

## **HOUSING, ECONOMY & INFRASTRUCTURE SCRUTINY COMMITTEE**

### **Minutes of a meeting of the Housing, Economy & Infrastructure Scrutiny Committee held on Tuesday, 18<sup>th</sup> February 2014 in Large Meeting Room, Wellington Library, Larkin Way, Wellington TF1 1LX.**

**PRESENT:** Councillors C. Turley (Chair), E. Carter, C. Mason, K. Tomlinson and 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-14 MINUTES**

**RESOLVED** – that the minutes of the meeting of the Housing, Economy & Infrastructure Scrutiny Committee meetings held on 15<sup>th</sup> November be confirmed and signed by the Chair.

#### **HEISC-15 APOLOGIES FOR ABSENCE**

Cllrs. C. Mollett, R. Sloan, J. Thompson.

#### **HEISC-16 DECLARATIONS OF INTEREST**

None

#### **HEISC-17 SHAPING PLACES CONSULTATION**

The Chair introduced the item saying that the purpose was for the Committee to receive the response to comments on the Shaping Places Local Plan made at the last meeting and to consider the consultation process for the next phase of the development of the Plan. The Chair reminded members that the scope of the scrutiny work was to look at process for consulting on the Plan and not the details of the proposals. Members would be able to put forward their views on the proposals individually and outside the scrutiny process. He invited officers present to highlight the key points in the report circulated as Appendix B.

The Environment & Policy Planning Team Leader made the following points:

- A report to Cabinet in December summarised the feedback from the consultation on the Strategy and Options document and how it had been taken on board, and set out the proposed approach to the next stage of developing the Plan.
- The next phase was to consult on specific site allocation proposals and it was expected that there would be greater interest and more feedback.
- It is proposed to undertake a period of public consultation during late

spring/summer.

- Previous engagement had been effective so the same approach would be taken again with some modifications. These included enhanced support for town and parish councils with drop-in sessions for people to view maps of the proposed development sites, writing to all previous consultees, use of the press and information in public places, repeated use of social media and further work with the Young People's Forum.
- The report set out the response to comments made at the last meeting about consultation with Town & Parish Councils, the engagement of young people via social media and the clarity of technical information for members of the public.
- The report also set out responses to wider comments made about the business growth plan, the broadband strategy, encouraging the development of affordable housing and ensuring sufficiency of school places.

There was then a discussion covering the following points:

- Mr. Johnson said he was sympathetic to Telford & Wrekin Council because it tried hard to engage town and parish councils. The Planning Specialist said that in the next phase they were trying to be more focussed on specific areas and would do all that they could to engage the town and parish councils.
- Cllr. Carter emphasised strongly the need to impress on town and parish councils and the electorate the importance of turning up for meetings otherwise they may suffer later on. He said that people were interested but they don't turn up and town and parish councils needed to really make people understand the importance of getting out. They must make sure that people know when meetings are and what the implications are so that they cannot complain later that they were not informed. The Cabinet member said that it was proposed to have a period of consultation and they would try everything possible to engage people.
- Cllr. Carter asked if feedback on engagement on a parish council by parish council basis could be provided to the committee and the Planning Specialist said they would record how many were involved and could report back. They would also continue to Tweet and to review engagement during the consultation period so the process could be adapted to make certain people have as much chance as possible to take part. They were also looking at what neighbours and other authorities were doing to engage people to find other ideas. Cllr. Carter said it was important for the committee to see this feedback in order to carry out rigorous scrutiny.
- Cllr. Tomlinson said that taking PACT meetings as an example, about 60 people had attended one meeting, but then only 2 people or no-one had turned up for others. People only attend if they think something will affect them and if not, they don't. For example people had not raised concerns about the impact of the sugar-beet factory housing development in Arleston on the roads until it was too late. People had problems getting out of the road unless someone let them out and this was a specific example of how things could affect people's lives. She suggested they needed to knock on doors and point out to people that if they did not get involved it may be too late. She agreed it was difficult to get people to engage - in Admaston letters had been put through people's doors but a lot of

people didn't read them, the Voice can go in the recycling bin without being read and a lot of people do not have internet access or use Facebook or Twitter.

