

MINUTES OF THE SUSTAINABLE DEVELOPMENT SELECT COMMITTEE

Thursday, 17 July 2014 at 7.00 pm

PRESENT: Councillors Liam Curran (Chair), James-J Walsh (Vice-Chair), Bill Brown, Suzannah Clarke, Amanda De Ryk, Mark Ingleby, Stella Jeffrey and Paul Upex

APOLOGIES: Councillors Helen Klier

ALSO PRESENT: Salena Mulhere (Overview and Scrutiny Manager), Katherine Kazantzis (Principal Lawyer) and Matthew Pullen (Section 106 and Community Infrastructure Levy (CIL) officer)

1. Confirmation of Chair and Vice-Chair

RESOLVED: To confirm Cllr Liam Curran as Chair and Cllr James-J Walsh as Vice Chair.

2. Minutes of the meeting held on 12 March 2014

2.1 Cllr Ingleby queried the record of the “key points discussed” under item 7.

RESOLVED: The Chair agreed to check the detail with the appropriate officer before signing the minutes as a true record.

3. Declarations of interest

3.1 There were none.

4. Select Committee work programme

4.1 Salena Mulhere introduced the report and invited members to discuss and agree a work programme for the year.

4.2 The Chair advised the Committee that it was important that the work programme:

- focused on matters of a high priority,
- allowed sufficient time to consider the priority topics agreed in a suitable amount of detail
- prioritised pre-decision scrutiny to ensure the maximum possible influence of scrutiny
- left sufficient space to effectively scrutinise the rolling programme of savings that was anticipated later in the year.

4.3 The Committee then discussed the draft work programme and a range of suggestions. The key points to note from the discussion were:

- The implementation of the pledge to become a 20mph borough can be reviewed as part of pre-decision scrutiny, so that scrutiny can inform the development of an appropriate policy and associated plans for implementation. This should be done as part of a wider review of “modern roads” as outlined within the report to ensure that all relevant issues to road safety, including

improving the borough for cyclists, the lack of “Boris bikes” in Lewisham and improving air quality can be considered holistically.

- What the Council can do to support and develop thriving local high streets should be reviewed in detail by the Committee as there are a range of issues across a number of the high streets in the borough. Specifically a review should cover, the outcomes and learning from the Portas pilot and the pop-up Catford Canteen, the role and impact of both “chain” shops and independent shops, the ability of the Council to influence, shape and support vibrant high streets through planning and enforcement and it’s role as a landlord in some instances, including supporting/developing the “meanwhile usage” of vacant units
- A review of enforcement should be carried out, appropriately timed in relation to informing consideration of any proposals brought forward by the Lewisham Future Programme, to take a holistic look at enforcement in Lewisham, including, planning enforcement, licensing enforcement, noise and fly tipping enforcement.
- The role of the Council and partners locally in supporting the development of and access to employment opportunities, including the apprentice programme being delivered by the Council and partners should be considered by the Committee at some point this year
- A review of the Waste strategy should be carried out, appropriately timed in relation to informing consideration of any proposals brought forward by the Lewisham Future Programme, to take a holistic look at waste management in Lewisham
- All other suggested items should be covered by way of a brief update report to the next meeting, apart from the Bakerloo Line extension, Flood Strategy consultation, Lewisham Central Opportunity Site and Heritage and Tourism, which should all be placed on the work programme to enable an update to be received at the most appropriate point over the coming year.

RESOLVED: The 5 high priority items for the Committee to consider in detail this year are agreed as: Enforcement, Local High Streets, Modern Roads, Waste Strategy and Employment. Further initial scoping of how these matters will be scrutinised will be considered in September, when further details of the Lewisham Future Programme timetable may also be available.

Those matters in the draft work programme that are not considered high priority at this time, to be dealt with by way of a brief update report to the September meeting, other than: Bakerloo Line extension, Flood Strategy consultation, Lewisham Central Opportunity Site and Heritage and Tourism, all of which are to be considered in brief at the most appropriate point over the course of the year.

