



Cambridge City Council
Planning and Transport Scrutiny Committee

Date: Tuesday, 4 October 2022

Time: 5.30 pm

Venue: Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ

Contact: democratic.services@cambridge.gov.uk, tel:01223 457000

Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest
- 3 Minutes (Pages 5 - 6)
- 4 Public Questions

Decisions for the Executive Councillor for Planning Policy and Infrastructure

- 5 Officer Delegations for Infrastructure Projects (Pages 7 - 18)
- 6 To Note Record of Urgent Decision Taken by the Executive Councillor for Planning Policy and Infrastructure
- 7 *** RoD:Application to redesignate the Neighbourhood Forum for South Newnham (Pages 19 - 20)
- 8 ***RoD:Cambridgeshire and Peterborough Local Transport and Connectivity Plan: Draft Plan Consultation Response (Pages 21 - 24)
- 9 ***RoD:Section 106 Administration Fee (Pages 25 - 26)
- 10 ***RoD:Minor Highways Improvement Programme 2022/ 23 (Pages 27 - 30)
- 11 ***RoD:Draft Drainage And Wastewater Management Plan (DWMP) Consultation Response (Pages 31 - 34)
- 12 ***RoD:Network Rail (Cambridge Re-Signalling) Order Consultation Response (Pages 35 - 40)

Planning and Transport Scrutiny Committee Members: S. Smith (Chair), D. Baigent (Vice-Chair), Bick, S. Davies, Herbert, Porrer, Scutt, Smart and Swift

Alternates: Copley, Gawthrope Wood, Lee, Page-Croft and Pounds

Executive Councillors: Thornburrow (Executive Councillor for Planning Policy and Infrastructure)

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PLANNING AND TRANSPORT SCRUTINY COMMITTEE

26 May 2022
4.40 - 4.44 pm

Present: Councillors S. Smith (Chair), D. Baigent (Vice-Chair), Bick, S. Davies, Herbert, Porrer and Smart

FOR THE INFORMATION OF THE COUNCIL

22/12PnT Appointment to Working Party

The Scrutiny Committee agreed the appointments below:

Joint Local Planning Advisory Group

Councillors Thornburrow, S.Smith

Councillor Bick

Reserve: Councillors Gawthroe Wood, Porrer

22/13PnT Appointment to Outside Body

The Scrutiny Committee recommended the following appointments to the Executive Councillor.

The Executive Councillor agreed the appointments.

Members Cycling and Pedestrian Steering Group

5 Labour, 3 Liberal Democrat

Councillors – TBC, Payne, Nethsingha, Lee

The meeting ended at 4.44 pm

CHAIR

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Item

Officer Delegations for Infrastructure Projects

To: Councillor Katie Thorburrow, Executive Councillor for Planning Policy, and Infrastructure.

Planning and Transport Scrutiny Committee, 04 October 2022

Report by: Stephen Kelly, Joint Director for Planning and Economic Development.

Stephen.kelly@greatercambridgeplanning.org

Wards affected: All

1. Executive Summary

- 1.1 The Greater Cambridge area is the focus of a number of significant new national and regional infrastructure projects. Whilst the City Council is not responsible for “consenting” these works, it is a participant in the consent processes and will be asked for its formal views at specific stages of the process on administrative and procedural matters as well as commenting on technical elements and providing a view on the impacts/merits. Officers will also be expected to represent the Council at any public inquiry. The processes followed are distinct from those associated with conventional planning applications. Such proposals are not explicitly covered within the terms of reference for the City Planning Committee or Joint Development Control Committee.
- 1.2 The Councils decisions in respect of such proposals therefore rests with the Executive Member for Planning and Transport. Given that the timescales for responding to the process are sometimes very short, this has, to date, required the use of the urgent member decision making process. The Council nevertheless expects that a number of emerging proposals will come forward in the months ahead requiring the Council to quickly set out its position. Given the challenges of managing projects concurrently, this report therefore seeks to delegate authority for providing the City Councils position on specific elements of the statutory process to the Joint Director of Planning and Economic Development.

2. Recommendations

2.1 The Executive Councillor is recommended to:

- i. Delegate to the Joint Director of Planning and Economic Development, authority for providing responses on behalf of the City Council to the stages of the statutory process listed in Para 4.20 and 4.21 for the infrastructure proposals listed in Paras 4.4. and 4.12 below.

3. BackgroundPage: 2

3.1 The Greater Cambridge area is the focus of a number of significant new national and regional infrastructure projects. These projects will have a range of impacts on the communities in the City and as the Local Authority, the City Council is expecting to make contributions to the consent process- albeit that the City Council is not the consenting authority. Participation/representation by the Local Authority involves the submission of representations at key stages of the process and attendance at the “public inquiry.” For Nationally Significant Infrastructure Projects (see below) under the Planning Act 2008, the process prescribes when, and within what time, representations from the LPA should be made – with very limited provision for late or delayed submissions. For infrastructure projects delivered under the Transport and Works Act, participation in the process will also require the Authority to make submissions to a timetable – and to offer comment on matters raised at the inquiry.

