

SOUTH EAST ENGLAND COUNCILS

MINUTES OF THE ALL-MEMBER PLENARY MEETING

Tuesday 8 November 2011

Royal Horticultural Halls & Conference Centre,
80 Vincent Square, London SW1P 2PE



Present: See attached attendance list.

1. **Apologies, Declarations of Substitutes and Declarations of Interest**

1.1 These were recorded on the attendance list (attached). No declarations of interest were made.

2. **Minutes of SEEC Plenary & AGM on 13 July 2011 and Matters Arising Not Elsewhere on the Agenda**

2.1 The minutes of the previous Plenary were agreed as a true and accurate record.

2.2 Paul Watkins explained that Moira Gibson (Surrey Heath) has been elected Chairman of the districts' group, with Arif Hussain (Wycombe DC) as Vice-Chairman. Arif will now be invited to join SEEC Executive as an ex-officio member.

2.3 Martin Tett, SEEC's lead for economic development & skills, proposed a workshop looking at skills and employment opportunities for young people.

ACTION 1: SEEC to arrange a date for the conference late February/early March and circulate further details to members.

3. **Delivering infrastructure and transport investment in the South East**

a) Infrastructure Planning Commission (IPC) – role and relationship with local authorities: Ian Gambles, Director of Operations, IPC

3.1 Ian explained the six step planning process for major infrastructure projects, which are above a threshold set in the Planning Act 2008:

- Pre-application: Applications must be project specific and include extensive consultation with local authorities and the local community.
- Acceptance: IPC has 28 days to determine whether an application is fit for examination.
- Pre-examination: The developer must give everyone an opportunity to register their interest in the application with the IPC.
- Examination: A panel of commissioners conducts an examination within six months. The examination primarily considers written representations but there will also be hearings, including an open floor session..
- Recommend/Decision: Commissioners publish their report. From April 2012 IPC will no longer make decisions but will make recommendations to the Secretary of State, who will have three months to make the final decision.
- Post Decision: There is no appeal against decisions, however there is a short window in which applications for judicial review can be made.

3.2 About 80% of IPC's current workload is energy related. There are also road and rail, waste water and hazardous waste projects. In the South East there are three off-shore wind farm proposals and a number of other energy and transport projects. The potential investment value of projects is estimated at £150 billion.

- 3.3 Local authorities have a significant role but this can mean a call on council resources to ensure local views are represented, for example at the Examination and input into:
- Statutory consultations.
 - Planning Performance Agreements.
 - Designing Statements of Community Consultations
 - Negotiation of s106 agreements.
 - Advice on adequacy of consultation.
 - Local Impact Report.
 - Enforcement.
 - Advocacy, assistance, information source, local voice.
- 3.4 In 2012 the IPC will merge with the Planning Inspectorate. The Localism Act passes decision making to the Secretary of State. Decisions in accordance with National Policy Statements (NPS) are subject to exceptions and depend on different rates of progress in finalising each NPS.
- 3.5 In discussion members highlighted points, including:
- Definition of thresholds.
 - Total capacity expected to be provided by wind farms.
 - Statutory timeframes for decisions and recommendations.
 - Structure of the Planning Inspectorate.
 - Information available to local Planning Officers.
 - The possibility and legality of the Secretary of State deferring a ruling.
- 3.6 The following question was raised and answered by IPC after the meeting.
Ricky Bower – Arun DC asked: *“What is the relationship between IPC’s s106 requirements and the work local authorities are doing on s106 and Community Infrastructure Levy (CIL) charging schedules?”*
- Ian Gambles – IPC replied: *“The IPC has no powers to enter into agreements for the payment of CIL, so agreements would need to be directly between developers and local authorities. Moreover, CIL cannot presently be levied on structures such as pylons, wind turbines, roads, railways, or buildings into which people either do not normally go or only go into intermittently for the purpose of inspecting or maintaining fixed plant or machinery. The majority of applications to the IPC are therefore unlikely to be eligible for CIL. Discussions between local authorities and developers relating to the IPC are therefore normally likely to be framed in the context of s.106 obligations rather than in the context of CIL.”*
- b) Delivering superfast broadband in the South East: Jill Powell, Director, Next Generation Access (NGA) and Peter Cowen, Partnership Director South East, BT Openreach**
- 3.7 Jill explained that BT Openreach provides services and access to local networks for 400+ communications providers. They also provide new lines, maintenance and repair of the local network, spending about £2 billion a year and employing 30,000 engineers.
- 3.8 £2.5 billion is being invested in the roll-out of fibre broadband cabling to replace copper wiring. There are more than 300,000 users on the fibre network already and BT is on target to exceed 10 million premises connected by 2012.

