

ENVIRONMENT COMMITTEE held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 18 NOVEMBER 2008 at 7.30 pm

Present: - Councillor S Barker – Chairman
Councillors K R Artus, C A Cant, R Chamberlain, J F Cheetham, A Dean, C M Dean, C D Down, S J Howell, H J Mason, R D Sherer, C Smith and A M Wattebot.

Also present:-Councillors A J Ketteridge and D J Morson.

Officers in attendance: - D Burrige, (Director of Operations), T Cowper (Principal Accountant), M Cox (Democratic Services Officer), R Harborough (Acting Head of Development), Angela Knight (Accountant) and R Pridham (Head of Street Services).

E26 STATEMENTS BY MEMBERS OF THE PUBLIC

Prior to the meeting statements were made by Gail Phillips and Sheena Bigland in relation to items 7 and 8 on the agenda and by David Corke in relation to the Uttlesford Transport Forum. Copies of their statements are attached to these minutes.

E27 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Anjum and Godwin.

Councillors C Dean and A Dean declared a personal interest as members of SSE.

Councillor Cheetham declared a personal interest as a member of NWEIPA. Councillor Barker declared a personal interest as a member of Essex County Council.

Councillor Smith declared a personal interest as a member of Great Dunmow Town Council.

E28 MINUTES

The Minutes of the meeting held on 16 September 2008 were approved and signed by the Chairman as a correct record.

E29 MATTERS ARISING

(i) Minute E19 – Lead Officer’s Report

Councillor Morson referred to the technical studies that were currently being carried out as part of the LDF process and asked why these studies had not been undertaken prior to the decision on the preferred option. He was

advised that as part of the Core Strategy process the Council had been required to put forward a preferred option for consultation, although some preliminary studies and technical assessments had been available at that time. The consultation launched on 30 November 2007 aimed to ascertain whether additional information was required and this had resulted in the further technical studies that were currently being carried out. Councillor Morson replied that the 4th option had not been the recommendation of officers and in recent discussions ministers had been surprised that the Council had been in a position to put forward a preferred option at such an early stage.

(ii) Minute E20 – Budget Monitoring – Revenue Expenditure

In answer to a question from Councillor A Dean about budget monitoring, Members were informed that there had been a recent email about current budget pressure areas and a full report would be going to the full Council meeting in December.

E30

CHAIRMAN'S REPORT

The Chairman updated Members on a number of matters of interest.

She mentioned recent headlines about the collapse in the market for recycled materials and informed the Committee that at the moment Uttlesford had no problem with collecting the material or with the final destination.

She had attended recent meetings of EERA and Essex authorities where the Review of the Regional Spatial Strategy to 2031 had been discussed. She had been alarmed at the figures that had been suggested for future housing provision in the region.

There was a large planning application expected for an MBT plant at Crumps Farm, Little Canfield. This would come to the Development Control Committee for comments but would be determined by the County Council. There was ongoing discussion on the Inter Authority Waste Agreement which would be considered by the meeting of the Environment Committee in January.

E31

LEAD OFFICER'S REPORT

The Acting Director of Development updated Members on matters that were not on the agenda.

In relation to concessionary fares, the Section 151 officers of the Essex authorities had now undertaken a financial appraisal of the proposal and full details would be reported to the next meeting of the Scrutiny Committee.

Councillor A Dean referred to the SASIG response to the Defra consultation on guidance to airport operators on the preparation of noise action plans required by the implementation of the Environmental Noise Directive. He

asked if there could be early discussion to ensure that the Council made its views known in case there were new proposals coming out of the Guidance. Councillor Cheetham stated that she had attended the recent meeting of SASIG at which its response had been discussed. She would brief officers on the issues arising that might be relevant to Stansted. It was reported that NATS had asked for a meeting with ECC to brief officers about the progress of its technical work and officers would seek to find out NATS' current position in relation to the Proposed Changes to Airspace Consultation and report back to the Committee. Officers said that they would try to arrange for NATS to attend a further meeting with members.

E32

WHITE STREET CAR PARK/DUNMOW TOWN SQUARE

John Bosworth presented his report as the Project Manager for the Town Council, which updated the report to the previous meeting. He outlined the results of the public consultation exercise and the risk assessment that had been undertaken by the Town Council. This had revealed that there was 76% public support for the scheme and it was also supported by a number of local organisations including the Chamber of Trade, Dunmow Disabled Group and Uttlesford Access.

