

MINUTES of a **MEETING** of the **CABINET** held on 12 December 2023 at 5.15 pm

Present

Councillors

L Taylor (Leader)
N Bradshaw, J Buczkowski, S J Clist, S
Keable, J Wright and D Wulff.

Also Present

Councillor(s)

D Broom, E Buczkowski, M Fletcher, R Gilmour, L Knight,
S Robinson

Councillors

Online

P Colthorpe, G DuChesne

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151), Maria De Leiburne (District Solicitor and Monitoring Officer), Paul Deal (Corporate Manager for Finance, Property and Climate Change), Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Matthew Page (Corporate Manager for People, Governance and Waste), Darren Beer (Operations Manager for Street Scene), Luke Howard (Environment and Enforcement Manager), Jason Ball (Climate and Sustainability Specialist) Tristan Peat (Forward Planning Team Leader), Laura Woon (Democratic Services Manager) and Sarah Lees (Democratic Services Officer)

76. APOLOGIES

There were no apologies for absence.

77. PUBLIC QUESTION TIME

The following questions were received from members of the public:

Paul Elstone

Question 1:

How much exactly (including land purchase, S106 Agreements. planning design cost, planning fees, and procurement cost etc.) has the Post Hill site cost this Council to date?

Answer:

£2,247,000 and that's the total cost of Post Hill to the Council to date.

Question 2:

How much out of the total cost exposure to this Council was paid to 3 Rivers Development for their work?

A company named as a nominee in the original land purchase agreement and who it was clearly intended at the outset would take the project forward?

Answer:

Zero total cost exposure to the Council that was paid to 3Rivers.

Question 3

How much of the S106 payments made by this Council, were paid to the Tiverton Golf Club to enable them to realign the 12th hole?

It is known that Tiverton Golf Club required £125,000 for this work and on a no cost basis, and something required before the Post Hill site purchased by this Council could be developed.

Answer:

£27,694.00 S106 payment made by this Council for the Tiverton Golf Club.

Question 4:

Paragraph 4.5 of your papers says the tenure mix is subject to further confirmation, however informally the provider has indicated an intention to provide a mix of general needs and shared ownership affordable accommodation.

The site was obtained by the Council as part of an agreement to deliver the affordable housing allocation to the whole development of this area.

Does "general needs" include market value and not just affordable homes?

Question 5

If so, by selling the land, will the Council be breaking the formal agreement to ensure the appropriate allocation of affordable homes across the whole Braid Park and Fairfax Heath site?

Answer to question 5 & 6:

There is a planning requirement for 70 affordable homes to be delivered.

Question 6

The recommendation is that Cabinet agree approval of the sale of the Post Hill Site. For Cabinet tonight to agree this sale goes very much against the stated position of the Council Leader. Someone who has said that he both wanted and intended to eliminate autocratic and poor Cabinet decision making.

Will the Council Leader supported by Cabinet empower the relevant Committees and Full Council to be fully involved in this important decision ahead of final agreement?

Nick Quinn**Question 1:**

On 6 June 2023, Cabinet approved the transfer of £660,000(earmarked for a new Waste Depot) to be taken from earmarked reserves and used to partially offset a £4.5 Million impairment of 3 Rivers Loans. I see, in the Capital Programme Appendix, that the new Waste and Recycling Depot is now to be funded by 50 year borrowing. Does this mean that, effectively, 3 Rivers losses are being covered by 50 year loans?

Answer:

As highlighted within previous financial report the impairment loans for 3Rivers will have future consequences such as the above example where future expenditures no longer be met through the use of reserves alternative funding sources will be required to progress these projects.

Question 2:

I cannot see in the public report any indication of the numbers of properties that the prospective land purchaser intends to build, nor any guarantee that there will be at least 70 affordable properties. The Council purchased the Post Hill land from a developer under an agreement that the Council would build the 70 Affordable Houses, required by the Planning Permission, for the whole site.

The Council entered into legal agreements to ensure that 70 Affordable Houses were built on this land. If the Council does not build these, or ensures that the prospective purchaser does, will this mean that the developer of the previously completed part of the site is deficient in its planning obligations?

Answer:

There is a planning requirement for 70 affordable homes to be delivered.

Question 3:

If the non-delivery of these 70 affordable properties means a breach of the Planning obligations for the whole development site, will this Council take action against the original developer, or itself?

Answer:

There is a planning requirement for 70 affordable homes to be delivered.

78. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:14:04)

No interests were declared under this item. Members were reminded of the need to make declarations of interest where appropriate.

