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NOTICE OF MEETING



LOCAL PLANS WORKING GROUP

will meet on

TUESDAY, 31ST MAY, 2016

At 6.30 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD

TO: MEMBERS OF THE LOCAL PLANS WORKING GROUP

TBC AT ANNUAL COUNCIL

Karen Shepherd - Democratic Services Manager

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Karen Shepherd** 01628 796529

Fire Alarm - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Congregate in the Town Hall Car Park, Park Street, Maidenhead (immediately adjacent to the Town Hall) and do not re-enter the building until told to do so by a member of staff.

Recording of Meetings – The Council allows the filming, recording and photography of public Council meetings. This may be undertaken by the Council itself, or any person attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will be available for public viewing on the RBWM website. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence	
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest	5 - 6
3.	<u>MINUTES</u> To consider the Part I minutes of the meeting held on 19 April 2016.	7 - 12
4.	<u>STATEMENT OF COMMUNITY INVOLVEMENT (DRAFT)</u> To consider the above report	To Follow
5.	<u>BLP KEY DATES</u> To consider the above report	13 - 14
6.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u> 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 items 7-10 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"	

PRIVATE MEETING

7.	<p><u>MINUTES</u></p> <p>To consider the Part II minutes of the meeting held on 19 April 2016</p> <p><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i></p>	15 - 18
8.	<p><u>LOCAL PLAN PUBLICATION (DRAFT)</u></p> <p>To consider the above report</p> <p><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i></p>	To Follow
9.	<p><u>PROGRESS UPDATE</u></p> <p>To consider the above report</p> <p><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i></p>	19 - 24
10.	<p><u>KEY RISKS</u></p> <p>To consider the above report</p> <p><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i></p>	-

MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

PREJUDICIAL INTERESTS

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

DECLARING INTERESTS

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

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Agenda Item 3

LOCAL PLANS WORKING GROUP

TUESDAY, 19 APRIL 2016

PRESENT: Councillors Christine Bateson (Chairman), Derek Wilson (Vice-Chairman), Malcolm Alexander, George Bathurst, Malcolm Beer, David Hilton, Leo Walters and MJ Saunders

Officers: Chris Berry, Russell O'Keefe, Karen Shepherd, Terry Ann Cramp, Florence Churchill and Phillip Gill

APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillors Bicknell and Saunders.

DECLARATIONS OF INTEREST

Councillor Bathurst declared a Disclosable Pecuniary Interest in any item relating to the Windsor Link Railway (WLF) however he had been issued a dispensation from the former Managing Director to take part in discussions at LPWG meetings that related to the WLR.

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 7 March 2016 be approved.

DRAFT COMMUNICATIONS PLAN

Members considered the draft communication strategy for the Borough Local Plan, as requested at the last meeting.

The strategy highlighted that Councillor D. Wilson, as the Lead Member for Planning, was the official spokesperson. Shauna Hichens (Corporate Communications Officer) was the named press contact. The strategy set out the four key messages as to why a Local Plan was needed, and the council's obligations in terms of accommodating development.

The Local Plan had been through two Regulation 18 consultations and was now in the process of a Regulation 19 consultation, which would take place 6 weeks prior to submission to the Secretary of State. All comments previously made had been built in to the document that would be the final submission to the Secretary of State. Comments on the soundness of the plan could be made in August and September 2016. If the timetable were delayed, the council risked intervention by the DCLG. Members noted that the target audience defined in the strategy was not exhaustive.

Councillor Walters commented that the first bullet point of the council's obligations should read:

- Dwellings *that* need to be built.....

Councillor Bathurst commented that he felt the key messages were too narrowly focussed and needed to highlight the positive case for change, including sustainable development, outcomes for residents and public facilities. The Strategic Director commented that although the strategy was in the main an internal document, it would be a good idea to include positive potential outcomes as key messages.

Councillor Hilton commented that the third bullet point under key messages should read:

- Adoption of the Local Plan will give residents *greater* certainty about the development strategy and future land uses within the Royal Borough.

Councillor Bateson suggested that the second bullet point under key messages should read:

- To *seek to avoid* planning decisions being made at appeal, which may not factor in local preferences.

ACTION: The Draft Communications Strategy to be revised in light of comments by Members as detailed above and submitted by Councillor Saunders via email, and circulated to all Members of the Group. Members of the Group were requested to respond with comments within 24 hours of the revised draft being circulated.

SUMMER 2015 CONSULTATION SUMMARY

Members considered a summary of the results from the Summer 2015 consultation. It was noted that a full report on the consultation would be brought to the Group.

Councillor Beer arrived at 6.52pm.

