

AGENDA



CABINET

MONDAY, 5 SEPTEMBER 2011

11.00 AM

**COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL,
GRANTHAM**

Beverly Agass, Chief Executive

MEMBERS: Councillor Mrs. Linda Neal (Leader/Portfolio: Strategic Partnerships), Councillor Paul Carpenter (Deputy Leader & Portfolio: Engagement & Corporate Services), Councillor Mrs Frances Cartwright (Portfolio: Economic Development), Councillor John Smith (Portfolio: Healthy Environment), Councillor Mike Taylor (Portfolio: Resources) and Councillor Terl Bryant (Portfolio: Housing)

Committee Support Officer: Lucy Bonshor 01476 40 61 20
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Members of the public are entitled to attend the meeting of the Cabinet at which key decisions will be taken on the issues listed on the following pages. Key decisions are marked *

- 1. APOLOGIES**
- 2. MINUTES FROM 1 AUGUST 2011**

(Enclosure)

3. DECLARATIONS OF INTEREST (IF ANY)

4. *IMPLICATIONS FOR REMAINING LOCAL PLAN ALLOCATION

Report PLA907 from the Economic Development Portfolio Holder.

(Enclosure)

5. *BOURNE CORE AREA

Report AFM214 from the Economic Development Portfolio Holder.

(Enclosure)

6. MATTERS REFERRED TO CABINET BY THE COUNCIL, SCRUTINY COMMITTEE OR THE POLICY DEVELOPMENT GROUPS

7. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

8. REPRESENTATIONS RECEIVED FROM MEMBERS OF THE PUBLIC ON MATTERS WITHIN THE FORWARD PLAN (IF ANY)

9. REPRESENTATIONS RECEIVED FROM NON CABINET MEMBERS

10. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT



MEETING OF THE CABINET
1 AUGUST 2011 - 11.00 AM – 11.35 AM

PRESENT:

Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor John Smith
Councillor Mike Taylor
Councillor Teri Bryant

Councillor Mrs Linda Neal - Chairman

Chief Executive (Beverly Agass)
Strategic Director (Daren Turner)
Strategic Director (Ian Yates)
Strategic Director (Tracey Blackwell)
Head of Development and Growth (Mark Williets)
Head of Legal & Democratic Services/Monitoring Officer (Lucy Youles)
Planning Policy and Partnerships Service Manager (Karen Sinclair)
Environmental Health Service Manager (David Price)
Senior Planning Officer (Policy) (Rachel Armstrong)
Senior Planning Officer (Policy) (Michael Nartey)
Planning Officer (Margaret Parr)
Performance Management Officer (Sam Selby)
Cabinet Support Officer (Jo Toomey)

Non-Cabinet Members :
Councillor Mrs Smith
Councillor Powell

CO8. MINUTES

The minutes of the meeting held on 4 July 2011 were approved as a correct record of the decisions taken.

CO9. DECLARATIONS OF INTEREST (IF ANY)

No declarations of interest were made.

CO10. *LAND CHARGES REVISION OF FEES

Decision:

Cabinet approves the revised schedule of charges set out in the financial statement produced in accordance with Regulation 9 of the Local Authorities (England) (Charges for Property Searches) Regulations 2008 reproduced at Appendix A to report PLA905 to come into effect on 1 September 2011.

Considerations/reasons for decision:

- 1) Report PLA905 by the Economic Development Portfolio Holder and appendices to the report.
- 2) The Local Authorities (England) (Charges for Property Searches) Regulations 2008 required local authorities to publish annually a financial statement relating to maintaining and accessing unrefined property data held by the authority.
- 3) To ensure the authority can meet the costs of delivering the service and make a contribution to the service.
- 4) To mitigate the risk of not reconciling deficit or profit year on year and failing to meet statutory duties. The proposed charges would make good against a deficit from the previous two years.

Other options considered:

No alternatives were considered, as this was a statutory requirement for the Council.

CO11. *SITE ALLOCATIONS AND POLICIES DEVELOPMENT PLAN DOCUMENT (DPD): SITE ASSESSMENT AND ALLOCATION

Decision:

The Cabinet:

- 1. Notes the comments and issues raised by the representations made to the Site Consultation (October 2009) and Additional Site consultation (August 2010), as set out in Appendix 1 to report number PLA899**
- 2. Notes the site assessment summaries included at Appendix 2 to report PLA899**
- 3. Allocate those sites recommended throughout report number PLA899 and listed in appendix 4, subject to the following amendments:**

