

HOUSING, ECONOMY & INFRASTRUCTURE SCRUTINY COMMITTEE

Minutes of a meeting of the Housing, Economy & Infrastructure Scrutiny Committee held on Friday, 15th November 2013 at 2.30pm in Meeting Room 7, Darby House, Telford.

PRESENT: Councillors C. Turley (Chair), S. Bentley, E. Carter, C. Mason, C. Mollett, R. Sloan; Co-optees D. Johnson, S. Reynolds.

Also attending: Cllr. C. Smith, Cabinet Member Housing, Development & Borough Towns Development; M. Barker, Planning Specialist; R. Taylor, Environment & Policy Planning Team Leader; S. Jones, Scrutiny Officer.

HEISC-9 MINUTES

RESOLVED – that the minutes of the meeting of the Housing, Economy & Infrastructure Scrutiny Committee meetings held on 20th December 2012 and 1st November 2013 be confirmed and signed by the Chair.

HEISC-10 APOLOGIES FOR ABSENCE

Cllrs. J. Thompson and K. Tomlinson

HEISC-11 DECLARATIONS OF INTEREST

None

HEISC-12 SHAPING PLACES CONSULTATION

The Chair reminded members that the Committee had agreed to include aspects of the development of the Local Plan Shaping Places into the work programme. The first phase was to look at the consultation process, how previous feedback had been taken on board and the process for consulting in future, and this meeting was the first stage of that work. He then invited officers present to highlight the key points in the report on the Shaping Places consultation circulated as Appendix B.

The Environment & Policy Planning Team Leader introduced the report which responded to the following questions raised by scrutiny around the consultation:

1. Consultation process to date

The report set out the range of engagement and consultation activities to date. An on-going approach had been taken to consultation so there were on-going opportunities to feed in. Engagement in early 2012 had included road shows, press releases, questionnaires etc. to get views from the public on what issues the plan needed to address. The findings had been published on the website. There

had been targeted engagement sessions with Town & Parish Councils and key partners, groups and individuals to draw out the issues and help develop the Strategy & Options document. There had been pre-consultation sessions with the same groups and individuals to show how their views had fed into the document, to get their feedback on the broad contents of the document and to give them notice of the formal consultation period. In June/July there had been a formal 6 week consultation which had included consultation on the website, open sessions, one-to-ones with Town & Parish Councils, the Community Panel, the Young Persons' Forum, direct contact with the consultee database, social media, local radio, Your Voice, copies in Council buildings etc. The session with the Young Persons' Forum had been especially good. Paper copies had been made available for people who do not use the website. The consultation portal on the website showed the process and comments to date and would be kept up to date so people could continue to be involved.

2. Analysis of feedback – how many, who, what did they say, any gaps?

- There had been 365 responses to the early engagement in 2012. The key messages were around the importance of green space, business growth and job creation, growing the independent retail sector and sustainable forms of transport.
- Further targeted engagement had been done with Town & Parish Councils, businesses, developers, key partners on the Local Strategic Partnership, the HCA and Council services. It was important that key partners and providers were involved as the plan would impact on services in the borough. Key messages were the need for growth balanced with protection of green spaces, the need to maintain the infrastructure balanced with the cost, the need for a broad mix of housing to reduce inequalities. Ward members had highlighted the importance of maintaining local identities. Developers wanted certainty from the plan so investment opportunities were clear. The Police said the plan would be helpful for knowing the amount and location of development so they could plan their services. This on-going engagement was important.
- There had been 1471 comments from 158 consultees during the formal 6 week consultation. Many were on behalf of groups, for example the Town & Parish Councils. There had been feedback that the document was difficult to relate to, and it was felt that people may be more likely to engage when the detailed options were out for consultation. A full list of consultees and comments was available on the website. The inspector would be looking at this to check how the comments had been taken on board. Some comments had been made verbally at open sessions but had not been followed up in writing – the comments had been recorded and taken on board but had not been counted in the response figures because they did not constitute a formal representation. All the comments had been analysed and would be summarised in the December Cabinet report, but members were given a broad flavour of the feedback:
 - Overall support for the Vision but a need to see better evidence for the 200,000 population growth projection and more emphasis on green space.
 - Generally supportive of growth but a need to see more evidence for the growth projections in option 3. The Strategic Housing Market Assessment was underway and would feed into this. There were questions about the achievability of this scale of growth and the impact on green space and

communities in the urban fringe. Developers had challenged the delivery of committed development and that there were a lot of sites that needed to be brought forward – this was being looked at as part of the Business & Development Charter. There were comments about the lack of an economic dimension and although there were a lot of positive signs of inward investment, population growth needed to be linked to job growth. There needed to be very clear evidence and an audit trail to support the plan and the inspector would need to see it.

