

Minutes of a meeting of the FULL COUNCIL held on Wednesday, 22nd March, 2017 in Civic Community Hall, Vicarage Lane, HAILSHAM (10.00 a.m. to 11.26 a.m.)

PRESENT: Councillors C Hardy (Chairman), P Doodes (Vice-Chairman), D Angel, K Balsdon, L Clark, N Collinson, N Coltman, C Dowling, P Ede, H Firth, J Fox, R Galley, R Grocock, J Hollins, P Holloway, J Howell, T Illingworth, S Isted, M Lunn, P Lunn, B Marlowe, K Moss, D Murray, A Newton, A O'Rawe, M Pinkney, C Reynolds, G Rose, R Reed, W Rutherford, D Shing, O L Shing, R Shing, S Shing, R Standley, S Stedman, R Thomas, J Towey, C Triandafyllou, N Waller, G Wells, D White and J Wilton.

APOLOGIES: Apologies for absence were received from Councillors J Bentley, B Bowdler, B Dashwood-Morris, D Dear, P Dixon, J Dunk, R Moore, Dr B Redman, P Roundell, A Snell and P Waldock.

17/13 DECLARATIONS OF INTEREST

Councillor White declared a Disclosable Pecuniary Interest in Minute 17/20 as he had an interest in land in the extended area of Hailsham Conservation Area, and he left the room during the discussion.

17/14 MINUTES

RESOLVED that the minutes of the meeting held on 22 February 2017 as printed and circulated be taken as read, confirmed as a correct record and signed by the Chairman.

17/15 CHAIRMAN'S ANNOUNCEMENTS

The Chairman of the Council made the following announcements:

- (1) The Chairman advised that he had visited several primary schools in the North of the District, where he had sat in on classes, met the children and answered their questions. He stated that he was particularly impressed by the dedication of both the teachers and the pupils. The Chairman mentioned that he also had discussions with the Head Teachers, who shared their concerns about the funding problems that all schools faced and which could result in severe cuts to staffing. Members were informed that the Chairman was liaising with East Sussex County Council on this issue.
- (2) The Chairman spoke of the sterling work of his charities. He explained that one of his charities, Heathfield Works, depended on donations and 'gifts in kind' donations to support 16-24 year olds to develop social skills, motivation and self-confidence. Members noted that the focus of the 10 week voluntary programmes was on young people securing employment to the wider benefit of local employers. The Chairman

advised that, since 2011, 214 young people had attended the courses offered by Heathfield Works and a record of 86% of those on the courses had obtained employment. Unfortunately the project would cease from the end of March as Tomorrow's People were no longer able to fund it. The Chairman informed Members that Heathfield Works were looking to take the project forward as a charity in its own right, expanding to the whole of Wealden, renaming to Wealden Works. He emphasised the need for business support to ensure its success.

- (3) The Chairman asked Members to notify their local parish/town councils of this year's Parish Conference, which would be held on 6 December 2017. He welcomed suggestions from the parish/town councillors for any topics and issues they would like to see discussed.

17/16 PUBLIC QUESTION TIME

The following question was asked by Mr David Connoley of Wadhurst:

Wealden District Council has declared that it does not have a 5 Year Housing Land Supply which is leaving it open to significant greenfield / AONB housing developer approvals (c.26 major approvals since announcing a lack of 5 year housing land supply in Feb 2015).

Wealden has consistently refused to include future windfalls in their 5 year housing land supply calculation, which the NPPF fully allows and which other Councils include. The Wealden Annual Monitoring Reports claim windfalls have been running at c. 253 windfalls per annum.

Wealden has consistently blocked the many questions from the public as to why Wealden is not including windfalls, which would allow Wealden to declare it has a 5 year housing land supply, by claiming 'legal privilege' not to divulge the reason why windfalls are not being included.

Is the Full Council aware of this blatant subterfuge to its residents and is it just to protect the income stream from the New Homes bonuses?

The response by Councillor Ann Newton, Portfolio Holder for Planning and Development was:

As Mr Connoley is aware the Council has taken legal advice which states that the Council does not have sufficient evidence to count windfalls as part of the Five Year Land Supply calculation. The Council continues to gather the necessary evidence as it wishes to have a 5 year land supply in place if at all possible and regularly reviews the position and the calculation.

