

PETITIONS & REPRESENTATIONS BOARD
Monday 12 August 2019
At 6.00 pm

PRESENT: Councillors Abid (Vice-Chair), Akbar, Simmons, Skepelhorn and Taylor

OFFICERS	Steve Battlebury	Greenspace Manager
PRESENT:	Roger Kirk	Service Director, Property & Construction
	Angela Fraser	Democracy & Scrutiny Team Leader

IN ATTENDANCE

Ward Councillors Councillor Moles,
(Wigmore Ward) – Item 6.3
Councillor P. Chapman – item 6.3
Councillor Wynn – Item 6.2 (Stopsley Ward)

Members of the Public Mr Knight, Lead Petitioner – Poets Green – item 6.1
Cherry Newbury, Wigmore resident – Item 6.2 & 6.3

APOLOGIES: Councillors A. Hussain (Chair) and D. Chapman

		ACTION:
6	MINUTES (REF: 2.1)	
	Resolved: That the minutes of the meeting held on 10 July 2019 be agreed as true record and the chair be authorised to sign them.	
7	PETITION – REQUESTING THE SHRUBS ON THE GREEN OPEN SPACE ARE MAINTAINED BY LUTON COUNCIL EVERY YEAR OR REMOVED DUE TO ANTI-SOCIAL BEHAVIOUR (REF: 6.1)	
	<p>The Greenspace Manager presented the report (Ref 6.1) a petition received from residents of in Poets Green regarding the maintenance of the shrubs within the open space.</p> <p>Members were informed that the council that the Police had contacted the Council requesting the shrubs in that area be cut back and maintained on a regular basis to reduce anti-social behaviour it was attracting. Poets Green was subject to a petition in to the Lewsey Area Board in 2003 where 31 signatories requested the planting of additional shrubs to alleviate the problem of nuisance football games.</p>	

		ACTION:
	<p>The Area Board agreed £500 be allocated for the reconfiguration of shrubs to protect houses and to discourage older youths from playing on green.</p> <p>He further advised the green comprises of approximately 50 semi mature trees and 350 metres of ornamental shrub as shown in the appendix attached to the report (Ref 6.1). Ground maintenance inspected the area and reported the shrubs are currently approximately 2 metres high, and had grown an extra 1m since the last maintenance visit. The shrubs were healthy, and act as a protection for young trees as well as providing ecological benefits for habitat and removing particulates from the air to improve air quality.</p> <p>The shrub beds are not close to roads or footpaths and not causing any obstructions and provide a good level of screening of the properties in Poets Green.</p> <p>The lapse in maintenance was at the direct request of the Executive at their meeting on 29 April 2013 in response to the Government's austerity measures, which reduced the frequency of horticultural maintenance. The result of which had led to shrub beds overgrown; and the council no longer having the resources to maintain all of its amenity shrubs on an annual basis.</p> <p>The Chair requested the Lead Petitioner to speak who said the bushes had grown in excess of 2 metres high, leading to a lot of anti-social behaviour in the form of drug use in the bushes. The Police were notified but due to reduced resources were not able to provide regular policing of the area. Previously the council maintained the bushes every two years when they were first put in, however over the years the maintenance of the bushes had lapsed and residents request their removal if the council is unable to maintain them on a regular basis.</p> <p>The petition was signed by 13 residents who request the council to:</p> <ul style="list-style-type: none"> • Maintain the shrubs on the green every year; or • Remove the shrubs to stop anti-social behaviour from occurring. <p>The Lead petition further informed the Committee that Poets Green had 43 properties in total of which 27 houses face directly onto the green.</p> <p>In response to a question on the preferred option, the Leader Petition replied it would be easier if the shrubs were maintained on a yearly basis, but if that could not be achieved removed completely.</p> <p>In response to a question on the number of signatures on the petition (13) and whether this was the view of all residents of Poets Green. The Lead Petitioner replied that he was aware the petition had</p>	

		ACTION:
	<p>only 13 signatures, which was not from every household and willing to get more if required. The Committee explained to the Lead Petitioner that in order for the council to consider the request a wider consultation of all residents would be needed; as previously it was at their request the shrubs were planted.</p> <p>In response to whether the request for maintenance of the shrubs could be met on a yearly basis. The Officer advised that unfortunately the service could not meet that request due to lack of resources and prioritisation of service requests.</p> <p>The Lead Petitioner further added that over the years the households on the green had changed from those living there in 2003. The petition was supported by the Police who unfortunately were unable to attend the meeting.</p> <p>The Chair commented on the benefits of having shrubs on the green and suggested the matter be deferred until all residents had been consulted and for the results to be reported back to a future meeting.</p> <p>The Committee debated the issue and resolved that the Officer look at replacing the shrubs with a low growing variety on a phased basis commencing in winter 2019.</p> <p>Resolved: (i) That the report be noted (Ref: 6.1).</p> <p>(ii) That the Service Director, Public Realm be instructed through the Greenspace Manager to arrange for the shrubs to be removed and replaced with a more suitable low growing variety in three separate phases commencing in winter 2019.</p> <p>(ii) That the Service Director, Public Realm inform the Lead Petitioner of the outcome of the meeting.</p>	
8	PETITION – OBJECTION TO BUILDING DEVELOPMENT OF WANDON RECREATION PARK (REF: 6.2)	
	<p>The Chair invited Councillor Wynn, Ward Councillor for Stopsley and lead petitioner to present the report (Ref 6.2) on the objection to building development of Wandon Recreation Park.</p> <p>He informed the Committee that there were some similarities with this and the next petition (Ref 6.3) and requested that the committee allow Cherry Newbury a local resident to speak after he had presented.</p> <p>He said the petition had been organised by many residents who objected to the proposed development by Foxhall Homes and resulted in 480 signatures “<i>objecting to the proposal by Luton Borough Council to build homes on Wandon Recreation Park, as this would bring more traffic and more pollution to the area. More homes</i></p>	

		ACTION:
	<p><i>will only add to the stretched local health and social services. The park has been used and enjoyed by generations of Stopsley families for over 50 years and must be kept for future generations to be enjoyed also”.</i></p> <p>He referred to a map circulated at the meeting scaled in proportion to the size of land and advised that the old school playing field was in the North Herts boundary and Wandon Recreation Park was on land owned by Luton Borough Council.</p> <p>He provided some background information and stated that Luton Council prior to Putteridge High School being an academy gave the school the lease to the land had not been rescinded and no request was made by the Council for the school to give up the lease.</p> <p>Luton Council had applied to North Herts to change planning consent of the old school playing field for it to be re-assigned as open public land and nothing else. No formal written agreement from the school to that effect was received. Wandon Park is a popular park used by many residents in the Stopsley and Wigmore area, which has paved lighted footpaths which makes it a true park with various access points. The Park is also designated a county wildlife site and a Freedom of Information request was placed regarding this and responded to which was not satisfactory. It was then followed up with an appeal in which Councillor Wynn was invited to take his enquiry to the National Commissioner. The matter was reported to the Council’s Chief Executive who agreed to look into the process and provide a response.</p> <p>Three separate requests were made to the Leader of the Council regarding Wandon Park and plans affecting the East of Luton and response is awaited.</p> <p>Councillor Wynn clarified the following points which had been incorrectly quoted in the report:</p> <ul style="list-style-type: none"> • Paragraph 4 - refers to Foxhall Homes established as a company set up to build quality homes on surplus land owned by the council which have gone beyond their remit and against the Council’s Local Plan which makes a commitment not to build on parks and open spaces. • Para. 7 - refers to the proposed build being a mix tenure of residential property and to the park being re-provided on land owned by the council adjacent to the existing park within North Herts boundary. To date no planning permission had been received from North Herts District Council and the land is designated green belt. • Para. 8 - refers to land adjacent to the park being one minute away on foot and twice the size of the existing park meeting the classification set out within LLP 27 for a neighbourhood park. This is untrue the re-provisioned 	

