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EXECUTIVE

Date: Tuesday, 14 May 2019

Time: 10.00am

Location: Shimkent Room, Danesill House, Danestrete

Contact: Ian Gourlay (01438) 242703

Members: Councillors: Sharon Taylor OBE, CC (Chair), Joan Lloyd (Vice-Chair), Rob Broom, John Gardner, Richard Henry, Jackie Hollywell and Jeannette Thomas.

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 30 APRIL 2019

To approve as a correct record the Minutes of the meeting of the Executive held on 30 April 2019 for signature by the Chair.

Page Nos. 3 - 6

3. STEVENAGE BOROUGH LOCAL PLAN: PRE-ADOPTION DRAFT

To seek agreement to recommend to Council that the Local Plan, incorporating main and minor modifications, is adopted, and that the District Plan Second Review 2004 is subsequently revoked.

Page Nos. 7 - 14

4. URGENT PART I BUSINESS

To consider any Part I business accepted by the Chair as urgent.

Page Nos.

5. EXCLUSION OF PRESS AND PUBLIC

To consider the following motions –

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.

2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

6. URGENT PART II BUSINESS

To consider any Part II business accepted by the Chair as urgent.

NOTE: Links to Part 1 Background Documents are shown on the last page of the individual report, where this is not the case they may be viewed by using the following link to agendas for Executive meetings and then opening the agenda for Tuesday, 14 May 2019 – <http://www.stevenage.gov.uk/have-your-say/council-meetings/161153/>

Agenda Published 3 May 2019

STEVENAGE BOROUGH COUNCIL

EXECUTIVE MINUTES

Date: Tuesday, 30 April 2019

Time: 10.00am

Place: Shimkent Room, Daneshill House, Danestrete

Present: Councillors: Sharon Taylor OBE CC (Chair), Mrs Joan Lloyd (Vice-Chair), Rob Broom, John Gardner, Richard Henry, Jackie Hollywell and Jeannette Thomas.

Start / End Time: Start Time: 10.00am
End Time: 10.30am

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

An apology for absence was received from Councillor Ralph Raynor.

There were no declarations of interest.

2 **MINUTES - 14 MARCH 2019**

It was **RESOLVED** that the Minutes of the Executive meeting held on 14 March 2019 be approved as a correct record for signature by the Chair.

3 **LOCAL DEVELOPMENT SCHEME (LDS)**

The Executive considered a report seeking approval of a revised Local Development Scheme (LDS) for the Council.

The Portfolio Holder for Environment and Regeneration advised that the Council's existing Local Development Scheme (LDS), approved in July 2016, needed to be updated as a result of the recent lifting of the Secretary of State's Holding Direction on the Stevenage Borough Local Plan. The proposed revised LDS now showed an anticipated adoption date for the Local Plan of 22 May 2019, as well as timetables for the Railway Station Area Action Plan and the introduction of the Community Infrastructure Levy (CIL).

It was **RESOLVED**:

1. That the Local Development Scheme (LDS) 2019, attached as Appendix A to the report, be approved as the programme for the new Stevenage Borough Local Plan and associated documents, subject to any necessary minor editorial modifications agreed by the Assistant Director of Planning and Regulation having consulted with the Portfolio Holder for Environment and Regeneration.

2. That the LDS 2019 is brought into effect from 13 May 2019 and published on the Council's planning web pages.

Reason for Decision: As contained in report.

Other Options considered: As contained in report.

4 **STEVENAGE BOROUGH COUNCIL LOCAL PLAN : PRE-ADOPTION DRAFT**

The Executive considered a report in respect of initial proposals for recommendation to Council on the adoption of the Stevenage Borough Local Plan 2011-2031, incorporating main and minor modifications, for consultation with the Overview and Scrutiny Committee, in accordance with the Budget and Framework Rules in the Council's Constitution.

The Portfolio Holder for Environment and Regeneration provided the background and history to the Local Plan, as set out in Section 3 of the report, leading up to the Secretary of State's issuing of a Holding Direction in November 2017, which had remained in force for over 16 months.

The Portfolio Holder for Environment and Regeneration referred to the Secretary of State's lifting of the Local Plan Holding Direction on 25 March 2019, on the understanding that the Council committed to a number of actions, as set out in Paragraph 3.12 of the report. Also set out in that paragraph were the Council's responses to address those actions.

The Leader reminded Members that the Council was now at the stage where it could either adopt the Stevenage Borough Council Local Plan, incorporating the Main Modifications recommended by the Inspector, or must withdraw it completely. There was no opportunity to open up for discussion issues previously considered during earlier consultation processes on the Plan or at the Examination in Public held in early 2017.

The Leader considered that the delays caused by the Holding Direction had resulted in unnecessary costs to the Council Tax payers of Stevenage due to the legal fees and expenses incurred by the Council in challenging that decision. She had raised the matter of what appeared to be the indefinite and unreasonable timescales associated with Holding Directions with the Local Government Association, whom she had asked to lobby the Government on this issue.

The Leader commented that, prior to the Holding Direction, the Council had been aware of the Railway Station as an important gateway to the town, also recognised by residents and local businesses. The Council would therefore be supportive of an Area Action Plan for the "Station Gateway" area.

