

DEVELOPMENT AND REGENERATION SCRUTINY COMMITTEE

MEETING, 26TH MARCH, 2007

Present – Councillors A.S. Walsh (Chairman), Bashir-Ismail, Critchley, Darvesh, Dennis, Gradwell, Hayes, Hornby, Lever, Peel, J. Rothwell, Rushton, David Wilkinson and Williamson.

Lay Members

Mr. F. Fletcher	-	BATRA
Ms. J. Horan	-	BATRA

Also in attendance

Councillor Adia	-	Executive Member for Development
Councillor Zaman	-	Executive Member for Regeneration
Mrs. M. Stoney	-	Assistant Director of Legal Services
Mr. J. Smethurst	-	Chief Housing and Regeneration Officer
Mr. H. Barritt	-	Head of Planning Control
Mr. D. Houghton	-	Head of Highway Services
Mr. R. Binks	-	Policy Accountant
Mr. G. Handley	-	Principal Research Officer, Planning Division
Mr. P. Cathery	-	Team Leader, Sustainable Development Division
Mr. I.D. Mulholland	-	Principal Democratic Services Officer

Apologies for absence were submitted on behalf of Councillors Ashcroft and Mrs. Ronson.

Councillor A.S. Walsh in the Chair.

71. MINUTES

Resolved – That the minutes of the proceedings of meetings of the Committee held on 29th January, 2007 (Ordinary) and 29th January, 2007 (Budget) were submitted and signed as a

correct record, subject to the insertion of Councillors Hayes and Williamson in the attendance list for the Ordinary meeting held on 29th January, 2007.

72. PROCEEDINGS OF MEETINGS OF THE EXECUTIVE MEMBER FOR DEVELOPMENT

The proceedings of meetings of the Executive Member for Development held on 26th February and 19th March, 2007 were submitted.

Further to Minute 128 of the meeting held on 19th March, 2007, in relation to Farnworth Market Precinct, Members indicated their desire for a fully integrated approach to development in Farnworth and that the local liaison group meetings were progressed further.

Resolved – (i) That the decisions of the Executive Member be noted.

(ii) That the Executive Member for Development be notified of this Committee's desire for there to be a fully co-ordinated approach to development matters in Farnworth and to ensure that the local liaison group is further progressed.

73. PROCEEDINGS OF THE MEETINGS OF THE EXECUTIVE MEMBER FOR REGENERATION

The proceedings of meetings of the Executive Member for Regeneration held on 26th February and 19th March, 2007 were submitted.

Further to Minute 71 of the meeting held on 19th March, 2007, in relation to Former Tenants – Bad Debts Write Offs 2006/2007, Members expressed some concern regarding the over reporting of this standard issue in the Bolton News, together with general issues of inaccurate reporting of information emanating from the Council.

Resolved – That the decisions of the Executive Member be noted.

74. EXTRACT OF THE PROCEEDINGS OF THE MEETING OF THE EXECUTIVE

An extract of the proceedings of the meeting of the Executive held on 5th March, 2007 were submitted.

Resolved – That the decisions of the Executive be noted.

75. PROCEEDINGS OF THE DEVELOPMENT AND REGENERATION POLICY DEVELOPMENT GROUP

The proceedings of meetings of the Development and Regeneration Policy Development Group held on 12th February and 12th March, 2007 were submitted.

Resolved – That the proceedings of the meetings be noted.

76. PROCEEDINGS OF THE HOUSING POLICY DEVELOPMENT GROUP

The proceedings of meetings of the Housing Policy Development Group held on 5th and 12th March, 2007 were submitted.

Further to Minute 42 of the meeting held on 5th March, 2007, in relation to, Affordable Warmth Update – Improving Energy Efficiency in Bolton's Private Sector Housing, Members highlighted the need for this matter to be given plenty of publicity.

Resolved – (i) That the proceedings of the meetings be noted.

(ii) That further updates in relation to the Affordable Warmth initiative and its impact be presented to future meetings of this Committee.

77. PROCEEDINGS OF THE ALMO MONITORING GROUP

The proceedings of the meeting of the ALMO Monitoring Group held on 29th January, 2007 were submitted.

Members were advised that a form had been e-mailed to all Members of Council asking for details of areas of concern that could be factored into the forthcoming Policy Development Work Programme.

Members of the Committee subsequently indicated that they had not received such a request.