- Page 9 paragraph 6.12 **delete bullet point 4 relating to site ADD41**

- In relation to the recommendation in paragraph 7.6 bullet point 3 on page 10 of the report (to allocate site ref ADD44) the proposed policy DE3 in Appendix 5 should be amended to clarify the access requirements for the development of the site. **Therefore the first bullet point of the policy which establishes the requirements of development should be amended to read:**

“Provides appropriate access the site from Peterborough Road and/or Towngate East as required by a detailed Traffic Assessment, and makes appropriate arrangements to increase the capacity of the A15/A16 Roundabout”

For housing, employment and mixed use development in the Site Allocation and Policies Development Plan Document

4. Approve the proposed draft Policies as set out in Appendix 5 to report PLA899, for inclusion in the submission version of the Site Allocation and Policies Development Plan document

Considerations/Reasons for decision:

- 1) Report number PLA889 by the Economic Development Portfolio Holder and appendices to the report.
- 2) Comments made about suggested development sites during public consultation.
- 3) Development needs of the district established in the adopted Core Strategy.
- 4) Background evidence and reports gathered to support the preparation of the Local Development Framework (LDF).
- 5) The Inspector finding that the Development Plan Document did not meet the sustainability requirements would render the plan 'unsound'.
- 6) Comments from English Heritage who confirmed that the site ADD41 was still a scheduled Monument and there had been no application to de-schedule this site. There was also concern about the impact of development on the setting of the Scheduled Monument and the Listed buildings in this location.
- 7) Clarifications to recommendations made at the meeting.

Other options considered:

The Adopted Core Strategy provides the overarching policy framework which requires sites to be identified and allocated for development. The Core Strategy specifically sets out that sites will be allocated in the Site Allocations and Policies DPD to meet the housing and employment needs of the district. If it does not do this it will not be in conformity with the Core Strategy and could fail to be found sound at examination. More importantly, however if insufficient appropriate, suitable and deliverable sites are allocated to meet the development needs identified in the Core

Strategy, there is a high risk that inappropriate sites and forms of development will be permitted via planning application and appeal. This will be costly and time consuming to the council and does not give any measure of certainty to the general public, developers and organisations about where or how the district should develop. This will be detrimental to the growth and stability of the local economy.

CO12. *GREYFRIARS AND WHARF PLACE DRAFT DEVELOPMENT BRIEFS: APPROVAL FOR PUBLIC CONSULTATION

Decision:

The Cabinet approves the draft Greyfriars and Wharf Place Development Briefs for the purposes of public consultation.

Considerations/Reasons for decision:

- 1) Report number PLA901 by the Economic Development Holder and the report's appendices, including the draft development briefs.
- 2) Greyfriars and Wharf Place were identified for development as part of Grantham Town Centre Issues and Options. This provided the overall concept but did not define details.
- 3) The outcome of informal public consultation on the development briefs.
- 4) The cost of consultation could be accommodated within existing budgets.

Other options considered:

- 1) Do not proceed with preparation of development briefs – the alternative would be to rely on a prospective developer to submit a planning application and hopefully engage in pre-application and post-application negotiations. The preparation of a brief is more positive in that it provides a planning framework to promote interest in the site and guide and encourage the co-ordinated redevelopment of the site in accordance with the Council's policies. It also offers some degree of certainty that a planning application would be more likely to obtain approval subject to detail.
- 2) Do not undertake consultation – this is not a viable option. The Council is bound not only by its adopted SCI to undertake consultation on planning policy documents prior to their adoption but also by statutory regulations.

CO13. *GRANTHAM AREA ACTION PLAN: HOUSING POLICIES - RESPONSE TO PUBLIC CONSULTATION AND PROPOSED CHANGES TO POLICIES

Decision:

The Cabinet:

- 1) Notes the issues raised in the representations in respect of**

- the housing policies set out in Appendix 1 of report PLA898**
- 2) Approves the proposed changes to the draft housing policies as set out in Appendix 2 to report PLA898 and for these to be included in the submission version of the Grantham Area Action Plan Development Plan Document for consideration by Council on 8 September 2011**

Considerations/reason for decision:

- 1) Report number PLA898 by the Economic Development Portfolio Holder and appendices to the report.
- 2) GAAP DPD reports considered by Cabinet on 7 February 2011 and 4 July 2011, including feedback from public consultation.
- 3) Costs for the consultation and examination process could be met from within existing budgets.

Other options considered:

The adopted Core Strategy provides the overarching policy framework which requires the inclusion of these additional policies in the GAAP. If they are not included within the Grantham Area Action Plan DPD, the plan will not be in conformity with the Core Strategy and could fail to be found sound at examination.

In respect of the representations received, Appendix 1 to report PLA898 sets out the consideration of the issues raised and whether the changes as requested to the policies are appropriate.

