

MINUTES
OF THE MEETING OF THE
GROWTH AND DEVELOPMENT SCRUTINY GROUP
TUESDAY, 15 OCTOBER 2019

Held at 7.00 pm in the Council Chamber Area B, Rushcliffe Arena, Rugby Road,
West Bridgford

PRESENT:

Councillors N Clarke (Chairman), A Brennan (Vice-Chairman), N Begum,
J Cottee, L Howitt, A Phillips, J Stockwood, D Viridi and L Way

ALSO IN ATTENDANCE:

1 member of the public.

OFFICERS IN ATTENDANCE:

D Mitchell	Executive Manager - Communities
L Ashmore	Executive Manager - Transformation
C Evans	Economic Growth Manager
P Marshall	Principal Policy Planner
M Sawyer	Planning Technician
T Coop	Democratic Services Officer

APOLOGIES:

Councillors

1 Apologies for absence

There were no apologies for absence.

2 Declarations of Interest

There were no declarations of interest reported.

3 Abbey Road - Depot Redevelopment

The Chairman provided a brief outline of the Council's ambition to relocate the depot to a more suitable site, bringing the land at Abbey Road forward for housing development. He continued to explain to the Group what is required from them by way of scrutiny, to ensure the project is delivered as expected. The Chairman highlighted the aspirations of Cabinet and Council for the delivery of a showcase development of new high quality housing that would be an example to other developers in the market of what can be achieved.

The Executive Manager – Transformation delivered a presentation that provided the Group with information on the Cabinet recommendations, the Council's objectives, design code and the progress to date.

The Executive Manager - Transformation reported the progress made in respect of the Cabinet recommendations on 9 October 2018 as follows:

- a) Agrees that officers undertake the necessary work to submit an outline planning application for housing on the Abbey Road site, accompanied by a design code.
- b) Dependant on an appropriate planning permission for the site being secured, authorises the Deputy Chief Executive to undertake a marketing exercise for the disposal of the site with the benefit of planning permission for housing.
- c) Requests a follow up report with the results of the marketing exercise and detailing any other options for the Council to consider with regards to the future development of the site.

And subsequent Cabinet recommendation on 9 July 2019 as follows:

- a) Authorises the Chief Executive to shortlist the developer bids and undertake appropriate due diligence to arrive at a preferred bidder.
- b) Requests a follow up report providing details of the preferred bid for further consideration with regard to the future development of the site.

The Executive Manager – Transformation continued to advise the Group that Cabinet supported appointing an architect to prepare a housing scheme with focus on high quality design, including 30% affordable housing. In appendices attached to the report the Executive Manager – Transformation provided the Group with a Masterplan, which included specific design standards and illustrative examples of how the housing may look. These included:

- Minimum house sizes
- Building for Life Standards
- Off road parking and cycle storage
- Roof top gardens
- Level access
- Central open space
- Non-standard house type, using different elevations styles and materials

The Executive Manager – Transformation informed the Group that these documents formed part of the outline planning application and that planning permission was granted in June 2019. The site was marketed and 17 offers were received, 9 that mostly met the criteria of the Design Code and Masterplan with the highest offers were shortlisted. The shortlisted developers were asked to prepare a second bid based on revised Design Codes to include a list of energy efficiencies, which was provided for the Group to view in a separate appendix with the report. The Executive Manager – Transformation advised that from the 9 shortlisted, 4 developers, who met the additional criteria have been selected for interview and the preferred bidder will be referred to Cabinet for consideration.

The Executive Manager – Transformation explained some of the risks and uncertainties associated with the development of the site, these include:

- Contamination
- Control of Design Code and Masterplan
- Surrender of Waste Transfer License – Environment Agency
- Land exchange by March 2020 – Land Release funding

The Group were advised that the contamination found is contained, is not a gas or leeching into the waterways and therefore can be controlled. Professional advice is to leave it in situ and cap it with a membrane and clean topsoil.

In respect of the Design Code, legal advice will be sought to ensure that the contract protects the Council's interests. In addition the chosen bidder will be asked to demonstrate they share the Council's aspirations for the development. In addition the group were advised that a significant amount of officer time has been spent to 'de-risk' the site, undertaking surveys and designing services and infrastructure to limit the 'unknowns' for the developer and, therefore reducing the conditions imposed on the sale.

In concluding the Executive Manager – Transformation advised that following Cabinet approval in November, the shortlisted bidder will be subject to the usual due diligence, and as such there is a risk the sale may not complete. To mitigate this risk, it is intended that the other shortlisted bidders will be kept in reserve.

The Group welcomed the development of the site and were excited to see the ambitious proposals within the Masterplan and Design Code. The Group asked specific questions in relation to the contamination on site and whether the assessments provide adequate mitigation across the whole site. The Executive Manager – Transformation advised that testing for contamination is still ongoing and that there would be various solutions across the site. In addition, the Executive Manager – Transformation referred the group to the illustrative schemes explaining that some of the housing in the Masterplan are designed to incorporate roof gardens instead of standard garden spaces.

The Group asked further questions in relation to the devised Design Code and list of energy efficiencies and construction costs. The Executive Manager – Transformation advised the Group that each bidder had based their offer on the Masterplan and Design Code. It will be for the developer (working with the Council) to choose which solutions they opt for in respect of energy efficiencies, but these will need to reflect the standards laid out in the Design Code. In addition, we would look to control the development and future changes to the properties through the sale contract.

