



**SOUTH CAMBRIDGESHIRE DISTRICT  
COUNCIL**

**COUNCIL MEETING  
THURSDAY, 19 JULY 2007**

**AGENDA AND REPORTS**

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne, Cambridge  
CB23 6ES

If the press and public are likely to be excluded from the meeting during consideration of the following item on the grounds that exempt information is to be considered, it will be necessary to pass the following resolution: "That under Section 100(A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in paragraph (quoting relevant paragraph) of Part 1 of Schedule 12A (as amended) of the Act."

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

TO: The Chairman and Members of the  
South Cambridgeshire District Council

**NOTICE IS HEREBY GIVEN** that the next meeting of the **COUNCIL** will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at **2.00 P.M.** on

**THURSDAY, 19 JULY 2007**

and I am, therefore to summon you to attend accordingly for the transaction of the business specified below.

**DATED** this date

**GJ HARLOCK**  
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

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**AGENDA**

**PRESENTATIONS**

Prior to the formal commencement of the meeting, Council received the following presentations:

Peter Brindle, Chairman of the Standards Committee, and Fiona McMillan, Senior Lawyer, made a short presentation setting out principal changes contained in the revised Members' Code of Conduct agreed by Council at its meeting in April 2007. Copies of the presentation slides had been distributed to all Members prior to the meeting.

Keith Spencer, Director of Business Development, Cambridgeshire and Peterborough Mental Health Partnership NHS Trust, made a presentation on the trust's future plans and governance arrangements when it became a Foundation Trust. Mr. Spencer advised that he would distribute copies of the consultation document to all Members.

The Chairman thanked guests for their interesting and informative presentations.

**1. APOLOGIES**

**2. DECLARATIONS OF INTEREST**

**3. MINUTES**

To authorise the Chairman to sign the Minutes of the meeting held on 24 May 2007 as a correct record.

**(Pages 1 - 16)**

**4. CHAIRMAN'S ANNOUNCEMENTS**

**5. QUESTIONS FROM COUNCILLORS AND THE PUBLIC**

**5 (a) From Mr G Harrop to the Housing and Environmental Services Portfolio Holder**  
“Unfortunately, a bedroom window in my bungalow in the sheltered housing estate at Lordship Close, Orwell, was broken. The Council repair staff removed the window and boarded up the space. This left my house insecure and vulnerable and the bedroom without fresh air for well over a month.

“Can the Council assure me that repairs of such a serious, sensitive nature will in future be dealt with promptly and can you publicly confirm that the windows on the Lordship estate will all be replaced with new windows within this financial year as has been promised?”

**5 (b) From Councillor A Riley to the Leader of the Council**

“On 1 June an email titled ‘Inspire Media Protocol’ was sent to all members. This email and its attachment require clarification. I replied on 4 June asking a number of questions. A senior officer sent me two brief replies, one saying I would get a response shortly, the second saying that the matter had been handed to the Leader. On 8 June Cllr Manning made it clear in a reply to Cllr Roberts that he had no intention of answering any questions on this matter. I wish to request that the following questions are now answered properly:

- (a) “Why was it felt necessary to invent a name to describe the Council’s Improvement Plan?”
- (b) “The document begins: ‘This protocol proposes that:’. So what precisely is its status?”
- (c) “Why was this announcement made just eight days after our bimonthly Full Council meeting? Had it been on that agenda, these issues could have been properly debated and agreed.”
- (d) “At the end of the attachment it says that this protocol; ‘Sits alongside the overarching SCDC media protocol’. What exactly does that mean? Where is this media protocol defined?”
- (e) “Is it the intention that any member who has signed up to the ‘Member Toolkit’ is now deemed to have signed up to the Inspire Protocol?”
- (f) “What sanction awaits any who breach the ‘Inspire’ protocol?”
- (g) “The ‘Inspire’ protocol is described as similar to the Traveller issues protocol. The Traveller issues protocol was issued when Traveller matters were generating major court hearings and it was seen by all councillors that any public utterances had to be very carefully vetted. Why is it considered that that should apply to our Improvement Plan?”
- (h) “Since the Improvement Plan appears to encompass every aspect of council policy, is this not an attempt to stifle any comment by any member on any aspect of the council’s work?”
- (i) “Housing Stock Options are included within the remit of ‘Inspire’. The Leader has always made it clear that he could only proceed with his objective of selling off our housing stock a) if that policy gained a two-thirds majority within the council and b) if the tenants also vote in favour. Please could he (or the Deputy Leader) now confirm that both these conditions still apply?”
- (j) “The third bullet point states that opposition groups may identify an official Inspire spokesperson. Does this mean that both opposition groups are each entitled to do this, or that they have to agree one between them?”
- (k) “What is the purpose of opposition groups having spokespersons if they are in any event prevented from making any public comment on any matter?”
- (l) “The penultimate bullet point appears to permit ordinary members to comment to the press on any aspect of council policy which affects the residents of their own ward. Please could you confirm that this is indeed the case and that it applies to all aspects of Council policy.”

- (m) “In the reply the Leader sent Cllr Roberts on 8 June he stated that any decisions reached by the Conservative Group are the policy of Council. Does he intend to amend the Constitution to implement this far-reaching change? Please could full minutes of Conservative Group meetings be issued in future to all members so that we can become aware of such constitutional changes as they take place?”

**5 (c) From Councillor Dr SEK van de Ven to the Community Services Portfolio Holder**

“At the Local Strategic Partnership meeting earlier this month, the Community Development Portfolio Holder indicated that bridge-building and awareness work with the Traveller and settled communities, as carried out under the heading of ‘Community Cohesion,’ had been successful, and that resources would now be directed elsewhere within the umbrella of the Community Safety Strategy.

“Please can the PFH explain his justification for not continuing with this important bridge building work, especially in view of the fact that this authority has yet to undertake the task of site identification in conjunction with the Gypsy and Traveller Development Plan Document?”

**5 (d) From Councillor JD Batchelor to the Staffing and Communications Portfolio Holder and Deputy Leader of the Council**

“When is it anticipated that full systems integration between the Contact Centre and the ‘Back Office’ will be achieved?”

**5 (e) From Councillor Mrs SA Hatton to the Resources Portfolio Holder**

“What measures is the Resources Portfolio Holder taking to address the ‘long tradition of underspending’ identified in paragraph 94 of the Corporate Governance Inspection report, and on what dates will/did those measures come into effect?”

**6. PETITIONS**

To note all petitions received since the last Council meeting.

**7. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:**

**7 (a) Response to Regional Spatial Strategy (RSS) Consultation (Cabinet, 14 June 2007)**

Cabinet **AGREED** the responses to the Regional Spatial Strategy (RSS) Single Issue Review Issues and Options Report, as set out in the report and including the date of the Needs Assessment and making reference to “food producers” rather than “orchards”, to be submitted to the East of England Regional Assembly and **RECOMMENDED TO COUNCIL** that this be endorsed as the Council’s final response to consultation on the RSS review.

Officers have subsequently recommended a revision to the response to questions 4 and 5, in light of additional consideration during work on the Council’s own Gypsy and Traveller Development Plan Document (DPD). The revised responses are contained within the **attached report**, shown as underlined for additional or ~~struck through~~ for deleted text in the Council’s draft responses.

- 7 (b) Annual Food Safety Service Plan 2007/08 (Cabinet, 9 July 2007)**  
Cabinet **RECOMMENDED TO COUNCIL** that the Food Safety Service Plan 2007/08 be approved.
- The plan and covering report considered by the Cabinet can be accessed [on the Council's website](#). Alternatively please e-mail [Democratic Services](#) or telephone 08450 450500.*
- 7 (c) Annual Health and Safety Plan 2007/08 (Cabinet, 9 July 2007)**  
Cabinet **RECOMMENDED TO COUNCIL** that the Health and Safety Service Plan 2007/08 be approved.
- The plan and covering report considered by the Cabinet can be accessed [on the Council's website](#). Alternatively please e-mail [Democratic Services](#) or telephone 08450 450500.*
- 7 (d) Housing Strategy 2007-2010 (Cabinet, 9 July 2007)**  
Cabinet **RECOMMENDED TO COUNCIL** that the draft Housing Strategy document for the period 2007/08-2010/11 be approved and that authority be delegated to the Housing and Environmental Services Portfolio Holder to make any minor amendments.
- The strategy and covering report considered by the Cabinet can be accessed [on the Council's website](#). Alternatively please e-mail [Democratic Services](#), telephone 08450 450500.*
- 7 (e) Business Process Re-engineering (Cabinet, 9 July 2007)**  
Cabinet **RECOMMENDED TO COUNCIL** that:
- (a) the Business Process Re-engineering programme of reviews be ended and the remaining resources re-directed to undertake a series of discrete service reviews using a best value approach;
  - (b) the Resources Portfolio Holder be requested to include the shortfall in efficiency savings resulting from the end of the Business Process Re-engineering in the next review of the Medium Term Financial Strategy in the autumn; and
  - (c) the post of Business Analyst be deleted from the Council's authorised establishment list from 1 July 2007.
- 7 (f) Terms of Reference for the Policy Development Committee and consequent amendments to those of the Scrutiny and Overview Committee (Constitution Review Working Party, 10 July 2007)**  
The Constitution Review Working Party **RECOMMENDED TO COUNCIL** that:
- (1) The Terms of Reference for the Policy Development Committee and Scrutiny and Overview Committee be approved as set out in Appendix 1 to the report.
  - (2) The Operating Guidelines for the Task and Finish Panels be approved as set out in Appendix 2 to the report.
  - (3) The process for the approval of the Work Programmes be approved as set out in paragraph 8 of the report.
  - (4) The Chairmen of the Scrutiny and Overview and Policy Development Committees be given discretion to vary the structure and format of committee

- meetings based on the principles set out in paragraph 12 of the report.
- (5) Members of the public be entitled to ask questions at meetings of the Policy Development Committee in accordance with the existing procedure for the Scrutiny and Overview Committee.
  - (6) Members shall not be entitled to sit on both the Scrutiny and Overview and Policy Development Committee.
  - (7) Amendments to Article 6 and the Scrutiny and Overview Procedure rules of the Constitution, listed in appendix 3 of the report and incorporating (1) to (6) above, be agreed.
  - (8) That the scrutiny contingency budget be divided equally between the Scrutiny and Overview Committee (£20k) and Policy Development Committee (£20k).
  - (9) That these arrangements be reviewed by the Working Party in April 2008.

*The report considered by the Constitution Review Working Party was made available to all members and can be accessed [on the Council's website](#). Alternatively please e-mail [Democratic Services](#) or telephone 08450 450500.*

**7 (g) Traveller Issues: Priorities and Resources (Cabinet, 9 July 2007)**

Cabinet **RECOMMENDED TO COUNCIL** that the fixed-term Enforcement Officer post D.2.32 be extended from October 2007 to March 2008 (to be funded from the Travellers Issues account) with a view to making this post a permanent post from April 2008 as part of the 2007/08 service planning process.

**7 (h) Call-in: Disbanding of Advisory Groups (Scrutiny and Overview Committee, 12 July 2007)**

The Scrutiny and Overview Committee called in the following Cabinet decision for consideration at its meeting on 12 July 2007:

“That all Advisory Groups be disbanded, on the understanding they will be replaced by task and finish groups as required, appointed on a politically proportionate basis by, and reporting to, Portfolio Holders.”

In accordance with Scrutiny and Overview Committee Procedure Rule 12.9.2, the Committee may refer the matter to Council. Should the Committee choose this course of action, its recommendation will be reported to Council.

**8. CORPORATE OBJECTIVES 2008/2009**

The report of the Chief Executive, and appendix containing draft Corporate Objectives, is attached.

**RECOMMENDATION**

Council is recommended to adopt the Corporate Objectives and Service Priorities set out in the Appendix to the report.

**(Pages 27 - 30)**

**9. FUTURE OF MILTON COUNTRY PARK**

The report of the Corporate Manager (Policy, Performance and Partnerships) is attached.

**RECOMMENDATION**

Council is asked to agree:

- (a) the selection of Cambridge Sports Lakes Trust as the preferred bidder for running Milton Country Park;
- (b) that subject to due diligence by CSLT, the Council's land should be leased to CSLT for a peppercorn, on a 99-year lease, and the land leased from the Stokes should be sub-leased on a 99-year lease, all subject to the land being used as a country park;
- (c) that at the appropriate time the Council gives notice to the County Council to end the current license and, subject to agreement by the County to lease their land to this Council, that we sub-lease it to CSLT on a 99-year lease for use as a country park, along with the SCDC land;
- (d) as part of the terms of the agreement and lease above, to approve a one-off payment of £250,000 to CSLT to enable them to take on the responsibility of running the park; and
- (e) that officers be instructed to pursue the necessary legal and other work to enable the transfer to take place in late 2007 or early 2008.

(Pages 31 - 38)

**10. SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF DEVELOPMENT CONTROL POLICIES DEVELOPMENT PLAN DOCUMENT AND NORTHSTOWE AREA ACTION PLAN**

The report of the Corporate Manager (Planning and Sustainable Communities) is attached.

Council is invited to:

- (a) **RESOLVE TO ADOPT** the Development Control Policies DPD and Northstowe AAP, as contained in Appendices 1 and 2, and proceed in accordance with Regulations 35 and 36;
- (b) **RESOLVE TO ADOPT** the revisions to the adopted Proposals Map, as contained in Appendix 4;
- (c) **NOTE** the Sustainability Statements as contained in Appendices 5 and 6; and
- (d) **NOTE** the Habitats Directive Assessments as contained in Appendices 7 and 8.

*The appendices are available with the on-line version of this Agenda, published on the Council's website, [www.scambs.gov.uk](http://www.scambs.gov.uk), with a hard copy placed in the Members' Room. Alternatively please contact the Planning Policy Manager, telephone 01954 713181 e-mail [keith.miles@scambs.gov.uk](mailto:keith.miles@scambs.gov.uk).*

(Pages 39 - 46)

**11. CHANGES TO THE MEMBERS' ALLOWANCES SCHEME**

The Leader of the Council, in appointing a Cabinet of eight Members for 2007-2008 at the Annual Council Meeting, announced that no increase to the Members' Allowances budget would arise from the increase in the size of the Cabinet from 7 Members.

In order for this provision to have effect it is necessary for Council to agree a proportional decrease in the Special Responsibility Allowance (SRA) payable to Cabinet Members amounting to 11.6% of SRA.

