

# The West of England Partnership

**NOTES OF THE MEETING OF THE  
WEST OF ENGLAND PARTNERSHIP  
JOINT SCRUTINY COMMITTEE  
23<sup>rd</sup> SEPTEMBER 2008 AT 10.00AM**

## **Members of the Joint Committee**

### **Bath and North East Somerset**

- A Councillor John Bull
- P Councillor Caroline Roberts
- P Councillor Martin Veal

### **Bristol City Council**

- P Councillor Barbara Lewis - Chair
- P Councillor Gary Hopkins (for Cllr Dr Jon Rogers)
- A Councillor Dr Jon Rogers
- P Colin Smith

### **North Somerset Council**

- P Councillor Tony Moulin
- P Councillor Mike Kellaway-Marriott (for Councillor David Pasley)
- A Councillor David Pasley
  
- P Councillor Clive Webb

### **South Gloucestershire Council**

- P Councillor Pat Hockey
- P Councillor Geoff King
- P Councillor Ian Smith

**WEPJSC****33.9/08****APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor John Bull; Councillor Eleanor Jackson also submitted her apologies as his substitute (Bath and North East Somerset); Cllr David Pasley substituted by Councillor Mike Kellaway-Marriott; Councillor Tony Moulin (North Somerset); Councillor Dr John Rogers, substituted by Councillor Gary Hopkins, (Bristol City Council)

**WEPJSC****34.9/08****PUBLIC FORUM**

A statement from Campaign for Better Transport had been circulated to all members of the Joint Committee. It sought the early formation of an Integrated Transport Board for the entire travel to work area, which the Campaign group maintained included sustainable transport options to Gloucester/Cheltenham in the north, Swindon/Warminster to the east, and Taunton to the south. The lobby group also raised very detailed issues relating to rail, rapid transit and bus related matters. The Chair advised that officers would respond in due course to the lobby group.

**WEPJSC****35.9/08****MINUTES OF MEETING HELD ON 5<sup>TH</sup> SEPTEMBER 2008**

**RESOLVED -** that the minutes of the West of England Partnership Joint Scrutiny Committee held on 5<sup>th</sup> September 2008 be confirmed as a correct record and signed by the Chair subject to Minute 19.9/08 being amended to indicate that Cllr Kellaway-Marriott substituted for Cllr Moulin, not Cllr Rogers.

**WEPJSC****36.9/08****MINUTES OF MEETING HELD ON 12<sup>TH</sup> SEPTEMBER 2008**

**RESOLVED -** that the minutes of the West of England Partnership Joint Scrutiny Committee held on 12<sup>th</sup> September 2008 be confirmed as a correct record and signed by the Chair

**JOINT WASTE STRATEGY - PHASE 3 DRAFT OUTLINE  
BUSINESS CASE SUBMISSION TO DEFRA FOR PFI FUNDING**

Members noted that paragraph 1 in the report as published should be amended to refer to a meeting of the South Gloucestershire Cabinet on 27 October (not 6 October)

The committee then considered a report of the Chief Executive, West of England Partnership (agenda item no. 4) considering the current working draft Outline Business Case to DEFRA. The Chief Executive explained that the OBC conformed to the templates and guidelines issued by DEFRA, but that since it had been written, further guidance had been received from DEFRA which underlined the importance of Round 4 projects' OBC's improving the carbon outcome of their reference projects by maximising the probability of the provision of Combined Heat and Power(CHP) and undertaking adequate investigation of the potential to reach a 60% recycling composting rate.

Officers advised that the OBC was required to include a reference site and the submission was necessarily based on that reference site and the technology appropriate to that site – it did not indicate a preference for that site or a particular technology – neither a site nor technology had been identified. They also advised that the OBC was not affected in any material way by the reference in the DEFRA guidelines to 60% recycling. Officers advised that subject to the OBC submission referred to the 60% composting rate and indicating that the authorities would liaise with WRAP regarding the 60% rate, then DEFRA's latest guidance would have been adequately addressed. However, officers advised that even if 60% recycling was the aim in the OBC rather than the 50% national guidance figure, the same waste management facilities would be required.

With reference to affordability, officers advised that DEFRA wished to see evidence in the OBC that the local authorities understood the revenue implications of the project and its effect on overall Council budgets. Members had to appreciate that the OBC showed there was an affordability gap, such that waste management costs would inevitably put pressure on other Council services. However, doing nothing would produce an even greater affordability gap.

Members were advised, in response to Member comments about the need to identify alternative funding methods in the event of the PFI route failing, that the PFI route was the agreed method for

progressing the already agreed Waste Strategy and the OBC was part of that Strategy.

