

Agenda Item 8

COMMUNITIES AND PARTNERSHIP SCRUTINY COMMITTEE

Monday 18 June 2012

COUNCILLORS PRESENT: Councillors Clack, Darke, Haines, Humberstone, Jones, Kennedy, Altaf-Khan (Chair), Lloyd-Shogbesan (Vice-Chair), O'Hara, Sanders, Wilkinson and Wolff.

OFFICERS PRESENT: Lois Stock (Democratic and Electoral Services Officer) and Pat Jones (Principal Scrutiny Officer)

1. ELECTION OF CHAIR FOR COUNCIL YEAR 2012/2013

Resolved to elect Councillor Altaf Khan as Chair of the Committee for the Council Year 2012/2013.

2. ELECTION OF VICE CHAIR FOR COUNCIL YEAR 2012/2013

Resolved to elect Councillor Lloyd-Shogbesan as Vice Chair of the Committee for the Council Year 2012/13

3. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Jim Campbell.

4. DECLARATIONS OF INTEREST

In answer to a question from Councillor Jones about planning committees and the subject of the Councillor Call for Action (CCA) Michael Crofton Briggs (Head of City Development) indicated that he understood that members were free to discuss the topic provided that they did not declare a firm position on the St Clements car park development.

Noted.

5. COUNCILLOR CALL FOR ACTION RAISED BY COUNCILLOR WOLFF - RE-DEVELOPMENT OF ST. CLEMENTS CAR PARK

The Head of Law and Governance submitted a report (previously circulated, now appended) detailing a Councillor Call for Action (CCA) submitted by Councillor Dick Wolff.

Pat Jones (Principle Scrutiny Officer) presented the report to the Committee and explained the background. The Committee had to hear the representation from Councillor Wolff, and then it had several courses of action open to it. It could:-

- Decide to do nothing.
- Call for further information or take evidence to inform their view. To be clear the committee cannot instruct officers but can ask to see information the Council has.
- Form an opinion at the meeting and pass this to officers. This opinion does not have to be acted upon but the committee can require a response.
- Form an opinion and pass this to the planning committee responsible for the decision. They in turn will decide if this is material to their considerations.
- Report to Council or the City Executive Board should the committee believe there to be a systemic failure. Views do not have to be acted upon but the committee can require a response.

Councillor Wolff was invited to present his call for action.

Councillor Wolff's case.

Subject: The sale of St Clement's Car Park by the City Council and the subsequent planning proposal for the redevelopment of the site.

Councillor Wolff's main concerns were:-

1. The City Council is the landowner, and as a public body should give consideration to and balance the social and economic well being of its communities in the management and disposal of its assets. There are economic considerations in the disposal of this land which should be identified and evaluated. Mitigation measures should be suggested for any negative consequences identified.
2. He emphasised that it was the business of the City Council to be concerned about the vibrancy and life of East Oxford, but the current processes seemed to load this concern onto local traders. It was possible that the redevelopment of the car park would have an economic impact, possibly even a devastating one. The same economic considerations are material to the planning application to redevelop because of the value of this commercial area to the diversity of the City. The Planning committee needs to understand these issues and the effectiveness of mitigation measures. When it makes its decision.

The solution proposed by Councillor Wolff was that an Economic Impact study be commissioned by the Council and made available at the point of decision making on the planning application.

Ward Councillor responses.

Councillor Clack

Asked if this question was specifically about St Clements, of if it could be applied generally across the City? If it is specifically St Clements, how does that fit with the planning process, and is it relevant?

What would be the status of any economic impact study? Would it undermine the planning process?

Would it be better for the Committee to think more broadly – that is, how can we support local businesses generally in these difficult economic times?

Councillor Jones

There is a traffic survey, completed in April 2012, which is on the planning portal website. The evidence is large and detailed. It seems that the car park is only full on Friday and Saturday nights, when respondents to the survey said they were going out to a pub or restaurant. Members of the Committee were urged to look at this full and interesting traffic survey.

Economic impact is not a material planning consideration. If there was economic impact, it was likely to be on specific business, not business as a whole.

If this issues needs to be considered, it would be better to do so on a broader basis.

Officer comments

Michael Crofton Briggs – Head of City Development

Was trying to draw a distinction between the Council as a planning authority and the Council in any other role.

The traffic study was provided by the applicant as it was felt appropriate to do so. The planning committee starts with a neutral position, and the applicant then presents evidence that he/she feels supports the case for granting permission. In the same way, any objector submits evidence that he/she believes supports the case for refusal. It is hard for the Council to commission anything in relation to a planning application, although it can suggest issues to the applicant (such as a traffic study). It cannot, however, insist on anything.

