

COTSWOLD DISTRICT COUNCIL

CABINET

4<sup>TH</sup> SEPTEMBER 2014

Present:

Councillor Lynden Stowe - Chairman  
Councillor NJW Parsons - Vice-Chairman

Councillors -

David Fowles Mrs. SL Jepson  
C Hancock

Observers:

DC Broad SG Hirst  
Sue Coakley Sir Edward Horsfall  
BS Dare AJ Lichnowski  
RW Dutton DJ Nash

Apologies:

Mrs. CH Topple

CAB.27 DECLARATIONS OF INTEREST

There were no declarations of interest under the Code of Conduct for Members or Section 106 of the Local Government Finance Act 1992.

There were no declarations of interest under the Code of Conduct from Officers.

CAB.28 MINUTES

**RESOLVED that the Minutes of the Meeting of the Cabinet held on 3<sup>rd</sup> July 2014 be approved as a correct record.**

**Record of Voting - for 5, against 0, abstentions 0, absent 1.**

CAB.29 PUBLIC QUESTIONS

No public questions had been received.

CAB.30 MEMBER QUESTIONS

No questions had been submitted by Members.

CAB.31 LEADER'S ANNOUNCEMENTS

There were no announcements from the Leader.

CAB.32 SECTION 106 AGREEMENTS - AFFORDABLE HOUSING

The Cabinet Member for Planning and Housing introduced this item.

The Cabinet was requested to consider affordable housing options to be incorporated into Section 106 Agreements, in order to provide Councillors with greater clarity upon which to base decisions. The circulated report set out the definition of affordable housing as contained within National Planning Policy Guidance; the various types of affordable housing; the current Local Plan Policy provisions, and the guidance contained within the associated Affordable Housing Supplementary Planning Document; affordable housing delivery achievements to date; the principles of effective delivery in the future; and details of emerging new Local Plan Policies that would assist in determining housing requirements within individual planning applications.

It was suggested that the provision of a range of housing tenures (both affordable and market) was the best way to meet the needs and aspirations of residents, and the needs of local communities. The combination of high housing prices with low wages/savings did create affordability issues for Cotswold residents, especially those who worked within the District. However, the Council needed to recognise that a lot of people wanted to live and work in the Cotswolds, or to retire here.

The Leader of the Council considered that the Council should not be solely driven by Government policy, as this could lead to a substantial number of houses being built in conflict with local circumstances, and sometimes within a very short time-frame. The Leader acknowledged that the requirement for 50% of new dwellings to be affordable was aspirational, but suggested that it was a good target to help the Council meet the needs of younger people and elderly residents. The housing situation in the Cotswolds needed to be seen in its true context, in contrast to a recent television broadcast in which it had been stated that a typical two-bedroom flat in the Cotswolds cost around £500,000, which was quite untrue. The Leader stated that, across England, owner-occupation comprised around 70% of the housing market, and it was good to keep alive the aspiration of home ownership.

In summary, it was felt that an appropriate balance was needed, and that there should be scope for flexibility, particularly to allow for account to be taken of the views of the District's various communities.

**RESOLVED that:**

- (a) the contents of the report, and the range of available affordable housing options, be noted;**
- (b) Officers be requested to identify within planning application reports the criteria and evidence upon which the level and mix of any affordable housing requirement is recommended.**

**Record of Voting - for 5, against 0, abstentions 0, absent 1.**

CAB.33 COTSWOLD DISTRICT COUNCIL STATEMENT OF COMMUNITY INVOLVEMENT

The Deputy Leader of the Council and Cabinet Member for Forward Planning introduced this item.

The Cabinet was requested to consider the adoption of a revised Statement of Community Involvement (SCI), produced following a six-week period of public consultation. It was noted that the production of such a Statement was a statutory duty, and that a comprehensive review of the SCI had been undertaken to take account of recent changes to the planning system, and the publication of new guidance. It was also explained that, following legislative changes, the SCI was no longer subject to an Examination process with the Planning Inspectorate.

The circulated report drew attention to the consultation responses received, and how such comments had been addressed including the resultant changes to the document. It was confirmed that the revised SCI complied with the National Planning Policy Framework and the new National Planning Practice Guidance, as well as reflecting the most up-to-date consultation methods and practices used by the Council for Development Management and Local Plan matters.

In response to a Member's question, it was explained that the general theme of consultation responses had been the correction of typographical errors and requests for improved clarity and definition of terms. The majority of other responses had been to object to specific potential sites for strategic housing allocation, which could not be addressed through this document.

