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|----------------------|---|
| Meeting | Kings Barton Forum |
| Date and Time | Tuesday, 19th October, 2021 at 6.00 pm. |
| Venue | This meeting will be held virtually and a live audio stream can be listened to via https://civica.audiominutes.com/public_player/wincc |

Note: This meeting is being held virtually, if you are a member of the public and would like to listen to the audio stream of the meeting you may do so via www.winchester.gov.uk

AGENDA

- 1. Appointment of Vice-Chairperson**
- 2. Apologies**
To record the names of apologies given and deputy members who are attending the meeting in place of appointed Members (where appropriate).
- 3. Disclosures of Interests**
To receive any disclosure of interests from Members and Officers in matters to be discussed.

Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests in accordance with legislation and the Council's Code of Conduct.
- 4. Minutes of the meeting of the 13 July 2021 (Pages 9 - 14)**
That the minutes of the meeting be signed as a correct record.
- 5. Public Participation**



To receive and note questions asked and statements made from members of the public and the Residents Association on general matters of interest and/or matters relating to the work of the Forum.

Members of the public and visiting councillors may speak at the Forum, provided they have registered to speak three working days in advance. Please contact Democratic Services by 5pm on Wednesday 13 October 2021 via democracy@winchester.gov.uk or (01962) 848 264 to register to speak and for further details.

- a) **Kings Barton Residents Association**
 - b) **Members of the Public**
 - c) **Visiting Councillors**
-
- 6. **Barton Meadows update from the Hampshire and Isle of Wight Wildlife Trust**
 - 7. **Kings Barton Implementation Update Report (Pages 15 - 24)**
(Report reference KBF32)
 - 8. **Kings Barton S106 Schedule and Triggers (Pages 25 - 38)**
(Report reference KBF33)

Lisa Kirkman
Strategic Director and Monitoring Officer

All of the Council's publicly available agendas, reports and minutes are available to view and download from the Council's [Website](#) and are also open to inspection at the offices of the council. As part of our drive to minimise our use of paper we do not provide paper copies of the full agenda pack at meetings. We do however, provide a number of copies of the agenda front sheet at the meeting which contains the QR Code opposite. Scanning this code enables members of the public to easily access all of the meeting papers on their own electronic device. Please hold your device's camera or QR code App over the QR Code so that it's clearly visible within your screen and you will be redirected to the agenda pack



11 October 2021

Agenda Contact: Nancy Graham ngraham@winchester.gov.uk 01962 848 317

Kings Barton Forum

Membership

| | |
|-----------------|--------------------------|
| Cllr Weir | Winchester City Council |
| Cllr Cramoysan | Winchester City Council |
| Cllr Cunningham | Winchester City Council |
| Cllr Godfrey | Winchester City Council |
| Cllr Horrill | Winchester City Council |
| Cllr Learney | Winchester City Council |
| Cllr Prince | Winchester City Council |
| Cllr Tod | Hampshire County Council |
| Cllr Warwick | Hampshire County Council |
| Cllr Iredale | Headbourne Worthy Parish |

In addition, the following are nominated deputies to the Forum:

Porter (Hampshire County Council) and Stallard (Hampshire County Council)

Primary objectives of the fora

The fora have no formal decision making powers, but can make recommendations on suitable arrangements relating to democracy and community representation.

The fora will:

1. Meet 3 times per year. Virtual meetings have proved successful and it is proposed that these continue.
2. Comment and advise on the next stages of the implementation of the MDA.
3. Monitor and comment on progress relating to the development of the MDA including the implementation of planning conditions and requirements of planning obligations (s106 agreements) and s278 agreements (highway works).
4. Seek to promote and support community development activities within the development area and provide advice on how these should progress.
5. Secure the establishment of appropriate local democratic structures for the emerging community.

How this will be achieved

1. Each meeting will receive the following input:
 - a. Update on the physical development of the MDA (from the developer).
 - b. Report on the community development activities and any issues arising within the MDA.
 - c. Discussion on infrastructure.

Key stages of the fora:

| Stage 1 – Planning | Stage 2 - Emerging | Stage 3 - Establishing |
|--|---|--|
| Start: Initial master planning End: Outline planning consent / start on site. | Start: Start on site End: Establishment of a residents association or parish council as applicable. | Start: Establishment of a residents association or parish council End: Future community governance agreed and established. |
| <ul style="list-style-type: none"> Act as a sounding board where ideas, options and issues relating to the development can be considered before becoming part of the formal planning process. Consider and advise upon the infrastructure required | <ul style="list-style-type: none"> Receive updates on the progress of development and compliance with relevant planning conditions and S106/S278 agreements Input into creation of a community development strategy | <ul style="list-style-type: none"> Receive updates on progress in establishing the community and any emerging issues Consider and advise upon a strategy for the ownership and management of the social infrastructure and community assets. Receive updates on the progress of development and compliance with relevant planning conditions and S106/S278 agreements |
| Lead: Service Lead – Built Environment | Lead: Service Lead – Built Environment | Lead: Service Lead – Community & Wellbeing |

The fora will be subject to annual review.

