

ECONOMY AND ENVIRONMENT COMMITTEE: MINUTES

Date: Thursday, 12th July 2018

Time: 10.00a.m. to 12.noon.

Present: Councillors: D Ambrose-Smith, I Bates (Chairman), D Connor, R Fuller, D Giles, N Harrison (substituting for Cllr Batchelor), N Kavanagh, S Tierney, J Williams and T Wotherspoon (Vice Chairman).

Apologies: Councillor H Batchelor

121. DECLARATIONS OF INTEREST

None

122. MINUTES

The minutes of the meeting held on 24th May 2018 were agreed as a correct record.

Regarding appointments to outside bodies / Partnership Liaison and Advisory Groups as set out in Appendix 2 to the Minutes, Democratic Services circulated to all Members of this Committee (and the Health Committee) on Monday 9th July a request for a nomination for one member of each of the Committees to be appointed to serve on a cross party working Group on Poverty and to indicate any expressions of interest to the Chairman.

As an oral update it was indicated that the Health Committee were looking to appoint Cllr Topping, and that it would be useful if one of the Liberal Democrat Members on the Committee could be nominated and appointed. The Liberal Democrat Member present indicated that they would take the suggestion away and come back with a nomination from their Group meeting due to meet the next day.

123. MINUTE ACTION LOG

The following oral updates were provided on the Log since the agenda publication:

Page 32 Minute 40 Land North of Cherry Hinton - New Developments - Future Seminar – this has now been arranged for a slot on 7th December along with a request for a slot regarding clarification on the restrictions on Section 106 Payments.

There was a request to speak on Minute 105 Ely Southern By-Pass – Cost and Additional Funding which was to be taken as the next item of business.

The Minute action log with the above update was noted.

124. PETITIONS AND PUBLIC QUESTIONS

No petitions were received. One public request to speak was received from Mr Mike Mason making reference to agenda Item 3 - Action Log Minute 105 'Ely Southern Bypass – Cost and Additional Funding'

In his presentation he highlighted the deep public concern over, in his opinion, the avoidable delay in public discussion of the scale of the overspend. In the absence of any further assurance from Audit and Accounts Committee and his concerns that the Ely Bypass project was one of only a number of project overspends being looked at by the Internal Audit review, he urged this Committee to instigate a full and comprehensive investigation to establish responsibility for in his words "the technical and financial mismanagement of this contract".

The response provided referenced the update already included in the minute action log namely that the Audit and Accounts Committee would be receiving an Internal Audit report on Capital Overspends, including a review of the Ely Bypass project, at their meeting in September.

Therefore as this Committee had already made the request and it was being progressed, there was no further action to be taken. The intention was that once Audit and Accounts Committee had considered the report, the findings would be shared with the Committee.

The full details of the speech as provided by Mike Mason is included at Appendix 1

125. EXTENDING THE FUNDING ON CONTRACTED BUS SERVICES TO THE END OF THE 2018-19 FINANCIAL YEAR

Following a decision by Whippet Coaches to withdraw 17 bus services, in August 2017 this Committee agreed to fund the following replacement bus services 1A, 2, 7A, 8, 9, 12, 15, 18, 21, 30, 35, 45, 45A, 114 and 117 for up to one year from local bus reserve funding. The original decision was based on planned work to be carried out to review contracted bus services. However, as a separate review was commissioned by the Cambridgeshire and Peterborough Combined Authority (CPCA) for 2018/19 this review did not take place and in the meantime the CPCA has delegated responsibility for the contracted bus services back to Cambridgeshire County Council. There was however a timing issue as the CPCA review, was not due to report until November 2018, while the current contracts would expire in August 2018. As the original one year period was approaching its end, a decision was required on whether or not to extend the funding further.

In order to extend the existing contracts until the end of March 2019 additional funding was required. The projected pressure from extending the temporary bus subsidies already in place, on top of the £84k already agreed from reserves, was £210,794. It was noted that there are sufficient funds in the reserve to cover this. In addition to the services already funded, more recently the Council had temporarily funded the number 46 service. At the time this funding was agreed, it was made clear that this would only be to the end of August and that the Council would request ongoing funding from the Cambridgeshire and Peterborough Combined Authority (CPCA). In addition, Contracts

196, 31 and 75 were recently been deregistered by Whippet coaches with the net cost increase was estimated to be £38k for the remainder of this financial year for which funding had also been requested from the CPCA. At the time of the report's publication the Council was awaiting the outcome from these funding requests. As an oral update at the meeting it was stated that the CPCA would be making an announcement on these Services that afternoon.

