

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## COUNCIL

### MINUTES OF THE EXTRAORDINARY MEETING HELD ON THURSDAY, 2 MARCH 2023

**Councillors Present:** Rick Jones (Chairman), Alan Law (Vice-Chairman), Adrian Abbs, Steve Ardagh-Walter, Phil Barnett, Jeff Beck, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Jeff Brooks, Jeff Cant, Hilary Cole, James Cole, Jeremy Cottam, Carolyne Culver, Lee Dillon, Lynne Doherty, Billy Drummond, Clive Hooker, Owen Jeffery, Tony Linden, Ross Mackinnon, Alan Macro, Thomas Marino, David Marsh, Steve Masters, Geoff Mayes, Andy Moore, Biyi Oloko, Erik Pattenden, Claire Rowles, Garth Simpson, Richard Somner, Joanne Stewart, Martha Vickers, Tony Vickers, Andrew Williamson, Keith Woodhams and Howard Woollaston

**Also Present:** Nigel Lynn (Chief Executive), Joseph Holmes (Executive Director - Resources), Eric Owens (Service Director - Development & Regulation), Paul Coe (Interim Executive Director – People), Sarah Clark (Monitoring Officer), Lizzie Reeves (Business Analyst (Digital Services)), Stephen Chard (Democratic Services Manager), Honorary Alderman Graham Jones, Honorary Alderman Quentin Webb, David Cook (Principle Democratic Services Officer) and Nicola Thomas (Service Lead – Legal and Democratic Services)

**Apologies for inability to attend the meeting:** Councillor Nassar Hunt, Councillor Gareth Hurley, Councillor Royce Longton, Councillor Graham Pask, Honorary Alderman Keith Chopping and Honorary Alderman Anthony Stansfeld

#### PART I

##### 1. **Declarations of Interest**

There were no declarations of interest received.

##### 2. **To consider and deal with the business detailed in the requisition for an extraordinary meeting dated 1 February 2023, signed by the requisite number of Members**

The Council considered a report (Agenda Item 4) concerning a proposal for consideration by Council as detailed in the requisition signed by Members dated 1 February 2023.

**MOTION:** Proposed by Councillor Lee Dillon and seconded by Councillor Tony Vickers:

That the Council:

“1) abandon the consultation on the Local Plan which commenced on the 20th of January 2023, so that all relevant issues can be rectified and/or clarified and thereby avoid the risk of the Local Plan Review submission being dismissed as unsound by the Inspector on the basis of a defective Regulation 19 Consultation: and

2) undertake a new Regulation 19 Consultation in the future once these omissions and errors have been rectified.”

Councillor Dillon introduced the motion and thanked the Chairman for holding the extraordinary meeting to consider the issue. He said that Members would not be surprised that there were sites that had been allocated that people were not happy about. He had concerns about the Thatcham North East site but that was not what the motion was about. The motion was about the body of evidence that was being presented for the

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consultation. The risk of not having a sound local plan were well known and if the Council did not have a local plan then there was a risk that development would be led by developers. He believed that if the plan was submitted in its current form then it would be unsafe and this could stop the Thatcham North East site as well as other development sites. The opposition could just do nothing and let the Local Plan fail but there was more to the plan than site allocation, and there were a number of policies that needed to be considered from building standards through to energy and environmental issues. It was important to have a plan that the Inspector could sign off.

Councillor Dillon continued by saying that there was a lack of evidence in the Regulation 19 consultation. He mentioned that the growth study was flawed as it only looked at one site and therefore the score did not include other possible sites. The study was based on 2,500 homes for Thatcham but the consultation talked about 1,500 homes. There was no traffic impact study on neighbouring parishes. He mentioned that there was a call for a new school but there was no funds put aside for infrastructure. If the Council wanted an approved Local Plan the consultation should stop with a new Regulation 19 consultation to take place once all the missing parts had been rectified and an evidence base in place.

Councillor Alan Macro said that there was a lot to be concerned about with the Local Plan but wanted to talk about the transport plan and air quality report. The Air Quality Assessment that was part of the consultation documents was based on the Local Plan running to 2037, not 2039 which it now should do. This affected the traffic levels forecast for the end of the plan period and the resultant traffic pollution. There were sites missing and a plan to increase the Thatcham site from 1,250 homes to 1,500 homes. The transport model had not been updated to mirror the changes and the impact of the primary school and health centre on traffic had not been included. The air quality study could not be trusted and was also difficult to read and understand with some of the locations used being difficult to identify.

Councillor Owen Jeffery said that putting in a flawed plan that would be rejected by the Inspector was not strategic planning. As councillors and a planning authority they were obliged to submit a sound Local Plan. 2,500 homes in northeast Thatcham has suddenly become 1,500 homes. The process had been rushed and missed key features such as health facilities and a new school. He asked for Members to co-operate and vote for the motion.

Councillor Adrian Abbs mentioned that Bath and North Somerset Liberal Democrat Council had recently adopted its Local Plan that said planning permission would only be granted for new developments that generated as much energy that it consumed. The Inspectors allowed new policies if they were evidence based. The opportunity should be taken to revisit the plan and look at net zero homes.