3.2 The functions of the planning committee as defined by the constitution do not extend to either process. The matters are not matters reserved for Full Council. Instead, the Constitution assigns decision making responsibility to Executive Councillor. In the case of urgent decisions, the Council has a process for Executive Councillors to make urgent decisions. Officers have previously used this process to help ensure that the City Council is able to respond and to meet statutory timelines. With the anticipated number of decisions being required during the process and for multiple projects, and the resource implications of seeking to do so throughout the infrastructure consenting process, officers are therefore recommending that the Executive Councillor authorises the Joint Director of Planning and Economic Development to

make representations on behalf of the Council and thereby ensure that the City Councils interests can be properly presented, in a timely manner, through the forthcoming statutory processes.

4. Considerations

Development Consent Order – Nationally Significant Infrastructure Projects (NSIP)

- 4.1 The NSIP process is administered by the Planning Inspectorate. The grant or consent of the development through the NSIP process can include both development permission and the Compulsory Acquisition Orders required to deliver the development. It may also be subject to conditions – the discharge of which rests with the Council.
- 4.2 The NSIP process comprises 6 stages:
1. Pre-application
 2. Acceptance
 3. Pre-examination
 4. Examination
 5. Recommendation and Decision
 6. Post decision.
- 4.3 The host “Local Authority” for the area of the development automatically enjoys “interested party” status. A neighbouring authority may also seek “interested party” status. The Host Authority (as a minimum) will be invited to participate in and submit its formal response in accordance with specific timescales set out as part of the process. Different stages of the process have differing timescales for a response – in some cases this is just 14 days - and at the examination itself, officers will be expected to provide immediate feedback on behalf of the Council. Areas for submission/comment throughout the process (with an indication of prescribed time periods for a response) include:

Pre-application

- Comment on Applicants Environmental impact Assessment Scoping Opinions (28 Days)
- Comment on the “Statement of Community Consultation” (28 days)

Acceptance Stage

- Statement on adequacy of applicant's consultation (14 days)

Pre-examination

- Register as interested party (for non-host authority)
- Submit relevant representations on proposals (min 30 days)
- Attend preliminary meeting and agree with inspector procedural issues and timetable (live meeting)

Examination

- Submit Local Impact Report comprising objective assessment of impacts of the scheme and evidence on the characteristics of the area (timescale set by inspector).
- During examination submit written representations, respond to questions and comment on others submissions. (live meeting)
- Agree with the applicant statements of common ground (likely to also include agreement on conditions in the event of approval). (in examination)

Note: No submissions on the proposals will be accepted after the close of the examination.

Post decision

- Legal Challenge of SoS decision (Max 6 weeks)

4.4 The following projects are known/believed to be planned to follow the NSIP route:

1. Cambridge Water Treatment Works relocation (to be submitted 2022/3)
2. E-W Rail (Submission due TBC)

4.5 **Transport and Works Act 1992 (TWA)**

This process is used for the construction of new Railways or Tramway schemes – and is expected to be the route for delivery of Greater Cambridge Partnership (GCP) corridor projects (North, South, West and East)

- 4.6 TWA Orders provide for consent and CPO processes, together with temporary alternative routes and the diversion of footpaths etc. The application is made to the relevant Secretary of State (SoS) by the project promoter. Permission is granted by the SoS and may include conditions. In the case of GCP schemes, where orders are contested, it is anticipated that there will need to be a public inquiry to examine the proposals. The process is governed by Transport and Works (Inquiries procedure) Rules 2004.
- 4.7 The Council will be required to make submissions to either the SoS appointed Inspector or the applicants at the pre-application stage, submission stage and through the examination process. The Council will also be the body responsible for post decision discharge and enforcement of any planning conditions imposed upon the development.
- 4.8 Following publication of notices that an Order has been submitted to the SoS, consultation provides for any party to comment. The Council, along with the community is expected to respond to the Secretary of State at this stage. Representations need to be made in writing within 6 weeks of the notices being published.
- 4.9 Any Local Authority for the area in which the works are proposed is classed as a “statutory objector” if it makes objections to the order. The Act provides for objectors to appear at the hearing/inquiry. If SoS chooses not to hold an enquiry, or hearing, there is scope for the matter to be dealt with by an exchange of representations.
- 4.10 The guidance supporting TWA proposals encourages comprehensive and early pre-submission engagement. To date, this has happened for GCP schemes. Officers have not yet required a “mandate” from members - given the levels of detail to date and the development phases of the projects. There is a statutory pre-application consultation stage at which it is expected that the Council will agree/comment upon, amongst other things, proposed planning conditions – including matters reserved for the Councils subsequent approval post SoS decision.

4.11 Given the level of local interest, officers anticipate that each of the TWA proposals are likely to be the subject of a public inquiry. For a public inquiry the procedures provide for submissions on the following matters:

- Submission of Statement of case (within 6 weeks of date being published)
- Comment on the other parties' statements of case (up to 6 weeks before Inquiry opens)
- Comment on behalf of the Local Authority to the pre-inquiry hearing (at meeting)
- Submission of Proof of Evidence (Timetable tbc)
- Appearance at Public Inquiry (evidence and comment)
- Statement of Common Ground (At Inquiry)
- Comment upon planning conditions (At the inquiry and pre-submission)

4.12 The Following infrastructure projects – are currently expected to progress via TWA route:

1. Cambourne to Cambridge Rapid Transport Route (C2C) Public transport corridor project
2. Cambridge South East Transport Route (CSET) Public transport corridor project
3. Cambridge Eastern Access public transport corridor
4. Waterbeach to Cambridge – public transport corridor
5. Greater Greenways Project (various routes)

Request for officer delegation

4.13 Officers in the Shared Planning Service and from other Council departments, participating in public inquiries/appeals in respect of planning applications, already act on behalf of the Council through delegation arrangements in place. Previously, given the limited number

of major infrastructure projects, explicit officer delegations have not been necessary.

