

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE** held at Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 7 September 2010

PRESENT

Cllr J N Young (Chairman)
Cllr A R Bastable (Vice-Chairman)

Cllrs	Mrs R B Gammons	Cllrs	P Snelling
	J Kane		P Williams
	Ms C Maudlin		

Apologies for Absence: Cllrs D J Gale
Mrs M Mustoe

Substitutes: Cllrs Mrs C F Chapman MBE (In place of Mrs M Mustoe)
J G Jamieson (In place of D J Gale)

Members in Attendance: Cllrs P N Aldis
R A Baker
D Bowater
A D Brown
I Dalgarno
Mrs R J Drinkwater
Ms A M W Graham
R W Johnstone
D Jones
Mrs A M Lewis
H J Lockey
K C Matthews
D McVicar
T Nicols
A A J Rogers
Miss A Sparrow
B J Spurr
R C Stay
J Street
Mrs P E Turner MBE
B Wells

Officers in Attendance:	Mr G Alderson	Director of Sustainable Communities
	Mr R Fox	Head of Development Plan
	Mr B Jackson	Assistant Director Highways and Transport
	Mrs J Keyte	Head of Community Safety

Ms P Khimasia	Acting Principal Planner
Mr L Manning	Democratic Services Officer
Mr J Partridge	Overview & Scrutiny Officer
Ms S Wileman	Service Development Officer

SCOSC/10/21 **Minutes****RESOLVED**

that the Minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 22 June 2010 be confirmed and signed by the Chairman as a correct record.

SCOSC/10/22 **Members' Interests**(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr J Jamieson	9	The shortlisted Gypsy and Traveller sites at 1 Old Acres, Barton Road, Pulloxhill and Hermitage Lane, off Westoning Road, Greenfield lay within his ward.	Present
Cllr Ms C Maudlin	9	The shortlisted Gypsy and Traveller site at Oak Tree Nursery & Magpie Farm, Upper Caldecote lay within her ward.	Present
Cllr Mrs C F Chapman	13	Council representative on Link-a-Ride.	Present

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

None notified.

(c) **Any political whip in relation to any agenda item:-**

None notified.

SCOSC/10/23 Chairman's Announcements and Communications

None.

SCOSC/10/24 Petitions

No petitions were received from members of the public in accordance with the Public Participation Procedure as set out in Annex 2 of Part A4 of the Constitution.

SCOSC/10/25 Questions, Statements or Deputations

No questions, statements or deputations from members of the public were received in accordance with the Public Participation Procedure as set out in Annex 1 of Part A4 of the Constitution.

SCOSC/10/26 Call-In

Members were aware that, under Procedure Rule 10.2 of Part D2 of the Constitution, the following matter had been called in for consideration by the Committee:

the delegated decision taken by the Portfolio Holder for Safer Communities and Healthier Lifestyles at the Traffic Management Meeting held on 6 July 2010 to approve an Order under the Cycle Tracks Act 1984 on the footpath that extends from Saxons Close to Hockcliffe Road Service Road, Leighton Buzzard.

Members had before them copies of the Call-In request form, the report of the Assistant Director for Highways and Transportation presented to the Traffic Management Meeting and an extract from the Decisions Digest setting out the Portfolio Holder's delegated decision to assist them in their deliberations.

The Committee noted that the Member who had submitted the Call-In was unable to attend the meeting so the matter was introduced by the Chairman.

The Portfolio Holder stated that, although the Order had already been made, he was willing to re-examine the decision in view of the comments which had been submitted by the public.

RESOLVED

that the decision of the Portfolio Holder for Safer Communities and Healthier Lifestyles to make an Order under the Cycle Tracks Act 1984 on the footpath that extends from Saxons Close to Hockcliffe Road Service Road, Leighton Buzzard be referred back to the Portfolio Holder with a request that he reconsider the suitability of the route of the cycle track due to the nature of the concerns raised by residents.

SCOSC/10/27 Requested Items

No items were referred to the Committee for consideration at the request of a Member under Procedure Rule 3.1 of Part D2 of the Constitution.

SCOSC/10/28 Local Development Framework (North): Gypsy and Traveller Development Plan Document

Members considered a report by the Development Strategy Task Force which set out its recommendations following consideration of the Gypsy and Traveller Development Plan Document (DPD) and how it should progress following the Government's abolition of the Regional Spatial Strategy (RSS).

The Committee was aware that the Task Force had recommended:

- the adoption of a local pitch requirement of 26 in comparison to the pitch requirement figure of 40 which had originally been included in the RSS;
- a suggested revised distribution for the 26 pitches;
- the provision of two additional pitches for transit use by Gypsies and Travellers;
- the provision of four pitches for use by Travelling Showpeople.

Before proceeding the Chairman of the Committee sought comments from the Task Force. In response a member of the Task Force stated that he welcomed the change in Government policy and he felt the resulting lower pitch requirement was more acceptable. He added that although differences existed between the members of the Task Force regarding the allocation of pitches he supported the recommendations submitted to the Committee.

In accordance with the Public Participation Procedure, as set out in paragraph 2 of Annex 1 of Part A4 of the Constitution, the Chairman of the Committee then invited those members of the public who had registered to speak on this item to address the Committee. Each speaker was allowed a maximum of three minutes. A statement was received from one speaker on the provision of pitches on land to the rear of 197 Hitchin Road, Arlesey who set out reasons against the development of the site; statements were received from three speakers on the provision of pitches at Oak Tree Nursery & Magpie Farm, Upper Caldecote who set out reasons against the development of the site; and statements were received from three speakers on the provision of pitches on land east of Hitchin Road, Henlow who set out reasons against the

development of the site. In addition to the above a statement was received from one speaker querying the absence of any allocation to the site at Woodside Caravan Park, Hatch, Sandy and seeking a written explanation as to why this decision had been made.

With regard to comments made by the speakers the Chairman stressed that whilst the previous government's guidance relating to Gypsy and Traveller sites had been removed a Government Green Paper had made clear that the provision of sites should continue. As such the obligation on local authorities had not been removed. He next explained that the Council was not planning to give land to Gypsies and Travellers to use but it would consider entering into the long term lease of land to members of those communities so that they would become the landlords of those sites with the associated responsibilities.

The Committee considered whether the local pitch requirement figure from the end of 2010 to the end of 2015 should be 9 or 10 pitches, the meeting noting that should a figure of 10 be adopted this would increase the total pitch requirement figure from 26 to 27. The meeting further noted that the Task Force had been advised that the increase using the 3% compound figure was 9.4 pitches and the Task Force had decided that it was more appropriate to round the figure down rather than up. However, the officers had felt that the figure should be rounded up as they believed this would provide a more robust interpretation of demand.

The Portfolio Holder for Sustainable Development then spoke in favour of a pitch requirement figure of 10. He reminded the meeting that whatever figure was chosen it would cause discomfort and he expressed concern that adopting the lower figure could lead to the Inspector rejecting the DPD as unsound. In response to a Member's query the Head of Development Plan advised that the 3% compound figure, although used to produce the earlier Gypsy and Traveller Accommodation Assessment in 2007, remained an acceptable (and heavily scrutinised) guide.

Following discussion Members overwhelmingly supported a local pitch requirement figure from the end of 2010 to the end of 2015 of 9 and acceptance of a total pitch requirement figure of 26.

Members next gave their support to the allocation of four pitches for use by Travelling Showpeople; these being separate and in addition to the 26 pitches for use by Gypsies and Travellers reported above.

