

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Council held on
Thursday, 4 June 2015 at 6.00 p.m.

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

Councillors: David Bard, Val Barrett, Henry Batchelor, Anna Bradnam, Tom Bygott, Nigel Cathcart, Grenville Chamberlain, Graham Cone, Pippa Corney, Christopher Cross, Kevin Cuffley, Neil Davies, Simon Edwards, Jose Hales, Roger Hall, Lynda Harford, Philippa Hart, Tumi Hawkins, Roger Hickford, James Hockney, Mark Howell, Caroline Hunt, Peter Johnson, Sebastian Kindersley, Douglas de Lacey, Janet Lockwood, Mervyn Loynes, Ray Manning, Mick Martin, Cicely Murfitt, Charles Nightingale, Des O'Brien, Robin Page, Alex Riley, Deborah Roberts, Tim Scott, Ben Shelton, Bridget Smith, Hazel Smith, Edd Stonham, Peter Topping, Richard Turner, Robert Turner, Bunty Waters, Aidan Van de Weyer, John Williams and Nick Wright

Officers:	Alex Colyer	Executive Director, Corporate Services
	Gary Duthie	Senior Lawyer
	Jean Hunter	Chief Executive
	Fiona McMillan	Legal & Democratic Services Manager and Monitoring Officer
	Graham Watts	Democratic Services Team Leader

1. APOLOGIES

Apologies for absence were received from Councillors David Bard, Brian Burling, Andrew Fraser, Raymond Matthews, Tony Orgee, David Whiteman-Downes and Tim Wotherspoon.

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

3. SUSPENSION OF THE EXAMINATION OF THE SUBMITTED LOCAL PLAN

Councillor Sue Ellington, Chairman, proposed that Standing Order 12.1(a), regarding Notice of Motions, be suspended to enable Council to consider two motions that had been received after the expiration of the required seven working days' notice. Councillor David McCraith, Vice-Chairman, seconded the proposal and it was unanimously **AGREED**.

Councillor Ellington also proposed that Standing Order 14.10, regarding motions which may be moved during debate, be suspended to enable the two motions to be moved and seconded, with there being one debate prior to individual votes being held on the two motions. Councillor McCraith seconded the proposal and it was unanimously **AGREED**.

Councillor Bridget Smith, Leader of the Opposition, proposed that Standing Order 12.5, regarding the maximum time limit for the consideration of motions, be suspended to enable debate of both motions to continue beyond one hour. Councillor Sebastian Kindersley seconded the proposal.

Voting on the proposal, with 23 votes in favour 22 votes against and 1 not voting, the proposal was lost as the required two-thirds of Members present and voting did not vote in support. Enough Members as prescribed in the Council's Standing Orders requested a recorded vote for this proposal. Votes were therefore cast as follows:

In favour

Councillors Val Barrett, Henry Batchelor, Anna Bradnam, Nigel Cathcart, Christopher Cross, Jose Hales, Philippa Hart, Tumi Hawkins, James Hockney, Peter Johnson, Sebastian Kindersley, Douglas de Lacey, Janet Lockwood, Mervyn Loynes, Cicely Murfitt, Des O'Brien, Robin Page, Deborah Roberts, Bridget Smith, Hazel Smith, Edd Stonham, Aidan Van de Weyer and John Williams.

Against

Councillors Tom Bygott, Grenville Chamberlain, Graham Cone, Pippa Corney, Kevin Cuffley, Simon Edwards, Lynda Harford, Roger Hickford, Mark Howell, Caroline Hunt, Ray Manning, Mick Martin, David McCraith, Charles Nightingale, Alex Riley, Tim Scott, Ben Shelton, Peter Topping, Richard Turner, Robert Turner, Bunty Waters and Nick Wright.

Not Voting

Councillor Sue Ellington.

NOTE – Councillors Neil Davies and Roger Hall were not present at the meeting when this recorded vote took place.

