

Central
Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



**TO EACH MEMBER OF THE
EXECUTIVE**

13 March 2013

Dear Councillor

EXECUTIVE - Monday 18 March 2013

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the following:-

8. Gypsy and Traveller Local Plan

Please see link below to:

Appendix A – ORS – Central Bedfordshire Council Gypsy, Traveller and Showperson Accommodation Assessment Update 2013.

Appendix B – Draft Gypsy and Traveller Local Plan

Appendix C – Gypsy and Traveller Site Assessment which was provided to the Sustainable Communities Overview and Scrutiny Committee plus the additional information that was handed out at their meeting.

Appendix D – Public Comments to the Overview and Scrutiny Committee will be tabled at the meeting.

<http://www.centralbedfordshire.gov.uk/modgov/ieListDocuments.aspx?CId=577&MId=4056&Ver=4>

Please do not hesitate to contact me if you require a hard copy.

Please find attached the minute from the Sustainable Communities Overview and Scrutiny Committee held on 28 February 2013.

9. Land Rear of Central Garage, Cranfield, Development Brief

Please find attached a briefing note with regard to Option B, this Development Brief has been amended to remove any reference to the provision of a new lower school.

Also attached is the draft minute from the Sustainable Communities Overview and Scrutiny Committee held on 6 March 2013.

10. Minerals and Waste Local Plan Further Modifications

The Sustainable Communities Overview and Scrutiny Committee meeting held on 6 March 2013 recommended to the Executive:

- 1. that the modifications set out in the report be approved for publicity and consultation; and**
- 2. that the Director of Sustainable Communities, in consultation with the Executive Member carry out such minor changes as may be necessary prior to the public consultation and submission of any representations received by the Inspector.**

11. Planning Guidance Note on Wind Energy Development in Central Bedfordshire

Please find attached a log of proposed changes to the Planning Guidance Note and the minute from the Sustainable Communities Overview and Scrutiny Committee held on 6 March 2013.

The Executive Member for Sustainable Communities – Strategic Planning and Economic Development will move a revised recommendation 1 to read:

The Executive is asked to:

- 1. adopt Guidance Note 1: Wind Energy Development in Central Bedfordshire as technical guidance for development management purposes, as amended.**

12. Local Area Transport Plans in 2013/14 and 2014/15

The Sustainable Communities Overview and Scrutiny Committee meeting held on 6 March 2013 recommended to the Executive:

that the Sustainable Communities Overview and Scrutiny Committee supports each of the LATPs and the associated programmes of integrated transport schemes to be delivered in these areas.

14. Outdoor Access Improvement Plan

The Sustainable Communities Overview and Scrutiny Committee meeting held on 6 March 2013 recommended to the Executive:

that the Outdoor Access Improvement Plan be adopted.

17. Tenancy Strategy 2013 - 2018

The Executive Member for Social Care, Health and Housing will move an additional recommendation as follows:

The Executive is asked to:

require a review of the Tenancy Strategy to be undertaken during 2016; to specifically consider the impact that Welfare Reform has had on under-occupation and whether the supply of affordable housing is sufficient to meet local housing need.

19a. Flitwick Community Football Facilities, Phase 1 in delivery of a new Flitwick Leisure Centre

Please find attached the above report. Please note that this report was listed as exempt, but has now been split into two parts with the main report being public and the appendix being exempt.

28. Flitwick Football Community Facilities, Phase 1 in Delivery of a new Flitwick Leisure Centre

To receive the exempt appendix.

Please note that the minutes from the Sustainable Communities Overview and Scrutiny Committee meeting held on 6 March 2013 are draft and subject to change.

Should you have any queries regarding the above please contact Sandra Hobbs, Committee Services Officer on Tel: 0300 300 5257.

Yours sincerely



Sandra Hobbs
Committee Services Officer
email: sandra.hobbs@centralbedfordshire.gov.uk

This page is intentionally left blank

Executive – 18 March 2013

**Recommendation to Executive from the Sustainable Communities
Overview and Scrutiny Committee meeting
held on 28 February 2013**

SCOSC/12/91 Gypsy and Traveller Local Plan

Cllr Young introduced the Committee to a report that set out the findings of the Gypsy and Traveller Accommodation Assessment (GTAA) and introduced the Gypsy and Traveller Local Plan. Cllr Young thanked the officers that had been involved in the process to date and introduced Mr R Bennett, Local Government Association, to provide a presentation in relation to Gypsies and Travellers (**attached**).

Mr R Bennett drew particular attention to several matters in relation to Gypsies and Travellers which included: long-term health concerns and inequality in relation to health, education and employment; the lack of statistical evidence to support public perceptions; legal challenges and examinations in other areas of the country.

Ms J Taylor informed the Committee of several pieces of information including:-

- Sites 40, 79 and 112 had been removed from the list of 35 sites that had been issued in the list of sites provided to the Committee meeting on 17 January as they had not passed stage 2. As a result those sites on the map contained in Appendix C to the report should be marked in red and not orange.
- The full site assessments relating to sites 66 and 106 had been omitted from the Committee report. They had been circulated to Members at the meeting and would be made available to the public via the Council's website.
- As a result of questions from residents the access to GP scores relating to sites 2, 36, 55, 76 and 114 had been reassessed and reduced by one point. The access to GP score for site 63a had also been reassessed and reduced by two points. A table of these amended scores had been made available to all Members prior to the meeting and would be made available to the public via the Council's website.
- The Council had received over 3000 representations from the public prior to 5.30pm on 25 February which had been summarised and made available to Members of the Committee. An update to Appendix D had been circulated to Members of the Committee.
- The 2006 GTAA had been refreshed and the final pitch requirement was 157 pitches for Gypsies and Travellers and 22 pitches for Travelling Showpeople up to 2031 for allocation in the Gypsy and Traveller Local Plan.

Mr N Moore provided the Committee with further detail in relation to the GTAA Update and in particular informed the Committee that there was no evidence of vacancies on current sites. The current level of immediate need totalled 44 pitches as follows:-

- 9 pitches for households without planning permission;
- 15 pitches for households with temporary planning permission;
- 14 pitches for persons on the waiting list with a 'genuine need'; and
- 6 pitches for households with sites coming back into use

Mr N Moore commented that based on national trends a growth rate of 2.5% applied to the current number of pitches in Central Bedfordshire was considered to be appropriate. There was no provision within the figure for migration in or out of the area and any movement from bricks and mortar homes had been included in the numbers of persons on the waiting list. A total of 65 pitches would be required to meet need up to 2018. After that the following 92 pitches would be required for Gypsies and Travellers using the 2.5% growth rate:-

- 31 pitches between 2019 and 2023;
- 36 pitches between 2024 and 2028; and
- 25 pitches between 2029 and 2031.

Mr N Moore also commented that there were 25 Showpeople currently in Central Bedfordshire. There was an immediate need for ten unauthorised pitches and a further 12 pitches to allow for growth up to 2031 as follows:-

- 3 pitches between 2019 and 2023;
- 4 pitches between 2024 and 2028; and
- 2 pitches between 2029 and 2031.

