

AT A MEETING
- of the
**REGENERATION, HOUSING,
ENVIRONMENT AND COMMUNITY SAFETY
SCRUTINY AND PERFORMANCE PANEL**
held at The Council House, Walsall on
Thursday 15 September 2005 at 6.00pm

PRESENT

Councillor I Shires	(Chairman)
Councillor Arif	(Vice-Chairman)
Councillor Anson	
Councillor Aslam	
Councillor Harrison	
Councillor Johnson	
Councillor Robinson	
Councillor Yasin	

CHANGES IN MEMBERSHIP

There were no changes in membership.

APOLOGIES

Apologies for non attendance were submitted on behalf of Jamie Morris, Councillor Andrews and Councillor Rose.

CHAIRMAN'S INTRODUCTION

Councillor I Shires welcomed members, Councillor Longhi and members of the public forum to the meeting of Regeneration, Housing, Environment and Community Safety Scrutiny Panel. He outlined the purpose of the meeting and indicated that copies of the agenda were available for public scrutiny. The chairman Councillor Shires advised that members of the public who were representatives of the Stonnall campaign about roads (SCAR) were in attendance to hear consideration of item 8 on the agenda, The West Midlands Local Transportation Plan 2005/06 to 2010/11. He suggested that the item be brought forward to the beginning of the meeting.

Members agreed to hear the item first on the agenda.

THE WEST MIDLANDS TRANSPORTATION 2005/06 TO 2010/11.

The report of the executive director was submitted: -

(see annexed)

Mark Clough Strategic Transport Manager was in attendance to give a presentation and outline the report to members and public present.

The following elements were outlined during the presentation: -

- Process and provisional documents supported by scrutiny on 26 April.
- Provisional LTP approved by cabinet on 11 May and full council on 4 July.
- Submitted at the end of July as required.
- Final document in the forward plan for 8 February cabinet and 6 March council.
- The final submission deadline end of March 2006.

During the presentation he outlined the key issues for regeneration as: -

- Access to employment.
- Tackling congestion.
- Scheme identification and prioritisation.
- Effective monitoring and delivery.

Mark Clough advised the panel that access to employment was a key issue that had been identified by this scrutiny panel's regeneration working group. He outlined the progress and proposals related to this area of work: -

- Currently assessing access to existing sites.
- Progress further for future developments (links with WRC and Black Country Study).
- Accessibility steering group proposed through strategic partnership framework linked to local area agreements (LAA).
- Informed development of a more flexible public transport system.

Mr Clough highlighted that tackling congestion was essential to ensure the following points: -

- Getting greater efficiency from existing network.
- Providing new highway capacity where it supports regeneration.
- Promoting model shift.
- Demand management.

Mark Clough advised members that this was not just about building new roads but tackling the congestion by looking at alternative modes of transportation. He identified that demand management, such as, parking and deferring traffic from the town centre was currently being considered to raise through the transport innovation fund which would look at innovative ways to reduce congestion.

Members were advised that the scheme identification and prioritisation schemes were regional processes for major schemes and local processes

currently being developed. He highlighted that Walsall has its own strategy which interlinks with local regional strategies and regional prioritisation schemes. He informed members that currently the chief executive and leaders of councils in the area were getting together to discuss what government want to know and identifying that potential regional funding rather than national funding would be the way forward.

When considering the effect of monitoring and delivery of integrated transport system and the maintenance block it was identified that there is a fundamental backlog of work in road maintenance which eats into funding and the programme of work needs to reflect allocations. He highlighted the importance of monitoring and delivery and emphasised that performance of the council will impact the amount of cash allocation to this authority. Members were advised that Walsall was looking at more flexible priority based programme to address increase and decrease of demand.

Mr Clough identified possible issues for scrutiny: -

- Feed into the development of the new scheme identification and prioritisation processes.
- Review effectiveness of new monitoring and delivery processes after the end of the financial year.

