

ENVIRONMENT COMMITTEE held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 15 SEPTEMBER 2009 at 7.30 pm

Present: Councillor S Barker – Chairman.
Councillors K R Artus, C A Cant, R H Chamberlain, C M Dean, C D Down, E J Godwin, E J Hicks, S J Howell, H J Mason and C C Smith.

Officers in attendance: D Burridge (Director of Operations), W Cockerell (Principal Environmental Health Officer), M Cox (Democratic Services Officer), R Harborough (Acting Director of Development), A Knight (Principal Accountant) and J Roos (Energy Efficiency Surveyor).

E10 STATEMENTS BY MEMBERS OF THE PUBLIC

Prior to the meeting statements were made by Rosa Etherington and Andrew Blackwell concerning the LDF process. Copies of their statements are appended to these minutes.

E11 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors J F Cheetham and A C Yarwood.

Councillor Barker declared a personal interest as a member of Essex County Council and the EERA Housing Panel.

Councillor Mason declared a personal interest as member of Saffron Walden Town Council.

Councillor C Dean declared a personal interest as a member of SSE.

E12 MINUTES

The Minutes of the meeting held on 16 June 2009 were approved and signed by the Chairman as a correct record.

E13 BUSINESS ARISING

i) Minute E8 –RSS Single Issue Review- gypsy and traveller pitch provision.

It was reported that despite the representations made by this committee, the Secretary of State had confirmed that Uttlesford should provide 25 gypsy and traveller pitches to 2011. Essex County Council would be arranging a meeting

with the districts to discuss issues around spatial planning and the provision of gypsy and traveller pitches.

ii) Minute E9 – Small Business Engagement Accord

Councillor C Dean asked how the Small Business Engagement Accord would be taken forward. She was advised that there would be proposals coming to the Finance and Administration Committee to assist small businesses. Also the Economic Development Group of the LSP had taken on this issue and would be putting forward its own proposals.

E14

CHAIRMAN'S ITEMS

The Chairman gave a brief update on three items, as follows.

The Council's response to the latest consultation by EERA on scenarios for housing and economic growth would be brought to the next meeting of the committee.

The IAA agreement on waste was nearly completed. Officers were finalising issues around the indexation of inflation.

The next meeting of the committee would consider proposals for Swan Meadow pond by possibly utilising outside funding from the Saffron Walden Initiative.

E15

LEAD OFFICER'S REPORT

The Acting Director of Development presented his report as Lead Officer, updating the Committee on flood risk management at Ashdon; the ecotowns policy statement, the Local Development Scheme, consultation on the East of England Plan review and internal energy savings targets.

Local Development Framework

Councillor C Dean asked a number of questions about the LDF, including the start date for the study into the viability of affordable housing provision and the progress of the Transport Assessment for the Elsenham site prepared for the promoter. She was informed that the Strategic Housing Market Assessment project panel would shortly be meeting to select the contractor to carry out the viability study and that it should be commencing soon. The issue of the Elsenham Transport Assessment was still unresolved as Essex County Council and the Highway Agency had not yet agreed the findings of the study.

There was a discussion around the consultation on the Strategic Housing Land Availability Assessment (SHLAA) study. It appeared that some parish councils were not aware of the purpose of the study and there had been some alarm that the sites identified as capable of delivery sites might be proposed

for development. The Acting Director of Development confirmed that the document was the developers' and other partners' perspective on the deliverability of sites and was only one piece of evidence that would be taken into account in determining the core strategy and site specific development plan documents. The parish councils' views on these sites would be welcomed. Members asked that a further email be sent to all parish clerks clearly explaining the purpose of the study and asking for comments.

Members raised concerns that consultations were often electronically based when many people, especially the elderly did not have access to the website. The consultation in the new year would probably need to be a leaflet drop to all households and it was emphasised that it should be written in plain English. Members could also play a role in informing the parish councils of any important information and for them in turn to ensure that the public were involved in the process.

It was pointed out that the SHLAA was a live document, where sites would be added and removed over time. Members questioned the arrangements for informing district councillors and parish councils of these changes. Officers would look at the best way of dealing with this.

