

**REPORT TO:** Cabinet

14 January 2016

**FROM:** Orchard Park Working Group

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## **REVIEW OF LESSONS LEARNED FROM ORCHARD PARK**

### **Purpose**

1. To outline the findings of the Working Group set up to review the lessons learned from Orchard Park.
2. This is a key decision because it is significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.

### **Recommendations**

3. It is recommended that Cabinet endorse the final recommendations of the Working Group.

### **Reasons for Recommendations**

4. Interim recommendations were endorsed by Cabinet on 9 July 2015 and presented to the Northstowe Joint Development Committee (NJDCC) for consideration and endorsement prior to its deliberations on 29 July 2015.
5. Additional recommendations have been made following further work by the group. On 5 November 2015 the additional recommendations were agreed by the Scrutiny and Overview Committee which recommended their endorsement by Cabinet.

### **Background**

6. Following a Member's suggestion at Council in June 2014 Scrutiny & Overview Committee agreed on 3 July 2014 to set up a Working Group to review the lessons learned from Orchard Park. It was agreed that the group's remit would be to look at how the recommendations made in 2008 by the Scrutiny and Overview Committee regarding Orchard Park [then called Arbury Park] had been implemented, if they had been applied to subsequent developments and what the effects of them had been. The initial timescale for this work was estimated to be 12 months. However, in the light of the NJDCC being required to consider in July the application for Phase 2 of that development, the interim recommendations of the Working Group were considered to provide useful information to support its deliberations and were presented to them for that purpose.

7. The membership of the working group has consisted of:

- Cllr Lynda Harford (Chairman)
- Cllr David Bard
- Cllr Alison Elcox [until May 2015]
- Cllr Jose Hales
- Cllr Bunty Waters [since May 2015]
- Cllr Janet Lockwood [since May 2015]
- Cllr Kevin Cuffley [since June 2015]

The Working Group first met on 9 September 2014 and has been supported by officers from Democratic Services and the Sustainable Communities and Partnerships Team.

8. On 9 October 2008 Cabinet received a report from the Arbury Park Task and Finish Group which had been set up to examine questions raised by residents of the new development. Cabinet undertook to provide a response and action plan and this was presented to the Scrutiny and Overview Committee on 4 December 2008. The Scrutiny and Overview Committee welcomed the response and action plan and resolved to review it at a meeting in April 2009. The recommendations of the Arbury Park Task and Finish Group can be found at **Appendix A**.

9. A further report entitled 'Progress since the Task and Finish Group Review' was submitted to the Scrutiny and Overview Committee on 5 November 2009. At that time it was noted that the economic climate had changed significantly and subsequently its effects may have influenced implementation of some of the recommendations.

10. The setting up of the current Working Group was agreed in response to concerns expressed by a Local Member with regard to progress in resolving further issues at Orchard Park.

11. Interim recommendations were presented to the Scrutiny and Overview Committee on 30 April 2015 and endorsed by Cabinet on 9 July 2015. The interim recommendations were also presented to the NJDCC for consideration and were endorsed prior to its deliberations on 29 July 2015:

*Recommendation 1 – The decision to require a road adoption strategy for Northstowe should be replicated on all future developments.*

*Recommendation 2 – The good practice of school provision concurrent with first occupations should be continued.*

*Recommendation 3 – More consideration should be given to a greater variety of opportunities for social interaction for early occupants of new developments.*

*Recommendation 4 – South Cambridgeshire District Council should adopt the charging strategy used by Cambridge City Council in connection with pre-application advice.*

*Recommendation 5 – Consideration should be given to further work being carried out on 'New Town Blues' and the referral rates to social services and their impacts on costs for councils and other public services.*

*Recommendation 6 – Funding should be secured for training and/or technical support to be provided for parish councils affected by strategic development applications. There should be greater flexibility in the use of funds allocated.*

12. The final recommendations were presented to the Scrutiny and Overview Committee on 5 November 2015. The recommendations were agreed by the Committee and it requests that they are endorsed by Cabinet.

### **Considerations**

13. An initial list was drawn up of officers and stakeholders who would be able to provide evidence of compliance with, and the effects of, the recommendations from the 2007 review. The Working Group has looked at Orchard Park, Cambourne and the fringe sites.
14. Prior to the 30 April, the Working Group had met seven times, including its inception meeting plus attendance at an Orchard Park Community Council meeting. Those who were interviewed, consulted or supported included:
  - South Cambridgeshire District Council officers
  - Cambridge City Council officers
  - Cambourne Parish Council
  - Orchard Park Community Council
  - Local Members for Cambourne and Orchard Park
  - Peter Bailey (Dr), Cambourne Medical Practice
15. Since 30 April, the Working group has held or attended twelve further meetings. These included:
  - Further interviews with South Cambridgeshire District Council officers
  - Cambridgeshire County Council officers
  - Workshop with South Cambridgeshire District Council ward Councillors and parish council representatives
  - Attendance at the Southern Fringe and North West Cambridge Community Forums, plus surveying local residents
  - Four meetings with developers (Gallaghers, Taylor Wimpey, Hill and BPHA)
16. Each individual or group was asked to reflect on the 2007 review recommendations and asked for their view on how these had been taken forward and what effects they had observed following the recommendations being made.
17. The Working Group's general observation is that there is evidence that all the local authorities have been attentive to the majority of the recommendations and in many cases processes have been adopted to follow those recommendations. A summary of the findings with regard to each recommendation can be seen at **Appendix A**.
18. The following additional recommendations have been agreed by the Working Group:

**Recommendation 7 – Further clarification should be sought from the County Council on their guidance to developers regarding materials so that conflict at the point of road adoption is avoided.**

There is still some evidence of contrary views on the use of new technologies/materials at different stages in the process, notably at pre-application and adoption stages. Delays in road adoption are cited by residents as a significant cause for concern. This recommendation seeks to resolve one of the issues that may cause those delays.

