

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE** held in Council Chamber, Watling House, High Street North, Dunstable on Wednesday, 26 September 2012.

PRESENT

Cllr D McVicar (Chairman) arrived after Item 8
Cllr A R Bastable (Vice-Chairman) arrived after Item 8

Cllrs	Mrs C F Chapman MBE	Cllrs	J Murray
	K C Matthews		B Saunders
	Ms C Maudlin		B J Spurr

Apologies for Absence: Cllrs Mrs R B Gammons
P Williams

Substitutes: Cllrs Dr R Egan (In place of P Williams)
T Nicols (In place of Mrs R B Gammons)

Members in Attendance:	Cllrs	P N Aldis	
		B Wells	Deputy Executive Member for Sustainable Communities - Services
		J N Young	Executive Member for Sustainable Communities - Strategic Planning and Economic Development
		A Zerny	

Officers in Attendance:	Mr R Fox	–	Head of Development Planning and Housing Strategy
	Mr I Melville	–	Head of Service Development
	Mr J Partridge	–	Scrutiny Policy Adviser
	Mr L Robertson	–	Consultant Project Manager for Central Bedfordshire Council
	Mr M Saccoccio	–	Local Planning and Housing Team Leader
	Ms S Templeman	–	Senior Finance Manager
	Ms S Wileman	–	Service Development Manager

Others in Attendance	Mr J Boswell	Bedfordshire Rural Communities Charity
	Mr M Page	Barford & Co Ltd (Developers)

APPOINTMENT OF INTERIM CHAIRMAN

The Chairman and Vice-Chairman were not present at the commencement of the meeting. In accordance with the Council's Constitution Part B5, paragraph 4.2.1.1 the Committee therefore elected Councillor Matthews to preside in the absence of the Chairman and Vice-Chairman until such time as either arrived.

(The meeting adjourned at 10.20am and was reconvened at 10.25am)

SCOSC/12/30 Members' Interests

There were no declarations of interest or political whip in relation to any agenda item.

SCOSC/12/31 Chairman's Announcements and Communications

There were no Chairman's announcements or communications.

SCOSC/12/32 Minutes

RESOLVED

That the minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 26 July 2012 be confirmed and signed by the Chairman as a correct record.

SCOSC/12/33 Petitions

No petitions were received from members of the public in accordance with the Public Participation Procedure as set out in Part D2 of the Constitution.

SCOSC/12/34 Questions, Statements or Deputations

The Committee was told that one member of the public had registered to speak in accordance with the Public Participation Procedure as set out in Annex 1 of Part A4 of the Constitution. With the agreement of the public speaker it was confirmed that they would be invited to speak at the beginning of Item 10 (Development Brief for Land East of Biggleswade Road, Potton).

SCOSC/12/35 Call-In

The Panel was advised that no decisions of the Executive had been referred to the Panel under the Call-in Procedures set out in Appendix "A" to Rule No. S18 of the Overview and Scrutiny Procedure Rules.

SCOSC/12/36 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.

ARRIVAL OF CHAIRMAN

The Chairman arrived at 10.30am and took over as Chairman for the remainder of the meeting from item 8 onwards (Minute SCOSC/12/37 refers).

SCOSC/12/37 **Houghton Regis North Framework Plan**

The Committee received a report from the Executive Member for Sustainable Communities, Strategic Planning and Economic Development. The report set out a draft Framework Plan for the area of Houghton Regis North and identified a series of headline aims. Mr L Robertson, consultant project manager for Central Bedfordshire, also commented on the importance of the Framework Plan as a document to which planning applications must take account and demonstrate how the headline aims would be achieved.

