

Policy Review Committee

Venue: Committee Room

Date: 16 December 2014

Present: Councillors M Jordan (Chair), Mrs K McSherry (Vice Chair), Mrs M Davis, K Ellis, Mrs E Metcalfe, R Packham and Mrs A Spetch.

Apologies for Absence: Councillor R Musgrave.

Officers Present: Karen Iveson, Executive Director (s151), Gillian Marshall, Solicitor to the Council and Palbinder Mann, Democratic Services Officer

14. DISCLOSURES OF INTEREST

There were no declarations of interest.

15. MINUTES

It was clarified that the resolution for item 12 should be amended to read as follows:

RESOLVED:

To endorse the draft Housing Revenue Account Business Plan.

RESOLVED:

To receive and approve the minutes of the Policy Review Committee held on 16 September 2014 with the above amendment and they be signed by the Chair.

16. CHAIR'S ADDRESS

The Chair welcomed Councillors and Officers to the meeting and wished them a Merry Christmas and a Happy New Year.

17. PR/14/5 – SECTION 106 AGREEMENTS

The Solicitor to the Council presented the report which outlined the legal powers, local policies and procedures for seeking contributions under a section 106 (s106) agreement, applicable to Selby District Council, as the local planning authority.

The Solicitor to the Council explained that since 2008, the criteria for which s106 money could be used had been tightened up. A further policy change had been the introduction of three legal tests in the Community Infrastructure Levy Regulations 2010 (CIL) with which a planning obligation must comply.

It was explained that the Council had also approved the Affordable Housing Supplementary Planning Document (AHSPD) which set out the Council's approach to affordable housing. It was noted however that there had been a recent change in guidance from the Government which instructed Councils not to request s106 contributions for small developments of 10 dwellings or less. Additionally the Solicitor to the Council informed the Committee of the Developer Contributions Supplementary Planning Document (DCSPD) and explained that this would be reviewed as part of the review of development management policies in Plan Selby. The Committee were also informed of the procedures for planning applications which including the pre application and formal application stages.

The Solicitor to the Council informed the Committee of the recent temporary appointment to an s106 and CIL Monitoring Officer post. It was explained that this officer would be reviewing existing s106 agreements to ensure that information on balances and the purposes for which the money may be spent was up to date. The Committee were supportive of this appointment and felt this would lead to better communication with Parish Councils. The Committee felt it would be beneficial to have an update from the appointed officer at a future meeting.

Councillors discussed the position on Affordable Housing policy whereby the Council sought an overall 60%/40% split between market and affordable housing development subject to viability as set out in Core Strategy Local Plan policy SP9. It was explained that the recent government announcement did not alter the core strategy as that could only be done through a review process including another Examination In Public. It was noted that this target was an aspiration and that each case was subject to detailed negotiation and assessment. Concerns were expressed that the headline figure may have the effect of discouraging development although it was recognised that major developers were very familiar with the viability appraisal process and many major developments had been assessed as requiring a lower than 40% contribution. It was noted that better communication and a review of how the Council assesses viability could ensure that developers were aware of the actual process used and not simply the headline figure.

The Committee felt that there should be more effective communication with Members during the pre-application stage of planning applications as it was felt developers were willing to engage with local Members. It was also felt local Members could offer a better insight into their areas.

In response to a query concerning the 13 week deadline for planning applications and the impact for Ward Councillor involvement, the Solicitor to the Council explained that some developers were happy to extend the deadline however others were not therefore this depended on the specific application and developer involved.

The Committee also discussed the proposed adoption of the CIL and the impact on s106 agreements. It was felt that the most recent proposals adversely impacted on Selby Town despite the fact that the majority of development was to be located there. It was noted that the CIL had not yet been adopted and that the Committee's comments could feed into the decision making process.

RESOLVED:

- i) To ask officers to ensure that the Committee's view that it was inappropriate for any area to receive no CIL money be fed into the decision making process.**
- ii) To recommend that officers seek greater communication with local Members during the planning application process.**
- iii) That the Policy Review Committee recommend (as part of the Plan Selby initial consultation) that a comprehensive review of the DCSPD be undertaken including consideration of collecting sums relating to public realm and community facilities where these were appropriate to the local areas either instead of, or in addition to, the recreational open space contributions.**
- iv) To ensure that the communication and messages relayed concerning affordable housing is tailored towards ensuring that people are aware that the 40% figure is a target which is subject to negotiation on each case.**
- v) That the s106 and CIL Monitoring Officer attend a future Policy Review Committee to provide an update on their work in the role.**

18. WORK PROGRAMME 2014/15

The Committee considered the current work programme.

It was agreed that the update from the s106 and CIL Monitoring Officer should be added to the agenda for the meeting in April.

RESOLVED:

To note the current work programme with the above amendment.

The meeting closed at 6.04pm.