

SOUTH EAST ENGLAND COUNCILS

MINUTES OF THE PLENARY MEETING

Thursday 17 March 2011

Church House Conference Centre, Dean's Yard,
Westminster, London SW1P 3NZ



Present

See attached attendance list.

1. Apologies, Declarations of Substitutes and Declarations of Interest

1.1 These were recorded on the attendance list for the meeting and are attached to these minutes for information. No declarations of interest were made.

2. Minutes of SEEC Plenary on 19 November 2010 and Matters Arising Not Elsewhere on the Agenda

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

3. Chairman's update by Paul Carter

3.1 Paul Carter reported that SEEC has now received the majority of money from the closure of SEERA Ltd.

3.2 SEEC has commissioned an important report investigating 'fair funding' for local government which will be discussed in further detail in Item 6.

3.3 Following initial officer discussion with the Department for Transport, SEEC is preparing a scoping report on possible joint local authority working on strategic transport issues. A key issue will be lobbying government for necessary resources for transport infrastructure. This will report to the Executive Committee in June and will inform SEEC members' decision on how best to proceed. SESL is also interested in this issue and SEEC would ensure all South East local authorities have the opportunity to engage in the scoping work.

3.4 Paul reported that SEEC's February conference on housing and migration was well attended and feedback generally very positive. SEEC should aim to have at least one or at most two conferences a year based on a topic of importance chosen by the members.

3.5 Paul thanked Aidan Shutter for all his work supporting SEEC and wished him luck returning full time to a new role at Buckinghamshire County Council.

3.6 Paul reported that Elizabeth Cartwright would be standing down from East Hampshire District Council in May and thanked her for all her hard work and dedication as an elected member over the past twenty four years. He also congratulated her on her recent OBE.

3.7 Paul Watkins asked about SESL work on transport to ensure that the two exercises are not compounded. Andrew Povey answered that SESL and SEEC are broadly on similar lines.

4. Accessing European funding

a) SEEDA – update on programme status, handover plans and legacy documents by Detlef Golletz, SEEDA

- 4.1 Detlef explained that SEEDA's European programme and project management responsibilities would be transferring to other organisations during spring/summer 2011, prior to SEEDA's closure in March 2012. The final round of the ERDF competitiveness and innovation programme would be launching in April 2011, with details on SEEDA's website. SEEDA had also produced two 'legacy documents' to share knowledge on European partnerships and funding, both available at <http://www.seeda.co.uk/what-we-do/european-investment>

b) Department for Business Innovation & Skills - opportunities and issues for European funding post 2013 by Sue Baxter, BIS

- 4.2 Sue provided background to the current ERDF funding received by the UK, as well as the government's current views on priorities for European funding during the next programming period, post 2013. These included:
- Keep EU budget low and keep funds focussed on the poorest regions in the poorest countries
 - Allow Member States to concentrate and align investment where it will make greatest economic impact and address 'bottlenecks' to achieving EU 2020 targets (in the UK – SME support; innovation; improving employability & raising skill levels; infrastructure investment; localised regeneration; shifting to a lower carbon economy)
 - More use of "financial engineering instruments" (JEREMIE/JESSICA) and European Investment Bank (EIB)
 - Streamline and simplify the administrative burden.
- 4.3 Sue explained other issues need further consideration including the degree of alignment between different European programmes, as well as match funding.

c) Work of SEEC's Europe Task & Finish group – update by Cllr Gordon Keymer

- 4.4 Gordon gave a brief update on the work of the Task & Finish group, explaining it had made good progress, including recommending the inclusion of important European funding issues on this SEEC Plenary agenda. It would make formal recommendations to the SEEC AGM in July.
- 4.5 The group's work had considered key principles on which SEEC should be ready to lobby government if required. The meeting agreed the following as SEEC's initial position:
- Local government must be involved in setting priorities for European Union funds nationally and in their local area, and sit on management committees
 - Funds must be flexible enough to respond to varied and complex local needs
 - Funds must be available to all parts of the UK including the South East
 - The role of more prosperous areas in the UK in bringing about economic and social improvement and cohesion must be recognised
 - Funds must be available to address both urban and rural needs, as well as those of 'peri-urban' areas with a mixture of rural and urban characteristics
 - There is a need to look innovatively at addressing the challenge of match-funding at a time when public funding may be more limited
 - Main European funding programmes must continue to be available in South East England - any proposals for loans ('financial instruments) to replace,

