

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the OVERVIEW AND SCRUTINY PANEL (ENVIRONMENTAL WELL-BEING) held in Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon, Cambs, PE29 3TN on Tuesday, 10th November 2015.

- PRESENT: Councillor T D Sanderson – Chairman.
- Councillors I C Bates, Mrs B E Boddington, Mrs S Conboy, J W Davies, Mrs A Dickinson, I D Gardener, D A Giles, P Kadewere, K D Wainwright and R J West.
- APOLOGY: An apology for absence from the meeting was submitted on behalf of Councillor Mrs L A Duffy.
- IN ATTENDANCE: Councillors J D Ablewhite, R C Carter, D B Dew, J A Gray and M F Shellens.

### **34. MINUTES**

The Minutes of the meeting of the Panel held on 8th September 2015 were approved as a correct record and signed by the Chairman.

### **35. MEMBER'S INTERESTS**

Councillor D A Giles declared a non-pecuniary interest in relation to Minute No. 39 by virtue of his Membership of St Neots Town Council.

Councillor K Wainwright declared a non-pecuniary interest in relation to Minute No. 39 by virtue of his Membership of St Neots Town Council.

### **36. NOTICE OF KEY EXECUTIVE DECISIONS**

The Panel received and noted the current Notice of Key Executive Decisions (a copy of which is appended in the Minute Book) which had been prepared by the Executive Leader for the period 1st November 2015 to 29th February 2016.

Members were informed that the Huntingdonshire Infrastructure Business Plan would be presented to the Panel in December 2015.

### **37. WASTE POLICY DEVELOPMENTS AND HUNTINGDON NEEDS ANALYSIS OF OPEN SPACES AND PLAY FUNCTIONS**

With aid of a report by the Interim Head of Operations (a copy of which is appended in the Minute Book), the Executive Councillor for Operations and Environment, Councillor R Carter, the Interim Head of Operations and the Operations Manager (Commercial Services) presented the Waste Policy Developments and Huntingdon Needs Analysis of Open Spaces and Play Functions to the Panel.

The Panel was informed that the timescale for the needs analysis had slipped as a result of the amount of work needed in order to complete the needs analysis and the staff resources available. Members were advised that an open spaces needs analysis of Sawtry, Godmanchester and St Neots would be completed by the end of March 2016.

As part of the Waste Policy Developments, the service was required to develop a new lane end collection policy and a new dry recyclates contamination policy. The new lane end collection policy required the individual survey of 87 tracks, lanes and unadopted roads in the District.

The Panel was informed that there was difficulty in collecting from unadopted roads. Options offered to the residents was a request for them to move the bin to the end of the unadopted road on collection day or ask the resident to sign a warranty to allow the refuse collection crews to enter the unadopted road and collect from the property. Members were advised that the warranty ensured that the Council would not be liable for any damage caused by the refuse lorries.

With regards to the open spaces needs analysis, Officers had been identifying current provision and future needs in the towns and parishes. In relation to Huntingdon there was some concern over allotment provision however with regards to the play area provision the analysis identified that four play areas required upgrading from a Locally Equipped Area for Play (LEAP) to a Neighbourhood Equipped Area for Play (NEAP). The areas are highlighted as follows:

- The Pits, Sapley Road Play Area;
- Sallowbush Road;
- Devoke Close; and
- Elsie's Way.

Members were advised that following negotiations with Stukeley Meadows Primary School the third play area to be upgraded would be at the school and not Devoke Close. This option had resulted in maintenance and costs to be shared with the School. The Panel was informed that the money to upgrade the play areas was available through existing Section 106 (S106) funding

The new Policy for dry recyclates had evolved as a result of high dissatisfaction with the number of bins rejected. If refuse collection crews identified small items of contamination they would be removed and bagged up and left with an explanatory to the resident that the particular item cannot be recycled. A trial had been carried out on green bin collections and would now be extended to dry recyclates.

Under the new Policy if there was one or two items of contamination the refuse collectors would remove them and collect the bin. However if there was increased contamination a photograph would be taken and transferred to the Call Centre so if the customer phoned the Call Centre would be able to explain why the bin had not been collected.