The Town Council would now seek transfer of the assets from the Finance and Administration Committee, whilst this Committee was asked to agree the car parking arrangements. In order to accommodate the arrangements for the town square it was necessary to relocate five of the nine disabled parking spaces to a new location slightly further north. A plan of the new layout was circulated. It was noted that to accommodate these spaces there would need to be a reduction of 7 general pay and display spaces which would result in a reduced annual income of about £650 per space.

Members were supportive of the proposal and felt that the overall scheme would be both an environmental and social benefit to the area. They congratulated all those that had been involved with the consultation. It was hoped that the scheme would be completed within the next 12 months.

RESOLVED that the Committee notes the outcome of the public consultation and risk assessment undertaken by Great Dunmow Town Council and supports the arrangements for car parking.

E33

ECO TOWN CONSULTATION – STAGE 2

At the last meeting the Committee had objected to the previous consultation, mainly on the basis that the Local Planning Authority should be responsible for determining any merits of an eco-town through the LDF process. The Government had now launched a second stage consultation programme with a new PPS, a sustainability appraisal and an updated short list of locations. There was a 13 week consultation which would be followed by a final PPS and a list of locations that had the potential to be an eco-town.

The PPS set out the standards that all eco-towns would be expected to meet. It also clarified how the Government saw the eco-towns sitting within the planning framework. It had now clarified that where a core strategy was in preparation, and if an eco-town was in the eco-town programme, then it should be included as an option for consideration. However there was no requirement to allocate an eco-town if a better way of meeting future need existed.

Councillor C Dean asked that as the Council no longer objected to the new arrangements for considering eco-town proposals did that mean that the Council now supported the eco-town as well as option 4 on the Elsenham/Henham site. She said that at the recent exhibition the developer for the site had put forward the options for both the 3,000 and 5000 houses as the same proposal with just a difference of scale. She asked if the Council would be obliged to shelve the 4th option if the eco-town was rejected by the Government on planning grounds.

Councillor Morson said that he welcomed the fact that the decision on the eco -town would be taken locally and congratulated the Administration on achieving this. However he said that it was irreconcilable for the Council to be opposed to the eco-town at the same location where it supported option 4. In reply, the Committee was informed that if the eco-town remained on the list of potential locations it would become part of the LDF process. Officers would then need to compare a development of 5,000 homes on an eco-town model with a development of 3,000 homes, not using that model. Both of these would be tested against the other options, using technical assessments including a comparative transport assessment and a comparative sustainability appraisal.

Some Members feared that removing the objection to the PPS could lead to an assumption that the Council supported the Elsenham proposal and offer a green light for the development. The Chairman replied that the Council had to allocate the 4200 houses through the LDF process and this number could be achieved without the eco-town as long as the Council submitted a sound document.

Councillor Dean was concerned that the preparation of the Core Strategy was not soundly based and feared that the Council was not currently investigating better or alternative ways of allocating the housing to ensure that the eco-town could not go ahead. He was advised that there were a number of studies doing this, including comparative sustainability work, looking at other spatial distributions, alternative locations and a comparative transport assessment. All this information would inform the Council's final decision. The Chairman said it was premature to have detailed discussion on the issues until these assessments had been completed.

RESOLVED that the Council responds to the Government's Eco-towns Planning Policy Statement (PPS) consultation as follows:

- i) The Council welcomes the arrangements outlined in the Draft PPS to overcome the objections that the Council made at the previous consultation stage. The decision about the suitability of an eco-town to meet housing needs within the District should be for the Local Planning Authority to consider through the Local Development Framework.
- ii) The eco standards outlined in the Draft PPS are supported but the Council remains to be satisfied that they could be achieved and that the national policy is capable of delivery. There is no assessment of the implications of the standards for viability in the documentation which has been provided and the feedback from the Department of Communities and Local Government consultants Price Waterhouse Cooper on the feasibility of the eco-town model should be made available for comment.

E34

CORE STRATEGY – SUMMARY OF THE REPRESENTATIONS RECEIVED IN REPOSE TO THE PREFERRED OPTIONS CONSULTATION

The Acting Director of Development presented for Members' information a report setting out the key issues arising from the Core Strategy Preferred Options consultation. The report was accompanied by a complete summary of the representations received on all aspects of the preferred options document.

Members said that the report referred to further consultations and studies and asked for an outline timetable for the next stages in the process.

The Acting Director of Development said that the Local Development Scheme, that would contain the full programme for preparing the Strategy, would be submitted to the meeting of the Committee on 20 January.

Councillor Morson commented that there was still a lot more work that needed to be done and questioned the current status of option 4. Councillor Ketteridge said that the Council was working through a process which was regularly reported to the LDF Task Group and the minutes of these meetings were publicly available.