In response to the report Members queried and discussed the following issues in detail:-

- Issues relating to the validity of the consultation and the small number of residents that attended meetings at which proposals were presented. However, whilst there were a small number of responses they were considered to be an accurate reflection of the thoughts of the majority of local residents. It was suggested by Cllr Egan that in the future the Council might consider door step consultations. The Council might also be more sensitive in addressing consultation responses that were not valid.
- Concerns that the Council may permit development without the provision of critical infrastructure where it could be demonstrated that it was not required. It was suggested that critical infrastructure should be provided prior the completion of any development. In response officers commented that there were sufficient safeguards in place to ensure that applications were considered appropriately. Any issues relating to the absence of infrastructure were considered before a development could be approved.
- How the Woodside Connection would be funded and the impact this may have on funding available for other infrastructure. In response it was commented that the Framework Plan was not the appropriate place to discuss financial options for critical infrastructure. The Executive member commented that a report on funding options for the Woodside Connection was scheduled to be received by Executive on 02 October 2012.
- The cost of some homes in the area and whether they were 'affordable'.
- Whether the delivery of both 'modern and innovative design' and 'traditional family homes' was contradictory.
- National Planning Policy Guidance, which currently required 35% of dwellings in developments to be 'affordable'.
- Concerns that the Development Framework did not indicate proposals for housing density. In response the Executive Member commented that the Local Development Framework stated that housing density would be between 30-35 dwellings per hectare.

- A suitable recreation facility should be delivered as part of the framework but there was no evidence of the funding for this in the plan.
- Whether the Council was in a strong position in relation to S106 agreements and affordable housing. As both were dynamic and negotiable in nature this led to uncertainty as to whether they would be delivered. In response the Executive Member commented that a potential developer had acknowledged that they would need to contribute to the Woodside Connection.
- The criteria that might be available to the Council to ensure that both homes and employment opportunities were targeted at Central Bedfordshire residents. In response the Executive Member commented that the Housing Strategy would consider allocations of homes to key workers and for the social rented sector. A Task Force had recently been established by the Social Care, Health and Housing OSC, which may consider these issues and Members of the Sustainable Communities OSC may also be interested in discussing these issues.
- The standards of development in relation to building efficiency and water standards, which the Council was presently exceeding.
- Concerns that school amenities should be available prior to the completion of developments and that adequate local health facilities should be made available in addition to those already located in the area.

In addition to these issues Cllr Nicols recommended that the Executive should receive further detail on the proposed housing density for this plan. Officers stated that the housing density would be set out in the design brief and subsequently in individual planning applications as they were submitted, it was not possible to provide a figure at this stage.

RECOMMENDED TO EXECUTIVE

That the Houghton Regis North Framework Plan be adopted as technical guidance for development management purposes.

SCOSC/12/38 Development Brief for Land East of Biggleswade Road, Potton

In accordance with the Public Participation Procedure as set out in Annex 1 of Part A4 of the Constitution the Committee heard from a member of the public speaking on behalf of the Potton Hall for All Steering Committee. The member of the public referred to several issues including:-

- The under-provision of community facilities for people of all ages in Potton and the benefit that such a facility could provide.
- A feasibility study that had been undertaken by the Bedfordshire Rural Communities Charity (BRCC) in relation to a hall facility.
- The need to secure appropriate funds through S106 contributions to build a new hall facility.

Mr M Page, D H Barford & Co Ltd, introduced the Development Brief highlighting the general approach to the development and the work that had been undertaken in conjunction with Central Bedfordshire Council and a local stakeholder group. In addition the Committee was informed that a feasibility study for a new hall for Potton had been submitted by BRCC and had been circulated to Members of the Committee. Mr J Boswell, Deputy Chief Executive of BRCC, stated that whilst plans for a new hall in Potton were ambitious they were achievable. There was a long-standing need for a new adaptable facility for which significant funding would be needed. Funding could be achieved from a variety of sources and whilst it was a realistic aspiration that the facility would be self-financing in the long-term at least in the short term there would need to be support in relation to costs.

Councillor Zerny commented on the need for Central Bedfordshire Council to support the Development Brief and commented that Members should welcome the proposals for the hall for all.