79. MINUTES OF THE PREVIOUS MEETING(00:14:16)

The minutes of the previous meeting held on 14 November 2023 were approved as a correct record and SIGNED by the Leader

80. SILVERTON NEIGHBOURHOOD PLAN (00:14:50)

Cabinet had before it a report * from the Director of Place about the Silverton Neighbourhood Plan. It had been examined by an independent Examiner and the Council had received the final examiner's report on the 2nd November 2023.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report with particular reference to following:

- Silverton Parish Council has been preparing a Neighbourhood Plan following the designation of the neighbourhood area in July 2014.
- The neighbourhood area covers the parish of Silverton. The preparation of the neighbourhood plan has included consultation on a pre-submission draft plan in 2021 and two consultations on a regulation 16 publication plan in 2023.
- The Neighbourhood Plan has since been examined by an independent Examiner and the Council received the final Examiner's report on 2nd November this year.
- There is now a need for the Council to consider the Examiner's recommended modifications and reach a decision whether the Silverton Neighbourhood Plan with the Examiner's recommended modifications be agreed, and that the plan proceeds to a local referendum. This forms the basis for the recommendations that are before the Cabinet.
- Following the decision of Cabinet a Decision Statement will be published and a local referendum will be arranged in accordance with the relevant regulation requirements.
- If the Neighbourhood Plan referendum is successful a report seeking the adoption of the neighbourhood plan will need to go to 2nd of April Cabinet and Full Council on the 24th of April.
- The Planning Policy Advisory Group was consulted on the decision on the Examiner's report for the Silverton Neighbourhood Plan at its meeting on 20th November 2023, and has endorsed the recommendations in this report.

The Cabinet Member for Environment and Services, Ward Member for Silverton outlined the following:

- A community led project, the process was started by a former councillor and was ready for a referendum.
- A team of volunteers had pulled together and held a parish wide consultation at the heart of the process. He thanked them for their work.
- The community had worked together to ensure a successful and adaptable future.

RESOLVED that:

1. The Examiner's modifications (Table 2) be agreed, and that subject to these modifications the Silverton Neighbourhood Plan is determined to meet the Basic Conditions (as defined in the Town and Country Planning Act 1990 Schedule 4B) and other legislative requirements;
2. The Decision Statement attached at Appendix 2 be approved;
3. The Silverton Neighbourhood Plan (at Appendix 3) subject to the Examiner's modifications, proceed to a local Referendum based on the boundary of the Silverton Neighbourhood Area.

(Proposed by Cllr S Keable and seconded by Cllr J Wright)

Reason for the Decision:

The referendum is a statutory requirement, and will be subject to The Neighbourhood Planning (Referendums) Regulations 2012. Changes made to section 38 of the Planning and Compulsory Purchase Act 2004 (through provision 3 of the Neighbourhood Planning Act 2017) mean a neighbourhood plan attains the same legal status as a local plan (and other documents that form part of the statutory development plan) once it has been approved at a referendum, rather than when it is made (adopted) by the relevant authority. At this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Policies of the Silverton Neighbourhood Plan will be used alongside policies in the adopted Mid Devon Local Plan, the Devon Minerals and Waste Plans, to help guide planning applications submitted to the Council for determination and the decisions made on these in the Silverton Neighbourhood area (Silverton Parish).

Note: * Report previously circulated.

81. JOINT STRATEGY (00:21:28)

Cabinet had before it a report * from the Director of Place about the Joint Strategy for East Devon, Exeter, Mid Devon and Teignbridge.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report with particular reference to following:

- This report sought the approval of a Joint Strategy for the East Devon, Exeter, Mid Devon and Teignbridge planning areas.
- The Joint Strategy, called 'Our Shared Coordinates', had been prepared by consultants LDA Design. This followed decisions taken by each of the four Councils in 2021 with support from Devon County Council. It showed a continued commitment to collaborative working and joined up thinking across the area on strategic matters, and compliance with the duty to cooperate.
- The Joint Strategy was a non-statutory document that reflected the ambitions and proposals of existing and emerging Local Plans. It covered a range of strategic planning matters and included a high-level list of infrastructure

matters that had cross-boundary significance for supporting the delivery of planned new homes, jobs, services, transport and other development. As a non-statutory document it was effectively a sub-regional plan that could now be used to support our own Local Plan and the Local Plans of three other planning authorities. The abolition of the Local Enterprise Partnership increased the need for such an approach.

