

## **EXTRAORDINARY COUNCIL**

### **MINUTES OF MEETING HELD ON THURSDAY, 12 SEPTEMBER 2024**

#### **Present:**

Councillor Christine Smith (Vice-Chair) (in the Chair)

Councillor Neil Baker	Councillor Nigel Barker
Councillor Jayne Barry	Councillor Graham Baxter MBE
Councillor Richard Beech	Councillor Joseph Birkin
Councillor Kathy Clegg	Councillor Stephen Clough
Councillor Andrew Cooper	Councillor Charlotte Cupit
Councillor Alex Dale	Councillor Stuart Fawcett
Councillor Clive Fletcher	Councillor Kevin Gillott
Councillor David Hancock	Councillor Daniel Higgon
Councillor Pam Jones	Councillor William Jones
Councillor Pat Kerry	Councillor Carol Lacey
Councillor Tony Lacey	Councillor Heather Liggett
Councillor Fran Petersen	Councillor Stephen Pickering
Councillor Stephen Reed	Councillor Kathy Rouse
Councillor Derrick Skinner	Councillor Caroline Smith
Councillor Lee Stone	Councillor Richard Welton
Councillor Helen Wetherall	

#### **Also Present:**

L Hickin	Managing Director (Head of Paid Service)
J Dethick	Director of Finance and Resources (Section 151 Officer)
S Sternberg	Assistant Director of Governance and Monitoring Officer
A Maher	Governance Manager
N Ellis-Hall	Temporary Senior Governance Officer

#### **COU Apologies for Absence**

**/42/2**

**4-25**

Apologies for absence were received from Councillors M Smith, M E Thacker MBE JP, P Windley, D Cheetham, S Cornwell, R Spooner, R Shipman, C Gare, N Morley, M Durrant, L Hartshorne, P Antcliff, M Roe, M Emmens, P Elliott, M Foster, and K Tait.

#### **COU Declarations of Interest**

**/43/2**

**4-25**

There were no declarations of interest.

#### **COU Requisition to call an Extraordinary Meeting of Council under Section 3.1 of the Constitution**

**/44/2**

**4-25**

The Vice Chair of the Council had agreed to a requisition, signed by five Members of the Council (Councillors C Cupit, A Dale, S Clough, M Foster and N Baker), to hold this Extraordinary Meeting of Council, as provided for under Section 3.1 of

the Constitution, to consider and determine on the following motion.

**Motion 'A'- proposed by Councillor C Cupit**

Council notes with concern the Labour Government's current consultation on proposed reforms to the National Planning Policy Framework (NPPF) and other changes to the planning system.

Council resolves to respond to the consultation highlighting this Council's concern and strong opposition to the proposed Government changes that would:

- Give central Government the powers to set arbitrary, top-down housing delivery numbers for each local authority;
- Set a mandatory annual housing delivery of 622 new homes each year for North East Derbyshire – a 178% increase from the advisory method – whilst removing the uplift on cities and urban centres;
- Places emphasis on meeting unmet development needs from neighbouring areas;
- Remove protections on the Green Belt through the new Grey Belt and other override designations.
- Remove the opportunity for communities to comment on individual planning applications by removing the ability to challenge a planning application once it is in a Local Plan and deciding whole new towns by an unspecified 'panel'.

Council urges the Government to reconsider these proposals and the impact they would have on areas like North East Derbyshire.

Councillor C Cupit moved the motion. She gave thanks to Members and Officers for attending the meeting. She explained the impact of the new Planning Regulations and appreciated and respected that new homes were required. However, she did not understand why many of the new homes would be in North East Derbyshire.

If the changes went ahead, they would concrete over countryside, and the Council would be bound by what developers wanted to deliver. Even if numbers were met, there would still be no benefit, as the sites were not available unless green belt land was used. The needs of the area have not been considered, as other areas such as London and Derby have an increased demand for housing, but their target has been reduced.

The new rules remove the ability for communities to have a say on planning, and any improvements required local flexibility, factors, and characteristics. Protection for land such as agricultural would be removed, and given the consequences, it would be useful to reinstate the Local Plan Steering Group so that those involved could have a say. A locally led planning response was required to avoid a centralised planning system.

Councillor A Dale seconded the motion and noted his concerns around the top-

down figures. The new legislation would change the countryside, and result in the District becoming a suburb of Chesterfield and Sheffield, putting strain on infrastructure. It comes with a whole raft of issues, and decisions were made on current information, rather than waiting for additional critical information. The Council should not have to accept just 'good' for the standard of beauty in the district, they should be able to continue to strive for more. Additionally, turning green belt into grey belt should not be accepted without challenge. Other plans, such as requiring a percentage of new housing to be affordable appears to be engineered, and removing communities from commenting once something is in the local plan, does nothing for community cohesion and coproduction.

Councillor N Barker gave thanks for the Motion and explained that he understood why the meeting had been called. He did remind Members that Labour had detailed a clear manifesto in relation to building houses, and he clarified that the meeting was a consultation on changes to the NPPF. Planning officers were working on this with technical considerations and comments, as 106 questions had been received. At this stage, the Council did not have the opportunity to feedback by passing this Motion.

He went on to confirm that North East Derbyshire were not immune to the housing crisis, and he provided figures on the number of people facing difficulties in securing accommodation in the District. He highlighted that the housing crisis was a long-standing issue and could not be blamed on the current Government.

