



Lewes District Council

Cabinet

Minutes of a Meeting of the **Cabinet** held in the **Ditchling Room, Southover House, Southover Road, Lewes** on **Thursday, 28 April 2016** at 2.30pm

Present:

Councillor A Smith (Chair)

Councillors P Franklin, B Giles, T Jones, R Maskell, E Merry and T Nicholson

In Attendance:

Councillor P Gardiner (Chair of the Scrutiny Committee)

Ms D Twitchen (Tenants' Representative)

Apologies received:

Councillor M Chartier (Chair of the Audit and Standards Committee)

Councillor S Osborne (Leader of the Liberal Democrat Group)

Ms D Tideswell (Tenants' Representative)

Minutes

76 Minutes

The Minutes of the meeting held on 21 March 2016 were approved as a correct record and signed by the Chair.

77 Reporting Back on Meetings of Outside Bodies

Councillor Nicholson reported that he had attended several meetings of outside bodies to which he had been appointed by the Council in respect of

Action

which he would provide a report at either the forthcoming Annual Meeting of the Council or at a future meeting of Cabinet.

Councillor Jones reported that he had attended a meeting of the Coastal West Sussex and Greater Brighton Strategic Planning Board to which he had been appointed by the Council. In light of its most recent meeting in April 2016, there might be a follow-up Report for Cabinet to consider relating to future strategic planning arrangements.

Resolved:

77.1 That the oral reports by Councillors Nicholson and Jones relating to meetings of outside bodies that they had attended as the Council's representatives, be received and noted.

78 Newhaven Enterprise Zone

The Cabinet considered Report No 60/15 which provided an update on the creation of an Enterprise Zone (EZ) in Newhaven and invited Cabinet to consider the resource implications ahead of implementation from April 2017.

Newhaven faced a number of challenges and opportunities which included pockets of high unemployment, low skills and poverty of aspiration; a substantial net outflow of commuters due to paucity of employment opportunities; a weak economic base associated with the decline in traditional port and related manufacturing industries; and poor quality commercial property that was unsuitable for modern business needs within emerging higher value sectors.

At the same time, Newhaven had an opportunity for growth, with money being committed through the Greater Brighton City Deal and Local Growth Funding to improve flood defences and for the building of a new Port Access Road, as well as the identified opportunity to establish Newhaven as a 'Clean Tech' Growth Hub linked to the development of the University Technical College, E.ON's Rampion Offshore Wind Farm and Newhaven Growth Quarter.

The designation of key sites in Newhaven as an EZ was the next step in ongoing regeneration activities in the town and was a major proposal of regional significance. It was forecast to create around 55,000m² of new commercial floorspace, refurbish a further 15,000m² of commercial floorspace and create/sustain around 2,000 jobs over the Zone's 25-year lifespan.

EZ's were a central pillar of the Government's long-term plan to rebalance the economy for which it was investing £330 million to realise their potential. Currently 44 EZ's had been announced across England, including Newhaven. The previously established EZ's had successfully attracted world class companies and their suppliers, and had stimulated local business formation, clustering and growth. EZ status brought with it several benefits, further details of which were set out in paragraph 7.3 of the Report.

The Coast to Capital Local Enterprise Partnership (LEP) had submitted the successful EZ bid for Newhaven which covered a total of 79 hectares across

eight non-contiguous sites, further details of which were set out in paragraph 8.2 of the Report. The rationale for the inclusion of those sites was varied but included the desire to safeguard employment space from inappropriate residential development, enhancing existing commercial floorspace through making re-investment more attractive for owners and occupiers, and to support the delivery of dormant sites that had been restricted due to lack of viability.

The LEP was unique amongst such Partnerships in that it spanned the United Kingdom's two strongest economic regions namely, Greater London and the South East.

The Council had a strong working relationship with the LEP which had previously included the plans for an EZ in Newhaven within its Strategic Economic Plan that had been published in March 2014. The LEP had supported the Council in preparing the successful submission, in which it had acted as a liaison with Government to ensure that the Newhaven bid met the key criteria for designation.

Responsibility for the delivery of EZ Newhaven was with the LEP which had agreed that 100% of the uplift in business rates as a result of the EZ designation would be re-invested in the local area to support its delivery, including site-specific issues and wider infrastructure constraints.