- 3.9 UK Government has pledged £830 million to get 90% NGA coverage in the UK, administered by BDUK. Local authorities and other public sector partners can play a key role in the successful delivery of broadband, such as:
- Working with BT Openreach to build NGA plans.
 - Ensuring that all new developments are viewed as fibre opportunities.
 - Supporting local opportunities for new technology pilots.
 - Visiting providers' Superfast Broadband Showcases to absorb the latest information and share views.
 - Encouraging planners and highways departments to work closely with Openreach to maximise deployment of NGA enabled.
- 3.10 In discussion members highlighted points, including:
- Concerns about broadband availability and insufficient speeds in rural areas.
 - The need to invest in the South East as a driver of the economy and increase speeds for small businesses to international standards.
 - The minimum speed of BT Infinity (which is 15Mb).
 - Relationship with the Growing Places Fund.
- 3.11 The following question was raised but we are still waiting from BT for a response. *"You talked about bringing forward the BT plan to 2014. I therefore assume you must have a plan in place for unbundling all your exchanges for 2014. Will you share that with local authorities? I know you share the imminent unbundling but in terms of the whole programme which I assume you must have in place, will you share that?"*

ACTION 2: Jill and Peter to answer a question regarding unbundling raised by David Robertson from Oxfordshire CC.

c) Department for Transport – investment plans and working with local partners: Peter Lee, Head of Sub-National Policy & Delivery, DfT and

d) SEEC strategic transport work – debate led by Cllr David Robertson, SEEC Transport Convenor

- 3.12 Peter Lee explained that the government has invested significantly in the South East and that together with London it has seen some of the largest investments in transport over the last decade. He said other areas looked at South East investment with envy. As well as large improvements such as the Hindhead Tunnel, Reading station and Crossrail, they have also funded smaller improvements. For example:
- The South East will receive £190 million in integrated transport funding for small projects such as bus shelters, drop kerbs and junction improvements. This is more than any other region over the spending review period.
 - Three areas of the South East are bidding for a share of the £28 million of Local Sustainable Transport Funds (LSTF) and there are five successful Regional Growth Fund (RGF) bids in the South East.
 - Some 20% of the Growing Places Fund was allocated to the South East - not just for transport but also for broadband, flooding and other projects to unlock economic and housing development..
 - The Growing Places Fund is additional to the DfT's major scheme money.
- 3.13 Peter explained the new Transport Secretary was keen on devolving responsibility to localities and there would be a pause while she considered how best to achieve this. The DfT was already cutting bureaucracy for councils, reducing funding streams from 26 to just 4. He said there could be a role for local authorities to join up views and best practice if they wanted to work this way – for example helping set priorities for rail and Highways Agency projects.

- 3.14 The Chairman asked David Robertson, SEEC Transport Convenor to lead the discussion on these issues. He started by pointing out that capital spending in the South East over the past 5 years was the lowest in England – at £233 per head in the South East compared with £662 per head in London.
- 3.15 In his role as SEEC Transport Convenor he had asked for member feedback on strategic transport issues. Key issues included:
- the need for better strategic rail links to, from and through the South East
 - the need for road network improvements to reduce congestion and alternatives to car travel
 - members also stressed they want to retain their ability to access funding within their own Highway Authorities.
- 3.16 He said it was difficult to see how SEEC could influence DfT decisions when the members are not speaking with one voice about major cross boundary schemes. SEEC should consider how to go forward.
- 3.17 He said DfT consultation was expected on using Transport Consortia, a group of LEPs, rather than highway authorities to help decide how transport capital funding will be distributed. If this goes ahead, SEEC could look at key organisations and aim to work with them, especially as SEEC's resources for this would be limited, calling on voluntary support from officers in member councils.
- 3.18 Peter said the DfT still sees Transport Consortia as a good idea, offering a critical mass of support for larger schemes and better trade offs between schemes with different funding profiles. Organisations representing a larger interest could have a resonant voice within government and would be easier for the DfT to deal with given its limited resources.
- 3.19 In discussion members highlighted points, including:
- Working with the DfT as a group of local planning authorities who have a shared transport interest.
 - The respective roles of local authorities and LEPs, given LEPs' lack of democratic mandate.
 - The DfT approach to freight interchanges and national ports policy.
 - Delays in Highways Agency projects.
 - Whether HS2 investment would preclude other major projects.
 - Improvement of existing rail networks and the need for longer franchises and larger investment.

