

Report to Cabinet

Subject: Recommendations of the Localism, Planning and Housing Scrutiny Working Group.

Date: 14 November 2013

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Wards Affected

All

Purpose

To inform Cabinet Members of the summary conclusions and recommendations of the Localism, Planning and Housing Scrutiny Working Group.

Key Decision

No

Background

The Localism, Planning and Housing scrutiny working group was appointed to consider the implications of the Localism Act 2011 upon the Planning and Housing policies of Gedling Borough Council. The working group held its first meeting on 16 April 2012 and its final meeting on 17 September 2013.

The full final report and recommendations were circulated to all Scrutiny Committee members as well as members of the original working group for comments and approval prior to its referral to Cabinet for consideration.

In scoping the review, members identified two clear lines of enquiry:

1. To seek clarification of details contained in the legislation in relation to the National Planning Policy Framework, the Aligned Core Strategy, specifically Neighbourhood Planning and other ways in which Councillors and residents might influence development in their areas; what new opportunities might exist for local ownership and what new constraints and incentives might be applied to developers when considering planning applications.

2. To gain an understanding of the effect that the Localism Act might have upon existing Housing Strategies and Welfare reform.

Conclusions

Members concluded that the advent of the Localism Act 2011 has had a significant impact upon both Planning and Housing Strategies, in the case of Housing and Welfare reform requiring a wholesale review of policies and in the case of Planning bringing into sharp focus the role of communities and other stakeholders in helping to determine the allocation of physical development both strategically and locally.

Members took the view that at the end of this process, they would like to see some clear triggers in place in our policies and protocols so that when a planning application comes in, Members can be involved in pre application discussions, and a clear process for establishing when it is appropriate for pre application discussions to take place.

Members were therefore pleased to note the closer working relationship between Planning and Housing Strategy teams and the advent of new draft protocols for the reestablishment of pre application discussions involving Elected Members when appropriate. Whilst the working group had been unable to observe a Neighbourhood Planning process during the timeframe of this review, they were nevertheless given the opportunity to observe the site specific consultation on the Aligned Core Strategy, which is going forward at the time of writing this report.

Members recognise that the Localism Act represents a general trend towards greater engagement between local authorities, other public bodies, communities, businesses and developers on planning issues and that the challenge going forward will be balancing local concerns with strategic opportunities in order to achieve growth that is proportional to identified need.

In terms of Housing Strategy, Members recognise that the Localism Act more effectively tightens up and targets social housing provision on a number of recognised beneficiaries, and more effectively prioritises help for those with a local connection. Whilst it has not been wholesale, Members were pleased with the advent of joint policies between neighbouring authorities, as it is felt that a standardised approach will help control migration of demand and better ensure equality of access to provision across the conurbation. Members noted that whilst there are increased powers for Housing Providers to choose the type of tenancies they can offer, these correspond with new and complimentary powers for Local Authorities which encourage partnership working to enable a wider range of housing options to be made available to the client.

Proposal

It is proposed that Cabinet considers the following recommendations of the Localism Planning and Housing Scrutiny Working Group and that the Portfolio Holders for Leisure and Development and Health and Housing respond back to the Overview and Scrutiny Committee within 28 days:

Recommendations

The working group makes the following recommendations to the Portfolio Holders for Health and Housing and Leisure and Development:

Strand 1 recommendations: Neighbourhood Planning, Site Specific Consultation on the Aligned Core Strategy, risk assessment of new powers for communities, member involvement in the National Planning Policy Framework

