

North Yorkshire County Council

Transport, Economy and Environment

Overview and Scrutiny Committee

Minutes of the Meeting held at County Hall, Northallerton on 4 April 2012 at 10.00 am.

Present:-

County Councillor David Jeffels in the Chair.

County Councillors: John Blackburn, Mike Cockerill, Michael Heseltine, Robert Heseltine, J W Marshall, Don MacKenzie, Penny Marsden, Stuart Parsons, John Savage, Cliff Trotter,

Officers

David Bowe	Corporate Director Business & Environmental Services (BES)
James Farrar	Assistant Director Economic and Rural Services (BES)
Graham Venn	Assistant Director Trading Standards (BES)
Carl Bunnage	Regional and Strategic Policy Team Leader (BES)
Mark Young	Flood Management Officer (BES)
Lorraine Laverton	Corporate Development Officer Chief Executive's Group

Four members of the public attended.

Copies of all documents considered are in the Minute Book

70. Minutes

That the Minute of the meeting held on 25 January 2012, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

With an amendment to include County Councillor Robert Heseltine in the attendance list.

71. Public Questions or Statements

The Chairman decided to take the public statements at agenda item 5; Renewable Energy Policy: Proximity of Homes to Wind Turbines.

72. Business and Environmental Services

Considered –

The oral update report from the Corporate Director – Business & Environmental Services.

Mr Bowe updated the Committee on progress on the Directorate savings plan. The savings of £10.3m for the financial year 2011-2012 had been made. An additional £3.4m had been awarded to the Local Enterprise Partnership (LEP) 'Growing

Places' fund. A report is scheduled to be presented to the Executive for their approval on the allocation and utilisation of LEP funds.

Mr Bowe also highlighted to the Committee;

- The successful changeover of the Highways Maintenance contract that had been completed over a single weekend. There are some staff working for the contractors who will be in a redundancy situation. The new contract will see a focus on more planned works rather than reactive. The use of handheld technology will mean a central control hub can effectively coordinate works and should result in being able to do more for less.
- The Bedale, Aiskew and Leeming Bar Bypass (BALB) is moving forward. There is an element of financial risk but the Executive are kept informed and could at any point decide not to go ahead.
- The County Council is the lead Authority for 'e-crime' nationally and is keen to ensure there is a level playing field for all those trading on the internet.
- The first consultation on reducing street lighting had taken place in the Bilton area of Harrogate. Mr Bowe highlighted this as a key area of public engagement in which Members should be involved in their local area.
- The consultation on the civil parking process is ongoing and the results will be fed back to the Committee.
- The Waste Private Finance Initiative (PFI) is with planning officers and there is nothing further to report at this stage.

A Member raised a concern around the allocation of LEP funding having to go through the County Council's Executive as he felt it opened the process up to the possibility of stalling as the decision may be 'called in' by Members.

Mr Bowe responded that as it was public moneys it was quite right that the allocation of LEP funding should be undertaken in an open and transparent way. This does mean that Members could 'call in' the decision but an element of challenge is a good thing.

A Member raised an issue regarding the handover of the highways maintenance contract and the implications on the rectification of what he called 'sub standard works' on the Richmond market place.

Mr Bowe responded that the outgoing contractor has a one year guarantee and this means that they are responsible for putting right any defective works. The option for the contractor is to either physically do the remedial works themselves or to 'pay' NYCC to do the work. NYCC has to ensure whichever option is taken the Authority does not lose out financially.

Resolved –

To note the information in the report.

73. Economic Development

Considered –

The report of the Assistant Director Economic and Rural Services – Business & Environmental Services. to update the Overview and Scrutiny Committee on the work of the Economic Partnership Unit whose primary role is to drive economic growth through the support of the York, North Yorkshire and East Riding Local Enterprise Partnership (LEP).

Mr Farrar outlined to the Committee the priorities for the York, North Yorkshire and East Riding Local Enterprise Partnership (LEP) as; Access to Finance; Networks; Broadband; Skills; Visitor Economy; Agri-Food.

The LEP has been awarded £9.4m in total for the 'Growing Places Fund' and this money would be focussed on removing infrastructure barriers to create jobs.

There had been an unsuccessful bid for the Rural Growth Network fund of £3.25m however the LEP will still implement its programme with support from the private sector.