The suggestion that the Council is deliberately miscalculating its 5 year land supply in order to generate New Homes Bonus is untrue. If Mr Connoley has any evidence for his conclusion I suggest he provides it rather than continuing to promote mis-information.

Mr Connoley then asked a supplementary question:

“Wealden’s reliance on now using a ‘housing target’ of 764 dwellings per annum instead of the new draft Local Plan objectively assessed housing need of over 950 dwellings per annum will meet with significant challenge by Developers/HM Inspector, so Wealden’s fall-back position must be to regain its 5 year housing land supply as soon as possible. Therefore how and when will Wealden regain its 5 year housing land supply, given this higher new objectively assessed housing need, the backlog that has thus increased; that developer ‘land banking’ continues and, until the draft Local Plan is adopted in 2018, South Wealden in particular is exposed to overdevelopment demands due to lack of 5 year housing land supply?”

The response to the supplementary question by Councillor Ann Newton, Portfolio Holder for Planning and Development was:

“Many of the statements made by Mr Connoley are incorrect and somewhat out of date. It is regrettable when any authority is in the position of not having a five year land supply; however we believe the evidence we have received to back up that the numbers and figures are correct and we would only do things that we believe are correct and we would not wish to do it incorrectly. At the moment, because we are putting the Local Plan together, we have the constraint of the Ashdown Forest which we believe very strongly is right and we should be protecting that environment. The actual land supply issue is overridden by the Habitats Regulations and that constraint. So I sincerely hope that our Local Plan goes forward and an inspector finds it sound for those very reasons. We will possibly have more reviews as in line with the White Paper, but actually the five year land supply is somewhat irrelevant in this situation.”

17/17 UNRESERVED ITEMS FROM THE LEADER'S REPORT ON BEHALF OF THE CABINET

RESOLVED to receive the following paragraphs of the Leader’s Report and note and agree the recommendations therein:

Items dealt with under **delegation** by the Cabinet:

1. Performance Management Quarter 3 2016/17 (CAB 13/2017-LGF) (Leader’s Report Paragraph 1)
2. Financial Management 2016/17 – Quarter 3 Forecast to Year End (CAB 14/2017 – LGF/HB) (Leader’s Report Paragraph 2)
3. Annual Procurement Strategy 2017/18 (CAB15/2017 – LGF) (Leader’s Report Paragraph 3)
4. Business Rate and Council Tax Policies (CAB17/2017 – HB) (Leader’s Report Paragraph 5)
5. Personal Information and Equalities Monitoring Procedure Report (CAB 18/2017-CLHR) (Leader’s Report Paragraph 6)

17/18 RESERVED ITEMS FROM THE LEADER'S REPORT - DELEGATED

The following item dealt with under **delegation** were reserved for discussion:

Review of Options for On-Street Car Parking Enforcement 2017 (CAB 16/2017 – LGF) (Leader’s Report Paragraph 4) – Councillor S Shing had reserved this item and welcomed the fact that the Council was going to

undertake a review of the parking problem in Wealden. He acknowledged that this would be an enormous task and difficult to achieve without introducing parking fees.

Councillor Isted had also reserved this item and thanked the Cabinet for making the decision to review parking as it was an issue of concern to many residents.

The Leader, Councillor Standley, explained that although parking enforcement was a police responsibility, the Cabinet had agreed to look at all the options available. He advised Councillor Shing that unfortunately there would be a cost involved to enforce on-street parking; however there were no current plans to charge for off street car parking. Members noted that consultation would take place with parish and town councils, as well as East Sussex County Council.

17/19 WEALDEN LOCAL PLAN - DRAFT PROPOSED SUBMISSION DOCUMENT

Councillor Newton, Portfolio Holder for Planning and Development, introduced this item and explained the background to the Local Plan. She advised that the Council's last, most significant local plan document, the core strategy adopted in 2013, acknowledged that growth for housing and business in Wealden would be limited by environmental and infrastructure constraints. However, given the drive for growth, the government inspector required the Council to review the plan in 2015 and that review, completed in less than two years, was the document Members had before them.

Members were reminded that the draft Plan had gone through a number of changes and the most recent version had been considered by Members of the Local Plan Sub-Committee and the Joint Planning Committee on 13 March 2017. Although this Plan was predicted on an allocation of 14,101 dwellings to 2028, an updated version was presented to Members at those meetings which allowed for a reduced figure of 11,456 dwellings.

