

Minutes of the Meeting of Staverton Neighbourhood Development Plan Committee

Thursday 20th July 2017

1. **1. Present:** J Gilford (JMG) Chairman, T Glover (ToG), V Lee (VL), J Vale (JV),

I Weaver (IW), Clerk – S Porter, Members of the public – Nil

Apologies received – K Edwards (KE), J Golding (JFG), J Holliday

1.1 Declaration and nature of interest - Nil

1.2 Process of minute production/publication/circulation

Clarification has been sought on the production/publication and circulation of the SNDP minutes. The Parish Council passed a resolution at their July meeting that all minutes'/notes draft and approved be circulated to them along with the committee. In the TOR for the SNDP committee the minutes will be taken by the clerk and the secretary shall circulate notes to SNDPWG members for comment and amendment and the SPC in a timely fashion. Minutes shall be made publically available on the SPC website. The SNDP committee has 2 x minute clerks, but no secretary. The secretary role falls to the Chair. In addition, clarification has been sought from the National Association of Local Councils as to when minutes have to be published by. ENCALC have confirmed SPC and any committee of SPC (under the Transparency Code) has a duty to publish minutes of all meetings within one month of the meeting to which they relate. The Parish Council took the decision to publish draft minutes within 7 days of their meeting. At an SNDP workshop the logistics of this process was discussed and it was concluded so long as the SNDP are meeting on a fortnightly basis the duty to publish formal minutes within 30 days will be met without the need to publish draft minutes. The SPC normal procedure is that the minutes are produced within 3 days and circulated to the Chair who then checks them for accuracy and advises the clerk of any factual alterations they consider should be done. The clerk then decides whether to amend or reject any suggested amendments and circulates to the council within seven days of the meeting, so in order that this duty can be met, minutes will need to be produced within 3 days and circulated to the committee within 7 days for approval at the meeting held 14 days later. At the workshop it was put forward that the Committee recommend to the PC that as they rely on volunteers to undertake the taking of minutes which results in various styles and approaches with them often needing amendment it would be best not to publish draft minutes.

However, it was considered that so long as minutes are produced within 3 days and circulated to the committee within 7 days for approval at the meeting held 14 days later then approved minutes could be published within 14 days of a meeting.

V Lee proposed that the approved SNDP Minutes are published within 14 days, seconded by IW and all voted in favour.

ToG proposed that the draft minutes go to the Chair for factual accuracy, seconded by JV and all voted in favour.

JG would ask the SPC to amend the terms of reference accordingly.

1.3 Clarification on who can attend a closed meeting

At the last meeting JMG was tasked to take advice from ENCALC in relation to who is able to attend a closed meeting. Normally all public are excluded but if a member of the Parish Council is present who is not a member of the committee they are invited to stop to hear discussions. ENCALC have advised when a council or committee excludes members of the public and press for an item then only the members of the committee are permitted to remain, along with whoever is taking minutes. A councillor attending a committee meeting who is not a member of that committee must leave the meeting with the other members of the public and press when instructed to do so.

The SNDP Committee confirmed that they will continue to follow the guidelines.

1.4 Internal enquiry by Staverton Parish Council into the accuracy of minutes produced by the SNDP committee

The draft minutes for the July meeting of the Parish Council states a resolution was passed that the chair of SPC looks at the procedure of the SNDP minutes taking process. Following discussions JMG confirmed the resolution will be amended and there will no longer be a requirement to do this.

1.5 Assignment of an administrator in absence of Chair of the SNDP committee

Item (e) of the TOR state that agenda shall be prepared by the chair of the SNDP giving at least three clear days' notice of meetings and sent to members via email. The chair advised she would be away for the most of August and beginning of September. IW proposed that ToG be appointed as co-ordinator of the committee, in the absence of the Chair, seconded by VL and all voted in favour (ToG abstained).

