

CABINET HOUSING AND PLANNING PANEL – 14 MARCH 2013
AGENDA ITEM NO. 6
COUNCIL PROCEDURE RULE NO. 31

QUESTIONS FROM MEMBERS OF THE PUBLIC

Notice of the following questions has been received in accordance with Council Procedure Rule No 31:-

1. Question to the Chairman Councillor John Nicholls from Paul Matthews

Following a question raised at the Cabinet Housing and Planning Panel Meeting on 13 February 2013, details of the measures taken by the Council to inform the local population of the consultation were provided. Mindful of the nature of the consultation and the impact that the proposals might have on the members of the local population, what percentage response by the local people would be seen by the Council as an acceptable representative sample of the local resident's views. For clarity:

Could the response be limited to a simple percentage figure e.g. 1%, 2.5%, 5%, etc. of the local population of 110,000+; and

If the answer given has to include the number of responses received, could this be limited to the number of people commenting (both on the portal and via petitions (figures given separately please)), and not the number of comments received (mindful of multiple comments by some individuals).

Answer

This consultation is not a referendum and a simple percentage would not necessarily demonstrate that a response was representative of all residents' views in the borough. Consultation responses can be skewed if there is a huge response from one section of the community over another. For example, it is quite common for consultation responses to reflect the views of those aged over 55 and not of younger, newly forming households. We compare monitoring data from consultation events to census data but not everyone completes a monitoring form.

Members are aware of the considerable strength of feeling from communities around the borough affected by the proposals for growth in the borough both from the number of representations received and by way of petitions.

2. Question to the Chairman Councillor John Nicholls from Gary O'Leary

With regard to the Local Plan Consultation November 2012 process, were local Councillors encouraged to promote the consultation to their constituents? If so, how was this actually achieved in practice by the local Councillors?

Answer

Yes, councillors were encouraged to promote the consultation. A number of councillors spoke to local groups in their community, organized for the display of

posters, spoke to members of the public and attended consultation events. They also took copies of the consultation material to their surgeries.

3. Question to the Chairman Councillor John Nicholls from Lesley Mardell

Please could the Council list the documents which provide the evidence base on which the 2012 core strategy reports were constructed (and indicate where these documents are available, preferably in digital form, to the public)? In some cases, it appears that out of date information from the 2004 and 2009 strategies has been used to inform the 2012 strategy.

Answer

Technical evidence in the form of reports commissioned by the council are published on our web site where they are available in digital format on the evidence base page. You can find this by going to the planning page and then clicking on Local Development Framework and then Evidence Base. The council also uses data sources such as population projections produced by other bodies and these are usually referenced in documents. For example the Housing Background papers Parts 1 and 2 summarise the evidence relating to the need for growth and the options for distributing it around the borough. This can be viewed as supporting documents to the Emerging Core Strategy also on the council's website in digital format. The Annual Monitoring Report reports on a wide range of data and this too is published on our website.

Our evidence base is being constantly updated and submissions from other organizations to this consultation will also form part of it.

4. Question to the Chairman Councillor John Nicholls from Mark Hall

Please could the Council provide a list of the professional and local bodies who were consulted in the formation of the core strategy in 2012 as there seem to be significant omissions to their consultation list?

Answer

Yes the council produces a consultation statement after each stage in the production of the Core Strategy. These set out who was consulted and by what method. They are published on the council's website. Consultation has to be carried out in conformity with the Local Planning Regulations and the Statement of Community Involvement.

5. Question to the Chairman Councillor John Nicholls from Hywel Rhys-Williams

On 9 October 2012 the Cabinet met for 20 minutes between 7.30pm and 7.50pm as noted in the minutes. The meeting has become known as 'perversgate-gate' amongst many local people. It is minuted that at this meeting officers had requested that the housing distribution decision be

deferred as a key document, specifically written to inform such decision making, was not yet available to those about to decide the matter. This being the 157 page Sustainability Proposal. Despite this request to defer, Cabinet Members pressed ahead and voted anyway.

Would the officials present agree that this major planning decision was taken by Cabinet Members who were not in possession of all the facts required to make such an important decision on the future of our borough, as was taken on the night?

It is noted that sustainability matrices the Members were in possession of, were mainly data tables, mainly incomplete, containing no background information or definitions. This was a far less informative document than the Sustainability Appraisal that they did not yet have.

Answer

As recorded in the minutes the Officers did not request a deferral but simply notified Members that a request from a third party had been received. All the relevant information was before Members to make a decision. The matrices were complete. The full Sustainability Appraisal report was then subsequently considered by Members at the next meeting of Cabinet Housing and Planning Panel and Cabinet alongside the Emerging Core Strategy before it was agreed to publish the document for public consultation. The matrices form part of the Appendices to the report.