Article 4 Directions were used to remove certain permitted development rights in specific areas, and therefore required planning applications to be submitted and determined for proposals that would otherwise not need planning permission. Such Directions could have a role within the sites in the EZ with regard to the ability for offices, and potentially light industrial buildings, becoming residential properties without the need for planning permission.

There was considered to be merit in investigating whether the Council should introduce Article 4 Directions across parts of the EZ to remove permitted development rights and ensure that the sites remained a focus for employment and enterprise.

In some existing EZ's, local planning authorities had offered a higher level of service standards in respect of processing and determining planning applications within the Zone. In some cases, that had meant guaranteed timeframes for determination, a dedicated EZ Planning team and Committee and/or the waiving of pre-application fees for proposals that delivered on the aims of the Zone.

Following initial discussions with affected landowners, and by looking at the past performance for determining the types of applications that would be expected in the Zone, it was not considered necessary to have any separate standards and arrangements for processing and determining planning applications within the EZ. The waiving of pre-application fees for schemes within the EZ was likely to be more beneficial, further details of which were set out in paragraph 9.15 of the Report.

The Government expected all EZ's to have clear and accountable governance and delivery mechanisms in place prior to their commencement which included a requirement to provide regular reports back to Government on progress. Details relating to some specific obligations were set out in paragraph 10.1 of

the Report.

The Report therefore proposed that new governance arrangements be put in place which reflected the Government's guidelines whilst ensuring that local partners were engaged to ensure timely delivery. A form of governance was not yet in place but would be developed over the coming months. It was one of a number of critical issues upon which the partners needed to take a view in order to be clear about delivery.

The Coast to Capital LEP was ultimately answerable to the Government for the implementation of the EZ and, therefore, needed to have a governance structure that offered the necessary assurance. Any governance arrangements would need to be agreed by the Coast to Capital Board through a Memorandum of Understanding, a draft of which had been prepared by the Government and was appended to the Report.

Resolved:

- 78.1** That the successful application – in partnership with Coast to Capital Local Enterprise Partnership (LEP) - to create an Enterprise Zone on eight key sites across Newhaven to facilitate inward investment, offer value for money and sustain local economic growth, in line with the Government's key assessment criteria for new Enterprise Zones, as detailed in Report No 60/15, be noted;
- 78.2** That it be noted that the Enterprise Zone will officially commence in April 2017 and that there is a significant level of preparatory work required as it is a proposal of regional significance;
- 78.3** That the Director of Business Strategy & Development be authorised to investigate the use of Article 4 Directions to assist in safeguarding Enterprise Zone sites for employment uses; DBSD
- 78.4** That the Director of Service Delivery be authorised to waive fees for pre-application advice for sites within the Newhaven Enterprise Zone; DSD
- 78.5** That the Director of Business Strategy & Development be authorised to agree a governance structure with Coast to Capital LEP and Government, and to engage with key supporting partners and landowners through a multi-agency Implementation Team to ensure a holistic approach to the Enterprise Zone; DBSD
- 78.6** That an initial project budget of £150,000 be allocated to forward fund the range of support and materials required to successfully establish an Enterprise Zone in Newhaven from the existing Business Rates pooling scheme; and DBSD
- 78.7** That it be noted that Coast to Capital LEP will be required to sign a Memorandum of Understanding with the Secretary of State for Communities and Local Government.

Reasons for the Decisions:

Enterprise Zones are economic development promotional incentives based on financial incentives to business occupiers and local authorities.

Enterprise Zone status lasts for 25 years from commencement date (April 2017).

Whilst it is a considerable achievement to have gained Enterprise Zone status for these eight sites across Newhaven, there is a considerable amount of resource required to deliver success as quickly as possible following the start of the Enterprise Zone in April 2017. This is a 25 year project and we are at the early stages of planning for implementation.

Enterprise Zones across the United Kingdom have typically made use of their status through a simplification of planning legislation, making the process more attractive to developers and landowners through a variety of measures including Local Development Orders, Article 4 Directions and reduced fees.

Governance of the Enterprise Zone is responsibility of the Coast to Capital LEP, but the Council will need to work with all partners and stakeholders to ensure a governance structure that builds on existing positive working relationships in the town.