The Basic Allowance remains unchanged and revised recommended SRAs are as follows:

**Current SRA £**

**New SRA £**



<b>Leader</b>	11,368	10,049
<b>Deputy Leader</b>	8,527	7,538
<b>Cabinet Members (6)</b>	7,579	6,700
<b>TOTAL</b>	<b>57,790</b>	<b>57,787</b>

The SRA payable to the Leader of the Major Opposition Group, previously agreed by Council at a level of 30% of the SRA paid to the Leader, would correspondingly reduce from £3,410 to £3,014 per annum, subject to Council approval of these revised figures. In the circumstances it is recommended that this SRA remain at £3,410 per annum, equivalent to 33.9% of the Leader's SRA.

### RECOMMENDATION

That the following revised Special Responsibility Allowances be approved, payable with immediate effect to 31 March 2008:

	<b>£</b>
Leader of the Council	10,049
Deputy Leader of the Council	7,538
Cabinet Members	6,700
Leader of the Major Opposition Group	3,410 (Unchanged, equivalent to 33.9% of the Leader of the Council's SRA)

### 12. QUESTIONS ON JOINT MEETINGS

Joint Body	Date of Meeting	Minutes Published in Weekly Bulletin
South Cambridgeshire Traffic Management Area Joint Committee	16 June 2007	11 July 2007

### 13. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES

### 14. NOTICES OF MOTION

#### 14 (a) Standing in the names of Councillors AN Berent and Dr SEK van de Ven

"South Cambridgeshire District Council should have service priorities which will make a real and meaningful difference to South Cambridgeshire's impact on climate change, as well as the Council's ability to respond to the effects of climate change. As such the following new service priorities shall be added to the Council's Corporate Objectives:

- (1) "To Corporate Objective 1: 'delivering low carbon growth which genuinely facilitates low carbon living.'
- (2) "To Corporate Objective 2: 'fulfilling our commitment to the Nottingham Declaration by taking full account of the implications of climate change in all the services we deliver.'
- (3) "To Corporate Objective 3: 'sustaining the South Cambridgeshire local environment to the benefit of the global environment.'"

#### 14 (b) Standing in the names of Councillors SGM Klindersley and JD Batchelor

"This Council is now satisfied with the Scheme of Delegation already agreed for all

Planning Applications. The application determination performance indicator targets have been achieved so there is no further need to increase the role of Chairman's Delegation. There is now balance between increasing efficiency in the planning process and each Councillor's right to represent their communities and to this end Council urges the Planning Committee not to agree further delegation at this time."

**14 (c) Standing in the names of Councillors Mrs EM Hezell and Mrs HM Smith**

"At its meeting on 24 May Council voted to change the number of members on the Planning Committee from the recommended number of 15 down to 14. The consequence of this change is that Conservative (8) and Independent (2) representation is unaffected but that Liberal Democrat representation is reduced from 5 to 4.

"In order to be consistent with the Council's commitment to fairness and good relationships between members we, the undersigned, request a formal statement from the Leader of the Council explaining the reasons why the size of the Planning Committee was changed at the start of the Annual Council Meeting."

**14 (d) Standing in the names of Councillors A Riley and NJ Scarr**

"At its meeting on 24 May, Council voted (Minute 11c2) that every non-executive Member should be afforded the opportunity to sit on one of a list of committees. However, Cllr Cathcart has not been allocated any such committee seat. Council resolves to take action at its next meeting to remedy this problem."

**15. CHAIRMAN'S ENGAGEMENTS**

To note the Chairman's engagements since the last Council meeting:

<b>Date</b>	<b>Venue / Event</b>
28 May	Laid wreath at American Cemetery, US Memorial Day
2 June	100 <sup>th</sup> birthday party for Mrs Wynne Ford, Chittering
20 June	Proclamation of Midsummer Fair, Cambridge
27 June	Presentation of "Fair Play" awards at Comberton Village College, Year Six sports day
27 June	Reception and Beating the Retreat, Basingbourn Barracks
11 July	Opening of Airspace at the Imperial War Museum, Duxford, by HRH The Duke of Kent
12 July	Opening of the new County Office, Girl Guiding, Stow-cum-Quy and the "Annual Event" at Anglesey Abbey, Lode

## **GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL**

Whilst the District Council endeavours to ensure that you come to no harm when visiting South Cambridgeshire Hall you also have a responsibility to ensure that you do not risk your own or others' safety.

### **Security**

Visitors should report to the main reception desk where they will be asked to sign a register. Visitors will be given a visitor's pass that must be worn at all times whilst in the building. Please remember to sign out and return your pass before you leave. The visitors' book is used as a register in cases of emergency and building evacuation.

### **Emergency and Evacuation**

In the event of a fire you will hear a continuous alarm. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

Do not use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.

**Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

### **First Aid**

If someone feels unwell or needs first aid, please alert a member of staff.

### **Access for People with Disabilities**

All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Hearing loops and earphones are available from reception and can be used in all meeting rooms.

### **Toilets**

Public toilets are available on each floor of the building next to the lift.

### **Recording of Business**

Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the executive (Cabinet), or any committee or sub-committee of the Council or the executive.

### **Banners / Placards / Etc.**

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

### **Disturbance by Public**

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

### **Smoking**

The Council operates a NO SMOKING policy.

### **Food and Drink**

Vending machines and a water dispenser are available on the ground floor near the lifts. There shall be no food and drink in the Council Chamber.

### **Mobile Phones**

Please ensure that your phone is set on silent / vibrate mode during meetings.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

Minutes of a meeting of the Council held on  
Thursday, 24 May 2007 at 2.00 p.m.

**PRESENT:** Councillor Mrs CAED Murfitt – Chairman  
Councillor JH Stewart – Vice-Chairman

**Councillors:** Dr DR Bard, RE Barrett, JD Batchelor, Mrs PM Bear, AN Berent, D Bird, NCF Bolitho, EW Bullman, FWM Burkitt, BR Burling, TD Bygott, NN Cathcart, JP Chatfield, Mrs PS Corney, NS Davies, Miss JA Dipple, Mrs SJO Doggett, SM Edwards, Mrs SM Ellington, Mrs A Elsbey, Mrs VG Ford, Mrs JM Guest, R Hall, Dr SA Harangozo, Mrs SA Hatton, Mrs EM Heazell, MP Howell, Mrs CA Hunt, SGM Kindersley, Mrs JE Lockwood, RMA Manning, RB Martlew, MJ Mason, RM Matthews, DC McCraith, DH Morgan, Mrs LA Morgan, CR Nightingale, AG Orgee, JA Quinlan, A Riley, Mrs DP Roberts, NJ Scarr, Mrs HM Smith, Mrs DSK Spink MBE, RT Summerfield, Mrs VM Trueman, RJ Turner, Dr SEK van de Ven, Mrs BE Waters, JF Williams, TJ Wotherspoon and NIC Wright

<b>Officers:</b>	Steve Hampson	Executive Director
	Greg Harlock	Chief Executive
	Richard May	Democratic Services Manager
	Catrina Dunnett	Principal Solicitor

Apologies for absence were received from Councillor JA Hockney and PT Johnson.

**PRESENTATION**

The Chairman presented a cheque to Sally Hassells of the Milton Children's Hospice, the designated Chairman's Charity for 2006-2007.

**1. ELECTION OF CHAIRMAN**

Councillor Mrs CAED Murfitt gave an overview of her two years as Chairman of the Council, drawing attention not only to the many challenges which had faced the Council during this period but also to its successes. She gave special thanks to the dedicated group of helpers who had assisted in fund raising for her designated charities, and to former Councillor Bob Bryant and her own family for their support.

On the nomination of Councillor JD Batchelor, seconded by Councillor RMA Manning, and there being no further nomination, Council

**RESOLVED** that Councillor JH Stewart be elected Chairman of the Council for the coming year.

Councillor Stewart accepted the office and signed the declaration of acceptance. He thanked Council for electing him as Chairman and advised that he considered it to be a great privilege. Councillor Stewart thanked Councillor Mrs Murfitt for her work as Chairman during the past two years.

Councillors RMA Manning, JD Batchelor and NN Cathcart paid further tribute to Councillor Mrs Murfitt, who was subsequently presented with flowers and champagne as a mark of the Council's appreciation for her work.

**2. APPOINTMENT OF VICE-CHAIRMAN**

On the nomination of Councillor RMA Manning, seconded by Councillor JD Batchelor, and there being no further nomination, Council

**RESOLVED** that Councillor RE Barrett be appointed Vice-Chairman of the Council for the coming year.

Councillor Barrett accepted the office and signed the declaration of acceptance. He thanked Council for appointing him to the office of Vice-Chairman and advised that he looked forward to serving the Council and supporting the Chairman.

### 3. **DECLARATIONS OF INTEREST**

Councillors JD Batchelor, SGM Kindersley, DC McCraith, AG Orgee and RJ Turner declared personal non-prejudicial interests as elected Cambridgeshire County Councillors.

### 4. **MINUTES**

Council **RESOLVED** that the Minutes of the meeting held on 26 April 2007 be confirmed as a correct record and signed by the Chairman.

### 5. **REPORT OF THE RETURNING OFFICER**

The Report of the Returning Officer was **RECEIVED**. New members were welcomed to the Council and returning members congratulated on their re-election.

### 6. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

- The Member Toolkit had been distributed to all Members along with two copies of the Member Undertaking, one of which should be signed and returned to Democratic Services;
- Diary pages for 2007-2008 had been placed in Members' pigeonholes for collection;
- The Chairman's nominated charity for 2007-2008 was the Cambridge Society for the blind (CamSight), an organisation undertaking voluntary work with blind and handicapped people in Cambridge and South Cambridgeshire.

### 7. **QUESTIONS FROM COUNCILLORS AND THE PUBLIC**

#### 7 (a) **From Councillor RB Martlew to the Planning and Economic Development Portfolio Holder**

Councillor RB Martlew asked the Planning and Economic Development Portfolio Holder the following question:

"The response (to my previous question on the subject) from Cllr. Mrs. Spink as Planning Portfolio Holder included the statement that she considered that the present status of the metal conveyor belt was 'unlawful development'.

1. What steps are being taken to bring this into a 'lawful' status?
2. Is it possible at this stage to place an enforcement order on this development?
3. Can I assume that had an enforcement order been placed on the conveyor belt development when it was first drawn to the attention of the Planning or

Environmental Health Services; a normal planning application would have had to be submitted, or that legal proceedings could have been taken against TKA?

“If such a planning application had been made, can I assume that it would have involved

1. Notification and consultation with the Parish Council, the residents, and the local member?
2. The PC and the local member and the residents having the opportunity to bring to the committee's attention the extent of the local problems?
3. A decision would have been made by the Planning Committee, taking into account those objections and any recommendations of the planning officers?
4. A decision, which could have included conditions on structure and materials; sighting and orientation; as well as restrictions on the timing of the use of that facility?
5. TKA having the right to have taken any decision to appeal?

“Failing to serve an enforcement order on TKA at the appropriate time prevented those parties from having an input into the decision.

- Please can you confirm the above?
- What measures are in place to ensure that such a failure does not occur again?
- Can we offer the residents any hope of improved conditions related to the noise they are subject to at present?”

Councillor Dr DR Bard, Planning and Economic Development Portfolio Holder, referred to the following letter by the Corporate Manager (Planning and Sustainable Communities) which had been received by Councillor Martlew and would be circulated to all Members.

“I apologise for the delay in replying formally to your further questions of the 6<sup>th</sup> February 2007, to Cllr Bard.

First, can I just update you with the current situation regarding the second (LDC) Lawful Development Certificate application for the scrap metal conveyor and the planning application for its hood. The LDC has recently been issued and the planning permission can now be granted for the hood. The Area Environmental Health Officer, Brian Heffernan, will be writing to the complainants in the next few days to update them on the progress since the agreement between the Company and this Council was agreed last year, and he will copy you in. It may be that more evening monitoring will be required in the summer months to assess the worst-case conditions for the complainants. Once planning permission is granted for the conveyor housing he will encourage the company to carry out the modification works.

I know you remain concerned that the decision was made at an early stage to tackle the noise problems at the site through the noise abatement legislation rather than enforcement action, but as I have already said this is normally a more effective way of dealing with industrial noise issues when statutory nuisance can be proven. The process has taken much longer than I would have wished, but I still consider trying to work with the Company as much as possible on the broad range of noise issues affecting local residents rather than enforcement action, with its built in rights of appeal and consequent delays was the correct decision.

Picking up on the detailed points you raise:

1. A lawful Development Certificate has now been issued i.e. the conveyor now has “lawful status”.
2. It is no longer appropriate to serve an enforcement notice on the conveyor, an

LDC having been issued.

3. If an enforcement notice had been served in the early stages of the complaint, it would almost certainly have been appealed by the Company. In determining the appeal the Inspector would have considered the “deemed application” for the conveyor and would either have upheld the notice or granted deemed planning permission. The Company could have submitted a separate planning application but nothing would have been gained by so doing. If the enforcement notice had been upheld by the Inspector and the company failed to comply with its requirements (it is often the case that Inspectors modify a notice on appeal, particularly the period of compliance) legal proceedings could have been instigated by the Council.
4. If Enforcement action had been authorised by the Planning Committee, the agenda item would have set out the nature of the complaint and comments received from the Parish Council and the local Member. Members could have asked the enforcement notice to seek the removal of the conveyor or preferred a “positive” enforcement notice requiring re-siting and reorientation, hours of use etc. Either way, the likelihood is the Company would have appealed.
5. Although the enforcement route would have enabled the local community to have an input into the decision, ultimately it is highly likely the decision itself concerning the fate of the conveyor would have rested with a DOE Inspector. The Environmental Health Officer has been fully aware of local concerns in his negotiations with the Company, visiting local residents properties and monitoring the site.
6. Despite the unfortunate delays in resolving the matter, I consider the noise abatement legislation was the correct route to follow in addressing complaints which specifically related to noise disturbance. It was essential to attempt to establish a dialogue with the Company to look in detail at their entire operation.
7. As I have said the Environmental Health Officer is continuing to monitor the site and is in discussions with the company in an attempt to reduce noise disturbance to local residents. More details will be forthcoming shortly in his letter to local complainants.

To conclude, your officers have to make difficult decisions on a daily basis as to where our resources are used. In this case I remain of the opinion that the Environmental Health Legislation was the correct approach, and that a planning enforcement notice would have not achieved anything extra or quicker.”

Councillor Martlew thanked Dr Bard for his response which had provided an explanation of the situation. He reiterated his concerns that the matter had not been dealt with properly, that there had been a lack of consultation with the Local Ward member, parish council and residents, and that it was important that lessons were learnt to ensure that such a situation was not repeated.

Councillor Dr Bard accepted Councillor Martlew’s comments, advising that lessons would be learnt for the future and that, in hindsight, the issue of enforcement action should have been considered by the Planning Committee in this case.

