

DEVELOPMENT AND TRANSPORT COMMITTEE MINUTES

Minutes of a Meeting held in the St Marys Church Hall, St Marys Street, Ely on Tuesday 6th November 2012 at 2:00pm.

P R E S E N T

Councillor Peter Moakes (Chairman)
Councillor Allen Alderson
Councillor David Ambrose Smith
Councillor Sue Austen (as Substitute for Councillor Sheila Friend-Smith)
Councillor Kevin Ellis
Councillor Colin Fordham
Councillor Tony Goodge
Councillor Tom Kerby
Councillor Neil Morrison
Councillor Robert Stevens

OTHER ATTENDEES

Katie Child - Principal Forward Planning Officer
Rachel Doyle - Energy Efficiency Officer
Giles Hughes – Head of Planning & Sustainable Development
Adrian Scaites-Stokes – Democratic Services Officer
Members of the Public - 7

64. PUBLIC QUESTION TIME

The following statement was submitted by Mr Moffatt:

My name is Stewart Moffatt, Fordham resident and I hold a vested interest as owner of Site 11(attached map) in the Fordham Village Vision, which is to be discussed as agenda number 6 Working Draft East Cambs local plan.

I have three questions for the committee to consider but I'd like to take a few minutes to review some of the key events and their sequence that have brought us here.

My land, whether chosen or not may be a minor item in the scheme of the matters discussed here however the principle is a major one and that principle is localism.

In the spring of this year a consultation was started in Fordham over development sites within the village. The Fordham Parish Council (FPC) declared a preference for two out of the 15 sites offered, Site 8, part of which the Parish owns, and Site 11, which is owned by myself.

Site 11 polled the greatest number of votes (84%) but when informed by the planning officer that only one site would be chosen for development until 2030 the Chair of FPC declared the vote to be “non democratic” and chose Parish owned part of Site 8. The motivation behind the decision was that Site 8 is Parish land and the FPC intends to sell the land to fund another pavilion for a club known to be in decline (FPC minutes 03 Sept).

The community view was “non democratic” because only 9% responded. This was not a yes/no ballot neither was it delivered to your door, the form ran to 3 pages requiring written answers to most questions and as such most households filed only one response.

Despite complaints being upheld by the “Department of Legal Standards” over failure to declare vested interests the decision favouring Site 8 is allowed to stand and the matter was referred to the D&T committee 03 July.

Report M45 was prepared and at this point the PFPO (Principal Forward Planning Officer) introduced Site 16 (now Land at 37-55 Mildenhall Rd offered in the Vision) marked on the attached map. This site was not part of the consultation and its inclusion was contrary to the “single site only” advice previously supplied by the planning office. According to FPC (Oct 04) Site 16 was unknown to them at this time and they held no preference for it.

What would your reaction be if as expected in the forthcoming Police Commissioner Election turnout is low as a result, it is declared “non democratic” and subsequently a non consulted new candidate is introduced as joint favourite. After you hold an election it’s a little too late to decide you don’t like the result! This is not localism.

After the 03 July D&T meeting concern is expressed amongst other issues at the failing of report M45 to reflect the community view supporting Site 11 and the lack of choices of site. A further report is requested.

PFPO asked “FPC to seriously consider Site 16” (FPC minutes 29 Aug) as initial advice that only one site to be approved is not correct but that Site 11 will not be developed (FPC meeting 04 Oct) because it does not meet planning criteria. What happened to the community view?

The result is that the PFPO returns to the 06 September D&T with document M89 with even more sites (another 12) none of which have been consulted upon or particularly carefully investigated; apparently I live with my neighbours in an undeveloped field. But interestingly Site 16 is still the only other site recommended out of 27. Now the community view is not even mentioned.

Report M89 2.1.1 asks this Committee is to consider “subject to the view of FPC” support for Site 16. From this FPC support is now implied but this is only after FPC have been told by the PFPO to support Site 16 because Site 11 will not be developed (04 Oct) as it does not meet planning criteria. What happened to the community view? This is not localism.

PFPO (Report M89) attempts to align her choice Site 16, with the community view by saying “from the consultation Mildenhall Road is a popular choice”. The choice expressed was not for the area, the road or the county, it was very clearly Site specific and Site 16 was not part of that process. Site 16 remains exclusively the choice of PFPO and the now engineered view of FPC. This is the PFPO effectively saying I know what you’ve said but I have decided this is best for you. This is not localism this is Paternalism.

The PFPO’s declared objection to Site 11 is that it “reads very much as open countryside” Site 11 is not too small, short, low, rocky, dangerous or any other fixed parameter it is simply her view, her opinion. The people of Fordham i.e. those who live, work and have a stake in their community have already decided Site 11 is where they want to build houses! They don’t want it to “read very much as open countryside”! This is localism!

Despite the further concerns expressed by this committee in Sept 04 D&T which prompt a visit to Fordham to view the sites the PFPO produces a draft report whose conclusions are unchanged “Village Visions for Fordham” and submits it to the FPC on the 01 Oct a week before the visit takes place which indicates that Site 8 and Site 16 are now a done deal. It might appear to some that the community view is not the only one being ignored!

