

Sustainable Communities Overview and Scrutiny Committee Meeting 1st September 2009

Chairmans Opening Remarks

It is extremely important that members of the public and elected members fully understand the task that we are obliged, by central government, to deal with within the Local Development Framework and Development Planning Documents.

These tasks include, but are not confined to, two key tasks that our Council and at macro level, the suscomms task force, has before it in the forthcoming year.

The most important in my view is the selection of sites for in excess of 65,000 new homes in Central Bedfordshire in the next 20 years.

As a Council we fully recognise the need for new and affordable housing but we don't believe that 65,000 is the right number. Some estimates suggest that some 19,000 might be more appropriate. We're also very well aware that we do not have the appropriate infrastructure – roads, schools, hospitals or jobs to cope with this substantial population increase. For that reason we are heavily focussed on improving that infrastructure and are making great progress both in Mid and South Beds but still have a long way to go! The point here is, that we don't agree with the targets that John Prescott when Deputy Prime Minister imposed on the electorate of Bedfordshire. We are statutorily bound to do what the ODPM instructs us to do administered directly by the East of England Regional Assembly and as laid out some considerable time ago in the MK and South Midlands Sub Regional Strategy.

Turning to the contentious issue of the selection of Gypsy & Traveller sites.

We are similarly bound by a statutory duty to provide sites for Gypsies & Travellers. We did not ask for this duty and we are instructed on the number of sites that we must provide by the EERA; which itself follows the statutory demands of the 2004 Housing Act (sections 225 and 226) (although Cllr Nicols put up a strong argument at the assembly which limited the annual growth forecasts). We did not establish the criteria - the Government did and updated it by Government Circular ODPM 01/2006. Whilst there may be some enthusiasm to tweak or add to these criteria the statutory powers of the elected government must be seen as paramount here.

This then is the framework that, until or if it changes, we must use in considering all planning matters.

We do not have discretion to change this nor do updates to the framework, like the most recent update issued in June 2009 – unless they are incorporated into Government planning policy statements or into local development plans – which must themselves comply with Government policy and strategies – and are fully subject to review by the planning inspectorate.

As members and the public are fully aware this council, through the suscomms committee has established a task force to consider site selection and to make their recommendations to this committee and then to the portfolio holder for sustainable communities.

I was and I am extremely concerned that this process should be 'all encompassing' and should be fully transparent fully considering the public's views and, where appropriate and in line with the planning act and government guidance, applying them to the criteria that we must follow. But let's be clear; for the former Mid Beds LDF, we must find 27 pitches now and we must also allow, within this process, for further pitches in the years following 2011.

To ensure this transparency but at the same time to allow the task force to meet whenever it wants and wherever it wants at sometimes short notice the task force chair and I have agreed that meetings will only be open to the general public by invitation where task force members wish to hear specific local evidence. The debate that follows receipt of evidence will not be open to public involvement.

However we have also agreed that (as also laid down by the CBC constitution) that any elected member of this authority can attend any meeting to raise any relevant points for their constituents (this is already their right as an elected member)

But, importantly and where relevant, we will also invite the chair of any Parish or Town council to represent local views.

Also, no recommendations arrived at by the task force (regarding G & T issues) will be made to the relevant executive member until it has been agreed by the full O & S committee.

To aid inclusivity, I have asked officers to develop a 'Communications Protocol' document which outlines the methods we will use to accept from and communicate with all interested parties. In essence it lays out in detail what I'm saying now. In part it deals with the ability of pressure group input to reach a scale which makes it difficult for officers and members to get on with the job as they can be, on a daily basis, diverted from the job in hand by responding to high levels of correspondence. We will publish this protocol on our website and quite obviously would ask that the public respect this when communicating with us.

We will not respond to attacks on the integrity of any officers, member of this committee or the task force (made by anyone) other than if a formal complaint is made regarding the code of conduct of a member to the standards committee.

We're trying to reduce the emotional input to this process so, like some other authorities, we have developed a points scoring system to be applied to the selection criteria we have re-established and which we will be discussing today. We have already revised the selection criteria with the addition of 3 points for inclusion submitted by the general public. We will fairly and non-emotionally - apply this scoring criteria to existing identified sites and to any new sites that are identified and, after all due process, we will arrive at a 'league table' based on the site score which ranks the selected sites and recommends the appropriate number of pitches to be provided now and the scope for further pitches which could be considered in forthcoming years.

We must produce the DPD document as soon as we possibly can as the alternative is that we will find ourselves unable to legally challenge any Gypsies and Travellers who may set up unauthorised sites as is commonly reported in the press.

By way of example, there are a number of unapproved sites in South Bedfordshire, some with temporary permissions, but those that do not have a permission are now being addressed through the enforcement / eviction process as we have established sites on which they can be accommodated legally.

Make no mistake; if we don't have a DPD or have identified site as an alternative to an unauthorised encampment then the planning inspectorate is in a position, to grant temporary or permanent permission when, as is inevitable, a G & T appeal is lodged.

Further, planning inspectors are expected to take a hostile approach to any authority who legally challenges unauthorised Gypsy and Traveller settlements where clear and visible progress on the G&T site provision is not being made.

Finally, CLG has made it abundantly clear that authorities who fail to make progress on this issue will be directed in the outcome by CLG inspectors. CLG are auditing our planning process on a frequent basis to establish what progress we are making. We should have no illusion in supposing that such a direction will be sensitive to local concern!

In summary then;

We have a statutory obligation – an instruction from the Government – to provide additional G & T sites.

We did not devise the guidance notes or have substantial input into the number of required sites. We do not have any influence over Planning Policy Statements whether or not we believe that they encompass any positive discrimination in favour of any minority group.

For complete clarity and impartiality, we are agreeing a scoring system which we didn't have before, we've made it public and we are determined to apply it objectively – not emotionally

We have made the selection criteria public, have listened to and accepted input from the public and we will discuss and agree the final selection criteria today – in public.

We will include the Chair of each Parish Council in all debates where the Chair of the Task Force believes that local awareness and representation is of value. We believe that this will provide fairness, objectivity and transparency and robust local representation

We will answer all public representations as laid out in our communications protocol

We will conduct the duties of the task force under its constitution – which we will make public

All outcomes from the Task Force will be reviewed in Public by the full O & S committee prior to executive recommendation.

The Executive meeting which will consider our recommendation will be held in public

The Executives decision will be the subject of a Public Enquiry prior to being adopted in the LDF