

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on
Thursday, 25 July 2013 at 2.00 p.m.

PRESENT: Councillor David Bard – Chairman
Councillor Sue Ellington – Vice-Chairman

Councillors: Richard Barrett, Trisha Bear, Brian Burling, Tom Bygott, Nigel Cathcart, Pippa Corney, Kevin Cuffley, Simon Edwards, Alison Elcox, Andrew Fraser, Jose Hales, Roger Hall, Lynda Harford, Tumi Hawkins, Mark Hersom, Roger Hickford, James Hockney, Mark Howell, Clayton Hudson, Caroline Hunt, Peter Johnson, Sebastian Kindersley, Douglas de Lacey, Janet Lockwood, Mervyn Loynes, Ray Manning, Mick Martin, Raymond Matthews, Cicely Murfitt, Charles Nightingale, Tony Orgee, Robin Page, Alex Riley, Deborah Roberts, Neil Scarr, Ben Shelton, Hazel Smith, Jim Stewart, Edd Stonham, Peter Topping, Robert Turner, Susan van de Ven, Bunty Waters, Aidan Van de Weyer, David Whiteman-Downes, Tim Wotherspoon and Nick Wright

Officers:	Alex Colyer	Executive Director, Corporate Services
	Jean Hunter	Chief Executive
	Fiona McMillan	Legal & Democratic Services Manager and Monitoring Officer
	Graham Aisthorpe-Watts	Democratic Services Team Leader
	Keith Miles	Planning Policy Manager

Apologies for absence were received from Councillor Val Barrett, Francis Burkitt, Jonathan Chatfield, Neil Davies, Steve Harangozo, David McCraith, Bridget Smith and John Williams.

20. DECLARATIONS OF INTEREST

Councillors Roger Hickford, Sebastian Kindersley, Mervyn Loynes, Ray Manning, Tony Orgee, Peter Topping and Susan van de Ven declared non-pecuniary interests in minute number 33(a) as Members of Cambridgeshire County Council.

Councillor Sue Ellington declared a non-disclosable pecuniary interest in minute number 33(b) as she owned a pest control business.

21. REGISTER OF INTERESTS

No changes were reported by Members with regard to their Register of Members' Financial and Other Interests forms.

22. MINUTES

The minutes of the previous meeting of Council held on 23 May 2013 were confirmed and signed by the Chairman as a correct record, subject to the amendment of a typographical error under minute number seven on page four.

23. ANNOUNCEMENTS

Councillor David Bard, Chairman of the Council, reported the death of former Councillor Paul Rayment, who passed away on 15 June 2013 aged 80. Paul Rayment represented the Histon ward from 1995 to 1999.

Councillor Bard also reported the resignation of Sally Hatton as a District Councillor for the Sawston ward, which had been received on 3 June 2013, and took this opportunity to thank her for her contributions in her time with the Council.

Jean Hunter, Chief Executive, provided Members with the results of the District Council by-election for the Sawston ward held on 18 July 2013. The Council congratulated Councillor Kevin Cuffley on being elected and welcomed him to his first meeting.

Councillor Bard informed Council that the Parklife event would be held on Sunday 4 August 2013 and called for any volunteers to assist in stewarding on the day.

24. QUESTIONS FROM THE PUBLIC

No questions from the public had been received.

25. PETITIONS

Councillor David Bard, Chairman of the Council, reported that an e-petition of 306 signatures had been received, which met the trigger for a petition to be debated at a meeting of the Council, entitled 'Proposed Submission Local Plan'.

Fiona McMillan, the Legal and Democratic Services Manager, advised Members that the legislation governing petitions specifically excluded making a decision on a development plan document as the Government did not wish to duplicate where established procedures already existed for local communities to have their say, via the local plan consultation process. However the council's procedures for how the local plan process was delivered were within the scope of a valid petition according to guidance, but Council was informed that it should restrict its consideration of the matter to whether it believed due process had been followed rather than considering any particular site."

Keith Miles, Planning Policy Manager, was invited to provide the Council with a brief presentation on the background and process that had been followed to date with regard to the Local Plan.

