

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 Wednesday, 12 October 2011.

PRESENT: Councillor P M D Godfrey – Chairman.

Councillors M G Baker, Mrs M Banerjee, I J Curtis, J W Davies, P Godley, G J Harlock, D Harty, C R Hyams and J S Watt.

Co-opted Members Messrs. D Hopkins and M Phillips.

IN ATTENDANCE: Councillors I C Bates, D B Dew, N Guyatt, D M Tysoe and A H Williams

32. MINUTES

The Minutes of the meeting of the Panel held on 13th September 2011 were approved as a correct record and signed by the Chairman.

33. MEMBERS' INTERESTS

Councillors D Harty and C R Hyams declared personal interests in Minute Nos. 35 and 39 respectively by virtue of their membership of Cambridgeshire County Council.

34. LOCAL GOVERNMENT ACT 2000: FORWARD PLAN

The Panel considered and noted the current Forward Plan of Key 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 October 2011 to 31st January 2012. Members requested sight of all reports pertaining to the remit of the Panel before they were submitted to the Cabinet.

35. ST IVES WEST URBAN DESIGN FRAMEWORK

(Councillors I C Bates and A H Williams Ward Members for the Hemingfords, Councillor D B Dew Ward Member for St Ives South and Councillor N J Guyatt, Executive Councillor for Strategic Planning and Housing, were in attendance for consideration of this item).

(See Members' Interests)

The Panel considered a report by the Head of Planning Services on the outcome of the recent consultation on the draft St Ives West Urban Design Framework (UDF) (a copy of which is appended in the Minute Book). The report included a summary of the comments received and responses to them.

In his introduction to the report Councillor Guyatt reminded the Panel that plans for the area in question had been incorporated into the Council's Core Strategy in 2002. At that time all Members had been briefed on the Strategy and on its significance once it was approved by the Planning Inspector. The Head of Planning Services explained that the aims of the UDF were to provide a framework for the delivery of high quality new housing and to create an area of accessible green space in the St Ives West area in line the principles established in the adopted Core Strategy. The UDF would provide constructive guidance to future developers of the area to the maximum advantage and minimum disadvantage of both St Ives and the villages of Houghton and Wyton.

The Head of Planning Services informed the Panel that some comments had questioned the legality of the document. However, he advised that although the document had the title of supplementary planning guidance, the first paragraph of the document explicitly stated the purpose of the UDF. Legal advice had been obtained, which confirmed that the statement of purpose would safeguard the Council from legal challenge on that particular question.

Councillor Bates was invited by the Chairman to address the Panel and, with the assistance of detailed plans of the area, drew the Panel's attention to the responses to the consultation document and the views that had been expressed by residents of Houghton and Wyton. Councillor Bates highlighted concerns over the area of green separation. As the area was within the parish of Houghton and Wyton, in his view, it did not separate Houghton and Wyton from St Ives. He further pointed out that gardens had been included within this area, which could neither be regarded as open space nor as providing a strategic gap. Additionally Councillor Bates expressed the view that under the UDF a disproportionate number of houses would be built in Houghton and Wyton and suggested an alternative proposal involving Houghton Grange.

Having also been invited by the Chairman to address the Panel Councillor Williams drew attention to the impact of the UDF on traffic on the A1123, to his perception that the St Ives West Area Working Group had not influenced the UDF and to references in a letter from Houghton and Wyton Parish Council questioning the legal status of the UDF.

Councillor Dew addressed the Panel in his capacity as Ward Member for St Ives South and as the Chairman of the St Ives West Area Working Group. He informed Members that there was no viable alternative area within St Ives on which the dwellings specified in the Core Strategy could be built. Councillor Dew also stated that he had been satisfied at the level of discussion at meetings of the Working Group. Furthermore, St Ives Town Council's Planning Committee had supported the UDF on the grounds that it would deliver a high quality development and new publicly accessible green space and afford the area protection from poor development by guiding the principles of development in the area.

