

At a meeting of the **LUTON & SOUTH BEDS JOINT COMMITTEE** held at Council Chamber, The Council Offices, High Street North, Dunstable, LU6 1LF on Friday, 22 October 2010

<b>PRESENT:</b>	Councillor RJ Davis (Vice-Chairman) Councillor Franks Councillor Mrs Hegley Councillor M Hussain Councillor McVicar Councillor Nicols (Chairman) Councillor Shadbolt Councillor Taylor Councillor Worthing Councillor Young	Luton Borough Council Luton Borough Council Central Bedfordshire Council Luton Borough Council Central Bedfordshire Council Central Bedfordshire Council Central Bedfordshire Council Luton Borough Council Luton Borough Council Central Bedfordshire Council
<b>SUBSTITUTES:</b>	Cllr Bowater for Cllr Matthews Cllr Neale for Cllr Dolling	Central Bedfordshire Council Luton Borough Council
<b>CO-OPTEES:</b>	Mr J Gelder Councillor D Jones	Local Strategic Partnership Town & Parish Councils
<b>OBSERVERS:</b>	Cllr Brindley	North Hertfordshire District Council
<b>IN ATTENDANCE:</b>	Mr N McKillen Councillor Rawcliffe	GO-East Central Bedfordshire Council
<b>OFFICERS:</b>	Mr Alderson (CBC), Mr Andrews (JTU), Ms Brydges (JTU), Mr Butcher (JTU), Mr Dove (LBC), Mr Fox (CBC), Mrs Hobbs (CBC), Mr Ironside (NHDC), Mr Owen (JTU), Mr Pagdin (LBC), Mr Robertson (JTU)	

#### LSBJC/04/43 **Apologies for Absence (Ref 1)**

Apologies were received from Councillors Dolling, Matthews and Mrs Paternoster. Councillor Bowater was substituting for Councillor Matthews and Councillor Neale was substituting for Councillor Dolling.

#### LSBJC/04/44 **Minutes (Ref 2)**

Amendments were proposed to the minutes of the Luton and South Bedfordshire Joint Committee held on 23 July 2010 as follows:

- minute LSBJC/10/08 'Summary of Legislative Changes since October 2009' GO-East would still be able to advise the Committee but would no longer be instructing the committee

- minute LSBJC/10/10 'Report on a Revised Joint Core Strategy' to amend the third paragraph to inserts the words "the Council unequivocally of the opinion" after words "Core Strategy" in the last line to read:

"...whilst recognising the preferred Sustainable Urban extensions within the Core Strategy the Council unequivocally of the opinion that the possibility of some development on the west side of Luton remains open."

## **RESOLVED**

**that the Minutes of the meeting of the Luton and South Bedfordshire Joint Committee held on 23 July 2010 be confirmed and signed by the Chairman as a correct record, subject to the above amendment.**

### **LSBJC/04/45 Members' Interests (Ref 3)**

#### **(a) Personal Interests:-**

Councillor Bowater declared a personal interest in agenda item 6 'The Luton and South Bedfordshire Core Strategy' as he was a ward Councillor in Leighton-Linslade.

Councillor Franks declared a personal interest in agenda item 6 'The Luton and South Bedfordshire Core Strategy' as he lived in an area that was detailed in the Core Strategy as significant importance for planning.

#### **(b) Personal and Prejudicial Interests:-**

None.

### **LSBJC/04/46 Urgent Business (Ref 4)**

The Chairman advised Members that an announcement from the Government was still awaited regarding the proposed A5-M1 link road. The Core Strategy had been produced on the assumption that the funding for the A5-M1 link road would be approved. If the A5-M1 link road was not approved then the Core Strategy would need to be revisited. Members were hopeful that the link road would be approved.

Councillor Taylor presented the Chairman with a petition from the Friends of Bushwood to be included in the responses received to the Core Strategy and Key Diagram: Preferred Options document.

LSBJC/04/47 **Local Development Framework: Completion of Local Development Document Processes (Ref 5)**

Members considered the report of the Interim Head of the Joint Technical Unit which sought delegation to progress local development documents in accordance with the provisions as set out below:

