

**Brightwell, Foxhall & Purdis Farm Group Parish Council**  
**Wednesday, 12<sup>th</sup> September 2012**

**Report of the Parish Clerk**

The purpose of this report is to update members on outstanding issues, items received after the deadline for agenda items, correspondence and action taken by the Clerk.

Suffolk Flood Plan

The following has been forwarded to parishes on behalf of Suffolk County Council.

**Time is running out to have your say on flood plan**

After such a wet spring and early summer this year, it's timely that Suffolk organisations are working together to prevent the often devastating impact of flooding caused by heavy rain.

The Suffolk Flood Risk Management Partnership is led by the county council, and is setting out proposals to tackle flash flooding in some of the worst affected areas.

Suffolk residents are being asked to have their say on the proposals as part of a new flood risk strategy by **Friday 14 September 2012**. All comments will inform the final strategy, which will be agreed by the Partnership in the autumn prior to being formally adopted by the individual organisations.

Around 5.5million people are victims of flooding across the UK each year. With the problem expected to get worse in future years, it is more important than ever to take action now.

The new strategy explains how partners including Anglian Water, the Environment Agency, county and district councils will be addressing the problem throughout the county. It also provides the following advice:

- Be aware of the risk in your area and take measures to protect your property from flooding
- Help us by keeping streams and rivers clear of debris, and always report fly tipping, which can block watercourses and contribute to flooding
- Know the planning regulations when it comes to paving over land

Find out more by visiting [www.suffolk.gov.uk/floodrisk](http://www.suffolk.gov.uk/floodrisk) or have your say by filling in our online survey at [www.surveymonkey.com/s/ProtectSuffolkFromFlooding](http://www.surveymonkey.com/s/ProtectSuffolkFromFlooding)

Public Consultation: Joint Environmental Sustainability Policy and Action Plan

Suffolk Coastal and Waveney District Councils have been working to reduce their environmental impacts through actions outlined in various policy documents including a Sustainability Action Plan, a Local Agenda 21 Charter, a Climate Change Strategy and a Green Travel Plan. Now the time has come to update these and the Councils have decided to rationalise them into a single Joint Environmental Sustainability Policy and Action Plan (JESPAP).

The draft JESPAP sets goals and actions for the two Councils as to how, by working with others, they will not only protect their unique natural environment but also reduce their impact on the wider environment, by taking measures that will lower their districts' carbon footprint and help reduce the levels of climate change we will need to adapt to. It has been developed through consultation with

officers, cabinet members with responsibility for this portfolio, SCDC Policy Development Task Group and Overview and Scrutiny and Informal Cabinet at both Council's

This consultation is going live today to give a six week consultation period.

A copy of the draft JESPAP and a survey is now live on the website <http://www.suffolkcoastal.gov.uk/yourdistrict/greenissues/footprint/jespap/> and <http://www.waveney.gov.uk/jespap>.

#### LAIS Up2Date

Items of particular note on the above notice sent out by Suffolk Association of Local Councils previously circulated.

#### **LAIS: Payments**

An important Government consultation has been launched aimed specifically at local councils *Payments by Parish and Community Councils and Charter Trustees*. The consultation proposes removing the law that restricts local councils to one method of making payments (cheques with two councillor signatories). Local councils will wish to respond to Government on this consultation which will create greater flexibility in the ways local councils can make payments, whilst being able to continue with cheques with two councillor signatories if they so wish.

#### **Planning**

Three planning consultations have been launched all with the same deadline for comments:

1. Allowing greater permitted development rights in changing between Use Classes

It is proposed to create permitted development rights to assist change of use from existing buildings used for agricultural purposes to uses supporting rural growth; to increase the thresholds for permitted development rights for change of use between B1 (business/office) and B8 (warehouse) classes and from B2 (industry) to B1 and B8; to introduce a permitted development right to allow the temporary use for two years, where the use is low impact, without the need for planning permission; to provide C1 (hotels, boarding and guest houses) permitted development rights to convert to C3 (dwelling houses) without the need for planning permission and to consider if any updates or amendments are needed to the existing descriptions within the use classes order.

2. Setting out a range of proposals to streamline the information requirements for planning applications

These proposals include changes to secondary legislation on information requirements for outline planning applications (e.g. removing the requirement for layout to be specified at this stage), and a requirement that local authorities update their local lists of information requirements at least every two years. It also sets out proposed changes to the standard application form. By cutting out what is described as 'unnecessary information in the application process' the proposals claim to make the system clearer, and easier to use, without undermining the ability for councils to make well-informed decisions.

