

## PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

TUESDAY, 16 APRIL 2019

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

Also in attendance: Councillor D Wilson

Officers: Jenifer Jackson, Victoria Goldberg & Nabihah Hassan-Farooq

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dr L Evans.

### DECLARATIONS OF INTEREST

None.

### MINUTES

**RESOLVED UNANIMOUSLY;** That the minutes of the last meeting on the 29<sup>th</sup> January 2019, were approved as a correct and true record.

### BOROUGH WIDE HERITAGE STRATEGY

Jenifer Jackson outlined the above titled item. The report sought the agreement of a brief for the development of a Borough wide Heritage Strategy and Action Plan Supplementary Planning Document as part of the Local Plan and emerging Borough Local Plan. The documents sought to identify and celebrate the importance of the Borough's heritage, provide strategies for its protection and enhancement and consider how best to interpret and harness this special resource for the benefit of the community, visitors and the local economy. Members were informed that a key element of the Council's future approach to the Borough's historic environment was contained within para 11.2.1 of the Borough Local Plan Submission Version and that this advised a Heritage Strategy Supplementary Planning Document (SPD) be produced and adopted to guide the implementation of the Council's Historic Environment Policies.

The Panel was informed that the SPD would intend to set out a clear strategy for the borough to guide conservation and heritage activities. The Borough has a unique and distinctive heritage which should be preserved and enhanced for present and future generations. Members were told that the historic environment was a valuable asset which had contributed to a broader strategic objective including economic development, good urban design and planning, provision of informal and formal education, development of skills and achieving sustainable development. It was noted that the strategy would flow from the development plan it will not be a planning policy document. The Heritage Strategy should provide a vision and key aims and objectives for the borough's heritage; it should be supported by a detailed Background and Action Plan document. It was highlighted that many local authorities already have Heritage Strategies, these tend to be varied in their approach and content and include lists of formally designated assets- listed buildings, conservation areas and scheduled ancient monuments. It was hoped that interested parties, local people, groups and other stakeholders together to generate a shared vision for the future of the borough's heritage and to provide priorities and proposals for how these would be implemented. Key aims of the Heritage Strategy would be to promote partnership and collaborative working between the councils, its partners and key stakeholders and to generate educations, cultural and economic benefits for the Borough as whole.

Members were informed that an appointed consultant would be required to provide a community led strategy document, and it was anticipated that it would cover a 15 year period although it would be designed so that it can be reviewed by the Council as part of a rolling programme. The issues and priorities identified will then be addressed through a number of agreed actions, such as projects, improvement schemes, guidance and events that would form part of the overall Action Plan. It was suggested that this would be designed to be reviewed and updated annually and that progress would be monitored through a steering group made up of stakeholders. The Panel was informed that it would be likely that in the long term the project would require a project officer and that Historic England had indicated that it may be willing to assist with the cost of such a post. It was anticipated that, if agreed, the project would go out to tender in May 2019 and following this the initial tender bids/responses would be assessed by officers and selected prospective consultants would then be interviewed. After this a council tract would then be awarded to the successful consultant.

Panel members were advised that the first three years of the project would be used to establish the Strategy and commence the first two years of the Action Plan with provision for the review and updating of the plan. Councillor Walter raised concern that he did not feel this piece of work was necessary and that it did not explain or protect heritage assets in great enough detail. It was discussed that this strategy would not become a planning policy. Councillor Walters felt that there was not enough importance placed upon this strategy for it to effectively protect and preserve any existing heritage assets. Councillor Beer stated that he had serious concerns with the Heritage Strategy not being a planning policy document and felt that it could destroy any legal authority and could be exploited by aggressive developers and planning inspectors at appeals and he stated that this could lead to a reduced adopted policy document with an unenforceable wish list. Councillor Beer also highlighted that he felt that there was a fundamental contradiction in the status of the strategy in the opening item 2.1 of the report which referred to the BLPSV para 11.2.1 advising that that the strategy would not be a planning policy document but that there were frequent references to this document becoming an SPD later in the report.

Members discussed the need to have consultant input moving forward and the resource needed for this piece of work to be carried out. Jenifer Jackson confirmed that a post would be needed in the future to fulfil this role but at the moment as the report outlined, trusted consultants were needed to carry out the substantive work relating to engaging with stakeholders and wider groups. Councillor Hunt stated that she was in agreement with the document and the position taken to look at emerging heritage assets across the borough. Victoria Goldberg confirmed that the document would be periodically reviewed and that the strategy had been suggested by Natural England as the borough was rich with heritage. It was outlined that a mineral rich site had been found in Datchet and that Anglo Saxon remains had been excavated and were unique to the borough. Ways in which these sites could be preserved and looked after were discussed and it was noted that this strategy went beyond Windsor with its historic heritage and would focus on the whole of the borough.

**RESOLVED: That the Planning and Housing Overview and Scrutiny Panel endorsed the recommendations within the Cabinet report.**

(Councillors Beer and Walters wished for their dissent to be placed on record).

