

PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

WEDNESDAY, 27 JUNE 2018

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

Also in attendance: Councillor D Wilson

Officers: Russell O'Keefe, Ashley Smith & Nabihah Hassan-Farooq

RE-ORDERING OF AGENDA ITEMS

Members agreed that the order of business would be varied to take the item 'Election of the Chairman and Vice Chairman' after the business items had been transacted. The Panel would elect a Chairman for the duration of the meeting and seek to elect a Chairman and Vice Chairman once all Members had arrived. It was agreed to do so, as the time of the meeting had been bought forward and some Members had advised that they were running late.

ELECTION OF CHAIRMAN FOR THE MEETING

It was agreed that the Panel would agree upon a Chair for the meeting as the order of business had been varied.

RESOLVED UNANIMOUSLY: That Councillor Kellaway be appointed the Chairman for the duration of the meeting until a Chairman for the Municipal year was elected later in the meeting.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Sharpe (Substitute Member not available).

DECLARATIONS OF INTEREST

None.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the last meeting held on the 16th May were approved as a true and correct record subject to;

- That 'principal' member be amended to 'principle'.
- That further clarification was to be sought and circulated in reference to the following wording—"It was also confirmed that brownfield sites could not be built upon and that sites were not to be allocated to on unbuilt brownfield land or settlement areas."

ACTION- That all amendments be circulated and agreed via email.

CONSERVATION AREA APPRAISALS REVIEW PROGRAMME

Ashley Smith, Deputy Head of Planning outlined the above report. It was outlined that there would be a three year target in place which was ambitious and that two conservation area

officers had been recruited. It was highlighted that some conservation areas that had not been at the forefront of delivery plans had now been through appraisals and referenced in the report. Members were happy to see that some areas that had not been subject to assessment for twenty years had now been included in the first tranche of appraisals and that it now provided protection for these areas, which included Mill Lane Church area in Clewer and Holyport. Councillor Walters highlighted that he had initially set up the conservation areas in RBWM and that this had been a positive move for the borough.

Members discussed implementation times and it was confirmed that the report outlined delivery and implementation times with Cookham already being underway with SANG development. Members were reminded that a press release had been issued and did not form part of the formal consultation. The formal consultation had included letters being written to all conservation area residents and communication of delivery would be programmed as individual areas were affected.

Members highlighted that the use of “local development framework” was outdated and should be replaced by the emerging Borough Local Plan. It was highlighted that these comments should be taken back to the Cabinet for consideration.

RESOLVED UNANIMOUSLY: That the report be noted and authorisation be given to the Head of Planning to commence a prioritised programme of review (as outlined in the report) and that the criteria for the designation of new areas/deletions to existing conservation areas and a checklist for identifying local buildings of interest be agreed and noted.

INFRASTRUCTURE: SUITABLE ALTERNATIVE NATURAL GREENSPACE CAPACITY AND SUITABLE ALTERNATIVE NATURAL GREENSPACE (SANG) DELIVERY TO SUPPORT THE BLP

Ashley Smith, Deputy Head of Planning outlined the report. It was highlighted that the Thames Basin Heath had been a problem area and that there had been a freeze on development for the surrounding Surrey Heath area. Natural England recommendations were that SANGS should be provided as a means to avoid damage to protected species and areas. It was also noted that the size of a SANG relied upon how many houses or whether development could be mitigated. Members were informed that there were two different types of SANG, bespoke and strategic SANG. Details of these were outlined in the report. It was highlighted that there would be an increase to Allen's Field alongside the SANG development which would support the southern development of RBWM.

Members were reminded that the SANG had to meet specific criteria and that there must be a large walking loop, within a natural setting. Members were told that it would cost approximately £500,000 to set up a SANG. Members queried why the farm area in Cox green had been purchased and why this could not be utilised for SANG purpose. Councillor D Wilson highlighted that the Cox Green farm area had been purchased for leisure and sports pitches. Ashley Smith outlined that SANGS must be within a 5km radius of development. It was also noted that there had been a lease arrangement with the land owner for the intended SANG. Members queried whether there could be a SANG development for the upcoming golf course redevelopment and it was confirmed that there were no dedicated plans for this. Councillor Beer noted that Chobham Common was an area where protected species thrived and that this should form part of the SANG. It was confirmed that this area already formed part of the Thames Basin Heath area.

