

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Thursday, 10 April 2014.

PRESENT

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

Cllrs K M Collins
Ms A M W Graham
R W Johnstone
K C Matthews

Cllrs T Nicols
B Saunders
P Williams

Members in Attendance: Cllrs P N Aldis
I Dalgarno
C C Gomm
D Jones
B J Spurr
B Wells
J N Young

Deputy Executive
Members for Sustainable
Communities - Services

Executive Member for
Sustainable
Communities - Services
Deputy Executive
Member for Sustainable
Communities - Services
Executive Member for
Sustainable
Communities - Strategic
Planning and Economic
Development

Officers in Attendance: Mr M Coiffait – Community Services Director
Mr I Finnigan – Senior Engineer - Policy and Flood
Risk Management
Mr R Fox – Head of Development Planning
and Housing Strategy
Mr P Keates – Building Control Manager
Mr S Mooring – Environmental Policy Manager
Mr J Partridge – Scrutiny Policy Adviser
Ms S Templeman – Senior Finance Manager
Ms S Wileman – Service Development Manager

SCOSC/13/122 Members' Interests

None

SCOSC/13/123 Chairman's Announcements and Communications

The Chairman informed the Committee that we would invite the Executive Members to provide a verbal update on activity within their area. This item needed to be considered as a matter of urgency due to the need to ensure that Members were aware of key relevant issue occurring within Council services.

The Chairman also advised Members that items 11 and 12 would be considered before items 9 and ten and reminded Members of the Special OSC meeting on 12 May 2014 to consider the draft Development Strategy. In response Councillor Nicols commented on his disappointment regarding the amount of notice that had been provided to Members of the Special meeting and the inconvenience that this caused. The Executive Member responded that a special was necessary to coincide with a meeting with colleagues in Luton and the Executive meeting at the end of May.

SCOSC/13/124 Minutes

RESOLVED that the minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 27 February 2014 be confirmed and signed by the Chairman as a correct record.

SCOSC/13/125 Petitions

None

SCOSC/13/126 Questions, Statements or Deputations

None

SCOSC/13/127 Call-In

None

SCOSC/13/128 Requested Items

None

SCOSC/13/129 Executive Member Update

The Executive Members provided the Committee with a verbal update on several issues, which were discussed as follows:-

- Machinery that Amey proposed to use in order to fix potholes that would be quicker than the current methods. The Executive Member confirmed that the waste material generated by the process would be cleared when the pothole, which would be self-sealing, was remedied. The success rate of this process was beyond a year although it was a quick repair that would predominantly be used to fix smaller rural potholes.

- The public enquiry into the Woodside Link had concluded, the independent inspector had three months within which to consider making a recommendation to the Secretary of State.
- A judicial review had been lodged by Luton Borough Council in relation to the decision of the Secretary of State not to call-in the decision to develop Land North of Houghton Regis, despite correspondence outlining the ways in which a judicial review would not succeed. In response Members discussed the duty to co-operate between Central Bedfordshire and Luton Borough Councils that had been introduced in the Localism Act. It was stated that the Council had gone to considerable lengths to engage and co-operate with Luton Borough Council in relation to planning proposals.
- A programme for grass cutting and weed spraying would be confirmed by Cllr Spurr within the next week.

SCOSC/13/130 **Q3 budget monitoring**

The Senior Financial Advisor presented an overview of the capital and revenue budget monitoring information for the Regeneration and Business Support and Community Services Directorates for Quarter 3 prior to a recent restructure. The Committee were advised that the forecast capital variance should have read £1,663k (Regeneration and Business Support Services) and £9,383k (Community Services).

Members raised concerns regarding the delay in spending the Community Services Capital Budget, particularly in light of the variance in leisure services, which was a result of delays at Saxon, Sandy and Houghton Regis Leisure Centres. The Director for Community Services confirmed there was a comprehensive plan in place to develop leisure centre projects so that the directorate could bring capital spend back on budget. In response the Committee commented that whilst it was understandable that other schemes could not always be promoted, as soon as the Council was aware of a major underspend it should be considered whether an alternative desirable project could be brought forward.

NOTED the presentation

SCOSC/13/131 **Q3 Performance Monitoring**

The Committee received the quarterly performance monitoring information for the Regeneration and Business Support Service and Community Services Directorates. An update to the report was also circulated to Members in relation to E1MTP, containing information that had previously been omitted in error.

In particular the Director for Community Services highlighted concerns in relation to performance on serious acquisitive crime due to an increase in domestic burglary and theft of and from vehicles. As Chairman of the Community Safety Partnership (CSP) the Director had requested the development of a detailed action plan to determine the additional work that could be commissioned to improve performance within Central Bedfordshire.

In response Members commented on the importance of focusing on the rise in serious acquisitive crime within Central Bedfordshire as the overall picture for Bedfordshire had improved. It was important that the profile of the CSP was raised to support their role in developing a solution to resolve performance in this area, which included making it clear what the CSP was responsible for. In addition Cllr Spurr highlighted that questions had been raised with the Police and Crime Commissioner asking what could be done to make this a priority for the police within the Central Bedfordshire area.

