

Changes to the Cabinet announced on the 10th February

| | |
|-------------------------------------|-------------------------|
| Enterprise, Housing & Revenues | Cllr. Val Hobbs |
| Technical Services | Cllr. Mike Brain |
| Corporate Support | Cllr. Gill Roache |
| Customer Access | Cllr. Stephen Thirlwell |
| Environment & Planning | Cllr. Simon Jackson |
| Resources | Cllr. John Appleton |
| Transformation | Cllr. Mike Weddell |
| Strategic Alliances & Deputy Leader | Cllr. Sue Wixey |

Planning Committee West – Wednesday 16th February

Due to an expected large number of residents that are likely to attend the meeting from Temple Grafton and surrounding villages procedures are being investigated to broadcast the meeting live over the internet.

The council chamber has a capacity of 100 public seats and 40 spaces in the foyer.

Friday Furlong receives Outline Planning Consent

Following the signing of the legal agreement the Section 106 outline planning consent has been issued to Cranbrook Homes Ltd for the development of the Friday Furlong site consisting of 125 houses, a Medical Centre, Open Space Internal Access Roads.

The developers have two years to submit a full planning permission on all reserved matters from the date of the notice of decision of the 26th January 2011.

The planning application was validated on the 9th February 2009.

Electoral Arrangements

The Audit & Regulation Committee are looking at the future electoral arrangements of the District Council and ward boundaries these include:

- Reduction in the number of District Councillors
- Single Member wards
- Cycle of elections – Full election every 4 years / 50% every two or the Status Quo

A decision to implement any change has to be made by December 2011.

First 'round' of the Sustainable Communities Act completed

- Government will give councils the power to offer discretionary business rate relief to encourage and sustain small and medium sized local businesses.
- Government have given Sheffield City Council more responsibility to maintain and sustain the local Post Office network. A pilot scheme has been set up where Post Office Ltd and Sheffield City Council are working together to establish additional service provision and the scope for greater use of Post Offices in the city to deliver Council services. Government have said if the scheme works well it will be extended to Doncaster and Liverpool.
- Government will make it easier to introduce renewable energy schemes by introducing permitted development rights for small scale renewable and micro generation energy.
- Government will legislate to establish a community right of purchase which will allow communities to bid to take over local assets. A moratorium on the sale of listed assets will give community groups time to prepare a bid.
- Government has amended the planning rules to exclude gardens from the classification of 'previously developed land'.
- Government will ban the sale of alcohol below cost price; this will prevent supermarkets selling alcohol below a certain price floor.

Overall there are a significant number of proposals that the government have either agreed to implement directly, or have agreed to compromise on by taking action that would address the aim of the proposal.

Second invite for proposals launched!

The government has now invited more proposals under the Act. There is no deadline for submitting proposals; instead the process is now ongoing as a rolling programme.

Local Development Framework (LDF)

The LDF Working Group agreed that it would hold a series of consultation Workshops for Members and Parish Councils to help set the direction for the District's Core Strategy in advance of the public consultation this October, member workshops have been programmed for February dates for the Parish / Town Council workshops to be agreed.

Corporate Strategy 2011 - 2015

Following the Council's recognition that the Corporate Strategy should reflect the reduced level of resources available to deliver its priorities; and other changes in circumstances following the 2009 review,

The draft strategy produced by the Working Group has been developed in anticipation of the Coalition Government's localism agenda and it is suggested that the Council's vision should be:

'By 2015 all our communities will be actively promoting and helping to deliver the actions necessary to meet the identified needs of their local Area.'

In accordance with the suggested Vision, the Strategy identified the following priorities for the strategy period:

- a) the affordability of housing
- b) the vitality of the local economy
- c) access to local services
- d) environmental sustainability

Cabinet agrees District Council Tax Level

Subject to the acceptance by the Full Council on Monday 28th February the Cabinet is recommending that in order to provide a balanced budget in 2011/12, the level of Council Tax for the District Council be set at £129.34 at Band D.

Proposed Budgetary Savings

The Cabinet is proposing savings of £1.9 million from the budget in 2011/2012 and a further saving of £3.54 million between now and 2016.

The proposed cuts are:

| | | |
|-----------------------------------|-----------------------|-----------------------|
| Public Toilets | £165,000.00 (2011/12) | £80,000.00 (2012/13) |
| CCTV | £75,000.00 (2011/12) | £25,000.00 (2012/13) |
| Dog Warden & Pest Control Service | £75,000.00 (2011/12) | £125,000.00 (2012/13) |
| Tourism | £100,000.00 (2011/12) | |
| Community Leadership | £75,000.00 (2011/12) | £25,000.00 (2012/13) |

Green Waste Service

The Cabinet at its February meeting agreed to abandoned it's plans to introduce a charge for the councils very popular green waste collection service.

High Speed 2 Rail Link

The Cabinet at its February meeting considered whether the Council should:

- set up a fund from earmarked reserves to counter the proposals for the High Speed 2 (HS2) rail link with delegated authority for the Leader of the Council to agree expenditure after consultation with the Head of Corporate Support.
- work in partnership with other similarly affected local authorities on the grounds that the Council did not have sufficient resources to apply staffing to this matter.

The Cabinet noted that:

- a) the development of the HS2 rail link represented a major environmental impact to the district

b) at a recent meeting with other affected Councils it was reported that most Council's had established a fund to work on technical appraisals of proposals and potential litigation that could be contemplated

c) local authorities working on their own would have minimal impact on the proposal;

d) working in collaboration would be a better use of public funds and would assist in the co-ordination of objections to the proposals

e) the Council did not have staffing or financial resources to make available to work on the HS2 proposal.

