

**LUTON AND SOUTH BEDFORDSHIRE  
JOINT COMMITTEE – (SECTION 29 COMMITTEE)**

**Minutes of the meeting of the Luton and South Bedfordshire Joint Committee held at the Town Hall, Luton, on Friday, 21<sup>st</sup> September 2007 at 9.30 a.m.**

**PRESENT:**

Councillor R.J. Davis (Chair)	Luton Borough Council
Councillor Bailey	Luton Borough Council
Councillor Dolling	Luton Borough Council
Councillor Roden	Luton Borough Council
Councillor Rutstein	Luton Borough Council
Councillor Taylor	Luton Borough Council
Councillor Nicols	South Bedfordshire District Council
Councillor Rolfe	South Bedfordshire District Council
Councillor Shadbolt	South Bedfordshire District Council
Councillor Scott	Bedfordshire County Council
Councillor Stay	Bedfordshire County Council

<b>CO-OPTES:</b>	Councillor Jones	BATPC
	Mr. McKillen	Go-East

<b>OBSERVERS:</b>	Councillor Paternoster	Aylesbury Vale District Council
	Councillor Rowlands	Buckinghamshire County Council

<b>IN ATTENDANCE:</b>	Mr. Kirkdale	Highways Agency
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<b>OFFICERS:</b>	Mr. Bhowmick (SBDC), Mr.. Pierce (SBDC), Ms. Kennedy, Mr. Slater (LBC), Mr. Dove (LBC), Mr. Khan (LBC), Mr. Storah (LBC), Mr. Chick (LBC), Mr. Watts (Beds CC), Mr. Jones (BCC) Mr. Roy (AVDC), Mr. Ironside (NHDC) Mr.Lewis (HRTC)
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**27 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (REF: 1)**

Apologies for absence were received on behalf of:

Councillor Franks (LBC)	Councillor Dolling substituting
Councillor M. Hussain (LBC)	Councillor Bailey substituting
Councillor Rawcliffe (SBDC)	Councillor Rolfe substituting
Councillor Thake	North Hertfordshire District Council (Observer)

(Note:The Chair advised that Andrew Elvin had resigned from the Local Strategic Partnership.)

**28 MINUTES (REF: 2)**

**Resolved:** That subject to the insertion of the words “Luton/ Dunstable” before the word “Busway” in the heading of the second paragraph of Minute 26, the Minutes of the meeting of the Joint Committee held on 15<sup>th</sup> June, 2007 be taken as read, approved as a correct record and signed by the Chair.

## 29 SPECIFIC DECLARATIONS OF INTEREST (REF: 4)

Councillor Paternoster (Observer AVDC) disclosed a personal interest in Agenda Item 13 (Response to Aylesbury Vale District Council Core Strategy Preferred Options Consultation Stage) in her capacity as an Aylesbury Vale District Councillor.

Councillor Jones (Co-optee-BATPC) disclosed a personal interest in Agenda Item 11 (Houghton Regis Town Centre Masterplan (SPD) as a Member of the Houghton Regis Town Council Management Committee

## 30 JOINT COMMITTEE BUDGET (REF: 6)

Members received an update on the current budget position, they were advised that the Joint Committee budget had sufficient balances to fund known existing commitments in the current financial year. However future years would be dependent on the additional contributions set out in the Local Agreement and other sources of income to fund the following additional evidence studies to be commissioned:

- Leighton – Linslade Transport Model
- Strategic Housing Market Assessment
- Strategic Land Availability Assessment
- Water Cycle Study
- Utilities and Community Infrastructure Needs Assessment

The Chair commented that the Government should be made aware of the situation with regard to the lack of progress on the Local Delivery Vehicle and, the consequential impact that this had on the Councils' capacities to progress a growth and delivery prospectus in order to secure future Growth Area Funding.

He added that although the virtual team had worked well up to now, it was the view of the MSG that this was no longer a sensible way to work. Officers had therefore been requested to report back on future proposals for a cohesive team.