3. Improving the performance of statutory consultees in the planning process

The proposals aim to ensure that there is an effective mechanism for applicants to obtain an award of costs where a statutory consultee has acted unreasonably. Local councils are not 'statutory

consultees' for the purpose of this consultation and the position regarding local councils is therefore as previously.

It is also worth noting other specific measures which are being taken forward now and in the near future to help achieve the Government's planning ambitions, including:

- Following the approach of the National Planning Policy Framework in distilling 1,000
- Pages of policy into around 50, the Government now plans to review around 6,000 pages of supporting planning guidance. Details of the approach to be taken will be announced shortly.
- Speeding up the process for determining planning appeals - proposals on shortening and
- Streamlining the process will be published for consultation later this year.
- Uprating local councils' planning fees in line with inflation thereby reducing the burden
- On ordinary council taxpayers, who otherwise end up subsidising developers. Planning fees are set by Government and have not been increased since 2008.
- Ensuring councils whose planning decisions are consistent with an up to date local plan
- Are not ordinarily liable for costs if their decision is appealed.
- Making technical changes to the operation of the Community Infrastructure Levy
- Including ensuring that developers are not charged the levy twice, on the same development, if they amend existing planning consent.
- Extending the funding to April 2013 to the four organisations providing advice and support to communities leading the way on neighbourhood planning (the Royal Town Planning Institute; the Prince's Foundation for Building Community; the Campaign for the Protection of Rural England working with the National Association of Local Councils and Locality (the Building Communities Consortium)).

## **Audit**

Last year, the Government consulted on its proposals for a new local public audit framework and published its response in January 2012. The draft Local Audit Bill is now being published for consultation and pre-legislative scrutiny. The draft Bill sets out the proposed new audit framework for local public bodies, the process for the appointment of auditors, and the regulatory framework for local public audit.

Currently a 'lighter touch' regime applies to smaller bodies (with a turnover below £6.5m). This includes most local councils. Clause 5 in the draft Local Audit Bill makes provision for 'smaller authorities' and includes a power for the Secretary of State to make regulations as to how the new framework will apply to these bodies. So, as currently, there will be less onerous requirements than on larger bodies within the new framework. The key features of the new framework for the audit of smaller local public bodies are:

- A threshold, proposed at £25,000, below which smaller local public bodies would not be automatically subject to an external audit, coupled with increased transparency requirements (internal audit would be retained). A mechanism will be retained for auditor-led scrutiny of these bodies if problems are identified.
- A new transparency code for all smaller bodies with an annual turnover below £200,000.
- The code would require publication of:
  - All items of expenditure and end of year accounts;
  - Minutes, agendas and papers of formal meetings;
  - Internal audit report;
  - List of councillor/board responsibilities (or their equivalent);
  - Annual governance statement; and
  - Location of public land and building assets.

- The code would also recommend that these documents are published online, either on the smaller bodies' websites or on those of their billing authorities. Government is proposing that compliance with the code is mandatory for all smaller local public bodies below £200,000 but will undertake a statutory consultation with the bodies affected before the code is made mandatory.
- A proportionate regulatory regime and the limited assurance form of audit maintained and specified in a schedule to the code of audit practice produced by the National Audit Office. Smaller local public bodies will have the option to have their auditors procured and appointed by a sector-owned and sector-managed body. A proposal has been submitted by NALC and SLCC to run a sector led external audit programme. It will be important that any options currently available to local councils for internal audit arrangements are not reduced. If bodies do not wish to use the sector-led body they can procure and appoint audit services individually or jointly, with the use of an independent auditor panel. The Joint Practitioners' Advisory Group which advises on the current regulatory framework will, it is proposed, create the proforma for the 'annual return'.

Specific questions are asked in the consultation:

- Do you agree that the threshold below which smaller local public bodies should not be subject to automatic external audit should be £25,000?
- Are the additional transparency requirements we have proposed for those bodies who will not be subject to external audit robust enough to ensure that they will be accountable to the electorate?
- Are these transparency requirements proportionate to the low levels of public money these bodies are responsible for? What steps will smaller bodies need to take in complying with these new requirements? Are there any cost implications?
- Do you agree that our proposals for the eligibility of auditors of smaller local public bodies will ensure that they have the requisite expertise to undertake limited assurance audits?
- Are our proposals for the regulatory framework for the audit of smaller bodies proportionate?
- Do these proposals provide a proportionate and sufficiently flexible mechanism for procuring and appointing audit services to smaller local public bodies?