Councillor W Jones informed Members that he had spent many months working on detailed planning applications and that in considering any amendments, terms needed precise definitions which he detailed. These included when appointing additional Planning Officers, attention needed to be given to ensuring they possessed a technical skill base. Additionally, by restricting and reducing contributions from the local community, a high level of local skill and knowledge was being lost.

Councillor R Welton advised Members that they were moving from a system where there was a duty to cooperate, to one where there was an obligation. He discussed the targets which other areas had been given, along with detailing that homes needed to be built where the demand and infrastructure was. For example, homes for the Sheffield area needed to be built in Sheffield to meet their community needs, and not be built in North East Derbyshire. He went on to note that car parking was a requirement, and removing this took away the USP for businesses and communities.

Councillor D Hancock highlighted that the housing crisis had gone on for decades and could not be attributed to one government. He discussed that there was a top-down approach, which was not on a local basis. He clarified that he supported the Motion for local control.

Councillor H Liggett informed Members that this was too big of an issue for it to be political, and that the Council's concerns were not one of profit. Residents, communities, and the District deserved better, and new homes should be built on the District's terms.

Councillor H Wetherall joined the meeting remotely highlighting that the main thrust was a power imbalance between developers, their lawyers and specialists, and the local communities and, their representatives. This legislation would have a massive impact on people's lives.

Councillor Wetherall explained that she had attended a local government briefing, where the new planning policies were discussed. It appeared to be a developer free for all, with new house building determined on the wrong premise. New homes needed to be built on the District's terms, with local solutions, for local issues. She questioned whether it would be possible to set up Council Frameworks with local builders, along with a working group to explore options and report back to Council once the new framework was developed.

Councillor S Pickering discussed that the housing crisis was a result of lack of action, over time private rents have soared, and temporary homes have doubled leading to the crisis today. Promises from Government had been made in the past and not seen through. Local authorities once provided up to 40% of new homes, and that was now just 1%. Affordable rent has replaced social rent, which was higher than social rent but lower than the market rate. This has killed off building for social rent and homelessness has risen. The current Government campaigned on changes to planning and won the election on that basis.

Councillor K Gillott agreed with some comments and noted that the Council did not want uncontrolled development over green space. There were people who could not get an affordable home in the right area, and twenty-five percent of people in NE Derbyshire were unable to afford a home, as there was not the housing stock to meet demand in the District.

Population profiling, he explained, had highlighted that there was already more over sixty-fives in the area in comparison to other areas. The decision could not be taken without Officer advice, as contractions were being made, and there was no indication of the District having to take unmet needs from other areas. There were still consultations, and the community could still engage. The changes would be a real challenge but simply to say that the Council object was not sensible.

Councillor S Reed agreed with Councillor K Gillott, the numbers being quoted were very real and right now, the Council could change the motion to have more input. He discussed his concerns around homelessness, and people waiting to get on the social housing ladder. He was not happy with everything his Government had done, and he highlighted that the Council needed to get things right for the residents, with a real democratic solution. He asked what happens to neighbouring towns, with their unmet needs, and where did asylum seekers go when the Government want them dispersed. The Council could amend the Motion and put something together to be taken forward before the consultation period ends.

Councillor N Baker agreed with Councillor S Reed. His concerns were the same, but he added that he shared the view that not every green attractive piece of land should be built on. He would like Officers' input, and noted key points from the NPPF which included a mandate requirement to build out unmet needs. He asked

whether the targets which had been issued, put the Councils' Local Plan in jeopardy. He clarified that he would support members giving a formal consultation response to the Government.

Councillor S Clough discussed that the subject was too political, and should not be about politics, it was about protecting residents' views and rights. He highlighted that if the new legislation proceeded, then residents' views and rights would not be heard. He went on to note that Chesterfield and Rotherham have had their targets increased, and that Killamarsh had limited green space left. It did not make sense to vote against the Motion as the Council should be protecting the District. The new framework would remove options to decide what was best for the District.

Councillors S Clough, A Dale and C Cupit requested a recorded vote on the Motion.

Councillor C Cupit exercised her right to reply. She felt that Councillor S Reed's suggestion that a letter setting out the views of Members be submitted as part of the consultation process was sensible. She questioned the refusal of the Motion and noted that the support of widespread building did not support a collaborative approach, or a greener district.

She highlighted that it had been said that the Council should not comment, and that Officers should provide the advice, but Members should not be suppressed and should be able to contribute. She commented that the focus was on national numbers and targets, but that it was important to concentrate on what was happening locally. She informed Members that in the past, the Council had over delivered.

Councillor K Gillott on point of personal clarification made clear that the views of officers and advice were sought to help Members to take decisions. It was not true that officers ran the Council as had been incorrectly suggested.

At the conclusion of the discussion the Chair explained the procedures for the recorded vote.

The Motion was put to the vote and was defeated.

### **Recorded Vote**

#### **For 31%**

Baker, Clough, Cupit, Dale, Hancock, P Jones, W Jones, Reed & Welton **(9)**

#### **Against 62%**

Barker, Barry, Baxter, Beech, Birkin, Clegg, Fletcher, Gillott, Higgon, Petersen, Kerry, T Lacey, C, Lacey, Pickering, Rouse, Skinner, Smith & Stone **(18)**