

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, 14 April 2015.

PRESENT: Councillor G J Bull – Chairman.
Councillors M G Baker, I C Bates,
J W Davies, R S Farrer, D A Giles,
Ms L Kadic and R J West.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors Mrs A D Curtis, G J Harlock and M C Oliver.

IN ATTENDANCE: Councillors D B Dew and D M Tysoe.

74. MINUTES

The Minutes of the meeting held on 10 March 2015 were approved as a correct record and signed by the Chairman.

75. MEMBERS' INTERESTS

Councillor I C Bates declared a non-pecuniary interest in relation to Agenda Item 8 as a member of the Regional Flood and Coastal Committee (RFCC).

76. NOTICE OF KEY EXECUTIVE DECISIONS

The Notice of Key Executive Decisions which was published on 24 March 2015 was received and noted. Councillor D Dew confirmed that planned timescales were being adhered to.

77. REVIEW OF PLANNING ENFORCEMENT

The Panel were provided with a brief report on Planning Enforcement (a copy of which is appended in the Minute Book) as requested at the February meeting. The intention is that a more detailed review of Planning Enforcement will be completed for meetings in July or September.

Members commented that there are still complaints being received from Parish Councils regarding Planning Enforcement and this may be due to misunderstandings regarding the Enforcement Act. It was commented that work on the review must manage expectations of Parish Councils, and be transparent regarding what can and cannot be achieved.

Whilst discussing point 3.4 of the report, a question was raised by

Members regarding what the current resources are, and how any costs may be recovered. Councillor D Dew informed the Panel that costs are rarely recovered, but the focus is primarily on managing expectations and working together with Parish Councils.

Clarification was then requested on timescales; how much time there is between an initial complaint being received and finalising the issue. The Panel were informed that timescales often depend on the severity of the breach. Planning Enforcement deal with a huge variety of projects and while most are minor, a complicated case may take a lot longer. Planning Enforcement does not have the power to require that planning applications are submitted, but the team does spend time encouraging people to submit applications. To help prioritise, the team are considering a move towards categorisation meaning different types of breach can be targeted more effectively.

A Member of the Panel commented that the perception of Planning Enforcement is that it “lacks bite” and that some enforcement does not proceed due to cost to the Council. The Panel were informed that Planning Enforcement’s discretionary powers are proportionate to any breach. Any action is expedient and not based on costs or income. The degree of harm that may be caused is the priority. Transparency of procedures and what they are able and unable to deliver may assist in the understanding on the part of the Parish Councils.

Members then questioned the fee regime utilised by Planning Enforcement. It was asked whether we could charge more for retrospective planning applications; while this had been considered by Government, no retrospective fees remain as standard. It was also noted that an obligation to follow an application process would be preferred, but this would require a change in legislation.

The Chairman acknowledged that enforcement is an emotive issue, and stated that he was pleased with the progress being made and looks forward to seeing the full report in the summer 2015.

78. HUNTINGDONSHIRE LOCAL PLAN TO 2036: POSITION STATEMENT

The Panel discussed the report which is recommended to be noted by Members (a copy of which is appended in the Minute Book). Councillor D Dew informed Members that the response received from the eight week consultation was positive and that a more detailed report will be completed for the June/July cycle for Cabinet.

A question was raised regarding how the comments collated during the consultation will be analysed, and how details of the respondents will be made available. Members were informed that a variety of Stakeholders responded to the consultation including The Environment Agency, The Highways Agency, landowners and Town and Parish Councils. Details of who said what in response to the consultation will be published on our website. The consultation outcomes will be presented in a matrix which will also show how consideration has been given to each response.

There were some frustrations regarding timescales; the Panel were

informed that the Local Plan is still expected to be submitted to a Government inspector by the end of 2015. The Local Plan will go to Full Council at the adoption stage.

Concern was raised by the Panel relating to the clarity of changes to the Local Plan and how much printing was involved. It was suggested that any further changes be printed as a supplement to the existing document, or that changes be clearly highlighted. The Chairman endorsed this approach and Councillor D Dew confirmed that this would be possible.

79. NEIGHBOURHOOD PLANNING

The Neighbourhood Planning report was presented to the Panel (a copy of which is appended in the Minute Book). It was confirmed that the Development Team is committed to working with Parish Councils to assist them in developing a plan for their communities and to support them through the process.

The district council has a duty to support town and parish councils in a range of technical aspects of preparing and processing Neighbourhood Development Plans, for which it receives government funding. Neighbourhood Development Plans need to be prepared in conformity with the strategic policies of the local planning authority's Development Plan. However, the main principle is that the parish or town council is the promotor and owner of the plan and takes responsibility for co-ordinating its preparation from beginning to end.

Councillor Baker queried whether commercial or industrial development had nil liability for Community Infrastructure Levy (CIL). It was confirmed that following a viability assessment B1, B2 and B8 development has zero liability. It was noted that the Council had done lots of work to implement CIL successfully.

It was also noted that the Council's draft Corporate Plan includes a 'Key Action' that we will set our community planning offer and support community planning, working with Parishes to complete Neighbourhood and Parish Plans.

80. WORKPLAN STUDIES

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

A volunteer was requested to be co-opted on to the Affordable Housing Working group led by the Social Well-Being Panel. The Chairman stated that the offer would be extended to those Members who were not present at the meeting.

81. OVERVIEW AND SCRUTINY PROGRESS

With the assistance 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.

Concern was raised by several Members of the Panel regarding timescales and deadlines in the report – in particular the Whole Waste System Approach/Waste Collection Policies, as a report on this was initially targeted for March 2015 with no movement since June 2014. It was explained that this delay was due to operational capacity rather than a political decision not to provide an update.

Similarly, Members criticised the lack of progress on the item including graffiti removal. The Panel were informed that although there is an existing policy, a fundamental review is planned for Operations and as a result, no update can be provided at present. The general consensus of the Panel was that the delay in receiving reports that have been requested is not acceptable.

The Panel were made aware that Cambridgeshire County Council now has responsibility over surface water. A Member raised concern that the issue has been passed around too frequently and that they need responsibilities for surface and flood water to be clear. It was suggested that the Council needs to consider the implications of the forthcoming change with regards to planning.

The Executive Councillor for Operations informed the Panel that the whole Waste System approach was part of Recycle for Cambridgeshire and Peterborough's (RECAP) agenda. Councillors on RECAP are also frustrated with a lack of progress.

A review of waste collection policies is overdue and this has been raised with the Head of Services and the Corporate Director, however this has been delayed due to high workloads.

82. SCRUTINY

The Panel received and noted the latest edition of the Decision Digest (a copy of which is appended in the Minute Book).

The Chairman extended his thanks on behalf of the Panel to Councillor G J Harlock, adding that his contribution will be missed by the Panel following his retirement.

Chairman