CO14. *SITE ALLOCATION AND POLICIES AND GRANTHAM AREA ACTION PLAN DEVELOPMENT PLAN DOCUMENTS: PUBLICATION AND SUBMISSION TO SECRETARY OF STATE

Decision:

Cabinet recommends to Council that:

- 1) Subject to the recommendations in reports PLA898 and PLA899, the Grantham Area Action Plan and Site Allocation and Policies DPDs attached as Appendices A and B to report PLA900 be approved for publication for the making of representations**
- 2) Subject to there being no representations which raise fundamental issues on soundness, the Grantham Area Action Plan and Site Allocation Policies DPDs be submitted to the Secretary of State**
- 3) Authority is delegated to the Head of Development and Growth in consultation with the Economic Development Portfolio Holder to make any necessary changes to the DPDs associated with publication and subsequent processes**
- 4) Representations received after the end of the six-week representation period are not accepted as duly made**

Considerations/ reasons for decision:

- 1) Report number PLA900 by the Economic Development Portfolio Holder and the appendices to the report.
- 2) The publication of the DPDs supports the Good for Business and Quality Living priority themes.
- 3) The Town and Country Planning (Local Development) (England) Regulations require the final versions of the two DPDs to be published and for representations to be invited from stakeholders prior to submission for independent examination.
- 4) Both DPDs have been subject to a sustainability appraisal.
- 5) The cost for publishing and the examination of the DPDs could be met within existing resources.

Other options considered:

The adopted Core strategy provides the overarching policy framework for the SAP and GAAP DPDs. If the DPDs do not include relevant policies they will not be in conformity with the Core Strategy and could fail to be found sound at examination.

Each of the policies in the DPDs is based upon a Core Strategy Policy and has provided little scope to consider alternative policy options. However, this is a requirement of the LDF preparation process and has been addressed through earlier consultations, in particular through the Issues and Options consultation in 2005 and the Housing and Economic DPD consultation in 2006, and through the consideration of the responses to the public consultation undertaken on the two DPDs over the past 12 to 18 months. The allocated sites have been identified following assessment, against consistent criteria, of a considerable number of alternative sites. Both DPDs have also been subject to a sustainability appraisal.

At examination the DPDs will be tested as to whether they are the most appropriate strategy when considered against reasonable alternatives and that they have been developed from a robust and credible evidence base.

CO15. QUARTER 4 PERFORMANCE FOCUS ON QUALITY ORGANISATION

Decision:

Cabinet notes the performance and progress achieved for the period April to March 2011.

Considerations/reasons for decision:

- 1) Report number PCC02 by the Engagement and Corporate Services Portfolio Holder and the Quality Organisation performance report attached as an appendix to the document.
- 2) The summary of customer feedback for 2010/11. Work was also underway to develop a mechanism for collecting feedback through Leisure Connection.
- 3) The report forms part of the overall performance management

framework of the Council

Other options considered:

No other options were considered.

DATE DECISIONS EFFECTIVE:

Decisions CO10-13 as made on 1 August 2011 can be implemented on 10 August unless subject to call-in by the Scrutiny Committee Chairman or any five members of the Council from any political groups.

Decision CO14 is referred to full Council for decision on 8 September 2011.

**South Kesteven District Council, Council Offices, St. Peter's Hill,
Grantham, Lincolnshire NG31 6PZ**

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REPORT TO CABINET

REPORT OF: Economic Development Portfolio Holder

REPORT NO: PLA 907

DATE: 5th September 2011

TITLE:	Implications for remaining allocations in the Adopted South Kesteven Local Plan resulting from preparation of the Site Allocation and Policies and Grantham Area Action Plan Development Plan Documents	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr Frances Cartwright Economic Development Portfolio Holder	
CONTACT OFFICER:	Rachel Armstrong, Senior Planning Policy Officer 01476 406469 r.armstrong@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	Yes	
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Council Report PLA830 dated 5 th July 2010 Cabinet Report PLA835 dated 2 nd August 2010 Cabinet Report PLA848 dated 4 th October 2010 Cabinet Reports PLA866 and PLA867 dated 7 th February 2011 Cabinet Reports PLA891 and PLA893 dated 4 th July 2011 Cabinet Reports PLA898 and PLA899 dated 1 st August 2011	

1. RECOMMENDATION

- 1.1 That Cabinet approves the de-allocation of the remaining undeveloped and uncommitted South Kesteven Local Plan allocations (as identified in this report) included within Local Plan Policies H1, H2, H3, H4, H5 and E1, E2, E3, E4 and E5, unless they have specifically been identified for re-allocation or are identified as part of the existing employment site policies in the Grantham Area Action Plan or the Site Allocation and Policies DPD.

