

**ECONOMY AND ENVIRONMENT COMMITTEE: MINUTES**

**Date:** Tuesday 21<sup>st</sup> April 2015

**Time:** 10.00a.m. to 1.00 p.m.

**Present:** Councillors: I Bates (Chairman), R Butcher, E Cearns (Vice-Chairman), B Chapman, J Clark, D Divine, D Harty, R Henson, J Hipkin, D Jenkins, N Kavanagh, A Lay, M Rouse, J Schumann, M Shuter, A Walsh and J Williams.

**Also present:** Councillors M Loynes and G Wilson.

**Apologies:** None.

**111. DECLARATIONS OF INTEREST**

Councillor Shuter declared a non-prejudicial interest in item 8 (Minute 118) titled 'Consultation On East Cambridgeshire District Council's Regulation Community Infrastructure Levy (CIL) 123 List' as a governor of Bottisham Village College and as an informal member of the Lode to Quay Steering Group.

**112. MINUTES AND ACTION LOG**

The minutes of the meeting held on 10<sup>th</sup> March 2015 were agreed as a correct record.

It was unanimously resolved:

To note the updates on the Minutes Action Log.

**113. PETITIONS**

None were received.

**114. INTEGRATED TRANSPORT BLOCK FUNDING PROPOSALS**

This report outlined the approach for prioritisation of Integrated Transport Block (ITB) expenditure on transport proposals within the 'Delivering the Strategy Aims' and 'Cambridgeshire Sustainable Transport Improvements' elements of the funding block.

The Committee was invited to consider the approach for prioritisation and also the schemes which had been assessed in Appendix 1 of the report recommended for inclusion in the Transport Delivery Plan (TDP). Appendix 2 included the long list of schemes which were assessed as part of the process and were included for information. They were not being recommended for inclusion for reasons including lack of funding or that the schemes were only at an early stage of development and required further officer work.

It was highlighted that as part of the Government's Growth Deal process, £200M had been top-sliced from the £458M nationally allocated for Integrated Transport improvements in 2015/16. The result for Cambridgeshire was that for 2015/16 the Integrated Transport Block allocation would be £3.190M, a significant reduction in resources compared to the sum of £5.707M allocated in 2014/15. In response, the ITB budget had been revised and incorporated in the Capital Programme as outlined in the table below. While most of the funding had been allocated towards specific areas in the TDP, further work had been undertaken on the final two categories - 'Delivering the Strategy Aims' and 'Cambridgeshire Sustainable Transport Improvements' elements.

<b>Budget Element</b>	<b>Proposed allocation (£000s)</b>	<b>Description</b>
Air Quality Monitoring	23	Funding towards supporting air quality monitoring work in relation to the road network with local authority partners across the County.
Major Scheme Development	400	Resources to support the development and delivery of major schemes.
Local Highway Improvements	482	Provision of the Local Highway Improvement Initiative across the County, providing accessibility works such as disabled parking bays & provision of improvements to the Public Rights of Way network.
Strategy Development and Integrated Transport Schemes	345	Resources to support Transport & Infrastructure strategy and related work across the County, including Long term Strategies & District & Market Town Transport Strategies as well as funding towards scheme development work.
Road safety schemes	594	Investment in road safety engineering work at locations where there is strong evidence of a significantly high risk of injury crashes.
Delivering Strategy Aims	868	Supporting the delivery of proposals included in Countywide Transport Strategies and Market Town Transport Strategies to improve accessibility and mitigate the impacts of growth.
Cambridgeshire Sustainable Transport Improvements	478	Supporting sustainable transport improvements across the County, including cycling and pedestrian improvements, bus infrastructure / priority measures, demand management.
<b>Total</b>	<b>3,190</b>	

An assessment of all of the Transport Strategies, current commitments and proposals as well as alternative funding sources had been undertaken to assess eligible projects for funding related to 'Delivering the Strategy Aims' and 'Cambridgeshire Sustainable Transport Improvements' with the detail and criteria used set out in the officer's report.

In view of the small annual budgets and cost of schemes, a 3 year funding period was recommended to ensure that some larger schemes which potentially scored better on benefits were not ruled out from the outset due to limited funding availability.

In discussion Members raised issues including:

- With reference to the entry on page 4 of Appendix 1 titled 'Small scale bus stop facility improvements' the need to ensure a joined up approach with Cambridgeshire Future Transport, including publicising widely new bus timetables. It was confirmed in response that officers would work with CFT and Passenger Transport to ensure a joined up approach.
- One Member highlighted the urgent requirement to update the St Neots Market Town Transport Strategy to address the transport needs of the additional housing growth, which was the largest in the County. He requested details to be provided in terms of implementation dates, where improvements would be made and how they would be funded. It was agreed that a timetable for establishing the Strategy would be provided to Councillor Chapman outside of the meeting following consultation with Huntingdonshire District Council. **Officer Action: Dearbhla Lawson**
- One Member in highlighting the lack of Cambridge / South Cambridgeshire specific schemes in Appendix 1 queried whether this related to the City Deal. In response, it was explained that a countywide approach was taken when looking at schemes and some funding was included for Cambridge and that the final list reflected those that were deliverable within current timescales and identified funding.
- With reference to Appendix 2 and the cycle route 'High Barns estate / Lynn Road crossing' one Member made reference for the need for crossings to be put in place as a priority, as a school being built was due to open in January and would accommodate 120 pupils coming from all parts of Ely. The officers undertook to look into this as a matter of urgency. **Officer Action: Dearbhla Lawson**
- Reference was made to a new bus interchange facility in Whittlesey costing £500k to enhance the market place which Stagecoach were refusing to use as it added 2 minutes to their journey times. There were also issues with buses double parking leading to blockages on the A605. The issues raised would be looked into further and was the subject of ongoing officer discussions with the bus company. However it was highlighted that in relation to the first issue, the County Council had no powers over the operational / commercial activity of private bus companies. **Officer Action: Bob Menzies**
- There was a query regarding the reason why Ely, which was a fast growing town appeared to be receiving less funding for schemes as a proportion of spend compared with other, smaller market towns, It was explained that there had been considerable LTF spend in the A10 north corridor in earlier years and this report was only looking at spend for deliverable schemes for the forthcoming year and that further work was underway to develop a Transport Strategy for East Cambridgeshire which would identify new schemes for funding for future years.
- In respect of the reference on page 4 of Appendix 2 to improvements having been made to the bus station in Wisbech, a local member requested details to be provided outside of the meeting. **Officer Action: Dearbhla Lawson to write to Councillor Lay.**

