

## +County Councillor's Letter for April 2016

It is a matter of great satisfaction to me that during the last coalition Parliament the agreement was not reached to replace the House of Lords with a fully elected politically polarised chamber, even though the changes to the parliamentary boundaries were lost as a consequence. It is very clear that the existing House of Lords comprising appointed retired parliamentary politicians, hugely diverse and deeply skilled industrial, technical, medical and scientific leaders in their various fields has the breadth of experience and knowledge along with the independence from political pressure to be a discerning, powerful entity in the scrutiny, in depth investigation and essential modification and revision of faults in Bills emanating from the House of Commons. Among the current legislation that is being returned for further consideration and amendments to the House of Commons are those covering Universal Benefits, Housing and Planning, Education and the Police and Crime Bill 2016. All of these are major integral components in the structural forward plan of the Government and once implemented must work seamlessly and correctly to achieve their designed purpose. With respect to the last of these I hope it has not escaped attention that on the 5<sup>th</sup> of May this year there is an election in Somerset and all other Counties in England to elect the Police and Crime Commissioners (PCCs) for each of these Police Forces. In Somerset there are 7 candidates standing, 6 men and one woman. 5 of the men are standing on a party political basis and the woman and the one remaining man are standing as Independents. The role of the elected Commissioner is to ensure in conjunction with the Chief Constable for the County that the administration and the Police budget is efficiently and properly managed focussed and controlled to ensure the highest standard of policing possible within the very constrained finances available. All aspects of the operational control and conduct of the Police remain at all times the sole responsibility of the Chief Constable. The current budget is £250 million for a growing population of about 550,000 and it is under continual cuts despite the recent Chancellor's budget where there were apparently no reductions in the Police budgets for this coming year but £20 million reductions necessary over the next 4 years. Since the initial PCC election 4 years ago, police numbers have been reduced by 600 officers, resulting in a current total force of 2700. The turn- out of voters for first election of the PCC was very low at around 20% and I will be surprised if that will be radically different this time. This will be a great pity because the position is becoming an increasingly important and influential one under the Police and Crime Bill. For example it would give the PCC the authority to abolish the Fire Authority and take on its powers and responsibilities. This body is comprised of 24 appointed elected councillors from the 4 constituent Councils that are covered by the Devon and Somerset Fire and Rescue Service (DSFRS). These members represent the community as a whole and they are collectively responsible for the overall strategic direction of the Fire Service, the setting of budgets and ensuring that the DSFRS is effective, up to date and efficient. The current budget for 2016 is nearly £74 million. There would have to be adequate reasons in order for this to happen i.e. in the interests of economy, efficiency and effectiveness or be in the

interests of public safety and the PCC can go further and transfer these powers to the Chief Constable of the relevant area. This creates an inference that the current efficient and well run services are of dubious quality and this is one of the aspects has been queried by the House of Lords (HofL). The local Fire Authority would have the duty to co-operate with the PCC in creation of this proposals, and there would have to be a considerable measure of public consultation prior to implementation. These changes are being proposed in the concept of combining all the Blue Light Emergency Services under a single umbrella and to encourage a greater level of inter-body collaboration. This has been taking place over the past years and the Police, Ambulance and Fire Brigade services are increasingly operating jointly in medical and rescue situations and cross training regularly in major exercises. A great number of the personnel in the DSFRS have had intensive marine, disaster confined spaces and cliff rescue training, and very importantly fully equipped medical skills up to paramedic standards. The Government Bill also initiates reforms to police complaint procedures by increasing the powers of the PCCs and the Independent Police Complaints Commission (IPCC), while at the same time abolishing the Association of Chief Police Officers and replacing it by the National Police Chiefs' Council, and seeking greater collaboration between police forces. The PCCs will have an explicit responsibility for the effective and efficient delivery of the local police complaints system and be the appellate body for all appeals currently heard by the Chief Constables, along with the option of assuming responsibility for the initiation of the complaints system. There are new provisions enabling Chief Constables to empower volunteers and civilian employees with a designated large list of police powers excluding powers of arrest and stop and search. It is suggested that these "police volunteers" would in the main be used in community policing, with the possible controversial, and currently contested, powers to use CS gas or Pepper sprays. The current police powers to create traffic wardens would be removed but as these are now legally empowered by town councils this is not a major factor. Finally there are major changes to police powers under the Mental Health Act, by reducing the time of detention from 72 hours to 24, banning the use of police cells for persons under 18, allowing in some cases personal domestic abodes as designated Places of Safety, removing the need for a warrant to enter private property, i.e. work places, railway lines, rooftops etc., to protect persons or the public from harm, though a warrant will still be needed for private dwellings. There are too many other changes to state in this letter but the Bill is being scrutinised very thoroughly in the HofL and I think there will many alterations made before it becomes law. However it is important to elect somebody on the 5<sup>th</sup> of May to this very well paid, highly staffed, very powerful and influential position who has the ability, dedication and vision in conjunction with the Chief Constable, to maximise all the resources of the Police and other Services to the very best advantage of the people of Somerset and the Country, The PCC has the ultimate authority to select and dismiss the Chief Constable and it will be remembered that this has occurred for various reasons recently in Somerset. It is therefore all the more important that everyone uses their vote on the 5<sup>th</sup> of May.

