

TITLE OF REPORT: REGIONAL AND STRATEGIC PLANNING ISSUES

REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL
PORTFOLIO HOLDER: COUNCILLOR R. A. C. THAKE

1. SUMMARY

- 1.1 To inform Members of the current positions regarding:
- The draft East of England Plan;
 - West of the A1(M) at Stevenage and Stevenage / North Hertfordshire Action Plan;
 - Growth Area Liaison for the Luton conurbation;
 - Luton & Dunstable Northern Bypasses;
 - London Luton Airport and Stansted Airport.

2. FORWARD PLAN

- 2.1 This report to Cabinet is included within the Forward Plan.

3. BACKGROUND

- 3.1 Members will be aware of, and familiar with, many of the issues surrounding the significant strategic planning issues referred to in paragraph 1.1 above. This report is intended to provide Members with the current positions on these matters and to set out proposed responses to consultations.

4. ISSUES

4.1 The East of England Plan and other Regional Issues

- 4.2 The council's response to the government's **Further Proposed Changes** to the regional spatial strategy for the East of England was submitted by the deadline for comments, 18 Dec 2007. We now await publication of the final document which is now expected 'in the summer'.

- 4.3 On 5th March 2008, Councillor Thake chaired a meeting of the **Hertfordshire Infrastructure & Planning Partnership (HIPP)**. The main item on the agenda was to consider how best to proceed with a Hertfordshire Infrastructure & Investment Strategy, which would underpin the identification and funding of key infrastructure to enable the sustainable delivery of the proposed growth in the county. It had been hoped that this study, estimated to cost around £1.3m, would be funded by government, and a specific bid had been submitted for consideration in the third round of Growth Area Funding.

- 4.4 The Growth Funding allocations were announced in December 2007. The results are generally very disappointing. We bid for some £1.8m for 2008/9, comprising £1.6m in revenue funding and £220,000 in capital funding. We were awarded £830,000 capital and £56,000 revenue. There is no explanation of the basis of the allocations, and no indication which bids were successful and which were not. In response to two letters to

the Deputy Director at DCLG on behalf of all Herts Authorities there has now been a response however it provides little clarity about the basis for the allocation of funding. The response is attached as Appendix A to this report and perhaps the only important element in the letter is the offer of an additional £200,000 towards the Infrastructure Study.

4.5 At the 5th March meeting of HIPP it was agreed that the £220,000 be accepted towards the study and a final funding 'package' between the Districts and County was agreed. This Council's maximum contribution will be £12,500 and can be accommodated within existing budgets.

4.6 Turning to the matter of our Growth Fund Allocation of £830,000 capital and £56,000 revenue, consideration will now have to be given (in light of little assistance from DCLG) as to how this aligns to the bid submitted in October. Given the nature of the funding (almost all capital), the contents of the bid, the timing of design/study work and other funding streams/project timetables it is suggested that officers focus on the following projects for action in 2008/9 and that the capital programme is updated in due course to include the projects and reflect the grant awarded:

Hitchin North access arrangements feasibility study including link road
Stevenage growth access arrangements
Royston Rail Crossing Implementation
Cycle network implementation

4.7 The Government has also announced a bidding round for CIF funding. The deadline for bids (expressions of interest stage) is very tight (21st April) however at present there is very little information on the criteria for bids. It may be that some of the projects that cannot be funded from the growth areas funding could be funded from CIF. It is proposed that officers investigate these opportunities and that the submission of a bid is delegated to the Head of Planning & Building Control in consultation with relevant Portfolio Holders.

4.8 Members will recall various reports and presentations concerning the provision of Gypsy & Traveller sites associated with the emerging Local Development Framework. This has been driven (in terms of numbers) by the Single Issue Review of the East of England Plan associated with this issue. EERA have now submitted this document to the Secretary of State and it is the subject of public consultation. The public consultation period runs until the Friday, 16 May 2008, however given that the date of the next Cabinet meeting is after the expiry of the consultation period an initial response is set out at Appendix B with recommendation 9.4 allowing for any further comments to be agreed with the Portfolio Holder.

4.9 **West of A1M at Stevenage – Planning Applications (3,600 dwellings and Associated Development)**

4.10 As reported at the last meeting, a letter on behalf of the Secretary of State for Communities and Local Government was received on 2 November. She was still not in a position to reach a final decision on the planning applications. She required clarity on the outstanding unresolved objections put forward by this council and HCC. She also required comments on amendments she is proposing to the conditions to be attached to any permission granted. However, she stated that she was still not satisfied that the arrangements set out in the proposed undertaking will deliver the facilities and

infrastructure necessary to achieve sustainable development and make the development acceptable. Her main concern is monitoring and enforcement of the undertaking, and she sets out a commentary on some of the key elements in this regard in her letter.

4.11 A letter and further revised draft deed of planning obligation was submitted on the 9th December by the Consortium. In the letter, they ask for the opportunity to make further amendments to the draft DPO once the Council have submitted their responses.