**Resolved:** (i) That the Joint Committee's current budget position for 2007/08 be noted.

(ii) That the Department for Communities and Local Government be requested to release part of the provisional allocation (£250,000) for the Local Delivery Vehicle to the joint Committee to proceed with the additional evidence requirements and proposals to accelerate growth and infrastructure delivery.

(iii) That the Executive of each Authority be recommended to make provision for the ongoing budgetary requirements for the Joint Committee work in their medium term financial planning.

## 31 PUBLIC CONSULTATION FOR THE CORE STRATEGY: ISSUES AND OPTIONS DOCUMENT (REF: 7)

Members were updated on the progress made to date in respect of the public consultation on the Core Strategy: Issues and Options document. Details of the exhibitions which had taken place together with the feedback from those exhibitions were appended to the report.

Members were advised that whilst attendance at the public exhibitions had been high, responses to the exhibition questionnaires had been quite low.

In addition the following responses had been received:

- 3051 hits on the website
- an estimated 1600 attendees at the exhibitions
- 482 responses to the 'Shape Your Future' summary questionnaire
- 70 responses to the detailed 'Issues and Options' questionnaire
- 217 responses to exhibition questionnaires
- 29 letters
- 25 emails

Officers were currently collating the information received and following the close of the consultation period on 26<sup>th</sup> October the data would be analysed. It was anticipated that the outcomes would then be reported to the Joint Committee and the Local Strategic Partnerships early in 2008.

Members were concerned that the results and findings of the consultation would not be reported back to the Committee until early in the New Year.

Officers advised that, although work had started on the analysis of the responses it would be a long process to ensure that all the responses were included.

The Chair commented that rather than spending in the region of £12,000 for the delivery of a leaflet to all residents summarising the outcome of the consultation, it made sense to use that money for the additional radio advertising which had been commissioned and to notify residents of the outcome of the consultation via the Luton Line and Inform Action.

Members expressed concern at the poor response and questioned whether leaflets had in fact been delivered. A Member pointed out that at any one time 20% of the local paper rounds weren't delivered. He added that the Tenants Consultative Committee working with South Bedfordshire held meetings on a monthly basis and suggested that it would be a good idea to hold a public meeting and consult with them.

A Member enquired whether Town and Parish Councils had been consulted, it was confirmed that all Town and Parish Councils had been sent letters and an information pack. Officers had also attended Area Committee meetings in Luton.

It was accepted that the response had not been very good and this was the reason why the closing date had been extended to 26<sup>th</sup> October, 2007.

The Chair agreed that it would make sense to consult with the Tenants Consultative Committee, he added that there was still time to reach specific areas and requested that if anyone had a specific area of concern they should notify officers as soon as possible.

**Resolved:** (i) That the report be noted

(ii) That officers be requested to arrange a consultation meeting with the Tenants Consultative Committee.

## **32 JOINT STATEMENT OF COMMUNITY INVOLVEMENT (REF:8)**

Officers submitted and reported on the Planning Inspector's Binding Report relating to the draft Statement of Community Involvement, (SCI).

The Joint Committee's approval was sought to formally adopt the SCI, as modified by the Inspector's Binding report, and undertake the remaining statutory processes. Members were informed that the SCI must also be adopted by Luton Borough Council and South Bedfordshire District in the context of their on-going responsibility for Development Control.

Members were advised that all recommendations in the Inspector's report needed to be applied to the SCI in order for it to be adopted. A copy of the SCI, incorporating all binding modifications arising as a consequence of the Binding Report was attached at Appendix B to the report (Ref:8).

Members were advised of three minor amendments to the SCI:

- Page 18 paragraph 5.8 should refer to the decisions made by, and on behalf of, the respective Development Control and Planning Committees and not the Joint Committee as stated.
- Page 27 – Appendix 1 – penultimate bullet point – Voluntary and Community Action South Beds and Luton are two separate organisations:
  - (i) Voluntary Action Luton
  - (ii) Voluntary and Community Action South Beds
- Page 37 – Stage 3 of Appendix 4 should acknowledge that South Bedfordshire have a Planning Committee and Luton have a Development Control Committee

**Resolved:** (i) That the content of the Planning Inspector's Binding Report on the submission of the draft SCI be noted

(ii) That subject to the three amendments referred to above the SCI be adopted in its modified form.

