

COUNCIL – 14 OCTOBER 2021

SUPPLEMENTARY REPORT

RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES

Executive Summary

This report sets out the extracts of the draft minutes of the meeting of the Executive on 7 October 2021 and the minutes of the meeting on Licensing Committee on 5 October 2021, outlining the recommendations before the Council.

EXECUTIVE – 7 OCTOBER 2021

7E WOKING SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD) – THE INSPECTOR’S FINAL REPORT EXE21-147

Councillor Elson, Portfolio Holder for Planning Policy, introduced a report which recommended to Council to accept the Inspector’s Main Modifications and the Council’s Additional Modifications and adopt the Site Allocations Development Plan Document (DPD) and the Proposals Map. Councillor Elson explained that the Council had made a commitment in the Core Strategy to prepare the Site Allocations DPD to identify specific sites to enable the delivery of the Core Strategy, including a commitment to release Green Belt land between 2022 and 2027 to provide at least 550 new homes.

The Portfolio Holder drew attention to the community engagement and consultation which had been undertaken to inform the preparation of the DPD. A typo was highlighted in paragraph 1.3 of the report, namely that the Examination Hearings had taken place between 2 December and 11 December 2019, and not 2020.

The Executive was advised that the Local Development Framework (LDF) Working Group had considered the Inspector’s Final Report at its meeting on 22 September 2021. An amendment suggested by the LDF Working Group had been incorporated into recommend (i) of the Executive report and the Group was supportive of the recommendations.

The Executive was informed that the Inspector had concluded that subject to his Main Modifications, the Site Allocations DPD was sound, legally compliant and its preparation had met the requirements of the Duty to Cooperate. Councillor Elson stated that the Inspector’s report was binding. The Executive noted that the Council could not adopt the Site Allocations DPD without the Inspector’s recommended Main Modifications. The Council, at its meeting on 14 October 2021, would therefore have a binary choice to adopt the Inspector’s recommendations or not to adopt the DPD.

Following a question regarding whether all Green Belt in the Borough could be under threat if the Site Allocations DPD was not adopted, the Executive was informed that there was the likely risk that any Green Belt land that was not designated or protected by policy would be under threat from development if an applicant could demonstrate that the Council had not identified sufficient land to enable the delivery of development required by the Core Strategy.

The Executive was advised that it was not possible for the Council to amend the DPD, apart from minor editorial changes, as the Inspector’s recommendations were binding. As previously stated, the Council could not adopt the Site Allocations DPD without the Inspector’s Main Modifications.

Supplementary Report – Recommendations of the Executive and Committees

The Prime Minister's recent Party Conference speech, which referred to the Green Belt, was highlighted and the Executive was advised that Officers were aware of the contents of the speech and were of the opinion that there was nothing significant or new to cause the Council not to accept the Inspector's recommendations or adopt the DPD.

The Executive was supportive of the recommendations and thanked the Planning Policy Team for their hard work on preparing the Site Allocations DPD.

RECOMMENDED to Council

- That (i) **the Local Development Framework (LDF) Working Group accepts that the Inspector's Final Report is binding and that the Council has a binary choice to adopt the Inspector's recommendations in full or not to adopt the DPD. Although in the main the DPD presents a sustainable way forward for the development of the borough taking into account housing requirements, elements of the Inspector's Final Report are not what some Councillors and local residents would want. Notwithstanding this, it is clear that the failure to timely adopt the recommendations would result in a worse outcome for the borough as a whole. Taking into account the above and national planning policy, the Working Group recommends that the Inspector's Final Report and the Main Modifications document be accepted by the Council in full;**
- (ii) **subject to the Main Modifications recommended by the Inspector and the Council's Additional Modifications, the Woking Site Allocations Development Plan Document and the Proposals Map be adopted in full for the purposes of development management and all other planning decisions;**
- (iii) **the entire provisions of the Woking Site Allocations DPD (draft is in Appendix 4 to the report) and the Proposals Map (Appendix 3 to the report) should be given full weight for the purposes of development management and all other planning decisions;**
- (iv) **delegated authority be given to the Director of Planning, in consultation with the Portfolio Holder for Planning, to make sure that the Inspector's Main Modifications and the Council's Additional Modifications are fully incorporated into the Site Allocations DPD. A draft of the DPD is in Appendix 4 to the report;**
- (v) **delegated authority be given to the Director of Planning, in consultation with the Portfolio Holder for Planning, to oversee the preparation and publication of the post adoption Sustainability Appraisal Statement; and**
- (vi) **delegated authority be given to the Director of Planning and Director of Legal and Democratic Services, in consultation with the Portfolio Holder for Planning, to ensure that the adoption process as set out in Section 8 (next stages) of the report is strictly followed.**

Reason: To ensure the adoption of the Site Allocations DPD to provide the necessary framework for the sustainable distribution of development across the borough.

LICENSING COMMITTEE – 5 OCTOBER 2021

7F. REVIEW OF LICENSING POLICY

The Committee received the Council's Licensing Policy which had previously been approved in 2016 for a five year period. Matthew Cobb, Senior Licensing Officer, reported that the Policy had been due for renewal prior to January 2021, however due to the pandemic this had not been possible. No changes had been proposed to the current Policy and, if approved, it would be adopted for a further five years.

Members discussed paragraph 7.79 of the Policy in relation to the wording around the Saturation Policy and the presumption against granting of consent for Premises Licences within the area. It was agreed that it would be beneficial to receive a short report at a future meeting on how the Saturation Policy affected current Licensing Policy in light of its introduction several years ago.

Following a question, Gareth John, Head of Legal Services, undertook to look into the wording of paragraph 7.7.2 which made reference to 'secondary shopping areas' and whether this should be 'secondary frontage' as per the Core Strategy / Woking Local Development Document. (NOTE: Following the meeting, it was clarified that 'secondary shopping area' was the correct reference as the term 'secondary frontage' was used to reference areas within the primary shopping area.)

The Committee welcomed the Licensing Policy and agreed a number of changes as set out below.

There were typographical errors in paragraph 15.1 where the length of the Policy should read five years and not three years, and in the title of point 3.0 where 'Strategy' was misspelled.

It was agreed that section 6.0 be re-titled 'Promotion of equality'; the end of paragraph 6.1 be amended to read '... between persons of different groups covered by the Equality Act 2010'; paragraph 6.2 change to 'Woking Borough Council has produced a Corporate Equality Scheme in accordance with the Equality Act 2010'; and the end of paragraph 6.3 should read, '...and the values, principles and standards set out in the Corporate Equality Scheme'.

It was further agreed that Points 7, 8, 9 and 10 (the four Licensing Objectives) would be better re-labelled as sub points 7. a), 7. b), 7.c) and 7. d), with the subsequent points renumbered and cross-references amended accordingly later in the document.

RECOMMENDED TO COUNCIL

That the Licensing Policy be adopted, as amended by the Licensing Committee at its meeting on 5 October 2021.

The Council has the authority to determine the recommendation(s) set out above.

Supplementary Report – Recommendations of the Executive and Committees

Background Papers: None.

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