

**ENVIRONMENT, CULTURE AND  
COMMUNITIES OVERVIEW & SCRUTINY  
PANEL  
7 MARCH 2017  
7.30 - 9.03 PM**



**Present:**

Councillors Angell (Chairman), Porter (Vice-Chairman), Mrs Angell, Brossard, Finnie, Mrs Ingham, Mrs McKenzie, Mrs McKenzie-Boyle and Mrs Mattick

**Co-opted Members:**

Councillor Susie Phillips

**Executive Members:**

Councillors Mrs Hayes MBE, McCracken and Turrell

**Also Present:**

Andrea Carr, Policy Officer (Overview and Scrutiny)  
Andrew Hunter, Chief Officer: Planning, Transport & Countryside  
Damian James, Head of Performance and Resources  
Steve Loudoun, Chief Officer: Environment & Public Protection

**142. Minutes and Matters Arising**

**RESOLVED** that the minutes of the meeting of the Panel held on 10 January 2017 be approved as a correct record and signed by the Chairman.

**143. Declarations of Interest and Party Whip**

There were no declarations of interest relating to any items on the agenda, nor any indication that Members would be participating under the party whip.

**144. Urgent Items of Business**

There were no items of urgent business.

**145. Public Participation**

No submissions had been made by members of the public under the Council's Public Participation Scheme for Overview and Scrutiny.

**146. Contaminated Land**

The Panel considered a report setting out the Council's responsibilities in relation to contaminated land in the Borough, as defined by the Environmental Protection Act 1990.

For land to be designated as 'contaminated land' it had to meet three criteria. Firstly, there must be an identified contaminant, secondly an identified receptor that was likely to be harmed by the contaminant should the two come in contact, and thirdly a feasible pathway by which the two could connect. The legislation provided powers

for the remediation of contaminated land, whereby planning conditions could be imposed to deal with associated risks on land brought forward for development.

Local risks had been assessed through a desk top survey in 1999/2000 of historical sites where industrial or waste disposal activities had taken place. Some 2,500 potentially contaminated sites had been identified in the Borough. There were also three former local authority landfill sites in the Borough. Longhill and Longshot Lane were former landfill sites which needed active monitoring by the Council to ensure compliance with regulatory standards. The third landfill site at Strongs Heath was closed in 1998, and was managed by the Council on behalf of all the Berkshire Authorities on terms regulated by the Environment Agency. This necessitated the ongoing management of the site and monitoring of gas and leachate.

The following points arose from questions and discussion:

- Details of the 2,500 sites were held on the contaminated land register which was available for public inspection. Some individuals chose to obtain information via a Freedom of Information request rather than attending to inspect the public register.
- The Council was not required to monitor the majority of these sites since they posed no actual risk (in the context of the legal definition in the Act)
- Where development proposals were submitted, the Council as Planning Authority could refuse permission unless satisfactory measures were proposed to remediate the contamination or otherwise mitigate any risk to health.

Strongs Heath landfill site was designed and built as a 'dilute and disperse' site. It is regulated by the Environment Agency. The nature of the equipment on the site is such that it currently has to be kept secure. The day to day on-site management has been outsourced to specialists who arrange for the methane from the site to be drawn off and burnt by an onsite flare and for leachate to be extracted and sent for specialist disposal.

#### 147. **Coral Reef**

The Head of Performance and Resources made a presentation to the Panel on the progress of the refurbishment at Coral Reef.

The contractor had now completed 50,000 man hours on site, while the contract remained within budget and on schedule for re-opening on 18 August 2017. Construction of the flume tower was now up to the fifth floor, the pool roof had been demolished, the changing village roof works were now complete and external drainage works were in progress. Most of the colourful flume sections were on site awaiting assembly and installation. The Panel viewed a number of photographs showing how the works were progressing and a summary of the next phase of work.

The project had created a lot of public interest, measured by a very high number of website hits. The Panel was most interested to learn of the weekend recruitment drive planned for May. Approximately 60 staff (40 FTE) would need to be appointed and it was hoped that a number of those employed previously would return. Learning to Work, a charity working to support and develop young people and provide them with career opportunities, had been engaged to assist with recruitment.

Following questions, the Panel was advised that a final progress report would be made to its next meeting in July before the re-opening of Coral Reef in August 2017.

#### 148. **Design Supplementary Planning Document (SPD)**

The Panel received a report presenting the Design Supplementary Planning Document (SPD) due to be considered for adoption by the Executive on 14 March 2017. The Design SPD sets out design principles and best practice to guide the design quality of development proposals in the Borough. The Consultation Draft SPD had been subject to full public consultation for six weeks from 17 October 2016. An appendix to the report contained a summary of the responses received, an officer response to each comment and recommendations for any appropriate changes to the SPD.