2. PURPOSE OF THE REPORT/DECISION REQUIRED

- 2.1 The purpose of this report is to clarify and confirm the status of the sites which are allocated in the Adopted South Kesteven Local Plan for housing or employment development, but which have not come forward for that development in the 16 years since the Local Plan was adopted.
- 2.2 The preparation of the Site Allocation and Policies (SAP) DPD and the Grantham Area Action plan (GAAP) considered the suitability of retaining these sites as allocations as part of the site assessment process. This process concluded that some existing allocations were unsuitable or unlikely to be delivered and should not therefore be reallocated.
- 2.3 The preparation of the DPDs supports the Good for Business and Quality Living Priority Themes.

3. DETAILS OF REPORT

- 3.1 Both the SAP and GAAP DPDs include allocated sites for housing, employment and other development. The SAP and the GAAP have been developed, within the parameters set by the adopted Core Strategy and have built on earlier work undertaken on the Housing and Economic DPD and, specifically in the case of the GAAP that associated with Grantham Growth Point projects.
- 3.2 Both the SAP and GAAP DPDs have been the subject of a number of reports over the past year as we have published for public consultation details of potential development sites and draft policies, reported the comments received and also proposed some changes to the DPDs by way of clarification to respond to issues that were raised (reports PLA867, 891 and 893).
- 3.3 These previously approved changes have been included in the final versions of the DPDs considered by Cabinet on 1st August in report PLA900 and which are to be reported to Council on 8th September. As a result a final list of proposed new allocated sites across the District has been approved. However, for the sake of clarity this report formally considers the status of those sites which are not identified as new allocations, but which are currently allocated for housing and employment development in the Adopted South Kesteven Local Plan, clearly identifying whether these sites will be re-allocated, de-allocated or designated under a different policy in the SAP and GAAP DPDs.

Housing Allocations

- 3.4 The Local Plan includes five policies which specifically allocate land for housing development across the District. Of those allocated sites only four sites remain undeveloped or without a current planning permission for housing development. None of these sites have been assessed as suitable to re-allocate for housing in the SAP DPD. The following sites listed in Table 1 below should therefore be de-allocated.

Table 1

Local Plan Ref	Location	No. dwellings	Reason for de-allocation
H2.10	Cattle Market, Stamford	74	Area of high Flood Risk, not suitable for housing development
H2.5	Land at Sharmans, Barnack Road, Stamford	20	In employment use
H3.10	Manor Lane, Bourne	31	Car park
H3.14	Land between Bourne Eau & Cherryholt Road, Bourne	24	Car Auction

3.5 In addition two large housing allocations from the Local Plan (Elsea Park, Bourne and Poplar Farm, Grantham) have outline planning permission and have been part built. Both sites are considered suitable for housing development and will provide a significant portion of the districts housing supply throughout the plan period.

3.6 Poplar Farm has been subsumed into the North West Quadrant and is therefore re-allocated in the GAAP. However the re-allocation of Elsea Park is not considered necessary as a 20 year outline planning consent was granted for the whole of the Elsea Park in 2001. About 1/3rd of the site area has now been built or has permission for reserved matters. It is expected that the remaining portion of the site will be developed throughout the plan period to 2026 and as a result no additional housing allocations have been made in Bourne. The extant planning permission and past planning history of this site means that it is not considered appropriate or necessary to re-allocate Elsea Park in the emerging SAP DPD.

Employment Allocations

3.7 The Local Plan includes five policies which specifically allocate land for employment development across the District. Of those allocated sites a number remain undeveloped or without a current planning permission for employment development. In addition 12 allocated sites have been developed in part, leaving some of the land undeveloped. All but two of these sites have been identified in the SAP and GAAP DPDs as part of larger allocations, or as existing employment areas (EEP or ExE), which should be retained for employment generating uses. These sites are listed in Table 2 below.

Table 2

Local Plan Ref	Location	Reason
E1.2	Grantham	Included in EEP 1
E1.5	Grantham	Part of Southern Quadrant Urban Extension
E1.1	Gonerby Moor	Included as ExE LSC1
E4.1	Deepings	Included in ExE D1
E3.5	Bourne	Included in ExE B3
E3.2	Bourne	Included in ExE B1

E3.12	Bourne	Included in ExE B4
E3.13	Bourne	Included in ExE B4
E3.15	Bourne	Included in ExE B4
E7.5	Colsterworth	Included as ExE LSC2
E7.6	Colsterworth	De-allocate not required and less sustainable location
E7.8	South Witham	De-allocate highway concerns, less sustainable location

3.8 Of the remaining undeveloped and uncommitted employment allocations 10 are considered suitable, available and deliverable for future employment development and have therefore been allocated in the SAP and GAAP DPDs either as individual sites or as part of a larger new allocation. The remaining four sites have been assessed as unsuitable and should therefore be de-allocated. These sites are listed in Table 3 below.

