

To all Members of Stroud District Council

10 May 2017

You are hereby summoned to attend the Annual General Meeting of the **STROUD DISTRICT COUNCIL** in the Council Chamber, Ebley Mill on **THURSDAY 18 MAY 2017** at **7.00 pm.**



David Hagg
Chief Executive

Please Note: This meeting will be filmed for live or subsequent broadcast via the Council's internet site (www.stroud.gov.uk). By entering the Council Chamber you are consenting to being filmed. The whole of the meeting will be filmed except where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

AGENDA

- 1 **CHAIR OF COUNCIL**
To elect a Chair of Council for the Civic Year 2017/18
- 2 **VICE-CHAIR OF COUNCIL**
To appoint a Vice-Chair of Council for the Civic Year 2017/18
- 3 **APOLOGIES**
To receive apologies for absence
- 4 **DECLARATIONS OF INTEREST**
To receive declarations of interest
- 5 **MINUTES**
To approve the Minutes of the Council meeting held on 23 February 2017
- 6 **ANNOUNCEMENTS**
To receive announcements from the Chair of Council and the Chief Executive
- 7 **CIVIC TIMETABLE 2017/18**
To approve the civic timetable for 2017/18 and indicative timetables for remainder of the civic term 2016/17 to 2019/20, as published with the Council agenda

8 APPOINTMENT TO COMMITTEES

To confirm the membership of each committee

In accordance with the Local Government and Housing Act 1989, the allocations are as per Agenda Item 8 of the 2016 AGM. Please see that [report](#) on Appointment and Other Bodies, if details are required.

As not all nominations have been received as at the date of the publication of this agenda, all nominations will be reported to or made at the AGM.

9 APPOINTMENT OF COMMITTEE CHAIRS AND VICE-CHAIRS

To appoint the Chair and Vice-Chairs of the following committees (with the exception of the Leader of Council who is automatically appointed Chair of the Strategy and Resources Committee):

- a. Audit & Standards Committee
- b. Community Services & Licensing Committee
- c. Development Control Committee
- d. Environment Committee
- e. Housing Committee
- f. Strategy & Resources (Vice-Chair only)

As nominations have not been received as at the date of the publication of this agenda, all nominations will be reported to or made at the AGM.

10 APPOINTMENT TO OTHER BODIES

To appoint one lead and one substitute Member representative for each of the following bodies:

- a. Health and Care Overview and Scrutiny Committee
- b. Police and Crime Panel
- c. Gloucestershire Economic Growth Scrutiny Committee

As nominations have not been received as at the date of the publication of this agenda, all nominations will be reported to or made at the AGM.

11 KINGSWOOD NEIGHBOURHOOD DEVELOPMENT PLAN

To consider the report on the Neighbourhood Development Plan.

12 RECOMMENDATION FROM COMMITTEE(S)

Audit and Standards Committee - 11 April 2017

At the above meeting the Committee recommended to Council that its Annual Report 2016/17 ([A&S Agenda Item 10](#)) be approved. The recommendation will be presented by the 2016/17 Chair of Audit and Standards Committee.

COUNCIL MEETING**23 February 2017****7.00 pm – 8.40 pm****Council Chamber, Ebley Mill, Stroud****3****Minutes****Membership:**

Martin Baxendale	P	Nick Hurst	P	Skeena Rathor	A
Dorcas Binns	P	Julie Job	A	Sue Reed	P
Catherine Braun	P	Haydn Jones	P	Mark Reeves	P
Chris Brine	P	John Jones	P	Steve Robinson	P
George Butcher	P	Norman Kay	P	Mattie Ross	P
Miranda Clifton	P	Stephen Lydon	P	Tom Skinner	P
Nigel Cooper	P	John Marjoram	P	Nigel Studdert-Kennedy	P
Doina Cornell	P	Phil McAsey	A	Haydn Sutton	P
Gordon Craig	P	Karen McKeown	P	Brian Tipper	P
Rachel Curley	P	Jenny Miles	P	Chas Townley	P
Stephen Davies	P	Dave Mossman	P	Jessica Tomblin	P
Paul Denney	P	Gill Oxley	P	Ken Tucker	P
Jim Dewey	P	Keith Pearson	P	Martin Whiteside	P
Jonathan Edmunds	P	Elizabeth Peters	P	Tim Williams	A
Chas Fellows	A	Simon Pickering	P	Tom Williams	P
Colin Fryer	P	Gary Powell	P	Penny Wride	P
Alison Hayward	P	Nigel Prenter	P	Debbie Young	P