(iii) That the Joint Officer Team be instructed to undertake all remaining statutory processes in accordance with the Regulations.

### 33 LOCAL DEVELOPMENT SCHEME (LDS) (REF: 9)

The Joint Committee were advised that as a consequence of changing circumstances a number of amendments had been made to the first draft of the Local Development Scheme (LDS) since it was last considered.

These amendments had resulted from both slippage on making progress with the Local Development Framework combined with the manner in which the plan-making process had been evolving and changing. This included an emerging view from the inspectorate that the Core Strategies had to be more substantial than had originally been anticipated.

The main changes to the LDS were:

- (i) A reduction in the production of documents to facilitate the delivery of the Growth Area from 3 (Core Strategy, Growth Area Development Plan Document and Area Action Plans) to 2, with Area Action Plans becoming only an optional extra if necessary to facilitate the scale of development required to meet the phasing policy.
- (ii) The Core Strategy will include a Green Belt boundary review (although not to the degree of detail that defines the exact final boundary revisions).
- (iii) The introduction of a Development Control Policies Development Plan Document in parallel with the Core Strategy, in order to have policies immediately in place when the Core Strategy is adopted and facilitate progress on both documents (e.g. at consultation and examination stages) without duplication of time and effort.
- (iv) The Growth Area DPD is to be renamed the Allocations DPD, in order to give clarity to developers as to what its function will be.
- (v) A series of additional inter-related risks are incorporated, which comprise:-
  - Brownfield sites not being developed and housing targets not being met as a consequence of lack of infrastructure provision;
  - Failure to meet housing targets resulting in reduced Housing and Planning Delivery Grant awards; and
  - Premature planning applications for major urban extensions (placing extra demands on staff of the Joint Technical Unit as a result of appeals).
- (vi) The need to undertake additional studies now required by Government – Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments.

The Joint Committee were advised that the LDS had been submitted to the Government Office (GO) for approval by their deadline of 13<sup>th</sup> September, 2007. The Government Office had previously intimated that they were satisfied with the proposed changes and therefore it was anticipated that it would be approved in due course.

The Chair added that a great deal of work had been undertaken to accelerate the process. The fact that the G.O. had no comments suggested that it has been done very well.

**Resolved:** That it be noted that:

- (i) changes have been made to the Local Development Scheme as a matter of necessity
- (ii) the changes referred to in (i) above follow on-going discussions with the Government Office.
- (iii) The revised LDS was submitted to the Government Office for approval by the due deadline of 13<sup>th</sup> September 2007.

#### **34 MAJOR TRANSPORT SCHEMES UPDATE (REF: 10)**

The Joint Committee received a report which summarised the latest position with regard to the following major transport schemes in the Luton and South Bedfordshire Growth Area:

##### **A5 to M1 link (Dunstable northern bypass)/ M1 Junction 11a local connections.**

Officers advised that, following recent discussions with the Highways Agency (HA) and the promoters of major development sites to the north of the conurbation, the HA were now undertaking modelling and design work to assess the impact of the provision of a local connection at Junction 11a. Discussions still continued with the Government Regional Office and EERA in respect of bringing forward the finance to enable the earlier construction of the A5 to M1 link.

##### **Luton Dunstable Busway**

Members were advised that work on updating the Business Case in order to take the scheme to Conditional Approval and Full Approval was progressing well. It was anticipated that the revised Business case would be submitted to the Department for Transport in early-mid October, 2007.

The Project Management Group had approved the recommendations of the procurement sub-group, that further implementation of the scheme should be carried out by way of a Design and Build contract, and that the operation of the Busway services should be through a Statutory Quality Partnership scheme.

It was anticipated that expressions of interest would be sought later this autumn and tenders for the Design and Build contract would be issued to short listed contractors in January 2008, with the expectation that the preferred contractor would be appointed in mid 2008 to commence the design and construction work.

##### **A4146 Leighton Linlade Western Bypass**

The bypass had opened on 14<sup>th</sup> September 2007.