- The Joint Strategy did not include planning policies or site allocations, and would have no weight in making planning decisions. However, the informal document would benefit the four Council's through helping to establish a recognisable 'brand' and serve as a prospectus for the area, which may assist when making bids for Government (or other) infrastructure and delivery funding.
- The Strategy makes specific reference to the 'strategic intervention' required at Junction 28 and this document would therefore be helpful to us as we continued to seek funding to deliver both the Cullompton relief road and the upgrade to Junction 28.
- The Joint Strategy had been subject to a focused consultation with key stakeholders including statutory bodies and agencies, transport and utilities infrastructure providers and other organisations and had been amended to reflect comments received.
- The Joint Strategy had already been considered and approved by the relevant committee of the other three Councils, those being East Devon, Exeter and Teignbridge.

Discussion took place regarding:

- Exeter City Council, East Devon and Teignbridge District Councils were taking equivalent reports through their committee processes in late 2023 had this taken place?
- Strategic active travel routes and trails and to see more of this, had there been group work previously?
- The Cullompton relief road would be the centre project.
- The exceptional place figure of 21,000 jobs between 2020-2040, was this solely Exeter as further on stated different figures?
- Blackdown Hill and East Devon Area of Outstanding Natural Beauty had changed to Blackdown Hill and East Devon National landscape.
- An update in the Joint Strategy to change the above names and Bio Diversity Duty.
- Connectivity Plan and the lack of cycling routes in the rural areas.
- The Joint Strategy had no relationship to Greater Exeter Strategic Plan.

RESOLVED that

The Joint Strategy (Appendix 1) subject to this being agreed by the partner authorities, with delegated authority given to the Director of Place in consultation with the Cabinet Member for Planning and Economic Regeneration to make any amendments arising from the resolution of the other authorities provided these do not materially alter the content of the document.

(Proposed by Cllr S Keable and seconded by Cllr S Clist)

Reason for the Decision:

The need for the Council to work collaboratively with neighbouring authorities on strategic planning matters is enshrined in the Planning and Compulsory Purchase Act 2004, paragraphs 24-27 of the National Planning Policy Framework 2023 and the Planning Practice Guidance. These set out that local authorities have a legal duty to cooperate with each other and other organisations to seek to address strategic planning matters that are likely to have an impact beyond the immediate district. In particular Section 33A of the Planning and Compulsory Purchase Act 2004 sets out that to maximise effective working on strategic matters throughout the preparation of plans, authorities have a duty to engage constructively, actively and on an ongoing basis. The Joint Strategy helps to demonstrate compliance with this legislation. It should be noted however that the Joint Strategy itself is a non-statutory, informal document. It does not include policies or site allocations and will have no weight in making planning decisions.

The Joint Strategy includes illustrative, schematic diagrams and maps showing the spatial strategy for the area and the locations of major growth. These maps do not show specific allocations. The recommendation to approve the Joint Strategy should not be interpreted to suggest, that the Council supports specific allocations or proposed allocations which may be included in the local plans of neighbouring authorities.

Note * Report previously circulated.

82. **FLY TIPPING POLICY (00:41:52)**

Cabinet had before it a report * from the Environment and Enforcement Manager and Corporate Manager for People, Governance and Waste.

The Cabinet Member for Environment and Services outlined the contents of the report with particular reference to following:

- The report looked to explore and make recommendations regarding recent increases to the Fixed Penalty Notice (FPN) fine amount for fly tipping and breach of care for household waste offences This related to local authorities (LA) tackling anti-social behaviour in their communities.

The Environment and Enforcement Manager highlighted the following:

- On July 31st 2023, Central Government released new legislation in respect of Local Authorities and Police powers to tackle anti-social behaviour in communities.
- This provided LA's the opportunity to introduce a sliding scale in respect of the fine amount. An Environmental Legal Specialist working with Keep Britain Tidy had ratified this.
- The waste duty of care required occupiers of domestic property to take all reasonable measures available to them in the circumstances to ensure that they only transfer household waste produced on that property to an authorised person for disposal.
- Alongside proportionate fines for each offence, the sliding scale was likely to encourage offenders to make payment in a timely manner. This reduced the

cost of staff time in preparing case files for prosecution and the associated court costs.

- There were 605 reported incidents of fly tipping. These varied in scale from singular black bags to van sized loads, with a higher percentage being the latter. This was equivalent to 96 tonnes of waste disposed of illegally.
- The Enforcement Team was proactive in taking action against offenders, it was hoped an increased fine amount would deter those who may consider fly tipping from a commercial standpoint.