**Recommendation 8 – Despite individual phases having their own design code, consideration needs to be given to including a review mechanism so that lessons can be incorporated as required particularly in developments with long build out rates.**

This recommendation has been made in view of evidence gathered that some flexibility is required to allow for advances in design etc over long build out periods.

**Recommendation 9 – Consideration be given to strengthening the formal monitoring process and increasing the proportion of developments scoring highly in connection with ‘Building for Life’.**

‘Building for Life’ allows a real measure of the quality of life that residents can expect. Its value should be emphasized through this recommendation.

**Recommendation 10 – Care should be taken to ensure community development work continues to focus on building resilient empowered communities rather than dependent communities. This should be done together with other key agencies.**

To achieve the best outcomes it is now acknowledged that responsibility lies with all stakeholders and that all statutory agencies can benefit from active participation in building resilient empowered communities.

**Recommendation 11 – Appropriate noise readings should be considered on any future development where a noise barrier is proposed and where there are residential developments on both sides.**

The original recommendation reflected apparently unique circumstances to date. It is considered, however, that this recommendation is a necessary precaution against similar circumstances arising in the future.

**Recommendation 12 – Consideration should be given to providing advice/guidance to clerks of parishes affected by large scale developments and clerks should be included as officers in officer working groups.**

This recommendation seeks to learn from the very good practice at Cambourne where an experienced clerk has been included in officer working groups. This has allowed the benefit of local knowledge as well as increasing community engagement.

**Recommendation 13 – The Council should develop some local principles for carrying out Community Governance Reviews, making it clear how and when a review will be considered in major growth areas.**

Experience has shown that there is a fine balance to be struck in the timing of carrying out a Community Governance Review. This recommendation seeks to endorse work that is being undertaken to establish good practice.

**Recommendation 14a – Replicate on other developments the good practice at Northstowe where close communication between the site manager and local residents has been established to address local concerns effectively and promptly.**

**Recommendation 14b: A communications protocol should be established at the start of each development to be used by the local authorities, master developers, house builders etc.**

The value of communication can never be overstated and efforts for continuous improvement should be pursued.

**Recommendation 15 – Permissions and S106 Agreements should always recognise the possibility that a master developer may not remain on site for the complete duration of the build out.**

It is acknowledged that with the increasing size of developments coming forward and the consequent long build out it may not be reasonable to expect that the master developer will be there for the whole period. This recommendation seeks to ensure that precautions are taken against this eventuality and avoid unnecessary complications that may result.

**Recommendation 16 – Master developers should be asked to consider facilitating with parcel developers a central information point.**

Previous experience at Cambourne, which was developed by a consortium of developers, showed the value of a central information point. Where a consortium is not in place there may not be spontaneous motivation to provide this resource.

**Recommendation 17 – Ensure that all health partners are consulted on planning applications and take on board the findings of the New Communities Joint Strategic Needs Assessment which will outline a mechanism for health partners to come together. In addition, health partners should come together at the earliest opportunity to discuss needs at strategic sites.**

This links to recommendation 10 and supports achievement of the same beneficial outcomes.

**Recommendation 18 – That both these recommendations and those from 2007 apply not just to strategic sites, but as appropriate to all majors.**

This review process has been acknowledged by stakeholders to have been beneficial to efforts for continuous improvement and it has been suggested that for consistency the recommendations should apply more widely.

**Recommendation 19 – That this exercise is repeated at appropriate intervals. This might be in conjunction with the drafting of a new local plan.**

As with recommendation 18, stakeholders have identified the benefits of carrying out a review and have suggested it should be repeated at appropriate intervals. It has been suggested that the appropriate time might be to coincide with the drafting of a new local plan in order that any recommendations can be appropriately reflected in policy.

**Recommendation 20 – Developers should be encouraged to commence engagement with parish councils at pre-application stage.**

The original task and finish group was convened to carry out work when something has already been identified as having gone wrong. This recommendation reflects a desire to be proactive and avoid as much as possible, any recurrence of such a need.

**Options**

19. Cabinet could:
- a. fully endorse the additional recommendations from the Working Group.
  - b. endorse some of the additional recommendations and suggest amendments to others, with an option for further work to be carried out by the Working Group.
  - c. refuse to endorse the additional recommendations from the Working Group.

**Implications**

20. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

***Financial***

21. The Working Group has not costed the work which would be required following endorsement of the recommendations if they are accepted.

***Staffing***

22. The Working Group has not estimated the staffing requirements that the recommendations would result in should they be accepted.

**Consultation responses**

23. Paragraphs 14 and 15 list those who have been interviewed, consulted or supported the review. The recommendations have been agreed by the Working Group and the Scrutiny and Overview Committee.

**Effect on Strategic Aims**

**Establish successful and sustainable New Communities with housing and employment at Northstowe and the major growth sites, served by an improved A14 and A428.**

24. The findings of the Working Group should directly impact the way in which the Council approaches strategic developments and aims to further support the work to establish successful and sustainable New Communities.

**Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

Arbury Park: Scrutiny Report

<http://moderngov/ieListDocuments.aspx?CId=293&MId=4021&Ver=4>

Cabinet Response to Arbury Park Report

<http://moderngov/ieListDocuments.aspx?CId=417&MId=4039&Ver=4>

Orchard Park Action Plan: Review

<http://moderngov/ieListDocuments.aspx?CId=417&MId=4039&Ver=4>

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