



Rutland County Council

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Minutes of the **TWO HUNDRED AND EIGHTY SEVENTH MEETING of the COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 27th January, 2020 at 7.00 pm

PRESENT:

Mr K Bool	Mr J Dale
Mr O Hemsley	Mr G Brown
Mrs L Stephenson	Mr A Walters
Mr D Wilby	Mr P Ainsley
Mr E Baines	Mr N Begy
Mr D Blanksby	Mr A Brown
Ms J Burrows	Mr R Coleman
Mr W Cross	Mrs J Fox
Mrs S Harvey	Miss M Jones
Mr A Lowe	Ms A MacCartney
Mr M Oxley	Mrs K Payne
Mrs R Powell	Mr I Razzell
Miss G Waller	Mrs S Webb
Mr N Woodley	

OFFICERS PRESENT:

Mrs R Armstrong	Principal Planning Policy Officer
Mrs H Briggs	Chief Executive
Mr P Horsfield	Deputy Director – Corporate Governance (Monitoring Officer Counsel
Mr A Mills	Governance Officer
Mrs J Morley	Planning Policy Manager
Mr R Ranson	Governance Officer
Mr K Silcock	

487 APOLOGIES

No apologies had been received.

488 CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed that his engagements had been circulated in advance of the meeting.

489 ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE

The Leader reminded Councillors of the following:

- In 2018, when elected as Leader, Mr Hemsley set out to protect, preserve and enhance Rutland.
- Councillors agreed at the Council meeting last week to defer the decision so that Council could debate the terms and conditions of the HIF bid fully when they are made available.
- The Conservative Group did not use a party whip.
- That the Council follows the Nolan Principles that set out the basis of ethical standards expected of public office holders.
- Councillors were a representatives of wards and Councillors needed to balance that view with the county as a whole.

490 DECLARATIONS OF INTEREST

No declarations of interest were received.

491 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

---oOo---

Miss Waller proposed that Procedure Rule 29 (1) (The maximum time allowed for presenting petitions, deputations and questions at meetings shall be 30 minutes.) be suspended in order to allow time to speak for all those registered. This was seconded.

RESOLVED

That the Council **APPROVED** that Procedure Rule 29 (1) be suspended for the meeting.

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Deputation 1

A deputation as printed below was received from Mr David Hodson, on behalf of Greetham Parish Council:

I am speaking on behalf of the Greetham Parish Council.

I would like to start by expressing our appreciation of all the hard work that has gone into preparing the draft local plan. It has been a thankless task with many opposing views to reconcile.

County Councillors have some difficult decisions to make. We hope that they are guided by a wider interest than purely parochial views.

A document which is fundamental to the Local Plan is the Settlement Hierarchy paper. The fundamental principle which it lays out is that new housing should be in sustainable locations. Whilst not defining explicitly the term "sustainable" it is clear from the document that the intention is to minimise car usage by locating houses in places where there are key facilities, so reducing the need for car travel.

There can be little doubt that the world is entering a critical stage of climate change and it is incumbent on us all to reduce as much as we can our use of carbon based fuels. This must happen at every level – by individuals, local government, national government and world leaders. Everyone must make decisions to meet this end.

It is for these reasons that Greetham Parish Council made representations at the previous draft stage. We argued that the preferred site allocations, which gave significant increases to the size of Rutland's Local Service Centres, did not meet the fundamental objective of sustainability.

We can say with some confidence that in Local Service Centres, most residents who work will use their cars to travel some distance to work and nearly all residents will use their cars to travel significant distances to shop. To put further houses in these locations is simply not a sustainable strategy.

Whilst we share concerns of many Rutlanders at the number of additional houses proposed over the plan period, we recognise that there is a national shortage of houses and they have to be allocated somewhere. The inability of young people to be able to afford starter homes is a national scandal. For those of us sitting comfortably in our homes we should think carefully about what we can do to help the situation

Our view is that locating as many houses as possible in the most sustainable location such as the St George's Barracks Garden Village is the best way forward.

We are firmly convinced that it would be disastrous not to have an up to date Local Plan and the proposed development on SGB site is the best use of the brownfield site that can be achieved.

Questions from Members regarding Deputation 1

Mrs Burrows asked whether Mr Hodson could explain why a development of large number of houses, over 2300 in the countryside is more sustainable than further development in the local service centres. Given that the employment opportunities on this site won't be developed till the end of the building of the houses and no guarantee that any employers will actually be interested in the site at that point, why do you think it would be more sustainable?

Mr Hodson responded that it was very clear that the local service centre size that we have as already outlined are simply not sustainable in terms of small amount of car travel. Clearly people have to travel and use their cars on a very regular basis for virtually all their needs. For example in the case of Greetham there is no local school whereas the St George's Barracks garden village would have facility for a local school. And it's very clear that the plan does lay out the plan for business development on the site. There is going to be significantly more opportunities on the site to reduce car travel than there would be to try and put more services in the local service centres to meet those needs.