**7 (b) From Councillor NCF Bolitho to the Environmental Health Portfolio Holder**

Councillor NCF Bolitho asked the Environmental Health Portfolio Holder the following



question:

“The Smoking Ban comes into force on July 1st. What pro-active action is being or is going to be taken by SCDC to ensure that the Smoking Ban is enforced? And what action is or will be taken to ensure that pavements and streets outside pubs and clubs in South Cambridgeshire are kept clean following the introduction of the Smoking Ban? The latest edition of Local Government First forecasts that up to 25 tonnes of extra cigarette rubbish could be dumped on Britain’s streets every day as a result of the new smoke-free laws. Has SCDC considered selling special fire-proof butt bins to pub and club owners to fix to their properties? Will the provision of butt bins be a mandatory requirement for any changes to an establishment’s licensing requirements?”

Councillor MP Howell, Environmental Health Portfolio Holder, advised that the Cabinet, at its meeting on 8 March 2007, had approved the appointment of two employees over a 12-month period to work on implementation of the smoking ban. Priorities for the Council in implementing the ban would be education rather than self-policing, and acting to ensure pavements and other public areas remained clean. Fixed penalty notices and prosecution would be used to deal with serious breaches, however the intention was to work with residents and businesses. Councillor Howell advised that the full text of his response would be forwarded to all Members by e-mail.

**7 (c) From Councillor NCF Bolitho to the Planning and Economic Development and Conservation, Sustainability and Community Planning Portfolio Holders**

Councillor NCF Bolitho asked the Planning and Economic Development Portfolio Holder the following question:

“The Cabinet is to be congratulated in helping to convince the Government that Northstowe should be built as one of the five new eco-towns in Britain. What action, however, is the appropriate portfolio holder or holders taking to ensure that the houses (including a large number of affordable properties) that will be built there will be powered entirely by solar and wind power to ensure they have a zero carbon footprint? In other words conventional forms of heating and lighting should not be installed. It would also be eco-friendly and eco-efficient if the roofs of all the properties could be grassed over or planted with wild flowers.”

Councillor Dr DR Bard, Planning and Economic Development Portfolio Holder, welcomed the recent endorsement by the government of a vision for a sustainable green settlement at Northstowe. It was necessary now for the government to support its words with adequate funding to make this vision a reality, as Section 106 developer contributions would not be sufficient to cover the amounts required. Dr Bard went on to advise that the Council currently lacked legislative control over methods of heating and lighting new houses; however, detailed negotiations would take place with Gallahers and English Partnerships to ensure satisfactory development.

**7 (d) From Councillor NJ Scarr to the Housing Portfolio Holder**

Councillor NJ Scarr asked the Housing Portfolio Holder the following question:

“Will the Housing Portfolio Holder please confirm that tenants' representative for the purpose of Housing Stock Options Appraisals will be elected by and from all the Council's tenants in a process overseen by Electoral Reform Ballot Services as an independent and credible organisation outside the Council?”

Councillor Mrs DSK Spink, Housing Portfolio Holder, advised that Cabinet had decided,

at its meeting on 12 April 2007, to establish a joint working group of councillors and tenant representatives to look at future options for the Council's housing stock. That work would take place in two phases – firstly an examination and evaluation of the options, so that the Council could determine by the end of this year whether it wished to retain its landlord role or whether it wished to explore transferring its housing to a new or existing housing association. If the Council decided to explore stock transfer further it would commence the project's second phase early next year. This would involve detailed preparations and tenant consultation including a tenant ballot run by an independent body. At the earliest such a ballot would take place late in 2008.

For many years the Council had enjoyed a positive relationship with the district wide Tenant Participation Group (TPG) which comprised 20 volunteer tenants; however, in recognition of the need to ensure that the TPG was fully representative of tenants' views, the Council had been working over the last few months with the TPG to revise the 'Tenant Compact' which provided the framework within which the Council promoted tenant involvement and participation in its housing services. That work was programmed to complete in September of this year.

It would be premature to bring agreement of the new Tenant Compact forward to June and its implementation would need to be programmed and managed within available resources taking account of other priorities but as a key element of the housing stock options project. In view of the urgent need to address the problem of funding the Council's housing service it would be irresponsible to delay work on the housing options project. A course of action was required which took the Council towards more robust tenant representation but which also recognised the important work of the TPG to date.

Councillor Mrs Spink advised that she proposed to write to all tenants next month inviting them to get involved in the project through a variety of different ways. One of those ways will be to join the TPG. Tenants who also wanted to get involved in the joint working group would be invited to put their names forward for this project at the same time. If as a result more expressions of interest to get involved from respondents or current members of the TPG were received than the five available places then the TPG would be offered the services of the Council's own elections team to organise a ballot of tenants to select their representatives.

This proposal would ensure that, if there were more tenants wishing to be considered for membership of the joint working group than there were places available, then all of the Council's tenants would have the opportunity to elect them; however, it would also pave the way for more substantive changes in tenant representation that Mrs Spink was keen to see the Council adopt later this year.

Councillor Scarr thanked the Portfolio Holder for her response and hoped that lessons had been learnt which would overcome the consultation problems which had been experienced when the process was last undertaken. The Portfolio Holder confirmed that such lessons had been learnt.

## **8. PETITIONS**

No petitions had been received since the last meeting.

## **9. ELECTION OF LEADER OF THE COUNCIL**

On the nomination of Councillor Dr DR Bard, seconded by Councillor MP Howell, and there being no further nomination, Council

**RESOLVED** that Councillor RMA Manning be elected Leader of the Council for the coming year.

Councillor Manning announced the appointment of Members to the Cabinet and the allocation of Portfolio responsibilities as follows:

Councillor SM Edwards	Deputy Leader and Housing Options
Councillor Dr DR Bard	Growth and Sustainable Communities
Councillor Mrs DSK Spink MBE	Housing and Environmental Services
Councillor VG Ford	Resources
Councillor Mrs SM Ellington	Staffing and Communications
Councillor MP Howell	Community Services
Councillor NIC Wright	Planning Services

**10. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:**

**10 (a) Joint Planning Services Arrangement (Cabinet, 10 May 2007)**

Councillor Dr DR Bard proposed and Councillor RMA Manning seconded the following recommendations of the Cabinet;

“That:

- (a) Delegated authority be given to the Leader and the Planning and Economic Development Portfolio Holder, in consultation with the Executive Director, to continue to work with Cambridgeshire County Council and Cambridge City Council to develop a structure and scheme of delegation to Officers of the three authorities to provide development control advice to the Joint Committees, such scheme to be approved by the relevant Joint Development Control Committee at its first meeting;
- (b) The joint development control committees be authorised to exercise their delegated powers from 1 September 2007 but may meet prior to that date in preparation for the discharge of their duties;
- (c) The Leader and Planning and Economic Development Portfolio Holder be authorised to agree changes to the terms of reference and appendices governing the working of the joint committees (but not the extent of the powers delegated) following consultation with the Executive Director; and
- (d) Delegated authority be given to the Leader and Planning and Economic Development Portfolio Holder in consultation with the Executive Director to resolve issues in relation to the proposed joint policy-making arrangements for consideration by Cabinet and Council at a later date. “

Councillor MJ Mason proposed and Councillor NJ Scarr seconded an amendment in the following terms:

“That

- (a) Delegated authority be given to the Leader and the Planning and Economic Development Portfolio Holder, in consultation with the Executive Director, to continue to work with Cambridgeshire County Council and Cambridge City Council to develop a structure and scheme of delegation to Officers of the three authorities to provide development control advice to the Joint Committees, such

scheme to be approved by the **Constitution Review Working Party and confirmed by Council before the first meeting of the relevant joint committee:**

- (b) The joint development control committees be authorised to exercise their delegated powers from 1 September 2007 but may meet prior to that date in preparation for the discharge of their duties;
- (c) The Leader and Planning and Economic Development Portfolio Holder be authorised to agree changes to the terms of reference and appendices governing the working of the joint committees (but not the extent of the powers delegated) following consultation with the Executive Director; and
- (d) Delegated authority be given to the Leader and Planning and Economic Development Portfolio Holder in consultation with the Executive Director to resolve issues in relation to the proposed joint policy-making arrangements for consideration by Cabinet and Council at a later date. “

The amendment, on being put, was declared lost.

Council **RESOLVED** that the recommendations of the Cabinet be agreed as set out above.

**10 (b) Appointment of Independent Members to the Standards Committee 2007/08-2011/12**

Council **RESOLVED** that, in this instance only and due to the extraordinary circumstances, authority be delegated to the Standards Committee Appointments Panel to appoint at least three independent members to the Standards Committee for four-year terms from 2007/08 to 2011/12.

**10 (c) Size and Membership of Committees (Constitution Review Working Party, 10 May 2007)**

Having regard to the recommendations of the Constitution Review Working Party, Councillor RMA Manning proposed and Councillor SM Edwards seconded a Motion in the following terms:

- (1) “That a Policy Development Committee be established, its Terms of Reference to be considered by the Constitution Review Working Party for agreement by Council and inclusion in the Constitution.
- (2) That every non-Executive Member of the Council shall be afforded the opportunity to sit on at least one of the following Council bodies:
  - (a) Planning Committee;
  - (b) Licensing Committee, Licensing Committee (2003 Act), Licensing Committee (2005 Gambling Act);
  - (c) Scrutiny and Overview Committee;
  - (d) Policy Development Committee (subject to approval of (1) above);
  - (e) Employment Committee;
  - (f) Electoral Arrangements Committee;
  - (g) Audit Panel.
- (3) That Executive (Cabinet) Members shall not sit on the above bodies, excepting the Employment Committee which shall continue to be subject to the provisions of Table One of Part 3 of the Constitution (Portfolio Holder with responsibility for staffing to be an *ex officio* Member of this Committee);

- (4) That any Member with suitable experience be invited by the Scrutiny and Overview Committee to serve as an additional member of Task and Finish groups as appropriate;
- (5) That the size of the above bodies be agreed as follows:
  - (a) Planning Committee - 14 Members;
  - (b) Licensing Committee and Licensing Committee (2003 Act) – 12 Members;
  - (c) Scrutiny and Overview Committee – 12 Members;
  - (d) Policy Development Committee (subject to approval of (1) above) – 5 Members;
  - (e) Employment Committee – 7 Members;
  - (f) Electoral Arrangements Committee – 7 Members;
  - (g) Audit Panel – 7 Members.
- (6) That the requirement in Article 6.01 for the Scrutiny and Overview Committee to comprise between 14 and 16 Members be deleted.
- (7) That the Audit Panel be renamed the Corporate Governance Committee.”

The Motion, on being put, was declared carried, the voting being recorded as follows:

**FOR: (28)**

Dr DR Bard	RE Barrett	D Bird
NCF Bolitho	EW Bullman	FWM Burkitt
BR Burling	TD Bygott	Mrs PS Corney
Ms JA Dipple	SM Edwards	Mrs SM Ellington
Mrs VG Ford	Mrs JM Guest	R Hall
MP Howell	Mrs CA Hunt	RMA Manning
RM Matthews	DC McCraith	DH Morgan
Mrs LA Morgan	CR Nightingale	AG Orgee
Mrs DSK Spink MBE	RJ Turner	Mrs BE Waters
NIC Wright		

**AGAINST: (26)**

JD Batchelor	Mrs PM Bear	AN Berent
NN Cathcart	JP Chatfield	NS Davies
Mrs SJO Doggett	Mrs A Elsby	Dr SA Harangozo
Mrs SA Hatton	Mrs EM Heazell	SGM Kindersley
Mrs JE Lockwood	RB Martlew	MJ Mason
Mrs CAED Murfitt	JA Quinlan	A Riley
Mrs DP Roberts	NJ Scarr	Mrs HM Smith
JH Stewart	RT Summerfield	Dr SEK van de Ven
JF Williams	TJ Wotherspoon	

TJ Wotherspoon advised that he had voted against the Motion in error.

Council **RESOLVED** to accept the Motion moved by Councillor RMA Manning and seconded by Councillor SM Edwards, as set out in Minute 10c above.

**11. APPOINTMENTS TO COMMITTEES AND JOINT COMMITTEES OF THE COUNCIL**

Council **RESOLVED**

- (1) That appointments to Committees and Joint Committees be made for the 2007-2008 civic year (as set out below).
- (2) That Councillor AG Orgee be appointed to the Standards Committee in place of Councillor EW Bullman.

**Licensing Committee, Licensing Committee (2003 Act), Licensing Committee**

**(2005 Gambling Act)****12 Members****Conservative (6)**

RE Barrett  
 EW Bullman  
 Mrs JM Guest  
 R Hall  
 RM Matthews  
 DC McCraith

**Lib Dem (3)**

Mrs PM Bear  
 Mrs A Elsby  
 RB Martlew

**Ind (2)**

A Riley  
 NJ Scarr

**Non-group (1)**

Mrs CAED Murfitt

**Planning Committee****14 Members****Conservative (8)**

RE Barrett  
 BR Burling  
 TD Bygott  
 Mrs PS Corney  
 Mrs JM Guest  
 Mrs CA Hunt  
 CR Nightingale  
 RJ Turner

**Lib Dem (4)**

Mrs PM Bear  
 SGM Kindersley  
 Mrs HM Smith  
 JF Williams

**Ind (2)**

Mrs SA Hatton  
 Mrs DP Roberts

**Scrutiny and Overview Committee****12 Members****Conservative (7)**

Miss JA Dipple  
 R Hall  
 JA Hockney  
 DH Morgan  
 CR Nightingale  
 AG Orgee  
 Mrs BE Waters

**Lib Dem (3)**

AN Berent  
 Mrs EM Heazell  
 RB Martlew

**Ind (2)**

MJ Mason  
 JA Quinlan

**Policy Development Committee****5 Members****Conservative (3)**

TD Bygott  
 R Hall  
 TJ Wotherspoon

**Lib Dem (1)**

JD Batchelor

**Ind (1)**

NJ Scarr

**Employment Committee****7 Members****Conservative (4)\***

RE Barrett  
 RM Matthews  
 RJ Turner

**Lib Dem (2)**

JD Batchelor  
 RT Summerfield

**Ind (1)**

Mrs SJO Doggett

\*Plus the Portfolio Holder with responsibility for staffing matters

**Electoral Arrangements Committee**

**7 Members**

<b>Conservative (4)</b>	<b>Lib Dem (2)</b>	<b>Ind (1)</b>
NCF Bolitho	RT Summerfield	NJ Scarr
EW Bullman	JF Williams	
DH Morgan		
Mrs BE Waters		

**Corporate Governance Committee****7 Members**

<b>Conservative (4)</b>	<b>Lib Dem (2)</b>	<b>Ind (1)</b>
NCF Bolitho	SGM Kindersley	NS Davies
EW Bullman	RT Summerfield	
JA Hockney		
TJ Wotherspoon		

**Northstowe Joint Development Control Committee****6 Members**

<b>Conservative (3)</b>	<b>Lib Dem (2)</b>	<b>Ind (1)</b>
Mrs PS Corney	JD Batchelor	A Riley
SM Edwards	SGM Kindersley	
TJ Wotherspoon		

**Fringe Sites Joint Development Control Committee****6 Members**

<b>Conservative (3)</b>	<b>Lib Dem (2)</b>	<b>Ind (1)</b>
TD Bygott	Dr SA Harangozo	MJ Mason
Mrs CA Hunt	SGM Kindersley	
CR Nightingale		

**Standards Committee****6 District Councillors**

<b>Conservative</b>	<b>Lib Dem</b>	<b>Ind</b>	<b>Others</b>
Mrs CA Hunt	Mrs VM Trueman	A Riley	NN Cathcart
AG Orgee	Dr SEK van de Ven		

**12. APPOINTMENTS TO THE CONSTITUTION REVIEW WORKING PARTY**

Council **RESOLVED** that the following appointments be made to the Constitution Review Working Party for the 2007-2008 Civic Year:

**(In addition to appointments by office\*)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Independent</b>
R Hall	RT Summerfield	NJ Scarr

**\*Appointments by Office:**

*Councillor JH Stewart, Chairman of the Council*

*Councillor RMA Manning, Leader of the Council*

*Councillor SM Edwards, Deputy Leader of the Council*

*Councillor Mrs EM Heazell, Chairman of the Scrutiny and Committee*

**13. APPOINTMENTS TO THE CLIMATE CHANGE WORKING GROUP**

Council **RESOLVED** that the following appointments be made to the Climate Change Working Group for the 2007-2008 Civic Year:

**9 Members**

<b>Conservative (4)</b>	<b>Lib Dem (3)</b>	<b>Ind (1)</b>	<b>Other (1)</b>
Dr DR Bard	AN Berent	Mrs SA Hatton	NN Cathcart
R Hall	Dr SA Harangozo		
JA Hockney	Dr SEK van de Ven		
CR Nightingale			

**14. APPOINTMENTS TO OUTSIDE AND JOINT BODIES**

Council **RESOLVED** that the Group Leaders be authorised to agree and publish nominations to outside and joint bodies by no later than 31 May 2007.