In relation to a question from a Member it was commented that the Community Services directorate had officers on the Troubled Families Board to seek to address issues of Anti-Social Behaviour that related to particular families so that resources could be targeted appropriately.

NOTED the report

SCOSC/13/132 Local Flood Risk Management Strategy

The Senior Engineer (Flood Risk Management) introduced a report and presentation that set out the responsibility of the Council to develop a Local Flood Risk Management Strategy. The Committee were advised of the objectives of the strategy, the consultation that had been undertaken to date and the associated action plan. Cllr Spurr also highlighted the benefit of employing consultants in order to move forward with the development of the Strategy. Officers were also thanked for their hard work in developing the proposals, which outlined solutions that would help the Council to achieve improved outcomes.

In light of the report and presentation the Committee discussed the following issues in detail:-

- Whether developers could proceed with a development if sufficient mitigations had not been put in place to address flood risk. It was confirmed that the Council could apply appropriate conditions to development such that the risk of flooding was mitigated and developers could appeal if they felt these were inappropriate. A SuDS Approval Body (SAB) would be helpful in this regard although it was not envisaged this would be in operation before October 2014.
- Concerns that the report needed to be more detailed and should reflect the positive nature and technical expertise of the local Internal Drainage Board (IDB) and ensure that information was shared appropriately. There was also a need to more appropriately define flooding to ensure there was a clear understanding of what actually constituted a flood. In response it was confirmed that close links were maintained with the IDB and Environment Agency and information was shared regularly.
- The need to refer within the Strategy to statutory controls, such as the exclusion zone around ditches. The Committee were advised that the action plan referred to proposals to introduce byelaws that would provide statutory controls to ensure appropriate and planned maintenance of ditches, potentially throughout the year.

- Concerns that £60k capital allocation for the Strategy was not sufficient and that no potential funding sources had been identified in the action plan. In response officers clarified that the £60k was a rolling capital budget that was allocated to schemes as they arose. Grant funding had also been received from Defra, which had been saved over the previous three years in order to respond to the duties arising from the Flood and Water Management Act. Defra also provided additional funding and an opportunity for properties to bid for property protection grants (up to £5k).
- Whether Central Bedfordshire being a low risk flood area was likely to affect the level of funding that could be obtained. In response officers suggested this shouldn't be an issue, officers would consider the hypothetical impact of a major incident in a high risk flood area in Central Bedfordshire to determine the level of funding that was necessary.
- Concerns that the views of Town and Parish Councils may have changed in light of the recent floods, which would have provided a different consultation responses. Cllr Spurr invited Town and Parish Council to advise the Council of their views if they had changed following their initial consultation response.

RECOMMENDED to Executive that the Local Flood Risk Management Strategy and associated action plan be approved as the Council's working strategy to manage local flood risk in Central Bedfordshire

SCOSC/13/133 **Planning Guidance on Solar Farm Development**

The Executive Member and the Environmental Policy Manager introduced a report that set out recommended technical guidance on the development of solar farms in Central Bedfordshire. The Committee were also advised of the range of aspects that were proposed for consideration during the consideration of a planning application for any potential solar farms in addition to the next steps for the document following its consideration by the Overview and Scrutiny Committee.

In light of the report the Committee discussed the following issues in detail:-

- Whether consultants had been employed to draft the technical guidance or if they would be used to provide advice in the future. Officers clarified that consultants had not been used to draft the guidance but that the Council's own expert officers had been heavily involved. If necessary could be used in the future to advise on issues such as glint, glare and noise in relation to specific planning applications.
- Whether it was appropriate to freeze the classification of agricultural land in Central Bedfordshire as due to the impact of climate change it was likely that land quality would change over time. In response officers stated that the quality of the land would be reviewed regularly
- Whether solar farms would be precluded in areas that were deemed to be 'sensitive' and whether the document was guidance or an obligation. In response Cllr Young commented that the guidance would be reviewed alongside the draft Development Strategy so that it could become a supplementary planning document (SPD), which would carry more

weight. If the document became an SPD it would still not outweigh a policy within an adopted plan, so would not be an obligation.

- Concerns regarding specific references to Marston Vale and Cranfield. It was clarified by officers that the guidance referred to appropriate locations, which in this context were on an elevated plateau that could be screened effectively. All individual applications would be considered on their own merits.
- References to the area at Whitsondoles should be reviewed as this was located outside of Central Bedfordshire.

RECOMMENDED to Executive that the solar farm guidance be adopted as technical guidance for development management purposes.

SCOSC/13/134 **Work Programme and Executive Forward Plan**

The Committee received its current draft work programme for 2014/15 and noted the following amendments:-

- The addition of a Special meeting on 12 May to receive the draft Development Strategy and Plan Making Programme.
- Presentation on SEMLEP to be considered on 19 June 2014
- Report on the revised Planning Obligations Strategy to be considered on 19 June 2014
- Report on Local Development Order for the Woodside Industrial Estate to be removed

In addition the Committee agreed to add a new item relating to the resources available to deliver enforcement in waste management so that Members could better understand the resources that were available to resolve issues relating to fly-tipping.

RECOMMENDED that the work programme be approved subject to the amendments detailed above.

(Note: The meeting commenced at 10.00 a.m. and concluded at 11.54 a.m.)