

CABINET (LOCAL DEVELOPMENT FRAMEWORK) COMMITTEE

27 November 2013

Attendance:

Committee Members:

Councillors:

Weston (Chairman) (P)

Coates (P)

Warwick (P)

Humby (P)

Other invited Councillors:

Evans (P)

Hutchison (P)

Ruffell (P)

Others in attendance who addressed the meeting:

Councillors Izard and Tait

1. **MINUTES**

RESOLVED:

That the minutes of the meeting held 17 December 2012 be approved and adopted.

2. **APPOINTMENT OF VICE CHAIRMAN**

RESOLVED:

That Councillor Humby be appointed Vice Chairman of the Committee.

3. **DECLARATION OF INTERESTS**

Councillor Humby declared a disclosable pecuniary interest in respect of agenda items due to his role as a County Councillor. However, as there was no material conflict of interest, he remained in the room, spoke and voted under the dispensation granted on behalf of the Standards Committee to participate and vote in all matters which might have a County Council involvement.

Councillor Evans declared a personal (but not prejudicial) interest in respect of items that referred to the Wickham Neighbourhood Plan, due to her membership of Wickham Parish Council, and she spoke on these items.

3. **PUBLIC PARTICIPATION**

Questions and statements were made under each individual item.

4. **LOCAL PLAN PART 2 – UPDATE REPORT**

(Report CAB2530 (LDF) refers)

The Chairman welcomed to the meeting four member of the public.

During public participation, Mrs Busher and Mrs Dibden addressed the Committee and their comments are summarised below.

Mrs Busher asked if the reference to social infrastructure included leisure facilities. The officers confirmed that formal facilities were included, but informal facilities, such as open space, were not covered.

Mrs Dibden asked why Kings Worthy had been identified as possibly providing windfall sites in paragraphs 2.4 and 2.5. The Head of Strategic Planning replied that Kings Worthy had past examples of providing windfall sites and that it provided scope for future development of this type.

At the invitation of the Chairman, Councillor Tait sought advice on the provision of affordable housing on windfall sites within the Town area. The Head of Strategic Planning stated that the Police Headquarters site and Barton Farm would be major contributors to meet Winchester's needs. Smaller sites may have viability issues but the policy was that all sites that could afford to make a contribution for affordable housing would do so. The provision of affordable housing would be monitored to ensure that it met the 40% rule to provide affordable housing across the District to meet housing needs.

The Head of Strategic Planning clarified that Denmead was the only parish to give formal notification that it is preparing a Neighbourhood Plan. The City Council was working with other Parishes, including Bishops Waltham and Wickham, on Local Plan Part 2 and there remained the option to take the route towards a formal Neighbourhood Plan if required. Councillor Evans commented that discussions were continuing with the City Council with regard to Wickham as there was dissatisfaction with the large amount of housing proposed and it remained an option that the Neighbourhood Plan route may be taken. It was also stated that in respect of paragraph 2.8 of the report, several options for different combinations of sites were under consideration in respect of Wickham, rather than the two options referred to in the report.

With regard to paragraph 2.10 and travellers pitches, the Head of Strategic Planning stated that he was satisfied that the response to consultation was

sufficiently robust to support the 30 to 35 pitches that were proposed. There would need to be further provision for travelling showpeople. The assessment of additional need had used April 2012 as a base date and new provision would include unauthorised sites that had become authorised since that date. The figures had been discussed by the Hampshire Gypsy and Traveller Panel and the Hampshire and Isle of Wight Association of Local Authorities had now set up a task group to indentify sites for transit provision. There was a duty to cooperate to meet needs across all Hampshire boundaries.

As Chairman of the Winchester Town Forum, Councillor Hutchison enquired whether the consultation arrangements proposed would be adequate to address the high level of interest and complex nature of the Town's requirements. The Corporate Director replied that officers appreciated that the requirements of the Town area required careful consideration, which may include a large well-facilitated meeting in the Guildhall and subsequent meetings to discuss specific needs, which could be followed up at meetings of the Town Forum.

The Committee agreed to the following for the reasons set out above and outlined in the Report.

RESOLVED:

That the progress that has been made in preparing Local Plan Part 2 be noted and welcomed, especially the collaborative approach to working with local communities, and that the draft Local Plan Part 2 be presented to this Committee as soon as possible after the May 2014 elections.

