

EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 15 April 2013

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.45 pm

Members Present: C Whitbread (Chairman), Ms S Stavrou (Vice-Chairman), R Bassett, W Breare-Hall, Mrs A Grigg, D Stallan, H Uikun, G Waller and Mrs E Webster

Other Councillors: K Angold-Stephens, A Boyce, L Girling, Ms J Hart, Ms H Kane, Mrs J Lea, A Mitchell MBE, R Morgan, S Murray, J Philip, B Rolfe, Ms G Shiell, Mrs P Smith, Mrs L Wagland and D Wixley

Apologies: -

Officers Present: G Chipp (Chief Executive), D Macnab (Deputy Chief Executive), I Willett (Assistant to the Chief Executive), J Gilbert (Director of Environment and Street Scene), A Hall (Director of Housing), C O'Boyle (Director of Corporate Support Services), R Palmer (Director of Finance and ICT), A Mitchell (Assistant Director (Legal)), R Wilson (Assistant Director (Operations)), T Carne (Public Relations and Marketing Officer), S G Hill (Senior Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

131. WEBCASTING INTRODUCTION

The Leader of the Council made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

132. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Officer Code of Conduct, R Wilson declared a personal interest in agenda item 10, Review of the Housing Allocations Scheme, by virtue of his children being on the Council's Housing Waiting List. The Officer stated that he had never been involved in allocating their banding and had determined that his interest was non-prejudicial and would remain in the meeting for the consideration of the issue. However, if there were any detailed questions about the particular bandings in the new scheme then these would be answered by the Director of Housing.

133. MINUTES

Resolved:

(1) That the minutes of the meeting held on 11 March 2013 be taken as read and signed by the Chairman as a correct record.

134. REPORTS OF PORTFOLIO HOLDERS

There were no additional reports from the Portfolio Holders present.

135. PUBLIC QUESTIONS

There had been no questions submitted from members of the public for the Cabinet to consider.

136. OVERVIEW AND SCRUTINY

The Chairman of the Overview & Scrutiny Committee reported that the following items of business had been considered at its meeting held on 9 April 2013:

- (a) a presentation on the “Prison Me No Way” project, which aimed to raise awareness of the consequences of crime and the realities of prison life with youngsters;
- (b) five reports from the Constitution & Member Services Scrutiny Panel:
 - (i) the annual review of Contract Standing Orders;
 - (ii) a review of Officer delegations;
 - (iii) a review of financial regulations;
 - (iv) a review of the Terms of Reference for the Housing Appeals & Review Panel; and
 - (v) a review of the Executive consultation arrangements in relation to the Localism Act 2011.
- (c) the final report of the Licensing Services Task & Finish Panel where the recommendation for evening meetings was supported but it was proposed to reduce the review period from twelve months to nine months.

The Cabinet’s agenda was reviewed but there were no other specific issues identified on any of the items being considered.

137. LOCAL PLAN CABINET COMMITTEE - 18 FEBRUARY 2013

The Planning Portfolio Holder presented the minutes from the meeting of the Local Plan Cabinet Committee, held on 18 February 2013. The Cabinet Committee had noted a progress and budget update report on the Local Plan, and had recommended the draft Statement of Community Involvement & draft Communications Strategy to the Council for approval.

Decision:

- (1) That the minutes of the meeting of the Local Plan Cabinet Committee, held on 18 February 2013, be noted.

Reasons for Decision:

The Cabinet was satisfied that the Cabinet Committee had fully addressed all the relevant issues in relation to the recommendations and that these should be endorsed.

Other Options Considered and Rejected:

The Cabinet was satisfied that the Cabinet Committee had considered all the relevant options in formulating their recommendations. The Cabinet did not consider that there were any further options.

138. FLEXIBLE TENANCY POLICY

The Chairman of the Housing Scrutiny Panel introduced the Panel's report on the Council's draft Flexible Tenancy Policy.