##### **East Luton Corridor M1 Junction 10a to Airport**

Work was generally progressing well although an issue had arisen regarding the technical specification of a small section of reinforced earth embankment

between Gipsy Lane and Park Street. As a result it was anticipated that the works would not be completed until Spring 2008.

### **Luton Town Centre Transport Scheme**

Consultants Pell Frischmann were progressing with the engineering and environmental design of the scheme in preparation for public consultation on the proposals in November. The development of the proposals had been complicated by the need to consider the relationship of the scheme to the:

- Design of the multi-storey car park to provide replacement parking at Luton station (GAF2 funded), the Planning Application for which had been submitted to Luton Borough Council in June 2007.
- Development of Power Court
- Preparation of the development brief for the Luton Gateway area, which incorporates the redevelopment of the wider area around Luton Station and the existing bus station.
- Development of Network Rail's proposals for a new or refurbished station building.
- Supplementary Planning Document for the High Town area.

### **M1 Widening - J10 to 13**

Members were advised that the Joint Committee's response to the Orders for the scheme had been sent to the Highway Agency following the last meeting.

The HA had given notice that there would be a public inquiry and also a pre inquiry meeting. As yet no dates for the meeting had been set, although it was anticipated that the inquiry would commence in January 2008.

Members were also advised that the HA had now acceded to the Council's request to review the speed limit on the M1 spur (J10-10a) in conjunction with the development of proposals for grade separation of M1 Junction 10a.

A Member commented that 15 months ago the Joint Committee approved the South Leighton Buzzard Development Brief which included a roundabout and underpass. When the plans came forward the roundabout and underpass had been replaced by traffic lights. Officers explained that this was due to changes in the traffic flow information, so the roundabout and underpass could no longer be justified and it had been considered that traffic lights would be acceptable.

Members felt disappointed that after the Joint Committee had worked so hard to agree a development brief there had been further changes.

The Chair commented that the Committee needed to consider the process and perhaps follow up in future.

In response to a request, officers confirmed that in preparing the appraisal report for Junction 10a Slip End and East Hyde Parish Councils would be consulted.

**Resolved:** That the Major Schemes Update report (Ref:10) be noted.

### **35 HOUGHTON REGIS TOWN CENTRE MASTERPLAN (SPD) (REF: 11)**

The Joint Committee received an update on the Houghton Regis Town Centre Masterplan which was currently at the consultation stage. Following the completion of the consultation stage, it was proposed that the Masterplan would be submitted to the Joint Committee for adoption as a Supplementary Planning Document, which would supplement the adopted South Bedfordshire Local Plan Review. It was anticipated that that this would be in February, 2008.

Members were advised that the agreed objectives of the Masterplan exercise were:

- To create a sustainable masterplan for Houghton Regis town centre that ensures economic, social and environmental issues are addressed 'in the round'. The plan would ensure the continued and enhanced role of the town centre as the heart of the community and respond to the needs of future communities and housing growth over the next 20 years.
- To ensure the Masterplan was suitable for adoption as a Special Planning Document (SPD) and was aligned with PPS12 requirements.
- To guide future town centre growth and change through setting principles for new development/environmental enhancement and appropriate design quality, character and local distinctiveness.

Members were impressed by the quality of the Masterplan, they welcomed the proposals and requested that their appreciation be passed on to those involved in its production.

A Member commented that houses in the Masterplan seemed to have sloping roofs and included recycling features, whereas the town centre had flat roofs and no recycling features. Officers agreed to pass these comments on to the consultants.

A Member commented that on a practical point the Joint Committee needed a logo. The Chair suggested that it would probably be better to bring this back to the Joint Committee in a few months time.

**Resolved:** That the report (Ref:11) be noted.

### **36 SUPPLEMENTARY PLANNING DOCUMENT ON PLANNING OBLIGATIONS (SECTION 106 LEGAL AGREEMENTS) FOR LUTON (REF: 12)**

Officers submitted and reported on the Supplementary Planning Document (SPD) on Planning Obligations (Section 106 Legal Agreements) for Luton.