The statutory timelines set out through the respective processes are nevertheless rigorously enforced with advice that the Council should not presume that extensions (even where discretion is provided) will be granted to the authority. For this reason, and given the number of likely infrastructure projects that the Council will need to comment upon, a suitable “officer delegation” at this early stage of the process is considered desirable - in the interests of openness and necessary given the procedural requirements of the urgent member decision process and the practical implications of the compressed timescales for Council responses.

- 4.14 The projects listed above are significant in terms of their impact and implications. For that reason, it is important that the existing decision-making process via Scrutiny and the Executive Councillor is maintained in respect of the Councils submissions on core issues. It is proposed that whilst a delegation be granted to officers to enable the Council position to be effectively represented through the process and examination, the Councils overall position – on whether to support or object to the proposal and the basis for that position, is not delegated to officers. This would suggest that the following submissions continue to require the Executive Councillor’s approval.
- 4.15 Recognising the complexity and scale of a number of these proposals, and the important role that members will want to play in understanding and engaging with officers around the projects and the process, a number of parallel measures are proposed alongside the delegations. Firstly, officers will provide general member training sessions around the TWA and NSIP processes, and the Environmental Impact Assessment Regulations. This will include how the Council approaches the matter of scoping of Environmental Assessments for major infrastructure projects. Secondly, officers will provide an individual project overview to the next Planning and Transport Scrutiny Committee meeting so that members can be familiar with each of the projects and can offer views to officers to consider as they exercise the delegated powers. The briefings will also seek to capture the need for mitigation of key impacts and what this may require in the form of planning conditions/obligations, allowing for member comment prior to officers exercising the proposed delegation on this area. Finally, given the delegation seeks to enable officers to comment upon statements of community consultation, and given the existing commitment to review the Councils adopted Statement of Community Involvement (SCI),

officers will bring forward to the Committee, a programme for the review of the SCI – and provide an early opportunity for members to comment upon expectations for consultation and engagement on planning and infrastructure related matters.

4.16 In recognising that the timelines set out by legislation requires the delegations proposed, officers will continue to seek to engage with and consult the Lead member where possible, on each stage of the process and the projects overall.

4.17 **NSIP process:**

- Approval of Statement on adequacy of consultation process
- Approval of Local Impact Statement
- Decision to mount a legal challenge of decision (if required)

4.18 **Transport Works Act**

- Approval of Statement of Case

4.19 On that basis, officers propose that the Councils response in respect of the following elements of the process be delegated to The Joint Director of Planning (where appropriate and possible in consultation with the Executive Councillor).

4.20 **Proposed Delegations for the NSIP process**

- Registration of the Council as “interested party.”
- Responding to any consultation on EIA screening/scoping on behalf of Cambridge City Council
- Attendance at pre-examination preliminary meeting and agreement of procedures and timetable for examination on behalf of Cambridge City Council
- Instruction of witnesses and legal advisors and approval of all representations and agreements (e.g. Statement of Common Ground, conditions etc) through the Examination Process on behalf of Cambridge City Council

4.21 TWA process

- Agreement of response to EIA consultation on behalf of Cambridge City Council
- Agreement at pre-examination process of procedures for examination, timetable etc on behalf of Cambridge City Council
- Instruction of Witnesses and legal advisor and approval of all submissions including proofs of evidence, statement of common ground on behalf of Cambridge City Council.
- Agreement on conditions and scope of post decision submissions/controls subject to LPA control on behalf of Cambridge City Council

5. Implications

a) Financial Implications

The proposals for delegation are likely to have a positive impact upon costs. The existing process for securing agreement to inputs into the existing infrastructure processes requires considerable additional officer time to deliver. These measures seek to improve the Councils ability to make representations and will give rise to indirect cost benefits.

The costs of appearing at the examination process for these infrastructure projects, including direct (staff) and indirect (consultants, legal advice etc) will vary by project and depend upon the Councils final position. There is currently no dedicated budget within the shared service set aside for these costs. In some cases, the Council has sought to secure “planning performance agreements” to help address the cost implications. This will continue where possible to minimise the impact on the Councils resources.

b) Staffing Implications

The proposals are aimed at reducing the impact upon staff resources in the Planning and Democratic Services Teams, but also potentially in other core Council service areas that may be involved in providing a technical response to a specific proposal at each phase of the NSIP and TWA process through urgent member decision process. In the

event that the proposals are not supported, the continued need to use this process will have adverse impacts upon staff resources within the Council and the Shared Planning Service.

c) Equality and Poverty Implications

No EQIA undertaken – the decision sought focus's only on delegation of authority to comment upon specific elements of the process. It does not currently relate to a decision for or against any infrastructure proposal – upon which the Council expects equalities and poverty implications will have been assessed by the promoter. The proposal is accordingly not considered to give rise to any equality or poverty impacts.

d) Zero Carbon, Climate Change and Environmental Implications

The decision to provide for explicit officer delegation is not considered to have any environmental implications.

e) Procurement Implications

None.

f) Community Safety Implications

None.