4.12 The council's response was submitted on 4th January 2008. It is expected that, following the Consortium's response to the latest submissions from the councils, the Secretary of State will then proceed to final decisions however the timescale for this is far from clear.

4.13 **Stevenage / North Herts Action Plan (SNAP)**

4.14 The Issues and Options public consultation is so far proceeding successfully. It concluded on 18 Jan 2008. As at 16 Jan, over 600 individual representations had been received, together with petitions with around 1,100 names. I will give the final response totals at the meeting. The next step is to list and assess the various responses and to begin the process of translating the public views into draft preferred options. I anticipate reporting to the June meeting of Cabinet with a commentary on the responses and a timetable leading to the Preferred Options public consultation in the latter part of the year.

4.15 **Growth Area Liaison for Luton/Dunstable/Houghton Regis**

4.16 There little new to report on the Luton & South Bedfordshire Core Strategy. The Joint Committee met on 29 February where it had been anticipated Members would be asked to consider reports on the responses to last year's Issues and Options public consultation and the methodology of moving forward towards preferred options. There was little detail in the reports and officers will be assessing the responses to our objections most carefully.

4.17 In the meantime, Bloor Homes are progressing with their intention to submit a planning application relating to land in North Hertfordshire to the east of Luton. This would propose some 3,000 – 4,000 new homes and associated development in the vicinity of Mangrove Green and Cockernhoe. It will **not** include a new road linking the airport to the A505. Public exhibitions were held in mid-January and following concerns expressed by this Council about the timing, location and publicity of the exhibitions a further exhibition was held in Lilley on the 25th March.

4.18 Members will be aware of reports in the press of a meeting between Luton Borough Council and DCLG (together with Bloor Homes and Crown Estates) concerning development mostly in North Hertfordshire. Neither NHDC nor HCC were informed of this meeting and Officers are seeking meetings with DCLG and Luton Borough Council to express our extreme concern about this matter and firmly establish our own position.

4.19 **Luton & Dunstable Northern Bypasses**

4.20 There is nothing further to report this month.

4.21 **London Luton Airport / Stansted Airport**

4.22 This Council has been invited to participate in the “Council’s Opposing 2nd Runway” group which has been composed in response to the submission by BAA of the second runway application at Stansted. There was a media event at College Green on the 17th March which Cllr Thake attended. Officers are working with adjoining Councils in the preparation of our response to the second runway application and, given the timing for making such submissions, it is proposed that these are delegated to officers in consultation with the relevant Portfolio Holder.

5. LEGAL IMPLICATIONS

5.1 There are no new legal implications raised in this report which have not previously been reported or anticipated.

6. FINANCIAL AND RISK IMPLICATIONS

6.1 New financial or risk issues may arise in relation to the progression of projects identified in paragraph 4.6 of this report and in relation to the CO2 group. In relation to the growth areas projects these will be subject to the normal risk assessments and relevant capital project governance arrangements and will be included as appropriate on the Council’s risk register. In relation to the newly emerging CO2 group further information about the scope of the group’s work has been requested and Cabinet will be updated at its next meeting of the intended scope of work and any potential financial implications.

7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

7.1 There are no new HR or equalities implications arising from the contents of this report.

8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

8.1 Councillor Thake has been kept fully informed on all the matters set out above.

9. RECOMMENDATIONS

9.1 That the contents of this report be noted.

9.2 That the projects set out in paragraph 4.6 of the report be endorsed for scoping and funding from the Growth Areas bid be included within the Capital Programme.

9.3 That Officer investigate opportunities for a bid for CIF funding to deliver infrastructure projects and that Cabinet delegates powers to the Head of Planning & Building Control in consultation with the relevant Portfolio Holders for the submission of a relevant bid.

- 9.4 That Cabinet supports the proposed response to the EERA Single Issue Review on Gypsy & Traveller Site provision as set out in Appendix B to this report and that any amendments or additions to that response are delegated to the Head of Planning & Building Control in consultation with the Portfolio Holder.
- 9.5 That Cabinet expresses its extreme concern regarding the meeting that has taken place between DCLG and Luton Borough Council regarding development within North Hertfordshire and that in future any such meetings concerning development proposed within the District must include NHDC representatives.

10. REASONS FOR RECOMMENDATIONS

- 10.1 To ensure that Cabinet is aware of current developments and to respond to consultations/bidding opportunities.

11. ALTERNATIVE OPTIONS CONSIDERED

- 11.1 There are no alternative relevant options.

12. APPENDICES

- 12.1 Appendix A – Letter from DCLG
12.2 Appendix B – Suggested response to EERA Consultation

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14. BACKGROUND PAPERS

14.1 None other than published documents.

Cllr Richard Thake
Chairman Hertfordshire Infrastructure and
Planning Partnership
Hertfordshire County Council

14 February 2008

Dear Cllr Thake,

GROWTH FUND ALLOCATIONS

Please accept my apologies for the delay in responding to your letters of the 2 January and 1 February, and for being unable to attend your meeting on the 10 January.

