

Meeting of the Finance, Economic Development and Corporate Services Overview and Scrutiny Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Tuesday, 4 June 2019, 10.30 am

Committee Members present

Councillor Bob Adams
Councillor David Bellamy
Councillor Phil Dilks
Councillor Graham Jeal (Chairman)
Councillor Philip Knowles

Councillor Annie Mason
Councillor Charmaine Morgan
Councillor Susan Sandall
Councillor Mark Whittington (Vice-
Chairman)
Councillor Paul Wood

Cabinet Members

Councillor Helen Goral, Cabinet Member for Growth
Councillor Nick Robins, Cabinet Member for Planning
Councillor Adam Stokes, Cabinet Member for Finance

Officers

Strategic Director, Resources (Debbie
Muddimer)
Strategic Director, Growth (Paul Thomas)
Assistant Chief Executive (Housing
Delivery (Ken Lyon)
Head of Planning Policy (Roger Ranson)
Principal Democracy Officer (Jo Toomey)

Other Members present

Councillor Paul Wood

The Chairman welcomed members to the meeting. He set out the way he would like to see the Committee operate to ensure that it used its time as effectively as possible, including prior notice where a Member had a number of questions on an individual item, including, where possible, the submission of those questions. He also indicated that if members wished to place an item on the Committee's work programme between meetings, they should forward that item to the Chairman and Vice-Chairman for consideration.

Questions were put about the remit of the Committee. Members were advised that the new Committee had inherited the remit of the former Growth Overview and Scrutiny Committee, together with a series of additions. The remit of the Committee was being prepared in conjunction with the review of the Council's Constitution, which was underway. Any specific areas that members of the Committee would like included could be articulated during the meeting and fed into the Constitution review.

1. Disclosure of Interests

No interests were disclosed.

2. Proposed development at Stamford North - Statement of Common Ground

The Committee was provided with the context of the report of the Cabinet Member for Planning on the Statement of Common Ground for the proposed development at Stamford North. The report had arisen out of SKDC's Local Plan, which was approved by Council in May 2018 and had been submitted to the Secretary of State and subject to examination in public. As part of this process the Council had to evidence how it worked with neighbouring authorities under the duty to co-operate.

The Local Plan included a significant allocation to the north of Stamford, which extended beyond the district boundary into Rutland. At the current time, both authorities had brought forward separate allocations, but the aim was to make sure that this was more co-ordinated in the future. The Statement of Common Ground set out the principles of how the relevant local authorities (South Kesteven District Council, Rutland County Council and Lincolnshire County Council) would work together. The Statement of Common Ground would be considered by Cabinet at its meeting on 11 June 2019, with a view to its adoption.

Through questions, members established that this document was the first part of a three-stage process in developing the site. The Statement of Common Ground set out how the local planning authorities and highways authorities would work with one another to progress the development.

Members asked whether it would be appropriate to include Stamford Town Council in the Statement of Common Ground as they were considered to be a key stakeholder. It was also noted that Stamford Town Council was producing its own Neighbourhood Plan, which several Members suggested should be central to the development. Councillors were advised that engagement with Stamford Town Council would take place during the second phase, which was the formation of a development brief for the site; this would ultimately become supplementary planning guidance. The development brief would set out wider considerations, including phasing, provision of infrastructure and the location

of key facilities. This approach was in compliance with the National Planning Policy Framework, which stated that strategic issues should not be considered in isolation.

The third part of the process was the submission and determination of planning applications. Applications would come forward in line with the development brief and go through the normal committee process for the respective local planning authority. One member suggested that it might be appropriate for the Statement of Common Ground to be considered by the Planning Committee but it was noted that the document was an executive decision on how the authorities worked together rather than an arrangement that affected the determination of planning applications.

Members were interested in how the proposed phasing of the development might work and how this could be affected by the interests of different landowners. The development would cover land in three different ownerships; a legal agreement would be established between the three landowners to ensure that the development could step across the whole site. A memorandum of understanding would also be drawn up between the developers who would bring the development forward to ensure that it was co-ordinated in terms of design, layout and infrastructure. Members were also reassured that there were no known member or officer interests in any of the parcels of land and that the ownership of land did not run across local authority area boundaries.

Members were advised that the Local Plan process included the submission of an infrastructure delivery plan that looked at the overall impact of allocations to make sure there was sufficient infrastructure provision to accommodate the planned growth. Questions were asked about health provision for residents living within the new development. Detailed conversations had been held with the relevant clinical commissioning group, health providers and Lincolnshire County Council. The approach that had been adopted was that the site's residents should make best use of existing facilities with the only direct provision being a pharmacy.

