

Appendix A to the Council Minutes – 28 January 2015

Item 6 - Questions from members of the public

Two questions had been submitted by a member of the public.

1. From Ms. Vine to Councillor Hipsey

Would the Chairman of the Planning Committee give me a full account of how a large housing estate was given planning approval within the greenbelt at St Clere's golf course in Stanford-le-Hope?

Councillor Hipsey:

The outline planning application for 350 homes on this Green Belt site was considered by Thurrock Thames Gateway Planning Committee (TTGDC) at their Planning Committee on the 14th February 2011. TTGDC resolved to refer the application to the Secretary of State advising that it was minded to approve the application. Thurrock Council as a consultee objected to the proposed development. On the 16th May 2011 the Secretary of State directed that the planning application be referred to him.

An Inspector held a Public Inquiry between the 18th and 25th October 2011. The Secretary of State agreed with the Inspectors conclusions and approved the development subject to conditions and a legal agreement.

The Secretary of State found that the proposed housing would be inappropriate development in the Green Belt and attached substantial weight to the harm caused to the openness of the Green Belt. However, he concluded that the harm to the Green Belt should be viewed in the context of the harm that the development of the land west of Butts Lane, identified as a broad location for development within the Local Development Framework Core Strategy Proposals Map, would cause in the future.

Whilst the Secretary of State had some sympathy for the managed approach to housing supply advocated by Thurrock Council, he considered that the scheme's contribution to meeting the shortfall in the 5-year supply of housing was a substantial benefit.

The Secretary of State considered that the past shortfall in affordable housing provision and the ability of this site to provide a substantial amount of affordable houses in accordance with the requirements of the Development Plan in the next five years in the economic climate of the time was a substantial material consideration.

The Secretary of State considered that the proposed open space would have considerable benefits in deflecting visitors away from the Thames Estuary and Marshes, relieving pressure on important sites, which Natural England considers to be important. He agreed that the provision of the strategic open

space associated with the development is a significant material consideration, contributing towards very special circumstances.

Having weighed up the relevant material considerations, the Secretary of State concluded that very special circumstances exist to justify development in the Green Belt and granted planning permission on the 22nd March 2012.

Mayor:

Ms. Vine, do you wish to pose a supplementary question?

Ms. Vine:

Can the chairman of the planning committee tell whether he feels that the permission by the Secretary Of State was the right one?

Councillor Hipsey:

I'm afraid that you will have to address that question to the Secretary of State, Eric Pickles, this planning committee of Thurrock Council were only consultees at the time and our view was to refuse this outline planning application. However what we have to remember of course is that the conservative Secretary of State was working by those policies and we can therefore see why they granted permission in the green belt by using those policies.

Mayor:

Mr Perrin, would you please read out your question, as set out on page 23 of the Agenda.

2. From Mr Perrin to Councillor J. Kent

A death is invariably a time of sadness for those mourning the loss of a family member or close friend. However, if the deceased is the tenant of a Council rented property, there is a task, that peculiarly befalls family members and friends, which is the dismantling of the deceased's home and the vacation of the property. I believe 14 days is allowed for this task to be completed. Do you consider 14 days adequate and sympathetic?

Councillor J. Kent:

Mr Mayor all councils are bureaucracies and in many ways they have to be, and like all councils we appear to have policies for just about everything. There are however there times when common sense compassion and indeed sympathy have to overrule policy and this is what happens in cases such as Mr Perrin speaks of.

One of the reasons for having policy is that it prevents councils from being taken advantage of and that's why the common sense attitude is all important. The council needs to be sympathetic to the needs of grieving families, while at the same time taking into account the needs of people wanting, and in fact needing, to get a home of their own.

It is a difficult balance because every one of these cases is different. However our tenancy agreement actually states that one weeks' rent free period will be agreed to allow next of kin or executor's time to clear the property and that Mr Mayor is there because it is the legal minimum.

In practise we allow four weeks rent free and as I said earlier there are times when common sense has to overrule policy and in this time we liaise with the executor or the family and make sure they have access to the property, and if they require longer we do arrange this, at times for a further four weeks, although I do have to say that in practise the four week period is usually sufficient.

Mayor:

Mr Perrin, do you wish to pose a supplementary question?

Mr Perrin:

I hope that I am not considered because of my age that I should declare an interest in this particular question. However, I ask if you would consider changing the number of days from the minimum of 28 to a minimum of 42. I am also led to believe that if the extra time is requested the council requires the family to pay the full rent and I assume council tax for the property even though the tenant was in receipt of housing benefit and the family member clearing the property may also be a council tenant and in receipt of housing benefit. If that is the case I ask you to repeal the rule however I accept utility bills such as gas and electricity are the responsibility of the family of the deceased.

Finally if the deceased was elderly, disabled or at risk it may be a member of the family or a close friend has moved in to care for the deceased thus saving the council the cost of the providing care. In some cases that provision of care may have been weekly, months or even a year or so ago, because the carer is not the tenant and therefore required to vacate the property would you ensure that he/she is not summarily evicted but is given appropriate time to find other accommodation.

Councillor J Kent:

These are two fundamentally different questions there. The first is about the nature of the tenancy agreements that we have and we do keep tenancy agreements under constant review and will make sure that the comments that Mr Perrin have made are fed into the next group refresh which will of course have to be agreed with tenants themselves.

The second aspect of the question was about what happens to carers, sometimes family members sometimes others who have been in the situation where they have been living with a tenant who has sadly died.

What I can say is that in those occasions the Council always attempts to act in a way that is as sympathetic and understanding as possible and I know from personal experience of casework that I have dealt with that we do at times bend over backwards to find suitable accommodation in the same area for those people and where possible and where appropriate even having the tenancy transferred to the individual if they have been living and caring there for quite some time.