The Committee turned to consider the recommended provision of two transit pitches for use by Gypsies and Travellers. Discussion followed regarding whether the pitches were needed and, if so, where they should be located. The Director of Sustainable Communities referred the Committee to the comments of the Task Force which had recognised the management and highways difficulties associated with the allocation of a separate transit site. He added that the alternative was the inclusion of transit pitches within existing sites. However, concern was expressed by Members that access to private sites would not be available to everyone and this could result in illegal encampments. In response the Head of Development Plan stated there could

be open access to transit pitches located on private sites and this could, for example, be controlled by planning conditions. Following further discussion which included debate on the difference, if any, between a transit and a visitor pitch, the officer added that there was no specific requirement for transit pitches to be provided and the Committee could decide not to allocate any. He further advised that a pitch was spacious enough to accommodate more than one caravan and so, in practice, room for a caravan in transit could be found on existing pitches.

Members gave their support for the allocation of placing transit pitches on existing sites.

The meeting turned to consider the Task Force's suggested distribution of pitches at both Council owned land and at private sites under the locally derived pitch target.

Members first considered the use of land east of Hitchin Road, Henlow and, in so doing, raised a number of objections and queries.

The Acting Principal Planner confirmed that the land was owned by the Council.

A Member commented that the site at Henlow had not originally been selected. The Member also queried on what criteria this site was now thought to be suitable especially given the financial constraints faced by the Council, the large number of objectors, which she felt had not been fully reported, and the proposals of Stondon Parish Council to develop the site as allotments.

In response the Head of Development Plan reminded the meeting of the planning principle that Members should only consider the merits and demerits of an application before them and not the possible alternatives.

Members then queried whether the officers had worked with the Gypsy and Traveller communities to establish where they would wish a suitable site to be located and how the Council could pay for the provision of pitches on the site.

The Chairman stated that he had enquired about the deliverability of the site at Henlow and had been informed that all Section 106 funding had been allocated and none would be available until 2014. He reminded the meeting, however, of the need to deliver a robust number of sites for consideration by the Inspector and that the figure of 26 sites could lead to the Inspector regarding this as an unsound decision.

The Portfolio Holder for Sustainable Development commented that he believed there had been a relatively low number of objections to each site and, arising from this, queried the time which had been allowed for the consultation period. He also expressed concern at the focus on the quantitative assessment of the sites before reminding the meeting that without a DPD in place decisions on Gypsy and Traveller site provision would inevitably be made by appeal with the accompanying financial cost. He stressed the need to be able to offer an option. The Portfolio Holder also expressed a concern that, despite

assurances, access difficulties could arise for those Gypsies and Travellers who were not related to, or friends of, those persons who managed the current private sites.

In response the Head of Development Plan explained how the number of representations received were recorded before assuring the meeting that the private sites were deliverable and would meet the Inspector's requirements. He added that the Council had undertaken the 'call for sites' to establish the views of the Gypsy and Traveller community on site location, that there had been a consultation period of six weeks and that officers had made use of a further six week period in which to consider any representations received.

The Director commented that the Gypsy and Traveller Accommodation Assessment had examined local need and was considered to be robust. He added that there was a desire to provide owner occupied sites with visitor provision.

The Chairman stressed to the Committee that should it feel unable to recommend the allocation of pitches on land east of Hitchin Road, Henlow the four pitches suggested for Henlow would need to be reallocated to the existing private sites in order to maintain the total pitch requirement figure of 26.

The majority of Members felt that they could not recommend that pitches be allocated to the proposed Henlow site.

Turning next to Oak Tree Nursery & Magpie Farm, Upper Caldecote the Acting Principal Planner referred to the map circulated to Members which provided a breakdown of ownership for this site. Members noted that pitch provision was only recommended on land belonging to one owner and that the landowner had indicated that he was willing to provide open access to the Gypsy and Traveller communities. The Committee was asked to consider an increase in pitch provision by two pitches at this site to help compensate for the pitches that were not recommended to be allocated on the site in Henlow.

Members considered at length the possible means of providing pitches more cheaply and at locations which met the needs of the Gypsy and Traveller communities. It was noted that the proposed site on Council owned land south of Dunton Lane, Biggleswade could not currently proceed as there was no funding available.