Members discussed in detail the level of affordable housing, which had not been identified in the development brief. In response to questions the Executive Member for Sustainable Communities Strategic Planning and Economic Development, commented that the level of affordable housing was a commercial decision. The Council would undertake robust negotiation to ensure that figures were agreed as part of the planning application stage. In addition the Head of Development Planning and Housing Strategy stated that the Council's starting position for affordable housing was 35%, although this may change during the development of proposals. It was agreed that the Council should make every effort to ensure that the delivery of 35% affordable homes was achieved.

In response to the issues raised by the Member of the public and the further clarification provided Members queried and discussed the following further issues in detail:-

- The mix of housing types of both higher and lower density that were proposed in the development brief.
- Consultation with police representatives relating to the permeability of the design would be undertaken as the plan became more detailed. The Internal Drainage Board had been consulted on the current proposals.
- The importance of Members raising their concerns at OSC meetings so that they can be discussed prior to Executive meetings.
- The importance of pedestrian access and of developing appropriate plans for parking in the area to minimise the impact of additional development.
- The due regard that both the Council and an inspector must have for a Framework Plan or Development Brief at an appeal hearing as one of many material considerations.
- Whether the Council's current Policy CS4 relating to parking also incorporated the Council's Parking Strategy that was proposed to be endorsed by Executive on 02 October 2012.

RECOMMENDED TO EXECUTIVE

That the Development Brief be adopted as technical guidance for development management purposes subject to the following:-

- 1. that the Development Brief be delivered in accordance with the Council's current Policy CS4 relating to parking but that it also adheres to any additional standards that may be contained in the Council's future strategy for parking, also to be considered for adoption on 02 October 2012.**
- 2. that Executive be aware of the level of support for delivering a new community hall as part of the development brief that is fit for purpose and meets modern day requirements for a range of different uses. The Executive should consider the benefit this facility could provide to the community and make every effort to support its delivery within this plan period.**
- 3. that Executive reinforce wherever possible the Council's commitment to allocate 35% of units in new developments as affordable dwellings.**

(The Committee adjourned at 1225hrs and reconvened at 1235hrs)

SCOSC/12/39 **Statement of Community Involvement**

The Committee received a report from the Executive Member for Sustainable Communities, Strategic Planning and Economic Development. The report proposed a revised Statement of Community Involvement (SCI) for Central Bedfordshire and set out the responses to public consultation.

In response to the report Members discussed in detail the process by which responses to a consultation would be considered an 'objection' or a 'consultation response'. It was also queried whether both were provided to an inspector at examination. Cllr Nicols suggested that officers should distinguish between letters that explicitly 'object' to proposals and those that simply tick a box. In response the Head of Development Planning and Housing Strategy stated that all objections and responses were provided to an inspector at a hearing. Information would be provided to set the context but nothing would be held back. It was suggested by Cllr Nicols that a mechanism be established to ensure that residents understood the distinction between objections and consultation responses. It was also suggested that the Council should support residents in making objections to proposals.

In addition Members queried and discussed the following issues in detail:-

- The positive nature of proposals for undertaking Strategic Environmental Assessments/ Sustainability Appraisals.
- In addition to making extra effort with seldom heard and hard to reach groups the Council should also create effective and creative strategies to engage these groups.

- References in the SCI to consulting with asylum seekers should be removed.
- The list of consultees of different groups/individuals who may be consulted for the formulation of a planning document should include housing associations.
- A table depicting the stages in determining planning applications should be included in the SCI to help local residents.