It was noted that the planned delivery surrounding Allen's Field was ambitious and officers were confirmed that the planned delivery targets would be met for the upcoming period. It was estimated that there were 109 dwellings that the SANG would mitigate. It was confirmed that the finalised plans for Allen's Field were being looked at and worked upon. Members were concerned that land owners could demand higher rates for land and that RBWM would be subject to paying premium prices. The Panel were informed that land that owners put forward

for use would have been overlooked for development or may not have been fit for particular use and it would benefit them to incorporate their land as part of the SANG. The Council would be able to recoup costs and could carry out building development on their behalf, both raising monies for RBWM and increasing revenue whilst being cost effective. Councillor Hunt stated that the Council should aim to purchase freehold as opposed to leasehold where possible to ensure continuity for the future. Russell O'Keefe clarified that he had a duty to achieve best value for the borough and that options relating to freehold and leasehold had been considered. It was also highlighted that protected species of animals would not need to be imported as part of the SANG delivery.

RESOLVED UNANIMOUSLY; That the report be noted and;

- i) That authority be given to the Executive Director of Place to pursue negotiations on behalf of the council with landowners, to enter into lease agreements with landowners and to make a planning application for the purposes of providing SANG to meet BLP requirements to 2033.**
- ii) That authority be given to the Head of Planning not to provide capacity in the council's strategic Suitable Alternative Natural Greenspaces (SANGs) for large prior approval schemes or other unplanned large applications located beyond the defined settlements Ascot, Sunninghill and Sunningdale or on allocated sites where the proposals were in excess of the BLPSV allocation by more than 9 additional units which are considered to undermine the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy.**
- iii) That authority be given to the Executive Director of Place to pursue negotiations on behalf of the council with any other council which may have surplus SANG capacity and to authorise the Executive Director to enter into any necessary legal or lease agreement with that council for the purposes of securing SANG capacity to support the BLPSV.**

INFRASTRUCTURE INCLUDING COMMUNITY INFRASTRUCTURE LEVY (CIL) GOVERNANCE

Ashley Smith, Deputy Head of Planning outlined the report to the Panel. The report outlined the infrastructure required to underpin planned development regarding the published Infrastructure Delivery Plan (IDP) which would support the submitted Borough Local Plan (BLPSV). Members were reminded that the Community Infrastructure Levy (CIL), charging schedule and a Regulation 123 list had been introduced on the 1st September 2016. The Panel were informed that the CIL was a charge on new floor space which had arisen from developments in residential or retail use and any money collected to deliver infrastructure required to support new development in and around the Borough.

Panel Members were told that the Infrastructure Delivery Group (IDG) would seek to decide how the CIL money accumulated from development would be spent around the borough. The working group would consist of Members and Officers who would be looking at decisions of where the money could be spent. Members queried why some parishes received 25% of money raised from development as opposed to 15% and it was clarified that parishes that had a neighbourhood plan which had been adopted covering their area would receive the higher percentage. It was also highlighted that the Local Planning Authorities operating CIL would pass on the relevant percentages of money raised from development within a parish/town council area directly to them. It was confirmed that section 106 agreements would still be used to secure affordable housing provision or payment in lieu of provision and other non-financial requirements. Members were informed that any money from CIL would be spent on items categorised within the Community Infrastructure List. Section 106 monies would need to be spent on directly relevant projects within the community, for example, libraries.

Members were concerned that developers would have to pay both the CIL and Section 106 contributions which could be expensive. It was highlighted that there were some discounts available to developers dependant on the number of units they wished to build. Members were also told that comparatively, the amount would be similar to what developers had paid previously. The Panel were told that the viability study and changes from the initial proposal consultation would be published over the upcoming months. It was highlighted that the Infrastructure Delivery Group would be reviewing the 123 Regulation list and would look to programme manage the delivery of infrastructure projects. The Panel were informed that there would be information and knowledge sharing events and Members were encouraged to take part. Dates of these events would be shared with Members shortly.

Members discussed the need for parish councils to be communicated to in relation to CIL monies received. Ashley Smith confirmed that figures of CIL monies and where the money had been spent would be published. Councillor Dr L Evans raised concerns that money that had been accumulated under CIL in Windsor had been spent in Maidenhead to fund projects and that this may cause concern for residents. It was clarified that there was a good audit trail of decision making and that in some areas there was no business case for infrastructure development or a need to develop failing or existing infrastructure in comparison to other areas. Members commended the level of transparency towards the decision making process.

At the conclusion of the report Members noted the report.