Kings Barton / Stage 2

- Winchester City Council - 7 elected representatives (inc. Chair)
- Hampshire County Council - 2 elected representatives
- Littleton & Harestock Parish Council - representative(s)
- Headbourne Worthy Parish Council – representative (s)

Officers

Lead Officer - Julie Pinnock

Implementation and Community Worker - Christopher Hughes

Quorum

The fora will be quorate if five voting representatives are present.
Method of working and voting rights

All representatives are expected to seek to reach conclusions by general consensus. Where any voting representatives on the Forum requires a formal vote to be taken, this shall be by a show of hands by those voting representatives present and voting (as per the membership set out above).

Public Participation procedure

There will be a period of 10 minutes maximum at the beginning of each forum meeting when the Chair will invite the public, including local interest groups, to raise any general matters of interest and/or matters relating to the work of the forum. An individual speaker will be limited to a maximum of three minutes per agenda item. Where a number of members of the public wish to speak they will be encouraged to agree the allocated maximum ten minutes between them. The Chair will retain discretion to manage the public speaking process, and may limit individual speakers to less than three minutes, or take other steps necessary in order to maximise public participation in an appropriate way.

Members and Officers will not provide an immediate response to public comments raised from the floor. All comments and queries will be noted and the Chair will invite Officers and/or Members to respond to specific points during the round table debate and discussion amongst forum members that follows.

Members of the public should contact the Democratic Services Officer 3 working days before the meeting (preferably telephone or email) so that as many people who wish to speak can be accommodated during the public participation sessions.

Once the period of public participation has drawn to a close, there will be an opportunity for elected members who are not on the forum (i.e. Cabinet or Ward Members) to speak in advance of questions and debate amongst forum members at the Chair's discretion.

The forum will then debate the item with any conclusions and recommendations recorded.

Filming and Broadcast Notification

This meeting may be recorded and broadcast live on the Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#).

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KINGS BARTON FORUM

Tuesday, 13 July 2021

Attendance:

Councillors
Rutter (Chairperson)

Cramoysan
Cunningham
Godfrey
Horrill

Learney
Prince
Weir

Deputy Members:

Councillor Porter (Hampshire County Council) deputising for Councillor Tod

Apologies for Absence:

Councillors Tod and Warwick (Hampshire County Council), Councillor Iredale (Headbourne Worthy Parish Council)

[Full audio and video audio recording](#)

1. **APPOINTMENT OF VICE CHAIRPERSON FOR THE 2021/22 MUNICIPAL YEAR**

RESOLVED:

That Councillor Weir be appointed as Vice-Chairperson for the 2021/22 Municipal Year.

2. **APOLOGIES**

Apologies for the meeting were noted as above.

3. **DISCLOSURES OF INTERESTS**

Councillor Rutter declared a personal (but not prejudicial) interest as a member of Headbourne Worthy parish council. Councillors Learney and Cunningham both declared personal (but not prejudicial) interests as members of Littleton and Harestock Parish Council.

4. **CHAIRPERSON'S ANNOUNCEMENTS**

There were no announcements.

5. **TO NOTE THE FOLLOWING DATES FOR FUTURE MEETINGS OF THE FORUM IN THE 2021/22 MUNICIPAL YEAR.**

RESOLVED:

That the dates for the future meetings of the Forum in the 2021/22 municipal year be noted as set out on the agenda sheet.

6. **MINUTES OF THE MEETING OF THE 16 MARCH 2021**

RESOLVED:

That the minutes of the previous meeting held on 16 March 2021 be approved and adopted.

7. **PUBLIC PARTICIPATION**

7. **PUBLIC PARTICIPATION**

The Chairperson welcomed the following to the meeting; Dr Antonio de Stefano, Tim Norris (Hampshire Swifts), Caterina Zucca (Chair of the Kings Barton Residents Association (KBRA)) and Mike Slinn (Vice-Chair of the Kings Barton Residents Association (KBRA)).

Antonio de Stefano addressed the forum as a resident of phase 1B which he highlighted had been completed and occupied for over a year. However, there were ongoing issues regarding poor maintenance, uncompleted items, missing street furniture and poor condition of road surfaces. These issues had been repeatedly reported to CALA homes by the KBRA, individual residents and through the Forum but to date were still ongoing which was causing a great deal of frustration.

Tim Norris (Hampshire Swifts) highlighted the issue of the declining swift population across the UK, partly due to a change in housing building practices. He requested that CALA commit to install one integral bird box per new dwelling.

Caterina Zucca (KBRA) referred to a list of questions from KBRA to which CALA homes had provided responses prior to the meeting. The list of questions and answers had been circulated to all members prior to the meeting and available on the Council's website [here](#). Ms Zucca welcomed the responses provided but asked a number of supplementary questions as summarised briefly below:

- Environmental Health (sewage smells) – requested a further update following the meeting scheduled for 14 July.