In relation to a question regarding the identification of the 87 lanes and are there others. Members were informed that the lanes had

been identified by speaking to the refuse collectors, local knowledge and customer feedback. Officers stated that they believed not all the lanes had been identified however would be liaising with residents in order to establish the location of other lanes.

In response to a query from a Member regarding the possibility of losing S106 money, Officers confirmed that it was a real risk however a Red, Amber and Green (RAG) status had been established to assist with minimising the risk.

In response to a query regarding the cost to Town and Parish Councils regarding ongoing maintenance, Members were advised that the Council needed to have the dialogue with the Town and Parish Councils. The ongoing maintenance costs had been covered by the Town and Parish Councils however if the cost became too great then decommissioning would be considered as an option.

Members were advised that in response to a shortage of allotments, that a different range of options had been considered including identifying areas for allotments outside of Huntingdon and releasing land for community gardens however further consultation needed to be undertaken.

Members explained that one of the problems with recycling contamination was education, as some residents still believed that clothes would be recycled. The Panel was informed that there would be an awareness campaign to inform residents of the specific items that could be recycled.

### **38. LOCAL PLAN TO 2036 - UPDATE**

With the aid of a report by the Planning Service Manager (Policy) (a copy of which is appended in the Minute Book) the Panel was informed of the update to the Local Plan to 2036. Members were advised that progress on the Local Plan had slowed, due in part to the need for strategic transport modelling, which was needed in particular to assess the transport effects of the proposed housing allocation at Wyton Airfield.

The Panel's attention was drawn to item 1.2 of the report which stated that the Government required Local Plans "to be written" by early 2017 and the consequence of not doing so was that the Government would intervene to arrange for the Local Plan to be written for Huntingdonshire. The Government had yet to clarify what the meaning of "to be written" however to ensure that the Government does not take over the writing of Huntingdonshire's Local Plan, these statements should be interpreted as a requirement to submit the proposed Local Plan to the Government by March 2017.

With regards to the key evidence items needed to progress the Local Plan, Members were advised that the Council had been working with Cambridgeshire County Council to progress the traffic modelling. A new Strategic Flood Risk Assessment for the District was also required; flood risk data was expected from the Environment Agency in December 2015, which would form the core evidence behind this study.

Members were informed that the Council would be exploring the identification of a supply of sites for years 1-10, alongside continuing to develop the current approach to the Local Plan which identified a supply for years 1-15. If the traffic impacts of development at Wyton Airfield had not been resolved using the transport modelling in time to submit the Local Plan by the early 2017 deadline, the Council would consider whether to submit a Plan including the 10 year supply of sites, excluding in particular the allocation of Wyton Airfield. This approach would require a commitment to an early review of the Plan.

If the 10 year Plan approach was adopted, Officers would need to assess whether additional sites would be needed to make up a 10 year housing supply. Members were reassured by the suggestion that the Council would consult again in 2016 on proposed allocations, including consulting on additional sites required to make up any deficit in supply created by the removal of Wyton Airfield allocation.

Members were advised that Wyton Airfield remained part of the Council's development strategy and was likely to be developed at some point in the future, not least because of its part in the Government's land disposal programme. Removing the site's allocation under a 10 year plan approach would be entirely driven by the need to meet the Government's proposed deadline.

The Panel were advised that Local Plans were required to demonstrate that sufficient infrastructure would be provided to meet the needs of planned development. This was different to earlier planning rules where it was assumed that such infrastructure would be provided when development took place. Members were pleased to note the inclusion of infrastructure planning within the Local Plan.

The Panel was concerned that the Government did not seem to know how they would like to progress with Local Plans as there is no clear steer. Members were advised that the Government had been trying to attempt to improve the economy through development and see Local Plans as a means to do this. However there appeared to be little understanding within the Government on why developments take time to progress, for reasons such as resident opposition and developers not building on land which had permission for development.

