



Save Duffield Green Belt - Newsletter 15

Update following the Amber Valley full council meeting on the 3rd March 2021

Hi,

Thank you for the messages of support following the last Newsletter – it is great to hear that a large number of people remain very concerned about the future of the green belt.

At the most recent Amber Valley Borough Council meeting (3rd March 2021), there were two significant topics of discussion. The first relates to the Council's finances and the latter relates to progress on the new Local Plan and, in particular, the question of green belt land.

As we have stated on many occasions previously and as written into our constitution, we are not a political organisation. We were set an objective by the people of Duffield to protect the greenbelt from unnecessary housing development. We have therefore tried to report the events and outcome of this meeting in a way which is neutral and allowing the differing political groups to put their interpretations forward.

The full council meeting took place via Zoom and was recorded. The full recording can be accessed via YouTube at: <https://youtu.be/hyXjpVNy4tc>

The discussion of the local plan starts at 59 minutes and 26 seconds into the video. I would encourage you to watch this if you have the time.

My brief and basic summary of the events are as follows:

- At the Full Council meeting, councillors were asked to vote on a motion to note the progress made so far in the preparation of the new Local Plan.
- On the evening (i.e. without prior consultation with Council Officers to check its viability), the leader of the Conservative Group submitted an amendment. This stated;
“All Green Belt sites put forward as part of the council's call for sites to be excluded to safeguard them from housing development.”
- Ifty Ali, Assistant Director (Legal and Democratic Services) & Monitoring Officer advised that, “... just removing all Green Belt sites without due consideration of them at this stage would jeopardise the overall Plan. So, my legal advice to you would be to not do that as part of this process tonight...”
- The legal advice councillors were given is based on the fact that all 135 sites, including any Green Belt sites, submitted under the “call for sites” are required by legislation to undergo a Sustainability Appraisal, a Strategic Environmental Assessment and Habitats Regulations Assessment. The report to council stated this to be the proper process.

- Despite this legal advice, the Conservative group did not withdraw the amendment, and so a vote was taken. The amendment was defeated.
- The original motion to note progress on developing the new local plan was passed. As a result, all 135 sites, including any in the greenbelt, will now be appraised and assessed as part of the process of developing a new local plan.

The events of the evening could be interpreted in a number of different ways. I have set out below the different views of each Political Party in response to the outcome of the meeting. These statements are listed in alphabetical order by Party (Conservative, Green and Labour).

Conservative: Cllr Kevin Buttery

Housing Delivery Requirements

AVBC was obliged to take 2,375 houses on behalf of Derby City. This was agreed by Cllr Emma Williams. At that time, Labour was in control at both the City and Amber Valley.

The previous Local Plan figure was a requirement to provide 9,700 homes.

Following the recent changes, that figure has decreased to 7,125, as Derby City is now legally responsible for its own housing needs.

Amber Valley has always had sufficient sites to deliver a Local Plan for its own housing needs, it was the burden of supplying houses for Derby City that caused the problem.

The latest figure of 7,125 houses gives a 5 year Housing Supply figure of 5.1 years. Please note, the Planning Inspector declared AVBC had insufficient Sites during the last examination, when it had a figure of 5.3.

Call for Sites – Location of sites

This was made a year ago, with the amended timetable stating the evaluated sites would be revealed in March 2021, with all the necessary evaluation reports completed. This was listed 38 days ago as being one of the Council's major achievements.

Therefore, I would not expect any Greenbelt sites to be included in the latest housing figure of 7,125.

Derby City have a Local Plan and are not working on their housing needs at this time.

The question is a simple one, why have those sites not been revealed in accordance with the timetable? I can only conclude it is for election purposes or there is something they do not want to reveal.

Planning Law interpretation

Duty to cooperate does not mean you have to take every house Derby City asks you to. They asked me to take houses above the 2,375 figure, and I refused point blank!

I have no doubt Cllr Bellamy is scrabbling about looking for a solicitor to say it is wrong or illegal to make that decision to remove Greenbelt sites at this time. Anyone who has sat through a Planning Inspector Examination will know each Barrister/Solicitor will interpret the Law to suit their case, utilising Case Law and precedence to support their argument. I just wished he put as much effort into processing the Local Plan!

