

No	Action Point	Allocation	Timeframe	Update
9	<u>Introduction and Apologies</u>			<p>Apologies received from: Lee Bevens, Gareth Edwards, Ben Hornigold, Emma Nasta, Alex Patrick Nick Seaton, Tim Slater and David Wyatt.</p> <p>Present: Hannah Albans (HA), Dino Biagion (DB), James Burton (JB), Laura Church (LC) Marcel Cooper (MC), Colin Gray (CG), Mark Greenwood (MG) Matthew Hall (MH) , Peter Harley (PH) ,Will Hodgson (WH), Zara Holland (ZH), Shanna Jackson (SJ) Mark Jones (MJ), Councillor Dee Laws (DL), Matthew Leigh (ML), John Maxey (JM), Rachel Mottram (RM), Kirsty Paul (KP), David Rowen (DR), Lee Russell (LR), Greg Shaw (GS), George Stone (GST), Michael Temple (MT) Jordan Trundle(JT), , George Wilkinson (GW) and Martin Williams (MW)</p>
10	<u>Review of Action Schedule from Last Meeting held on 17 July 2024</u>			<p>JM referred to the action schedule and stated that at the meeting the issue was raised concerning viability and the possibility of passing on the costs to review to applicants. He stated that the reason that this is not the case at the current time is that in Paragraph 76 of the 2014 Inspectors Report as a result of an objection that that he had submitted to the plan, the Inspector decided that it was unsound to pass on the costs to applicants and therefore the requirement to do so was removed as a modification to the plan. ML agreed to added that it is best practice and is something that is adopted by most local authorities. He explained that he thinks that the actual issue is that it cannot</p>

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				<p>be stipulated within the plan rather than it not being a correct process to do. JM stated that the Inspector said that it was a material consideration whatever costs were expended on reviewing it and it was for the council to decide what they wanted to do and to ignore a viability assessment that was a material consideration was not a sound thing to do just because the applicant was choosing not to pay for it. ML stated that it is not ignoring it but it is just the value that it is given during the considerations and weight in the decision making process. He added that is why it cannot be a requirement of the plan and if the applicant is not willing to accept the reasonable costs of having the validity of the viability assessment reviewed by an independent third party, then the weight given to the validity statement will be less. ML explained that is the stance that the council will be taking going forwards.</p>
11	<u>Local Plan Update</u>			<p>KP presented the Local Plan Update. She explained that at the previous meeting she had advised that a review of the work carried out to date would be undertaken which included looking at consultations, technical evidence and minutes from various meetings. KP state that the review had now taken place, and a fresh work plan has been identified to move forwards, however there is still the need for conversations with officer and members to agree the revised plan. KP added there will be the need to review and update some of the core technical documentation as they are becoming increasingly outdated especially when considering the base data and the need to consider the changes to the NPPF which will mean having to take a slightly different approach</p>

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				<p>with some of the technical evidence. KP explained that the evidence being prepared will need to encompass conversations which will need to take place with key stakeholders and with other information sources and she stressed that she is keen to engage with agents and developers in terms of being to understand a market perspective and possibly discussions with regards to methodologies and work that needs to be undertaken. KP stated that the aim is still to submit under the current system, assuming that the proposed change to the submission deadline goes forward. She added that the planning reforms consultation had suggested that it be pushed back to December 2026 and if that is the case then Fenland will be going under the current system. She highlighted some of the key stages that have already been undertaken and on the flow diagram she pointed out an additional consultation under Reg 18 which will be very dependent on what comes out of any new technical evidence which has to be produced or updated and the nature of that consultation is still to be defined as it depends on what changes or approach that needs to be taken differently within the regulation 19 document itself.</p>
12	<u>Performance</u>			<p>David Rowen gave an overview of the performance figures for the last quarter and explained that:</p> <p>Validation: 28 day backlog. Each week we give a validation backlog update on our web site:</p> <p>https://www.fenland.gov.uk/article/15139/Planning-process</p>