In response to a question regarding Neighbourhood Plans, the Panel were advised that the Neighbourhood Plans had been considered as supplementary planning documents, once 'made' Neighbourhood Plans would become part of the adopted Development Plan. The Panel expressed their agreement with having a twin tracked approach- exploring the 10 year Local Plan option, although indicated a preference for a 15 year Local Plan. In doing so, the Panel,

#### RESOLVED

- a) that the Government's new timescales for the Local Plan preparation process be noted;
- b) that progress on the preparation of the Huntingdonshire Local Plan to 2036 be noted; and
- c) that the proposed way forward as outlined in paragraph 3.8 of the report is submitted to be endorsed.

### **39. NEIGHBOURHOOD PLANS**

With aid of a report by the Planning Policy Team Leader (a copy of which is appended to the Minute Book) the Panel was informed about the establishment of a process for progressing Neighbourhood Plans from examination to Referendum following the receipt of an Examiner's report into the Neighbourhood Plan. A part of the process was the requirement to include a notification period of 28 working days before a Referendum. This was to enable the public to view the Examiner's report, all representations and the neighbourhood area before the Referendum.

Members were informed that Regulations did not allow councils to set specific points in the year for Neighbourhood Plan Referendums; they would be required to make every effort to conclude each stage promptly and progress from Examination to Referendum of the Neighbourhood Plan as swiftly as is practicable.

The Panel requested that items 2.2 and 2.3 of the report now submitted was fully explained to Town and Parish Councils as they needed to know under what limited circumstances the Cabinet could hold up or reject a Neighbourhood Plan. In addition Members felt that clear timescales needed to be set out for Town and Parish Councils, particularly in relation to when the Neighbourhood Plan was passed to the Council for the Examination and Referendum.

A Member asked what was the implication for those Town and Parish Councils who had decided not to create a Neighbourhood Plan. In response the Panel was advised that having a Neighbourhood Plan increased the amount of Community Infrastructure Levy (CIL) the Town or Parish Council would receive on a development from 15% to 25%. However it was noted that a Town or Parish Council could decide to produce a Neighbourhood Plan at a later date if they wished.

The Panel wanted to emphasise to the Cabinet the requirement for a Town or Parish Council to adopt a project plan when developing a Neighbourhood Plan. In addition Members were reminded that it was the responsibility of the Town or Parish Council to produce a clean copy once the Cabinet have considered the content.

*(At 8.40pm, during the consideration of this item, Councillor I C Bates left the meeting and did not return.)*

### **40. ST NEOTS NEIGHBOURHOOD PLAN**

With aid of a report by the Planning Policy Team Leader (a copy of which is appended in the Minute Book) the report on the St Neots Neighbourhood Plan was presented to the Panel. Members were informed that after the Examination in February 2015 the Neighbourhood Plan could proceed to a Referendum subject to the modifications being made as recommended by the Examiner. A clean copy of the Plan, including the modifications could not be produced until the Overview and Scrutiny Panel (Environmental Well-Being) and Cabinet had approved the Plan for Referendum, at their meetings in November 2015.

Following a discussion regarding community involvement, Members highlighted their concerns that the Neighbourhood Plan may be rejected if there was to be a low turnout at a Referendum. In response, the Panel was assured that so long as a majority of those residents that voted were in favour, the Neighbourhood Plan would be adopted regardless of turnout.

In response to a concern that St Neots was losing out on Community Infrastructure Levy (CIL) money the Panel was reassured that to date St Neots had not missed out on any CIL money, which is due after the final planning conditions had been discharged. In addition, the Panel was reminded that Neighbourhood Plans had been intended primarily as a way for communities to develop a shared vision for how they want their area to developed and that getting more CIL money should be seen as a secondary bonus.

Members questioned the timings of the progression of the Neighbourhood Plan to Referendum, as it was submitted in April 2014 and was only being submitted to the Cabinet in November 2015. The Panel were advised that in hindsight the process could have been quicker. The process had been a learning experience for the Council, since the St Neots Neighbourhood Plan was the first in Huntingdonshire to be progressed this far in the process. The Panel was also informed that the Council was not in control of all the timescales: for example, the Neighbourhood Plan had to undergo a statutory six week consultation after submission before the Neighbourhood Plan was submitted to an Independent Examiner.