- Highways – timing of the footway to school resurfacing.
- Redesign of Winchester Avenue – when would the public highway works be finishing?
- Query regarding proposed 30mph speed limit differing from design speed of 20mph.
- Footpath and accesses – how long would the temporary solution remain?
- Railway underpass – emphasised the importance of the connectivity to Wellhouse Lane.
- EV charging points – requested that these be installed in existing areas of the development.
- Development timeline – requested CALA provide an idea of the timescale.

It was agreed that Mr Hill and Mr Curry of CALA would respond to these points as part of their update to the forum in items 9 and 10 of the agenda.

8. **TO NOTE THE REVISED TERMS OF REFERENCE FOR THIS FORUM**

Mrs Pinnock advised that revised terms of reference for the three development fora, including Kings Barton Forum, had been agreed by Cabinet at its meeting on 23 June 2021 (report CAB3306 refers). This was to ensure that the fora followed the objectives established in the revised terms of reference.

In response to questions, Mrs Pinnock advised that the proposal regarding the time available for public participation was intended to standardise practice between the different fora, but it was always at the Chair's discretion to extend. The Chair suggested that the stipulated time limits be considered further as part of the proposed annual review of the terms of reference.

RESOLVED:

That the revised terms of reference of the Forum be noted.

9. **UPDATES ON THE PHYSICAL DEVELOPMENT OF THE MDA. (UPDATES MAY INCLUDE HAMPSHIRE COUNTY COUNCIL, VIVID, CALA AND THE WCC IMPLEMENTATION OFFICER)**

Mrs Pinnock explained that the implementation officer, Mr Hughes was not available to provide an update to this Forum meeting due to illness. However, CALA Homes had provided a response to issues raised by KBRA as referred to under item 7 above.

Mr Hill and Mr Curry from CALA homes were in attendance at the Forum meeting and provided responses to the points made in public participation, including the additional questions raised by Ms Zucca (KBRA). They also responded to questions from Forum Members. Summary of responses below:

- An urban wildlife strategy was being developed for all new sites, which would include provision of swift boxes, bat boxes and "hedgehog highways". CALA would seek to achieve one swift box per dwelling (noting that some buildings might not be suitable so additional would be provided on other houses).

- Mr Curry provided a further update on investigations to address the ongoing issue of sewage smells. It was reported that a similar issue was occurring in Park Road and those residents should report the issue to Southern Water directly. It was noted that the Council was aware of a similar problems elsewhere in the District and might be able to provide assistance.
- With regard to comments regarding the condition of the highways and roads which was non- standard high quality, Mr Curry explained the complexities of the issues involved and confirmed that CALA homes were working with the County Council to resolve as soon as possible. It was not possible at this stage to give specific dates for the situation to be resolved (he estimated within 18 months) but constant monitoring of the roads was undertaken to ensure they remained safe.
- Shared surface signs have been provided.
- Noted the frustrations of residents with regard to the delays over the provision of street furniture and agreed to put further pressure on suppliers to speed up delivery.
- The feasibility of the proposal of an informal route to the ridge line would need to be examined.
- With regard to occupation trigger points, Mr Hill suggested that details of the s106 requirements could be shared at the next Forum meeting to provide clarification – meeting S106 occupation trigger points
- CALA homes had no planning obligation to provide EV charge points and it would be too expensive and not an easy thing to do to introduce retrospectively on completed phases. The suggestion that the possibility of siting within the new sites, but close to the edges of existing developments, was noted.
- Welcomed the suggestion that CALA homes consider any specific ways in which the City Council could work in partnership to assist in progressing elements of the scheme that were currently subject to delays by other parties. Noting some genuine challenges over the last 18 months.
- Responded to detailed questions about the path to connect Wellhouse Lane to the ridgeline and estimated work would commence in the autumn and take about three months.
- Agreed to discuss further outside of the meeting the proposals regarding the provision of a footpath from Andover Road to the school as a joint project between the Council and CALA homes.

The Chair welcomed to the meeting Nicola Wells (head teacher of Kings Barton Farm academy) who requested that CALA homes assist with the siting of signage for the new school. If a suitable sign could be provided, Mr Curry agreed to assist further outside of the meeting.

The Chair welcomed to the meeting Mark Gittos (VIVID) who stated that the housing association's footprint was now fully occupied comprising of a mix of tenures. VIVID were working with the Council's implementation officer, residents' associations and the community towards an integrated community development approach. He provided the following general responses to Members' questions and advised that he would ask Emma Bartlett (VIVID neighbourhood officer) to respond in detail outside of the meeting:

- The neighbourhood officer was liaising with Councillor Iredale (Headbourne Worthy Parish Council) to address the issue of communal bin storage being difficult to access.
- Provided information regarding the general support provided to their social housing tenants, for example to tackle social isolation over the course of the pandemic.

The Chair thanked everyone attending for their contributions.

10. **REPORT ON THE COMMUNITY DEVELOPMENT ACTIVITIES AND ANY ISSUES ARISING WITHIN THE MDA**

In the absence of the implementation officer, Mrs Pinnock advised that there was no specific update report available for this meeting. However, she asked for any ideas for local residents, parish or ward councillors with regard to community activities for the future.

Members asked questions on the following matters which Mrs Pinnock agreed to provide a response.

