



## Council February 2014

### 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 Since the last Council meeting, planning policy officers have been preparing for and attending the Hearings into the Examination of the Vision 2031 documents. The hearings took place between 28 January and 12 February 2014 at locations in Haverhill and Bury St Edmunds. The Planning Inspector is now preparing his report of the examination, but he will not submit it to the Council until the consultation on his required modifications to make the Vision documents "sound" has been undertaken.
- 1.2 The Council has also been informed that a Planning Inspector has been appointed to examine the joint Development Management Policies document, but as yet no dates have been fixed for the Hearings.
- 1.3 The Development Control Committee, at its meeting on 2 January 2014 resolved to approve the planning application for the Bury St Edmunds Eastern Relief Road, which marks a major step forward for this project. The Committee also resolved to grant planning consent for the north-west Bury St Edmunds strategic housing site, the masterplan for which was adopted at the last meeting of the Council.
- 1.4 Consultation is now taking place about proposed amendments to the Article 4 Direction which affects the two Haverhill Conservation Areas. The consultation is open until 5pm on 24 February 2014. An Article 4 Direction is used to restrict changes to the exteriors of houses in conservation areas to protect the character and appearance of the conservation areas. If approved, the proposed changes would mean that some of the restrictions would remain in place but others would be lifted.

## **2. Development Management**

- 2.1 In Development Management, the new democratic processes are now in place and the January Committee was the first where the new procedures were implemented. We have also held a briefing event for Parish Councils to explain the new procedures which was very well attended. There have been two meetings of the new Delegation Panel (sitting fortnightly) which is an internal meeting involving the Chairman and/or Vice Chairmen of the Committee and any Ward or adjoining Ward Members that have expressed an interest in the application. The meeting determines the route that the application will take (whether it will be delegated or referred to Committee). Where items are referred to Committee it is also a useful meeting to discuss whether a site meeting in advance of the Committee would be beneficial.
- 2.2 Inevitably, there have been some bedding in issues and queries from Members about how this will work. The procedures need time to settle but the key message is that if Members have queries or concerns about specific sites, they should contact the case officer in the first instance or Rachel Almond, Development Manager, if they have queries about the operation of the new system. Another Member training session has been organised for the end of March 2014 to go over matters covered at the Member Development Session last December 2013. Details of this event will be circulated shortly and I would encourage those Members who were not able to attend in December to come along, even if you are not a Member of Development Control Committee, as it will give you useful background on how the new procedures work and how you can best get involved.
- 2.3 Meanwhile the Development Management team is moving forward on creating two area teams and aligning its internal administrative processes, whilst dealing with an increase in workload across the two authorities and welcoming the new Principal Planning Officer, Christine Flittner and Head of Service, Steven Wood. There are two vacancies to fill in the team and recruitment is ongoing for these posts. Whilst performance is still below target the direction of travel for all applications, except Majors, is positive.

## **3. Regulatory Services**

- 3.1 Local authorities are statutorily responsible for regulating the quality of water used for human consumption taken from private supplies, as compared to the mains water system which is regulated directly by the Drinking Water Inspectorate. In St Edmundsbury, there are 91 private water supplies of which 28 include larger businesses using water for activities such as food and drink preparation. The remaining 63 smaller supplies serve individual domestic properties. All the private water supplies in the Borough take water out of the ground from their own boreholes.
- 3.2 The work to inspect, test and regulate the wholesomeness of these water supplies is led by the Environment Team in Regulatory Services. During 2013, the Council analysed over 1,600 individual parameters, of which 42 failed to meet the Standards set out in the Regulations. Every failure was investigated by staff in Regulatory Services who worked with owners and those affected to remedy any problems, informally where possible, to ensure that the supplied water is fit for human consumption.

3.3 Each major supply is also required to undergo a formal risk assessment under the Regulations. To date, 22 of 28 assessments have been completed and the Team is on course to complete the remainder well ahead of the 31 December 2014 deadline set in the Regulations.

3.4 The Council recently submitted its annual 2013 performance return to the Drinking Water Inspectorate, who have acknowledged and approved the Council's performance.

#### **4. Licensing**

4.1 The Council's Statement of Licensing Policy 2012/2018 included a special policy on cumulative impact for part of the centre of Bury St Edmunds. Cumulative impact being defined as 'the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area'.

4.2 The effect of the special policy is to create a rebuttable presumption that applications for new premises or material variations will normally be refused if relevant representations are received.

4.3 When the current Statement of Licensing Policy was revised and adopted in December 2012, no formal review of the Cumulative Impact Policy had been undertaken since its last adoption on the 5 April 2011. The lifespan of this part of the policy was shorter than the lifespan of the Licensing Act Statement of Policy and it now requires review and evidence based consultation to determine whether it is reinstated, modified or removed entirely on the grounds that it has now lapsed.

4.4 There should be an evidential basis for the decision to include/maintain/amend a special policy within the statement of licensing policy. Local Community Safety Partnerships and responsible authorities, such as the police and environmental health, may hold relevant information which would inform licensing authorities when establishing the evidence base for a special policy relating to cumulative impact into their licensing policy statement. Information which licensing authorities may be able to draw on to evidence the cumulative impact of licensed premises on the promotion of the licensing objectives includes:

- (a) local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
- (b) statistics on local anti-social behaviour offences;
- (c) health related statistics such as alcohol related emergency attendances and hospital admissions;
- (d) environmental health complaints, particularly in relation to litter and noise;
- (e) complaints by the local authority, which may include complaints raised by local residents or residents' associations;
- (f) residents' questionnaires;
- (g) evidence from local councillors; and
- (h) evidence obtained through local consultation

4.5 Members will be included in the consultation which they may want to feed into.

