

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 13 September 2011.

### PRESENT

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

Cllrs M C Blair  
B Saunders

Cllrs P Williams

Apologies for Absence: Cllrs Mrs C F Chapman MBE  
Mrs R B Gammons  
Ms C Maudlin  
J Murray

Substitutes: Cllrs D Bowater (In place of Mrs R B Gammons)  
R W Johnstone (In place of Ms C Maudlin)  
A Shadbolt (In place of Mrs C F Chapman MBE)

Members in Attendance: Cllrs P N Aldis  
B J Spurr  
Mrs P E Turner MBE  
M A G Versallion  
B Wells  
J N Young  
Executive Member for Sustainable Communities - Services  
Executive Member for Economic Partnerships  
Executive Member for Children's Services  
Deputy Executive Member for Sustainable Communities - Services  
Deputy Executive Member for Sustainable Communities - Strategic Planning and Economic Development

Officers in Attendance: Mr S Andrews – LDF Team Leader  
Mr R Fox – Head of Development, Planning and Housing Strategy  
Mr A Fleming – Acting Director of Sustainable Communities  
Mr P Storey – Committee Services Officer  
Ms S Wileman – Service Development Manager

Others in Attendance:

### SCOSC/11/11 **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

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

None.

### SCOSC/11/12 **Chairman's Announcements and Communications**

There were no announcements by or communications from the Chairman.

### SCOSC/11/13 **Minutes**

**RESOLVED: That the Minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 21 June 2011 be confirmed and signed by the Chairman as a correct record.**

### SCOSC/11/14 **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/11/15 **Questions, Statements or Deputations**

One speaker had registered to speak at the meeting in accordance with the Public Participation Procedure as set out in Annex 1 of Part A4 of the Constitution. The speaker asked:

- for a telephone number to contact the Council outside office hours and at weekends should there be any illegal gypsy or traveller incursions in Central Bedfordshire;
- if the Council had now got co-ordinated plans in place to deal effectively with a major incursion;
- what was the timetable for submitting the recommended number of pitches to the Secretary of State, what remained outstanding and which Member and officer had overall responsibility.

In response to the questions, the Chairman stated that he had previously agreed that any contentious recommendations made by the Development Strategy Task Force would be reported to the Committee for consideration. The Chairman of the Task Force confirmed that any recommendations on this subject would be reported to the Committee. The Committee Chairman further stated that a written response to the questions would be provided to the public

speaker by the Deputy Executive Member for Sustainable Communities - Strategic Planning and Economic Development.

The Deputy Executive Member for Sustainable Communities - Strategic Planning and Economic Development stated that the telephone number previously supplied to the public speaker could be used outside office hours and at weekends to report any incursions and these would be referred to an Officer who was authorised to issue a stop notice. The situation was much clearer if the incursion was on Council owned/managed or public land but advice could be offered in respect of incursions on private land. The Deputy Executive Member for Sustainable Communities - Strategic Planning and Economic Development stated that he would be happy to meet the public speaker outside the meeting to discuss these items further.

Other issues raised by the public speaker would be dealt with when the item on a new plan-making programme for Central Bedfordshire was considered later in the meeting (minute 22 below refers).

**RECOMMENDATION: That a written response be sent to the public speaker.**

#### **SCOSC/11/16 Call-In**

No decisions of the Executive were called-in to be reviewed in accordance with the Call-in Procedure as set out in Part D2 of the Constitution.

#### **SCOSC/11/17 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.

#### **SCOSC/11/18 Budget Management Report for the Quarter Ended 31 March 2011**

The Chairman stated that the Quarter 4 Budget Management Report for 2010/11 was now effectively a historical record as it had been superseded by the Quarter 1 Revenue and Capital Programme Reports for 2011/12, as contained elsewhere on the agenda (minutes 20 and 21 below refer). The situation detailed in the Quarter 4 2010/11 report had subsequently improved in the Quarter 1 2011/12 reports.

#### **RECOMMENDATION**

- 1. That the provisional outturn for the year of £46,963k, which was £347k under budget, be noted.**
- 2. That the release of earmarked and redundancy reserves of £1,480k further increasing the under spend to £1,827k be noted.**

## SCOSC/11/19 Quarter 4 2010/11 Performance Monitoring Report

The Committee received a report from the Deputy Executive Member for Sustainable Communities - Strategic Planning and Economic Development detailing performance of the Directorate in Quarter 4 of 2010/11.

It was noted that the percentage of household waste sent for recycling (NI 192) had not yet been supplied by DEFRA for Quarter 4 2010/11 but the Council's own figures up to the end of Quarter 1 2011/12 was 51.3%, which moved the indicator from amber to green.