1.6 Amendment of Terms of Reference for election of Vice Chair

Currently there is no provision for a vice chair in the SNDP TOR and if the chair is absent the chair is elected from those present. The suggestion had been made to amend the TOR and have a vice chair of the SNDP committee. As there were no Vice Chair volunteers, the Committee were happy with the approach of assigning a co-ordinator.

1.7 Declaration of interest forms

JMG has circulated the advice from the DDC monitoring officer who has confirmed any member of the SNDP committee who is not a councillor has no national legal obligation nor Staverton Code of Conduct obligation on them to disclose interests at all. The Localism Act and the Code does not apply to non-Members. Therefore, there is no illegality in how they completed the interest's forms, but neither do those forms have any status. It is acknowledged that there is laudable intent to show transparency of non-Members who have been asked to sit on the SNDP Committee, so there is some value in that – but there is no Code of Conduct enforcement mechanism applying to them.

VL proposed to remove all forms from the website, seconded by ToG and all voted in favour.

It was noted any Parish Councillors who were members of the committee would still have their PC declaration of interest form published on the website.

2 MINUTES

2.1 Approval of minutes of the meeting held on the 27th June 2017 – ToG proposed that these are an accurate record of the meeting, seconded by JV and all voted in favour (VL & JMG abstained as they were not at the meeting)

2.2 Approval of minutes of the meeting held on the 29th June 2017 – Commercially sensitive so will not be published on the website – The minutes were amended with the sentence added “JV opened the meeting with the set script that was used at all the developer’s meetings” JV proposed that these are approved as an accurate record of the meeting, seconded by IW and all voted in favour (VL & JMG abstained as they were not at the meeting)

2.3 Publication of minutes of the meeting held on: 13th June 2017, 15th June 2017, 27th June 2017 – ToG to publish on the website.

3 MATTERS ARISING

- 3.1 Training in Code of conduct and Standing Orders – PC Clerk to chase training dates.
- 3.2 Housing Needs Survey – Receipt and publication of final document - Completed
- 3.3 Parish Questionnaire – JH to email adopted document to all members of the committee - Completed
- 3.4 Meeting Schedule – JH to circulate latest schedule to all members of the committee - Completed
- 3.5 Ratification of Vanessa Lee as an SNDP committee member to be put on Staverton Parish Council Agenda for July - Completed
- 3.6 Documents to be sent to consultants –The Confines Map & DDC Housing Needs Survey - Completed

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4 BUSINESS ARISING

4.1 Policy

4.1.1 Housing Need & DDC Policy Clarification D

(a) Allocation of ‘number of dwellings’ to a site within the plan

Comments have been received from DDC that they think the plan will be challenged at examination in the use of a number to determine the amount of dwellings on a site, unless there was a sound base to do so. The committee in the past have felt a 67% response rate to the questionnaire to be of sound base. JMG has also investigated made plans and found numbers being quoted in order to ensure there is development appropriate to the size of the village.

VL proposed that the status quo of no more than 10 houses remain until the developer discussions have concluded, seconded by IW and all voted in favour.

(b) Responsibilities regarding Affordable Housing (40%) - For information purposes, it has been clarified after advice from DDC that the Affordable Housing policy for DDC is to have 40% of a site as affordable housing.

JMG confirmed in the past on larger sites of say 50 or more because of viability the developer has not been held to the 40% affordable figure and recently quoted the Advant site in Daventry near the college where the figure was in the 20/30% range. However, there are no examples of smaller sites where they have not been held to the 40% and can advise that

the developer in Badby Lane chose to keep his site at 4 dwellings, rather than increase it to five dwellings resulting in the position there no obligation to provide affordable housing.

DDC had advised that failure to provide enough affordable housing or the housing mix as per the housing need survey without sound base could be a reason for refusal.