In view of the ongoing possibility of further contract changes a delegation was sought to the Executive Director of Place and Economy, in consultation with the Chairman / Vice Chairman, to consider the award of any future contracts to cover for de-registrations, as long as they were within the retained budget or funded by CPCA.

In response to a question asking how confident officers were that the services would continue to March 2019, assurance was provided stating that the relevant operators had been consulted and confirmed they were happy to continue to run those included in the extension proposal until March 2019.

It was resolved unanimously to:

- a) agree to extend the funding for previously agreed subsidised contracted bus services until the end of the 2018/19 financial year, using reserves held for this purpose.
- b) delegate to the Executive Director, in consultation with the Chairman and Vice Chairman of the Committee, authority to agree with the Cambridgeshire and Peterborough Combine Authority the funding required to contract for any further bus services de-registered this financial year.

126. WATERBEACH BARRACKS AND AIRFIELD PLANNING APPLICATION CONSULTATION RESPONSE

The purpose of this report was to update the Committee on the progress of the application, to appraise the Committee of the Council's response to the amended application and, highlight holding objections. It sought approval to the draft heads of terms for Waterbeach Barracks and Airfield section 106 agreement (appendix 2 of the report) and sought endorsement to the Council's response to the amendments to the application (appendix 1) prior to determination of the planning application by South Cambridgeshire District Council.

The planning application made by Urban and Civic/Defence Infrastructure Organisation for the redevelopment of the former Waterbeach Barracks and Airfield was submitted to South Cambridgeshire District Council (SCDC) in March 2017 with this Committee approving the Council's response to the planning application consultation on 13th July 2017. Since then, dialogue between Cambridgeshire County Council (CCC), the applicant and SCDC had been ongoing to resolve both outstanding issues relating to the application, and the planning obligations (section 106 agreement) necessary to make the development acceptable. The report only detailed the application on the Airfield and Barracks site. A further planning application for the land to the east of the airfield was due by RLW and would be the subject of separate report for Committee consideration at a future meeting.

Regarding Transport mitigation requirements, the evidence suggested that the site could be brought forward on a '*monitor and manage*' basis with the initial phase being 1,600 units to be accompanied with an initial, defined mitigation package and a strong emphasis on sustainable travel. Beyond this phase, no further development would be allowed on the site without (a) a further transport assessment, and (b) agreement of additional (strategic) mitigation with the detail as set out in the report, including the technical matters that needed to be resolved before CCC was in a position to approve the evidence and to agree the initial mitigation package.

In respect of Education provision, the detail on the three primary schools proposed was set out in the report. There had been a change to the broad location of the first primary school indicated on the parameter plan. Education officers had challenged this new location due to its proximity to the A10. Discussion with the applicant following additional noise modelling had indicated that the location was satisfactory provided with appropriate noise mitigation measures in the form of bunding and acoustic fencing. The officers were supportive of the general location of the proposed schools, although the precise locations and boundaries, would need to be agreed at the detailed planning stage.

Other areas where comments were being provided were included under the headings: Public Health, Minerals and Waste, Libraries and Lifelong Learning and Archaeology

In discussion issues / questions raised by Members included:

- challenging the siting of the primary school near the A10 as, while noting the mitigation measures for noise, one Member was extremely concerned regarding pollution levels and expressed a wish to see the school sited further away from the A10. In response officers indicate that the provision of the site had been undertaken through working very closely with education colleagues both in respect of noise and pollution levels and they had been satisfied that they were comparable to the standards set in current schools and that the re-located school site itself was quite a distance from the A10 and would be opposite open fields. This had satisfied the education consultant, which was why it had been agreed in principle. The officer made the point that they had worked with Urban and Civic on the Alconbury site and the developer held education in the highest regard and were enthusiastic to produce high quality education buildings.
- Concerns were expressed about the public transport / model shift elements of the Transport Package which was provided in tremendous detail, while at the same time the Cambridgeshire and Peterborough Combined Authority (CPCA) Mayor's plans for bus services were still not known. In reply, the officers indicated that the transport mitigation package was a multi model transport package. This included extensive cycling / walking routes as well as bus services provision looking to achieve a 10 minute service which was considered feasible and for which, the bus companies were on board to achieve this ambition.
- The need to learn the lessons from Love's Farm St Neots where there had been a significant underestimate of the number of children per household due to the amount of social housing on the development. Another Member of the

Committee explained that this had been the result of the Housing Association building more plots for social housing than had originally been anticipated. Reference was also made to the Council's recently revised multiplier which took better account of social housing in calculations on school places.

