

PUBLIC

MINUTES of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held at County Hall, Matlock on 26 June 2018

PRESENT

Cabinet Member - Councillor S A Spencer

65/18 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Cabinet Member for Highways, Transport and Infrastructure held on 14 June 2018 be confirmed as a correct record and signed by the Cabinet Member.

66/18 **AWARD OF GRANTS TO EXTERNAL RECIPIENTS** **RESOLVED** to approve the award of grant to Friends of Glossop Station (£85).

67/18 **CONSULTATION ON DRAFT NATIONAL PLANNING POLICY FRAMEWORK AND SUPPORTING HOUSING DELIVERY THROUGH DEVELOPER CONTRIBUTIONS** The Ministry of Housing, Communities and Local Government (MHCLG) has consulted the County Council on the Draft National Planning Policy Framework (DNPPF); and Supporting Housing Delivery Through Developer Contributions (SHDTDC).

In formulating the County Council's responses on both consultations to meet MHCLG's deadline of 10 May 2018, extensive discussion and consultation took place at both Member and Officer level within the County Council. The DNPPF was debated at Council on 11 April 2018.

The detailed officer comments on the DNPPF were as follows:

- support many of the proposed policy changes in the DNPPF, particularly the separation of the plan making and decision taking functions; the greater emphasis placed on strategic plan making and strategic policies and the enhanced role of county councils in both processes in working jointly with local authorities in setting the key strategic priorities of an area; the introduction of a standard methodology for calculating housing need; and the priority given to previously developed land, where Green Belt land release is deemed to be necessary;
- express concern that the Government has not taken the opportunity to incorporate planning policies for Gypsies and Travellers in the DNPPF, which will remain as a separate policy document;
- accept that the five year housing land supply test should be applied to the presumption in favour of sustainable development but oppose the inclusion of the Housing Delivery Test to the presumption due to its short term nature that may be subject to exceptional circumstances;

- consider that making viability assessments open to public scrutiny could lengthen the time taken to determine planning applications and that local development plan documents are the most appropriate vehicle to set out the circumstances in which viability assessments should be submitted with planning applications;
- express concern that the economy section of the DNPPF only amounts to four paragraphs, when economic development is at the heart of sustainable development and given the importance placed on the economy by the Government in its consultation on the National Industrial Strategy. The policy approach appears to be very imbalanced when compared the other sections of the Framework which are extensively focussed on housing provision;
- express concern about proposed changes to retail policy, particularly the reduced timeframe for consideration of delivery of sites in the sequential test and that the Government should have taken the opportunity to clarify the approach to 'flexibility' in the assessment of sequentially preferable sites;
- express concern that the 'severe' test still remains in the Framework as the basis for the assessment of impacts of development on the highways network in determining planning applications as this can rule out the opportunity to secure developer contributions towards the mitigation of offsite impacts over the wider transport network; and
- support the inclusion of policies for minerals in the DNPPF but consider that national policies for waste should also be included in the Framework rather than in a separate policy document.

Detailed comments were contained in the Appendix to the report and a further comment on Chapter 13 and Question 30 were detailed in the report.

The main points of the County Council's response to Government on SHDTDC were as follows:-

- expressed concern that the three scenarios proposed by Government where the pooling restriction would be lifted would make the system more convoluted, less transparent and increase monitoring requirements. Currently, the CIL Regulations restrict the number of Section 106 obligations which can be pooled towards a project or item of infrastructure to five. The County Council recommended that if pooling were to be removed in its entirety, this would help to deliver the growth needed to support development in a timely manner, reduce the complexity of monitoring and reduce the incidence of challenge;
- agreed that the setting of a CIL and the amount of consultation required should be proportionate to allow a CIL charging schedule to be more reactive to market fluctuations;
- agreed that the Regulation 123 list (which lists infrastructure projects/ types of infrastructure that the Charging Authority intends will be, or may be, wholly or partly funded by CIL and for which Section 106 cannot be sought) should be removed and replaced with an Infrastructure Funding Statement (IFS). The County Council suggested that an IFS should

list the infrastructure required to support development in a local plan over a five year period with a section to address longer term strategic projects either within the plan period, or up to 10 years. The IFS would also indicate, but not bind the Authority, to how the infrastructure would be funded (i.e. CIL versus Section 106);

- agreed that Section 106 monitoring fees should be allowed to be charged and, where there are two tier authority areas, consideration needs to be given to fees for each authority;
- recommended the indexation of CIL should be via Building Cost Information Service (BCIS) All in Tender price as this takes account of build costs and not the Consumer Price Index as house price indices can fall as well as rise, whilst the construction cost of infrastructure generally rises; and
- welcomed the option to introduce a Strategic Infrastructure Tariff (SIT), however, this should not be limited to Combined Authorities and Joint Committees with strategic planning powers. It was strongly recommended that, as the delivery agent for large scale infrastructure, this opportunity should also be given to county councils to be an accountable body for a SIT in order to deliver strategic infrastructure.

Detailed comments to the questions on the SHDTDC consultation were detailed in the Appendix to the report.

RESOLVED to delegate authority to officers to send a formal response to the Ministry of Housing, Communities and Local Government on its consultations on the Draft National Planning Policy Framework and Supporting Housing Delivery Through Developer Contributions, as set out in the report and appendices.

68/18 REVIEW OF CHARGES AND PAYMENTS FOR COMMERCIAL WASTE, ABANDONED VEHICLES, RECYCLING CREDITS AND EXCESS MILEAGE The charges and payments made to District and Borough Councils for the disposal of commercial waste and abandoned vehicles; and payments for recycling credits and excess mileage relating to the delivery of waste management services within the County, detailed in the report and have been subject to an annual review. It was proposed to increase the Commercial Waste disposal recharge in 2017/2018 to £130.78 per tonne; the abandoned vehicle payments to £39.53 per vehicle which took into account the annual adjustment based on the Retail Price Index (RPI); Recycling Credits in accordance with the statutory 3% increase to £56.59 per tonne; and the excess mileage payments, linked to the RPI, to £0.95 per tonne per mile, or £36.69 per hour travelled.

The Cabinet Member requested that consideration be given to submitting a bi-annual report on the proposed review of charges and payments.

RESOLVED to approve (1) the commercial waste disposal recharge rate for 2018-19 at £130.78 per tonne with an additional administration fee to be added;

(2) the abandoned vehicle rate for 2018-19 at £39.53 per vehicle in accordance with the Agency Agreement;

(3) the recycling credit rate for 2018-19 at £56.59 per tonne; and

(4) the excess mileage payment for 2018-19 at £0.95 per tonne per mile or £37.94 per hour travelled.

69/18 EXCLUSION OF THE PUBLIC RESOLVED that the public, including the press, be excluded from the meeting during consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings:-

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC, INCLUDING THE PRESS, WERE EXCLUDED FROM THE MEETING

1. To confirm the Exempt Minutes of the Meeting held on 14 June 2018.
2. To consider the exempt Report of the Strategic Director – Economy, Transport and Environment on the South Derby Growth Zone – Project Support. (contains information relating to the Financial or Business Affairs of a Particular Person (Including the Authority Holding that Information))