Discussion took place regarding:

- The system was efficient of clearing the fly tipping.
- Communication via Social Media about fly tipping.
- The fixed penalty notices being issued on a sliding scale on a case by case basis, would this be a fairer approach? With the on the spot fines, delegated to the Environment and Enforcement Manager would that be rolled out to the officers on the ground?
- Enforcing and prosecuting the offenders where possible on fly tipping.
- Duty of care of household waste- how was this measured in regards to waste?
- The prevent strategy with regards to waste and what measures were in place to ensure fly tipping could be prevented where possible?
- The fixed penalty notice fines were at the maximum they could be.

RESOLVED that

1. Delegate authority to the Environment and Enforcement Manager in respect of determining FPN value.
2. To amend the fly tipping policy to allow
 - For a sliding scale in respect of fly tipping Fixed Penalty Notice (FPN) amount, with the minimum being £400 and maximum amount £1000.
 - For a sliding scale in respect of breach of duty of care for household waste fixed penalty with the minimum being £150 and the maximum amount £600
3. To amend the fly tipping policy (see attached) for general updating purposes.

(Proposed by Cllr J Wright and seconded by Cllr J Lock)

Reason for the Decision:

The authority has a statutory duty to remove and dispose of Fly Tipping within communities. We have powers under S33 of the Environmental Protection Act 1990 to prosecute offenders for the offence.

Note * Report previously circulated.

83. **REVIEW OF BIN IT 123 INCLUDING SIDE WASTE COLLECTION (01:02:00)**

Cabinet had before it a report * from the Operations Manager for Street Scene and Open Spaces and Corporate Manager for People, Governance and Waste. The report measured the effectiveness of the Council's waste and recycling scheme,

known as the Bin-it 123 scheme, as implemented in October 2022. The steps the service have taken to raise awareness of the public in the District around the need to use appropriate containers and caddies for recycling.

The Cabinet Member for Environment and Services outlined the contents of the report with particular reference to following:

- The review of the performance since the implementation of the three weekly collections and positive results in the report. The recycling rate had increased and residual collection tonnage reduced since the schemes implementation.
- An increase in recycling would further enable the Council to reduce its carbon footprint and hit its carbon net zero commitment.
- Referred to the residual waste graph in the report and the 50% of residual waste that had provision to recycle (and would be the main focus over the next few years for environmental implication and for the financial cost).
- Bin-it 123 had now been in place for a year which had included the waste and recycling crews collecting side waste from households. This had helped support residents during the transition period by giving more flexibility.
- It is now necessary however to ensure that the Bin-It 123 scheme is fully implemented and complied with to reduce our residual tonnage and increase recycling.
- The steps were highlighted on the education and enforcement that would be taken to ensure residents supported the scheme and followed good practice.
- The Waste and Recycling Management presented to other National Councils from DEFRA how successful the three weekly collection had been maintained and the good results the Council had achieved in maintaining this.

The Corporate Manager for People and Governance and Waste highlighted the following:

- The challenges that the Council faced and the improvements that could still be made.
- Recycling Advisors are now employed in the community and talking to residents about Bin-it 123 and how residents could help implement the scheme.

The Operation Manager for Street Scene and Open spaces highlighted the following:

- Reflection on delivering the presentation to other national councils. It highlighted the engagement with residents and how to be a part of the scheme and the residents taking ownership of Bin-it 123.

Consideration were given to:

- Explanation about the graph in the report on WEEE and fines.
- Issues on side waste in different areas where the waste had been fly tipped in other resident's bins or homes and they had then received a letter from the Council threatening prosecution. How was this monitored and the communication to residents?
- Knowledge and recognising the concerns of residents.
- Communal waste areas and how the waste was being dealt with.

- The tone of the letter that residents received.
- Positive messaging to residents about the good work in recycling and balancing the approach to residents. Positive publicity or campaigning about the recycling.
- The food waste that was happening and how to improve the wastage.
- Encourage recycling over the festive period.

RESOLVED that:

To review the contents of this report and provide recommendations for future reports.

(Proposed by Cllr J Wright and seconded by Cllr S Clist)

Reason for the Decision:

Under Section 46 of the Environmental Protection Act, Waste Collection Authorities may by means of notice specify how householders present their waste for collection.