Despite the enthusiasm expressed in this committee around “Localism” the reality appears to be vested interests and the diktat of the Planning Office still feel they rule supreme. The wants and needs of the local community might be consulted but they will be ignored if they don’t come up with the right answer!

With the greatest respect to this committee if the conclusion of this meeting is Site 8 (Ford 1) and in particular Site 16 (Ford 2) are to be developed then this consultation has been both an empty process and a waste of time and money.

Mindful that these sites have been chosen regardless of the community vote, instead of using public money for consultation why not just phone the chair of FPC find out what he wants and ask PFPO what she wants and sign it off, essentially that’s how we got here! This could be sorted out before morning coffee.

The whole community of Fordham was consulted on their views and those who chose to express them took thought, time and effort to do so. They are expecting a fair and democratic hearing and that their views and their best interests will be represented if not by their Parish Council and the Planning Office then by at least their District Council.

Finally my questions;

1 Whose Vision for Fordham is it?

The FPC preferred Site 8 to build a cricket pavilion to support a declining cricket site, Site 16 appears only supported by the PFPO. The popular vote Site 11 (84%) has been ignored.

2 What was the purpose of consulting the community of Fordham if their views are to be completely ignored?

3 Why would anyone bother to take part in a consultation in future to have their vote ignored if it conflicted with the planning office?

This is not localism!

The Head of Planning and Sustainable Development thought some detailed matters had been raised. However, the Committee today was only considering a working draft and not the final decision. The draft would still be worked on and reported back. The consultation had not been an election on which site should be chosen. It had been similar to other exercises undertaken across the district. They were all extensive and valuable. Part of the Local Plan was the Village Visions and further work would be done, with parish councils, to better understand the sites considered. The Visions had to reflect the scale of growth and the choice of sites. The public view was heavily considered but it was not the only view to be considered. Highlighted issues and views would be discussed with the parish council but this Committee had to come to a view and this Council had to make the final decision.

The Chairman stated that the Committee would consider Mr Moffatt's statement and would ask the officers to bear the points made in mind and come back with their considered views.

65. **APOLOGIES AND SUBSTITUTIONS**

Apologies were received from Councillors Sheila Friend-Smith and Mike Rouse.

Councillor Sue Austen substituted for Councillor Friend-Smith for this meeting.

66. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

Councillor Allen Alderson joined the meeting at this point, 3:36pm.

67. **MINUTES**

It was resolved:

That the minutes of the meeting held 6th September 2012, be confirmed as a correct record and be signed by the Chairman.

68. **CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements.

69. **WORKING DRAFT – EAST CAMBRIDGESHIRE LOCAL PLAN**

The Committee considered a report; reference M132, previously circulated, which set out a vision and strategy for the future growth and development of the district up to 2031. It presented a working draft of the Local Plan for Members' feedback and input.

The Principal Forward Planning Officer reminded the Committee that the document was a draft and a work-in-progress. She requested feedback on it, so that officers could know whether it was headed in the right direction. The Local Plan was a statutory duty and was meant to review the Core Strategy, included the Masterplan process, and was a blueprint for future growth and was consistent with Government plans.

The Plan was structured in two parts: the first part was the introduction and the second part encompassed the Village Visions. An additional paper was tabled showing amendments since the report was published. Chapters 1 and 2 introduced the Plan and set out the spatial objectives. Chapter 3 set out the strategy, as revised by the additional paper. Chapters 4 to 7 covered development control including housing, enforcement, the environment and community services and infrastructure.

Part 2 of the Plan covered the Village Visions and had been approached in a very different way to previously, as it was a 'bottom-up' approach. This had led to lots of engagement, incorporating joint working with parish councils. Every Vision included a brief description, a housing strategy, an employment strategy and key infrastructure requirements.

The next steps were to take comments on board and work with development control colleagues.

Councillor Kevin Ellis liked the layout of the Vision paperwork but queried the key statistics in terms of population and the number of houses to be built. Would these figures go to the parishes to check?

The Committee was informed that the statistics had been taken from the research unit at the County Council and the parish councils had seen the figures. The population estimates were from 2010 but the next Plan should have the up-to-date data included.

Councillor Peter Moakes questioned the review pattern for the whole Plan, as it would be produced for a 20-year period, and whether that was for the Committee to decide. The Ely Masterplan had been produced 4 years ago but since then major applications and educational requirements had changed. So change would happen meaning the Plan had to be reviewed, but when?

Councillor David Ambrose Smith offered thanks as Littleport had done well in the Plan. He was also concerned that any review of policy had a danger of being done too late.

The Principal Forward Planning Officer stated that this had been covered in the second paragraph of the Introduction. It was intended to review the Plan when necessary, this being subject to future changes in circumstances. The Head of Planning and Sustainable Development contended that it was important to beef up the review process and that would be reported back to the next Committee meeting.

Councillor Robert Stevens's thought that it was critical to ensure the statistics within the Plan were up-to-date, as some of the figures used appeared not to be. A certain number of dwellings had to be built to help maintain facilities within the communities. More work would be needed to identify exception sites around villages. He was worried about the amount of space for commercial developments, as not enough would only increase greater commuting.