5. **COMMUNITY INFRASTRUCTURE LEVY: ADOPTION OF DRAFT CHARGING SCHEDULE AND INTRODUCTION OF CIL CHARGE**
(Report CAB2529 (LDF) Refers)

At the invitation of the Chairman, Councillor Izard sought clarification of the Community Infrastructure Levy (CIL) timetable. The Head of Strategic Planning stated that CIL would come into operation from April 2014 and would be spent on infrastructure such as off-site open space, new libraries, etc. Requirements specific to the development itself, such as ecological mitigation specific to the development, on-site open space and highway improvements specifically to serve the site, would continue to be the subject of Section 106 agreements. Parishes would be made aware that they will receive 15% of CIL payments which become due from development in their area from 7 April 2014, but the money might not be received by the Parish for some time thereafter (as CIL is only payable when development is commenced).

Councillor Hutchison asked about the role of the Winchester Town Forum in the use of the CIL, and in particular whether it would receive the 15% of CIL contributions paid in the Town area that a parish council would have received. The Corporate Director agreed that in respect of Recommendation 4 and the development of the "Regulation 123 List", this should be taken to the meeting

of the Winchester Town Forum to be held on 12 March 2014 in advance of being taken to Cabinet on 19 March 2014. The role of the Winchester Town Forum would be discussed with the Leader, including the process of managing the Regulation 123 List and 15% of CIL contributions.

It was noted that as the South Downs National Park (SDNP) would not be adopting CIL in its area until May 2015, a complex situation could exist in parishes that were part in the Council's area and part within the National Park. For the twelve month period before the SDNP adopted CIL, developer contributions in the National Park area would continue to be covered by Section 106 agreements (as at present). As the SDNP would be about 12 months behind the City Council in its introduction of CIL, the City Council would continue to operate the open space contribution scheme on its behalf.

The Committee agreed to the following for the reasons set out above and outlined in the Report.

RECOMMENDED (TO CABINET AND COUNCIL):

- 1. That Council be recommended to adopt the City Council's Community Infrastructure Levy (CIL) Charging Schedule, incorporating the Council's Modifications published in July 2013 and the recommendations made by the Examiner's Report of October 2013**
- 2. That Council be recommended to bring the CIL Charging Schedule into effect in relation to development which is 'first permitted' on or after 7 April 2014.**

RECOMMENDED (TO CABINET):

- 1. That authority be delegated to the Head of Strategic Planning, in consultation with the Portfolio Holder for Built Environment, to prepare and publish the adopted Charging Schedule, as modified, and associated guidance notes and publicity material in advance of the Levy being brought into effect.**
- 2. That the 'Regulation 123 List' be developed, taking account of current and expected government advice, and submitted for consideration by Winchester Town Forum at its meeting of 12 March 2013, and approval by Cabinet no later than its meeting of 19 March 2014.**
- 3. That officers develop a mechanism for prioritising projects for CIL funding based upon the development of a programme of infrastructure projects, in consultation with the Portfolio Holder for Built Environment and taking account of the content of section 4 of this report, with the final programme to be presented for agreement by Cabinet. Thereafter this programme shall be reviewed and up-dated annually by Cabinet.**

4. That the development and implementation of a phased payments policy and mechanism for the collection of CIL payments relating to larger scale developments be delegated to the Assistant Director (Built Environment), in consultation with the Portfolio Holder for Built Environment.

6. **REVISED LOCAL DEVELOPMENT SCHEME 2014**
(Report CAB2528 (LDF) refers)

The Head of Strategic Planning updated the meeting in respect of paragraph 3.8 of the report. Since publication of the report, Denmead Neighbourhood Forum had appointed an independent consultant to write up its Neighbourhood Plan. The Denmead Neighbourhood Plan would be published for consultation in March 2014, at the same time as the Local Plan Part 2 was being drafted, and would be placed for public examination in July 2014.

In answer to questions from members of the Committee, it was explained that the Winchester District Local Plan Review (WDLPR) 2006 saved policies all had an equal status and would be replaced by policies in Local Plan Part 2, or deleted on the basis that they have been superseded by national planning guidance or will be no longer relevant.

In respect of paragraph 7.2, it was explained that the Government had offered grant to the sum of £30,000 for the production of each neighbourhood plan. In addition to this sum, the Denmead Neighbourhood Plan had received an additional £20,000 to acknowledge its status as a "front-runner", giving it a total of £50,000. This extra £20,000 would not be available to other Neighbourhood Plans, such as those that could be produced by Wickham and Bishops Waltham. The total amount of Government grant for neighbourhood plans in the Winchester District was cash limited to £100,000 per annum.

The Head of Strategic Planning added that although the requirements for consultation were guided by Government legislation, the City Council would work with communities to establish their individual needs.

The Committee agreed to the following for the reasons set out above and outlined in the Report.

RECOMMENDED (TO CABINET):

That the revised Winchester District Local Development Scheme 2014, as set out in Appendix 1 to the Report, be approved and brought into effect from 1 January 2014.

The meeting commenced at 10.00am and concluded at 11.10am

Chairman