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Rutland County Council

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Minutes of the **MEETING of the PARISH COUNCIL FORUM** held Via Zoom on Monday, 23rd August, 2021 at 7.00 pm

PRESENT:

Mr J Dale	Chairman Parish Council Forum
Mr O Hemsley	Leader of RCC
Mr I Razzell	Portfolio Holder for Planning, RCC
Mr M Andrews	Chief Executive RCC
Mrs P Sharp	Strategic Director for Places, RCC
Mr P Horsfield	Monitoring Officer, RCC
Mr A Nix	Head of IT & Customer Services, RCC
Mr R Ranson	Planning Policy and Housing Manager, RCC
Mrs R Armstrong	Planning Officer, RCC
Mr J Barnes	Electoral Services Manager, RCC

PARISH REPS:

Parish/Town Council/Meeting

Barleythorpe	Malcolm Phillips
Barrowden	Richard Littlejohns
Belton	Christian Redecen-Davies
Burley	Gerry Robinson
Clipsham	Clifford Bacon
Cottesmore	Janice Patient
Edith Weston	Julie Gray
Essendine	Tevor Burfield
Glaston	Paul Collis
Great Casterton	Mark Bush
Greetham	Peter Hitchcox
Hambleton	Jeremy Orme
Ketton	Sinclair Rogers
Langham	Jennifer Maskell
Little Casterton	Ian Dobson
Lyddington	Dinah Hurwood
Manton	Richard Camp
Market Overton	Andy Williamson
Morcott	Andrew Johnson
	Philip Giles
Normanton	Christopher Renner
North Luffenham	Tim Smith
Ryhall	Adrian Gombault
South Luffenham	Claudia Cockburn
Stoke Dry	Mark Morris
Thorpe by Water	Anthony Redmayne
Uppingham	Ron Simpson BEM
Whitwell	Sally Mullins

Wing

Kenneth Siddle

John Dejardin
Chris Jordan
Tony Mathias

1 WELCOME AND INTRODUCTION BY THE CHAIRMAN OF THE COUNCIL

Councillor Dale, Chairman of the Council, welcomed everyone to the meeting, and explained that the meeting was to provide an overview and briefing on the process followed by officers presenting their report to Council who then make their decision to approve or reject the plan having considered the officers' recommendations. It was explained that the Parish Forum could not feed into the report or the Local Plan document directly. The primary method of ensuring that the views of our communities are heard is through Councillors and questions or depositions should be centred on the recommendation and options in the Report.

The Chairman explained that Parishes could submit questions or depositions.

Questions and depositions may be submitted through the Council's Governance team, but please note that in accordance with the Constitution they will only be considered if they directly relate to an item on the Special Council agenda.

Due to the Bank Holiday, petitions and questions must be submitted by 4.30pm on Friday 27th August 2021. Requests to make depositions must be submitted by 12:00 noon on the day of the meeting (Wednesday, 1st September 2021).

2 APOLOGIES FOR ABSENCE

Apologies were received from Ashwell Parish Council.

3 INTRODUCTION AND PROTOCOL FOR MEETING BY CHIEF EXECUTIVE

Mark Andrews (CEO, RCC) thanked everyone for attending explained that the purpose of the meeting was to enable parishes to understand the recommendations and alternative options in the report going to Special Council. Attendees could then advise their parishes and work with their ward councillors ahead of the debate, using the information to submit questions and depositions if required.

4 REPORT FROM STRATEGIC DIRECTOR - PLACES (PENNY SHARP)

Penny Sharp then provided a presentation on the recommendations of the report. The presentation provided was to help Parish and Town Councils understand the report going to Council and covered:

- Special Council Meeting on 1 September 2021
- Recommendations to Special Council
- Implications of withdrawing the Local Plan

- Alternative options
- How parishes feed into the Council decision making process (this element covered by Phillip Horsfield, the Council's Deputy Director Corporate Governance and Monitoring Officer)

5 QUESTIONS AND ANSWERS

Following the report and briefing Parish and Town Councils were given the opportunity to ask questions.