- As this report was only providing details of one funding stream, there was a request to receive details of the overall funding secured. **Officer Action: Dearbhla Lawson undertook to provide outside of the meeting details of overall funding secured in the last two years.**

It was unanimously resolved to:

- a) note the approach for prioritisation of schemes for allocation of Integrated Transport Block (ITB) funding;
- b) support the proposed projects in Appendix 1 attached to these minutes for allocation of ITB funding in 2015/16, and for proposed inclusion in the Transport Delivery Plan

#### **115. UPDATE ON RECENT SECTION 106 RESTRICTIONS AND RULING AND PROPOSED APPROACH TO POOLING CONTRIBUTIONS TOWARDS PROJECTS FROM 6<sup>TH</sup> APRIL**

The Committee received a report which explained that the potential to pool Section 106 contributions was to be restricted from 6th April (or before, in areas where an adopted Community Infrastructure Levy (CIL) was already in place), as CIL became the principal method for securing funding towards infrastructure needed for growth. The Committee was requested to agree the proposed approach of working with partners to identify projects for pooling up to 5 planning obligations and for officers to be able to update the list as required, as and when developments came forward.

As a result of the new requirement, no additional planning obligations could be used to fund an “*infrastructure project or type of infrastructure*” if five separate planning obligations had already been used to fund that project or type of infrastructure since 6 April 2010. S106 agreements would now be restricted to site specific infrastructure requirements or mitigating the impacts of the development. This would impact on S106 agreements in Cambridge City and South Cambridgeshire where CIL was not yet in place and Fenland where CIL was not currently being proposed to be implemented. As a result, planning obligations via S106 agreements would be the primary means of securing contributions in Cambridge and South Cambridgeshire until CIL was put in place (spring 2016), and for Fenland this approach would need to continue for the foreseeable future.

In addition, the Committee’s attention was drawn to a recent announcement from the Minister of State for Communities and Local Government stating that S106 contributions should not be sought for sites of 10 homes or less (which have a maximum combined floor space of 1,000sqm) and for residential annexes and extensions. As a result, Cambridge City would not be seeking S106 contributions for small scale developments, although officers understood that South Cambridgeshire and Fenland District Councils were still seeking contributions where these were justified and fitted with CIL regulations. This was an area to be kept under review as the Government’s view that this Ministerial Statement now formed part of national policy was being challenged by some authorities. At time of the meeting these challenges had still to be heard.

The third area brought to the Committee’s attention was in relation to a high court ruling

*Oxfordshire County Council v Secretary of State for Communities & Local Government and others* {2015} EWHC 186 (Admin), that administrative and monitoring costs incurred by a local planning authority in ensuring that planning obligations were observed, were not an obligation in their own right (but an everyday function) and not necessary to make the development acceptable in planning terms. The decision did leave scope for charging monitoring fees, but made clear that standardised fees should be avoided and fees justified with reference to the complexity of the development, multiple triggers for payment to monitor, etc.

It was highlighted that Cambridge City were continuing to seek monitoring fees having regard to the above decision and the County Council therefore expected to be able to continue to seek charges for monitoring fees for City developments. In South Cambridgeshire there had been significant challenge to the County Council seeking monitoring fees. Officers confirmed that a blanket approach was not being taken and that each application would be assessed to consider its specific monitoring requirements and ensure compliance with the ruling. A separate paper would need to be brought back to the Committee in due course regarding the likely impacts on monitoring charges which had previously been agreed by the Committee, as the current restrictions meant that the costs of the monitoring service might not be covered. **Action: Dearbhla Lawson**

The Committee noted that the significant changes highlighted in the report, particularly on to restrictions to Pooling S106 were expected to impact on the County Council's ability to secure sufficient contributions to deliver the infrastructure needed to support growth into the future. As a result, the County Council was working with Cambridge City and South Cambridgeshire to identify developments expected to come forward during 2015 to identify those projects needed to support their growth and mitigate their impacts. The intention would be to develop a list of projects (project list) for Cambridge City, South Cambridgeshire and Fenland District Councils for which up to five obligations could be pooled to secure developer funding and comply with the regulations.

It was highlighted that in two areas further legal clarification was being pursued. One, to establish what constituted an "infrastructure project" and "types of infrastructure". Secondly, on whether the suggested approach for funding (involved assessing developments to determine the number of trips and the subsequent demand on the network, and then calculating a per dwelling rate towards the infrastructure needed to mitigate the impacts of the growth transport projects) was appropriate.