The chairman Councillor Shires thanked Mark Clough for the presentation. He highlighted the importance of the transport plan and the need for scrutiny to review effectiveness of the monitoring and delivery processes to ensure good performance and the funding received to the authority. Councillor Shires invited members of public forum to come forward and share their views with the scrutiny panel.

Mr Bird representative of the Stonnall campaign about roads stepped forward and spoke on behalf of other representatives in public forum. He said that the objections about building of new roads by Stonnall Village were the key reasons for them attending. He said that it was interesting that this panel recognised regeneration was looking at highway capacity and looking at existing infrastructure. He said it was not the purpose of their group to oppose regeneration but they could not understand the total unnecessary damage to the green belt by building roads when alternative methods could be looked at first, such as, tackling congestion. Mr Bird thanked the panel for listening to their comments.

Councillor Shires acknowledged the comments of Mr. Bird. He advised the panel and public present that the main purpose of the scrutiny panel was to receive reports back from working groups and new information from which working groups could be established to carry out a specific piece of work. He advised the public present that the opportunity to scrutinise the decision of cabinet had been missed and the call-in process was not possible at this stage. He acknowledged their frustration and asked the portfolio holder, Councillor Marco Longhi if would be like to comment.

Councillor Longhi thanked the scrutiny panel for the opportunity to inform the process. He advised that there was ongoing consultation between officers of the authorities involved with the eastern bypass. He assured members and public that alternatives were being looked at, such as, the Brownhills pedestrianisation; however for each alternative looked at, local consideration would be taken into effect and that these local considerations would effect development in different ways.

Members of the Stonnall campaign about roads voiced concerns that there were problems trying to get hold of information in the run up to the cabinet meeting. The chairman, Councillor Ian Shires sympathised with the lack of forward information and suggested that the forward plan could be improved to contain more information, he advised this was part of the learning curve in the new modernised process.

Tim Johnson highlighted that members can really start to be more innovative where capacity starts to emerge in funding. He advised that the regeneration working group through its work had begun to understand where flexibility occurs over time and recognised the need to ensure that any new developments were in line with long-term plans for regeneration of the area. He agreed that it was difficult to understand what lays beneath the outline applications in terms of detail and that some consideration of individual developments is necessary to align and prioritise future developments.

There followed a period of questioning by Councillor Anson relating to item 3.4.2 of the report submitted. He suggested that there were a number of major schemes impacting on Walsall over the next five years that were of immense importance, he emphasised that Darlaston SDA Access Project and the Walsall Town Centre Metro Scheme would have large impacts on regeneration.

Councillor Shires indicated that a number of the major schemes were already approved or provisionally approved. Tim Johnson advised that there would still be opportunity to influence final details with the possible exception of the Town Centre Transport Package. Keith Stone advised that the approval process reflects the sheer size of these major schemes. He advised that it was important to raise dialogue between parties and gave the example of junction 10 M6 flagging up that to raise a debate a suggestion may be put forward e.g. to implement a flyover, the purpose that that proposal being to generate a debate about possible alternatives and to increase public awareness.

Councillor Shires highlighted that Walsall Regeneration Company (WRC) was moving ahead on a number of major schemes in the town centre. He suggested that panel could receive feedback on these schemes and voiced concerns that partners were moving ahead in isolation. He suggested that panel should receive information about specific issues which would give it opportunity to look in detail and put something tangible to the transport plan. Councillor Shires said that in order to understand the huge remit of this panel

it is important to have a number of presentations to understand how things fit together. After a further period of discussion it was AGREED: -

- To note the presentation and report.
- To outline how key issues and developments fit.

MINUTES

Regeneration Housing, Environment and Community Safety Scrutiny and Performance Panel – 6 July 2005

AGREED

That the minutes of the meeting, copies of which had been previously circulated by approved and signed by the chairman as a correct record.

Regeneration Work Group – 17 May 2005

Panel AGREED

That the notes of the working group dated 17 May 2005 were received.