ACTION 3: Officers to work with SEEC Transport Convenor to suggest a way forward on transport issues.

4. Migrant worker skills in the South East economy: Speaker Marc Bayliss, Worcester Research

- 4.1 Marc outlined new research commissioned by SESPM on EU migrant workers from the 'A8' countries that joined the EU in 2004 (for example, Poland and the Czech Republic).
- 4.2 The research covers 7 LEPs with a South East footprint and Buckinghamshire. By highlighting industries and occupations using A8 labour the research helps identify where local training provision could help indigenous workers to fill vacancies that currently rely on migrant labour.

- 4.3 Within the study area key findings were:
- In 2010, a total of 22,953 A8 migrant workers were employed.
 - A8 migrants accounted for approximately 0.4% of total workforce.
 - Since 2007 there has been a 38% fall in the number of A8 migrants employed by companies.
 - Only the South East Midlands LEP saw a small increase in A8 workers in 2010 compared with 2009.
- 4.4 Most roles filled by A8 migrants were low or semi-skilled. This is very different from non-EU migrants who tend to be employed in professional and managerial roles. Almost a quarter of all A8 migrants were employed as process operatives in manufacturing. Other key roles where migrants were employed included warehouse operatives, packers, farm workers, cleaners and domestic staff.
- 4.5 All local authority areas experienced some inward migration of A8 migrants in 2010, highest in Northampton, Luton, Maidstone and Southampton. However there are no figures that measure migrant workers leaving the UK.
- 4.6 In most cases there appears to be no shortage of UK nationals looking for roles filled by A8 migrants but it is unclear whether they have the necessary skills or aptitude. In a number of areas there may be a shortage of suitable training to support workers into sectors which currently make extensive use of migrant labour.

ACTION 4: The Chairman proposed a broader discussion on the impact of migration at the SEEC Executive in December 2011.

5. EU proposals for allocating structural funds from 2014

- 5.1 Gordon Keymer asked that members accept the recommendations in structural funds in Agenda Item 5. These were approved by members.
- 5.2 He went on to highlight the EU's draft energy efficiency directive and the serious implications for local government. The directive would require councils to refurbish 3% of their buildings each year and would make energy efficiency the most crucial element of procurement. This was excessive centralisation, had serious cost implications and deserved further SEEC discussion.

ACTION 5: Schedule a further SEEC discussion on the draft EU energy efficiency directive.

6. Revoking the South East Plan – Government's environmental assessment consultation

- 6.1 Nick Woolfenden asked members' views on responding to consultation on revoking regional strategies. Consultation covered an assessment of the likely environmental effects of removing regional plans, including the South East plan.
- 6.2 CLG suggests the transfer to more local decision making with a safety net of national and international environmental protection, should mean there are no adverse environmental impacts of removing the regional strategies.
- 6.3 Members decided against a SEEC response.

7. Items for Information

- 7.1 The Chairman said officers had put together intelligent and succinct SEEC responses to planning and business rate consultations.

7.2 Gordon Keymer encouraged members to respond to consultation from the Electoral Commission on questions to be used in council tax referendums. Consultation closed on 18 November 2011.

ACTION 6: SEEC officers to circulate all member local authorities with details of the Electoral Commission consultation.

7.3 **Confirmed forward meeting dates:**

- Executive Committee – 9 December 2011. Institute of Materials, Minerals & Mining.
- All-member meeting – 7 February 2012. Institute of Materials, Minerals & Mining.
- Executive Committee – 8 March 2012. Venue to be confirmed.

8. **Any other business**

8.1 Heather Bolton asked members' views on preparing SEEC responses to two current consultations.

8.2 Members decided against a SEEC response on consultation around greater local discretion over council tax discounts. This should be handled at local level.

8.3 Members agreed to submit a light touch SEEC response to consultation on powers for mayors. This asks for views on devolving powers to mayors in the 12 largest English cities (none in the South East). SEEC should make the case for devolving the same powers to local authorities in the South East.

ACTION 7: Draft a SEEC consultation response on mayoral powers for consideration at the SEEC Executive in December 2011.