Councillor Artus said that parish councils were often bombarded with numerous consultations and it would be helpful if the district council could regularly circulate a list of the recent consultations to include the name of the study and the deadline for comments.

Internal carbon saving targets

The Energy Efficiency Officer updated the Committee on progress toward the Council's target of reducing emissions. It was noted that the council was doing reasonably well against this target when corrected for temperature differences. Areas to be investigated further included the large percentage of diesel emissions and oil heating at the empty sheltered block and the five occupied bungalows at Holloway Crescent.

Members commented that in terms of the Council's 25% savings targets, the first 10% was probably relatively easy to achieve but warned that to realize the higher figure might have an effect on the Council's financial performance. The Energy Efficiency Officer said that the Council was investigating new ways to take this work forward more quickly by using external project management which should help to improve performance.

The Committee was informed that the Energy Efficiency Manager would be leaving the Council in January and Members thanked him for all his hard work in raising the profile of energy efficiency in the district.

E16

2009/10 BUDGET MONITORING

Members received the budget monitoring report for the committee in accordance with the agreed budget reporting method. At this stage it was noted that the General Fund was forecast to overspend by £65,000 due to a shortfall in income for car parking, septic tank emptying and building surveying fees. Capital projects were forecast to overspend by £33,000. In relation to septic tanks, member asked whether the reduction in the numbers of properties being emptied could be the result of undercutting by private companies and asked officers to investigate this.

RESOLVED that the Committee approve the report to form part of the report to the Finance and Administration Committee on 24 September 2009.

E17

TRANSFER OF AMENITIES TO SAFFRON WALDEN TOWN COUNCIL

At the last meeting the Committee approved in principle the transfer of a list of amenities to Saffron Walden Town Council and for it to take over the future maintenance of the land. As required, the proposal had been advertised in the local press but no responses had been received. Discussions had now concluded and agreement on all issues had been reached between the District and the Town Council.

Members were supportive of this proposal as a sensible way forward for Saffron Walden but asked for assurance that the legal agreement would be tightly worded to ensure the continued maintenance of the land as a public amenity.

RESOLVED that

- 1 Members recommend to the Finance and Administration Committee the transfer of the following assets to Saffron Walden Town Council on a tapering funding of up to 5 years:
 - a) Jubilee Gardens, Dorset House Garden, Battle Ditches and Radwinter Road Cemetery from 1 January 2010 and for them to maintain as a public amenity in perpetuity.
 - b) the transfer to Saffron Walden Town Council the responsibility for the future maintenance of flower beds and all ground maintenance work associated with the verge of the following road junctions: East Street and Audley Road, Thaxted Road and Radwinter Road, Borough Lane and London Rd/Newport Rd, South Rd/Mount Pleasant Rd, Little Walden Road and Catons Lane from 1 January for them to maintain as a public amenity in perpetuity.
- 2 The Director of Operations is delegated authority to

negotiate terms with Saffron Walden Town Council in accordance with the principles set out in the report.

E18

TRANSFER OF BRIDGE END GARDENS TO SAFFRON WALDEN TOWN COUNCIL

It was reported that the Council had received a request that the Bridge End Gardens in Saffron Walden be transferred to Saffron Walden Town Council. The Town Council's intention was to safeguard and improve the assets and it felt that it could manage the gardens given that it was developing both its tourism and grounds maintenance services.

This transfer was being considered separately from the other Saffron Walden amenities as the land arrangements for the gardens were more complicated. Bridge End Gardens was in private ownership and leased to Uttlesford Council by as long lease which would expire on 28 September 2036. Any transfer would require the consent of the landowner and he had now indicated support for the proposal. The Friends of Bridge End Gardens were also comfortable with the transfer.

It was explained that there were two staff employed at the site and arrangement were being put in place to transfer their employment to the Town Council under a TUPE transfer. There are also a number of assets at the garden and it was intended that all these would be included. The retired Restoration Manager would be commissioned to draw up independently a detailed inventory of the asset, its condition and future needs so that there was a complete picture on transfer.