Table 3

Local Plan Ref	Location	Reason
E1.10	Grantham	Reallocated as part of Canal Basin EM2e
E1.11	Grantham	Reallocated as part of Canal Basin EM2e
E1.12	Grantham	Reallocated as part of NW Quadrant for housing
E2.2	Stamford	Assessed as unsuitable for allocation due to Flood Zone and highway constraints
E2.1	Stamford	Reallocated as part housing part employment ST1c and ST2b
E2.1	Stamford	Reallocated as part housing part employment ST1c and ST2b
E2.3	Stamford	Site assessed as unsuitable for allocation due to flood zone and highway constraints
E2.5	Stamford	Reallocated for employment STM2a
E3.1	Bourne	Reallocated for employment as part of B1a
E3.7	Bourne	Included as part of ExE B4
E3.11	Bourne	Reallocated as B1e
E7.1	Billingborough	Included in ExE LSC4
E7.3	Billingborough	De allocate, not required, not in accordance with Core Strategy policy
E7.9	Castle Bytham	De allocate, not required, not in accordance with Core Strategy policy

- 3.9 For the sake of clarity therefore the following sites which were allocated in the Adopted Local Plan will be de-allocated when the Site Allocation and Policies DPD and the Grantham Area Action Plan are adopted.

Local Plan Reference	Site Location
E2.2	Land East of Cherry Holt Road alongside the River Welland, Stamford
E2.3	Land east of Ryhall Road and the dismantled railway on both sides of the river Gwash, Stamford
E7.6	Land at Honeypot Lane, Colsterworth
E7.8	Land south of the old railway, South Witham
E7.3	Land adjoining the existing industrial estate between Cowgate and Home Farm, Billingborough
E7.9	Former Quarry, Castle Bytham

4. OTHER OPTIONS CONSIDERED

- 4.1 These sites have been assessed for suitability for re-allocation. There are, therefore, no alternatives to consider.
- 4.3 At examination the DPDs will be tested as to whether they are the most appropriate strategy when considered against reasonable alternatives and that they have been developed from a robust and credible evidence base.

5. RESOURCE IMPLICATIONS

- 5.1 None arising out of this report. There will be some costs associated with the subsequent consultation and examination process of the Submission DPDs, the costs of which have been included in the Planning Policy and Partnerships Service Budget for 2011/2012.

6. RISK AND MITIGATION

- 6.1 There are risks that the DPDs may be considered unsound by the Inspector. However, the DPDs are based on an extensive evidence base and wide ranging consultation which should minimise this risk. In the event that the Inspector has concerns regarding the two DPDs then they are likely to raise these with the Council at the earliest opportunity and provide the Council with the opportunity to address the issues identified prior to proceeding to examination or issuing their report.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

- 7.1 A service Equality Impact Assessment has recently been completed and issues arising from this have been taken into account in finalising the DPDs.

8. CRIME AND DISORDER IMPLICATIONS

- 8.1 As the DPDs contain strategic policies there are considered to be no direct crime and disorder implications. The application of the policies to individual development proposals may, however, give rise to crime and disorder issues at which time the implications of these or the use of any mitigation measures necessary would need to be assessed.

9. COMMENTS OF FINANCIAL SERVICES

- 9.1 There are no specific financial comments to make in respect of this report.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

- 10.1 This report and the recommendation are required by way of clarification. From the legislation relating to the Local Development Framework and the process for adoption, it is implicit that the adoption of current site allocations, policies and action plans supersede any similar documents relating to the Local Plan which will be replaced by the documents relating to the Local Development Framework. The Local Plan has remained as an adopted Plan throughout the process for adoption of the Local Development Framework. As new plans, policies and allocations are adopted, it is important that those which were adopted under the Local Plan and are not re-allocated under the Local Development Framework are de-allocated

11. APPENDICES:

Appendix A: Table of the status of employment land allocations contained in the South Kesteven Local Plan

