

At a meeting of the **LUTON & SOUTH BEDS JOINT COMMITTEE** held at Council Chamber, Watling House, High Street North, Dunstable, LU6 1LF on Friday, 24 June 2011

PRESENT:	Councillor RJ Davis (Chairman)	Luton Borough Council
	Councillor K Matthews	Central Bedfordshire Council
	Councillor A Shadbolt	Central Bedfordshire Council
	Councillor S Timoney	Luton Borough Council
	Councillor B Spurr	Central Bedfordshire Council
	Councillor T Shaw	Luton Borough Council
	Councillor M Dolling	Luton Borough Council
	Councillor D Taylor	Luton Borough Council
	Councillor J N Young (Vice-Chairman)	Central Bedfordshire Council

SUBSTITUTES: Councillor D Bowater for Councillor Mrs C Hegley
Councillor M Jones for Councillor J Jamieson
Councillor D Moles for Councillor D Franks

CO-OPTEES: Mr J Gelder Local Strategic Partnerships
Councillor D Jones Town & Parish Councils

OBSERVERS: Councillor T Brindley North Hertfordshire District Council
Councillor D Barnard North Hertfordshire District Council
Councillor R Thake Hertfordshire County Council

OFFICERS: Mr Andrews (JTU), Mr Chick (LBC), Mr Donovan (HCC), Mr Dove (LBC), Mr Fleming (CBC), Mr Fox (CBC), Mrs Hobbs (CBC), Mr Ironside (NHDC), Mr Owen (JTU), Mr Pagdin (LBC), Mr Saunders (CBC), Mr Robinson (CBC) and Mr Robertson (JTU)

LSBJC/11/1 **Election of Chairman 2011/12 (Ref 1)**

RESOLVED

that Councillor RJ Davis (LBC) be elected Chairman of the Luton and South Bedfordshire Joint Committee for the ensuing Municipal Year.

LSBJC/11/2 **Election of Vice-Chairman 2011/12 (Ref 2)**

RESOLVED

that Councillor Young (CBC) be elected Vice-Chairman of the Luton and South Bedfordshire Joint Committee for the ensuing Municipal Year.

LSBJC/11/3 Apologies for Absence (Ref 3)

Apologies were received from Councillors Franks, Mrs Hegley, Jamieson and Paternoster. Councillor Moles was substituting for Councillor Franks, Councillor Bowater was substituting for Councillor Mrs Hegley and Councillor Jones was substituting for Councillor Jamieson.

LSBJC/11/4 Minutes (Ref 4)

RESOLVED

that the Minutes of the meeting of the Luton and South Bedfordshire Joint Committee held on 22 October 2010 be confirmed and signed by the Chairman as a correct record.

LSBJC/11/5 Members' Interests (Ref 5)

(a) Personal Interests:-

Councillor D Bowater declared a personal interest in agenda item 10 'The 2009/10 External Audit Report' as he was the Chairman of the Audit Committee at Central Bedfordshire Council.

(b) Personal and Prejudicial Interests:-

None.

LSBJC/11/6 Urgent Business (Ref 6)

The Chairman had no urgent business to communicate.

LSBJC/11/7 Progress of the Luton and southern Central Bedfordshire Core Strategy (Ref 7)

Members considered a report from the Head of the Joint Technical Unit which provided an update on the current position following submission of the Luton and southern Central Bedfordshire Core Strategy.

The Planning Inspectorate had appointed an Inspector who would be undertaking the Examination. Members acknowledged the Inspector's concerns about the potential soundness of the Joint Core Strategy. An Exploratory Meeting with the Inspector had been held on the 18 May 2011. The Inspector was concerned about the impact of the re-instatement of the Regional Strategy following the legal challenges to their initial revocation by the Government and also the impact on the longer term of the future enactment of the Government's Localism Bill.

Members were advised that the Inspector had issued a further note referring to the decision on the 27 May 2011 by the Court of Appeal on the case between the Secretary of State and Cala Homes (South).

NOTED

the update on the progress of the Luton and southern Central Bedfordshire Core Strategy.

LSBJC/11/8 **The Current and Future Status of the Regional Strategy and its Implications on the Core Strategy Examination (Ref 8)**

Members considered a report from the Head of the Joint Technical Unit that set out the current legal position regarding the current and future status of the Regional Strategy and its implications on the Core Strategy Examination.

The Chairman made the following statement:

"Both Councils recognise that, in many areas, they need to work together to achieve more than they can alone. To this end they will continue joint working on strategic planning to support and periodically review the Core Strategy, beyond the end of the current Joint Committee, on a "parity of esteem" basis. This will be facilitated through a Memorandum of Understanding (MoU).

Both Councils will commit to an early review of the Core Strategy to focus initially on an examination of all previously discarded sites, to determine to what extent smaller developable sections of each could contribute to the provision of housing and employment."

The Vice-Chairman supported the statement.

The Chairman continued the statement as follows:

"Luton believes that, with this arrangement and common approach, all Luton's concerns previously expressed can be satisfactorily addressed and therefore Luton will not be, nor be perceived to be, an objector."

A timeline for changes to the submitted Core Strategy, including additional consultation period and revised hearing dates, was tabled at the meeting.