It was pointed out by a number of members that the gardens had been a district council facility for some time and it had taken many years and considerable effort to get the gardens to their present state. Questions were asked about the status of the Heritage Lottery contracts and how to ensure that assets at the gardens were safeguarded for the future. Members wanted assurance that the gardens would be maintained as at present and remain publically accessible and asked to be given details of the proposed legal agreement at the next meeting.

Councillor Howell said that the gardens were a local amenity and that Saffron Walden Town Council was the natural custodian. He acknowledged that the gardens had been a great achievement but they were a drain on the District Council's resources. The Council had to make radical decisions in the light of the likely future funding. Other members pointed to the Town Council's excellent track record in looking after its resources and felt that this would present a good opportunity to market the gardens more widely.

RESOLVED that

- 1 Members approve in principle, the proposal to assign the lease and transfer the responsibility for Bridge End Garden and

respective equipment, materials and assets to Saffron Walden Town Council on tapering funding of up to 5 years.

- 2 Officers be authorised to commence formal consultation with affected staff regarding a Transfer of Undertakings, Protection of Employment (TUPE) transfer to Saffron Walden Town Council.
- 3 the proposed transfer is advertised in a local newspaper for two weeks.
- 4 a report is brought to the November meeting of this Committee to consider the responses to the press advertisement and deal with any outstanding issues, including taking into account the points made at this meeting and giving details of the proposed legal agreement, to permit a decision to be taken on whether to make a recommendation to the Finance and Administration Committee on the proposed transfer of this amenity.

E19

CAR PARK LIGHTING POLICY – WHITE STREET GREAT DUNMOW

During the consideration of this item Councillor Smith declared a personal interest as a member of Great Dunmow Town Council and Councillor Hicks declared a personal interest as he lived near to the site.

The Director of Operations informed the Committee that the development of the Dunmow Eastern Sector had involved changes to the lighting scheme to reflect the layout of the new car park. Nearby residents had since approached the council about the level of lighting that was needed at the site.

A consultation had been carried out with residents and other local organisations and the results were tabled for members. The public consultation had indicated that there was preference for the lights to be switched off at night. Members were advised that in terms of public safety, 24 hour lighting had been the Council's policy for some years and the Police had also recommended that for community safety the lights should be left on all night.

Members were informed that some work had already been carried out to the lights to minimise their impact on residential properties. However to assist the nearby residents officers had recommended that the lights at the season ticket area could be turned off an hour earlier at 8pm, but did not recommend any additional measures due to the comments that had been made by the Police and the concerns of some residents.

Councillor Smith said that leaving the lights on all night attracted skateboarders and drinkers to the site which was a problem for residents in the area. He also thought that officers should take into account the views of the residents expressed through the consultation. He said that leaving the 4 column lights on in the centre of the car park would allow sufficient lighting

without disturbing residents. The Chairman added that there was a lot of background light in the vicinity of the car park. There were also other alternative walking routes than through the car park.

Members asked about the views of the Town Council and were informed that it had declined to comment. Councillor Cant said that greater thought should probably have been given to the lighting scheme when the planning permission had been granted as the new residential properties were too greatly affected by the public car park lights. Other members considered that it would be unwise for the Committee to go against police advice at this site.

RESOLVED that

- 1 the outcome of the consultation exercise on White Street Car Park Lighting is noted.
- 2 the Committee approve a 3 month trial for the following schemes and report back to the January meeting
 - i) the reduction in hours of lighting in the season ticket holders area to turn off at 8.00pm
 - ii) the remaining lights in the car park (with the exception of the central column of 4 lights) to be turned off at midnight until 5pm.
- 3 the Police and Great Dunmow Town Council be informed of the trial and be asked to cooperate in the monitoring and reporting of any problems in the area.

E20

STANSTED AIRPORT DRAFT NOISE ACTION PLAN

At this item Councillor Godwin declared a personal interest as a member of SSE.

