

COTSWOLD DISTRICT COUNCIL

CABINET

11<sup>TH</sup> JUNE 2015

Present:

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

Councillors -

Sue Coakley                                         Mrs. SL Jepson  
C Hancock

Observers:

Miss AML Beccle                                         SG Hirst  
Miss AJ Coggins     Ms JM Layton  
BS Dare (from 4.14 p.m.)                                         M MacKenzie-Charrington  
JA Harris

CAB.1                    DECLARATIONS OF INTEREST

At this stage of the Meeting, 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.2                    MINUTES

**RESOLVED that the Minutes of the Meeting of the Cabinet held on 5<sup>th</sup> March 2015 be approved as a correct record.**

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

CAB.3                    PUBLIC QUESTIONS

In accordance with Council Procedure Rule 10, questions had been submitted, and responses provided, as follows:-

(1)            From Mr. A Dickinson of South Cerney to Councillor Lynden Stowe, Leader of the Council

‘What has been the expenditure to date by CDC on all related items pertaining to planning applications 15/00597/FUL and 15/0007/CWMAJW inclusive of all fees paid to Eunomia Consulting and their agents and planning application fees paid?’

Response from Councillor NJW Parsons (as the accountable Cabinet Member)

‘Expenditure to date (up to 5<sup>th</sup> June) is £86,608.’

By way of a supplementary question, Mr. Dickinson asked for the purchase price paid by the Council to acquire the SITA site.

Councillor Parsons advised that such information could not be made available at the present time on the grounds of commercial sensitivity. He explained that the purchase was conditional upon the granting of planning permission for the site and, as such, the purchase had not yet been concluded.

(2) From Mr. C Godfrey of South Cerney to Councillor Sue Coakley, Cabinet Member for Environment and Communities

‘The ‘Overview of Previous Work’ report, published at the end of May 2015 in support of planning application 15/00597/FUL for the waste services depot at Packers Leaze, South Cerney, set out the site selection methodology. The population density criteria outlined under the ‘Methodology’ heading of the report appears to be nothing other than a mechanism to justify the inclusion of sites in Cirencester and its surrounding villages. Could the Councillor explain the relevance of, and justification for, the population density criteria used in the report which skewed the assessments and led to the selection of sites at the southerly edge of the District rather than sites closer to the population centre of the District?’

Response from Councillor Sue Coakley

‘Population density has relevance to waste collection, as the service will be more efficient if the depot is located closer to the bulk of its population. With the majority of the population based in the south of the district, rounds are planned to ensure all collections are made whilst minimising the travel time required. A service based in the north of the district would require additional vehicles and crews to allow for travel times and then time to collect from all the properties in the south. Whilst, as the report states, population density is skewed by Cirencester, this purely indicated that a site in the centre or south of the district would be most suitable. There were then multiple criteria used to actually choose a site from this wider area.’

Mr. Godfrey thanked Councillor Coakley for her answer. In referring to the multiple criteria used to actually choose a site, Mr. Godfrey questioned why no account had been taken of impact on tourist and amenity facilities, the two closest neighbours, as required under the National Planning Policy Framework. Mr. Godfrey contended that this failure, compounded by inadequate or erroneous technical assessments of issues such as transport, noise, vibration, odour and air quality, meant that many issues could not be properly and fairly considered. Mr. Godfrey considered that those matters were all material planning issues and most of them affected both the transport depot proposal and the waste transfer scheme proposal. Mr. Godfrey also questioned why the Cabinet was not discussing the withdrawal of both schemes pending the undertaking of a robust, compliant, unbiased and transparent re-assessment of the siting options and issues.

In response, Councillor Coakley reiterated that a robust set of criteria had been used for depot site selection purposes and, also, the need for a permanent site. She did not believe that the withdrawal of both applications was necessary.

(3) From Mr. P Jay of South Cerney to Councillor Lynden Stowe, Leader of the Council

‘At the public meeting in South Cerney on May 6<sup>th</sup>, you promised that, if you were re-elected, you would ensure that the application for a Waste Transfer Station reference 15/0007/CWMAJW would be immediately withdrawn. I congratulate you on your electoral success and now await the action you have promised the residents of South Cerney.

My question is:-

In the light of the evidence stated at the public meeting, which threw considerable doubt on the validity of the environmental reports obtained by officers of the council, will the Cabinet also call for the withdrawal of the application for the extension of the vehicle depot, reference 15/00597/FUL?’