6. Consultation and communication considerations

This report relates to matters on the way that the Council responds to proposals for infrastructure. Officers have sought to balance the need for prompt and efficient input into the statutory processes, with the desire to ensure that decisions relating to the Council's formal view on the infrastructure proposals remain as decisions to be taken by the Executive Councillors through the normal process – and with appropriate scrutiny.

7. Background papers

Background papers used in the preparation of this report:

Cambridge City Council Constitution [24.11.20]

[Introduction To Cambridge City Council's Constitution - Cambridge City Council](#)

8. Appendices

None

9. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Stephen Kelly

stephen.kelly@greatercambridgeplanning.org

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Application to redesignate the Neighbourhood Forum for South Newnham

Decision of: Councillor Thornburrow, Executive Councillor for Planning Policy and Infrastructure

Reference: 22/URGENCY/HSC/07

Date of decision: 15 July 2022 **Published on:** 21/07/22

Decision Type: Non Key

Matter for Decision: The Executive Councillor is recommended to approve the re-designation of the South Newnham Neighbourhood Forum as the appropriate body for the continued preparation of a neighbourhood plan for the South Newnham Neighbourhood Area

Why the decision had to be made (and any alternative options): The South Newnham Neighbourhood Forum was designated five years ago by Cambridge City Council and since March 2017 has been preparing a neighbourhood plan for the South Newnham Neighbourhood Area. According to the national regulations a forum ceases to have effect after five years when the group must reapply for designation. The group has reapplied and their redesignation as a neighbourhood forum can be approved.

The alternative option is to not redesignate the forum in which case the group cannot continue to prepare a plan as they will no longer be the qualifying body formally designated to produce the neighbourhood plan for their area.

The Executive Councillor's decision(s): That the Executive Councillor for Planning Policy and Infrastructure:

- a) Notes the results of the public consultation on the South Newnham application to redesignate the South Newnham neighbourhood forum (Set out in Appendix B)
[Document Appendix A B Application to redesignate the Neighbourhood Forum for South Newnham - Cambridge Council](#)
- b) agrees to approve the redesignation of the South Newnham Neighbourhood Forum as the appropriate body for the preparation of a neighbourhood plan for the South Newnham Neighbourhood Area.

Reasons for the decision: The South Newnham Neighbourhood Forum was designated five years ago to prepare a neighbourhood plan for their area. According to national legislation the designation of a neighbourhood forum lasts for five years when a forum must

reapply to the local planning authority for redesignation. The group wishes to continue to prepare their plan and has submitted an application to Cambridge City Council. A six-week consultation has taken place on this application. The national regulations require the Council to determine an application for designating a neighbourhood forum within 13 weeks of the start the publicity of the application. The group meets the requirements for redesignation as a neighbourhood forum for South Newnham for the purpose of preparing a neighbourhood plan.

Scrutiny consideration:

The Chair and Spokesperson of Planning and Transport Scrutiny Committee were consulted prior to the action being authorised.

Report:

The report on the application to redesignate the South Newnham Neighbourhood Forum is attached.

Conflicts of interest:

None known.

Comments:

No comments were received from the Chair or Opposition Spokes.

CAMBRIDGE CITY COUNCIL Agenda Item 8

Record of Executive Decision

CAMBRIDGESHIRE AND PETERBOROUGH LOCAL TRANSPORT AND CONNECTIVITY PLAN: DRAFT PLAN CONSULTATION RESPONSE
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Decision of: **Councillor Katie Thornburrow** Executive Councillor for Planning and Infrastructure

Reference: 22/URGENCY/HSC/09

Date of decision: 20/07/22 **Published on:** 29/07/22

Decision Type: Non-Key Decision

Matter for Decision: To agree the consultation response to the Cambridgeshire and Peterborough Local Transport and Connectivity Plan (LTCP): Draft Plan

Why the decision had to be made (and any alternative options): In June 2022, at a meeting of the Planning and Transport Scrutiny Committee, the Committee recommended and the Executive Councillor for Planning and Infrastructure approved a response to the draft LTCP, and also approved to agree any material changes proposed by South Cambridgeshire District Council through an out of cycle decision, in consultation with Chair and Spokes.

The Executive Councillor's decision(s): Agreed the consultation response to the Cambridgeshire and Peterborough Local Transport and Connectivity Plan (LTCP): Draft Plan

Reasons for the decision:

Background

The original Cambridgeshire And Peterborough Local Transport and Connectivity Plan: Draft Plan consultation response was discussed at Planning and Transport Scrutiny Committee on 28th June 2022.