Councillor Robert Turner, Portfolio Holder for Planning, proposed the following motion:

“This Council notes the letter from the Inspectors regarding the suspension of the Local Plan examination and their call for more work on the evidence supporting the Plan. It welcomes the opportunity to address the Inspectors' preliminary concerns at this stage and looks forward to the officers presenting their plan and timetable for the additional work to the Planning Portfolio Holder and, subsequently, to present their findings, their evidence and any new or additional recommendations to Full Council at the earliest opportunity.”

NOTE – Councillor Neil Davies attended the meeting at this stage of proceedings.

Councillor Turner referred to the letter that had been received by the Inspectors dated 20 May 2015 and reminded Members that a briefing note was immediately circulated to all Members of the Council to ensure that they were kept up to date with the latest information and that he had also participated in a radio interview to discuss what this meant for the Local Plan examination. Councillor Turner also referred to the briefing for all Members of the Council that was held on 28 May 2015 where issues relating to the Local Plan examination process were informally discussed.

Councillor Ray Manning, Leader of the Council, seconded the proposal.

Councillor Bridget Smith proposed the following motion:

“We note the contents of the letter from the inspector and are deeply concerned that this seriously jeopardises the protection that is afforded to the Green Belt and questions the number of houses that this Council has identified as sufficient to meet future needs.

We are extremely concerned that the Local Plan was not robust enough to enable the inspector to consider it sound without requiring further evidence in a number of key areas.

- (a) We call on this council to commission immediate independent advice to ascertain if the housing numbers and Green Belt study are correct and fit for purpose and to confirm that the extra evidence required by the inspector to support this can be delivered in a reasonable time, at reasonable cost and using our existing workforce.

If the commissioned study, or an internal study, indicates that the current housing numbers are insufficient and/or the Green Belt study is inaccurate or inadequate we call on this Council to instigate an independent inquiry as early as possible to identify how such fundamental errors could have arisen.

- (b) In order to ensure the fullest transparency, this Council resolves to establish a committee of at least 9 members to advise on and scrutinise the work of responding to the Inspector's letter.
- (c) We also call on this Council to commission immediate independent advice on how we can best manage the speculative planning applications which we are undoubtedly going to have to deal with in significant numbers over an unspecified period."

Councillor Smith was extremely concerned about the impact the current situation would have on the district's villages and the green belt. She was of the view that the Inspectors would have judged the Plan to be unsound had they continued with the examination and the fact that many other Councils found themselves in a similar position was no excuse. Councillor Smith was worried that no backup plan or alternatives had been developed, with her original concept of adding additional houses to Northstowe rather than including them at a Bourn Airfield development being an example of a proactive alternative. In her opinion there had been a planning policy void in South Cambridgeshire for a year already, and there could be a void for further years to come which would potentially cause catastrophic damage to the villages and character of the district. It was to this that her motion referred.

Councillor John Williams seconded the proposal and referred to East Cambridgeshire District Council and Uttlesford District Council, both of whom had also experienced problems with the methodology of their respective Local Plans but had acknowledged the issues and sought to address them. He was concerned that Councillor Turner's motion did not seek to address the significant issues raised by the Inspectors which had led to suspension of the examination of the Local Plan. Councillor Williams, in supporting Councillor Smith's motion, called for an independent review.

The Chairman invited Members to debate the subject of both motions.

Councillor Deborah Roberts was concerned about speculative development and said that this could occur in any village within the district. She questioned, if the Local Plan was sufficient, why Planning Officers were recommending refusals on so many planning applications and referred to an application at the meeting of the Planning Committee on 3 June 2015 where approval was given for 220 homes in the village of Barrington. Councillor Roberts felt strongly that more should be done to stand up against such developments and that sufficient resources should be put in place to support any appeals that were submitted as a consequence. She agreed that independent advice should be sought.

