

## PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

MONDAY, 16 NOVEMBER 2015

Present: Councillors Leo Walters (Chairman), Malcolm Alexander (Vice-Chairman), Gerry Clark, David Hilton, Samantha Rayner and Malcolm Beer.

Also Present: Councillors Christine Bateson & Derek Wilson.

Officers: Tanya Leftwich, Alison Alexander, Andrew Brooker, Chris Hilton, Hilary Oliver, Chris Targowski and Ben Wright.

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor David Evans.

### DECLARATIONS OF INTEREST

None from Members.

Alison Alexander, Andrew Brooker and Chris Hilton declared a personal interest in the Part II 'Senior Leadership Team Structure' item.

It was announced by the Chairman that the meeting was being recorded.

### MINUTES

The minutes from the meeting on the 21 September 2015 were agreed as a correct record.

### CIL – APPROVAL OF RATES AND AGREEMENT TO SUBMIT FOR EXAMINATION

The Chairman informed Members that the Community Infrastructure Levy (CIL) was a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It was noted that CIL had come into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 and largely replaced the ability of the council to seek developer contributions under section 106 of the Town & Country Planning Act (1990) as amended.

It was noted that the report sought approval of the CIL Draft Charging Schedule (DCS) rates in Appendix 1 and to submit the DCS for public examination.

The Director of Development and Regeneration, Chris Hilton, explained that since the change in legislation the Council had appointed external consultants (AECOM) to produce the key evidence to support the proposed CIL rates:

- Viability Report – Viability testing in the context of CIL assesses the 'effects' on development viability of the imposition of CIL.
- Infrastructure Delivery Plan (IDP). The IDP to be part of the evidence base (on page 25 of the agenda) required for the Borough Local Plan. In the context of CIL it assesses the funding required to provide the infrastructure to support new development and compares it with the funding available to the council to prove there would be a gap between the two.

The Director of Development and Regeneration went onto explain that the Council was unique as it was progressing CIL before the Borough Local Plan was in place. It was noted that once the Borough Local Plan was in place the interim rates would be reviewed.

In the ensuing discussion the following points were noted:

- That whilst the proposed residential rate of £240/sqm was higher than some Local Authorities it was lower than others. It was noted that the viability study had considered all the factors and produced the £240/sqm figure. Members were informed that the proposed residential rate was a broad brush approach and therefore could not be compared like for like.
- Councillor Hilton stated that he felt it would have been helpful to have the information about the proposed residential rate in the body of the report.
- That whilst S106 was on a scheme by scheme basis CIL was administered more like a tax and therefore had to be set so it worked for the majority of developments.
- That under key implications on page 15 of the agenda the 'Contributions collected from developers to help fund the infrastructure needed to support new development' should read >£3m rather than <£3m.
- That if the Borough Local Plan was in place by the first quarter of 2017 the rates would look to be reviewed in the third quarter of 2017.
- That it was hoped CIL would be attached to some of the Maidenhead opportunity area sites in 2016 and 2017.
- That most of the CIL delivery would be on small sites.
- That schools were excluded from paying CIL.

**RESOLVED UNANIMOUSLY: The Planning & Housing Overview & Scrutiny Panel unanimously agreed to recommend to Cabinet the following:**

- **That the Draft Charging Schedule rates be approved.**
- **That the Draft Charging Schedule and accompanying evidence be submitted for public examination.**

## REVIEW AND REVISION OF THE S106 EDUCATION CONTRIBUTIONS

The Director of Development and Regeneration gave Members an overview of the paper and explained that provisions made in the Community Infrastructure Levy Regulations 2010 (as amended) had come into effect on 6th April 2015. It was noted that the provisions restricted the use of S106 contributions which had resulted in a need to change the way in which Education S106 contributions were allocated. Members were informed that the contributions were used to offset the impact of new housing on school capacity.

The Director of Development and Regeneration went onto explain that the report recommended approval of an interim methodology of justifying and allocating developer contributions for education as set out in Appendix A, with implementation from 1st December 2015. It was noted that the interim methodology included updates to the level of contribution sought, those being amended in accordance with prior delegation from Council. Members were informed that Appendix A set out when contributions were required from developers for education projects and the justification for the amount sought, in addition to setting out the process for prioritising specific projects to offset the impact of a particular development.

Members were informed that the Royal Borough would continue to negotiate for developer contributions in this way until Community Infrastructure Levy (CIL) had been implemented.

In the ensuing discussion the following points were noted:

- That no more than five developers could contribute to one scheme.
- There would be a number of schools with potential projects which would be prioritised as follows:
  - Priority 1 – school expansion schemes that were already approved by Cabinet.
  - Priority 2 – other compliant schemes.