### **Highways/Planning**

Local councils will be aware that Government has been exploring various ways in which to streamline planning processes which they see as inhibiting development 'while maintaining the essential benefits that they protect'. A consultation proposes permitting applications for a stopping-up or diversion order for highways to be submitted at the same time as applying for planning permission, whereas under existing legislation the developer can only apply after securing planning permission. The consultation proposes devolving decision-making to the local authority level.

### **Planning**

Government is consulting on changing the listed building consents regime to reduce both the circumstances in which consent is required and the level of information applicants are required to submit. The consultation emphasises the need to protect the interests of developers and planning authorities and the need to ensure heritage assets are conserved in a manner appropriate to their significance but does not refer to community interests. Local councils will be considering the extent to which there might be a reduction in consultation with the community in this process.

Various alternative options are explored and views are sought:

- Submission to the local planning authority of a simple prior notification of the intention to

- Carry out specified types of works to a listed building would then allow the planning authority either to allow the works to go ahead without further intervention, if they judged them acceptable, or to require the submission of a full consent application.
- A system of local and national class consents has been put forward as an alternative
- Measure to prior notification (above). Class consents, set up by a local planning authority, could be used to by-pass the need for consent for a defined class or classes of works affecting a defined area or group of heritage assets. The Secretary of State could also be empowered to grant a class consent for an area or group of assets that cross local authority boundaries e.g. canal networks.
- A “certificate of lawful works to Listed Buildings”. Local planning authorities to grant a Certificate of Lawful Works either for proposed works to a listed building which do not have an impact on special interest or for existing works on the understanding and confirming that no consent is required. It is claimed that this will help avoid the confusion that arises when a planning authority has historically been reluctant to give a view on whether the work would require listed building consent and would remove the need for a full application to be made just in case.
- Accredited Agents replacing local authority officer recommendations on listed building consent, if applicants wish. This opening up of decision-making on listed building consents would allow independent accredited agents to make recommendations to local planning authorities in the exercise of their statutory duty to determine applications. Government is relying on research which indicates that nearly three quarters of all applications for listed building consent in town and city centres are made by an agent on behalf of the owner/tenant of the property. Local councils will be wishing to scrutinise this proposal in relation to the degree to which it provides transparency, accountability and independence of decision-making. The proposals would enable owners or developers to commission an independent agent to offer an expert report and recommendation, effectively “certifying” the works as acceptable.

Views on improving the measures available to address building neglect are also invited. Government is concerned with the number of listed buildings which have been on the Heritage at Risk Register for a long time. Local authorities have powers to serve Urgent Works Notices or to pursue Compulsory Purchase Orders but find them problematic to exercise.

#### External Audit – Five Years from 2012/2013

The Audit Commission has confirmed the appointment of BDO LLP as external auditor to audit the annual return of Brightwell, Foxhall & Purdis Farm Group Parish Council for five years from 2012/2013. The cost of a basic audit will be £100 per year.

#### Changes to Street Lighting

Following the last meeting I contacted Suffolk County Council concerning the complaint received regarding part-night lighting and have received the following reply.

“We have now implemented part-night lighting across the whole of Suffolk, Foxhall and Purdis have been relatively late in the implementation programme when compared with Ipswich (mid May 2012 as opposed to September 2011), but there has been plenty of publicity over the last couple of years - we sent every PC posters and FAQs for use on their notice boards and at meetings earlier this year.

We have not returned street lights to all night operation simply at the request of the public - there has to be a valid reason for doing so, which we consider against the stated criteria. Only following consultation with the local members and the police have we reversed the original decision at a few locations. Generally these decisions have been made where there is sheltered housing or where the police have surveillance operations in progress; in the latter cases the lights will revert to part-

night lighting once the police have completed their operations. We have also extended the time before lights are switched off on a few routes from town centres into residential areas, but only on the busiest nights e.g. Thursday, Friday and Saturday nights. You provide no explanation as to why you have requested we consider turning the residential areas of Purdis Farm back to all night lighting.

The greatest concern of the public has been the impact on crime when the street lights are turned off, and more specifically the fear of crime. Encouragingly, our 'before and after' monitoring is showing no increase in crime, and in some areas a decrease, although we recognise that this is over a relatively short period of time and is dependent on seasonal variations. Anecdotally, Norfolk and Gloucestershire also report decreases in crime. An 'out-of-hours' number has been given to the emergency services in order that they can request lights to be turned back on if required."

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