Councillor Anna Bradnam referred to new planning policy guidance that had been published in March 2014, which she felt should have been used to inform the Council's decision when considering the submission of the Local Plan at its meeting on 13 March 2015. She did not think that Councillor Turner's motion would do what was necessary to address the issues raised in the letter by the Inspectors, whereas she was of the view that Councillor Smith's endeavoured to deal with them in a proactive way.

Councillor Hazel Smith made the point that the views of local Members and residents should be taken into significant account as part of any consultation process. She added that they truly understood the problems in their respective areas, whether they were in relation to flooding, sewerage or roads and also properly understood the impact that additional development would have on their communities. She stressed that the process had to involve them. Councillor Smith made reference to the hard work that the Council's experienced officers had put into the Local Plan to date, but agreed that an independent perspective would be helpful. She cited Waterbeach as an example where flooding issues had been ignored and Bourn Airfield as an example of a development that was only included as an option in the third round of consultation, as it was not supported by evidence in rounds one or two. She hoped that the process going forward would take these issues into account.

Councillor Douglas de Lacey proposed an amendment to Councillor Turner's motion, by adding the following words to the end of the motion:

"The Council requests officers to provide a timetable for this process by the end of June, and anticipates that all this work will be completed and the plan will be ready for resubmission to the Inspector not later than 31 December 2015. The Council agrees to satisfy all reasonable requests for the resources necessary to adhere to this timescale."

Councillor Nigel Cathcart seconded the amendment.

Councillors Robert Turner and Ray Manning, as proposer and seconder of the original motion, accepted the amendment which became a substantive motion.

NOTE – Councillor Roger Hall attended the meeting at this stage of proceedings.

Councillor Ben Shelton referred to the meeting of the Planning Committee on 3 June 2015 as an example of where Members could work together to stand up for residents, citing an application at Melbourn for 199 houses that had been refused as an example.

Councillor James Hockney said that the significance of the letter from the Inspectors could not be understated. He reflected on his ward of Waterbeach where partial development had been allocated in the green belt, which had attracted the submission of speculative planning applications resulting in potentially over 200 additional houses in the area. Councillor Hockney was keen to learn from other Councils who did not have a Local Plan in place or were unable to evidence a five-year land supply, to ascertain how they were preventing speculative development. He added his concern that the additional homes would be used by people seeking to commute to Cambridge and London rather than for local need and was very keen to protect Waterbeach as a village community and not a town.

Councillor Nick Wright outlined that the intention of this joint Local Plan was to protect the green belt and local villages, which had to be carefully balanced with the need to provide additional homes in the area, with some sites close to the city of Cambridge and some allocated as strategic sites. The letter from the Inspectors made reference to changing strategic sites and questioning their sustainability, but he made the point that

strategic sites contained more affordable housing and made the market value of other houses within them more affordable, as had been shown with Cambourne. He suggested that any scrutiny of the Local Plan should be undertaken by the Scrutiny and Overview Committee and added that he had confidence in the Council's planners.

Councillor Janet Lockwood was concerned that South Cambridgeshire would not be one of the best places to live in the country if developers had free range over the green belt. She was of the opinion that a dedicated committee or group of Members needed to give consideration to the Local Plan and work with the Portfolio Holder going forward.

Councillor Aidan Van de Weyer asked how the issues raised by the Inspectors in their letter in respect of the green belt, housing and the sustainability of developments at Bourn Airfield and Waterbeach would be dealt with. He felt that these issues should not be left to the Scrutiny and Overview Committee and supported Councillor Smith's proposal of a dedicated committee or group of Members to work with the Portfolio Holder and officers.

Councillor Robin Page felt that the green belt should be sacrosanct and was concerned that allowing development within it would ruin rural Cambridgeshire. He was also of the opinion that the Bourn Airfield development should never have appeared in the Local Plan and it was significant that the Inspectors had questioned its sustainability.

