

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Sub-Committee held on
Friday, 2 November 2007 at 10.00am

PRESENT:	Councillor Mrs HM Smith – Chairman Councillor Mrs PS Corney – Vice-Chairman	
Councillors:	RE Barrett Mrs SA Hatton CR Nightingale	Mrs JM Guest SGM Kindersley
Officers:	Catriona Dunnett Gareth Jones Simon McIntosh Philip Readman Ian Senior Charles Swain	Principal Solicitor Corporate Manager, Planning & Sustainable Communities Corporate Manager, Policy, Performance and Partnerships Assistant Enforcement Officer Democratic Services Officer Assistant Planning Enforcement Officer

Councillors Dr DR Bard, SM Edwards, Mrs SM Ellington, RMA Manning, Mrs DSK Spink MBE, NIC Wright and TJ Wotherspoon were in attendance, by invitation.

16. DECLARATIONS OF INTEREST

There were no declarations of interest.

17. MINUTES OF PREVIOUS MEETING

The Sub-Committee agreed that the Minutes of the meeting held on 3 August 2007 were a true and accurate record.

18. DATE OF NEXT MEETING

The Sub-Committee noted that its next meeting was scheduled to take place on Friday 7 December 2007.

Members enthusiastically embraced the idea of regular meetings, referring in particular to the following

- The need for updates at meetings or a regular newsletter: the latter had become unavailable due to the recently secondment of the officer responsible for its production
- The opportunity for Members to determine how resources should be allocated
- The benefit of discussion
- The need for openness
- The importance of demonstrating to the public that issues were being addressed and that actions were being taken

19. EXCLUSION OF THE PRESS AND PUBLIC

The Planning Sub-Committee **RESOLVED** that the Press and public be excluded from the meeting during the consideration of Minute nos. 20 and 21 in accordance with

Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraphs 1, 2, 3, 4, 6 and 7 of Part 1 of Schedule 12A to the Act.

20. **UPDATE ON INJUNCTION PROCEEDINGS IN RESPECT OF PLOTS 1-11 VICTORIA VIEW, SMITHY FEN, COTTENHAM**

The Planning Sub-Committee considered a report updating Members on the action being taken in respect of Victoria View following its decision to obtain an injunction under Section 187 of the Town and Country Planning Act 1990.

The Principal Solicitor expanded on the circumstances referred to in paragraphs 5-8 of the report. In connection with the Local Planning Authority's option to decline to determine the planning applications relating to the five individual plots referred to in paragraph 8, Councillor SGM Kindersley proposed that that decision be made by Members of the Planning Committee at their meeting on 7th November 2007 by virtue of an emergency item, the agenda already being in the public domain. The decision was needed in time for the Hearing seeking a permanent injunction in the High Court in November, prior to the scheduled December meetings of either the Planning Committee or Planning Sub-Committee and, while it could be made by officers under delegated powers, it was thought that a Member-decision would be preferable.

The Chairman referred to the need to resolve access issues by considering a sixth plot in tandem with the five referred to in paragraph 8. The Principal Solicitor replied that a formal report on that sixth plot was likely to be prepared in time for a meeting of the sub-committee in January or February 2008.

The Planning Sub-Committee **INSTRUCTED** officers to prepare a report on planning applications received in respect of five plots at Victoria View, Smithy Fen, Cottenham, and to present that report as a late item for determination by the Planning Committee on 7 November 2007.

21. **UPDATE ON LEGAL PROCEEDINGS IN SOUTH CAMBS**

With a view to receiving information only at this stage, members of the Planning Sub-Committee considered a report updating them about the action being taken on sites at

- Water Lane / Orchard Drive, Smithy Fen, Cottenham
- Pine View, Smithy Fen, Cottenham
- Moor Drove, Histon
- Land to the west of Scotland Drove, Swavesey
- Schole Road, Willingham
- Willingham (preventative area injunction)

In connection with Pine View, Smithy Fen, Cottenham, Members noted Cottenham Parish Council's concern that the District Council's preferred option of maintaining an injunction on and charging order against the site, rather than taking ownership of it, was hampering its future management. The Planning Sub-Committee **DEFERRED** any further discussion of the issues for six months to allow further consideration by officers in consultation with Cottenham Parish Council.

In connection with Moor Drove, Histon, Members discussed the fundamental issues of highway safety, and the impact both on the Green Belt and on the amenities of the immediate neighbours.

In connection with land to the west of Scotland Drove, Swavesey, Councillor Mrs DSK Spink expressed Members' appreciation of the prompt action taken by Enforcement officers and the Principal Solicitor in using their delegated powers to obtain an injunction.

In connection with Schole Road, Willingham, Members noted that officers were continuing to consult with Counsel, and would present another report to the Sub-Committee should Counsel advise that further legal action was necessary. Communication was a key factor in resolving this issue in the best interests of the Council and the family involved.

In connection with the preventative area injunction in Willingham, Members noted that the order would not prevent the sale of individual plots by any of the affected landowners, each of whom would soon receive an explanation as to the implications of the Injunction.

The Principal Solicitor informed the Sub-Committee about two other sites, about which she wished to make Members aware as a matter of urgency. In Rampton, land had recently been sold and Enforcement officers were trying to identify the new landowner. At Twentypence Road, Cottenham, land had been pegged out, and Enforcement officers were continuing to make enquiries as to the current situation. In each case, the Planning Sub-Committee **AGREED** that officers should continue to act under delegated powers for the time being.

The Meeting ended at 11.40 a.m.
