

Single Member Cabinet Decision

Executive Forward Plan Reference	E2709
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Review of Local Plan Policy T.17 (Safeguarded Highway Schemes)

Decision maker/s	Cllr Tim Ball, Cabinet Member for Homes & Planning Cllr Caroline Roberts, Cabinet Member for Transport
The Issue	As part of the preparation for the Placemaking Plan Options document, scheduled for consideration by Cabinet in November 2014, consideration needs to be given to a review of Local Plan Policy T.17 which safeguards a number of proposed highway improvement schemes.
Decision Date	22 nd September 2014
The decision	The Cabinet Member agrees that: <ol style="list-style-type: none"> 1. That the conclusions set out in Table 1 in the Single Member Decision report are incorporated into the draft Placemaking Plan options document to be reported to November Cabinet. 2. That in respect of development control decisions, it be recognised that the Council does not intend to pursue the schemes and that in these circumstances any land which may have been required for those schemes would no longer be safeguarded as identified in Table 1 and that Local Plan Policy T.17 should be interpreted in a manner which is consistent with this and that weight should be apportioned accordingly.
Rationale for decision	A review of the Local Plan highway improvement schemes is being undertaken to inform the November Placemaking options document. This decision is being taken under urgency rules [Constitution Part 4(B), Access to Information, rule 16].
Financial and budget implications	<p>A blight notice has been served on the Council by the owners of a property at Peterside, Temple Cloud in respect of land currently safeguarded for A37 Temple Cloud/Clutton bypass. The process of responding to and contesting this blight notice will have financial costs. Currently incurred costs pertain to legal advice and land/property surveys. The cost of the surveys is estimated at around £2,600 and legal costs are estimated to total around £3,000, although this is difficult to quantify at this point. The process of contesting the blight notice will increase significantly if it progresses to a Lands Tribunal and through the Upper Chamber. In these circumstances initial estimates of the Council's legal costs range from around £3,000- £4,000 to around £15,000 - £20,000. Current incurred costs will be absorbed within the Development Service budgets in the first instance, however if the costs of contesting the notice are not able to be covered may become a call on the Revenue Budget Contingency Reserve.</p> <p>If the notice is not contested, or in the case that it is contested and the notice is upheld, there will be potential significant additional costs, which could amount to the full market value of the property in question plus associated legal/surveying fees disturbance and other associated costs,</p>

	<p>estimated at up to £800k.</p> <p>All other costs of producing this report would have been incurred as part of the consultation on the Placemaking Plan and are covered within existing Development Service budgets.</p> <p>The recommendation of deletion of schemes from the Placemaking Plan will not have any financial impact on the Council as there are not currently any existing approved budgets relating to these schemes.</p>
Issues considered	Social Inclusion; Customer Focus; Sustainability; Property; Corporate; Other Legal Considerations
Consultation undertaken	<p>In preparing the report and progressing the decision under urgency provisions (rule 16) the following have been consulted: Chief Executive; Monitoring officer; S151 officer; Planning, Transport & Environment Policy Development and Scrutiny Panel Chair; and Cabinet Members for Transport and Homes and Planning.</p> <p>The Placemaking Plan options document is scheduled for wide public engagement in November /December 2014. In the interests of proper consultation, the Placemaking Plan options document should only consult on schemes and options which are capable of being funded and delivered within the plan period up to 2029. It is therefore important to highlight which options will not be consulted on now so that this can feed into the Placemaking Plan.</p>
How consultation was carried out	<p>In preparing the report consultation was undertaken principally by e-mail and a series of conversations with the relevant parties.</p> <p>Consultation on the Placemaking Plan Options document later in the year will be undertaken in a variety of ways, including publicity, exhibitions and on-line consultation.</p>
Other options considered	There are no realistic alternative options here. The Placemaking Plan can only seek to safeguard land for highway schemes which are, on the basis of robust evidence, likely to be deliverable within the plan period.

Signatures of Decision Makers	
Date of Signature	

Decision made under the Council's Special Urgency provisions - NOT subject to Call-in