

COUNCIL

MINUTES OF THE MEETING HELD ON

THURSDAY, 6 JUNE 2013

Councillors Present: David Allen, Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck, Brian Bedwell, David Betts, Jeff Brooks, Paul Bryant, Keith Chopping (Chairman), Hilary Cole, Roger Croft, Richard Crumly, Adrian Edwards, Sheila Ellison, Marcus Franks, Dave Goff, Manohar Gopal, David Holtby (Vice-Chairman), John Horton, Roger Hunneman, Graham Jones, Alan Law, Tony Linden, Mollie Lock, Royce Longton, Gordon Lundie, Alan Macro, Gwen Mason, Geoff Mayes, Tim Metcalfe, Joe Mooney, David Rendel, Garth Simpson, Julian Swift-Hook, Tony Vickers, Quentin Webb, Emma Webster, Keith Woodhams and Laszlo Zverko

Also Present: John Ashworth (Corporate Director - Environment), Steve Broughton (Head of Culture & Environmental Protection), Nick Carter (Chief Executive), Sarah Clarke (Team Leader - Solicitor), Gary Lugg (Head of Planning & Countryside), Bryan Lyttle (Planning & Transport Policy Manager), Keith Ulyatt (Public Relations Manager), Caroline Walsh (Special Projects Officer) and Rachael Wardell (Corporate Director - Communities), Moira Fraser (Democratic and Electoral Services Manager), Linda Pye (Principal Policy Officer) and Robin Steel (Group Executive (Cons))

Apologies for inability to attend the meeting: Councillor Dominic Boeck, Councillor George Chandler, Councillor Billy Drummond, Councillor Paul Hewer, Councillor Carol Jackson-Doerge, Councillor Mike Johnston, Councillor Irene Neill, Councillor Graham Pask, Councillor Andrew Rowles, Councillor Ieuan Tuck and Councillor Virginia von Celsing

Councillors Absent: Councillor Anthony Stansfeld

PART I

21. Chairman's Remarks

The Chairman thanked the Vice-Chairman for attending a number of events for him while he was on holiday. The Chairman reported that he had been fortunate to attend the very well attended and organised Volunteer Centre's recruitment fayre which had taken place the previous Sunday. The event had highlighted to him again the number and quality of volunteers that the district was very fortunate to have. Later the same afternoon he had been fortunate enough to attend a wonderful celebration of the anniversary of the Queen's coronation at St Mary's Church in Reading.

22. Declarations of Interest

There were no declarations of interest received.

23. Community Infrastructure Levy - Draft Charging Schedule (C2585)

The Council considered a report (Agenda Item 4) concerning the outcome of the public consultation on the Preliminary Draft Schedule (PDCS) and sought approval to publish it alongside the supplemental documents for further public consultation prior to the Examination in Public. The report also sought to confirm authority to make minor amendments to the PDCS prior to submission.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Alan Law:

That the Council:

1. "approves the statement of consultation for the PDCS.
2. approves the publication of the Draft Charging Schedule and supporting documentation, and subsequent submission for Public Examination.

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3. Delegates non-material changes, as a result of the DCS consultation, but prior to submission for Examination to the Head of Planning in consultation with the Portfolio Member for Planning, Transport (Policy), Culture, Customer Services, and Countryside”.

In proposing the report Councillor Hilary Cole requested that a minor amendment be made to recommendation 3 to the report.

Minor AMENDMENT: Proposed by Councillor Hilary Cole and seconded by Councillor Alan Law:

That the Council:

“3. delegates non-material changes, as a result of the DCS consultation, but prior to submission for Examination to the Head of Planning and Countryside in consultation with the Portfolio Member for Planning, Transport (Policy), Culture, Customer Services, and Countryside”.

It was agreed that the amendment be incorporated into the original motion and that this would then become the substantive motion.

Councillor Hilary Cole, in introducing the item, thanked all Members that had attended the recent training that had provided the necessary background to this report and the next agenda item. Councillor Cole also reported that, in accordance with the explanation provided to Members at the Annual Council meeting, the very lengthy appendices associated with this report had been provided to Members in electronic format although hard copies would be available on request.

Councillor Cole reported that the Community Infrastructure levy (CIL) was a new levy which had been introduced by the Coalition Government and would replace the Council’s highly successful s106 scheme. She was therefore reluctantly proposing that the Council adopt the scheme in accordance with the 01 April 2014 deadline. She thanked the previous Portfolio Holder, Councillor Keith Chopping, for the efforts he had put into trying to persuade the Secretary of State to allow the Council to retain the current s106 scheme. Unfortunately to date these endeavours had not met with any success.