- Could a temporary polling station be provided for May 2022 elections?
- Issues regarding access and maintenance of the footpath around Barton Meadows and part of the public open space managed by HLOWWT has been fenced off and padlocked and not available for public access. A request from Headbourne Worthy Parish Council that the number of parish councillors be increased to reflect the increase in residents due to the Kings Barton development.
- Provision of a post box in phase 1B– Mr Hill confirmed that Cala had signed paperwork with Royal Mail and the post box should be installed within 12 weeks.
- A request that the proposed play areas within the development each incorporate activities for a range of age groups.
- Headbourne Worthy Parish Council were inviting comments from residents on the bus service along Andover Road.

11. **DISCUSSION ON INFRASTRUCTURE.**

The Chair welcomed to the meeting Katya Holloway (Hampshire County Council) who responded to questions from Mike Slinn (KBRA) and Forum Members as summarised below.

- With regard to the railway underpass on Wellhouse Lane, confirmed that HCC was working very closely with CALA homes to finalise the road agreement that was required before works could be undertaken. Network Rail also were required to sign a highway agreement. Subject to these outstanding matters, the programme of works was due to commence in mid-October 2021.
- Explained that it was normal practice for the design speed limit to be lower than the actual proposed speed limit (as HCC did not authorise speed limits below 30mph as lower speed limits were not enforced by the police).

- The anticipated delivery date for the Andover Road signalised crossing by the ridgeway was summer 2022, subject to necessary approvals and progression of the design process.
- There were still minor issues outstanding regarding the spine road but the finalisation of the required authorisation was almost complete. With regard to the length of time taken, commented that once agreed, it establishes the principles for the other spine roads within the development.
- The design of link roads from Andover Road to the new spine road was a reserved matter and no application had yet been received.

12. **FUTURE AGENDA ITEMS.**

The following matters were agreed for future agenda items:

- a) Triangulation of the Kings Barton development with the Movement Strategy and proposed development at St John Moore barracks;
- b) Barton Meadows – access and eco-diversity (Hampshire and IOW Trust to be invited to attend);
- c) Update on archaeology;
- d) Future phasing and timings and resident involvement with regard these – Mr Hill updated that CALA were next looking to deliver two further phases, namely Phase 3A to the south and Phase 2B to the north;
- e) Condition/s106 tracker (with traffic light system indicator);
- f) Design of future play areas – Mr Hill offered to present the proposed play strategy to the next meeting for discussion.
- g) Examination of the cycle routes throughout the site, to ensure they joined up and were supported and advertised.
- h) Discussion of ideas for how the partnership working between the City Council and CALA could be enhanced – Mr Hill commented that CALA had recently engaged an external communications and marketing company who would assist further.
- i) Organisation of a site visit for the Chair, key Council Officers (including HCC if possible) and CALA homes, if possible prior to the next Forum meeting.

Mrs Pinnock noted these suggestions and agreed to draft a work programme for the next three Forum meetings.

The meeting commenced at 6.30 pm and concluded at 8.10 pm

Chairman

REPORT TITLE: KINGS BARTON IMPLEMENTATION UPDATE

19 OCTOBER 2021

REPORT OF CABINET MEMBER: Cllr Russel Gordon-Smith

Contact Officer: Chris Hughes Tel No: 07827 270 626

Email chughes@winchester.gov.uk

WARD(S): GENERAL

PURPOSE

To provide the Forum with an update on progress at Kings Barton, the development process, and future works.

RECOMMENDATIONS:

1. That the content of the report be noted

IMPLICATIONS:1 COUNCIL PLAN OUTCOME1.1 **Tackling the Climate Emergency and Creating a Greener District**

1.2 Kings Barton is located close to existing services, employment and education facilities making it possible for residents to take more journeys by foot, cycle or bus.

1.3 **Homes for all**

1.4 40% of the homes at the 2000 dwelling development at Kings Barton will be affordable, providing a wide range of opportunities to rent or buy in Winchester.

1.5 **Vibrant Local Economy**

1.6 2000 dwellings will provide opportunities for more young people to live and work in the district. The local centre in the development will also provide a range of business and employment opportunities.

1.7 **Living Well**

1.8 Homes that are located close to services provide greater opportunities to encourage active travel amongst the population.

1.9 **Your Services, Your Voice**

1.10 The increase in the number of homes will increase the council tax revenue for the City Council. Tackling the Climate Emergency and Creating a Greener District

2 FINANCIAL IMPLICATIONS

2.1 Funding for the Implementation/Community Development Post is being paid by CALA until October 2022.

3 LEGAL AND PROCUREMENT IMPLICATIONS

3.1 Provision of an update report as to the current implementation of the approved development at Kings Barton provides an important communication between the developer, City Council and local community. The report and appendices recognise the on-going nature of the planning process and importance for compliance with the planning permission and any resultant planning obligation agreements.