Mr Miles referred to the National Planning Policy Framework published by the Government last year, which said that in circumstances where a Council did not have a five year supply of deliverable housing land, policies for housing within adopted plans should be treated as out of date. As a result, it stated that planning applications for housing development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed either against specific policies or the National Planning Policy Framework taken as a whole. Mr Miles stated that there had already been a spate of appeals allowed across the country for varying scales of development. He also reported that the Proposed Submission Local Plan was based on more up to date evidence of the Council's housing needs over the next 20 years, as required by the National Planning Policy Framework. Cabinet decided at its meeting on 27 June 2013 that the draft Local Plan housing target and plan period should be used to calculate the Council's five year supply and on that basis it had a five and a half year supply.

Mr Miles reminded Members that the Council was over two years into the process of producing its Local Plan and public consultation on the draft version began on 19 July 2013, running for just over ten weeks to end on 30 September 2013. Much of the first year involved evidence gathering, including undertaking a Strategic Housing Land Availability Assessment to identify candidate housing sites that were available and deliverable for inclusion in the Plan. Over 300 sites were submitted for assessment and a further 58 sites were submitted and tested during 'Issues and Options 1'. Another 40 sites were tested on the edge of Cambridge. Over the last 12 months two rounds of consultation had been undertaken on the issues and options for the draft Local Plan, including 62 possible housing site options. Reports on the results of the two rounds of consultation, which consisted of over 30,000 responses, were considered by Cabinet and the Portfolio Holder for Planning Policy and Localism, further to which 13 new housing proposals had been included in the draft Local Plan having originally been identified in the Issues and Options consultations.

The consultation process that had recently commenced on the draft Local Plan provided a final 'health check' that the Plan's proposals were sound before submission to the Secretary of State. The consultation specifically asked whether the Plan was legally compliant and soundly based. All representations received would be reported to Council early in 2014 and if no significant issues were raised that meant changes should be made to the Local Plan, the Plan and all of the evidence underpinning it, including all of the representations, would be sent to the Secretary of State. An Inspector would then be appointed to hold an examination to determine whether the Plan was sound, which in accordance with the current programme would commence in summer 2014.

The Chairman invited Des O'Brien to present his e-petition.

Mr O'Brien informed Council that he represented the views of thousands of people who had come forward to support this campaign, including the Member of Parliament for Cambridgeshire South, Andrew Lansley, who had specifically called for a review of the strategy.

Mr O'Brien and the signatories to his petition were dismayed at the lack of vision in the South Cambridgeshire Submission Local Plan and contended that the consultation processes undertaken to date were little more than public relations exercises designed to obfuscate rather than clarify. He asked, for example, why Bourn Airfield and West Cambourne were clearly described in the original consultation documents as sites with limited development potential.

Supporters of the petition strongly contended that the Council had acted passively by letting landowners and developers submit sites for consideration, showing that the Plan was not positively prepared which Mr O'Brien felt was a key test of soundness. He was also opposed to the concept of waiting for sites to be delivered to the Council, immediately abrogating any responsibility for devising a planning vision and asked why a site that had been refused planning permission three times in the recent past and had not appeared on either the 2004 or 2007 Local Plans had suddenly been considered as a suitable candidate for the list.

Focussing on justification as a key test for soundness, Mr O'Brien referred to a map of the district and asked whether anyone had observed that the whole of South Cambridgeshire's rail infrastructure, most of its road infrastructure and its nearest airport were all located towards the south of the district. He also observed that Bar Hill, Cambourne, Northstowe, Waterbeach, West Cambourne and Bourn Airfield were all clustered in an area little more than a quarter the size of the whole district. Stating that 37% of houses built in South Cambridgeshire between 2002 and 2012 were in the two

wards of Bourn and Caldecote, Mr O'Brien claimed that this was unfair and unjustifiable. By including Bourn and West Cambourne as new settlements, he was of the view that the Plan failed to meet basic planning principles on the separation of settlements and would lead to the coalescence of existing villages into a ribbon of development.

In closing, Mr O'Brien said that the Plan showed a lack of meaningful consultation, a lack of strategic vision and too much influence from developers and landowners, making it flawed.

Councillor Pippa Corney, Portfolio Holder for Planning Policy and Localism, was given an opportunity to respond to the petition.