Councillor Cole also thanked Officers, most notably Caroline Walsh, for all the effort that she had put into getting the scheme drafted.

Councillor Cole noted that CIL would be charged on a rate per m² on new developments of more than 100m² or where a new dwelling was created, even if it was smaller than the 100m² threshold. The funding had to be used to fund improvements and enhancement to the district’s infrastructure and would also be used for funding the costs associated with administering the scheme. The payments were not negotiable and severe penalties could be imposed for non-payment.

Councillor Cole noted that CIL was not payable on a few exempt areas including affordable housing. The costs to the developer of providing had been taken into account as part of the calculation of the affordable level of CIL which would help to safeguard the provision of affordable housing.

The Council had undertaken a six week consultation (15 February 2013 to 02 April 2013) on the Preliminary Draft Charging Schedule (PDCS), which had been approved by the Executive on the 14 February 2013, and the 36 responses to the consultation were set out in the Statement of Consultation on the PDCS.

The amendments made to the scheme as a result of the consultation were set out in the paperwork provided to Members. A second six week public consultation (10 June 2013 to 22 July 2013) on the revised document would now follow. The document would then be submitted for an Examination in Public in October. The report sought authority for the

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Head of Planning and Countryside, in consultation with Councillor Cole, to make non-material changes to the document arising out of the public consultation.

A number of members expressed concern that the charges had not been set at a high enough level. Councillor Alan Macro was concerned about the boundaries that had been set for the two different charging rates which he felt were arbitrary in the Kennet and Avon area.

Councillor Tony Vickers stated that he would not be supporting the recommendation on the basis that he felt that a differential rate should have been set for accommodation for the elderly. Towns were seen as good locations for these types of developments because of the existing infrastructure and transport. However costs with building in town centres were higher and therefore less attractive to developers. Older residents required fewer transport and school facilities which were not factored into calculations. Higher CIL rates in the town centres would therefore further exacerbate this situation and he felt that given the demographic growth of the aging population this should have been taken into consideration when the scheme was delivered.

Councillor Keith Woodhams thanked Caroline Walsh and Bryan Lytle for the work they had put into producing the scheme. He did, however, have three areas of concern namely: what other sources of funding would be available to deliver infrastructure projects, how the funding gap of £163.5m would be met and how Ward Members could be involved in ensuring CIL funding was available for projects in their wards.

Councillor Graham Jones noted that to date the S106 model had brought in £37m of funding to deliver local infrastructure and he therefore lamented its demise. Councillor Gordon Lundie reported that he would be supporting this scheme but without enthusiasm and with a degree of sorrow. He felt that this was a bad piece of policy being forced on local authorities by the Coalition Government. Councillor Lundie was also concerned that the Council had not been aggressive enough in setting its charging levels although he was mindful of the risks associated with setting levels that were too high. He was however pleased to note that the charging schedule would be revisited annually so there was an opportunity to increase charges at a later date if this proved to be feasible.

Councillor Jeff Brooks while acknowledging the need to have a policy in place stated that his group would not be able to support the current scheme as the charges had been set at too low a level. He noted the comments about the annual review but stated that once prices were set it was very difficult to raise them at a later date.

Councillor Alan Law stated that he had mixed emotions about seconding this proposal. CIL would be replacing the well constructed and proven s106 model which was, in his opinion, a good example of localism. The introduction of CIL would burden authorities with a number of additional costs associated with multiple consultations and other elements including an Examination in Public. The Council had little choice but to introduce the scheme as the failure to do so would put the Council in a worse position. Councillor Law thanked Officers for the excellent job they had done and asked the Council to support the scheme.

Councillor Cole responded to the queries raised by Councillor Woodhams by explaining that there were a number of additional funding streams available for funding infrastructure projects including Government Grants (e.g. recently acquired £2m of pinch point funding for the A4 in Calcot), funding from organisations such as Network Rail, the Department for Transport, train operators, the Fire service, town and parish councils and S106 funding.

Councillor Cole noted that the shortfall was actually between £120m and £140m and not the £163.5m mentioned by Councillor Woodhams but she acknowledged that it was still a

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significant sum. It was therefore essential that schemes were prioritised and that scarce resources be used as efficiently and effectively as possible.

Councillor Cole also responded to Councillor Woodhams by noting that under the CIL requirements 15% of the income had to be given to town and parish councils (this would rise to 25% where Neighbourhood Plans were in place). It was therefore essential that Ward Members engaged effectively with their town and parish councils to ensure that funding was spent in the best way possible for their residents. Councillor Cole therefore asked that Members support the recommendations, including the minor amendment to recommendation 3.

