

21 October 2015

**AT A MEETING**

of the

**WIXAMS JOINT DEVELOPMENT CONTROL COMMITTEE**

held in Committee Room 1, Borough Hall, Bedford on the 21st day of October 2015 at 6.30 pm

**PRESENT:**

Bedford Borough Council

Councillor S Hunt (substitute for Councillor W Hunt) (in the Chair)

Councillors Charles, Corp (substitute for Councillor Smith), Hill, Holland, Masud, McMurdo, Rigby (substitute for Councillor Coombes) and Wheeler

Central Bedfordshire Council

Councillors Barker, Blair, Chapman, Clark, Downing and Matthews

Apologies for absence were received from Councillors Coombes, W Hunt and Smith (Bedford Borough Council), Jamieson, Shingler and Young (Central Bedfordshire Council)

**1. ELECTION OF CO-CHAIRS**

RESOLVED:

That Councillors W Hunt and Matthews be elected Co-Chairs for the remainder of the current Municipal Year.

**2. QUESTIONS FROM MEMBERS OF THE CONSTITUENT COUNCILS AND MEMBERS OF THE PUBLIC**

There were no questions from Members of the Constituent Councils or members of the public.

**3. MINUTES**

RESOLVED:

That the Minutes of the meeting of the Committee held on 25 September 2013 be received.

**4. DISCLOSURES OF LOCAL AND/OR DISCLOSABLE PECUNIARY INTERESTS**

<b>Item and Minute Number</b>	<b>Member Disclosing an Interest</b>	<b>Nature of Interest</b>	<b>Present or Absent During Discussion of Item</b>
-	Councillor Corp	Local – she is employed by Central Bedfordshire Council	Present
Application No. 14/02725/MAR Minute No. 5(c)	Councillor S Hunt	Local – she is a member of the Bedfordshire and River Ivel Internal Drainage Board	Present
and			
Application Nos. 14/02726/MAR and CB/14/04302/RM Minute No. 5(d)	Councillor Holland	Local – she is a member of the Bedfordshire and River Ivel Internal Drainage Board	Present
	Cllr McMurdo	Local – he is a member of the Bedfordshire and River Ivel Internal Drainage Board	Present

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Item and Minute Number	Member Disclosing an Interest	Nature of Interest	Present or Absent During Discussion of Item
<p>Agenda item 7</p> <p>Opportunity to secure a secondary school for Wixams</p> <p>Minute No. 6</p>	Councillor Chapman	Local – Governor of Fulbrook Middle School	Present
	Councillor Clark	Local – Governor of Church End Lower School	Present
	Councillor S Hunt	Local – Governor of Robert Bruce Middle School	Present
	Councillor Masud	Local – Governor of Westfield School	Present
	Councillor Rigby	Local – Governor of Bromham Lower School	Present
	Councillor Wheeler	Local – Chair of Governors of Wootton Lower School	Present

**5. SCHEDULE OF APPLICATIONS DETERMINED BY THE COMMITTEE**

The Committee considered the joint report of the Assistant Director (Planning), Bedford Borough Council and the Development Infrastructure Manager, Central Bedfordshire Council setting out the following applications:

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- (a) Approval of details submitted to satisfy Condition Nos. 10, 11 and 12 of Bedford Borough Council Reference 11/01380/M73 and Central Bedfordshire Council Reference CB/11/02182/VOC pursuant to Village 2, land north of Elstow Storage Depot, Kenneth Way, Wilstead (14/02470/AOC, 14/02535/AOC, 14/02536/AOC and CB/11/2182/VOC – Gallagher Estates (Item 1 on the Schedule)

RESOLVED:

That the Village 2 Detailed Design Brief and Code (October 2015) Revision N, submitted to satisfy Condition Nos. 10, 11 and 12 of Bedford Borough Council Planning Reference 11/01380/M73 and of Central Bedfordshire Council Planning Reference CB/11/02182/VOC pursuant to Village 2 be approved.

- (b) Approval of details submitted to satisfy Condition Nos. 10, 11 and 12 of Bedford Borough Council Reference 11/01380/M73 and Central Bedfordshire Council Reference CB/11/02182/VOC pursuant to Village 4, land north of Elstow Storage Depot, Kenneth Way, Wilstead (14/02470/AOC, 14/02535/AOC, 14/02536/AOC and CB/11/02182/VOC – Gallagher Estates (Item 2 on the Schedule)

RESOLVED:

That the Village 4 Detailed Design Brief and Code (October 2015) Revision J submitted to satisfy Condition Nos. 10, 11 and 12 of Bedford Borough Council Planning Reference 11/01380/M73 and of Central Bedfordshire Council Planning Reference CB/11/02182/VOC pursuant to Village 4 be approved.