The Memorandum of Understanding is a key agreement between Coast to Capital LEP and the Government, which sets out key operational agreements and lines of accountability to give Government confidence on the ability of the Newhaven Enterprise Zone to deliver.

79 Adoption of the Lewes District Local Plan Part 1: Joint Core Strategy

The Cabinet considered Report No 61/16 which related to the proposed adoption and publication of the final version of the Lewes District Local Plan Part 1: Joint Core Strategy as part of the statutory Development Plan for Lewes district.

The Council had been working in partnership with the South Downs National Park Authority to produce the Joint Core Strategy since 2011 and on the early stages of the plan for several years prior to that. The final stage of the project had been reached that would result in an up-to-date strategic development plan for Lewes District.

The Council had received the Final Report of the Planning Inspector appointed by the Secretary of State for Communities and Local Government to examine the soundness of the Strategy which confirmed that, subject to all of the Inspector's recommended main modifications, the Strategy was a legally compliant and sound plan for the District.

The required main modifications were appended to the Inspector's Report and were necessary in their entirety for the plan to be considered sound and capable of adoption. The modifications were anticipated since they were very closely based on the Proposed Modifications that the Council had agreed to

publish in July 2015. Such publication had been followed by a period of public consultation and subsequently the submission of the Proposed Modifications to the examination of the Strategy, further details of which were set out in paragraph 1.5 of Report No 61/16.

The Inspector's Report confirmed that a five year supply of land for housing in the District had been demonstrated. Adoption of the Strategy would put the Council in the strongest possible position to resist inappropriate proposals for housing development and reinforce the local plan-led approach to planning. The modified district-wide housing target of 6,900 net additional dwellings between 2010 and 2030 (345 per annum) had been confirmed, however, that figure fell short of the identified level of housing need in the District.

Once adopted by the Council, the Strategy would form a key part of the development plan for the District and would be used by the Council to determine planning applications in those parts of the District outside the South Downs National Park boundary. The adoption of the strategic plan would provide the certainty needed to facilitate the delivery of strategic site allocations and would inform the strategic planning framework with which emerging neighbourhood plans needed to be consistent.

It was reported at the meeting that the Council had the option of either adopting the Strategy as set out in the Report, or rejecting it as, following extensive consultations thereon, there was no further opportunity for it to be modified.

The Officers were thanked for the work that they had undertaken in the preparation of the Strategy.

Recommended:

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| 79.1 | That the Lewes District Local Plan Part 1: Joint Core Strategy, incorporating the Inspector's main modifications, be adopted as part of the Development Plan for Lewes district, in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 and Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as detailed in Report No 61/16; | DBSD
(to
note) |
| 79.2 | That the Strategy be published together with the relevant adoption statements, Policies Maps, and the Sustainability Appraisal (incorporating Strategic Environmental Assessment) Report in accordance with Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012; | DBSD
(to
note) |
| 79.3 | That the Director of Business Strategy and Development be authorised to agree any further minor editorial corrections and clarifications identified prior to publication of the adopted Strategy; and | DBSD
(to
note) |
| 79.4 | That it be noted that in adopting the Strategy, those 'saved' policies of the Lewes District Local Plan 2003, that are listed in Appendix 2 of The Lewes District Local Plan Part 1: Joint Core Strategy as being replaced, will be rescinded with immediate effect. Those 'saved' policies that are listed on Appendix 2 to retain shall be retained and reviewed as appropriate through the emerging Lewes District Local | DBSD
(to
note) |

Plan Part 2: Site Allocations and Development Management Policies.

Reason for the Decisions:

To adopt the Joint Core Strategy as part of the new Local Plan for the district (the South Downs National Park Authority will also adopt the Joint Core Strategy). This will result in up-to-date local planning policies being in place as part of the statutory development plan, against which planning applications will be determined.

80 Special Meeting of the Cabinet – 25 May 2016

Resolved:

- 80.1** That it be noted that a Special Meeting of the Cabinet will be held in the Ditchling Room, Southover House, Southover Road, Lewes, on Wednesday, 25 May 2016 commencing at 1.00pm at which consideration will be given to a Report relating to the Joint Transformation Programme.

All (to note)

Reason for the Decision:

To note details relating to the forthcoming Special Meeting of the Cabinet.

The meeting ended at 3.36pm.

A Smith
Chair