The Substantive Motion was put to the vote and declared **CARRIED**.

In accordance with Procedure Rule 4.17.3 it was requisitioned that the voting on the substantive motion be recorded.

FOR the Substantive Motion:

Councillors Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck, Brian Bedwell, David Betts, Paul Bryant, Keith Chopping, Hilary Cole, Roger Croft, Richard Crumly, Adrian Edwards, Sheila Ellison, Marcus Franks, Dave Goff, Manohar Gopal, David Holtby, John Horton, Graham Jones, Alan Law, Tony Linden, Gordon Lundie, Tim Metcalfe, Joe Mooney, Garth Simpson, Quentin Webb, Emma Webster, Laszlo Zverko (28)

AGAINST the Substantive Motion:

Councillors David Allen, Jeff Brooks, Roger Hunneman, Mollie Lock, Royce Longton, Alan Macro, Gwen Mason, Geoff Mayes, David Rendel, Julian Swift-Hook, Tony Vickers, Keith Woodhams (12)

24. Adoption of Supplementary Planning Document for Developer Contributions (C2586)

The Council considered a report (Agenda Item 5) concerning approval for the adoption of the Supplementary Planning Document (SPD) for Developer Contributions.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Paul Bryant:

That the Council:

1. "approves the consultation responses and resultant amendments to the SPD, and adopts the SPD for developer contributions, to replace the current SPG04/4. The adopted SPD will apply to any applications submitted and appeals considered on or after 1st July 2013."
2. confirms delegated authority for non-material amendments to the adopted SPD to the Head of Planning in agreement with the Portfolio Member for Planning, Transport (Policy), Culture, Customer Services, and Countryside".

In proposing the report Councillor Hilary Cole requested that a minor amendment be made to recommendation 2 to the report.

Minor AMENDMENT: Proposed by Councillor Hilary Cole and seconded by Councillor Paul Bryant:

That the Council:

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“2. confirms delegated authority for non-material amendments to the adopted SPD to the Head of Planning and Countryside in agreement with the Portfolio Member for Planning, Transport (Policy), Culture, Customer Services, and Countryside.”

It was agreed that the amendment be incorporated into the original motion and that this would then become the substantive motion.

Councillor Hilary Cole noted the report sought authority to update the Supplementary Planning Guidance (SPG) so that it could be replaced as a Supplementary Planning Document (SPD). The updates took cognisance of new occupancy levels, changes in local and national planning policies and revised costs to service units.

Approval was sought at the 14 February 2013 Executive meeting to go out to consultation for a six week period (15 February 2013 to 02 April 2013). A total of 40 consultation responses were received and amendments were subsequently made to the SPD as appropriate. Councillor Cole asked Members to support the adoption of the SPD.

Councillor Keith Woodhams requested that if the implementation of CIL was to be delayed or deferred that this policy be brought back to Council to be reconsidered.

Councillor Gordon Lundie gave his assurance that the authority would continue to press Central Government about retaining the s106 model until all avenues had been exhausted.

(Councillor Manohar Gopal left the meeting at 7.39pm and returned at 7.40pm)

Councillor Paul Bryant noted that under the s106 model the document had been revised from time to time and he hoped that this process would be retained under the CIL model. **Councillor Hilary Cole stated that the document would stay in place until CIL was implemented.**

The Substantive Motion was put to the vote and declared **CARRIED**.

(Councillor David Rendel left the meeting at 7.40pm)

25. **Greenham Control Tower Task Group Update (C2599)**

The Council considered a report (Agenda Item 6) concerning an update from the task group that had been set up to consider the motion submitted to the December 2012 Council meeting.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Gordon Lundie:

That the Council:

“notes the report”.

In proposing the motion Councillor Cole requested that an amendment be made to the Recommended actions.

AMENDMENT: Proposed by Councillor Hilary Cole and seconded by Councillor Gordon Lundie:

That the Council:

1. “is requested to endorse the change to the last paragraph of the motion proposed by the Planning Policy Task Group to reflect the ‘market value of the site.’

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2. notes the report.”

The Amended Motion was put to the vote and declared **CARRIED**.

The Chairman announced that the amended motion would now be the Substantive Motion.

Councillor Hilary Cole in introducing the item reported that a motion pertaining to the future use of Greenham Control Tower had been brought to the December 2012 Council meeting. At the meeting the final paragraph of the motion had been amended to state that “Council applauds the initiative of Greenham Parish Council and notes its aim, which is to retain the control tower as a building for community use.”

The Chairman of the council had then referred the motion to the Planning Policy Task Group to progress. The Planning Policy Task Group had agreed with the majority of the motion but had in turn requested that the final paragraph be amended as follows: “This Council will therefore assist the Parish Council with achieving this aim, whilst having regard to the market value of the site”.