4 WORKFORCE IMPLICATIONS

4.1 None.

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None

6 CONSULTATION AND COMMUNICATION

6.1 None

7 ENVIRONMENTAL CONSIDERATIONS

7.1 The City Council has declared a climate emergency and on December 23 2019 adopted a Carbon Neutrality Action Plan, committing it to reaching carbon neutrality by 2024 and aiming to make the entire district carbon neutral by 2030.

7.2 The planning consent for King's Barton cannot be amended but future phases of development can take account of emerging technologies and opportunities to reduce carbon emissions within the scope of the planning consent and Building Regulations

8 EQUALITY IMPACT ASSESSEMENT

8.1 The Council has a general equality duty under s149 of the Equalities Act 2010 to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

8.2 There are no protected characteristics affected by the decisions within this report.

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None required

10 RISK MANAGEMENT

10.1

| Risk | Mitigation | Opportunities |
|--|---|----------------------|
| <i>Property</i> | Regular Forum meetings to be held. Good communication by the developers with Implementation Officer. Close working liaison with parish councils and ward Members | |
| <i>Community Support</i> <i>If communication and information provision to local residents and businesses is poor there could be an impact on community activities, the development timetable and reputation for those involved.</i> | Regular Forum meetings to be held. Good communication by the developers with Implementation Officer. Close working liaison with parish councils and ward Members | |
| <i>Timescales</i> <i>If the development does not progress in a timely fashion the Council's ability to demonstrate a five year land supply will be comprised.</i> | The Council has limited control over the timetable for development which will be largely a commercial matter for the developer. The appointment of an Implementation Officer will help to reduce the scope for delays which might occur as a result of planning process and communication issues. Good dialogue between HCC, WCC and the developer will help ensure project milestones are coordinated and achieved | |
| <i>Project capacity</i> | | |
| <i>Financial / VfM</i> | | |
| <i>Legal</i> <i>Implementation of the development in accordance with the</i> | The appointment of an Implementation Officer will reduce the scope for delays and hence | |

| | | |
|--|---|--|
| <i>planning permission and any planning obligation agreement</i> | communication as to compliance with the planning process. | |
| <i>Innovation</i> | | |
| <i>Reputation</i> | | |
| <i>Other</i> | | |

11 SUPPORTING INFORMATION:

11.1 **Background**

11.2 Kings Barton is a development of 2000 dwellings, primary school, community centre, local shops, supermarket and associated open space to the north of Winchester. Consent for the development was granted by the Secretary of State for Communities and Local Government on 2 October 2012

11.3 Reserved matters consent for two phases has now been granted – Phase 1A/1B, 423 dwellings, and Phase 2A, 264 dwellings.

11.4 **Implementation and Community Development Update**

11.5 Chris Hughes, is the first point of contact for queries relating to Kings Barton. Email chughes@winchester.gov.uk.

11.6 **Phase 1B**

11.7 Housing construction at Phase 1B is complete but, as noted by the Kings Barton Residents Association, a number of elements remain outstanding. Since the last Forum meeting benches, bins and shared surface signs have been installed.



- 11.8 In addition, a post box has been installed by Royal Mail and is now available for use by local residents.
- 11.9 Discussions with Hampshire County Council regarding the specification of the highways in the area continue.
- 11.10 **Phase 1A**
- 11.11 Construction at the southern end of the site continues – as of 6 September 111 of the 200 dwellings were occupied.





11.12 **Phase2A**

11.13 Construction has started at Phase 2A (between Phase 1A and the ridge).



11.14 The Local Centre

11.15 The City Council planning team are currently considering five applications relating to the local centre.

11.16 Partnership Working

11.17 On 26 August, the Leader, Cllrs Learney, Gordon-Smith and Rutter, along with Strategic Director Richard Botham and Andy Hickman met with CALA's Managing Director in August to discuss implementation and delivery at the site. We agreed that the Council's Programme Lead would continue to engage with Hampshire in order to assist in unlocking and accelerating the delivery of all of the infrastructure which needs to be provided as part the Kings Barton development.

11.18 In addition to the Kings Barton Forum, we have also agreed to establish a project steering group to help increase momentum regarding the delivery of all aspects of the development in accordance with the requirements of the legal agreements.

11.19 Future Agenda Items

11.20 As agreed at the previous Forum meeting the following agenda items will be covered at forthcoming meetings:

18 January – Winchester Movement Strategy

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 None

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

Other Background Documents:-

APPENDICES: None.

REPORT TITLE: KINGS BARTON S106 SCHEDULE AND TRIGGERS

19 OCTOBER 2021

REPORT OF CABINET MEMBER: Councillor Russell Gordon-Smith

Contact Officer: Chris Hughes Tel No: 07827 270 626

Email chughes@winchester.gov.uk

WARD(S): GENERAL

PURPOSE

To provide the Forum with a regular update on s106 triggers for Kings Barton.

RECOMMENDATIONS:

1. To note the report.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

1.1 **Tackling the Climate Emergency and Creating a Greener District**

1.2 Kings Barton is located close to existing services, employment and education facilities making it possible for residents to take more journeys by foot, cycle or bus.

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3.1 Provision of an update report as to the current implementation of the approved development at Kings Barton provides an important communication between the developer, City Council and local community. The report and appendices recognise the on-going nature of the planning process and importance for compliance with the planning permission and any resultant planning obligation agreements.