The only amendments suggested by the Cabinet were the addition of a note explaining the context of the illustration on the front cover (showing a community planning exercise in Northleach); and the addition of another illustration and explanatory note on the rear cover.

**RESOLVED that, subject to the above amendments, the Statement of Community Involvement be adopted and published.**

**Record of Voting - for 5, against 0, abstentions 0, absent 1.**

CAB.34 COTSWOLD DISTRICT LOCAL DEVELOPMENT SCHEME

The Deputy Leader of the Council and Cabinet Member for Forward Planning introduced this item.

The Cabinet was requested to consider the adoption of a revised Cotswold District Local Development Scheme (LDS) for 2014, outlining the project plan for the production of the Local Plan. It was noted that the preparation and regular review of the LDS was a statutory requirement.

It was explained that the reviewed LDS reflected progress in preparing the evidence to support the Local Plan; the programme for the Local Plan had been amended to reflect the additional requirements for evidence which continue to emerge, and the greater task of producing a Local Plan compared to a Core Strategy; and the stages of the Local Plan preparation reflected the requirements outlined in the latest legislation regulations.

The Deputy Leader drew attention to the size of the evidence base, and the fact that the Council had little control over what was required. In addition to work on the LDS itself, all references to supporting documents had to be up-to-date, so there was an endless rolling programme of review, which led to delay and apparent inertia. The Deputy Leader was aware that local concerns over the proposed Chesterton strategic development site in Cirencester had resulted in significant interest in the LDS. The Deputy Leader informed the Cabinet that six pages of the Infrastructure Delivery Plan dealt with Cirencester but the purpose of the LDS was not to cover the detail of any development proposals. However, he assured Members that the future of the Chesterton development would form part of the Local Plan process and, at such time as any plans were submitted, the details would be considered within the usual application process. That said, the Council did have an Infrastructure Delivery Plan and a list of requirements.

The Deputy Leader also drew attention to the Local Plan timetable, and the expected publication of the Development Strategy and Site Allocations in December 2014. The Deputy Leader explained that the timetable could be subject to future change and would be impacted by the District Council Elections in May 2015.

In response to a question as to the risk that delay in obtaining Strategic Housing Market Assessment (SHMA) figures could prevent the Council from approving a consultation draft in December 2014, the Deputy Leader was aware that the Planning Inspectorate had suspended the Local Plan processes of some other local authorities until such time as they could get their SHMA figures approved. Officers had been requested to provide an update on that work and the risk had been included within the Council's Risk Register.

In response to another question, the Chief Executive stated that he was well aware of the resources required to complete work on the LDS and the Local Plan. While funding should not be an issue, as the Council had already allocated contingency money to purchase additional resources, the Council could not plan for the unexpected and the bigger risk was not internal capacity but over-reliance on third parties.

The Leader of the Council stated that he was aware that, during the preparation of the current Local Plan, the inputting of consultation responses had taken longer than had been expected. Given the likelihood of a large number of responses with regard to individual site allocations, he questioned whether the identified period of three months would be sufficient for this work.

In response, the Deputy Leader stated that many consultation responses were submitted online, which saved time. Whilst letters and e-mails would still need to be transcribed, he anticipated that the process would be quicker based on previous inputting experience. In addition, temporary staff resources would be made available for the period concerned; and, given that the Council had involved communities in the site allocation process, he hoped that this would pre-empt some of the work.

The Leader requested that Officers look into providing some form of acknowledgment to all consultation responses, together with a note of how comments would be used/addressed and the next stages of the process. He also requested that details of the consultation phases be published in Cotswold News.

**RESOLVED that the Local Development Scheme be adopted and publicised widely, including on the Council's Web Site.**

**Record of Voting - for 5, against 0, abstentions 0, absent 1.**

CAB.35 ALLOCATION OF EXISTING CAPITAL FUND FOR FLOOD ALLEVIATION IN MORETON-IN-MARSH

The Cabinet Member for Environment introduced this item.

The Cabinet was requested to consider the allocation of funds, from the existing approved capital allocation for District-wide flood alleviation projects, specifically for the Moreton-in-Marsh flood alleviation project. The funding would enable the continued delivery of the Moreton-in-Marsh scheme, which would significantly reduce the risk of property flooding in town.

The circulated report set out the improvements carried out to date, and the works proposed as part of the remaining phases of the project. It was explained that the scheme was being delivered in partnership across County, District and Town Councils; but that land-owner co-operation and consent was also required.