8.4 There being no further business, the meeting closed at 1.10pm

Signed: _____
Paul Carter, Chairman

Date: **7 February 2012**

Name	Organisation	Signature / Apologies / Substitute
Neil Parkin	Adur District Council	Apologies
Gillian Brown	Arun District Council	Sub - Ricky Bower
Peter Wood	Ashford Borough Council	Apologies
John Cartwright	Aylesbury Vale District Council	Apologies
Andrew Finney	Basingstoke & Deane Borough Council	Yes
Mary Ballin	Bracknell Forest Borough Council	Yes
Martin Tett	Buckinghamshire County Council	Yes
John Gilbey	Canterbury City Council	Yes
Barry Wood	Cherwell District Council	Apologies
Myles Cullen	Chichester District Council	Yes
Nick Rose	Chiltern District Council	Apologies
Bob Lanzer	Crawley Borough Council	Apologies
Jeremy Kite	Dartford Borough Council	Apologies
Paul Watkins	Dover District Council	Yes
Patrick Burrige	East Hampshire District Council	Yes
David Tutt	Eastbourne Borough Council	Sub – Gill Mattock
Keith House	Eastleigh Borough Council	Apologies
John O'Reilly	Elmbridge Borough Council	Apologies
Neil Dallen	Epsom & Ewell Borough Council	Apologies
John Burden	Gravesham Borough Council	Apologies
Tony Rooth	Guildford Borough Council	Apologies
Ken Thornber, CBE	Hampshire County Council	Apologies
Ken Crookes	Hart District Council	Yes
Jeremy Birch	Hastings Borough Council	Yes
Tony Briggs	Havant Borough Council	Apologies
Robert Nye	Horsham District Council	Apologies
Paul Carter	Kent County Council	Yes
Elayne Merry	Lewes District Council	Apologies
Chris Garland	Maidstone Borough Council	Apologies
Garry Wall	Mid Sussex District Council	Apologies
Andrew Geary	Milton Keynes Council	Yes
Barry Rickman	New Forest District Council	Apologies
Ed Turner	Oxford City Council	Sub - Van Coulter
Lorraine Lindsay-Gale	Oxfordshire County Council	Yes
David Robertson	Oxfordshire County Council	Yes
Gerald Vernon-Jackson	Portsmouth City Council	Apologies
Tony Page	Reading Borough Council	Apologies
Lynne Hack	Reigate & Banstead Borough Council	Apologies

Carl Maynard	Rother District Council	Apologies
David Burbage	RB of Windsor & Maidenhead	Apologies
Patrick Roberts	Runnymede Borough Council	Apologies
Roland Dibbs	Rushmoor Borough Council	Yes
Peter Fleming	Sevenoaks District Council	Sub – Jill Davison
Robert Bliss	Shepway District Council	Yes
James Swindlehurst	Slough Borough Council	Apologies
Adrian Busby	South Bucks District Council	Apologies
Ann Ducker	South Oxfordshire District Council	Yes
Royston Smith	Southampton City Council	Apologies
Vivienne Leighton	Spelthorne Borough Council	Apologies
David Hodge	Surrey County Council	Apologies
Moira Gibson	Surrey Heath Borough Council	Yes
Andrew Bowles	Swale Borough Council	Yes
Gordon Keymer, CBE	Tandridge District Council	Yes
Ian Carr	Test Valley Borough Council	Apologies
Robert Bayford	Thanet District Council	Apologies
Mark Worrall, OBE	Tonbridge & Malling Borough Council	Yes
Mark Rhodes	Tonbridge & Malling Borough Council	Yes
Robert Atwood	Tunbridge Wells Borough Council	Apologies
Robert Knowles	Waverley Borough Council	Apologies
Bob Standley	Wealden District Council	Yes
Graham Jones	West Berkshire Council	Apologies
Barry Norton	West Oxfordshire District Council	Sub – Simon Hoare
George Beckett	Winchester City Council	Apologies
John Kingsbury	Woking Borough Council	Apologies
David Lee	Wokingham Borough Council	Apologies
Paul Yallop	Worthing Borough Council	Apologies
Arif Hussain	Wycombe District Council	Yes
Speakers		
Ian Gambles	IPC	
Peter Lee	DfT	
Jill Powell Peter Cowen	BT Openreach	
Marc Bayliss	Worcester Research	
Observers		
Kate Jones	SESL	
Chris Corrigan	SEFS	
John Pounder	Colin Buchanan & Partners	

Other Attendees		
Chris Williams	SEEC	
Heather Bolton	SEEC	
Nick Woolfenden	SEEC	
Hayley Austin	SEEC	
Roy Millard	SESPM	