*Appointments subsequently agreed by the Group Leaders are attached as an Appendix to these Minutes.*

**15. NOMINATION OF REPRESENTATIVE TO ATTEND THE LGA ANNUAL CONFERENCE**

Council **RESOLVED** that no representative be nominated to attend the Annual Conference of the Local Government Association.

**16. TERMS OF REFERENCE OF COMMITTEES 2007-2008**

Council **RESOLVED**

- (1) That no changes be made to the Terms of Reference of the following committees:
  - Licensing Committee, Licensing Committee (2003 Act), Licensing Committee (2005 Gambling Act);
  - Employment Committee;
  - Electoral Arrangements Committee;
  - Corporate Governance Committee (formerly the Audit Panel)
- (2) That the Chief Executive be authorised to amend the Terms of Reference of the Planning Committee to reflect the joint working arrangements, subject to the agreement of the recommendations in Agenda Item 11a above;
- (3) That any amendments to the Terms of Reference of the Scrutiny and Overview Committee which may be required following the establishment of the Policy Development Committee, be considered by the Constitution Review Working Party and submitted to the next meeting of Council for agreement.

**17. PERFORMANCE PLAN 2007**

Council considered a report recommending approval of a process for the approval of the Performance Plan 2007. A number of areas of concern were identified during the course of debate on the plan. The Deputy Leader undertook that these matters would be taken into account as part of the process of approving the plan by the statutory deadline of 30 June 2007.

Council **RESOLVED:**

- (1) That the 2007 Performance Plan be prepared on the basis of:



- (i) The previously approved priorities for 2007/08 (customer service, affordable housing and successful, sustainable communities at Northstowe and other growth areas);
  - (ii) The proposals to achieve those priorities in 2007/08, as set out in Appendix 1 to the report;
  - (iii) The performance indicator targets set out in Appendix 2 to the report;
  - (iv) The CGI Improvement Plan approved by Council on 26 April 2007;
  - (v) The structure given in paragraph 9 of the report;
  - (vi) Comments and concerns raised by Members at the Annual Council Meeting.
- (2) The authority be delegated to the Cabinet to approve the Performance Plan by the statutory deadline of 30 June 2007.

#### **18. PUBLIC SPEAKING AT THE PLANNING COMMITTEE**

Council **RESOLVED** that public speaking at Planning Committee be introduced with effect from 1 July 2007, based on the scheme attached to the Agenda, that the Planning Committee be authorised to review and amend the scheme at its discretion, and that Part 4 of the Constitution be amended accordingly.

#### **19. WRITE-OFF OF OUTSTANDING DEBTS 2006/07**

Council considered and **NOTED** a report setting out details of debts written off under powers delegated to the Resources, Staffing, Information and Customer Services Portfolio Holder and the Chief Finance Officer.

#### **20. UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES**

Councillor TJ Wotherspoon reviewed the 'Pride not Prejudice' conference to celebrate gypsy and traveller youth, which he had recently attended. The event had included talks by the Commissioner of the Campaign for Racial Equality and the Deputy Chief Constable of Cambridgeshire Police, covering key issues such as the provision of home education and the problems of racial abuse through name-calling.

Councillor Dr DR Bard commended a consultation document from the East of England Regional Assembly (EERA) on Gypsy and Traveller sites, discussed at a recent meeting at Robinson College. Councillor Bard advised that it was crucial for Members and parish councils to engage with the consultation process.

Councillor MJ Mason provided an update from the Internal Drainage Boards (IDB) for Old West, Waterbeach Level and Swaffham Internal Drainage Boards, focussing on changes being introduced by the Department of the Environment, Food and Rural Affairs (DEFRA).

The Council currently made payments by way of annual special levy to six Internal Drainage Boards :- Old West, Waterbeach, Swaffham, Bedfordshire, Over and Willingham and Swavesey. The total Special Levy payments for 06/07 was £113,909.95.

Councillor Mason advised that DEFRA had written to all IDBs with a request to consider further re-organisation by amalgamation of small boards into larger groups. The three IDBs were currently looking at a range of proposed options and scenarios. Whilst it was unlikely that further re-organisation was imminent one option to create a new district by amalgamation of the three existing IDBs would result in an increase of £40,600 in special levy to District Councils. Furthermore in Waterbeach District a major pumping station capital replacement programme might also have long term implications for District

Council levies.

Councillor Mason reminded Members that the Council needed to be aware of changes in IDB structures and the implications for future budgets. The Chairman noted that these matters had been raised with the Chief Executive.

**21. CHAIRMAN'S ENGAGEMENTS**

The Chairman's engagements since the last meeting were noted.

Councillor Mrs CAED Murfitt thanked Members for attending the recent Charity Concern which had raised £1,200. Mrs Murfitt went on to advise that she had written letters responding to schoolchildren regarding the future of Milton County Park. She asked the Chairman to write to Nuttalls thanking them for the exemplary manner in which they had undertaken the A428 improvement project. The Chairman agreed that he would be happy to do so.

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**The Meeting ended at 5.58 p.m.**

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## Outside and Joint Bodies

Body	Member	To
Addenbrooke's NHS Trust Local Authority Working Party	MP Howell	2008
	Mrs JE Lockwood	2010
	CR Nightingale	2008
Age Concern	Dr SEK van de Ven	2010
Archives Advisory Group	R Hall	2011
Bassingbourn Village College Centre Management Committee	NN Cathcart	2008
Cambridge Airport Consultative Committee	Mrs CA Hunt	2011
Cambridge Airport Relocation Study Member Briefing (proportional)	CR Nightingale (CON)	2008
	NJ Scarr (IND)	2011
	JF Williams (LD)	2011
Cambridge and County Folk Museum Committee of Management	JH Stewart	2011
Cambridge and District Citizens' Advice Bureau	RB Martlew	2009
Cambridge East Joint Member Reference Group (also includes Growth and Sustainable Communities Portfolio Holder)	Mrs CA Hunt	2008
	RJ Turner	2008
	NIC Wright	2008
Cambridge Southern Fringe Joint Member Reference Group (also includes Growth and Sustainable Communities Portfolio Holder)	Mrs EM Heazell	2008
	CR Nightingale	2008
	AG Orgee	2011
Cambridge Women and Homelessness Group	Mrs EM Heazell	2008
	Dr SEK van de Ven (reserve)	2010
Cambridgeshire and Peterborough Association of Local Councils (CPALC)	DC McCraith	2010
Cambridgeshire Association of Youth Clubs (CAYC)	CR Nightingale	2008
Cambridgeshire County Council Health and Adult Social Care Scrutiny Committee	Mrs EM Heazell	2008
	R Hall (Reserve)	2011
Cambridgeshire Historic Churches Trust Advisory Council	R Hall	2011
Cambridgeshire Museums Advisory Partnership	DC McCraith	2010
Comberton Village College Governing Body Sub-Committee	Dr SA Harangozo	2011
Conservators of the River Cam	Mrs HM Smith	2011
Cottenham Village College Sports Centre Management Group	SM Edwards	2008
Duxford Airfield Management Liaison Committee	JA Quinlan	2008
Eastern Orchestral Board	JA Quinlan	2008
Emmaus Cambridge Community	Mrs HM Smith	2011
Farmland Museum Trustees	Mrs CA Hunt	2011
Friends of Milton Country Park (and co-option to Management Group)	R Hall	2011
Joint Strategic Growth Implementation Committee (proportional)	Dr DR Bard (CONS)	2008
	SGM Kindersley (LD)	2008
	RMA Manning (CONS)	2008
	NIC Wright (CONS)	2008
Linton Community Sports Centre (Linton Village College)	Mrs PM Bear	2010
Local Area Agreement Joint Accountability Committee (JAC)	Mrs EM Heazell	2008
	JA Hockney (reserve)	2008

<b>Body</b>	<b>Member</b>	<b>To</b>
Magog Trust	CR Nightingale	2008
Melbourn Community Sports Ltd (MCSPLIM)	Mrs JM Guest	2010
	Mrs CAED Murfitt	2008
Mepal Outdoor Centre	NCF Bolitho	2010
National Society for Clean Air and Environmental Protection	DH Morgan	2010
Needingworth Quarry Liaison Committee	BR Burling	2011
North Hertfordshire and District Citizens' Advice Bureau	Dr SEK van de Ven	2010
North West Cambridge Joint Member Reference Group (proportional; also includes Growth and Sustainable Communities Portfolio Holder)	EW Bullman (CONS)	2008
	MJ Mason (IND)	2008
	Mrs HM Smith (LD)	2008
Old West Internal Drainage Board	MJ Mason	2008
Over and Willingham Internal Drainage Board	RMA Manning	2008
Papworth Hospital NHS Foundation Trust	MP Howell	2008
Sawston Village College Sports Users' Committee	Dr DR Bard	2011
	AN Berent	2010
	Miss JA Dipple	2011
	Mrs SA Hatton	2008
	RM Matthews	2010
	CR Nightingale	2008
SOFA (Shifting Offered Furniture Around)	Mrs JE Lockwood	2010
South Cambridgeshire & Cambridge City Primary Care Trust	Mrs SM Ellington	2010
South Cambs Magazine Editorial Panel (also includes Staffing and Communications Portfolio Holder)	Mrs CAED Murfitt	2008
	Dr SEK van de Ven	2008
Swaffham Internal Drainage Board	MJ Mason	2008
Swavesey Byeways Advisory Committee	EW Bullman	2008
	Mrs SM Ellington	2010
Swavesey Internal Drainage Board	BR Burling	2011
	NIC Wright	2011
Swavesey Village College Community Centre	R Hall	2011
	NIC Wright	2011
Waterbeach Level Internal Drainage Board	PT Johnson	2010
	MJ Mason	2008
West Anglia Crossroads for Carers	Mrs DSK Spink	2008

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Council 19 July 2007  
**AUTHOR/S:** Executive Director / Principal Planning Policy Officer

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**RESPONSE TO THE REGIONAL SPATIAL STRATEGY FOR THE EAST OF ENGLAND  
SINGLE ISSUE REVIEW TO ADDRESS PROVISION OF  
GYPSY AND TRAVELLER CARAVAN SITES**

**Purpose**

1. The purpose of this report is to outline the contents of the East of England Regional Assembly consultation on Issues and Options relating to the proposed revision to the Regional Spatial Strategy to address provision of Gypsy and Traveller Caravan Sites in the East of England, and to agree the response from South Cambridgeshire District Council.

**Executive Summary**

2. The East of England Regional Assembly (EERA) has published an Issues and Options paper relating to the proposed revision to the Regional Spatial Strategy to address provision of Gypsy and Traveller Caravan Sites in the East of England. This report seeks to agree the Council's response to the consultation. It is recommended that the Council response advocates a more equitable distribution of new provision, as it is unreasonable for the duty to be carried by a relatively small number of authorities simply because they have taken a reasonable approach to making provision in the past, and it would deny Travellers the opportunity of finding sites in the majority of the region. Cabinet considered a similar report at the meeting of 14<sup>th</sup> June 2007. Cabinet recommend to Council that the responses be endorsed as the Council's response to consultation on the RSS review.

**Background to RSS Review**

3. At a meeting on 6th February 2007, the Regional Planning Panel agreed to proceed with a single-issue review of the emerging East of England Plan relating to the provision of Gypsy and Traveller caravan sites. The review is necessary to comply with Government Policy (ODPM Circular 01/2006), which states that 'the Regional Spatial Strategy revision should identify the number of pitches required (but not their location) for each local planning authority in the light of local authority Gypsy and Traveller Accommodation Assessments and a strategic view of needs across the region'.
4. The East of England Regional Assembly (EERA) has subsequently prepared an Issues and Options paper. It was published on 8th May for consultation over a 12-week period. The document sets out relevant information and poses questions that seek views on the following issues:
  - (a) the scale of pitch provision appropriate across the region
  - (b) the distribution of provision
  - (c) delivery and implementation issues

5. The process of revising the RSS will be informed by Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA). A non-technical summary of the appraisal of the Issues and Options Report is included in the document.
6. A draft version of the proposed RSS revision is due to be submitted to the Government by EERA in late 2007. At that point there will be a further opportunity for the Council to make representations.

