
EXTRAORDINARY POLICY AND RESOURCES COMMITTEE**MINUTES**

Of a virtual/remote meeting held on 30 September 2020 between 7.30pm and 9pm

Councillors present:

Sarah Nelmes (Chair) (Local Plan)
Stephen Cox
Steve Drury (Infrastructure & Planning
Policy)
Alex Hayward
Paula Hiscocks
Stephen Giles-Medhurst (Transport and
Economic Development)

Chris Lloyd (Leisure)
Andrew Scarth (Housing)
Reena Ranger
Roger Seabourne (Community Safety and
Partnerships)
Phil Williams (Lead Member for
Environmental Services & Sustainability)
Debbie Morris (for Cllr Alison Wall)

Officers Present: Joanne Wagstaffe, Chief Executive
Geof Muggerridge, Director of Community and Environmental Services
Anne Morgan, Solicitor to the Council
Claire May, Head of Planning Policy and Projects
Claire Wilson, Principal Planner
Sarah Haythorpe, Principal Committee Manager

PR53/20 APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Matthew Bedford and Alison Wall with Councillor Debbie Morris substitute for Cllr Wall.

PR54/20 NOTICE OF OTHER BUSINESS

The Chairman ruled that the following items of business had not been available 5 clear working days before the meeting but were of sufficient urgency for the following reason:

The reports for the Local Plan Sub Committee and the Council Constitution had been available but the recommendations had been added at a later date.

PR55/20 DECLARATION OF INTERESTS

There were none declared.

POLICY**PR56/20 TO RECEIVE THE RECOMMENDATIONS FROM THE CONSTITUTION SUB-COMMITTEE MEETINGS HELD ON 9 and 29 SEPTEMBER**

1. REVIEW OF RULE 14 – REPORTS FROM AND QUESTIONS TO THE LEADER OF THE COUNCIL AND LEAD MEMBERS

The recommendations from the Constitution sub-committee meetings held on 9 and 29 September 2020 on Rule 14 were for consideration by Policy and Resources Committee and for recommendation to Council on 20 October 2020

An amendment was requested to paragraph 9 of the recommendation that the Member answering the question would be allowed to do so.

On being put to the Committee the recommendation, to include the amendment above, was declared CARRIED by the Chair, the voting being unanimous

RECOMMEND:

To amend Rule 14 based on the suggestions set out in Paragraph 2.2 of the report and as provided in Appendix 2 of the report and to include the amendment to paragraph 9 that the Member answering the question would be allowed to do so.

Post Meeting Note: A Member asked for a further amendment to paragraph 6 from '..... may give a written report' to read 'the Leader of the Council, Lead Members and Committee Chairs will give a written report'.

2. REVIEW OF RULE 11 NOTICES OF MOTIONS

The recommendations from the Constitution sub-committee meetings held on 9 and 29 September 2020 on Rule 11 were provided for consideration by the Policy and Resources Committee and for recommendation to Council on 20 October 2020./

Clarification was sought on paragraph 5 Motions that may incur an expenditure in excess of £10k. The Chief Executive clarified that some Motions would be agreed at Committee but those with financial implication would go to Policy and Resources Committee for debate and if there were changes to the budget, would go to Full Council as a recommendation from Policy and Resources Committee in order to make changes to the budget.

A further point was raised on Paragraph 5 that wording 'the Council to take any substantive action' was not clear, better wording suggested was 'the Council to make a policy decision or incur an expenditure in excess of £10K'.

A Member said what had been agreed at the Constitution Sub-Committee Meeting on 29 September was that any motion under £10k would be discussed at Full Council, anything over £10k would go to a Committee and then come back to Full Council. The Solicitor to the Council advised that some amendments would be made and discussed further with the Group Leaders.

It was clarified that the Motion proposer and seconder would be able to attend the Committee Meeting but would only be able to vote if they were on that Committee and did not have an interest in the Motion that meant they could not vote.

8a stated a Member can alter the motion, it was agreed this could only be a minor change / amendment.

It was confirmed that a Motion would not be debated at a Committee, An Officer report would be presented to Committee with the recommendations that the Motion be put to Full Council.

On being put to the Committee the recommendation, to include amendments agreed with the Group Leaders, was declared CARRIED by the Chair, agreed by general assent.

