

ECONOMIC DEVELOPMENT PORTFOLIO HOLDER'S MEETING

THURSDAY, 26 MARCH 2015

DECISIONS

Set out below is a summary of the decisions taken at the Economic Development Portfolio Holder's Meeting held on Thursday, 26 March 2015. Decisions made by the Portfolio Holder will be subject to call-in. Recommendations made to the Cabinet or to the Council are not subject to call-in. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

If you have any queries about any matters referred to in this decision sheet please contact Maggie Jennings.

1. **ARTICLE 4 DIRECTIONS AND PUBLIC HOUSES: A REVIEW OF THE RESULTS OF THE PUBLIC CONSULTATION**

The Economic Development Portfolio Holder:

- (a) **AGREED** to make a recommendation to the Planning Committee that this Council adopts in principal the use of Article 4 Directions to restrict the development rights of pubs with respect to demolition and change of use on the basis of the results of the public consultation;
- (b) **AGREED** the commissioning of the requisite research to substantiate the nominations resulting from the public consultation (see paragraph 29 of the covering report) and that an assessment is made of the potential claims for compensation which could arise;
- (c) **REQUESTED** a process to be put in place via which subsequent nominations for Article 4 Directions may be received and assessed.

Other Options Considered:

- (a) To take no further action with regard to the use of Article 4 Direction;
- (b) To take no further action with regard to use of Article 4 Direction, accepting that ACV listing provides an acceptable safeguard and to intensify efforts to promote the Community Right to Bid to communities where pubs have been nominated;
- (c) To agree that further detailed work should be undertaken to determine whether or not a positive recommendation to the Planning Committee is justified and to identify the pubs to which this might apply.

Reason for Recommendations:

- (a) The public consultation has provided evidence of support for the use of article 4 directions among parish councils and the general public. The consultation revealed support for the principal of the removal of permitted development rights in respect of both demolition and change of use, irrespective of whether the pub was the last to remain in the village.
- (b) The Cambridge and District branch of the Campaign for Real Ale (CAMRA) made representation on behalf of its almost 4,000 branch members. They urged the council to adopt the use of article 4 directions with respect to demolition and change of use and believed this should not be limited to the sole remaining pub to serve a village.

- (c) Since responsibility for determining whether this council should adopt the use of article 4 directions lies with the Planning Committee, the results of the consultation help provide the Economic Development Portfolio with the necessary information to present to the Planning Committee for their further consideration.
- (d) The recent experience of Islington Borough Council (see paragraph 25 of the covering report) suggests the Department for Communities and Local Government (DCLG) is prepared to accept the use of article 4 directions to address pressures towards a change of use where the local authority can demonstrate evidence that the exercise of permitted developments rights would harm local amenity.
- (e) The consultation results indicate the public values the contribution of pubs in terms of visual amenity and their contribution to the range of local amenities available to them and suggest the quality of village life would be greatly diminished without them. The consultation identifies numerous pubs where the public believes this applies.
- (f) There were 519 individual nominations made identifying a total of 132 pubs across the district. Further details of the pubs identified and the level of support for each is given in Appendix 2.
- (g) Given the threshold of evidence required, further research would be required to substantiate these nominations i.e. to describe the mix of amenities within each village to which the public houses identified contribute.

2. **HERITAGE GUARDIANSHIP SITES: LANDBEACH TITHE BARN AND EAST HATLEY CHURCH**

The Economic Development Portfolio Holder gave, in principle, **APPROVAL** for:

- (a) The Tithe Barn Trust to take on responsibility for the Landbeach Tithe Barn, subject to acceptable terms and conditions;
- (b) A partnership agreement to fund and manage the repairs programme, subject to acceptable terms and conditions;
- (c) Urgent works to safeguard the barn from further deterioration, including tarpaulin covers, subject to the Portfolio Holder agreeing the costs of the works to be undertaken; and
- (d) **NOTED** the progress on the transfer of St Denis Church, East Hatley to the Friends of Friendless Churches

Other Options Considered:

- (a) The Tithe Barn Trust to take on responsibility for the Landbeach Tithe Barn, subject to acceptable terms and conditions;
- (b) A partnership agreement to fund and manage the repairs programme, subject to acceptable terms and conditions;
- (c) Urgent works to safeguard the barn from further deterioration, including tarpaulin covers.

Reason for Recommendations

Further work has been undertaken locally to develop proposals for a new local trust to take on responsibility for Landbeach Tithe Barn, and a conditions survey has been completed. The Portfolio Holder is asked to endorse further work on the trust and measures to protect the barn. Progress has been made regarding disposal of St Denis Church.