

# Minutes

## Policy Development Scrutiny Committee



<b>Date:</b>	Wednesday, 4 June 2014
<b>Venue:</b>	Lowther Pavilion, Lytham
<b>Committee members:</b>	Chairman: Councillor Fabian Craig-Wilson Vice-Chairman: Councillor Len Davies  Councillors Brenda Ackers, Ben Aitken, Frank Andrews, Susan Ashton, Julie Brickles, David Chedd, Maxine Chew, Peter Collins, Charlie Duffy, Barbara Nash, Edward Nash, Liz Oades, Richard Redcliffe, Elaine Silverwood.
<b>Other Councillors</b>	Councillor Dr Trevor Fiddler
<b>Officers:</b>	Mark Evans, Julie Glaister, Andy Foot, Allan Oldfield, Paul Walker and Katharine McDonnell
<b>Public</b>	There were approximately 20 members of the public in attendance on this occasion.

### Public Platform

There were no requests to address the committee on this occasion.

#### 1. Declarations of interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members.

There were no declarations of interest on this occasion.

#### 2. Substitute members

The following substitutions were reported under Council procedure rule 23(c):

Councillor Peter Collins substituted for Councillor John Davies

Councillor Julie Brickles substituted for Councillor Karen Henshaw

Councillor Brenda Ackers substituted for Councillor David Donaldson

Councillor Barbara Nash substituted for Councillor Vivienne Willder

#### 3. Request for Call-in – Fylde Coast Strategic Housing Market Assessment

Fourteen members of the Council had invoked the recovery and call-in procedure to question a portfolio holder decision made on 29 April 2014 relating to the Fylde Coast Strategic Housing Market Assessment (SHMA), in particular that some of the evidence relied upon to assess the housing need was flawed and the resultant proposed housing figure was too high. Members were invited to

consider whether the decision made was not in the interests of the inhabitants of the borough and ought to be reconsidered.

Prior to the debate, Councillor Fabian Craig-Wilson stated that a decision can only be called in if there has been something in the procedures used to make that decision that may have been flawed, and not just because Councillors did not like the decision.

Councillor Charlie Duffy requested that it be recorded in the minutes that the Constitution states that decisions can be called-in when the appropriate Scrutiny Committee, after due deliberation, consider that the Executive Decision is not in the interests of the borough and ought to be reconsidered, and this had been accepted by the committee at that time as the correct interpretation.

The Chairman invited Councillor Liz Oades to explain why it was felt that the decision was not in the interests of the inhabitants of the borough and ought to be reconsidered.

Councillor Oades gave reasons for the call-in, in particular she drew attention to the word “robust” which she stated was a subjective term and such qualifying terms had not been applied to other pieces of evidence for the Local Plan.

Councillor Oades also stated that the range of dwellings required per annum, in the decision, did not reflect the findings of the SHMA and as such would narrow the scope of the planned public consultation. She stated that the range, if one was required for the decision, should reflect the range stated in the SHMA, that was -64-436 dwellings per annum.

Councillor Oades said that the final resolution of the decision should be deleted in its entirety as she argued the affordable housing figure, the subject of the final resolution, had not been subject to test, it had not gone through the proper process of public consultation and would consequently restrict the Development Management Committee.

The Chairman asked Councillor Trevor Fiddler, Portfolio Holder for Planning and Development, to respond.

Councillor Fiddler explained that the word “robust” was required to demonstrate confidence in the findings of the SHMA. He explained that the process and methodology required for a strategic housing market assessment was prescribed by the Government. He also stated that the SHMA had been commissioned jointly by Fylde, Wyre and Blackpool councils, he went on to say that Wyre and Blackpool Councils have already accepted the findings of the SHMA.

He went on to explain that the range for the number of dwelling required per annum was very wide, but narrowed depending on which of a number of evidenced scenarios were followed. These scenarios were detailed within the SHMA document. Councillor Fiddler explained that the range of 300-420 dwellings, as referred to in the decision, took into account of number of factors including inward migration, economic growth and longevity of the population. He offered to amend the range of the dwellings required for the purposes of the consultation, but stated that the range would likely to be narrowed following consultation to reflect the factors previously mentioned.

Julie Glaister clarified that the Local Plan Steering Group had discussed the SHMA on 23<sup>rd</sup> March, they had then gone on to discuss a draft Housing Requirement Paper on the 16<sup>th</sup> April. The Draft Housing Requirement Paper uses the SHMA as background evidence. The notes from that meeting which have been published make it clear that it is the Housing Requirement Paper that will be made available for comment (not the SHMA) which will involve developers and other interest groups ahead of finalising the housing figure that will be taken forward in the next version of the Local Plan.

Councillor Fiddler cautioned that a delay in agreeing the SHMA could impact on the progress of the emerging Local Plan. He emphasised the importance of determining a local housing requirement figure to assist the determination of planning applications in particular with respect to the five year supply calculation.

There were questions from members of the committee seeking clarification on the affordable housing figure.

Andy Foot (Fylde Coast Housing Strategy Manager) advised that the affordable housing figure was a combination of the current need and the projected need over the coming five years. Unlike the number of dwellings required per annum, the SHMA methodology prescribed that the affordable housing figure should not be given as a range but as an absolute number.

As there were no further questions for the Portfolio Holder, Councillor Fiddler left the room to allow the committee to discuss the information before them.

Some members of the committee expressed concern regarding the range of the dwellings required per annum and the use of the word “robust” in resolution 1 of the decision.

Mark Evans (Head of Planning and Regeneration) advised that the process for undertaking the SHMA was a robust process, therefore it was felt justified to refer to the resulting evidence as robust. In regards to the range, and specifically the range quoted in resolution 2 of the decision (that is 300-420 dwellings per annum), Mark Evans advised that National Planning Policy Framework was clear that in determining a housing figure migration must be taken into account. The -64 figure did not take into account migration, it simply reflected natural change that is more people die in Fylde than are born. Without in migration the population would fall. The objectively assessed need for Fylde is 300 – 420 dwellings per annum. The wider range does not meet the definition of objectively assessed need set out in the guidance.

After an in-depth discussion, the following motion was proposed by Councillor Oades and seconded by Councillor Duffy,

“To call-in the individual cabinet member decision on the Fylde Coast Strategic Housing Market Assessment and ask the Portfolio Holder to reconsider the decision, and specifically, to alter the range of dwellings required per annum, from 300-420 dwellings, contained in the original decision, to a range of -64-436 dwellings per annum”

The motion was subject to a recorded vote and the motion was lost.

***Votes for the motion (7):*** Councillors Brickles, Chedd, Chew, Collins, Duffy, Oades and Silverwood.

***Votes against the motion (9):*** Councillors Ackers, Aitken, Andrews, S Ashton, Craig-Wilson, L Davies, B Nash, E Nash and Redcliffe

***Abstentions (0)***

Following the loss of the motion, Councillor Ackers proposed a motion which was seconded by Councillor Barbara Nash:

“ To reject the requested call-in of the individual cabinet member decision “

The motion was subject to a recorded vote.

***Votes for the motion (9):*** Councillors Ackers, Aitken, Andrews, S Ashton, Craig-Wilson, L Davies, B Nash, E Nash and Redcliffe

***Votes against the motion (7):*** Councillors Brickles, Chedd, Chew, Collins, Duffy, Oades and Silverwood.

***Abstentions (0)***

As the motion was carried, the committee RESOLVED to reject the request for a call-in.

The individual Cabinet Member decision on the Fylde Coast Strategic Market Assessment was therefore implemented.

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