Mr Walters asked how Mr Hodson felt that Greetham had had significant development through the years whilst many local service centre had little or no development, and

how he felt this could be resolved. Mr Walters also asked what growth had Greetham had in recent years.

Mr Hodson replied that in the past five years had 25% increase in number of houses. In the 2017 draft of the local Plan the number of houses on preferred sites would have added a substantial increase for Greetham. Mr Hodson stated he would prefer that further houses did not go to local service centres at all and that they go to the larger towns and the proposed garden village. Mr Hodson noted the need for a small amount of extra housing, the Greetham neighbourhood plan encourages a small amount of additional housing over the plan period but not on the scale proposed in recent years in the Local Plan.

Deputation 2

A deputation as printed below was received from Mr Neil Newton, on behalf of Empingham Parish Council:

Last week the Council stirred and refused to be dragooned by the small group railroading the Local Plan process

You refused to accept that the Cabinet new best and could be relied on to accept the HIF grant conditions. You quite rightly resolved that this was a matter for the whole Council and that as far as possible the debate should be public, doubting there were any commercial considerations justifying public exclusion.

Yet a week later you are being dragooned again by being asked to vote for a one option solution to the question of what sort of place do we want to live in. That solution of course being a new town on SGB.

By the Cabinets own admission the viability of SGB depends on the grant. How can you vote for this Local Plan this week when you have said the information before you last week, on which the Plan depends, had more holes than a kitchen colander, with thanks to the relevant Councillor.

I have no doubt that before this meeting many of you will have been reminded of your tribal political loyalties with a subtle hint as to who dispenses political patronage. This current process you are considering, will determine the future of our County in an existential way, once you have given the go ahead to a new town it will be difficult to reverse, unless an Inspector can be convinced there are technical flaws in the preparation.

By opening up, indeed jointly promoting new settlements in rural areas, you open up possibilities for other new settlements, eg Woolfox. What reasons have you been given in backstairs chats that Woolfox can't happen. Put them in the public domain, open up the arguments to public scrutiny, why the secrecy unless the arguments are flawed.

Please stop relying on these unofficial private briefings, possibly or probably partial and slanted, with no public record or ability to challenge assumptions or assertions. For example I gather that you have been told that if you don't vote for the plan tonight

the five year housing supply requirement will certainly be breached with grave consequences. I hesitate to say utter tosh because you can probably construct a case on certain assumptions to support such a statement, but it would be easier in my view to construct a case supporting the opposite. Why should you accept such an assertion without testing it.

By deferring any decision tonight at least until the HIF conditions are given and debated, will also give you time to consult the public in a meaningful way and to debate in full and open Council all the options and the various implications for all our existing settlements as the 2017 review did. As it stands both you and the Public are simply being asked to endorse the one solution peddled by the Cabinet since the infamous Memorandum of Understanding was signed without a by your leave from anybody including the Council

The so called consultation in the Plan relies on consultations in 2015 and 2017 which barely mentioned SGB and certainly did not include any mention of a new town. The focused consultation in 2018 resulted in a bloody nose for Councillor Brown when 95% of over 1700 respondents gave a resounding No to the new town. He does not want the same again and avoids it by the simple expedient of not giving the residents any opportunity to express an opinion.

This is woeful governance, the people of Rutland deserve better. I urge Councillors to defer the new Local Plan until you have had the opportunity to debate all feasible options as well as HIF conditions, and the residents have been properly consulted.

Question from Members regarding Deputation 2

Mr Baines asked do you think this debate is helped by the use of inflammatory language

Mr Newton accepted that the local plan deserved rational debate of all the options, but with two and a half years of one option, sometimes inflammatory language would be required to open up the debate.

Mr G Brown asked if Mr Newton and/or Empingham were in favour of the Woolfox development.

Mr Newton responded that the Council should stick to the 2017 spatial strategy, which for sustainability reasons would actually be far better served by having new houses surrounding Oakham, Uppingham and the large service centres. Mr Newton stated that all options should have been debated by Full Council.

Deputation 3

A deputation as printed below was received from Mrs Jo Spiegel, on behalf of North Luffenham Parish Council:

Thank you for the introduction Mr Chairman

My Name is Jo Spiegl

I represent North Luffenham Parish Council and speak as a resident of some 31 years.

NL is a parish that sits at the heart of the proposed Saint Georges Barracks development and is just one of the Parishes that are in the immediate vicinity of the proposed SGB development including:

Edith Weston Wing Morcott

Empingham Manton

and Normanton all of which will be immediately and adversely affected with the start of any development.

I would like to make it clear, as we have been labelled as NIMBY's which I can assure you ALL we are not,

we are not against development at a reasonable level, one that has proven need for our county, one that is beneficial to our residents and their children and grandchildren, one that is sustainable and that fits within the growing ecological and environmental needs of our county and our nation.

There is not one person in this room that does not want the best for Rutland.