It was highlighted to Members that:

- 643 responses were received
- Respondents did not have to live in the borough to comment
- Poundfield was the area of land most people suggested was suitable for designation as a local green space, followed by Ray Mill Road East and Braywick Park
- A wide variety of responses were given to questions about leisure facilities; these were still being analysed
- The areas most popular for tall buildings were the station, Stafferton Way and the Broadway Triangle
- The majority of respondents were in favour of the Windsor Link Railway, although a variety of concerns about the project were raised

LOCAL DEVELOPMENT SCHEME - UPDATED WITH SPDS

Members received an updated version of the Local Development Scheme (LDS) which covered the timetable of the Borough Local Plan. Members noted that:

- A new paragraph had been added to explain the background to plan making.
- The LDS included a list of current Supplementary Planning Documents (SPDs) and new ones to come
- A joint waste and minerals plan was being developed with Wokingham and Bracknell; there was no political appetite from Reading to be involved
- A separate Gypsy and Traveller Local Plan (not an SPD) would be developed
- The Statement of Community Involvement had been revised
- The LDS would be reviewed every year

The Team Leader – Borough Local Plan explained that an SPD was adopted by the local authority but, unlike a local plan, was not examined in public. SPDs had to be consulted on and be in a prescribed format. The purpose of an SPD was to illustrate how policies should be implemented and to allow people to make successful planning applications. SPDs did not allocate site or make policy.

Councillor Wilson commented that a borough-wide design guide had been desired for a long time. It would cover amenity space including areas around a development.

In relation to the Thames Basin Heaths Special Protection Area SPD Councillor Hilton commented that by the time a new SANG was published, capacity would have been reached therefore it would be important to allow a new SANG to be added without too much difficulty. The Team Leader – Borough Local Plan agreed; a SANG generally needed a planning application. It was noted that the Allen's Field application was taken to Cabinet.

Councillor Beer asked whether the council was adequately covered in relation to flooding or would an SPD be needed? The Team Leader – Borough Local Plan responded that the requirements were not in the gift of the local authority and had to be referred to the Environment Agency. The council would do as much as it could within the restrictions. It was not proposed at this stage to have a separate flooding SPD.

Members considered the timetables for the Borough Local Plan and various SPDs as detailed on pages 19-24 of the report. During discussions it was highlighted that:

- All remaining saved policies of the Local Plan (2003) would be in place until a new Borough Local Plan was adopted. Recent court cases demonstrated that no weight could be given to the emerging Local Plan until it was formally adopted.

ACTION: The Team Leader – Borough Local Plan to send Cllr Walters copies of recent High Court cases.

- In relation to CIL, the council was awaiting the Inspector's decision on Tandridge District Council which was in a similar position as it did not have an up to date Local Plan in place.
- The government's Starter Homes Initiative was still being consulted upon and therefore the definition of Affordable Housing could widen
- Members of the Group would be given an early opportunity to comment on the Borough-wide design guide
- A completed Statement of Community Involvement was required for submission therefore the timetable of June 2016 would need to be met.

A representative of the Windsor Neighbourhood Plan group commented that the group had planned for an Article 14 consultation in September 2016. It would be important to make it clear to the public that there were two separate consultations taking place. A communication plan would be useful.

The Team Leader – Borough Local Plan explained that Neighbourhood Plans had to be in conformity with strategic policies of the Local Plan. Not all policies in the Local Plan would be strategic. A Neighbourhood Plan group had the freedom to determine what the Neighbourhood Plan contained. Councillor Hilton commented that he had mapped the Ascot & the Sunnings Neighbourhood Plan policies with the emerging policies of the Borough Local Plan and had found no areas that would need to be overturned. The Team Leader – Borough Local Plan commented that it was not the case that the Local Plan would overturn a Neighbourhood Plan. Neighbourhood Plans would need to be in conformity with the strategic policies of the Local Plan. The Local Plan dealt with matters that were not all strategic therefore total conformity was not required. If there was conflict, the most recent plan would take precedence. If a Neighbourhood Plan was in place before a Local Plan, the Neighbourhood Plan may be considered out of date if it was not in conformity. If it was to be amended, it would need to go back to referendum.

Councillor Bathurst raised Arden Road as a site in the Plan for strategic use that may cause conflict. The Interim Planning Policy Manager commented that it was up to the Neighbourhood Plan group to decide which policies to put in; the only test was in general conformity with the strategic policies of the Local Plan. At Regulation 16 the council would make its representations to the examiner on the conformity. The final decision was made by the referendum.

ACTION: A list of all policies considered to be strategic to be sent to all Members.

A representative of the Windsor Neighbourhood Plan group requested that the list also be sent to all Neighbourhood Plan groups. The Team Leader – Borough Local Plan commented that the issue would be discussed in Part II and she would let Neighbourhood Plan groups know the outcome.

ACTION: The Team Leader – Borough Local Plan to inform Neighbourhood Plan groups in response to the request above.

Councillor Wilson commented that he would like to see the Gypsy and Traveller Local Plan be brought forward reasonably quickly after submission of the Local Plan. The Team Leader – Borough Local Plan explained that there was an error on the document as dates had been transposed. She would look at resourcing implications.

