

BABERGH DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE BABERGH COUNCIL HELD IN COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON TUESDAY, 18 JULY 2017

PRESENT: Peter Burgoyne - Chairman

Clive Arthey	Sue Ayres
Melanie Barrett	Simon Barrett
Tony Bavington	Peter Beer
Sue Burgoyne	Dave Busby
Tina Campbell	Sue Carpendale
Michael Creffield	Derek Davis
Siân Dawson	Alan Ferguson
John Hinton	Michael Holt
Jennie Jenkins	Richard Kemp
James Long	Margaret Maybury
Alastair McCraw	Mark Newman
John Nunn	Adrian Osborne
Jan Osborne	Lee Parker
Peter Patrick	Stephen Plumb
Nick Ridley	David Rose
Fenella Swan	John Ward

The following Members were unable to be present: Tom Burrows, Barry Gasper, Kathryn Grandon, Bryn Hurren, Frank Lawrenson, William Shropshire, Ray Smith, Harriet Steer and Stephen Williams.

12 DECLARATION OF INTERESTS

None declared.

13 MINUTES

RESOLVED

That the Minutes of the meeting held on 23 May 2017 be confirmed and signed as a correct record.

14 BC/17/8 - ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER

The Chairman referred to Paper BC/17/18 outlining recent events attended by the Chairman and Vice-Chairman with a special mention for the excellent 'Shanties on the Shore' Concert. He then presented Peter Beer with a Certificate marking his 30 years as a Babergh District Councillor, and Peter responded with his thanks and referred to some of the many Members and officers who had been with Babergh during the years since he was first elected.

15 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

None received.

16 QUESTIONS BY THE PUBLIC

In accordance with Council Procedure Rule No. 11, the following question was asked by Mr Martin Cave on behalf of Mr Peter Dent:-

“The data selected to arrive at the Babergh CS 4.1-yr Housing Land Supply published in the 2017 Joint Annual Monitoring Report does not directly compare with the data used for the 2016 Joint Annual Monitoring Report when the Babergh CS Housing Land Supply was 5.7-yr.

Babergh claims (FOI BE94-1718) that 14 validated applications were excluded from the current assessment (as well as the April 2017 Interim Assessment) on the grounds that they had not been granted planning permission nor were they sites allocated in the Local Plan and would therefore fail NPPF footnote 11.

Please explain the justification for applying these exclusions when NPPF Planning Practice Guidance (Para 031 Ref ID 3-031-20140306) states *“However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply”* and *“If there are no significant constraints (eg infrastructure) to overcome.....sites not allocated within a development plan or without planning permission can be capable of being delivered within a 5-year timeframe.”*

Councillor Lee Parker, Cabinet Member for Planning, responded as follows:-

“The approach to the use of data and the calculation of the 5 year land supply for the Annual Monitoring Reports is the same. The key differences in the sites identified in the assessments is principally a result of the delivery status of each site ie. whether a site has now been fully built out, is under construction, or has recently gained planning permission.

For sites with the benefit of planning permissions and/or allocations, whilst these sites have the greater certainty of delivery, they are only included in the 5 year land supply if it is considered that there is a realistic prospect that housing will be delivered within 5 years.

Sites without planning permission or allocation are less certain in their suitability, availability and achievability. Their suitability and achievability is appropriately considered through the planning application process, including the full extent of infrastructure provision required to make them acceptable. For this reason, the Council considers it robust to consider sites without planning permission in the 5 year land supply assessment, only where the Planning Committee has given a resolution to grant planning permission, subject to a Section 106 legal agreement for planning obligations.”

In accordance with Council Procedure Rule No. 11, Mr Tony Brigden had given Notice in accordance with the Council's Constitution of his intention to ask a question of the Chairman at this meeting. As Mr Bridgen was unable to be present on the day, his question was read out by the Chairman, together with the answer.

"Babergh District Council's 2017 Annual Monitoring Report has a number of significant deficiencies, about which I have written to the CEO and other Officers. Amongst these are concerns with the accuracy of the 5 Year Housing Land Supply data assumptions and resultant calculations. Notable amongst which is the dwellings completion deficiency in the SHMA 5 Year HLS table, quoted as -510. This is at significant variance with the figure quoted in the Core Strategy calculation quoted as -101, because of differences in baseline data.

Examination of the 'Key Assumptions' shows the SHMA calculation utilises inflated historical annual targets of 355 as opposed to the CS Housing Targets of 220/325, thus misrepresenting the completions delivery performance.

Quite apart from questions of concern with the 355 calculation, the AMR is required to represent a realistic perspective of key matters within the remit of a Local Authority, and I ask the Council how its constituents can be asked to take seriously data that 'reverse engineers' performance metrics in what appears to be a deliberate attempt to misrepresent a key strategic measurement."