A sub group of the Planning Policy Task Group had been set up to establish the level of interest in the site. Five proposals had come forward as well as proposal for Swings and Smiles to use the site, although this had not proved to be feasible.

Greenham Parish Council approached the Council to lodge a request to acquire the control tower under the recently adopted Community Right to Bid scheme on the 11 April 2013. The notice that the asset would be disposed of was issued on the 06 March 2013 and the moratorium period would therefore end on the 07 September 2013.

Councillor Julian Swift-Hook lamented what he perceived to be a diminution of the original motion from applauding the Parish Council to agreeing to render assistance but with caveats attached. He felt that a refusal to sell the asset under the market value could be construed as profiteering. He reminded the Administration that the Council had acquired the site for £1 fifteen years ago on the basis that it would be an asset to be used for the good of the community. He felt that the proposal to sell the control tower on the open market was contrary to the spirit of the original agreement.

Members of the Opposition highlighted the need to retain the control tower in public ownership. Councillor Alan Law stated that giving the tax payers value for money in respect of this site was the ultimate community use.

Councillor Gordon Lundie noted that the asset had been in the Council’s control for five years and as a use had not been found it had deteriorated over time. He had undertaken an informal survey of a sample of 16 users of the site the previous evening. All those questioned had indicated that they would like to see the site sold so that something could be done with it. They had also indicated that should a community group wish to purchase the site they should be able to do so for 25% less than a private buyer. Councillor Lundie stated that he would like to see the tower used for a community use, acknowledged that it was a historic asset but that the market value of the site had to be factored into any disposal options. He stated that any private buyer’s bid would need to be 50% greater than a community group’s bid in order to be considered.

Councillor Hilary Cole stated that she looked forward to considering any proposals from a community group consortium.

Before the vote was taken Councillor Jeff Brooks requests that the vote be recorded in accordance with Procedure Rule 4.17.3 this was supported by the requisite three

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members. The names of those Members voting for, against and abstaining were read to the Council as follows:

FOR the Substantive Motion:

Councillors Peter Argyle, Pamela Bale, Jeff Beck, Brian Bedwell, David Betts, Paul Bryant, Keith Chopping, Hilary Cole, Roger Croft, Richard Crumly, Adrian Edwards, Sheila Ellison, Marcus Franks, Dave Goff, Manohar Gopal, David Holtby, John Horton, Graham Jones, Alan Law, Tony Linden, Gordon Lundie, Tim Metcalfe, Joe Mooney, Garth Simpson, Quentin Webb, Emma Webster, Laszlo Zverko (27)

AGAINST the Substantive Motion:

Councillors David Allen, Jeff Brooks, Roger Hunneman, Mollie Lock, Royce Longton, Alan Macro, Gwen Mason, Geoff Mayes, Julian Swift-Hook, Tony Vickers, Keith Woodhams (11)

ABSTAINED:

Councillor Howard Bairstow (1)

The Substantive Motion was declared **CARRIED**.

26. GAMA Site Task Group Update (C2600)

The Council considered a report (Agenda Item 7) concerning an update from the task group that had been set up to consider the motion that had been submitted to the December 2012 Council meeting.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Pamela Bale:

That the Council:

“notes the report”.

In introducing the report Councillor Cole noted that a task group had been set up to consider the options available for the site. Councillor Cole apologised to Councillor Swift-Hook that the report failed to mention that he was a member of the Task Group in his role as Ward Member. She noted that Councillor Swift-Hook had attended the inaugural meeting and had made a significant contribution for which she thanked him.

Councillor Cole explained that the task group had concluded that as the Council did not own the site there was little they could do to influence its future use except through the planning process. It was also noted that it was a listed monument and therefore fell within the remit of English Heritage which would in itself offer some protection.

Greenham Parish Council and Greenham Common Trust had stated that they would refer the matter back to their organisations to establish what if any action they could take. Councillor Cole did not feel that it would be worth meeting again without concrete options from these two groups. Councillor Julian Swift – Hook thanked Councillor Cole for setting up the task group and he reported that the meeting had been very successful. He therefore requested that the task group was not disbanded but that any future meetings should be deferred until they had some options to consider. Councillor Cole concurred with this proposal.

Councillor Bale reported that although she understood the value of the site, it was not within the Council’s ownership and that further information needed to be provided by interested parties before any action could be agreed.

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The Motion was put to the meeting and duly **RESOLVED**.

(The meeting commenced at 7.00 pm and closed at 8.20 pm)

CHAIRMAN

Date of Signature