The Committee received the consultation document on Stansted Airport Ltd's draft noise action plan. The plan covered the 5 year period from 2010 to 2015. This was required by the Environmental Noise (England) Regulations 2006 under which the airport operator was deemed as the competent authority to draw up the plan. The officer's report put forward proposed answers to the questions set out by Stansted and members were asked if they had any further comments to make.

The Principal Environmental Health Officer commented that the plan was not ambitious and was restricted to outlining the actions that the Airport was currently required to take rather than new measures to reduce noise. Members outlined their personal experiences with aircraft noise and in particular night flights, and felt that the plan contained bland statements that didn't address the real problems that affected people in the villages. It was

also noted that changes in practises by airline operators had a major affect on the local community but these were not mentioned in the plan.

RESOLVED that the Committee agree the proposed response, subject to further discussions at the Stansted Airport Advisory Panel to be held on 23 September and authorises the Acting Director of Development to finalise the representations on behalf of the Council, in consultation with the Chairmen of the Committee and the Advisory Panel.

E21

AIR QUALITY ACTION PLAN

It was reported that in 2006 this Committee had authorised the Saffron Walden Town Centre Management Group to produce an air quality action plan to address the air quality objectives for Saffron Walden. This plan had now been prepared and had been subject to public consultation. The plan addressed the poor air quality in a number of hot spots in the centre of Saffron Walden and set out measures for improvement.

The proposed measures would be generally addressing the traffic movements and congestion in the town and would require action by Essex County Council. To this end members felt that the suggestions appeared to be aspirational rather than achievable in the short term, particularly as a number of the measures had been talked about for some time. The Principal Environmental Health Officer noted this point but also explained that once the plan was adopted it would have a proper status and the County Council would be obliged to take note of it in the formulation of its Transport Plan.

RESOLVED that the Committee approve the Saffron Walden Air Quality Action Plan.

The meeting ended at 10.25 pm.

STATEMENT BY MEMBERS OF THE PUBLIC

Andrew Blackwell - Bidwells

The occasion of the next consultation on the Core Strategy is an opportunity for options on housing distribution to be objectively reviewed, informed by robust evidence, and for the Council to confidently identify the best locations to deliver sustainable development.

Set against the progress of the emerging Core Strategy is a great deal of political debate and an understandable concern should excessively large strategic housing figures be imposed upon the District.

There is also financial uncertainty in the markets which point to a real fear that overambitious projects could fail because they cannot afford (or be certain of) funds for the significant new infrastructure they require.

One aspect is not uncertain. There will always be a housing need to meet locally generated demand. Historically there has always been a need for such and there is no reason to suggest that Uttlesford does not carry its own proportion of urgent housing need.

With uncertainty over funding for large infrastructure requirements, the emerging Core Strategy is an opportunity to refocus on those locations which already have infrastructure in place and which can meet locally generated demand. In short the principal towns in the District, including Great Dunmow need to be reviewed for their capacity to take new growth.

It is understood that central Government has invited the Council to consider Elsenham as a future eco-town and where grant funding is possible to research its delivery. At this stage, and for this LDF, evidence to demonstrate the delivery advantages for Elsenham i.e. advantages over the incremental expansion of existing principal towns has not been made available. However the Core Strategy process demands that robust evidence must inform decision taking and survive the strongest scrutiny if the Core Strategy is not to be found unsound. Unless sufficient time is allowed for this to happen i.e. as part of the emerging consultation, your Core Strategy could be revealed to be based on unsound principles at the Examination in Public. If the Core Strategy is subsequently rejected, the LDF process will have to be repeated. This will incur substantial additional cost to Uttlesford. Also during absence of an adopted Core Strategy a deficit in its five year housing land supply leaves the Council vulnerable to opportunist planning applications. This is not a scenario the Council needs to invite upon itself and can be avoided by a well informed and broad minded approach to the emerging Core Strategy.

The delay in the Core Strategy preparation has meant that new evidence is now available which, if it has been available back in September 2007, would probably have led to a different, Council led, preferred option. Back then,

there was no credit crunch to cast doubt on the availability of substantial infrastructure funding, Indeed your most recent SHLAA figures, with its explanatory text, give reason to doubt as to whether major growth at Elsenham is needed or deliverable because of access difficulties.