Having regard to the above, the Cabinet concluded that a formal debate at Council should be undertaken on this matter.

The cabinet recommended that:

That the Council sets up a fund of £30,000 from reserves to contribute to the consultation process and any resulting appraisals associated with the High Speed 2 Rail Link.

Stratford on Avon District Design Guide Update

The design guide was published as Supplementary Planning Guidance in April 2001, this document provides a strong basis for District Council officers to assess and determine planning applications. It also provides a clear steer for applicants when considering the design and character of future development in the district. although the design principles in the guide remain relevant it is important that the key documents are reviewed periodically.

A Stakeholder Workshop was held on Thursday 3rd February to launch the review it is planned for further workshops for Parish / Town Councils / Public / Building Industry / Conservation Groups.

Planning Enforcement Workshops for Parish Councils

At the end of last year the council ran two Planning Enforcement Workshops for Parish Councils one held at Stratford the other at Studley.

Some 80 councillors and clerks attended over the two sessions, this style of interaction is planned for the future, the workshops facilitated by officers, solicitors and planning councillors proved extremely well received.

New High Court ruling on regional strategies – 7th February 2011

The Coalition's intended abolition of regional strategies can be taken into account when making planning decisions, the High Court has ruled.

The judgment - in a High Court case brought by CALA Homes - confirms that the intended scrapping of regional strategies is a 'material consideration' which can be considered by local planning authorities and planning inspectors when making decisions.

The Government has long signalled its intention to abolish the strategies through the Localism Bill, now at committee stage in the Commons.

Planning minister Bob Neill said: "We are determined to return decision-making powers to communities and provide powerful incentives so people can see the benefits of building more homes and the Bill will help achieve this.

"This judgment makes it clear that planners can take into account the Government's intention to do away with regional strategies."

Regional strategies were revoked on 6 July 2010 but were re-established on 10 November 2010 after a successful challenge by housing developer CALA Homes.

But a subsequent challenge by CALA Homes, to halt planners using the intended revocation of the strategies as a 'material consideration' when making planning decisions, has been lost by the developer following a High Court case.

Pending abolition regional strategies remain part of the statutory development plan. The weight given to any 'material consideration' depends on the individual circumstances and it is for the decision maker to decide on the appropriate weight, Communities and Local Government has said.

This latest judgment will not affect decisions already made on planning applications. CALA Homes has indicated it will appeal to the Court of Appeal.

To re-cap the whole story so far: -

- DCLG Secretary of State, Eric Pickles, revokes RSSs during May 2010
- Cala Homes challenges the decision in the High Court during August 2010
- High Court rules that the Secretary of State's decision to revoke RSSs was unlawful in November 2010
- Steve Quartermain, DCLG Chief Planner, immediately releases guidance stating that, notwithstanding the illegality of the decision, decision makers should still have regard to the Government's intention to abolish RSSs
- Cala Homes then made a fresh challenge seeking the revocation of the guidance from Steve Quartermain
- As a result, the High Court granted a temporary stay on the Government's guidance during December 2010
- The Secretary of State then challenged the temporary stay. Result was a compromise by which the DCLG acknowledged the existence of the second legal challenge by Cala Homes
- High Court hearing on the second legal challenge by Cala Homes heard on 17 January 2011
- Announced on 07 February 2011 that Cala Homes have lost second legal challenge. Therefore, the Government's intention to abolish RSSs is now a material consideration in planning decisions. RSSs have effectively disappeared again.
- Cala Homes announces on 07 February 2011 that it will be seeking leave to appeal the High Court's decision.

Meeting Diary

| Date: | Meetings Attended |
|----------|--|
| 05-01-11 | Meeting of Planning Committee Chairman & Officers – The way forward |
| 05-01-11 | Chairman's Briefing – Planning Committee West |
| 05-01-11 | Planning Committee West |
| 11-01-11 | Planning Site Visit – Land South-west of Shottery 800 dwellings |
| 11-01-11 | Audit & Regulation Committee – Committee Structure Workshop |
| 11-01-11 | Wixford Parish Council |
| 18-01-11 | Local Development Framework Working Group |
| 19-01-11 | Member Development Training |
| 24-01-11 | Audit & Regulation Committee – Present case on behalf of Planning West |
| 24-01-11 | Meeting with Landscape Ecology & tree Officers – Ward Issues |
| 24-01-11 | Meeting with Planning Agents – Ward Enforcement Issues |
| 24-01-11 | Bidford on Avon Parish Council |
| 25-01-11 | Planning Training – The use of conditions & reasons for refusal |
| 26-01-11 | Chairman's Briefing – Planning Committee West |
| 26-01-11 | Equality & Diversity Forum – Member Champion |
| 27-01-11 | Planning Committee West |
| 03-02-11 | District Design Guide Stakeholders Workshop |
| | |
| | Future Meetings Diary |
| 16-02-11 | Chairman's Briefing – Planning Committee West |
| 16-02-11 | Planning Committee West |
| 22-02-11 | Local Development Framework Working Group |
| 24-02-11 | Planning Site Visit – Maudsley Park Great Alne |
| 24-02-11 | LDF Core Strategy Members Workshop |
| 28-02-11 | Full Council |
| 28-02-11 | Bidford on Avon Parish Council |
| 01-03-11 | Facilitator – Planning Enforcement Ward Issues |

Councillor: Kim James

10th February 2010