

Planning & Economic Development Overview and Scrutiny Panel

MINUTES

Commencing: 6.00pm
13 January 2004
Bourne Hill
Salisbury

Present

Councillor P D Edge (Chairman)
Councillor Mrs E Chettleburgh (Vice Chairman)
Councillor R Britton
Councillor M A Hewitt
Councillor G E Jeans
Councillor Mrs C A Spencer
Councillor I R Tomes

In Attendance

Councillor J C Noeken
D Crook (SDC)
J Isles (SDC)
J Meeker (SDC)
Eric Teagle (SDC)
A Rose (SDC)

Apologies

Councillor A J A Brown-Hovelt
Councillor Ms S C Mallory
Councillor S A Willan
Councillor T Woodbridge
H Collar (SDC)

Public/Observers

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29. Public Questions/Statements

There were no public questions or statements.

30. Councillor Questions/Statements

Although no prior notification had been submitted, the Chairman allowed Councillor Britton to make a statement.

Councillor Britton asked/made 2 questions/statements:

1. After the last meeting of this Panel, Councillor Britton circulated a paper to Members regarding his unease about the Cabinets response to County consultation on the matter of the Salisbury District housing allocation. After this paper had been circulated, Councillor Britton was promised a formal response from the Council Leader, but to date, Councillor Britton has received no response. He asked the Panel for their views on this matter.

The Chairman said that he would ensure the Leader was requested to formally reply to Councillor Britton.

2. Councillor Britton then asked the Forward Planning Officer to explain what the latest situation was with the R2 policy.

John Meeker explained that an action plan was to be brought to the Panel next month demonstrating how the council was to address the issues raised.

31. **Minutes**

The minutes of the meeting of 9 December 2003 were **agreed** as a correct record and signed by the Chairman.

32. **Declarations of Interest**

There were no declarations.

33. **Local Development Frameworks (LDF)**

John Meeker, Principal Planning Officer, gave a Powerpoint presentation to the Panel regarding reform to the Development Plans System. A copy of this presentation is attached to these minutes.

During and following the presentation, the following points/questions were raised/made:

- Can individual housing allocations be decided upon? For example, could Fugglestone Red be looked at on its own?

The officer replied that housing allocations have to be decided on a district wide basis, therefore, individual allocations, for example Fugglestone Red, can only be looked at in conjunction with the whole district's allocation.

- Can an example of what is meant by a "bite-sized chunk" be given?

The officer explained that the review of policy R2 (as proposed in a previous meeting of the panel) would be something that can be said to be of a "bite-sized chunk" of the plan which could be reviewed independently (i.e. without the need for a wider review of the plan). Any other areas of the plan could be reviewed in this manner providing the changes made do not conflict with the strategy of the plan as a whole.

- When the new system is in place, decisions on the district's housing allocation will continue to be made in reaction to requirements set out in the Regional Spatial Strategy whenever this is reviewed (normally in 5 year intervals)

The Officer added that because Salisbury District Council has only just adopted its latest Local Plan, it has a secured land supply to meet demand until 2011.

- Will Parish Plans be given any weight in the new process?

The Officer advised that Community Plan objectives are required to be considered in the LDF process. Parish Plans represent a form of community planning and will therefore be given significant weight provided that their objectives can be clearly implemented (i.e. there are resources in place) and that there is firm consensus within the participating community. Further to this, the public would still need to be consulted as part of the planning process.

- This document contains a lot of “if’s” and “but’s”

The officer replied that it is still a consultation document.

- There was a lengthy debate regarding the principle in the reforms that at the end of the process, the report by the inspector will be binding upon the local authority. It appears as though local authorities will have no recourse if they believe a mistake has been made by an inspector, something that Salisbury District Council has experience of. It was felt by the Panel that being obliged to adopt a Local Plan approved by an inspector without any kind of appeal or recourse mechanism is un-democratic and not something this authority is comfortable with. Following on from this the point was raised that should a legal challenge be made to the Local Plan, the authority will be required to defend it in the courts with the possibility that the authority does not actually support the changes made by the inspector. This also raises a serious concern as to, should this situation arise, who will pick up the cost of defending that plan – the authority which may not support that plan or the inspectorate who has forced that plan upon the Council.

The consensus of opinion was that either the local authorities should have final decision making power as to whether the plan is to be adopted – with the inspectors report carrying very heavy weight - or a system in place that allows authorities to appeal if they feel the inspector has made a mistake.

