CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE** held at Committee Room 1, Council Offices, High Street North, Dunstable on Tuesday, 23 February 2010

PRESENT

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

Cllrs	D J Gale	Cllrs	Mrs M Mustoe
	Mrs R B Gammons		P Snelling
	J Kane		P Williams
	Ms C Maudlin		

Members in Attendance: Cllrs R A Baker
Mrs A Barker
D Bowater
Mrs C F Chapman MBE
I Dalgarno
Mrs R J Drinkwater
K C Matthews
D McVicar
J Murray
T Nicols
A Shadbolt
J Street
Mrs C Turner
B Wells

Officers in Attendance:	Mr R Fox	Head of Development Plan
	Mr L Hannington	Principal Minerals and Waste Planning Officer
	Mr B Jackson	Assistant Director Highways
	Ms P Khimasia	Senior Planning Officer
	Mr L Manning	Democratic Services Officer
	Mr J Partridge	Overview & Scrutiny Officer

SCOSC/09/23 **Minutes**

RESOLVED

that the Minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 26 January 2010 be confirmed and signed by the Chairman as a correct record subject to the following amendments:

a) Officers in Attendance – Mrs J Keyte

Delete 'Community Safety Officer' and insert 'Head of Community Safety'.

b) Minute SCOSC/09/21 – Work Programme 2009-2010

Paragraph 2, line 4 – insert 'lack of' between the words 'He queried the' and 'opportunity for consultation…'

Paragraph 2, line 10 – after the sentence ending '…fully aware of public concerns.' insert the following new sentence 'He also queried whether the Committee, as an overview and scrutiny body, would be given the opportunity to consider and respond to the public objections to the site proposals before the matter was considered by the Government Inspector and sought confirmation from the Portfolio Holder for Sustainable Development that this would be the case.'

c) Minute SCOSC/09/22 – Community Safety Partnership Strategic Assessment, Identified Priorities for 2010 - 2011

Paragraph 3, line 6 – delete 'Community Safety Manager' and insert 'Head of Community Safety'.

Paragraph 4, line 1 – delete 'Community Safety Manager' and insert 'Head of Community Safety'.

SCOSC/09/24 **Members' Interests**

(a) **Personal Interests:-**

Member	**Item**	**Nature of Interest**	**Present or Absent during discussion**
Cllr Ms C Maudlin	10	The shortlisted Gypsy and Traveller sites at Woodside Caravan Park, Hatch, Sandy and Oak Tree Nursery & Magpie Farm, Upper Caldecote both lay within her ward.	Present
Cllr A R Bastable	11	Member of action group that	Present

successfully opposed an extension to the period of operation of the former Brogborough Landfill site.

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

None notified.

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

None notified.

SCOSC/09/25 **Chairman's Announcements and Communications**

None.

SCOSC/09/26 **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/09/27 **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/09/28 **Call-In**

No matters were referred to the Committee for a decision in relation to the call-in of a decision.

SCOSC/09/29 **Requested Items**

Arising from a request by a Member under Procedure Rule 3.1 of Part D2 of the Constitution the Committee considered a report entitled 'Highways Customer Process' which set out details of the Council's highways contract and customer service provision. The Assistant Director for Highways and Transport reminded the meeting that the delivery of the service was outsourced to a contractor, Amey Local Government. The officer then emphasised to Members that, in the first instance, they should report any issues to the Highways Helpdesk. If this failed to lead to satisfactory action they should contact their local Amey area team.

In response to the report the Member who had requested that the matter be considered explained that he had done so in order to raise concerns that both he and other Members shared over the resolution of highways issues and the communication problems which existed between Members and officers. As an example the Member referred to occurrences where it was claimed that highways works had been completed and they had not. He added that, in view of his experience, he was not confident that the contractor should be left with the responsibility of ensuring that works were carried out. He further added that, given Members' role as Community Champions, there was a failure to provide information to Members so that they could undertake this role effectively and this could lead to unwarranted public criticism of them. He therefore suggested that a working party be set up to review the process for the reporting of highways issues and improve communication between Members and officers.

Responding to queries from other Members the Assistant Director explained that the contractor aimed to carry out repairs as quickly as possible and guaranteed to have at least examined an issue reported to the Helpdesk within five working days. He also commented that all Members should have received a list of contact telephone numbers at their induction.

Other Members expressed various concerns with regard to the quality of the reports issued and it was suggested that the Council adopt different reporting software. It was also suggested that Members should be able to contact a named officer to discuss matters of concern and answer queries. In response the Assistant Director fully acknowledged that problems existed but stressed that action was being taken to rectify these and improve standards. He then emphasised to Members that they should contact their Amey area team should they have any queries because the teams had the greatest local knowledge and would be able to discuss any matters with them. With regard to a query regarding the issue of printouts to parish councils the officer stated that these would cease when a highways issue had been dealt with and not for any other reason.