Appendix 1: Schedule showing the status of Local Plan Employment Allocations

Local Plan Ref	Settlement	Location	Planning Status	Area remaining	DPD proposed designation
E1.1	Grantham	Gonerby Moor	Part Developed. Current Employment Commitments on Site, S10/0122 for B8 use	9.80	Included as ExE LSC1
E1.2	Grantham	Off Venture Way	Current Employment Commitments on Site, S08/1061 for B1, B2, B8 use	1.54	Included in EEP1
E1.3	Grantham	Swingbridge Road	Developed	0.00	Remove allocation
E1.4	Grantham	off Springfield Road	Developed	0.00	Remove allocation
E1.5	Grantham	Spitalgate Level	Part Developed. Current Employment Commitments on Site, S08/0448 for B8	13.95	Part of Southern Quadrant Urabn Extension
E1.6	Grantham	Alma Park	Developed	0.00	Remove allocation
E1.7	Grantham	Adjoining A1 Harlaxton Road	Developed	0.00	Remove allocation
E1.8	Grantham	Gonerby Hill Foot	Developed	0.00	Remove allocation
E1.9	Grantham	Dysart Road/ kempton Way	Developed		0.72571 Fitness Centre, 0.594
E1.10	Grantham	Gas holder site, Gas works Lane	Change of use to haulage and storage yard	0.00	Reallocated as part of Canal Basin EM2e)
E1.11	Grantham	Trent Road/ A607	No current permissions	2.05	Reallocated as part of Canal Basin EM2e)
E1.12	Grantham	East of A1 Barrowby Road	No current permissions	12.84	Reallocated as part of NW Quadrant for housing
E2.1	Stamford	Land at former sewage works Uffington Road	No current permissions	0.41	Reallocated as part housing part employment ST1c and ST2b
E2.1	Stamford	Land at former sewage works Uffington Road	No current permissions	2.27	Reallocated as part housing part employment ST1c and ST2b
E2.2	Stamford	Land E of Cherry Holt Road alongside River Welland	No current permissions	0.76	De-allocate. Site in Flood Zone and highway constraints - not suitable for allocation
E2.3	Stamford	East of Ryhall Road and Dismantled railway	very small part developed. No current permissions	22.32	De-allocate. Site assessed as unsuitable for allocation
E2.4	Stamford	Mirlees Blackstone car park	Developed	0.00	Remove allocation
E2.5	Stamford	Barnack Road	No current permissions	9.02	Reallocated for employment STM2a

Local Plan Ref	Settlement	Location	Planning Status	Area remaining	DPD proposed designation
E3.1	Bourne	North of Manning Road	No current permissions	4.56	Reallocated for employment as part of B1a
E3.2	Bourne	North of Pinfold Road	Part Developed. No current permissions	1.09	Included in ExEB1
E3.3	Bourne	West of Meadow Drove	Developed	0.00	Remove allocation
E3.4	Bourne	South Spalding Road	Developed	0.00	Remove allocation
E3.5	Bourne	West Cherry Holt Road and S of Bourne Eau	Part Developed. No current permissions	0.66	Included in ExEB3
E3.6	Bourne	W. Cherry Holt Road S of Wilsons Road	Developed	0.00	Remove allocation
E3.7	Bourne	South of Long Drove	No Current Permissions	1.84	Included as part of ExE B4
E3.8	Bourne	Between Long Drove and Tunnel Bank	Developed	0.00	Remove allocation
E3.9	Bourne	East of A15 and N of former hospital	Part Developed - under construction	2.98	Remove allocation
E3.10	Bourne	North of A151	Developed	0.00	Remove allocation
E3.11	Bourne	Land north of Bourne Eau and east of Carr Dyke	No current Permissions	3.67	Reallocated as B1e
E3.12	Bourne	E of Cherry Holt Road and S of Bourne Eau	Part Developed. No current permissions	0.49	Included in ExEB4
E3.13	Bourne	Between Bourne Eau and Long Drove	Part Developed. Part site current commitments and under construction	1.68	Included in ExEB4
E3.14	Bourne	N of Cherry Holt Road and E of Roman Bank	Developed	0.00	Remove allocation
E3.15	Bourne	E of Cherry Holt Road and N of Tunnel bank	Part Developed. No current permissions	2.15	Included in ExEB4
E4.1	Deepings	Northfileds Industrial Estate	Mostly Developed. Current Employment Commitments On Part of Site	0.74	Included in ExED1

Local Plan Ref	Settlement	Location	Planning Status	Area remaining	DPD proposed designation
E7.1	Billingborough	Land East of White Leather Square	No current permissions on remaining area	0.75	Included in ExE LSC4
E7.2	Billingborough	Land south of Grosvenor Road	Developed	0.00	Remove allocation
E7.3	Billingborough	Land adjoining industrial estate between Cowgate and Home Farm	No current permissions	1.00	De allocate, not required, not in accordance with Cs policy
E7.4	Colsterworth	Former British Steel workshops	Under construction (Residential)	0.00	Remove allocation
E7.5	Colsterworth	E of A1 and S of A151	Part Developed. Current Employment Commitments On Site.	8.11	Included as ExE LSC2
E7.6	Colsterworth	Land at Honeypot Lane	Part Developed. No current permissions	2.20	De-allocate no required and less sustainable location
E7.7	Long Bennington	N of playing field between A1 and Great North Road	Developed	0.00	Remove allocation
E7.8	South Witham	Land south of old railway	Current Employment Commitments On Site, S09/1808 for 26 Commercial/Light	1.90	De allocate highway concerns, less sustainable location
E7.9	Castle Bytham	Former Quarry	No Current employment permissions	6.31	De allocate, not required, not in accordance with Cs policy