Arising from the report Member comments included:

- The Vice Chairman suggested that whatever the political hue of the incoming Government following the general election, there was a need to lobby for changes to CIL, as the revised requirements made it much harder for local councils to deliver sustainable communities. He also expressed concern regarding the ruling on the minimum number of houses on a development now eligible for section 106 contributions. He highlighted that many new developments were of a small scale, but when there were a number of such developments in an area, they had a significant impact on local services / transport networks. He suggested that councils through the Local Government Association should lobby the new Government to

change both this directive and also seek changes to be able to levy adequate fees to cover the cost of monitoring agreements. He was concerned that they could not be enforced if the monitoring was no longer being undertaken. In relation to this latter point, it was clarified that Councils would continue with monitoring activity and it was more an issue of how costs would be paid for.

- That where 10 houses were proposed for a development, the full statement should be undertaken.
- One of the local Members for Little Paxton and St Neots North suggested that the Huntingdonshire CIL schedule had not included any transport infrastructure for St Neots as a result of there not being a Market Town Transport Strategy. In response, the lead officer indicated that the County Council had worked with the District Council officers in respect of the CIL Infrastructure List Statement and the Plan, but that the final prioritisation list for CIL was a decision for the District Council. The Member reiterated his understanding that the reason there was no transport infrastructure for St Neots was the result of no infrastructure proposals coming forward from the County Council (apart from improving the electricity grid for the proposed Alconbury development). The Chairman therefore requested that officers should send a written response to the Member, after first providing the relevant Huntingdonshire Members / portfolio holder with details of the comments made, so these could be further investigated. **Action: Dearbhla Lawson.**

It was resolved to:

- a) approve the proposed approach to pooling up to 5 planning obligations towards projects.
- b) Note the Government guidance on restrictions and the recent High Court ruling and likely resource implications of this for the County Council.

## **116. LOCAL PLAN DEVELOPMENT PROPOSALS – COUNCIL MOTION**

At the Council Meeting on 16th December, a Motion was passed requiring the Council to:

- *Continue to encourage and support development that benefits the local community and economy*
- *continue to advise the districts developing Local Plans on the potential traffic and transport implications of proposed developments; and potential feasible, affordable & sustainable solutions to mitigate impacts with an assessment of the residual impacts*
- *object to proposals in draft Local Plans if CCC assessments indicate that potential interventions are not deliverable or the residual cumulative impacts of development will be severe*
- *advise district councils that they, or the promoter of sites being put forward for development, should submit their own traffic and transport assessment to the*

*County Council for comment if county council officers are not confident potential solutions are deliverable (including considering potential funding limitations) and won't have severe environmental consequences.*

The current report highlighted that the County Council while a consultee on District Council Local Plans, had no powers to stop development, but was able to identify the impacts of the development and propose ways to mitigate them.

In considering the implications of complying with the motion, the report highlighted that its effect required the County Council to go beyond its remit as a consultee by seeking more detailed assessments of developments at an earlier stage in the planning process, with the report explaining that this had the potential to cost millions of pounds in additional resourcing, for which there was no budget. It unintentionally required Council officers to try and assess what might be proposed by a developer, without the benefit of any detailed proposals from the developer or information regarding site conditions, levels of likely investment or viability issues, or other material planning considerations.

It was explained that to sustain an objection at a Local Plan Inquiry would require the Council to establish that it had considered all reasonable scenarios for development and mitigation. If a developer could then, at a later stage, show that there was a reasonable option that the Council had not assessed, the objection would fall and all of this would require significant resource. The approach required by the motion was considered by the officers to be binary, where the Council either objected or did not, and created the risk that if the Council did not object, then partners and the Local Plan Inspector might assume that the County had assessed the plans and was content with proposals.

Lead officers responsible for the service having had more time to consider the wider implications of the agreed Council motion and speaking in their professional capacity, now strongly advised that the wording of the third bullet point requiring the County Council to undertake advance detailed assessments was undeliverable. As a result, it had not been possible to implement the requirements of the motion in relation to current local plan reviews.

Initially a discussion paper had been presented to a meeting of Economy and Environment Spokes. Following its consideration, there had been general agreement that the motion needed urgent review, to ensure that action to be taken in trying to implement Council policy was both affordable and deliverable, while still ensuring that the County Council continued to raise issues and concerns on local plans where relevant.

To address the potential risks and implications, the following revised wording was proposed with added / deleted wording highlighted in the second bullet and with the third bullet text having been rewritten to take out reference to the Council objecting at an early stage as not to compromise the Council at an early stage of the planning process:

- *Continue to encourage and support development that benefits the local community and economy*

- *continue to advise the districts developing Local Plans on the potential traffic and transport implications of proposed developments; and potential feasible, affordable & sustainable solutions to mitigate impacts ~~with an assessment of the residual impacts~~*
- ***raise concerns with the District Councils regarding their Draft Local Plan proposals if there isn't sufficient clarity or evidence to demonstrate that the proposed interventions are likely to be deliverable or that the potential residual cumulative impacts of development can be mitigated***
- *advise district councils that the promoters of sites being put forward for development, should submit their own traffic and transport assessment to the County Council for comment if county council officers are not confident potential solutions are deliverable (including considering potential funding limitations) and won't have severe environmental consequences.*

Officers considered that the revised wording significantly reduced the risks and resource implications to the County Council, and was considered both affordable and deliverable in the current context.

Councillor Wilson, as the mover of the original motion agreed at Council, was invited to address the Committee. In his presentation he highlighted that the original motion before being presented to Council had been the subject of advance discussions with the Executive Director ETE. He also made reference to the detailed response he had prepared to the report and to a subsequent report on the Huntingdonshire Local Plan to 2016 Targeted Consultation report included later on the agenda, which he had e-mailed to all members of the Committee several days before the meeting (attached as appendix 2 to these minutes). This response had also been included in a Committee briefing note prepared by Democratic Services the day before the meeting with hard copies for each Committee member on the day of the meeting and additional copies made available for the press and public.