The Deputy Executive Member for Sustainable Communities - Services stated that he was looking into providing split waste/recycling bins in the towns and villages in Central Bedfordshire to increase the amount of recycling. He considered that the material reclamation facilities were operating at a recycling rate of 65-67% but this was expected to increase under the BEAR project. Random sampling of rubbish bins also took place to ascertain if improvements could be made regarding recycling. There were issues in collecting glass, with charges currently £5.00 per tonne. Collecting glass with paper presented difficulties as the glass contaminated the paper. The Deputy Executive Member for Sustainable Communities – Services was constantly looking at how glass recycling could be improved and it was probable that this would improve as part of the BEAR project.

**RECOMMENDATION: That the report be noted.**

## SCOSC/11/20 Revenue Report for the Quarter Ended 30 June 2011

The Committee received a Revenue Report from the Acting Director of Sustainable Communities for Quarter 1, ending 30 June 2011.

It was noted that the Directorate was achieving efficiency savings and that there were under spends in several areas, with an under spend across the Directorate of £608k for the quarter. Reduced income in Building Control was offset by increased income in Planning.

The Deputy Executive Member for Sustainable Communities – Strategic Planning and Economic Development and the Acting Director of Sustainable Communities answered Members' questions on the report as summarised below:

- the Council was discussing with a small number of supermarkets the possibility of them sponsoring school crossing patrols. Automatic number plate recognition technology was being considered for some static car parks and any savings in enforcement costs might be used to support school crossing patrols. It was noted that not all schools had patrols and the ones which did tended to be lower schools, where many parents took their children to school and collected them;
- the decision not to close Houghton Regis leisure centre at this point had not affected the Leisure Services forecast under spend of £21k for the quarter as it had been possible to restructure the costs there. Tenders

would be sought for a more cost effective operation for the centre in 2012/13;

- steps were being taken regarding an outstanding bill of £5,000k raised against Luton Borough Council for the A5-M1 Link project.

**RECOMMENDATION: That the following be noted.**

- 1. the forecast annual outturn of £51,135k;**
- 2. the proposed release of earmarked reserves of £491k, and**
- 3. the forecast under spend of £567k after the use of reserves.**

### **SCOSC/11/21 Capital Programme Report for the Quarter Ended 30 June 2011**

The Committee received a report from the Acting Director of Sustainable Communities on the Directorate's capital programme for Quarter 1 of 2011/12.

It was noted that of the 47 schemes in the Directorate's capital programme 18 schemes had not incurred expenditure and had been re-phased, with one scheme slipping to 2012/13. There would be no loss of s106 moneys as a result of the re-phasing and re-programming.

The Deputy Executive Member for Sustainable Communities – Strategic Planning and Economic Development and the Acting Director of Sustainable Communities answered Members' questions on the report as summarised below:

- the Luton-Dunstable Busway is a major infrastructure project, benefitting both Luton and Central Bedfordshire Council;
- the scheme was currently on budget and target. There was a significant contingency due to the nature of the project. The Acting Director of Sustainable Communities stated that he was not aware of any loans made to the developers to clear parts of the Busway route;
- s106 moneys were often not released until a developer had constructed an agreed number of houses and might take some time to be released. The Council would be looking at introducing greater flexibility in how s106 monies could be used in the future;
- the monies for Flitwick town centre development proposals had now been spent on the project.

**RECOMMENDATION: That the following be noted:**

- 1. actual expenditure to date of £4,597k and external income of £11,404k;**
- 2. forecast annual expenditure of £31,870k and external funding of £21,040k, and**
- 3. re-phasing of schemes into future years with a net value of £2,452k.**

## SCOSC/11/22 A New Plan-making Programme for Central Bedfordshire

A member of the public had registered to speak at the meeting in accordance with the Public Participation Procedure as set out in Annex 1 to Section A4 of the Constitution. He had asked questions on gypsy and traveller issues (minute 15 above refers) and was informed that many of the issues would be answered during consideration of this item.

The Deputy Executive Member for Strategic Planning and Economic Development introduced the report. He stated that the new programme had been prompted, in part, by the decision of the Luton and South Bedfordshire Joint Committee on 29 July 2011 to withdraw the joint Core Strategy for Luton and southern Central Bedfordshire.

The report set out the scope and timetable for the production of future development plans for the whole of Central Bedfordshire, which currently had different plans for the northern and southern parts of the area, including a new Development Strategy document and a Gypsy and Traveller Plan. These plans would, as necessary, refresh, update and roll forward the existing planning policy framework in Central Bedfordshire.