The Team Leader – Borough Local Plan commented that between 50-70 councils were expected to submit a Local Plan by September 2016. Those that did not submit before March 2017 would be subject to government intervention.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: 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 items 6-7 on the grounds that they involve the

likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act

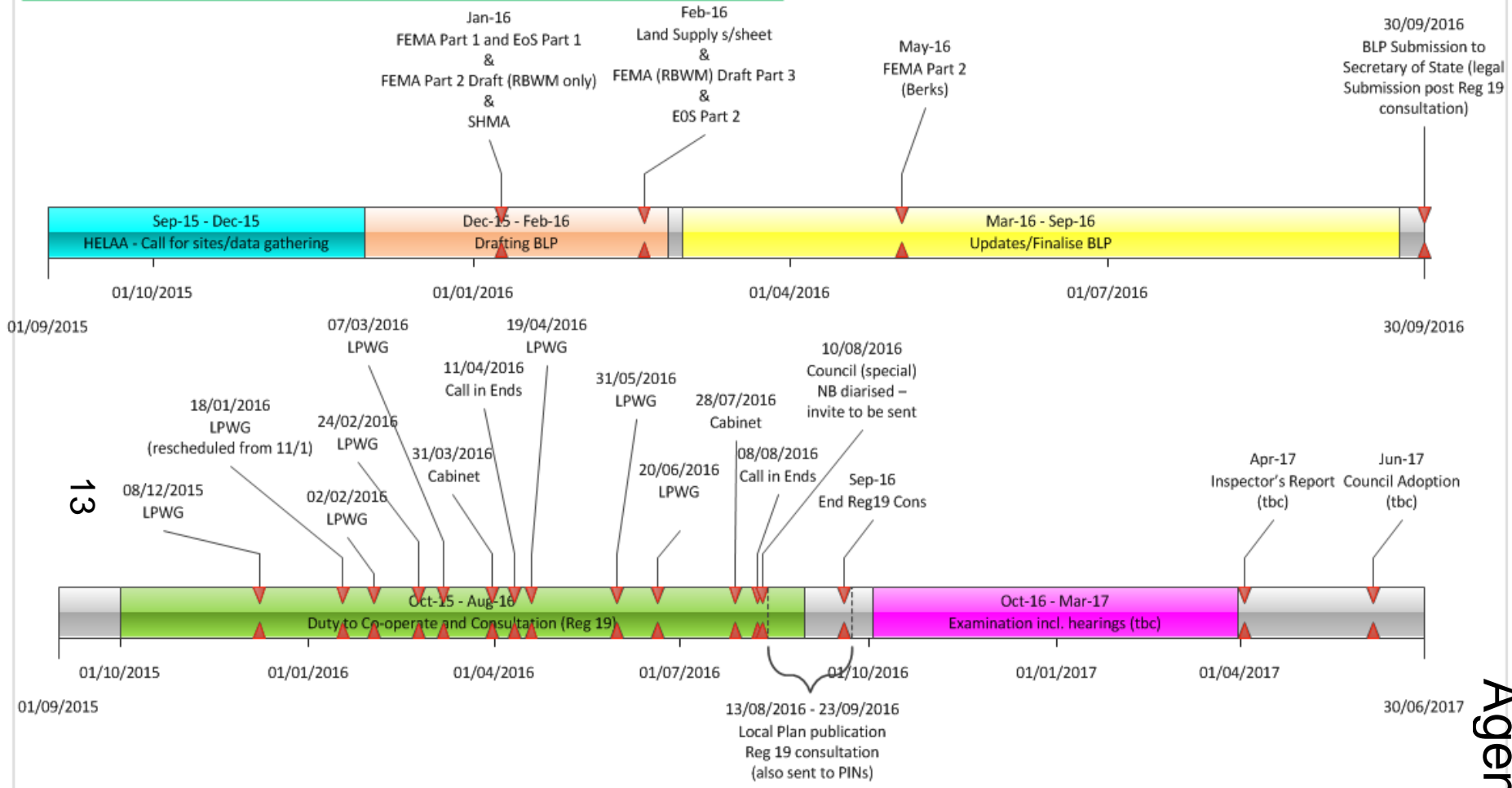
The meeting, which began at 6.30 pm, finished at 8.30 pm

CHAIRMAN.....

DATE.....

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BOROUGH LOCAL PLAN – KEY DATES



13

PLAN PERIOD

- Commencement 2013 to coincide with the majority of the evidence base
- Adoption is currently programmed for 2017 the end of the plan period will be 2032 at the earliest

Regulation 19 consultation – Legal and technical soundness of plan. Representations go to Secretary of State

- GLOSSARY**
- SHMA = Strategic Housing Market Assessment
 - FEMA = Functional Economic Market Area
 - HELAA = Housing and Employment Land Availability Assessment
 - LPWG = Local Plan Working Group
 - O&S = Overview and Scrutiny
 - BLP = Borough Local Plan

Please note that dates are subject to final agreement

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Agenda Item 7

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Agenda Item 9

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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