REPORT TO CABINET

REPORT OF: Economic Development Portfolio Holder

REPORT NO: AFM214

DATE: 5 September 2011

TITLE:	Bourne Core Area Arrangements following award of contract	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr Frances Cartwright Economic Development Portfolio Holder	
CONTACT OFFICER:	Ian Yates Strategic Director Development and Growth 01476 406201 i.yates@southkesteven.gov.uk Paul Stokes Head of Assets 01476 406410 p.stokes@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	Not applicable	Not applicable
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Cabinet Report PLA869 Bourne Core Regeneration Proposal – 7 February 2011 AFM208 Non Key Decision – 8 August 2011	

1. RECOMMENDATIONS

That Cabinet authorises:

- (i) the allocation of 16 car parking spaces at the Burghley Street car park, Bourne to be used in the Council's Wherry's Lane

Development (the Development), withdrawal from public use and disposal in association with the disposal of residential accommodation to be provided at the Development. The approximate location of the spaces required is shown hatched red on the attached plan for identification purposes only.

(ii) the works required at the Burghley Street car park, Bourne to provide approximately 11 additional car parking spaces to be brought into use on the Burghley Street site.

(iii) the appointment of a suitably qualified and experienced agent to dispose of the Development (either by sale or rent) to ensure that the best price is achieved for individual units and/or the Development as a whole.

(iv) disposal of the Development and/or individual units in accordance with the following marketing proposals:

- 1) Freehold disposal of the Development as a whole; (or)
- 2) Leasehold disposal of the parts of the scheme being the collective upper residential floors and/or the ground floor retail/commercial parade; (and/or)
- 3) Disposal of individual apartments by sale on long lease; (and/or)
- 4) Disposal by way of market rent of the residential apartments on assured short hold tenancies; (and)
- 5) Disposal by way of commercial market rent of the ground floor rental/commercial units.

(v) appropriate marketing of the Development following the grant of satisfactory planning permission for the Development.

(vi) a review of marketing proposals within 12 months of the grant of planning permission for the Development.

(vii) in the event that the Council retains the freehold ownership of the Development, the management of the Development to be outsourced to an experienced agent.

2. PURPOSE OF THE REPORT

Following the decision to award the design and build contract to the selected contractor subject to planning approval, there are a number of management issues which need to be agreed before the Development commences. These are in respect of how the scheme will be managed in the short-term and how it can be disposed of either by way of freehold sale or lease at best price. In the current

market, an open and flexible approach is recommended. It is proposed a freehold sale is marketed in the first instance, but allowing for the preferred option as listed in order of preference at (iv) above. The development submitted by the selected contractor would be enhanced by a number of designated car parking spaces for the benefit of the residential development.

3. DETAILS OF REPORT

Tenure Issue

The new block of property will be multi-occupied with a mix of commercial occupiers at the ground floor and residential occupiers within the upper floors.

With the split use and occupation proposed, one party, initially the Council, will be required to retain the freehold of the whole block. The freeholder can then control through grant of leases, whether long or short, the ongoing management of the common parts of the building, the structure and the external areas.

The Apartments

There is a need to consider the current market conditions for the sale of the residential apartments. If good value long lease sales can be secured immediately, then they should be accepted. However, values at the current time are depressed, but in time will improve as the market picks up. The option to secure an income stream by letting the apartments on standard six-month assured shorthold tenancies would give tenants security of tenure for six months with a rolling 2 months term, but equally allow the Council, as landlord, to obtain vacant possession in a relatively short timescale. This would allow it the freedom to sell the apartments at full market value on a 125-year lease when market conditions improve. The long lease allows for the creation of a virtual freehold interest, but provides clear and binding obligations on both the freeholder and long leaseholder with regard to repair, decorations, insurance and cleaning.

Shop/Commercial Units

The same principles should apply to the shop units. They should be let on standard commercial leases of terms 5 or 10 years with rental reviews every 5 years.

Ownership of the shop/commercial unit should be collective rather than sold individually allowing for the potential sale of the whole parade to an investor. The commercial leases will include provisions

to contribute to the whole block of the property through a service charge.