Councillor Wattebot said that the Chairman had misunderstood the objections of the Henham residents. She said that there was support for moderate growth in some settlements but it was the extent of the impact of the 4th option proposal that was concerning residents.

Councillor Cheetham referred to paragraph 6 of the report, where the Government Office had commented that some of the suggested policies were already covered by national guidance and could be deleted. She said that it was important that issues such as Countryside Protection should continue to be included in the local document. She also reminded Members that there were many important issues, apart from housing allocation, in the Core Strategy that would need careful consideration.

Councillor A Dean mentioned the problems with the Preferred Options consultation and hoped that action would be taken to improve the process for the next stage of consultation. He asked that this matter be put to a future meeting of the Council.

E35

JOINT PARKING SERVICE

Further to the previous meeting, the Director of Operations presented a detailed report on the establishment of a joint parking service for Braintree, Colchester and Uttlesford Councils. Both Uttlesford and Braintree were currently operating interim arrangements that were unsustainable and all three Councils were constrained by their current capacity to develop services.

A number of options had been evaluated and it had been concluded that a joint service would be the best solution. It would meet the Council's objectives which were to improve the quality of service and make ongoing financial savings. It had modest one-off investment costs and would provide pay back within a few years. The lead authority for the management of the service would be Colchester who would provide the administrative support. The service could be delivered by means of a Joint Committee.

The report set out the various options that had been considered and then explained the detailed operation of the preferred model. It set out the benefits of the scheme and the financial implications of the proposal. Attached to the report was a draft Joint Committee agreement that had been drawn up by the three partners.

The Director of Operations said that if the arrangements were approved she would start the formal consultation with staff this week. She then answered a number of questions about the detailed operation of the scheme in particular how the various functions would be split between the partner organisations.

She confirmed that the assets would remain with Uttlesford as would the income from the car parking fees. Although there would no longer be a physical back office at Uttlesford, with the involvement of the Customer Service Centre the experience for the customer would be very similar to now. Members raised questions about the financial arrangements and it was confirmed that the three councils would share equally any net benefits or costs arising from the joint service.

The Chairman said that there were bound to be teething problems but Internal Audit would be looking at the new arrangements in the first year. She paid tribute to officers for the tremendous amount of work over a long period of time that had led to the formation of this partnership.

RESOLVED that

- 1 the Committee approve the establishment of a Joint Parking Partnership and permit Uttlesford to join with Braintree and Colchester in a service hosted by Colchester.
- 2 Authority be delegated to the Director of Operations in consultation with the Leader of the Council and Chair of Environment Committee to further develop the arrangements with the partner authorities and agree the Agreement that specifies the scope of Joint arrangements, responsibilities and financial implications for the three authorities.

And RECOMMENDED that Full Council

- 3 approve the formation of a Joint Committee to oversee the provision of parking services on behalf of the three authorities, delivered by a joint service hosted within Colchester Borough Council.
- 4 Councillors Barker and Chamberlain be nominated to serve on the Joint Committee with Councillor Smith as a substitute, if required.

E36

JOINT MUNICIPAL WASTE STRATEGY

The Committee considered the Essex Joint Municipal Waste Management Strategy (JMWMS) that had been developed by the Districts, Boroughs, Southend-on-Sea and Essex County Council as the Essex Waste Partnership. It had been subject to an extensive consultation period earlier in the year. The outcome of this was to accept the strategy as set out, and it had been adopted by Southend-on-Sea and Essex County Council.

The Strategy would determine the way forward in terms of procuring the infrastructure for waste collection and disposal for the next 25 years as well as meeting the statutory requirement to join with the County Council in the production and adoption of a joint waste strategy.

Councillor A Dean said that there was no information about the likely costs to the Council as a result of this Strategy. He was advised that the Strategy was a statement of intent as a basis for getting to market and thereby procuring services and facilities. The question of financial input would be part of the inter authority agreements which would be brought to the next meeting.

There was some concern from members that signing up to the Strategy would be handing control to the County and would be less favourable to Uttlesford because it already had the highest recycling rate in the county. Councillor Wattebot commented that it was quite pessimistic about the likely amounts of residual waste.

Councillor Artus said that he could not vote in favour of this as signing the Strategy would imply support for the application for an MBT plant at Crumps Farm, which he felt would have a huge impact on rural roads. Other members pointed out that this Strategy was not looking at detailed schemes but asking the Council to adopt a principle.

RECOMMENDED to Council that the Joint Municipal Waste Management Strategy for Essex be adopted by Uttlesford Council.

E37

OPTIONS FOR BROWN BINS

The Director of Operations presented a report that looked at an alternative option for collecting kitchen waste. This had resulted from some criticism in the community about the current scheme that used a large 140 litre wheeled bin.

