

**KENN PARISH COUNCIL**

**Page 122**

**MINUTES** of the SPECIAL meeting of Kenn Parish Council, Monday, 12 October 2015 held in the New Church Room, Kenn Street, Kenn. Meeting commenced at 19:30 and concluded at 20:45

**PRESENT:** Cllr S Naish (Chairman) in the Chair, Cllrs S Brain, W Bessant, J-P Humberstone, C Quinn, H Staples Clerk Eleanor Wade

**19:30 Informal Formal Business**

In attendance were: resident R Mackay, planning consultants M Crosby, F Malton.

- Mr Mackay advised that the village Christmas Tree Lighting event would take place on the 18 December 15. He enquired if the usual arrangements for obtaining the tree and putting it up were in hand. Agreed to contact Cllr Treble for ordering the tree and Mr Ball to help put it up.

The Chairman invited Mr Crosby and Mr Malton to make any comments on agenda item 4, based on their knowledge of planning matters.

Mr Malton advised that he had provided information on Section 106's to the Village Meeting and would reiterate his observations made at that time.

Mr Crosby stated with S106's various aspects determine the final outcome, some of these being;

- planning legislation maintains the essential principle, that developments should pay for the social and physical infrastructure needs that arise from the development,
- ensures that a proposed development contributes to the creation of sustainable communities,
- there are restrictions on what the money raised from this can be spent on, ie in general will be required to contribute towards education, highways, public realm and/or public open space improvements, and planning policy takes precedence,
- consideration as to the community most affected by the proposals, ie Kenn or Clevedon.

Likewise there are various restrictive aspects; decisions cannot be made retrospectively therefore parish councils should engage and make their requests early in the process, also expenditure should not be committed to a project before a decision is reached, no funding will be committed towards ongoing running costs of any project.

Mr Mackay enquired whether a Neighbourhood Plan was in place for Kenn and if not would this be an advantage should the envisaged circumstances come about.

Reply; Kenn did not have a Neighbourhood Plan, but this situation it was not necessarily a disadvantage as it had been known for a long time the land was already set aside for business use.

Mr Crosby spoke about Neighbourhood Plans in general; they should be constructive not obstructive (ie not setting out to resist every type of development), also not too restrictive (ie only identifying sites that would be acceptable to the parish).

With the St Modwen site, which had been originally designated for business use, it may be re-designated for either mixed business and housing or just housing. If it was mixed use the business area could be near the motorway as a noise buffer. If just housing use then some form of noise absorption (banking and/or planting) may need to be provided.

The Chairman enquired whether a community building and play area facility would be an acceptable request under S 106. He felt it was, in particular if the developer was to build it as it would be more cost effective to them.

Members thanked everyone for the information and assistance they had provided.

**20:25 Formal Business**

**15/145 Apologies for Absence** received from Cllr R Treble

**15/146 Declarations of Interest** None

**15/147 Village Meeting**

The minutes of the Village Meeting held on the 5 October 2015 were reviewed, they had been provided in advance of this meeting.

**15/148 St Modwen Site**

**S106 Recommendation in the Event of Use Re-Designation**

Members felt they had gathered enough information from both knowledgeable and interested parties to make the following recommendations:

- Kenn Parish Council have been made aware that pre-application discussions are taking place with the developers of this site, which is within the Kenn parish boundary, to possibly change the use from business to housing, or a mix of both of these.
- Kenn Parish Council would like to advise that should these pre-application discussions proceed to a planning application they would like to register a S106 (and/or CIL) request and that this is therefore highlighted early in the process.
- A village meeting was arranged by the Parish Council to discuss this, to which all residents of Kenn and an observer for Clevedon Town Council were invited to attend. This was then followed by this meeting of Kenn Parish Council to ratify their decision (taking into account the consensus from the village meeting) as follows:

**Resolved:** Kenn Parish Council's S106 request is, that if the housing (or mixed housing/business) proposal should be approved on the St Modwen site (area included in application 13/P/1729/O), then what would be needed would be some form of facility, such as a community centre and playground, which would enhance the social needs/life of the new residents and alleviate some of the pressure on other nearby areas.

The background for the request is that the area of land in question is physically separated from existing village/town facilities by: (1) the M5 motorway and (2) more than 4 farm fields and a river (River Kenn) in a southerly direction (towards Kenn) (3) a field/large area of grass and a river (Blind Yeo) in the northerly direction (towards Clevedon).

Therefore a community centre and playground would be needed to enable families who purchased the new homes to have a facility at close proximity.

**Community Facility Administration Arrangements**

The Clerk advised that if this S106 provision was approved NSC and the developers they would need to know who was going to manage the community facility and oversee its rental and ongoing costs.

**Resolved:** Kenn Parish Council would be willing to take over the ongoing cost and responsibility for the facilities once these have been built/provided.

**Communications with Adjacent Town Council**

**Resolved:** To contact Clevedon Town Council with a view to keeping communications on this matter current and updated.

**15/149 Survey – Built Sport & Leisure Facilities in North Somerset**

NSC are responsible for monitoring, negotiation and planning for Sport and Leisure built facilities and playing pitches across the district, also working out S106 requirements on a site by site basis to ensure contributions are made by developers to mitigate and increase capacity in local built facilities and pitches. With the introduction of Community Infrastructure Levy (CIL), this justification and evidence will become increasingly important as S106 contributions will need to be directly related to the new development and mitigate the impact on local facilities.

To justify S106 contributions, they were working in partnership with Parish and Town Councils across the area to update their list of current facilities and pitches, then to look at local use and capacity and prioritise projects for funding.

**Resolved:** To reply that the only facility Kenn has, as defined within the survey, is the Village Hall but to make it clear that this is privately owned and run by a committee.

**15/150 Planning Applications** – agreed to defer the decisions on these to a Planning Committee meeting, following site inspections.

**15/151 Consultation – NSC Corporate Plan**

The plan will cover the period of 2015-20 and will set out: a vision for North Somerset, ambitions for the area and the local authority as an organisation, a programme of projects and initiatives to deliver the ambitions; and key performance indicators and milestones to measure progress.

**Resolved:** No comments.

**15/152 Next Council Meeting** **Resolved:** 10 November, later amended to 17 November 15

APPROVED AS A TRUE RECORD

Signed by the Chairman .....

Date.....