*We are the caretakers of a beautiful vibrant area of England, one that is full of wildlife, one that is strong and alive, one that is "The Green Beating Heart of England"
We are custodians of this beautiful county – we were handed it in a rural and sustainable state*

– let us not be the generation to despoil it and change its nature forever. let us take great care in our considerations about the legacy we will leave after all the ground beneath our feet does not have a say so we have to be its voice.

Sir David Attenborough who has close local ties and who recently opened the new Volunteer Training Centre at Rutland Water is clear in his warnings that overpopulation and overdevelopment are key contributing factors to ecological and environmental disaster

So let us do our part

Let us lead by example and be the county that shows the rest of the country that widespread development at levels that are not needed and that are not suited to an area irrespective of the colour of the fields must not be given the green light just to satisfy central government's financial objectives.

We must not let anyone choke the life out Rutland irrevocably!!

Questions from Members regarding Deputation 3

Mr Walters asked when looking at the future generations is 1% housing increase per annum too much.

Mr Spiegel responded that she personally thought there was need to come up with a way of development right for the area rather than building over 2000 properties on an area which had nothing to support them.

Mr G Brown asked if Mrs Spiegel was aware of the evolving masterplan that included a new school, shops, facilities for entertainment, sporting facilities, and jobs. Plan to provide 2000 jobs over the next 20 years.

Mrs Spiegel responded that reviewed the masterplan with scepticism. Saw that the jobs proposed jobs figures were not realistic.

Deputation 4

A deputation as printed below was received from Mr Andrew Johnson, on behalf of the Parish Council Liaison Group:

Good Evening – My name is Andrew Johnson; I have lived in Rutland for twenty years. I am the Chairman of Morcott Parish Council and involved with the Parish Council Liaison Group. I have over 30 years' experience as a Chief Executive and am currently a Non-Executive Director and Committee Chair on the Trust Board of the fourth largest NHS Trust in the Country.

So what? I ask, do you, our representatives, think of us, the members of the public prepared to speak up? From my personal observations at Council Meetings over the last two years - some care and show real interest, some a lack of interest, some think we have temerity to challenge a perceived superiority - or authority, whilst others visibly show disdain because we do not share their belief or, dare I say, obsession.

Obsession can be interpreted as passion, but it can also be a sign of desperation in the light of impossible promises. If it is untrammelled because it held by those in positions of power or leadership it becomes dogma, and dogma is very dangerous in any political or representative agenda.

What has this got to do with Rutland County Council? Well, for those that were there the spectacle that was the Growth & Infrastructure Scrutiny Committee on 16th January is an example. The councillors and officers who dominated the proceedings of that committee meeting with obviously rehearsed questions and answers should be congratulated for clearly illustrating the danger that dogma has become to the future of Rutland.

I appeal to you to facilitate a free vote this evening – do not tie party members or cabinet colleagues to an obsession which, because of impossible promises has

become dogma, depriving some of reason in the light of rising doubt. If the vote is not free, then dogma is in danger of becoming autocracy.

And I say to Councillors - Rise above party loyalties - whichever party you are in does not matter in the judgement you make about whether to support this Local Plan. It has been said that: "Real political courage doesn't come from disagreeing with our opponents but from disagreeing with our friends, and with our own party." Please have political courage tonight.

The Local Plan before you is an example of obsession that has turned to dogma as a result of impossible promises. Otherwise why is this being rushed through when the numerous financial and other commitments within it are not fully known or resolved? Time is not the issue here, the issues are the commitments you make for the next 17 years, some would say 50 years.

Have you really had enough time to read all 959 pages in the Local Plan? Do you fully understand the commitments that you are being asked make? Is your conscience clear and can you live with the consequences of voting for the Local Plan tonight?

There are many questions you should be asking, and getting answers to, before you vote:

Are you outsourcing your responsibilities to third parties - such as the MoD?

How much power are you ceding to the MoD in particular. Do you trust the MoD? Is the MoD response certain beyond doubt? Do you know when you will get answers from the MoD?

You recognised last week that the commitments in the HIF funding were not fully understood. Do you know which financial commitments you are making here which are not fully defined?

Do you fully understand the precedent that this Local Plan makes in relation to the Woolfox proposals? Are you confident that the judgements that have been made about Woolfox will stand scrutiny?

Will the Local Plan document pass external scrutiny by the Planning Inspector?

Are you certain that the Council leadership and Executive are always open and transparent about these issues? Do you trust what you are being told or should you investigate further? Has much lobbying has been taking place to capture your vote over the weekend and is this in the best interests of your electorate?

If there is any doubt in your minds about these and other questions you should vote against this Local Plan.

Where is your "Plan B"?

How will the Council and the Executive face up to the commitments made and what is the fall back?

What happens if the Plan is rejected by the Planning Inspector?

Surely it is best to say, "Not tonight - Thank you"?