<b>Delegation to Head of JTU</b>	<b>Subject</b>	<b>Authorised Person</b>
<p>To prepare and publish the Joint Core Strategy for the purposes of The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008</p> <p>To compile the representations made and to make any minor changes arising thereof.</p> <p>To submit the Core Strategy formally to the Secretary of State.</p> <p>To vary the Core Strategy in the light of minor changes proposed by the Authorised person or by the appointed Inspector in the period before, during and after the formal Examination of the Core Strategy.</p>	<p>Core Strategy Preparation, Receipt of Representations, Submission and Examination</p> <p>(Note: Nothing in this Delegation Scheme shall include the decision to formally adopt the Core Strategy or any other Development Plan Document)</p> <p>(Note: "Minor" changes are those that do not go to the heart of the policies or allocations within the document)</p>	<p><b>The Head of the Joint Technical Unit</b> in consultation with the Chair and Vice- Chair of the Joint Committee.</p>
<p>Preparation and approval of any other LDF related documents (including any supporting evidence for the purpose of public consultation or use) and the variation of such documents in the light of the public responses to consultation and/or further technical advice.</p>	<p>LDF documents generally, including relevant technical papers/documents e.g. Sustainability Appraisal and the Statement of Community Involvement)</p>	<p><b>The Head of the Joint Technical Unit</b> in consultation with the Chair and Vice- Chair of the Joint Committee.</p>

<b>Delegation to Head of JTU</b>	<b>Subject</b>	<b>Authorised Person</b>
Preparation and approval of draft Supplementary Planning Documents	This includes planning and development briefs for the purposes of public consultation	<b>The Head of the Joint Technical Unit</b> in consultation with the Chair and Vice- Chair of the Joint Committee.
Preparation and monitoring of the Local Development Scheme (LDS)	Submission of the LDS to the Secretary of State including any revision and resubmission where required	<b>The Head of the Joint Technical Unit</b> in consultation with the Chair and Vice- Chair of the Joint Committee.
Preparation of the Annual Monitoring Report (AMR)	Submission of the AMR to the Secretary of State by 31 December	<b>The Head of the Joint Technical Unit</b> in consultation with the Chair and Vice- Chair of the Joint Committee.

Members recognised the need to minimise costs in the present financial climate and the measures suggested above would reduce the need for meetings with consequent savings in terms of document production, circulation, general administration and member time. Members noted that decisions would be discussed at the Member Steering Group, which Members of the Committee could attend. If the Member Steering Group was unable to come to an agreement it would be necessary to convene a meeting of the Luton and South Bedfordshire Joint Committee.

The Town and Parish Council representative informed Members that he had received representation from a Parish Council as they were not in agreement with the recommendation.

The reason for resolving the following was to allow an efficient progression of the forward planning processes in accordance with a challenging timetable with consequential savings of costs and of Member time.

#### **RESOLVED**

**to delegate to the Head of the Joint Technical Unit to progress local development documents in accordance with the provisions described above.**

LSBJC/04/48 **The Luton and South Bedfordshire Core Strategy (Ref 6)**

Members considered the report of the Interim Head of the Joint Technical Unit which set out the Luton and South Bedfordshire Core Strategy for publication, invitation to submit representations and submission under Regulations 27, 28 and 30 of the Town Country Planning (Local Development) (England) Regulations 2009.

Members received a final version of the Core Strategy which included a number of alterations since the previous meeting on 23 July 2010 to ensure that it was as up-to-date as possible. Members also received the Sustainability Appraisal for submission purposes.

An amendment was proposed and seconded to include an additional recommendation:

“to recognise that no completely effective solution to the housing problems in the area can be delivered without some additional sustainable development to the west of Luton.”

Members fully debated the additional recommendation and a request was made for a recorded vote.

Those in favour of the additional recommendation were Councillors Davis, Franks, Hussain, Neale, Taylor and Worthing.

Those against the additional recommendation were Councillors Bowater, Mrs Hegley, McVicar, Nicols, Shadbolt and Young.

The terms of reference for the Joint Committee did not allow for the Chairman to exercise a casting vote.

This amendment was **lost**.

Members acknowledged the hard work of the Officers over the last six years in preparing a sound Core Strategy for publication. Members thanked GO-East for their support.

A query was raised regarding the proposed fourth urban extension of Century Park employment allocation to the east of London Luton Airport and the access to this extension. Members were advised that access was recommended to be through the airport and discussions would need to be held with North Hertfordshire District Council (NHDC). Members were advised that this recommendation was not included in the NHDC Local Development Framework.

Members noted that Policy CS 3 'Developer Contributions for Infrastructure' was specific to the critical infrastructure needed at the beginning of the development. Members were advised that the Core Strategy only had to itemise the critical and essential infrastructure needed in the first 5 years of the plan, in order to demonstrate the deliverability of the plan to an Inspector at an inquiry. In the longer term, those reasonable measures were in place, in consultation with providers and stakeholders, to secure critical infrastructure in over the rest of the plan period. Details of 'desirable' infrastructure (below the critical and essential threshold in the policy), would be determined either as two separate or a single Spatial Planning Document in the future, by Central Bedfordshire Council and Luton Borough Council, as normally identified and negotiated in an individual planning application and in Master Plans in any case.