In response to Members' comments and questions the following points were made:

- The Design SPD would sit alongside other SPDs adopted by the Council and be brought into use in the determination of planning applications.
- A number of issues raised by Members were in fact more appropriately and adequately covered in the adopted Streetscene SPD.
- Generally such matters as the installation of solar panels and satellite dishes constituted permitted development and therefore the Design SPD made only limited reference to them. In response to a request, the Chief Officer: Planning, Transport & Countryside agreed to advise the Panel of the maximum number of satellite dishes permitted on homes.
- Although it was not possible to say that the adoption of the SPD would lead to an improved ratio of planning appeals won, it would be a very useful addition to the policy relied on in the determination of planning applications, and would have to be taken into account by the Inspector in any planning appeal.
- The Panel echoed the positive comments made in the consultation and congratulated the officers on a comprehensive and well written SPD.

Although not directly related to the Design SPD, members received answers to questions about the spending of Community Infrastructure Levy (CIL) funds raised and the Section 106 contributions towards the Thames Basin Heath Special Protection Area (SPA). It was suggested that the Panel should have a presentation at a future meeting on the responsibilities of the SPA Joint Board, how it worked and how the funds were allocated.

#### 149. **Bracknell Forest Borough Local Plan Update**

The Panel considered a report summarising the up to date position on the various documents comprising the Bracknell Forest Borough Local Plan (BFBLP).

The preparation of the Comprehensive Local Plan (CLP) was proceeding in accordance with the timetable detailed in the report which now provided for the Draft Plan consultation to take place in September/October 2017.

Progress on the preparation of the wide range of evidence studies which would support the formulation of policies within the CLP was noted. In particular, reference was made to the consultancy working on the Gypsy and Traveller Accommodation Assessment (GTAA) which was reviewing its draft report in the light of officer comments and amendments to the national policy guidance. Consultants JBA had been appointed to undertake the Strategic Flood Risk Assessment (SFRA). Also Hampshire County Council was continuing to work on preparation of the Joint Minerals and Waste Local Plan, and a session with members of the participant authorities was planned.

150. **Working Group Update Report**

The Panel received a progress report of the Working Group reviewing houses in multiple occupation (HMOs). Two meetings had taken place so far at which the review had been scoped and discussions held to explore the housing functions and any related anti-social behaviour issues associated with HMOs.

151. **Quarterly Service Report (QSR)**

The Panel considered the latest trends, priorities and pressures in terms of departmental performance as reported in the QSR for the third quarter of 2016/17 (October to December 2016) relating to Environment, Culture and Communities. The report highlighted exceptional performance, remedial action being taken against under performance, significant changes in risk, significant customer feedback and inspections and significant changes in service use and the associated financial impact.

The Chief Officer: Environment and Public Protection highlighted a number of items from the report and gave an overview of the third quarter performance. He indicated the major variances on the revenue budget, resulting in a predicted underspend of £440k for the year. The capital budget for the current year was currently 64.6% spent, but this would rise in the fourth quarter to the extent that only a 6.3% carry forward would be necessary.

The key highlights referred to the heavy involvement of the Department in the first year of the transformation programme, with intensive work being undertaken at South Hill Park, Libraries and Leisure Services. There had been a significant increase in the number of cremations carried out. The joint Regulatory Service between West Berkshire, Wokingham and Bracknell Forest Councils had commenced on 9 January 2017 and had made a good start to operations.

Arising from answers to questions and discussion, the Panel noted:

- The Crematorium was currently operating at or near capacity, but this was governed by the chapel availability. Work had commenced on the first phase of the construction programme leading towards having a second chapel which would increase capacity further.
- A factor affecting the current high level of cremations was the temporary closure of the Slough Crematorium.
- It was estimated there was currently space in the cemetery for about 10 more years of burials. In common with practice elsewhere only double depth plots were now being sold. The charges for burials are higher for non-residents of the Borough.
- The new joint Regulatory Service had realised £150,000 of savings from its inception. However, there was potential for further savings in support costs, office accommodation etc as the service became more established. The first meeting of the Partnership Board set up to manage the service was due to be held shortly.
- Utility Companies had to obtain a permit from the Council to close roads in the Borough. The Council set conditions in the permit, including time limits and there was provision to impose penalties where these were overrun.

Income from the Community Infrastructure Levy (CIL) had been greater than expected, with a further £4-5m of CIL liabilities. The review of CIL charges was aligned with the Local Plan timetable. It could also be affected if some proposals contained in the Housing White Paper were introduced.

152. **Executive Key and Non-Key Decisions**

The Panel received and noted the scheduled Key and Non-Key Executive Decisions relating to Environment, Culture and Communities.

**CHAIRMAN**

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