In the course of their deliberations the Panel discussed a number of matters relating to the UDF. In particular, Members noted the legal advice that the Council had obtained regarding the status of the

document. Having raised concerns over the amount of traffic that would be generated by the implementation of the UDF and, in so doing, Members disagreed with the County Council's view that the A1123 was not at full capacity. They were informed that the County Council had not objected to the Core Strategy and, as the local highway authority, it had been involved in the development of the UDF. In addition, the County Council would be responsible for future traffic mitigation and management measures in the area.

Members commented on the parish boundaries in the area covered by the UDF and the significant increase that would result in the number of dwellings in Houghton and Wyton parish if the UDF was implemented. In response the Panel was advised that the Core Strategy referred to spatial planning areas rather than administrative boundaries and that changes to parish or town boundaries were not material in planning terms. No new dwellings would be built within or adjoining the built-up area of Houghton Village.

The Panel noted the views of residents of Houghton and Wyton on the effect that a significant number of new dwellings would have on the parish. Suggestions for alternative proposals for development were also noted. However, Members were informed that the UDF could not be used to prescribe the number of dwellings that would be built and that development at Houghton Grange had already been committed. With respect to building on alternative locations in St Ives, the Panel was advised that this had already been considered at the public examination of the Core Strategy.

With regard to the green area of separation, Members were advised that, in planning terms, gardens were regarded as green space and could not be developed in the future. Having concluded their discussions, the Panel

RESOLVED

- a) that the St Ives West Urban Design Framework be not supported, and
- b) that the Cabinet is recommended to reconsider the representations received from the residents of Houghton and Wyton before approving the UDF.

36. MAINTENANCE OF WATER COURSES

Pursuant to Minute No. 11/11, the Panel received a presentation from the Projects and Assets Manager, Mr C Allen, on the Council's responsibilities with regard to the maintenance of the District's watercourses. Mr Allen explained the different types of watercourses and the various bodies and authorities that held responsibility for them. He informed Members that although the Environment Agency was responsible for main rivers, they did not own the rivers or the land adjacent to them but had powers to maintain them or to require riparian owners to maintain them.

Mr Allen reported that the Council had an obligation under the Enclosures Act for the maintenance of around 100km of awarded watercourses. It currently had a budget of approximately £30k with

which to undertake this work and, therefore, only had the capability to maintain ditches that were causing major problems. However, the Council had powers to force riparian owners to carry out works. In addition, the Council had permissive powers to carry out minor repairs to pipes whose ownership was not known to prevent flooding or pollution. Ditches in large predominantly low lying areas of the District were maintained by Internal Drainage Boards who raised their own rates. The Middle Level Commissioners were responsible for main watercourses in the fens areas.

Mr Allen went on to state that the County Council recently had acquired new powers and responsibilities under the Flood and Water Management Act 2010. It would now be required to authorise and undertake enforcement in respect of flood defence structures on ordinary watercourses. With regard to flood protection for properties, Members were advised that the District Council's involvement was limited to emergency planning requirements and to providing accommodation to those made homeless as a consequence of flooding.

In answer to questions from the Panel, it was established that the Council employed contractors to carry out its maintenance of water courses. It was also confirmed that the Council was assisting the Environment Agency to carry out major flood defence work in Godmanchester. Mr Allen was unaware of a request made by the Environment Agency to the Council for financial assistance for this project.

With regard to new developments, relevant authorities were consulted on planning applications to ensure that they would not increase the risk of flooding. In addition, Sustainable Drainage Systems (SUDs), in the form of ditches, balancing ponds or soakaways, were incorporated within developments. A report on SUDs would be submitted to a future meeting of the Panel.

Having requested that further detailed information was circulated on various matters, Members requested that a representative of the County Council was invited to a future meeting to discuss that authority's new role under the Flood and Water Management Act 2010.

37. GREEN HOUSE PROJECT UPDATE

(Councillor DM Tysoe, Executive Councillor for the Environment, was in attendance for this item).

The Panel received a report by the Head of Environmental Management (a copy of which is appended in the Minute Book) containing an update on the Council's Green House Project and outlining three possible options for taking it forward. Members were advised that the scheme was an exemplar project which had successfully demonstrated how typical family homes could be sustainably refurbished to improve their energy efficiency at a time of increasing fossil fuel prices and in line with Government targets to reduce carbon emissions.