The papers for this meeting are available here: [Agenda for Planning and Transport Scrutiny Committee on Tuesday, 28th June, 2022, 5.30 pm - Cambridge Council](#)

The proposed response included in the meeting papers was agreed without change following that meeting by the Executive Councillor. At the same time, the Executive Councillor also agreed to consider and agree any material changes to the response to the draft Local Transport & Connectivity Plan consultation proposed by South Cambridgeshire District Council, in consultation with the Chair and Spokes for the Planning & Transport Scrutiny Committee, and in liaison with the South Cambridgeshire Lead Cabinet Member for Planning (N.B. this should have been the Lead Cabinet Member for Economic Development – see the minutes of the meeting).

Proposed amendment arising from new information shared ahead of Planning and Transport Scrutiny Committee meeting on 28th July 2022.

The report linked above noted that at the time of writing, a number of documents supporting the LTCP had yet to be published. An [update note circulated to members](#) ahead of the meeting itself noted the following:

“The Strategic Environmental Impact Assessment and Habitats Regulation Assessment screening reports have now been [published](#) as part of the [Integrated Impact Assessment](#). Both of these focus on the impacts of changes between the adopted LTP 2020 and the draft LTCP being consulted upon. A summary of their conclusions is set out at page I of the link above. The conclusions do not give rise to a recommendation to amend the proposed response to the LTCP. Notwithstanding, officers recommend an insubstantive amendment is made to the response to note that the Habitat Regulation Assessment wrongly identifies Cambourne to Cambridge public transport scheme as a project that is new to the LTCP.”

Proposed amendments arising from South Cambridgeshire District Council

At its Cabinet meeting held on 11th July, members raised the following issues:

- concern that the published LTCP response wording might support provision of development connected to a new station at Six Mile Bottom.
- Cabinet noted the critical role of electricity grid distribution and connection in supporting new development and the shift to electric vehicles, and the identified severe constraints to its enhancement, and recommended strengthening the Council’s comments on this topic.

As per the recommendation in the report informing discussion, Cabinet agreed that the above issues would be addressed in a revised response, to be agreed by the South Cambridgeshire Lead Cabinet Member for Economic Development via an out of cycle decision, in consultation with the Cambridge Executive Councillor and in consultation with the Chair and Spokes for the Planning & Transport Scrutiny Committee.

The revised proposed response attached at Appendix 1 seeks to respond to all of the points raised above. This can be viewed at the link below:

[Library folder - Planning and Transport Scrutiny Committee Meeting 29.09.22 - ROD: Proposed Greater Cambridge response to Cambridgeshire and Peterborough Local Transport and Connectivity Plan: draft plan consultation - Cambridge Council](#)

Scrutiny consideration:

The Chair and Spokespersons of Planning & Transport Scrutiny Committee were consulted prior to the action being authorised.

Report:

Details of the background are set out in this Record of Decision. There are no relevant financial considerations.

Conflicts of interest:

None

Comments:

No comments were received from the Chair or Opposition Spokes of the Planning and Transport Scrutiny Committee.

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Cambridge City Council Record of Executive Decision

Section 106 Administration Fee

Decision of: Councillor Katie Thornburrow, Executive Councillor for Planning Policy and Infrastructure

Reference: 22/URGENCY/HSC/10

Date of Decision: 20 July 2022

Published on: 26 July 2022

Decision Type: Non Key

Matter for Decision: Approval of Section 106 Administration Fee

Why the Decision had to be made (and any alternative options): The proposal creates new policy around the use of planning obligations to fund the cost of existing Section 106 Monitoring Officers within the Greater Cambridge Shared Planning service.

To ensure the timely payment of contributions and provision of onsite infrastructure, many local planning authorities seek contributions towards the cost of the monitoring of section 106 agreements.

The Cambridge City Planning Obligations Strategy SPD¹ adopted March 2010 established a monitoring charge based on the following:

Financial contribution clause - £150

Infrastructure provision clause or condition - £300

Areas of Major Change developments - Strategy to be considered on a development-specific basis but likely to include a requirement for funding of development-specific or Area of Major Change -specific, dedicated monitoring officer(s) throughout the period of implementation of development

The Cambridge City Draft Planning Obligations Strategy Supplementary Planning Document dated June 2014 proposed a new approach to the Monitoring charge and which approach was used by the City Council during 2014:

Monitoring charges on financial and non-financial planning obligations - The management and administration charge will be 5% of the total contribution(s) (subject to a maximum charge of £50,000).

Large Scale Development - To be considered on a case by case basis. May be agreed by negotiation, subject to an additional management and administration

charge. The default position for administration charge will be 5% of total contribution(s)

A High Court Judgement dated 3rd February 2015 determined that on straight forward matters (i.e. one off financial payments), securing a s106 monitoring fee would not meet the tests set out in R122 of the Community Infrastructure Levy Regulations 2010 (amended) and the City Council has not, since then, secured contributions on non-strategic sites for Section 106 monitoring.

Planning guidance now specifically permits local planning authorities securing monitoring fees to cover the associated cost so long as they are proportionate and reasonable and reflect the actual cost of monitoring.

Officers have undertaken a detailed analysis of the time required to administer section 106 agreements and recommend a new set of fees be introduced across Greater Cambridge as follows:

- A fee of £700 for agreements with no payment of contributions, long term monitoring requirement or solicitor enquiries.
- A fee of £2,200 per standard residential development comprising affordable housing, open space and contributions.
- A fee of £500 where the Council is required to confirm compliance of each obligation
- A fee of £250 per each deed of variation or supplemental agreement
- Monitoring fees associated with strategic developments which should continue to be negotiated on a case by case basis.