Cllr Nicols raised concerns that by being responsible in relation to the duty to provide Gypsy and Traveller sites the Council now had to find more sites. It was queried whether by being responsible the Council had disadvantaged itself compared to other planning authorities. In response Mr R Bennett commented there was no evidence that responsible planning authorities had become 'honey-pots' for Gypsy and Traveller sites. Mr N Moore also responded that some authorities had lost under appeal where they had failed to meet their duties, which had resulted in significant cost to the authority. Under the Localism Act Councils had become the highest planning authority and whilst they were under a duty co-operate with other Councils they did not have to agree. The level of growth in Central Bedfordshire was not considered to be disproportionate to levels in other local areas.

In response to additional questions from Members the following responses were provided:-

- Mr R Bennett advised that small sites of roughly five pitches integrated best with the local community but the Council should ask the Gypsy and Traveller community what they felt to be an appropriate site size. Larger sites could be difficult to manage.
- Mr N Moore confirmed that there was no migration in or out of the area included in the level of 'need' identified.

- Mr R Bennett confirmed that there was significant evidence of inequality in relation to health and education outcomes for the Gypsy and Traveller community. To address this inequality the Council would need to ensure that spaces were available in local schools.
- Ms J Taylor commented there were 3 public sites in Central Bedfordshire onto which persons on the Gypsy and Traveller waiting list could be allocated. Allocations were managed by the Council's Housing Service.
- Mr N Moore stated that there was no latitude in unitary authorities to allocate sites to Gypsy and Travellers from other local authority areas.
- Mr N Moore stated that the size of Travelling Showpeople sites varied but was usually 100 square feet. Cllr Young clarified that the size of sites for Travelling Showpeople varied from site to site.

Ms C Harding, advised the Committee on the Equality Duty and the duties of the Council in relation to persons with a protected characteristic, such as Gypsies and Travellers. The meeting was to be conducted in a manner that respected all groups of residents in Central Bedfordshire, discriminatory language would not be permitted.

In accordance with the Public Participation Procedure the Chairman invited 31 speakers to address the Committee. Members of the public raised comments and concerns, which in summary included the following:-

- The process of developing a Gypsy and Traveller Local Plan not been transparent, this included the removal of some sites prior to the Committee meeting. The Council should have considered more sites before reaching this stage.
- Several of the site scores were inaccurate and it was not clear why some sites had failed at stage 2 whilst others with similar problems, landscaping for example, had progressed to stage 3.
- Inaccuracy of the total numbers of pitches required and a lack of evidence for the level of need, which should encourage the Committee not to sanction the Gypsy and Traveller Local Plan. It was also not clear if the level of growth identified was appropriate. The Council should consider only allocating sites for the next five years.
- Concerns regards an unequal distribution of proposed sites across Central Bedfordshire.
- Whether the costs associated with mitigating the concerns on some sites would be acceptable.
- The importance of effective community integration, which included providing access to schools for Gypsy and Traveller children. It was suggested that developing large Gypsy and Traveller sites would have a negative impact on community integration.
- Whether the Council was only developing a Gypsy and Traveller Local Plan in order to comply with an EU directive.
- Concerns regarding the use of consultants.
- Whether a site could be located next to Centerparcs.
- There were four proposed sites near to Sutton, which if allocated would dominate the local community.

- Sites 2 and 36 – speakers raised specific concerns regarding inaccuracies in the site scores, the lack of utility infrastructure, the lack of other facilities including healthcare and education, poor screening of the proposed site, poor drainage, poor vehicular access and lack of pedestrian footpaths. Concerns were also raised that the land was high grade agriculture land and previous planning applications in this area had been refused, the open and exposed nature of the site should encourage the proposal to be rejected. Archaeological remains had also been found at site 36. It was also commented that a report had been commissioned from Link Support Services (UK) that had been submitted to the Council.
- Site 13 – speakers raised specific concerns regarding development on the greenbelt and the impact on local wildlife. The site was felt to be unsuitable due to poor and dangerous access, noise and air pollution, flood risk, sewage regularly overflowed onto the site and the presence of electrical pylons. It was also commented that a petition against this site had been circulated in the area.
- Site 15 – speakers raised specific concerns relating to the impact of a site on wildlife and the environment, an ecology report had been commissioned but not yet completed. The site was felt to be unsuitable due to flood risk and previous planning applications in the area had been refused. It was suggested allocating the site would be inconsistent with existing Council policies and the National Planning Policy Framework (NPPF), the Council should not allocate sites in the greenbelt. Allocating this site could also impact on the Barton-Le-Clay Neighbourhood Plan.
- Site 16 – speakers raised specific concerns that allocating this site would be inconsistent with existing Council policies and the NPPF due to it being in the greenbelt. Faldo Farm would be unfairly affected as a result of this site as there would be two sites either side of it. The site was also adjacent to a dual carriageway and unsuitable due to dangerous access, the site would impact on a rural road and local properties.
- Site 20 – speakers raised specific concerns that the proposed site was high grade agricultural land and allocation would detrimentally impact on local wildlife, visual impact and the Greensand Ridge walk. The site was also of archaeological importance and it was felt to be unsuitable due to the presence of a water main on the site, was prone to flooding, insufficient amenities on the site and a lack of public transport. It was suggested that allocating the site would be contrary to the Council's Core Strategy and the NPPF and would result in legal challenge. Excavation of the site would also be necessary in order to mitigate most of the concerns with the site.
- Site 28 – speakers raised specific concerns that this site would dominate the settled community and local schools and that it was unsuitable. The site suffered from unsuitable and dangerous access. There were concerns that the site had been included in the local Masterplan and its allocation could conflict with the Masterplan proposals for the A5-M1 link.

- Site 33 – speakers raised specific concerns regarding the use of agricultural land and the impact of the proposed site on local schools, it was also suggested that the score for the site were inaccurate. The site was felt to be unsuitable due to dangerous access and flood risk and it was suggested that its allocation would have a detrimental impact on the community and would not blend appropriately into the landscape.
- Site 70 – speakers raised specific concerns that the site was unsuitable due to flood risk, land contamination, unsafe access and lack of footpaths, the presence of historic remains, the lack of utility infrastructure and concerns regards coalescence of the gap between the A1 and Ivel Valley. It was suggested that the site would result in an unsuitable impact on the visual landscape and on wildlife. It was suggested that this site should not have progressed past stage 1 or stage 2 of the assessment as the Council had no legal right to seek possession of the land.
- Site 79 – speakers commented that that there had been a significant number of objections regarding the site and it was positive that the Council had removed it from the process.
- Site 80 – speakers raised specific concerns that the site would dominate the local community and that it should be retained for agricultural use. It was suggested the site was unsuitable as there were no facilities or utility infrastructure, poor access and it had been refused following previous consultations.
- Site 81 - speakers raised specific concerns that the site was unsuitable due to unsafe access and the impact on local wildlife and previous planning applications in the area had been refused. It was suggested that this site should not have progressed past stage 1 or stage 2 of the site assessment and any development would be contrary to the NPPF and the Council's Core Strategy.
- Site 102 – speakers raised specific concerns that the site did not meet the criteria set by the Gypsy and Traveller community and the land was agricultural. It was suggested the site was unsuitable as the local schools were overcrowded, there would be a negative impact on the recreation ground, dangerous access, flood risk, detrimental impact on the community and difficult of blending the site into the landscape. It was also suggested that the site score for Flitton were inaccurate.
- Sites 113 and 114 – one person spoke in favour of these sites and commented on the difficulty for his children to attend school due to regularly being moved on. The speaker, who was a Travelling Showperson, commented that his daughter had attended school and as a result she had been able to teach other members of the family how to read. The allocation of these sites would provide necessary access to utilities and schools. The sites could be delivered at no cost to the Council.
- Sites 113 and 114 - speakers raised specific concerns that these sites were located in the greenbelt and there were no 'exceptional circumstances' that suggested they should be used. These sites were considered to be unsuitable due to being isolated, unsafe access, poor access to facilities and poor access to schools. The Council needed to

have due regard to the local community if these sites were allocated, their impact would be disproportionate.

