

COTSWOLD DISTRICT COUNCIL

COUNCIL MEETING

15<sup>TH</sup> MAY 2018

Present:

Councillor Julian Beale - Chairman  
Councillor David Fowles - Vice-Chairman

Councillors -

SI Andrews	Jenny Hincks
Mark F Annett	SG Hirst
AW Berry	RC Hughes
AR Brassington	RL Hughes
T Cheung	RG Keeling
Sue Coakley	MGE MacKenzie-Charrington
Alison Coggins	RA Morgan
PCB Coleman	Dilys Neill
Andrew Doherty	NJW Parsons
RW Dutton	SDE Parsons
Jenny Forde	NP Robbins
JA Harris	Lynden Stowe
M Harris (from 11.05 a.m.)	R Theodoulou
Maggie Heaven	LR Wilkins

Apologies:

C Hancock	Juliet Layton
Mrs. SL Jepson	TL Stevenson

CL.79 WELCOME

In opening the Meeting, the Chairman read out a comment provided by Councillor M Harris which, he hoped, would apply throughout the proceedings:-

‘Let our debating be reasoned and temperate, recognising that others may have a different point of view; and may we always remember our deliberations and decisions are for the benefit of other people’.

The Chairman welcomed Members, Officers and members of the Public and Press to the Meeting. In so doing, he wished to extend an especially warm welcome to the Leader of the Council, Councillor Mark F Annett, who was attending his first Meeting after a period of illness.

The Chairman also reminded Members that the Meeting would be followed by a General Data Regulations Policy (GDPR) Training Session for Members; and then the Annual Council Meeting, which would also be attended by a number of Honorary Aldermen.

CL.80 DECLARATIONS OF INTEREST(1) Declarations by Members

There were no declarations of interest by Members.

(2) Declarations by Officers

There were no declarations of interest by Officers.

CL.81 MINUTES

**RESOLVED that the Minutes of the Meeting of the Council held on 20<sup>th</sup> February 2018 be approved as a correct record.**

**Record of Voting - for 28, against 0, abstentions 1, absent 5.**

Matters Arising:

- (i) Motion re 'Police Funding - the Chairman explained that this Motion remained deferred and would be discussed at a future Council Meeting.
- (ii) Armistice Commemorations 2018 - the Vice-Chairman informed the Council of the event planned for the weekend of 9<sup>th</sup>-11<sup>th</sup> November 2018 in Cirencester in commemoration of the Armistice of the Great War. The event was being planned with assistance from the churches of Cirencester, the Cirencester Community Development Trust, and the Mayor of Cirencester, Councillor NP Robbins.
- (iii) Changing Places Initiative - the Chairman invited Councillor Neill to provide an update in relation to this item. Councillor Neill explained that she had accompanied the Cabinet Member for Housing, Health and Leisure on a visit to potential suitable locations for such facilities.

CL.82 ANNOUNCEMENTS FROM THE CHAIRMAN, LEADER OR HEAD OF PAID SERVICE

- (i) Former Councillor Lady Rosemary Steel - the Chairman informed Members of the death of former Councillor Lady Rosemary Steel in February 2018. The Chairman explained that Lady Steel had represented the Fossehills Ward from 1995 to 2003 and had served on numerous Committees and Working Parties. The Chairman also informed Members of the more recent death of Lady Steel's husband, Mr. Richard Steel.
- (ii) Mr. J Jepson - the Chairman informed Members of the recent death of Councillor Mrs SL. Jepson's husband. The Chairman, on behalf of the Council, had extended his condolences to Councillor Jepson and her family at this time.

Members and Officers, and others present, then stood for a period of silence in memory of, and in tribute to, Lady Steel, Mr. Steel and Mr. Jepson.

- (iii) Chairman's Awards 2018 - the Chairman informed Members of preparations for an Awards Evening on 9<sup>th</sup> November 2018 at the Royal Agricultural University in Cirencester. He explained that the awards would be

presented to individuals or small groups who had made an exceptional contribution to the District. There would be seven award categories, each attracting a cash award of £1,000 funded through external sponsorship. The Chairman confirmed that more details would be provided to Members in writing by the end of June 2018.

(iv) Public Questions - the Chairman explained that Mr. Minty, Chairman of Stow-on-the-Wold Community Land Trust, was present at the Meeting and would be invited to submit supplementary questions to the relevant Cabinet Member at the appropriate juncture in the Meeting.

(v) Motion 2/2018 - the Chairman announced that he intended to allow the Motion to be discussed and debated at the Meeting.

(vi) General Data Protection Regulation Training - the Chairman reminded Members of the mandatory training session, which would follow the close of the Meeting.

(vi) Tree Donation for the Queen's Canopy - the Chairman explained that he had received a letter from Sir Geoffrey Clifton-Brown MP, regarding an invitation from Frank Field MP for the donation of a tree for the Queen's Canopy to commemorate the diamond jubilee. The Chairman informed Members that he considered Cirencester would be the appropriate location for the tree, as the 'Capital' of the District, and explained that he would be asking for assistance from Members with an extensive knowledge of Cirencester to secure a suitable location for the planting of the tree.