Following further comment regarding the lack of contact details the Assistant Director stressed that this information had already been supplied to Members but he undertook to recirculate it if required. The officer thanked Members for their comments which he stated were useful in ensuring that the quality of service was improved.

The Portfolio Holder for Safer and Stronger Communities advised the meeting that consideration was being given to the supply of real time information to Members to assist them in monitoring action being taken. He then asked Members to make use of the Amey area teams and reminded them that they could obtain progress reports on highways issues by emailing the Highways Helpdesk with the relevant reference number.

Members were aware that Procedure Rule 3.3 of Part D2 of the Constitution set out the options which the Committee had in relation to the request.

RESOLVED that no further action be taken upon this matter given the information provided by the Assistant Director for Highways and Transport and the efforts already being made to improve the quality of service.

SCOSC/09/30 **Development Strategy Task Force Recommendations**

No recommendations were received from the Development Strategy Task Force in accordance with the requirements set out in the adopted Guidance Document.

SCOSC/09/31 **Gypsy and Traveller Development Plan Document (DPD) for Central Bedfordshire North**

The Committee received a report which sought Members' support for a variance to the existing shortlist of possible Gypsy and Traveller sites within the former Mid Beds District Council area of Central Bedfordshire.

Members were aware that they had recommended the original shortlist for adoption to the Portfolio Holder for Sustainable Development at their meeting on 4 January 2010 (minute SCOSC/09/8 refers). Members were also aware that one of the original sites, identified as land south of Clifton and east of New Road, Clifton, had subsequently been found to be no longer in the Council's ownership and the current owner had no wish to see any of the land used as a Gypsy and Traveller site. As a result the land was no longer available for this use unless the Council undertook a Compulsory Purchase Order, which was both time consuming and expensive. Given this situation there was a requirement to find a possible replacement site capable of accommodating the eight pitch deficit left by the removal of the Clifton site. To this end a review of those top scoring sites which had been previously rejected had been carried out and land east of A6001, Hitchin Road and opposite Henlow Camp (RAF) had been identified as the most suitable.

The Chairman reminded the meeting that the Council was required by Government to undertake a process of identifying possible sites for Gypsy and Traveller accommodation and that should it fail to do so would leave it vulnerable to unauthorised encampments gaining approval at appeal. The Portfolio Holder for Sustainable Development reiterated the Chairman's comments and stressed that by undertaking the site identification process the Council was clearly seen to be moving forward and strengthening its position.

The Head of Development Plan drew the Committee's attention to two letters received from SouthWest Law (dated 20 January and 5 February 2010), copies of which had been circulated to all Members of the Committee. The Chairman referred to a request by the letters' author for the Committee to reconsider the allocation of Woodside Caravan Park, Hatch, Sandy. At the suggestion of the Head of Development Plan Members reconsidered their previous decision and, following discussion, resolved to reaffirm that the proposed permanent site at Woodside Caravan Park, Hatch, Sandy be rejected for the reasons given in the resolution below.

With regard to a query on the need to identify 50 pitches for consultation purposes the Portfolio Holder for Sustainable Development explained that, although the Council was required to provide 40 pitches, the provision of ten additional pitches allowed for a meaningful consultation exercise to be carried out and for sites to be deleted as a result of the outcome if necessary.

In accordance with Public Participation Procedure as set out in paragraph 2 of Annex 1 of Part A4 of the Constitution the Chairman then invited those members of the public who had registered to speak on this item to address the Committee. Each speaker was permitted a maximum of three minutes. Statements were received from two speakers on the proposed development of Oak Tree Farm & Magpie Farm, Upper Caldecotte of which both set out reasons against the development of the site; statements were received from two speakers on the proposed development of land east of A6001, Hitchin Road and opposite Henlow Camp (RAF) of which both set out reasons against the development of the site; and a statement was received from one speaker on the proposed development of land rear of 197 Hitchin Road, Arlesey who set out reasons against development of the site.

Full debate then followed in which a number of issues were raised for consideration including the balance in the ratio of permanent households at settlements with the proposed number of pitches, the predominance of site allocation to the east of the former Mid Beds District Council area and a call for all sites to be referred back to the Development Strategy Task Force for re-examination and a request for a review of noise disturbance at the proposed site at Henlow due to the flight path used by the Police Air Support Unit. The Committee, having regard to the points discussed, were overwhelmingly of the opinion that the process should move forward without further delay.

Recommended

that the Director of Sustainable Communities in consultation with the Portfolio Holder:

(i) approves the amended Gypsy and Traveller site list as included in the report to the Committee to include land east of A6001, Hitchin Road and opposite Henlow Camp (RAF);

(ii) approves the pitch distribution between the site options as detailed in Table 3 of the report to the Committee for consultation in the Preferred Sites consultation document and that any increase in the pitch distribution be designated at the site on land south of Dunton Lane, Biggleswade.

Resolved

that the Committee reaffirms its decision to reject the proposed permanent site at Woodside Caravan Park, Hatch, Sandy in light of former Planning Inspectors' previous decisions and the availability of more suitable sites elsewhere.