Councillor Corney reiterated the process followed so far to get to this stage of the Local Plan's production and stated that the Council had undertaken an extensive and detailed assessment of available sites through the Strategic Housing Land Availability Assessment. She reported that over 400 sites had been assessed by the Council, each covering a range of sizes, types and locations. 62 sites remained, having gone through the same assessment process, but the 62 sites would have delivered many more houses than were required. In responding to a comment in the petition accusing the Council of being passive, Councillor Corney reminded Members that the Strategic Housing Land Availability Assessment process followed was best practice amongst local authorities nationwide. The 62 sites were finally whittled down to 13 sites across the district and Councillor Corney stated that the National Planning Policy Framework guidelines advised that all sites must be viable and deliverable, emphasising that they must include a willing land owner and a willing developer. She confirmed that all sites included in the draft Local Plan adhered to these requirements and was confident that the Plan would meet the test of soundness when it was presented to the Inspector next year.

Councillor Corney took this opportunity to praise the Council's very experienced team of officers who had worked extremely hard over the last two years to get the Plan to its current stage. She urged anyone who had concerns about any proposal in the Local Plan to attend one of the many exhibitions across South Cambridgeshire or make a representation online to ensure that they had their say.

In closing, Councillor Corney reminded Members that this draft Local Plan had been through four workshops for District Councillors, numerous parish workshops, three public Portfolio Holder meetings and a meeting of Cabinet and not once had any question been raised as to the Plan's soundness.

The Chairman invited Members to debate the petition, during which the following comments were noted: -

- the Plan lacked direction and failed to outline links to transport infrastructure;
- there was too much emphasis in the Plan on new settlements;
- a new 'super town' in a ribbon development would change the rural aspect of the district;
- any new significant development needed to be located close to employment opportunities and the transport infrastructure. The south of the district had good road and rail links, but the majority of the sites included in the Plan were proposed for the north of the district;
- demand for housing in South Cambridgeshire was high, so the Council had a difficult balance to strike;

- sites had to be allocated in the Plan where the land was available and where there was willing from the land owner and a developer. If these sites were not included in the Local Plan the land may never come forward, which would leave the Council extremely vulnerable to opportunist developers;
- small amounts of development in the district's villages was not practical and would cause considerable problems to communities across the district who already experienced difficulties with traffic congestion and a lack of places at schools. Splitting up development in this fashion would also make Section 106 Agreements or Community Infrastructure Levy entitlements too small to take things forward;
- if the Council significantly changed the Plan at this late stage it would mean starting the process again, which would leave every village in the district in a very vulnerable position from the perspective of additional development;
- the Council could lose control if it did not demonstrate a five year supply of land for housing development in the Local Plan, resulting in successful appeals by developers;
- there was no support in the workshops for a development at Bourn Airfield;
- it was unclear where the drainage and run-off would go to in respect of the proposed Bourn Airfield development, as well as the other large developments identified in the Plan;
- the building of new settlements in South Cambridgeshire had been successful and were working well;
- the selection of Bourn Airfield as a site for housing development went against the Council's Cambridge and South Cambridgeshire Sustainable Development Strategy Review (November 2012). It was not a sustainable proposal and should not have been selected as part of this process;
- in terms of other new developments in South Cambridgeshire, Cambourne had not worked and Northstowe had been on-going for ten years with nothing yet to show for it. Bourn Airfield should be withdrawn from the Local Plan as a housing development site, with 3,000 additional houses being reallocated to the Northstowe development;
- the Local Plan lacked strategic initiative and was inconsistent with national policy. It should have been recommending additional houses as part of the Northstowe development;
- in terms of new development sites, the developments at Cambourne and Bar Hill could not be replicated as they were built in a different time and a different 'planning world';
- 3,000 homes as a starting point for new developments would not create sustainable communities;
- The Local Plan public consultation process should continue, allowing the Inspector to make a decision at the appropriate time having seen all of the arguments presented.

Councillor Pippa Corney acknowledged the comments put forward and specifically made reference to the proposal to add 3,000 houses to the Northstowe development. She highlighted that the Local Plan identified 20,000 houses for development in South Cambridgeshire and 6,000 of those had already been allocated to Northstowe. Adding more houses to Northstowe, in her opinion, would not ensure the houses were built any quicker.

