

Growth and Development Scrutiny Group

Chairman's Foreword

This annual report summarises the main work undertaken by this scrutiny group during 2020/21. It has been a challenging year like no other with the outbreak of the Covid-19 pandemic and the subsequent Government lockdowns. I am very pleased to note that despite the pandemic, the business of scrutiny has proceeded as planned and all topics programmed for 2020/21 were considered.

Local communities, businesses, and employers have all been affected in some way or another and the Council has had to adapt its services and resources to provide support where needed. However, I am pleased to report that due to the resilience of local communities and the dedication of officers and Councillors, in supporting residents and the local economy we are beginning to see some emerging successes.

The Group has explored the Council's Growth and Development in line with the Council's priorities within the Corporate Strategy, which are:

- Quality of Life – Our resident' quality of life is our priority.
- Efficient Services – As an organisation it is always our intention to deliver the best services to our residents in the most efficient way possible.
- Sustainable Growth – Rushcliffe is determined to play its part in shaping the future of the Borough, ensuring the needs and aspirations of Rushcliffe residents are met in all future developments.
- The Environment – We are fully committed to playing our part in protecting the environment today and enhancing it for future generations.

I am confident that our work over the last year has improved residents' quality of life. There have been many areas of strength, balanced against areas where improvement and development are needed.

Going forward we look forward to building on the work of the Growth and Development Scrutiny Group and I wish to thank my colleagues, especially my Vice Chairman, Councillor Davinder Viridi, for the lively and probing discussions, and for their engagement and support.

Councillor Neil Clarke
Chairman Growth and Development Scrutiny



Cllr Neil Clarke
Chairman



Cllr D Viridi
Vice Chairman

What are we responsible for?

The Growth and Development Scrutiny Group's remit is to consider relevant topics, in line with the Council's priorities, taking into account the Corporate Strategy and those of officers and councillors for inclusion in a work programme agreed by the Corporate Overview Group.

Both Councillors and officers are required to complete a scrutiny matrix to outline a topic they would like to be considered for scrutiny. The matrix summarises the issue of concern as well as the key lines of enquiry for review.

Our work this year

During the year, the Group considered many service areas and issues within its scrutiny role, particularly:

- Crematorium Update;
- Planning Enforcement;
- Abbey Road Update;
- Management of Open Spaces; and
- Conservation Areas.

Crematorium Update

A presentation was delivered to the Group including a feasibility study, which had highlighted a need for a crematorium in Rushcliffe, along with a financially viable acquisition of an appropriate site identified at Stragglethorpe, Cotgrave.

The Group was advised that Cabinet, at its meeting in November 2018, had supported the new provision and planning permission was secured in September 2019. In December 2019, Cabinet approved the land purchase and in September 2020, the Council appointed a project management and design team.

Information on how the scheme was progressing, highlighting some of the key features was provided, including a strong focus on green credentials with the potential for electric rather than gas cremator to support the Council's carbon neutral target. The

design will feature a single storey modern facility, sympathetic to the landscape so that it blends in with the surroundings.

The Group was advised that the crematorium will be operated on an in-house model, as this is the most financially beneficial option for the Council and would enable the Council to maintain control of quality of service to residents.

The Group noted that officers were in communication with stakeholders including the City Council and local funeral directors within the Borough and are working on plans for further community engagement with local residents and businesses and a programme timeline highlighting key dates was provided.

The Group was advised that Cabinet would make the ultimate decision on plans and name for the crematorium but welcomed suggestions from Councillors. The Group welcomed the concept of the development and commended the Council's focus on the facility's green credentials and modern design.

Planning Enforcement

At its meeting on 25 August 2020, the Group was presented with a report on the Council's Planning Enforcement Policy, including examples for what constitutes a breach of planning control, the range of ways to tackle them, timescales involved, the various enforcement tools available to Council officers and the appeals process. The Service Manager – Planning also provided the Group with statistics for the period 1 April 2019 to 31 March 2020 in respect of categories of enforcement enquiries, the outcome of investigations and the number of notices served by regional councils since 2014, and the number of planning submissions received from 2010 to 2020 and their various case studies.