- Concerns was expressed by one Member regarding the amount of affordable housing that might be provided, citing examples of Northstowe and Clay Farm where the amount of affordable housing had been scaled down. For Northstowe this assertion was contested by the Vice Chairman who provided figures that in total in three phases represented 41% affordable housing provision which was more than 100% compliant. While affordable housing was not a County Council (CC) responsibility, CC officers were working closely with South Cambridgeshire District Council and the developer to provide proper and genuine affordable housing. It was also confirmed that there would be a design code for housing.
- There was a request that some provision for key worker housing for teachers near the schools should be looked into, even if it was not statutorily required. In response it was confirmed that the issue of key worker housing was being looked at by a working group. The Chairman suggested that some of the old barracks could be converted to provide such housing.
- Questions were raised regarding why the existing railway site was being proposed in the current application when RLW had put in application to relocate the station. It was explained that the report and recommendations had to deal with the current application but that the developers would be asked to work together on the potential relocation.
- One Member asked whether the current application for the first 1600 dwellings would include the provision of electrical charging points. In response it was explained that this was only the outline planning application and that this level of detail would be part of the detailed planning application but here was an expectation that this would be the case.
- The Vice Chairman asked for and received the Committee's support for him to go to South Cambridgeshire Planning Committee to speak on their behalf.

As alluded to earlier, the Chairman moved an additional recommendation, seconded by Councillor Giles, regarding asking the two developers to work together on their delivery plans for the whole site for the benefit of the communities and on being put to the vote, was endorsed by the Committee.

It was resolved unanimously to:

- a) To note the update on the outline planning application;
- b) To endorse the draft section 106 agreement heads of terms.
- c) Delegate to the Executive Director (Place and Economy) in consultation with the Chairman and Vice Chairman of the Committee the authority to make minor changes to the draft Heads of Terms and the Council's response to the amended planning application.

- d) Request the two developers to co-ordinate their delivery plans for the whole site for the benefit of future communities who would be living there.

127. LAND NORTH OF CHERRY HINTON – OUTLINE PLANNING APPLICATION CONSULTATION RESPONSE

Appendix 1 of this report contained the officer response made to the outline planning application response, which had already been submitted in order to meet the local planning authority deadline. The County Council supported in principle the outline planning application, subject to agreeing the issues set out in the report, securing planning obligations through a section 106 agreement, planning conditions and any other legal agreement necessary to make the development acceptable in planning terms. The report asked the Committee to review, comment on and endorse the Council's response to the outline planning application which was for 1200 new homes at Land North of Cherry Hinton, subject to the agreement of the Section 106 conditions being proposed.

The development will provide:-

- Up to 1,200 homes;
- Primary school (420 places);
- Secondary school (600 places initially);
- Local centre and community hub; and
- Open space.

Prior to submission of the planning application, pre-application and Supplementary Planning Document (SPD) discussions were held with Council officers to determine the main issues for the development site. They included the treatment of traffic movements both through and around the development and provision for education infrastructure both for the development and the wider Cambridge east area. Extensive debate, including consultation with the general public and local and lead Members from all the local authorities, concerned whether or not there should be a through road between Coldham's Lane and Cherry Hinton Road. It had been decided on balance that a through road would be provided.

It was highlighted that:

- Officers were working with the applicant and local authorities to agree a suitable timescale for a phased delivery of the proposed primary school, as the school was unlikely to be needed for the first occupations of the site and in order to protect the local primary schools.
- A secondary school to be sited on the northern edge of the development was to provide not only for the current development but also for the land North of Newmarket Road, other proposed future development, as well as the increasing need from existing communities.
- As the Cherry Hinton library was already a good facility, officers would be looking to provide a hub library facility at Cherry Hinton, as opposed to a library on the development site.

