

EXECUTIVE

Minutes of the meeting held on Tuesday 4 June 2013 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Doody (Chairman); Councillors Caborn, Cross, Mrs Grainger, Hammon, Mobbs, Shilton and Vincett.

ALSO PRESENT: Councillor Barrott (Chair of the Finance & Audit Scrutiny Committee), Councillor Mrs Blacklock (Chair of the Overview & Scrutiny Committee), Councillor Boad (Liberal Democrat Group Observer), Councillor Brookes, Councillor Edwards (Labour Group Observer) and Councillor Gifford (Chair of the Joint meeting of the Finance & Audit and Overview and Scrutiny Committees), Councillor Mrs Higgins, Councillor MacKay (Independent Group Observer) and Councillor Williams.

An apology for absence was received from Councillor Coker.

1. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

2. **MINUTES**

The minutes of the meeting held on 17 April 2013 were taken as read and signed by the Chairman as a correct record.

PART 1

(Items on which a decision by Council is required)

There were no part 1 Items

PART 2

(Items on which a decision by Council is not required)

3. **LOCAL PLAN REVISED DEVELOPMENT STRATEGY**

The Executive considered a report from Development Services which set out proposals for a Revised Development Strategy for the new Warwick District Local Plan and sought approval for consultation on them. It also recommended that the options for Gypsy and Traveller Sites be agreed for consultation. Finally, it set out proposals for a Preliminary Draft Charging Schedule for the Community Infrastructure Levy and sought agreement for this to form the basis of a public consultation.

At its meeting on 17 April 2013, the Executive had agreed a way forward for the Local Plan to take account of the need to participate in a Joint Strategic Housing Market Assessment with other authorities within the local Housing Market Area.

This proposed a change to the Local Plan preparation process to allow consideration of a revised development strategy by the Council in early June followed by a 6 week period of public consultation.

As a consequence, proposals for the Revised Development Strategy (RDS) had been prepared and were appended to the report. They took account of the representations made through the consultation undertaken in 2012 and also took account of updates to the evidence base. The Report of the Public Consultation 2012 was appended to the report.

Since January 2013, officers had worked to ensure that the RDS proposals, and in particular the level of proposed growth and site allocations, continued to be consistent with the strategic direction set by Council in its strategy statement, 'The future and sustainable prosperity for Warwick district', agreed by Council on 1 December 2011. This statement set out the basis on which the Council wished the Local Plan to be developed and included a strong recognition that the Plan needed to be evidence based. The RDS, as set out in Appendix 1 to the report, therefore demonstrated a sound based proposal to deliver the Council's desired approach set out in that statement, whilst also taking account of the National Planning Policy Framework (NPPF), updated evidence and the consultation carried out in 2012. The full justification for the RDS was set out in Appendix 1 to the report.

In November 2012, the Council had published a Gypsy and Traveller Accommodation Assessment (GTAA). This identified the need for 31 permanent pitches to be provided in the District over the next 15 years and identified that sites for 25 of these pitches needed to be identified with 5 years. In this context that Council has been working proactively to identify possible sites and areas of search to provide for these pitches.

At its meeting on 17 April 2013, the Executive had also agreed that proposals for consultation on options for sites for Gypsies and Travellers should be brought forward and Appendix 2 to the report set out some options for these sites.

The options consultation for Gypsy and Traveller sites was at a different stage to the RDS in that the Council were not suggesting a preference for any of the sites and were seeking views on all the options to enable specific proposals to subsequently be brought forward. So, although the consultation on the Gypsy and Travellers sites was being undertaken in parallel with the RDS, it did not actually form part of the RDS. Once firm proposals had been drawn up for Gypsy and Traveller sites, a separate Site Allocation Development Plan would be prepared and would be the subject of a further round of consultation

At its meeting on 17 April 2013, the Executive agreed the proposals for a CIL Preliminary Draft Charging Schedule (PDCS) for consultation should be brought forward for Council to consider. These proposals were set out in appendix 3 to the report. The PDCS has taken account of the 2013 Viability Assessment. This had enabled the proposed charging levels to be set in a way which took a balance between ensuring development remains viable and ensuring that funding towards infrastructure to support that development is not compromised.