(c) Clarification regarding number of houses on the larger site in connection with market housing need and mix of housing types

(d) Viability of a scheme

DDC have confirmed:

- that it is difficult to comment on a scheme without seeing the details and question why a smaller scheme with smaller dwellings would not be viable given the very limited infrastructure costs of a small scheme and the high property values realised in a village.
- One of the main factors of viability is the price of land, whilst the NPPF refers to landowners getting a ‘competitive return’ this would have to factor in policy requirements.
- Significant weight would be given to a policy in an adopted or made plan, however they would also have to take in other material considerations, as such in the absence of such a policy or a particular proposal they can only say that an application which did not precisely match a policy in terms of mix would not be approved.
- There have been other schemes brought forward in the district that do not have an issue with viability.

4.1.2 Clarification if an SEA would be needed for Silverbirch/Braunston Lane & the School

DDC have confirmed that the assessment was correct in that although at the last meeting they quoted that an SEA may be required on the two smaller sites this is also the case for the Braunston Lane and the Silverbirch sites as well. They did not feel there would be a requirement to have an SEA on the school site.

4.1.3 HS24

DDC have confirmed that both the Silverbirch & Braunston Lane sites would have to be assessed against HS24 as they are in ‘open countryside’ and that there will be the same level of scrutiny and work in relation to these two larger sites as to the two smaller sites in the

conservation area. JG advised sites in neighbouring villages had been refused on appeal in connection with the HS24 policy so ultimately there would be a lot of work to be undertaken on four out of the five sites, and that that all had an equal risk in connection to obtaining planning permission as DDC had advised there was precedent for the village in that there was an appeal decision regarding an application near the church.

4.1.4 Village Car Parking –

IW proposed and TG seconded that a directive is sought from the Parish Council in connection as to whether they consider that in order to deliver a community benefit they would compromise within reason on the type/mix and housing need number (15) in order to deliver that benefit. All in favour resolution carried

JV proposed that the SNDP Committee give a directive to the PC that the type/mix and housing need number be the avenue to pursue as opposed to parking/community benefit, seconded by IW. Three against resolution failed. Consequently, the proposed workshop to prepare a discussion document was cancelled and it was agreed JoG would read out the document circulated prior to the meeting as a preamble to the chair obtaining a directive from the PC.

4.2 Potential sites

4.2.1 By the School – VL proposed that although there was a proposal on the table that was not fully compliant with the SNDP requirements, it should be given serious consideration as being acceptable as it nearly matched the housing need, seconded by ToG, all in favour. VL proposed that JMG/ToG visit the School to engage with them on the site, and ask them to take a pro-active role in working with the SNDP committee to enable the SNDP to move forward with the long term plan which could resolve the car parking issues, seconded by IW, all voted in favour to proceed.

4.2.2 Silverbirch – Discussions have been concluded with a plan being furnished that met the housing need and offered community benefit that could be put forward to the site selection meeting to be held.

4.2.3 Braunston Lane – Dialogue is ongoing with this site. JV was asked to obtain a definitive answer as to whether the site would be deliverable with five dwellings.

4.2.4 The Croft – An email had been circulated from the croft to advise they were progressing plans for the site and were in positive dialogue with DDC.

4.2.5 The Beeches – IW proposed that the dialogue with the Beeches be re-opened to mirror the questions being asked of the other sites, seconded by VL All voted in favour. JV/JMG were tasked to draft an email to send asking them to furnish their plan for a site of either three or five dwellings, and obtain clarification from highways as to what access if any would be considered acceptable into the site.

4.3 Documents for adoption

4.3.1 Consultation Statement - Defer

4.3.2 Parish Questionnaire Statement - Completed

4.3.3 Housing Needs Statement - Defer

4.3.4 Site Assessment Statement – Workshop to be held

4.3.5 Site Proposals Map – Workshop to be held

4.3.6 Village Confines – Completed ToG to circulate document

4.4 STAVERTON NEIGHBOURHOOD DEVELOPMENT PLAN - deferred

4.5 Consultants – deferred

5 CORRESPONDENCE

5.1.1 Letter from Sam Willoughby Architects – land rear of church – Passed to SPC

5.1.2 Email from R Frost 5/7/2017 – declaration of interest forms – Response sent advising there was not a requirement to complete declaration of interest forms for non Parish Councillors

6 PARISH MAGAZINE

6.1 Consultation report to be included in 24th July edition

Full delegated power was given to the workshop to be held on the 22nd July to submit a report/update on where the committee was in connection with preparation of the SNDP. It was considered the article should be used to try and engage parishioners in the process further. Proposed by JV, seconded by VL all voted in favour.