Around £111,000 can be expected to be received each year to cover the officer costs associated with the administration and monitoring of section 106 agreements (with a further £8,000 for the cost of software) thereby creating a cost neutral position.

Reason for the decision: To ensure the roles of Section 106 Monitoring Officers are cost neutral.

Scrutiny Consideration: The Chair and Spokespersons of the Planning and Transport Scrutiny Committee were consulted prior to the action being authorised.

Report: A section 106 Administration Fee Proposal report can be viewed at the link [Library_S106 Monitoring Fee Summary Recommendation Report](#)

Conflict of interest: None

Comments: No specific comments provided

Cambridge City Council

Record of Executive Decision

Minor Highways Improvement Programme 2022/ 23

Decision of: Councillor Katie Thornburrow, Executive Councillor for Planning Policy and Infrastructure.

Reference: 22/URGENCY/P&T/12

Date of decision: 31/08/22 Date Published on website: 13/09/22

Decision Type: Non-Key

Matter for Decision: To approve the allocation of Minor Highways Improvement budget to the 2022/ 23 programme of Local Highways Improvements (LHIs) prioritised by Cambridgeshire County Council.

Why the Decision had to be made (and any alternative options): In previous years City Councillor representatives have participated in the assessment and prioritisation of the County Council's LHI scheme programme. However, this did not take place this year with the Council consequently having no oversight of the programme prioritised and for which its funding contributions are sought. The County's prioritised list, including the City Council contributions needed, are identified in the attached spreadsheet.

<https://democracy.cambridge.gov.uk/ecSDDisplayClassic.aspx?NAME=SD1627&ID=1627&RPID=77239467&sch=doc&cat=13458&path=13020%2c13021%2c13458%2c13458>

This item is to ensure appropriate scrutiny by this Council. The County Council are progressing the scheme programme they prioritised earlier this year and require an urgent decision in order to deliver during 2022/ 23.

The Executive Councillor's decision: Approved the allocation of Minor Highways Improvement budget to the 2022/ 23 programme of Local Highways Improvements (LHIs) prioritised by Cambridgeshire County Council.

Reason for the decision: As above.

Scrutiny Consideration: The Chair and Spokesperson of Planning and Transport Scrutiny Committee were consulted prior to the action being authorised.

Report: The attached County Council spreadsheet (LHI Panel Scores 2022-23) identifies the prioritised programme of schemes to be developed subject to budget availability, the outcome of local consultation, and processes and approvals needed.

Conflict of interest: [None].

Comments: The City Council had again this year approved a budget of up to £30,000 towards the County Council's LHI scheme programme. There are additional re-phased funds from previous years, subject to the final costs of schemes still being delivered. Capital budgets are currently under review as part of the Council's Mid Term Financial Strategy (Strategy and Resources Scrutiny Committee - October 2022). Subject to approval, funding contributions will be made to individual schemes as prioritised, developed and implemented in accordance with budget availability.

The Green and Independent Opposition Spokes Councillor queried Councillor involvement in the Minor Highways Improvement Programme. The Executive Councillor confirmed that there was a cross boundary Cambridge City Joint Area Committee (CJAC) that had powers to decide on Local Highways Initiatives, and other issues. The County Council disbanded this Committee about three years ago. The City Council were working with the County Council to involve City Councillors in this process going forward.

The Chair of the Planning and Transport Scrutiny Committee stated that he thought the panel had scored the submitted LHI applications against four criteria. Thirteen schemes, (shown above the faint dotted line on the spread sheet) were to be developed and approved (subject to funding) as these schemes received the highest scores and require, on

a cumulative basis, the County Council's budget allocation of £150k. It would be helpful to make clear whether the City Council's £30k contribution is required in part or in full and how it will be allocated.

The Public Realm Engineering & Project Delivery Team Leader advised that the City Council contribute up to £30k/ annum to Cambridgeshire County Council's managed programme in order for the top prioritised schemes to proceed. In previous years there had been member involvement in this prioritisation, but that had not occurred this year regrettably. Further, County had not required the City Council's full contribution since their funding cut-line has been reached before the City Council, who had been able to roll the balance forward through annual capital re-phasing. This year, and primarily due to one high value scheme requiring a large contribution, the City Council's annual funding ceiling would likely be reached before County'

The Public Realm Engineering & Project Delivery Team Leader confirmed they were awaiting the outcome of the current capital finance review and MTFS decision in October to understand quite where the City Council's ceiling may come this year. One caveat that the County were keen to safeguard is that the schemes were not necessarily delivered in the strict order of priority, instead they commenced with development of all schemes above the cut line each year, with some being inevitably more straightforward and quicker to implement than others.

No comments were received from the Liberal Democratic Opposition Spokes on this matter.

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Cambridge City Council

Record of Executive Decision

Draft Drainage and Wastewater Management Plan (DWMP) Consultation Response

Decision of: Councillor Katie Thornburrow, Executive Councillor for Planning Policy and Infrastructure.