Telecommunication Work Group

Panel AGREED

To receive the notes of the working group.

Car Parks Work Group – 22 August 2005-09-21

Panel AGREED

To receive the notes of the Car Parks work group.

Councillor Robinson, lead member for the working group advised that the portfolio holders had been invited to give a steer to the car parking working group and invited Councillor Longhi portfolio holder for Environment and Transportation to pass comments.

Councillor Longhi said that the way that the council incorporates car parking into the regeneration agenda and planning applications ensures that the required minimum numbers of car park spaces are created and that any broad study in Walsall Town Centre would pickup this fact.

The chairman, Councillor Shires suggested that both portfolio holders attend the next working group meeting to help flesh out the remit identified by the group and also identify additional issues. Councillor Shires agreed with the portfolio holder that it made sense to look at the whole of regeneration in preference to car parks in isolation, however, he emphasised that by linking recommendations about car parks to the overall regeneration strategy panel could identify issues and make recommendations to improve service to public,

in particular access to the town centre, there by improving people movement and encouraging more visitors to the town.

Members agreed that it would be advantageous to have portfolio holders attend the work group meeting as there was a need to understand the portfolio holder's point of view and to give the working group an opportunity to add value to the process.

AGREED

To write to the portfolio holders for Environment and Transport and Regeneration to invite them to the next meeting of the car parks working group.

TELECOMMUNICATIONS MAST REPORT

The report of the working was submitted: -

(see annexed)

The chairman Councillor Shires requested the lead member Councillor Ayshea Johnson introduce the report.

Councillor Johnson began by thanking officers and members for their help and support throughout the work of the working group. Councillor Johnson advised that in October 2004 a working group was setup to consider health and planning issues relating to telecommunications equipment. She advised the panel that the work group had looked into health concerns, planning issues and concerns of the general public and felt that it had now met its remit. She said the work group has been productive and invited panel members to consider the report, in particular the findings and recommendations. She said that the work group recognised that issues relating to telecommunications mast will continue to be a concern nationally and that members of the public need to be informed of the findings of this report.

Members considered the report. Councillor Johnson drew attention to paragraphs: -

- 6.3 - Design of telecommunication equipment.
- 6.4 - Use of council land and buildings.
- 6.7 - The roll-out programme.
- 6.8 - Recycling of mobile phone handsets and equipment.
- 7.8 - Compliance with PPG8 and Walsall not pursuing independent research on health matters.

Councillor Longhi said that the institution of a working group to look at telecommunication masts was an excellent thing. He recognised that the issue was of public and members concern across the borough and irrespective of what the Stewart report said there were concerns about health in the community. Councillor Longhi questioned the scrutiny members

recommendations relating to council owned land and buildings and suggested that a normal planning application would meet this requirement, the development Control Committee would be able to give consideration to each application on its own merits.

Mr David Elsworthy advised that the request for a policy on the use of council owned land and buildings came from the mobile phone industry itself in the telecommunications event based at Bescot Stadium. He advised panel and the portfolio holder that the mobile phone industry representatives indicated that they did not think the council were active enough in use of council sites and encouraging usage by operators. Mr Elsworthy advised that the group had considered about being active in terms of trying to influence the right type of mast and location. Councillor Johnson added that the council has assets and the mobile phone industry questioned whether they were using them adequately. She said that perhaps there was a vacuum where the council could become more proactive as there have been indications that mobile phone operators did not feel that they could approach the council with schemes using council land and buildings. David Elsworthy said that the recommendation was to ask council if it should look at a policy to be proactive in finding a solution as often the planning authority ends up fighting at appeal.

The portfolio holder Councillor Longhi said that British Telecom had recently contacted officers about three G antennae being installed within the town centre. He indicated that this is an area to debate with operators and an ideal opportunity for the scrutiny panel to consider British Telecoms suggestions for one network in the town centre that could provide coverage for all networks.

