

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the OVERVIEW AND SCRUTINY PANEL (ENVIRONMENTAL WELL-BEING) held in Civic Suite 1A, Pathfinder House, St Mary's Street, Huntingdon, Cambs, PE29 3TN on Tuesday, 13 November 2012.

- PRESENT: Councillor D Harty – Chairman.
- Councillors M G Baker, Mrs M Banerjee, I C Bates, I J Curtis, J W Davies, D A Giles, N J Guyatt, G J Harlock and Mrs D C Reynolds.
- Co-opted Member Mr D Hopkins
- APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillor C R Hyams and Mr M Phillips.
- IN ATTENDANCE: Councillors N J Guyatt and D M Tysoe.

46. MINUTES

The Minutes of the meeting of the Panel held on 9th October 2012 were approved as a correct record and signed by the Chairman.

47. MEMBERS' INTERESTS

No declarations were received.

48. LOCAL GOVERNMENT ACT 2000: FORWARD PLAN

The Panel considered and noted the current Notice of Executive Decisions (a copy of which is appended in the Minute Book) which had been prepared by the Executive Leader of the Council for the period 1st November 2012 to 28th February 2013. Having regard to the report on charging for a second green bin, the Panel was advised that the Cabinet had decided to defer this report to enable the Overview and Scrutiny Panel (Economic Well-Being) to consider it. The Economic Panel had supported the business case for charging for a second green bin, subject to it being considered as part of an assessment of all the Council's options for savings.

49. THE HOUGHTON AND WYTON CONSERVATION AREA CHARACTER ASSESSMENT AND BOUNDARY REVIEW

(Councillor N J Guyatt, Executive Councillor for Strategic Planning and Housing, was in attendance for this Item.)

Councillor N J Guyatt introduced a report by the Head of Planning and Housing Strategy (a copy of which is appended in the Minute Book) on the Houghton and Wyton Conservation Area Character Assessment and Boundary Review. Members were advised that the

Character Assessment and Boundary Review had been produced in compliance with an undertaking given to Houghton and Wyton Parish Council. If adopted there would be comprehensive Conservation Area coverage of green space in the Ouse Valley.

The Panel congratulated officers on the quality and high standard of the documents and drew attention to the fact that the size of the conservation area would increase by 30%. Members discussed a suggestion that Area 2 of the map at Appendix 4 should be included in the Conservation Area. The Head of Planning and Housing Strategy drew attention to the fact that an appraisal indicated that this area did not meet the Conservation Area criteria. It was explained that, as a result, its inclusion might undermine the validity of the Character Assessment. Members were assured that the Character Assessment was needed to reinforce the Urban Design Framework (UDF). If the UDF was implemented, Area 2 would be of a standard that would make it eligible for inclusion in the Conservation Area. Councillor I C Bates suggested that, in this case, the opportunity should be taken to include it at this stage. However, given that this might undermine the ability of the Conservation Area Character Assessment to withstand a legal challenge, the Panel accepted that this matter should be re-visited once the obstacles to its inclusion had been removed.

RESOLVED

that the Cabinet be recommended to –

- (a) endorse the revised Houghton and Wyton Conservation Area Character Assessment and Conservation Area Boundary Review and adopt both documents; and
- (b) re-visit the inclusion of Area 2 in the Conservation Area at the appropriate time.

50. CONTROLLED WASTE REGULATIONS

(Councillor D M Tysoe, Executive Councillor for the Environment, was in attendance for this Item).

Consideration was given to a report (a copy of which is appended in the Minute Book) by the Head of Operations outlining of the changes introduced by the Controlled Waste Regulations 2012. The Panel was advised that the Regulations had revised the premises which were exempt from a charge for disposal.

Members were informed that the Council collected waste from a number of premises that were previously exempt from charges, which the County Council could now charge by for the disposal of their waste. They were assured that the majority of customers would still enjoy free disposal if they were Council customers prior to April 2012.

The Panel discussed the possibility of offering and promoting an enhanced trade waste service as a means of generating income for the Authority. It was argued that there would be a marginal cost to providing such a service as the Council already had waste collection

rounds in place. Furthermore, the principle of competing in commercial markets had already been established as the Council traded in other sectors such as leisure. Given the financial pressures on the Council, it was suggested that the development of the trade waste service should be investigated.

