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NOTICE OF MEETING

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PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

will meet on

THURSDAY, 1ST FEBRUARY, 2018

At 5.00 pm

in the

MAY ROOM - TOWN HALL,

TO: MEMBERS OF THE PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

COUNCILLORS RICHARD KELLAWAY (CHAIRMAN), MAUREEN HUNT (VICE-CHAIRMAN), MALCOLM BEER, GERRY CLARK, DR LILLY EVANS, LEO WALTERS AND JULIAN SHARPE

COUNCILLORS

SUBSTITUTE MEMBERS

COUNCILLORS CLIVE BULLOCK, SAYONARA LUXTON, ADAM SMITH, LYNDA YONG, CLAIRE STRETTON, JOHN STORY AND EILEEN QUICK

Karen Shepherd – Service Lead Democratic Services - Issued: Wednesday, 24 January 2018

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 **David Cook** 01628 796560

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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 confirm the Part I minutes of the previous meeting.	7 - 10
4.	<u>CIL AND CIL GOVERNANCE</u> The Panel to receive a verbal update from Jenifer Jackson, Head of Planning.	Verbal Report
5.	<u>PLANNING TASK AND FINISH GROUP</u> To approve the establishment and terms of reference of a planning task and finish group.	Verbal Report
6.	<u>BUDGET 2018/19</u> To comment on the Cabinet / Council report.	To Follow
7.	<u>DATES OF FUTURE MEETINGS</u> To note the dates of future meetings: <ul style="list-style-type: none">• 18 April 2018	-

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MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they 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 the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) 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 licence 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.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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Agenda Item 3

PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

THURSDAY, 7 DECEMBER 2017

PRESENT: Councillors Richard Kellaway (Chairman), Maureen Hunt (Vice-Chairman), Malcolm Beer, Gerry Clark, Dr Lilly Evans and Leo Walters

Officers: Russell O'Keefe, Jenifer Jackson and Shilpa Manek

ELECTION OF VICE CHAIRMAN

The Chairman nominated Councillor Hunt and this was seconded by Councillor Clark.

APOLOGIES FOR ABSENCE

No Apologies for absence were received.

DECLARATIONS OF INTEREST

No declarations of interest were received.

MINUTES

The minutes of the last meeting were Agreed to be a true and correct record.

Councillors Lilly Evans and Maureen Hunt abstained from voting as they were not present at the meeting.

The Chairman announced that Item 8 – Local Housing Crisis had been withdrawn for further work.

2018/19 BUDGET

Russell O'Keefe, Executive Director, informed the Panel that the entire 2018/18 Budget report went to Corporate Services Overview & Scrutiny Panel. Each of the other overview and scrutiny panels would only get the part of the report that was relevant to that overview and scrutiny panel. At this panel, the focus was Planning.

The report had a cover page explaining the appendices, Appendix B showed the income from planning, appendix C showed the fees and charges for planning and Appendix D showed the capital bids.

Other points raised included:

- There were no housing figures, these were missing totally from the tables.
- How many staff will planning have once all vacancies filled ? By the end of January, Planning would have a full team with 57 FTE in the service.
- How many officers programmed to carry out the appraisal report at Holyport. There would be 3 rather than 2.
- Old Windsor has a conservation area that has been on the books for 20-30 years. Current issues are resolved under the general principles. There are eight areas in the borough that do not have appraisal reports, of which, Old Windsor, is one.

- There is a shortfall in the Neighbourhood Planning, gone from £25K to £20K. The council still have access to funds by seeking a grant from the CLG. A Referendum costs more than the grant covers and the council has to cover the difference.
- The transformation budget covers seven areas of service, mainly IT for moving the performance on. This would support customer services with better information, it would enable faster planning application processing. The aim was to be with the better performing councils.

ACTION: Russel O’Keefe to check about the housing figures and circulate them to the Panel.

- Would the property company be included in this report? It was not currently included. The property company information was available to Members anytime.
- Very few applicant have pre application advice, is it the cost deterring applicants? The Panel discussed that it was a small price to pay but applicants were not aware of this service. Residents needed to be made aware along with the positive effects.