- An extension of the current site in Flitton might be acceptable.
- Potton – speakers stated that there had been no consultation with the local Gypsy and Traveller community, which was critical to the development of the Gypsy and Traveller Local Plan. Sites in Potton were unsuitable as they were located on agricultural land. Not having provided the tenants of farms in Potton of potential eviction was unacceptable. Sites within Potton were also considered to be unsuitable due to overcrowding in schools, the funds previously spent on sites in Potton, previous planning applications were rejected, sites were adjacent to a working quarry, impact on the landscape and a conservation area.
- A third site in Arlesey would be inappropriate, sites should be spread around Central Bedfordshire.
- Sites in Everton and Moggerhanger were unsuitable due to dangerous access and pressure on schools and traffic. The sites had scored poorly during stage three.

(Meeting Adjourned at 13:27 and reconvened at 14:07)

Cllr McVicar informed the Committee that as a result of the site visits carried out by Members to each of the proposed sites and the evidence that had been received he was aware of several sites that were totally unsuitable. In light of the evidence the Chairman proposed that sites 13, 16, 55, 58, 76, 78, 80, 92 and 116 be allocated. Members were invited to propose any other sites to be allocated that they felt were appropriate. The Chairman invited Members who were not on the Committee to provide their views before the proposal was discussed by the Committee.

Cllr Versallion commented on the perception that there was a disproportionate distribution of sites across Central Bedfordshire. Cllr Versallion felt the Stanbridge site was inappropriate and unsuitable for several reasons that included the impact on the greenbelt, dangerous access, absence of a footpath to the local school, impact on local schools and the site not presently being developable. In response Cllr Young commented on the differences between Gypsy and Traveller and Travelling Showpersons sites and the positive aspects of screening and potential for developing a slip-road to provide access to the site. It was commented that if the Council did not allocate any sites in the greenbelt then they would all be located in the North of Central Bedfordshire. Whilst there was a significant Gypsy and Traveller population within two to three miles of the proposed site this was proposed as a Travelling Showperson site.

Cllr T Turner raised specific concerns regards the inappropriate nature of site 80, which had previously been rejected. There were specific concerns regarding coalescence and unsuitability due to congestion and proximity to a road. It was suggested that the number of sites proposed would over-provide for the level of need identified.

Cllr G Clarke commented that the North Hertfordshire border was adjacent to one of the proposed sites. Any amendment to screening on the site would need approval from North Hertfordshire Council. This site was considered to be unsuitable due to inappropriate access, terracing would be required, flood risk, safety concerns and lack of utility infrastructure.

Cllr J Lawrence raised specific concerns regarding site 55 and the scores attributed to access to schools. The site was considered to be unsuitable due to its isolation from necessary facilities.

Cllr J Jamieson commented that he recognised the difficulty with regard to developing a Gypsy and Traveller Local Plan and the Council's options had been limited due to the sites that had come forward. Cllr Jamieson raised specific concerns relating to site 13, which was considered unsuitable due to poor visibility and access, including footpaths, flood risk from sewage pipes, the use of greenbelt and agricultural land, the impact on wildlife and archaeological sites. With regard to site 116 Cllr Jamieson commented that the site currently had temporary permission and it had been well managed in the past despite poor screening and being relatively untidy. The Council should stick to the principal of smaller family sites and it was practical to award permissions to existing sites. It was difficult to object to the allocation of this site however the size of the site and number of pitches needed to be determined. With regard to site 78 Cllr Jamieson commented that the owner usually resolved problems quickly and had committed to investing in the site if permission were granted. It was suggested it was difficult to oppose this site although the Council might suggest no more than four pitches on the site with screening and suitable landscaping.

Cllr D Lawrence commented that the Council still had not appropriately identified the number of pitches required, these should be published with the public consultation.

Cllr J Saunders raised specific comments with regards to site 76, which he considered to be unsuitable due to inappropriate access and its location in the greenbelt. Cllr Saunders also raised specific concerns regarding site 81, which he considered to be unsuitable due to inappropriate access, poor access to schools and its proximity to a sewerage works.

Cllr I Shingler raised specific concerns regarding inappropriate development in the greenbelt and concerns that the identified level of need kept changing, it was not clear why need had increased when the caravan count suggested that the numbers of Gypsies and Travellers had fallen. With specific regard to sites 15 and 16 Cllr Shingler commented that the sites were unsuitable due to their location in the greenbelt, proximity to an Area of Outstanding Natural Beauty (AONB), impact on the landscape and agricultural land. It was suggested that neither site was deliverable. There were also medieval settlements in the area of site 16. With specific regard to site 17 Cllr Shingler commented the site was unsuitable due to the difficulty of screening, road safety, lack of pedestrian access, flood risk and proximity to major roads. Proposals would also affect a local industrial estate where several proprietors

had indicated they would leave if the Gypsy and Traveller site was allocated. Cllr Shingler suggested that Members could either reject proposals, reduce the number of pitches allocated or accept the proposals. The Committee needed to effectively scrutinise the proposals and identify how tensions could be reduced with the settled community.

In response to Cllr Shingler, Mr N Moore commented that the caravan count by itself was an inadequate method of measuring need as many Gypsies and Travellers may have been travelling at the time of the count. Mr R Fox also stated that consultation had been undertaken with the Gypsy and Traveller community, including the community in Potton. There was ongoing dialogue with neighbouring authorities.

Cllr Shinger also commented on behalf of Cllr Mustoe that site 92 was unsuitable due to its location in relation to the Chilterns AONB and development on the greenbelt was unsuitable. In response Mr R Fox stated that there was a presumption against development in an AONB but as this was an extension to an existing site it was not considered that it would affect the view in the manner that a new Gypsy and Traveller site might.

Cllr Zerny commented that it was unrealistic to predict the level of Gypsy and Traveller need for the next 20 years, a view that was shared by the Gypsy Council. Public consultation by the Council on the proposed sites had been poor and it was inappropriate for the Council to hold this meeting in an unsuitable venue during the day when many would be unable to attend. The scoring of the sites had been inaccurate. There was also a disproportionate number of sites in a small number of wards. Cllr Zerny commented that several sites had been removed from the process, which was good but several that had been proposed were unsuitable. Site 58 was unsuitable for several reasons including, its location on high grade agricultural land, there were archaeological remains on the site, green space needed to be maintained and the reasons for failure of other sites had not been applied in Potton, lack of pavements to local schools, lack of privacy, proximity to a quarry. Cllr Zerny stated that site 55 was unsuitable due to it being high grade agricultural land, proximity to unsafe roads, no privacy, views that all sites in Potton should have failed at stage 2 of the process. It was also commented that there was a lack of detail regarding the manner in which the Council may receive funding through the New Homes Bonus as a result of delivering Gypsy and Traveller pitches. It was suggested that the Council should find more suitable sites before a decision was taken.