A key message that came out of Members comments and questions is the need for the District, Borough, County Councils and the LEP to work together and pool resources where possible.

Resolved –

The Committee noted the report and congratulated Mr Farrar on an informative and enthusiastic presentation.

74. Renewable Energy Policy: Proximity of Homes to Wind Turbines

Considered –

The report of the Corporate Director – Business and Environmental Services to update and propose a draft position for the Council to consider on the matter of Proximity of Homes to Wind Turbines in North Yorkshire, and seek an overview and scrutiny recommendation in respect of the options presented in the report.

The Chairman invited Mr Derek Partington to speak

Mr Partington circulated a paper for Members a copy of which is in the minute book. He thanked the Committee and advised the Committee he is Chairman of Appleton Wiske Parish Council and not a member of the Scientific Alliance as stated in the report.

He went on to update the Committee that regional targets for renewable energy have been scrapped and, even so, if some 40% of wind farms already in planning were consented, the UK would meet its overall 2020 target. So he believes there is no need to pepper North Yorkshire with wind turbines.

He asked the committee to support option b.

The Chairman invited Dr Howard Ferguson to speak

Dr Ferguson thanked the Committee and went on to say that the requirement for a Minimum Separation Distance arises because of the impact of noise, shadow flicker and visual impact on residents. For all of these factors a minimum offset distance provides an effective method of protecting the interests of residents. The impact of all these factors decreases with distance.

He suggested an alternative form of wording for the recommendation;
An approach based on the fixed 2 km separation distance sought by Overview and Scrutiny in November 2011 that, to be in line with national policy, places a requirement upon the developer to provide evidenced reasons for reduced separation in respect of noise, shadow flicker and visual impacts and in order to ensure the integrity of residential amenity the minimum separation distance should not be less

than 10 times total height (to blade tip) of the turbine from any residence that is not financially involved.

The Chairman thanked the members of the public for their contribution and asked Mr Venn to present the report.

Mr Venn opened by reiterating to the Committee that the County Council is not a local planning authority and therefore not usually the determining authority for windfarm development applications, but it would be helpful if the County Council were to put forward a stance for the siting of on shore wind farms as we are a statutory consultee for larger developments. However Mr Venn wanted to make it clear that the County Council can only seek to influence any decisions taken by local planning authorities and could not, and would not wish to, dictate to those Authorities. Mr Venn went on to suggest an addendum to option b to include a statement around the siting of wind farms in and around National Parks, Areas of Outstanding Natural Beauty and other protected landscapes.

Resolved –

That it be recommended to the Executive that any County Council policy around renewable energy should include the statement that:

The County Council considers that there should be a presumption against commercial scale wind farms being developed within a two kilometre distance of residential properties.

and

That National Parks, Areas of Outstanding Natural Beauty and other protected landscapes, and their settings, are inappropriate for commercial scale wind turbine development given their intrinsic beauty and character.

75. Update on the development of the Local Flood Risk Strategy

Considered –

The oral report of the Flood Management Officer Mark Young

Mr Young updated the Committee on progress in developing the Local Flood Risk Strategy. He advised Members that this was the first time we have had a comprehensive strategy. He went on to inform the Committee that the Strategy will include; policy documents around the duty to investigate; the new powers regarding works affecting the water course; emergency planning and how we are working with partners. The Strategy will be kept as concise and simple as possible and it was hoped to have a first iteration ready for consultation by Spring 2013. The findings from that consultation would be fed back to the Committee at that time.

Resolved –

The Committee resolved to note the information in the report and to schedule a report onto its work programme on completion of the consultation.

76. Work Programme

Considered –

The report of Lorraine Laverton Corporate Development Officer.

The Committee were informed of the proposal to set up a Scrutiny Task Group to look at a protocol around Vehicle Activated Signs. The draft scoping document for

this was attached as an annex to the report. The Committee was asked to put forward Members to sit on the Task Group.

Resolved –

Members resolved to

- (a) Note the information in this report;
- (b) Agree the Committee's work programme.
- (c) Agree the draft scope for the scrutiny task group on Vehicle Activated Signs
- (d) Agree the Membership of the Task Group as County Councillors David Jeffels, Michael Heseltine, Robert Heseltine, Mike Jordan and John Savage.

The meeting concluded at 12.40 pm.

LL/ALJ