(vii) Councillor Mark F Annett - the Leader explained that he wished to thank everyone for their support during the previous three months, whilst suffering a period of ill-health. He explained that he had nothing but gratitude for the NHS and commented that he looked forward to returning fully to his Council's duties in due course.

(viii) Members' Allowances - the Head of Paid Service thanked Members for their contributions to this review, and confirmed that the next stage was for the Panel Members to conduct interviews with a number of Members. The findings and recommendations of the Panel would be reported to a future meeting of the Council.

#### CL.83 PUBLIC QUESTIONS

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

- (1) Question from Mr Peter Minty, Chairman of the Stow-on-the-Wold Community Land Trust, to Councillor SG Hirst, Cabinet Member for Housing, Health and Leisure

'To assist CDC in providing truly affordable community led housing in Stow requires resolving the following:

1. Provision of property, land or money worth 50% of the project.
2. Finding development sites in Stow, which due to its geography as a hill-top village, are rare and priced at market rate.

3. Redressing the age imbalance (45% over 65 with 300 elderly people in two care villages, with no provision for affordable housing).
4. Exploiting the exemption of Stow Community Land Trust (CLT) from the "Right to Buy" legislation, to provide affordable housing in perpetuity.

A rarely available plot of land, with planning permission for 5 houses, has become available in Stow. Will the Cabinet approve use of the £882,000 Community Housing Fund money to provide Stow CLT with a sizeable investment in order to secure a mortgage available from ethical lenders?

Response from Councillor Hirst

*In line with CDC's bid for Government funding and the Cabinet report of February 2017, the Community-Led Housing Fund is to be allocated as follows:-*

<b>Activities</b>	<b>Tasks</b>	<b>Indicative Budget</b>
<b>Community Capacity Building</b>	<i>Annual Project Management and Support</i>	£100,000
	<i>Training and support package</i>	£15,000
	<i>Small grants start-up fund (criteria to be agreed)</i>	£150,000
<b>Community Housing Delivery</b>	<i>Delivery support - technical, housing need</i>	£150,000
	<i>Capital viability budget (new / existing units)</i>	£467,272
<b>Total</b>		<b>£882,272</b>

*As can be seen, the identified budget for capital grants/loans is £467,272. The hope/expectation is that such sum will be capable of assisting the delivery of 15-20 units - which equates to approximately £23,000 - £30,000 per unit, on a value-for-money basis.*

*In this context, the cost of the potential development plot which has been identified significantly exceeds the budget allocated for capital grants/loans, and is likely to deliver well below the overall number of units that we believe is achievable on the basis of such budget. As such, it does not appear to be a viable scheme that we could support.*

*We are currently finalising the process by which detailed proposals can be submitted to the Council for consideration under the scheme, and will let you have full details as soon as they are available.*

In thanking the Cabinet Member for his response, Mr. Minty explained that he considered 'the jam had been spread too thinly', especially as the District Council had been awarded £882,000 of funding, which was one of the top 20 allocations in the country. Mr Minty explained that a typical family within the District could only raise around £100,000 towards the purchase of a property and that the funding award should be used to make up the difference. In making reference to the National Planning Policy Framework (NPPF), Mr. Minty also explained that the Council should be focussing on small development sites.

By way of a supplementary question, Mr. Minty asked if the Council would change its Policy to provide more funding to smaller projects within the District and, in particular, to the Stow-on-the-Wold area.

Councillor Hirst thanked Mr. Minty for the supplementary question and explained that he had undertaken discussions with Stow-on-the-Wold Town Council and that he hoped further discussions would take place with Mr. Minty regarding the availability of land in the town. Councillor Hirst added that the funding was from a 'pre-determined menu', which established the amount received. However, as a general principle, the Council was committed to ensure the continuation of affordable home provision for local people in the years to come.

(2) Question from Mr Peter Minty, Chairman of the Stow-on-the-Wold Community Land Trust, to Councillor SG Hirst, Cabinet Member for Housing, Health and Leisure

'To assist in the county-wide problem of lack of affordable housing, the community in Stow has attracted nearly £6,000 in grants to set up the only Community Land Trust (CLT) in the CDC area. This is dedicated to providing truly affordable housing in perpetuity for local people. As recommended in the "Community Led Housing" document, will CDC commit to engaging with Stow CLT to find solutions to purchasing and developing suitable sites?'

Response from Councillor Hirst

*The Council is committed to working with community-led groups - whether already set up or being/to be established - to find solutions to community-led housing. We will shortly be recruiting additional resources to assist further with this work, and I and officers would welcome the opportunity to work with the Stow CLT to find appropriate, value for money solutions for your area. I also commend your efforts in setting up the first CLT of its kind within Cotswold District.*

There was no supplementary question.

CL.84 MEMBER QUESTIONS

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

- (1) From Councillor Jenny Forde to Councillor SG Hirst, Cabinet Member for Housing, Health and Leisure

'We are very pleased in North Cerney to be welcoming the development of 12 new (truly) affordable homes. There have been no objections to this development as the many benefits to the rural community are fully recognised.