Steve Sprason (Head of Corporate Assets)

The City Council has approved the disposal of the land to a developer, and it should be assumed that the Council had before it all the information that it needed at the time of disposal.

The Council as a landowner seeks to understand and mitigate potential problems. For example, in this case there will be the provision free shuttle bus to the temporary car park and a marketing campaign to give free local publicity to traders. The Council has gone as far as it can.

Debate

During general discussion of this item, the following main points were made:-

- We are already embedded in a process and this CCA comes at a very late stage;
- Disposal of the land was approved by the Council and the receipts will be ploughed back into services for the City;
- It is understood that the retail trade in Oxford is generally healthy, even in poor economic times;
- It is accepted that Councillor Wolff has concerns, but it is unclear what we can do;
- It may be better to consider the retail economy more broadly, and see how we can encourage and support a more vibrant retail environment;
- Don't think we could re-route buses, as is suggested in the CCA, and the other suggestions are not entirely possible either;
- There is often concern where the Council has a dual role, that is, as landowner and planning authority. Is it possible to have a reciprocal agreement with another Council, each to examine the other's planning applications?
- Councillors know their own "patch" better than anyone else. Planning committees make decisions in an open and transparent manner and they are also open to the public to attend. If people are dissatisfied, they can ask the Secretary of State to call in a planning decision, or they can ask the courts to review a decision;
- There is, and has been, an ongoing dialogue with the applicant to see how any economic impact could be mitigated;
- There is no evidence that there is a systematic failure here;
- Councillor Wolff could be advised to submit his comments to the relevant planning committee.

Outcome

The Committee thanked Councillor Wolff for his concern and for drawing this issue to its attention.

It decided, having considered all submissions placed before it both written and oral, that it would not call for further evidence or make any comments at this stage to officers, planning committees, Council or City Executive Board.

Instead, the Committee thought that that the best way to deal with the issue was to add to the Work Programme an item which would examine in general terms the viability of small businesses and district centres in Oxford, in order to see how the Council could help create greater economic vibrancy in the City.

Resolved to add the above item to the Work Programme.

6. WORK PLANNING 2012/2013

The Head of Law and Governance submitted a report (previously circulated, now appended) concerning the Committee's work programme for the Council year 2012/2013. Pat Jones presented the report and the draft Work Programme to the Committee and explained the background to it. She outlined the ways in which the Committee worked and explained the resources that were available to it.

The Committee expressed the following interests:-

- Role and duties of the Communities and Neighbourhoods team;
- Assistance for small businesses (arising from the earlier CCA);
- Role of Community associations;
- Finishing work on Area Forums (begun in the last Council year);
- Finishing work on helping young people into employment or training (also started in the last Council year);
- Standing panels for housing issues and educational attainment;
- Examination of the Customer Contact Strategy;
- Exploring local celebratory events (for example the Cowley road Carnival);
- Enfranchisement and empowerment.

It was agreed to have 3, rather than 4, formal committee meetings, in order to allow more work to take place within panels and review groups.

The following items and lead members were agreed:-

Issue	Panel / Lead Members
Supporting young people	Councillors Altaf Khan, Lloyd Shogbesan and Kennedy
Housing standing panel	Councillors Sanders, McCreedy, Humberstone and Campbell (to be confirmed)
Educational Attainment	Councillors Clack, Kennedy, Altaf-Khan, Jones and Campbell
Customer Contact	Councillors Wilkinson and Campbell (to be confirmed)
Health and wellbeing select committee follow up	Councillor Jones to continue
Enfranchisement and empowerment – to go to a Committee meeting	Lead members: Councillors Darke, Jones and O'Hara (to be confirmed)

Celebratory events – to go to a Committee meeting	Lead members: Councillors Lloyd-Shogbesan and Wolff
Supporting the local retail economy – to go to a Committee meeting initially, then consider how this might develop	
Community associations – to go to a Committee meeting	

7. MINUTES

Resolved to confirm as a correct record the minutes of the meeting held on 2nd April 2012, with one amendment: the addition of Councillor Altaf Khan as present at the meeting.

8. DATES AND TIMES OF FUTURE MEETINGS

Resolved:-

- (1) To note the dates of meetings for the rest of the Council year;
- (2) That the Principle Scrutiny Officer and Democratic Services Officer would consider the dates and recommend one to be removed as previously agreed – this was likely to be the 3rd December meeting.

The meeting started at 6.00 pm and ended at 8.00 pm