

STRATEGIC OVERVIEW AND SCRUTINY PANEL 5 MAY 2009

Present :- Councillor Christopher Arnold (Chairman)
Councillors Nick Barlow, Mark Cory,
Pauline Hazell, Peter Higgins, Mike Hogg,
Kim Naish, Gaye Pyman and Julie Young

Substitute Members :- Councillor Terry Sutton
for Councillor Margaret Kimberley
Councillor Nigel Chapman
for Councillor Nick Taylor

60. Minutes

The minute of the meeting held on the 7 April 2009 was confirmed as a correct record.

61. Work Programme

The panel reviewed the additional items for review in 2009-10 and the items to be carried forward from this year to 2009-10.

Mrs Pam Donnelly explained that the additional item on performance management would allow the panel, on a 6-monthly basis, the opportunity to undertake a simultaneous strategic review of the Council's performance in relation to the Strategic Plan, Local Area Agreements, National Indicators and Best Value Performance Indicators as appropriate.

Councillor Arnold said that given the Cabinet Members have now been Portfolio Holders for one year, that during 2009-10 it will be appropriate to undertake one portfolio holder review per meeting, rather than have multiple reviews in the last four meetings of the Municipal Year.

RESOLVED that the panel noted the additional items and carried forward items for 2009-10.

Councillor Julie Young (in respect of of being a member of Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Peter Higgins (in respect of of his spouse being a member of Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Kim Naish (in respect of personal) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

62. A new Build nuclear power station at Bradwell

Have Your Say

Mr. Newton addressed the panel, saying all nuclear power stations were located on the shoreline, facing open sea, except Bradwell, built on a peninsular within a shallow estuary. Mr. Newton spoke about the effect that the old magnox station had had on the marine life within the estuary during the years of operation and was fearful of the environmental effect of a new reactor, that he believed would have a capacity six times greater than the old reactor. Mr. Newton had heard that EDF had brought more land in the Bradwell vicinity, with rumours suggesting there could be more than one new nuclear power station built. Mr. Newton mentioned the massive volumes of heated water that will be dispersed to the estuary from a new reactor, the possible effects on marine life and Maldon salt and whether the higher rate of breast cancer reported in some local areas was attributable to the original power station. Mr. Newton concluded by expressing concern about the continual on site storage of radioactive waste for both the old and any new build reactors.

Mrs. Nolly Urquhart addressed the panel, saying that if it was understood that the location of the current Bradwell site would through climate change and storm surge, inundate by 2080, consideration should be given to the appropriateness of this site given that at this point all roads links to the site would be under water. Mrs. Urquhart also felt that given this information it would surely be appropriate to extend evacuation zones to four miles. Mrs. Urquhart said any study by British Energy on the social and economic benefits to a new build nuclear power station would only be pertinent to Maldon District, that Mersea Island would receive no benefits, only problems. Mrs. Urquhart concluded by asking whether the estuary's triple SSI (Special Scientific Interest) status provided protection to the estuary given the effects of hot water plumes and the chlorination process.

Councillor Arnold said he understood the concerns raised by Mrs. Urquhart, explaining that these issues would be considered by further review as concluded within the report's recommendations.

Mrs. Paula Whitney addressed the panel, firstly to request under the freedom of information act, the presentations given to the task and finish group in secrecy.

Councillor Arnold explained that the work of the task and finish group was not about secrecy, that the minutes of all their meetings are included in the appendices to the report for all to see. Mr. Judd confirmed that the only electronic presentation given was from Cefas, a simulation of the water conditions within the estuary with a fully operational new build reactor, a presentation owned by Cefas and not in the Council's ownership.

Mrs. Whitney continued, asking why Professor Blowers, with all his years of knowledge on radioactive waste, and a member of the the Committee on Radioactive Waste Management (CoRWM) that provide independent scrutiny and advice on the UK's management of its solid radioactive waste, was not invited to attend one of the task and finish group meetings. Mrs. Whitney spoke about the political bias of local MPs and Essex County Council towards pro-nuclear support, whilst only one part, the Liberal Democrats, openly speak against nuclear power.

Councillor Arnold said the issue of radio active waste storage was not considered by the task and finish group as it was tasked to look at issues specific to the locality not those forming part of the national nuclear debate. Councillor Arnold said the report had addressed local issues and was one of the best pieces of work undertaken by the Council in many years and politics had not interfered with the scrutiny process.

Mrs. Val Mainwood addressed the panel, saying she understood that the Council had considered many aspects and issues of nuclear power, but given the complexes, more research was needed for the Council to make a considered judgment. Mrs. Mainwood said there still remained problems with spent nuclear fuel and as yet the Council had not addressed this issue. Mrs. Mainwood believed there are factual errors in the response by the Health Protection Agency in regards to Childhood Cancer around nuclear installations, and that in terms of Emergency Planning and evacuation, whilst there had been a history of complacency, further work was needed to resolve this issue.

Councillor Arnold responded to Mrs. Mainwood, saying that the issue of spent nuclear fuel had not been addressed, but as a feature of all nuclear power plants, was not site specific, but part of the national debate on the nuclear fuel industry. Councillor Arnold concurred with Mrs. Mainwood that further work was still needed in terms of emergency planning and evacuation.

Councillor Spyvee addressed the panel paying tribute to the task and finish group, commending the group for the work undertaken and thanking the Scrutiny Officer for supporting this process. Councillor Spyvee said nuclear power was at the forefront of national politics, so now was the time to firm up on the recommendations to the Cabinet, highlighting evacuation, impact on the

local fishing industry, the local health effects of radiation and the threat of site inundation as the major issues to be addressed. Councillor Spyvee welcomed the proposals for further studies and considered there was now a need for political pressure to move these issues forward.

Councillor Arnold thanked Councillor Spyvee for his words, adding that the issues highlighted by Councillor Spyvee had been addressed in the report, and further to this, and drawing on the work of the task and finish group, would invite the Leader to respond on Government's Comment Window.

A new build nuclear power station at Bradwell

Councillor Young, in response to the issues raised on public health asked that any future work should consider the Essex County Council report on the access to cancer drugs.

Councillor Hogg, understanding that this was not a last opportunity to respond to Government consultation felt it was clear that the further work as laid out in the recommendations to Cabinet should continue, that this was an ongoing process.

In response to Councillor Higgins, Councillor Arnold agreed that the report did not give a final conclusion, but that all the local issues raised and considered by the task and finish group are addressed within the recommendations of the report, and also, that the recommendations did address the need for further work on local issues.

Councillor Cory said he understood the comment of Councillor Higgins concerning the lack of a final conclusion within the recommendations, saying he and members of the task and finish group had been alarmed and found unacceptable some of the evidence submitted, though accepting that further investigation was needed.

Councillor Arnold responded by saying he was content that the response to the Cabinet was as agreed by the task and finish group, based on a solid piece of respected work that recommended a way forward.

Councillor Sutton said the work of the task and finish group is work in progress, providing evidence for any future planning committee or consultation, rather than saying it was opposed or not opposed to nuclear power. Councillor Sutton said the report was extremely good, examining the issues that were local to West Mersea and the surrounding coastline and on a non political basis.

Councillor Young said the aim must be for members to work towards a collective view and it was evident that as recommended, more research was

needed. Councillor Young said it was imperative that more research was gathered in order to provide the evidence to contest any planning consideration. Councillor Hazell concurred with the comments of Councillor Young, saying she would not be happy if the panel took a political stance, that the outcome for Colchester would be better if based on evidence and not political ideology.

Councillor Chapman said the report was one of the best he had seen for a long time, but was reluctant to go further, saying he accepted the recommendations, suggesting more evidence and scrutiny was required. At this point Councillor Arnold reiterated to the panel that there were seven recommendations, so to identify four in particular would put the other three into the shade.