Councillor Corney urged people to now make representations as part of the consultation process online or at the public exhibitions scheduled to be held over the next couple of months and gave an assurance that the Council would be listening to any views put forward, which she said at this stage of the process were very important. She agreed

that further public exhibitions would be arranged for the villages of Bourn and Caxton as requested by the petitioners.

Council **NOTED** the petition.

26. TO CONSIDER THE FOLLOWING RECOMMENDATIONS:

(Councillors James Hockney and Peter Johnson left the meeting at this stage of proceedings)

26 (a) Amendments to the Council's Constitution (Civic Affairs Committee 20 June 2013, Scrutiny and Overview Committee 4 July 2013 and Partnerships Review Committee 11 July 2013)

Council considered a report setting out proposed amendments to its Constitution following the decision at the Annual General Meeting to introduce the Partnerships Review Committee as a second scrutiny and overview committee and abolish the Sustainable Energy Committee.

Councillor Ben Shelton proposed the recommendations set out in the report, which was seconded by Councillor Ray Manning, Leader of the Council, and with 30 votes in favour, 12 against, 3 abstentions and 2 not voting Council **APPROVED**: -

- (a) The revised version of Article 6 of the Constitution, as set out in Appendix A to the report, incorporating the amendment outlined in Appendix C.
- (b) The revised version of the Scrutiny and Overview Procedure Rules, as set out in Appendix B to the report, incorporating the amendment outlined in Appendix C.
- (c) The amendment of those sections of the Constitution referred to in paragraph 10.1 of the report to reflect the establishment of the Partnerships Review Committee as a second scrutiny and overview committee.
- (d) The amendment of the Member role descriptions under Part 5 of the Constitution relating to the Scrutiny and Overview Committee so that they apply to both the Partnerships Review Committee and the Scrutiny and Overview Committee.
- (e) The allocation of the Partnerships Review Committee as the authority's Crime and Disorder Committee.

27. REVIEW OF POLITICAL BALANCE AND THE ALLOCATION OF SEATS TO COMMITTEES

A report was considered which provided Council with an opportunity to review the authority's political balance and reconsider the allocation of seats to committees following the election of a Conservative Councillor to a seat previously held by an Independent Councillor at the Sawston by-election held on 18 July 2013.

Councillor Ray Manning proposed the recommendations set out in the report. Councillor Sebastian Kindersley seconded the proposal, subject to Councillor Jose Hales being appointed to the Civic Affairs Committee. Councillor Manning accepted this amendment as part of his motion and Council unanimously: -

a) **APPROVED** the allocation of seats on committees as follows: -

	No. of seats	Conservatives	Liberal Democrats	Independents
Civic Affairs	13	8	4	1
Corporate Governance	8	5	2	1
Employment	8	5	2	1
Licensing	15	9	4	2
Planning	13	9	3	1
Partnerships Review	9	5	3	1
Scrutiny and Overview	9	6	2	1
Total	75	47	20	8

b) **APPROVED** the nominations of political groups to seats on committees, as set out in Appendix B to the report, subject to Councillor Jose Hales being appointed to the Civic Affairs Committee.

28. **APPOINTMENT OF A MEMBER AND SUBSTITUTE MEMBER TO CAMBRIDGESHIRE COUNTY COUNCIL'S ADULTS, WELLBEING AND HEALTH OVERVIEW AND SCRUTINY COMMITTEE**

Council considered an invitation from Cambridgeshire County Council to appoint a representative and substitute member to sit on its Adults, Wellbeing and Health Overview and Scrutiny Committee.

Councillor Ray Manning nominated Councillor Roger Hall as the Council's representative, which was seconded by Councillor Simon Edwards.

Councillor Sebastian Kindersley nominated Councillor Bridget Smith as the Council's representative, which was seconded by Councillor Deborah Roberts.