SCOSC/09/32 **Waste Core Strategy Preferred Options Consultation**

The Committee received a report which sought the Committee's support for the Waste Core Strategy Preferred Options document to be recommended to the Portfolio Holder for Sustainable Development for adoption and that the document undergo public consultation.

The meeting noted that the purpose of the document was to set out a strategy for waste planning over a 15 year period, based on the circumstances of the three councils (Bedford Borough Council, Central Bedfordshire Council and Luton Borough Council) that 'owned' the Minerals and Waste Development documents. It also considered alternatives with regard to the future growth of waste to be managed, alternative spatial distributions for waste facilities and alternative possible strategic sites.

Members worked through the document in detail, seeking clarification on a number of issues and raising concerns on specific aspects of the document including:

- The absence of any proposed sites identified for the location of green waste facilities
- The absence of an explanation of how the Council had taken into account those problems that had been identified with current green waste facilities so these could be addressed when considering new facilities
- The need for access to an appropriate rail head in Central Bedfordshire for transporting waste
- The suitability of the maps contained in the plan.

In response to many of the queries raised the Principal Minerals and Waste Planning Officer stressed that the role of the document was to identify possible site locations in very broad terms. Nonetheless, Members expressed concern that the document lacked sufficient detail and sought the inclusion of additional information.

RESOLVED

1. That the Sustainable Communities Overview and Scrutiny Committee endorses the Waste Core Strategy Preferred Options document subject to the following additions being made prior to public consultation:

a) a glossary, explaining the various types of waste described in the document;

b) more detailed location maps of the proposed strategic sites identifying the specific location of those proposed sites within an area;

c) sites that identify proposed locations for the development of green waste facilities;

d) a policy statement regarding the proximity of housing developments to green waste facilities, ensuring that they are not constructed too closely;

e) a policy statement encouraging waste facilities to conform with policies detailed in the Central Bedfordshire Council Freight Strategy.

2. That the Waste Core Strategy Preferred Options document be recommended to the Portfolio Holder for Sustainable Development subject to the amendments proposed at resolution 1 above.

RECOMMENDED to Executive:

1. That authority be delegated to the Director of Sustainable Communities to make any necessary minor amendments to the Waste Core Strategy Preferred Options document;

2. That the Waste Core Strategy Preferred Options Consultation document undergo public consultation according to statutory procedures.

SCOSC/09/33 **Quarter 3 Performance Report**

The Committee received a report highlighting the Quarter 3 performance for the Sustainable Communities Directorate using those performance indicators identified as critical.

A Member queried the recording of the Indicators for the Progress against LDF South as being 'on track' given the cancellation of two Joint Committee meetings and the resulting delay in progressing matters. The Portfolio Holder for Sustainable Development also expressed concern regarding the accuracy of the performance judgements for these Indicators and asked that they be amended to reflect this.

The Chairman referred to the Indicators for road accident casualties (all people killed or seriously injured) and road accident casualties (children under 16 killed or seriously injured). The Overview and Scrutiny Officer reminded the meeting that a report on these Indicators was scheduled to be submitted to the Committee at its next meeting.

NOTED the report.

SCOSC/09/34 **Quarter 3 Budget Management Report**

The Committee received a report setting out budget management information for the Sustainable Communities Directorate for the Quarter 3 period (the end of December 2009) and the forecast position for the end of the financial year.

NOTED the report.

SCOSC/09/35 **Work Programme 2009-2010**

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 2009-2010 municipal year and beyond and sought any comments and amendments. In addition members were asked to consider an indicative work programme for the Development Strategy Task Force for the same period.

The Overview and Scrutiny Officer reported that the report entitled 'Development of a Uniformed Presence for Central Bedfordshire', which was scheduled for submission to the Committee's meeting on 25 March, would now be submitted to the Committee's meeting in June. Members expressed concern at this further delay and sought an explanation.

The Overview and Scrutiny Officer also reported that the report entitled 'Parish Partnership Scheme', which was due to be considered by the Committee on 25 March, could be postponed until a later meeting. The Portfolio Holder for Safer and Stronger Communities explained that funding was not available and, as such, it would serve no purpose to consider this matter.

The Portfolio Holder for Safer and Stronger Communities referred to the report entitled 'Winter Maintenance Policies' scheduled to be considered by the Committee at its July meeting and stated that this date would be unsuitable given the Executive's own timetable of meetings.

RESOLVED

That the Overview and Scrutiny Officer contact the Assistant Director Public Protection and establish why the submission of a report on the development of a uniformed presence in Central Bedfordshire has been subject to a further delay and advise the Committee of the reason given.

SCOSC/09/36 **Date of Next Meeting**

NOTED that the next meeting of the Committee will be held on 25 March 2010 at 10.00 am.

(Note: The meeting commenced at 10.00 a.m. and concluded at 1.53 p.m.)