Will you just go “gently into the long night” that is being held out to you so invitingly this evening? Or will you stir, stand up to face the coming storm and recognise what you know – that you are not in possession of all the facts and that this Local Plan is not the best way forward?

The decision you make collectively as a Council this evening will stay with you for the remainder of your time in this Council Chamber - but it will stay with the people of Rutland for ever.

If you allow this version of the Local Plan to pass without fully understanding the consequences of doing so tonight, then you are abdicating your responsibilities in the most terrible way. If you allow it to pass because of your abstention, then that would be even more unthinkable.

Thank you

Questions from Members regarding Deputation 4

Mr Woodley stated if he voted against proposed local plan, a significant portion of residents in the Oakham South ward would be affected in a negative way. Mr Woodley asked if he should vote to support the wishes of Mr Johnson or vote against his ward.

Mr Johnson responded that he wouldn't tell a county Councillor how to vote, and asked if Councillors thought of the unintended consequences within the Local Plan. Mr Johnson believed Oakham would suffer as a consequence of the Local Plan rather than benefit. The town centre was devoid of business and Oakham and Uppingham were close to becoming quiet if St George's Barracks attracted more business.

Mr Woodley assured his ward and Mr Johnson that he had considered the options and took the opportunity to read the Local Plan.

Mr Walters asked if all three political parties should follow Mr Johnson's word, and asked if it would be helpful to have a recorded vote.

Mr Johnson responded that political parties should think the same way, do believe there is party influence and would vary from issue to issue.

Mr Johnson stated that Members should give individual views rather than be political influenced.

Mr Oxley stated the Independent group would be voting individually rather than as a group.

Deputation 5

A deputation as printed below was received from Mr James Corbet Burcher, on behalf of Mr PJSR Hill:

Introduction

The Council is faced with one of the most important decisions of the new decade tonight: whether to approve the Draft Local Plan for further consultation and then submission to the Secretary of State.

Last week, the Council voted to defer the decision on the Housing Infrastructure Fund (“HIF”) (Forward Funding) tied to the St George’s Barrack site. This evening, my clients submit that the Council should similarly defer the decision to allow the Draft Local Plan to proceed, until the Council has taken further steps set out below.

This deputation follows two letters sent to all Councillors on 18 December 2019 and 15 January 2020 (which have been attached separately).

St George’s Barracks

Councillors will be aware that the allocation of St George’s Barracks, North Luffenham, as a new Local Services Centre is intended to deliver 1,000 homes up to 2036 under Policies H2 and H3. This represents over half of the Council’s target for new housing in the plan period: 1,831 homes.

Such reliance upon a single strategic site should raise two questions:

- 1) Is this the best location for development at this scale?*
- 2) Can the site realistically deliver this amount of homes?*

At the present time, neither question can be answered securely in the affirmative.

Location: The Council will be aware of the serious concerns expressed by the local community as to development at this scale. As we have set out in the December 2019 and January 2020 letters, there are significant transport/traffic concerns (including third party ownership of access land) and environmental concerns (e.g. in respect of potential impact on Rutland Water RAMSAR site and Special Protection Area).

Delivery: Any delay with the delivery of this strategic site will place the Council at serious risk in respect of its housing land supply: particularly as the Government’s National Planning Policy Framework now places emphasis on the need for evidence of deliverability. The Council will be aware of progressive reductions to the amount of housing that the Site can bring forward. That is because development of the site will plainly be complex: including the need to resolve third party land ownership issues, to carry out further site investigation and above all, to ensure that the site is genuinely viable.

For as long as there remain doubts as to both location and delivery, the Council must fully consider all reasonable alternatives, including the allocation of additional strategic sites. A Report commissioned by the Council from PTTP Consultants confirms that Woolfox is one such reasonable option to be investigated fully through the plan preparation process.

Woolfox Garden Community

My clients have been working with the Council for several years, seeking to promote an additional allocation at Woolfox, the former RAF Woolfox site.

The Woolfox site could deliver up to 2,500 new homes in the plan period, with the allocation of an area capable of providing at least 7,500 homes, alongside:

*27 hectares of employment land
Strategic roadside facilities adjacent to the A1
New Schools and Further Education opportunities; and
A wide range of retail and recreational opportunities*

This is a site with no major constraints, which if allocated, could start to deliver housing and jobs as early as 2023/24. Significant technical work has already been undertaken:

Highways: An Initial Transport Appraisal submitted in August 2019 demonstrates that, in principle, access to the site can be provided by a new bridge across the A1 in the location of the site. It is understood that Highways England accept that this can be delivered in principle.

Minerals: Borehole work across the site has identified that there are limited constraints in respect of minerals, such as Clipsham Limestone.

Landscape: Landscape and Visual Impact Assessment work (now independently re-assessed) has concluded that this former airfield is of low landscape sensitivity.

Viability: An updated Viability Assessment is currently being prepared (as set in our letter of 14 January 2020). Given the absence of constraints, it is not considered that there will any major viability obstacles.