However, there is now a delay as Tenders were higher than expected and Cirencester Housing are currently negotiating with the lowest. Initial conclusions suggest that the higher tenders are a result of changes requested by our Planning Department during the planning process. The original design was significantly changed which has increased the amount of groundworks, retaining walls, road design, landscaping and materials.

My contact at Cirencester Housing acknowledges that the individuals involved have been very professional in each of their disciplines. However, overall, there is no sense of a co-ordinated service as each area has its own targets and desired outcomes that, in this instance, were often at conflict and ultimately drove up the scale and cost of the development.

What is the Planning department doing practically as a service to ensure that we have the appropriate resident in-house Housing Association expertise to support, guide and enable these much needed homes to be built?'

Response from Councillor Hirst

*The Council is, of course, very supportive of the North Cerney scheme and is keen to see it successfully delivered. The Council's officers are acutely aware of the need to deliver affordable housing, whilst ensuring that appropriate regard is had to all other relevant policy considerations. This includes the desire to provide good quality housing that is, as far as possible, indistinguishable from other housing tenures. With this approach, the Council was successful in delivering 247 affordable houses in the last financial year.*

*The Council's Strategic Housing Manager, who now 'sits' within the same service group as the Development Management and Heritage officers, is the Council's in-house expert advisor regarding affordable housing, providing a link to the needs of affordable housing providers and dealing with the allocation of Council grants to assist the delivery of affordable housing schemes. This Officer is integral to the advice that the Council provides to housing developers throughout the planning process.*

*To assist in the delivery of new development, the Council offers a service for formal pre-application advice (as explained on the Council's website) that is aimed at providing prospective applicants with an understanding of all of the planning issues relevant to their particular proposals. That advice is holistic and comprehensive in terms of the policy considerations that it covers. The purpose of the pre-application advice service is to help to inform prospective developers of the likelihood, in the opinion of the Council's officers, of any subsequent application being successful having regard to, and highlighting, all of the relevant policy considerations. The advice therefore assists potential applicants, at an early stage, in the costing of their development proposals. In the advice given, it is the responsibility of an allocated Development Management Case Officer to co-ordinate input from the relevant specialist officers, importantly including the Council's Housing Strategy Manager, and to weigh the balance between any policy issues that arise against other public benefits, such as the need to deliver affordable housing.*

*In the case of the North Cerney development, advice was given at the pre-application stage that included both the comments of the Strategic Housing Manager and Heritage officers. The advice drew attention to the award-winning scheme at Bibury as an example of the successful delivery of an affordable housing development. The feedback then given following the submission of the application was consistent with the Council's pre-application advice and, through negotiation, resulted in successful outcome. Grant funding from the Council has been sought and provided, but the developers have not, to date, approached the Council's officers to discuss any amendments to the approved scheme or to seek any additional funding.*

Councillor Forde thanked Councillor Hirst for his response and commented that it was frustrating that the Scheme, which had a lot of support, was facing issues and that such a slow response had been given by the Highways Authority. Councillor Forde expressed her view that the Council should provide a co-ordinated response, through one department. By way of a supplementary question, Councillor Forde asked if the real problem was not enough affordable housing expertise amongst Officers within the Council.

Councillor Hirst agreed there should be a co-ordinated approach, but did not believe that Officers would seek to delay a project. Councillor Hirst also confirmed that he would meet with the Chairman of Cirencester Housing Limited to seek to move the Scheme forward as soon as possible.

(2) From Councillor Dilys Neill to Councillor SG Hirst, Cabinet Member for Housing, Health and Leisure

'In the report to the Cabinet Meeting of 19<sup>th</sup> January 2017, in relation to the item 'Community-Led Housing Fund', it states "Performance management follow up: implement Cabinet decisions". Nearly half of the budget was allocated to administration: project management, training, small grants, start up fund and £150,000 for delivery support.

What does delivery support involve and how far has this and the other Cabinet decisions been implemented, including spending on bricks and mortar?’

Response from Councillor Hirst

*In line with our DCLG application, delivery support would encompass funding for technical support for community-led housing delivery - local housing needs surveys, project management, site identification, viability assessments, etc.*

*We propose a capital grants/loan budget of £467,272 to support local community groups to deliver a programme of mixed tenure affordable housing units. Examples currently being explored include:*

- *revolving land purchase fund;*
- *supporting scheme viability, particularly for small rural schemes that are likely to incur a premium on development costs;*
- *support for communities to acquire and convert existing properties to meet locally identified needs;*
- *loans to enable community-led self-build;*
- *grants for match-funding to lever in other capital finance.*

*We currently anticipate delivery of between 15 to 20 homes through the allocated capital fund, which would equate to approximately £30,000 per unit, in line with the amount of grant a housing association could expect to receive from Homes England (formerly Homes and Communities Agency) for a non-S106 affordable housing scheme, e.g. rural exception site.*

*Community-led housing schemes will be expected to offer value for money which can be benchmarked against land and build costs for traditional non-S106 housing association schemes.*

*We anticipate that it will be a number of years before we actually deliver ‘bricks and mortar’, as such schemes take a long time to come to fruition. Whilst a number of opportunities have already been identified, the availability of land at an affordable rate is a significant challenge.*

*Once community-led housing schemes reach delivery stage, grant can be applied for directly from Homes England and also from the Council’s S106 Commuted Sums Fund. However, the total public subsidy requested will be considered in the value for money assessment of such grant applications.*

Councillor Neill thanked Councillor Hirst for the response and for the details provided by Mr. Minty. By way of a supplementary question, Councillor Neill asked what action had been taken in implementing the Cabinet decision and if the scheme would continue after the initial award of £470,000 had been spent.