- In terms of spatial distribution, comments highlighted the need to ensure a balance between development in rural and urban fringe areas against development to address issues and regeneration of urban areas. Comments reinforced the need to strengthen business development opportunities using brown field sites rather than all Greenfield sites which reflected the national policy framework.
- In terms of gaps, the team had worked closely with the Council's Community Engagement & Equalities team to reach all members of the community. Equalities monitoring had identified the low rate of comments from young people. The session with the Young Persons Forum had been very good but young people had not generally put pen to paper and more could possibly be done with schools to engage young people – this was important because the plan was about the future of the borough.
- Efforts had been made to make the Strategy & Options document as understandable as possible. It was felt that there would probably be more engagement with the next phase of the plan when more specific site allocations are consulted on.

3. How the feedback will influence detailed proposals

All the comments had been analysed and would be taken into account in the preparation of the draft plan. The comments would be summarised in the report for Cabinet. The plan needed to be compliant with the National Planning Policy Framework (NPPF) and other studies were being done to gather evidence which had been lacking to ensure conformity. All comments had been acknowledged but it was not possible to respond individually to all comments but people could apply for feedback and it would be provided where possible and within reason. Since the consultation closed, the team had visited a number of community groups to give feedback and were willing to attend other meetings.

4. The proposed consultation process for the detailed proposals including with partners

The report for Cabinet would include the approach to consulting on potential site allocations in the detailed plan. It was proposed that the same process and consultees would continue to be used to engage and consult on the detailed plan. The consultation period would need to be advertised in advance so that people were aware that it would be happening in spring 2014 and when. It was proposed that the consultation plan comes back to scrutiny in January 2014 to ensure it addresses any points raised by scrutiny.

5. Key risks for the Council

The consultation must be carried out in accordance with the statutory process but the Council's approach was to go over and above that. Working with the

Community Engagement & Equalities team ensures that the process is inclusive and compliant with equalities legislation.

6. How the Strategic Housing Market Assessment feeds into the Plan

The NPPF requires the Council to have a plan for housing. The 2010 Strategic Housing Market Assessment (SHMA) had fed into the Strategy & Options document but was in the process of being updated and was due to be complete by the end of the year and would inform the detailed plan. The study would estimate future population growth and size/type of households, market trends and give an indication of the types of housing needed. The Strategy & Options document had sought views on the general approach to housing policy rather than specific figures, for example whether there should be separate affordable housing targets for different parts of the borough rather than one borough-wide target. The draft plan would include draft policies informed by the SHMA and percentage affordable allocations for consultation.

Members then asked questions and made comments on a number of issues.

- Cllr. Bentley said he understood the need for the plan but he said there needed to be greater dialogue with the town and parishes especially the Neighbourhood Plan front runners who were aligning plans with the current local plan which runs to 2016 and which would change when Shaping Places was adopted in 2015. He also raised an issue with shared ownership of S106 properties in Waters Upton, and concern that verbal responses to the consultation had not been taken into account. The Planning Specialist insisted that they had worked closely with all the Neighbourhood Plan front runners including Madeley who were about to go forward to the next stage. Neighbourhood Plans were required to be compliant with the adopted local plan - in Telford & Wrekin this was the Core Strategy to 2016 until the adoption of Shaping Places in 2015 – and there had been dialogue on Shaping Places so the towns and parishes were aware that the plan would change. This would happen in all local authorities. They had clarified the government requirements for Neighbourhood Plans with the towns and parishes and had run through the process with them for a number of years. The Neighbourhood Plans were the responsibility of the towns and parishes and not the Council but the Council had to indicate whether the plans were consistent with the Local Plan and the NPPF.