ACTION: Planning to advertise the pre application service and its advantages in the ‘Around the Royal Borough’.

- Why was the tree service complaints so costly?

ACTION: Russel O’Keefe to look into the tree service costs and report back to the Panel.

The report was noted by the Panel.

SPEED OF PROCESSING PLANNING APPLICATIONS

Jenifer Jackson, Head of Planning, took the Panel through the report. Jenifer Jackson informed the Panel that a typical household application would take eight weeks, a major, ten units or more would take thirteen weeks and anything larger would take sixteen weeks. The Chairman asked about what happens to the applications that are not completed. Jenifer Jackson informed the Panel that some remain with planning for many reasons, sometimes as planning are negotiating with the applicant. Residents often use the council as a planning consultant.

Russell O’Keefe informed the Panel that there were two simple levels, offer a planning service or a development control service and some councils could be very rigid in their decision making. RBWM use best practice wherever possible to negotiate and get the best outcome. Our officers spend a lot of time with the residents.

The Panel raised the following points:

- What were the sanctions for under-developing? We would be monitored on a two year rolling period. The government would intervene by looking at the planning handling service or by sending applications direct to the Planning Inspectorate.
- An issue seems to be that the applicant does not listen to the planning advice.
- The referenced Act in the report is out of date.
- Of the appeals allowed, how many were against the officer’s recommendation? There was a large difference between the planning officer and the Panel but this year, it is very different.
- Where did the 20% come from?
- Why are the appeals so high? Since we still do not have a new plan adopted, we are still using the very old local plans from 1999. we would be more vulnerable to lose appeals. Once the new local plan was adopted, we would have a stronger position.

- How many local authorities have a new local plan? Those authorities that have a post 2004 local plan are having intervention now.
- The Local Plan would be submitted on 31 January 2018.
- Timing of a pre application meeting? Once again this would depend on the type of application. A household application would take four-six weeks and on major applications, we offer a bespoke service.
- The high turnover of staff and agency staff, not knowing the borough and therefore giving incorrect advice. By the end of January 2018, there would be a full team of staff.
- It would be better to have figures in tables rather than percentages to show the true situation.
- Was it possible to increase appeal costs or apply a cooling off period between applications? We cannot levy charges and can only apply the cooling off period on certain circumstances.
- Could we compare ourselves with other local authorities. All local authorities can be found on the government website.
- Resource would need to be considered as some local authorities are heavily resourced and others are short staffed. So the comparison would be meaningless.

The Panel thanked the planning department for all their hard work, even without a full team. The Panel recommended that a summary of the report to be sent to Parish Councils.

ACTION: Jenifer Jackson to send a summary of this report to all Parish Councils.

ACTION: An item to be placed in Around the Royal Borough, consult with Chairman.

ACTION: Place this item on the Agenda for every other meeting, including performance data on pre application.

CIL AND CIL GOVERNANCE

Jenifer Jackson, Head of Planning, informed the Panel that the CIL Governance document had not been produced yet but would come to the Panel when completed. The Chairman requested information on the differences between S106 and CIL. Jenifer Jackson informed the Panel that all S106 income and expenditure from 2008 till now were published.

ACTION: Circulate this published information to the Panel.

Currently we were still in transition phase for S106 to phase-out and CIL coming in. There was a total of three years to implement. However, S106 would still be used. In the Neighbourhood plan, for community priorities and council priorities, a combination of CIL and S106 would be used.

The Chairman asked for a briefing note on this to be sent to Panel Members.

ACTION: Jenifer Jackson to produce and circulate briefing note to Panel.

ACTION: Add this item to next meeting Agenda.

LOCAL HOUSING CRISIS

This item was withdrawn from the Agenda.

DATES OF FUTURE MEETINGS

Members noted the following future meeting date:

Thursday 1 February 2018 to begin at 6.30pm

The meeting, which began at 7.00 pm, finished at 8.15 pm

CHAIRMAN.....

DATE.....