Nottinghamshire County Council

minutes

Meeting	ENVIRONMENT AND SUSTAINABILITY COMMITTEE
Date	Thursday 30 January 2014 (commencing at 10.30am)

Membership
Persons absent are marked with an 'A'

COUNCILLORS

Jim Creamer (Chairman)
John Wilkinson (Vice-Chairman)

Richard Butler
Steve Calvert
Stan Heptinstall MBE
Roger Jackson
Bruce Laughton
Pamela Skelding
Parry Tsimbiridis

Ex-officio (non-voting)
A Alan Rhodes

OFFICERS IN ATTENDANCE

Mick Allen	-	Group Manager - Environment and Resources
Sally Gill	-	Group Manager - Planning
Tim Gregory	-	Corporate Director - Environment and Resources
Jas Hundal	-	Service Director -Transport, Property and Environment
Helen Lester	-	Team Manager - Waste Strategy and Development
Ruth Rimmington	-	Democratic Services Officer

MINUTES OF THE LAST MEETING

The minutes of the meeting held on 12 December 2013, having been circulated to all Members, were taken as read and were confirmed and signed by the Chairman.

APOLOGIES FOR ABSENCE

There were no apologies for absence.

DECLARATIONS OF INTEREST

Councillor Bruce Laughton declared a non-pecuniary interest in agenda item 5 – Information – Petition received opposing a planning application as Ash Farm Farnsfield, as a local member for the area.

Councillor Stan Heptinstall declared a non-pecuniary interest in agenda item 7 – Broxtowe Borough Council Site specific allocations document, as local member.

PRESENTATION ON SECTION 106 AND CIL

Sally Gill Group Manager PPCS gave a presentation to the committee on Section 106 obligations & the Community Infrastructure Levy (CIL). In summary, Section 106 planning obligations were the most common type of developer contributions which, historically most planning authorities negotiated for on large housing or mixed use schemes and did not usually apply to single housing plots and commercial development.

The Community Infrastructure Levy (CIL) was a levy that lower tier Local Planning authorities could choose to develop and adopt, where additional floor space created would be subject to a levy towards infrastructure projects.

Legislation had changed recently regarding Section 106 which meant there were now legal tests introduced by the CIL Regulations. Where planning appeal decisions considered S106 agreements to be reasonable, evidence was needed to ensure that these relevant tests were met.

After April 2014, no more than five developer contributions could be pooled per infrastructure item, (which would take account of any agreements commenced from 6 April 2010). CILs were not mandatory for local authorities. Their aim was to allow them to raise monies from developers to fund a wide range of infrastructure including flood defence, open space, roads education and health care facilities.
For Local Authorities who did not have a CIL in place, the rule could be extremely challenging for large strategic infrastructure requirements such as schools. Recent Government consultation had seen the deadline extend to April 2015.

The committee noted the presentation.

INFORMATION PETITION RECEIVED OPPOSING A PLANNING APPLICATION AT ASH FARM FARNSFIELD

Sally Gill introduced the report.

RESOLVED 2014/01

That the report be noted.

PLANNING OBLIGATIONS STRATEGY CONSULTATION – COMMENTS RECEIVED AND PROPOSED RESPONSES

Sally Gill, Group Manager, Planning introduced the report.

RESOLVED 2014/02

1. That the responses to the consultation and proposed revisions to the planning obligations strategy set out in appendix 1 to the report be approved.

2. That the revised Planning Obligations Strategy be referred to the Policy Committee for consideration and adoption.

BROXTOWE BOROUGH COUNCIL SITE SPECIFIC ALLOCATIONS DOCUMENT

RESOLVED 2014/03

That the officer response to the Broxtowe Borough Council Site Specific Allocations Documents sent to the Council on 10 January 2014 be noted.

LEICESTERSHIRE COUNTY COUNCIL MINERALS AND WASTE LOCAL PLAN ISSUES DOCUMENT 2013

The committee requested a copy of the officer response that had been sent to Leicestershire County Council.

RESOLVED 2014/04

That the officer response to the Leicestershire County Councils Minerals and Waste Local Plan Issues Document 2013 sent to the Council on 24 January 2014 be noted.

CONSULTATION ON AN ENVIRONMENTAL PERMIT APPLICATION DANESHILL ENERGY FOREST, DANESHILL ROAD, LOUND, NOTTINGHAMSHIRE

The committee requested a copy of the officer response that had been sent to the Environment Agency.

RESOLVED 2014/05

That the officer response to the request for comments on the Environmental Permit Allocation at Daneshill Energy Forest sent to the Environment Agency on 6 January 2014 be noted.

STRATEGIC PLANNING OBSERVATIONS

RESOLVED 2014/06

That the report be noted.

WORK PROGRAMME

Further to discussions it was proposed to change the consultation process for officer responses for signing off Strategic Planning Obligations to include Opposition Group Lead Members and relevant members whose electoral divisions are affected.

The committee also felt that it would be useful to invite Highways planners to a future meeting.

RESOLVED 2014/07

That the work programme be noted.

WASTE MANAGEMENT CONTRACTS

RESOLVED 2014/08

1. That the 'in principle' agreement to clarify existing arrangements regarding the use of Eastcroft EfW plant and authorises the Council to enter into a deed variation with Nottingham City Council and FCC to reflect the agreement.

2. that delegated authority be given to the Corporate Director, Environment and resources to negotiate the final details of a legal agreement to reflect the agreement in principle detailed in the report in consultation with the Group Manager Legal and Democratic Services.

3. That the outcome of Defra's re-assessment of waste infrastructure grant for the Waste PFI Contract be acknowledged.

4. That the current position reached on VESN's proposals in the DRPP be noted.

EXCLUSION OF THE PUBLIC

RESOLVED: 2014/09

That the public be excluded from the remainder of the meeting on the grounds that discussions are likely to involve the disclosure of exempt information described in paragraphs 3 and 5 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

EXEMPT APPENDIX TO ITEM 12 – WASTE MANAGEMENT CONTRACTS

RESOLVED: 2014/10

That the information set out in the exempt appendix to the report be noted.

The meeting concluded at 12.30pm.

CHAIRMAN