Resolved – (i) That the proceedings of the meeting be noted.

(ii) That Members of Council be circulated with further copies of the form requesting information on areas of concern for possible consideration by the Policy Development Group at future meetings.

78. DEVELOPMENT AND REGENERATION SCRUTINY WORK PROGRAMME

The Director of Legal and Democratic Services submitted a report which put forward the Scrutiny Work Programme for 2006/2007.

Resolved – That the report be noted.

79. SUSTAINABLE DEVELOPMENT SCRUTINY PANEL UPDATE

The Committee was advised that the Panel had recently received a presentation from the Co-operative in terms of best practice whilst marketing products. Also, Professor John Handley from the University of Manchester recently advised Members regarding the future of climate changes and the effect this would have on the Greater Manchester region, in particular Bolton.

Resolved – That the progress of the Panel be noted.

80. INCONVENIENT TRUTH CLIMATE CHANGE FILM

The Director of Development and Regeneration submitted a report which advised Members of a film, produced by Al Gore, on the issue of climate change.

The report indicated that Al Gore's film on climate change was generally regarded as the best and most coherent summary of this issue in a single presentation or package currently available. So much so, in fact, that HM Government had issued the DVD to all secondary schools.

Over the last two years, Members had received a number of presentations on climate change issues, most recently at the Sustainable Development Scrutiny Panel, where Members had a presentation by Professor John Handley from Manchester University on climate change adaptation.

The report went on to indicate that the content of the film helped contextualise, both directly and indirectly, an increasing number of Council priorities and work areas, including, for example, the new Environment Strategy 2006-2011, the draft Procurement Strategy and the draft Supplementary Planning Document on Sustainable Design and Construction. The film also helped to identify what Bolton Council needed to start planning for financially and operationally.

There was a general perception that the local authorities should be leading on this issue, doing things as organisations, as well as raising awareness with residents and partners alike. Bolton Council, therefore, had a vital role to play planning for reducing CO₂ emissions and planning for dealing with the consequences of climate change that was already experienced and would continue and become more severe.

Resolved – That a meeting of Informal Council be arranged, in order for all Members to view the Al Gore, Climate Change film.

81. THE PEOPLE IN BOLTON REPORT – KEY FACTS AND FIGURES

The Director of Development and Regeneration submitted a report, appended to which was a copy of the People in Bolton Report.

By way of background information, the report indicated that the purpose of the People in Bolton report was to contribute towards the evidence base needed to support decision-making across the Council. It included a combination of key socio-economic information for Bolton, an assessment of trends and the identification of areas of greatest need.

The report also served as a useful document to provide information to the public, partners and other external organisations and agencies.

Members were advised that this was the fourth edition of People in Bolton and, where possible, the report included updated information.

The report also made use of a broad range of nationally available secondary data sources and included the following themes:-

- population;
- ethnicity and religion;
- families and households;
- health and care;
- workforce and qualifications;
- jobs and earnings;
- occupations;
- cars and travel to work; and
- deprivation.

In conclusion, it was indicated that this information would be utilised at a strategic level to inform other strategies rather than on day to day control matters.

Resolved – (i) That the report be welcomed.

- (ii) That the Director of Development and Regeneration be asked to circulate to Members ward-based statistical information in this regard.

82. RISK MANAGEMENT IN DEVELOPMENT AND REGENERATION, 2007/08

The Director of Development and Regeneration submitted a report which aimed to bring Members up to date with the identification and management of significant risks within the Development and Regeneration Department.

By way of background information, the report explained that as part of the Corporate Business Planning Process (CBPP), which the Council undertook every year, significant and wide reaching risks should be identified and management plans put in place to manage those risks. This process of risk identification was linked very closely with the Big Issues exercise, which occurred a little later in the business planning cycle. While the identification of a risk might not have significant financial consequences, in many cases it would, and the Big Issues paper generated by the Department would reflect those financial implications. Furthermore, because the Council had now created a new Development and Regeneration Department, it was considered appropriate to look at the risks which had been identified by areas of the Department formerly in Chief Executive's and Environment Departments.

The corporate risks were held centrally in a database managed by the Director of Corporate Resources, who took a lead role for the Council in the management of risk. The database was being constantly updated to reflect changing circumstances.

Resolved – That the position be noted.