- Cllr. Carter asked some specific questions about a proposed development in Allscott. The Planning Specialist reminded members that planning applications were dealt with through planning processes subject to planning regulations and were the responsibility of the Planning Committee and were not within the remit of Cabinet or scrutiny. The Cabinet member said there had been a suggestion for a rail hub which would be very expensive but he had raised it with Network Rail as the proposed development of 400 new homes may help bring this forward. Cllr. Carter said he would raise this with the strategic rail group which he sat on.
- Cllr. Mason said transport issues from new development were not just about traffic but also about having good public transport services so people could get to work in Telford or other parts of the borough. For example there were no buses to Hortonwood. He could not remember anything on Shaping Places going to the Bus Users Group. The Planning Specialist made two points:
  - That the transport structure – the scale and design of roads – was governed by national structures and based on evidential calculations approved by Parliament and the courts. This was the same across the country. The Council as the highways authority made sure the analysis of the evidence was as solid as possible but was not able to influence the approach.
  - That the bus services were privately run and the Council works with the operator but routes have to be profitable for the operator to run.
- The Team Leader said consultation with other partners was on-going including with energy companies, utility companies, the Fire & Rescue Service, the Police and Arriva. It was important to continue to engage on growth issues so partners could feedback and plan their services.
- The Team Leader said people would be able to comment on the proposals via the on-line portal or they could submit comments in writing which would be uploaded to the portal unless people wanted their comments to remain confidential.
- In terms of the readability of documents, there would be a focus on maps and a text summary. Because of the technical nature of the information there needed to be a balance between making information easy to access and understand and meeting the legal requirements for the consultation. It was felt that people would relate to maps as a way of getting information about specific site allocations, but a summary would also be provided along with details of how people can comment.
- The report addressed the comments made by members at the last meeting, and in addition the committee could be provided with material such as leaflets. They are also going to write to geography departments in schools to engage with students taking GCSE and A Level geography to tie the work into their studies as another way of engaging young people.
- The Team Leader assured members that consultation and engagement was taken very seriously and was on-going. They were also engaging with the PR and Equalities teams.

- The response to comments at the last meeting about affordable housing stated that in recent years the average level of affordable housing delivered in the borough was 15%. This figure related to affordable housing subject to S106 contributions and did not include 100% affordable housing schemes developed by RSLs which if included would increase the figure to 38%. The Planning Specialist informed members that the recent passage of the Growth Act had encouraged developers to challenge planning authorities on S106 contributions on the grounds of viability to ensure there were no obstacles to development. The planning authority had to be robust and clear about the evidence for requiring S106 contributions to secure the best deal for local people, but ultimately the developer cannot deliver something that is not viable. Telford & Wrekin was doing well and would keep pushing developers hard on S106 but would continue to be challenged.
- The Chair asked if any key risks to the Council had been identified around delivery of growth options which may form part of the final plan. The Team Leader said that they took account of key risks and regulations to ensure they were meeting regulations and requirements. The whole Shaping Places process was subject to evidence to support the plan and the inspectors would be looking at the risks around the final plan. The Cabinet member said things were changing all the time and there would always be risks but they would adapt to changes. In terms of the consultation plan, he felt it was robust and was subject to on-going review to apply lessons learnt throughout the process. They would be approaching the town and parish councils to try to find out what had worked or not worked for them.
- Cllr. Carter raised points about what he felt were two of the risks:
  - One risk was trying to enforce building on sites which had been left undeveloped following planning consent. He suggested one solution was to increase permissions, or a way forward was to grant planning permission for a limited period before consent is withdrawn e.g. 2 years.
  - Another risk was development on flood plains. National policy allowed building on flood plains because housing was more important than the flood plain which Cllr. Carter disagreed with and felt there were plenty of brown field sites which could be developed before building on flood plains. He was not sure how this fed into Shaping Places.

The Cabinet member said that most of the housing development land in the borough belonged to the Home & Communities Agency (HCA) and it was up to them to appoint builders to get on and build. They had more than five years supply of land with old permissions and he agreed that the HCA land ought to be built on. Once a developer had put the footings in for a building, the development was considered underway so there was a need to enforce completion targets. The Planning Specialist said inspectors were of the view that developers were not land banking because once they had paid for planning consent they could not afford not to build, but landowners may have land with planning permission but no development. Developers will only build if there are buyers and development can only proceed at the rate the financial sector will lend at so it comes back to the structure of the finance industry. He observed that the Chancellor has a strong grip on planning policy as the government sees development as key to driving the country out of recession and the idea of making changes is difficult when it is part

of the economic strategy. He highlighted examples of risks from recent planning applications in other parts of the country: one was where the Planning Committee had refused permission but the inspectors had said there was not enough housing in the area concerned and had sent the application back to Planning Committee; the other was where plans had been thrown out by inspectors under the Duty to Co-operate because they felt there had not been sufficient discussion with neighbouring authorities.

- Cllr. Carter asked 2 questions:
  - Why HCA land with planning permission was not included in the figures for the 5 year supply of housing land, and
  - Why developers are not enforced to build on it and how Cabinet was putting pressure on the coalition government on this issue.