Contrary to recent representations at Scrutiny Committee, my clients have made clear the provision of strategic roadside facilities in the site, adjacent to the A1. Moreover, they have requested Government funding.

In summary, Woolfox is available, achievable and developable to deliver high quality new homes for all, jobs, education, quality green infrastructure to promote recreation and well-being in a sustainable new community to serve Rutland and the surrounding areas.

The Local Plan Examination Process

The Local Examination process will subject the Local Plan to detailed scrutiny.

The Inspector appointed by the Secretary of State for Housing, Communities and Local Government will require robust evidence that the Draft Local Plan is:

- a) Positively prepared – in particular that it will meet housing needs within the plan period*
- b) Justified – including taking into account reasonable alternatives*
- c) Effective – including that it is deliverable and viable*
- d) Consistent with national policy*

As I have set out above, at present, there is insufficient information in respect of St George's Barracks to be confident that it can meet those tests.

It is essential that the Local Process is undertaken in a fair and transparent manner. My clients respectfully submit that Councillors must be given all the relevant and necessary information prior to a decision of this magnitude, which will have consequences well into the next decade.

The risk that the Council now faces is that the Local Plan Inspector, responding to many objections, identifies that the Plan is premised on a strategy that is fundamentally flawed, because the Inspector is not satisfied that St George's Barracks is the right location and can deliver – and the Local Plan has insufficient flexibility to adapt to the site's failure to deliver.

Councillors will be aware of the number of cases across the country at present where Inspectors have recommended suspension and even withdrawal of Draft Local Plans. In several cases, this has been on account of over-reliance on strategic sites, without the necessary supporting information to demonstrate that they can deliver.

Secretary of State Intervention

The Report to Full Council refers to the fact that the Secretary of State has the power to intervene in the plan-making process should the Local Plan not proceed to submission.

That may reflect the legal position but does not fully reflect the practical position. The Secretary of State will not exercise his powers to intervene where the Council has good reason to review its strategy, to improve flexibility in the plan, and to ensure that it is embarking on the basis of robust evidence.

The consequences of an Inspector recommendation to suspend or withdraw are considerably more acute, given how far down the process the Council will have gone.

Conclusion

My clients seek an additional allocation for Woolfox in the Draft Local Plan – to ensure that the Plan has the necessary flexibility to ensure that it can be found sound. They wish to continue to work constructively with Officers to achieve this. My clients would be happy to invite Members to a site visit to Woolfox and in due course formally present the Woolfox proposals to them.

As set out above, Woolfox can deliver early, effectively and sustainably. Over the long-term it can deliver the Council's vision over the next 50 years.

It is respectfully submitted that the Council has no other option this evening but to defer its decision on approval of the Regulation 19 consultation and subsequent submission of the Local Plan to the Inspectorate and therefore that deferral take place until:

- (1) Further details are provided as to the Housing Infrastructure Fund investment;*
- and*

(2) Updated information is provided in respect of St George's Barracks, including each of the matters detailed in the letters to the Council of 18 December 2019 and 15 January 2020:

- (a) Third party ownership issues affecting deliverability, including land to provide the northern access and all land within the site;*
- (b) Transport/traffic impacts*
- (c) Rutland Water RAMSAR Site and Special Protection Area;*
- (d) Mineral Protection Zone*

Questions from Members regarding Deputation 5

Mr Begy asked when the plan was to carry out the detailed mineral assessment that had been asked for.

Mr Burcher responded that the client would provide dates in due course. Looking at the national survey, when work is to be undertaken that work will reveal no constraints in regards to minerals.

Mr Begy note that Mr Burcher's client ordered a survey in July 2018 and that the survey had not yet been carried out.

Mr Burcher noted that there were serious concerns about viability of St George's Barracks that have not been resolved at present time. National survey alone indicates there will be no constraints in minerals. If the decision is made to defer local plan, then further information can be brought forward.

Mr Razzell asked Mr Burcher if residents were expressing concern regarding St George's Barracks' proposed development of 2500 houses why would they wish for a development of 7500 houses.

Mr Burcher responded that there would be 2500 in the Local Plan period. The 7500 takes into consideration the next plan period.

Deputation 6

A deputation as printed below was received from Mr Cliff Bacon, on behalf of CPRE Rutland:

- 1. Given that the one thing we should care about, more than anything else, is the future of Rutland as place for people to live, work and enjoy, then it is obvious that the production of a strategic plan for Rutland, up to 2036, is a very significant event. So significant in fact that getting it right is far more important than continuing to proceed in following a totally unrealistic and unnecessarily truncated timetable. It has taken RCC over 2.5 years to come forward with a completely different spatial strategy to the one set out in its July 2017 Local Plan Review Consultation document. You, the Councillors, have been given just over 2 weeks to study and understand a 960 page document (57MB) which fundamentally changes Rutland forever. You are also asked to assess its long term impacts, and are now being asked to vote on it. Does that make sense to you? More than that, this Local Plan before you has included a proposed change to the settlement pattern in Rutland,*

that overtime will have a bigger impact on conditions of life in this County than anything that has been contemplated in this County over the past 50 years and more. It pushes Uppingham into third place in terms of size of settlement. It must be re-considered most carefully and involving the fullest and most transparent processes of public engagement. You are individually responsible as Councillors, for the outcome of this. Your legacy and reputation are on the line, if this plan leads to wider mass development in Rutland as many planning experts believe it will. By rushing this through to public consultation tonight unforeseen disasters are far more likely to occur than if you stop it now, and pause for thought.