### Q3 2018/2019 PERFORMANCE REPORT

Anna Robinson, Strategy and Performance Manager outlined the above report. Members were told that the report sought to provide a summary of the Quarter 3 2018/19 performance of the council's performance management framework (PMF). It was noted that five of the six measures reported to the Planning and Housing Overview & Scrutiny Panel had met or exceeded their target ( including one measure reported biannually) and one measure had fallen just short of target but remained within acceptable tolerance levels. It was highlighted that no measures had been reported as below target or outside of tolerance thresholds.

Members were informed that in November 2017 that Cabinet had approved the council's performance Management Framework (PMF) of 25 key measures aligned to its refreshed Council Plan with six strategic priorities over the plan period 2017-2021.

Members were shown the performance measures through the PMF system and were taken through each measure. The measures reported to the Planning and Housing Overview & Scrutiny Panel were as follows:

- 3.4.1. Number of Affordable homes- Green
- 3.5.1 Number of homeless preventions through council advice and activity- amber
- 3.5.2 Number of homeless households placed in temporary accommodation- green
- 4.1.3 Percentage of Major planning applications processed in time- green
- 4.1.4 Percentage of Minor planning applications processed in time- green
- 4.1.5 Percentage of "other" planning applications processed in time- green

The Panel was told that green meant that targets had been exceeded and performance was good, whilst red or amber meant that there were areas for improvement or that targets had not been met. Members discussed the amber measure for the number of homeless preventions through council advice and activity. Anna Robinson informed the Panel that Maggie Nelson, Interim Head of Housing Services was unable to attend and relayed information on her behalf which had been provided ahead of the meeting. Members were advised that the prevention numbers for Q1, 2 & 3 had all been slightly lower than the target set and were assessed as underperforming (amber). It was outlined that the target had not been met as the highest reason for homelessness approaches across the borough was the ending of assured short hold tenancies by private landlords. Members were informed that in accordance with the Homeless Reduction Act 2017, that the housing options officer's first aim in every case was to attempt to prevent the homelessness by speaking with the landlord to establish the reason behind the issuing of the notice and wherever possible, negotiate with them for the tenant to remain in the tenancy. It was highlighted that this would include assisting the tenant to make a payment arrangement if rent arrears had been accrued, acting as an intermediary for any tenancy related issues that the landlord may have been unhappy about, for e.g. the property not being properly looked after, garden being unkempt, delayed rent payments or the housing benefit not being in place.

The Panel was also informed that there had been changes in terms of statutory function by the HRA 2017 and that there was now a duty to prevent every case who approached the authority that was threatened with homelessness within 56 days as opposed to previously, where a house was considered to be threatened with homelessness only when they were within 28 days of eviction. Members were told that this had dramatically increased the number of cases where RBWM had a duty to prevent homelessness. It was highlighted that this duty existed regardless of whether the household met the priority need test or were intentionally homeless which in turn meant that there was a higher prevention case load per officer than previously. The Panel were told that moving forward into the financial year that there were a number of initiative for prevention action that could be utilised and were intended to help to increase the numbers of successful preventions. Members queried what these initiatives were and it was confirmed that there would be a "spend to save" fund set up within the budget to allow officers to access funds to enable prevention through innovative use of a one off payment from the fund., for e.g. where a landlord was unhappy that the tenant was not keeping the garden maintained and had become overgrown that the fund could be used for a one off garden tidy up on agreement that the tenant would continue to keep it tidy afterwards thereby removing the issue and enabling an extended tenancy to be issued by the landlord. Members were in agreement that this measure should be monitored closely and felt that the new initiatives for the financial year would be beneficial and helpful.

Councillor Beer highlighted that the delivery of affordable homes was not as high as it should be and was concerned that the traction of delivery was not high enough to meet demand. Jenifer Jackson advised that the affordable homes delivery measure was focused on delivery by housing associations in the area. It was confirmed that the Planning Authority was seeking

to achieve affordable homes on qualifying sites within policy Members asked for this to be clarified moving forward and felt that the performance report should be specific to RBWM performance and not partners, such as Housing Associations. It was confirmed that this was a reportable measure set by the MCHLG and that more information would be provided to explain that delivery of affordable homes for this purpose pertained to the delivery of homes by Housing Associations.

Members also discussed the announcement made by Central Government to abolish the s.21 notice seeking possession. Members felt that where there were grounds for removal that a s.21 should be allowed to be given but that they ultimately also had a duty towards private landlords and safeguarding their properties. Councillors Clark, Hunt and Walters declared that they were private landlords but that they had no prejudicial interest. Councillor Clark outlined that private landlords face many hardships with tenants and that the cost of gaining premises back is very costly for landlords where there had been a dispute between the tenant and landlord. It was felt by members that there should be protection for landlords and that the consultation had not looked at engaging with private landlords but primarily focussed on tenants.

At the conclusion of the report, members noted the contents.

#### VOTE OF THANKS

A vote of thanks was placed on record by the members of the Planning and Housing Overview & Scrutiny Panel for Councillor Richard Kellaway in his role as Chairman. Members thanked him for his contribution and commitment over the years and wished him success as he would not be standing for re-election in the upcoming elections.

A vote of thanks was placed on record for Councillor Malcolm Beer who had been an active member of the Planning and Housing Overview & Scrutiny Panel and would not be standing for re-election again at the upcoming elections.

The meeting, which began at 6.31pm finished at 19.40pm

CHAIRMAN.....

DATE.....