John Meeker advised that whilst it is possible for such a situation to occur, the inspectors will be looking more generally at the plan – in particular the overall strategy – rather than picking out little bits of it. Also, it is hoped that all of the contentious issues will have been aired and dealt with in the stages prior to the inspectors report so that local authorities will not find anything in the report that they cannot agree with.

The Head of Forward Planning & Transport, Eric Teagle, advised that it is unlikely that the Government is going to give way on this particular issue for 2 reasons – firstly, the reforms are trying to speed up the whole process, and secondly, they will not want authorities coming in at the very last stage of the review with fresh objections and issues that will need to be considered.

- The County Structure Plan is to be replaced with a regional plan. Whilst the County Council role will be reduced they will maintain some role in the process.
- The new reforms look as though they are to be more “developer friendly”.

RESOLVED - to request that Cabinet lobby the MP's for the district on the issue of an inspectors report being binding upon the local authority with no recourse available in the event of a perceived mistake having been made by the inspector.

RESOLVED - this Panel recommends that Cabinet make an objection in respect of the binding nature of the inspectors report, as a principle in addition to the other comments raised in section 5 of the report.

34. 2004 Budget Preparation

David Crook gave a presentation to the Panel and explained the figures being given in information distributed at the meeting. The main points David made during his presentation were as follows:

- Nothing has been decided yet. Cabinet will be making its final decision regarding the budget at its meeting of 4th February.
- This Panel has a number of choices -
 1. comment immediately
 2. defer comment until the next meeting of this panel, but this will be after Cabinet has made its decision
 3. move the next meeting of this Panel forward to allow it to comment to Cabinet before 4th February.
- The funding required for the authority to "standstill" is £11.2 million
- The Cabinet is minded to support the Services Development Bids
- The point at which the council will break-even is at about an 8% Council Tax rise.
- Cabinet plans to fund growth bids (for non-recurring items) from reserves - an example is the £220,000 costs of major planning projects legal advice for Stonehenge Project and £6,000 for new radio equipment for the CCTV system to be compatible with the radios used by the Police - however, the intention is that the reserve will be continually topped up.
- Recurring bids will not be financed from reserves – an example was given of the CCTV contract, but this raised a question that Salisbury District Council is supposed to be saving money by moving into joint working and should not the costs be split between the 2 organisations. David Crook explained that at present the 2 organisations run their own control centres, and for health and safety reasons, these centres must have 2 people on duty at any one time, even though it only requires 1 person to perform the role. By merging the control centres, each organisation will actually still run its own CCTV system in the control centre, but, because there will be 1 person on duty from each organisation this means there will be 2 people in the centre allowing the Council to stop funding the extra person required.

- Several areas of potential extra savings have also been identified although Cabinet has not yet agreed these. These would make a difference to the level of Council Tax needed to balance the budget.

RESOLVED - this Panel will make no comment at the present time, but, will wait until Cabinet has made its decision on this matter and may make comment in response.

35. PPS 22 (Renewable Energy)

Whilst this item did not appear on the agenda, it had been requested as a matter for discussion by one of the Members on this Panel. It was agreed that the relevant report would be circulated by Democratic Services as soon as possible after this meeting to allow Members an opportunity to comment directly to the Forward Planning Unit.

In the meantime, the Forward Planning officer gave a brief verbal report to the Panel. The main points he made were:

- This new Planning Policy Statement replaces the existing Planning Guidance on Renewable Energy
- It addresses how to achieve new targets for the reduction of carbon dioxide (a major contributor to global climate change) set out in the Energy Whitepaper
- There will be more responsibility upon local authorities
- Each application for renewable energy sources must be considered on a case-by-case basis – authorities are not able to make a blanket ruling which refuses to give permission for development of a particular operation.
- Local Authorities will be expected to establish specific criteria to assess planning applications for renewable energy schemes
- There is an emphasis on developers to ensure their schemes do not interfere with existing key infrastructure (e.g. military communications)
- The report does not take into account the impact of the visibility of a scheme, even if it is built outside, or on the edge of, an Area of Outstanding Natural Beauty (or other landscape designation).

36. Dates of the Next Meetings

RESOLVED - the dates as listed in the agenda be accepted. However, the Panel recognises that these dates are provisional at this time and may be subject to change.

Councillors Edge and Mrs Spencer gave their apologies for the meeting scheduled for 10th February 2004.

The meeting closed at 2020hrs.