- 2. The decision to deliver the vast majority of new housing in the form of a new green Community is one that has resulted from the perception of a site becoming available, rather than a clear policy choice with clear and robust reasoned justifications. It is perfectly feasible to envisage a number of different strategies for delivering our housing numbers, one for example was set out in the 2017 Local Plan Review Consultation draft.*
- 3. We keep hearing that MoD Treasury targets would result in even higher housing numbers being imposed unless we follow the approach that the Executive and the Cabinet have identified. But why on earth should the smallest county in England be expected to deliver such huge numbers to meet national targets, way out of scale with the area into which these are being asked to fit. The SGB should at most be expected to deliver a few hundred new dwellings, perhaps eventually up to a maximum of 500, not 2,215, let alone the threat of considerably more than that. It is RCC's job, as a strategic unitary authority, carrying all the weight of the Local Planning Authority, to ensure this does not happen. An independent Inspector would surely listen very carefully and play very close heed to arguments defending Rutland in that way. Furthermore, it is the MoD's problem to meet the remediation costs and the utility costs which should have been built into their initial calculations relating to the closure of the facility in the first place, not to try to impose an unnecessary and high level of development on Rutland, to offset their own responsibilities.*
- 4. Consulting now on the Local Plan, with such a degree of uncertainty would be both highly dangerous and premature. Once further critical information about the terms and conditions of the HIF bid become known and fully understood, these may not be acceptable to Rutland and the full Council decide not to accept them, then this would undermine the whole revised Local Plan. So it could prove a huge waste of money and resources to consult on the Local Plan now. Are you, Councillors, prepared to gamble with other people's money?*
- 5. It is important that the implications of this chosen strategy are fully understood, not least what could be termed "unintended consequences". The promotion of a new settlement approach has already opened the door to Woolfox, where anything up to 10,000 new dwellings could happen. There is already evidence of sites identified*

in 2017, now summarily dismissed, being considered for development – after all – RCC identified them as priority and viable sites then. In essence, this totally different spatial strategy has created a scenario which you cannot control and could well result in much more development in Rutland than is either sustainable or required.

- 6. One of the key objectives within the Local Plan vision is the delivery of affordable housing. It is clear that, from a planning perspective, in a rural county this needs to be delivered in a more dispersed rather than concentrated way. Settlements across Rutland will need to provide additional affordable housing. How will this happen with development so concentrated. It is highly unlikely that a significant proportion of the affordable housing, required in Rutland up to 2036, would sustainably be located as part of one major development.*
- 7. In considering the SGB site as “Brownfield Land”, there is an important distinction between this as a description and as a planning policy. Describing it as brownfield land does not take away the need to make policy choices. In particular, the location element is played down in the Plan before you. It does matter, especially in rural areas where brownfield land is not close to major settlements where there are almost no existing employment opportunities and no public services, as is the case with SGB, it is not a sustainable location. National Planning Policy Guidance is clear that development should always be focussed on locations which are sustainable and within existing settlements, not in the middle of nowhere. It also states that not all of an area of brownfield land has to be developed. The choice Rutland faces is not between garden community proposals in the open countryside on brownfield and greenfield sites, rather it is between a poorly located brownfield site on the one hand and multiple small greenfield and brownfield sites in and around existing towns and villages, where existing services and facilities are located and where the need for new housing is actually generated.*
- 8. Please Councillors, pause and reflect and do not vote to approve this plan for public consultation this evening. A vote against approval is necessary, your abstention could well lead to a successful approval vote.*

Questions from Members regarding Deputation 6

Mrs Harvey noted that regarding the 2017 spatial strategy, Cottesmore Parish Council and community were not happy with the sites. Mrs Harvey asked how she should approach her ward if the green fields around the Cottesmore ward would need to be dug up if the Local Plan was not agreed.

Mr Bacon responded that his contention was if the Local Plan as it stood went out to consultation it would open up the opportunity for other major developments in Rutland.

Question 1

Question received from Mr Richard Drabble

Ladies and Gentlemen, elected County Councillors, this question relates to the historic landscape and heritage asset at Whissendine, WHI 09A, which The Historic Environment Records Office lists as a site of Selected Heritage Inventory for Natural England (ref. SHINE LE7796) having 'high' significance because of the preserved quality and distinctive form of the intact sequence of Medieval ridge and furrow earthworks.

