

FOR: COUNCIL MEETING

24th FEBRUARY 2014

AGENDA ITEM 8

(BUFF ENCLOSURE)

REPORT OF CHAIRMAN OF ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE

Councillors Cox (Chairman), Drinkwater (Vice Chairman), Mrs Eagland (Vice Chairman), Mrs Barnett, Mrs Evans, Hogan, Fisher, Pullen, Roberts, Smedley and Mrs Stanhope MBE.

(In accordance with Council Procedure Rule No.17 Councillors Pritchard and Wilcox attended the meeting).

APOLOGIES FOR ABSENCE were received from Councillor Wilks.

Also Present:

James Roberts - Economic Development & Enterprise Manager, Tamworth Borough Council and lead officer for Business Partnerships and Support Shared Service

Ms Debbie Baker – Chairman of the Business Economic Partnership

At the meeting on the 7th January 2014 the following matters were considered:

1. LICHFIELD DISTRICT LOCAL PLAN: MAIN MODIFICATIONS

- 1.1 Members received a report on the main modifications proposed to the submitted Local Plan Strategy in response to the Inspectors initial findings. It was reported that during the hearing sessions with the Inspector, he identified a concern that the submitted Local Plan did not provide for enough housing to meet the needs of the District and that further work would be required to ensure the Local Plan was sound. It was then reported that the Inspector had given the District Council 6 months to address these concerns including the provision of extra housing. The Committee noted that the Inspector also recommended that the life of the plan be extended by a year to ensure it was in force for a full 15 years and as a consequence, the overall extra housing requirement would be 1330.
- 1.2 Members noted that many key strategic sites were considered and scored against criteria including the strategic fit with the National Planning Policy Framework and whether it would be deliverable in the short term. It was then reported that the best scoring sites were Deans Slade Farm and Cricket Lane which although Green Belt, were of only moderate significance or minimal impact. It was then reported that it was proposed to convert identified employment land in Fradley to a residential allocation. It was noted that any loss in employment land could be included in the Cricket Lane site. It was then reported why the other options for sites were discounted. Members received an addendum to Appendix B of the report (allocation of additional 1330 dwellings: options tested against the sustainability appraisal) to include the 750 dwellings site at Watery Lane.
- 1.3 It was reported that a main modification to the Duty to Cooperate was proposed to fully reflect the collaboration with neighbouring authorities in commissioning a joint housing study to possibly deal with any shortfall in housing need in the Birmingham City Council area. It was noted that this was a study only and no decision had been made regarding actually supplying land for housing for Birmingham City Council.

- 1.4 Members asked whether it had been investigated why sites had been originally designated Green Belt when assessing the site options for the extra housing and it was reported that the sites had been fully assessed against the criteria. Overall Members felt that the site options had been considered sensibly and the release of Green Belt was never done lightly however the chosen sites were the most realistic and defensible. It was noted that in the past, both the Deans Slade Farm and Cricket Lane sites were classed as White Land for a while so neither designated Green Belt or Brown Field.
- 1.5 Members also felt that the change in allocation from employment to housing in Fradley reflected the wishes of the residents in that area however there were concerns that nothing had been specified regarding the infrastructure especially the A38 junction. It was reported that the Inspector had not found any issues with the Infrastructure Plan but the reference to the A38 junction was purposely kept vague to allow flexibility.
- 1.6 Members asked how much of the housing allocation was to help the housing need in Birmingham as they had concern that the Council was being forced to supply housing that would not benefit the District. It was reported that non of the housing allocation was for Birmingham but that there was still a duty to cooperate and consider cross boundaries to ensure the Local Plan was sound so the need to talking to neighbouring authorities was unavoidable.
- 1.7 The following was agreed:
- (1) That the analysis contained in Appendix B & E of the report, and the further addendums received, that informed the main modifications proposed, be noted;
 - (2) That the identified 'main' modifications contained in Appendix A of the report be supported;
 - (3) That the Strategic Green Belt Review Addendum, contained at Appendix F of the report, published as part of the Local Plan evidence base be agreed and made subject of consultation for 6 weeks; and
 - (4) That the Employment Land Review Addendum, contained at Appendix G of the report, published as part of the Local Plan evidence base be agreed and made subject of consultation for 6 weeks.