RECOMMEND:

That the amendments to Rule 11 as outlined in Paragraph 2.2 of the report and as amended in Appendix 2 of the report and any further amendments provided by Members be agreed; and

3. REVIEW OF RULE 18 PETITIONS

The recommendations from the Constitution sub-committee meetings held on 9 and 29 September 2020 on Rule 18 (Petitions) to the Policy and Resources Committee was for there to be no change to Rule 18 and that this be recommended to Council on 20 October 2020.

On being put to the Committee the recommendation was declared CARRIED by the Chair, agreed by general assent.

RECOMMEND:

That there be no changes to Rule 18.

4. REVIEW OF RULE 15 (QUESTIONS FROM THE PUBLIC)

The recommendation from the Constitution sub-committee meetings held on 9 and 29 September 2020 on Rule 15 (Questions from the Public) to the Policy and Resources Committee is for there to be no change to Rule 15 and that this be recommended to Council on 20 October 2020.

On being put to the Committee the recommendation was declared CARRIED by the Chair, agreed by general assent.

RECOMMEND:

That that there be no changes to Rule 15.

5. RULE 16 (RULES OF DEBATE)

The recommendation from the Constitution sub-committee meetings held on 9 and 29 September 2020 on Rule 16 (Rules of Debate) to the Policy and Resources Committee is that any changes to the Rules of Debate which arise as a result of any amendments to Rule 11 be delegated to the Chief Executive in consultation with the Group Leaders and be reported direct to Council.

A Member said that the length of time spent debating an issue should be reviewed.

A Member asked whether a Member / Member protocol could be considered as it would be beneficial to the Rules of Debate. A Member thought this

would be covered in the Member's Code of Conduct which was in the process of being updated.

The Chair was advised that Councillor Steve Drury had lost connection to the meeting.

On being put to the Committee the recommendation was declared CARRIED by the Chair, agreed by general assent

RECOMMEND:

That any changes to the Rules of Debate which arise as a result of any amendments to Rule 11 be delegated to the Chief Executive in consultation with the Group Leaders and be reported direct to Council.

The Chair was advised that Councillor Steve Drury had rejoined the meeting.

6. MEMBER/OFFICER PROTOCOL

The recommendation from the Constitution sub-committee meeting held on 9 September 2020 on the Member/Officer Protocol to the Policy and Resources Committee is that the protocol be adopted by Council and that this be recommended to Council on 20 October 2020.

It was confirmed that the protocol would be gender neutral in time for the Council meeting.

The Chair agreed with a suggestion that the protocol should be reviewed annually. Further discussion took place on the best way to review the protocol. It was suggested that any issues that occurred during the year should be highlighted in the protocol.

On being put to the Committee the recommendation was declared CARRIED by the Chair, agreed by general assent.

RECOMMENDATION:

That the protocol be adopted by Council and that this be recommended to Council on 20 October 2020.

7. COUNCIL CONSTITUTION AMENDMENTS

The recommendation from the Constitution sub-committee meeting held on 29 September 2020 to the Policy and Resources Committee is to change the pronouns throughout the Council Constitution to the inclusive they/their/them and that this be recommended to Council on 20 October 2020.

On being put to the Committee the recommendation was declared CARRIED by the Chair, agreed by general assent

RECOMMEND:

That changes would be made to the pronouns throughout the Council Constitution to the inclusive they/their/them and that this be recommended to Council on 20 October 2020.

8. WORKING PARTIES

The Constitution sub-committee considered the impact of the Motion passed by Council in December 2018 with regard to Working Parties - details provided below. The recommendation from the sub-committee is that Council consider the use of Working Parties/Task and Finish Groups in

appropriate circumstances ensuring where possible that meetings are held in the public domain.

On being put to the Committee the recommendation was declared CARRIED by the Chair, agreed by general assent

RECOMMEND:

That Council consider the use of Working Parties/Task and Finish Groups in appropriate circumstances ensuring where possible that meetings are held in the public domain.

PR57/20 TO RECEIVE THE RECOMMENDATIONS FROM THE LOCAL PLAN SUB-COMMITTEE MEETING HELD ON 23 SEPTEMBER 2020 ON THE FOLLOWING

The Chair pointed out that the sub-committee comments had been made in red in the report which had been very useful.

5a) CHANGES TO THE CURRENT PLANNING SYSTEM (AUGUST 2020)

The following points were raised by Members together with Head of Planning Policy and Project responses:

A suggestion was made to contact the three MPs to see if they would like to meet to discuss the issues and to also make the comments available to the Parish Councils.