Appendix 2 of the report contained the detailed Transport Assessment response made as currently officers were not yet satisfied with methodology on traffic or the mitigations proposed. Table 1 of the report outlined the main S106 contributions sought by the Council.

The Local Member for Cherry Hinton spoke, also representing the views of the Cherry Hinton City Councillors, explaining that they and residents were still very concerned about the congestion in the High Street of Cherry Hinton, which they feared could get much worse with the new development. They were requesting infrastructure to be built between the village and Airport Way that would encourage traffic to use Gazelle Way, the by-pass and the new spine road as agreed at previous meetings. She reinforced the need for the new road to be people friendly designed to slow traffic down to relieve older adjacent streets such as Church End. She also made reference to a City Councillor query regarding the contribution to the Library extension and was seeking a firmer commitment to the Section 106 funding contribution to fund the extension of the library as part of funding for phase 2 of the development. In response to this latter point officers clarified that the intention was that the Section 106 contribution for the library would be used to enhance the existing facility.

Issues raised in discussion included:

- The Local member for Fulbourn expressed concerns including:
 - Those raised by Teversham residents that opening the Spine Road would encourage more people to go through Teversham to travel to Cambridge. He supported the contention that currently not enough traffic modelling had been undertaken to analyse the impact of future traffic as a result of the creation of the spine road. He reiterated the current congestion issues on Cherry Hinton Road highlighting that the congestion ran all the way along Fulbourn Road up to the Robin Hood Pub traffic light junction which was already at capacity.
 - The siting of the Secondary School and its effect on the Green Belt (the playing fields were to be sited in the green belt) and that there would be no open space between the village and the secondary school.
 - That as Bottisham Village College had just been extended, there was therefore no need for an additional secondary school until at least 2023-2025 and that any early opening could have a detrimental effect on existing schools. The officer in response clarified that they did not anticipate any opening date before the mid 2020's and the provisions of the Section 106 agreement would seek to ensure the land for the secondary school would not be provided until then.
- The Cycling Champion on the Committee was concerned regarding the secondary school's location and urged the need for all the schools to be sited away from main roads due to the concerns on pollution. In terms of the secondary school the officer highlighted the struggle over four years to find a location in the Abbey electoral division / ward to provide for a secondary school, so it was fortunate that the present site had come forward. Officers provided assurance that they were seeking to ensure that the primary school would not be next to a main road, which in this case would be the spine road.

- Another Member picking up on the issue of a recycling centre highlighted that Sleaford had been an example of how not to do one, while St Neots was an example of how they should be done.
- Another Member criticised the piecemeal proposals for the area being as a result of Marshall and the Ministry of Defence failing to bring forward the full development proposals for the area which had now been moved to 2031. She urged the need to continue to press for the full development to be brought forward, highlighting the current proposed location of the secondary school as being part of this short-sighted in her words “village extension development” as opposed to the original city needs vision, which would see the school located on the east side in the centre of the airport site. Officers agreed that its siting was not ideal, but in terms of the larger development proposals would in the event require a further secondary school on the larger site to accommodate future educational needs. The Chairman highlighted that Councillor Whitehead who along with him had been actively involved in negotiations to find a site for the secondary school was content with its position.

It was unanimously resolved to:

Endorse the response previously submitted by Officers.

128. BIKEABILITY

At the Economy and Environment Committee in March 2017, a report proposed the Committee consider charging schools for Bikeability having highlighted that there was likely to be a shortfall in Department for Transport (DfT) funding to meet expected need. This was rejected with it being unanimously resolved to request that officers seek alternative funding for the scheme through sponsorship or other funding streams.

A further report in July 2017 highlighted the difficulties in securing sponsorship that tied sponsors to lengthy commitments and as a result, the Committee resolved to address any immediate shortfalls in funding in 2017/18 through any Place and Economy underspends. At the meeting in March 2018 in general discussion, members still wished officers to continue to seek alternative funding to avoid having to reduce the programme. The current update report explained that recently officers along with Councillors Jones and Kavanagh had met a large local business who had indicated some interest in sponsorship. Officers were assisting to help with the production of a business case to enable the business's senior management to consider a proposal further. However, to date the DfT have not offered any additional funding or explored an alternative delivery model to free up funds and as additional outside funding could still not be guaranteed, in order to be able to notify schools before the summer recess of the funding levels that would be available to them, a decision needed to be made to reduce the programme to the level of funding currently available.