RESOLVED UNANIMOUSLY: That the report be noted by the Planning and Housing Overview & Scrutiny Panel and;

- i) That the terms of reference for the Infrastructure Working Group were approved.**
- ii) That the appointment of five borough councillors to the Member/Officer Infrastructure Group was approved.**
- iii) That the Infrastructure Working Group would make recommendations to Cabinet in the future about how monies would be collected by the Levy and how it would be spent with due regard to the published Regulation 123 List.**
- iv) That the revised Regulation 123 List would be produced by 31st August 2018 for consultation as appropriate and then for review of the comments received to be reported to the Infrastructure Working Group to consider and make any amendments to the revised 123 List before publication.**
- v) That, prior to receiving payments in April and October each year, the Parish Councils (and relevant Ward Councillors) will each receive an itemised statement of those applications in their Parish for which CIL has been collected which identifies the application number, the site address, the amount collected in total and the neighbourhood portion due to be paid at the next payment date.**
- vi) That in communities that are non-parished, the ward councillors will receive a statement of the applications in that ward where CIL has been collected which identifies the application number, the site address, the amount collected in total and the neighbourhood portion. From October 2018 the ward councillors and any designated Neighbourhood Forum will be consulted in writing on the spending priorities for that area.**

ANNUAL PERFORMANCE REPORT 2017/18

Russell O'Keefe outlined the report to the Panel. The Panel were informed that the performance report set out an overview on the council's performance for the 2017/18 year. The report included progress against summary indicators along with contextual information about resources, key projects and ambitions. It was highlighted that the figures shown as negative were in fact, when measured nationally better than many local authorities. Members felt that targets should be set differently to highlight the good work of the borough.

It was highlighted that some of the target thresholds set were high and could be perceived as unrealistic. Members were happy to see good performance results overall and that RBWM had performed well nationally despite cuts to funding for the authority. Councillor Clark commented that it would be more useful to show comparative data figure for RBWM performances against national performance statistics. Members felt that the document was a challenging read and that if possible it should be condensed. It was also noted that the font was not accessible and was too small for readers. Members queried where the targets referenced within the report originated from and it was confirmed that they were taken from national guidance and also set from strategic performance indicators.

Councillor Dr L Evans stated that some residents may not be concerned with internally set RBWM targets but that their interest and focus would be on how the borough had performed against neighbouring authorities and against the national picture. Councillor Beer highlighted that the document should be resident centric and that some targets when read by residents could be influenced by their own interactions or experiences with the Council; especially when they have had negative experiences. At the conclusion of the discussion Members noted the report.

RESOLVED UNANIMOUSLY; That the report be noted and:

- i) That the progress was noted towards meeting the council's strategic objectives.**
- ii) That the Annual report 2017/18 be endorsed and reviewed at a meeting of the Full Council.**
- iii) That the Managing Director and Principal Members progress improvement actions for areas that are off target.**

ELECTION OF THE CHAIRMAN AND VICE CHAIRMAN

The Panel had earlier agreed to vary the order of business, therefore this item was taken after all other business of the meeting had been transacted.

Councillor Leo Walters proposed himself as the Chairman for the upcoming Municipal year and was seconded by Cllr L Evans.

Councillor Richard Kellaway was proposed as Chairman by Councillor Hunt and seconded by Councillor Clark.

RESOLVED: That Councillor Kellaway be elected as the Chairman of the Planning and Housing Overview & Scrutiny Panel for the Municipal Year 2018/19.

(Councillors Clark, Hunt, and Beer voted in favour of the motion. Councillors Walters voted against the motion. There were no abstentions).

Councillor Hunt was proposed as the Vice Chair by Councillor Kellaway and seconded by Councillor Clark.

RESOLVED UNANIMOUSLY: That Councillor Maureen Hunt be elected as the Vice-Chairman of the Planning and Housing Overview & Scrutiny Panel for the Municipal Year 2018/19.

FORWARD PLAN

As part of the Forward Plan the following items were to be scheduled for future meetings;

- Vicus Way Car Park
- Plan Making-Traveller Local Plan
- Borough Local Plan- Submission Version

DATES OF FUTURE MEETINGS

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

- 21st August 2018- Council Chamber
- 18th October 2018- Council Chamber
- 4th December 2018- Council Chamber
- 29th January 2018- Desborough 4
- 16th April 2018- Council Chamber

The meeting, which began at 5.37 pm, finished at 6.48 pm

CHAIRMAN.....

DATE.....