- **Adrian Gombault (Ryhall Parish Council):**
 - Requested clarification on the situation with the Quarry Farm (Stamford North) site.
 - Response from Penny Sharp: If the Local Plan was withdrawn, there would be no strategic allocation for housing development at Quarry Farm in Rutland therefore there would be no existing policy framework for the Local Planning Authority to agree to a development. This was complicated by the Stamford North development being allocated within the South Kesteven adopted Local Plan on the basis that the part of the development within Rutland would count towards South Kesteven's housing needs. This would not be a straightforward matter and would need to look at any applications very carefully but without Rutland Local Plan there would be no policy basis for Rutland County Council to approve them.
 - If RCC have to develop a new Local Plan the 650 houses at the site would need to be looked at carefully and in light of the refreshed housing needs evidence base. Any consideration as to confirm whether they would form part of meeting Rutland's or South Kesteven's housing needs would also need to take into account any legal considerations.
- **Jeremy Orme (Hambleton Parish Meeting):**
 - Asked for clarification on reverting to HIF bid.
 - Response from Penny Sharp: Constitutionally the council could revisit the HIF decision after a period of 6 months (after 22 September). There would be an option for Council to re-consider whether it would want to accept HIF funding. Homes England has confirmed that contracting for the £29.4m remains an option that could still be pursued.
 - Homes England have indicated that the end date of the spend could be moved to March 2025 to accommodate a delayed acceptance of this funding. Aside from the spend date it is unlikely there would be any material change to the agreements that Council considered in March 2021.
 - It was stressed that this is a decision for Council as to whether it wishes to revisit this decision.
- **Sinclair Rogers (Ketton Parish Council):**

- Ketton PC concerned about unintended consequences of decision not to accept HIF. Already have enough housing developments proposed which will increase their population by over 20% with no increase in services or size of school, doctors surgery, public transport etc. When will RCC look at impact on the villages in Rutland?
- Mark Andrews explained that officers implement policy as set by Council and this policy was set back in February 2020 based on the Local Plan, however the decision to then not accept the HIF grant makes things challenging.
- There was further concern raised about potential planning “free-for all” if Local Plan not adopted and with a delay in getting a new one.
- Mark Andrews reiterated that such risks have been highlighted in the report and this would be considered by members in due course. The risks had also been covered in the financial projection in the report.
- **Christopher Renner (Normanton Parish Meeting):**
 - Asked if it was confirmed that St George’s would actually close as the MP for Rutland and Melton was looking for accommodation for Afghan refugees?
 - Mark Andrews: Responded by explaining that if any accommodation was to be used this would be outside of the wire and that DIO have confirmed the vacation date in 2024. He also reiterated that the St George’s site would still have to be looked at in any future version of a Local Plan.
- **Andrew Johnson (Morcott Parish Meeting):**
 - Asked whether the new plan had a new settlement hierarchy as part of the process?
 - Penny Sharp responded: Explained that refreshing the evidence base for a new plan would inform the settlement hierarchies which may or may not change. The evidence would need to be looked at once it had been refreshed.
 - Secondly, to what extent do the NPPF limitations apply to new development regardless of RCC policies?
 - Penny Sharp responded: New applications for new housing development would be in line with NPPF in the absence of the Council being able to demonstrate a 5 year housing supply but this doesn’t necessarily stop Planning Committee from refusing applications. Could potentially increase risk of appeal if Planning refuse applications.
 - Roger Ranson further explained that where the Council cannot demonstrate a 5-year supply then the presumption in favour of sustainable development would mean that permission should be granted unless granting permission unless the policies in the NPPF to protect areas or assets of particular importance provides a clear reason for refusing the development

proposed or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

- “Made” Neighbourhood plans are part of the development plan system and have the same weight in decision making as the Council’s adopted planning policies. As such they will have weight in considering applications in terms of decision making. Several in place and with others being worked through the system now. If the Local Plan is withdrawn a key thing could be the use of existing Neighbourhood Plans in making decisions and bringing new Neighbourhood Plans in to help shape new development. These are likely to take 2- 3 years to complete from designation.
- **Tim Smith (North Luffenham Parish Council):**
 - Asked if LP was withdrawn would RCC like to see Neighbourhood Plans in place to help with planning?
 - Roger Ranson responded: Explaining that this is part of the process that RCC would like to support irrespective of the situation with the Local Plan, as they provide value in local decision making and RCC will support those going through Neighbourhood Plan processes.
- **Ron Simpson BEM (Uppingham Town Council):**
 - Requested that when presenting the report to Council that Officers explain that elements of the community are pleased with their work and that there could now be an opportunity to revisit the plan.
 - If members go back and rework the Local Plan should Parish/Town councils accelerate their Neighbourhood Plans as they had been waiting to try to align their Neighbourhood Plan with the Local Plan?
 - Roger Ranson responded: Advising that it would be dependent on the decision on the Local Plan but if it was withdrawn then dialogue would be needed to confirm the housing requirements in any Neighbourhood Plans if these propose to make allocations. Also of note was that Neighbourhood Plans may need to be reviewed following the adoption at some point of a new Local Plan. Advice is to work to Neighbourhood Plan timetable, don’t depend on the Local Plan.
- **Peter Hitchcox (Greetham Parish Council):**
 - Greetham were in support of Ketton comments but felt that if there was no Local Plan the consequences could be that RCC would have no effective legal direction on planning development, and they were worried it will be a free for all. Why have RCC not revisited HIF given the cost of a revised plan to retain the draft Local Plan?
 - Mark Andrews responded: This is a decision for Council and he re-iterated that questions/deputations can be submitted to Council. Although Greetham, had written to RCC if points were intended to be raised for the debate by Council then they needed to be submitted formally through the Governance team as mentioned by the Chairman at the beginning of the meeting.