Response from Councillor Lynden Stowe

‘As stated at the public meeting, I will not be recommending the withdrawal of the application for the vehicle depot unless I am advised by our Officers and consultants that there are errors in our application which warrant its withdrawal. The Council needs to secure a permanent environmental services depot to replace the temporary depot which already operates in South Cerney, to ensure the continued provision of waste and recycling collection services for Cotswold residents.’

Mr. Jay stated that he had been a South Cerney Parish Councillor for some 25 years, and expressed the view that, in all of that time, he could not recall such universal concern and opposition to a local proposal as was the case with the current depot and waste transfer applications. Mr. Jay referred to a petition that was being co-ordinated locally, which had gained over 1,000 signatures in a short space of time, the significant number of individual objections raised, and the concerns of some consultees (including the Highways Authority). Against such background, Mr. Jay reiterated his belief that the Council should withdraw both applications, and asked the Leader to reconsider his position.

In response, the Leader reiterated the need to secure a permanent depot. He explained that he had not been made aware of any deficiencies in respect of the depot application and, as such, he remained of the view that such application should continue through the formal planning process.

CAB.4

MEMBER QUESTIONS

In accordance with Council Procedure Rule 11, questions had been submitted, and responses provided, as follows:-

From Councillor Ms JM Layton to Councillor NJW Parsons, Cabinet Member for Forward Planning

- ‘1. With particular regard to the Cotswold Water Park:-
- (i) could you please explain why the draft emerging Local Plan does not include any specific details regarding the Cotswold Water Park, given the existing policies and the Master Plan document which sets out the vision for the area through to 2028? and
- (ii) will you ensure that the final draft of the emerging Local Plan includes a strict and robust set of policies/conditions for the Cotswold Water Park to ensure that the vision is upheld by this Council - including consultation thereon with Members of the Council whose Wards are located in the Cotswold Water Park?
2. With specific regard to the emerging Local Plan, could you confirm that any newly-constituted Local Plan Programme Board will consider the representations made as part of the (now closed) public consultation exercise?’

Responses from Councillor Parsons

- ‘1. (i) The Local Plan Reg. 18 Consultation document, published earlier this year, primarily covered the District Development Strategy and Site Allocations. There are a number of matters, including development management policies and the Cotswold Water Park, which will be the subject of separate consultation in due course.
- (ii) The emerging Local Plan will include mention of the Cotswold Water Park, though it is not possible at this stage to speculate on the content. Suffice to say that the Local Plan will reflect both the evidence that has been compiled and the Plan’s objectives. As ever, the draft content for public consultation will be subject to a formal decision following initial consideration by the Programme Board. Representations arising from the consultation exercise will be considered carefully before producing the formal Reg. 19 (pre-submission) version of the Local Plan.
2. The Programme Board will, in due course, receive a report summarising the main issues raised by the representations, together with any amendments that would need to be made in the light of those representations.’

Councillor Ms Layton did not have a supplementary question in relation to question 1(i); but, with reference to question 1(ii), hoped that the emerging Local Plan would include somewhat more than a mention of the Cotswold Water Park (CWP). She also considered that, given the amount of research, comment, documents, and money the Council had spent in the past on Local Plans, and the vision and policies in the CWP, it would not be too hard to ‘speculate’ the content in the emerging Local Plan. She believed that, as the emerging Local Plan would take up a substantial amount of the Council’s budget, it was therefore very necessary to get it very right.

By way of a supplementary question, Councillor Ms Layton asked whether the Council would consult with the Water Park Parish Councils and District Councillors, and the Cotswold Water Park Trust and leisure and tourism employers, much as it had when formulating the Master Plan. She considered that it was these people who should be setting the scope for what was wanted and needed in the Water Park; and felt that the Council had, in the past, let the residents down across the Water Park, losing public access, rights of way, public amenities and, indeed, a whole park. Councillor Ms Layton felt that robust policies were needed to protect the area and its residents.

Councillor Ms Layton explained that it had been recognised in the early days of the 1960s gravel extraction that the residents around the Water Park would be badly affected by the dust, noise and lorries, and that consideration should therefore be given to providing places of leisure and public access for residents, and hence the Keynes Country Park. She also stated that, originally, it had been considered that the Spine Road would only be necessary whilst the aggregate lorries were still using it and, after that, it should have become something more in keeping with the rural area. Similarly, with regard to Broadway Lane in South Cerney, an earlier Local Plan had suggested that should the saw mill close or relocate, the District Council would wish to see it replaced by Class B1 use, which would be more compatible with the nearby Caravan Park.

