

**(6) MEMBER QUESTIONS**

Questions have 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."*

(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.*

(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.*

(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.

(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.*

(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.*

(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.*

(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.

(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.*

(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.*

- (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.*

(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.*

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 Member 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.

(END)