In response to a question, the Head of Operations advised Members that prisons were commercial premises and as such incurred the full waste disposal charge. Further to this, a Member suggested that Littlehey Prison's recycling activities should be included in the District's recycling statistics. Having concluded their discussions, the Panel

RESOLVED

that the Cabinet be recommended to approve the recovery of the full cost of waste disposal from those premises previously exempt from the charge, except where they continue to be exempt under the County Council's local policy.

51. THE CONTRIBUTION OF AGRICULTURE TO THE ENVIRONMENT AND ECONOMY IN THE CONTEXT OF PLANNING POLICIES

Further to Minute No. 12/30, Councillor Mrs M Banerjee introduced the final report by the Working Group (a copy of which is appended in the Minute Book). Members were advised that the report's recommendations had been amended following discussion with the Head of Planning and Housing Strategy.

RESOLVED

that the report of the Working Group be endorsed for submission to the Cabinet.

52. OVERVIEW AND SCRUTINY PANEL (ENVIRONMENTAL WELL-BEING) - PROGRESS

With the aid of the report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) the Panel was advised of progress on matters that had been previously discussed. Having been informed of the response received from Mr D McCandless regarding the trial of wheelie bin stickers, Councillor I C Bates informed the Panel that stickers had been placed on wheelie bins throughout Hilton, though he did not know how the scheme had been funded. He suggested that a Member of Hilton Parish Council should be contacted in order to gain an understanding of the benefits of Speedwatch in the village.

With regard to the study on drainage, it was reported that the Council was continuing to work with Anglian Water to resolve outstanding problems. Members noted that an assessment of progress by District and County Council and Anglian Water in Yaxley shortly would be undertaken.

The Chairman informed Members of a suggestion by Godmanchester Residents Against Bearscroft that the Panel should scrutinise the Council's approach to the proposed development of land at Bearscroft

Farm, Godmanchester. A range of matters were proposed for investigation. Councillor C R Hyams also had made a submission on the proposed study. Owing to the fact that a valid current planning application had already been received, advice had been obtained from the Council's Head of Legal and Democratic Services on whether the Panel could reasonably and legitimately involve itself in this matter at the present time. He stated that the matters raised principally related either to planning issues and the weight that should be accorded to them or to the Council's procedures. In his view, planning issues should be considered as part of the applicable planning processes and it was for Planning Officers and the Development Management Panel to decide what they considered to be material planning considerations and to determine the weight to be accorded to them. It would not be appropriate for Overview and Scrutiny to be considering these issues or expressing their views on them. With regard to any argument that the Council had not followed due process, then the normal route of challenge was through the Courts, as had happened in other areas. Considering process matters whilst there was still a possibility of judicial challenge, would seem to be premature and although ultimately this was a matter for the Panel, if it was minded to look in to the matter, he considered a more appropriate time to do this would be following the determination of the application and the expiry of any period for legal challenge.

Head of Planning and Housing Strategy reiterated that the determination of the planning application was the responsibility of the Development Management Panel. He advised that the all planning matters relating to Bearscroft Farm would be fully considered in due course. Furthermore, as part of that process, interested parties would have the opportunity to address the Development Management Panel at the appropriate time. Members accepted that they had to be mindful not to pre-empt the Development Management Panel's decision. In that light it was decided that this matter should not be pursued at the present time but that it might be revisited if appropriate once the formal determination process had been completed and the period for any legal challenge had expired.

53. WORK PLAN STUDIES

The Panel considered and noted a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) informing them of studies being undertaken by the other Overview and Scrutiny Panels. Having regard to the review of Neighbourhood Forums in Huntingdonshire, a Member sought an update on the pilot Norman Cross Local Joint Committee meeting. Owing to a lack of clarity surrounding the future of Neighbourhood Forums, Members requested sight of the Overview and Scrutiny (Social Well-Being) Panel's report reviewing Neighbourhood Forums in Huntingdonshire.

54. SCRUTINY

The Panel received and noted the latest edition of the Council's Decision Digest (a copy of which is appended in the Minute Book) which summarised recent discussions by the Council.

Chairman