Cllr. Bentley said High Ercall and Waters Upton were developing Neighbourhood Plans consistent with plans which would be out of date by 2016. The Planning Specialist said they could not alter the government timetable for the Local Plan or government requirements for the Neighbourhood Plans and the Council could only operate within planning requirements and regulations. He strongly maintained that the Council had done all it could to help the town and parish front runners and answer their questions so they could make the plans compliant. Cllr. Bentley remained concerned that the towns and parishes were developing plans inline with policies only in force until 2016. The Planning Specialist said that in planning terms there was a hierarchy of plans: government policy, the National Planning Policy Framework and the Core Strategy. The Core Strategy was based on previous planning information, reflected government policy and gave an indication of which way the Council was going. They had listened to the views of rural

Councils and the Council is reviewing the planning of development in rural areas and would be likely to change the approach based on looking instead at a more flexible approach enabling each settlement to develop in an appropriate way. Cllr. Bentley said the Localism Act had conferred greater power on local communities and that site allocations should be in line with what local people want, but the Planning Specialist said that site allocations should be in line with the NPPF.

- Cllr. Carter queried how the Strategy & Options document was joined up with Neighbourhood Plans, for example the question about seeing more development did not say whether this was on top of developments already planned.
- Cllr. Carter expressed his views on the shortage of employment land in Newport and his hope that this would be addressed and Cllr. Smith assured him he was well aware of the issue.
- Cllr. Carter raised the issue of broadband connectivity in rural areas as a gap that he would like to see addressed in Shaping Places as this was a particular issue raised by businesses in the Gorge. Mr. Johnson said he had heard that Telford & Wrekin was one of the few Councils which had not joined the BDUK funding scheme for broadband in rural areas. Cllr. Smith assured members he was aware of the issue with rural broadband. BT had upgraded Telford but had put smaller exchanges in rural areas. The BDUK deal had not been affordable - there was only a limited amount of money and the Council could not afford the £12m funding for the Gorge stability required by the government and the investment in broadband. Discussions were happening with BT about upgrading exchanges and investment in fibre optics to join up places on the edge of exchanges. Mr. Johnson said he had not been aware of any discussions at the Council about rural broadband and wanted to know if they had happened in public and the Cabinet member replied that there had been public debate but it was not possible for the Council to do everything. Cllr. Carter agreed it was not possible for the Council to pay for everything and suggested that they should look at opportunities for regional funding – possibly the Regional Growth fund – via the LEP. Cllr. Smith said the LEP was only just stabilising and there was no separate funding pot for broadband but Cllr. Carter urged him to approach the LEP as soon as possible.
- Cllr. Carter suggested that social media would be a good way of reaching more young people rather than talking to schools.
- Cllr. Carter agreed the plan should include local targets for affordable housing rather than a borough-wide target. He felt it was illogical to have one target and there were different needs in different places. He was interested in the comments on this and how it had been explained to people. Mr. Johnson asked about the process for agreeing the amount of affordable homes – he thought that the Council always asked for a proportion of affordable homes in a development but had heard that developers had negotiated the amount down. The Planning Specialist explained that normally the Council asks for a number of affordable homes based on targets set out in the plan (e.g. 20% in urban areas) but the planning authority can only ask for what is economically viable. If the affordable housing is not viable, the developer has to put forward a plan to demonstrate why not. The Council negotiates around this and there have been some sites where there has

been reduced or no affordable housing. The level of affordable houses on the big site in Lawley was 15% but the aim was to get this back to 25%, but they need to look at the economic circumstances of the site.