Car Parking

The scheme becomes much more attractive to individuals with the inclusion of dedicated parking facilities, one for each apartment. To allow the remaining open space/serviced site available for further development, the proposal is to allocate 16 spaces within the Burghley Street public car park. A review of spaces has identified that by managing the area, another 11 spaces can be utilised. The net loss in spaces is therefore reduced from 16 to 5 in total. There are no parking orders in place so the request is for the land required to be incorporated into the Wherry Lane development.

4. OTHER OPTIONS CONSIDERED

The option still remains to allow for the immediate sale of the apartments however the opportunity to secure the sale of the whole development represents a more beneficial option in terms of realising the councils capital injection for future regeneration schemes. Advice has been taken in determining this position but should be carefully reviewed.

5. COMMENTS OF FINANCIAL SERVICES

The report proposes a number of proposals to be considered following the completion of the Bourne core area development. These proposals reflect the arrangements to ensure that the units (both commercial and residential) deliver a financial benefit to the Authority. It is recognised that the current financial climate may make it difficult to sell the residential apartments so the proposals include short term letting arrangements that offer the flexibility to review the situation once economic conditions improve. It is recognised that the management of the development is better placed with external agents given its specialist nature but there will be a financial consequence of this which will be reflected in the budgeted income.

6. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

There are various options for the disposal of the proposed development in part or as a whole. The actual method of disposal will depend on the prevailing market throughout the build period and thereafter. That market can be very fluid and a flexible marketing strategy will be required from the start of the development through to the point of disposal. It is essential that the flexibility to dispose of

the individual units or the site as a whole as detailed in the report is permitted to ensure officers can react to market changes and the advice of agents marketing the site.

Any disposal of land and property is required, by virtue of s.123 of the Local Government Act 1972, to be at best price in accordance with the General Disposal Consent 2003. Best price can be achieved by marketing the development on the open market.

The car parking spaces referred to are not designated car parking spaces controlled by a Parking Order. They are spaces which have historically been set out for use by members of the public as parking spaces. It is essential that appropriate, reasonable notice is given of the intention to remove the required spaces from public use. Any car parking spaces required for the benefit of the development will need to be barriered to ensure exclusive use for the residents of the development.

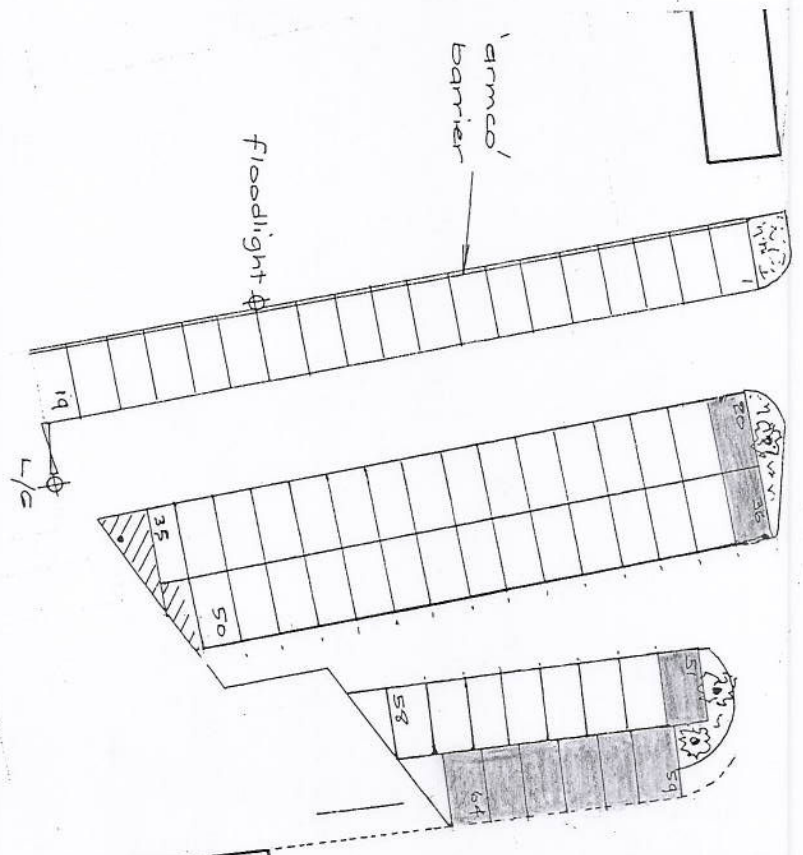
BURSHLEY STREET, BOURNE - PROPOSED



BURSHLEY STREET

Warehouse

Hall



Bourne Core Area

Proposed Area of Dedicated Resident Car Parking-
16 Nr Spaces

total