Members were advised that the consultation period in respect of the draft SPD had closed on 16<sup>th</sup> April, 2007. A limited number of late representations had been received and whilst there was no obligation to accept them, they had been addressed for the sake of completeness and because they didn't raise any particularly difficult issues.

A schedule of the representations received together with the suggested response on behalf of the Joint Committee were set out at Appendix 1 to the report.



The proposed amendments to the draft SPD were also set out at Appendix 2 to the report. The main amendments were as follows:-

- A new chapter on waste management had been added which included a table of charges for residential development split by dwelling type (flats vs, houses) and size (number of bedrooms)
- Figures in the section on transport contributions had been properly challenged and, as a consequence, the opportunity to both review data, and fully explain its derivation, had been taken
- Apparent inconsistencies in the maintenance period applied to the provision of open space and play facilities, where the draft SPD used periods of both 10 and 20 years, had been rectified, This discrepancy had been resolved so that it now referred to a period of 20 years.
- Reference was now made to the fact that environmental coverage was to be reviewed once the Luton and South Bedfordshire Green Space Strategy had been adopted. This would ensure that any potential environmental obligations would relate directly to the most up-to-date information available and would be consistent with published strategies.
- The SPD had been amended to accommodate the provision of financial information being made, on a strictly confidential basis, to a mutually agreed independent third party rather than to the Council itself.

The proposed changes to the SPD were set out at Appendix 3 to the report.

Members were also informed why, despite this being a Joint Committee, the SPD related only to Luton and Not South Befordshire District Council.

**Resolved:** (i) That the representations made on the draft Supplementary Planning Document (SPD) on Planning Obligations be noted.

(ii) That the suggested responses to the representations referred to at (i) above be agreed.

(iii) That the statement summarising the main issues raised and how they have been addressed in the SPD be agreed.

(iv) That under the heading Transport Facilities page 24 (Para 4.3) the word 'Translink' be deleted and the words 'Luton/Dunstable' be inserted.

(v) That the SPD as amended by the up-dates and in response to the representations made, be adopted.

(vi) That in accordance with the Regulations, Officers be instructed to make the requisite documents available and publish them on the Council's web-site as soon as reasonably practicable.

**37      RESPONSE TO AYLESBURY VALE DISTRICT COUNCIL CORE STRATEGY  
PREFERRED OPTIONS CONSULTATION STAGE (REF: 13)**

The Joint Officer team referred to the consultation on the Aylesbury Vale District Council Core Strategy Preferred Options Document which had been undertaken in July and August 2007. Members were advised that in order to meet the consultation deadline a preliminary officer response had been sent to Aylesbury Vale District Council supporting the approach taken in their Core Strategy.

Officers recommended the Joint Committee to make a formal response to the consultation document expressing support for the Aylesbury Vale District Council Core Strategy Preferred Options document, with specific reference to paragraph 6.8.31 and Policy CS4.

A Member had been asked to point out that Leighton Linlade Town Council had not been included in the consultation process, suggesting therefore that until LLTC had had an opportunity to respond he was not supportive of the Joint Committee making a formal response.

The representative for the Bedfordshire Association of Town and Parish Councils Councillor Jones added that LLTC had been made aware of the document and would consider their response at the meeting of the full Council on 24<sup>th</sup> September, 2007. He felt that the consultation period should be extended to take account of LLTC response.

Councillor Paternoster (AVDC) was not aware that LLTC had not been included in the consultation, and pointed out however that the deadline for responses to the consultation document had been set by the Government Office.

**Resolved:** (i) That Leighton- Linslade Town Council be requested to notify the Joint Committee of their proposed response.

(ii) That Councillor Jones be invited to attend the next meeting of the MSG to present Leighton- Linslade Town Council's response to the consultation document.

(iii) That a formal response be made to AVDC expressing support for paragraph 6.8.31 and Policy C34 of the preferred Options Core Strategy on behalf of the Joint Committee

**(Note: (i)      The meeting ended at 11.15 a.m.**

**(ii)      The next meeting of the Joint Committee will be held on  
Thursday 29<sup>th</sup> November, 2007 commencing at 3.00pm at  
South Bedfordshire District Council.)**