The Chairman reported that the Scrutiny Panel had considered a report on the Council's proposed new draft Tenancy Policy at its meeting on 17 December 2012. Under the Localism Act 2011, housing providers had been granted additional powers which enabled decisions to be taken locally about the management of social housing. The Government was giving providers of social housing the option to use Flexible Tenancies (also known as fixed-term tenancies). The Localism Act 2011 also required local authorities to publish a Tenancy Strategy which, within 12 months of commencement of the Act (being January 2013), had to detail the matters to which Registered Providers of Housing (including the Council) were to have regard to in formulating their policies. The West Essex Housing Forum, which comprised the three local authorities in West Essex of Epping Forest, Harlow and Uttlesford District Councils, had developed and adopted one Tenancy Strategy that covered the three local authorities' areas in West Essex. The Tenancy Strategy was adopted by the Cabinet on 22 October 2012.

The Chairman stated that, in addition, all Registered Providers were required to publish and be responsible for their own individual Tenancy Policy. A draft Tenancy Policy for the Council (which complied with the Tenancy Strategy), had been attached to the Scrutiny Panel's report and, following detailed consideration by the Panel, was recommended to the Cabinet for adoption.

The Housing Portfolio Holder welcomed the report of the Housing Scrutiny Panel on the proposed new Tenancy Policy and requested that some small amendments be agreed by the Cabinet. Firstly, it was suggested that the implementation of the new policy be delayed until 1 September 2013, due to unexpected delays in reviewing the Council's Housing Allocations Scheme. As both the Tenancy Policy and Housing Allocations Scheme were inextricably linked, it was important that both were implemented on the same date.

The Portfolio Holder added that a consultation exercise had been undertaken on the proposed Tenancy Policy, and some further small changes had been proposed following comments received from the Tenants & Leaseholders Federation. These had been set out in detail in the report. The Cabinet welcomed the proposed Policy and the suggested amendments, especially the opportunity for flexible tenants to have the right to improve their property, and to benefit from the Compensation for Improvements scheme.

Decision:

(1) That, subject to the proposed changes attached at Appendix 2 of the report, the recommendations of the Housing Scrutiny Panel in its report (C-069a-2012/13) be accepted and the new Tenancy Policy be adopted;

(2) That, following consultation with the Tenants and Leaseholders Federation, partner agencies, Parish and Town Councils and partner Registered Providers, the

suggested changes to the new Tenancy Policy be agreed, as set out at Appendix 2 of the report; and

- (3) That the new Tenancy Policy be implemented on 1 September 2013.

Reasons for Decision:

Under the Localism Act 2011 and the Homes and Communities Agency's Regulatory Framework for Social Housing in England, Registered Providers (predominantly, but not exclusively, housing associations and local authorities) were required to publish a Tenancy Policy setting out clear and accessible policies which outlined their approach to tenancy management, including interventions to sustain tenancies, preventing unnecessary evictions and tackling tenancy fraud. The Cabinet was being requested to adopt the attached Tenancy Policy for the Council to meet with this requirement.

Other Options Considered and Rejected:

To not adopt the draft Flexible Tenancy Policy or agree a different approach to that being proposed.

To not agree the proposed amendments by the Housing Portfolio Holder.

139. REVIEW OF THE HOUSING ALLOCATIONS SCHEME

The Chairman of the Housing Scrutiny Panel presented the Panel's report on the review of the Housing Allocations Scheme.

The Cabinet noted that a report on the review of the Housing Allocations Scheme had been considered by the Panel at its meeting on 17 December 2012. The Panel had been advised that the Council was legally required to have a Housing Allocations Scheme and that the Scheme had not been reviewed since December 2010, due to the Council only recently receiving the new Government Guidance. Under the Guidance, authorities were given powers to decide locally how accommodation should be allocated based upon local priorities. The Panel had noted that authorities were now empowered to allocate their accommodation in any way they saw fit, provided schemes were both legal and rational.