The most up to date Local Development Scheme (LDS) had been agreed by Executive on 9 January 2013. It was recommended that this LDS be amended to reflect the revocation of the Regional Spatial Strategy in May 2013; and the comments of the Inspector of Coventry's Core Strategy in relation to the Duty to Cooperate and the need to take part in a Joint Strategic Housing Market Assessment.

The report submitted to Executive on 17 April suggested that the additional period of consultation associated with the RDS would cost in the region of £5-7,000. This covered the cost of preparing and distributing publicity material. However, it did not cover the cost of inputting and analysing the consultation responses as it was intended at the time that this would be done using in house resources.

It was now proposed to procure external support for inputting and analysing the new consultation responses. It was not possible at this stage to be precise about how much this work would cost because those costs would depend on the number and complexity of responses received. However, assuming the number of responses was similar to that received in 2012, the total cost of inputting and analysis could be as high as £45-50,000 if fully outsourced.

Instead, this report recommends that £25,000 be allocated towards the potential costs, from the Planning Appeals Reserve, as an element of the work would still be done in house. This proposal would allow the Planning Policy Team to progress as quickly as possible towards a Submission Draft Local Plan, without having to divert all their resources to the consultation inputting but would still ensure that the team were in control of the process and analysis.

There were a number of alternative options available and these were detailed in the report. However, it was generally felt that the best approach would be the one outlined to ensure that the final Local Plan was robust.

The National Planning Framework for Gypsies and Travellers required that the Council meet the objectively assessed accommodation needs of this sector of the community. The Council, therefore, had no alternative but to identify possible sites for consultation. At this stage, the sites set out in Appendix 2 covered a wide range of options and specific alternative proposals would be identified from these options following the consultation process.

The Council previously agreed to prepare a CIL Charging Schedule in May 2012. A CIL Charging Schedule must be prepared in a way that did not undermine the viability of development. The viability study had therefore suggested a maximum level that CIL could be charged at for different location and different uses. It would be possible to increase the proposed charges but this option had been rejected because this might threaten viability should circumstances change. It would equally be possible to decrease charges but this option had also been rejected as it would mean potential infrastructure funding was not being delivered. It would also be possible to change the geographical boundaries proposed in Appendix 3 and through such changes it might be possible to increase the overall yield from CIL. However, lessons from elsewhere suggested that making the

scheme too complex made it hard to administer. It was therefore proposed to keep the geographical boundaries relatively simple.

As an alternative to recommendation 5, it would be possible to undertake all the additional consultation work within existing resources. However, the lessons from the 2012 consultation suggest that when a high level of response was received this took a considerable amount of time which could lead to a delay to progressing the plan to submission draft stage. This option had therefore been rejected.

The Joint Finance and Audit & Overview and Scrutiny Committee were impressed with the amount of work that had been put in to producing the revised strategy and agreed that their congratulations should be passed to all of the officers for their hard work.

In addition, they agreed that the following comments be passed to the Executive:

- (a) Members had concerns about the decreasing strength of the Council's existing Local Plan and the effect of this being thrown out at appeals. Members were mindful that it was important to have a strong Local Plan that would stand up to inspection.
- (b) There was concern regarding the definition of affordable housing against social housing – although Members welcomed the 40% target, they would have liked it to be even higher.
- (c) There was a strong feeling by some Members that the Local Plan had changed too much, that the balance had altered and there was too greater reliance on building to the south of Warwick.
- (d) Regarding the Community Infrastructure Levy, Members had concerns that some villages seemed to have differing rates to others. It was suggested that the Executive may wish to look at this issue more closely. Officers advised that the CIL study would be published before the Executive meeting.
- (e) There was strong support for a Park & Ride system and some Members felt that the Strategy should include a more definite idea as to how this could be provided. Concerns were raised regarding the transport details in the strategy including the Strategic Transport Assessment – it was felt that a Park & Ride System may help alleviate already congested areas of the District.
- (f) Members were very much in support of renewable energy resources being an integral part of the Council's planning policy & believed that WDC should strive to be a leader in this area.
- (g) Members felt that it was important that all Councillors were able to feed their thoughts on policy into the Policy Review Group, and were reminded that this could be achieved via their Group's representative and lead officers.