Councillor Allen Alderson asked for clarity with regards buildings that were pulled down and replaced with newer ones, as they could fall foul of the 25% size increase rule. Exception sites were outside village envelopes meaning that some applications were turned down although they related to farmhouses or affordable housing. These matters needed to be looked at.

The Principal Forward Planning Officer stated that extensive replacements were dealt with in the Plan, where the policy now removed the 125% limit but included the requirement for the new dwelling to be in keeping with its location and this was decided on a case-by-case basis. There were also policies relating to exception sites, which accepted those types of buildings referred to. The Head of Planning and Sustainable Development advised the Committee that the Plan recognised that in some circumstances open market housing might be accepted, similar to Community Land Trusts. The Council was working with housing associations on this new policy to ensure viability, as this was a significant change. Self-build housing had been included in the Plan, as research showed that this helped local builders, and was recognised at national level.

Councillor Tony Goodge offered congratulations and stated that the parishes were well pleased with the document. However the dwelling statistics were not spot-on but needed to be right. There were no triggers in the Plan at the moment for its adjustment. The next trigger for a review should be in 5 years and not after 20 years, as this would not be enough.

The Committee was informed that the Plan considered the overall need but with an estimation as to what could happen in the future. The Plan would be subject to annual monitoring, as all villages would have some growth.

Councillor Peter Moakes said that the primary role of the Plan was for maintenance of communities. Even though some communities did not want growth, there was a need to apply an 'average age of occupant' test. It was known from the work done that age averages were increasing; therefore maintenance of those communities was becoming an increasing concern. This Committee had an obligation to demonstrate the likely impact of the parishes' views.

The Principal Forward Planning Officer advised that the consultation work had helped turn around the opinions of parish councils, so that they would now support growth. The Plan had given greater weight to the communities' views. The Plan did not allocate sites for affordable housing, as this could potentially increase land values. Housing growth was critical to the Plan and the aim was also to increase employment. It was expected that there would be more traffic movement within the district and a reduction in out-commuting.

Councillor Neil Morrison noted that the new introduction showed a timetable for consultation but that the events were in Ely only. Other people within the district would have an opinion so it should be open to other locations. The Principal Forward Planning Officer accepted that and thought the parish councils could help publicise this. The Committee would see the final Plan before it was submitted to Government.

It was resolved:

- (i) That the policies and proposals in the Working Draft Local Plan (as attached Appendix 1 to the report) be considered to provide feedback and comments;
- (ii) That the timetable for the production of the Local Plan, as set out in paragraph 4.2 of the report, be noted.

70. **NEW GUIDANCE FOR LOCAL AUTHORITIES ON THE HOME ENERGY CONSERVATION ACT 1995 (HECA) AND DELIVERY OF THE GREEN DEAL**

The Committee considered a report, reference M133, previously circulated, which provided information on guidance recently published on the implementation of practical, cost effective energy conservation measures and outlined options for delivery of the 'Green Deal' initiative.

The Energy Efficiency Officer advised the Committee that there was a duty on the Council to report on its plans for energy efficiency measures. The new guidance meant that a further plan was required by March 2013. The 'Green Deal' initiative was the Government's flagship policy for energy efficiency improvements in houses. This Council had been working with the other local authorities in Cambridgeshire to ensure all were involved in the initiative and funding could be gained, as all current funding mechanisms would disappear when 'Green Deal' started. This scheme would only apply to existing developments, as new developments would be covered by new building codes.

Councillor Peter Moakes stated it was obviously better to work in co-operation with the other authorities, as this would be more efficient. It was hoped that this Council would remain as a partner in whatever outcome followed this co-operation. This would ensure the Council would be part of the decision-making process and know what the communities would need.

Councillor Tony Goodge concurred with this view but stressed the need to get consistency across the county, which could be achieved through negotiating with the other authorities.

In response to Councillor Neil Morrison's comments, it was confirmed that though a lot of housing providers' housing stock was energy efficient they could still offer the scheme to other residents. The residents would pay the scheme back through savings in energy bills but this money would not go to the housing providers themselves.

Councillor Allen Alderson thought the scheme sounded easy but was concerned how the repayments would work and that, if tenants partook of the scheme but then lost their tenancy, only landlords would see the benefits and tenants would lose out.

The Energy Efficiency Officer said that the scheme was very complicated but basically Green Deal worked as a loan. This loan would relate to the house it was used for and not the person who took it out. So if tenants moved out the repayment would be passed onto the new occupiers. The repayments themselves could be spread over a 25 year period.

It was resolved:

- (i) That further work be undertaken in partnership with Officers from other Cambridgeshire authorities, to develop an outline business case for an action plan to deliver the procurement of a joint local authority Green Deal for Cambridgeshire;
- (ii) That, when completed, the outline business case be presented to Members for consideration including a full appraisal of the resources required to procure and deliver a Green Deal scheme for Cambridgeshire.

The meeting concluded at 3:33pm.