4 WORKFORCE IMPLICATIONS

4.1 None.

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None.

6 CONSULTATION AND COMMUNICATION

6.1 None.

7 ENVIRONMENTAL CONSIDERATIONS

7.1 The City Council has declared a climate emergency and on December 23 2019 adopted a Carbon Neutrality Action Plan, committing it to reaching carbon neutrality by 2024 and aiming to make the entire district carbon neutral by 2030.

7.2 The planning consent for King's Barton cannot be amended but future phases of development can take account of emerging technologies and opportunities to reduce carbon emissions within the scope of the planning consent and Building Regulations.

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- Foster good relations between people who share a protected characteristic and those who do not.

8.2 There are no protected characteristics affected by the decisions within this report.

9 DATA PROTECTION IMPACT ASSESS

9.1 None required.

10 RISK MANAGEMENT

| Risk | Mitigation | Opportunities |
|-----------------|------------------------|----------------------|
| <i>Property</i> | Regular Forum meetings | |

| | | |
|--|---|--|
| | to be held. Good communication by the developers with Implementation Officer. Close working liaison with parish councils and ward Members | |
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| <i>Project capacity</i> | | |
| <i>Financial / VfM</i> | | |
| <i>Legal</i> <i>Implementation of the development in accordance with the planning permission and any planning obligation agreement</i> | The appointment of an Implementation Officer will reduce the scope for delays and hence communication as to compliance with the planning process. | |
| <i>Innovation</i> | | |
| <i>Reputation</i> | | |
| <i>Other</i> | | |

11.1 The following table shows the various s106 obligations and triggers for Kings Barton. This table will be updated for every Forum meeting.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 None.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

Other Background Documents:-

APPENDICES:

Appendix A – S106 Monitoring Table.

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Kings Barton s106 tracker

| |
|---------------------------------|
| Completed |
| Not completed but underway |
| Trigger missed and not underway |

| PARAGRAPH | SUMMARY | WHEN |
|-----------|---|-----------------------|
| WCC s106 | | |
| 2.4 | THE OWNER WILL NOT COMMENCE DEVELOPMENT UNTIL THE PHASING PROGRAMME HAS BEEN SUBMITTED TO AND APPROVED IN WRITING BY THE LPA | Prior to commencement |
| 3.4 | BETWEEN 35-45% AH IN EVERY PHASE | To note |
| 3.7 | PRIOR TO THE COMMENCEMENT OF DEVELOPMENT THE OWNER SHALL SUBMIT A DRAFT AFFORDABLE HOUSING MASTERPLAN STRATEGY (ALSO REFER TO 3.12) | Prior to commencement |
| 3.8 | EACH RESERVED MATTERS APPLICATION SHALL BE ACCOMPANIED BY A DRAFT AFFORDABLE HOUSING RESERVED MATTERS STRATEGY (ALSO REFER TO 3.12) | Prior to commencement |

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| 3.11 | NO MORE THAN GROUPS OF 15 AH HOUSES OR 25 AH FLATS | |
| 3.21 | Prior to the commencement of development, the council shall provide the owner with a Local Lettings Plan for the development | Prior to commencement |
| 4.1 | ALL LANDSCAPING, INCLUDING CHILDREN'S PLAY, TO BE COMPLETED WITHIN 12 MONTHS OF OCCUPATION OR LONGER IF AGREED WITH HEAD OF PLANNING, OF FIRST HOUSING UNIT | To note |
| 5.1 | PRIOR TO OCCUPATION OF ANY PHASE SUBMIT TO COUNCIL PROPOSALS FOR LONG TERM OWNERSHIP MAINTENANCE AND MAGAMENT OF OPEN SPACE AND ANY OTHER LAND TO BE LANDSCAPED AS PER LOSS | Prior to occupation |
| 6.1 | PAYMENT OF CULTURAL FACILITIES CONTRIBUTION | 800TH UNIT |
| 7.1 | SPECIFICATION OF COMMUNITY CENTRE (INCLUDING CAR PARKING) | PC |
| 7.6.2 | COMPLETION OF COMMUNITY CENTRE | 800TH UNIT |

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| 7.8 | TRANSFER OF COMMUNITY CENTRE TO COUNCIL | 800TH UNIT |
| 8.1 | COMMUNITY DEVELOPMENT WORKER EMPLOYED (MAY BE AN EMPLOYEE OF THE OWNER) | 200TH OCCUPATION* |
| 8.3 | COMMUNITY DEVELOPMENT WORKER ACCOMMODATION OF 2 ROOMS NOT LESS THAN 25 SQ METRES WITH ACCESS TO KITCHEN AND TOILET FACILITIES | 200TH OCCUPATION* |
| 9.1 | PRIOR TO COMMENCEMENT OF EACH PHASE, SUBMISSION FOR COUNCIL'S APPROVAL OF A PLAN OF THE PHASE SHOWING PUBLIC RIGHTS OF WAY THROUGH THE PHASE | Prior to commencement |
| 10.1 | DETAILED ROUTE FOR THE PUBLIC FOOTPATH FROM ANDOVER ROAD THROUGH THE SITE AND THE ECOLOGICAL AMENITY LAND TO WORTHY ROAD, SURFACING AND OTHER CONSTRUCTION DETAILS FOR PFS AND PROPOSALS FOR LONG TERMS MAINTENANCE AND MANAGEMENT OF THE ECOLOGICAL AMENITY LAND | Prior to commencement |
| HCC s106 | | |
| 4.1 | Notice of Commencement at least 10 day before commencement | Prior to commencement |
| 4.5.1 | Copies of surveys and overall design of infrastructure relating to Primary School land | Prior to commencement |