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				<p>Planning Applications (since April 2024)</p> <p>Major 92% Minor 88% Other 85%</p> <p>Against the Governments 24 Month Rolling Performance Requirement</p> <p>Majors 85% (designation threshold 60%) No Major 76% (designation threshold 70%)</p>
13	<u>New Local Validation requirements</u>			<p>ML explained that we are currently consulting on a revised local validation list and that ends at 5pm on 14 October 2024.</p> <p>As of the 1 November 2024 it is the intention to introduce revised requirements.</p> <p>Main Points:</p> <ul style="list-style-type: none"> • One consolidated list • A greater level of advice on the detail and scope of the information required. • Reviewed to be more consistent with adjoining authorities. <p>JM expressed the view, that having only one document is a positive step and a greater level of advice on the detail, rather than leaving it open to interpretation with regards to what is required and when, which appears to have been a stumbling block previously with regards to the number of invalid applications.</p> <p>ML explained that validation appears to have</p>

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				<p>been a consistent issue raised at previous Developer Forums and therefore will a little more help and guidance then we can work together to expedite the process.</p>
14	<u>NPPF Consultation</u>			<p>ML referred to the new NPPF and explained that that the consultation closed on the 24 September 2024 and the Council has provided a consultation response and he highlighted some of the main points for Fenland:</p> <ul style="list-style-type: none"> ➤ New Standard methodology for calculating housing need ➤ Five-year housing land supply (5YHLS), even when the adopted plan is less than 5 years old. ➤ Enhanced emphasis on Brownfield Development. ➤ Encouragement of Economic Growth. ➤ Renewable energy. ➤ Green Belt changes may impact on adjoining authorities.
15	<u>S106 Update</u>			<p>Zara Holland, the Section 106 Monitoring Officer introduced herself to the Forum and explained that she has dealt with CIL and Section 106 in an adjoining authority for the past 10 years along with 10 years working within Development Management.</p> <p>ZH explained that the Section 106 monitoring fee has been reintroduced into the 106 agreements which are currently in draft or being signed. She added that the County Council will still request their own fee. ZH explained that some proactive engagement work has taken place with local stakeholders, infrastructure providers, Town and</p>

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				<p>Parish Councils as a way of ascertaining what their requirements are with regards to Section 106 and what we can provide. ZH advised that she is also working with KP to review and update the current Fenland Infrastructure Delivery Pack.</p> <p>JM asked whether the Section 106 Template has been updated since the introduction of the monitoring fee and he added that he has been requesting a unilateral template for some time. JM made the point that the legal team take such a long time to complete agreements, and it is probably preferable for unilateral rather than 106. He expressed the view that it would be welcomed to have a unilateral template to expedite the process alongside an updated S106 template.</p> <p>ML stated that he was not aware of a request for a unilateral template and it is something that he will consider.</p> <p>DL asked when the consultation went out to the Town and Parish Councils. ZH stated that it was sent to all the clerks.</p>
16	<u>Development Management Transformation</u>			<p>ML highlighted the changes which are being introduced going forwards.</p> <p>He explained that there has been a change with regards to the Scheme of Delegation which was agreed at Full Council on Monday.</p> <ul style="list-style-type: none"> • The trigger regarding 6 letters is now for individual properties rather than individuals. • The six letters need to be received during the consultation period for the application.

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				<ul style="list-style-type: none"> Any householder applications recommended for refusal will no longer be reviewed by the Charman of the Planning Committee. <p>ML explained that as a result of the changes it is hoped that the planning process will be far quicker and reduce some of the workload and pressure on officers in order for time to be spent on live applications. It is hoped that as a result of these changes the speed in providing decisions on planning applications will be improved and will reduce the number of extensions of time requests and the ability to facilitate the planning committee to prioritise appropriate applications. He added that it is also hoped that there will not be the requirement to have as many additional planning committees as there will be quicker decisions made through the planning process. ML added that the changes will effect the back office processes to try to ensure that the 8 week target is met.</p> <p>ML explained that the pre application offer and associated fees are currently being reviewed as the fees charged are very low and as a result a benchmarking exercise is being undertaken using officers experience to try and look at a more accurate cost to the authority. He added that work is being undertaken with regards to reviewing what we offer to make it more varied and to consider what neighbouring authorities also provide. ML explained that it hoped that agents and developers will have a more consistent approach and with regards to viability there will be no reference to the piece of viability work which was undertaken in December 2019 due to the</p>