### **Issues and Options for Consideration**

7. The Issues and Options document is structured around four headings:
  - (a) The Scale of Pitch Provision Appropriate Across the Region
  - (b) Distribution of Provision
  - (c) Delivery and Implementation
  - (d) Travelling Showpeople
8. Under each of these headings the options report seeks response to a series of questions, numbering 11 in total. This report proposes an answer to each of these questions that could be submitted on behalf of the Council.
9. Cabinet considered a similar report at the meeting of 14<sup>th</sup> June 2007. Cabinet recommend to Council that the responses be endorsed as the Council's response to consultation on the RSS review. However, officers subsequently recommend a revision to the response to questions 4 and 5, in light of additional consideration during work on the Council's own Gypsy and Traveller DPD. The revised responses are shown as underlined for additional or ~~strike through~~ for deleted text in the Council's draft responses below.

#### ***a) The Scale of Pitch Provision Appropriate Across the Region***

10. Consultants were engaged by EERA to review existing Gypsy and Traveller accommodation needs assessments in the East of England. They concluded that an additional 1220 net additional residential pitches were required in the East of England between 2006 and 2011.
  11. The consultants also suggest there might be a need for an additional 300 pitches in the region to fully accommodate transit needs. This would support the needs of the Traveller population to remain mobile, but require a higher level of provision than the consultant's estimates for residential pitches.
  12. Whilst consultants provide a firm forecast until 2011, the emerging East of England Plan looks to 2021. One way to develop longer-term policy would be to apply a 3% annual compound growth rate for Gypsy and Traveller households, to allow additional needs to be detailed beyond 2011. The options report proposes three potential approaches: Specify pitch requirements to 2011 but indicate that in planning for longer term needs a 3% growth rate should be assumed; Specify pitch requirements to 2016 but stress the uncertainty in relation to the 2011 forecasts; or Specify pitch requirements to 2021.
- Q1. Do you think 1220 net additional residential pitches is a reasonable estimate of the level of unmet need for residential pitch provision taking into account how this may change over the period until 2011?**

**Q2. If you think that 1220 net additional residential pitches is not a reasonable estimate of need what alternative level would you think is a more reasonable estimate of need at 2011?**

Council's Draft Response:

13. The figure of 1220 is based on the Gypsy and Traveller Accommodation Assessments carried out across the region. The assessment carried out for Cambridgeshire, lead by the County Council with the involvement of the local authorities, is considered one of the most robust assessments carried out within the region. The Council is more concerned with how that need is met appropriately across the region.
14. It is reasonable that provision that has already been made against that figure (i.e. 2006 onwards, is taken into account when analysing provision towards meeting that figure.

**Q3. On the basis of information currently available is it helpful if the RSS revision seeks to establish policy on the level of need for transit pitches? And if so, would it be more helpful to distinguish this provision from the need for residential pitch provision in policy?**

Council's Draft Response:

15. The Cambridge Sub-Region Traveller Needs Assessment 2006 (CSTNA) found that there was a pressing need for 'more sites of all kinds (public and private, long stay, and transit)'. There was however preference for long-stay private sites, and the researchers concluded that authorities involved in the survey should concentrate on providing 'long stay accommodation first rather than transit sites or emergency stopping places, neither of which are Gypsy / Travellers preference'. Given the need that exists, and the pressure on existing sites it would be likely that transit sites would be occupied as long-term sites, at least in the short term.
16. The number of transit pitches required is included in the total need figures identified by the CSTNA. Any separate figure would need to acknowledge this. However, it would be more reasonable to allow authorities to determine whether transit sites are the best method of meeting need in their District, or whether the need is best met by other types of site.

**Q4. Should this revision seek to establish policy on the level of pitch provision beyond 2011? If so, what assumptions should be used to do this and until what year should they be applied?**

Council's Draft Response:

17. It is considered sound to take account of household growth when considering the future need for Gypsy and Traveller sites. . This has been taken into account in the needs assessment up to 2011. However, it must also be noted that if this approach is combined with an uneven distribution of provision to meet existing need (as indicated by distribution option A in the issues and options report), the inequitable distribution will be amplified, and it will perpetuate social, environmental and economic issues and unreasonably restrict Travellers' choice as to where they can live.
18. ~~Given that the emerging RSS covers the period to 2021, it would seem reasonable for the single issue review to address the same period.~~ It is unrealistic to identify the

level of pitch provision up to 2021 given that Gypsy and Traveller Accommodation Assessments have not been undertaken for all areas and given the uncertainties involved in identifying pitch provision beyond 2011. This issue was identified in DCLG/EERA research 'Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies'. More technical work is needed on assessing longer-term patterns of distribution. It is also unclear why it would not be feasible to consider this issue again as part of the more general review of the RSS. This could take account of the impact of districts allocating sites through Local Development Frameworks, as required by the single issue review. More robust research is needed to enable a longer-term assessment of needs.

***b) Distribution of Provision***

19. The report proposes a number of options for the distribution of new pitches across the region. As most need arises from existing provision or unauthorised developments, need is not spread evenly across the districts. There are 48 local council areas in the region, but 45% of the total regional need arises in four local council areas (Basildon, Chelmsford, Fenland and South Cambridgeshire). Options put forward include requiring all local councils to provide at least one new site, which would reduce the provision required in the few authorities with the highest need.
20. Whilst it is not the role of the RSS to identify the exact location of sites, in distributing numbers to local council areas the ability of those areas to accommodate sites must be considered. For example there may be green belt or environmental designations that limit the land available. There may also be constraints to providing sites in more urban areas.

**Q5. To what extent is it reasonable to seek to spread the distribution of pitches for the Council areas from which need is calculated to arise within? Will a more dispersed distribution still meet the needs of Gypsies and Travellers? Would a different pattern of dispersal seeking to redistribute provision from areas of greatest need into nearby council areas be more appropriate than option 2?**

Council's Draft Response:

21. The Council considers that it is reasonable to seek to distribute pitch provision beyond the areas it was calculated to arise within.
22. The researchers completing the CSTNA found; "no specific geographical location preferred by respondents, just "more sites anywhere."<sup>1</sup> Historically Gypsies and Travellers have had links to agriculture and horticulture within South Cambridgeshire but with changes in those industries those links are no longer that significant. Gypsies and Travellers are now traders in various commodities and are much less tied to any one geographical place. Access to the trunk road network is now more of a factor than proximity to ~~orchards~~ food producers.
23. There has been a huge rise in numbers of unauthorised caravans from 2002/3 to 2003/4 and beyond. Since 2003, the northern part of South Cambridgeshire has been particularly affected by the arrival of Traveller families who have purchased their own land, many of whom do not have the links to the area that traditional Gypsies/Travellers have and could therefore be accommodated in other areas if provision was made. There was at the time a massive (over 500%) increase in

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<sup>1</sup> CSTNA 2006: 28 paragraph 3.7.3



unauthorised Traveller caravans, which did not have planning permission, a number of families have since moved on but there is still ongoing legal action in some areas to rectify breeched of planning.

24. There are significant social issues arising between the settled and the Travelling communities. While South Cambridgeshire has demonstrated that these can be successfully resolved, it is unreasonable for the duty to be carried by a relatively small number of authorities simply because they have taken a reasonable approach to making provision. Further to this the pressing need would be better met if more authorities were addressing the challenge proactively.
25. SCDC has found that taking a responsible approach to making provision for Gypsies and Travellers has had the effect of making the District attractive to this community, particularly where other districts in the region have not made provision. By permitting more than 300 private pitches and, in response to representations from Travellers, identifying land within the Local Plan for Traveller sites, SCDC has properly addressed the need for Traveller sites, and had this approach been mirrored within the Region, the scale of the challenge would be significantly less than it is today. South Cambridgeshire has high numbers of Gypsies/Travellers partly for historical reasons, which no longer pertain, and because it has taken this responsible approach to site provision.
26. Option 1 advocates that 38% of need should be met by three districts out of a total of 48 authorities. This cannot be the most appropriate approach. Whilst the option 2 suggested in the issues and options document goes some way towards distributing sites to where they can be accommodated more equitably, it clearly does not go far enough. In this respect, administrative boundaries are given too much weight. For example some districts surrounding South Cambridgeshire have a significantly lower pitch figure, but geographically there may be more scope for providing new sites near to existing popular areas in surrounding districts than within South Cambridgeshire itself. A more sound approach would be to redistribute numbers from the few authorities with the highest needs, across the adjoining districts. This would have the advantage of meeting needs near to where they have been identified, but in a pattern that provides greater social, environmental and economic equity.
27. The DCLG document 'Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies' (March 2007) highlights that, with regard to the East of England, because most need arises from existing site provision and unauthorised developments, and because these are not evenly spread at present, requirements are also patchy on a 'need where it arises' basis. There are equity arguments for a wider spread (p.71). There are sound reasons on grounds of equity and choice for creating wider geographical options for Gypsies and Travellers through pitch allocations to 'new' areas. It identifies that the stating point for considering a redistribution would be to identify those LPAs with a high pitch requirement where local factors (such as limited geographical area, Green Belt or a range of settlement and environmental constraints) mean that there may be particular local challenges in accommodating those needs, and where there are significantly lower assessed requirements and/or fewer constraints in adjoining areas (p.99). South Cambridgeshire is noted as one such District by the report.

**Q6. Is it reasonable to accept the principle that each local council area should seek to provide at least one additional site?**

Council's Draft Response:

28. The RSS should have regard to meeting the need within the various sub-regions on an equitable basis in order that the pressing need can be met as quickly as possible without undue costs to any one area. This can be best achieved by ensuring that all authorities make provision. It also has the advantage of providing choice, allowing Gypsies and Travellers to locate in a variety of locations as opposed to only a few areas.

**Q7. Is there any evidence to suggest that any council area within the East of England could not make provision for a level of pitches in the order of any of those identified for its area in the options provided without having an adverse impact on areas of recognised environmental importance?**

Council's Draft Response:

29. Planning constraints to future provision in South Cambridgeshire include the Cambridge Green Belt, which covers 40% of the District, encompassing Cambridge and a number of the District's larger villages where the special needs of Gypsies and Travellers could best be accommodated. The generally open agricultural landscape of South Cambridgeshire; low-lying areas to the north, liability to flooding and a high density of settlements (the District has 102 villages) means that Gypsy/Traveller sites are difficult to accommodate without harming the rural character of the countryside. Circular 01/2006 particularly recognises Green Belts as a constraint in meeting the needs of Gypsies and Travellers. It also recognises that Traveller development needs to respect the scale of the existing settlements to which they relate. The existing concentrations within the District have been recognised by both the Secretary of State and the Courts as having a significantly harmful impact on the neighbouring settlements.
30. Despite the many constraints facing the District, South Cambridgeshire has taken a responsible approach to planning for Gypsy and Travellers. In July 2005 South Cambridgeshire had 291 caravans on authorised pitches, the highest number in the country. This equates to 221 authorised pitches. The most recent caravan count (July 2006) counted 372 caravans on authorised pitches.
31. South Cambridgeshire is also taking a proactive approach to planning for Travellers through its Local Development Framework. This is in advance of the RSS single-issue review, acknowledging the importance of the issue, and advice in ODPM Circular 06/2006 paragraph 43. The South Cambridgeshire Gypsy and Travellers Development Plan Document will identify locations for new sites. A first stage Issues and Options consultation to identify site selection criteria has been completed, and a second stage focusing on site options will take place in the autumn.
32. The Council does not consider that there are overriding environmental reasons why any authority in the East of England could not accommodate some level of provision. This is demonstrated by the example of South Cambridgeshire, where needs have been met in a responsible manner despite considerable constraints.
33. However, account must be taken of the constraints of accommodating such a high proportion of the need in only a few districts. To require additional provision of 120 pitches in the district, as advocated by option 1, would create a considerable risk of environmental, social and economic difficulties.

***c) Delivery and Implementation***

34. In this section of the Issues and Options Report, EERA seek views on how additional sites can be delivered. Methods include provision by local councils or registered social landlords, although it notes that provision by councils could be costly to the public purse. Gypsies or Travellers, or private landlords could make provision, but in practice some of the need will not be met through the open market. It may also be necessary to utilise exception sites, where permission would not normally be permitted for housing. On large residential developments it may be possible for local authorities to negotiate the delivery of some element of the overall provision of housing to be in the form of Gypsy and Traveller pitches. However, it is noted that they may receive some resistance from developers, and delivery through this method may take a number of years. The more advanced large development sites are in the planning process, the more difficult it will be to require such a process. In this respect, it is unfortunate that the issue of provision for Gypsies and Travellers was not addressed by the RSS at the outset rather than now.

**Q8. To what extent is it reasonable to rely on the delivery of sites either by Gypsies and Travellers themselves or by the development industry?**

Council's Draft Response:

35. Consultation with stakeholders in relation to the Councils Gypsy and Traveller DPD revealed a preference for sites owned and managed by the Gypsy and Traveller community. Several success stories exist within the district where Gypsies and Travellers have established successful, attractive caravan sites where residents have integrated well with the settled community. In contrast there have been two closures of Council sites.
36. However, it is acknowledged that delivering the number of sites required will not be easy. In South Cambridgeshire, the council is endeavouring to tackle the issue through appropriate allocations in a development plan document.
37. The Council also considers that there is scope for provision to be made through the major developments taking place in the District however planning for these is at different stages, with many in advance of the planning policy process. Requesting sites through section 106 agreements is proving difficult without the policy framework in place to evidence the need for such provision. The local planning authorities would welcome guidance for developers from central government in order to ease this negotiation process.

**Q9. In view of the potential scale of pitch provision needed in the East of England and constraints on public funding available is it reasonable to suggest that most of the need identified is likely to have to be met by provision on 'exception' or other sites that would not normally be granted planning permission for other forms of housing?**

Council's Draft Response:

38. It is likely that a number of sites will need to be provided as exception sites in the countryside. South Cambridgeshire District Council is developing appropriate site selection criteria through its LDF, to enable it to identify the most suitable sites for allocations, but also to enable it to effectively judge windfall proposals.
39. The Council also considers that there is scope for provision to be made through the major developments taking place in the District. This means that some provision may be made on land that would potentially be granted permission for other forms of

development. However, planning on many of these sites is relatively advanced and this makes requiring such sites difficult.

**Q10. In view of the scale of potential need for new sites identified is there a need to develop new means of developing Gypsy and Traveller sites such as through the establishment of some form of specialist delivery vehicle?**

Council's Draft Response:

40. There may be more of a role for assisting Housing Associations to deliver and manage sites. Currently only two housing associations operating in South Cambridgeshire work with Travellers sites. Further guidance for Housing Associations on how to manage Gypsy/Traveller sites would be an advantage and would also provide local planning authorities with more choice when they come to look at alternative management options.

**d) Travelling Showpeople**

41. Consultation on revised planning guidance in relation to Travelling Showpeople by DCLG proposed that RSS reviews should identify the number of pitches required for each planning authority for travelling showpeople.