The report set out three options that had been considered and it was recommended that a pilot scheme be introduced that provided smaller bins for kitchen waste. This was supported by the Waste Project Team who had recommended the 25 litre bin because of its capacity and ease of lifting for residents. This option would also give the opportunity for an early trial with supported funding from Essex County Council. It was suggested that a trial round of some 1000 properties in both rural and urban areas be carried out over a 6 month period. It would evaluate whether this receptacle was more suitable and resulted in increased recycling rates.

Councillor A Dean asked whether there was any point in conducting the trial as even if it was successful there would be a capital cost in purchasing the bins. The Chairman was aware that there was no capital funding available but said that this may well be forthcoming from the County Council if the scheme resulted in increased recycling rates.

Other members supported the scheme and felt that it would provide a more suitable receptacle and could be used at properties where the service was not available at the moment. It was stressed that there should be full consultation with the affected properties before and in the period of the trial.

RESOLVED that a trial 25 litre caddies on one kitchen waste collection round (approximately 1000 properties covering both rural and urban areas) is undertaken commencing January 12, 2009 and continuing to June 2009 to permit assessment to be reported to Members for decision at Council in May 2009, subject to support funding from Essex County Council

E38

REVIEW OF FEES AND CHARGES

Members considered a report on the fees and charges that were applicable to this Committee. The report set out the current charges, the proposed charges and summarised any issues. It was noted that there was no increase in charges proposed for car parking but this would be one of the first tasks of the Parking Joint Committee. In addition to the report the figures for Building Control were also tabled as they came under the remit of this Committee.

RESOLVED that the Committee approve the fees and charges 2009/10 for inclusion in the budget.

E39 GOLD ENTERPRISE ZONE ELSENHAM

The Committee received details of the condition of the units prior to handing back the site at the end of the lease period. A further report would be circulated nearer to the exit date next year.

E40 CAPITAL PROGRAMME

Members considered the draft General Fund Capital Programme for this committee which set out the progress of the schemes that had been approved in previous years and identified new schemes.

The Committee was advised that due to the uncertainty of the Landsbanki situation and the possible capitalisation, capital resources were likely to be depleted for some time. It was advised that the Council should not enter into any new capital commitments at the present time unless there was a contractual or legal obligation to do so. As a revision of the Capital Programme was likely to be required the Committee's decision would need to be in principle at the moment.

A question was asked about repair to the Museum wall and the Committee was informed that whilst the Council had a legal liability for this repair every option was being explored for contributions to funding. Given the current state of the Council's finances, Members thought that there should be an early prioritisation of the capital schemes.

The meeting ended at 10.55 pm.

STATEMENTS BY MEMBERS OF THE PUBLIC

David Corke

David Corke spoke on behalf of the Transport Section of Sustainable Uttlesford. He said that the Transport Forum minutes used to report to this committee but now did not appear to go anywhere. He said that the aim of the forum was to work for joined up public transport. It was currently looking at the provision of public transport to Audley End Station. The rail authority had recently lodged an application to extend the car park but there had been no provision for buses. Uttlesford would be dealing with this application and the Transport Forum could be used to bring together the rail authority and the County Council to ensure that the issue of public transport was addressed

The Acting Director of Development replied that the Transport Forum had recently become a sub –group of Uttlesford Futures. As this was the Council's strategic partnership body it worked with many partner organisations, including ECC and should be able to make more progress through these channels.

Sheena Bigland

Good evening.

I am Sheena Bigland, a Henham resident of over 12 years. I am speaking in a personal capacity tonight, although my views are strongly held by many, against the proposal for substantial housing development between Henham and Elsenham - truly a HELL- in-hams.

Although questions about water supply, ecology, flood risk, inadequacy of road and rail infrastructure, lack of education, health and recreational facilities, all show how this proposal is unsustainable, I want to focus on the negative impact on the community in this rural part of North Essex.

With my husband, I have long been a member of the Stop Stansted Expansion Campaign as we want to help protect our rural communities by preventing unnecessary industrial and housing development which expansion of the airport would bring.

With this in mind I was shocked to see a proposal for a so-called "Business City" in the very same part of our rural district. I ask myself are the proposed houses in anticipation of growing numbers of airport and ancillary workers?

The proposed housing development, despite all the fine words around it, will see the destruction of two small, self-contained communities. Lines drawn on paper to preserve the separate identities of the two villages is all very well but in reality it is meaningless if they become engulfed in one enormous and anonymous urban sprawl or so-called eco-town.