The panel agreed with Councillor Cory that the second piece of outstanding work as highlighted within the first recommendation should be expanded to include the issue of warm water dispersed to the estuary, 'thermal plumes', and the impact on wildlife of the increased water temperature, not sufficiently understood and needing further research. Councillor Arnold concurred with Councillor Cory that this had been identified as an issue by the task and finish group and should be made part of the recommendations.

The panel also agreed with Councillor Arnold that there should be one additional recommendation requesting the Leader of the Council to respond on behalf of the Cabinet to the Government's 'Comment Window' drawing on all the evidence gathered by the task and finish group.

Councillor Barlow concluded the debate by thanking the Scrutiny Officer for completing the report on behalf of the task and finish group.

RESOLVED that the panel;

- i) Considered and endorsed the proposals of the task and finish working group, to be reported to Cabinet at the meeting of 10 June 2009.
- ii) Agreed that the outstanding work as mentioned in the first recommendation should be expanded to include the issue of hot water dispersed to the estuary, 'thermal plumes', an issue not concluded during the investigations.
- iii) Requested the Leader of the Council to respond on behalf of the Cabinet to the Government's 'Comment Window' drawing on all the evidence gathered by the task and finish group.

Councillor Nigel Chapman (in respect of his current appointment as a Council nominee to the Board of Colchester Borough Homes and being the current Vice Chairman of the Board) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

63. Review of the work of the Portfolio Holder for Planning and Regeneration

Councillor Lynn Barton, Portfolio Holder for Planning and Regeneration attended the meeting for this item and addressed the panel.

Councillor Barton at various stages within the ensuing debate gave a brief resume of the work undertaken within the areas of sustainability, planning and regeneration.

In response to Councillor Chapman about new initiatives with sustainability, Councillor Barton said the new wind turbine at Cuckoo Farm formed part of a local partnership on renewable energy, and hopefully the partnership would consider other suitable areas within the borough. Councillor Barton said the Energy Savings Trust had provided forty hours of free consultancy on sustainable issues, over two years.

In response to Councillor Hogg, Councillor Barton said schools are working with officers on recycling issues, and primary schools in the area are awarded either gold, silver or bronze standards in respect of their efforts towards achieving eco-sustainability, with St. Mary's recently receiving a gold award.

Councillor Barton, in response to Councillor Chapman said the issue about reducing energy loss within Council homes, including sheltered accommodation, was a Colchester Borough Homes (CBH) initiative. Councillor Barton also said that an overhaul of sheltered accommodation was currently being undertaken and she was soon to receive in writing instructions from CBH, adding that we had entered into a closer working partnership with CBH.

Councillor Barton said she would provide details to panel members on eligibility of the 'Warm Homes Grant', taking Councillor Young's point that this grant scheme needed greater publicity for a broader awareness.

Councillor Barton explained that a review of the Planning Service had been undertaken and a new Head of Service was now in place. The service had recently taken on an external fee paying service for Sudbury Town Council which helps funding and boosts the reputation of the Council. Councillor Barton spoke about the new 'Developers, Agents Forum', an opportunity for

officers and smaller agents to discuss issues, and confirmed that Colchester has recently been designated the best in the country for delivering S106 agreements.

In response to Councillor Hazell, Councillor Barton said the economic downturn was reflected in the dramatic decrease in planning applications, down from 175 per month, to 50 – 75 per month. Due to this drop it has been possible to review resources and redeploy staff and avoid redundancies and the loss of qualified planning officers. Officers have been moved to Planning Policy Team, and the fruits of this are now materialising in the form of new policy documents such as the Public Realm Strategy and Re-use of Garage Sites. Councillor Arnold agreed that this was a good strategy.