Answer

"The annualised housing targets in Core Strategy based 5 year supply methodology and the SHMA based 5 year supply methodology apply to different plan periods – 2011 to 2031 and 2014 to 2036 respectively. It is therefore appropriate to consider the relevant figures starting from 2014 which also matches the plan start year of the emerging Joint Local Plan."

17 QUESTIONS BY COUNCILLORS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

None received.

18 RECOMMENDATION FROM CABINET

BCA/17/9 - HOUSING REVENUE ACCOUNT SUMMARY OF THE 30 YEAR BUSINESS AND FINANCIAL PLAN 2017 UPDATE

Members had before them Paper BCa/17/9 which was considered by Cabinet on 13 July 2017.

Councillor Jan Osborne, Cabinet Member for Housing, introduced the recommendation. Arising from the discussion on this item, it was agreed that the Babergh and Mid Suffolk Building Services should be reviewed on a six monthly basis. A question about the sale of higher value assets and the valuation requirements would be answered outside the meeting.

RESOLVED

That the updated 30 year HRA Business and Financial Plan (Appendix A to Paper BCa/17/9) be approved, with the addition of provision for a six monthly review of the Babergh and Mid Suffolk Building Services.

19 RECOMMENDATION FROM JOINT AUDIT AND STANDARDS COMMITTEE

JAC/17/2 - JOINT ANNUAL TREASURY MANAGEMENT REPORT - 2016/17

Members had before them Paper JAC/17/2 which was considered by the Joint Audit and Standards Committee on 17 July 2017.

Peter Patrick, Cabinet Member for Finance, introduced the recommendation of the Joint Audit Committee. Members were aware that it is a requirement of the legislation that the Annual Treasury Management Report is submitted to Council for noting.

RESOLVED

That the Treasury Management activity for the year 2016/17 as set out in Paper JAC/17/2 be noted. Further, that it be noted that performance was in line with the Prudential Indicators set for 2016/17.

20 BC/17/9 - CONSULTATION ON THE BABERGH AND MID SUFFOLK JOINT LOCAL PLAN

Lee Parker, Cabinet Member for Planning introduced Paper BC/17/9 Strategic Planning seeking Council approval of the Babergh and Mid Suffolk Joint Local Plan: Consultation Document (July 2017) referred to as Appendix 1 to the report, and to the commencement of the consultation process.

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Councillor Parker outlined the way in which the new Joint Plan will identify the up-to-date requirements of our communities and how it was intended to complement the priorities of the Council. He referred to the considerable amount of work which had been done since last summer and the extensive consultation process which was envisaged. Bill Newman, Corporate Manager – Strategic Planning responded to Members' questions and undertook to send information on the NPPF requirements outside the meeting. He confirmed that amendments would be made as necessary to the Document to reflect policy-related changes including those arising from the progress of Long Melford and Lawshall Neighbourhood Plans. In response to a query about strategic infrastructure provision being in place ahead of development, Officers will pursue this in partnership with relevant providers including Suffolk County Council.

RESOLVED

- (1) That the Babergh and Mid Suffolk Joint Local Plan: Consultation Document (July 2017) – Appendix 1 to Paper BC/17/9 be approved, with the amendment identified at the meeting in relation to land in Lawshall.**
- (2) That the Corporate Manager – Strategic Planning, in consultation with the Leader and Portfolio Holder for Planning, be authorised to make consequential amendments to the consultation document arising from:
 - (i) the outcomes of the Sustainability Appraisal of the document,**
 - (ii) removal of drafting and technical errors and typing mistakes, and**
 - (iii) improvements to the layout of the document necessitated by printing requirements.****
- (3) That consultation on the Babergh and Mid Suffolk Joint Local Plan: Consultation Document (July 2017) be commenced.**

21 **ELECTION OF VICE-CHAIRMAN OF OVERVIEW AND SCRUTINY COMMITTEE**

It was proposed and seconded that Alastair McCraw be elected as Vice-Chairman of the Overview and Scrutiny Committee.

RESOLVED

That Alastair McCraw be elected as Vice-Chairman of the Overview and Scrutiny Committee.

22 **APPOINTMENT OF COUNCILLORS TO COMMITTEES AND OUTSIDE BODIES**

RESOLVED

That appointments be made to Committees and Outside Bodies as follows:-

Planning Committee

Kathryn Grandon (replacing Fenella Swan)

Overview and Scrutiny Committee

Fenella Swan (replacing Kathryn Grandon)

The Quay Theatre at Sudbury Ltd

Stephen Plumb (replacing Sue Ayres)

Dedham Vale AONB and Stour Valley Joint Advisory Committee (JAC)

Melanie Barrett

**Haven Gateway Partnership
John Ward**

**Suffolk Joint Emergency Planning Policy Panel
Sue Ayres**

The business of the meeting was concluded at 7.15 pm.

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Chairman