- **Jeremy Orme (Hambleton Parish Meeting):**
 - Asked about the impact of Neighbourhood Plans if the Council withdraw the Local Plan? Do Neighbourhood Plans have weight. Would those villages not having one be exposed to unwelcome planning applications?
 - Roger Ranson responded: Yes, but this is dependent on the content of the Neighbourhood Plan's policies and their relevance to any development proposal. Planning law determines that decision should be made in accordance with Development planning systems comprising County Council planning policies and Neighbourhood Plan policies unless material circumstances determine otherwise. So if there is no Neighbourhood Plan, planning decisions would be based of the NPPF and any relevant adopted policies of the Council.

- **Sally Mullins (Whitwell Parish Meeting):**
 - How do Parish Meeting stand without Neighbourhood Plan?
 - Roger Ranson responded: Those without a Neighbourhood Plan can form Neighbourhood plan group, needs 21 people. This would be a different mechanism to achieve the same purpose and the planning policy team can advise on this.

With no other questions the Chairman closed the meeting having first reiterated that petitions/questions by 4.30pm on Friday.27 August 2021 and request to make deputations by 12:00 on 1 September 2021, the day of Special Council meeting.

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The Chairman declared the meeting closed at 8.01 pm.

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Rutland County Council
Parish Council Forum
23rd August 2021

Special Council Meeting -

1st September 2021

- **Council needs to decide how to proceed with its submitted Local Plan** given the significance Council's decision not to accept the HIF grant and the impact on the delivery of the Local Plan development strategy.
- **The Planning Inspector has paused the process of Examination In Public** until the Council can confirm its intentions regarding the Submitted Local Plan.
- Discussions with MHCLG, Homes England, MoD and RCC have concluded that there is **currently no alternative solution to funding the £29.4m gap** for St George's scheme.



Recommendations to Special Council:

That Council:

- **Withdraw the Local Plan** from Examination in Public.
- **Commit to preparing a new Local Plan** from the beginning of the process eg: evidence gathering and review and identification of Issues and Options.
- **Agree budget provision of £1.395m** for preparation of a new local plan and additional staff resource due to the implications of operating without a plan.
- **Establish a cross party working group** to oversee the process of making a new Local Plan.



Implications of Withdrawing the Plan:

- **A new Local Plan will need to be prepared**
 - estimated to take about 4 years at an additional cost of £1.395 million.
- **The Council will not have a five-year housing land supply** - development proposals will have to be determined in accordance with the presumption in favour of sustainable development.
- **Anticipate additional speculative planning applications** - increase in pressure on services already experiencing high-demand e.g. Development Management, Highways.
- **Difficult for other services to plan** e.g. Health, education, public transport and to proactively plan for infrastructure investment.



Implications of Withdrawing the Plan:

- **Potential impact on Rutland's Housing Delivery Test (HDT)** - may result in penalties and the need to identify additional housing supply.
- ⇒ • **St. George's Barracks remains in the Ministry of Defence's disposal programme** – landowner considering all options for what will be a 'brownfield' site in 2024.
- **Quarry Farm (Stamford North) site will have no policy basis for development in Rutland** - an integral part of the Stamford North urban extension for the South Kesteven Local Plan and could impact delivery assumptions.



Alternative Options:

- **Proceed with the Local Plan examination at risk** - in the anticipation that the MoD as landowner (MoD) could demonstrate viability and deliverability of the St. George's site at that time.
- ↳ • **Revisit the HIF decision** (Council decisions can be revisited after six months has passed). Homes England have indicated that an option remains for the Council to enter a tripartite grant agreement for HIF with an extended deadline for the grant to March 2025.
- **Both options are considered to carry significant risks**



How do Parish Councils feed into the Council Decision-Making process?

- Review Special Council Report that has now been published (23rd August).
- Discuss within local communities/parish meetings.
- Discuss views with local Ward Councillor(s).
- Option to submit questions in advance. in advance Friday 27th August at 4:30pm (owing to Bank Holiday)
- Option to present a Deputation to Council.
- Option to attend meeting in person [Limited attendance due to Covid] or listen to the meeting online.



Rutland County Council

4 Opportunity for questions and clarifications from Parish and Town Councils (5 minutes per Council)