On a vote:

Bristol City Council (2 FOR and 1 AGAINST)

North Somerset (3 FOR)

South Gloucestershire (2 FOR, 1 AGAINST)

Bath & North East Somerset (declined to vote)

It was:-

### **RESOLVED:**

That the Executive Members be advised that the Joint Scrutiny Committee supports the Outline Business Case relating to the Phase 3 proposals subject to the following comments being raised with the Executive Members:-

- Affordability modelling must be built into Phase 2 when comparisons were made between PFI and existing services with planned investment
- Waste tonnages modelling conclusions are questionable in view of the differing collection strategies of the constituent authorities
- The OBC needs to be strengthened to increase the prospects of PFI credits whilst accepting that even if PFI credits are made available, there is no requirement for the local authorities to accept them, and if they are taken up it is recognised that the timeframe for actually using the credits is very flexible
- Refer to thermal conversion rather than incineration
- Ensure provision for local waste facilities are established before new developments are progressed
- Ensure the planning process delivers the provision of new treatment facilities which take maximum advantage of by – products such as heat, energy and fuel pellets
- The Core Strategies of each constituent planning authority should address the implications of the joint waste strategy
- Clarify the timetable setting out the increasing liability to the remaining partner authorities if one of the partners withdraws from the joint arrangements, on the assumption that until the OBC is submitted, any authority withdrawing from the arrangements will pay back its share of the officer and consultants costs expended to date. Indicative costs of any liabilities / indemnities should be made available to members.
- Keep in mind DEFRA's aspiration to achieve 60% recycling as soon as possible - the joint authorities should be aiming to

increase the rate of waste reduction, not just increase recycling rates.

- The technology to be chosen now appears to be site driven, given the site identified in the OBC, even accepting that no potential contractor would be forced to use the reference site identified in the OBC
- There are inconsistencies in the advice given to scrutiny members relating to the liabilities arising from any failure to deliver the project
- The document appears to confuse Energy from Waste with incineration – it should be more specific
- There should be increased effort to sort waste and appropriate methods used to reduce residual waste.

Relating to Affordability:-

- The risks and assessments should be addressed in the officer reports to individual Cabinets
- Funding method comparisons, other than PFI and Prudential borrowing, should be investigated and set out for members to allow them to be satisfied as to the evidence that the PFI route was the optimum funding route. Merchant facilities might be an example of an alternative method of financing which should be used as a comparator.

**WEPJSC  
38.9/08**

**REGIONAL SPATIAL STRATEGY (RSS) PROPOSED  
CHANGES – KEY STRATEGIC DECISIONS ARISING IN THE  
WEST OF ENGLAND**

This item was deferred to a later date. (see Min 43 below)

**WEPJSC  
39.9/08**

**MULTI AREA AGREEMENT**

This item was deferred to a later date.(see Min 44 below)

**WEPJSC  
40.9/08**

**CONSTITUTIONAL ARRANGEMENTS**

A copy of a report to be submitted to Bristol City Council on proposed establishment of two joint executive committees (Waste Management and Transport) together with proposed constitutions had been circulated prior to the meeting. The West Of England

Partnership Chief Executive explained that similar reports would be submitted to the other constituent authority Cabinets. He advised that references to sub-committees of the joint executive committees were likely to be removed and the involvement of Strategic Economic and Environmental Partners(SEEPS) and central government and other observers would be integrated into the final agreed joint working arrangements.

Members noted the contents of the report.

The committee then considered a report of the Unitary Authorities Democratic Services Managers (agenda item no 7) setting out the draft constitutional and procedural arrangements for Partnership meetings generally agreed to date, and specifically those in relation to joint scrutiny meetings.

**RESOLVED - that the constitutional and procedural arrangements for the West of England Joint Scrutiny Committee as set out in the report be agreed.**

**WEPJSC**

**41.9/08 TRANSPORT UPDATE**

This item was deferred.(See Min 45.below)

At this point in the meeting, in view of the time elapsed, the Chair proposed that the meeting stand adjourned and that it should, if practicable, reconvene before the next scheduled meeting in Weston super Mare on 10<sup>th</sup> October.

**RESOLVED:** that the meeting stand adjourned.

(The meeting stood adjourned at 12.55pm )

**NOTES OF THE RECONVENED MEETING OF THE  
WEST OF ENGLAND PARTNERSHIP  
JOINT SCRUTINY COMMITTEE  
8<sup>TH</sup> OCTOBER 2008 AT 2PM**

**Members of the Joint Committee**

**Bath and North East Somerset**

- A Councillor John Bull
- P Councillor Caroline Roberts
- P Councillor Martin Veal

**Bristol City Council**

- P Councillor Barbara Lewis - Chair
- P Councillor Dr Jon Rogers)
- P Colin Smith

**North Somerset Council**

- P Councillor Tony Moulin
- P Councillor David Pasley)
- P Councillor Clive Webb

**South Gloucestershire Council**

- P Councillor Pat Hockey
  - A Councillor Geoff King
  - P Councillor Ian Smith
- In attendance - Cllr Brian Freeguard

**WEPJSC  
42.9/08**

**APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor John Bull; Councillor Eleanor Jackson also submitted her apologies as his substitute (Bath and North East Somerset); Councillor Geoff King (South Gloucestershire)

**REGIONAL SPATIAL STRATEGY (RSS) PROPOSED  
CHANGES – KEY STRATEGIC DECISIONS ARISING IN THE  
WEST OF ENGLAND**

Scrutiny Members were invited provide comments to the West of England Partnership meeting on 24<sup>th</sup> October when officers would present a report on the proposed response to go from the Partnership to the Secretary of State relating the the ministers proposed changes to the RSS.

