



Council 30 September 2013

CABINET MEMBER REPORT TO FULL COUNCIL

Report by Cllr Terry Clements Planning and Regulation Portfolio

Portfolio includes:

- Planning (Development Control)
- Planning Policy
- Building Control
- Vision 2031
- Environmental Health (excluding Environmental Management)
- Licensing

1. *Planning Policy and Vision 2031*

- 1.1 Matters concerning the progression of the three Vision 2031 documents are considered elsewhere on this meeting's agenda. However, I can report that the consultation on the final draft plans stimulated a good debate in communities across the borough and, generally, constructive comments and concerns. Should Council agree to submit the documents to the Secretary of State to be examined, it is likely that hearings will be held by a Planning Inspector during the first months of 2014. I will ensure that officers keep Members informed of progress and key dates via the Members' Bulletin.
- 1.2 At the meeting of Cabinet on 10 September 2013, approval was given to undertake consultation on a draft Statement of Community Involvement (SCI) for West Suffolk. The Borough Council adopted a SCI in 2008 but the implementation of the shared services has provided an opportunity to review the practices and take a consistent approach to how the Councils engage communities and interested parties on planning policy, planning applications and other matters across West Suffolk. It is anticipated that consultation on the draft SCI will commence in October 2013 and I hope that Members will encourage people to read and respond to the document.
- 1.3 Elsewhere on this agenda is a recommendation from Cabinet's meeting on 9 July 2013 to adopt a Joint Affordable Housing Supplementary Planning Document. The preparation of this guidance, to cover Forest Heath and St Edmundsbury, will provide an important piece of consistent advice for developers, affordable housing providers and both local authorities relating to the delivery of affordable housing through the planning process.

2. Major Development

- 2.1 The Major Developments Team in the Planning Service is now in place and dealing with a number of major projects across West Suffolk. At the Cabinet meeting on 10 September 2013, minor amendments were agreed to the protocols for the preparation of masterplans and development briefs. The changes reflect the actual practice of requiring developers to submit to the Council all the comments forms and comments that they receive when they consult on draft masterplans or development briefs. This will ensure that all comments have been taken into account by developers when they submit the documents to the Council for adoption.
- 2.2 A number of masterplans are currently being prepared by developers for major sites across the borough. As I reported in my June 2013 Portfolio Holder report, developers have been consulting on a draft masterplan for Station Hill, Bury St Edmunds. A revised draft, together with the report on the consultation, has now been submitted to officers for consideration and future presentation to the Sustainable Development Working Party for consideration. In addition, consultation has taken place on a draft masterplan for the North-West Bury St Edmunds Strategic Housing site and is also expected to be considered by the Working Party in the coming months. A planning application for the development has also been submitted, but it cannot be determined by the Development Control Committee until the masterplan has been adopted. A planning application is also currently being considered for the construction of the Eastern Relief Road to connect Moreton Hall, Bury St Edmunds with junction 45 of the A14.

3. Development Control

3.1 Potential refund of planning fees

- 3.1.1 The Government has announced changes to the Fee Regulations applying to planning applications which come into effect on 1 October 2013 including measures to refund the planning application fee where a planning application is not determined within 26 weeks of registration. The requirement to refund the planning application fee after a period of 26 weeks will only be applied to applications which are made following the coming into force of the regulations on 1 October 2013. This means that the refund arrangements will not be applied retrospectively to applications already in hand. The regulations relating to refunds would not apply where the applicant has agreed an extension of time with the Local Planning Authority or where there is an appeal or call in from the Secretary of State.

4. Conservation

- 4.1 Consideration has recently been given to the possible abolition of Article 4 Directions covering the two Conservation Areas in Haverhill. The Haverhill Area Working Party recommended to Cabinet that, although there was little public objection to their revocation, the Article 4 Directions should not be revoked. In considering the matter, Cabinet has asked officers to examine the matter further and report back with further options on this matter.

- 4.2 Officers have continued to work with the owners of Cupola House in Bury St Edmunds to facilitate its early reconstruction following the devastating fire in June 2012. I am pleased to report that, at its meeting on 4 July 2013, the Development Control Committee approved planning and listed building consent applications for the reconstruction of the building and the Conservation Officers remain engaged with the developers to assist in bringing back this important building from the ashes, as they have been from the very first day.