Councillor Hirst explained that Stow-on-the-Wold was the only place within the District to have a Community Land Trust, and explained that training had been given to Officers regarding these trusts. Councillor Hirst added that the Council was investigating the benefits of such trusts, with a view to encouraging more to be established across the District.

(3) From Councillor Dilys Neill to Councillor SG Hirst, Cabinet Member for Housing, Health and Leisure

'The Gloucestershire 2050 forum has identified the exodus of young people and the ingress of retired people, some of whom need care, as one of the major problems facing the county. Lack of affordable housing for people both for rent and to buy was given as an important reason, possibly the only problem which CDC has the power to address.

How much priority does CDC give to the provision of affordable housing and, given the paltry sum allocated by central government, has CDC given thought as to how it might provide more substantial funds to support community led housing schemes?'

Response from Councillor Hirst

*Recently-available housing completion figures show that Cotswold District Council comfortably exceeded its target of delivering 150 affordable homes per annum during 2017/18.*

*247 affordable housing units were delivered during this period, at sites across the District including Bourton-on-the-Water, Chipping Campden, Cirencester, Fairford, Lechlade, Mickleton, Moreton-in-Marsh and Tetbury. The properties comprise social rented, affordable rented and low-cost home ownership properties for families and single households.*

*We have to accept that land is at a premium in the District. The vast majority of affordable housing delivered comes forward as a result of S106 developer contributions on sites identified through the Local Plan process. To deliver more affordable housing, we need to accept more market development. For affordable housing only sites, we need to look at sites in CDC and town/ parish council ownership or ones that would ordinarily not be acceptable for residential development in planning terms, otherwise housing associations and community groups are priced out of the market by private developers.*

*Our proposal for the Community-led Housing Fund was to get community groups up and running and build capacity. The proposed small grants start-up fund could be accessed by community groups to procure specialist advice and technical support for a range of activities, including surveys to bring sites forward and legal advice regarding governance.*

*Once community-led housing schemes reach delivery stage, grant can be applied for (subject to eligibility) directly from Homes England and also from the Council's S106 Commuted Sums Fund. The total public*

*subsidy required for a scheme will, however, form part of the value for money assessment of such grant applications.*

Councillor Neill commented that she wished to applaud the Council on its provision of 247 affordable homes across the District, but highlighted that none of these had been within the Stow Ward, which was frustrating given that the town had seen two large developments and the construction of a care home. By way of a supplementary question, Councillor Neill asked if the Council had any plans for replenishing housing funds once they had been spent.

Councillor Hirst reported that there was an overall concern for the provision of rural homes across the District, but that he understood the Town Council to be against new developments. He added that new developments often enabled affordable houses to be built and explained that neighbouring towns to Stow had received a good number of affordable homes. Councillor Hirst concluded that the issue for Stow was perhaps related to the shortage of development land within the town, but confirmed that he would arrange another discussion with the Town Council, Bromford and the Council.

(4) From Councillor JA Harris to Councillor Sue Coakley, Cabinet Member for Environment

‘Please can the Cabinet Member tell me how much the street cleaning budget for this financial year is, and how much the budgets were each financial year since 2011?’

Response from Councillor Coakley

*The street cleaning budgets for the financial years 2011/12-2018/19 are set out below:*

2011/12	£827,880
2012/13	£783,410
2013/14	£827,221
2014/15	£852,340
2015/16	£862,310
2016/17	£1,068,867
2017/18	£1,069,335
2018/19	£1,114,422.

Councillor Harris commented that rubbish and chewing gum was covering the pavements in Cirencester and was particularly prevalent over weekends. By way of a supplementary question, Councillor Harris asked the Cabinet Member why the Council was inactive in keeping the town’s streets clean.

Councillor Coakley responded that as the budget for street cleaning had increased, so too had activity. She considered it sad that people decided to drop litter but expressed the view that it was for all Members to encourage proactive activity in regards to the prevention of littering within their Wards. Councillor Coakley believed that, overall, the Council did a good job of ensuring the streets were kept clean across the whole District.

- (5) From Councillor AR Brassington to Councillor Sue Coakley, Cabinet Member for Environment

'Given the concerns about plastic pollution at the moment, could the Cabinet Member inform me where all recycled plastics collected by this Council ends up?'