Cllr Gurney raised concerns regarding the number of sites proposed in Potton ward and the difficulty of understanding where land was owned by the Council. Cllr Gurney commented that site 58 was unsuitable due to concerns of traffic, impact to the environment, noise pollution, proximity to a functional quarry that would impact on health, the lack of a pathway to the local school and concerns regarding the lack of consultation with the Gypsy and Traveller community. It was also commented that additional consultation with the community and with Cambridgeshire County Council was necessary.

In response to the issues raised by Members Cllr Young provided a response to several issues as follows:-

- Central Government had asked Councils to identify need for 15 years, whilst it was difficult to identify sites for that period of time it was necessary.
- A plan-led approach to the Gypsy and Traveller Local Plan enabled the Council to consider landscaping, access and screening issues. The proximity of a site to an AONB would be dealt with through landscaping.
- He was confident that the evidence was robust, the numbers would be examined by the Secretary of State.
- One of the proposed sites was in the Potton ward, the other to which Cllr Zerny referred was in Biggleswade. He felt that there was an equitable spread of sites across Central Bedfordshire in those that the Chairman had recommended.
- The NPPF gave the Council until March 2014 to have a Gypsy and Traveller Local Plan in place. If the plan was not in place we would lose control over our environment and the Government would allocate sites without consultation.
- A statutory consultation would be undertaken in May/June 2013, which would include Gypsy and Traveller families, all representations would go directly to the Secretary of State. With specific regard to Potton Gypsies and Travellers had been invited to attend workshops but they chose not to attend. Forms were also provided to families but none were returned. Cllr Young thanked Cllr Gurney for her support in consulting the Gypsy and Traveller community in Potton.
- Site 58 could be located in such a way as to not be unduly affected by the quarry.
- Credit should be given to residents of the Myers Road site as many of the problems that existed in the past have been resolved and there had been no problems reported to Cllr Young in the previous 12 months.

Mr R Fox also stated that the Council had invited informal feedback and as a result a substantial number of people had sent emails and letters to be considered by the Overview and Scrutiny Committee. If the proposed sites were recommended to Executive for approval and then to Council there would be two further opportunities for residents to make their views known. Following Council there would be a further formal, 6 week planning consultation where all representations would go to the Secretary of State. There would also be an examination in public at which residents could make their views known. The Council had chosen to link the timescales for the Gypsy and Traveller Local Plan to those of the Development Strategy to ensure that it was considered 'sound' by the Inspector.

The Chairman then invited the views of Members of the Committee in light of discussion and the views that had been presented.

Cllr Graham stated that the Gypsy and Traveller Local Plan was counter to Council Policy. It was unsuitable to build on the greenbelt without a definition of 'exceptional circumstances'. There were errors in the refreshed GTAA, which should be expected as it was done so quickly, there may have been more suitable locations that we were currently unaware of. Without an adequate assessment of need there was no way that the Council could be confident the plan was appropriate. Councillor Graham felt that the list of sites was erroneous and commented that she would vote against the Gypsy and Traveller Local Plan as it was unsubstantiated. In response Cllr Young stated that any new sites would be welcomed and could be added in the future during any subsequent refreshes. There was no contradiction to Council policy, the NPPF allowed for the Councils proposals. Not having a plan would lead to chaos and the Planning Inspector would grant permission for sites by default.

Councillor Shadbolt proposed that the Committee approve the total number of pitches for allocation in the Gypsy and Traveller Local Plan (seconded by Cllr Bastable). In debating the proposal the Committee discussed the following issues:-

- Cllr Young stated that the GTAA identified the level of immediate need but there was also a level of need required to meet growth. Cllr Young was confident that immediate need could be met from new applications, major development schemes and the expansion of sites that already exist.
- Cllr Williams queried whether the Council was too compliant and asked whether other neighbouring authorities were developing their Gypsy and Traveller Local Plans as well. We should be sure that others weren't waiting for us to develop our plan first. In response Mr R Fox commented that he was not aware this was the intention of any neighbouring authorities. All authorities had a duty to develop a Gypsy and Traveller Local Plan and others have got into trouble for waiting for others to take the lead.
- Cllr Maudlin stated that she was not comfortable with allocating land all the way up to 2031 as it may be needed for other purposes.

The Committee voted on the proposal to allocate 157 pitches for Gypsies and Travellers and 22 pitches for Travelling Showpersons up to 2031. The Committee voted 8 in favour and 1 abstention on this proposal.

The Committee discussed which sites should be allocated in the Gypsy and Traveller Local Plan to meet the identified need. Having received evidence in relation to the sites the Chairman suggested that sites 13 and 80 be removed from the proposed list. In debating the proposal to the Committee discussed the following:-

- Cllr Nicols raised specific concerns regarding the allocation of site 13 and whilst it had been removed at this stage he reserved the right to oppose its inclusion during any inspection. Cllr Nicols considered site 13 to be unsuitable due to concerns on access on the site, an access point would be required from the East of the ward, it was situated next to a cemetery, the site was subject to flooding and poor sewerage.

Solutions to mitigate concerns included the removal of hedges and bushes which would be costly and untenable. The site should be rejected on the grounds of access, drainage, impact on the adjacent community and development on the greenbelt.

- Cllr Maudlin could not support the allocation of site 80.
- Cllr B Saunders raised specific concerns regarding the allocation of site 76 as it was located on a slope and would require terracing, which was against Council Policy. There were also issues relating to health and safety on the highway, dangerous access to the site, flood risk, the site was adjacent to a cemetery and a reservoir.
- Cllr Williams requested that some identification be provided of the number of pitches that would be delivered on the sites before a recommendation was agreed. In response Cllr Young indicated the following allocation of sites across the proposed sites:-

Site number	2013 – 2018	2019 - 2023
16	5	5
58	5	5
55	5	5
76	5	5
78	4	-
92	9	-
116	11	2
Total:	44	22

Cllr Shadbolt proposed that the Committee voted on the proposal to allocate sites 16, 58, 55, 76, 78, 92 and 116 to meet pitch requirements up to 2031. In addition Cllr Young suggested that the Committee ask that the sites be allocated in a manner that complied with Policy B (Paragraph 9) of the Planning Policy for Traveller Sites. The Committee voted 6 in favour, 2 against and 1 abstention.

Cllr Young informed the Committee that there were 3 sites available to be allocated for use by Travelling Showpersons, sites 114, 82 and a site North of Houghton Regis at Thorn Turn, which had only just been notified to the Council. Cllr Young asked if the Committee were willing to be vague with their recommendation as there was possibility for another private site to come forward. The Committee might wish to take this into consideration as part of their recommendation.