The Panel noted that the Housing Portfolio Holder had held informal discussions with Cabinet colleagues to give guidance to Officers on how the reviewed Scheme should be drafted. The Housing Portfolio Holder had then made a formal decision that Officers draft a revised Housing Allocations Scheme on the basis of the proposed principles and the Panel was requested to give detailed consideration to the revised Scheme. The Panel did this and also considered (and agreed) some further changes suggested by the Officers.

The Cabinet noted that the draft Housing Allocations Scheme had been considered by an external Legal Advisor being a Queen's Counsel specialising in housing law. Officers had asked the Legal Advisor a number of questions, some of which were directly related to the drafting of the Scheme, and the advice given had been incorporated. The opportunity was also taken to ask further questions to clarify some points of law. The Legal Advisor stated, following his responses "*Otherwise in my opinion the Draft Housing Allocations Scheme is lawful*".

The Chairman of the Housing Scrutiny Panel concluded that, in his opinion, the biggest problem was the Council did not have enough accommodation to house all

the applicants on the Housing Waiting List. The Leader of the Council highlighted that the Council was building new Council houses again after a hiatus of 30 years.

The Housing Portfolio Holder welcomed the review of the Housing Allocations Scheme by the Housing Scrutiny Panel and requested some small amendments be agreed by the Cabinet. Firstly, It was proposed by the Panel that the revised Scheme would come into force on 1 July 2013. However, due to the reasons explained earlier, it was now recommended that the implementation of the new Scheme be delayed until 1 September 2013. This would allow both the revised Housing Allocations Scheme and the new Flexible Tenancy Policy to be implemented on the same day. The Council had consulted on the draft revised Scheme and the table attached at Appendix 2 to the report had detailed the responses received and the suggested changes, plus some further suggested changes by Officers.

The Housing Scrutiny Panel had also recommended that the right of appeal to the Housing Appeals and Reviews Panel to applicants who had been excluded from the Housing Register be revoked, with all statutory reviews dealt with by Officers in future. The Constitution and Member Services Standing Scrutiny Panel had approved the amended Terms of Reference for the Housing Appeals and Reviews Panel to allow for the change and Council would be asked at its next meeting to approve the amendment of the Constitution accordingly.

Finally, following the review by the Housing Scrutiny Panel, Officers had felt that an additional Banding category should be added as Band 3 (c) in respect of any past or present member of the Armed Forces or Reserve Forces who had no housing need. This was due to no provision having been made for this client group under the draft Scheme, and the requirement under the Guidance to make such provision.

There was some confusion expressed about whether two children of a different gender under the age of 10 would be expected to share a bedroom or not. The Assistant Director of Housing (Operations) stated that, initially, the Portfolio Holder was minded to allow children under the age of 10 of a different gender to have a separate bedroom, however Government Guidance more recently issued would have classed such families as under-occupying and their Housing Benefit would have to be reduced subsequently. Therefore, the final scheme was amended to ensure that none of the Council's tenants ran the risk of losing benefit payments. The Chairman of the Scrutiny Panel added that it was a difficult decision for the Scrutiny Panel to make, and the Portfolio Holder confirmed that his initial thoughts had been eclipsed by the benefit changes under the Welfare Reforms.

Decision:

- (1) That, subject to the proposed changes attached at Appendix 2 of the report, the recommendations of the Housing Scrutiny Panel in its report (C-070a-2012/13) be accepted and the new Housing Allocations Scheme be adopted;
- (2) That, following consultation with the Tenants and Leaseholders Federation, partner agencies, Parish and Town Councils and partner Registered Providers, the suggested changes to the new Housing Allocations Scheme be agreed, as set out at Appendix 2 of the report;
- (3) That an additional banding category 3(c) be added to the revised Housing Allocations Scheme as follows:

- (a) *“Any member of the Armed Forces or former Service personnel, or former members of the Reserve Forces who have no housing need, and the application is made within 5 years of discharge”;*
- (4) That the revised Housing Allocations Scheme be implemented on 1 September 2013 and the reasons for the delay in implementation be noted; and
- (5) That, following the approval of the Constitution and Member Services Scrutiny Panel, the revocation of the right of appeal to the Housing Appeals and Reviews Panel by housing applicants excluded from the Housing Register be supported.