- (h) Members were mindful that the Sub-regional Employment Site had been based on evidence from the Regional Spatial Strategy which had now been abolished. Queries were raised as to whether this meant that this could weaken the Local Plan before a planning inspector. Officers advised that the Employment Land Review would be published before the Executive meeting.
- (i) It was agreed that Ward Councillors would be fully consulted regarding the consolidation of employment land.
- (j) Air quality was a major concern & Members felt it was important that it was looked at closely throughout the District. The Committee welcomed the proposal of further work between lead officers & Environmental Services.
- (k) Members felt strongly that Town Centre Policies needed to protect and enhance the District's town centres, making them viable and vibrant. Concerns were raised that some issues had the potential to override others.
- (l) Members were mindful that full account needed to be taken of the NPPF & all available evidence.
- (m) Members felt that there was a need to consider the total impact of any development on infrastructure and not just on the area nearest and local to any development.
- (n) It was felt that officers should contact the local network of secondary schools head teachers as well as Warwickshire County Council to discuss the potential provision and location for secondary school(s) within the Local Plans life time.
- (o) Members felt there would be a need to clarify the times for infrastructure development in relationship to any building schemes to ensure the necessary infrastructure is in place. For example sites might be completed in phases but by half way through the development the impact on undeveloped infrastructure could be so substantial as to cause harm to the community as a whole.

It was also noted that the view of some members of the Joint meeting but not all, was that the draft local plan had changed significantly from its original aspiration with regards housing allocation.

The Executive received a response paper to these comments from the Development Policy Manager, which they welcomed. In addition, the Council noted the support for the recommendations from Council and the proposed amendment which they welcomed.

The Executive wished their formal appreciation for the work of the Development Policy Manager and their team in bringing forward these proposals. In addition the Leader passed his thanks to Councillor Caborn for all his efforts on this matter.

Having read the report and considered the comments made by the Scrutiny Committee, the Executive agreed the recommendations of the report subject to the additional recommendation as proposed by Council.

RESOLVED that

- (1) the Revised Development Strategy (RDS) set out in Appendix 1 is approved for public consultation, subject to (6) below;
- (2) the policies and site options for Gypsies and Travellers as set out in Appendix 2 are approved for public consultation;
- (3) that the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule set out in Appendix 3 is approved for public consultation;
- (4) that the Local Development Scheme be revised as set out in paragraph 3.9 of the report;
- (5) it agrees to allocate a further £25,000 for the preparation of the Local Plan from the Planning Appeals Reserves to support the additional public consultation work associated with this report; and
- (6) an amendment be made to Appendix 1, Revised Development Strategy, Paragraph 2.4 so that it reads as follows:

- 2.4 Following this consultation the next steps will be:
- Analyse the consultation responses;
 - Complete work on a Joint Strategic Housing Market Assessment;
 - Take account of the consultation responses and the Joint Strategic Housing Market Assessment to prepare a Submission Draft Local Plan;
 - The latest Government Statistical Release is used as an important part of the evidence base for the requirements for Housing and Associated Services;
 - Undertake a further round of consultation on the Submission Draft Plan;
 - Submit a final draft of the Local Plan to the Government's Planning Inspectorate;
 - Participate in an Examination in Public presided over by an independent Planning Inspector;
 - Receive the Inspector's report; and
 - Adopt the Local Plan.

(The Portfolio Holder for this item was Councillor Caborn)
(Forward Plan ref 506)

4. **PUBLIC AND PRESS**

RESOLVED that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Minute No.	Para Nos.	Reason
5	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
5	5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

5. **MINUTES**

The confidential minutes of the meeting held on 13 March 2013 were taken as read and signed by the Chairman as a correct record.

(The meeting ended at 8.45 pm)