rather than complement, main funding programmes in the UK should be challenged

- Maximise the opportunities for partners to access funding by placing a greater proportion of funding into programmes that do not require cross-border partnership
- Proportionate administration is essential, and bureaucracy and red-tape must be reduced wherever possible
- Funding decisions must be taken in a timely and transparent way

ACTION 1: SEEC members agreed to write to BIS to set out their concerns about the Government's approach to future funding. Final recommendations from EU task group to SEEC AGM in July 2011.

5. Localism Bill surgery and discussion – healthier local democracy or greater top down control? Introduction to key aspects of the Bill and member debate on priorities for change

5.1 Brief presentations were given on three key aspects of the Localism Bill for members to consider.

5.2 Chris Williams covered greater central regulation highlighting the following points:

- Bill contains 142 central order and regulation-making powers. At same time Government is reviewing regulatory burdens having identified 1,294 statutory duties on local government
- Will local referendums take off and who bears the costs?
- Should the Secretary of State have the power to set a Council Tax ceiling under localism?
- Is the Localism Bill what local government needs or a recipe for a bureaucratic nightmare?

5.3 Cec Tallack covered the power of competence vs community right to challenge highlighting the following points.

He saw the General Power of Competence as a good thing and that it would bring a culture change to local authorities who are already using the Power of Wellbeing. He explained this allowed authorities to do things that previously might have been stopped by lawyers. In particular, the powers enabled authorities to hand things over to parish councils, community organisations and voluntary organisations without going through the myriad of procurement rules.

One of the problems local authorities face is that the Localism Bill is coming in at the same time when expenditure has to be drastically reduced. This has caused some scepticism that the Bill is about cuts rather than the rights of local government and people.

On the right to run local services, he commented that there is nothing in the Bill that his council didn't or wouldn't already do.

For example in Milton Keynes a parish council put up their precept by 42% to run a library facing closure.

To encourage the community, we need to make sure that they are not forced to put things out to tender and make organisations go through procurement hoops.

He concluded by giving an example of handing over grass cutting to parish councils. They have a parish council cutting grass for less than a third of anything the council could do because they are able to go to much smaller businesses than local government procurement rules allow. That parish is now encouraging that provider to supply their services to other parishes. Too much bureaucracy could ruin this approach.

5.4 Moira Gibson covered community planning and new homes bonus work highlighting the following points:

She started by saying that as with all the things in the Bill the devil will be in the detail and from briefings attended so far at the CLG the details seem to be changing on a daily basis.

No one should be in any doubt that the planning regulations in this Bill are planning for growth and, given this, you can't expect a free hand. There will be conditions and criteria that will be applied.

The neighbourhood plans and forums have the potential of being extremely bureaucratic and resource intensive, particularly for districts where budgets are being cut.

A false impression had been given to the community that these neighbourhood forums are going to be doing anything they like, that they can turn down housing. This is not right as they have to work within the criteria of the local development framework and the number of houses in the core strategy. They can de-allocate sites but the houses will have to be provided elsewhere. This means that there is real potential for doing a lot of work and spending a lot of money only to come back to where we were at the start and having to do the work ourselves. This has not been well thought out and is the one area where local government is really going to have to step up and make some representations.

While abolition of the Regional Spatial Strategy may sound very good, once this goes councils will be challenged on their housing needs evidence. In Surrey Heath this would probably double if not treble the number of houses provided in a twenty year period.

The National Policy Framework is going to consolidate previous guidance but there is no clear steer that anything is going to change, particularly around green belt. I am extremely worried about what measures are coming out for green belt in that NPF. The Bill seems to be giving local authorities more freedom, allowing them to look in a more innovative way at planning when actually it is likely to be bureaucratic, dangerous and centralist.

