

**SCRUTINY COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 7.30pm on 17 JANUARY 2017**

Present: Councillor A Dean (Chairman)
Councillors H Asker, G Barker, E Oliver and G Sell.

Officers in attendance: D French (Chief Executive), R Auty (Assistant Director Corporate Services), M Cox, (Democratic Services Officer), G Glenday (Assistant Director Planning), R Harborough (Director of Public Services), V Taylor (Business Improvement and Performance Officer) and A Webb (Director of Finance and Corporate Services).

Also present: Councillor S Barker (Portfolio Holder for Environmental Services).

SC38 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors R Chambers, P Davies, M Felton, S Harris and B Light.

Councillor Asker declared a non-pecuniary interest as a member of Saffron Walden Town Council.

SC39 MINUTES

The minutes of the meeting held on 22 November 2016 were received and signed by the Chairman as a correct record.

SC40 PLANNING ADVISORY SERVICE REPORT ON THE EMERGING LOCAL PLAN

The meeting received the report commissioned from Intelligent Plans and Examinations (IPE) through the Planning Advisory Service on the emerging Local Plan, including a review of progress to date. In addition to the full report, Members received a summary of the key issues and an action plan setting out officers' response to the report's findings.

The Chairman introduced the item and thanked the author, Geoff Salter, for his work on the report. He said the report covered a lot of material which he felt could merit further consideration and put forward the idea of setting up a task and finish group to develop an action plan for further work and proposals.

He then highlighted areas of interest. First the recommendation for the Sustainability Appraisal to be more comprehensive for the nine areas of search, and for the council to put in place a clear mechanism for reducing these options. Also, that more detail was required in relation to work around the Duty to Cooperate, as the report said there was insufficient information to judge whether this had been completed satisfactorily. The report also drew attention

to the number of houses planned for the district and that the current figure of 12,500 homes might need to be increased after taking account of the latest 2014 CLG household projections. The Chairman said it very important for the council to get this calculation right.

Cllr Oliver said the report had been commissioned when the Local Plan was expected to be submitted by March 2017. This date had been extended, so some of the comments were not now relevant. Many recommendations were being dealt with, for example the introduction of an additional consultation as part of the Regulation 18 stage. The Chairman replied that the report had been completed at the end of December, so the author had been aware of the current situation.

Members commented that the report, together with recent comments from planning Inspectors appeared to point the use of an increased OAHN of 14,100. Members asked for a detailed explanation of the calculations as it still wasn't clear how the OAHN was apportioned across the SHMA area. The Assistant Director Planning said officers would produce a housing topic paper on how the numbers were calculated and the issue would be considered at the Member workshop on 1 February.

The meeting mentioned the forthcoming White Paper, which seemed likely to confirm the direction of travel as a push to build more houses. There was speculation about the possible relaxation of the Green Belt.

Members said a new LDS was required to set out the timetable and activities for the emerging Plan. It should be subject to robust project management and have a mechanism to raise alarm bells at an early stage to avoid the last-minute pause that had occurred in November.

The Committee was informed that the Local Plan Project Board met on a weekly basis to review progress. The a revised LDS would be presented to Cabinet. Officers were aware that Members wished to be involved in the process, and work was in place to ensure they were better informed with regular communication from the Chief Executive, the introduction of the Member Forum and putting in place a programme of Member workshops.

Cllr Dean said the plan timetable had been extended by 18 months, which wasn't just a minor pause and the PAS report appeared to identify gaps that should have been clear at the time. It was explained that the plan had been paused due to an unanticipated external matter and at the time it wasn't clear how long the delay would be. However, the cumulative impact of new issues such as the transport assessment, housing numbers and the White Paper had lengthened the preparation timetable.

A question was asked about the available staff resource to carry out the required work. Cllr Sell said it was important to build trust with the community and for residents to feel they were being treated fairly and the process was evidence led. The Director of Public Services said the council had assembled an impressive team of officers and had access to expert consultants. However, for a number studies the council was still dependent on feedback from external

partners. Most District authorities were in the process of preparing their plans and requesting reports, and these outside bodies were under pressure to deliver.

The Chief Executive said that whilst the plan was evidence focused, the council should also appreciate the emotional response of those residents affected by the proposals. Many of these concerns would be around the adequate provision of the associated infrastructure and any communication plan should consider how to disseminate this information.

Comments on to the report

Local Plan timetable

The Committee noted a factual error at para 2.2, stating January rather than March 2017 for the Plan submission.

Cllr Asker was concerned that it had taken the pause to reveal other underlying issues. She said there were a lot of lessons to be learnt from this pause and the previous Inspector's decision and she hoped the council could now produce a robust Plan. She asked whether the plan was within budget and questioned the extent of the reliance on external resources.