- (c) Reserved matters application for access infrastructure associated with Village 2 of the Wixams settlement pursuant to outline permission 11/01380/M73, land south and west of Horton Turn Farm, Bedford Road Wilstead – Gallagher Estates (14/02725/MAR – Item 3 on the Schedule)

RESOLVED:

That permission be granted in respect of the above application in accordance with the recommendation of the Assistant Director (Planning).

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- (d) Reserved matters application for access infrastructure associated with Village 4 of the Wixams Settlement pursuant to planning permissions 11/01380/M73 (Bedford Borough Council Reference) and CB/11/02182/VOC (Central Bedfordshire Council Reference), land north of Elstow Storage Depot, Kenneth Way, Wilstead – Gallagher Estates (14/02726/MAR and CB/14/04302/RM Item 4 on the Schedule)

RESOLVED:

- (1) That Reserved Matters approval be granted in respect of the above applications subject to the conditions set out in the report.
- (2) That consideration be given to the Assistant Director (Planning), Bedford Borough Council and the Development Infrastructure Group Manager, Central Bedfordshire Council, being given Delegated Authority to determine 'cross border' Design Guides and a report thereon be submitted to the next meeting.

**6. OPPORTUNITY TO SECURE A SECONDARY SCHOOL FOR THE WIXAMS**

The Assistant Director (Planning) reported on the opportunity to secure a significant funding contribution towards the construction of a new secondary school for the Wixams. The Department for Education (DfE) wished to establish a flagship Technical Academy for ages up to 18 years of age in Bedford to serve the Bedford and Central Bedfordshire area sponsored by Bedford College and had been looking at the suitability of various existing buildings in the Bedford urban area as the most cost effective method of delivering a Free School. The DfE and Bedford College had been receptive to the concept of locating the planned 824 place Academy at the Wixams provided that the school could be built and ready for occupation in September 2017. However, the DfE had made it clear that their financial contribution would remain at the original level intended for refurbishment (£6.88 million) of an existing building and that the Councils and Gallaghers would need to contribute the remainder of the cost.

The estimated cost of an 824 place secondary school was £13.060 million. Gallaghers had confirmed that they could accelerate infrastructure delivery to meet the delivery timescale. In addition, funding contributions were likely to be available from both Bedford Borough and Central Bedfordshire Councils and the Section 106 contributions in a timescale to enable delivery.

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Taking all potential sources of funding into account there remained a funding gap of £2.5 million for the Bedford Technical Academy. Gallagher Estates was of the opinion that they would already be incurring additional costs by accelerating infrastructure delivery and funding and that any further increase in their financial contribution above that already committed would need to come from an identified reduction in the cost of their future Section 106 Obligations for community and other facilities in the Wixams, over and above any savings from reduced land requirements.

From a planning perspective it was recognised that provision of a new secondary school for the Wixams would be a significant benefit to the Wixams and would support higher housing delivery rates and community development. A delay could result in the loss of the funding offer from the DfE.

The Committee was requested to consider the principle of renegotiation of the Section 106 Obligation to re-allocate/re-assign Obligations to the value of £2.5 million to enable the Technical Academy proposal to proceed.

The Assistant Director (Planning) referred to an e-mail received from the Ward Member, Councillor Coombes, which stated:

*'I recognise that there is a very tight window in which to get this matter agreed, in order to ensure that the opportunity for a new Secondary School at Wixams by 2017 is not missed and I would not wish to hinder any progress nor the hard work of Officers in negotiating the school proposals, through any request to delay the decision.'*

*I would therefore like to put on record, as the Ward Councillor representing Wixams, that the proposal in front of the Committee tonight has my full support. I would also like to request that other Members support the proposal and agree the S106 variation to ensure the £2.5 million funding gap for the new Secondary School is bridged.'*

*I am excited by the prospect of a new Secondary School being built at Wixams and I would like to see the project realised at an early opportunity. I know that many Wixams parents, some of whom are currently sending three children to three separate schools, would also welcome the chance to have a clear and continuous education path for their children all located within the Wixams development.'*

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RESOLVED:

- (1) That the potential funding opportunity from the Department of Education be acknowledged.
- (2) That, in order to secure the delivery of the school, Officers of the two Authorities be authorised to carry out the following steps to vary the Section 106 Agreement to secure delivery of the school:
  - Negotiate with Gallaghers on which elements to vary
  - Consult with Houghton Conquest and Wixams Parish Councils
  - In the event the Parish Councils' views or consultation undertaken indicate the need to reconsider the elements proposed to be removed from the Section 106, to negotiate with Gallaghers to identify other Section 106 savings to the value of £2.5 million
  - Invite a formal application from Gallaghers to vary those elements of the Section 106
  - Consult Wixams residents
  - Ask Members to formally agree to the Section 106 variation.

The meeting closed at 7.00 pm