Members discussed the options available for the development of the Joint Core Strategy in light of the recent Court of Appeal judgement and the legislative changes proposed in the Localism Bill currently before Parliament that sought to revoke the Regional Strategies. Members acknowledged the implications of withdrawing the Core Strategy and the processes that would have to be followed to start afresh.

Members were advised that only minor changes would be made to the Core Strategy at this stage addressing some of the Inspector's concerns. It was proposed that a review of the Core Strategy would take place after it had been adopted to enable any major changes to be addressed. A MoU between the two authorities would provide evidence that both authorities intended to work together to improve the economic benefits and housing for the region beyond the period of current joint working arrangements. This would be drawn up and presented to the next Luton and South Bedfordshire Joint Committee on 29 July 2011 along with details on the changes to the Core Strategy.

The meeting adjourned from 10.30 a.m. to 10.50 a.m.

Members agreed that a MoU was the way forward, but clarification was needed as to when a review of the Core Strategy would commence after it had been adopted. Members noted that the review would examine previous sites that had not been taken forward in the current Core Strategy.

Reason for decision: To enable the Luton and South Bedfordshire Joint Committee to consider the way forward to continue joint working on the Core Strategy.

RESOLVED

- 1. to seek a deferral of the Core Strategy from the Planning Inspectorate to undertake appropriate focussed changes and consequential public consultation;**
- 2. that the Joint Committee convenes on the 29 July 2011 to receive a detailed focussed changes report; and**
- 3. that the Joint Committee receives and determines the timetable for this deferral as requested by the Inspector.**

LSBJC/11/9 Local Development Framework: Completion of Local Development Document Processes (Ref 9)

Members considered a report from the Head of the Joint Technical Unit that sought an amendment to the delegated authority schedule that had been agreed on the 22 October 2010.

The Inspector had commented that the process for making any suggested changes to the Core Strategy during the Examination might prove difficult and lengthy with the current set up. To enable Officers to respond to the Inspector's concerns it was proposed that a sub-committee be created under Regulation 8 of the Luton and South Bedfordshire Joint Committee Order 2007. The sub-committee would have delegated authority in its own right to agree proposed changes to the Core Strategy as they arise during the course of the Examination. The Joint Committee would have the authority to adopt the final Core Strategy.

Members noted the following two amendments that had been made to the Terms of Reference:

- the quorum at a general or special general meeting would be at least one representative from each authority present at the Sub-Committee; and
- all Members of the Luton and South Bedfordshire Joint Committee would be able to attend and listen to views.

Members noted that the co-optees/observers would not be members of the sub-committee but the Chairman may invite them specifically to contribute to the debate at the meetings as is considered to be helpful to the progress of the Local Development Framework.

Reason for decision: To allow “fast-track” progress of the Examination of the Core Strategy to respond to the Planning Inspector’s remarks.

RESOLVED

that the proposals set out in the report be approved to create a sub-committee of Members of the Joint Committee under Regulation 8 of the Luton and South Bedfordshire Joint Committee Order 2007.

LSBJC/11/10 The 2009/10 External Audit Report (Ref 10)

Members considered a report from the Assistant Director Planning, Central Bedfordshire Council and the Senior Financial Advisor setting out the 2009/10 external audit report. Members noted that the External Auditor had highlighted two issues that had resulted in the annual return being qualified:

- that the accounting statement had not been approved by 30 June 2010; and
- that the accounts had not been reviewed annually on the effectiveness of its system of internal audit.

Reason for decision: To give effect to the required governance arrangements for the efficient and effective operation of the Joint Committee.

RESOLVED

- 1. to note Appendix A to the report; and**
- 2. to review the report relating to the Effectiveness of Internal Audit as set out in Appendix B to the report.**

LSBJC/11/11 The 2010/11 Annual Statement of Accounts and Current Budget Position Update (Ref 11)

Members considered a report from the Assistant Director Planning, Central Bedfordshire Council and the Senior Financial Advisor setting out the 2010/11 Annual Statement of Accounts and the current budget position. Members noted that it was not anticipated that the £551k set aside for consultants, legal and procedural costs for the Joint Technical Unit would be used in full.

Reason for decision: To enable the Joint Committee to approve the Statement of Accounts 2010/11 as required by the Accounts and Audit Regulations 2003 (as amended). The current budget update would enable the Joint Committee to plan its future work programme and resources.

RESOLVED

- 1. that the Statement of Accounts be approved subject to audit as set out in Appendix A to the report;**
- 2. that the Small Bodies Annual Return for the year ended 31 March 2011 as signed by the Chairman be approved subject to audit as set out in Appendix B to the report; and**
- 3. that the Joint Committee budget position for 2011/12 and future years be noted together with the dependency on the existing revenue budgets of the two core authorities to meet the supporting employee and additional costs incurred in the preparation of the joint Local Development Framework as set out in Appendix C to the report.**

LSBJC/11/12 Minutes of the Members Steering Group (Ref 12)

Members received the minutes from the Members Steering Group held on 13 June 2011.

NOTED

the minutes from the Member Steering Group held on 13 June 2011.

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.14 a.m.)

Chairman

Dated