Reasons for Decision:

To accept the recommendations of the Housing Scrutiny Panel and adopt the revised Housing Allocations Scheme, subject to the suggested changes set out in Appendix 2 to the report in response to the consultation, and some further suggested minor changes by officers. The changes proposed to the Housing Allocations Scheme would generally update the Scheme in accordance with the new guidance and ensure fairness to all applicants.

Furthermore, that subject to the agreement of Council, the revocation of the right of appeal to the Housing Appeals and Reviews Panel by applicants who had been excluded from the Housing Register be supported by the Cabinet.

Other Options Considered and Rejected:

To not agree the recommendations of the Housing Scrutiny Panel.

To make alternative changes to the draft Housing Allocations Scheme.

140. APPOINTMENT OF CONSULTANTS TO ADVISE ON THE PROCUREMENT OF THE NEXT WASTE MANAGEMENT CONTRACT

The Environment Portfolio Holder presented a report on the appointment of Consultants to advise the Council on the procurement of the next waste management contract in 2014.

The Portfolio Holder reported that the appointment of consultants to advise the Council on the procurement of the next waste management contract should be made in good time so as not to disrupt the timetable for the procurement exercise. Therefore, the use of delegated authority was proposed where the budget was sufficient or a report to the Annual Council meeting should the currently available budget be insufficient. The Cabinet was also informed about the procurement timetable and the assumptions which underpinned it, critical to which was the current depot at Langston Road being available at the commencement of the new contract and for at least a further 6 months afterwards.

The Portfolio Holder stated that the previously agreed budgetary allocation of £100,000 for the appointment of the Consultants was based on previous experience of similar exercises. The Director of Environment & Street Scene added that the procurement of a new waste management contract was liable to be a complex exercise.

Decision:

- (1) That the proposed time table for the procurement of the next waste

management contract be noted;

(2) That the Environment Portfolio be authorised to accept the most economically advantageous tender received from the procurement exercise, provided that the returned tender was within the currently approved budget; and

(3) That, in the event the most economically advantageous tender was above the currently agreed budget and given the pressures upon the procurement time frame, the Environment Portfolio Holder be authorised to report directly to the Council at the annual meeting in May 2013 so as to not unnecessarily delay the procurement programme schedule.

Reasons for Decision:

To ensure that the time table for the procurement and delivery of the next waste management contract could be achieved.

Other Options Considered and Rejected:

To not delegate authority to the Portfolio Holder to authorise the acceptance of the tender, however approval for the Consultants tender would not then be available until the Cabinet meeting scheduled for 10 June 2013 and this would put significant pressure onto the timetable for the delivery of the new waste management contract.

To delay the request for supplementary finance, if the most economically advantageous tender exceeded the current budget, until the next ordinary meeting of the Council on 30 July 2013, however such a delay would similarly make the timetable for the procurement extremely challenging to achieve.

141. PAY POLICY STATEMENT

The Portfolio Holder for Support Services introduced a report regarding the Council's Pay Policy Statement.

The Portfolio Holder reported that Section 38(1) of the Localism Act 2011 required the Council to produce a Pay Policy Statement for each financial year setting out details of its remuneration policy. Specifically it should include the Council's approach to its highest and lowest paid employees. The Council's draft Pay Policy Statement was based on the Review of Fair Pay in the Public Sector (Will Hutton 2011) and concerns over low pay. The Cabinet was requested to recommend the draft Pay Policy Statement to the Council for approval at its meeting scheduled for 23 April 2013.