Response from Councillor Coakley

*Mixed plastics collected from households in Cotswold District are transported by the collection vehicles to Thamesdown Recycling, Cricklade. Materials are sorted and bulked at Thamesdown Recycling (TR) before TR sells the separated plastics to a wide range of manufacturers, which goes on to make a variety of things such as new plastic bottles, pots, tubs and trays, fleeces and street furniture.*

*As part of the Wastedataflow submissions completed by the Joint Waste Team on behalf of the Council, all materials are tracked and regular audits are completed to ensure that everything collected for recycling is being recycled.*

By way of a supplementary question, Councillor Brassington asked the Cabinet Member if she was aware of the amount of plastic waste that was 'kept' in the County.

In response, Councillor Coakley explained that she did not have the information at present, but would provide a written response after the Meeting. In addition, Councillor Coakley explained that 96% of what residents presented was recyclable and was taken to a recycling centre for sorting.

- (6) From Councillor NP Robbins to Councillor SG Hirst, Cabinet Member for Housing, Health and Leisure

'Please can you give an update as to whether or not the Cotswolds currently has the capacity to support more than five refugee families?'

Response from Councillor Hirst

*We have now received the five Syrian refugee families that we pledged to take within the District, and they are making very good progress. Our priority continues to be supporting those families that we have already welcomed to the District, but Officers are currently producing an update report so that we can assess our position and capacity. The major challenge in preparing for the arrival of the five families so far received was sourcing suitable accommodation; and this would pose a significant challenge should we pledge to take further families.*

Councillor Robbins thanked Councillor Hirst for his response and expressed the view that the reply pointed to a lack of social housing policy. By way of supplementary question, Councillor Robbins asked if the Council would be

willing to take additional families if appropriate empty homes could be identified within the District.

Councillor Hirst responded that he would be happy to agree to this suggestion, and hoped that this could be achieved.

(7) From Councillor JA Harris to Councillor Mark F Annett, Leader of the Council

'Does the Leader think it would be prudent to re-interview Councillors, as was done in advance of the Chesterton planning application, about potential conflict of interests in advance of voting on the final Local Plan expected this summer?'

Response from Councillor Annett

*The Council's Code of Conduct sets out the procedure to be followed by Members with regard to the disclosure of interests. Members will be fully aware of their obligations pursuant to the Code, and it should reasonably be expected that any Member who has an interest in respect of the decision to be taken in due course to adopt the Local Plan will disclose that interest in accordance with the obligations arising from the Code. It is considered that the Code of Conduct provides an entirely adequate procedure to be followed in terms of disclosure of interests which may be relevant to the adoption of the Local Plan, as it indeed was when decisions concerning the Local Plan were taken by Members at earlier stages in the Local Plan process (e.g. the decision to submit the Local Plan for examination). Indeed, it is the Code of Conduct which provides the procedure, in terms of disclosure of interests, which is (and has for many years been) relied upon in the discharge by the Council of its usual function as local planning authority.*

*The Council introduced additional procedures in terms of disclosure of interests by Members and Officers for the determination of the application for outline planning permission for development at Chesterton. These procedures were introduced on an exceptional basis, having regard in particular to the scale of the development proposed and the particular level and nature of interest surrounding the proposal. It is not considered necessary or proportionate to adopt the same procedure for the purposes of the decision as to whether the Local Plan should be adopted. In particular, it is not considered necessary to "re-interview" Members and, in the event that any material change of circumstances has arisen in respect of any information already given or any interest previously declared, it may reasonably be assumed that Members, acting responsibly, will raise the matter. As such, it is considered that, in reaching a decision as to whether or not to adopt the Local Plan, as with many other decisions in the planning and other contexts, Members should and can be relied on to comply with the obligations upon them arising from the Code of Conduct.*

Councillor Harris thanked the Leader for his response and commented that he considered any voting linked to the Council's Local Plan should be as

transparent as possible. By way of a supplementary question, Councillor Harris asked if the Leader would be asking Councillors NJW Parsons and SDE Parsons to declare their interests in Cirencester's Bull Club, in accordance with the same approach as had been previously adopted by Councillor AW Berry.

The Leader thanked Councillor Harris for his supplementary question and explained that it was down to the individual Member to consider if any declaration needed to be made.

(8) From Councillor PCB Coleman to Councillor NJW Parsons, Deputy Leader and Cabinet Member for Forward Planning

'In 2013, the Cabinet decided to seek Judicial Review of the Secretary of State for Communities and Local Government's decision to allow planning applications at Highfields Farm and Berrells Road, Tetbury (with an officially-estimated chance of success of between 40% and 50%), and also appealed against the Secretary of State's award of costs against the Council for the original appeal.

As Members are aware, the Council lost all the challenges.

Subsequent questions at Council as to the total of all the costs involved were answered by yourself in terms of "it is too soon to say", and that when a final figure is known it will be copied to all Members.

Will you now supply the detailed breakdown of all the costs incurred by the Council?'

Response from Councillor Nick Parsons

*I have been advised of the following costs breakdown in relation to the Judicial Review:-*

- *Cost of CDC planning witness - £2,057;*
- *Cost of CDC Counsel/legal advice - £28,700;*
- *Costs awarded to Secretary of State - £23,000.*

Councillor Coleman commented that, with hindsight, the decision had not proven to be the right course of action, and questioned whether the figures provided the full costs.