In the subsequent discussion:

- Members asked whether other Committees such as the Children and Young People, Communities and Partnership and Health Committees could be asked to contribute as part of their respective roles to encourage: greater self-help, more physical activity and switching from car to bike transportation to reduce pollution and

congestion levels. The Executive Director explained that wherever money was sought it would require reductions in other budget areas and as each committee had their own budget pressures the Chief Finance Officer would not allow money to be taken from other budgets.

- One Member suggested looking at any shortfall in the Members Allowance Budget. This was rejected as even if there was a current underspend, this was unsustainable going forward.
- Other suggestions involved approaching district, town and parish councils and schools themselves for potential contributions.

It was made clear, that while other funding options should continue to be explored by the officers, as it was a budget issue, it required an immediate resolution so that schools knew how much funding would be available to them in September. Each of the recommendations, including an additional recommendation c) moved by the Chairman and seconded by Councillor Connor, was voted on separately

It was resolved:

- a) Unanimously to note the update on the funding situation, and the approaches taken by other neighbouring local authorities;
- b) By a majority to agree the strategy outlined in paragraph 3.2 of the report below that no additional funding is allocated to the Bikeability Scheme and to match the number of training places to the Department of Transport (DfT) funding available and for officers to continue to pursue sponsorship and other funding opportunities and to continue to engage with the DfT to address the national funding shortfall.
- c) Unanimously to delegate to the Executive Director, Place and Economy in consultation with the Chairman to write to District, Town and Parish Council's and schools to seek additional funding for cycle training so all demand in their area can be met.

(Note: Since the meeting the DfT has written to the Council confirming that the full grant to cover the Bikeability cycle scheme demand for 2018-19 will be provided due to underspends in other Councils' Bikeability schemes).

129. COUNCILLOR APPOINTMENTS TO THE MARCH AREA TRANSPORT STUDY STEERING GROUP

The Cambridgeshire and Peterborough Combined Authority (CA) presented a paper at its board meeting on 28th March 2018 that set out spending on transport during the period 2018-20. The March Junctions Improvement Package was one of the transport schemes identified in the pipeline of schemes and was allocated £100k in October 2017 and a further £1m in March 2018 for a feasibility study with responsibility for leading and delivering the study delegated to Cambridgeshire County Council. It was therefore proposed that a March Area Transport Member Steering Group should now be established to ensure Local Member involvement throughout the study and to appoint two Cambridgeshire County Councillors and nominate one substitute to the Steering Group for which nominations were proposed and seconded by the Chairman and Vice Chairman.

Details and the proposed Terms of Reference for the March Area Transport Study Steering Group to be presented at the first meeting of the Group for agreement were included as Appendix A to the report. It was proposed that the Steering Group would make recommendations to this Committee, to Fenland District Council's Cabinet and to March Town Council.

It was resolved unanimously:

- a) To approve the establishment of the March Area Transport Study Steering Group based on its draft Terms of Reference attached as an appendix to the officers' report, and
- b) To appoint Councillors Janet French and John Gowing as the two County Councillors and Councillor Connor as their substitute to the March Area Transport Study Steering Group.

130. FINANCE AND PERFORMANCE REPORT – MAY 2018

The Committee received the Finance and Performance report for Place and Economy Services (P&E) in order to comment on the projected financial and performance outturn position, as at the end of May 2018.

The main issues highlighted were:

Revenue: The Service has started the financial year with two significant pressures for Coroners Services and Waste (both which came under H&CI Committee). The P and E service was showing that it was seeking to make £790K savings by year-end to bring the budget back into balance, and this would be either be through fortuitous underspends and additional income, or planned reductions in service if required at the later stages of the year.

Capital: New funding has been awarded by the Department for Transport since the Business Plan was published. This was made up of Pothole Grant (£1.608m + £0.807m) and additional Safer Roads funding (£0.128m).

Performance: It was highlighted that at this early stage in the year, some indicators were still being reported on pre-2018/19 information. Of these twelve performance indicators, two are currently red, four are amber, and six are green. The indicators that were currently red are:

- The average journey time per mile during the morning peak on the most congested routes
- % Freedom of Information requests answered within 20 days

At year-end, the current forecast was that for none of the performance indicators would be red, five would be amber and seven green.