Cllr Williams raised concerns that the site at Thorn Turn had been allocated as part of the BEaR project and therefore should not be considered. It was queried why the site was not presently in front of the Committee for discussion. In response Cllr Young stated that he did not perceive there to be any problem in relation to the use of this filed for Travelling Showpersons.

Cllr Nicols commented that he was comfortable with the allocation of the site at Thorn Turn due to the nature of the site but would not be comfortable with the addition of other sites that were not currently included in the documents. Cllr Nicols had already accepted some element of risk in his ward with two potential sites and would not be comfortable to see further sites. Cllr Young stated that both sites would not be used. Mr R Fox commented that an exact position would be provided at the Executive meeting in relation to Travelling Showpersons.

Cllr McVicar proposed that site 82 be allocated, which was agreed by the Committee. Whilst the Committee had agreed to allocate site 82 Cllr Shadbolt stated that he was against the use of site 114 due to the shortage of space at the site.

Cllr McVicar proposed that the Committee approve the Gypsy and Traveller Local Plan for publication. The Committee voted on this proposals, which was agreed with 7 in favour, 1 against and 1 abstention.

Recommended to Executive:-

- 1. That pitches be allocated in the Gypsy and Traveller Local Plan up to 2031 as follows:-**
 - 1.1 157 pitches for Gypsies and Travellers; and**
 - 1.2 22 pitches for Travelling Showpersons**
- 2. That the following sites be allocated in order to meet the pitch requirement for Gypsies and Travellers to comply with planning policy for traveller sites Policy B (paragraph 9):-**
 - 2.1 Site 16 (Land West of A6, South of Faldo Road and West of Barton-le-Clay)**
 - 2.2 Site 55 (Land South East of Park Corner Farm and South of Dunton Lane)**
 - 2.3 Site 58 (Land East of Potton Road and South of Ram Farm)**
 - 2.4 Site 76 (Land South of Fairfield and West of Stotfold Rd)**
 - 2.5 Site 78 (Land East of M1, Tingrith)**
 - 2.6 Site 92 (Land East of Watling Street and South of Dunstable)**
 - 2.7 Site 116 (1 Old Acres, Barton Road, Pulloxhill)**
- 3. That site 82 (Kennel Farm Holding, East of Biggleswade) be allocated to meet some of the pitch requirement for Travelling Showpersons to comply with planning policy for traveller sites Policy B (paragraph 9).**
- 4. That the Gypsy and Traveller Local Plan be approved for publication.**

Executive Meeting – 18 March 2013

Land Rear of Central Garage, Cranfield, Development Brief

Summary of Changes – Executive Report

- Insertion of new paragraph (paragraph 50) to emphasise that, as part of the changes from the original Development Brief, Development Brief Option B removes any reference to the provision of a new lower school.

Summary of Changes – Appendix B – Development Brief Option B

- This Development Brief option has been amended to remove any reference to a new lower school. These references have been removed at the following points.
 - Paragraph 1.0 – “and to provide a parcel of serviced land (1.4ha) for the potential provision of a new lower school. Access to the adjacent land to the southeast corner owned by the Primary Care Trust will also be provided” has been deleted and “for 135 dwellings” inserted at the end of the paragraph.
 - Paragraph 4.5 – “and the provision of a new Lower School should that be required” removed.
 - Paragraph 7.1 – “across the site and the provision of a site for a new lower school” removed and “on part of the site” inserted to replace removed text.
 - Paragraph 7.6 – “The design will also have to encompass the servicing and access of any proposed new lower school and the site retained by the Primary Care Trust (PCT)” has been removed.

This page is intentionally left blank

Executive – 18 March 2013

**Recommendation to Executive from the Sustainable Communities
Overview and Scrutiny Committee meeting
held on 6 March 2013**

SCOSC/12/98 Land Rear of Central Garage (Cranfield) Development Brief

The Chairman invited three public speakers to address the Committee in relation to this item. The speakers raised several issues, which in summary included:-

- The difficulty that residents of Flitt Leys Close currently experienced in relation to parking as a result of several existing businesses. Despite previous efforts to resolve these issues in conversation with the Council and the Police the issues had not been resolved.
- The amount of litter that was often present on Flitt Leys Close.
- Children currently played in the road on Flitt Leys Close, the additional traffic would create significant problems regarding safety without significant remodelling to the roads.
- Narrow access to Flitt Leys Close already created a hazard and prevented access to emergency vehicles.
- There was an inadequate level of off-road parking in the area.
- The delivery of a lower school on the proposed site was unsustainable and would lead to significant traffic congestion. It was suggested that there was under-capacity in other schools in the area, which could be used to accommodate need rather than providing another lower school as part of this development.
- It was not clear why the proposed site for the lower school had changed from that on which it was proposed originally.
- Traffic Management solutions would not address the concerns relating to access.

In response to these issues Cllr Young stated that he was conscious of the parking concerns in the area and that these needed to be mitigated. A new development provided the opportunity to address some of these concerns. Cllr Young also stated that neither of the options presented to the Committee could be implemented without a detailed transport plan that would be provided alongside a planning application. Members needed to remember that the area had been allocated for housing in the adopted Development Strategy. If the Development Brief were not adopted the Council would have less control over the development of the site.

Cllr McVicar commented that whatever the recommendation agreed by the Committee the access to this area may need to be considered. Cllr McVicar also reminded the Committee of their recommendations to Executive on this Development Brief at their previous meeting. In response to a question from a Member it was also clarified by the Chairman that the site had been allocated in the Development Strategy for housing and a school "if required".

In response to the issues raised by the public speakers and the submissions provided by residents and Cllr S Clark the Committee discussed the following issues in summary:-

- Concerns that the entrance through Flitt Leys Close was considered to be unsuitable and a traffic management scheme was unlikely to mitigate concerns relating to congestion. In response Cllr Young stated that the Development Management Committee would make a decision as to the suitability of the access once a planning application had been submitted. The site was considered suitable by Full Council to be allocated for development. It was important that the Overview and Scrutiny Committee did not seek to act as the Development Management Committee in relation to this matter.
- Whether the developer could be asked to reconsider the proposed access and exit to the site and present a revised Development Brief. In response Cllr Young stated that this was not possible. Mr R Fox also stated that the Council's Highways Officers had advised that the "access was acceptable" to serve the additional housing, a lower school and a primary care facility. If the Council chose not to adopt the Development Brief it would have less control over the development of the site.
- Concerns that the two options presented to the Committee were the same as they both referred to the provision of a new Lower School. In response Mr R Fox stated this was a typo and if the Committee agreed the option that did not include a lower school all references would be removed.
- Concerns that the Council might agree a Development Brief that it knew would lead to problems of accessibility.
- Concerns regarding the high proportion of negative responses that had been received in relation to the proposed Development Brief.
- A decision had not been taken by developers in relation to the provision of a lower school as part of the development. Costings had been requested in relation to several options relating to the development.
- Concerns that the proposed site of the Lower School had been altered since the development was agreed to be included in the Local Development Framework, subsequently making the development unsuitable. The proposed site for a lower school was considered to be particularly unsuitable and would result in serious traffic concerns.
- Concerns regarding the location of the school playing field.