- Cllr. Bentley suggested the “affordable housing” should be replaced with social housing” because it was not really affordable for people on lower wages. The Planning Specialist said the terms were set out by the government and the document had to use the terms “affordable housing” and “affordable rent”. There will need to be flexibility in the mix of types of housing in future to meet different needs in different areas – affordable, private, shared or multiple occupation etc. and different S106 contributions.
- Mr. Johnson felt the document was difficult for people to read and in future the language should be accessible for the public. He understood the need to comply with regulations but suggested there could be a separate document for the public which was easier to read. The Planning Specialist said the Council was bound by regulations and that it was not possible to have two separate documents for two audiences for legal reasons if there were disputes in court. However, they would try to turn all the elements into a publicly understandable document without compromising legality. Mr. Johnson said the documents were very lengthy and this could create a perception that the Council was trying to keep the public out of decision making. The Team Leader said there was a balance to be struck between making it accessible but complete. Coming back to an earlier question about verbal comments, she assured members that all the verbal comments were recorded in notes at the meetings and were taken on board. The Strategy & Options document had been structured so there were questions through out relating to each section and there had been 1400 comments registered throughout the sections.
- Mr. Johnson felt the plan should do more on sustainability issues for example solar panels would be cheaper to install at the building stage but he did not see developers putting them in. The Planning Specialist said solar panels were not required by building regulations and they could not be required, and the Cabinet member said the planning authority had no powers to make builders put them in.
- Cllr. Mollett made two points: that during the consultation process he had heard more complaints about access to broadband than anything else when BT said there was not enough demand; that with the number of new housing developments there were questions about where children would be educated and more thought needed to be given to education and schools. The Cabinet member said the Council was looking at how new development feeds into schools and the BSF programme. The rules for academies and free schools meant the Council’s responsibility for school place planning was more difficult. The Planning Specialist said that officers in the school planning team were closely involved in the process. Additional demand from development is mapped onto the school planning areas and if there is insufficient capacity the Council looks for S106 money to fund new places.
- Cllr. Carter said the Council should be forceful in working with the HCA and affordable housing providers to bring forward land for development of affordable

housing. The Planning Specialist assured members that they were working with the providers and doing as much as they could to develop links with them. They were looking now at phases 7 and 8 in Lawley and had sat around the table with the developers and HCA. They were working reasonably well together, but there was a need to keep working on it.

- Cllr. Carter asked about the role of the private rented sector in meeting housing demand and if there was enough rented accommodation. The Planning Specialist said they could not go into this at this meeting but he agreed that private landlords would play an increasing role.
- Cllr. Bentley said developers will only build to regulations in force at the time of the planning application and the Planning Specialist said that was right and that developers could not be required to do things retrospectively. Unless the government enforces something, one developer will not do something that the others are not doing.

When there were no further questions and comments, the Cabinet member and officers left the meeting.

Members debated any comments they would like to put forward to be considered for the next round of consultation and to come back to the meeting in January. The following points were discussed:

- As the document goes forward, deeper engagement with Town & Parish Councils is essential particularly with those advancing Neighbourhood Plans
- Consideration should be given to greater use of social media to increase the engagement of children and young people in the development of the Plan
- Members would like to see more thought and detail around the business growth agenda in the Plan
- Linked to the above comment, and the high proportion of businesses /new enterprise in rural areas, the Committee would like to see a greater emphasis in the Plan on making broadband available in rural areas. The Council should endeavour to explore funding opportunities via the LEP or Regional Growth Fund to support this aim.
- While acknowledging the legal requirements of consultation documents, it is essential that documents are readable and understandable for members of the public, and consideration must be given to achieving this by including a one page summary for each section of the document.
- The Plan should encourage the development of affordable / social housing and affordable rent in both the social and private sector to meet local needs and the Council should continue to work with and influence the HCA and social landlords to achieve this.

- More thought needs to be given to schools and education facilities to meet the demand from the number of new houses.

It was agreed that the Scrutiny Officer would draft comments as discussed and circulate to the Committee to consider the wording and approve the response to submit to the service area.

RESOLVED – that the Committee’s response be agreed and submitted as discussed at the meeting.

HEISC-13 WORK PROGRAMME AND CHAIR’S UPDATE

The Chair updated members on progress on the actions agreed at the meeting on 1st November as follows:

- The information on the cost of EDMOs from Stockton had been circulated
- Material from Shelter conference had been circulated
- A meeting with the Private Sector Housing Manager from Sandwell had been arranged for 26th November.
- The scrutiny officer would contact the 2 parishes to arrange visits
- Severn Trent Water had not been approached about the empties database and it was thought they might have contracted this work out.

The next formal meeting would be in January to look at the detailed consultation plan for Shaping Places. Cllr. Sloan suggested this should be done before the work on empties which was not time critical.

The meeting ended at 4.00pm

Chairman:.....

Date:.....