Councillor Franks raised a concern that the Joint Committee had not received detailed explanations as to why sites had or had not been included in the Core Strategy until this meeting with the publication of the Sustainability Appraisal and so proposed a vote be taken on abandoning the plan. The Chairman acknowledged this concern but did not accept this by explaining the process that had been put in place by the legacy South Bedfordshire District Council and now Central Bedfordshire Council to allow Members to scrutinise the work of the Joint Committee. The Vice-Chairman also explained the arrangements in place at Luton Borough Council and the scrutiny that had taken place at the Member Steering Group and at many Council and Executive meetings. It was noted that the Joint Committee Members had the opportunity to attend the Member Steering Group meetings where all detailed information was available.

Members acknowledged the request that the link road East of Leighton Buzzard run from Heath Road to the Leighton-Linslade bypass. Members were advised that the scheme was still being evaluated and tested, nothing in the policy prejudices the solution that may be determined and to await details in a Master Plan or as the junction strategy would be determined once a planning application had been submitted.

A project plan had been prepared and it was anticipated that the next steps would follow the following timeline:

- publication of the Core Strategy – end of November 2010
- receipt of representations on the Strategy under Regulation 28 for seven weeks from the publication until mid January 2011
- collation of representations and submission under Regulation 30 – beginning of March 2011
- examination to be for about three to four weeks at the end of June/July 2011
- receipt of the Inspector's Report – Autumn 2011

- adoption by the Luton and South Bedfordshire Joint Committee at the end of 2011.

A vote was taken on the two recommendations individually. Recommendation 1 was for the approval of the Luton and South Bedfordshire Core Strategy for publication:

- those in favour were Councillors Bowater, Davis, Mrs Hegley, McVicar, Nicols, Shadbolt, Worlding and Young
- those against were Councillors Franks, Hussain and Neale
- Councillor Taylor abstained.

Recommendation 1 was **carried**.

Recommendation 2 was for the approval of the Sustainability Appraisal for submission purposes:

- those in favour were Councillors Bowater, Davis, Mrs Hegley, McVicar, Nicols, Shadbolt, Worlding and Young
- there were no votes against the recommendation
- those abstained Councillors Franks, Hussain, Neale and Taylor.

Recommendation 2 was **carried**.

The following resolution was agreed. The reason for resolving this was to progress the Luton and South Bedfordshire Core Strategy towards Examination and with the aim to adopt the Core Strategy by the end of 2011.

## **RESOLVED**

- 1. to approve the Luton and South Bedfordshire Core Strategy for publication, invitation to submit representations and submission under Regulations 27, 28 and 30 of the Town and Country Planning (Local Development) (England) Regulations 2008**
- 2. to approve the accompanying Sustainability Appraisal for submission purposes.**

### **LSBJC/04/49 The Luton and South Bedfordshire Local Development Scheme (Ref 7)**

Members considered the report of the Joint Officer Team which sought approval of a revised Local Development Scheme (LDS) for submission to the Secretary of State. The previous version of the LDS was approved in October 2009, but due to the recent change in Government and further technical work a revised LDS had been produced.

The reason for resolving the following was to enable the revised LDS to come into effect following approval by the Secretary of State.

**RESOLVED**

- 1. that the revised Local Development Scheme for Luton and South Bedfordshire be approved for formal submission to the Secretary of State, and following approval, be brought into effect**
- 2. that the Joint Technical Unit be authorised to make any minor changes to the Local Development Scheme both prior to submission and in response to any comments made by the Secretary of State.**

**LSBJC/04/50 Update to the Luton and South Bedfordshire Statement of Community Involvement (Ref 8)**

Members considered the report of the Joint Officer Team that updated Members on the Luton and South Bedfordshire Statement of Community Involvement (SCI). Due to the changes in planning law and regulations to amend the process of planning policy document production the SCI had been reviewed. Once the Joint Committee had approved the SCI 2010 there would be a period of six weeks formal consultation with stakeholders. The SCI 2010 would then be formally adopted in the early part of 2011.

Reason for resolution was to enable the Joint Technical Unit to consult on Development Plan Documents and Spatial Planning Documents against an updated Statement of Community Involvement.

**RESOLVED**

**that the Joint Committee approved the draft Statement of Community Involvement 2010 Update for consultation purposes.**

**LSBJC/04/51 Minutes of the Members Steering Group**

Members received the minutes from the Members Steering Group held on 8 October 2010.

**NOTED**

**the minutes from the Member Steering Group held on 8 October 2010.**

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.57 a.m.)

Chairman .....

Dated .....