Councillor Hall left the Council Chamber during the undertaking of a vote and Councillor Bridget Smith, having submitted an apology for absence for this meeting, was also not present in the Chamber. With 21 votes for each candidate, 1 abstention and 3 not voting the Council was required to hold a second vote in accordance with Standing Order 16.7 due to the result being a tie. In voting for the second time, with 23 votes compared to 21, Council **APPOINTED** Councillor Bridget Smith as the authority's representative on Cambridgeshire County Council's Adults, Wellbeing and Health Overview and Scrutiny Committee.

Councillor Ray Manning nominated Councillor Andrew Fraser as the Council's substitute member, which was seconded by Councillor Richard Barrett.

Councillor Douglas de Lacey nominated Councillor Roger Hall as the Council's substitute member, which was seconded by Councillor Tumi Hawkins.

Both nominees left the Council Chamber during the undertaking of a ballot and, with 23 votes compared to 18, Council **APPOINTED** Councillor Andrew Fraser as the authority's substitute member on the Cambridgeshire County Council's Adults, Wellbeing and Health Overview and Scrutiny Committee.

29. **APPOINTMENT TO THE INDEPENDENT REMUNERATION PANEL**

Council considered a report which provided Members with an opportunity to agree the membership of the Independent Remuneration Panel.

Council unanimously: -

- (a) **RE-APPOINTED** Mr Graham Jagger as a member of the Independent Remuneration Panel for a three year term of office, with an expiry date of 31 July 2016.
- (b) **CONFIRMED** that the level of expenses paid to the individual members of the Independent Remuneration Panel be no more than £200 each per financial year, with the final amount payable to be agreed by the Executive Director, Corporate Services in consultation with the Leader of the Council.

30. **RISK MANAGEMENT STRATEGY**

Consideration was given to a report which provided Council with an opportunity to review the authority's Risk Management Strategy and Strategic Risk Register.

Council **NOTED** the report.

31. **QUESTIONS ON JOINT MEETINGS**

No questions on joint meetings were received.

32. **UPDATES FROM MEMBERS APPOINTED TO OUTSIDE BODIES**

32 (a) **Health and Wellbeing update by Councillor Sue Ellington**

Council **NOTED** an update report on the Cambridgeshire Health and Wellbeing Board by Councillor Sue Ellington in her capacity as Health and Wellbeing Champion.

33. **QUESTIONS FROM COUNCILLORS**

33 (a) **From Councillor Tumi Hawkins**

Councillor Tumi Hawkins asked the Portfolio Holder for Planning Policy and Localism the following question: -

"The Cambridgeshire Future Transport project was supposed to be working with communities to come up with alternatives to replace subsidised buses in the district. Unfortunately, that work came to a screeching halt in May, and is currently in limbo because the County Council officer leading the project left and has not been replaced. During the months before it stopped, a lot of effort had been put in by our officer working in partnership with the County Council lead officer, to use the Demand Responsive Transport scheme proposed by this authority, as a basis for alternative solutions. That work, particularly in Area C, is now in jeopardy and residents are in despair due to the

uncertainty of the situation. What is this authority doing to encourage its “partner” the County Council to restart the project and what help is being offered to our officer to keep the project alive?”

Councillor Pippa Corney, Portfolio Holder for Planning Policy and Localism, informed Members that the County Council had lost key staff with regard to this project at the same time as the elections in May 2013, which, she reminded Members, had brought significant changes to the political makeup of the authority. Councillor Corney was much more confident, however, that this piece of work would pick up the pace over the coming months following a meeting she had recently attended and emphasised that things had not stopped from the District Council’s perspective. She reported that the new County Council officer should be in post by September 2013 and that the County Council’s team had been invited to use officers from South Cambridgeshire District Council and Huntingdonshire District Council in the interim period to keep the projects moving.

As a supplementary question, Councillor Hawkins asked: -

“Given that the project is now behind schedule for completion by September 2014, can I get an assurance that the project will be finished by that date?”

Councillor Corney was not in a position to give that assurance, but stated that she had heard nothing to suggest that the original completion date would not be achieved. She added that the project was making progress and had been able to deliver successful programmes already.