Q: On Report 5a, question 2 this suggestion was not helpful or constructive and a factual explanation was required.

A: This was requested by the LSPC Committee so it is up to Policy and Resources Committee.

Q: Question 5, affordability ratios, remove the comments in red and include mathematical examples instead, e.g. look at affordability 10 years ago, 5 years ago and today to demonstrate what is happening within Three Rivers.

A: The deadline for the consultation was 11.45am the following day so there was insufficient time to gather the statistics in Three Rivers over that period of time.

Question 13 different levels of discount, we would want to encourage certainty so developers know what they need to do in terms of affordability. Could a structure be included of when to seek to levy what type of percentage?

Question 35, equalities, a more robust answer was required.

The Chair said that adjustments could not be made at this late stage so would like to broadly agree that it reflected the views of the Council.

Members felt the original response to question 2 was adequate without the comment in red and would like this additional comment withdrawn.

A Member supported the changes but wondered if they had been strong enough on Permissions in Principal (Paragraph 2.44 – 2.46) as this would remove the ability of Local Authorities and Residents to comment. The Head of Planning Policy and Projects agreed to amend this comment and to incorporate the word 'imperative'.

Question 5, to be amended to read 'The calculation appears to have been designed to meet the Government's target...'

Question 24, change to read: 'Permission in principal *removes* the opportunity', (instead of reduces the opportunity).

Question 27, change the wording to 'it is *essential* to make sure....' (instead of 'necessary')

On being put to the Committee the recommendation, including the amendments above, were declared CARRIED by the Chair, the voting being unanimous.

RESOLVED:

That Policy and Resources Committee noted the report and agreed the proposed responses to the consultation to include the amendments above.

5b) PLANNING FOR THE FUTURE WHITE PAPER (AUGUST 2020)

The following points were raised by Members together with Head of Planning Policy and Projects responses:

Question 14, the response to be amended to read 'Yes. We are of the opinion that the so called housing shortage is *partly* the result....'

'and landowners should be penalised where development is not built out within a certain time limit, *unless there are exceptional circumstances or justifiable reasons*'

Question 25 final sentence 'It is essential that the infrastructure levy rate.....is much higher.....' was not useful. The word 'much' to be deleted.

Question 13b, would it have been simpler to have been calling for digital templates?

Question 20, poorly designed homes could lead to poor mental health.

Question 22, Infers that CIL should pay for all infrastructure but resident's Council Tax pays towards part of the infrastructure. CIL was meant to top that up and contribute to what new development may bring. The Head of Planning Policy and Projects said they did not want money for infrastructure to be spent without delivering affordable housing, or infrastructure being provided without the affordable housing. There were also concerns about the delay of the money.

Question 14, members felt that some developers would be sitting on unbuilt land creating shortages and inflating prices.

Developers could implement a 'permission' by digging up a vacant site to say they have started the ground work. That had not been covered in question 14.

Question 24b, Should affordable housing be secured? The answer should be 'no unless really exceptional circumstances.

Question 14, there was agreement to the removal of '*so-called*' in the reply. They felt there had been consensus that the housing shortage was not totally the result of developers not building out. Housing shortages also related to population demands.

The Head of Planning Policy and Projects listed the changes:

- Question 14 the removal of the words '*so called*'.
- The addition of '*partly* as a result of developers...'
- and landowners should be penalised where development is not built out within a certain time limit, *unless there are exceptional circumstances or justifiable reasons*'

- To add that the Government need to change the rules regarding the commencement of development.
- Question 24b, 'not sure' to be changed to no.
- Question 25, deletion of the word 'much'.

Question 14, a Member asked for the amendment to 'partly' to be changed to read 'significant'. This was agreed with the Chair.

Councillor Chris Lloyd proposed, duly seconded by Councillor Stephen Giles-Medhurst a meeting to be arranged with the three Members of Parliament and for comments to be available to the Parish Councils.

On being put to the Committee the recommendations, including the amendments above, was declared CARRIED by the Chair, the voting being unanimous.

RESOLVED:

That Policy and Resources Committee noted the report and agreed the proposed responses to the consultation to include the amendments above.

The Director of Community and Environment Services thanked all the Members for enabling the documents to go through.

CHAIR