Pre-determination

Labour Members have regularly stated both in leaflets, social media and at Council Meetings they will not vote for any building on Greenbelt land. They recently went against Officers solicitor/planning officer advice to turn down a housing application. As a result, this has cost the Council £195,000 in costs awarded to the

Housing Developer. They also recently sold land for a £1, which is actually worth £149,000. Therefore, they are no strangers to going against professional advice, irrespective of cost.

I am therefore somewhat puzzled that taking out Greenbelt sites from the 'Call for Sites' will now leave them subject to being accused of pre-determination. I would be very interested in someone explaining why saying 'all Labour members will resign' before we agree building on the Greenbelt is not classed as having a pre-determined view. Yet, they would not vote on taking out 72 sites, when they had the opportunity to do so.

I do think actions speak louder than words. A caveat could easily have been included to cover the issue 'subject to legal and professional advice', to avoid any legal claims. But no, as can be seen, they dismissed the whole idea out of hand when faced with making a decision.

Public consultation & trust

When Cllr Ainsworth and myself initially rejected doing a Greenbelt review, all Labour Members voted against that, they wanted a Greenbelt review. We undertook one when we felt we had no other options available to us.

However, you may wish to talk to residents of Swanwick. Labour put the Lily Street Farm site of 600 houses, into the Local Plan at the actual Council meeting that decided upon locations. Residents and Conservative Councillors had absolutely no idea this was going to happen.

I am sure the residents of Kedleston Rd, Quarndon will also have a view on trusting Labour in respect of housing sites.

Greenbelt

The Conservatives made it quite clear at the Full Council meeting, we have absolutely no plans to build on Greenbelt sites. If the Council has sufficient housing as claimed, there is absolutely no reason to do so whatsoever. The Council has never had a better opportunity to protect Greenbelt and produce a Local Plan than right now.

Our stance on this is quite clear. We have absolutely no plans to build on Greenbelt and will look to take out all Greenbelt sites from the Local Plan.

The Labour Group had a clear opportunity to support this and work with us. Their reaction is clear for everyone to see via You Tube or social media.

Green: Cllr Dave Wells

I feel it's important that people know the facts.

Of course, I want Green Belt land to be protected from housing development, and indeed, two years ago, I voted to withdraw the Local Plan which included 16 Green Belt sites.

However, I voted against last night's amendment because it could have resulted in a Local Plan which would not be legally valid. That would not protect our Green Belt at all.

The way to protect Green Belt land is to ensure that no such sites are included in the new Local Plan, a Local Plan which is prepared through the proper, legal process.

Labour: Cllr Ben Bellamy

The Conservatives risked wrecking the local plan last night and potentially leave us with no control of our planning and no protection of the greenbelt.

In a cynical election stunt, at last night's full council they proposed a motion to remove all greenbelt sites from our call for sites, with immediate effect. This could have left us open to being sued for £100's of millions of pounds by land promoters, and our plan being taken out of our local hands, and decided by bureaucrats. The simplest way to say goodbye to the greenbelt.

It was nothing short of disgraceful and we are taking legal advice on the full implications had their motion gone through.

People trust Labour with the greenbelt, because we have promised what we would do and kept those promises. We will not sacrifice greenbelt, but we will make sure that our plan is legal and defensible.

The Tories pretend [sic] claim to have had some sort of awakening to the importance of the greenbelt - despite having put plans in for 16 huge greenbelt sites just 2 years back, building houses for Derby on for their Conservative council on OUR greenbelt. At least deputy Tory Gareth Gee is honest, still saying we should build on it, but he was suspiciously absent last night.

WE SEE YOU CLLR BUTTERY.

YOUR DISGRACEFUL STUNT FOOLED NO-ONE. IT JEOPARDISED THE GREENBELT, AND PUT THE COUNCIL AT RISK OF BEING SUED FOR MILLIONS.

YOU CAN'T TRUST THE TORIES WITH THE GREENBELT

Labour members would resign before sacrificing greenbelt.

End of statements

I hope you have found this useful and informative and we will continue to provide further updates on the development of the new local plan

Kind regards,

Chris Wilkinson

Chairperson – Save Duffield Green Belt

www.saveduffieldgreenbelt.com

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