		ACTION:
	<p>playing field is more than one minute walk away and passes through a housing estate to gain access.</p> <ul style="list-style-type: none"> • Para. 10 - the re-provisioned sports field was completed sometime ago and discussions held with the council's legal team today found they are in the process of trying to change lease on the land. A view was also sought from North Herts Council who have said it would be subject to a planning application. • Para. 18 - refers to an extensive transport assessment being carried out. That consists of Hayling Drive and Wigmore Lane only and fails to take into account traffic going into Telscombe Way or any others roads around that area. <p>The Committee is requested to reject the recommendation contained in the report.</p> <p>The Chair invited the Service Director, Property and Construction to respond.</p> <p>The Service Director requested the Committee to take the report as read and recommended the Committee to note the report (Ref 6.2) and agree the submission of a planning application for the development of 60 residential properties to Development Control Committee at the end of August.</p> <p>Councillor Taylor, declared a personal interest in item (6.2&6.3) as Chair of Development Control Committee and remained in the room during discussions of this item.</p> <p>The Chair invited Cllr P. Chapman to present item 6.3 who informed the Committee Wandon Park was in the Wigmore ward and not Stopsley, hed was there to represent Wigmore residents.</p> <p>He said the Park was actively used by all residents and that Wigmore residents had not been properly consulted and nobody wanted the proposed development which was reflected in the 309 signature petition received. This was not the first time the Wigmore area was singled out which had also been affected by other proposed build developments.</p> <p>The Chair, invited Cherry Newbury, a resident of Wigmore and Friends of Wigmore campaign group to address the committee.</p> <p>She informed Members that she had lived and worked in Luton for oven 40 years. The proposed development would bring more pollution to area through traffic estimated to increase by 100 extra vehicles in Hayling Drive and Wigmore Lane and not forgetting the effect on wildlife due to building works. The doctors surgeries in the area were already heavily oversubscribed and Wandon Park is</p>	

		ACTION:
	<p>recognised as a neighbourhood park. The developers said the park would be replaced with a like for like was untrue as the alternative is a rural park not suitable for older people or children. Committee members were invited to view park before making their decision.</p> <p>Councillor Taylor expressed concerns on the comments made which were bordering on pre-empting the planning application, which would be subject to full consultation once the application was submitted to the Planning Department.</p> <p>Councillor Chapman replied the reason for the petition being brought forward was due to issues created by Foxhall Homes.</p> <p>Councillor Taylor requested the Committee to agree the petitions to be forwarded to Planning Officers to form part of a wider statutory consultation.</p> <p>Councillor Skeplehorn commented that even though no planning application was yet submitted, Foxhall Homes had carried out their own consultation and given the motion on climate change passed at Full Council last week suggested the Committee put both petitions on hold until the health and wellbeing of residents in the town is determined or for the petitions to form part of the of climate change review being undertaken by the council.</p> <p>The Committee resolved:</p> <ul style="list-style-type: none"> (i) That the contents of the report be noted. (ii) That a full planning application be submitted for the development of 60 residential properties on land currently known as Wandon Park. (iii) That both Petitions (Ref: 6.2 & 6.3) regarding Wandon Recreation Park be sent to Planning Officers to form part of the statutory consultation to be widen and include areas agreed with Wigmore Ward Councillors. 	
9	PETITION – OBJECTION TO BUILDING DEVELOPMENT OF WANDON RECREATION PARK (REF: 6.3)	
	<p>The objections to this item were included in item 6.2 above and the Committee resolved:</p> <ul style="list-style-type: none"> (i) That the contents of the report be noted. (ii) That a full planning application be submitted for the development of 60 residential properties on land currently known as Wandon Park. (iii) That both Petitions (Ref: 6.2 & 6.3) regarding Wandon 	

		ACTION:
	Recreation Park be sent to Planning Officers to form part of the statutory consultation to be widen and include areas agreed with Wigmore Ward Councillors.	

(Note: The meeting ended at 7pm)