Members of the Group raised their concerns in respect of electric charging points and whether the scheme provide adequate capacity for each dwelling and visitor parking. They also commented on how these would be managed in respect of apartments with multiple occupancy. The Executive Manager – Transformation explained that each property would be fitted with charging points for up to two vehicles on a trickle charge system, adding that as technology

advances it would be upto the homeowner to upgrade in future. In respect of the apartments, the Executive Manager – Transformation advised that there would be a pay as you go system installed.

The Chairman asked if ‘water harvesting’ could be considered as a specification, referring to the illustrative designs and the use of various hard services within the landscaping and the opportunity to harvest the run off rain water. The executive Manger – Transformation offered to look into how this could be incorporated within the scheme.

The Group raised further questions in relation to whether the Council is expected to make a profit from the sale or will there be any income generated from the site in future. The Executive Manager – Transformation explained that financial income and expenditure is to be determined further into the process.

It was **RESOLVED** that:

- a) The Group notes the content of the report
- b) The Group endorses the actions taken to meet the recommendations of Cabinet
- c) Subject to ongoing site reports, Officers to investigate harvesting rainwater to be included within the Masterplan
- d) The chosen developers are invited to the Scrutiny Group meeting on 17 March 2020

4 **Community Infrastructure Levy**

The Principal Policy Planning Officer delivered a presentation as a supplement to the report on the Council’s Community Infrastructure Levy (CIL), which came into force on 7 October 2019.

The Principal Policy Planning Officer provided the Group with background information that supports the adoption of CIL explaining how the Levy is calculated and supporting infrastructure evidence and financial liability. He explained that the levy was developed alongside the preparation of Local Plan Part 2 and that there had been two stages of consultation and examination in public conducted by an independent person. In addition, the Principal Policy Planning Officer informed the Group that the Introduction of CIL had recently been considered by the Local Development Framework Group and subsequently approved by Council on 19 September 2019.

The Planning Technician Officer provided examples and percentages on where collected CIL receipts would be spent as follows:

- 5% of CIL collected retained for administration purposes
- 15%-25% of CIL receipts collected within parished areas passed on to relevant Parish Councils

- 15%-25% of CIL receipts collected within unparished areas spent by the Borough Council in consultation with local community
- Remaining receipts to be spent on specified strategic infrastructure as defined in a specific list

In addition, the Planning Technician Officer provided examples of what the Council would expect to receive from CIL contributions using residential examples for each pricing zone and an example of expected contributions for retail development.

In concluding his report, the Principal Policy Planning officer provided the Group with an estimation of receipts explaining that evidence supporting the Draft Charging Schedule suggests the Council would collect up to £13m over the period 2019-2028. However, it is not likely that the Council will see any significant receipts generated for 2-3 years as planning permission and commencement of development catch up.

The Group considered the information Officers had provided and asked specific questions relating to the boundaries for the charging schedule zones and whether these could be altered, as some parishes were split by old ward boundaries, which do not reflect the current market. The Principal Policy Planning Officer explained that the work prior to the CIL being adopted, was commissioned in 2015 using the ward boundaries at that time. He added that to change the charging schedule at this stage would require a further consultation period.

The Group questioned why those parishes who have adopted a Neighbourhood Plan should receive a higher percentage than those who have no Plan in place and what the Council could do to assist with the shortfall in the meantime. The Executive Manager explained that currently parishes receive very little and smaller developments seen across parts of the Borough have not had to pay anything by way of Section 106 money. The Council was investigating how all areas of the Borough could benefit from 25% of future CIL proceeds not just those areas that have adopted a Neighbourhood Plan. The group were also advised that now CIL was in place the majority of all developments would be contributing as opposed to just those that are subject to a Section 106 Agreement.

It was **RESOLVED** that:

- a) The Group note the content of the report and presentation
- b) The income from CIL receipts are reported to Growth and Development Scrutiny at a later date in the Work Programme
- c) An annual Infrastructure Statement is provided for the Group to consider

5 **Work Programme**

The Group considered its Work Programme. The Chairman suggested that the chosen developer for the Abbey Road site is invited to a future meeting of the Group.

Looking ahead to future meetings the Group suggested potential items for the Groups Work Programme, these included:

- Negotiating Section 106 Agreements
- Engagement with Stakeholders – e.g. LEP, Growth Boards, Midland Engine
- Development Corporation
- Employment Land – allocated sites and others
- Digital Economy

The Executive Manager – Communities suggested that Councillors complete a Council scrutiny matrix for items they wish to consider at future meetings, explaining that items they wish to consider would need to be approved by the Corporate Overview Group of which the Chairman and Vice Chairman attend.

It was **RESOLVED** that the Work Programme, as detailed below be approved.

7 January 2020

- Economic Development/ Business Support Offer
- Work Programme

17 March 2020

- Abbey Road Development – Meet the Developer
- Customer Service and Digital Transformation
- Work Programme

Action Sheet – 15 September 2019

Minute No	Action	Officer Responsible
3	The Group requested that harvesting rain water be considered as a specification within the Design Code and asked for further information in respect of solutions and cost.	Executive Manager – Transformation

The meeting closed at 8.56 pm.

CHAIRMAN