Councillor Ms Layton stated that, in all Local Plans and Visions in the past years, tourism and its economy in business and employment opportunities had played a large role in the future of the Water Park; and that the current Local Plan and the vision for the future showed that the CWP had come a long way to achieve that. Previous Plans, and indeed the current one, had made reference to the fact that the landscape was unusual in its extent and was unique in the District. She believed that, in its extent, variety and potential, the Cotswold Water Park was comparable to The Broads, which had National Park Status, and questioned whether the Council was frightened of such a status as it already had to deal with the Area of Outstanding Natural Beauty. She also questioned whether, with the relaxing of the rules and the lack of weight in the CWP Special Guidance Notes, the Council was trying to reverse the Water Park's original ethos and create a more industrialised area.

Against this background, Councillor Ms Layton asked the Council to ensure that the policies in the emerging Plan recognised (i) the past Visions; (ii) how the residents had worked to accommodate industrialisation of gravel extraction in the knowledge that they had been promised something better, more peaceful and with good economic prospects; and (iii) that residents had accommodated the impact that major holiday home developments had put on the infrastructure. She also asked that the Council use the experiences gained to help form a good Plan to ensure that those villages who were at the beginning of their Water Park 'journey' with gravel extraction had robust policies for guidance.

In response to the supplementary questions posed, Councillor Parsons confirmed that (i) robust consultation would be carried out; (ii) the Council would respond to the challenges appertaining to the special landscape of the Water Park area, in the same way as it dealt with the Area of Outstanding Natural Beauty, other special landscape areas, etc.; and (iii) whilst due regard would be given to what had happened in the past, along with previous policies, it was important that the Plan was forward-looking and addressed current and future issues/concerns/opportunities.

**CAB.5**      LEADER'S ANNOUNCEMENT

The Leader welcomed Christine Gore, Strategic Director, to her first Meeting of the Cabinet, and wished her a rewarding and fulfilling time with the Council.

**CAB.6**      SOUTH CERNEY WASTE TRANSFER SITE - WITHDRAWAL OF PLANNING APPLICATION

The Cabinet was reminded of previous deliberations and decisions in relation to the provision of a permanent waste depot site and the potential for a waste transfer station on such site; and, in the light of representations received and local concerns, was invited to consider the withdrawal of the application in respect of the waste transfer station.

Prior to the debate on this item, the Head of Democratic Services reported receipt, immediately prior to the Meeting, of a petition from residents of South Cerney, visitors to the village and holidaymakers requesting (i) the Council to withdraw its plans to build a refuse vehicle depot and Waste Transfer Station in the village; and (ii) that, if such a facility was required, an up-to-date and transparent public process of selecting a site be undertaken, as the signatories to the petition believed that a site in the village would not be appropriate for such use. It was explained that the petition contained 1,356 signatures and objected not only to the specific applications but also to the principle of that type of development in the village. Given that the number of signatories provided for a Council debate to be held in relation to the petition, and the fact that consideration of the depot application (if pursued) was likely to be scheduled in advance of the next ordinary Council Meeting, the petition co-ordinator had requested that a special Council Meeting be held before any planning decision was made.

The Leader of the Council referred to the local opposition to the planned use of the proposed depot site for food, garden and residual waste for onward transfer, which he had experienced first-hand at a public meeting in the village on 6<sup>th</sup> May. As a result, he believed the best course of action was to withdraw the waste transfer station planning application, which was due to be considered by Gloucestershire County Council later this year. Councillor Stowe explained that this would allow time for the Council to undertake additional work on the related business cases and the environmental issues before discussing them in more detail with local residents and the Parish Council, and then considering whether or not to resubmit another planning application to the County Council.

In explaining that local complaints had focused mainly on the waste transfer station proposal, the Leader reiterated his previously-expressed view that the Council should continue to pursue its depot relocation proposals. He believed that proposed depot operation did not differ greatly from the previous and current site usage, and that the identified site was very suitable for a permanent depot facility.

**RESOLVED that the planning application to Gloucestershire County Council for a bulking and waste transfer station be withdrawn.**

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

**CAB.7**      2020 VISION - MEMORANDUM OF UNDERSTANDING

The Leader of the Council reminded Members of previous discussions and decisions relating to the 2020 Vision programme, and requested the Cabinet to consider and approve the Memorandum of Understanding (MoU).