The Panel asked for further clarity on the timescales involved between submission, examination and Referendum of Neighbourhood Plans. In response it was clarified that the process as referred to in Item Number 38 would give a good indication of timelines, and that the Huntingdonshire Community Planning Support report, to be considered by the Panel in December 2015, would clearly set out the process.

Following concerns the Panel was reminded that the Neighbourhood Plans process should not be concerned with completion before the Local Plan was adopted. Neighbourhood Plans should be consistent with, and complement, both the adopted and emerging Local Plans, giving the Town or Parish some control of local planning issues such as the amount and location of development.

The Panel had recommended to the Cabinet that the timescales for the process of creating a Neighbourhood Plan should be made clearer. In addition once Cabinet had considered the Neighbourhood Plan and agreed to proceed to a Referendum it should be made clear that it was the responsibility of the Town Council to produce a 'clean copy' of the document.

*(At 9.04pm, during the discussion of this item, Councillor B E Boddington left the meeting and did not return.)*

#### **41. OVERVIEW AND SCRUTINY PANEL STRUCTURE**

With aid of a report by Policy, Performance and Transformation Manager (Scrutiny) (a copy of which is appended in the Minute Book)

the Overview and Scrutiny Panel Structure report was presented to the Panel. At the Scrutiny Away Day in February 2015, the structure of the Council's Overview and Scrutiny Panels had been reviewed and alternative arrangements had been explored. The Panel was asked to endorse Option 2 which includes the following:

- Rename the 'Social Well-being' Panel to 'Communities and Customers';
- Rename the 'Economic Well-being' Panel to 'Finance and Performance'; and
- Rename the 'Environmental Well-being' Panel to 'Economy and Growth'.

The Panel was informed that the option was considered to have the clearest links to the Corporate Plan's strategic priorities and objectives. It was also expected that the preferred option would result in a more balanced workload for the Panels with the Chairman and Vice-Chairman meeting regularly to review the agenda plan. It was anticipated that once the option had been reviewed by the Corporate Governance Panel and Council the change would be implemented in January 2016 with the membership of each Panel remaining until the Annual Council.

Members were advised that in addition to the changes to the Panels two Task and Finish Groups would be established. The first would investigate the impact of County Council Budget Cuts upon services in Huntingdonshire. The second Group would investigate Registered Social Providers and the challenges faced by them in the future.

The Panel suggested that the new Panel titles could be rebranded in the following way: 'Places' instead of 'Economy and Growth', 'People' instead of 'Communities and Customers' and 'Performance' instead of 'Finance and Performance'. Whereupon, the Panel,

**RESOLVED**

- a) that Option 2 as detailed in the report now submitted be endorsed as a new structure for the Overview and Scrutiny panels; and
- b) that the Corporate Governance Panel and Council be requested to make the necessary amendments to the Constitution at their meetings in December 2015.

#### **42. WORKPLAN STUDIES**

The Panel received and noted a report by the Democratic Services Team (a copy of which is appended in the Minute Book) which contained details of studies bring undertaken by the Overview and Scrutiny Panels for Economic Well-Being and Social Well-Being. Whereupon, the Panel

**RESOLVED**

that Councillors Mrs S J Conboy, D A Giles, T D Sanderson and R J West be appointed to the Impact of the County Council Budget Cuts Task and Finish Group.

#### **43. OVERVIEW AND SCRUTINY PROGRESS**

With the aid of a report by the Democratic Services Team (a copy of which is appended in the Minute Book) the Panel reviewed the progress of its activities since the last meeting. Members were informed that the Huntingdonshire Infrastructure Business Plan would be presented to the Panel at their meeting in December 2015.

The Panel had expressed that they would like to investigate the cost of open spaces maintenance. In regards to litter polices Councillor D A Giles informed the Panel that he had a meeting with the Environmental Education & Promotions Officer in order to progress the matter.

Members were advised that the Decision Digest would no longer be printed with the Agenda but would be circulated electronically. The Panel would continue to consider the Decision Digest at future meetings under the Agenda Item 'Overview and Scrutiny Progress'.

Chairman