The Director of Public Services said the budget wasn't constraining what the council needed to do to prepare the Local Plan. The Planning Reserve was being used and this had been set aside for this purpose. There were sufficient funds for the Local Plan work in 2017/18 and 2018/19. Members would be able to see details of the spending when the Reserves Strategy was considered by Cabinet.

The Chief Executive explained that it was common practice to use a mixture of officers working alongside external experts, as several areas required specialist knowledge. She said the council was focused on value for money and officers had taken note of this report and the Inspector's comments. The process was about checking the evidence and taking advice to achieve a sound plan. However, there was a balance to be struck between moving at pace and reducing the risk of the plan being rejected.

The Chairman mentioned Neighbourhood Plans, which he understood should be complementary and supportive to the district's Local Plan. He had heard that some parish councils were disappointed in the level of support from UDC. The Assistant Director Planning said there were currently 9 plans in preparation and he was looking at the most effective way of using limited staff resources. He was currently running a workshop every six months to provide information and enable the sharing of best practice. The Neighbourhood Plans were required to conform to the Local Plan policies so officers would ensure that the Neighbourhood Plan groups were kept informed of the relevant issues.

Evidence

Cllr Dean said the council should agree the criteria and scoring to be applied to the decisions on the new settlements/areas of search at the outset, rather than turning evidence to fit specific sites later in the process

Members were reminded that site assessments could not be totally scientific. It might be the case that the scoring revealed several viable locations and an element of judgement would be required.

Duty to Cooperate

Members said this was key area where the council had been behind, but now appeared to be improving. The Assistant Director Planning said he would attend all future DtC meetings and feed back to Members. However, all councils felt hampered by the lack of guidance from Government on how to approach this issue.

The Chairman asked officers' views on whether the boundary between the strategic housing areas was sacrosanct, and the consequence of building a new settlement close to the boundary between UDC/S Cambs. The Director of Public Services said the SCMA boundary was the same as the district boundary but the issue to be considered was the best place within the SHMA to put proposals and whether a site on the northern boundary of the district with South Cambridgeshire was the most appropriate location to meet the OAHN of the West Essex area.

Soundness

Councillor G Barker asked if officers could give a ball park indication of how much work was still to be done to complete the Local Plan. Officers explained local planning was an iterative process and whilst the commissioned studies might provide an answer they could also reveal the need for additional work. However, officers had identified the studies that were required as part of the evidence base. Members said it might not be possible prove all points and at some stage the process would have to be concluded and a decision taken.

In answer to a question, the Committee was informed that Uttlesford was in a similar position to other a number of Essex authorities, who had also been working to the March 2017 deadline.

Response to the Action Plan

The committee suggested the following amendments to the Action Plan

- 1 To update the narrative to note that the Regulation 18 consultation would form part of the LDS to be considered by Cabinet on 30 March 2017

- 3 Scale of housing – To provide a clear and logical explanation of the calculations on the housing requirement and to show the workings behind the headline figures.
- 4 White Paper – Officers to provide a topic paper as soon as possible after the receipt of the White Paper.
- 5 Infrastructure Delivery plan – To provide a detailed explanation of what is included within the IDP and the timetable for the implementation of the various elements.
- 8 MOU with Braintree – To state this should be in place earlier than the submission date, if possible.

The Chairman asked Members how they wanted to take forward the report. He suggested the following options:

- To accept the findings of the report and take no further action.
- To request an update of the Action Plan at an appropriate time.
- To set up a task and finish group to consider the report in more detail.

Members were concerned about possible duplication with work already taking place within the authority, for example with the Members' forum and the PPWG. They were also aware of the resource implications of setting up a further group and the need for officers to get on with the work of preparing the Local Plan.

The Chief Executive said there was a clear role for the Scrutiny Committee, which was to consider the Local Plan process and whether has it been followed. It would be valid for the committee to review progress after a reasonable time and the committee might also wish to commission a further report near to the completion of the process.

RESOLVED

- 1 To receive a progress report on the action plan at the next meeting.
- 2 To maintain a watching brief and decide whether to take further action in the future.
- 3 To feedback any comments to PPWG and Cabinet

SC41

CABINET FORWARD PLAN

Members received the latest version of the Cabinet Forward Plan.

The Local Plan items would be added to the forward Plan once the updated LDS had been agreed.

It was agreed that Cabinet's comments on the Scrutiny report on enforcement would be fed back to the next meeting.

SC42 **SCRUTINY WORK PROGRAMME**

The committee received its work programme to the end of the council year.

The Chairman said the review of the Cabinet system would be put back in the programme.

Councillor Asker asked when the street naming and numbering policy was likely to be considered as this was of concern to Saffron Walden Town Council. She was informed that the Interim Head of Legal Services was reviewing the document and was aware of the Town Council's views. The final document would be subject to consultation.

The meeting ended at 9.45pm