**Q11. In light of the draft circular on Travelling Showpeople, is it appropriate for the revision to seek to identify the number of pitches that should be provided in each local council area to meet the needs of travelling showpeople separately from those to be provided to meet the needs of Gypsies and Travellers? If so, what evidence is available to inform this and what other issues should be taken into consideration?**

Council's Draft Response:

42. There are two existing sites in South Cambridgeshire. The need identified in the CSTNA was for only five additional pitches across the nine administrative areas. It would be more appropriate to include the numbers in the total provision figure, and contribute accordingly. If a need for a site for Travelling Showpeople is apparent in an individual district, provision of a site for travelling showpeople can then contribute to achievement of that total.

**43. Implications**

44. Financial	There are no additional financial implications arising from the RSS review. Cabinet agreed on 12 January 2006 to fund the production of the GTDPD, taking funds from the Travellers budget. Work on the RSS review is incorporated in that budget.
Legal	The Council will be obliged to amend its Local Development Framework documents to reflect any changes in policy in the revised RSS.
Staffing	The Council is already working towards production of a Gypsy and Traveller Development Plan Document. Staff resources will be required to enable the involvement of the Council in the RSS Single Issue Review.

Risk Management	The preparation of the GTDPD adds to an already very heavy workload in Planning Policy and for the corporate projects officer. Resources will need to be carefully balanced to ensure responses are sent to the RSS review and the GTDPD is kept on schedule. To delay or withdraw would risk planning applications being submitted without adequate planning policy guidance in place and call into question earlier enforcement action, which has in part been supported by the positive approach the Council, has taken to planning for Travellers.
Equal Opportunities	<p>In line with statutory duties under the Race Relations Acts and Disability Discrimination Acts, this Council's operates both a Race Equality Scheme and a Disability Equality Scheme (the latter considered by the Council on 23 November 2006). Travellers represent the biggest ethnic minority in the district (1% of the population) and suffer disproportionately high levels of ill-health and disability.</p> <ul style="list-style-type: none"> <li>a) The Council is committed to treating everyone fairly and justly, whatever their race or background.</li> <li>b) The Scheme gives priority to actions relating to Travellers as the biggest ethnic minority in the district (around 1.0% of the district's population).</li> </ul> <p>Planning is identified as being amongst the services most relevant to promoting race equality.</p>

**Consultations**

- 45. The Strategic Officer Group and the Planning and Economic Development holder have been consulted on this report.
- 46. Cabinet considered a similar report at the meeting of 14<sup>th</sup> June 2007. Cabinet recommend to Council that the responses be endorsed as the Council's response to consultation on the RSS review (subject to including the date of the Needs Assessment and making reference to "food producers" rather than "orchards" (paragraph 22)).

**Effect on Annual Priorities and Corporate Objectives**

47.	<p>Affordable Homes</p> <p>Customer Service</p> <p>Northstowe and other growth areas</p> <p>Quality, Accessible Services</p> <p>Village Life</p> <p>Sustainability</p> <p>Partnership</p>	<p>The need to address Gypsy and Traveller issues has implications for all three Council priorities and all four corporate objectives. This is also reflected in the Council's policy on Traveller issues, agreed July 2004. The production of the GTDPD is central to identifying how and where Gypsy and Travellers' housing needs can be met. The document will look at public/private provision of sites, location, relationship to settlements and effects on neighbouring uses amongst other issues. The RSS review will have a significant impact on the final level of provision to be met and the location of pitches in the district and across the East of England.</p>
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**Conclusions/Summary**

- 48. A review of the RSS was necessary to provide direction to local planning authorities on how they should be meeting the needs of Gypsies and Travellers. South

Cambridgeshire District council is already part way through producing a specific Gypsy and Traveller Development Plan Document, which will provide a policy for the Council to use in assessing provision and location of future sites. The comments made in this report as responses to the consultation are in line with the GTDPD and seek to direct EERA in to a more equitable solution for all the authorities involved.

### **Recommendations**

49. Council is recommended to:
- (a) Agree the responses to the Regional Spatial Strategy Single Issue Review Issues and Options Report to be submitted to EERA.

**Background Papers:** the following background papers were used in the preparation of this report:

- Issues and Options paper relating to the proposed revision to the Regional Spatial Strategy to address provision of Gypsy and Traveller Caravan Sites in the East of England May 2007  
<http://www.eera.gov.uk/consultation/consultationview.aspx?GUID=SAqkTIAvq7yhiGJXgHD2nSnrB4zSFIsR%2b68LxIQhB2Y%3d>
- Cambridge Sub-Region Traveller Needs Assessment May 2006  
[http://www.scams.gov.uk/documents/retrieve.htm?pk\\_document=904533](http://www.scams.gov.uk/documents/retrieve.htm?pk_document=904533)
- Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies' (March 2007)  
<http://www.communities.gov.uk/index.asp?id=1508208>
- Circular 1/2006 Gypsy and Traveller Site Provision

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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<b>REPORT TO:</b>	Council	19 July 2007
<b>AUTHOR/S:</b>	Leader and Chief Executive	

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**CORPORATE OBJECTIVES FOR 2008/09 ONWARDS**

**Purpose**

1. To enable Council to adopt new Corporate Objectives for 2008/09 onwards.

**Background**

2. The Council adopted its current Corporate Objectives in 2001:
  - High Quality, Accessible, Value for money services
  - Quality Village Life
  - A sustainable future for South Cambs
  - A better future through partnership
3. These objectives were intended to give overall general direction for the Council over the long term. They were subsequently supplemented by shorter term, more specific priorities – i.e. to improve customer service, increase the supply of affordable housing; and successful sustainable communities at Northstowe and the other growth areas.
4. It has been intended for some time to review the Corporate Objectives and in particular to achieve improved linkages with the Community Strategy, which is also currently being reviewed.
5. The **Inspire Project Improvement Plan** (Workstream B) sets out plans to:-
  - Develop political priorities and adopt new Corporate Objectives
  - Develop Council vision and values
  - Use the new objectives to influence the development of a new Community Strategy
  - Review the Council's service planning and other processes in order to deliver the new Corporate Objectives.

**The Draft Objectives**

6. New draft Corporate Objectives and Service Priorities are given in the **Appendix**. These have been developed with the Leader and the Cabinet.
7. The draft objectives and service priorities reflect various sources of evidence:-
  - The wide-ranging consultation carried out to support the development of the Sustainable Community Strategy - for example in the priority given to supporting transport schemes.
  - The results of Quality of Life and Best Value public surveys
  - The results of the CGI and other inspection processes – for example the emphasis on equalities and achieving an improved audit score

- National priorities e.g. recycling and low energy use
- Existing corporate objectives and priorities e.g. the continuing importance of affordable housing, growth and developing the Contact Centre.
- Emerging LAA priorities – e.g. community cohesion

8. The **Appendix** proposes:-

- Three Corporate Objectives which are intended to give longer term direction to the services of the Council.
- For each objective a number of Service Priorities. These set out more specific means by which the Corporate Objectives will be achieved. These Service Priorities may change more frequently than the Corporate Objectives.

9. The draft objectives and service priorities incorporate various aspects of the Council's current objectives, priorities and policy framework - for example the focus on the growth areas; sustainability; affordable housing; recycling; and quality services. However, there are a number of newer priority areas – eg:-

- Ensuring the most value-for-money provision of services
- Working towards level 2 of the equalities standard
- Supporting schemes to improve transport and access
- Working with local people to promote community cohesion and addressing the needs of the most vulnerable in the community

10. If these new areas are to be effectively pursued, it will be necessary to move resources and focus away from non-priority areas.

### **Using the Objectives**

11. Subject to approval by the Council, the new Corporate Objectives and Service Priorities will be used to as the basis for service planning (for 2008/09 onwards) during August – September 2007. This process will enable the Council to establish performance indicators and milestones to measure progress in delivering the priorities.

12. This in turn will lead to the drawing up of a new Medium Term Financial Strategy and Workforce Plan (in October - November) to deliver the new Objectives and Priorities. The objectives and priorities will also be the basis of any other new policies or strategies required by the Council.

13. In a parallel process work is progressing in developing values for the Council. This will support the achievement of the objectives by embedding shared ways of working within the Council.

### **Links with the Sustainable Community Strategy and Local Area Agreement (LAA)**

14. There are clear benefits if the Community Strategy, the LAA and the Council's Corporate Objectives are as consistent as possible, while acknowledging that the Community Strategy and the LAA are wider documents representing the views and contributions of a wide range of partners at district and county level.



15. Currently, all Cambridgeshire LSPs are preparing new community strategies with the intention that these will influence the new LAA which will come into effect in April 2008. Council representatives will be working through the LSP and LAA over the coming months to advocate policy alignment as far as possible.

### **Financial, Staffing, Legal and Risk Implications**

16. The draft Corporate Objectives represent a shift in priorities. This will have implications for resources which will be addressed in the Medium Term Financial Strategy. The risks inherent in delivering the new objectives will be addressed through the Council's corporate risk management process.

### **Consultation**

17. The Corporate Objectives have been drafted with the Cabinet to reflect the policies of the controlling group put forward in the recent district council elections. They also reflect the wide-ranging consultation and research carried out for the community strategy over the last year.
18. The Cabinet initially considered the objectives on 14 June 2007. Since then, Members and officers have been invited to comment on the objectives. The revised objectives in the Appendix reflect the comments received and incorporate other drafting changes.

### **Recommendation**

19. Council is recommended to adopt the Corporate Objectives and Service Priorities set out in the Appendix.

**Background Papers:** the following background papers were used in the preparation of this report: the evidence base for the Sustainable Community Strategy – including consultation results; parish plans; stakeholder meeting outcomes.

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**Draft Corporate Objectives and Service Priorities for 2008/09 onwards**  
(Revised 10.07.07)

The Council will:-

1. **Work in partnership to manage growth to benefit everyone in South Cambridgeshire now and in the future – by**
  - a) Developing effective working arrangements with major partners to deliver the growth agenda
  - b) Effective project planning and management; maximising S106 gains; and developing and implementing LDF policies to achieve successful new communities and protect existing communities and villages
  - c) Working with partners to deliver affordable housing for local people
  - d) Promoting low carbon living and delivering low carbon growth
  - e) Extending and encouraging the use of recycling opportunities
  
2. **Deliver high quality services that represent best value and are accessible to all our community – by**
  - a) Ensuring the best value for money options for service delivery
  - b) Strong management and prioritisation of resources, resulting in improved audit assessments
  - c) Achieving improved customer satisfaction with our services
  - d) A commitment to improvement and good quality services, demonstrated by performance against national, local and Direction of Travel indicators.
  - e) Improving access to services through our Contact Centre
  - f) Working towards level 2 of the equalities standard
  - g) Taking account of climate change in all the services we deliver
  
3. **Enhance quality of life and build a sustainable South Cambridgeshire where everyone is proud to live and work – by**
  - a) Listening to and engaging with the local community
  - b) Working effectively with voluntary organisations and parish councils to improve services through partnership
  - c) Taking an active role in the Crime and Disorder Reduction Partnership and working with the police and other partners to reduce crime and fear of crime and tackle anti social behaviour.
  - d) Protecting and enhancing the environment and maintaining the cleanliness of our villages
  - e) Promoting sustainability for the benefit of the local and global environment
  - f) Supporting schemes to improve rural transport and access to services.
  - g) Promoting participation in sport and active recreation to improve the health of all
  - h) Working with local people to promote community cohesion and addressing the needs of the most vulnerable in the community
  - i) Promoting economic development consistent with our sustainability and environmental aims

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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<b>REPORT TO:</b>	Council	19 July 2007
<b>AUTHOR/S:</b>	Chief Executive / Corporate Manager, Policy Performance and Partnerships	

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**FUTURE OF MILTON COUNTRY PARK****Purpose**

1. To consider the bids put forward for taking on the running of Milton Country Park, decide on the successful bidder and to agree to lease the land to them, subject to due diligence.
2. To approve the process and financial arrangements for the disposal of the Council's country park service, including the transfer of the Ranger staff.

**Executive Summary**

3. Following a process inviting 'expressions of interest', three organisations were invited to submit proposals for taking on the running of Milton Country Park: Cambridge Preservation Society (CPS), Cambridge Sports Lakes Trust (CSLT), and the National Trust (NT).
4. Proposals have been received from CPS, CSLT and the National Trust, however the National Trust decided not to proceed with a bid. They have expressed their willingness to be involved in partnership with whoever is selected, if this would be of interest.
5. The proposal from CPS has several major caveats, concerning staffing, the length of the agreement and on funding required from the Council. These present unacceptable conditions in terms of the council's legal responsibilities.
6. CSLT is the least well established of the bidders, as a new organisation without an established track record of managing similar facilities; however, the park presents a strong strategic fit with their aims and CSLT have put forward a clear proposal that appears to meet both the Council's and their own objectives. As CSLT's business plan does rely on donations and sponsorship there is a financial risk that CSLT may not be able to make the park self-financing. Nonetheless, given the alternative strategic options this proposal is recommended for acceptance.

**Background**

7. The ownership of the land, which comprises Milton Country Park, is shown in Appendix A. The County Council owns the central area, which is licensed to SCDC on an agreement, which can be terminated subject to three months' notice on either side.
8. The need to reduce the costs of the park has been covered in a series of reports over the last two years. As the only countryside facility run by the Council, the principle of finding another body to take on the management has been discussed for the last two

or three years, to find a suitable organisation for whom the park would be part of their 'core business'.

9. On 14 December 2006 the Cabinet agreed that the park had to be transferred to a new management body; officers would be instructed to close the park if there was no organisation appearing likely to take on the park by a deadline of 31 August 2007.
10. On 8 March 2007 Cabinet supported the principle of releasing the Council's land within the park to a new agency, to enable it to take on the park's management, subject to full consideration being brought back.
11. A workshop for all interested parties was held on 29 March 2007, arranged by Cambridge Preservation Society working with Cambridgeshire Horizons and South Cambs. The purpose of the workshop was to review and advise on the options being pursued by the Council and to guide the way forward. A report with the outcomes from the workshop was considered by Cabinet on 12 April 2007. They approved a negotiated 'expression of interest' procedure and the establishment of a review panel to select the best option.
12. Cabinet also recommended to Council that it approved the principle of disposing of SCDC land in the park. On 26 April, Council resolved: "that the disposal of the SCDC land in the park, and the land on a 999-year lease from the Stokes, be approved in principle, on the basis of a 99-year lease on a peppercorn basis to the organisation which is selected to take on the management."