7 FINANCE

7.1 Final costings report presented by ToG

7.2 JG reported:

- The SNDP programme period had been confirmed as 2015 – 2018
- There is a ceiling on the amount of BASIC GRANT that can be applied for of £15,000
- This consisted of a basic grant of £9,000 & an additional £6,000 for further support
- SNDP have looked to engage consultants to undertake:
 - Site assessment – review of methodology
 - Health check of SNDP
 - Assistance in undertaking Reg 14 consultation
 - Assistance with production of SEA if needed
- SNDP are also looking at the possibility of engaging consultants to review the approved policies
- The basic grant is made up of four tranche applications within the plan period.
- Applications are measured in the years they are made in
- You can have either a three month or a six-month tranche funding stream, in the past we have had a three month ‘stream’
- The scheme in total finishes on the 31st March 2018 with all monies having to have been spent by then and plan delivered
- Working backwards from March 31st a six-month tranche would be 1st September to 28th February 2018.
- If the SNDP applied in August, the tranche would commence 1st September 2017 and run until the 28th February 2018.
- You cannot apply for more than one stream of technical assistance at the same time. So for example we cannot apply for monies for policy reviews until the site-assessment work has been completed
- The SNDP have £12,170 or thereabouts left to apply for.
- The technical assistance work is administered under a different process and just appears as free of charge to us.
- If we want assistance with Reg 14 then this should come out of the basic grant and would not be approved under the Technical support scheme
- The advice is not to get any of the policies reviewed until the site-specific policies have been completed
- Once the sites have been determined the SEA work should be kicked off immediately so the consultant can determine if the Local Authorities screening view is correct
- What the SNDP cannot spend the grant money on is:

- Any general administration costs, such as arranging and minuting steering group meetings
- Funding salaried posts or compensating for loss of earnings, this includes paying additional hours for an existing member of staff and / or employing someone on a casual or freelance basis at an agreed hourly rate. The only exception to this is where you are engaging a planning consultant, or someone to deliver specialist, technical support, on an hourly basis, although even in these circumstances you may prefer to get a fixed price quote for the work to be undertaken
- Paying for volunteer time, however reimbursement of reasonable out of pocket expenses is eligible
- Reimbursing expenditure which has already been incurred, we recommend that you only apply for funding for activities that start at least one month after the date of your application
- Capital items - generally this means that a purchase results in owning a lasting asset such as computers, photocopiers or digital projectors
- Any other activity which is not directly associated with developing the Neighbourhood Plan or Neighbourhood Development Order

It was proposed by ToG that fourth tranche of basic condition grant be submitted in August that included funding to engage a consultant to 'hand hold' the group through the rest of the process, review policies, and assist with the reg 14 process seconded by IW, all voted in favour.

ToG would complete the grant application and circulate before submission.

A workshop was set to review the action plan working backwards from the 31st March for Wednesday the 26th July at 7:15pm at IW's house.

8 STAVERTON PARISH COUNCIL

It was agreed the chair would:

8.1 Circulated to the PC the Parish Questionnaire and Village Confines Map and obtain ratification of said documents

8.2 Obtain a directive in relation to sites and housing mix/type as discussed earlier in the agenda.

8.3 Inform the PC of the risks in connection with timescale/grant

8.4 Ask for an amendment to the TOR of the SNDP committee in relation to circulation of notes/minutes

9 MEETING SCHEDULE/PROJECT PLAN

PROJECT PLAN

WORKSHOPS: 22nd July - location VL Parish Magazine article

26th July - Completion of action plan

MEETINGS: - 3rd August. 15th August, 29th August, 12th Sept, 26th Sept

Meeting Closed: 9:35pm