

Cabinet response to the questions and deputations raised at the Growth, Infrastructure and Resources Scrutiny meeting held on the 19th December 2019.

I was disappointed in the chairing of the meeting in that we lost over 45 minutes with the questions and deputations including Short Notice questions.

- 1 After the PDQ's the chair suggested that there would be an opportunity for explanations and/or clarifications relating to the PDQs later in the meeting. This did not happen leaving both the residents and Panel members without clarity as to some of the assertions being made and questions being asked.
- 2 Unfortunately the Chair also failed to make it clear that questions were addressed to the Panel and not Officers or Cabinet members so compounding the suggestion from some residents that Cabinet was not prepared to explain matters and that we are being deliberately secretive.
- 3 I also note that members and officers who were required to attend were not served the correct notice under Rule 204 para 3 of the Constitution again.

A formal response will be provided in due course but I thought that Cabinet may wish clarification on some of the points raised by the PDQs

Mrs Monica Stark regarding potential development at Brooke Rd

This deputation was not relevant to the questions in front of the Panel as the Spatial Strategy does not allocate sites but only suggests where the volume of new homes should be distributed, i.e. Oakham, Uppingham, Local Service Centres, Windfalls and a potential Garden Community. This would be better being dealt with in the Scrutiny Panel when it reviews the Local Plan documents in January.

Mr Vic Pheasant Empingham

Value for Money – This is an Audit and Risk matter but our External Auditors gave us a clean bill of health in June of this year as far as VFM is considered. All procurement of external planning advice has been made in line with the Council's procurement rules.

HIF – The purpose of the HIF money from Homes England is to deliver Infrastructure First, something which residents made clear in Mr Gilman's survey in August 2018. By RCC receiving and controlling the money it gives us the ability to influence the development in a positive way

Speed between publishing and the Panel Meeting - Caused by the election and Christmas but the timetable was agreed with the Chair of the Panel. The Plan making process is set out in statutory regulations and this ensures that the community is engaged at appropriate stages throughout the process. In accordance

with these regulations the council has followed these regulations in the review of the local plan which began in 2015. To date community engagement has taken place under Regulation 18 (Issues and Options consultation 2015, Call for sites 2015; Consultation draft plan in July 2017; focussed consultation about St George's barracks summer 2018; additional sites consultation 2018).

Since then the Local Plan team has taken 18 months to secure the necessary technical evidence and independent assessment work necessary to consider both St George's and Woolfox proposals. There will be another opportunity for formal representations to be made about the local plan as part of the Pre-submission consultation (and for these to be considered by an independent planning inspector as part of the Examination in Public).

HIF and the Local Plan – We will discuss the HIF conditions later this evening so we can deal with them at that time, however as can be read from the body of evidence there have been extensive reviews especially of the two proposed Garden Communities. It is clear from this analysis and the fact that the HIF bid has been scrutinised by Treasury, MHCLG, Homes England, Dept for Transport and two independent government appointed consultants that the development at SGB is viable and deliverable with HIF money. There are examples from elsewhere of Local Plans allocating sites where proposals for these sites are related to HIF bids and no announcement of HIF has yet been made. It should be noted that there are 4000 homes in the South Kesteven Local Plan which has been through examination and have yet to have a HIF bid confirmed.

Deadlines – It is unfortunate that the election and Christmas has shortened the timescales between the meetings but there will be further opportunities by members to review the proposal right up until the time Council decides to support the Local Plan or otherwise.

HIF overspends – This was discussed under the exempt part of the meeting and we will have the opportunity to do the same later tonight. But as you will note from the exempt paper we are working to minimise the risk to RCC.

Consultant Reports – Mr Pheasant suggests that the consultants have not acted properly in carrying out the work commissioned, this is a slur on their professional standing. These are major companies some international who have been through a rigorous assessment for the Framework and I was disappointed that the Chair did not challenge this given her extensive experience in the public sector.

Mr Cliff Bacon CPRE

Mr Bacon has been selective in his comments and not taking the reports in the round but it is encouraging to note that there is an acceptance by CPRE that 160 homes per year is the correct number for Rutland. It is also sad that he suggests that a legal challenge will be forthcoming prior to examination. Legal challenge normally only relates to when decisions have been made which will be at the point when the Plan is adopted

The whole point of an Examination in Public by an independent Inspector is to make sure that Plan is sound and backed by appropriate evidence. The evidence clearly

states that it would not be appropriate for both Garden Communities to come forward as that would create an oversupply of homes threatening the delivery of the Plan.

In response to a) -Further evidence will be provided with the Local Plan which will discuss the whole Plan viability. Sustainability Appraisal and Habitats Regulations Assessment.

b) – Assessment of sites reveals that not all of the sites identified in 2017 are achievable of being policy compliant or appropriate and thus risking our 5 year housing supply, and in the case of one substantial site in Oakham identified in the 2017 consultation then the owner has withdrawn this for consideration in the local plan.