Reference: 22/URGENCY/P&T/13

Date of decision: 12/09/22 Date Published on website:

Decision Type: Non-Key

Matter for Decision: Response to the Anglian Water Draft Drainage and Wastewater Management Plan

Why the Decision had to be made (and any alternative options):

Anglian Water (AW) are carrying out consultation on their [draft Drainage and Wastewater Management Plan](#) (DWMP) between 30 June and 16 September 2022. The DWMP is a 25 year strategic plan covering the period 2025 to 2050, that sets out how wastewater systems, and the drainage networks that impact them, are to be maintained, extended and improved to make sure they're robust and resilient to future pressures. The plan covers the whole eastern part of England, which is the area covered by AW.

Following consultation, the final DWMP will be published in spring 2023, and will inform AW's long term delivery strategy in 2024. This is the first DWMP, and it will become a statutory document under the Environment Act.

The plan captures a process of optioneering, identifying risks and problems (such as climate change), to identify a range of solutions based around different catchments. The plan has also been subject to an environment assessment. It sets out that options were considered against a range of criteria, including optimisation and best value planning, and captures the benefits of the choices available.

The plan also forecasts growth, to assist planning to meet the needs of future customers. Whilst it focuses on committed growth it also acknowledges that planning for other development is taking place, and,

‘While many of these schemes are at an early stage and, therefore, not included in adopted Local Plans, it’s important to consider their impact on the long-term strategy, should they come forward’ (*Section 8.1*).

The plan then shows for the targeted catchments what measures are proposed in the medium and long term to respond to current issues or anticipated growth. This includes plans at Over (the Uttons Drove site) to deliver a range of solutions to accommodate growth and to address concerns of stakeholders regarding flooding. It also reflects their plans for a new treatment works at Cambridge.

Response to the consultation

Anglian Water are seeking responses to twelve consultation questions. It is proposed that the response is joint with South Cambridgeshire District Council, which will separately be considering the response

A draft response to the questions can be found in Appendix 1 of this report which can be found at the link below:

[Document Meeting 04.10.22 - ROD: Drainage and Wastewater Management Plan \(DWMP\) - Cambridge Council](#)

The proposed consultation response highlights:

- The importance of investment in drainage infrastructure to address water quality issues, given the poor quality of many of the area’s water bodies.
- Taking a robust approach to climate change so that risks are properly mitigated.
- The need for ongoing engagement with the Councils to ensure planned and future developments are served by effective infrastructure.
- Support for the use of green solutions such as SuDS and wetlands, and the separation of surface water from the sewerage system, but also for seeking opportunities to recycle water to help address water supply issues.
- In relation to proposed solution such as at Uttons Drove, effective engagement is needed with local communities and stakeholders.

Alternative options

The options available to members are:

- Agree to submit the response in Appendix 1, with possible minor amendments
- Agree an alternative response

The Executive Councillor's decision:

- i. To confirm that the consultation response set out in Appendix 1 of this decision should be made to the Anglian Water draft DWMP consultation **Reason for the decision:** The proposed response addresses issues of importance to the Council.

Report: Appendix 1 – Draft Response to the Anglian Water Draft DWMP Consultation 2022

[Document Meeting 04.10.22 - ROD: Drainage and Wastewater Management Plan \(DWMP\) - Cambridge Council](#)

Conflict of interest: [None].

Scrutiny Consideration: The Chair of the Planning and Transport Committee and Opposition Spokes were consulted on this matter.

Comments: No adverse comments were made.

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Cambridge City Council

Record of Executive Decision

Network Rail (Cambridge Re-Signalling) Order Consultation Response

Decision of: Councillor Katie Thornburrow, Executive Councillor for Planning Policy and Infrastructure.

Reference: 22/URGENCY/P&T/14

Date of decision: 14/09/22 Date 22/09/22

Decision Type: Non-Key

Matter for Decision: Response to the Network Rail (Cambridge Re-signalling) Order

Why the Decision had to be made (and any alternative options):

An application has been submitted by Network Rail under Section 6 of the Transport and Works Act Order 1992. The application has been submitted to the Secretary of State for Transport to determine. South Cambridgeshire District Council and Cambridge City Council (the Councils) are statutory consultees and have been invited to submit representations to the Secretary of State by 23 September 2022.

The stated aim the Cambridge Re-signalling Relock & Recontrol Project ('the project') is to upgrade the re-signalling system to a 35-year life and improve the reliability and performance of the signalling system in the Cambridge interlocking area, and thereby improve the performance and reliability of the network. The project includes the re-signalling of the Cambridge station interlocking area and the upgrade of the relevant level crossings, and any other works and operations incidental or ancillary to such works. It covers sites in Cambridgeshire and Norfolk. The sites in the Councils' administrative areas are as follows:

- South Cambridgeshire – Level crossings at Shepreth, Little Shelford, Six Mile Bottom, Milton and Waterbeach.
- Cambridge City – Land to the south of Long Road bridge.

