

(5) PUBLIC QUESTIONS

The following questions have been submitted:-

(1) From Mr M Pratley of Cirencester to Councillor Mark MacKenzie-Charrington, Cabinet Member for Planning and Licensing Services, and Cirencester Car Parking Project

'Sir Geoffrey Clifton Brown has stated that the BDL contribution of £500,000 for car parking in the town that CDC has negotiated "will be nowhere near adequate". What does the council plan to do about this?'

Response from Councillor MacKenzie-Charrington

As those who attended the Special Council Meeting on 16th January 2018 will be aware, our external legal adviser made it clear that, as a matter of law, Section 106 contributions needed to be necessary to make a development acceptable, and were to mitigate for the development and not for the wider benefit of the town.

The contribution is considered by the Council to be adequate to meet the future parking needs arising from the Chesterton development, whilst balancing the need to promote sustainable modes of transport and the need to deliver a wide range of infrastructure including affordable housing.

At the Special Council Meeting, Members were advised about the tests in the CIL Regulations and that the proposed contribution was CIL compliant; and to ask for a larger, unsubstantiated figure would not have met the tests.

Furthermore, as the parking spaces are charged, there is also a business case for the provision of these spaces - which is part of the reason that the full cost is not achievable from the developer.

Accordingly, the contribution as set out in the Heads of Terms is considered to be appropriate, and will remain.

(2) From Mr M Pratley of Cirencester to Councillor Mark MacKenzie-Charrington, Cabinet Member for Planning and Licensing Services, and Cirencester Car Parking Project

'The new primary school will not be built on the development until quite a high trigger point of 500 dwellings is reached. Sir Geoffrey Clifton-Brown suggested it should be set at quite a low level, maybe 200-300 houses. Are CDC going to review this?'

Response from Councillor MacKenzie-Charrington

The trigger point has been established by Gloucestershire County Council, who are the lead authority for the provision of education. The trigger point has been set to ensure that the new primary school meets the needs arising from the new development rather than becoming the first choice for children who do not live within the new development. The timing of the delivery of the school also has implications for the viability of the development and, ultimately, the level of affordable housing that can be provided.

At the Special Council Meeting on 16th January 2018, it was reported that the trigger point related to on-site provision, and that it was likely that the school would open on a host site with effect from 2021/22.

Members did not request a different trigger at the Special Council Meeting and, therefore, the trigger as set out in the Heads of Terms (as recommended by the County Council) remains.

(3) From Save Our Cirencester to Councillor Mark MacKenzie-Charrington, Cabinet Member for Planning and Licensing Services, and Cirencester Car Parking Project

'In view of the experience at Victory Fields, which is an indictment of CDC's failure to exercise control over developers, are CDC going to act on Sir Geoffrey's suggestion of requiring BDL to put up a substantial insurance bond? This would be taken out at the start of development and only redeemable when parts or the whole of it is developed out satisfactorily. BDL has NO experience in building houses, and it is likely that all or parts of the development are sold on to house builders. For such a huge and complex project it would make sense to protect the town in this way. Will the council act on our MP's suggestion? If the council are not going to pursue this, what are the reasons for not doing so?'

Response from Councillor MacKenzie-Charrington

This was covered at the Special Council Meeting on 16th January 2018.

Bonds can be used to secure the delivery of a piece (or pieces) of infrastructure - for example a roundabout or a school. If construction was abandoned, the relevant authority would have to step in to secure completion, and use the monies secured through the bond as appropriate.

However, other measures are available - the Council can take legal action should the obligations within the S106 not be delivered, and the Council also has enforcement powers.

Having considered this matter, and in line with the recommendations of our officers and advisers, Members did not believe that a bond was required in this instance.

(4) From Save Our Cirencester to Councillor Mark MacKenzie-Charrington, Cabinet Member for Planning and Licensing Services, and Cirencester Car Parking Project

'Will the section 106 agreements be negotiated separately? Furthermore, given the impact that this development will have on the town, will the people of Cirencester be able to have their say on them?'

Response from Councillor MacKenzie-Charrington

The requirements of the Section 106 agreements are set out within the Heads of Terms, agreed by Members at the Special Council Meeting on 16th January 2018 in line with the advice of officers and expert advisers. That decision was taken having regard to the many comments/representations that had been submitted by various consultees and third parties on the application, including in respect of the proposed

Heads of Terms. The process of drafting those agreements seeks to secure these obligations within a legal framework. There is no requirement for further public engagement in this respect.

(5) From Ms CJ Bloomer of Cirencester to Councillor Mark F Annett, the Leader of the Council

'Many people in Cirencester are concerned about on-going reductions to bus services in our area. The emerging local plan talks up the importance of public transport, particularly bus services. What therefore are Cotswold District Council doing to realise the aspirations in the local plan with respect to public transport? It is clear that it they can't be achieved under current arrangements from the County Council.'

Response from Councillor Annett

The submitted Local Plan, and in particular Policy INF3, supports development that assists the delivery of the County Council's Local Transport Plan. This Council will guide development to those locations that actively support travel choices through the enhancement and promotion of safe and recognisable connections to existing walking, cycling and public transport networks. The Council is embarking on a Town Centre Master Plan for Cirencester to help realise the ambitions of the Council's Local Plan. This will bring together work that is currently being undertaken by the Parking Board as well as wider review of redevelopment opportunities identified in the Local Plan's Cirencester Strategy, for example exploring opportunities for a purpose-built public transport hub/interchange in the Southway - Forum area. The Council will be working together with partners such as the Town Council and the County Council to help the town centre to evolve and improve, whilst respecting its rich heritage.

Notes:

- (i) The above questions were submitted by the time by responses are guaranteed to be provided to the questioner at least 24 hours before the Council Meeting (by virtue of the Council's Procedure Rules). As such, written responses will be provided to all Members either in advance of, or at, the Council Meeting.
- (ii) If the questioners are present at the Meeting, they will be entitled to ask one supplementary question arising directly out of either the answer given or their original question.
- (iii) The Member to whom any supplementary question is addressed will try and answer any supplementary question at the Meeting; but if this is not possible, then the Members will answer as much as possible at the Meeting and then provide a full response within five working days. If, for any reason, a full response cannot be provided within those five days, then a holding response will be sent to the questioner, along with the reason for delay and a likely timescale for the full response.

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