The Executive supported the Portfolio Holder for Environment and Regeneration's suggestion that the following wording be added to Paragraph 3.12 of the report:

"The Council has worked proactively since the Holding Direction was put in place on 13 November 2017 to attempt to get the Direction lifted. There were no technical issues outstanding at the end of January 2018. A number of meetings and visits

between Council Members and officers and civil servants and the Secretary of State have taken place during this time, alongside constant requests to the Ministry of Housing, Communities and Local Government (MHCLG) to release the Direction. The support of other Hertfordshire Local Government Authorities and professional bodies during this period has been appreciated.”

The Leader and Portfolio Holder for Environment and Regeneration expressed their thanks to the work carried out by officers in attempting to break the deadlock caused by the Holding Direction.

It was **RESOLVED**:

1. That the outcomes of the Main Modifications (and associated Sustainability Appraisal) consultation be noted (responses summary attached as Appendix A to the report).
2. That the content of the Inspector’s Report be noted (attached as Appendix B to the report).
3. That the Overview and Scrutiny Committee be informed that the Executive’s initial proposal is to recommend to Council to accept the Inspector’s recommendation to adopt the Stevenage Borough Local Plan, incorporating main and minor modifications (attached as Appendix C to the report), and associated Proposals Map, and also to revoke the District Plan Second Review 2004 (Background Document BD1).

Reason for Decision: As contained in report.

Other Options considered: As contained in report.

5 **URGENT PART I BUSINESS**

None.

6 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED**:

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in Paragraphs 1 to 7 of Schedule 12A of the Act, as amended by SI 2006 No. 88.
2. That, having considered the reasons for the following items being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

7 **PART II MINUTES - EXECUTIVE - 14 MARCH 2019**

It was **RESOLVED** that the Part II Minutes of the meeting of the Executive held on 14 March 2019 be approved for signature by the Chair.

8 **URGENT PART II BUSINESS**

None.

CHAIR

Meeting EXECUTIVE
Portfolio Area ENVIRONMENT AND REGENERATION
Date 14 May 2019



STEVENAGE BOROUGH LOCAL PLAN: PRE-ADOPTION DRAFT

KEY DECISION

Authors Caroline Danby | 2823
Lead Officers Chris Berry | 2954
Contact Officer Caroline Danby | 2823

1 PURPOSE

- 1.1 To inform Members of the outcomes of consultation with the Overview and Scrutiny Committee on the initial proposals set out in the 30 April Executive Report.
- 1.2 To seek agreement to recommend to Council that the Local Plan, incorporating main and minor modifications, is adopted, and that the District Plan Second Review 2004 is subsequently revoked.

2 RECOMMENDATIONS

- 2.1 That the outcomes following consultation with the Overview and Scrutiny Committee be noted.
- 2.2 That Executive inform Council that its firm proposal is that Council accept the Inspector's recommendation to adopt the Stevenage Borough Local Plan, incorporating main and minor modifications (attached as Appendix B), and

associated Policies Map and that Council be asked to revoke the District Plan Second Review 2004 (BD1 to the Executive report on 30 April 2019).

3 BACKGROUND

3.1 The detailed background is set out in the report to Executive on 30 April 2019, a copy of which is at Appendix A.

3.2 At its meeting on 30 April 2019 Executive resolved:

1. That the outcomes of the Main Modifications (and associated Sustainability Appraisal) consultation be noted.
2. That the content of the Inspector's Report be noted.
3. That the Overview and Scrutiny Committee be informed that the Executive's initial proposal is to recommend to Council to accept the Inspector's recommendation to adopt the Stevenage Borough Local Plan, incorporating main and minor modifications, and associated Proposals Map, and also to revoke the District Plan Second Review 2004.

3.3 In accordance with the Budget and Policy Framework rules in the Council's Constitution, the Executive's initial proposals were submitted to the Overview and Scrutiny Committee for consultation on 30 April 2019. This report is to inform Executive of the Overview and Scrutiny Committee's responses to the consultation and recommend firm proposals to be submitted to Council. The timetable is set out below:

Date	Meeting	Report
30 April	Executive	Draft proposals
30 April	Overview and Scrutiny Committee	Draft proposals
14 May	Executive	Finalised proposals (taking into account feedback from Overview and Scrutiny)
16 May	Overview and Scrutiny Committee	Finalised proposals
22 May	Council	Adoption of the Local Plan

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

Recommendation 2.1:

That the outcomes following consultation with the Overview and Scrutiny Committee be noted.

- 1.1 The Overview and Scrutiny Committee considered the 30 April Executive Report at their meeting on 30 April.
- 1.2 Questions were raised in relation to a number of different issues. A summary of the key issues raised and officer responses is below:

Reference to 'new' railway station

Members questioned the significance of the removal of references to a 'new' railway station (in line with the Secretary of State's letter lifting the holding direction) and whether this would impact delivery of improvements. Officers explained this was of no major significance to the draft Local Plan. Both amendments requested by the Secretary of State were minor modifications and it had always been the intention of the Council to press for an improved and regenerated Station, as supported by residents and local businesses.

