

Ruyton XI Towns Parish Council Minutes December 2011

A extraordinary meeting of the Parish Council was held at Ruyton XI Towns Village Hall on Thursday 15th December 2011 at 9.15am which had been called specifically to consider amendments to planning application 10/04143/OUT.

COUNCILLORS IN ATTENDANCE: Mr C.Brown; Mr C. Case (Chairman); Mr S. Gittins; Mr A. Johnston; Mr M. Lewis; Mrs M. Lycett; Ms D Needham; Mrs R. Slowley (Vice-Chair); Mrs A White.

ALSO IN ATTENDANCE: Clerk; Sue Hackett; 15 members of the public.

119.11 WELCOME BY CHAIRMAN – The Chairman welcomed those in attendance to the meeting.

120.11 COUNCILLORS DECLARATIONS OF INTEREST- In accordance with S50-52 of LGA 2000 the following declarations were made and noted by the Council:

- Cllrs Slowley, White, Needham and Case; expressed their ongoing personal interest as members of the Parish Plan Steering Committee (PPSC).
- Cllrs Alison, White and Case expressed their ongoing personal interest as members of the Village Hall Committee.

Cllrs Case confirmed that his personal and prejudicial interest in planning application 10/04143/OUT was no longer relevant as the terms of the s106 agreement had materially changed since he had made his personal comments to Shropshire Council. (SC)

121.11 APOLOGIES – The Chairman reported that Cllr Alison and Cllr Hamlett had been unable to attend as they had personal commitments. Apologies were accepted and approved by Council.

The Chairman opened the public session.

122.11 PUBLIC FORUM: For the benefit of the public the Chairman gave a presentation (see appendix A) on the history of planning application 10/04143/OUT which related to the renewal of outline planning permission for Penton's to develop the Dairy site at Ruyton XI Towns. (This included a s106 agreement between SC and the developer.)

It was noted that the application had been opposed by the Parish Council in November 2010 as the terms of the s106 financial benefits were significantly less.

Renegotiated terms of the s106 considered by the Parish Council in October'11 were also considered to be inadequate, particularly when compared with Shropshire Council (SC)CIL planning policies which were to be introduced on 1st Jan 2012.

The Parish Council tracked further developments with regard to the application and noted that the Community Contribution had increased from £100,000 to £250,000 - a significant increase achieved during the last month or so by Shropshire Council. However the use of the fund was restricted to the provision of an additional classroom at the primary school within a fixed time period. This was considered

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critically important, as if not built within the given time period the funds would be returned to the developer.

Recent discussions with Pentons this week, enabled by your Parish Councillors, confirmed that the applicant had offered to "gift" a parcel of land into public ownership, perhaps to be used for a new village hall sometime in the future - a really welcome and significant improvement. (The land's worth being something like £100,000 based on previous valuations.) However this was not reflected in the planning application being considered by the SC Planning Committee today.

The Chairman responded to a number of questions asked by the public which included an explanation as to the calculations of CIL monies and the way in which they could be used within the parish. Following on from this it was recognised that SC calculations with regard to CIL were flawed and that differences between the CIL and s106 funding was in fact negligible on such a large project. However, the inflexibility of the s106 and it's none inclusion of "gifted" land to the community made it less attractive to the parish.

The Chairman reinstated standing orders.

123.11 CONFIRMATION & ACCEPTANCE OF PREVIOUS MEETING MINUTES:

Councillors unanimously agreed to postpone this until the January meeting.

124.11 PLANNING REF 10/04143/OUT – Council to reconsider their comments given the material changes as outlined in the s106 attached to the application. **The Council resolved without dissent to make the following comments to be communicated by Cllr Slowley at the SC Planning Committee meeting today:**

The Parish Council continues to object to the planning application 10/04143/OUT and accompanying s106 agreement as presented on 29/11/11 via the SC Public Planning System. The revised s106 fundamentally remains unacceptable to the Parish Council as it is not sufficiently flexible and its fixed terms could result in funding being returned to the developer; thereby negating its community benefit. A "gift" of land to the community is also not included within the terms although supported in principle by the Parish Council and developer in separate negotiations.

More over mistakes inherent in the Shropshire Council CIL calculations presented to the Parish Council and applicant's agent result in the difference between CIL and s106 funding differences being negligible. The Parish Council therefore recommends that SC defer making a decision on the planning application until these matters have been resolved satisfactorily and delegate Parish Councillors R Slowley and S Gittins to represent the Parish Council in any further discussions which may arise.

(Proposed CC Seconded SG; Unanimous.)

The Chairman closed the meeting at 10.30 am and reminded councillors that the next meeting of the Council was to be held at 7.30 pm on Monday 9th January 2012 at the Memorial Hall. He went on to wish everyone a Merry Christmas.

Confirmed as accurate..Mr C CASE Chairman Date.....9th Jan 2012.