In discussion the following issues were raised:

- Regarding the performance indicator titled 'Guided Busway passengers for the month' showing a downward direction of travel arrow as there was no comparator figure for the previous month and no explanation provided, Members had no way of knowing the reasons for the fall when Members might have expected the direction of travel to be upward. The Member who raised the question surmised that this had been a result of Stagecoach reducing their service. In response the Executive Director suggested the more important figure was the 12 month rolling figure. Variations were often the result of school holidays and tourism levels. **The Officers agreed to look to redraw the chart in future to provide better explanation of fluctuations. Action: Andy Preston / Sarah Heywood**
- Querying the potential reliance on fortuitous savings being required to plug the identified budget shortfall and concerns that if they did not arise, there would be the need for service reductions the Executive Director explained that this reference was to highlight the potential overspend but to also recognise at this stage it would be too early and inappropriate to identify / make budget cuts as other areas of the budget tended to over-perform in terms of income generation during the course of the year.

Having reviewed and commented on the report it was unanimously resolved to:
note the report.

131. **ECONOMY AND ENVIRONMENT COMMITTEE TRAINING PLAN**

The following updates were provided / drawn attention to orally at the meeting:

- Item 14 - The Combined Authority Seminar slot previously requested by the Committee was held on 15th June as set out at on the schedule.
- Item 15 Minerals and Waste Local Plan had now been included as part of the 19th March 2019 Member seminar as listed at on the schedule.
- Item 16 'Restrictions on Section 106 Payments' and Item 17 'New Developments' were scheduled for 40 minutes each on the 7th December Member seminar, although it was possible that they might be combined as some of the issues potentially overlapped.

In discussion there was a request that officers include in the New Developments seminar details on the provision and barriers (such as the local electricity board limitations) to providing electric charging points in new homes. **Action: Democratic Services to inform Juliet Richardson**

It was resolved:

- a) To note the Training Plan as updated.

- b) To request that officers include in the New Developments seminar details on the provision and barriers to providing electric charging points in new homes.

132. ECONOMY AND ENVIRONMENT COMMITTEE AGENDA PLAN

The following changes to the 13th September agenda since publication of the report were orally provided:

Add: Kennett Garden Village Outline Planning Application

The following two reports moved from September to the 11th October Committee:

- 1) Planning Obligations Strategy
- 2) Waterbeach Supplementary Planning Document

133. DATE AND TIME OF NEXT MEETING 10 A.M. THURSDAY 16TH AUGUST 2018

**Chairman:
16th August 2018**

Appendix 1

TRANSCRIPT PRESENTED AT THE ECONOMY AND ENVIRONMENT COMMITTEE ON THURSDAY 12TH JULY 2018 FROM MR MIKE MASON WITH REFERENCE TO AGENDA ITEM 3, ACTION LOG MINUTE 105, ELY SOUTHERN BY-PASS

Good morning Chairman and members. You will recall that I was present and recorded the debate on 24th April when the cost and funding of the Ely Bypass was discussed. After members expressed concern about the cost overrun you gave an assurance that this would be referred to Audit and Accounts Committee. We now learn that their investigation will be at a high level, consider other contracts, and will not report until September. The taxpaying public will regard this as a cop out! The Committee is charged with the responsibility to manage its capital budget, which it has failed to do.

Questions:-

- Why was the NEC form of contract used? This went against the advice given in the Harris Report 3 years ago. The mistakes made in the Guided Bus contract have been repeated. No lessons have been learned!
- The scale of overspend was well known and documented at least 10 months ago. Officers knew, the project board members knew, and it is my belief that the local members knew also.
- Why did they all conspire to delay the report until 12th April this year? The public will suspect that this was to avoid difficult budget discussions last autumn. The capital programme budget figure in the Business Plan was mythical and misled members into thinking that the scheme was on target.
- The deliberate withholding of capital progress reports represents gross financial mismanagement of public finance and brings the Council into disrepute.

A full, open and thorough inquiry should now be set up to establish why this huge overspend and delay in delivery happened. Furthermore and most importantly, the inquiry should concentrate on accountability issues and establish who is responsible for this debacle.