The Leader of the Council reminded the Cabinet that the Planning Committee had recently approved an application in the town which would generate 'planning gain' funds in the sum of £250,000 for community assets, and suggested that this money could be used to fund any future shortfalls on this specific scheme. The Leader also expressed his disappointment that the Council had not been able to meet the shortfall from Section 106 'planning gain' money arising from the recently-approved housing scheme in Moreton-in-Marsh. He expressed his hope that, by learning from experience, the cost of flood alleviation works could be met by developers in those cases where schemes were likely to increase the risk of flooding problems, rather than by Council taxpayers.

**RESOLVED that the allocation of a capital contribution of £250,000 to the Moreton-in-Marsh flood alleviation scheme, from the previously-agreed capital budget for flood alleviation, be approved.**

**Record of Voting - for 5, against 0, abstentions 0, absent 1.**

CAB.36 OVERPAYMENT OF HOUSING BENEFIT - WRITE-OFF IN EXCESS OF £5,000

The Leader of the Council introduced this item.

The Cabinet was requested to approve the writing-off of one Housing Benefit overpayment debt in excess of £5,000, where the defaulters had absconded. The amount of the proposed write-off was £7,747.68 but, as the overpayment attracted a subsidy of £3,099.07, the total impact/loss to the Council would be £4,648.61. It was noted that various means of recovery had been pursued, but that these had now been exhausted without success.

In response to a request from the Leader, Officers agreed to identify any lessons that could be learned from this case and, if appropriate, implement revised processes/procedures.

**RESOLVED that the writing-off of one Housing Benefit overpayment debt, in excess of £5,000, be approved.**

**Record of Voting - for 5, against 0, abstentions 0, absent 1.**

CAB.37 SUMMARY FINANCE/PERFORMANCE REPORT 2014/15 - QUARTER 1

The Leader of the Council introduced this item.

The Cabinet considered a report summarising overall performance for the Council in the first quarter of the Financial Year 2014/15, with particular focus on progress towards achieving the Council's top tasks, and efficiency measures. The report also provided information on the Council's capital expenditure, capital receipts and use of reserves; together with the Local Government Ombudsman Annual Review for 2013/14 and the outcomes of a self-assessment undertaken of the degree to which the Council met its safeguarding obligations under the Children Act.

The Leader congratulated all those responsible for the good results outlined in the report, and the positive outcomes in relation to the two external reports. That said, the Cabinet remained concerned about Building Control income, which had been an on-going issue for a number of years.

The Cabinet Member for Environment drew attention to the performance of the Waste Service, which continued to achieve a good level of recycling and where the recent good weather had had a further beneficial effect on the collection of green waste for composting. The Cabinet Member reported that he was in discussion with UBICO over ways to improve further the overall recycling figure. Although the Council was still well ahead of the other Councils in Gloucestershire in terms of recycling rates, he hoped to launch an exciting initiative by the end of the year, to achieve even better results.

It was noted that cardboard collection bags were now around five years old. In response to a suggestion that larger bags be phased in to replace them at the end of their useful lives, it was explained that the size of the bags had been set due to operational considerations regarding the handling by operatives and the receptacles on the collection vehicles. Also, householders with additional needs could request more than one bag. The Cabinet Member suggested that, in due course, the Council could review the service and identify possible improvements - by way of example he suggested that a new design of kitchen caddy might be useful, given that the current caddy was very light when empty and could be blown away from properties.

It was also noted that the Audit and Scrutiny Committee had not yet considered the report, but any comments would be referred to the Cabinet.

The Leader asked that the Audit and Scrutiny Committee be involved in a review of the Council's Performance Indicators, in order to ensure that they were tangible and relevant to the priorities of the District and the Council.

**RESOLVED that service and financial performance for Quarter 1 of 2014/15 be noted.**

**Record of Voting - for 5, against 0, abstentions 0, absent 1.**

CAB.38 SCHEDULE OF DECISIONS TAKEN BY THE LEADER OF THE COUNCIL  
AND OR INDIVIDUAL CABINET MEMBERS

The Cabinet noted a Schedule detailing decisions taken by the Leader of the Council, the Deputy Leader of the Council and the Cabinet Member for Health and Communities.

CAB.39 ISSUE(S) ARISING FROM AUDIT AND SCRUTINY

There were no issues arising from Audit and Scrutiny.

CAB.40 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 4.03 p.m. and closed at 5.01 p.m.

Chairman

(END)