Affordable housing

Members questioned the origins of the removal of the words 'at least' in Main Modification 57 (MM57), in relation to the 30% affordable housing provision requirement of Policy HO3. Officers clarified that this modification was put forward by the Planning Inspector. In her view, Policy HO3 (Land North of Stevenage) should not be seeking an affordable housing level above those rates set out in Policy HO7 (Affordable housing targets). The Council will still be able to allow and encourage a greater proportion of affordable housing, but will not be able to insist upon it.

Members were concerned that the delay in adopting the Local Plan may have caused the Council to lose potential affordable housing, as it could not successfully negotiate on viability. Officers explained that the Council has been using the draft Local Plan as a material consideration in determining planning applications, despite it not being adopted. Officers undertook to provide Members of the Committee with details of any potential loss of affordable housing provision in the Borough as a result of the prolonged imposition of the Holding Direction

Development not set out in the Local Plan

Members questioned whether development not set out in the Local Plan could still come forward once the plan was adopted. Officers explained that the Plan

sets out a strategy defining the use of various sites across the town, but the details of each development would be matters for consideration by the Planning and Development Committee. However, all major site allocations would be subject to the production of Master Plans. The Plan takes a positive approach to development and would not preclude planning applications to be considered by the Planning and Development Committee for sites and matters not contained within it.

Financial implications

Members questioned how much money the Holding Direction has cost the Council since it was put in place. Officers confirmed that the Council would be seeking to reclaim its legal costs associated with work on the Council's Judicial Review application, and undertook to provide Members of the Committee with figures relating to these legal costs, together with an estimate of officer time spent over the past 18 months on matters relating to attempts made to obtain a lifting of the Holding Direction. Officers indicated that legal costs could be made publically available.

General comments

A Member commented that he was pleased we can move ahead with the word 'regenerated' replacing 'new' in relation to the station, and that regeneration of the station was much needed.

A Member commended and thanked the Portfolio Holder for Environment and Regeneration, other relevant Members and officers for their determination and perseverance over the past few years which had finally led to current position.

- 1.3 The Overview and Scrutiny Committee had no other comments on the Executive's initial proposal to recommend to Council to accept the Inspector's recommendation to adopt the Stevenage Borough Local Plan, incorporating main and minor modifications (attached as Appendix C to the Executive report) and associated Proposals map, and also to revoke the District Plan Second Review 2004.
- 1.4 Members are requested to note the outcomes following consultation with the Overview and Scrutiny Committee.

Recommendation 2.2:

That Executive inform Council that its firm proposal is that Council accept the Inspector's recommendation to adopt the Stevenage Borough Local Plan, incorporating main and minor modifications (attached as Appendix B), and associated Policies Map and that Council be asked to revoke the District Plan Second Review 2004 (BD1 to the Executive report on 30 April 2019).

- 1.5 Upon receipt of the Inspector's Report, the Council can either adopt the Stevenage Borough Local Plan, with the recommendations proposed, or it must withdraw the Plan completely.
- 1.6 Having regard to the responses from Overview and Scrutiny Committee, Executive is recommended to inform Council that its firm proposal is that Council adopt the Stevenage Borough Local Plan, incorporating main and minor modifications as set out at Appendix B and revoke the District Plan Second Review 2004.

5 IMPLICATIONS

Financial Implications

- 5.1 The Financial implications are as set out in the report to Executive on 30 April 2019

Legal Implications

- 5.2 The Legal Implications are as set out in the report to Executive on 30 April 2019.
- 5.3 Executive must, in drawing up firm proposals to recommend to Council, have regard to the responses Overview and Scrutiny Committee has made to the initial proposals put forward by the Executive,

Risk Implications

- 5.4 The risk implications are as set out in the report to Executive on 30 April 2019.

Policy Implications

- 5.5 The policy implications are as set out in the report to Executive on 30 April 2019.

Planning Implications

The planning implications are as set out in the report to Executive on 30 April 2019 Environmental Implications

Environmental Implications

The environmental implications are as set out in the report to Executive on 30 April 2019

Equalities and Diversity Implications

- 5.6 The equality and diversity implications are as set out in the report to Executive on 30 April 2019.

BACKGROUND DOCUMENTS

BD1 Draft Minutes of Overview and Scrutiny Meeting of 30 April 2019.

APPENDICES

- A Report to Executive on 30 April 2019 (previously circulated).
- B Draft Stevenage Borough Local Plan – incorporating major and minor modifications (previously circulated).

APPENDICES

**Appendix A Report to Executive on 30 April 2019 – Stevenage Borough
Local Plan: Pre-Adoption Draft**

**Appendix B Draft Stevenage Borough Local Plan – incorporating Major
and Minor Modifications (Appendix C to the above report)**

These appendices have been previously circulated.

They can be accessed electronically via the link below:

[https://democracy.stevenage.gov.uk/ieListDocuments.aspx?CId=136&MId=4252
&Ver=4](https://democracy.stevenage.gov.uk/ieListDocuments.aspx?CId=136&MId=4252&Ver=4)

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