Decision:

(1) That the revised Pay Policy Statement, attached at Appendix 1 of the report, be recommended to the Council for approval.

Reasons for Decision:

To provide the Cabinet with an opportunity to comment on the draft Pay Policy Statement before it was considered by the Council.

Other Options Considered and Rejected:

To amend the statement further before it was considered by the Council.

142. CORPORATE BUSINESS CONTINUITY PLAN

The Portfolio Holder for Finance & Technology presented a report on the Council's Corporate Business Continuity Plan.

The Portfolio Holder informed the Cabinet that the Council was required to undertake Business Continuity planning in accordance with the Civil Contingencies Act 2004. The Act required that as far as was reasonably practicable, critical services (and activities needed to deliver services) could continue to be provided in the event of a long term, unplanned interruption to normal operations. However, there was no accepted definition of critical services or activities. The report detailed the criteria used by the Council to identify critical services and activities and also provided a list of those services and activities determined to be critical, as previously agreed by the Corporate Risk Management Group.

Decision:

- (1) That the criteria for determining critical services and activities for the purpose of Business Continuity Planning and recovery from an incident be agreed; and
- (2) That, as set out in the report, the list of Critical Services and activities be agreed.

Reasons for Decision:

To comply with the requirements of the Civil Contingencies Act 2004, to mitigate the Business Continuity risks previously identified in the Corporate Risk Register, and to enable further Business Continuity planning for critical services and activities.

Other Options Considered and Rejected:

To do nothing, however this might result in the Authority either failing to meet its statutory duty or being severely delayed in doing so should an incident occur.

143. REVIEW OF LICENSING SERVICES TASK AND FINISH PANEL - FINAL REPORT

The Chairman of the Task & Finish Panel introduced the final report of the Panel's review of Licensing Services.

The Cabinet noted that the Task and Finish Panel was set up to investigate whether there were ways in which Licensing Applications in respect of premises licences could be decided more locally and give the occupiers of neighbouring properties greater opportunities to participate in the hearings. Members who had work commitments during the daytime also wished to be involved in Licensing decisions.

The Task & Finish Panel had concluded that the most appropriate way to do this was to hold evening meetings for applications which related to premises licences. This would allow Members and those who wished to make personal representations at the hearings but who worked during the day an opportunity to attend. To ensure that the occupiers of neighbouring properties were aware of the applications the Panel further agreed to recommend that specific notifications be sent to occupiers of properties within 150 metres of the property. The Panel felt that the applications relating to taxis should continue to be heard during the day.

The Chairman of the Task & Finish Panel acknowledged that this would increase the number of hearings and that the implementation of these proposals would lead to additional costs. It was difficult to estimate at this stage the increase of work and this would be kept under review. Additional resources in the sum of £63,770.72 had been identified, including the recruitment of an additional Licensing Officer and Committee Officer to manage the increased workload, and the Panel was proposing that a supplementary estimate be recommended for approval by the Council so that the Panel's recommendations could be implemented. The Chairman commended the Task & Finish Panel's proposals to the Cabinet for approval.

The Portfolio Holder for Safer, Greener & Highways welcomed the report of the Task & Finish Panel and highlighted that the suggestion to implement area-based Licensing Sub-Committees was not accepted, along with the proposal to have Taxi Licence applications delegated to Officers for decision. The Portfolio Holder drew the Cabinet's attention to recommendations 3 and 7 from the Panel's report, and acknowledged that there were potential problems with scheduling further evening meetings as well as the possible receipt of more representations from the public. The Cabinet was informed that the Overview & Scrutiny committee at its meeting last week had agreed the recommendations of the Panel with only one amendment to recommendation 5, that a review of the new procedures be carried out after 9 months of operation, not 12 as originally proposed.

