

Record of the decisions of the meeting of the **DEVELOPER CONTRIBUTIONS EXECUTIVE COMMITTEE** held at the Council Offices, Whitfield on Monday, 20 March 2017 at 11.30 am.

Present:

Chairman: Councillor N S Kenton

Councillors: P M Beresford
M D Conolly
K E Morris
B Gardner

Officers: Head of Regeneration and Development
Team Leader (Development Management)
Planning Solicitor (Locum)
Democratic Support Officer

The formal decisions of the executive committee are detailed in the following schedule.

Record of Decisions: Executive Functions

Decision Status	Record of Decision	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 20.3.17 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 28 March 2017</p>	<p><u>ELECTION OF CHAIRMAN</u></p> <p>It was agreed that Councillor Nicholas Kenton be elected as Chairman of the Developer Contributions Executive Committee.</p>	<p>To appoint an alternative Member as Chairman of the Committee.</p>	<p>To elect a Chairman of the Committee for the Council year 2016/17.</p> <p>(In accordance with the provisions of Section 100(B)(4)(b) of the Local Government Act 1972, it was agreed that this item, which was not detailed on the agenda, should be considered as a matter of urgency as there is a need for the Committee to elect a Chairman.)</p>	

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<p>CAB (S106) 2</p>	<p><u>APOLOGIES</u></p>	<p>None.</p>	<p>To note any</p>	

20.3.17 Open Key Decisions No Call-in to apply Yes Implementation Date 28 March 2017	It was noted that an apology for absence had been received from Councillor P A Watkins.		apologies for absence received.	
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB (S106) 3 20.3.17 Open Key Decisions No Call-in to apply Yes Implementation Date 28 March 2017	<u>APPOINTMENT OF SUBSTITUTE MEMBERS</u> It was agreed to note that, in accordance with Council Procedure Rule 14, Councillor M D Conolly had been appointed as substitute for Councillor P A Watkins.	None.	To note any substitute members appointed.	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB (S106) 4	<u>DECLARATIONS OF INTEREST</u>	None.	To note any	

20.3.17 Open Key Decisions No Call-in to apply Yes Implementation Date 28 March 2017	It was noted that there were no declarations of interest.		declarations of interest.	
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CAB (S106) 5 20.3.17 Open Key Decisions No Call-in to apply Yes Implementation Date 28 March 2017	<u>TERMS OF REFERENCE</u> It was agreed to note the Committee's Terms of Reference.	None.	The Committee is requested to note its Terms of Reference.	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB (S106) 6	<u>FINANCIAL VIABILITY ASSESSMENTS</u>	None.	Historically,	

<p>20.3.17 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 28 March 2017</p>	<p>It was agreed:</p> <p>(a) That a local validation requirement that financial viability assessments submitted with planning applications are fully disclosed to the public, unless specific parts are accepted by the Council as falling within an exemption under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004, be approved.</p> <p>(b) That the above requirement be brought forward as part of the review of the Council's 'Dover Validation Requirements 2015' document, and the Head of Regeneration and Development be authorised to undertake this in consultation with the Portfolio Holder for Environment, Waste and Planning, the review process to include public consultation and the proposed revised document to be reported to a future meeting of Cabinet for adoption.</p> <p>(c) That a Regeneration and Development Performance Indicator be added in respect of validation in order for Cabinet to monitor whether the introduction of the requirement is causing delays or difficulties in the validation process.</p> <p>(d) That implementation of the requirement be kept under review by the Head of Regeneration and Development.</p>		<p>financial viability assessments submitted by applicants to demonstrate that their scheme cannot meet planning policy requirements for financial reasons have been treated as commercially confidential documents. However, recent legal decisions have indicated that this approach is no longer generally justifiable. The Committee is requested to agree that these assessments be made publicly available, unless an applicant can demonstrate a compelling reason for not doing so.</p>	
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The meeting ended at 12.32 pm