With the greatest of respect, does the County Council agree that it would be unwise to approve the Local Plan with this as an allocated site for development, because it would be failing in its duties to protect and conserve this historic environment when tested against national and local policies, such as the requirements of the National Planning Policy Framework (NPPF) where 'weight' shall be given to the protection of historic assets, the required Sustainability Assessment with its key test to avoid harm to heritage assets and their setting, Local Plan Strategic Objective 1 to protect the natural environment and heritage landscape, Strategic Objective 13 to safeguard the county's heritage assets, Sustainable Development Policy SD1 to maintain and enhance the County's environmental and heritage assets together with their setting, and the contents of other policies such as EN 15 and EN 16 to protect historical and heritage assets?

Note: the correction of errors and omissions in the Landscape Sensitivity and Capacity Study and the way it has been applied further supports the above since the result for this site becomes 'high sensitivity and medium to low capacity' for development, thereby placing it low down in the allocation ranking list. Full details are available on request.

Mr G Brown responded with the following:

"The site assessment work already includes archaeology and heritage as key factors and the heritage records forms part of that assessment. The county archaeologist, that's the Leicestershire County Council archaeologist has also fed his considerations into this work and the site and all of those in Whissendine were assessed as amber which means the constraints can be mitigated. The examination process is a normal step in the Local Plan process where such issues will be considered if the inspector is not confident in the allocation of site when presented with relevant and robust information, they will recommend the removal of sites. However, should this arise, the change would be a main modification without the whole plan being found unsound."

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The Chair adjourned the meeting at 20:26 for five minutes to allow for a comfort break.

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492 QUESTIONS FROM MEMBERS OF THE COUNCIL

- i. Mr Cross

Would the portfolio holder for planning and development wish to comment further upon the allocation to South Kesteven of 650 houses to be developed at Quarry Farm, Little Casterton with regards the loss of such housing to our own Local Plan? This number that would be well over 25% of the proposed development at St. George's barracks. Were Councillors involved in the making of such a decision?

Mr G Brown responded with the following:

"The National Planning Policy Framework sets out the requirement for local authorities to have a duty to co-operate with each other, and with other prescribed bodies, mainly national bodies. On strategic matters that cross administrative boundaries. Strategic planning policy authorities should collaborate to identify the relevant strategic matters they need to address.

I'm sure Councillor Cross will remember the 2017 consultative draft document which set out in developing new local plans for both South Kesteven and Rutland, the two authorities have worked jointly to assess the need for the suitability of land which spans the county border boundary to north of Stamford. This work has concluded that some land within Rutland will be needed as part of a large urban extension to support the sustainable growth of the town of Stamford and to facilitate and appropriate road connection and necessary infrastructure improvements to support the amount of growth proposed. The proportion of land within Rutland is known as quarry farm. The site will only be brought forward for development in conjunction of the land in South Kesteven as a comprehensive mixed use scheme with a new road connection to the west. This plan also stated the quarry farm capacity from the comprehensive Stamford North development will contribute to South Kesteven's assessed housing requirement. That plan was approved by Cabinet and more importantly was considered by the Growth, Infrastructure and Resources Scrutiny Committee in November 2017 when Councillor Cross was present.

The focus consultation regarding St George's undertaken in 2018 also set out the same principle that the quarry farm capacity from the comprehensive Stamford North development will contribute to South Kesteven's assessed housing need. Again, this was approved by Cabinet.

ii. Mr Cross

Should not that allocation have been included within our own Local Plan if there were to be any uncertainty about Rutland's future housing stock?

Mr G Brown responded with the following:

"The size of the Local Plan had been fully assessed for suitability and deliverability on a robust basis to enable to be allocated. Sufficient sites had been identified in line with the spatial strategy to meet the requirement for identified housing needs and allowing for a buffer to

address contingency, market choice, and address affordability facing your residents.”

iii. Mr Ainsley

Can the Local Plan still be found sound if agreement of the terms and conditions of the HIF agreement are significantly delayed beyond examination by the planning inspectorate?

Mr G Brown responded with the following:

“There is no requirement to have completed negotiations or have approved the grant. Many authorities have included sites, some very significant sites, much larger than St George’s within their Local Plan at the pre-submission regulation 19 stage. While sites require that grant to be delivered for that authority to deliver the houses accordingly, when they’ve neither had the offer of a grant nor entered into discussions in terms of terms and conditions.

There are many examples of that which Councillors are aware of them.

The Melton Borough Council Local Plan was adopted in 2018, the Melton Mowbray relief road was included within that. That required HIF money to deliver that particular road and the houses associated with it. Melton Council did not receive the offer of that money until November 2019 on the same day that Rutland County Council received theirs and that’s almost 18 months later. Therefore, the plan had already been adopted with a project which required a HIF bid and the inspector accepted that and it was adopted 18 months earlier than the HIF bid offer was received, and they still have not accepted their terms and conditions with Homes England.”

iv. Mr Ainsley

What are the implications for the Local Plan, and in particular St Georges, should there be a failure to reach agreement on the terms and conditions of the HIF?

