

# Public Document Pack



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5 June 2013

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **DEVELOPER CONTRIBUTIONS EXECUTIVE COMMITTEE** will be held in the HMS Tracker Room on Thursday 13 June 2013 at 10.00 am when the following business will be transacted.

Members of the public who require further information are asked to contact Kate Batty-Smith on (01304) 872303 or by e-mail at [kate.batty-smith@dover.gov.uk](mailto:kate.batty-smith@dover.gov.uk).

Yours sincerely

A handwritten signature in black ink, appearing to read "Kate Batty-Smith", written over a white background.

Chief Executive

Developer Contributions Executive Committee Membership:

Councillor P A Watkins	Leader of the Council
Councillor S S Chandler	Deputy Leader of the Council
Councillor N S Kenton	Portfolio Holder for Environment, Waste and Planning
Councillor C J Smith	Portfolio Holder for Skills, Training, Tourism and Culture

AGENDA

1 **ELECTION OF CHAIRMAN**

To elect a Chairman of the Developer Contributions Executive Committee.

2 **APOLOGIES**

To receive any apologies for absence.

3 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointments of Substitute Members.

4 **DECLARATIONS OF INTEREST**

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

Where a Member has a new or registered Disclosable Pecuniary Interest (DPI) in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Where a Member is declaring an Other Significant Interest (OSI) they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

5 **TERMS OF REFERENCE** (Page 4)

6 **DECISIONS** (Pages 5 - 9)

The decisions of the meeting of the Developer Contributions Executive Committee held on 16 July 2012 numbered CAB (S106) 1 to CAB (S106) 4 (inclusive) are attached.

**EXECUTIVE - KEY DECISIONS**

7 **DEVELOPER CONTRIBUTIONS ARISING FROM PLANNING APPLICATION DOV/12/00440 - OUTLINE PERMISSION (WITH ALL MATTERS RESERVED EXCEPT ACCESS) FOR CONSTRUCTION OF UP TO 521 RESIDENTIAL UNITS (USE CLASS C3); UP TO 9,335SQM 90 APARTMENT RETIREMENT VILLAGE (USE CLASS C2); UP TO 730SQM HEALTH FACILITY (USE CLASS D2); CONVERSION OF THATCHED BARN TO PUB/RESTAURANT (USE CLASS A4/A3); CONVERSION OF STABLE BLOCK TO RETAIL SHOP (USE CLASS A1/A2); AND CONVERSION OF FARMHOUSE TO BED & BREAKFAST (USE CLASS C1) TOGETHER WITH ASSOCIATED LANDSCAPING AND ANCILLARY INFRASTRUCTURE AND WORKS AT GREAT FARTHINGLOE FARM, DOVER – OUTLINE PERMISSION (WITH ALL MATTERS RESERVED) FOR CONSTRUCTION OF UP TO 7,400SQM 130 BED HOTEL & 150 PERSON CONFERENCE CENTRE (CLASS C1); AND CONVERSION OF THE DROP REDOUBT TO A MUSEUM/VISITOR CENTRE (USE CLASS D1) TOGETHER WITH ASSOCIATED LANDSCAPING AND ANCILLARY INFRASTRUCTURE AND WORKS AT LAND AT WESTERN HEIGHTS, DOVER – OUTLINE PERMISSION (WITH ALL MATTERS RESERVED EXCEPT LAYOUT AND ACCESS) FOR CONSTRUCTION OF UP TO 31 RESIDENTIAL UNITS (USE**

**CLASS C3); AND RECONSTRUCTION OF THE VICTORIA HALLS TO PROVIDE 9 RESIDENTIAL UNITS (USE CLASS C3) TOGETHER WITH ASSOCIATED LANDSCAPING AND ANCILLARY INFRASTRUCTURE AND WORKS AT LAND AT WESTERN HEIGHTS, DOVER – PROVISION OF PEDESTRIAN ACCESS NETWORK TO FACILITATE ENHANCED RECREATION ACCESS TOGETHER WITH ASSOCIATED LANDSCAPING AND WORKS ON LAND AT GREAT FARTHINGLOE FARM AND WESTERN HEIGHTS, DOVER**

To consider the attached report of the Chief Executive (to follow).

**Access to Meetings and Information**

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website [www.dover.gov.uk](http://www.dover.gov.uk). Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting. Basic translations of specific reports and the Minutes are available on request in 12 different languages.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Kate Batty-Smith, Democratic Support Officer, telephone: (01304) 872303 or email: [kate.batty-smith@dover.gov.uk](mailto:kate.batty-smith@dover.gov.uk) for details.

Large print copies of this agenda can be supplied on request.