By way of a supplementary question, Councillor Coleman asked if the Deputy Leader could provide costs regarding the Berrells Road application judicial review challenge and the value of the S106 benefits withdrawn as a result of the judicial review.

Councillor Parsons thanked Councillor Coleman for the supplementary question and explained the decision had been made to protect the amenity of residents, during a time when Tetbury was being 'swamped' by developments. He also confirmed he would provide a full written answer following the Meeting.

(9) From Councillor PCB Coleman to Councillor Mark F Annett, Leader of the Council

'A figure of £500,000 has been published as the amount deemed appropriate for the Section 106 agreement to obtain from the Chesterton Development to meet the additional car parking demand which will be generated in the centre of Cirencester by the construction of up to 2,350 dwellings.

For some time now, the rough price guide for the cost of decked parking has been £10,000 per space (and usually more).

Does the Leader accept that the Section 106 contribution is therefore unlikely to fund more than about 50 car parking spaces in Cirencester Town Centre, and does he believe that this is enough to mitigate the effect of the Chesterton development on car parking demand in the centre of Cirencester?'

Response from Councillor Annett

*Members are reminded that, to be included within a section 106 agreement (S.106), planning obligations must meet the tests set out in the Community Infrastructure Levy (CIL) Regulations 2010 - i.e. they must be:*

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *fairly and reasonably related in scale and kind to the development.*

*The Heads of Terms of the S.106 for Chesterton were agreed by Members at the Special Council Meeting held in January 2018, so Councillor Coleman will be aware that a vast number of provisions and facilities are included, such as affordable, social rented and shared ownership housing; contributions to nursery, primary, secondary and sixth form schooling; infrastructure and transport; community building and sports provision. The allocation of funding for parking is therefore just one area being supported through the S.106. Furthermore, the Chesterton development will also deliver a package of sustainable transport measures which will encourage occupants if the development not to drive to the town centre.*

*The Council's Parking Demand Project Board put forward a submission seeking an allocation for Town Centre parking, based on calculations of estimated parking need arising from the Chesterton development. The Council was fortunate that the Waterloo proposals were already progressing as, without a viable scheme, no funding could have been secured for parking through the S.106 process. Whilst £500,000 will not fund the cost of providing parking capacity to meet all the estimated demand generated by the Chesterton development, the Council will be charging for parking spaces to recover its investment costs - the S.106 does not therefore allow the full cost of provision to be sought from the developer.*

Councillor Coleman thanked the Leader for his response and commented that the answer provided was different to that provided by Councillor MacKenzie-Charrington at the Council Meeting on 20<sup>th</sup> February 2018.

By way of a supplementary question, Councillor Coleman asked if the Leader agreed that £500,000 would not cover all the costs of providing parking in relation to demand generated by the Chesterton development.

The Leader thanked Councillor Coleman for the supplementary question and explained that he did not consider the answer to be in contradiction with the previous response provided by Councillor MacKenzie-Charrington.

(10) From Councillor Jenny Hincks to Councillor Mark F Annett, Leader of the Council

'New Brewery Arts (NBA) in my ward has seen its funding cut by both the Arts Council and Cotswold District Council. NBA receives 80% charitable rate relief and recently applied for discretionary rate relief on the remaining 20% of its business rates.

Does the Cabinet Member recognise the important work that New Brewery Arts does across the Cotswolds to encourage people from all backgrounds to engage in the arts, and acknowledge the tight budget they work on? Why has his administration decided only to grant NBA 90% rate relief and not the full 100%?'

Response from Councillor Annett

*Yes, I fully acknowledge the value of New Brewery Arts (NBA) to the residents and communities of our District.*

*However, when assessing additional rate relief funding through the discretionary 'pot', we take account of whether the aims of the organisation correspond with the aims and objectives of the Council and, also, the level of 'available' funds held by the organisation.*

*Whilst NBA clearly aligned themselves with the aims and objectives of the Council, it was felt that, due to the level of funds held, NBA should contribute a small amount (10%) towards their business rates.*

*This decision was consistent with the 2017/18 relief award; and will apply for three years.*

By way of a supplementary question, Councillor Hincks asked the Leader if he considered that sufficient monies were provided in support of the promotion of the arts across the District.

In response, the Leader explained the Council had to allocate available monies across many competing priorities. Insofar as NBA was concerned, the organisation still received grant funding in support of its activities, albeit on a reduced scale; and held other available funds.

- (11) From Councillor Roly Hughes to Councillor Mark Mackenzie-Charrington, Cabinet Member for Planning and Licensing Services and Cirencester Car Parking Project

'Cirencester prides itself on being the capital of the Cotswolds but, unfortunately, some buildings across Cirencester lie in a terrible state of disrepair and look unsightly, seriously undermining this title.

What pro-active steps are this administration taking to bring empty and derelict buildings back into use?'