** = Chair of Council * = Vice Chair of Council P = Present A = Absent

Officers Present:

Chief Executive

Democratic Services Officer

Legal Services Manager & Monitoring Officer

PRESENTATION TO SANDRA COWLEY

The Chair, Leader of Council and the Chief Executive made a presentation to Sandra, who had recently retired as Strategic Head (Finance and Business Services). They and other members thanked her for her service and leadership to the Council.

CL.035 APOLOGIES

Apologies of absence were received from Councillors Chas Fellows, Julie Job, Phil McAsey, Skeena Rathor and Tim Williams.

CL.036 **DECLARATIONS OF INTEREST**

There were none.

CL.037 **MINUTES**

RESOLVED That the minutes of the meetings held on 27 October 2016 and 9 February 2017 are confirmed and signed as a correct record.

CL.038 **ANNOUNCEMENTS**

The Chair stated that his consultation with Members about re-establishing links with Kreis Gottingen had not produced sufficient interest.

CL.039 **PUBLIC QUESTION TIME**

There were none.

CL.040 **RECOMMENDATION TO COUNCIL FROM AUDIT AND STANDARDS COMMITTEE – 7 FEBRUARY 2017****Treasury Management Strategy, Annual Investment Strategy and Minimum Revenue Provision Policy Statement 2017/18**

Councillor Studdert-Kennedy, Chair of Committee outlined the above report. Upon the vote the motion was CARRIED.

- RESOLVED**
1. To adopt the prudential indicators and limits for 2017/18 to 2019/20;
 2. To approve the treasury management strategy 2017/18, and the treasury prudential indicators;
 3. To approve the investment strategy 2017/18, and the detailed criteria for specified and non-specified investments; and
 4. To approve the Minimum Revenue Policy Statement 2017/18.

Councillor Liz Peters left the meeting at 7.55 pm prior to the following item being discussed.

CL.041 **SETTING THE AMOUNT OF COUNCIL TAX FOR 2017/18**

Councillor Steve Lydon outlined the above report and gave an explanation on the budget in relation to the Council tax.

In accordance with The Local Authorities (Standing Orders) (England) Regulations 2001 a recorded vote was taken, the results of which can be viewed at the following link: [Item 7 – Results](#)

- RESOLVED**
1. It be noted that the Council has calculated:
 - (a) the Council Tax Base 2017/18 for the whole Council area as 42,699.32 [Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (“the Act”)] and,

- (b) for dwellings in those parts of its area to which a Parish precept relates as in Appendix A to the report (column 2);
2. The Council Tax requirement for the for the Council's own purposes for 2017/18 (excluding Parish precepts) is £8,354,121.
 3. The following amounts are calculated for the year 2017/18 in accordance with Sections 32 to 36 of the Act:
 - (a) £79,968,466 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act taking into account all precepts issued to it by Parish Councils;
 - (b) £68,283,390 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act;
 - (c) £11,685,076 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act);
 - (d) £273.66 being the amount at 3(c) above (Item R), all divided by Item T (1(a)) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (**Basic Band 'D' including Parish precepts**);
 - (e) £3,330,955 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per Appendix A to the report);
 - (f) £195.65 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1 (a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates (**Basic Band 'D' excluding Parish/Town Councils**).
 4. It be noted that for the year 2017/18 Gloucestershire County Council and The Police and Crime Commissioner for Gloucestershire have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Act for each of the categories of dwellings shown below:

Valuation Bands*	Gloucestershire County Council	The Police and Crime Commissioner for Gloucestershire
DisrA**	£655.14	£119.16
A	£786.17	£142.99
B	£917.20	£166.83
C	£1,048.23	£190.66
D	£1,179.26	£214.49
E	£1,441.32	£262.15
F	£1,703.37	£309.82
G	£1,965.43	£357.48
H	£2,358.52	£428.98

* Banding proportions are shown in paragraph 13 of the report.