6. Question to the Chairman Councillor John Nicholls from Liz Matthews

Please can the Council advise me on what they based the “significant objections” to development around Brookmans Park, Cuffley, Welham Green and Little Heath referred to in the meeting on October 9th 2012. I have only been able to find objections in the 2009 consultation to a possible proposal for significant numbers of houses in these locations. This is a completely different proposal to that of option 6 which advocates proportionality. In the Councils own summary of the 2009 consultation, only 49 people commented on the issue of proportionality, many of whom were in favour. It therefore seems that as a whole, the residents of the borough would favour option 6. If the Council have based their “substantial objections” on any other document, please could they produce it for public scrutiny as there have been no other public documents referring to this issue since 2009.

Answer

Option 6 is not proportionality. This was Option 1 in the Housing Background Paper. There were 49 responses to the distribution options in 2009; some of these were for, some against. There were merits in both for and against. Consultation on options for growth around the villages generated a significant amount of objection 1,078 (South of Hatfield adjoining Welham Green); 1,050 East of Welham Green, 1,049 Brookmans park, and 1118 little Heath.

7. Question to the Chairman Councillor John Nicholls from Janet Hayden

Where are the Council plans for school provision to compliment the ECS, bearing in mind that WGC used to have 5 secondary school and now only has 3 for example. The current situation is that two Panshanger primary schools have had to take an extra 30 reception children in 2010, 2011 (both Watchlytes) and 2012 (Springmead). Where would new schools be built, who would build them and finance this? Every school is bound by law to have an up-to-date travel plan and incorporate 'safer routes to school' which involves looking at the infrastructure of roads, cycle and footpaths combined with 'walk to school awareness'.

Where is the evidence that the council is addressing this vital issue?

Answer

A number of policies in the Emerging Core Strategy make reference to the need to make provision for schools. The policies for the broad locations make specific reference to the need for new schools as part of their development. This would need to be funded from developer contributions and central government funding. There is also reference to this in the Infrastructure Delivery Plans. This council has consulted the county council on the requirements for school education and will work with the county council to ensure that there is sufficient provision for education facilities required as a result of growth.

8. Question to the Chairman Councillor John Nicholls from Annie Menzies

How many and where are the Urban (brown field) houses currently planned? The Core strategy is very unclear on these numbers and reference to them is very muddled. If the Council have decided how many green belt houses are required, they must have produced accurate figures for the number of urban (brown field) houses they have planned. Why are these plans and the associated numbers not in the consultation documents?

Answer

Table 4 on page 46 of the Emerging Core Strategy sets out the council's estimates that 3,320 or 45% of the dwellings proposed will come forward either within the existing settlements or already have planning permission. The Annual Monitoring Report provides more detailed information on our housing land supply. The Core Strategy is a strategic document and it is not the role of the Core Strategy to identify individual sites. This role falls to other documents such as a Site Allocations document or Area Action Plans which follow the Core Strategy.

9. Question to the Chairman Councillor John Nicholls from Will Davis

On 9 October 2012 the Cabinet met for 20 minutes between 7:30 and 7:50pm as noted in the minutes. The meeting has become known as 'Perversegate' amongst many locals. In those 20 minutes it appears that six separate issues were covered, aside from regular meeting housekeeping. One of those issues

being the location of new homes as required by the Core Strategy. This is a very brief period in which to agree where all new housing outside urban areas will be located for the next 18 years. Nevertheless, the minutes show that the decision was taken to place the new housing in only two locations in the borough. They also show very little debate or discussion took place.

Do the officials present from WHBC believe that this is an acceptable and appropriate way to make such a major planning decision? Equally, do they believe that borough residents would agree that this major decision was taken in an acceptable and appropriate way? It also appears that the vote was not recorded.

Answer

The issue of how best to distribute new housing around the borough will be debated by the council on a number of occasions. The meeting on 9th October followed a meeting of Cabinet Housing and Planning Panel on 27th September which had also debated the issue and referred the matter on to Cabinet with a recommendation. The content of the draft Emerging Core Strategy was subsequently put to Cabinet Housing and Planning Panel on 22nd October and Cabinet on 23rd October. Following analysis of the response further changes to the Core Strategy will again be considered by Members and then the whole strategy will be subject to scrutiny at an Examination in Public.

10. Question to the Chairman Councillor John Nicholls from Chris Andrews

Why have the Council/Planning Department assumed that just because there are no biological records registered at the Hertford Biological records centre, there is no wildlife of note at Panshanger? No data has been recorded at the airfield because as a working aerodrome, access is restricted. Can the Council say why they did not question the lack of records and make enquiries from local wildlife groups such as the Herts and Middlesex Wildlife Trust about wildlife data known to them?

Answer

The Hertfordshire Biological Records Centre holds the records on wildlife in the borough. The Herts and Middlesex Wildlife Trust do provide data to the Records centre and they have been consulted on the Emerging Core Strategy. We will consider their representations carefully before deciding what changes need to be made to the Core Strategy. Data on wildlife is continually updated as information becomes available.