Response from Councillor Mackenzie-Charrington

*Like all town centres, Cirencester comprises a complex mix of uses, interactions and competing economic, social and environmental interests. The emerging Local Plan recognises that the townscape in certain areas, particularly around some of the car parks, is of a significantly lower quality and it is for this reason that the emerging Local Plan contains a strategy/policy for the town centre. The Local Plan also commits the Council to produce a Town Centre Supplementary Planning Document, which will help to implement the long-term strategy for the centre of Cirencester, as laid out in the emerging Local Plan. The aim is to ensure that Cirencester continues to be a thriving market town, with a wide range of services. The project will provide more detail on how the key sites in Cirencester will come forward for regeneration in a holistic manner, including some of those owned by the District Council itself. The regeneration of market towns is a challenge nationally because of changes in the ways in which people shop and use other town centre services - with more services and retail being delivered online.*

*We are aware that several Cirencester town centre premises have fallen vacant recently, due to changes in retail and commercial demand. We have had immediate concerns about the future of some of these and an example of how this has been addressed is the recent serving of an Article 4 Direction (to remove certain permitted development rights) on the former Wilts and Glos Standard building in Dyer Street, which is currently vacant. If there are particular concerns about certain buildings, these should be drawn to the attention of Officers who will consider what actions the Council are able to take.*

*We have also recently recruited a Housing Property Manager. One of their objectives is to identify and review all empty properties within the District with a view to working with the owners to bring these properties back into use. We will also be reviewing our Empty Homes Strategy in line with this work, to ensure we use all available tools/options to help owners.*

Councillor Hughes thanked Councillor MacKenzie-Charrington for his response. By way of a supplementary question, Councillor Hughes highlighted the two buildings which he considered required inspection, and explained that he would be happy to accompany the Council's Property Manager on a site visit to the buildings.

Councillor MacKenzie-Charrington thanked Councillor Hughes for the question and explained that whilst he was not personally aware of the buildings, he acknowledged the need for an inspection and confirmed he would investigate further the options for a site visit.

(12) From Councillor Ray Brassington to Councillor Sue Coakley, Cabinet Member for Environment

'Is it acceptable that it takes CDC over 3 months to clear a small amount of roadside litter?'

Response from Councillor Coakley

*CDC seeks to respond promptly to all reports of fly-tipping. If Councillor Brassington's question relates an incident that he recently reported, then the litter was cleared within days.*

*However, and unfortunately, we do sometimes experience repeat fly-tipping, so whilst our contractor will have reacted quickly to clear waste, repeat incidents may make it appear like an initial waste problem has not been dealt with.*

Councillor Brassington thanked Councillor Coakley for her response and explained that the incident had first been reported in December 2017 and that the waste was still present at the site in March 2018. He added that he did not believe Ubico's response that there had been a further repeat incident on the site. By way of a supplementary question, Councillor Brassington asked the Cabinet Member to provide evidence that the waste had been removed and that a repeat incident had occurred.

In response, Councillor Coakley explained that it was not unusual for fly-tips to be repeated at the same location; and re-affirmed that following the first report being made, the waste had been removed within one week. She expressed the hope that Councillor Brassington, as a retired Environmental Health Officer of the Council, would accept that no Officer would attempt to mislead a Member of the Council in carrying out their duties.

CL.85 PETITIONS

No petitions had been received.

CL.86 FUNDING FOR COTSWOLD DISTRICT LOCAL PLAN AND COMMUNITY INFRASTRUCTURE LEVY

The Council was requested to consider the use of monies from the Council Priorities Fund to meet the cost of taking the Local Plan and Community infrastructure Levy (CIL) Charging schedule through public examination.

The circulated report provided a summary of the work and associated resources required for the overall process; previous funding allocations and committed/allocated spend; and the timetable to adoption.

The Deputy Leader and Cabinet Member for Forward Planning provided further information regarding the cost breakdown, and confirmed that the

public examination would remain open until it was effectively 'closed' by the Inspector at the time of the production of the final examination report.

Councillor JA Harris, the Leader of the Liberal Democrat Group, explained that his group members would support the funding allocation, as it was necessary, but expressed disappointment that the examination was seven years late, given the Plan was supposed to be in place by 2011.

In response to a question, the Cabinet Member confirmed that the figure of £183,000 for 2018/19 did not include the £60,000 previously allocated by the Cabinet for the development of the Cirencester Master Plan.

**RESOLVED that a sum of £373,500 be utilised from the Council's Priorities Fund to meet the cost of taking the Local Plan and Community Infrastructure Levy Charging Schedule through public examination.**

**Record of Voting - for 29, against 0, abstentions 0, absent 5.**

CL.87 COMMUNITY GOVERNANCE REVIEWS - APPROVAL OF DRAFT RECOMMENDATIONS

The Council was requested to consider the approval of a number of draft recommendations for the purpose of formal consultation, relating to various changes to local council governance arrangements. It was noted that the changes had been requested by the relevant councils.

The circulated report set out the background to the review requests, and how these linked in with previous reviews undertaken at parish/town level and the most recent District Electoral Review; the detailed proposals; review considerations; and the review process, including timelines. The Head of Democratic Services advised that the consultation responses would be reported back for consideration, with any revised arrangements to be in place for the May 2019 elections.

In response to a question regarding the Upper Rissington Parish Council review, the Head of Democratic Services explained that rationale behind the various options recommended for consultation.