33 (b) From Councillor Hazel Smith

Councillor Hazel Smith asked the Leader of the Council the following question: -

“I note that the capital estimate for the Environmental Health portfolio shows a reduction of £139,000 between 2012-13 and 2013-14, so reductions in service are inevitable. While regretting the loss of a council service that is very important in this rural area - Pest Control - can the Leader tell us how the council will ensure that council properties that need this service will be treated as quickly and cost-effectively by private contractors, and how are we fulfilling the specific duty to the public under The Prevention of Damage by Pests Act 1949 to deal with rats and mice?”

Councillor Mick Martin, Portfolio Holder for Environmental Services, answered the question on behalf of the Leader of the Council and clarified that the £139,000 was nothing to do with stopping the Pest Control service. When the Council started charging for its Pest Control service, which it was entitled to do, people tended to prefer using private providers instead of the Council’s service. There was a capital cost to take into consideration when subsidised against commercial competition and this was the main reason why a notice to cease the service had recently been issued.

Councillor Martin stated that the Council had a responsibility to survey any buildings or land that it owned and ensure adequate pest control measures were applied when necessary, which it would continue to do. He added that the Council’s Environmental Services section had undergone a significant re-structure, saving the Council £150,000 per annum, resulting in more effective and efficient service delivery and invited any Member of the Council to visit teams within the service should they need any convincing.

As a supplementary question, Councillor Smith asked: -

“Is the Council on track to make its required reductions or are there further cuts in the pipeline?”

Councillor Martin said that no specific solutions had been identified within his Portfolio at this stage and that this was a corporate-wide issue.

33 (c) From Councillor Susan van de Ven

Councillor Susan van de Ven asked the Portfolio Holder for Housing the following question: -

“Can the Portfolio Holder for Housing please clarify the council's policy on self-build housing, as a potentially useful tool in the quest to bring more affordable housing to residents of all South Cambridgeshire villages, and including eco homes which may or may not comply with traditionally accepted standards of appearance?”

Councillor Nick Wright, Portfolio Holder for Planning and Economic Development, answered the question on behalf of the Portfolio Holder for Housing and stated that the Council was very supportive of self-build housing in the district, which was referred to in the draft Local Plan currently out for public consultation. Proposals for eco homes were also welcomed and the first three had already come forward. He informed Members that a project was currently on-going for 40 self-build properties at Orchard Park and the Council was also exploring the prospect of including some as part of the Northstowe development.

As a supplementary question, Councillor van de Ven recommended the encouragement of take-up by including an article in the Council's magazine and asked: -

“What can we all do to bring this forward, not just in terms of new development sites but for everyone?”

Councillor Wright, whilst agreeing with the need for encouragement, reminded Members that delivery was not always as straightforward as it seemed and cited Peterborough as an example where plots were still empty after ten years. In closing he referred to the fact that Ministers were promoting self-build development, which also had Government support, and that the Council would take it forward through its Local Plan.

33 (d) From Councillor Aidan Van De Weyer

Councillor Aidan Van De Weyer asked the Portfolio Holder for Housing the following question: -

“Can you provide a detailed presentation of the data that you hold on complaints to this Council and to Mears relating to repairs and maintenance of council houses, including numbers of complaints, the nature and severity of the issue, outcomes whether positive or unresolved, the time between complaint and resolution, and who handled the complaint?”

Councillor Mark Howell, Portfolio Holder for Housing, reported that 40 complaints had been forwarded to Mears in the first 12 months of its contract with the Council, with 39 being resolved and one currently with Mears' insurers which involved a minor injury. He reported that these complaints had all been investigated and resolved within the ten day limit for stage one complaints and confirmed that complaints were handled by Mears and

by the Council's housing staff.

As a supplementary question, Councillor Van De Weyer asked: -

"Are there particular measures in place to encourage complaints or feedback?"

Councillor Howell said that feedback was encouraged, with operatives provided with feedback forms which tenants were asked to complete either in writing, online or via the telephone. The information from these forms, together with any complaints submitted, were very well received by Mears and the Council's Housing team.

34. NOTICES OF MOTION

No Notices of Motion had been received.

35. CHAIRMAN'S ENGAGEMENTS

Engagements undertaken by the Chairman and Vice-Chairman since the previous meeting, as set out on the agenda, were noted.

The Meeting ended at 3.43 p.m.