In response to the issues raised by Members Cllr Young commented that this Development Brief adhered to the Council's adopted policies in relation to not providing parking at schools and encouraging people to walk to school. The Council should not seek to contradict its adopted policies. If the Council chose not to adopt the Development Brief then the Council would be obliged to grant a planning application when it was submitted. Cllr McVicar further reminded the Committee of their previous recommendation in relation to this Development Brief and the impact that not adopting the Brief would have on any subsequent planning application and potential traffic management schemes.

Cllr Bastable proposed (seconded by Cllr Graham) that both Development Brief options be rejected and that the Executive be informed it was the view of the Committee that they could not support either option. The Committee voted on this proposals and voted five in favour and four against.

RECOMMENDED TO EXECUTIVE

That the Sustainable Communities Overview and Scrutiny Committee does not support the adoption of the Development Brief for Land Rear of Central Garage (Cranfield) as technical guidance.

This page is intentionally left blank

Proposed amendments to Guidance Note 1: Wind Energy Development in Central Bedfordshire (March 2013)

Amendment made and where	Rationale for amendment
Introduction to renewables guidance and Guidance Note 1: Wind development in Central Bedfordshire split into two separate documents	Clarify the overall approach to be taken with all guidance notes looking at a range of technologies and to clarify that Wind isn't the only technology that will have guidance with regards to the approach to large scale Renewables in Central Bedfordshire.
Renewables Guidance introduction:	
1.7 Clarify what the Renewable guidance documents do and don't provide	To clarify the confusion that seemed to think the guidance notes were, site allocation documents, the council's climate change strategy etc and to provide more clarity on how they should be used.
Guidance note 1: Wind development in Central Bedfordshire	
1.4 – clarification as to review timescales and process for making changes	Acknowledges that technology, legislation, guidance is evolving alongside the understanding of how national planning policy impacts on these areas as it is tested through examinations and legal challenge.
1.6 – Change to from saying schemes have to 'meet criteria' to developers have to demonstrate how negative impacts will be mitigated.	To bring it in line with NPPF para 97 (bullet 2) and para 98 (bullet 2).
1.11 – clarify that some areas are not covered in detail e.g. Noise. Also highlights guidance produced by C.Beds CAS for RoW and Highways Agency.	This will reflect that guidance and understanding of impacts in evolving and gives flexibility for the latest approaches/evidence to be considered
1.12 – clarify other issues relating to public amenity e.g. highways etc are not covered but guidance is signposted too in the references section.	Clarify other useful guidance from bodies that would be consulted on planning apps
2.3 - Remove reference to large wind farms as being 11 or more turbines	There is no clear definition as to what constitutes a medium or large wind farm and impact is variable depending on size of turbines e.g. 11 60m turbines may have less impact than 11 150m turbines.
2.10 – Key principles for assessing planning applications for energy developments in the NPPF, EN-1 and EN-3 reiterated.	Attempt to make it clearer that ultimately if a proposal can be made acceptable to the Council it would have to be approved and that local landscape designations in their own right cannot be solely be used to refuse planning applications.

Amendment made and where	Rationale for amendment
2.13 - Clarified why Scottish Heritage guidance is referred too	Highlight that this is used in the absence of English guidance and is used by many other LA in England. That obviously differences in landscape type are taken into consideration when applying this.
3.3 – Text added to acknowledge other constraints faced by wind developers for finding suitable sites.	Highlight that there are many other factors that determine site selection above and beyond wind speed.
4.11 – text added to highlight the difference status of AONB and Community forest landscape designations.	Clarify that they are viewed differently by law and the designations have different purposes.
4.12 - Amend text to clarify status of different designations	Answer the criticism that we are giving non-designated areas the same level of status as AONB, but also clarifying that even non-designated landscapes are valued locally and should still be considered
5.10 - Include reference to site assessments carried out to 'ground proof' assessment made and also reference to possible need for future 'fine grain' studies of areas	To demonstrate that the assessment made has been backed up by site visits etc and has not just been done on GIS and to also give scope to look in more detail at areas likely to face a greater impact.
6.7 - Paragraph removed	Emotive and difficult to substantiate
7.0 – Methodology clarified	To provide further clarity on approach taken to carry out assessment.
7.10 - Landscape character text and map moved	Name changed to landscape assets and moved to prior to section on other considerations (Heritage and wildlife) and sites mapped directly relate to these. Additional text added to clarify impact of NPPF – that these aren't no go zones but a far greater level of mitigation is needed to limit impact.
Map 4 - (Renumbered to Map 3). AONB shown separately, minor changes to some areas as a result of ground proofing. Changes to colour coding of areas to clarify different sensitivities.	To clarify that we aren't classing highly sensitive landscapes as being at the same level as the AONB. A lot of incorrect conclusions were made in consultation responses from maps so changing colour coding should clarify these.
Map 7 – LUC Visual Sensitivity map move to appendices to be replaced will map showing areas of search	LUC map misinterpreted in consultation. Areas of search map will point wind developments to areas of low sensitivity as per brief.
8.7 – Amendment to table 2 based on ground proofing observations.	
10.0 – minor clarifications to advice given on heritage, and biodiversity. Heritage and Archaeology text merged.	To clarify some points and remove repetition. Also highlight that in every instance a case by case assessment is needed and will be based on these principles.
13.0 - Other issues. Changes to Noise text based on Env Health. Better overview given with regard to ETSU-R-97 and how it would be used given its age. New text from Environmental Health. Text added regarding	To allow flexibility with regards to how noise and other associated impacts are considered and to take into account changes in technology, turbine size etc since ETSU-R-97 was originally published 15 years ago.

Amendment made and where	Rationale for amendment
reversibility of wind farm developments.	Reversibility text added to clarify that limited lifespan of 25 years ins not considered temporary.
14.0 References - Additional guidance documents added	Sign post other guidance and considerations etc

This page is intentionally left blank

Executive – 18 March 2013

**Recommendation to Executive from the Sustainable Communities
Overview and Scrutiny Committee meeting
held on 6 March 2013**

SCOSC/12/99 Planning Guidance on Wind Energy Development in Central Bedfordshire

Mr S Mooring introduced a report that set out proposed technical Guidance Note 1 on wind energy development in Central Bedfordshire. In addition the importance of the guidance as a material planning consideration was highlighted. The guidance did not refer to specific sites and referred only to wind energy. Guidance relating to alternative forms of renewable energy would be developed over the next 12 months.

The Chairman invited a speaker to address the Committee. The speaker raised several issues, which in summary included:-

- Concerns that Guidance Note 1 was not in accordance with the Council's own Development Strategy or national planning policy including the National Planning Policy Framework (NPPF), the Overarching National Policy Statement for Energy (EN1) and the National Policy Statement for Renewable Energy Infrastructure (EN3).
- Concerns that the Council could not adopt Guidance Note 1 without considering other alternative sources of renewable energy, which effectively appear to be ruled out by this Guidance.

In response Mr S Mooring stated that there were no references in Guidance Note 1 that ruled out other forms of renewable energy. Guidance Note 1 did set out where the Council might ask for mitigation measures in the event of wind developments being provided in Central Bedfordshire. It was also commented that the document highlighted sensitivity of landscape and other factors relating to wind farm developments. In those areas deemed high or medium sensitivity an onus was placed on developers to design schemes that do more to mitigate these impacts. Under the NPPF the Council would have to approve applications if its impacts were (or can be made) acceptable.