2. CONSIDERATION OF CHANGES TO THE COUNCIL'S CONSTITUTION WITH REGARD TO OFFICER DELEGATED POWERS

- 2.1 Members received a report requesting consideration to change the Council's Constitution to remove current Officer delegated powers to determine any planning applications that were submitted on sites/developments where 'permitted development rights' had been removed by a condition on a planning permission previously granted by the Planning Committee.
- 2.2 It was reported that most minor applications were dealt with through delegated powers unless called-in by a Member or it was an application made by a Councillor, Officer or involved Section 106 agreements.
- 2.3 It was then reported that in changing the Council's Constitution, the number of applications to the Planning Committee would increase and so would the resources needed and associated costs. Members noted that a benchmarking exercise was undertaken and it was reported that the cost of an application that went to the Planning Committee was 15% higher than that of applications decided by delegated powers. It was also reported that due to the increase of applications to the Planning Committee,

performance could be affected. It was noted that no fees were charged on applications where permitted development rights had been removed.

- 2.4 Members asked how many more applications to the Planning Committee could be expected if the Constitution was changed and it was reported that it could be at least double the current amount.
- 2.5 Members felt that the current arrangements were sufficient and were working well.
- 2.6 It was agreed that the Planning Committee be recommended **not** to change the Constitution with regard to removing officer delegated powers to determine any planning applications that are submitted on sites/developments where 'permitted development rights' have been removed by a condition on a planning permission granted by the Planning Committee.

<p>3. TAMWORTH AND LICHFIELD BUSINESS AND ECONOMIC PARTNERSHIP (BEP) AND SHARED SERVICE IN ECONOMIC DEVELOPMENT – FURTHER PROGRESS UPDATE</p>
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- 3.1 Members received a report providing a further update on local economic performance, highlighting the outputs and contributions made by the Business Economic Partnership (BEP) and Shared Service in Economic Development.
- 3.2 It was reported that the number in Lichfield had increased by 3% since 2011, which was higher than the Staffordshire and West Midlands average. It was then reported that unemployment had increased but was now back to 5%, which was the same as in 2011 and again lower than the national average. It was noted that although the BEP was not the direct cause for the successful statistics, it did contribute to them through providing business support, events and giving access to funding.
- 3.3 Members were then shown the new website, launched by the BEP and Shared Service which acted like a portal to local businesses providing news and information on events and support available. It was noted that the use of social media was also being developed. It was reported that a Business Network Forum had also been established and was made up of around 20 representatives of smaller business networks and clubs. It was then reported that this forum helped consult with the wider business community as well as respond to consultations from the Local Enterprise Partnerships (LEPs).
- 3.4 The Chairman of the BEP, Ms Debbie Baker, reported that although usually difficult to start a partnership, the business networks had integrated well into the Business Network Forum and this was thanks to the Shared Service. She also reported that she would welcome a Councillor to join the meetings to further help the relationship between the Council and business community.
- 3.5 When asked she confirmed that with the help of the Innovation team, Burntwood was now at the forefront of people's mind and was confident progress would be seen soon. Members then asked how the BEP obtained funding from the LEPs for local businesses and it was reported that the BEP could direct businesses to where funding was available.
- 3.6 Members asked how many of the extra 800 people into work were actually in full time employment and it was reported that the data given was a headline and it was agreed that a breakdown of full time and part time figures be sent to Members.
- 3.7 Members then asked for more detail on BDS Ltd and BES Ltd who both helped with business support and when asked, it was reported that although performance targets had been set, fixed price contracts were in operation.

3.8 Members asked if banks were involved in the Business Network Forum and it was reported that it was being considered to invite them to the meetings.

3.9 The following was agreed:

(1) That the relatively strong performance of the local economy in Lichfield District and the contributions made by the Shared Service and BEP in supporting local economic growth be noted; and

(2) That the continued work and approach of the Shared Service and BEP in supporting local economic growth and in seeking to achieve the ambitions of the Economic Strategy and related objectives of the Strategic Plan be endorsed.