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				<p>length of time that has passed and the way that planning has evolved in the last 5 years, including the price of houses, the rise in building costs.</p> <p>SJ stated asked when the changes to the scheme of delegation come into force.ML explained that a pragmatic approach has been adopted and therefore it has been agreed that any applications which have already gone out to consultation will be considered under the existing process.</p> <p>JM asked whether any consideration is being given to dealing with late responses from consultees who are stalling applications, and he questioned whether when considering viability currently is another piece of work being undertaken to replace the HJH report. ML explained that with regards to the statutory consultees it is hoped that by expediting the process by not having to take schemes to committee and freeing up officer time, it is hoped that they will be able to chase up consultation responses when they are out of time, however many responses are out of officer's control. ML added that with regards to the points made concerning viability reports as matters change constantly, it will still be a requirement of viability reports needing to be provided to evidence where the issues are on each scheme and on a case by case basis.JM made the point that the starting point when undertaking viability assessments is that consideration has been given to the 20% and 2000 and now it appears that there has been a backtrack to 2014 and 25% and whatever Cambridgeshire education etc want to ask. ML stated that he is sure that there will be issues and constraints and the under provision of NHS</p>

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				<p>contributions, education etc is causing problems at the current time to deliver housing and that is being looked into in order to gain an understanding.</p> <p>JM stated that where an applicant has commissioned a properly prepared viability assessment in a recognised form it is a material consideration. He added that a fee will be charged to review it and they are not obliged to say yes and if they do not say yes there will no review undertaken and consideration will then be given as to what weight can be applied to the viability assessment. He asked ML whether that is a correct summary and a correct understanding. ML stated that agents and developers are not paying the council to review it, they are paying for an independent party to validate the form. JM made the point that would be ok if the person reviewing the form acted objectively and independently. ML explained that discussions are taking place with regards to a procurement exercise with regards to the delivery of this as it is likely that agents and developers will have to be offered a number of options rather than just one, however the back office process is till to be decided.</p>
17	<u>Any other Business</u>			<p>JM stated that many of the developments around Wisbech are highly dependent on a certain amount of highway works being undertaken which was due to be funded by the CPCA. He added that he chased it up six months ago, it would now appear that the funding is no longer coming forward and whilst he appreciates that any lobbying can only take place by members, and he asked whether any officers have highlighted the need for that investment which was there and for</p>

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				<p>further steps to be made to get the funding back again. He added that the whole purpose for the Mayors fund was to give infrastructure support for the less privileged areas of the county which is very much Fenland.ML stated that officers are working on the constraints and trying to find out where we are and what can be done to overcome them. He added that there are a number of infrastructure constraints across the district and meetings are taking place with third parties to discuss various issues.</p> <p>KP stated that the Policy Team have been actively engaging with the CPCA with regards to their infrastructure planning evidence and colleagues in Transport have also been included. She explained that everything is being done behind the scenes to make sure that the infrastructure needs of Fenland are fully taken into account when the CPCA are looking at strategies and potential forward investment plans.</p> <p>DL stated that Mayor at the CPCA does appear to focus more on the City of Cambridgeshire, however that does not stop of any of the Councillors who hold positions on the CPCA Board from making their point and Councillor Boden, the Leader of Fenland is applying pressure and pursuing the issue along with Councillor Seaton.</p> <p>SJ asked whether the Planning Policy Team will be publishing a revised timetable so that landowners can be appraised. KP explained that the intention is to action the LDF and it will be published before Christmas.</p>