

Agenda Item No.2

ARBURY PARK (ORCHARD PARK) – LESSONS LEARNT

To: South Cambridgeshire In Your Patch

Date: Wednesday 10 December 2008

From: Director of Sustainable Infrastructure, Cambridgeshire County Council

1. INTRODUCTION AND BACKGROUND

1.1 At the In Your Patch meeting on the 24 September 2008, Members were provided with a short summary account of the Arbury Park development – now promoted as Orchard Park.

1.2 Members raised several concerns, summarised immediately below, and asked that they be discussed and responded to in more detail at the next meeting, using the Arbury Park Scrutiny Review Report, dated October 2008, as the main basis of discussion.

- Learning from the experiences of Arbury Park development and the need for all agencies to work in partnership
- Concerns that the area could degenerate into a lawless zone following the decision of builders to stop building; and
- The need to improve monitoring and enforcement of Section 106 agreements – to ensure infrastructure is delivered when needed.

1.3 The paper responds in detail on the issues directly related to the County Council. However, it is intended to form the basis for a discussion on the Arbury Park Scrutiny Report.

1.4 Since the In Your Patch meeting in September, a group of Officers from the County and South Cambridgeshire District Councils and Cambridgeshire Horizons together with representatives of the developers have been working to achieve a number of improvements to the Orchard Park site. The group has set itself a deadline of Christmas 2008 to achieve improvements to street lighting and landscaping, provision of a zebra crossing outside the primary school and the introduction of the Citi 4 bus service into the site.

2. MEMBERS' CONCERNS AND SCRUTINY REPORT RECOMMENDATIONS

2.1 This section of the report deals with the concerns expressed by Members at the last In Your Patch meeting and also the recommendations made in the Scrutiny Report as they affect the County Council.

Learning from the experiences of Arbury Park (Orchard Park)

- 2.2 Arbury Park (Orchard Park) received outline planning consent and S106 Agreement approval in June 2005. Subsequent to these processes, and those involving the development of Cambourne previously, the County Council has made the following improvements: -
- Internal cross-service County officer meetings to agree infrastructure requirements and to monitor the capital programmes;
 - Regular Legal/S106 meetings between officers of the local Councils and developer(s) to secure County requirements; and
 - Closer monitoring and enforcement of S106 triggers to ensure invoices are sent out, monies received when required and appropriate debt management processes employed to pursue outstanding invoices.
- 2.3 County Council officers participated in the Arbury scrutiny review as a main stakeholder and gave views from different service providers from within the County Council.
- 2.4 The report made some specific recommendations that affect the County Council and these are discussed below.
- 2.5 Recommendation 1d: The County and District Councils should specify road and footpath materials that are attractive as well as durable and fit for purpose. Planning permission should require the developer to provide and maintain paths and roads to an adoptable standard where houses are occupied.**
- 2.6 The County Council recommends that appropriate materials be used in new development. This is communicated through the Cambridgeshire Design Guide (produced by the County Council with support from Cambridgeshire Horizons and the City and District Councils), and consultation on site Masterplans and planning application discussions, which often include the production of Design Guides.
- 2.7 A balanced approach needs to be applied to highways to ensure that where footpaths and roadways near occupied housing are used by construction vehicles, they are kept to an acceptable standard but otherwise adopted at the earliest opportunity once they are used for residential purposes only.
- 2.8 Recommendation 4b: The counting of occupations should be done (at least monthly) by only one party – preferably the planning authority, to avoid duplication – and then shared with Parish, City, District and County Council colleagues.**
- 2.9 The County Council would support this joined up approach and already works with its partners to share information where possible.
- 2.10 Recommendation 7c: The Highways Agency and developer should communicate and consult fully with the Parish and District Councils regarding any proposals to alter major roads to new developments.**

- 2.11 New developments may include highway improvement schemes as part of the planning application. County Council officers would agree with the above recommendation and expect that the County Council be consulted to consider the wider impacts on the local highway network. The County Council is happy to assist the local Councils in discussions with the Highways Agency and the public.
- 2.12 Recommendation 9b: The Cambridgeshire Bus Team and other County Council colleagues should work closely with the planning authority to ensure the location of boundaries are agreed and observed.**
- 2.13 The County Council continues to work closely with the District and City Councils. There are informal and formal processes for the sharing of information. When it became apparent that the CGB might be built upon, the County Council contacted the house builder to ask that they take action. An acceptable solution was found to take the CGB scheme forward.
- 2.14 Recommendation 13b: Officers should urgently explore methods for ensuring that road nameplates and current road maps are available for the first residents of a new development. These may include contractually requiring the master developer to 1) provide road nameplates and locate them as guided by the County's Highway service, 2) provide simple, timely street maps and/or 3) deposit electronic plans with Section 38 agreements.**
- 2.15 The County Council would be pleased to assist with this recommendation.
- 2.16 Recommendations 14a, 14b, 14c & 14d: on the location of schools, phasing of delivery, design specification and class intake policy.**
- 2.17 The County Council seeks to site all new schools within major new development at locations central to its catchment area and with good pedestrian and cycle access from all directions. This approach is being pursued for all the growth areas.
- 2.18 New primary school(s) are often funded through Section 106 Agreements and the County Council negotiates the inclusion of appropriate triggers to ensure that land and funding is made available when needed so that the school(s) will be open on time.
- 2.19 Schools are currently provided through a competition process, which is managed by the County Council, and includes the latest design specification requirements that are set out by Government and advice from County Education Officers. Cambridgeshire new schools, such as Orchard Park, often exceed minimum requirements and can include environmental features to improve energy efficiency and reduce energy costs.
- 2.20 The criteria for admission to schools is set out by the governing or admission body of the school (which may or may not be the County Council) following consultation. Published criteria must comply with the Department for Children, Schools and Families Code of Practice for Admissions, which is predicated on the promotion of parental preference and fairness. The County Council could limit initial reception class intake to new schools and phase increases in admission in line with forecast in-catchment pupil data to ensure that new schools grow at the same rate as the

development. However , it is not possible to limit children from outside the development attending the school if there are places available

Concerns that the area could degenerate into a lawless zone following a decision to stop building

- 2.21 The County Council will ensure that where it is responsible for land and/or infrastructure, it will be tidied and where appropriate, made secure, to discourage the opportunity for anti-social behaviour to occur. The County Council has also agreed to participate in a joint local councils and Cambridgeshire Horizons initiative to improve matters, where it can, on matters such as landscaping work, introduction of the Citi 4 bus service to the site and fixing/turning on of street lamps.

Monitoring and enforcement of S106 agreements

- 2.22 The local planning authority will monitor S106 agreements and provision is usually included within S106 agreements to contribute towards the cost of this monitoring. The County Council has increased its own monitoring and debt management activities for S106 contributions, as they affect County Council services, to ensure that invoices are issued promptly when triggers are reached and that monies are received when needed to meet the costs of infrastructure.

3. CONCLUSIONS

- 3.1 County Council officers welcomed the opportunity to participate in the review. The recommendations made by the report, which apply to the County Council, are noted and supported and compliment lessons learnt exercises in ensuring the continual improvement of County Council services.