He explained that he was in favour of growth that could be shown to be sustainable, but believed that it was appropriate for County Councils to raise concerns / or to object earlier in the planning process at the consultation stage if they believed impacts such as residual traffic effects, were too great. He did not agree that the Council should delay determining how the significant impacts of a development were to be mitigated until the planning application was submitted. He made reference to a recommendation by the Planning Inspector in relation to the Uttlesford Local Plan which stated that local plans were meant to provide certainty that developments were deliverable. He highlighted that once a proposal was included in a draft plan, it was difficult to have it removed at a later stage in the process. In his opinion a County Council did not have to agree with a district and should retain the option to object.

In summing up, Councillor Wilson made reference to the support from different political groups in agreeing the original motion and saw no reason for the motion, as agreed by the full Council, to be further amended.

In response to the Chairman inviting questions of clarification, one Member asked Councillor Wilson which part of the proposed re-wording he objected to. In response he clarified that it was the removal of the option to object, when in some cases the residual



impact of a development could be severe. Another question related to his views on the cost and resource implications highlighted in the officer report. He responded explaining that local plans were very specific on the number of houses to be built in proposed developments and therefore believed that the traffic implications were already able to be worked out by officers. The information which was not available was in relation to the likely costs and where the money would come from. While more work would need to be carried out by officers in these areas, he believed in known cases where severe residual impacts could be foreseen, raising concerns was not as strong as an objection.

In discussion issues raised by Members included;

- Highlighting that it was unfortunate that it was only following the motion having being agreed democratically by the Full Council that officers were now making members aware that the decisions agreed, included actions which were considered unworkable. The same Member made the point that everyone was aware of the major strategic dilemma for the Cambridgeshire Sub-region resulting from the level of growth anticipated and the danger that infrastructure required to mitigate its effects would outstrip available resources. The Member supported the view that the County Council needed to toughen up its position and object where plans could be expected to increase congestion. While he understood the officers' reluctance to express certainty at an early stage that it could not support specific proposals, he considered there were occasions where risks needed to be taken. He also supported the view that officers already undertook a considerable amount of research into local plans at the consultation stage. He later queried whether the work that would have been undertaken as described in bullet 2 of the officers' proposed re-wording, was already in fact the majority of the work required, and questioned where the figure of millions of pounds came from.
- Other Members felt that with large scale developments coming forward, it was inevitable that some local members would support objections from local residents. The majority view was that such support should not be used to create an additional level of bureaucracy when there were already appropriate mechanisms in the planning process for the County Council to express its concerns. The conclusion was that officer time should be concentrated on delivery responsibilities.
- It was highlighted that local plans should be undertaken in co-operation with partners, and that it was not the role of the County Council to tell the district councils what to do with their plans. (One Member objected to this point saying he considered the County Council did have a duty to tell the District when it was a highways issue).
- If there were issues on developments, these would be appropriately addressed further down the line at the Planning Committee stage.
- The point was made that if the County Council at an early stage objected, this would make it difficult for an inspector to sign off a local plan which had serious time and finance resource implications.
- A view expressed, which was echoed by other Members present, was that if at the time the motion had been debated Members had been made aware of the full

financial implications, many would have withheld voting in favour, as it was not appropriate to expose the Council to the level of extra cost now being suggested.

Officers in clarification highlighted that there was nothing in the proposed re-wording that would stop a Council from objecting at a Local Plan Inquiry if, in the officers' opinion, they considered the Local Plan was lacking appropriate information. Officers would need to feel confident of the detail and that all scenarios had been explored. The fundamental issue was the stage at which an objection might be made. At the consultation stage the only detail that was often known about a development was the area of land, and it was not possible at that stage to say what the mitigations would be. Given this fact, at that stage it was only appropriate to indicate concerns, rather than the wording of the original motion, or what was being suggested as alternative wording in Cllr Wilson's response to the report. The point was reiterated that if a Highways Authority objected to a District Local Plan, it would be very difficult for the Plan to credibly carry on.

Officers highlighted that lessons had been learnt and that in future, if ETE officers had concerns that the actions from a proposed motion were undeliverable, officers would ensure that the briefing made this absolutely clear before Members voted on it. There was however a fine line on this, as at the last Council meeting one Member had expressed the view that officers were being too forceful in their briefing advice. In terms of the current agreed Council motion in summing up, officers explicitly stated that it could not be delivered within current resources constraints and if Members wished them to do so, implementation would require substantial savings to be found from other areas of the directorate's activity.

While there was discussion on alternative wording to the officer replacement wording at the beginning of the third bullet reading 'raise concerns' which a minority of members did not feel was strong enough, there was no formal mover and seconder for an alternative to the officer replacement wording and therefore the original report recommendations were voted on and were carried by a clear majority.

It was resolved to:

- a) note the likely risks and resource implications associated with implementing the approved draft Local Plan Council Motion.
- b) Support the revised wording for the motion which maintains the spirit of the motion but seeks to reduce the associated potential risks and implications to the County Council
- c) Agree that thereport be taken from Economy and Environment Committee to a future County Council Meeting to consider the suggested revisions to the wording for the Motion as set out in the officer's report.

## **117. HUNTINGDONSHIRE LOCAL PLAN TO 2016 TARGETED CONSULTATION**

The Committee received details of the key issues arising from the 'Huntingdonshire

Local Plan to 2016 Targeted Consultation' which was a non-statutory consultation seeking comments from key stakeholders and statutory consultees. The full public consultation was due to follow later in the year.