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| 4.5.2 | Owner to supply to HCC the Primary School framework details including temporary access route, permanent access, any adjoining roads, cycleways and footways, drainage and utilities supplies | WITHIN 3 MTHS OF COMMENCEMENT AND BEFORE OCCUPATION 1ST UNIT |
| 4.6 | PRIMARY SCHOOL LAND FREE OF CONSTRAINTS | Prior to commencement |
| 4.7 | SUBMISSION OF DRAFT PRIMARY SCHOOL TRANSFER PLAN | Prior to commencement |
| 4.8 | PRIMARY SCHOOL LAND (NOT LESS THAN 1.8 HA) TRANSFERRED TO HCC & FIRST EDUCATION PAYMENT MADE (£3400000) INDEX LINKED | POST-150TH OCCUAPTION |
| 4.9 | ALL SERVICES TO PRIMARY SCHOOL TO BE IN PLACE TO ENABLE COMMISSIONING | 150TH OCCUPATION |
| 4.10 | PERMANENT SCHOOL ACCESS COMPLETED AND SECOND PRIMARY EDUCATION PAYMENT MADE (£3400000) | 250th occupation |
| 4.11 | OWNER TO RE-CALCULATE PRIMARY PUPIL PRODUCT (PPP) HAVING REGARD TO PRIMARY MONITORYING INFORMATION AND SHALL SUBMIT TO COUNTY | NO LATER THAN 1 MTH AFTER RECEIPT OF PRIMARY MONITORING INFORMATION FOLLOWING OCCUPATION OF 1200TH UNIT |

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| | IF PRIMARY PUPIL YIELD EXCEEDS 420 THEN NOT TO OCCUPY MORE THAN A FURTHER 100 UNITS FOLLOWING SUCH AGREEMENT UNTIL ADDITIONAL PRIMARY SCHOOL LAND HAS BEEN TRANSFERRED TO THE COUNTY COUNCIL FOR £1 AND THE ADDITIONAL PRIMARY EDUCATION CONTRIBUTION HAS BEEN PAID TO THE COUNTY COUNCIL | IF PPP EXCEEDS 420, OWNER CAN ONLY ALLOW OCCUPATION OF A FURTHER 100 HOUSES UNTIL THE EXTRA PRIMARY SCHOOL LAND (1 HA) HAS BEEN TRANSFERRED TO HCC |
| 4.12 | PRIMARY EDUCATION CONTRIBUTION HAS BEEN PAID TO THE COUNTY COUNCIL | |
| 4.15 | Secondary Education Contribution (£3,000,000 index linked) to be paid to HCC | 750th OCCUPATION |
| 4.16 | Owner to calculate the Secondary Pupil Product (SPP) and submit to HCC with regard to the SMR (Secondary Pupil Monitoring Report see clause 5.11) | One month after owner receives the SMR following occupation of 1,200 houses |
| 4.17 | First City Access (£100,000), First Eastern Access (£100,000) First Western Access (£120,000) and First Non Motorised User (£170,500) Contributions must be paid by the owner to HCC | Prior to occupation |
| 4.18 | Second City Access (£100,000), Second Eastern Access (£100,000) Second Western Access (£120,000) and Second Non Motorised User (£170,500) Contributions must be paid by the owner to HCC | PRE-650TH OCCUPATION OR FOUR YEARS AFTER THE FIRST HOUSE IS OCCUPIED, WHICHEVER THE SOONER |
| 4.20 | NOT TO CARRY OUT HIGHWAY WORKS AND/OR OCCUPY THE DEVELOPMENT OTHERWISE THAN IN ACCORDANCE WITH SCHEDULE 2 | To note |
| 4.21.3 | BUS SUBSIDY £301,689 INDEX LINKED | 350TH OCCUPATION |
| 4.21.4 | BUS SUBSIDY £213,856 INDEX LINKED | 650TH OCCUPATION |
| 4.21.5 | BUS SUBSIDY £171,019 INDEX LINKED | 950TH UNIT |