**RESOLVED that the Council agrees the following draft recommendations for the purposes of formal consultation:-**

- (i) the removal of warding arrangements at parish/town level in relation to Bourton-on-the-Water; Fairford; Moreton-in-Marsh; South Cerney; and Tetbury;**
- (ii) an increase in the overall number of councillors on Cirencester Town Council to 16 (from 15) by way of an increase, from one to two, in the number of councillors to represent the New Mills Ward;**
- (iii) an increase in the overall number of councillors on Upper Rissington Parish Council to 11 (from 7); but warding arrangements be not introduced at this stage.**

**Record of Voting - for 29, against 0, abstentions 1, absent 4**

CL.88 ISSUES/ REPORTS ARISING FROM CABINET

There were no further issues/reports arising from the Cabinet.

CL.89 ISSUES/REPORTS ARISING FROM OVERVIEW AND SCRUTINY AND/OR AUDIT

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

CL.90 NOTICE OF MOTIONS

In accordance with Council Procedure Rule 12, a Motion (Motion 2/2018) regarding possible National Park Status for the Cotswolds Area of Outstanding Natural Beauty had been submitted by Councillor JA Harris and Seconded by Councillor Andrew Doherty.

However, in the period between the Council agenda despatch and the Council Meeting, the wording of the Motion had been revised as a result of cross-party discussions; and this had led to the following revised Motion, Proposed by Councillor JA Harris and Seconded by Councillor SG Hirst:-

‘This Council is aware of the current debate surrounding the potential designation of the Cotswolds AONB as a National Park.

Such a designation is likely to have wide-ranging implications, not least on many democratically-elected and accountable bodies, and a potential for a dramatic increase in house prices.

Accordingly, officers be requested, in liaison with their counterparts from other affected authorities as necessary, to undertake an evaluation of the potential benefits and disbenefits of National Park designation, so that the Council is best placed to respond, with evidence, to any subsequent formal consultation process.’

The Chairman of the Council stated that, in accordance with Council Procedure Rule 12, he intended to allow the Motion to be debated at the Council Meeting, and he invited Councillors Harris and Hirst to formally Propose, Second and speak to their Motion.

In Proposing the Motion, Councillor Harris explained that the debate had gained momentum given the interest shown by Sir Geoffrey Clifton-Brown MP and David Drew MP, but highlighted that he considered the debate to have ‘huge consequences’. Councillor Harris explained that, if National Park Status was granted, the average house price in the area could increase by £120,000 from a current figure of £400,000, which would bring a ‘real crisis’ to the delivery of affordable housing within the District. Councillor Harris added that the status would have an effect on the planning powers of the Council, which would be passed into the hands of appointed Board Members, as opposed to democratically-elected Councillors. In concluding, Councillor Harris explained that he considered planning was best undertaken at a more local level having regard to the needs and comments of communities, and whilst glad the Motion had gained cross-party support, considered there needed to be a very thorough scrutiny of the proposal.

In Seconding the Motion, Councillor Hirst stated that he was also pleased the Motion had received cross-party support but explained that the proposal had the potential of bringing significant changes within governance to the District, including the removal of many powers from elected Members. In concluding, he stressed the need to make sure residents were not disadvantaged in any way by the proposal.

The matter was then opened for debate by the Council, and there was general support for the Motion.

A Member commented that the District accounted for the largest percentage of area within the Cotswold AONB area, and considered the debate to be timely.

Another Member contended that any formal change could result in a 22% increase to house prices, including in any undesignated areas not already contained within the AONB area. He explained that the designated area would still be covered by the National Planning Policy Framework (NPPF). The Member also stressed his view that Officers should work closely with Officers from other local authorities affected by the proposal.

The Cabinet Member for Planning and Licensing Services, who was the Council appointee to the Cotswolds Conservation Board, expressed support in principle for the Motion. However, the Cabinet Member highlighted that the Cotswold AONB currently received around £1m in government funding each year but, if National Park status was secured, such funding could increase to around £10m per year.

Various Members expressed their support for the Motion, reiterating the need to undertake a detailed assessment on the potential impact of any future designation. A number of Members also highlighted that the Cotswolds was significantly different geographically to areas already granted national park status, such as the South Downs National Park.

Councillor Harris was invited to address the Council again. Councillor Harris stated that he was pleased that the Council had agreed to debate the Motion and that there appeared to be agreement on a suitable way forward. Councillor Harris also requested that, in conjunction with the Seconder of the Motion and the Head of Paid Service, a timescale be drawn up to assist with further investigation of the Motion.

**RESOLVED that the Motion be supported.**

**Record of Voting - for 30, against 0, abstentions 0, absent 4.**

CL.91 SEALING OF DOCUMENTS

**RESOLVED that the Common Seal of the Council be affixed to all contracts, conveyances and any other documents necessary for carrying into effect all resolutions passed by the Council.**

**Record of Voting - for 30, against 0, abstentions 0, absent 4.**

The Meeting commenced at 10.00 a.m. and closed at 11.30 a.m.

Chairman

(END)