83. COUNCIL POWERS IN RESPECT OF UTILITY WORKS

The Director of Environmental Services submitted a report which responded to Members' concerns over the reinstatement to Bolton Road, Farnworth by the National Grid and the powers

the Council had to stop various utilities causing substantial damage to the road surface in the Borough.

By way of background information, the report indicated that at the Development and Regeneration Scrutiny Committee meeting held on 29th January, 2007, the Director of Environmental Services was asked to explore the issue of unsatisfactory repairs to Bolton Road, Farnworth, following National Grid works and that Members of the Committee be informed of the outcome. Furthermore, the Director of Environmental Services was asked to submit a report to the next meeting, detailing what powers the Council had to stop the nuisance of various utilities causing substantial damage to road surfaces in the Borough.

Members were advised that on 15th January, 2007, the National Grid commenced major gas main renewal work on Bolton Road, Farnworth. Prior to the start of work, a co-ordination meeting was held between the street works co-ordinator, traffic management and the police. It was agreed that the works would be inspected on a daily basis and any non-compliant reinstatement would be brought to the site engineer's attention as soon as it was noticed and the utility told to carry out remedial work before they left site, thus avoiding further disruption. Members were informed that during the process, the inspector had identified some unsatisfactory sections of the highway reinstatement and brought these to the National Grid's attention.

These were to be rectified by the end of March, 2007.

In terms of Statutory Powers, the report explained that under the New Roads and Street Works Act (NRSWA) 1991, a utility company had a statutory right to carry out works to their apparatus in the street or highway. However, Section 60 of the above Act placed a duty on the undertakers to use their best endeavours in regard to street works, to co-operate with the street works authority with respect to:-

- a) the interests of safety;

- b) minimising the inconvenience to persons using the street; and
- c) protecting the structure of the street and the integrity of the apparatus in it.

The report went on to indicate that the Council had the power to refuse entry for a utility to dig up a street if major refurbishment or resurfacing work had been carried out within the previous twelve months, unless the work was of an emergency or urgent nature. However, in the case of Bolton Road, resurfacing was completed in October, 2004, so on this occasion the Council were powerless to stop them.

In terms of reinstatements and standards, the report indicated that provisions were made within NRASWA that all utility reinstatements had to comply with the Code of Practice, "The Specification for the Reinstatement of Openings in Highways", which gave permitted tolerance levels for reinstatements. A utility reinstatement was guaranteed for a minimum of two years, three years if over 1.5m deep. If at any time within the guarantee period the reinstatement failed, the Council had the power to defect the works and charge them for inspecting remedial work. The two year period would then begin again after remedial works.

As a last resort, the Council could complete remedial works themselves and recharge the utility any costs incurred in doing so.

Members in their deliberations made the following salient points:-

- the need for there to be regular meetings with the utilities to inform the forward planning issue;
- the need to encourage statutory undertakers to share their plans with the Local Authority more than a year in advance; and
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the need to be aware of what challenges the Council had made to the various utilities and any court action undertaken.

Resolved – (i) That the report be welcomed.

(ii) That the Director of Environmental Services be asked to furnish Members of this Committee with information regarding what challenges the Council had recently made to the various utilities in respect of inadequate works.

(iii) That Members of this Committee be also advised of costs that are incurred by the Council owing to problems caused by the various utilities.

(iv) That the Director of Environmental Services be asked to prepare a briefing note, for use by Members of Council and the public, summarising what regulatory powers the Council has in order to prevent nuisance caused by the various utilities.

**84. DEVELOPMENT AND REGENERATION, 2006/07
BUDGET EFFICIENCY AND PERFORMANCE
MONITOR – 3RD QUARTER**

The Director of Development and Regeneration submitted a report which set out the anticipated revenue and capital outturns and the Best Value Performance Indicator Performances for 2006/07, in respect of the Development and Regeneration Department.

In their deliberations, Members referred to the cost of the recent visit by representatives of the Council to the business meeting in Cannes and the need to counter some of the negative publicity the visit received.

The Executive Member for Development explained that the visit had been funded from the Departmental budget and had been of tremendous value in terms of meeting key developers. In respect of publicity, he highlighted that the meeting had been the subject of a two page spread in the business section of the Bolton News and also a substantial mention in the Manchester

E11

Evening News.

Resolved – That the report be noted.

(The meeting started at 6.00 p.m. and finished at 7.27 p.m.)

E12

NOTES