Members who were not on the Committee raised concerns that Guidance Note 1 was disappointing and seemed to suggest that Central Bedfordshire was not supportive of wind development. In response Mr S Mooring commented that Guidance Note 1 identified some areas that are seen as having some potential for wind generation.

The Chairman invited Cllr Nicols to make a presentation to the Committee with regards to Guidance Note 1. Cllr Nicols referred to several specific concerns regards the document that were in summary as follows:-

- Cllr Nicols felt that Guidance Note 1 was an overt attempt to block wind turbines in Central Bedfordshire for political reasons and in particular it could damage the emerging Development Strategy.
- The Guidance Note was based on national planning policy that did not yet exist.

- The Guidance Note would prevent any wind turbines being developed in Central Bedfordshire. The Guidance Note was not, as was required by the NPPF, a “positive strategy to promote energy from renewable and low carbon sources”.
- The Guidance Note did not assist all parties involved in the renewable energy development process (para 1.1 refers).
- The Council should wait until the remaining series of notes had been produced to guide development of renewable energy (para 1.2 refers) rather than adopting this Guidance Note now in isolation.
- The purpose of any proposals outside of the least sensitive geographic areas having to argue their case (para 1.6 refers).
- The subjective nature of the statement relating to the impact of wind farm developments (para 2.1 refers).
- It was inappropriate to refer to the European Landscape Convention (2000) as there were several documents contained within this Convention that the Council would not consider adopting (para 2.6 refers). It was also considered inappropriate to refer to guidance produced by Natural England as it was unlikely that this would be applied to all documents contained in the Local Development Framework (para 2.7 refers).
- Whether the summaries of the content of the NPPF, EN1 and EN3 were appropriate as they failed to summarise a large amount of the content of those documents (paras 2.9 to 2.11 refer).
- It was inappropriate to refer to guidance from the Scottish Natural Heritage as this body skewed evidence against development of wind energy (para 2.13 refers).
- The emerging Central Bedfordshire Development Strategy (Policy 58 – Landscaping) should refer to no growth being permitted within an Area of Outstanding Natural Beauty (AONB).
- The visualisation of wind turbines against existing tall structures in Central Bedfordshire was inappropriate and should be removed from the Guidance Note (para 6.14 refers).

Cllr Nicols also raised the following points relating to national issues regarding the need for more positive wind guidance:-

- The 50% reduction by 2025 of the level of Gigawatts (GW) energy produced per annum in the UK from current energy sources.
- The inefficiency of exploiting gas and shale gas as a method of energy production in the future.
- Changes in energy costs depending on the time of day at which it is received by the user.
- Legal requirements being introduced to monitor energy usage.

In response Cllr Young stated that he would take Cllr Nicols’ concerns on board as part of the consultation on Guidance Note 1, particularly the potential for impact on the Core Strategy. Cllr Young did not feel that the Guidance Note precluded wind energy development but promoted development in areas that would be impacted least.

In response to a question Mr R Fox commented that the Council was not open to challenge if the Guidance Note was not implemented by March 2013, this was interim technical guidance and not a Supplementary Planning Document.

In response to the issues raised by the public speaker and the further issues raised by Cllr Nicols the Committee discussed the following issues in detail:-

- Whether a consultation had been completed on Guidance Note 1. Cllr Young confirmed that the consultation had been completed but the views of Members would be taken into account.
- There should be further safeguards included in the document other than the landscape character assessment, such as noise. It was suggested that Guidance Note 1 should provide further clarity on the impact of noise and how this might effect the areas that that might be suitable for potential wind development. In response Cllr Young stated that as a result of the consultation further guidance in relation to noise was being provided. The Council would include whatever guidance was available at the time in relation to noise.
- Whether the guidance on noise imposed a distance from properties for wind development to be deemed suitable. In response Cllr Young stated that guidance was yet to be published, once it was published the Council would take it on board.
- The Council should develop the series of renewable energy guidance notes so that they could be considered together rather than developing one at a time.
- The visualisation of wind turbines against existing tall structures in Central Bedfordshire was unrepresentative and should be removed from the document.
- The document should be rebalanced so that it was more supportive of wind energy in Central Bedfordshire.
- Why the Council had only undertaken a four-week consultation on Guidance Note 1. In response Mr R Fox commented that four-weeks was the statutory minimum for a plan of this nature, given the number of responses that were received and in order to fit into the committee timetable this duration of consultation was felt to be appropriate.

RECOMMENDED TO EXECUTIVE

That the Guidance Note on Wind Energy Development in Central Bedfordshire be adopted subject to the consideration of the detailed comments as contained in the Minutes of the meeting, including those of Cllr Nicols, and specifically comments relating to:-

- 1. the importance of including further guidance on noise disturbance and proximity to housing;**
- 2. the removal of the drawing to visualise wind turbines against existing tall structures in Central Bedfordshire;**
- 3. the need to rebalance the Guidance Note such that it was more supportive of wind energy**

This page is intentionally left blank

Meeting: Executive
Date: 18 March 2013
Subject: Flitwick Community Football Facilities, Phase 1 in delivery of a new Flitwick Leisure Centre
Report of: Cllr Spurr, Executive Member for Sustainable Communities – Services
Summary: The report proposes to set out the arrangements for commencing Flitwick Community Football Centre, Phase 1 of delivering a new Flitwick Leisure Centre. To agree expenditure from the approved capital programme for Flitwick Community Football Facilities in 2013/14.

Advising Officer: Gary Alderson, Director of Sustainable Communities
Contact Officer: Jill Dickinson, Head of Leisure Services.
Public/Exempt: Public report with an exempt appendix.
Wards Affected: All
Function of: Executive
Key Decision Yes
Reason for urgency/ exemption from call-in (if appropriate) To approve expenditure for the commencement of Phase 1 of £300k from the approved 2013/14 capital programme for Flitwick football facility for commencement in April 2013. This will support the timetable to deliver a new Leisure Centre, a short term strategic priority in the Leisure Facilities Strategy adopted by Executive on 8 January 2013.

CORPORATE IMPLICATIONS

Council Priorities:

Capital investment to provide football facilities supports the following corporate priorities.

- Promote health and wellbeing and protecting the vulnerable.
- Great universal services – bins, leisure and libraries.

Financial:

1. The capital programme 2013/14 – 2015/16, approved at Council on 21 February 2013 includes a provision for Leisure Strategy Implementation Flitwick Leisure centre Phase 1 - Football facilities.