5. *Fuel Poverty*

- 5.1 For the second year running with our partners, we delivered a Suffolk-wide fuel poverty programme supported by the Department of Health Warm Homes Healthy People Fund. The services offered to vulnerable residents included home energy surveys, emergency heating and energy efficiency improvements.
- 5.2 The link between fuel poverty, cold homes and Excess Winter Deaths (these being the additional number of deaths compared to the rest of the year) is well recognised in the UK. In Suffolk alone, it is estimated that there are over 400 Excess Winter Deaths every year. 40,000 people live with asthma and 22,750 with coronary heart disease in Suffolk which contribute to most of these deaths. These conditions are aggravated by cold housing.
- 5.3 Last winter, 196 households in the borough contacted the Warm Homes Helpline and 135 households received a home energy survey which led to other services being offered to the residents to help improve home energy efficiency and save energy costs for the long term.
- 5.4 A range of services to alleviate fuel poverty through the Suffolk Warm Homes Healthy People Programme will be available from October 2013.

6. *Licensing*

6.1 *Scrap Metal*

- 6.1.1 The Scrap Metal Dealers Act 2013 is shortly to begin implementation. The new legislation will deliver much needed reform of the scrap metal sector. The 2013 Act will provide effective and proportionate regulation of the sector, creating a more robust, local authority run, licensing regime that will support legitimate dealers yet provide the powers to effectively tackle unscrupulous operators. It will raise trading standards across the whole sector.
- 6.1.2 The 2013 Act will allow the Council to decide who should and should not be licensed, allowing us to refuse a licence upon application or to revoke a licence at any time if we are not satisfied that the applicant is a suitable person to carry on business as a Scrap Metal Dealer. The Act also creates closure powers for unscrupulous dealers who operate without a licence. It extends the record keeping requirements placed upon scrap metal dealers and requires the verification of the people Scrap Metal Dealers are transacting with. The Act will integrate the separate regulation for motor salvage operators with the scrap metal sector and bring to an end the cash exemption given to some collectors under the 1964 Act. Finally, the 2013 Act creates a fee raising power, to allow local authorities to recover the costs stemming from administering and seeking

compliance with the regime. This element of the legislation will be the focus of this guidance. The intention is for the Act to be implemented in October 2013.

6.2 **Reducing the Strength of Alcohol**

- 6.2.1 Some of you may be aware of the 'Reduce the Strength' campaign which has had a successful pilot in Ipswich and is now being rolled out as good practice across Suffolk and beyond. The campaign is being led by Suffolk Police with the support of local councils, Suffolk County Council, NHS Suffolk and East of England Co-operative Society.
- 6.2.2 The campaign aims to remove from sale a range of beers, lagers and ciders with a strength greater than 6.5% and are sold at a substantially lower cost than other comparable alcohol. It does not include drinks under this percentage level or any wines and spirits. Super strength alcohol is sold cheaply and is often the choice of alcohol for young people or those with alcohol dependency issues due to the high alcohol volume and cost. Excessive consumption can lead to long term health problems; make them vulnerable to crime (as a victim) and can lead to anti-social behaviour, crime and/or community issues.
- 6.2.3 The overall aims of the campaign are as follows, all of which aim to improve the feeling of community well-being:
- (a) promote responsible alcohol retailing and the Licensing Objectives;
 - (b) reduce alcohol related antisocial behaviour and crime in public places within the area; and
 - (c) reduce alcohol related harm to individuals' health and young people.
- 6.2.4 This initiative is already working in other areas of the country and has shown benefits such as:
- (a) increased customer footfall and sales (detering troublesome drinkers and the associated perceived anti-social behaviour at the premises); and
 - (b) positive media coverage for retailers by being recognised as a Responsible Alcohol Retailer (by way of a plaque), which may in turn encourage other shoppers to trade with them.
- 6.2.5 Suffolk Police are starting to work alongside St Edmundsbury Borough Council, specifically with Community Safety and the Business Regulation and Licensing Officers, to roll this out to 'off licences' in the borough. This is an entirely free and voluntary scheme and will not be part of any licence conditions, although will be seen as being positive engagement.