Councillor Newton explained that studies into the impacts on the Ashdown Forest had revealed that, because of the potential impacts to the Forest, any new housing would need to come after compensation measures to restore and maintain the biodiversity were secured. She added that the Local Plan must balance housing and economic growth with protection and enhancement of the environment.

Although Councillor Newton commended the Plan and invited Members to debate the contents at the meeting, she advised that she was proposing an amendment to the recommendation which delayed approval of the Plan as the supporting documentation needed to be available prior to Council making such a decision, such as the Sustainability Appraisal. That documentation required officers, external consultants and other agencies to consider some very recent changes. Councillor Newton therefore proposed an amended recommendation which was seconded by Councillor Standley.

Members' comments were then invited and many expressed their thanks to the Officers and the Portfolio Holder for the enormous amount of work that had gone into producing the draft Plan so far. The draft Plan was welcomed by

Members, and the importance of all the evidence being available in a comprehensive and accessible form was acknowledged.

Councillor Coltman commented on the fact that the majority of houses were being developed in the South of Wealden and the lack of infrastructure to support these developments concerned him, particularly the transport links and the A27. He highlighted the need for the Government to take action on these issues which should then ultimately reduce highway users from travelling across the Forest.

Councillor Galley expressed his delight that the number of dwellings in the draft Plan had been reduced significantly in order to keep housing development under control and reduce the damage to the Ashdown Forest; and he made particular reference to the village of East Hoathly. He also supported the fact that there was now a Wealden wide zone for mitigation of new development and asked whether the reduced time period proposed for the Plan would be adequate from a legal point of view. Councillor Galley considered that the Government needed to finesse their Housing Strategy so that environmental and cultural assets, as well as landscapes, were protected within the need to provide housing.

In response Councillor Newton considered that a reduced length of the timescale of the Plan would put the Council in a better position, as 20 years was too long a period for a sustainable Plan.

Councillor M Lunn sought reassurance that community halls would be supported, despite the requirement to protect the Forest. He explained that the challenge for communities was funding their halls, particularly if they wished to move to larger sites to support growing communities, and wanting to dispose of the old site for development. He spoke of the proposal for potential credits to support these initiatives.

Councillor M Lunn also asked for some indication of how much work the officers were required to do to take into account the recent Housing White Paper and its implications on the Plan and its delivery.

In response Councillor Newton reassured that common sense would prevail and community assets would be supported and be a priority. With regard to the White Paper and the potential officer time, she advised that the implications of this were not as heavy as expected.

Councillor Towe suggested that the credits available for development should be directed towards social housing, commercial opportunities and community opportunities.

Councillor White welcomed the reduction in housing numbers proposed in the draft Plan and in particular the removal of the threat that existed to land west of the A27 in Arlington Parish. He referred to a number of omissions in the Plan and expressed concern at the lack of a policy regarding land raising for areas susceptible to flooding. Councillor White considered that there was insufficient detail on the infrastructure required to support the growth of Hailsham and

hoped that this would come forward in due course with the other expected background papers.

Councillor White also queried the retail requirement figures in Hailsham town centre and the employment provision. In addition, he felt that the Package Treatment Works for developments was unclear. He mentioned that there was no certainty in the Plan that Southern Water was going to find a solution to the constraints that currently existed on the developments in South Hailsham.

Councillor Illingworth expressed his concern for businesses within Wealden and asked whether they would be encouraged to expand despite the constraints of the Ashdown Forest. Councillor Newton reassured that business support would be given priority.

Councillor S Shing welcomed the publication of the draft Plan as it gave Members and residents sufficient time and opportunity to read and digest it. However the Plan stated that it was evidence based and he failed to see the evidence of improved infrastructure. Councillor Shing also commented that there was nothing in the plan to support Polegate High Street. He stated that he was disappointed with the poor quality of the Plan as Officers had insufficient time to complete it. In addition, he expressed his dissatisfaction that the Plan had been posted to all Councillors costing over £800.

Councillor Standley stressed the importance of all Councillors receiving a hard copy as it was such a large, complex and important document. He stated that it was regrettable that the Plan was not at a more advanced stage, but it was important that it was robust to avoid any challenge.

He welcomed the lower numbers and clarified that of the 11,456 dwellings, over 7,000 had already been built or had permission.