Councillor Shires as chairman of the panel advised that the working group had met its original remit and he felt it essential to publish this work and make recommendation to council, however, requested the scrutiny panel give consideration to continuing the working group to take on board the portfolio holders request and look at telecoms 3G proposals.

David Elsworthy advised panel that the scrutiny report had highlighted consultation between the telecommunication industry and communities and what had led on from this work was the involvement of local neighbourhood partnerships in the roll-out programme. Members suggested the report be circulated to local neighbourhood partnerships and mobile phone operators. Mr Elsworthy advised that the original remit of the report had been stretched and that the group had tried to focus on a number of positive things as set out in the findings and recommendations of the report. He thanked the members for their enthusiasm and work on this work group and summarised that the report before members this evening was readable and understandable and was from the member's findings and the member's recommendations. Councillor Johnson thanked officers and all members for their contributions throughout the work group and looked forward to continuing with the work on 3G technology and she stated that all members need to open eyes to the telecommunication industry and work in partnership. Councillor Shires moved all recommendations set out in the report and that the working group does not stand down but continues to carryout the request of the portfolio holders in

respect of 3G technology. On being put to the vote the motion was carried unanimously: -

1. That the Regeneration, Environment, Housing and Community Safety Scrutiny and Performance Panel recommend to council the following: -

1. That Local Neighbourhood Partnerships be requested to include an item on their agendas in October/November each year to consider the roll-out plan for telecommunications equipment to give them an influencing role of preferred site options;
2. That Local Neighbourhood Partners be recommended to invite mobile phone operators to the meeting to give a brief presentation on the types of equipment available to enable members opportunity to gain a greater understanding of alternative equipment and its usage;
3. That the issues raised about misuse of mobile phones should be brought to the attention of the Children and Young People Strategic Partnership Theme Group to raise awareness of the issue and for the group to give consideration to the development of a policy to deter misuse of mobile phones in schools, colleges and youth facilities across the borough;
4. That the council endorses the adoption of new guidance notes for planning applications for the telecommunication operators;
5. That council request that:
 - i. Serco advise school governors of the requirement for telecommunication operators to consult when making a planning application close to schools.
 - ii. Serco be advised of the growing problems of misuse of phones and requested to consider possible preventative actions;
6. That the Executive Director for neighbourhoods be requested to develop mobile phone recycling initiatives in Walsall in conjunction with mobile phone operators and businesses;
7. To note that scrutiny panel welcomes cabinets decision to support the local government association in its campaign to remove permitted development rights from the town and country planning (general permitted development) order 1995 and requests that Walsall Council join any future local government association lobby relating to the effect of telecommunication equipment on health or the planning policy guidance;
8. That council endorse the current practice that Walsall Council follows the advice as set out in planning policy guidance note 8 telecommunications in:
 - i. Not pursuing independent research or findings relating to the effect of telecommunication equipment on health as this research is ongoing nationally and internationally and would be out of the reach of the council to play any meaningful part in this process;

- ii. To encourage the development of a stronger working relation and a greater understanding of the range of available equipment with a view to identifying potential suitable sites for the positioning of new mobile telecommunications base stations and in particular in the annual lead up to the roll-out planning to identify potential sites for the positioning of mobile phone equipment in October/November;
 - iii. That council request cabinet to give consideration to the feasibility of the use of council land and buildings to site telecommunication equipment and in doing so considers the feasibility of potential use of 50% of revenue to capacity build local neighbourhood partnership funds for future reinvestment in the local area;
9. To request that council note that any actions resulting from this work will be monitored by scrutiny and fed into the end of year review of scrutiny to council.
10. That the mobile telecommunication mast working group continue to meet with the following remit at the request of the portfolio holder give consideration to a proposition from British Telecom related to 3G telecommunication network in Walsall Town Centre and that the portfolio holder is advised of the findings of the working group