5. Planning Obligations - Supplementary Planning Document

5.1 Matthew Pullen introduced the report. The key points to note were:

- The Planning Obligations Supplementary Planning Document 2014 (SPD) is currently draft, and approval is being sought from Council to consult on the draft document.
- The SPD outlines measures to mitigate the impact of development, not to create profits
- The SPD is guidance, not policy. It sets out guidance for developers as to how policy is implemented

- An updated SPD is needed as there have been legislative changes since the last one was agreed in 2011, inclusive of the introduction of the Community Infrastructure Levy (CIL) and the London Plan has also been introduced, as has the Core Strategy and all the documents need to be in compliance.
- It is intended to adopt CIL in October – it takes away the ability to charge for some infrastructure items, including Education, Health and Community centre facilities through S106 and introduces a flat rate tax for new developments (CIL), which had previously been agreed on a site by site basis

5.2 In response to questions Matthew Pullen advised:

- The definition of key workers is a standard government definition with flexibility for other local shortages to also be included
- The reference at 3.3.6 to “intensifying communities” is in relation to an increasing number of people living in a densely populated area
- Annual reporting of Section 106 agreements, including the total value of financial contributions received and spent will take place – Public Accounts Select Committee will be receiving this information
- The Mayor of London’s Supplementary Planning Guidance – Providing for Children and Young People’s Play and Informal Recreation requires that every new development provides 10m² of play and recreation space for every child. This is in line with national standards, which is very challenging to deliver in densely populated cities like London (currently there is 1.51m² of play space per child in Lewisham). This target is very challenging and officers will continue to work with developers to explore how this can be delivered through section 106 contributions. Discussions will include how maintenance “in perpetuity” will be realistically set up and enforced.
- The SPD is not the policy document regarding affordable housing, it articulates and provides some structure and guidance as to the means with which the council would like to secure some of its policy aims in relation to planning and development
- The amount of affordable housing sought is set out in the Core Strategy – a strategic boroughwide target of 50% of new housing. Some developments will provide 100% affordable units and some will provide less – financial viability is key and all developments are considered on a case by case basis with the aim of boroughwide development balancing out at 50%
- Denise Atkinson in Kevin Turner’s team is responsible for the local labour scheme and monitors the use of local labour on sites and promotes local businesses and local employment opportunities
- In some ways the CIL is positive because it gives developers certainty in some areas, however there are a number of elements that are outside of CIL and this guidance is an attempt to provide clarity so that the two systems of CIL and Section 106 work well together and it is clearer what is covered by CIL and what is covered by local Section 106 discussions and requirements
- Public Realm does not include parks and opens spaces, as the definition of the role of the local Cabinet Member does, it is specifically in relation to pavements, squares, forecourts etc – the space in between buildings
- The Council’s Regulation 123 list sets out the strategic infrastructure matters that are subject to CIL – they are listed at section 6.5 of the covering report
- Clarification would be sought to advise if the London Living Wage was paid to all apprentices taken on by the Council and partners under the local apprentice scheme

- The £10k cost per trainee, in relation to reducing employment floor space when developing residential properties, is the figure that has been set out as the necessary amount per 19sqm of employment floor space lost as the cost to train an employee. This figure is currently set in the SPD and is not subject to index linking or any other measures to increase/decrease the figure
- The Mayor of London CIL is a levy of £35 per square metre of new development in Lewisham, and all of this money goes to the Cross rail project.

5.3 The Committee discussed the report, the draft SPD and the responses to the questions and agreed the following:

RESOLVED: To refer the following views to Council:

The Committee recommends that the following changes/clarifications are made before the document is consulted upon:

- The definition of key worker used should be extended beyond the Government definition, to ensure that it covers other key local workers that the Council might wish the definition to include, such as refuse workers, social care workers etc.
- Section 3.3.6 should be reworded to better explain what is meant by “intensifying communities”.
- The definition of “public realm” should be explicitly included within the draft document to provide clarity and to avoid confusion with the Council’s own definition of public realm in relation to a cabinet member portfolio.
- In relation to the required financial obligations for the loss of employment floor space and the cost of a trainee; the figure should not be set at £10,000 but should be index linked to ensure that the contribution rises (or falls) as appropriate over the lifetime of the policy.

The Committee further recommends that future work should be carried out by officers to explore the various ways in which the required “play space per child” can be effectively delivered using section 106 funds. Specifically, the requirements of “maintenance in perpetuity” of any play space should be clarified, as well as any definitions of what constitutes “play space”. Options for innovative delivery methods of useful play space should be explored – including the potential development and support of indoor play centres provided either by the Council or in partnership with other local organisations.

6. Items to be referred to Mayor and Cabinet

6.1 There were none, although a referral was made to Council under item 5.

The meeting ended at 9.10pm

Chair:

Date:
