
Meeting	Local Plan Working Group
Date	7 March 2022
Present	Councillors Ayre (Chair), K Taylor (Vice-Chair), Carr, Cuthbertson, D'Agorne, Fisher, Hollyer, Orrell, Pearson, Perrett, Widdowson, Lomas, Smalley, Looker (substitute for Cllr Myers) and Rowley (substitute for Cllr Doughty)
Apologies	Councillors Barnes, Doughty, Myers and Warters

5. Declarations of Interest

Members were invited to declare, at this point in the meeting, any personal interests not included on the Register of Interests or any prejudicial or discloseable pecuniary interests which they might have in respect of the business on the agenda.

Cllr Looker declared a personal non-prejudicial interest in Agenda Item 4, York Minster Precinct Neighbourhood Plan. As a Guildhall Ward Councillor she had taken part in discussions regarding the York Minster Precinct Neighbourhood Plan. She also noted that she did not reside within the relevant neighbourhood.

Cllr Cuthbertson declared a personal non-prejudicial interest in Agenda Item 4, York Minster Precinct Neighbourhood Plan in that he and his wife were members of the Minster community.

Cllr D'Agorne declared a personal non-prejudicial interest in Agenda Item 5, Adoption of Minerals and Waste Joint Plan, in that he took part in a number of protests against fracking in Kirby Misperton in 2017/18. He also noted that this operation had now ceased.

Cllr Fisher declared a personal non-prejudicial interest in Agenda Item 5, Adoption of Minerals and Waste Joint Plan, in that that he was the Chairman of Frack Free York and Villages and he also took part in the protests at Kirby Misperton against

fracking. He also noted that this operation was defunct and Frack Free York and Villages had gone into hibernation.

6. Minutes

Resolved: That the minutes of the meeting held on 13 July 2021 be approved and signed as a correct record by the Chair.

7. Public Participation

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Mr Beacon spoke on matters within the remit of the committee, particularly the Local Plan, the housing delivery plan and the National Planning Policy Framework (NPPF). He made reference to the expanding housing rents in York and felt that the council had a duty to identify which developers owned land within York to enable better negotiations. He addressed the climate emergency and noted that the carbon footprint of residents of Strensall was five times the average footprint of city centre residents.

The Chair thanked Mr Beacon for his comments and noted that information on landowners was publicly available.

8. York Minster Precinct Neighbourhood Plan – Examiner's Report and Decision Statement

Members considered a report that presented the Examiner's recommended modifications to the York Minster Precinct Neighbourhood Plan. The Examiner's report was attached at Annex A of the report, and the Decision Statement, which included the council's proposed response to the Examiner's recommended modifications was attached at Annex B of the report.

During discussion of the item, the Corporate Director of Place and the Development Officer informed Members that:

- The Examiner agreed that the Neighbourhood Plan provided a clear, concise and strategic vision for one of York's cultural assets.

- The Neighbourhood Plan was based on extensive public consultation and the vision and objectives enhanced York Minster's status as a heritage and cultural asset.
- The referendum area recommended by the Inspector was moderately larger than the area of the neighbourhood area itself. This was a reflection of the consultation area and the impact the proposal would have on neighbouring residents.
- Due to an anomaly, a block of flats in one of the postcodes due to be included in the referendum area had been removed from the referendum area as it was located in Layerthorpe and not in close proximity to the neighbourhood area.
- Officers agreed with the proposed modifications and referendum area put forward by the Independent Examiner.

The Committee thanked officers for their work and a Neighbourhood Plan for the city centre was welcomed. It was noted that York Minster offered apprenticeship schemes in stonemasonry, which was to be commended.

All those that had been involved in developing the Neighbourhood Plan were thanked and it was acknowledged that some communities, particularly those that did not have the infrastructure or resources to develop a Neighbourhood Plan, might require additional support.

Resolved:

- (i) That the report be recommended to Executive.

Reason: In order that Executive can consider the observations and recommendations of the LPWG in their decision making.

- (ii) That Executive be recommended to:

- Agree the Examiner's modifications set out at Annex B of the report (Decision Statement) to the York Minster Precinct Neighbourhood Plan and that subject to those modifications the Neighbourhood Plan meets the Basic Conditions and other legislative requirements.

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

- Agree that the York Minster Precinct Neighbourhood Plan as amended proceeds to a local referendum based on the neighbourhood area and residential properties within the immediate vicinity of the neighbourhood area, to include the postcodes outlined in Appendix A of the Examiners Report (in Annex A of the report).

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

- Approve the Decision Statement attached at Annex B of the report to be published on the City of York Council's website.

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

9. Adoption of Minerals and Waste Joint Plan

Members considered a report that highlighted the outcome of the Examination in Public by the Government's Appointed Inspector into the Minerals & Waste Joint Plan (2015-2030) and accompanying Policies Map; and provided a recommendation that the Authority makes the necessary procedural arrangements to complete the adoption process.

The Corporate Director of Place noted the fracking limitations within the Joint Plan and he also stated that the government's moratorium continued. It was confirmed, by the Strategic Planning Policy Officer, that:

- The Joint Plan was produced by the City of York Council, North Yorkshire County Council and the North York Moors National Park Authority. It had been adopted by North Yorkshire County Council on 16 February 2022 and would be reported to members of the North York Moors National Park Authority in March 2022.
- The Inspector examined the submitted Plan in relation to the tests of 'soundness', as set out in the National Planning Policy Framework (NPPF). The Inspector's Report noted that the Joint Plan satisfied all requirements and was considered 'sound', subject to the Main Modifications recommended by her.

- Following the adoption of the Joint Plan, there would be a six week period for a High Court challenge which would be on the grounds that the document was not within the appropriate power of the local planning authority and/or a procedural requirement had not been complied with.

During discussion of the item, it was noted that the fracking limitations referred to in the Joint Plan were welcomed and should the government lift the moratorium, the policy would still present stronger challenge and safeguards than the national policy in the NPPF.

Members thanked officers for the report and for the work required to develop the Joint Plan.

Resolved:

- (i) That the report be recommended to Executive.

Reason: In order that Executive can consider the observations and recommendations of the LPWG in their decision making.

- (ii) That Executive be recommended to:

- Note the Inspectors Report and recommended changes and accept the Main Modifications.

Reason: To allow the Plan to progress to adoption.

- Recommend to Full Council to adopt the Minerals & Waste Joint Plan incorporating the Inspectors Modifications, circulated with the report.

Reason: To allow the Plan to progress to adoption.

- Recommend to Full Council to adopt the accompanying Policies Map.

Reason: To allow the Plan to progress to adoption.

- Authorise the Corporate Director of Place to make any further minor typographical or presentational amendments or updates before final publication of any documents referred to in this item, and to take any necessary steps to conclude the adoption process.

Reason: To allow the Plan to progress to adoption.

- Authorise the publication of an Adoption Statement and Sustainability Appraisal in accordance with Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Reason: To ensure the adoption of the Plan is in accordance with the required legislation.

Cllr N Ayre, Chair

[The meeting started at 5.30pm and finished at 5.55pm].