Circumstances are now sufficiently different, and they invite a need to seriously consider, and certainly consult, on a more cost/effective localised approach to housing need. Well planned expansions to existing principal settlements can not only meet such need but pump prime improvements to local services.

It is therefore asked that the Council acknowledge that it is not yet ready to embrace the concept of major growth at Elsenham. It does not have, and never has had, a sufficient evidence base to justify its advantages over other locations. In addition the Council needs to face up to the prospect that if the Government are now inviting the Council to take part in an eco-town review, the Government carry an expectation of significantly more than 3000 homes. Fairfield Land won't be shy to meet that expectation. If you strongly encourage the prospect of 3000 dwellings at Elsenham now, you could well be laying the seeds for many more, possibly predicated on financial viability arguments. Beware the unstoppable Trojan horse if you choose to let it loose.

If the Council do not want to be subject to such an overwhelming scale of development at Elsenham then why court that possibility by an emphatic rejection of other options at this stage. What is wrong with planning for accommodation growth that is manageable by smaller scale, well contained proposals and which are responsive to local needs and cost effectively served by available infrastructure? Now is the time to be more cautious with Elsenham. Consider it only when evidence is available to demonstrate alternative more sustainable options cannot be delivered.

It is therefore asked that an objectively informed approach is adopted as part of the forthcoming consultation and with a far more cautious attitude towards Elsenham and the Pandora's box it represents.

Rosa Etherington – Countyside Properties

Countryside Properties and I would like to speak to the committee in relation to the emerging Core Strategy and specifically the options for housing growth. It is our view that Uttlesford District Council at long last has the opportunity to make the best out of existing infrastructure and enhance the sustainability and vitality of existing settlements, specifically along the A120 corridor. We therefore continue to question the merits of allocating development within new freestanding settlements that UDC continue to promote despite a weakening evidence base and despite advice from the Government Office to improve this evidence base to justify the 'preferred' option.

The draft Strategic Housing Land Availability Assessment also questions the ability for Elsenham to be 'achievable' due to access issues. The assessment questioned the likely level of trip generation by car, the likelihood of people

using rail as an alternative and the developers' ability to influence traffic flows. We await the response by Essex County Council Highway Department with interest.

Land within existing settlements and specifically along the A120 corridor is being promoted by various house builders with plans that aim to make the best out of the existing infrastructure and existing settlements. By focusing further growth on existing communities, substantial additional and complementary services and facilities can be provided for the benefit of all, not just the new residents. This focus, using the A120 transport corridor, has particular advantages in view of the scope for both benefiting existing settlements and further improving the existing public transport infrastructure. Countryside Properties has a number of land interests along the A120, namely Greater Priors Green at Takeley and Dunmow Park, located directly within Great Dunmow town centre. Such sites have much, or all, of the necessary infrastructure and are readily deliverable, accessible and sustainable as well as benefiting the existing settlements.

This approach means that there would be more money available for local communities than there would with development at Elsenham, which would be expected to invest in costly strategic infrastructure such as new roads and services. The LDF system is all about delivery. As such, the LPA will have to take an informed assessment of the economic viability and the likelihood of funding to deliver housing at Elsenham.

Dispersed growth along the A120 would allow for a flexible response to the urgent need for housing of all tenures in the district with a small number of appropriate deliverable sites, meaning more homes, quickly and more cost effectively. This would effectively 'spread the risk' of development. These dispersed strategic sites, within existing settlements along the A120, would be interlinked by a high quality bus corridor providing connections to the main settlements. Existing bus routes to Stansted could be increased to provide easy access to employment opportunities and a quick and direct service in to London Liverpool Street. Services could be improved to access secondary schools e.g. Stansted Mountfitchet, shopping centres, railway stations and hospitals e.g. Herts and Essex General Hospital.

Council members therefore have the opportunity to opt for a more sustainable approach that will benefit both new and existing residents by expanding existing settlements along the A120 corridor, offering a more logical and readily deliverable solution.