REGENERATION WORK GROUP

Councillor Shires referred to the document submitted: -

(see annexed)

Councillor Shires advised that the purpose of the report was to summarise the work of the group and to emphasise to panel the enormity of the task of scrutinising regeneration issues. He advised members that the work group had set an ambitious remit and soon recognised realistically they had to focus on one thing at a time and looked quite closely at transportation issues in relation to regeneration of the town centre. He drew member's attention to the findings of the report, that members had found that there was a need to link key elements when considering the long-term plans for regeneration and transportation and take into account the human factors of employment, choice of where to work and live and funding opportunity to enable more creativity within regeneration initiatives.

He identified that they had found many cross-cutting issues, transportation, buildings, physical regeneration, development, employment, social activities, but there was not an overarching group or strategic body to co-ordinate major projects and to ensure the best way forward for the borough over a period of time. Also drew attention to the potential of the accessibility planning software as a corporate tool for regeneration and forward planning.

AGREED

That the findings of the regeneration panel be noted.

THE BLACK COUNTRY STUDY

Mike Smith Principal Regeneration Officer was in attendance at the meeting to give a presentation and to respond to members questions. A copy of the presentation slides were circulated for members information: -

(see annexed)

Mike Smith outlined what the Black Country Study is and the implications for Walsall and the other Black Country Boroughs. He advised of the Secretary of States proposed changes to the Regional Spatial Strategy (RSS) for the West Midlands and that the purpose of the study is to assist in resolving the many interconnected issues affecting this part of the region.

He said this should advise on a broad range of issues including:-

- regeneration priorities
- the strategic role of town centres and Merry Hill,
- urban capacity,
- identification of employment land
- scope for environmental and town centre improvements
- ways of improving access to the regeneration site particularly on the eastern side of the Black Country.

He advised that the West Midlands Regional Assembly is responsible for improving changes to the Regional Spatial Strategy and outlined the programme. In addition to the programme he outlined the future stages, the preparation of preferred options, submission to the first secretary of state, preparation of local development frameworks.

Mike Smith outlined how members can influence the outcome through scrutiny by: -

- Understanding of the strategic issues;
- Member training 8 November (and on the local development framework 12 October);
- Local involvement 14 November onwards;
- Future cabinet and scrutiny panel meetings.

He opened the discussion for all members of panel and invited any comments that members may feel should be passed to cabinet.

The chairman Councillor Ian Shires thanked Mike Smith for the presentation and outlined how important it was for members to take advantage of this opportunity to input at an early stage into the Black Country Study. Councillor Shires urged members to become involved in the training sessions set out to gain knowledge and emphasised that only by having knowledge could members begin to understand how all of the strategic issues fit together to

gain a thorough understanding of the Regional Spatial Strategy and Black Country Studies.

AGREED

That members receive the presentation and continue to gain information and a greater understanding of the issues relating to the Black Country Study and regeneration of the region.

PLANNING BEST VALUE REVIEW IMPROVEMENT PLAN MONITORING

The report of the Executive Director was submitted: -

(see annexed)

David Elsworthy was in attendance to outline the report and advise that the report had been updated to reflect progress made to date with all individual actions attached to the report. He said that Members can see that good progress has been made in completing the tasks in the improvement plan. He referred more specifically to the issues that had shown improvement or deterioration known as exceptions, at items 1c, 4c, 6g and 8b.

In response to questions he informed members that-

- 1c/4c relating to the development of a mapping link with MIS (the planning application management software) in order to facilitate electronic communications/consultations. He said this had experienced some delay due to the E-access product being delayed in its development by our strategic software provider (MIS). He advised that the service had recently taken delivery of the product and is now being integrated into the existing MIS system with a view of it being online by October 2005.
- 6g – The production of a new supplementary planning document for use of planning obligations under section 106. He advised it was anticipated that this could be produced by now but the government had deferred making its proposed significant changes to the way authorities use section 106 funding until next year. He confirmed it would be prudent for any new supplementary guidance to be produced taking these changes into account and the local development scheme is to be amended accordingly.
- 8b – The completion of restructuring of planning and transportation by December 2004. He advised that whilst good progress is now being made this would not be completed at all levels until November 2005 following a full consultation produce commencing with the unions and staff which commenced on 20 July 2005. He confirmed that all service managers and group leaders had now been appointed.