### **Considerations**

13. The panel, consisting of the Leader and Deputy Leader, Portfolio Holder (Cllr Ford), a local member (Cllr Summerfield) and the Chief Executive, agreed a process to hold a meeting with each interested party to assess what they were putting forward.
14. The panel met with the following organisations:
  - 5 June: Keystone Trust; Art Fund Project; Butterfly Project; Save Milton Country Park Campaign
  - 7 June: Co-housing Project; Red2Green; Cambridge Mencap; Cambridge Sports Lake Trust
  - 8 June: the National Trust; Cambridge Preservation SocietyThe meetings considered how the agencies would run the park, the business case / funding to support the proposals, the management to maintain its status as a country park, and the constraints or requirement on the Council.
15. The proposals put forward were very varied. Some were well-developed propositions while others were much more speculative. At the meetings some agencies including the Save Milton Country Park Campaign expressed their willingness to be a partner with whatever body was selected, but made clear given the other parties likely to be on the short-list, they had decided that they did not wish to be the lead agency at this time.
16. The panel concluded that there were three organisations whose proposals merited more detailed consideration. On 12 June Cambridge Sports Lakes Trust, Cambridge Preservation Society and the National Trust were invited to submit more detailed proposals by 10 July, so these could be considered by Council on 19 July. This timescale was set in order to enable a decision to be taken by Council before the agreed deadline on 31 August 2007 and to meet the concerns of the users of the park.

17. There was a further conclusion from the panel's meetings on 5-8 June following up widespread comments at the workshop in March. The consensus of the presentation by the charitable organisations was that the significant 'funding gap' between the current income and expenditure for the park presented an unacceptable level of risk without some funding from the Council or other parties. Although most accepted that the income could be increased, there was a need for the Council to reduce this shortfall. In view of the current net cost of running the park, and the on-going costs which the Council would face if it was closed, the panel concluded that a one-off payment of £250,000 was needed to attract offers for the management.
18. During June the three selected organisations prepared their proposals. There were a number of detailed matters which were raised in questions to officers, particularly on: the transfer of staff under TUPE regulations; the financial details behind the expenditure and income budgets; the access to and boundaries of the park; the water quality of the lakes; and the information available about any possible contamination of land from its previous use. Officers provided information in response to the questions, and discussions took place with our Human Resources team over TUPE.
19. Two bids were received on 9 July, from CPS and CSLT.
20. Unfortunately the National Trust concluded that they were unable to prepare a bid in the time available, after an exchange of correspondence in the penultimate week in which they requested further time. They also expressed a concern about the National Trust's capacity within the region to take on further property. A response was sent by SCDC suggesting that the Council would be likely to accept a proposal approved by the National Trust's Regional Committee, and still subject to Central Committee ratification. A letter of 10 July from the National Trust was received confirming that the park was considered at their Regional Committee on 6 July; there was strong support in their involvement with the future management of the park with emphasis on working in partnership with others. They would be happy to discuss how they could do this with either the Council or the selected organisation.
21. The proposal from CPS is a detailed document that reflects a very considerable amount of work that has gone into it. It emphasises the value of the park to the local community and proposes to maintain and enhance the current high standards, events and activities. The proposal emphasises how the park fits with their existing management of Wandlebury Country Park and the Coton Countryside Reserve. CPS has its own Rangers for these facilities and they would retain the two Ranger posts to maintain the park.
22. The CPS proposal clearly sets out a number of conditions to which the Council would need to agree. Unfortunately some of these conditions are not ones, which meet the terms agreed by the panel and set out in the documentation for the bidders. The three principal ones are:
  - (a) the Council would transfer staff under a compromise agreement under which they would be employed by CPS under CPS terms and conditions;
  - (b) the lease would include a break clause at approximately five-yearly intervals;
  - (c) the Council would provide a higher level of financial support, either as a large increase on the £250,000 one-off sum or by providing annual revenue support.
23. Each of these conditions presents a significant problem. The legal requirements of the TUPE process require the Council as the employer of the staff to transfer them on their existing terms and conditions. Failure to do so would open the Council to claims

of unfair dismissal that it would be unable to defend, and which would lead to large fines and legal costs. Unison has already raised concerns with officers about the potential transfer of staff to another employer, and have emphasised the requirements of TUPE on the Council.

- 24. A break clause after five years could lead to the park being handed back to the Council five years after the one-off payment of £250,000 had been made and spent. The higher level of financial support would not meet our requirements to end our financial liability for the park, or it would require a capital sum of millions of pounds, which is not available.
- 25. The offer from CSLT sets out how the management of the park would fulfil many of their objectives to serve the educational recreational and leisure needs of the community. They see a strong strategic fit with similar adjoining land, parallel management goals and shared expertise and overheads. CSLT have existing programmes and contacts that can be used as a basis for building activities that will provide a viable and self-sustaining revenue stream for the park.
- 26. With support from the Council's one-off £250,000 payment, CSLT propose to take on the existing staff and to manage the park with them plus assistance from volunteers and partnership organisations. They propose to add a new community and outreach manager in 2008 to handle the growing needs of programmes and services in the park. Their proposal meets the Council's requirements.

**Options**

- 27. The options available are limited. There are two offers from the organisations, which the panel have short-listed. One of these does not meet the terms required, and cannot, therefore, be considered a realistic option.
- 28. The Council could close the park. Alternatively the deadline could be extended in order to seek another organisation; however, it is unlikely this could be achieved.
- 29. The second option is to accept the offer from CSLT.

**Implications**

30. Financial	<p>The successful transfer of the park will replace the Council's annual spending on the park, which is currently over £100,000 after income and excluding central overheads, with a one-off sum of £250,000.</p> <p>The park may be transferred to an organisation whose future funding may decrease or not materialise such that it can no longer finance the running of the park. There is a financial risk that the Council would then have paid out £250,000 with the park still in a vulnerable position</p>
Legal	<p>The park will need to be independently valued, if the conclusion is that the park is being transferred at an undervalue the Council may require Secretary of State consent; however, as the potential sale of the park has been widely publicised and all potential bidders were interviewed in the process this appears a low risk.</p> <p>There is also a duty to place a Notice in the local press where the land is public open space. This could be carried out during the due diligence process.</p>

	<p>The licence with the County will need to be terminated and a lease agreement prepared. Draft Heads of Terms have been drawn up subject to contract, for the County to lease to South Cambs, enabling us to sublease with our own and the Stokes' land in a single package. The sub-lease granted to CSLT will need to match the lease terms of the land of which the Stokes family are the freeholder, i.e., that the land is to be used as a country park.</p> <p>The letting of the County Council land to the District Council at less than best consideration will need their Cabinet's approval, which is expected in September.</p> <p>The due diligence process will require a period of some months to enable all the terms of the lease to be finalised.</p>
Staffing	<p>Discussions have taken place with the Ranger staff about their possible employment by a new organisation. Formal consultation about TUPE transfer will be undertaken with them once a decision on the new manager has been taken. Under TUPE regulations staff have rights to transfer on their existing terms and conditions, subject to resolving the out of hours and tied accommodation issues currently under review. CSLT have stated that they will retain the existing staff structure subject to any changes implemented from the current review.</p>
Risk Management	<p>The lease / sub-lease will address the risks from the park's environment, including the lakes, which are currently the Council's responsibility. If the park were to close, considerable on-going work would still be required to reduce risks to an acceptable level, as would be likely to prove impractical to keep everyone out. There is financial risk with the CSLT proposal which could be mitigated through a clause in the Heads of Terms requiring the park to be returned to the current owners should for example CSLT ever be deemed bankrupt.</p>
Equal Opportunities	<p>The country park needs to provide equal access to all sections of the population.</p>

**Consultations**

31. The workshop held on 29 March 2007 was a process used to consult interested parties about the process used to find a new organisation to manage the park, and the process was altered to take into account the views expressed. The meetings with interested bodies on 5, 7 and 8 June was a further process of consultation.

**Effect on Annual Priorities and Corporate Objectives**

32.	<table border="1"> <tr> <td>Affordable Homes</td> <td rowspan="7"> <p>The park offers a high quality, accessible countryside environment to the residents of South Cambs and Cambridge. With sustainable woodland and a programme of events it is an important resource for the village and surrounding area at a time when major growth pressures face the district. Leasing our land to CSLT, which is a charitable organisation, will help to develop services to existing and new users. CSLT have stated that they will work in partnership with a range of other organisations as part of their management of the park.</p> </td> </tr> <tr> <td>Customer Service</td> </tr> <tr> <td>Northstowe and other growth areas</td> </tr> <tr> <td>Quality, Accessible Services</td> </tr> <tr> <td>Village Life</td> </tr> <tr> <td>Sustainability</td> </tr> <tr> <td>Partnership</td> </tr> </table>	Affordable Homes	<p>The park offers a high quality, accessible countryside environment to the residents of South Cambs and Cambridge. With sustainable woodland and a programme of events it is an important resource for the village and surrounding area at a time when major growth pressures face the district. Leasing our land to CSLT, which is a charitable organisation, will help to develop services to existing and new users. CSLT have stated that they will work in partnership with a range of other organisations as part of their management of the park.</p>	Customer Service	Northstowe and other growth areas	Quality, Accessible Services	Village Life	Sustainability	Partnership
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Customer Service									
Northstowe and other growth areas									
Quality, Accessible Services									
Village Life									
Sustainability									
Partnership									

**Conclusions / Summary**

33. The proposal from CPS is not one that can be considered for acceptance for the reasons set out in paragraphs 22 to 24.
34. CSLT have put forward a proposal that meets both the Council's and their own aims. It would continue to provide the existing amenity of the park, while expanding the activities available, particularly meeting the needs of young people. CSLT have a limited track record of running activities and the park presents an exciting and challenging opportunity for them to advance their sporting and educational aims.
35. CSLT was established in 1992 and has yet to secure all of the funding they need to realise their aim of establishing sporting lakes and there is some risk that they may not realise the necessary funding over the next few years. They have provided an indication of their future finances in confidence to the Chief Executive but their latest financial accounts show limited tangible assets and investments. They are committing themselves to running the park as a stand-alone financial operation that will take three to five years to achieve self-sufficiency. For this period they will support the park operation with significant levels of corporate sponsorship and donations.
36. The CSLT proposal presents an acceptable way to keep the park open.

**Recommendations**

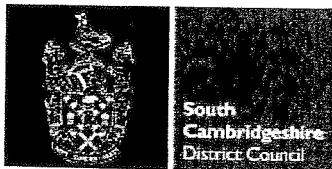
37. Council is asked to agree:
  - (a) the selection of Cambridge Sports Lakes Trust as the preferred bidder for running Milton Country Park;
  - (b) that subject to due diligence by CSLT, the Council's land should be leased to CSLT for a peppercorn, on a 99-year lease, and the land leased from the Stokes should be sub-leased on a 99-year lease, all subject to the land being used as a country park;
  - (c) that at the appropriate time the Council gives notice to the County Council to end the current license and, subject to agreement by the County to lease their land to this Council, that we sub-lease it to CSLT on a 99-year lease for use as a country park, along with the SCDC land;
  - (d) as part of the terms of the agreement and lease above, to approve a one-off payment of £250,000 to CSLT to enable them to take on the responsibility of running the park; and
  - (e) that officers be instructed to pursue the necessary legal and other work to enable the transfer to take place in late 2007 or early 2008.

**Background Papers:** the following background papers were used in the preparation of this report: Milton Country Park Cabinet Reports of December 2006, March and April 2007  
Information pack for the Workshop held on 29 March 07.  
Letter from National Trust of 10 July 2007.  
Proposal for the Future of Milton Country Park under the Management of Cambridge Preservation Society  
A Vision to Revitalise Milton Country Park Prepared by Cambridge Sports Lakes Trust 6 July 2007.

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# Milton Country Park



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Not to scale

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

<b>REPORT TO:</b>	Council	19 July 2007
<b>AUTHOR/S:</b>	Corporate Manager (Planning & Sustainable Communities) / Planning Policy Manager	

**SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK:  
ADOPTION OF DEVELOPMENT CONTROL POLICIES DEVELOPMENT PLAN  
DOCUMENT AND NORTHSTOWE AREA ACTION PLAN**

**Purpose**

1. The Development Control Policies Development Plan Document and Northstowe Area Action Plan, key documents of the South Cambridgeshire Local Development Framework, are now at the end of the plan making process, the binding reports of the independent Inspectors having been received. This report recommends the Development Control Policies Development Plan Document and Northstowe Area Action Plan now be adopted.

**Background**

2. The Council Submitted the Development Control Policies Development Plan Document (DPD) and Northstowe Area Action Plan (AAP) to the Secretary of State in January 2006, alongside four other DPDs; Core Strategy DPD, Site Specific Policies DPD, Cambridge East Area Action Plan (AAP), and Cambridge Southern Fringe AAP. This marked the start of a statutory six-week period of public consultation during which representations could be made. Following this, further six-week periods of public consultation were held in March – April 2006 and June – July 2006 on 'Objection Sites' and 'Site Allocation Policies Representations', in accordance with planning regulations. A public Examination into the "soundness" of the plans followed, conducted by independent Inspectors, with hearings held for the Development Control Policies DPD in October 2006 and Northstowe AAP in December 2006 – January 2007, during which the Inspectors considered representations made on the Submission plans and Objection Sites. The Council received its binding Inspectors' Reports in May and June respectively. Subject to a number of recommendations from the Inspectors both plans were found to be "sound".

**Binding Inspectors' Report for Development Control Policies DPD**

3. The Inspectors' overall conclusion is that the DC Policies DPD is sound with the changes they recommend. They comment that it is one of the first DPDs to have reached this stage under the new system of plan making and they recognise that the Council has had to interpret the legislation and initial Government and other advice during the preparation of this and other DPDs. Although the inspectors comment that it would not normally be expected that the consequence of an examination would be so many detailed changes to a plan they recommend relatively few changes of significance. They also comment that much has emerged during the preparation for and during their examination and that they have no doubt that if the Council were starting the process afresh, the document may well have looked rather different.
4. The main features of the Inspectors' Report include:

- Overarching policies for sustainable development and high quality design are supported with some detailed changes.
- The proposed extension of the Cambridge Green Belt to surround the planned new town of Northstowe is not supported, primarily because of the distance of Northstowe from Cambridge and that it is not considered that inclusion of this area would aid the purposes of the Cambridge Green Belt.
- The new policy for housing mix to provide a higher proportion of smaller homes to meet identified local needs is supported with some amendments:
  - For **smaller** sites of up to 10 dwellings providing at least 40% one and two bedroom homes and approximately 25% of dwellings being 3 bedroom homes and the same being homes of 4 or more bedrooms.
  - For **larger** sites a mix of units will be sought providing a range of accommodation, including one and two bed dwellings, having regard to economic viability, the local context of the site and the need to secure a balanced community.
- The requirement for a proportion of new dwellings to be designed to lifetime mobility standards is agreed.
- The high level of housing need in the district is supported and whilst the policy target is amended from “approximately 50%” to “at least 40%” there may be cases where a higher proportion may be viable. They endorsed the policy that all sites of 2 or more dwellings in all rural settlements will provide affordable housing in view of the local needs in South Cambridgeshire.
- The indicative tenure mix for affordable housing is not supported but that it is considered that this may be something for a proposed Supplementary Planning Document.
- The plan should allow for off-site provision of affordable housing on small sites in exceptional circumstances where it cannot reasonably be provided on site.
- Having regard to changes to the RSS the proposal for employment development to make contributions towards the provision of affordable housing is not supported,
- The proposed standard for provision of Strategic Open Space is not considered to be soundly based and the Inspectors felt that they did not have sufficient information to insert an alternative figure and it is therefore deleted.
- The policy that 10% of energy in new developments will be provided on site through renewable energy measures is supported.

