

MINUTES OF THE CABINET

30 NOVEMBER 2009

PRESENT:

Councillor J.D. Packman (Leader of the Council, Chairman of the Cabinet and Cabinet Member - Leader of the Council);
Councillor R.A. Smith-Ainsley (Deputy Leader of the Council, Vice-Chairman of the Cabinet and Cabinet Member for Planning and Housing);
Councillor F. Ayers (Cabinet Member for Community Safety);
Councillor S. Bhadye (Cabinet Member for Independent Living);
Councillor C.A. Davis (Cabinet Member for Economic Development);
Councillor G.E. Forsbrey (Cabinet Member for Environment);
Councillor Mrs. D.L. Grant (Cabinet Member for Young People and Culture);
Councillor A.P. Hirst (Cabinet Member for Communications); and
Councillor Mrs. V.J. Leighton (Cabinet Member for Finance and Resources).

In Attendance: Councillors I.J. Beardsmore, T.W. Crabb, C.V. Strong and H.A. Thomson.

1529. *MINUTES AND RECOMMENDATIONS OF THE LOCAL DEVELOPMENT FRAMEWORK [LDF] WORKING PARTY - 23 NOVEMBER 2009 – KEY DECISION

The Cabinet considered a report on the minutes and recommendations of the Local Development Framework [LDF] Working Party held on 23 November 2009.

The main issues covered were the High Court Challenge to the Core Strategy and Policies DPD, the Allocations Development Plan Document (DPD), the Annual Monitoring Report [AMR], the Supplementary Planning Documents and the Planning Brief for Brooklands College (Ashford) and Ashford Multi-Storey Car Park.

The options considered were in the main body of the report.

(1) THE HIGH COURT CHALLENGE TO THE CORE STRATEGY AND POLICIES DPD:

RESOLVED to note that that Fairview New Homes had withdrawn their 'challenge' prior to the court hearing and that the Council will be claiming the costs of the work incurred.

(2) THE ANNUAL MONITORING REPORT [AMR]:

RESOLVED that the 2009 Annual Monitoring Report [AMR], which has a base date of 31 March 2009, is agreed and approved.

(3) THE SUPPLEMENTARY PLANNING DOCUMENTS:

RESOLVED to note that the Officers would be presenting a programme of Supplementary Planning Documents [SPD] work to a meeting of the LDF Working Party around late February 2010, with a suggested priority being given to guidance on Residential Development and Extensions.

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(4) THE PLANNING BRIEF FOR BROOKLANDS COLLEGE (ASHFORD) AND ASHFORD MULTI-STOREY CAR PARK:

RESOLVED that the Cabinet:

1. Confirms the Council's wish to see high quality education facilities for 16-19 year olds located within the Borough and if possible retained on the Brooklands College (Ashford) Campus and welcomes the latest news that Brooklands College has deferred consideration of the sale of the site and will be working on a recovery plan.
2. Notes the draft Planning Brief prepared by Officers, but defers any decision on it pending the outcome of the College's latest considerations. If in due course it becomes clear that sale of all or part of the site is likely to proceed, an appropriate Brief be presented for consideration and agreement for public consultation."

(5) THE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD):

RESOLVED TO RECOMMEND to the Council on 17 December 2009 that:

1. The Inspector's Report and recommended changes to the Allocations DPD are noted.
2. The Allocations DPD be recommended for adoption incorporating all the Inspector's recommendations.
3. 'Saved' Local Plan Proposals P7, P8, P11, P12 and P17 cease to have effect from the date of adoption of the Allocations DPD and be deleted from the Proposals Map DPD.
4. A revised Proposals Map DPD be prepared to incorporate all adopted 'allocations'

NOTES:-

- (1) ***Members of the Improvement and Development and Performance Management and Review Committees are reminded that under Overview and Scrutiny Procedure Rule 16.2 in the Council's Constitution, the "call-in" procedure shall not apply to recommendations the Cabinet makes to the Council. The matters on which recommendations have been made to the Council, if any, are identified with an asterisk [*] in the above Minutes.***
- (2) ***Members of the Improvement and Development and Performance Management and Review Committees are entitled to call in decisions taken by the Cabinet for scrutiny before they are implemented, other than any recommendations covered under (1) above.***
- (3) ***Within three working days of the date on which a decision of the Cabinet or a Cabinet Member is published, not less than three members [one of whom must be the Chairman] of either the Improvement and Development or the Performance Management and Review Committee are able to "call in" a decision which falls within the functions of their own particular Committee;***
- (4) ***To avoid delay in considering an item "called in", an extraordinary meeting of the relevant Committee will be convened within seven days of a "call in" being received if an ordinary meeting is not scheduled in that period;***

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- (5) *When calling in an Cabinet decision for review the members doing so should in their notice of "call in":-*
- *Outline their reasons for requiring a review;*
 - *Indicate any further information they consider their committee needs to have before it in order to conduct a review in addition to the written report made by officers to the Cabinet;*
 - *Indicate whether, where the decision was taken collectively by the Cabinet, they wish the Leader or his nominee (who should normally be the Cabinet Member) or where the decision was taken by a Cabinet Member, the member of the Cabinet making the decision, to attend the committee meeting; and*
 - *Indicate whether the officer making the report to the Cabinet or the Cabinet Member taking the decision or his/her representative should attend the meeting.*
- (6) *The deadline of three working days "for call in" by Members of the Improvement and Development and Performance Management and Review Committees in relation to the above decisions by the Cabinet is the close of business on TUESDAY – 8 DECEMBER 2009.*