** Band DisrA provides for a discount for disabled people living in a band A property.

5. Having calculated the aggregate in each case of the amounts at 3(d) and 4 above, the Council in accordance with Section 30 and 36 of the Act, hereby sets the amounts of Council Tax for the year 2017/18 for each of the categories of dwellings shown in Appendix C to this report.
6. Delegated authority be given to the Council's Section 151 Officer in consultation with the Chief Executive and the Chair of Strategy and Resources committee, to amend the level of Reserve funding utilised to support the Council's MTFP ('Utilisation of Reserves') as necessary should the level of funding in the final local government finance settlement differ from the provisional settlement.

CL.042 MEMBERS' QUESTIONS

Member questions and supplementary questions were asked by Councillors Tom Skinner and Debbie Young. To view the questions and answers please view at [Agenda Item 8](#) on the Council's website and the [webcast](#) of the meeting.

The meeting concluded at 8.40 pm.

Chair

CIVIC TIMETABLE FOR 2017/18 AS AT 10 MAY 2017

All meetings will be held in the Council Chamber	Community Services & Licensing	Environment	Housing	Strategy & Resources	COUNCIL	Audit & Standards	Development Control
	Thu 7pm	Thu 7pm	Tue 7pm	Thu 7pm	Thu 7pm	Tue 7pm	Tue 6pm
May 2017					18 (AGM)		
June 2017	15	29	20	13 (Tuesday)			06
July 2017				13	20	04	18
Aug 2017							
Sep 2017	07	14	26			12	5
Oct 2017				12	19		10
Nov 2017						28	21
Dec 2017	07 (Budget)	14 (Budget)	12 (Budget)				
Jan 2018				18 (Budget)	25 (Budget)		09
Feb 2018	01	08	20		22 (Council Tax)	06	13
Mar 2018	28 (Wednesday)		27				20
Apr 2018		05		12	26	10	24
May 2018					17 (AGM)		

CIVIC TIMETABLE FOR 2018/19

All meetings will be held in the Council Chamber	Community Services & Licensing	Environment	Housing	Strategy & Resources	COUNCIL	Audit & Standards	Development Control
	Thu 7pm	Thu 7pm	Tue 7pm	Thu 7pm	Thu 7pm	Tue 7pm	Tue 6pm
May 2018	31			24	17 (AGM)		
June 2018		07	12				05
July 2018				12	19	17	24
Aug 2018							
Sep 2018	06	13	11				04
Oct 2018				04	18	09	16
Nov 2018							27
Dec 2018	06 (Budget)	13 (Budget)	11 (Budget)				
Jan 2019	31			17 (Budget)	24 (Budget)	29	08
Feb 2019		07	05		21 (Council Tax)		19
Mar 2019	21	28		07			
Apr 2019			09	11	25		02
May 2019					16 (AGM)	07	

CIVIC TIMETABLE FOR 2019/20

All meetings will be held in the Council Chamber	Community Services & Licensing	Environment	Housing	Strategy & Resources	COUNCIL	Audit & Standards	Development Control
	Thu 7pm	Thu 7pm	Tue 7pm	Thu 7pm	Thu 7pm	Tue 7pm	Tue 6pm
May 2019	30			23	16 (AGM)		
June 2019		06	11				04
July 2019				11	18	16	23
Aug 2019							
Sep 2019	05	12	10				03
Oct 2019				03	17	08	15
Nov 2019							26
Dec 2019	05 (Budget)	12 (Budget)	10 (Budget)				
Jan 2020	30			16 (Budget)	23 (Budget)	28	07
Feb 2020		06	18		20 (Council Tax)		18
Mar 2020	26		31	05			
Apr 2020		02		16	23	28	07
May 2020					21 (AGM)		