#### **Binding Inspectors’ Report for Northstowe AAP**

5. Whilst the Northstowe AAP Inspectors’ conclude in their Report that the plan can be made sound with relatively modest changes to the document they go onto to recommend a number of significant changes to the plan principally to maximise the amount of the development and to provide greater flexibility for masterplanning. The main features of the Inspectors’ Report include:

- *Vision and Development Principles:* The Inspectors support the Council's Vision for Northstowe and also broadly agreed the overarching Development Principles for the new town.
- *The Site:* The AAP should not constrain the number of dwellings at the new town below the "up to 10,000 dwellings" provided for in the Core Strategy and accordingly they raise the target in the Area Action Plan to 10,000 dwellings.
- The site for the town should include the areas of green separation since they can play a constructive part in the development of the town whilst performing their function of keeping separate from the villages of Longstanton and Oakington.
- To ensure that the target of 10,000 dwellings is achieved and to provide capacity for longer term growth they have added a reserve area of land to the west of Station Road, Longstanton.
- *Concept Diagram:* The Inspectors were not persuaded that the Concept Diagram helps to provide clarity to the vision for Northstowe that is not already achieved in the written text and felt its utility does not outweigh the need for the plan to be flexible.
- *Green Belt Extension:* Consistent with the Inspectors' Report on the Development Control Policies DPD, the Green Belt extension shown in the Area Action Plan is deleted.
- *Green Separation:* The Inspectors conclude that the 200m minimum green separation proposed in the AAP is too inflexible. The revised policy requires that green separation is provided but it does not prescribe its width which they recommend is a matter for the masterplan for Northstowe.
- The Inspectors conclude that the AAP area should be extended to include the land within the control of the promoters within Longstanton conservation area (currently covered by the Site Specific Policies DPD). They agree that open land in the conservation area is of value for visual, historical and archaeological reasons and it is likely that these features would continue to be protected by conservation policies.
- The Inspectors considered that prohibiting urban related open uses, such as playing fields and allotments, in the green separation is not necessary to fulfil its role separating the new town from the existing villages in order to maintain their character. They say that the open nature of the uses and their treatment in detail, with careful location of any ancillary features, should be sufficient for the purpose. They also comment that allowing a wider range of open uses in the green separation has the advantage of offering opportunities of positive control of the land and will enable a greater level of development to be secured within the town.
- *Town Centre:* The Inspectors agreed the AAP should require the location of the town centre close to the geographical centre of the town. However they felt that the level of detail on the design and form of the town centre are too prescriptive and include matters best addressed through the masterplanning.
- The Inspectors say bearing in mind that the town now has a target capacity of 10,000 dwellings, there needs to be flexibility as to the number of local centres

and primary schools, and there may not necessarily be the same number of centres as there are schools and the AAP is changed accordingly.

- *Housing:* The Inspectors support the Council's approach to the level of affordable housing at Northstowe. The Inspectors recognise that the strategic developments are key to addressing the affordable housing requirements of the area, and therefore the district wide policy of 40% will be the starting point for negotiations as to the percentage of affordable housing in Northstowe.
- The Inspectors agreed the housing density for Northstowe of at least 40 dwellings per hectare (net) overall but were not persuaded that lower densities will be appropriate on the areas bordering the countryside between Northstowe and Longstanton and Oakington. They say this is a matter which should be design led, and this approach does not provide necessary flexibility.
- In recognition that one of the objectives for Northstowe is the development of a socially balanced community the housing mix is revised such that market properties should provide in the range of: 25% to 30% of homes with one or two bedrooms; 35% to 40% of homes with three bedrooms; and 30% to 35% of homes with four or more bedrooms.
- *Employment:* The AAP approach to employment is generally supported with some limited revisions.
- *Community Facilities:* The Inspectors have amended the AAP approach to make it more flexible and less prescriptive, particularly for those parts that deal with commercially provided services and facilities.
- *Transport:* The Inspectors endorse the dedicated local busway through Northstowe.
- In respect of the A14 and its capacity to accommodate development at Northstowe, the Inspectors consider the policy includes unnecessary detail and that there is no need for a reference to 'Grampian' style conditions in the plan since where necessary such conditions are in any event available to the planning authority.
- The Inspectors also conclude that the policy is unnecessarily prescriptive in not allowing for any additional access roads, such as from the direction of Cottenham. They say the detailed routes should be determined through the masterplanning process.
- The Inspectors agree that if at the time of the grant of planning permission it can be demonstrated that a bypass for Willingham is required, to the extent that the development of Northstowe has contributed to that requirement, it is reasonable that a contribution should be sought.
- *Landscaping:* The Inspectors support the plan's intention for Northstowe to have the character of modern fen edge town with water in the form of lakes and watercourses as a defining features of Northstowe. They also concluded that the form and width of the water park are best left to masterplanning, when more will be known about drainage requirements and possibilities, and about the design of other elements of the town.

- The Inspectors considered that the landscaping requirements for the boundaries of the new town were unnecessarily detailed and inflexible.
- *Biodiversity*: The Inspectors support the need for a full programme of ecological survey and monitoring prior to the commencement of construction but conclude that the Cambridgeshire Horizons Green Infrastructure Strategy is too general a document to rely upon for the delivery of green corridors of significant biodiversity interest beyond the town during the plan period.
- *Recreation*: The Inspectors conclude that the AAP should not require the provision of country parks and that the strategic open space requirement resulting from the Northstowe development will have to be subject to negotiation based upon factors including the existing strategic open space provision accessible to future Northstowe residents, the work on the masterplan and considerations of economic viability.
- The Inspectors conclude that a replacement golf course would not be commercially viable and should be deleted.
- *Drainage*: The Inspectors agree that a sustainable drainage system that allows for the affects of climate change is required for Northstowe, although they consider that a policy expressed in a more general form would be more appropriate and allow sufficient flexibility to overcome issues such as foul drainage problems. Only if practicable should measures be taken by the developers of Northstowe additionally to mitigate existing flood risk to Oakington and Longstanton.
- *Exemplar in Sustainability*: The Inspectors endorse the principle that Northstowe should be an exemplar in sustainability and conclude that the AAP can go further.
- *Implementation*: The Inspectors agree that mitigation of the impact of Northstowe by way of planting in the green separation and at Rampton Drift early in the development is an important requirement that should be specified.
- The requirement for management strategies, to manage various aspects of the development, such as recreation and landscape, to be adopted prior to the granting of planning permission is agreed.
- *Delivering Northstowe*: The Inspectors revise the housing trajectory to reflect a later start date and the Core Strategy conclusion that Northstowe will deliver 4,800 dwellings instead of 6,000 dwellings by 2016.

### Next Step

6. The conclusions reached by the Inspectors are binding and the Council must incorporate the changes required by the Inspectors. Whilst it is Government policy as set out in Planning Policy Statement 12 that the Council must adopt its DPDs as soon as practicable following the receipt of the Inspector's binding report neither the Act nor Regulations which cover the adoption of DPDs contain such a requirement. The Secretary of State does however have default powers "if the Secretary of State thinks that a local planning authority are failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a development plan document." These default powers include approval of a document as a local

development document (Planning and Compulsory Purchase Act 2004, Section 27(4)(i)).

7. The Development Control Policies DPD and Northstowe AAP have been prepared in compliance with the legislative and regulatory requirements for the preparation of Development Plan Documents and are now ready for adoption. These two plans are amongst the first such plans in England to have reached the examination and adoption stages. The changes that the Inspectors have made to the Development Control Policies DPD mainly remove duplication and make the plan more concise. The changes to the Northstowe AAP are more wide ranging principally to increase the target size of the town and to introduce flexibility into the masterplanning process. The increase in the target size for Northstowe is the Inspectors interpretation of the emerging RSS and PPS3's objective to maximise the development on allocated land. Many of the other changes mean that matters which were the subject of policy guidance with the express purpose of speeding up planning application approvals and which were developed in consultation with the promoters, the public and other stakeholders will need to be debated and decided again. These decisions will now fall to the new Joint Planning Committee (S.101 Committee) which will also need to agree a number of strategies and which will in effect be making policy through the decisions that it takes. It is important to advance to this next stage in order to remove uncertainty in the local area and to begin the delivery of development at Northstowe without which the RSS and PPS3 will put the Council under pressure to approve planning applications elsewhere in the District.
8. Members are recommended to adopt the Development Control Policies DPD and Northstowe AAP as amended in accordance with the Inspectors' binding reports received on 24 May and 1 June 2007 respectively (as contained in Appendices 1 and 2).
9. Once adopted, the Development Control Policies DPD and Northstowe AAP will become part of the statutory development plan for South Cambridgeshire and will supersede corresponding parts of South Cambridgeshire Local Plan 2004. Other parts of the Local Plan will remain as "saved policies" under transitional arrangements until superseded by policies in the other submitted DPDs or until September 2007 (or later with the agreement of the Secretary of State). A schedule setting out the position in relation to the policies of the Local Plan 2004 and the adopted DPDs is attached at Appendix 3.
10. On adopting the DPDs the Council is required to make the necessary changes to the adopted Proposals Map. The main features of the Inspectors' Report relating to the Proposals Map include:
  - The Cambridge Green Belt boundary remains as adopted in Local Plan 2004.
  - Revised Inset Map A Northstowe to show the amended site boundary.
  - New Established Employment Areas in the Countryside at Spicers Ltd, Sawston; Dalehead Foods Ltd, Linton; and a revised boundary to Huntsman / Hexcel, Duxford.
11. In addition, the Council needs to show the boundaries of those policies in the adopted Development Control Policies DPD with defined areas that have been examined, including:
  - Policy GB/4 Major Developed Sites in the Green Belt
  - Policy ET/3 Development in Established Employment Areas in the Countryside
  - Policy SF/8 Lord's Bridge Radio Telescope (the outer boundary (Area 2) is not shown on the adopted Local Plan Proposals Map)



- Policy CH/10 Linton Special Policy Area
- Policy CH/11 Duxford Imperial War Museum

Note – there are other policies in the Development Control Policies DPD with boundaries which will need to be shown on the Proposals Map, but the actual boundaries have yet to be determined until the Site Specific Policies DPD is Examined and adopted. Until such time, these boundaries remain as shown on the Local Plan Proposals Map. The Proposals Map will therefore need amending with the adoption of subsequent LDF documents.

- The revised Inset Maps are attached in Appendix 4. The adopted Proposals Map will remain the adopted Local Plan 2004, together with the above revisions.
- The Council must also publish Final Sustainability Appraisal Reports and to have carried out a further process known as a Habitats Directive Assessment (HDA).
- HDA Screening Reports have been prepared for the Development Control Policies DPD and Northstowe AAP, consistent with EU guidance, and having regard to other relevant guidance. These conclude that there will be no likely significant impacts of the Plans on relevant European sites in or close to the district. These Screening Reports have been prepared in consultation with Natural England who confirmed by letter dated 23 March 2007 that they “*consider the screening matrix and accompanying documentation has been well prepared*” and that “*Natural England support the conclusion that policies in the Development Control Policies are unlikely to have significant impacts upon the European Sites located within and in the vicinity of the District, and that an Appropriate Assessment is therefore not required for this DPD*”. The same confirmation was received for the Northstowe AAP in a letter dated 26 March.
- As with the former plan making process, the new system allows for a legal challenge to be made to the High Court. Any person aggrieved by the Development Control Policies DPD or Northstowe AAP may make an application under Section 113 of the Planning and Compulsory Purchase Act 2004 to the High Court on the grounds that the document is not within the appropriate powers and / or a procedural requirement has not been complied with. Any such application must be made not later than the end of the period of six weeks starting on the date on which the DPDs were adopted.

**Options**

- There are no acceptable options to put before Members at this stage.

**Implications**

17. Financial	Within existing budget.
Legal	None, subject to there being no High Court challenge.
Staffing	Within existing resources.
Risk Management	The effect of any slippage to the timetable could be significant to meeting the Structure Plan development strategy for the Cambridge area.
Equal Opportunities	None.

**Consultations**

- There were no consultations at this stage in the plan making process, other than with Natural England on the Habitats Directive Assessment.

**Effect on Annual Priorities and Corporate Objectives**

19.	Affordable Homes	<ul style="list-style-type: none"> <li>• Assist the Council's objectives to deliver quality accessible development in the district.</li> <li>• Include the provision of affordable housing and the effective delivery of sustainable development at Northstowe and other major developments on the edge of Cambridge and development of sustainable communities.</li> <li>• Assist the delivery of the Community Strategy.</li> <li>• Be used by Cambridgeshire Horizons to help the early and sustained development of the necessary services and infrastructure.</li> </ul>
	Customer Service	
	Northstowe and other growth areas	
	Quality, Accessible Services	
	Village Life	
	Sustainability	
	Partnership	

**Conclusions/Summary**

20. The Development Control Policies DPD and Northstowe AAP are now at the end of the plan making process and can now be adopted. Following submission to the Secretary of State in January 2006, the plans have been consulted on and independently examined. The Council has received the binding Inspectors' reports that found the plans to be "sound". The next step is to formally adopt the plans when they will become part of the statutory development plan for South Cambridgeshire and will supersede relevant parts of South Cambridgeshire Local Plan 2004.

**Recommendations**

21. Council is invited to:
- (a) **RESOLVE TO ADOPT** the Development Control Policies DPD and Northstowe AAP, as contained in Appendices 1 and 2, and proceed in accordance with Regulations 35 and 36;
  - (b) **RESOLVE TO ADOPT** the revisions to the adopted Proposals Map, as contained in Appendix 4;
  - (c) **NOTE** the Sustainability Statements as contained in Appendices 5 and 6; and
  - (d) **NOTE** the Habitats Directive Assessments as contained in Appendices 7 and 8.

**Background Papers:** the following background papers were used in the preparation of this report:

Submission Development Control Policies DPD, January 2006

Submission Northstowe AAP, January 2006

Inspectors' Report of the Examination into the South Cambridgeshire Development Control Policies DPD, 24 May 2007

Inspectors' Report of the Examination into the South Cambridgeshire Northstowe AAP, 1 June 2007

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