The Planning Specialist said a letter had been prepared to raise these issues nationally. Not all HCA land was included in the 5 year supply of land because although there was existing Section 7.1 agreements Parliament had agreed that the existing consents would not be used and for a site to be brought forward they would need to apply for planning permission in the normal manner. Under previous regional planning processes figures had been agreed for the amount of housing development over the period and although the regional plans had been revoked the figures were still considered to be relevant as growth targets. The problem for local authorities was that the rate of building had been lower than the regional figures. Telford and Wrekin was a designated growth area and has the capacity to grow. However, the National Planning Policy Framework only allowed authorities to take into account what is deemed “deliverable” based on current completion rates. The government holds the view that if more sites are granted planning permission it will follow that more new houses will be built. Cllr. Carter said he felt it was not sensible or right because it would give people the wrong impression and the HCA land should be included in the supply of land figures. The Planning Specialist said this issue had been taken through planning appeals to the high courts but it was the law and approved by the courts. Other authorities had tried to challenge it but had spent a lot of money and had lost. Mr. Johnson asked what would need to happen to change the position and the Planning Specialist said it would require an act of Parliament to change the National Planning Policy Framework to allow a broader definition of land supply. Mr. Johnson asked if this meant a developer came along and wanted to build say 2500 houses it would go to a land bank and the Planning Specialist said this was possible. However, Telford & Wrekin was doing better than anywhere else in the region and the issue was not getting more planning consents but getting the sites built over the next 5 years. The Councils position in respect of the five year supply of housing land is set out on the website.

[http://www.telford.gov.uk/info/100006/environment\\_and\\_planning/1773/five\\_year\\_housing\\_land\\_supply\\_statement](http://www.telford.gov.uk/info/100006/environment_and_planning/1773/five_year_housing_land_supply_statement))

- The Chair asked how the Strategic Housing Market Needs Assessment fed into Shaping Places. The Team Leader said the housing needs assessment needed to be updated to ensure data feeding into the housing growth projections was up to date. They were currently awaiting data which would feed into the housing section of Shaping Places and would provide the evidence base for the different types of housing.

- The Chair asked members if they would like another update on Shaping Places and this was agreed to look at the results of the engagement with town and parish councils. Members again said that town and parish councils had a duty of care to ensure local people were informed of the plans and made various suggestions about engagements including:
  - articles in parish newsletters where they exist
  - letters addressed personally with the Telford & Wrekin logo
  - depending on costs, Parishes could leaflet specific areas on specific issues
 The Planning Specialist said they would maintain the dialogue with scrutiny.

The Cabinet member and officers left the meeting.

## **RESOLVED**

- **That the report be noted**
- **That a further update be brought to a future meeting**

## **HEISC-18    CHAIR'S UPDATE**

The Chair summarised progress on the review of Empty Properties since the last meeting which included the meetings with the Chairs and Clerks of Madeley Town Council and Ketley Parish Council. He tabled a number of draft recommendations for discussion which picked up issues and suggestions drawn from the information gathered during the review.

There was a discussion about the key issues which members felt had arisen from the work and some of the points made were the lack of awareness of town and parish councils of the need to report empties, the need engage ward members as well as town and parish councillors, the possibility of sharing data on empties with utility companies. Members considered the draft recommendations tabled and endorsed them.

There was a discussion about items for the work programme and the following was agreed:

- a) That the committee would receive a further update on the development of Shaping Places. The timing would be agreed by the chair in consultation with relevant officers.
- b) Members were satisfied with the briefing on the new waste services and with the communication of the new service to the public and no further issues were identified for scrutiny. However, Cllr. Mason said he would like to know when the TWS grass cutting contract was due to expire.
- c) Section 106 and CIL had been deferred but remained on the work programme and members requested an update on the position.
- d) Cllr. Mason enquired when the committee was going to look at speed limits outside schools because there had been an issue in his ward. The Scrutiny Officer reminded members that it had previously been agreed that the issue of speed limits outside schools would be merged with the suggestion to review car parking enforcement and it had then been agreed that the review would be deferred until 2016 or until the traffic warden pilots had been evaluated.

- e) A new suggestion put forward by the Assistant Director Family & Cohesion Services to consult the committee on the proposals from the Transport Review was agreed for the work programme.

**RESOLVED**

- **That the draft recommendations for the review of Empty Properties be endorsed**
- **That items for the work programme be agreed as set out in the minutes**

The meeting ended at 11.00am

**Chairman:**.....

**Date:**.....