

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Cabinet held on
Tuesday, 15 August 2017 at 5.00 p.m.

PRESENT: Councillor Peter Topping (Leader of the Council)
Councillor Nick Wright (Business & Customer Services Portfolio Holder and Deputy Leader)

Councillors:	Simon Edwards	Finance and Staffing Portfolio Holder
	Sue Ellington	Health & Wellbeing Portfolio Holder
	Lynda Harford	Housing Portfolio Holder
	Mark Howell	Environmental Services Portfolio Holder
	Tim Wotherspoon	Strategic Planning & Infrastructure Portfolio Holder

Officers in attendance for all or part of the meeting:

Beverly Agass	Chief Executive
Alex Colyer	Executive Director (Corporate Services)
Julie Fletcher	Head of Housing Strategy
Stephen Hills	Director of Housing
Rory McKenna	Deputy Monitoring Officer
Ian Senior	Democratic Services Officer

Councillors Anna Bradnam, Tumi Hawkins, David McCraith, Ben Shelton and Hazel Smith were in attendance, by invitation.

1. APOLOGIES FOR ABSENCE

Councillors Francis Burkitt and Robert Turner sent Apologies for Absence.

2. MINUTES OF PREVIOUS MEETING

The Leader withdrew from the agenda the Minutes of the meeting held on 13 July 2017. This would allow them to be presented in a more complete manner.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. ANNOUNCEMENTS

There were no announcements.

5. PUBLIC QUESTIONS

There were no public questions.

6. SALE OF LAND OFF STATION ROAD, FOXTON

Cabinet considered a report setting out several options for dealing with District Council-owned land identified as Option 1 on the attached Plan 'A' and a further option for the sale of garden land at no.31 Station Road (identified as Option 2) on the attached Plan 'B'.

The Leader set out the process he intended to follow in order to allow all interested parties a reasonable opportunity to express themselves.

Councillor Lynda Harford (Housing Portfolio Holder) referred to paragraph 4 of the report and said that the Authority's aspiration, as landowner, was to support Options 1 and 2 set out in the report. She explained that a decision in principle had been made by officers to sell the land at Option 1, prior to a formal planning application being submitted by Endurance Estates, but that the possibility of including the land in Option 2 had been deferred until that application had been made, and would only be discussed in the event of planning consent being granted. The reason for this was that South Cambridgeshire District Council should not do anything that might be interpreted as interference in the planning process. Valuations had been obtained. Foxton Parish Council had expressed concern that Option 2 would allow Endurance Estates to widen the access road, thus bringing it up to adoptable standard and giving rise to possible future development on the site. Councillor Harford understood the local sensitivities, and assured those present that her duty was to ensure the prudent management of Council assets rather than to seek financial gain.

Councillor Deborah Roberts (the local Member) addressed Cabinet. She expressed disappointment that this matter had not first been discussed by the Scrutiny and Overview Committee. Councillor Roberts said that what she had to say should not be taken as NIMBY-ism – on the contrary, Foxton had always been in the vanguard of securing local support for affordable housing. She summarised the history of the site, and emphasised its value to the community. The specific land in question had been put forward for designation as Local Green Space in the emerging Local Plan. Councillor Roberts summarised the background, including planning history. She informed Cabinet that Endurance Estates had seemingly not been concerned by the access width when they made their original planning application, and queried what had now changed. An unadopted road was sometimes valued by residents, and maintenance could be secured by establishing a management company, possibly using a commuted sum. Councillor Roberts noted the availability of an alternative access point to the site. She referred to an e-mail dated 31 March 2017 in which South Cambridgeshire District Council wrote to the Highways Department enquiring as to whether a widened access would facilitate future development.

Councillor Ronald McCreery (Chairman, Foxton Parish Council) addressed Cabinet. He reiterated residents' acceptance some development was inevitable. However, in the case in question, there was local concern about extra traffic, neighbour amenity, and road safety. The site lay outside the village framework (and was not an exception site), and would have an adverse impact on adjacent Listed Buildings. The site was not put forward as part of the Strategic Housing Land Availability Assessment, and was to become a Local Green Space within this Group Village. Councillor McCreery referred to the finely balanced vote at Planning Committee, and speculated as to what the result might have been had a PVAA been in place. The Parish Council's aim now was to prevent backland development. He noted that Option 1 in the report failed to mention any aspiration for a Local Green Space or PVAA. Option 2 would allow further development to take place at the back of the site. The Parish Council called upon the District Council to take account of local opinion, and support Option 3 or, failing that, Option 4. The Parish Council considered Option 2 to be opportunistic.

Councillor Simon Edwards reminded those present that there was a crucial difference between land ownership and land use.

Councillor Anna Bradnam sought and received clarification of the access issues, including options for an alternative access.

The Director of Housing summarised the approach taken by his officers in assessing whether the Council had any need for the land and whether to sell it. The Council had a statutory duty to secure best value, and had therefore commissioned an independent, indicative valuation in line with current housing policy. An uplift clause would further protect the Council's interests.

Cabinet noted the development permitted was policy compliant in terms of affordable housing. However, insistence on Endurance Estates finding an alternative access could have an impact on viability, thus reducing the number of affordable dwellings provided.

It was also noted that the occupier of 31 Station Road had a right to buy his property.

In response to concern raised by Councillor McCreery, the Director of Housing clarified that the uplift mentioned was simply to protect the District Council's financial position, and did not promote further development.

During the ensuing part of the meeting, the following points were established:

- All the land with potential for development being discussed at this meeting was in the same ownership
- The planning decision notice was dated 23 March 2017
- Clarification about the uplift clause
- There had been no negotiations to date with Endurance Homes about possible further development
- Further clarification about a possible alternative access from the High Street
- The existing access would remain usable, even if not of an adoptable standard
- Speculation as to future development was not relevant
- Some people were perfectly happy with access roads remaining unadopted

Councillor Roberts said that the Parish Council had accepted a development of 22 dwellings on the site, but objected to sale of any additional land to facilitate further development. She would accept Option 1, but was opposed to Option 2.

Councillor Harford said that the issue was about selling land to facilitate the access as envisaged by the planning permission granted, or to include the garden land such as to allow an access that could be brought up to an adoptable standard. Refusal to sell the additional land did not guarantee that further development on site would not take place in the future. She said that selling the additional land would bring benefits to new and existing residents, and urged Cabinet to approve Options 1 and 2 set out in the report.

Cllr Nick Wright considered that an unadopted access road would not be acceptable to new residents, or safe for residents.

Cabinet approved unanimously

Option1: the sale of land identified on Plan 'A' (access land) for the price of £200,000. This will include an overage clause to secure a further capital receipt of 50% of the uplift if further development was granted. Heads of terms to be agreed by the Head of Housing Strategy.

and

Option 2: the sale of garden land identified on Plan 'B' for the price of £5,000

subject to improvements to fencing and car parking for the tenant at no.31 Station Road. Heads of terms to be agreed by the Head of Housing Strategy.

7. DATE OF NEXT MEETING

The next scheduled Cabinet meeting would be on Thursday 14 August 2017 at 6.00pm.

**The Meeting ended at 6.15
p.m.**