1. In the light of provisions in the Localism Act 2011 to free councillors to make their views known and act upon them, specifying that predetermination is no longer a valid charge in Council businesses, Members to be provided with further clarification of the difference between pre determination, pre disposition and bias as well as an explanation of the Impact Survey process (economic survey).
2. Gedling Borough Council to publish some design guidance to mitigate the issue of resident's 'farmac-ing' and paving over gardens.
3. Identify and progress a route to develop long term and more ambitious aspirations, i.e. road development and Light Rapid Transport systems. There are obvious benefits in working with neighbouring authorities, which enables the Council to maximise transport planning.
4. Transport links are going to be crucial to the Council's growth policy – the Council should actively pursue opportunities to extend transport services along the old railway lines in the Borough.
5. **National Planning Policy Framework Policy Area: 'Requires good design'**: involves improving/retaining the character of an area. As the Council now has an Urban Design officer in place, there is capacity to do more in this policy area. The site specific consultation on the Aligned Core Strategy will address some issues of characterisation which should be further developed in the long term in a supplementary planning policy statement on characterisation.
6. **ACS Policy 3 Green belt**: Members observed that the policy must be robust enough to halt 'leapfrog' development if necessary. It is recommended that after the ACS has been to the inspectorate, at the

point where the Green Belt Policy has to be reviewed, the Council should take the opportunity at the same time to review the deleted environmental policies that were raised by Scrutiny as an area of concern during formal consultation on the ACS.

7. **ACS Policy 4 Growth:** Further investigate innovative approaches that could address the need for employment sites, i.e. economic development/sustainability initiatives that engage businesses, landowners and developers and bring in schools and apprenticeship schemes to establish incubation units.
8. **ACS Policy 4 Growth / Policy 8 Housing:** The Council should investigate opportunities through the Local Enterprise Partnership to access Structural Funds 2014 - 20 for the provision of affordable housing and the development of rural economic growth.
9. **ACS Policy 8 Housing:** Members recommended that an article is placed in Contacts highlighting the rights of tenants and responsibilities of landlords.
10. **ACS Policy 17 Biodiversity:** The policy should include flexibility to encompass new environmental scenarios, backed up by more specific policies around the impact of paved gardens. This would require a generic development policy stating a minimum area of a garden to be left grassed. Through the same policy, encourage developers to include planting schemes in their plans.
11. Continue to strengthen the working links between the Planning and Housing Strategy teams that have developed as a result of Localism Act.
12. Further progress mechanisms for the Council and other public bodies to work together on planning matters, in line with the duty to cooperate on planning issues introduced by the Localism Act.
13. Proactively view land allocation strategically across authority borders, whilst still making determinations at the local level.
14. To whatever extent possible, establish individual diversity policies for each of the town centres in order to support their economic renewal. Investigate and if possible replicate approaches taken in other cities on to limit the setting up of loan companies in local town centres.
15. The Council should seek to establish clear mechanisms to encourage the involvement of Ward Members and local interest groups in the development of detailed local plans.

16. Ward Members should be involved in local plans as soon the Council is approached.

17. The Authority should establish a protocol and on-going process by which planning officers will work with Elected Members and the community.

Strand 2 recommendations: Housing Strategy and Welfare Reform

18. Include in the Housing Allocations Policy the proviso that wherever possible, and if preferred, that priority is given to rehousing within their host community those tenants that are required to downsize.

19. The Housing Needs Team to investigate, support and promote the 'Homeswap' scheme – a national scheme which provides a standard for providers of housing who assist tenants with mutual exchanges.

20. Homelessness Strategy: It is recommended that Framework's Street Sleeping initiative and the Freephone number be promoted in the winter edition of Contacts, and that the wider referral options and services provided by the Housing Needs Team available are also widely publicised.

Alternative Options

An alternative option would be not to consider the recommendations, but this would clearly not be in accordance with our Constitution and the legislation.

Financial Implications

Not applicable

Appendices

None

Background Papers

The full final Report of the Localism, Planning and Housing Scrutiny Working Group.

Recommendations

It is recommended that

1. Cabinet considers the conclusions and recommendations of the Localism, Planning and Housing Scrutiny Working Group as set out in this report, and

2. That the Portfolio Holders for Health and Housing and Leisure and Development respond back to the Overview and Scrutiny Committee within 28 days.

Reasons for Recommendations

To enable Cabinet members to respond to the recommendations of Scrutiny in accordance with the Council's Constitution.