The Leader explained that the MoU provided the governance framework which would guide the 2020 Vision programme, and which would be used until any future governance arrangements were approved by the partner councils (all of whom were being asked to consider adoption of the MoU).

With reference to the two options put forward in relation to the document Term (paragraph 2.1 of the MoU referred), the first option was considered to offer greater flexibility and assurance.

**RESOLVED that:**

- (a) the 2020 Vision Memorandum of Understanding be approved;**
- (b) with reference to paragraph 2.1, the Cabinet's preferred option in relation to the Term shall be the first option, i.e.:-**

**This MoU shall commence on the date of this MoU and shall continue in force until such time as the Councils have put in place agreed permanent management and governance arrangements for the 2020 Vision unless terminated in accordance with Clause 14 (Termination and Exit Strategy).**

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

**CAB.8**      ONE TEAM UPDATE

The Cabinet was requested to consider the final update produced in respect of the One Team Programme, and endorse programme closure.

The circulated report set out the background to, and changes and successes emanating from, the programme, including the financial savings.

The Leader of the Council explained that the programme, which had been established in 2009/10 to manage the changes required for the transformation of the Council's operations, had resulted in savings of over £5m per year. In addition, the success of the programme had meant that the Council was now in a strong position to deliver further savings in the future as part of the 2020 Vision programme.

In referring to the many achievements, the Leader praised all those involved in the One Team programme and asked that such thanks, echoed by the other Cabinet Members, be conveyed to staff. The Leader was delighted that the Council could demonstrate a very successful track record in managing complex change programmes and projects of varying sizes set against the backdrop of a changing environment and significant reductions in central government funding.

**RESOLVED that:**

- (a) the close down of the One Team programme be approved;**
- (b) the remaining budget be returned to the Council Priorities Fund and Capital Fund respectively.**

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

CAB.9

**FIVE-YEAR HOUSING LAND SUPPLY - UPDATE**

The Deputy Leader of the Council and Cabinet Member for Forward Planning introduced this item, and requested the Cabinet to consider formal endorsement of the District's latest five-year housing land supply position.

The Cabinet was reminded of the background to the requirement for the Council to demonstrate a five-year housing land supply and a 20% 'buffer'; and of the appeal decision in September 2014 that had established that, at that time, the Council did not have an Objectively-Assessed Housing Need (OAN) and could not rely on the Regional Spatial Strategy (RSS) figure to calculate its five-year housing land supply figure. The Deputy Leader explained that such situation had led to the commissioning of a study with Forest of Dean and Stroud District Councils, which had established an OAN for Cotswold of 7,600 over the period of the Local Plan, or 380 dwellings per year.

The Deputy Leader explained that the supply position as at May 2015 indicated that the Council could now demonstrate 7.74 years supply of deliverable housing, set against the OAN requirement and incorporating the 20% buffer; and, set against the OAN requirement and incorporating a 5% buffer, as required by the National Planning Policy Framework, the Council could identify 8.85 years supply of deliverable housing.

The Cabinet was pleased to note the improved situation, which represented an increase of 1.14 years in its 5 year housing land supply from the previously-reported position. It was considered that the update showed that the Council was well on target to meet stringent government land supply requirements. Furthermore, given that the number of housing completions in the District over the last 4-5 years had represented an over-delivery, and provided such progress continued, it was felt that the Council should have a good case for removing the higher 20% buffer imposed in 2013 by the Planning Inspectorate.

**RESOLVED that the latest Five-Year Housing Land Supply position, detailed within the Annex to the circulated report, be endorsed as a material consideration when determining planning applications for residential development.**

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

**Note:**

The Leader of the Council declared an 'other' interest in the above item as the permissions used to calculate the supply figure included permissions that had been granted in respect of land owned by him and/or family members. The Leader also confirmed that he had declared the relevant interests when those applications had been presented to the Planning Committee for decision.



CAB.10 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, the Cabinet Member for Planning and Housing, and the Cabinet Member for Enterprise and Partnerships.

CAB.11 ISSUE(S) ARISING FROM OVERVIEW AND SCRUTINY AND/OR AUDIT

There were no issues arising from Overview and Scrutiny and/or Audit.

CAB.12 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 4.00 p.m. and closed at 4.41 p.m.

Chairman

(END)