The consultation was a key part in the production of the Local Plan which took into account responses received from the previous consultations in 2013 (Stage 3), including comments by the County Council, and incorporated sites put forward where they contributed to the Strategy. As the deadline for making responses was 20<sup>th</sup> March 2015 the draft comments had been submitted to Huntingdonshire District Council (HDC) in advance of this Committee on the basis that they were subject to final agreement by the Committee.

The County Council had responded to the previous stages of the Local Plan highlighting the importance of ensuring that infrastructure provision was adequate to keep pace with additional developments and acknowledging and assessing the impact of growth on existing community infrastructure. The Committee was invited to consider and approve a draft response included as Appendix 1 to the report.

It was explained that while officers had been mindful of the Council motion of 16<sup>th</sup> December requiring detailed transport assessments of the impacts of draft Local Plans upfront, in drafting the response; it had not been possible to undertake detailed assessments to inform the response, due to the limited nature of the consultation, the lack of resources and the short timescales within which the County had to respond.

It was highlighted that the County Council supported the overarching vision and objectives and welcomed the requirement for new infrastructure to be provided. Assurance was provided that Council officers would continue to work closely with the District Council and other stakeholders to ensure that impacts of new developments were properly assessed and evaluated and that infrastructure planning appropriately addressed them. The main issues were set in the report under the headings, Transport, Economic Development, Children, Families and Adults/ Libraries and Lifelong, Learning Education, Floods and Water, Sports, Arts and Museums, Health and Minerals and Waste.

Reference was made to comments provided from Councillor Sir Peter Brown who had been unable to attend but who indicated he hoped the Committee would agree the Plan.

The Chairman then invited Councillor Wilson to speak as a local member with a specific interest. In his introduction he declared a non-prejudicial interest as one of the local members for Godmanchester and Huntingdon East and as an employee of the Environment Agency, but clarified for the latter, that he had not had involvement in the Environment Agency work referred to in the Plan.

In his address he made reference to his written submission (included as part of Appendix 2 to these Minutes) and highlighted the following:

- That while there was a lot of good work contained in the response, an element missing related to Care Homes and the need to comment on the future support needs of the growing elderly population.

- making reference to paragraph 2.4 of the response - Long Term Transport Strategy for Cambridgeshire – reading “an action plan of high-level measures in Huntingdonshire which the County Council believed would be necessary to support the delivery of growth in the Local Plan.....”he then highlighted that on pages 8-9 of the response, in the table titled ‘Extract from Figure 4.3 of the LTTS detailing interventions required to mitigate development in Huntingdonshire’ many of the entries in the delivery timescale and indicative cost columns contained the phrase “to be determined”. He believed the planning inspector would expect transport implications to be known.
- Suggesting that there was a bullet point missing from the response at paragraph 2.6 in relation to Wyton Airfield Access, which appeared only to be concerned with parking provision. He suggested that an additional paragraph should be added with wording indicating “that based on the information provided, the County Council was unable to support the development at Wyton Airfield as it had concerns about deliverability unless HDC provided the necessary evidence to show the interventions were deliverable, in order mitigate the cumulative effects of traffic”. He suggested the Plan needed to be clear on the mitigation schemes and where the funding would come from, before being considered by an Inspector.

In discussion Members of the Committee’s views / comments included:

- One of the local members for Little Paxton and St Neots North expressed his concern with paragraph 2.4 of the report which implied that a Market Town Transport Strategy had been included for St Neots when there was not one and stated that this should be noted as a change. With reference to the St Neots Spatial Planning area, he drew attention to several paragraphs which stated the need to provide a suitably designed safe access onto the existing highway network, but then made no reference to what happened when they joined the highway in terms of increased traffic impact. He was also unable to see any reference to the impact of highway improvements on other parts of the County. He made reference to the dualling proposals on the A428 and the fact that many residents from Cambourne travelled by car to St Neots Station and then commuted to London.
- There was no reference to the lack of new parking infrastructure provision required at St Neots East as a result of the continued house-building programme.
- Making reference to Alconbury station on page 9, a query was raised on whether there was the intention to provide additional rail networks to other stations. In response it was explained that options for extending the Guided Busway to Alconbury were being considered, while Network Rail was leading a consortium looking at East-West rail links.
- One Member suggested that paragraphs 2.8, 2.9, 2.10 relating to the further work required to consider growth impacts, were in the wrong order and should have been included on page 2 of the response, in relation to the second bullet. The Vice Chairman believed the wording in paragraph 2.9, referring to the package of transport interventions needed to address the Wyton Airfield, should be more robust

and suggested wording being added such as “raising concerns on the environmental impact” This was not supported by the majority of Members present.

- On a query regarding the impact of housing being built on employment land, officers indicated that there was still a need for the Plan to demonstrate that there was employment land. In this Plan it was concentrated in Alconbury Weald.
- On pages 12 and 13 highlighting an anomaly between the list of requirements for St Neots East and what was shown for Wyton on the Hill.

It was resolved unanimously to:

- a) To approve the County Council’s draft response to the Huntingdonshire Local Plan to 2036 Targeted Consultation as set out in Appendix 1 of the report, subject to suggestions made being further considered as minor textual additions through;
- b) Delegating to the Executive Director: Economy, Transport and Environment, in consultation with the Chairman and Vice-Chairman of the Environment and Economy Committee, the authority to make minor textual changes to the consultation response prior to final submission.