The Chairman of the Licensing Committee informed the Cabinet that the proposals had been rejected at the last meeting of the full Licensing Committee, as the Committee felt that a number of concerns had not been addressed. The Committee had felt that elderly residents would not want to travel to Epping for an evening meeting, and the two new extra staff would not be fully trained in the nine months of the review period. The Chairman welcomed a full debate on the proposals at the next meeting of the Council.

The Chairman of the Overview & Scrutiny Committee, who also served on the Licensing Committee, added that he felt the current system was working well, the additional resources identified was a lot of extra money for the Council to find at the current time, and there were drawbacks with scheduling additional evening meetings. The Cabinet was also informed that the Local Councils felt strongly they should be consulted over applications in their areas by the District Council.

The Assistant Director of Corporate Support Services (Legal) stated that the Council did not collect age-related data from respondents to Licensing applications. Licensing applications were never 'advertised' in contravention of the requirements of the Licensing Act 2003 due to the risk of the decision being subsequently legally challenged. All applications were 'advertised' on the Council's website and Licensing Officers had informed the Local Councils where such notifications could be found on the Council's website.

A local ward member for Theydon Bois informed the Cabinet that a number of elderly residents attended Epping for evening meetings of the Area Planning Sub-Committees and, although the proposed new Officers would need a period of training, they should be making a positive contribution to their department's workloads by the time that the nine month review commenced. There was a need for the Council to consult with its residents over such applications and half of the additional resources would be to process the anticipated increased number of representations received. Overall, the incremental cost was small given the number of additional meetings envisaged. The Cabinet was urged to accept the Panel's recommendations, save for the amendment made by the Overview & Scrutiny Committee.

The Housing Portfolio Holder welcomed the proposals from the Task & Finish Panel, particularly the provision for evening meetings where residents and members could attend. The additional resources required was recognised but this was a case of the Council listening to the concerns of Members and residents and changing the current system for the better, with the option to review the implementation after a period of nine months.

The Leader of the Council was pleased with the report of the Task & Finish Panel as it marked an evolution of, and enhancement to, the Council's current system of Licensing. The Council was under an obligation to provide opportunities for all Members to serve on the Licensing Committee and all residents to get involved with applications in their local area. Whilst an estimate had been given of the additional costs, the full cost would not be known until after the proposals had been implemented and this would be one of the items considered during the proposed review after nine months.

Decision:

- (1) That the report of the Licensing Services Task & Finish Scrutiny Panel be noted;
- (2) That the recommendations of the Overview & Scrutiny Committee to the Council be noted; and
- (3) That a District Development Fund supplementary estimate in the sum of £63,770.72 be recommended to the Council for approval.

Reasons for Decision:

To review and improve the current operation of the Licensing Sub-Committees and the method of notifying applications to local residents. The intention was to permit the involvement of more Members and local residents in the decision making process.

Other Options Considered and Rejected:

To not implement the proposals of the Task & Finish Panel and maintain the status quo over how applications were advertised and the Licensing Sub-Committees managed.

To recommend the amendment of one or more of the Task & Finish Panel's proposals to the Council.

144. ANY OTHER BUSINESS

Decision:

(1) That, as agreed by the Leader of the Council and in accordance with Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules, the following items of urgent business be considered following the publication of the agenda:

- (a) Finance & Performance Management Cabinet Committee – 21 March 2013; and
- (b) Local Plan Cabinet Committee – 25 March 2013.

145. FINANCE AND PERFORMANCE MANAGEMENT CABINET COMMITTEE - 21 MARCH 2013

The Portfolio Holder for Finance & Technology presented the minutes from the recent meeting of the Finance & Performance Management Cabinet Committee held on 21 March 2013.

The Cabinet Committee had made recommendations to the Cabinet regarding the Council's Corporate Risk Register and Risk Management Documents. Other issues that the Cabinet Committee had also considered included the Key Performance Indicators for 2012/13 and 2013/14, the draft Audit Plan for 2013/14, and the Quarterly Financial Monitoring report for the period October to December 2012.

