SPG.

The Chair invited Councillor Moonie to explain her reasons for the call-in and, thereafter, the Panel heard Councillor Moonie on the reasons for the call-in and further comments as follows:-

- that priority given in work programmes to larger development proposals would have an impact on the work programme for smaller developments and hence affect local employment;
- regarding the position facing developers;
- the position regarding the Supplementary Planning Guideline “New Housing Development and Affordable Housing: A Guideline for Developers” at this time;
- that Policy H13 of the South Ayrshire Local Plan should be implemented on the basis of supporting identified need and social integration;
- that she was concerned that there would eventually be a point where housing developments would not have extant planning consent to provide affordable housing;
- that with the proposals, developers would be able to accumulate “landbanks”;
- of her concerns that many people might become homeless as they could not afford low cost homes or shared equity;
- that in her view, there was a need to provide social rented property in South Ayrshire;
- that the need for providing social affordable housing should lie with the Housing Service of the Council and not the Planning Service;
- that South Ayrshire had the highest need for social housing in Scotland;
- that the use of a public subsidy was only available to housing associations and for the building of Council houses;
- that the issue of accessing grant funding would be better undertaken by the Housing Service with a more corporate approach by this Council; and
- that it would have been more beneficial to consider the changes proposed in the report at the local development plan stage.

The Planning Manager responded to the questions raised by Councillor Moonie as detailed at (a) to (i) above.

Following a full discussion and having heard Councillor Convery, on behalf of the Portfolio-holder, various questions and comments were raised by Members of the Panel and the Planning Manager responded accordingly.

Decided: following review, that the decision of the Leadership Panel in respect of this matter be confirmed and implemented.

4. Minutes of previous meeting.

The Minutes of the previous meeting of 22nd March 2011 (issued) were submitted and noted.

5. Remit from the Leadership Panel: South Ayrshire Council Directorate Plans.

Reference was made to the Minutes of the Leadership Panel of 19th April 2011 (Page 242, paragraph 7) when it had been decided, having considered a report of April 2011 by the Head of Policy, Performance and Communication,

- (1) to approve the Children and Community Directorate Plan for 2011-14;
- (2) to approve the Corporate Services Directorate Plan for 2011-14;
- (3) to approve the Development and Environment Directorate Plan for 2011-14; and
- (4) to agree to remit these Plans to the relevant Standing Scrutiny Panels, to examine those sections that related to their specific remits.

The Performance and Change Management Manager referred to an extract (issued) from those plans relevant to the remit of this Panel and that this mapping would be used to present the six monthly performance reports to meetings of this Panel.

Having heard Councillor Convery, Portfolio-holder, questions were asked in relation to the various Directorate Tasks arising from the extract and various officers responded accordingly.

Decided: to agree

- (a) to note the updated Directorate Plans;
- (b) that, with regard to Directorate Task, entitled "Implement phase 2 of anti-dog fouling initiative", the Head of Legal and Administration in conjunction with the Trading Standards and Environmental Health Manager would examine if legally, those prosecuted for dog fouling could publically be identified by the Council; and
- (c) that the Executive Director – Development and Environment would respond directly to various Members of the Panel on issues that they had raised.

The meeting ended at 12.10 p.m.