Councillor Des O'Brien referred to the Sustainable Development Strategy, which he said was the greatest foundation for which the green belt could be protected. However, he understood that inclusion of the Sustainable Development Strategy would not be pursued and that it could no longer feature as part of the Local Plan. He was extremely concerned that by taking the Sustainable Development Strategy out of the Plan would, in effect, mean having to start the process from the beginning. Councillor O'Brien was keen for the Council to look forward and work up a good, sound Local Plan rather than make do with what it currently had in place.

Councillor Nigel Cathcart was of the opinion that the Local Plan was a means by which conflicting requirements could be met and he felt that it was a Plan that could be defended. Referring to the Inspectors' letter, it was Councillor Cathcart's view that the additional information and evidence requested by the Inspectors was achievable, but emphasised that this had to be dealt with as a matter of urgency and as a priority for the Council.

Councillor Douglas de Lacey acknowledged that some Members wanted the Council to agree to a different Local Plan in 2014, but said that the Local Plan approved for submission by the Council last year was the Plan that the Council now had in place. He felt that officers should be encouraged to deliver what was required by the Inspectors and called for Members to support Planning Officers as they themselves supported the Local Plan in the face of planning applications as and when they were submitted. Councillor de Lacey supported the commissioning of independent advice to assist with the process going forward.

Councillor Simon Edwards referred to the suggestion made earlier at the meeting to add more houses to the allocation at Northstowe, rather than continuing with strategic sites such as Bourn Airfield. He was of the view that this was completely undeliverable. He reminded Members that 6,000 homes were supposed to be built by 2016 at Northstowe, yet a single brick had yet to be laid on the site and adding more houses to the allocation would take the Council no further forward. Councillor Edwards felt that the establishment of a committee would be too longwinded and delay progress unnecessarily. In terms of speculative planning applications and the issue of a five year

land supply, following a suggestion that independent advice be sought, he indicated that a significant amount of legal advice on this subject had already been provided.

Councillor Tumi Hawkins was concerned with the last paragraph of page 3 of the Inspectors' letter which outlined an apparent inconsistency between the Strategic Development Strategy Review and the Plan's reliance on meeting development needs in new settlements, which could lead to a finding of unsoundness. Councillor Hawkins reminded Members that the Inspectors had highlighted issues with Bourn Airfield and she therefore questioned the process that was originally followed when assessing sites, which she claimed was inconsistent.

Councillor Peter Johnson said that the border had been lost in his local village of Waterbeach and that the proposed new development was unsustainable in the area.

Councillor Sebastian Kindersley proposed an amendment, to retain Councillor Turner's motion, inclusive of Councillor de Lacey's amendment, but to add to it paragraphs (a), (b) and (c) of Councillor Smith's motion, so that it read:

"That this Council notes the letter from the Inspectors regarding the suspension of the Local Plan examination and their call for more work on the evidence supporting the Plan. It welcomes the opportunity to address the Inspectors' preliminary concerns at this stage and looks forward to the officers presenting their plan and timetable for the additional work to the Planning Portfolio Holder and, subsequently, to present their findings, their evidence and any new or additional recommendations to Full Council at the earliest opportunity. The Council requests officers to provide a timetable for this process by the end of June, and anticipates that all this work will be completed and the plan will be ready for resubmission to the Inspector not later than 31 December 2015. The Council agrees to satisfy all reasonable requests for the resources necessary to adhere to this timescale.

We call on this council to commission immediate independent advice to ascertain if the housing numbers and Green Belt study are correct and fit for purpose and to confirm that the extra evidence required by the inspector to support this can be delivered in a reasonable time, at reasonable cost and using our existing workforce.

In order to ensure the fullest transparency, this Council resolves to establish a committee of at least 9 members to advise on and scrutinise the work of responding to the Inspector's letter.

We also call on this Council to commission immediate independent advice on how we can best manage the speculative planning applications which we are undoubtedly going to have to deal with in significant numbers over an unspecified period."