Copies of the location plans showing the areas covered by the draft Order can be found here:

[https://sacuksprodnrdigital0001.blob.core.windows.net/cambridge-resignalling-twao/NR10 Deposited Land Plans C3R.pdf](https://sacuksprodnrdigital0001.blob.core.windows.net/cambridge-resignalling-twao/NR10%20Deposited%20Land%20Plans%20C3R.pdf)

The current application for the draft Order would confer powers for Network Rail to compulsorily acquire land and rights in land and take temporary possession in connection with the works required for project and stop up the public highway. The application does not include detailed plans for the works. These works would be done under the applicant's permitted development rights, prior approval or following the granting of express planning permission. As stated in the application, the applicant would submit further applications for prior approval or the granting of express planning permission for works at Six Mile Bottom, Shepreth and Little Shelford. The current application is not to be made subject to an environmental impact assessment.

The Councils previously commented on Network Rail's public consultation in April 2021 and to the consultation on the Environmental Impact Assessment screening request in July 2021. In these representations, the Councils supported comments made by Cambridgeshire County Council in respect of transport matters, and raised further matters summarised as follows:

1. Strongly support the proposed signalling upgrades and the safety improvements to the level crossings.
2. Further assessment of impact of barrier down time on traffic within the locality and the wider highway network including avoiding unforeseen impacts, and the resulting potential reduction in air quality and carbon emissions is required.
3. Further assessment of barrier down time and behavioural responses is required including additional risk taking, to ensure that improvements in rail safety should not result in a reduction in road safety.
4. Consider accessibility for pedestrians, cyclists and equestrians as well as those with reduced mobility affected by the proposed level crossing changes.
5. Further assessment of the impact of the conversion at Shepreth from half barrier to a full barrier on vehicles queuing in the village is required, including the combined impact with the existing full barrier within 500m on traffic.

6. Consider future upgrades to ensure passive provision is provided, including at Six Mile Bottom level crossing.
7. Diversion of the Definitive Line of the Public Footpath Waterbeach 21 should be regularised.
8. Consultation with Natural England is required on the potential impact of the works at Shepreth on the L-Moor Site of Special Scientific Interest (SSSI) and at Dimmock's Close (East Cambridgeshire) on Cam Washes SSSI.
9. Consultation with Historic England is required on the potential impact of works at Milton, Waterbeach and Little Shelford on Scheduled Ancient Monuments.
10. The effect of the proposed development on protected species, listed buildings, Air Quality Management Zones, works within Flood Zones 2 and 3 should be assessed through information submitted with the appropriate consent applications.

Officers have consulted internal consultees within the Environmental Health / Quality and Growth teams, Ecology and Trees teams, Conservation officers and Policy Teams, as well as externally with the transport team at Cambridgeshire County Council to review the applicant's response on these matters. Views of local members in Wards where there are proposals were also consulted. A summary of the consultation responses received is provided in Appendix 2 of this report viewed at the link below:

<https://democracy.cambridge.gov.uk/ecSDDisplayClassic.aspx?NAME=Associated%20Documents&ID=1626&RPID=77239364&sch=doc&cat=13458&path=13020%2c13021%2c13458%2c13458>

Further information about the proposals can be obtained from <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/improving-the-railway-in-anglia/cambridge-resignalling/> and <https://consultations.networkrail.co.uk/>

Response to the consultation

It is proposed that the response is joint with South Cambridgeshire District Council, which will separately be considering the response.

The proposed response can be found in Appendix 1 of this report which can be viewed at the link below:

<https://democracy.cambridge.gov.uk/ecSDDisplayClassic.aspx?NAME=Associated%20Documents&ID=1626&RPID=77239364&sch=doc&cat=13458&path=13020%2c13021%2c13458%2c13458>

The proposed response places a holding objection and seeks further information, assessment, or response from Network Rail on transport, access and safety, air quality and carbon emissions, and other environmental matters. The response seeks confirmation that the transport team at the County Council support the modelling and assessment of impacts. It highlights site-specific concerns raised by Ward Councillors and Parish Councils and seeks a response from Network Rail. The representations received Ward Councillors and Parish Councils will be enclosed with the letter which can be viewed at the link below:

<https://democracy.cambridge.gov.uk/ecSDDisplayClassic.aspx?NAME=Associated%20Documents&ID=1626&RPID=77239364&sch=doc&cat=13458&path=13020%2c13021%2c13458%2c13458>

The proposed response invites further engagement with Network Rail to resolve these matters in order to overcome the holding objection.

Alternative options

The options available to members are:

- Agree to submit the response in Appendix 1, with possible minor amendments
- Agree an alternative response.

The Executive Councillor's decision:

- To confirm that the consultation response set out in Appendix 1 of this decision should be made to the TWA application.
- To confirm delegated authority to the Joint Director of Planning and Economic Development to submit further representations on the application relating to these matters.

Reason for the decision: The proposed response addresses issues of importance to the Council.

Report: Appendix 1 – Draft Response to the Network Rail (Cambridge Re-signalling) Order

<https://democracy.cambridge.gov.uk/ecSDDisplayClassic.aspx?NAME=Associated%20Documents&ID=1626&RPID=77239364&sch=doc&cat=13458&path=13020%2c13021%2c13458%2c13458>

Conflict of interest: [None].

Scrutiny Consideration: The Chair of the Planning and Transport Committee and Opposition Spokes were consulted on this matter.

Comments: No comments were made.

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