The 2017 consultation plan was prepared on the basis of there being uncertainty as to the potential nature, quantum and timing of any proposed development. This is now known and so it is important to consider this within the context of the local plan. A number of responses to the 2017 draft, particularly in relation to the larger sites in the Local Service Centres, identified that these sites may not need to be allocated if the Local Plan was to consider the scope for development at St. George's.

c) - The market will play a significant role in determining the rate of development on all sites. Evidence of development rates across the country, which has been undertaken by independent specialists and that experienced here in Rutland at Oakham North demonstrate that delivery rates of greater than 120 per annum on a single development sites are unlikely to be achieved. It is both inappropriate and contrary to national policy to restrict the rate of development on allocated development sites.

Mr Camp - Comments on the PTTP paper comparing Woolfox and SGB

Further work has been carried out since the publication of the PTTP report and supersedes the concerns raised in the report.

Traffic – A further survey of traffic was carried out in October 2018 in addition to October 2017. The impact of summer traffic to Rutland Water will have little impact on the junctions as this additional traffic tends to be at weekends/bank holidays and outside peak travel times. It is unfortunate that the Parish Councils decided not to engage in the SGB Transport Sub Group as this is one of the questions which we are discussing.

The evidence we now have to support the Garden Community is considered by officers to be robust and justified.

The AECOM Interim Sustainability Appraisal is just that “Interim” and will be superseded by the final report due to be published shortly where these points have been addressed .Also please note para 3.46 of Appendix 2

St. George's: For this site, Amey conclude that for the purpose of allocation in the Local Plan, the submitted TAs are detailed and provide a robust reassurance that any issues would be able to be addressed in a more detailed TA at the time of planning application. Trip generations and the growth factors

used appear to be reasonable within the context of the stated purpose of the TAs. They consider that it is likely that the development impacts have been overestimated in the approach taken, for a number of reasons. A breakdown by vehicle type would however be of assistance as HGV movements may potentially be high with this development. The wide area and large number of junctions assessed provides a good level of assurance around the likely impacts of the development on the surrounding network.

Mr Allen Employment – This was addressed at the meeting and will be discussed again during the update on SGB

Mr Newton – Spatial Strategy

Surprising coming from someone with such experience in Local Government that he thinks preparing Local Plans is like having a popularity contest. He should recall that Local Plans should be positively prepared and evidence based, in particular

- It is important to note that on its closure for operational use, the proposals for development at St George's site would take place on land which constitutes "brownfield land" as defined in the NPPF
- It supports the NPPF objective that: "Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that **makes as much use as possible** of previously-developed or 'brownfield' land".
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Mr Gareth Jones – Process of Scrutiny

I will leave Scrutiny to respond to this item other than saying that a previous Panel did not look at the 2017 Draft Local Plan until 4 months after it was published and even then it was only reviewed because of my personal intervention as a back bencher.

There is a process in place, each one of them held in public, scrutiny reviews papers before Cabinet meetings. Cabinet considers points made by Scrutiny and decides if changes are required to their recommendations to Council and then Council makes the final decision.

Mr Du Jardin – Employment

Response as per Mr Allen – Our objective is to create one job on site for every household on the site.

Sue Walling – Error in Appendix – Distribution of Development

There is a discrepancy in the St George's proforma in the Technical Annex regarding the Impact Risk Zone. Otherwise, having checked again, the references elsewhere in the SA reporting regarding this are correct.

To confirm, St. George's Barracks is in an SSSI Impact Risk Zone for the following three categories:

Large non-residential developments outside existing settlements/urban areas where footprint exceeds 1ha.

Residential development of 50 units or more.

Any residential development of 50 or more houses outside existing settlements/urban areas.

Therefore I am happy to confirm that the Technical Annex will be updated prior to Regulation 19 following a further check.

Letter from Andrew Granger & Co

Adds little in respect of Woolfox and makes arguments against SGB. One would have thought they would want to demonstrate that their site is superior rather than suggesting the alternative site is inferior.

Scrutiny Panel recommendations - NONE

There were a number of comments which have been forwarded to Cabinet and I am happy to discuss these.

- 1 High level of interest – yes and quite rightly this is important for the whole of Rutland not just individual Parishes.
- 2 Affordable Housing – we must deliver homes that young people can afford and I would draw your attention Section 3 of the SHMA
- 3 Employment – Yes we have stated that we want to attract technical and creative jobs for SGB in particular but right across Rutland (not warehousing and distribution)
- 4 Members were concerned about risk in relation to the HIF and how well this had been assessed
- 5 Members agreed to the concept of a garden community in Rutland
- 6 Whilst there are still a number of unknowns around the HIF conditions and thus risks to the Council the Panel voted in favour of progressing the HIF