

CABINET REFERRALS

17 October 2017

8.1 CA/104/17 BROWNFIELD LAND REGISTER

Decision

Resolved to recommend:

1. To approve the sites listed in Part 1 of the Brownfield Land Register (BLR) as drafted in Appendix 1 of the report to Cabinet and delegate authority to the Assistant Director (Planning, Development and Regeneration) to finalise the site specific information before publication noting that there will be no sites in Part 2 on first publication.
2. Delegate authority to the Solicitor to the Council to amend the constitution to give effect to the following procedures and authorisations for administering the BLR:
 - (a) "That the Assistant Director (Planning, Development and Regeneration) will be responsible for considering which sites go onto the BLR (Part 1 and 2) for consultation, carrying out required consultation, and reporting the BLR to Cabinet and Council for final approval.
 - (b) That applications for Technical Details Consent be dealt with in accordance with the existing scheme of delegation for all planning applications."

Reason for decision

To consider the content of the first Brownfield Land Register for the Borough of Dacorum and set out proposed changes to the Constitution for its preparation and implementation.

Corporate objectives

A clean, safe and enjoyable environment, Building strong and vibrant communities; Ensuring economic growth and prosperity; Providing good quality affordable homes; Delivering an efficient and modern council;

The Brownfield Register will assist in more housing led sites becoming available for development (within 5 years of being eligible for Part 2 of the Brownfield Land Register). This will provide more local housing, improved communities and economic growth.

The reduction in the number of council own cases presented to committee will make the meeting a more efficient process.

Monitoring Officer/S.151 Officer comments

Monitoring Officer: The Council is required to publish a Brownfield Land Register by 31st December 2017 and therefore agreement of this report will enable the Council to achieve that deadline. Statutory guidance for the matters which must be included in the BLR, including all consultation requirements, is set out in The Town and Country Planning (Brownfield Land Register) Regulations 2017 and officers must ensure that they follow these regulations when publishing future registers.

S.151 Officer: No further comments to add to this report.

Advice

Councillor Sutton introduced the item and informed the Cabinet that he has signed-off a press release advising the public that this is their opportunity to identify likely brownfield sites for potential development. J Doe, Assistant Director (Planning, Development & Regeneration) advised the Cabinet that the creation and maintenance of a Brownfield Site Register is a statutory duty and part of the current Government Strategy to address housing issues. J Doe then took the meeting through the recommendations and pointed out that part of their function is to delegate to the Solicitor to the Council authority to amend the Scheme of Delegation and attendant sections of the Council's Constitution accordingly.

Councillor Marshall sought and was given clarification on the process for inclusion of sites on the Part 1 and Part 2 schedules of the Brownfield Register. J Doe explained that inclusion in Part 1 would primarily result from consultation with the landowner. However Part 2 sites require high level planning consent and so will demand liaison with local stakeholders such as Parish Councils, etc. and necessitate extensive consultation. Councillor Williams pointed out that additional scrutiny will be that a site must have been on the Part 1 list before it can be considered for the Part 2 list. Councillor Marshall concluded by stressing that no site or piece of land will go on the Register unless it is approved by Cabinet and at Council.

Councillors Marshall then moved on to the issue of keeping members of the Council informed. She was particularly concerned that they are informed on all sites included in Part 2 of the Register and how they would be kept up to date on any additions to Part 2. J Doe informed the meeting that the full list of Part 2 sites would be reported to Cabinet and Council. Councillors will be consulted directly on any site in their particular ward or adjacent wards. Sites will be brought to committee on an annual basis with reports containing officer insights and opinion.

Councillor Marshall suggested that any Part 2 additions be notified in the weekly list of planning applications distributed to councillors. J Doe added that a full list would be produced for Cabinet and all additions reported to Cabinet on an annual basis. Councillor Williams pointed out that in order to move into Part 2 a site would first have to go through Part 1. Councillor Marshall concluded that the inclusion of a piece of land will not be approved until it has first gone through Cabinet and Council.

Councillor Birnie enquired if inclusion in Part 2 assumed planning permission had been granted. J Doe confirmed the councillor's view and added that no site would be included in Part 2 without first having gone through Part 1.

Councillor Griffiths asked if a site had to be available to build on before it is included in the Part 1 list. She foresaw the danger of Cabinet becoming the Planning Committee. J Doe confirmed that any brownfield site currently in use could not be included on the development lists. Councillor Griffiths pressed – would all councillors have to be trained in planning issue and practice. M Brookes, Solicitor to the Council advised that the Cabinet would not be the determining body and would deal with much less detail than the Development Management Committee. Councillor Griffiths expressed concern that current employment land could be

moved into the brownfield register and end up as housing development. J Doe reassured the councillor that this type of site and the process involved are the result of a loosening of planning rules but reclassifying this sort of site would be subject to thorough examination.

Councillor Williams felt Cabinet would be more concerned with the nature of the intended development.

Voting

None.

17 October 2017

8.2 CA/105/17 MEMBER EMPLOYEE CODE OF PRACTICE AND PLANNING CODE OF PRACTICE

Decision

Resolved to recommend:

1. to approve the Planning Code of Practice.
2. to approve the Protocol for Member Officer Relations.

Reason for decision

To seek approval to the amended and updated Planning Code of Practice and the Protocol for Member/Officer Relations to reflect changes to staffing structures, operational changes and new legislation.

Corporate objectives

The Constitution, which includes the codes of practice and protocols, support all of the Council's Corporate Objectives as they provide the governance and standards framework for all decisions, strategic and operational.

Monitoring Officer/S.151 Officer comments

Monitoring Officer: This is a Monitoring Officer report.

S.151 Officer: No further comments to add to this report.

Advice

There were no additional comments on the report and the Cabinet approved the recommendations.

Voting

None.