Councillor Barton explained to Councillor Sutton the procedures that led to the error that prevented the Planning Committee from being able to consider the application for a mobile phone mast at Lexden had now been reviewed and changed so as to avoid a reoccurrence in future. Councillor Barton said at this time O² are now looking to share sites to site masts, with other operators, but did not know what progress had been made as this was a country wide initiative that had not been completed. Councillor Barton also confirmed to Councillor Sutton that the planning policy to have a greater number of mixed developments had been addressed and would have the effect of reducing the number of flats being built whilst still meeting the Borough's strategic housing needs.

Councillor Barton confirmed to Councillor Young that she had attended a public consultation meeting on Tendring District Council's Core Strategy for the development of land butting onto the Colchester's boundary, with a possible creation of 800 new homes and 1,300 new jobs. Councillor Barton had responded to this consultation and explained that this core strategy had to be coherent with that of Colchester's. Councillor Barton said that Tendring had failed to consult with three parishes including Wivenhoe, something they are obliged to do and that will lead to a delay in the process of at least six weeks. A Joint Core Strategy was a way forward and one being considered by both authorities.

It was confirmed by Councillor Barton that there had been delays in processing the Horkesley Park application due to the receipt of 22,000 cards all requiring processing. Councillor Barton regretted the meeting deferrals for the application but given the extraordinary circumstances it was understandable.

In reference to regeneration, Councillor Barton explained that the contracts for the Hythe Station improvements had been awarded and work was to commence soon. The upgraded station would be able to receive twelve

carriage trains and from the summer on, two London bound trains would stop per hour at the Hythe, and would have a positive effect on new home purchasing in that area. Councillor Barton confirmed that the station would not be manned, but given the spate of vandalism at the station it was hoped that the aspiration for further funding to provide CCTV and more robust vandal proof ticket machines would be realised as soon as possible. Councillor Barton confirmed to Councillor Naish that the possibility of a new secure cycle park at the station was being considered.

In response to Councillor Arnold, Councillor Barton confirmed that the concept of business starter units at the University would not come to fruition, that it would form a Human Rights / Equality / Politics centre to be known as 'Knowledge Gateway', and that at present it was likely that a conference centre / hotel would be developed at this site. This said the funding for business starter units at North Colchester was almost complete, with the Weston Business Centre at the east of Colchester now open.

Councillor Young in response to Councillor Arnold believed that the new student accommodation at the Quay fulfilled the Universities requirements on affordable housing.

Councillor Barton confirmed that in regards to a new town centre bus park, any new park would need to fit in with the town centre's transport infrastructure and subsequent project, and would be addressed by the transport workshops, though in the meantime the current temporary bus park would remain. Councillor Barton later responded to Councillor Arnold confirming that a Town Centre Project Manager had recently been appointed and was fully committed to the Town Centre project, and she was confident the High Street traffic issues would be addressed, though there was no timeframe for delivery. What was confirmed was an overwhelming desire to eliminate cars from the High Street, though discussions remained on the future access to the High Street by buses, taxis and disabled drivers. Councillor Barton also confirmed to Councillor Higgins that the Vineyard Gate project had due to the economic downturn slowed right down, though Caddicks remain project managers. The Council had received an offer from a hotel chain to develop St James House (next to what was Keddies), with talks in the preliminary stage on three interlinked proposals.

Councillor Barton said in regards to the new A12 junction she would confirm to the panel the Homes and Community Agency (HCA) funding package and what it includes. Councillor Barton confirmed to Councillor Naish that a bus lane remained an integral part of the park and ride scheme that would be developed through S106 funding. Public transport and cycling would be encouraged as these traffic reducing schemes were developed and introduced and she was confident that long term all the new schemes will alleviate traffic congestion.

Councillor Arnold thanked Councillor Barton for attending the meeting and responding to the panel's questions.

RESOLVED that the panel:

- i) Noted the responses from the Portfolio Holder for Planning and Regeneration.
- ii) Requested the Head of Planning and Regeneration to provide details on eligibility for the 'Warm Homes Grant' scheme.
- iii) Requested the Head of Planning and Regeneration to provide further information on the new Homes and Community Agency (HCA) funding package for the A12 Junction, and what would be included within the funding.