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| 4.21.6 | BUS SUBSIDY £202,706 INDEX LINKED | 1250TH UNIT |
| 4.23 | PAYMENT OF TRAVEL PLAN FEE £1500.00 | Prior to occupation |
| 4.24 | SUBMISSION AND APPROVAL OF SCHOOL, RESIDENTIAL AND RETAIL TRAVEL PLANS PRIOR TO THE COMMENCEMENT OF EACH PHASE | Prior to commencement |
| 4.25 | TRAVEL PLAN MONITORING FEE £15000.00 | Prior to commencement |
| 4.26.1 | APPROVAL OF RETAIL TRAVEL PLAN | Prior to occupation of retail |
| 4.26.2 | APPROVAL OF RESIDENTIAL DEVELOPMENT | Prior to occupation of residential |
| 4.31 | PAYMENT OF TRAVEL PLAN BOND | Prior to commencement |
| 4.32 | OWNER TO ESTABLISH AT ITS OWN COST AND MAINTAIN A COMMUNITY TRAVEL WEBSITE | Prior to occupation |
| 4.33 | OWNER TO ESTABLISH TRAVEL BOARDS THROUGHOUT DEVELOPMENT | FIRST OCCUPATION |
| 4.35.2 | NOT LESS THAN TWO CAR POOL CARS AT ALL TIMES | POST-650TH OCCUPATION |
| 4.36 | SCHEME FOR CYCLE PARKING | Prior to commencement |
| 4.37 | COMPLETION CYCLE PARKING | Prior to occupation |
| 4.38 | DRAFT CONSTRUCTION ROUTE MANAGEMENT PLAN SUBMISSION | Prior to commencement |
| 4.39 | DRAFT CONSTRUCTION ROUTE MANAGEMENT PLAN APPROVAL | Prior to occupation |

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| SCHEDULE 2 Part 1 | SUBMISSION OF DETAILS OF HIGHWAY ACCESS WORKS AT ANDOVER ROAD/TEMPORARY SITE ACCESS JUNCTION | Prior to commencement |
| SCHEDULE 2 PART 2 | HIGHWAY ACCESS WORKS COMPLETION | Prior to commencement |
| SCHEDULE 2 PART 3 | HIGHWAY AGREEMENT TO SECURE COMPLETION OF ANDOVER RD/BEREWEEKE ROAD JUNCTION IMPROVEMENT WORKS | Prior to occupation |
| SCHEDULE 2 PART 4 | COMPLETION OF ANDOVER RD/BEREWEEKE ROAD JUNCTION IMPROVEMENT WORKS | 100TH OCCUPATION |
| SCHEDULE 2 PART 5 | HIGHWAY AGREEMENTS TO SECURE: | NO MORE THAN 200TH OCCUPATION |
| | A) NEW ANDOVER ROAD WORKS | NO MORE THAN 200TH OCCUPATION |
| | B) ANDOVER ROAD/HARESTOCK ROAD JUNCTION IMPROVEMENT WORKS | NO MORE THAN 200TH OCCUPATION |
| | C) ANDOVER ROAD/STONEY LANE JUNCTION IMPROVEMENT WORKS | NO MORE THAN 200TH OCCUPATION |
| | D) WELL HOUSE LANE RAIL ARCH IMPROVEMENT WORKS | NO MORE THAN 200TH OCCUPATION |
| | E) ANDOVER ROAD/WELL HOUSE LANE JUNCTION IMPROVEMENT WORKS | NO MORE THAN 200TH OCCUPATION |
| | F) BARTON FARM TO WORTHY ROAD FOOTWAY/CYCLE LINKS | NO MORE THAN 200TH OCCUPATION |
| SCHEDULE 2 PART 6 | COMPLETE WELL HOUSE LANE RAIL ARCH IMPROVEMENT WORKS AND BARTON FARM TO WORTHY ROAD FOOTWAY/CYCLEWAY WORKS | PRIOR TO PRIMARY SCHOOL OPENING |

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| SCHEDULE 2 PART 7 | NEW ANDOVER ROAD WORKS, ANDOVER ROAD/HARESTOCK ROAD JUNCTION IMPROVEMENT WORKS, ANDOVER ROAD/STONEY LANE JUNCTION IMPROVEMENT WORKS AND ANDOVER ROAD/WELL HOUSE LANE JUNCTION IMPROVEMENT WORKS | NOT MORE THAN 650TH OCCUPATION |
| SCHEDULE 2 PART 11 | IF NO ORDER GAINED, OWNER TO PROMOTE A ROAD TRAFFIC ORDER RESTRICTING THE USE OF THAT PART OF ANDOVER ROAD TO PEDS/CYCLISTS | 650TH OCCUPATION |
| SCHEDULE 2 PART 12 | OWNER AT OWN EXPENSE TO PROMOTE RTOs AS NECESSARY TO FACILITATE IMPLEMENTATION OF DOWNGRADING OF ANDOVER ROAD WORKS | N/A |
| SCHEDULE 2 PART 13 | IF PART 12 OBTAINED, OWNER TO IMPLEMENT IN ACCORDANCE WITH A PROGRAMME PREVIOUSLY AGREED WITH COUNCIL | N/A |
| SCHEDULE 12 PART 14 | IF RTO OBTAINED PROHibiting use of that part of andover road, the owner shall get county approval of landscaping with programme of implementation and subject to grant of necessary licences and carry out to satisfaction of county council | PO 950TH UNIT |