#### **118. CONSULTATION ON EAST CAMBRIDGESHIRE DISTRICT COUNCIL’S REGULATION COMMUNITY INFRASTRUCTURE LEVY (CIL) 123 LIST**

Under the CIL Regulations, charging authorities were required to produce an agreed list of infrastructure projects to be funded through CIL with those included, not eligible for funding from Section 106 developer contributions. Since 6<sup>th</sup> April CIL was now the principal method of securing funding towards infrastructure needed for growth with Section 106 developer contributions restricted to providing site specific infrastructure and related mitigation measures.

The report informed the Committee of the response to the consultation on the East Cambridgeshire District Council Regulation 123 List which had identified projects for community infrastructure Levy Funding. Members’ views were sought on the proposed list of schemes which were being recommended for inclusion on the Regulation 123 list by the ‘Joint East Cambridgeshire District Council (ECDC) and Cambridgeshire County Council Steering Group for Planning and Transport’ with final approval reserved to East Cambridgeshire District Council as the charging authority.

It was highlighted that as of 26 February 2015 ECDC has received £609,651.66 from CIL liable development with the report providing details of how the CIL income had been divided. The East Cambridgeshire Regulation 123 list consisted of the following strategic infrastructure projects:

- Ely Leisure Centre
- Ely Southern Bypass
- Littleport Secondary School
- Soham Railway Station

In addition to the items identified above, ECDChad invited proposals for other strategic projects and response had been received 21 proposed projects from organisations, including 5 from the County Council, as listed in paragraph 3.2 of the report.

ECDOfficers and County council officers had then worked closely with the relevant partnership liaison and advisory group to prioritise the proposed projects, with paragraph 3.3 the report providing the description of the headings used by the scoring criteria against which proposed projects were considered. The Partnership and Advisory Group had met on 13 March 2015 to consider the proposed projects for inclusion on the list against the criteria. Paragraph 3.5 of the report listed the projects that were to be recommended to East Cambridgeshire's Full Council for final approval. Paragraph 3.7 explained the reasons why some of the County Council projects had not been included on the final list.

Local Councillors Anna Bailey and David Brown's comments supporting the report were read out.

Arising from the report:

- One Member suggested it would have been useful to have had indicative cost details against schemes on both the lists, as well as the scoring against each project. Another suggested that the report could only be for noting without this information.  
**Action: The lead officer agreed to provide details of the scoring matrix after the meeting to be e-mailed to the Committee.**
- One Member suggested that funding for the extension to Swaffam Prior Church of England Primary School should come from the Education Capital Programme due to the increasing demand placed on parish councils to fund such schemes. He suggested the same was true of the Bottisham Village College (VC) extension, both of which had failed to make the final list. In response to questions on their future funding, it was explained that in relation to Bottisham VC, this was now included in the Capital Programme and would be funded from Section 106 monies as it related to growth, while the former not achieving the list was more to do with the following:
  - The County Council as Local Education Authority had bid twice for funding for the school, most recently under the Priority School Building Programme 2 but unfortunately had been unsuccessful.
  - Most of the work required to the school was repair work and related to issues with the condition of the building – not issues relating to additional capacity requirements from new developments.
  - The Council was increasing capacity in Burwell as part of new development there and therefore it is not envisaged Swaffham Prior will need to take account of any significant additional pupil numbers from new development.
- In reply to why some projects had failed, it was explained that some of the applications had not provided the correct information by the deadline. Officers would be liaising with parishes during the summer to help ensure future applications provided the necessary level of detail, including those unsuccessful applications which were to be resubmitted.

- In response to a query on the shortfall of funding for the Lode to Quy Cycle Path this was stated as being in the region of £20k.

It was resolved to:

to endorse the recommendations of the 'Joint East Cambridgeshire District Council and Cambridgeshire County Council Steering Group for Planning and Transport', namely to add the following projects to the CIL Regulation 123 list:

- a) Area Special School, Littleport
- b) Expansion and redevelopment of Staploe Medical Centre, Soham
- c) Lode to Quy Cycle Path
- d) Strategic Waste Contribution – Witchford Household Recycling Centre
- e) Wicken-Soham-Ely Cycle Path

## **119. LAND TO WEST OF CAMBOURNE (EXCLUDING SWANSLEY WOOD)**

This report provided the Committee with details of the key issues arising from the consultation on planning application S/2903/14/OL concerning land to the west of Cambourne with the detail as set out in paragraph 4 of the report and which sought approval to the officer response attached as Appendix 2 to the report.

County Council officers were consulted on the planning application between 13<sup>th</sup> January and 20<sup>th</sup> February 2015 and comments were submitted, subject to Member approval at the current Committee meeting.

Section 2.3 of the report set out details of the development, with County Council officers having identified further Section 106 items detailed in the officer response in Appendix 2 which included-

- Libraries and Lifelong learning;
- Strategic Waste; and
- New Communities (community, locality, children's centre workers and social care provision).

It was highlighted that transport provision would need to take account of measures to mitigate the development's impact which were likely to include contributions towards schemes such as the A428 – M11 segregated bus route and Maddingley Road bus priority scheme and potentially a proposed new park and ride site in the corridor. Education costs for the three schools would also need to be agreed.

The Committee was informed that the local planning authority had requested the applicant should submit details of the viability assessment to justify the level of affordable housing and Section 106 being offered. To date, no information had been received. The County Council would require this information when available in order to evaluate the potential impact of viability on infrastructure.

Officers broadly confirmed that they supported the proposals subject to overcoming the archaeology and transport holding objections and the provision of appropriate Section 106 contributions to adequately mitigate the development impact as detailed in section

2 of the report. Officers supported further considerations by the applicant on master planning to ensure the development as a whole, and in particular the schools and employment opportunities.