The project had received a large number of visitors and had been the

subject of positive national press coverage. Several Members commented on their own positive perception of the service the project provided to residents of the District.

The Panel acknowledged the benefits of showcasing one of the properties in order to demonstrate the benefits to residents, academic institutions and commercial enterprises of the measures that had been introduced. Members also welcomed the opportunity to promote the local economy and in particular the construction industry by providing instruction in residential environmental technology. The project would assist the Council to deliver the Government's 'Green Deal' initiative, which allowed consumers to pay for energy efficiency measures through their energy bills. However, they recognised the need for one of the properties to be rented out in order to establish their real fuel and other energy usage and the associated financial savings.

The Panel concurred with a suggestion by Councillor M G Baker that the Council should make more efforts to promote the project. It also supported the idea that the details of accredited installers of home energy efficiency measures should be made widely known. Following discussions on the costs and benefits of energy saving measures and the wider opportunities for both sponsorship and other income generation for the project, the Panel

RESOLVED

that the Cabinet be recommended to:

- a) approve the retention of the St Ives Green House until March 2014 and the rental of the St Neots property (Option 2) with the additional revenue costs being met from the existing Environmental Projects revenue budget;
- b) support the development of the project to be the main mechanism for the Council to deliver Government's Green Deal initiative in conjunction with project partners, and
- c) receive an update on the progress of the project in October 2012.

38. GREAT FEN

Following his attendance at the first meeting of the Great Fen Community Forum and pursuant to Minute No.10/85, the Chairman of the Panel updated Members on the Great Fen Project. He explained that the Head of Planning had now taken over as the Council's representative on the Great Fen Board. At the meeting of the Forum on the previous day, it had been decided to undertake a socioeconomic study on the impact of the Project on the area. This would provide answers to the Chairman's questions concerning environmental and social aspects of the project. The Council would contribute to the study using finance from its Economic Development budget. A business development plan would also be produced.

The Panel agreed to invite the Great Fen Project Manager to give a presentation on the Great Fen at its November meeting.

39. MONITORING OF SECTION 106 AGREEMENTS (PLANNING OBLIGATIONS)

(See Members' Interests).

The Panel gave consideration to a report by the Head of People, Performance and Partnerships (a copy of which is appended in the Minute Book) which provided an update on the receipt and expenditure by the Council of money negotiated under Section 106 Agreements. Following a question by a Member, the Panel was reassured that there was little chance of agreements expiring before their specified completion dates. In his role as County Councillor and Member of the S106 Working Group, Councillor Harty undertook to take up the issue of educational funding for Yaxley Community School on behalf of Councillor Mrs M Banerjee.

RESOLVED

that the contents of the report be noted.

40. OVERVIEW AND SCRUTINY PANELS' REMITS

The Panel considered a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) on the remits of the Council's Overview and Scrutiny Panels. It was explained that, owing to recent changes to Executive Councillors' responsibilities on whose portfolios the remits were based, it had become necessary formally to review the remits. It was suggested that a more generic division of work should be introduced, which would cope with future internal reorganisation of the Council. The new remits would be based on the Council's service functions.

Having endorsed the new remits, Members noted that the changes would require an amendment to the Constitution and would, therefore be referred to the Corporate Governance Panel before being submitted to the full Council.

41. WORKPLAN 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.

42. OVERVIEW AND SCRUTINY PANEL PROGRESS

The Panel was advised of progress on issues that had been previously discussed. Having been advised of the outcome of the initial meeting of the Waste Collection Working Group, which had been attended by the Head of Operations, it was agreed by the Panel that the Working Group should comprise Councillors M G Baker, P M D Godfrey, G J Harlock and C R Hyams and Mr M Phillips.

43. 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). Further information was requested on the Call Centre's handling of tourist information enquiries. A suggestion was also made that the Yaxley Customer Information Centre should open on the same days as other services in the village.

Chairman