84. CREDITON TOWN CENTRE MASTERPLAN (01:30:00)

Cabinet had before it a report * from the Senior Project Officer and Strategic Manager for Growth, Economy and Delivery. The Council had resolved to develop a Masterplan for Crediton Town Centre as a Supplementary Planning Document. Consultants had been commissioned for its production following agreement by Cabinet on 1st November 2022.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report with particular reference to the following:

- The report sought the Cabinet’s approval of the masterplan for a formal six-week consultation period beginning in January.
- The Masterplan had been prepared by consultants LHC Design and would be adopted as a Supplementary Planning Document. It would form a framework for key regeneration projects underpinned by four main themes; Community Infrastructure, Circulation and Movement, Wayfinding and Legibility and Green and Blue Infrastructure.
- In accordance with the Council’s Statement of Community Involvement, the Masterplan would be subject to two stages of public consultation. Stage 1 had already taken place and scoped out the proposed contents of the masterplan and options that might be included. This report related to Stage 2: to present the draft masterplan itself.
- The formal 6 week consultation period was intended to commence on January 15th, following consultation with Crediton Town Council, during which interested parties would be invited to comment on the plan and answer some specific questions.
- There were also two planned events at the Boniface Centre, Crediton, at which members of the public and stakeholders would be able to view the proposals and ask questions of officers and the consultants.
- In addition to the Stage 1 consultation the draft masterplan had already been shared with local members at a meeting on 18th October and PPAG on 20th

November. At both meetings, members were supportive of the general approach and of the individual projects.

RESOLVED that:

1. That the Masterplan be approved for public consultation for a period of six weeks to commence in early January 2024;
2. That Cabinet approve the associated Strategic Environmental Assessment Screening Report and the Habitats Regulations Assessment Screening Report for consultation;
3. That delegated authority be granted to the Director of Place in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise the material and arrangements for consultation.

(Proposed by Cllr S Keable and seconded by Cllr J Lock)

Reason for the Decision:

The process for preparing and adopting the Crediton Town Centre Masterplan will need to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. Whilst the Adopted Masterplan would not form part of the Development Plan, it would be a material consideration in the determination of planning applications relating to the town centre.

Note * Report previously circulated.

85. THE MDH TENANCY INSPECTION POLICY (01:36:18)

Cabinet had before it a report * from the Corporate Manager for Public Health, Regulation and Housing. The policy sets out the approach to obtaining access to tenanted properties, including gardens and outside areas and explains the type of information collected and the action to be taken when concerns are raised.

The Cabinet Member for Housing and Property Services outlined the contents of the report with particular reference to following:

- One of the main reasons for Tenancy Inspections, also referred to as Tenancy Home Checks, to assist Mid Devon Housing understand if tenants have any vulnerabilities and require help to sustain their tenancies.
- The policy aims to ensure that tenants are aware of the circumstances when Mid Devon Housing seek access to their properties and that the tenant's responsibility in providing that access.
- The purpose of conducting Tenancy Home Checks to ensure the property condition, reduce tenancy fraud and homes go to those in most need and identify tenancy management issues including tenants who require additional support to sustain their tenancies.

RESOLVED that:

1. That Cabinet adopt the updated Tenancy Inspection Policy and Equality Impact Assessment contained in Annexes A and B respectively.

(Proposed by Cllr S Clist and seconded by Cllr J Lock)

Reason for the Decision:

See Section 2, Introduction with regard to Consumer Standards and new consumer regulation regime. In accordance with the Localism Act 2011, the Council is required to publish a clear and accessible policy which outlines its approach to tenancy management which includes reference to the prevention of tenancy fraud. The Council has a Tenancy Policy and uses tenant inspections as a means of preventing fraud.

Note * Report previously circulated.

86. MTFP - BUDGET UPDATE (01:40:34)

Cabinet had before it a report * from the Deputy Chief Executive (S151) Officer on the Medium Financial Plan (MTFP) covering the period of 2024/2025 to 2028/2029 and potential saving options.

The Cabinet Member for Finance outlined the contents of the report with particular reference to the following:

- The third update of the Medium Term Financial Plan covering the five years 2024/25 to 2028/29. The report encompassed all elements including the General Fund, Housing Revenue Account and the Capital Programme.
- The outcome was a savings increase of £307k bringing the total up to £1.644m.
- The RAG rating was referred to from the report, red and amber indicates the savings that could be taken, but there were risks and implications, the green indicates a saving that was a recommendation by officers.
- In addition to the revisions made to the previously provided savings, there had been a full and detailed review of all budget areas through a Star Chamber type approach.
- In the Housing Revenue account, an update showed a stark difference to the General Fund position, the forecast included assumptions for the cost increases as a result of the cost of living crisis which remained volatile, along with additional investment in Fire Safety and preventing Damp and Mould.
- The draft capital programme was available for review. The forecast was quite different to that projected during the current capital programme following the decision to soft close 3Rivers and remove the Post Hill development.
- The next steps were highlighted and members were encouraged to engage in the process and report to the Policy Development groups or directly to Cabinet.