Councillor Shires thanked officers for their update and requested clarification what methods are currently being used to monitor public satisfaction.

David Elsworthy advised that public satisfaction could be measured on a number of levels, through members of the public meeting the case officer or speaking at the development control meetings or through the complaints

procedure. He advised that through the best value process lots of consultation with stakeholders took place and the action plan was in place to deliver that. He further stated that the ongoing process was daily available for discussion about delivery of planning process. Members agreed that public satisfaction could be monitored at all levels.

David Elsworthy advised that the survey to agents and applicants covered a number of consultation areas and suggested that officers could widen the scope of that tick box questionnaires to include members. He confirmed that the consultation process needs to get better and advised in local areas there were improvements in consultation.

Councillor Shires referred to the number of call-ins from the planning forward plan and asked if the style of forward plan used could be improved to reduce the number of call-ins further for example by advising members if officers were likely to refuse or approve an application. Mr Elsworthy advised that officers could not advise members in that manner and go through early doors; he confirmed that the planning process needs to be transparent. He did suggest, however, that a paragraph could be included on the call-in form to state that if the item you call-in is recommended for refusal by officers, members are allowed to stand down from participating in a committee.

RESOLVED

That the planning best value review improvement plan monitoring is noted and that officer takes on board the panels comments.

CRIME AND DISORDER BEST VALUE REVIEW MONITORING

The review of Executive Director was submitted: -

(see annexed)

Nozmul Hussain was in attendance at panel to outline the contents of the report and to answer members questions. Mr Hussain advised that the report identified a number of key areas for improvement. Members questioned why the report was not in council format. Officers advised that the improvement report was not in council format because the Walsall Borough Strategic Partnership is not a council body, members were advised that the document format can however be adopted.

Councillor Shires voiced concerns that the work of the partnership was not feeding out to the community in particular police representatives at local neighbourhood watch meetings were not aware of some of the issues and some of the areas of work carried out by the partnership. He further voiced concerns that communication between police and local neighbourhood partnerships was poor. Nozmul Hussain acknowledged the concerns of the panel and advised that he was aware and was working on initiatives to co-ordinate communication with all elements of the community.

He outlined a number of partnership initiatives in the borough at this time: -

- Youth provision.
- Poop scoop.
- Information being available.

The chairman thanked Mr Hussain for his explanation and for his outline of the current position.

AGREED

That the content of the report be noted and that the plan should continue to be monitored until all elements are complete.

PERFORMANCE INFORMATION

AGREED

That consideration of the performance information be deferred to a special workshop to identify methods of scrutinising performance possible topics as specific indicators or regional performance.

FORWARD PLAN

Members welcomed the style of the information on the agenda bringing attention to the key issues for this scrutiny panel from the current forward plan. Members highlighted the telecommunications issue around installation of third generation recognising that the scrutiny work group had agreed to scrutinise that earlier in the meeting: -

- Councillor Shires highlighted the key decision relating to local area agreements. He informed that two workshops had been set up relating to local areas agreements as part of the member development programme on 19 October 4.00 p.m. 5.30 p.m. and 6.00 p.m. – 7.30 p.m.
- Members noted the UDP supplementary planning documents and requested that further information be circulated to local neighbourhood partnerships to give them opportunity for involvement and give a stronger steer to cabinet when receiving reports in February 2006 on Healthcare, Education Provision, Design Guide and Open Space and Recreation supplementary planning documents.

TERMINATION OF MEETING

The meeting terminated at 8.15 p.m.