Mr G Brown responded with the following:

“If we are unable to reach an agreement with the MOD or for that matter the Council does not approve the terms and conditions that are presented to them. Then St George’s will no longer then be viable in its current form. The MOD will then need to reconsider their position in respect of delivering a viable deliverable project. Given the pressure on the MOD to monetise the site, members will recall a letter from the former Secretary of State of Defence which has been circulated, and this makes us very clear no doubt in due course the MOD will build houses however we may not have the ability to influence the design and layout etc. in the same way that we can with the help of the support of the grant from HIF.”

493 LOCAL PLAN - REGULATION 19

Report No. 23/2020 was received from the Strategic Director for Places.

Mr G Brown introduced the report, the purpose of which was to update Council on progress with the preparation of the Local Plan and requests that Council approves the Pre-Submission Local Plan (Regulation 19 Publication Version) so that it can be published for its statutory 6-week stage, alongside other recommendations for dealing with the submission and examination of the Local Plan.

Mr G Brown moved the recommendations with Mr Hemsley seconding.

Miss Waller noted that The Growth, Infrastructure and Resources Scrutiny Committee resolved to request the Council to change references of climate change to climate crisis.

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Miss Waller proposed and introduced an amendment to the original motion. This was seconded. The amendment read as follows:

“To replace recommendation (1) with:

“In order to ensure a land supply for the next six or more years this local plan be approved for Regulation 19 consultation subject to the following:

- a) The Plan is for the period 2018-2030.
- b) The proposed development of St George’s Barracks is reduced to 350 homes, which is the number that can be built without HIF funding.
- c) This Council begins the review of this Local Plan as soon as practicable following the decision of this Council regarding HIF”

Then amend (2) to read:

“To support the Local Plan as amended”

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During debate of the amendment the following points were noted:

- i. Mr G Brown stated that the National Planning Policy Framework (NPPF) required policies to look ahead at a minimum of 15 years. A plan that comes forward with less than 15 years of strategic policies would be very unlikely to be found sound at inspection.
- ii. The currently developed area at St George’s Barracks had water, sewage and electric facilities and would be sufficient for 350 houses. Adding more houses would require the need to increase the water and electrical supplies.
- iii. Miss Waller stated that the HIF money would not be needed for the 350 homes proposed on the site.

- iv. Mr G Brown stated that the 350 homes would not be viable in the current form.
- v. The MOD would have to agree to it before it came into the Local Plan.
- vi. If the Local Plan was changed significantly, another sustainability assessment would need to take place.
- vii. The Monitoring Officer stated in regards to the Plan period proposed that Councillors are required to have regard to guidance from the Secretary of State when deciding on their Plan. The Plan period of a minimum of 15 years from the determination is something Councillors should have regard to during considerations.
- viii. Mr Baines stated he had talked with the Planning Inspectorate and noted that if the Council wished to make changes to the Local Plan following the Regulation 19 consultation and wished for the changes to be considered as part of the submitted plan, an addendum could be written containing the proposed changes.

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The Chairman proposed that the meeting be extended by 15 minutes in accordance with Procedure Rule 58 and this was seconded by Mr Dale.

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- ix. St George's Barracks was not a brownfield site until the MOD vacated the site.
- x. There had been no significant change in brownfields in order to update the brownfield register.
- xi. Ms MacCartney stated that if the Council went with the amendment proposing 350 houses on St George's, more could be built in the future.
- xii. Miss Waller stated that the 15 years stated in the NPPF was simply advisory.

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Mr Dale requested a recorded vote on the amendment and this was supported by four other Members in accordance with procedure rule 11.

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RESOLVED

Upon being put to the vote, the **AMENDMENT** was **DEFEATED**.

The voting was as follows:

FOR THE AMENDMENT: (11)

Bool, A Brown, Burrows, Cross, Dale, Jones, MacCartney, Oxley, Powell, Waller, Webb

AGAINST THE AMENDMENT: (16)

Ainsley, Baines, Begy, Blanksby, G Brown, Coleman, Fox, Harvey, Hemsley, Lowe, Payne, Razzell, Stephenson, Walters, Wilby, Woodley

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The Chairman proposed that the meeting be extended by a second and final 15 minutes in accordance with Procedure Rule 58 and this was seconded by Mrs Stephenson.

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Debate returned to the **ORIGINAL MOTION**

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Mr A Brown proposed and introduced an amendment to the original motion.

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Mr G Brown proposed that the meeting be adjourned to re-meet once the officers have the sufficient information for Council. This was seconded by Mr Hemsley.

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RESOLVED

That the Council meeting be **ADJOURNED** to a later date.

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The Chairman declared the meeting adjourned at 9.55 pm.

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