Whilst I acknowledge your disappointment at the Growth Fund allocation announced in December, I am sure you will understand that the sum of the bids received was significantly more than the total Growth Funds that we had available to allocate. Given this none of the requests for funding were met in full. All of the schemes were assessed and allocated funds based on a methodology which took account of the additional housing being supported, the scale of the challenge faced, and the overall assessment of the Programme of Development. This same methodology was applied to both the capital and revenue allocations.

Robert Cayzer's email of the 7th November, which you reference, explained that the bid for funding for the infrastructure and investment strategy was not consistent with the new approach to funding, and to allow you to access any funding it would therefore be included in the Programme of Development for Stevenage. Additional correspondence took place with officers at Hertfordshire County Council which confirmed the reasoning for a single Programme of Development to be submitted, and the relationship between the partners to the Programme. We confirmed that it was not possible to ring fence any amount for the Infrastructure and Investment Strategy, and that where allocations were less than requested it would be up to the partners to the programme to agree how funding is distributed.

However, after consideration and discussion with the Government Office, and in recognition of the importance of the study, on an exceptional basis I can confirm that we are able to provide an additional contribution of £200,000 in revenue funding for 2008/09 to support the study. This will be confirmed through a funding agreement, containing agreed milestones. I would be grateful if you could confirm which body in the partnership this agreement should be arranged with.

If further funding is required partners should look at the range of opportunities for funding, including seeking match funding and exploring whether there may be opportunities to capitalise the modelling element of the study, if this is deemed appropriate and is in line with Councils financial controls and systems.

Yours sincerely

A handwritten signature in black ink, appearing to read 'JHCleary', written in a cursive style.

HENRY CLEARY
DEPUTY DIRECTOR

SUGGESTED RESPONSE TO EERA SINGLE ISSUE REVIEW CONSULTATION – GYPSY & TRAVELLER PROVISION

1. Object to the removal of the following words from Draft policy H4, namely: "Local authorities should make provision for sites/pitches to meet the identified needs of Gypsies and Travellers **living in or resorting to their area**". This wording is paramount to the success of future site provision, as sites located in areas where Gypsy families did not want to be, have closed in different parts of the country. The wording of Draft Policy H4 quoted above should be retained.
2. Object to the level of provision in North Herts, as this is contrary to evidence in EERA's own report, where the need has been identified as (a maximum of) 3 additional pitches in the District but, bizarrely, the allocation is 500% higher - at 15 pitches. This conflicts with the sensible and logical direction of the original wording of Policy H4 in the draft (quoted in 1. above). The figure of Additional Pitches required, 2006-2011, for North Herts should match the identified need in the district and therefore be reduced to 3, with the Proposed Pitches at 2011 being amended to 9.
3. Support the following wording in new Policy H4, namely: "Local authorities should seek to achieve levels of provision required by 2011 as soon as possible through the development control process particularly when opportunities present themselves in respect of new major developments.....". Notwithstanding points 1 & 2 above this wording makes sound sense in growth areas where planned development can be successfully integrated into a new community that will be developed together.
4. In paragraph 5.15 it states that "Policy H4 seeks to meet the pressing needs of additional provision of residential pitches for Gypsy and Traveller Caravans that are evident in the East of England". While this is understandable, it must be made in the areas where Gypsies and Travellers wish to live, as this would then accord with ... "The level of provision to be made **reflects the needs of those currently resident in the East of England.....**" The needs also meaning the need to be in a certain locality, and certainly not where Gypsies and Travellers do not resort to or have any wish to reside in.
5. Paragraph 5.17 states that "...Such policies should ensure that there is reasonable scope for identification of sufficient sites to be delivering the level of pitches identified in Policy H4 **'in locations which are likely to be attractive to the local Gypsy and Traveller community'**..... This is of paramount importance to the satisfaction of the needs of the Gypsies and travellers and to avoid unnecessary expenditure on site identification and provision which may prove to be illconcieved with sites being unused because they have been located in areas where the Gypsy and Traveller community do not wish to live.
6. Bearing in mind the comments from the Gypsy Council in relation to "some 40 sites in different parts of the country that have closed simply because they have been located in parts of the country where the Gypsy families for whom they were provided did not want to be" the arbitrary strategy now being adopted by EERA, without a sound evidence base to support why the provision of pitches should be made in areas "where previously little provision has been made" (paragraph 5.16), defies sound logic. As an analogy, those local people in the settled community, in need of affordable housing do not have their needs met in different parts of the region away from their current living or employment areas. Their affordable housing needs are met locally, and the single issue review seems to be trying to depart from this local need satisfaction for Gypsy and Traveller accommodation by manipulating the provision of Gypsy and Traveller sites away from areas where the need has been identified previously by EERA. This is a flawed strategy.