RECOMMENDED TO EXECUTIVE

That the Statement of Community Involvement be adopted with the following minor changes:-

- 4. In relation to 'major applications' and 'beyond major applications' the SCI should also refer to the Council undertaking effective and creative strategies to engage with seldom heard and hard to reach groups.**
- 5. references to asylum seekers in the seldom heard groups or individuals should be removed.**
- 6. the addition of a table depicting the stages in determining planning applications.**

SCOSC/12/40 Quarter 1 Capital Budget Monitoring Report

The Committee received the quarter 1 capital budget monitoring report for the Sustainable Communities Directorate. In response to the report Members raised the following issues:-

- Due to slippage in the programme the Council should make every effort to bring other schemes forward from future years into 2012/13.
- The need to ascertain whether the Council's Capital expenditure in 2012/13 was necessary in regard of Local Flood Defence Funding.
- Why the Community Safety and Public Protection Infrastructure spend to date was £0. The Executive Member for Sustainable Communities Services undertook to review this and respond to the Committee.
- Whether funds had been taken from the potholes budget to fund highways. The Executive Member for Sustainable Communities Services stated that to his knowledge this had not occurred but he undertook to review this and respond to the Committee.

NOTED

- 1. the actual gross expenditure to date of £4,455k and external funding of £1,718k resulting in net expenditure of £2,737k**
- 2. a forecasted gross expenditure of £33,655k and external funding of £14,068k resulting in net expenditure of £19,587k; and**

3. a forecasted delay from 2012/13 to 2013/14 of gross expenditure of £9,511k external funding of £5,257k, net expenditure of £4,254k due largely to external factors beyond the control of the Council.

RECOMMENDED

that the Executive Members make every effort to bring forward schemes from the 2013/14 capital programme so as to allocate funding resulting from the slippage of other programmes from 2012/13 to 2013/14.

SCOSC/12/41 Quarter 1 Revenue Budget Monitoring Report

The Committee received the quarter 1 revenue budget monitoring report for the Sustainable Communities Directorate. In response to the report Members discussed and raised questions relating to the following:-

- Why the Council's pre-application discussions were so expensive in comparison to other local authorities.
- Why reserves had been set aside for use in an Internal Drainage Board Dispute Resolution Fund.
- Why reserves had been set aside to support NIRAH project costs.
- Why reserves had been set aside for use on developing a business case for the Woodside Connection.
- Whether some of the remaining £469k in relation to adoption of open space and maintenance of play facilities could be used in Houghton Regis.

The Executive Members undertook to respond to those outstanding questions in writing outside of the meeting.

NOTED

1. the forecasted net expenditure outturn of £48,225k;
2. the proposed use of specific reserves of £611k; and
3. the Director's year-end forecast of an underspend of £97k after the use of specific reserves.

SCOSC/12/42 Quarter 1 Performance Report

The Committee received the quarter 1 performance report for the Sustainable Communities Directorate. In response to the report and the clarification provided by the Executive Member the Members discussed the following issues:-

- The Executive Members identified in the heading to the report were incorrect.
- Reference SC4 should indicate that good performance was 'high'.
- The importance of acknowledging the contribution of the police in relation to reducing the number of serious acquisitive crimes as well as the

contribution of the Council. The importance of effective co-ordination between the two was also stressed.

- Why the percentage of municipal waste landfilled did not include all types of waste.

NOTED the report

SCOSC/12/43 Work Programme 2012/13 and Executive Forward Plan

The Committee received their work programme for 2012/13 and Executive Forward Plan. It was noted that the Climate Change Strategy and Carbon Management Plan had been listed twice on the work programme incorrectly, it would be considered on 13 December 2012. Cllr Nicols also stated that he had requested an item relating to infrastructure requirements for north of Luton. It was confirmed that the content of this item would be clarified and added to the next available meeting of the Committee.

RESOLVED

That the work programme for the Sustainable Communities Overview and Scrutiny Committee be agreed subject to the following amendments:-

- 1. the removal of item 3 (Climate Change Strategy and Carbon Management Plan), which would be considered on 13 December 2012 only.**
- 2. the addition of a requested item from Cllr Nicols relating to infrastructure requirements north of Luton (subject to clarification) at the next available meeting.**

(Note: The meeting commenced at 10.10 a.m. and concluded at 1.36 p.m.)