4. PROGRESS ON SUPPLEMENTARY PLANNING DOCUMENTS (SPD)

4.1 Members received a report updating progress of the SPDs and it was reported that a final draft of the Trees & Landscaping SPD had been produced and approval was requested to release it for public consultation. The Member lead for the Biodiversity & Trees & Landscaping SPD task group, Councillor Drinkwater, reported that the SPD was very comprehensive and thanked all the Members and Officers involved. It was noted that the results of the consultation would be reported back to the Committee.

4.2 When asked it was reported that the Hedgerow Regulations were still in force.

4.3 The following was agreed:

(1) That the publishing of the draft Trees and Landscape SPD for the purposes of public consultation be agreed; and

(2) That the progress being made in bringing forward supplementary planning documents across the range of identified topics be noted.

(3) That Councillor Mrs Barnett be appointed to the Rural Development SPD Task Group.

5. HIGH SPEED 2 – PHASES 1 AND 2

5.1 Members received a report updating on the Government's proposals to develop a high speed rail line, High Speed 2 (HS2). It was reported that the Hybrid Bill for Phase 1 of HS2 had been formally laid before Parliament and had its first reading in November 2013. It was noted that the bill was the largest bill ever put before Parliament.

5.2 It was then reported that consultation was also taking place on the Environmental Statement that was published as part of the Bill and it was noted that the timescale for the consultation was only 56 days and included the Christmas holiday period. Due to this short deadline, it was reported that it had been delegated to the Cabinet Member in consultation with the Strategic Director, Development, Democratic and Legal Services working with Staffordshire County Council to create a joint response.

5.3 It was then reported that affected parties like local communities and authorities would have the opportunity to challenge and seek to have changes through a petitioning process. It was reported that this process would involve making a case to a Parliament Select Committee and further details and cost implications of proceeding with petitioning would be reported to Cabinet on the 14th January 2014.

- 5.4 The Committee noted that the Council was still a member of the 51M group and still pursuing a legal challenge. The Committee then noted that the Government was currently consulting on the preferred route for Phase 2 of HS2.
- 5.5 Members felt that the Council should take up the opportunity to petition and ensure the effects of HS2 on the District and its residents be heard by a Select Committee.
- 5.6 Members again expressed their concern for the wellbeing of affected residents and recognised that more people would be affected by the infrastructure works needed.
- 5.7 The following was agreed:
- (1) That it be noted that the Hybrid Bill in respect of High Speed 2 Phase 1 was formally deposited in Parliament on the 25th November 2013;
- (2) That the on-going work taking place with Staffordshire County Council to develop a response to the Environmental Statement contained in the Hybrid Bill and the arrangements agreed by the Cabinet for submitting a response by the deadline of 24th January 2014 be noted;
- (3) That the references in the report to petitioning the Hybrid Bill and that the details of the case for petitioning and the procedure involved to be presented to the 14th January 2014 Cabinet meeting be noted; and
- (4) That the position with regard to the legal challenges made by 51m of which the District Council is a member be noted.

6. DIRECTORATE TOP 10 AND PERFORMANCE REPORTING 14/15

- 6.1 Members received a report on the top 10 issues which would be facing the Development Services Directorate in 2014/15 as well as the activity and performance indicators for the Directorate which would be reported to the Committee in June 2014 (outturn for 13/14) and January (mid year performance for 14/15).
- 6.2 It was reported that the Directorate Top 10 reports would replace the One Year Action Plans and would help identify and focus efforts on the most critical issues for the local community. It was noted that other activities not shown in the Top 10 would still be happening.
- 6.3 The report was noted.

7. CABINET FORWARD PLAN

- 7.1 The Cabinet Forward Plan had been circulated and was considered in relation to the responsibilities of the Committee. It was asked why rates had to be written off and it was reported that it was due to businesses closing.

8. WORK PROGRAMME

- 8.1 The Work Programme was circulated and considered.

R. E. Cox
Chairman
Environment and Development (Overview and Scrutiny) Committee