The Local member for Bourn spoke in opposition to the report. In his introduction he explained that the land in question was on Caxton land and that there was no such place as Cambourne West. His main contention was that no development should be agreed until the A428 was upgraded. In reply to the comments made, it was indicated that the developer was being asked to provide more details on transport proposals. In respect of the timetable in relation A428 Caxton Gibbet to Black Cat dualling scheme, officers explained that Highways England had indicated that there were plans to dual this section of the road by 2021.

Having reviewed the report the Committee Members raised issues including:

- Where the jobs would be for the people moving to the settlement? One Member made the point that although the suggestion was that people would travel to Cambridge, many people in Cambourne were in fact travelling to St Neots from Cambourne, to board trains to jobs in London. Officers therefore needed to accept that many of the people moving to this settlement would be London bound commuters and that transport proposals needed to look at mitigation measures to reflect this.
- In relation to the above, the point was made by one Member that it was already difficult to travel to St Neots from Cambourne due to the substantial housebuilding on the east side and that when the A428 was moved, it would become impossible, without mitigation measures.
- Querying the future proofing undertaken to infrastructure already in place in Cambourne e.g. the existing library, in terms of the additional demand for services this new development would create, in that it had never been envisaged, when the original town had been planned. In relation to existing infrastructure, the local member clarified that the main area requiring urgent upgrade was the medical centre, due to the town having a high proportion of young people with their age specific demands. **Action: In response to this later point, officers undertook to raise this with South Cambridgeshire District Council and the NHS.**
- There was a query whether 40% affordable housing was achievable when for another proposed development such as Northstowe, a lower figure was being proposed. In response officers were still expecting to have a level of around 35% affordable housing.
- Issues were raised regarding the adequacy of the capacity of St Neots Station, including parking provision going forward. **Action: Officers undertook to discuss the concerns raised with Network Rail.**
- The need to look further at the co-ordination of transport problems which crossed borders and affected not only South Cambridgeshire, but other areas of the transport network including Bedford, Huntingdonshire etc.



- The need to ensure houses on the development were constructed to be life-long homes.

It was resolved unanimously to:

- a) To approve the County Council's response to the Cambourne West planning application consultation as set out in Appendix 2 of the report; and to
- b) Delegate to the Executive Director: Economy, Transport and Environment in consultation with the Chairman and Vice-Chairman of the Economy and Environment Committee the authority to make any minor textual changes

## **120. OUTLINE APPLICATION FOR EUROPEAN REGIONAL DEVELOPMENT FUNDS FOR ENERGY INVESTMENT**

The current report sought agreement to making an outline bid for European Regional Development Funding and to agree the scope and ambition of the bid, and if approved, to use profits from the Energy Performance Contracting Project for match funding purposes. The deadline for outline applications was 20<sup>th</sup> May 2015.

It was indicated that developing an ERDF bid would provide the opportunity to draw down revenue and low cost capital to match fund investments into energy projects and to set up a Cambridgeshire Energy Company and to grow this area of work more quickly and broadly than the Council could do otherwise, as it provided access to cheaper funding than the Council could obtain.

The report set out details of the ERDF operational programme 2014-2020, including the key areas for project investment, the relevant one being theme four: 'Supporting the shift towards a low carbon economy'. This encouraged project bids around energy investment and the expectation that they would help deliver priorities as listed in paragraph 2.3 and 2.4 of the report. The process and timescales for applying for funds was set out in Appendix A of the report.

The report highlighted that the total project size was approximately £6.4 million, of which ERDF grant contributions of £3.2 million would be requested as part of the application process. The initial energy project pipeline would focus on public sector projects with a good business case, such as the energy performance contracting work for schools and public buildings and the feasibility of developing larger scale projects, such as additional solar parks and waste to energy schemes on public sector assets. In addition, officers were also assessing the feasibility of projects to tackle demand and supply side energy management; to support group purchasing of energy and in the longer term, projects to sell locally generated power and heat through the development of decentralised energy and new energy networks through an energy company, using the County Council's Power to Trade. Appendix B of the report described the ambition of this work and the organising structure which could bring this work together.

In debate questions / issues were raised regarding:

- Clarifying that not all the profits from the Energy Performance Contracting project

would be required to match fund the ERDF Bid and therefore it was agreed that the start of recommendation c) should have the wording changed from “To use the profits...” to read “To use some of the profits ...”

- A request was made for a future report to provide details of the profit scheme to help members understand the economics of the proposal. **Action: Sheryl French.**

It was unanimously resolved to agree:

- a) to the submission of an outline application for European Regional Development Funds (ERDF) to the Department of Communities and Local Government (DCLG) by 20<sup>th</sup> May 2015.
- b) The scope and ambition of the bid, including that of the Cambridgeshire Energy Company.
- c) To use some of the profits from the Energy Performance Contracting Project to match fund the ERDF bid, if invited to submit a full application.

## **121. COMMERCIALISATION OF PARK AND RIDE SITES**

This report informed the Committee of the progress of work being undertaken to realise the commercial opportunities the Park and Ride sites to generate income.

An update indicated that the outline business case undertaken to explore the installation of a solar park at the Trumpington Park and Ride had concluded that the solar park would not provide a financial return on the required investment, due to the significant costs involved in building the canopies to hold the photovoltaics. Members welcomed the contention that the business case for solar power generation on park and ride sites could change in the future at which time the idea could be re-visited, but accepted that the proposal was not currently being pursued.

The report indicated that a successful half-day event with prospective interested parties had taken place on 24 February 2015 attended by representatives of fifteen businesses as a first step in mapping out the potential appetite for commercial development at the sites. Follow up meetings had taken place with six businesses with a further four scheduled to discuss outline business plans, including the level of capital investment required and the level of income the County Council could expect. As the proposals were commercially sensitive, no further details were provided in the report. While it was anticipated that the various proposals would generate a useful revenue contribution, these would not be large enough to dispense with the need for the current parking charge.