The first reading of the Housing and Planning Bill was on the 21<sup>st</sup> October 2015 and the second reading in November 2015. In December the Government published a consultative document on the proposed changes to the National Planning Policy Framework (NPPF), and on the 18<sup>th</sup> February 2016 a technical consultation covering the way it wishes to implement the reforms. The deadline for responses was the 15<sup>th</sup> of April. Since the beginning of 2016 proposed planning legislative amendments and consultations continue to be published at a frenetic rate so it has become necessary to issue a planning update on the 12<sup>th</sup> of April 2016. The consultation period ends at the end of April 2016 and the 3<sup>rd</sup> and final reading of the Bill is scheduled for the end of May 2016 when it is due to become law. However, the entire Bill is so long, convoluted, complex and difficult to understand without being an expert in the arcane secrets of planning legislation that it was necessary that The Minister for the Department of Communities and Local Government (DCLG) felt it necessary to set up the Local Plans Expert Group (LPEG) to consider how local plan making could be made more efficient and effective. The consultation document is 13 chapters long, covering a multitude of topics, many of them highly controversial i.e. Automatic granting of Permission in Principle, Intervention in Local Plan making, the creation of Brownfield registers, and piloting competition for processing planning permissions. Among the recommendations of the LPEG are; a. Legislation to make it easier for Local Authorities to create Garden Towns and Cities. b. Requiring pre-commencement planning conditions to be used only with the agreement of the developer. c. Setting a statutory deadline of 3 months for secretary of state decisions on called-in applications and recovered appeals. One of the most controversial subjects is the promotion and building of starter homes which has the least developed content in the report. On March 23<sup>rd</sup> the Government published yet another consultation with a deadline of 18<sup>th</sup> of May laying down ; a. That all sites with 10 or more units or an area bigger than 0.5 hectares must have an unspecified number of starter homes. b. Sites of supported and specialist housing and sites where developers can demonstrate the requirements for starter homes would make the site unviable for development will be exempt. (I suspect there will be more than a few of these) c. Starter homes should be provided on-site except in exceptional circumstances such as in areas of "high value". d. Private rented sector developments and housing for older people should make an off- site contribution for starter homes. In the HofL a multi-party group of peers joined forces to vote against the government proposals saying the bill could have the consequence of increasing homelessness, that the starter homes were likely to be too expensive even with a 20% discount and that their construction would imperil the building of affordable homes available for rent or part ownership. This resulted in defeats for the government when peers amended proposals on starter homes saying that those that bought them with a discount should pay back the discount if they sold their houses at descending value of 5% each year that they own the property for a period of 20 years, and that Local councils be allowed to choose how many starter homes are built in their area in a bid to ensure that affordable housing remains a priority. The Government remains committed to their original ideas and it does not have to accede to these recommendations.

It should be noted that in the Devolution bid that has been submitted by the Heart of the South West (HotSW) there is an undertaking to build a Garden Village/Town which are defined in the Act as having between 1500 to 10,000 homes or larger numbers in bigger conurbations. These figures align generally with 179,000 dwellings being undertaken as the building target for the current Devolution bid ,and the other requirements buried in fine print of the Bill, possibly requiring longer reserves of designated building land over extended periods, revision of the building controls in the green belts where it has to be demonstrated that the adverse effects of development have to 'significantly outweigh the presumption that sufficient land should be allocated to meet objectively assessed needs', the creation of 'reserve' land sites that can be brought forward at short notice in the case of changing circumstances and many other changes designed to promote accelerated development.. The underlying question remains to be answered, where is the money coming from to pay for them and who will be able to afford them.

I don't think that life is going to get any easier anytime soon.

Yours

Derek Yeomans

County Councillor for Curry Rivel and Langport.

District Councillor for Burrow Hill