The Chairman reminded the meeting that should the Committee fail to have a DPD in place then the Council would have no control over unlawful settlements. The Portfolio Holder stated that should the Committee fail to agree a recommendation then he, as Portfolio Holder, working within the context of the Executive, would be required to make a suitable decision without the Committee's advice.

RECOMMENDED to Executive:

- a) that a total of twenty six additional permanent pitches be allocated in Central Bedfordshire (North) up to the end of 2015 (as identified**

in the local Gypsy and Traveller Accommodation Assessment (2007) and using a 3% compound growth rate) and that there be no requirement for any further local needs assessment to be undertaken of Gypsy and Traveller accommodation up to the end of 2015;

- b) that no additional pitches be allocated on the Council owned land east of Hitchin Road, Henlow and the four pitches proposed for this site be allocated equally between Land rear of 197 Hitchin Road, Arlesey and Oak Tree Nursery & Magpie Farm, Upper Caldecote;**
- c) that the allocation of additional pitches be as follows:-**
 - (i) 1 Old Acres, Barton Road, Pulloxhill, the authorisation of the existing 8 temporary pitches**
 - (ii) Hermitage Lane, off Westoning Road, Greenfield, the authorisation of the existing 2 tolerated pitches**
 - (iii) Land rear of 197 Hitchin Road, Arlesey, 10 pitches total, comprising of the authorisation of the existing 4 temporary pitches and the addition of 6 new pitches.**
 - (iv) Oak Tree Nursery & Magpie Farm, Upper Caldecote, on the more detailed plan circulated at the meeting, 6 new pitches, in addition to the 3 permanent pitches on site, totalling 9 pitches.**
- d) that no additional pitches be allocated on the private site on land between Common Road and Myers Road, Potton;**
- e) that transit pitches for the use of Gypsies and Travellers be provided on existing Gypsy and Traveller sites rather than through the provision of a new specific site elsewhere;**
- f) that four pitches be allocated at Kennel Farm Holdings, Biggleswade for the use of Travelling Showpeople.**

(Note: The Committee adjourned at 12.10 p.m. for a short break and reconvened at 12.27 p.m.)

SCOSC/10/29 CCTV Review

The Committee considered the report of the Portfolio Holder for Safer Communities and Healthier Lifestyles which sought Members' support for recommended changes to the operation of the CCTV service provided across Central Bedfordshire. Members had before them a number of possible options for the future of the service, including the financial implications.

The Portfolio Holder took Members through each of his recommendations explaining the reasons for the proposals and, in particular, the efficiency savings which would arise.

Discussion took place regarding the levels of financial support received from the Police Authority and town councils. In response to queries the Portfolio Holder stated that an approach would be made to the Police Authority for a financial contribution mindful of the operational benefits the police gained from the CCTV system. Following further discussion, and in response to concerns regarding an apparent downgrading of service provision, the Portfolio Holder explained that any reduction in active monitoring and a reliance on recording would only be implemented at times where this was considered acceptable in terms of public safety. He assured the meeting that crime 'hotspots' would continue to be monitored.

Further discussion followed during which Members noted the constraints placed on the use of Section 106 monies in relation to the possible expansion of the system.

The Portfolio Holder stated that further opportunities to increase income from the service whilst reducing costs were on-going and he hoped to submit further recommendations to the Committee in the future.

RECOMMENDED to Executive:

- 1 that the revenue savings of £95,000 (as set out within Appendix E to the report of the Portfolio Holder for Safer Communities and Healthier Lifestyles) are implemented to achieve a full year saving in 2011/12;**
- 2 that cameras operating via the Hertfordshire CCTV Partnership be integrated into the Dunstable CCTV control room and the whole CCTV service operated as one from Dunstable;**
- 3 that the Council seek a financial contribution from Bedfordshire Police and those town councils where cameras are located;**
- 4 that further research is undertaken to consider the longer term options for CCTV.**

SCOSC/10/30 Visible Presence

The Committee considered a report by the Portfolio Holder for Safer Communities and Healthier Lifestyles which sought Members' support for changes to existing practices to provide a co-ordinated approach to undertaking statutory duties under the Environmental Protection Act 1990, Clean Neighbourhoods and Environment Act 2005 and associated legislation across Central Bedfordshire.