**DEVELOPER CONTRIBUTIONS COMMITTEE OF THE EXECUTIVE**

**TERMS OF REFERENCE**

To exercise the powers and functions of the Executive in relation to:

1. Monitoring the receipt of Section 106 monies, agreeing to their release and reviewing expenditure on approved schemes.
2. Ensuring the co-ordination of the expenditure of Section 106 monies with other Council expenditure, including schemes in the Capital Programme and programmed expenditures by other agencies as required.
3. Reviewing the Council's priorities for seeking developer contributions from time to time, and making recommendations on the operation of the Development Contributions Supplementary Planning Document to the Planning Committee and the Council.
4. Making recommendations to the Planning Committee in cases of competing requirements which exceed available developer contributions, including on the priorities which might be pursued in respect of contributions sought by other bodies.
5. Considering other related matters as required.

Record of the decisions of the meeting of the **DEVELOPER CONTRIBUTIONS EXECUTIVE COMMITTEE** held at the Council Offices, Whitfield on Monday, 16 July 2012 at 11.10 am.

Present:

Chairman: Councillor P A Watkins

Councillors: S S Chandler  
N S Kenton

Also Present: B W Butcher  
G Lymer

Officers: Director of Regeneration and Development  
Regeneration and Development Manager  
Democratic Support Officer

An apology for absence was received from Councillor C J Smith.

**The formal decisions of the Developer Contributions Executive Committee are detailed in the following schedule.**

## Record of Decisions: Executive Functions

Decision Status	Record of Decisions	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB (S106) 1 16.7.12 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 24 July 2012</p>	<p><u>APPOINTMENT OF CHAIRMAN</u></p> <p>It was agreed that the Leader of the Council, Councillor Paul Watkins, be appointed as Chairman of the Developer Contributions Executive Committee.</p>	<p>To appoint an alternative Member as Chairman of the Committee.</p>	<p>To appoint a Chairman of the Committee for the Council year 2012/13.</p>	

Decision Status	Record of Decisions	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB (S106) 2 16.7.12 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p>	<p><u>TERMS OF REFERENCE</u></p> <p>It was agreed to approve the Committee's Terms of Reference for the purposes of the meeting, subject to the amendment of no. 3 to read: 'Reviewing the Council's priorities for seeking developer contributions from time to time, and making recommendations to the Planning Committee and the Council'.</p>	<p>To not amend the Terms of Reference.</p>	<p>Given the length of time that has elapsed since the Committee last met, it is necessary to revisit the Committee's Terms of Reference.</p>	

<b>Implementation Date</b> 24 July 2012				
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<b>Decision Status</b>	<b>Record of Decisions</b>	<b>Alternative options considered and rejected (if any)</b>	<b>Reasons for Decision</b>	<b>Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)</b>
CAB (S106) 3 16.7.12 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> Immediate	<u>EXCLUSION OF THE PRESS AND PUBLIC</u>  That, in accordance with the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and the public be excluded from the remainder of the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the 1972 Act.	None.		

<b>Decision Status</b>	<b>Record of Decisions</b>	<b>Alternative options considered and rejected (if any)</b>	<b>Reasons for Decision</b>	<b>Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)</b>
CAB (S106) 4 16.7.12 Exempt  <b>Key Decisions</b> Yes  <b>Call-in to apply</b> Yes	<u>DEVELOPER CONTRIBUTIONS ARISING FROM PLANNING APPLICATIONS DOV10/01010 AND DOV/10/01011 FOR PHASES 1 AND 1A OF WHITFIELD URBAN EXPANSION</u>  It was agreed to recommend to the Planning Committee:  (a) That the contingent snapshot approach to viability assessment be accepted, subject to the mechanism identified in paragraph 3.3 of the report and including the identification of overall capacities of the proposed utility infrastructure provision and their delivery	To not amend the report's recommendations.	At its meeting to be held on 26 July 2012, the Planning Committee will consider planning applications for the Whitfield Urban Expansion scheme, including the allocation of	.

<p><b>Implementation Date</b> 24 July 2012</p> <p>∞</p>	<p>through an appropriate legal agreement.</p> <p>(b) That, should the Planning Committee be minded to grant planning permission, the priorities to be applied to allocation of available monies in the Section 106 Agreements for these applications should be as set out in the tables at Appendix 2 of the report and as recommended by the Developer Contributions Committee.</p>		<p>financial contributions to fund development infrastructure.</p> <p>At its meetings held on 23 June and 28 July 2011, the Planning Committee resolved to grant planning permission to the applications subject to the resolution of a number of outstanding matters. Since those meetings, there has been ongoing work to address the outstanding matters, including the allocation of developer contributions.</p> <p>The Developer Contributions Executive Committee's recommendations will go forward for</p>	
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			consideration by the Planning Committee on 26 July.	
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The meeting ended at 1.15 pm.