Report Title	KINGSWOOD NEIGHBOURHOOD DEVELOPMENT PLAN
Purpose of Report	To decide whether the Kingswood Neighbourhood Development Plan should be made part of the Development Plan for Stroud District following the positive outcome of the referendum held on Thursday, 4 May 2017.
Decision(s)	<p>Council RESOLVES:</p> <ol style="list-style-type: none"> 1. that the Kingswood Neighbourhood Development Plan is made part of the Development Plan for Stroud District. 2. to delegate to the Strategic Head (Development Services), in agreement with the Qualifying Body, the correction of any further minor spelling, grammatical or typographical errors together with any improvements from a presentational perspective.
Consultation and Feedback	<p>A Referendum relating to the adoption of the Kingswood Neighbourhood Development Plan was held on Thursday 4 May 2017.</p> <p>The question which was asked in the Referendum was: "Do you want Stroud District Council to use the Neighbourhood Plan for Kingswood to help it decide planning applications in the neighbourhood area?"</p> <p>The result was as follows:</p> <ul style="list-style-type: none"> • Yes = 552 votes (93.4%) • No = 35 votes (5.9%) • Turnout = 52% <p>All neighbourhood development plans are required to gain a majority of 50% plus one in favour at a local referendum in order to be 'made'/ adopted by the local planning authority. If the plan received a positive result then the local planning authority has a legal duty to bring the plan into force.</p>

Financial Implications and Risk Assessment	No direct financial implications arising from this development plan. It is a legal requirement to bring the plan into force, not adopting it would lead to costs associated with legal challenge. Adele Rudkin, Accountant Tel: 01453 754109 Email: adele.rudkin@stroud.gov.uk
Legal Implications	The legal position in respect of adopting the Neighbourhood Plan is correctly summarised in paragraph 7 of this report. Alan Carr, Solicitor Tel: 01453 754357 Email: alan.carr@stroud.gov.uk
Report Author	Simon Maher, Neighbourhood Planning Officer Tel: 01453 754339 Email: simon.maher@stroud.gov.uk
Options	The Council has a legal duty to bring the plan into force following a positive result at the local referendum. The only circumstances in which the Council could not make the Neighbourhood Plan would be if it considers that the Neighbourhood Plan, including its preparation, breaches and would otherwise be incompatible with any EU obligation or any Convention rights (within the meaning of the Human Rights Act 1998)
Performance Management Follow Up	The Neighbourhood Plan, when adopted, will form part of the Development Plan for the District and will be used to determine planning applications. The implementation of the Plan will be monitored by the Parish Council. A key measure of success will be the extent to which planning permissions granted in the Parish reflect the policies in the Plan. It is hoped that by monitoring the Plan, the Parish Council will be able to ascertain where changes may need to be made when the Plan is updated.
Background Papers	Kingswood Neighbourhood Development Plan – 2014-2031

BACKGROUND

1. The Kingswood Neighbourhood Area was designated by resolution of the Council's Environment Committee on 19 June 2014.
2. The preparation of the Kingswood Neighbourhood Development Plan (KNDP) was led by Kingswood Parish Council ('the qualifying body').
3. A submission version of the KNDP was accepted by the Council on 14 April 2016, under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the regulations'). As prescribed by 'the

regulations', the Council consulted on the plan for six weeks and arranged for the plan to be examined.

4. The Council appointed Mr Timothy Jones, Barrister, FCI Arb as independent examiner of the KNDP.
5. A public hearing was held on 8 September 2016 at Kingswood Village Hall. The examination concluded on 26 January 2017 with the submission of the Examiner's Report, which recommended that the KNDP, once modified, should proceed to a referendum.
6. The Council's Environment Committee decided on 16 February 2017:
 - (i) to accept all recommended modifications of the Examiner's Report
 - (ii) that 'the plan', as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and
 - (iii) to take all appropriate actions to progress the plan to referendum on the 4 May 2017.

CONSIDERATION

7. Neighbourhood planning is not a legal requirement but a right which communities in England can choose to use. Under section 38A (4) of the Planning and Compensation Act 2004 (as amended), local planning authorities have a legal duty to make a neighbourhood development plan following a positive referendum result. This is subject to the limit exception, in sub section (6), whereby the council need not adopt the plan if it considers that it would be incompatible with any European Union obligations or Human Rights conventions. In this regard, Environment Committee on 16 February 2017 determined that such requirements had been considered and satisfied. Therefore to not make/adopt the Kingswood Neighbourhood Development Plan would be in breach of these statutory provisions.

NEXT STEPS

8. The Council must publish a statement setting out its decision and the reason for making it.
9. Once made, the Plan forms part of the statutory Development Plan for the District. The NPPF (paragraph 198) states: "Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted."
10. As soon as possible the Council should publish the plan, details of when and where it can be inspected and notify any person who has asked to be notified that it has been made and where and when it may be inspected.