

MINUTES of the SPECIAL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way,
Swadlincote on 27th March 2003
at 5.30 p.m.

PRESENT:-

Labour Group

Councillor Mrs. Mead (Chair) and Councillors Bambrick, Bell, Brooks, Carroll, Dunn, Evens, Harrington, Knight, Lauro, Pabla, Richards, Rose, Mrs. Rose, Shepherd, Southerd, Southern, Stone, Taylor, Whyman M.B.E. and Wilkins.

Conservative Group

Councillor Bale (Vice-Chair) and Councillors Bladen, Douglas, Harrison, Hood, Mrs. Robbins, Shaw, Mrs. Walton and Mrs. Wheeler.

APOLOGIES

Apologies for absence from the Meeting were received from Councillor Routledge (Labour Group) and Councillor Lemmon (Conservative Group).

CL/141. **DECLARATIONS OF INTEREST**

Councillor Whyman declared a prejudicial interest in any discussions arising relating to representations made by a particular company by which he was employed.

Councillors Brooks, Dunn, Southerd and Southern declared personal interests relating to a particular company that had responded to the consultation stage. Councillor Evens declared a personal interest relating to his employment by East Staffordshire Borough Council and any associated representations made by that Authority.

CL/142. **LEADER'S ANNOUNCEMENTS**

The Leader referred to the recent death of Reverend Michael Clark, a former Chair of the Council following a lengthy illness. His funeral would take place on 11th April 2003 at St. Helen's Church, Etwall and Members stood in silence as a mark of respect. The Leader and Councillor Dunn paid tribute to Reverend Clark's service on the District Council.

CL/143. **SOUTH DERBYSHIRE LOCAL PLAN REVIEW**

(It was agreed that Council Procedure Rules be suspended to enable Members to speak more than once on this matter).

It was reported that during the consultation period of six weeks on the Revised Deposit Draft Local Plan which ended on 14th February 2003, 228 objections and 57 representations of support had been received relating to various policies in the document. The majority of the objections comprised variations on the types of objection submitted in relation to the First Deposit Draft and no new major issues had emerged. Many of the original statutory

consultees such as English Nature, the Environment Agency, English Heritage and Sport England had withdrawn their objections to the First Deposit Draft and voiced their support to the wording of the relevant policies contained in the Revised Deposit Draft.

It was noted that the Environment Agency had withdrawn its objection to Housing Policy H5 (Willington) on the strength of the wording of policy ENV13 contained in the Revised Deposit Draft. It considered that the wording now fully represented the Agency's interest in relation to the management of flood risk in accordance with advice in PPG25, providing an effective development control tool. The Highways Agency had engaged consultants to consider the individual and cumulative effects of development allocations along the A50 corridor and as a result, had withdrawn its objection to Policies H6 (Hilton) and H7 (Boulton Moor). The Agency had advised that ongoing discussions were being held with the promoters of site H5 (Willington) and hoped that outstanding issues could be resolved in the near future.

Whilst the Government Office for the East Midlands (GOEM) had also withdrawn some of its objections, it was noted that whilst not objecting to the original wording of Policy H1 as set out in the First Deposit Draft, an objection had been made to the wording in the Revised Deposit Draft. GOEM considered that the policy did not set out a search sequence and that it should not make reference to the release of greenfield windfall sites. However, Officers were mindful of Members' reasons for amending the policy and were confident that a cogent argument could be prepared for the Public Inquiry. Various interpretations of PPG3 had been submitted by objectors during both consultation periods and the whole issue of sustainability and interpretation of PPG3 would be considered at the Public Inquiry.

The Council had recently received an updated Airport Public Safety Zone map in connection with Department of Trade Circular 1/2002 and for Safeguarded Areas from the Office of the Deputy Prime Minister in relation to Circular 1/2003. The former now extended marginally into South Derbyshire and the outer limit of the latter encompassed the whole of the District. Such areas should be referred to in Local Plans and shown on the Proposals Map. The boundaries of the areas were fixed and not open for debate.

Any changes to the document at this stage had no formal basis, even if advertised prior to the Public Inquiry. It was intended that the suggested wording for a policy outlined to Members should be published formally as a modification to the Plan at the same time as any other changes that may result from the Inspector's Report. It was in the public interest to reduce the number of objections that would consume time at the Public Inquiry. With regard to some objections, further minor word changes may resolve the issue but due to the timetable for the Public Inquiry, it would not be possible to convene Committee/Council Meetings to obtain Members' approval for such changes. Accordingly, authorisation was sought for the Chief Executive to approve such changes that may assist in clarification during negotiations leading to and during the Public Inquiry.

Estimates of the cost of producing the Local Plan, including the Public Inquiry due to commence on 3rd June 2003, were already provided for in the budget.

RESOLVED:-

- (1) That the responses to the objections received during the consultation on the South Derbyshire Local Plan Revised Deposit Draft, as set out in the appendices to the report, be approved.***
- (2) That the boundaries of the Public Safety Zone and Aerodrome Safeguarding Map relating to the East Midlands Airport, as displayed at the Meeting, be noted and the wording of a policy to cover the issue for subsequent inclusion in the Local Plan at the appropriate stage, as outlined to Members, be approved.***
- (3) That the Chief Executive be authorised to approve changes to the Plan during the course of negotiations and at the point of evidence at the Public Inquiry that have no fundamental implications for the strategy behind the Plan or the meaning of policy.***

MRS. J. MEAD

CHAIR

The Meeting terminated at 6.10 p.m.