Councillor Standley referred to the compensatory measures and advised Members that consultation was taking place with the Conservators of Ashdown Forest and land owners.

Members were advised that the importance of the infrastructure, and particularly the A27, was made clear when Councillors Newton and Standley met with ministers and the point had been stressed that if the A27 was not improved then the Council would not be able to deliver the housing required. Councillor Standley reminded Members that infrastructure funding came from CIL (Community Infrastructure Levy) and therefore fewer housing developments resulted in less CIL.

Councillor Standley clarified that even if a particular site had been identified in the Plan it would still have to go through the planning process.

The Chairman, Councillor Hardy, thanked Councillor Newton for all her hard work in producing the draft Plan.

Councillor Newton thanked all the Members for their support and agreed to take all their comments on into consideration.

The altered recommendation was put to the vote and declared CARRIED.

RESOLVED –

- (1) That the Local Plan to date be welcomed;
- (2) That, based upon the evidence published to date, the strategic direction set out in the current draft Local Plan be supported; and
- (3) That the Local Plan Draft Proposed Submission Document be brought back to Full Council for consideration at the earliest opportunity.

NOTE: Councillor Balsdon arrived at the meeting at 10.30am during consideration of this item, but was absent from the discussion between 10.50am and 11.13am and did not participate in the vote.

17/20 WEALDEN LOCAL PLAN - CONSERVATION AREA DESIGNATION

Councillor Newton, Portfolio Holder for Planning and Development, proposed and the Leader, Councillor Standley, seconded acceptance of the recommendation for the Council's Local Plan – Conservation Area Designation.

Councillor Newton expressed her thanks to the two officers involved, Jo Tucker and Melissa Cooper, for their hard work in reviewing all existing and potential conservation areas in the District.

Councillor R Shing stated that he supported the Plan and advised that he had not received any adverse comments from his residents.

Councillor Thomas also supported the Plan, which he considered showed the Council's dedication to conservation.

Councillor Standley welcomed the conservation area designation, which was an important part of the Local Plan.

RESOLVED that the designation of all conservation areas identified in the Draft Conservation Areas Background Paper at Appendix A to the report be approved.

(NOTE: Councillor White declared a Disclosable Pecuniary Interest in the above item as he had an interest in land in the extended area of Hailsham conservation area, and he left the room during the discussion.)

17/21 QUESTIONS

Questioner	Respondee	Subject
Cllr S Shing	Cllr Standley	<i>Delegation of Council Property Management –</i> What delegated powers do officers have to sell, lease and licence Council property? What limits do Council, Cabinet and Portfolio Holders have to sell, lease and licence Council property?

		Councillor Standley advised that he would provide a written answer.
Cllr M Lunn	Cllr Wells	<p><i>Emergency Housing Need</i> – this was a significant issue in Wealden and some people remained in emergency housing for as long as 12 months. What action is being taken to reduce this time and get residents into appropriate housing?</p> <p>Councillor Wells responded that homelessness remained a concern and he was working with Officers to improve the current situation and pursue longer term solutions. He emphasised the difficulty with getting the right accommodation for the right person in the right location.</p>
Cllr D Shing	Cllr Galley	<p><i>Waste Collection</i> – certain areas were still suffering from missed bin collections and the street cleaning was not up to the standard expected in Wealden. How can this level of performance be improved?</p> <p>Councillor Galley advised that missed bin collection performance had actually significantly improved, with only approximately 152 bins missed per week, out of the 90,000 collected per week. With regard to street cleaning, Councillor Galley agreed that the level of litter around Wealden was unacceptable, however he had met with the new Contract Director for Kier and a programme of litter picking and cleaning had been developed so this should now significantly improve. He mentioned that the worst areas along the A22, A26 and A27 were being dealt with as a priority.</p> <p>Councillor D Shing asked whether the number of missed bins was in a specific area, or generally around the District. In response, Councillor Galley advised that this number was spread across Wealden, but there were some occasional hot spots. He added that there was no consistent pattern.</p>
Cllr Howell	Cllr Galley	<i>Littering Picking</i> – It was asked whether the litter picking could be co-ordinated with the hedge and grass roadside cutting to prevent litter being shredded, making it very difficult to

		<p>then pick up.</p> <p>Councillor Galley advised that he had raised this point with Keir and they agreed to liaise with East Sussex County Council contractors.</p>
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Councillor Hardy
Chairman