I was appalled, when, over a year ago, Option 4 was foisted upon us despite strong representation against it and widespread support for spreading the housing around the whole Uttlesford region. I couldn't believe how the Conservative led Council used its majority position to force Option 4 through which then enabled commercial opportunists to further exploit this travesty by proposing a so-called eco-town. The speed with which Fairfield Partnership and David Locke Associates moved created the strong impression of collusion and sharp practice; or, that the Council has been led by the nose.

Uttlesford is a rural area which I am proud to call home. The District Council and this Committee, in particular, have a serious responsibility to the residents throughout the whole of Uttlesford, to protect our communities and environment.

The proposed eco town, just as Option 4, has no place in the two villages of Henham and Elsenham.

You have been elected on trust to represent us all. So I look to you not to roll over in the face of this challenge to our rural heritage.

Take on the **precious mantle of trust** that you have been given by the communities you represent and reject the proposal.

Gail Phillips

Councillors, Ladies and Gentleman.

My name is Gail Phillips, I am a school teacher currently teaching at Elsenham School. I have lived in Old Mead Lane in Henham, near the village of Elsenham for over 20 years. This area is currently surrounded by beautiful countryside although already slightly blighted by Stansted Airport.

Judging from the recent, so called, 'Consultant Exhibition' by the Fairfield Partnership and David Locke associates, the airport is not the only blight we have to be concerned about.

They appear to have been led by this committee, which proposed option 4, which we all know gave the go ahead for the government to site Elsenham and Henham for the Eco town proposals.

So we now have 2 unwanted proposals in the pipeline!

Having attended the consultation by Fairfield, it is very worrying that this council has proposed this developer led option because Fairfield were unable to substantiate many of their claims. There are many examples of lack of knowledge, research and any substantial documented evidence to support their proposals.

I can understand that the developers are made to consult the public but surely this has to be more than just a box ticking exercise. I do hope that this council which support Fairfield's proposals are supervising their consultation process.

I could go on about the appalling way the consultation exhibition was conducted and the strength of feeling in the local community that it was ill considered but it would take up too much of your valuable time. I would however like to point out a few of the worrying facts.

Stansted's consultation was held in the Hilton Hotel which is outside of Stansted Village and not accessible by public transport. Though they were advised against this location, they proceeded to hold it there. They told Elsenham resident, David Newland, that it was held there because there were no halls available in Stansted. We have since found out that this is not the case, Joy Lamb, the booking clerk for St John's Hall Stansted, stated that the hall was indeed available on that date.

Bishops Stortford was not consulted at all although the plans make it centric.

Takeley was not consulted although the plans mean that they would take most of the construction traffic through their village.

During the consultation we were shown 3 exhibition panels. There were crowds of people up to 6 deep in front of the panels and trying to make some sense of them.

How were we supposed to see what they were proposing when a large number of houses to be built were still identified as green areas on the map and the writing on the panels was too small to read?

When asked about all of the green areas on the maps, we were told that those areas will have houses on them but as they didn't know exactly where they were going, they left them as green field areas on the maps. Perhaps green land looks more acceptable than hundreds of acres of concrete.

We were told that Fairfield had undertaken a study and found no wildlife in the area, what about the Deer, Badgers and Bats for a start?

There were a limited number of questionnaires in the first place considering the number of people attending. In the questionnaire there was a question – How many houses would you like built

3000 or 5000? There was no provision for a response of none and to be frank this was an insult to the intelligence of the people attending to think that this question was to be realistically answered. These questions would not be usable in any instance where robust credible evidence is required, surely it is required in this case?

One of the exhibition panels that I did manage to read claimed that jobs for the new community would be at the industrial units near Elsenham railway station. There are already lots of empty units that the Management Company has been unable to let, in some cases for years.

One of the expert consultants advised us that the level crossing at Elsenham station would be closed to traffic and only available to pedestrians. Also traffic lights will be put in at the toot toot bridge. This particular expert also admitted to not having even seen the area or consulted with Essex county council, who are responsible for our roads.

I do hope that Uttlesford District Council sent their own people to these exhibitions to see how unprofessional they were. Which to all intent appears to satisfy the DCLG.

My final worry is this:

Fairfield has never actually built a development themselves. It is very clear from their documentation that they are in control of this land under the option process and once planning consent has been approved a very real concern is, that they will sell the development on. How can we possibly trust these people to do the right thing by the community and why has this not been seen as a serious flaw in the whole strategy of UDC in approving such inexperienced profiteers with your preferred option 4.

I have 2 questions:

1. Did experienced planning officers agree with the council that option 4 was the right option?

And - advise them that this was the right way forward?

2. How will this administration ensure that Fairfield will consult the public properly in the future and not just as a box ticking exercise?