**RESOLVED:**

1. The Joint Committee unanimously agreed in relation to the proposed changes to the RSS that it :

- a) Objects to the scale and impact of the additional new dwellings proposed by the Secretary of State, queries the assumptions behind the proposed figures and would welcome to chance to see the evidence used to justify the proposed changes.
- b) Reiterates that the maximum number of dwellings that could be accommodated in the sub region is as already agreed by the four unitary authorities.
- c) Objects to the scale of development because of the impact on local infrastructure, local communities, the local environment and the Green Belt
- d) Objects to the proposed deletion of the list of transport schemes from the draft RSS and urges the Secretary of State to reinstate them
- e) Seeks confirmation from the Secretary of State that a mechanism will be put in place to enable local authorities to establish long term phasing programmes in their Core Strategies to ensure development and infrastructure is phased in with infrastructure being phased in first
- f) Objects to the proposed dilution of the policy on sustainable construction and urges the reinstatement of the policy in the draft RSS
- g) Objects to the proposed dilution of the policy on reducing energy use and renewable energy and urges the reinstatement of the policy in the draft RSS
- h) suggests that a clear and unified response is produced which emphasises that the sub region is not opposed to growth per

se , rather it is the level, location and phasing of the proposed growth without any link to the essential infrastructure and the lack of any meaningful reasoning/evidence for the Secretary of State's proposed changes which is totally unacceptable to the sub-region.

- i) given the above, the secretary of state should be requested to reconsider the proposed changes.

2. The Joint committee also unanimously recommends that the 4 UA's adopt a common approach to developers relating to the provision of affordable housing, with a view to preventing developers circumventing individual authority affordable housing policies

## **WEPJSC**

**44.9/08**

### **MULTI AREA AGREEMENT (MAA)**

The Joint Committee was asked to comment on the briefing notes attached to the report which set out the focus and priorities for the MAA.

The Joint Committee made the following comments:

#### **A. Strategic Context for the MAA**

Emphasise that the sub region needs to compete globally and, as such, the quality of life which can be enjoyed in the sub-region is a major factor in attracting investment – that quality of life needs to be protected. There should be the opportunity for established industry to expand , rather than relying on inward movement displacing established industry. Locally generated industry is more likely to be able to withstand economic difficulties compared to industry established by external organisations which are more subject to the vagaries of national and international economic shifts.

The West of England suffers from not being identifiable as an economic or cultural entity recognised by national agencies. It requires concerted action by the leadership in the 4UA's through the West of England Partnership to establish a brand for the sub-region in order to maximise adequate government funding levels and to encourage sustainable development.

#### **B. Economic Strengths and Challenges**

The table of Economic Strengths and Challenges should include reference to: the areas within the sub-region which need job generation; the opportunities and challenges of the possible Severn tidal power generation schemes; the possible expansion of Filton Airport; the overdependence of Avonmouth on car and petroleum products and the need for diversification; the opportunities provided by the rural economy to increase the sustainability of the sub region through local food/fuel production and the development of a locally based tourism industry; and a section on the possible effects of the current economic downturn (“credit crunch”), more emphasis on the ramifications of climate change and the need to reduce the carbon footprint of the sub region and the issue of particular skills shortages.

#### C. Managing Successfully Projected High Levels Of Growth In Jobs And Homes And Securing Timely Investment In Infrastructure

The paper should refer to government agencies such as the Health authorities and other NGO’s rather than simply developers and government agencies associated with economic development to provide the balance necessary between affordability and sustainability . There should be mention of the need for the 4UA’s to co-operate more closely on high level strategic development which had an impact across boundaries

#### D. Transport

Both Councillor Lewis and Colin Smith declared personal interests in relation to the development of a South Bristol Link which they had both campaigned against.

Mention was made of the need to investigate the greater use of river transport for passenger movement associated with the park and ride site to the east of Bath.

#### E. Economic Growth and Competitiveness

More emphasis needs to be made on the importance of regeneration of existing employment sites, whilst accepting that housing development on former industrial sites is sometimes more appropriate.

#### F. Employment and Skills

Members noted that this section had been written by the

Employment and Skills Board.. It recognised that the co-operation of employers was an essential feature. The Board was still concerned that it did not have the resources to push through the measures which it was tasked with promoting. Scrutiny members shared those concerns.

**RESOLVED:** That the comments of the Joint Committee be conveyed to the relevant officers and members of the Partnership Board.

**WEPJSC  
45.9/08**

**TRANSPORT UPDATE**

Members received a presentation on the progress that had been made on various transport initiatives within the JLTP and noted that they would be given greater detail about the next stage of the JLTP and TIF process at their next meeting on 10<sup>th</sup> October.

**RESOLVED:**

1. That the presentation be noted
2. That a future meeting scrutinise how the current rapid transit schemes had been progressed to date in view of the disquiet of a number of Members who were concerned that there had not been sufficient weight given to the democratic process before schemes had been submitted.

The reconvened meeting closed at 4.45pm.

**CHAIR:**.....