Councillor Richard Somner reminded Members that the Council resolution on the 1 December 2022 delegated authority to the Executive Director of Place to make non material changes to the Local Plan before it went out to consultation and make changes post consultation for submission. He said he had a full briefing on the motion but it would take too long to read it all so he addressed the northeast Thatcham question. He said that the 2,500 houses was not correct and not the figure in the Local Plan. With regards to the lack of evidence he said there were 576 pages of it that equated to 340 London buses. The officers were the experts in this project and they had worked hard with supporting consultants to put this information together. A cross party working group had months of meetings, the officers believed in the plan and after the consultation they believed it was ready for examination. He hoped that the Parish and Town Councils had not been dissuaded from providing information due to this motion. He did not feel that this

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motion would stop the process and felt it was disrespectful to officers to say that the plan would fail.

Councillor Alan Law said that he had previously been the portfolio holder for planning and had sat on a number of examinations. What the Inspectors look at is the evidence and a lot of the evidence was coming from consultation responses. So the consultation was valid and if the Inspector did not take it on board developers' legal representatives would. It was not unusual for Inspectors to question and ask for clarification on evidence provided. He was sure there might be a couple of glitches but this would not make the plan unsound as the Inspector would ask for the appropriate amendments.

Councillor Jeff Brooks said that there was a considerable amount of concern in Thatcham. The responsibility for the Local Plan lay with the Administration, the comment had been made that officers had done a wonderful job and were professionals but Members had a responsibility to scrutinise. He said that the motion showed that there were errors, but the portfolio holder, while stating that he had a document explaining them, had said he did not have time to share this with Members. If this document had been shared before the meeting there could have been a debate. He said that the consultation should be done properly backed by evidence.

Councillor Tony Linden reported that there was a huge risk if the motion was adopted and the Local Plan was delayed, possibly up to 18 months. The Council was a plan led authority and did not want to put at risk future developments.

Councillor Hilary Cole gave the view that this was an attempt by the Liberal Democrat Group to stop the Local Plan. Three of the signatories to this call in were Members of the Planning Advisory Group and had been actively involved in the process and production of the Local Plan. This was an attempt to derail the plan in order to placate the residents of Thatcham. If a local plan was not adopted it would give the green light to developers to submit planning applications that neither the residents nor authority wanted. There would be no benefits or infrastructure that an adopted plan would deliver.

Councillor Macro reported that the transport modelling report he made reference to had never been discussed by the Planning Advisory Group and the error only came to light when he examined the documents.

Councillor Graham Bridgman said that he agreed that if the Council did not have a valid local plan then there were risks of unwanted development such as that seen in Wokingham where there was no Local Plan in place and development was taking place on greenfield sites. If the Council did not have a valid Local Plan then developers could win on appeal rejected applications on greenfield sites. With regards to the air quality assessment this was addressed on page ten of the report where it said the assessment was on the pre-submission Local Plan and represented conservative assessments. The report that went to Council in December made it clear that there would be no significant impact on their quality receptors and no material change to the overall conclusions. He also reminded Members that it had been agreed that any substantive issues arising from the consultation would be brought back to Council.

Councillor Tony Vickers said that Thatcham was important as they believed the case made for the site was not well made and would be found unsound. He wanted the district to have a sound Local Plan and had not got involved until the Chairman of Thatcham Town Council's planning committee had presented his case as to why the evidence was not sound. He did not want to lose the plan and felt we should be a plan led authority. With regards to the Planning Advisory Group they agreed on a lot but not everything that came out was absolutely right. He respected officers' advice but at the end of the day it was for Councillors to make the final decision representing their residents. He made

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reference to 11 councils who had paused their process as they wanted to wait to hear what the new Government guidelines were and not to proceed with uncertainty. He said it made sense to pause to hear what the Government was going to say and what would be coming out of the Levelling Up Bill. He said that there were ways of finding the houses and making the plan sound with modifications. He said that the motion was not about destroying a plan lead authority.

Councillor Dillon referred to the risk highlighted by Councillor Linden that if this motion was passed there would be an 18 month delay. He did not believe it would but if it was the Council still had six and a half years of housing supply. He wanted to have a sound plan and said there was sufficient provision of housing numbers for the Council to take its time and get it right. He said that apart from the question about air quality there had been no other rebuttal on where the missing evidence was. He agreed that the documents going in had some weight but they would have more weight if residents' views were heard based on correct evidence base. With regards to the housing figures, he accepted that Regulation 19 talked about 1500 homes but it did not change the red line for the boundary site. After the plan period he felt that the rest of the site would be liable to be built upon to the 2,500 number. What the examination of the Thatcham site had shown was there was a lack of evidence that could make the whole plan fail. Waiting for the Inspector to come back with any modifications could take longer than getting it right in the first place.

The Motion was put to the meeting and declared **LOST**.

Councillor Dillon said that he would not be able to attend the next Council meeting due to attending a funeral. As this was the last Council meeting before the May 2023 elections and as there were a number of Councillors who were not standing or might not be re-elected he wanted to recognise their service to the Council. There were many Councillors who had served for many years and although the groups might have disagreements and different ideological views he hoped that those not coming back enjoyed their retirement and that those standing enjoyed the campaign and could co-operate when campaigning.

*(The meeting commenced at 8.20 pm and closed at 9.05 pm)*

**CHAIRMAN** .....

**Date of Signature** .....