Decision:**Risk Management – Corporate Risk Register and Risk Management Documents**

- (1) That Risk 1, Recruitment Restrictions, be deleted;
- (2) That an additional Vulnerability, Trigger and Consequence be added for Risk 3, Potential Difficulty producing the Local Plan to Timetable, to cover budgetary aspects;
- (3) That the Effectiveness of Control for Risk 17, Capital Receipts spent on non-revenue generating assets, be amended to reflect the current Capital Programme;
- (4) That the Vulnerability for Risk 29, Gypsy Roma Traveller Provision, be amended to reflect the new Gypsy Traveller Accommodation Assessment;
- (5) That a new Risk 37 in respect of the Local Land and Property Gazetteer be added and scored as Low Likelihood, Critical Impact (D2);
- (6) That the current tolerance line on the risk matrix be considered satisfactory and not be amended;
- (7) That, incorporating the above agreed changes, the amended Corporate Risk Register be approved;
- (8) That the revised Risk Management Strategy be adopted;
- (9) That the revised Risk Management Policy Statement be adopted; and
- (10) That the updated Terms of Reference for the Risk Management Group be noted.

Reasons for Decision:

The Cabinet was satisfied that the Cabinet Committee had fully addressed all the relevant issues in relation to the recommendations and that these should be endorsed.

Other Options Considered and Rejected:

The Cabinet was satisfied that the Cabinet Committee had considered all the relevant options in formulating their recommendations. The Cabinet did not consider

that there were any further options.

146. LOCAL PLAN CABINET COMMITTEE - 25 MARCH 2013

The Planning Portfolio Holder presented the minutes from the meeting of the Local Plan Cabinet Committee, held on 18 February 2013.

The Cabinet Committee had noted the feedback from the recent Local Plan Workshops, had agreed the Local Plan Communications Strategy, and had made recommendations to the Cabinet regarding the lessons learnt by other Councils following the implementation of the National Planning Policy Framework a year ago.

The Portfolio Holder added that he was due to shortly sign a Portfolio Decision to appoint consultants to undertake further demographic analysis, as well as population and household forecasting work. There would also be a report submitted to the next Cabinet meeting in June regarding the National Planning Policy Framework considered by the Cabinet Committee and the deletion of non-compliant planning policies after the Council had obtained further legal advice.

The Cabinet was advised that a strategic review of the Green Belt had to be undertaken and treated as a priority or the Council's Local Plan would be found unsound by the Planning Inspector. The Planning Inspector's decision on Rushcliffe Borough Council's lack of a strategic review of its Green Belt was emphasised and the Cabinet was requested to circulate this decision to all members. The Cabinet was also requested to authorise a further report on the lessons that could be learnt from the Local Plans or Local Development Frameworks that had been dismissed by the Planning Inspectorate at the Examination in Public stage.

The Portfolio Holder reported that a strategic review of the Green Belt land within the District had been commenced, and Officers would report back in due course.

Decision:

The National Planning Policy Framework – One Year On

- (1) That the experience of other authorities in applying the National Planning Policy Framework over the last year, including any lessons learnt, be noted;
- (2) That, following comparison of the Council's existing policies against the National Planning Policy Framework, the policies rated as compliant, generally compliant or partially compliant be continued to be used until the adoption of the new Local Plan superseded them;
- (3) That those existing policies rated as non-compliant be subject to a further report to the meeting of the Cabinet scheduled for 10 June 2013; and
- (4) That the experience of other Councils when their Local Plans were Examined in Public be noted and measures taken to ensure this Council avoided the problems encountered to date by others.

Reasons for Decision:

The Cabinet was satisfied that the Cabinet Committee had fully addressed all the relevant issues in relation to the recommendations and that these should be endorsed.

Other Options Considered and Rejected:

The Cabinet was satisfied that the Cabinet Committee had considered all the relevant options in formulating their recommendations. The Cabinet did not consider that there were any further options.

CHAIRMAN