Members asked questions on the report and received answers from the Deputy Executive Member for Strategic Planning and Economic Development and the Head of Development, Planning and Housing Strategy as summarised below:

- There was currently no gypsy and travellers policy for southern Central Bedfordshire, other than the interim policy agreed by the Executive on 11 January 2011;
- If endorsed for development management purposes the policies in the submission draft Gypsy and Traveller document for the north of Central Bedfordshire would carry some weight but not much as an adopted document;
- It was noted that the Council had not used the Regional Spatial Strategy (RSS) to identify development needs as it had not been considered appropriate and had instead undertaken a local needs assessment in northern Central Bedfordshire, which was considered to have been very robust. This assessment could not be submitted to the Secretary of State for approval as the RSS had not been revoked;
- The Council had been required to progress differing plans for the northern and southern parts of Central Bedfordshire following local government re-organisation in 2009 but was now in a position to progress combined plans for the whole of Central Bedfordshire;
- A robust position was required on gypsy and traveller sites to defend appeals and speculative development applications;
- It was noted that the report on the Gypsy and Traveller Development Plan scheduled to be reported to the Executive on 10 January 2012 would not now be prepared;
- The Committee and the Development Strategy Task Force would be looking closely at numbers, allocations and the cost of infrastructure in northern Central Bedfordshire in relation to the Development

Framework, which had been adopted up to 2026 and which would be regularly monitored;

- A member asked if developers could be required to provide schools as part of large scale developments, rather than providing the land and a shell. The Deputy Executive Member for Strategic Planning and Economic Development undertook to take the idea on board;
- The Council would continue to seek to protect the Green Belt in Central Bedfordshire;
- The Localism Bill, when enacted, would require co-operation between local authorities and their neighbours on planning issues. The Council would produce a Strategy reflecting Central Bedfordshire requirements, after consultation with neighbouring local authorities;
- Further details were requested regarding the new budget provision of £300,000 per annum over the next three years to produce the new plans. This had been identified as a budget pressure at this time. It was probable that officers would be requested to help Town and Parish Councils to produce their own planning policies, which would have to be consistent with those for Central Bedfordshire;
- There was a need for a definition of sustainable development in the new plans and it was suggested that the Development Strategy Task Force should consider this issue and suggest a definition to the Committee.

Members also asked about specific gypsy and traveller sites in Central Bedfordshire and were informed that officers were in the process of reviewing licences at all mobile home sites in Central Bedfordshire.

Members supported the proposal to create combined plans for the whole of Central Bedfordshire. They were concerned about the interval between consultations on a new Gypsy and Traveller Plan beginning in 2012 and the plans being adopted in 2014 and asked that the interval be kept to a minimum.

#### **RECOMMENDATIONS TO THE EXECUTIVE:**

- 1. That the submission draft Gypsy and Traveller Document for the north of Central Bedfordshire together with the underlying evidence base be endorsed for development management purposes.**
- 2. That all practicable means be taken to shorten the plan making programme for the production of a Gypsy and Traveller Plan for Central Bedfordshire to the minimum necessary to comply with legislative requirements.**
- 3. That further details should be provided of the budget pressure of £300,000 identified in the Medium Term Financial Plan from 2012/13 per year for the next three years to produce the plans set out in the programme.**

## **RECOMMENDATION TO THE DEVELOPMENT STRATEGY TASK FORCE**

**That the Development Strategy Task Force be asked to produce a definition of sustainable development for use by the Committee and the Executive.**

### **SCOSC/11/23 Highways and Transportation Task Force Progress Report**

The Committee received an interim report from the Chairman of the Task Force, stating the progress made to date.

It was noted that:

- A survey was on-going regarding residents' parking zones in an area of Dunstable and the Task Force would be making recommendations to the Committee on the overall car parking strategy;
- Wide ranging discussions were taking place regarding the use, costs and savings of number plate recognition technology and savings this might engender in enforcement;
- Responses had been received to the questions raised regarding the MAC highways contract and these would result in recommendations being made to the Committee.

**RECOMMENDATION:** that the report be noted.

### **SCOSC/11/24 Draft Work Programme 2011-12 and Executive Forward Plan**

The Committee received a report from the Acting Director of Sustainable Communities on their latest draft work programme and the Executive Forward Plan for the period 1 September 2011 – 31 August 2012.

It was noted that:

- The Development Strategy Task Force would be meeting again on 15 September 2011;
- The Gypsy and Traveller Development Plan Document contained on the Executive Forward Plan for the meeting on 10 January 2012 would now not be prepared.

The Deputy Executive Member for Sustainable Communities – Services stated that there was no proposal to close any public libraries in the Review of Central Bedfordshire Library Service to be considered by the Committee at its meeting on 1 December 2011.

**RESOLVED: That the report be noted.**

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.04 p.m.)