The report detailed the options for the future management of the commercial development in terms of the amount of investment required, which depending on size, could include joint venture arrangements with partners, or letting space and for a tenant to provide all of the required investment. As three Park and Ride sites were leased, commercial development on those would require agreement with the landlords, which if secured, would require a proportion of the revenue generated to be shared.

It was explained that activities that made better use of the existing buildings, e.g. a coffee shop were likely to be more acceptable in planning terms as being ancillary to the main use of the sites. Achieving more intense retail uses at the Park and Ride sites, would be more challenging in planning policy terms when not ancillary to the main use of the sites and would require detailed discussions with district councils. In addition, competition to existing services at local centres would need to be taken into account, as well as the need for public consultation in advance of planning applications. As further discussions on proposals were still being undertaken, the report was unable to provide a timetable in terms of a formal procurement process.

Discussion of the report included:

- there was a request that when constructing future park and ride sites officers should look to building in solar power capability at initial build stage.
- Suggesting that in tandem with Council health responsibilities, consideration should be given to providing healthy food options in any food and beverage concession options.

It was resolved unanimously to:

- a) Note on the commercial opportunities that are being sought.
- b) Note the potential financial implications of pursuing commercialisation; and
- c) Note the work to date and the next steps.

## **122. ECONOMY, TRANSPORT AND ENVIRONMENT (ETE) RISK REGISTER UPDATE**

This report provided an update to the ETE Risk Register first considered by the Committee in September 2014 when it was agreed that it would be reviewed in six months to align with the new financial year. In addition the Register was reviewed quarterly by the ETE Strategic Risk Group. It was explained that mitigation measures were either in place, or in the process of being developed for each risk to ensure their appropriate management.

The main change from the previous report was that the ETE Risk Register had now been split into Highways and Community Infrastructure and E&E Committee risks so that each Committee only focussed on its relevant risks. Cross-cutting risks had been allocated to one of the two Committee Registers and E&E risks had been re-numbered with the prefix E&E, while those risks also on the Corporate Risk Register retained the CRR prefix.

The E&E Risk Register was presented at Appendix 1 of the report and illustrated that there were 11 E&E risks, one of which was currently at red residual level. The other 10 risks were of Amber status. Details of all changes and updates made to the Risk Register were set out at Appendix 2.

The Committee noted that the Register had gained the following three additional risks since it was last presented:

- Failure to secure necessary funding for commensurate with growth. This can be seen as risk E&E11.
- Increasing manifestation of busway defects. This is on both our ETE and Corporate Risk Registers as CRR26
- Failure to deliver the Greater Cambridge City Deal – this is on our ETE register: E&E10

The three new risks were all of Amber status. Full information of the new risks was set out in Appendix 1. A table in the report showed the profile of risks across the Red Amber Green (RAG) range and provided a comparison with the previous profile from the last report to the Committee. Appendix 3 of the report illustrated E&E's residual risk profile in graphic form. Three of the risks (C9, C22 and C26) were also recorded on the Corporate Risk Register.

In discussion:

- There was a request for officers to consider adding to the entry CRRCIL as an additional mitigation, the Local Government Association (LGA) having a role to monitor CIL's effectiveness Countrywide in being able to secure infrastructure payments. The suggestion was that if such monitoring revealed that there were widespread funding shortfalls of a significant scale, the LGA would be an appropriate forum to lobby Government to change the CIL rules.
- Taking into account a request from the Audit and Accounts Committee that Economy and Environment Committee should satisfy itself that the risk rating provided for busway defects was at the right level, there was a request for officers to produce a note for Spokes on the Busway risks. **Action: Bob Menzies**
- That having noted the position in the previous report on the commercialisation of park and ride sites that the likely revenue generation would be insufficient to be able to remove the current charge, Members raised a number of issues about the introduction of the charge. Members noted that there would be a report update to the July meeting of Economy and Environment Committee.

It was resolved unanimously:

to note the position in respect of the Economy and Environment Risk Register.

#### **123. PROPOSED CAMBRIDGESHIRE AND HUNTINGDONSHIRE JOINT STRATEGIC PLANNING AND TRANSPORT MEMBER GROUP**

This report had been withdrawn as further discussions were still required between the County Council and Huntingdonshire District Council on the purpose of the group before formal approval was sought.

#### **124. SERVICE COMMITTEE AGENDA PLAN**

Due to the timing of the June Committee - only being two weeks after the May meeting

Spokes had supported items scheduled for the June Committee meeting being moved to the July meeting. The following changes to the Agenda Plan were now provided by Democratic Services:

Report removed from 9<sup>th</sup> June agenda: Transitionary Arrangements for Shadow Local Transport Body to become LEP Transport Group – new date to be confirmed in due course.

The following reports have been moved from 9<sup>th</sup> June to 14<sup>th</sup> July:

- a) Ring Fort path to report consultation and seek approval
- b) Congestions Issues in Cambridge

For E&E Committee on 8<sup>th</sup> September, the report listed as 'Bus Partnership Renewal - Autumn 2015' had been re-titled 'Quality Bus Partnership Agreement in Cambridge'.

It was resolved to:

- a) note the Agenda Plan as amended with the above oral updates provided at the meeting.
- b) Agree to the cancellation of the June Committee meeting.

**125. DATE OF NEXT MEETING 10AM 26<sup>th</sup> MAY 2015**

Noted.

Chairman  
26<sup>th</sup> May 2015