In Surrey Heath, the New Homes Bonus was so small it would not go in the budget but would be considered as a one-off spend.

5.5 In discussion members highlighted points, including:

- Whilst members agreed with the principle of democratically accountable localism, there was concern that local government's role seemed to be undermined in the Bill as currently drafted
- There was far too much bureaucracy and regulation in the Bill. The target should be no more than a dozen forms of regulation

- The need to address concerns about possible negative impacts of the local referenda plans – as currently drafted they could simply be a charter for local activists
- Neighbourhood planning could be costly so needs appropriate central government resources; it will also require different skills from local authority members and officers so training/support may be needed
- A question about how issues such as Gypsies and Traveller sites will be addressed under neighbourhood planning
- Beyond the Bill itself, concerns that some aspects of the past ‘top-down’ approach were still evident, for example with minerals planning allocations
- The need to ensure elected members have the skills to undertake the new challenges and responsibilities arising from Localism Bill changes
- The need for clarity about those major planning decisions that are truly strategic/cross-local authority boundaries and how government will deal with them

5.6 Members agreed it would be important to engage constructively with government to show how localism could be made to work in practice from a local government perspective. Heather Bolton reported that at the last Executive meeting it was agreed to hold a special workshop on the Localism Bill to identify key issues to lobby government on. The date for that meeting will be middle to end of May. [note – subsequently set for 27 May]

5.7 Paul Carter commented that prior to this workshop he would like to undertake a survey of all SEEC members to identify positive and negative views on the Bill. SEEC is well placed to provide a collective considered view from across local authorities in the South East.

ACTION 2: Organise Executive workshop on localism and design questionnaire on key issues for SEEC members to complete.

6. Update on current SEEC projects

a) Fair funding report

6.1 Paul Carter reported that following agreement by the Executive Committee, SEEC has commissioned Local Government Futures to undertake a study investigating ‘fair funding’ for local authorities in the South East. This is important to help SEEC make effective representations to ministers during the local government finance review. Anticipated to be a two phase project, it will firstly identify issues that are wrong with the current system and secondly look at options for a fairer, simpler needs-led system.

b) Data dashboard task & finish group

6.2 Heather Bolton updated on the group meeting in February to identify a focused dashboard of data that will help SEEC and its member local authorities understand strategic issues affecting their areas and influence government policy and investment decisions on these key issues.

6.3 The five main areas being looked at are housing and infrastructure; economy and employment; public financing and grants; demography and migration; and possibly some work around environment – mainly waste and recycling. The emphasis is on using existing available data rather than commissioning new surveys. The aim is to bring recommendations on the data dashboard to the SEEC AGM in July.

ACTION 3: Report progress on fair funding report to SEEC Executive in June 2011. Present data dashboard recommendations to SEEC AGM in July 2011.

7. Future of Improvement & Efficiency South East (IESE). Presentation by Cllr Paul Bettison, Chairman IESE

- 7.1 Paul Bettison gave a presentation on the future of IESE. He explained that its central government grant funding (£40m over three years, including grants to local authorities) would end during 2011 and it was therefore looking at new 'self-funding' models for the future.
- 7.2 IESE's experience supporting local government improvement meant it felt well-placed to offer services on a more commercial basis in the future. It would be likely to continue to provide a base-level of service to councils for a basic membership cost. Other services would be charged over and above this, with IESE recovering its costs by charging a part of the resulting savings made by the local authority.
- 7.3 Paul also explained that he regarded IESE's work as complementary to that of the national IDEA, although he recognised things may change as a result of LGA's reorganisation.

8. Items for Information

Confirmed forward meeting dates:

- 8.1 Forward meeting dates for 2011 SEEC meetings were noted.
- SEEC Special Executive (Localism Bill) – 27 May 2011 at Church House Conference Centre
 - SEEC Executive – 7 June 2011 at Church House Conference Centre
 - All-member & AGM – 13 July 2011 at Church House Conference Centre

9. Any other business

- 9.1 There being no further business, the meeting closed at 1pm.

Signed: _____

**Paul Carter
Chairman**

Date: 13 July 2011