The Portfolio Holder stressed that it was not proposed to change to the level of service provided only the manner in which it was delivered. He added that adopting a co-ordinated approach would enable the Council to fulfil its statutory duties in a more effective way.

Concern was expressed by some Members that the adoption of a 'softer' style of dress would dilute the authority of officers and discussion took place regarding this aspect of the service as well as the general approach which officers should adopt when dealing with the public.

RECOMMENDED to Executive:

- 1 that the development of a visible presence approach to addressing local environmental issues in Central Bedfordshire using a phased introduction, beginning with the proposed changes to the Envirocrime Team, be approved;**
- 2 that consideration be given to the introduction of a suitable uniform for that visible presence team so that it enables residents to clearly recognise the authority that these persons exercise on behalf of the Council.**

(Note: The Committee adjourned at 13.40 p.m. for lunch and reconvened at 14.15 p.m.)

SCOSC/10/31 Budget Management Report for the Month Ended 30th June 2010

The Committee considered a report by the Portfolio Holders for Safer Communities and Healthier Lifestyles, Economic Growth, Skills and Regeneration and Sustainable Development which outlined the actual financial performance and full year forecast as at 30 June 2010. In addition to this report the Director commented that the end year forecast position for the Directorate budget was now projected to be in balance.

In response to queries regarding the robustness of the current reduction in the projected overspend the Portfolio Holder for Economic Growth, Skills and Regeneration emphasised that the overspend had only been a projected figure and that action had been taken to rectify this. The Director of Sustainable Communities stated that the Quarter 2 report would contain further explanatory detail. He stressed that budgetary pressures did vary and the amount of data available when composing the Quarter 1 report had been limited. The Director added that the revised overspend had been brought about as a result of both a reduction in overspend coupled with action to ensure budget compliance.

RESOLVED

that the efforts of the Director of Sustainable Communities and his staff with regard to Directorate budget management be commended.

NOTED

that the year end forecast position for the Sustainable Communities budget was that it would be in balance.

SCOSC/10/32 Local Bus Services and Community Transport Interim Support Strategy

Members considered a report by the Portfolio Holder for Safer and Stronger Communities which sought the Committee's approval for recommendations to the Executive relating to a draft interim strategy for supporting local bus and community transport services.

The Committee discussed various issues in detail including the following:

- the number of other local authorities that restricted the time before which national concessionary pass holders may board a local bus service and travel without payment.
- serious concerns relating to the accuracy of the information contained in the bus service evaluation toolkit and the use of this information as a basis for formal public consultation on poorer performing local bus services;
- the importance of discussing opportunities with the third sector and major retailers to provide funding for some local bus services.

In addition the Committee discussed the importance of assessing viable alternatives to delivering bus services in instances where local bus services were removed and alternatives that could be delivered without cutting services completely.

RECOMMENDED to Executive:

- 1 that it note the work being undertaken by the Transforming Transport team on the Council's support for local bus and community transport service provision;**
- 2 that it note a report setting out the results of the consultation will be prepared, along with definitive options, for consideration at the Executive meeting on 7 December.**
- 3 that a document be prepared for public consultation between 1 October and 15 November setting out the following principles:**
 - (i) to restrict the time before which national concessionary pass holders may board a local bus service and travel without payment;**
 - (ii) to restrict the use of concessionary passes on dial-a-ride services and/or introduce charges for their use.**
- 4 that the information contained in the Bus Service Evaluation Toolkit is inaccurate and insufficient on which to base a public**

consultation. The Executive should not agree to withdraw support from any of the identified poorer performing local bus services until more reliable data is made available on which to base this decision.