The Deputy Chief Executive (S151) Officer highlighted the following:

- The budget position, he had heard from ministers that an announcement made on the 19th or 20th of December and would give detailed funding for Mid Devon District Council.
- Soft closure process of 3Rivers, soft closure plan was agreed with 3Rivers shareholders representative with other Council Officers after the last Full Council meeting and the closure of business by March 2024.
- Weekly meeting tracking progress against the soft closure plan.
- St Georges sale process has had an offer made and accepted and now with the legal parties on both sides to carry out the legal due diligence process.
- First sale at Haddon Heights in Bampton has completed and another completion will be happening next week and an update at a later date will be provided.
- Build process at Haddon Heights is completed just decoration to take place.
- Discussion on asset transfer were doing well and due to complete end of January.

RESOLVED that:

1. Note the updated MTFP's for the General Fund, Housing Revenue Account and Capital Programme covering the years 2024/25 to 2028/29
2. Consider and agree the revisions to the savings options within Appendix 1.
3. Consider and agree the savings options within Appendix 2.
4. Consider any additional suggestions to balance the remaining shortfall and request that the Policy Development Groups identify further savings options and recommend back to Cabinet for approval.

(Proposed by Cllr J Buczkowski and seconded Cllr D Wulff)

ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

The Leader of the Council advised the Cabinet that item 11 will continue in Part 1 to be open and transparent and if the Cabinet would like to discuss further information contained in annex A the Cabinet will need to agree to move into Part 2.

87. PURCHASE OFFER FOR LAND AT POST HILL, TIVERTON (01:53:33)

Cabinet had before it a report * from the Deputy Chief Executive (S151) Officer and the Corporate Manager for Public Health, Regulation and Housing on the Purchase for Land at Post Hill Tiverton.

The Cabinet Member for Housing and Property Services outlined the contents of the report with particular reference to following:

- On the 29 August 2023 Cabinet resolved that the Council's Housing Revenue Account (HRA) would not progress its proposed development and tender for Post Hill, Tiverton for the provision of 70 affordable homes. This decision was informed by a detailed options analysis that determined the site was not viable and did not represent a strong value for money business case for the HRA.
- Cabinet further resolved to grant delegated authority to the S151 Officer and the Corporate Manager for Public Health, Regulation and Housing to explore alternative options for the delivery of affordable housing at Post Hill including

potential sale or transfer of the site in order to complete the development of 70 units. This was to be brought back to Cabinet for future consideration.

- The purpose of this report was to advise members on options that had now been explored with third-party registered housing providers including a bidding process and confirm the sale of the Post Hill site.

The Cabinet member for Finance highlighted the following:

- The Cabinet chose not to progress the project as it was not financially viable and there has been an offer put forward for the Land at Post Hill.

Consideration was given to:

- The energy performance and representative of the developer for the site.
- The leverage following the sale to collaborate with the development about Bio Diversity duty and net zero.

RESOLVED that:

1. Approve the sale of Post Hill for affordable housing development to Bidder 1 as set out in Annex A (Part II).
2. Delegated authority be granted to the S151 Officer and the Corporate Manager for Public Health, Regulation and Housing (in consultation with the Cabinet Members for Finance and Housing & Property Services) to complete the contract of sale.

(Proposed by Cllr S Clist and seconded by Cllr J Buczkowski)

Reason for the Decision:

Any registered provider bringing forward a scheme of affordable housing on this site must meet a core legal definition of this type of accommodation. Affordable housing includes homes for sale or rent and is for people whose needs are not met by the private market. The Government's National Planning Policy Framework (NPPF) defines the types of affordable housing as Affordable Housing for Rent and Affordable Housing for Sale.

Note * Report previously circulated.

88. **NOTIFICATION OF KEY DECISIONS (02:05.46)**

The Cabinet had before it and noted the notification of Key Decisions.

Two additions had been made to this since the publication of the document with the agenda for this meeting:

- Bio Diversity Duty
- New Homes Safety Policy

Note: * Notification of Key Decisions previously circulated.

(The meeting ended at 19.31pm)

CHAIRMAN