

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Thursday, 5 September 2013.

PRESENT

Cllr D McVicar (Chairman)
Cllr A R Bastable (Vice-Chairman)

Cllrs Mrs R B Gammons
Ms A M W Graham
R W Johnstone

Cllrs K C Matthews
B Saunders

Apologies for Absence: Cllrs T Nicols
P Williams

Substitutes: Cllrs R D Berry (In place of T Nicols)
D Jones (In place of P Williams)

Members in Attendance: Cllrs M C Blair
D Bowater
A D Brown
Mrs C F Chapman MBE
C C Gomm
B J Spurr
R C Stay
B Wells
J N Young
Chairman of Audit
Vice-Chairman of the Council
Deputy Executive
Member for Sustainable Communities - Strategic Planning and Economic Development
Executive Member for Sustainable Communities - Services
Executive Member for External Affairs and Lead Member for Troubled Families
Deputy Executive
Member for Sustainable Communities - Services
Executive Member for Sustainable Communities - Strategic Planning and Economic Development

Officers in Attendance: Mrs S Cawthra – Enforcement & Appeals Team Leader
Mr M Coiffait – Community Services Director
Mr A Davie – Head of Development Management

Mr J Partridge – Scrutiny Policy Adviser
Ms S Wileman – Service Development Manager

SCOSC/13/38 **Members' Interests**

There were no interests or political whip declared in relation to any agenda item.

SCOSC/13/39 **Chairman's Announcements and Communications**

There were no announcements or communications.

SCOSC/13/40 **Minutes**

The Committee queried whether the Police and Crime Commissioner (PCC) had been invited to attend a future meeting as requested at the previous meeting (**Minute SCOSC/13/36 refers**). The Policy and Scrutiny Manager advised that he would check whether the PCC could attend the meeting in October and inform Members by email.

RESOLVED that the Minutes of the previous meeting of the Sustainable Communities Overview and Scrutiny Committee held on 25 July 2013 be confirmed and signed by the Chairman as a correct record.

SCOSC/13/41 **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/13/42 **Questions, Statements or Deputations**

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

SCOSC/13/43 **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/13/44 **Requested Items**

The Corporate Policy and Scrutiny Manager advised the Committee that several items had been requested regards the following:-

- Incidents of Anti-Social Behaviour, which would be considered in October 2013.
- Parking Strategy, which would be considered in December 2013.
- Street Maintenance, which would be considered in January 2014.

In addition Cllr Bowater informed the Committee that a previously requested item regards facilities in Leighton Buzzard had been dealt with appropriately outside of the meeting.

SCOSC/13/45 Executive Member Update

The Executive Member for Sustainable Communities (Strategic Planning and Economic Development) advised the Committee that a Development Management meeting had recently approved an application for up to 5,150 homes North of Houghton Regis. This development would provide significant economic benefits in the local area. Although there was potential for a judicial review of the Council's decision the Executive Member was confident that a challenge would be unsuccessful.

In response to questions it was suggested that the Secretary of State (SoS) could take up to three months to make a decision on any judicial review that may be received in relation to the application North of Houghton Regis. Although there was further work required on the viability of an application for Land East of Leighton Buzzard it was envisaged that an application would come forward as soon as possible and that it would be considered at a Special Development Management meeting.

SCOSC/13/46 Planning Enforcement Plan

The Enforcement & Appeals Team Leader introduced a report that set out the draft Planning Enforcement Plan for Central Bedfordshire. Further information in relation to changes to the document was also circulated to the Committee at the meeting. The document was a revision of the Central Bedfordshire Planning Enforcement Policy that was adopted by the Council in 2009 and had been updated in line with Government guidance and changes in legislation. In addition the Executive Member Sustainable Communities (Strategic Planning and Economic Development) drew attention to the timescales for high priority cases; guidance relating to unauthorised gypsy and traveller encampments; and whether additional staffing was required at weekends to deliver the plan.

In response to the report and the further clarification provided the Committee discussed several issues in detail as follows:-

- The percentage of enforcement cases that were considered to be 'high priority'. It was clarified that most cases were 'medium' priority, only a few cases were 'high' priority relating to tree preservation orders, listed buildings or gypsy and traveller encampments. In these cases 'immediate' action was necessary. It was noted that the Council's opinion of a 'high' priority was not always the same as the public's.
- Whether existing staff in other departments would be able to provide additional capacity to deliver a service over the weekend. It was commented that a temporary member of staff in the Planning Enforcement Team had been appointed for 6-months but the capacity of staff to fulfil this additional work would need to be considered.
- Specific cases of enforcement in which ward Councillors and Town and Parish Councillors had not been given equal priority when raising an incident. It was commented that more work was necessary to ensure

that the Council took appropriate action when a matter was referred by a Town and Parish Councillor.

- The importance of being able to check that work had been undertaken within the proposed timescales.
- Whether the references to timescales for low priority cases within the current draft plan were appropriate. The Committee agreed that references should be amended to read “a site visit will be made as soon as practicable but at most within 10 days”.
- The lack of clarity relating to reporting alleged breaches of planning control at paragraph 3.2. It was agreed that references to equal priority in this paragraph would be amended.
- The timescales within which the Council may serve an Enforcement Order for concealed development. It was clarified that if a development was deliberately concealed for a period of longer than four years the Council could apply for a one year extension at the point at which the development was identified on which action could be taken.
- The extent to which the Council enforced planning conditions in some cases. It was commented that enforcement action had to be proportionate to the size and nature of the development and each case was considered on its own merit.
- The flow charts in the draft plan could be improved with several amendments. Officers agreed to pursue these comments with a Councillor outside the meeting.
- Whether cases in the green belt should be considered a priority for enforcement action. It was clarified that this was addressed in the draft plan.

RECOMMENDED that the Executive Member be requested to consider the comments of the Committee prior to presenting the draft Enforcement Plan to the Executive and in particular consider the feasibility of existing staff providing an enforcement service over the weekends so that immediate action can be taken in relation to high priority cases.

SCOSC/13/47 Work Programme 2013/14 and Executive Forward Plan

The Corporate Policy and Scrutiny Manager informed the Committee that several requested items had been added to the work programme as discussed earlier in the meeting. In addition the Chairman stated that pre-submission consultation on the draft Gypsy and Traveller Local Plan had concluded

The Council had taken on board the comments that had been received, which suggested that one or more changes should be made to the plan and list of sites before they were submitted to the Secretary of State.

The Committee would consider the recommendations to make changes to the plan before a decision was made by the Executive and Full Council at their meeting on 10 October.

(Note: The meeting commenced at 10.00 a.m. and concluded at 11.28 a.m.)