- That the net capacity calculation calculated space in 'workplaces'.
- That the comments / suggestions from the Fairer Funding Group were taken on board where possible.
- That schools tended to undertake asset management plans although did not necessarily share them with the council.
- That going forward the council would be informing schools in the Royal Borough when they received a planning application for developments of £100k or more.
- That the council provided the Government with a 'school capacity return' every year.

**RESOLVED UNANIMOUSLY: The Planning & Housing Overview & Scrutiny Panel unanimously agreed to recommend to Cabinet the following:**

- i) Approves the interim education S106 developer contributions methodology attached at Appendix A to be used as the basis for negotiations with developers. This includes revisions to the level of contribution sought per dwelling, in accordance with prior delegation from Council.**
- ii) Requests that schools submit updated Asset Management Plans.**
- iii) Delegates authority to the Strategic Director of Children's Services to agree future updates to the level of contribution sought per dwelling.**

### COUNCIL STRATEGIC PLAN 2016-2020

The Managing Director and Strategic Director for Children's Services, Alison Alexander, apologised to Members for the lateness of this report. It was noted that it had been agreed that this report would go to Overview & Scrutiny Panels so Members could share their views at the meetings or in the next week or so.

Members were informed that the report proposed a new draft four-year strategic plan for the Royal Borough. It was noted that the report requested that Cabinet approved the draft plan (included in Appendix A) and allowed it to proceed to Council for consideration on 15 December 2015. The Managing Director and Strategic Director for Children's Services explained that the plan had a vision to make the Royal Borough a great place to live, work, play and do business. The plan had four strategic priorities; Residents First, Value for Money, Delivering Together and Equipping Ourselves for the Future.

In the ensuing discussion the following points were noted:

- Councillor Hilton suggested two things that he felt were important:
  - Needed to find what needed to be achieved.
  - Needed to work out how to achieve / measure success.
 It was agreed that some micro and macro measures would be added in each section.
- That a range of indicators were currently monitored by Cabinet on a quarterly basis and would be monitored annually at a Full Council meeting in order to show what had been delivered and what needed to be budgeted for.
- That this information would be published to the web and would be included in the Around The Royal Borough newsletter. It was noted that this information would be distributed as widely as possible.
- That this was linked to the Councils manifesto commitments.
- That on page 5 of the plan, under Vision it should read 'RBWM, a great place to live, work, play and do business'.
- It was suggested that black text be used in the yellow Governance box on page 5 of the plan as it would make it easier to read.
- That the wording on page 11 of the plan be tidied up so they were more deliverable (e.g. 'Residents be encouraged to enjoy healthy lifestyles and be supported into their old age').

**RESOLVED UNANIMOUSLY: The Planning & Housing Overview & Scrutiny Panel unanimously agreed to recommend to Cabinet the following:**

- i. Approves the draft Council Strategic Plan 2016-2020 and recommends it proceed to Council for their consideration on 15 December 2015.**
- ii. Delegates authority to the Managing Director and Leader of the Council in consultation with the Principal Member for Policy to make alterations to the proposed plan ahead of its submission to Council.**

The following comments from the Panel were noted:

- That distribution of this information would be done as widely as possible (e.g. on the RBWM website, in the ATRB newsletter, send out with the Council Tax document if possible, etc).
- That road improvements be included in the 'What will be different for residents in four years time' section of the plan.
- That a higher profile be given to regional issues happening outside the Royal Borough (e.g. Heathrow expansion).

As this paper was only received on the night of the meeting it was agreed that additional comments would be emailed to the Managing Director & Strategic Director of Children's Services and / or the Cabinet Policy Manager, Chris Targowski.

#### A.O.B. - NEIGHBOURHOOD PLAN TIMETABLE UPDATE

The Chief Whip, Councillor Bateson, informed Members that the Royal Borough currently had eleven Neighbourhood Plans being created with the possibility of a twelfth from Cookham. It was noted that of the eleven Neighbourhood Plans one had been to referendum, eight should be going to referendum between now and March 2017 and two would be going to referendum by April 2017 (Bisham & Datchet).

#### DATES OF FUTURE MEETINGS

Members noted the following future meeting dates (7pm start):

- Tuesday 26 January 2016
- Monday 18 April 2016

#### LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

To consider passing the following resolution:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 8 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of part I of Schedule 12A of the Act".

The meeting, which began at 7.00 pm, finished at 8.40 pm

CHAIRMAN.....

DATE.....