2. An application for £300k will be made to the Football Foundation. The application will include a business plan for how the facility will be managed, with the aim of making the facility financially independent from Council revenue subsidy for operational costs. The grant will pay for additional development of a community room and kitchen facilities linked to the changing rooms to support this aim.
3. The capital programme also includes provision as a reserve scheme for Flitwick Leisure Centre. The overall approach to delivering a new Flitwick Leisure Centre, including a recommendation to approve an indicative timetable, procurement route, design brief and draft business plan will be considered by Executive on 14 May 2013.
4. The delivery of a new leisure centre has been a strategic priority for a number of years and was developed in 2009/10 until a review of the capital programme halted further development work. As a result, a site has been identified for Phase 1 and 2.
5. The estimated cost to deliver Phase 1 in 2013/14 includes the cost of the professional fees for this part of the project and will enable new pitches to be drained and seeded. Executive approval for this expenditure for the financial year 2013/14 will enable commencement of Phase 1 so that the pitches are sufficiently established to play on by August 2014 therefore enabling the leisure centre site to be available to start building the new leisure centre by the autumn of 2014 and being completed within the 2015/16 financial year.
6. This budget approval in 2013/14 will also enable work to be completed on the contract tender to build the changing pavilion and car park for the football project. The award of contract will be made once Executive has considered a recommendation to include Flitwick Leisure Centre in the main capital programme for 2014/15 and is approved by Council.

Legal:

7. Public authorities have a statutory duty to promote equality. This is dealt with in detail in the Equalities section of Corporate Implications.
8. The Football Foundation grant conditions will stipulate that a long term lease be given to the local football club so that it has security of tenure to operate the facility. CBC will ensure appropriate monitoring arrangements are in place.
9. In 2005 the Council commissioned consultants to undertake an options appraisal to identify preferred sites. A review of the preferred sites in 2012 concluded to continue with the sites identified in 2005; for the leisure centre to be built on an adjacent site of the existing centre currently providing playing pitches, and for replacement pitches to be sited off Ampthill Road owned by CBC and currently vacant.
10. No specific legal arrangements are required regarding land issues for Phase 1.

Risk Management:

11. The following risks have been identified, which are considered in more detail below:
 - Failure to deliver the Council's priorities
 - Reputational risks
 - Risk to customer satisfaction
 - Financial risks, including slippage, failure to achieve income targets, accuracy of costing and accurate assessment of demand.
12. The provision of football facilities is Phase 1 of providing a new Leisure Centre in Flitwick, identified as a short term priority (within the next 2 years) in the Leisure Facilities Strategy adopted by Executive on 8 January 2013. The development of the Leisure Strategy comprising four separate chapters is itself a high level target in 'Delivering Your Priorities' the Council's Medium Term Operational Plan.
13. Delivering the project in 2 key phases enables budget expenditure to be controlled and tied to key Executive decisions relating to stages of development of the overall priority to provide a new leisure centre.
14. Phase 1 replaces pitches the new leisure centre will be built on, comprising replacement pitches, a pavilion for changing rooms and community facilities and a car park. Phase 2 is a new leisure centre.
15. Delivering Phase 1 directly affects the timing to deliver Phase 2, because planning conditions require for playing pitches and the associated facilities to be re provided before building work on the new leisure centre can start. The replacement facilities need to be at least equivalent in terms of quantity, quality and management arrangements to meet Sport England's playing fields policy used for assessing proposals as a statutory consultee. Phase 1 therefore includes changing rooms and car park that are currently provided for at Flitwick Leisure Centre.
16. A detailed business case has been developed for Phase 1.
17. The project is supported by the Football Association as a strategically significant site for the development of local community football in the area, to be managed in partnership with a local football club, Flitwick Eagles with the aim of delivering a scheme at nil revenue cost for the authority. A bid to the Football Foundation will be made. If unsuccessful, the scheme will be reduced in size to accommodate the budget available.
18. The extent of archaeological investigation is not known at present and will be subject to further discussion as part of the planning application process.

Staffing (including Trades Unions):

19. Not Applicable.

Equalities/Human Rights:

20. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The improvements to the leisure facilities aim to enhance customer experience and promote equality of opportunity, and make sport and physical activity a regular part of life for all.

Public Health:

21. Leisure services are a key community health resource. Capital investment in leisure facilities will ensure there is a sustainable and high quality sport and physical activity infrastructure for local communities to engage in regular physical activity to help generate long term improvements in overall levels of health and wellbeing and thereby reducing the costs to society for the NHS and social care. The Football Foundation grant conditions will include delivery on a number of key performance indicators that will measure and monitor the effect of the new facilities against the targets agreed by the Football Association including increases in physical activity in targeted groups which aim to reduce health inequalities.

Community Safety:

22. Under section 17 of the Crime and Disorder Act the Council has a statutory duty to do all that is reasonable to prevent crime and disorder within its areas. Leisure facilities and the activities that they offer provide positive opportunities, particularly to young people, who may otherwise engage in activities that may be criminal or anti-social.

Sustainability:

23. The proposals seek to extend and improve facilities and increase the number of people in Central Bedfordshire that can access and participate in sport and physical activity through a network of good quality accessible and readily available public sport and recreation facilities, reducing the need for customers to travel to other local authority areas to participate in these activities.

Procurement:

24. Procurement of contractors to build the facility will be in two parts; a contract for grounds (pitch) preparation for which budget approval to procure and implement is sought within this report, and, a contract for the pavilion and car park which will be procured but not awarded until after Executive have approved a budget for Flitwick Leisure Centre.

Overview and Scrutiny:

25. The Leisure Facilities Strategy and the Leisure Capital programme to support the implementation of the strategy was considered and approved by the Sustainable Communities Overview and Scrutiny Committee in January and February 2013 respectively.

RECOMMENDATIONS:

The Executive is asked to:

- 1. agree expenditure of £300k from the approved 2013/14 capital programme for Flitwick Football to undertake pitch preparation work as the first part of Phase 1 of delivering a new Flitwick Leisure Centre.**
- 2. delegate to the Director of Sustainable Communities in consultation with the Executive Member for Sustainable Communities - Services and Executive Member for Corporate Resources;**
 - a) the award of the contract for pitch development in 2013/14, and**
 - b) the award of contract for the pavilion and car park, if Council approves inclusion of a budget for construction of a new Flitwick Leisure Centre in the capital programme for 2014/15 and 2015/16.**

Reason for Recommendations: So that priorities for investment in the approved capital programme for Flitwick Football in 2013/14 can commence.

Executive Summary

27. As set out in the Corporate Implications of this report, the project supports the delivery of the Leisure Facility Strategy adopted by Executive on 8 January 2013.
28. This scheme is Phase 1 in the delivery of a new Flitwick Leisure Centre, a short term priority in the Leisure Facility Strategy and is supported by the Football Association as a strategic priority.
29. Phase 1 will be delivered in stages. In order to support a timetable in accordance with the Leisure Facility Strategy the next key dates include;
30. Executive 14 May 2013: To consider the overall approach to the delivery of Flitwick Leisure Centre including draft timetable, project budget, procurement route, draft business plan and design brief. Approve budget for professional fees for developing the Leisure Centre.
31. Mid Year 2013/14: As part of the review of the Medium Term Plan/budget report and capital programme for 2014/15 consider including Flitwick Leisure Centre in the main capital programme.
32. By the end of 2013/14, and once Flitwick Leisure centre is approved in the main capital programme, approve budget expenditure for building the pavilion and car park to complete Phase 1.
33. By September 2014. To award Flitwick Leisure Centre building contract with the aim of opening the new centre by March 2016.

Appendices:

Exempt Appendix 1

Background Papers:

Detailed business case

Site Options appraisal.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank