

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Sub-Committee held on
Tuesday, 27 February 2007 at 10.30am

PRESENT:	Councillor Dr DR Bard – Chairman	
Councillors:	SGM Kindersley Mrs HM Smith NIC Wright	NJ Scarr Mrs DSK Spink MBE
Officers:	Catriona Dunnett Steve Hampson Gareth Jones Tony Marks Philip Readman Ian Senior Kirsty Simmons Tim Wetherfield	Assistant Solicitor Executive Director Corporate Manager (Planning & Sustainable Communities) Enforcement Officer - Development Control Assistant Enforcement Officer Democratic Services Officer Corporate Project Officer Head of Policy and Communication

Councillors RMA Manning, MJ Mason and TJ Wotherspoon were in attendance, by invitation.

Apologies for absence were received from Councillor Mrs PS Corney (a local Member for Willingham) and Simon McIntosh (Corporate Manager (Policy, Performance and Partnerships))

1. APPOINTMENT OF VICE-CHAIRMAN

Councillor SGM Kindersley nominated Councillor NIC Wright as Vice-Chairman of the Sub-Committee. This was seconded by Councillor Mrs DSK Spink and, there being no further nominations, it was

RESOLVED that Councillor NIC Wright be appointed Vice-Chairman of the Planning Sub-Committee for the remainder of 2006-07.

2. DECLARATIONS OF INTEREST

Councillor SGM Kindersley declared a personal interest as a Cambridgeshire County Councillor.

Councillor RMA Manning declared a personal interest as a member of Willingham Parish Council.

3. MINUTES OF PREVIOUS MEETING

The Sub-Committee agreed that the Minutes of the meeting held on 30 November 2006 were a true and accurate record.

4. OPTIONS AVAILABLE IN RESPECT OF ONGOING BREACHES OF PLANNING AT SMITHY FEN, COTTENHAM

Having received advice from the Assistant Solicitor in connection with procedural matters under the Council's Standing Orders, the Chairman agreed to receive statements from the Chairman of Cottenham Parish Council.

The Planning Sub-Committee considered a report setting out a number of options available to the Council in respect of Victoria View, Smithy Fen, Cottenham and Plot 17 to the rear of Pine View, Smithy Fen following the failed appeal by the occupiers of the unauthorised plots and the successful outcome of the land clearance action at Pine View.

Commenting on the report, Mrs Paula Johnson, Chairman of Cottenham Parish Council, said that the Parish Council did not support the permanent legitimisation of temporary planning permission. She voiced reservations about taking action against the occupier of Plot 12 Victoria View until such time as the health implications for the occupier had been fully considered. South Cambridgeshire District Council should renew the search for potential new Traveller sites, and smaller plots, within its ownership. In reply, the Corporate Manager (Planning and Sustainable Communities) said that the latest Circular supported the grant of temporary consent in advance of a Gypsy and Traveller Development Plan Document. However the Council had to balance individual circumstances and ongoing harm before agreeing to a temporary consent. The Council had agreed this course of action on a number of sites but it was not appropriate at others.

The Chairman invited other members of the public to address the meeting. Nobody accepted this invitation.

Members discussed the following points:

- The implications that an appeal by one individual on the likely time frame involved and the cost effectiveness of taking action against only part of the site at Victoria View.
- The extent of the land subject to the injunctive action.
- The need to liaise with the Commission for Racial Equality and the Ormiston Children and Families Trust
- The importance of involving Cambridgeshire County Council in the search for new Traveller sites, in the interests of partnership working.
- The relationship between the Regional Spatial Strategy and the Council's Gypsy and Traveller Development Plan Document
- The option of requiring land to be provided in a way similar to the requirement for affordable housing
- The requirement to take personal circumstances into account.

Deleting Recommendation 2 in the report (deemed superfluous given the need to take account of the needs of all people on the land concerned, not just one individual), the Planning Sub-Committee **RESOLVED**

1. that, subject to further consideration being given to Human Rights Act implications, the assessment of need, and the personal circumstances of those affected, action be taken in the High Court to obtain injunctions under Section 187 of the Town and Country Planning Act 1990;
2. that the search of Council-owned property be refreshed with search parameters being modified where necessary in order to increase the chances of success;
3. that the Sub-Committee Chairman write to Cambridgeshire County Council seeking its help in identifying County Council owned land suitable for new Traveller sites; and

4. that in developing an action plan, the Council draws on the specific expertise of the Commission for Racial Equality, GO-East and the Ormiston Children and Families Trust.

5. LAND AT THE ORCHARD, SMITHY FEN, COTTENHAM - VERBAL UPDATE

The Corporate Manager (Planning and Sustainable Communities) reported verbally on the successful enforcement of the Court Order obtained by the landowner. A few issues remained outstanding, relating among other things to fencing, and officers were continuing to provide the landowner with appropriate advice in addressing such concerns.

The following points were made:

- Timing of the implementation of future actions was constrained by the availability of appropriate resources
- Injunctions, once obtained, were not time limited
- The prioritisation of plans to permit as lawful sites appropriate sites that had formerly been unauthorised.

6. MOOR DROVE, HISTON - VERBAL UPDATE

The Corporate Manager (Planning and Sustainable Communities) reported verbally on possible steps being considered by Travellers in an effort to address a number of issues at the site, and to overcome the continuing harm caused by noise and vehicular access. Officers would continue to monitor the situation in association with local Members. If significant changes were made, they would be reported back to Members for decision.

The Sub-Committee urged officers to remind the Council's legal representatives in London about its resolution of 11 October 2006, reaffirmed at the meeting on 30 November 2006, that proceedings be issued in the High Court to bring about a cessation of all unlawful activities at Moor Drove, Histon. The Corporate Manager (Planning and Sustainable Communities) acknowledged the urgency of the situation and said that appropriate action would be taken, subject to the availability of the necessary resources. However, the necessary statements had been produced and conveyed to the Council's legal advisors.

7. TRAVELLER SITES IN WILLINGHAM - VERBAL UPDATE

The Planning Sub-Committee received information, both in tabular and graphical format, relating to the bi-annual caravan count in Willingham. The figures related to half-yearly changes in the number of caravans and sites between July 2003 and January 2007. Over the four year period as a whole:

- The number of authorised sites had increased from five to nine
- The number of authorised caravans had increased from 23 to 50
- The number of unauthorised sites had increased from one to three
- The number of unauthorised caravans had increased from one to seven

The following points were made:

- Travellers were a well-established part of the community and contributed to village life

- Fluctuations in numbers during the four-year period had caused pressures for local services and amenities.

The Head of Policy and Communication reflected Members' concerns about increases in the level of unauthorised development that had occurred at times within the four-year period. As lead officer for the Council's Race Equality Scheme, he highlighted the Council's commitment to treating everyone fairly and justly, whatever their race or background.

The Chairman paid tribute to the efforts being made by the Council's Enforcement Officers to regularise the situation in Willingham. The District Council would continue to monitor developments in conjunction with Cambridgeshire County Council in an effort to resolve any difficulties. In doing so, due regard would be given to the need to treat all sections of the community fairly and justly. Subject to the need for confidentiality, updates on officer deliberations would be shared with Members, where relevant.

Evidence was being produced to support an application for a preventative injunction on land around three Drove roads within the parish.

It was agreed that local Cambridgeshire County Councillors, particularly those representing Cottenham, Histon and Willingham, should be invited to future meetings of the Planning Sub-Committee.

8. DATE OF NEXT MEETING

The next meeting of the Planning Sub-Committee will take place on Thursday 22 March 2007, starting at 9.00am in the Swansley Room.

The Meeting ended at 11.55 a.m.