- 5 that major retailers in Central Bedfordshire should be contacted during the consultation period to assess whether they would be willing to support funding for relevant local routes.**
- 6 that a report be provided to the Sustainable Communities OSC when the results of the consultation are reported that details options in relation to restricting the use of concessionary passes on dial-a-ride services and/or introducing charges for their use detailing the impact of these restrictions on current services and definitive alternative options for the delivery of these services.**

SCOSC/10/33 2011/12 Programme Proposals - Local Improvement Schemes, Highway Maintenance and Safety Partnership Schemes

The Committee considered a report by the Portfolio Holder for Safer and Stronger Communities and Healthier Lifestyles which outlined the consultation process for developing highways schemes over the coming year in the context of the emerging Local Transport Plan (LTP).

Members' comments were sought and discussion took place on ensuring Member input into prioritising the works that were undertaken. Reference was made to the use of the Member Advisory Group which had originally been proposed by the Committee to be used for consultation purposes on proposed highway works (minute 09/18 refers).

RESOLVED

- 1 that consultation regarding Local Improvement Schemes be included within the remit of the Member Advisory Group (MAG) set up for the purpose of consultation on proposed programmes of highway works;**
- 2 that the Members Advisory Group be composed of the following Members:**

**Cllrs Bastable
Gale
Jamieson
Kane
Ms Maudlin
Williams
Young**

SCOSC/10/34 Winter Maintenance Within Central Bedfordshire

The Committee considered a report by the Portfolio Holder for Safer and Stronger Communities and Healthier Lifestyles which examined the problems experienced as a result of the poor weather conditions experienced last winter and proposed changes to the Council's Winter Service Operational Plan in response.

Members considered a range of related issues including the gritting of school routes, the possible location and use of salt bins and the consultation on this, the Council's own requirements for salt storage and its policy towards the salting and clearance of footpaths. Members also emphasised the need for full Member input so that officers were fully aware of local knowledge and experience.

The Assistant Director Highways and Transport reminded the meeting of the budgetary implications associated with some of Member's suggested changes. He also explained that consultation letters had been sent to all town and parish clerks regarding the proposals for salt bin provision and asked Members to contact him if they became aware that this had not occurred.

RECOMMENDED to Executive:

- 1 that the Priority 1A network be amended so that a gritted route is also provided to the majority of upper and middle schools subject to the officers first circulating any proposed amendments to all elected Members in order to provide the opportunity for the Ward Members to comment on the suitability of the proposed amendments and subject to the approval of the Assistant Director Highways and Transport with regard to the associated logistical requirements;**
- 2 that those routes on the amended Priority 1A network that are gritted solely to provide access to upper and middle schools be identified so that they are not gritted during periods of school holiday;**
- 3 that the letter seeking Town and Parish Council views on the new salt bin initiative for Central Bedfordshire be recirculated to all elected Members of the Council;**
- 4 that the outcomes of the consultation on the salt bin policy be presented to the Sustainable Communities OSC for comment prior to the policy being adopted by the Executive;**
- 5 that Central Bedfordshire Council continue to search for suitable Council owned land for additional salt storage and contact private land owners to see if land can be made available.**

SCOSC/10/35 Work Programme 2010-2011

The Committee considered a report by the Overview and Scrutiny Officer which asked the meeting to consider the Committee's current work programme for the 2010-2011 municipal year and beyond and sought any comments and amendments. In addition Members were asked to consider the Executive Forward Plan and an indicative work programme for the Development Strategy Task Force for the same period. The meeting was aware that the Member Advisory Group (MAG) was to be consulted on the proposed programme of highways works (minute 10/33 refers).

RESOLVED

that the work programmes for both the Sustainable Communities Overview and Scrutiny Committee and the Development Strategy Task Force be approved.

NOTED

The Executive Forward Plan.

(Note: The meeting commenced at 10.00 a.m. and concluded at 5.02 p.m.)

Chairman

Dated