Councillor Anna Bradnam seconded the amendment.

Councillor Robert Turner informed Members that the work set out in Councillor Smith's motion under paragraph (a) was being undertaken and confirmed that independent advice was already been sought. In terms of paragraph (b) of Councillor Smith's motion, Councillor Turner did not see the need to set up another committee to look into this matter. He reminded Members that he held monthly Portfolio Holder Meetings which anyone could attend and that he and officers were working closely with colleagues at the City Council.

Voting on the amendment, with 22 votes in favour, 25 votes against and 1 abstention, the amendment was lost.

Councillor Ray Manning supported Councillor O'Brien's point that the Council needed to move forward. He reminded Members that it was a joint Local Plan with Cambridge City Council and that the two Councils were working together. He reiterated Councillor Turner's point about Portfolio Holder Meetings and agreed that there was no need to set up another committee. He indicated that both Councils would put in the time, resources and expertise that were necessary. Councillor Manning highlighted the Inspectors' comments in their letter regarding unsustainability and said that the same argument would apply to speculative planning applications and that they could still be refused on grounds of unsustainability.

Councillor Bridget Smith, in summing up her motion, explained that her motion was about the Council working together for the good of South Cambridgeshire and emphasised that it was not about apportioning blame. She acknowledged that her proposal in paragraphs (a) and (c) of her motion had cost implications but argued that it would be money well spent as it made sense to have the Plan looked over by an independent person who had not had any involvement in its development. By doing so would provide a significant level of assurance. She felt that her proposal for a committee to advise and scrutinise the work in response to the Inspectors' letter would provide Members and residents with more confidence in the way in which the Council was dealing with the issue. She was keen that Members worked together to ensure that unwanted and unplanned development did not become a reality in South Cambridgeshire.

Councillor Robert Turner, in summing up his motion, agreed with the time limit of 31 December 2015 put in place via Councillor de Lacey's amendment and indicated that this issue would be dealt with as a priority. He agreed that speculative developments were very damaging but reported that applications had been submitted for the past two months which the Planning Committee had refused. He emphasised, however, that every planning application had to be taken into consideration on its own merits. Councillor Turner said that he would work as hard as necessary to get the Local Plan approved as quickly as possible in order that any further speculative development was avoided. He felt that Councillor Smith's motion would only delay and slow down the process.

Voting on Councillor Robert Turner's substantive motion, with 34 votes in favour, 12 votes against and 2 abstentions, Council **AGREED** the motion.

Voting on paragraph (a) of Councillor Bridget Smith's motion, with 21 votes in favour, 26 against and 1 abstention, this part of the motion was lost.

Voting on paragraph (b) of Councillor Bridget Smith's motion, with 18 votes in favour, 28 votes against and 2 abstentions, this part of the motion was lost.

Voting on paragraph (c) of Councillor Bridget Smith's motion, with 24 votes in favour, 22 votes against and 2 abstentions, Council **AGREED** this part of the motion.

The Chairman confirmed that Council **RESOLVED** the following motions:

- (1) That this Council notes the letter from the Inspectors regarding the suspension of the Local Plan examination and their call for more work on the evidence supporting the Plan. It welcomes the opportunity to address the Inspectors' preliminary concerns at this stage and looks forward to the officers presenting their plan and timetable for the additional work to the Planning Portfolio Holder and, subsequently, to present their findings, their evidence and any new or additional recommendations to Full Council at the earliest opportunity. The

Council requests officers to provide a timetable for this process by the end of June, and anticipates that all this work will be completed and the plan will be ready for resubmission to the Inspector not later than 31 December 2015. The Council agrees to satisfy all reasonable requests for the resources necessary to adhere to this timescale.

- (2) That we also call on this Council to commission immediate independent advice on how we can best manage the speculative planning applications which we are undoubtedly going to have to deal with in significant numbers over an unspecified period.

The Meeting ended at 7.27 p.m.