The area within South Kesteven had capacity for an allocation of 1350, while the Quarry Farm part of the site, which was in Rutland, had capacity for 650. Members were interested in how the part of the development in Rutland would count towards meeting South Kesteven's housing need. This was being tested as part of the inspection of the Local Plan. Members asked questions to address concerns about what would happen if that did not stand up or Rutland withdrew the commitment. The land was currently allocated within the Rutland Local Plan, in which it identified the housing allocation would contribute to South Kesteven's housing need rather than Rutland's. If this was rescinded or the inspection of the South Kesteven Local Plan allocated the dwellings to Rutland, members were reassured that there would not be a need for South Kesteven to identify and allocate additional land for housing as sufficient additional provision had already been built into the Plan. Members were

interested in why Rutland might agree to allow the allocation to count towards South Kesteven's numbers. It was noted that the development would bring wider benefits to Rutland and this would be for Rutland County Council to determine.

Members asked whether the capacity of the site had been compared to the existing density of development in Stamford. Officers explained that a set methodology had been used to calculate the capacity of the land, which was indicative. The target number of dwellings would be established as part of the Masterplanning phase.

Debate ensued on governance arrangements and responsibility for risk management. Some concern was expressed about the potential impact of spreading risk management across multiple authorities whether it could mean that risk would not be managed effectively. The development would have a sponsor board with a project board sitting beneath it. It was also highlighted that the project lead worked across both South Kesteven District Council and Rutland County Council, which meant that there was oversight for both bodies. Opportunities for scrutiny would sit with the individual councils. Any concerns raised in respect of risk would be reported to the most appropriate body and fed back to the relevant part of each Council; this could be the Cabinet with the opportunity for scrutiny from the relevant committees or, if appropriate, the planning committee.

Committee members noted that the draft Statement of Common Ground did not include appendix C, containing financial information and details of how costs and expenses would be shared. Members were advised that costs for the management and servicing of the boards would be met from within existing budgets. Some additional costs would be incurred in respect of consultation on the development brief.

Action Point

Appendix C of the Statement of Common Ground to be circulated

Members sought reassurance that best practice had been incorporated into the draft document. Consultants had been commissioned to produce the Statement of Common Ground to ensure that it was independent. One of the first pieces of work that was undertaken as part of its preparation was research into identifying good practice from similar agreements between other local authorities. A background paper had been produced setting out those relevant examples, which influenced the content of the document. Members felt it would be helpful if that background paper could be made available to Cabinet to assist its considerations.

Action Point

The background paper identifying good practice in the preparation of Statements of Common Ground to be shared with Cabinet Members

A question was asked about the arbitration of disputes. Members were advised that if these related to the order in which the sites were developed, this would be defined by documents including a full Transport Assessment and set out in the Development Brief.

Members were interested in whether the Statement of Common Ground could be subject of judicial review; they were advised that the document was an agreement between the three authorities to work together and could not be tested in courts.

Questions were also put to officers in relation to the co-ordination of communications in relation to this site. Whilst the content of communications would be co-ordinated, each constituent council would be responsible for its own communications, including issuing joint releases, press releases and public consultation on the Development Brief.

The Statement of Common Ground would need to be adopted by each of the constituent councils. It was anticipated that it would be presented to Rutland's Cabinet in July 2019, and a delegated decision would be made by Lincolnshire County Council at a similar time.

It was noted that SKDC and Rutland County Council used different mechanisms to secure developer contributions, as South Kesteven used Section 106 Agreements while Rutland used Community Infrastructure Levy. By establishing the governance set out in the statement, the partners would be able to consider the totality of the development, its impact on infrastructure and what could be best achieved through each mechanism.

Without adopting the Statement of Common Ground there was a risk that the development would be brought forward in an uncoordinated way, which could affect delivery of necessary infrastructure and the overall phasing, build-out and delivery of the development.

Members were advised that work was underway on the preparation of the Development Brief. A full traffic assessment was still required but the brief had been subject to a design review panel. It was intended that the draft Development Brief would be brought to Cabinet in the autumn of 2019 for its approval for consultation.

Members **AGREED**:

The Finance, Economic Development and Corporate Services Overview and Scrutiny recommended the adoption by Cabinet of the Statement of

Common Ground for Land at Stamford North subject to the inclusion of Appendix C to the document and provision of the background report on best practice to support Cabinet Members in reaching their decision.

3. Work Programme

Established standing items for the committee were budget and performance monitoring. Members suggested additional items that they would like included on the Committee's work programme:

- 2018/19 – budget outturn and quarter 4 performance (16 July 2019)
- 2019/20 – quarter 1 performance and budget updates (additional meeting, date to be confirmed end July/early August)
- Remit of committee (16 July 2019)
- Economic Development Strategy; work to begin with a presentation from InvestSK
- Town centre review update (carried over from Growth Overview and Scrutiny Committee)
- Development infrastructure
- Outputs and returns arising from the Council's companies
- Local Plan post-examination report (July 2019)
- Customer feedback process (autumn/winter 2019)
- Medium Term Financial Strategy
- Transformation, including IT and infrastructure
- Car parking
- Housing delivery
- Engaging with the business community

Committee members felt that to ensure sufficient capacity, they would like to add additional meetings. The Chairman stated that in time for the next meeting a work programme, including additional meeting dates, would be produced and circulated to members.

4. Close of meeting

The meeting was closed at 12:07.