At the invitation of the Group Chairman, Councillors were asked to provide written submissions on their experiences of planning enforcement and following the last Council meeting, Councillor Jones was invited to attend the Growth and Development meeting to express his thoughts on the Council's planning enforcement process. Councillor Jones stated he had been made aware of instances where specific environmental protection measures had not been undertaken by developers as specified in the planning permission and that staffing levels were insufficient to cope with the volume of work, especially given the growth in the number of applications and scale and complexity of large developments. He requested the need for more emphasis on proactivity ensuring that work was undertaken, and conditions were being complied with.

It was noted that given the recent publication of the Government White Paper, 'Planning for the Future' for consultation and the likelihood that in the future developers would have increased freedom, the Council would need to become more proactive when working with developers and it was likely that more enforcement would be required.

The Group was advised that current Planning Enforcement Policy was in place to strengthen planning enforcement under current legislation and any changes to the legislation could result in amendments being required to that Policy. In respect of

staffing, the Group was advised that the Council now had a dedicated CIL Officer and an external consultant was currently reviewing the Council's Planning Services, staffing and resources.

At its meeting on 14 October 2020, the Group was presented with a revised Planning Enforcement Policy, which had been amended to reflect the comments made by members at its previous meeting on 25 August 2020.

The main changes to the Policy included the following:

- Amendments to the prioritisation of enquiries;
- Minor changes to content to ensure clarity to the reader;
- The range of enforcement powers are set out in an appendix rather than in the main body of the policy with additional detail on each power;
- Information on Proactive Development Monitoring has been expanded; and
- Signposting to relevant bodies for non-planning issues.

Members were informed that the Council has engaged consultants to undertake a health check on the planning service generally, involving an assessment of workload, resources and capacity within the team as highlighted by the Group at its previous meeting.

In addition, the Group was reminded that the Government is currently undertaking a consultation on the 'Planning for the Future' white paper, which in respect of enforcement invites responses on proposals to strengthen enforcement powers and sanctions. Depending on the outcome of the consultation, any potential changes to the Council's planning system may have implications for resources, particularly in relation to the enforcement function.

The Group welcomed the changes and agreed for it to be referred to Cabinet for its approval, highlighting that the White Paper 'Planning for the Future' may lead to a further review of the Policy.

Customer Services and Digital Transformation

The Customer Services Manager and ICT Manager provided the Group with detailed information, from the history of the 'One Stop Shop', as was Customer Services in 2005 to the present day. Highlighting the partners who work with Customer Services, the number of people accessing the various contact points, the channel shift in how people access services from 2013 to 2020 and how this has changed during the Covid-19 pandemic. The Group was advised of the key achievements for Customer Services, from the Digital by Default Programme from 2014 to 2017, the Digital by Design Programme in 2018, and the projects going forward in 2020/21.

The Group welcomed the move towards virtual and hybrid meetings and the increased flexibility this would allow officers and members going forward. The Group noted that these new ways of working had also been embraced by Customer Services, whilst ensuring that face to face contact via virtual technology was still possible for people who preferred this method of contact. Members were assured that throughout the Covid-19 pandemic, Customer Services had continued to operate as normal, with

telephone and email access and if any member of the public had wanted to see an officer, an alternative solution was found.

Members noted and welcomed the continued excellent service provided by Customer Services over the years and particularly during the pandemic. Whilst highlighting the advances in new technology, the importance of having face to face contact should not be forgotten and members of the public who could not use online facilities or chose not to use them should not be disadvantaged in any way.

Members endorsed the proposed activity for Customer Services and the Digital by Design programme.

Abbey Road Update

An introductory presentation by the developers, Stagfield and Peveril Homes was delivered to the Group. It provided detailed drawings, plans and visuals of their delivery of a landmark and exemplar housing scheme at the Council's former Depot site, Abbey Road, West Bridgford.

The projects lead architect at Allan Joyce Architects advised the Group that he would be working towards the design principles as specified by the Council, including a good mix of property sizes, a central green, footpaths running through the development linking existing roads and communities and an integrated landscaping scheme. The dwellings will be designed to be energy efficient, with EV charging points, bike storage, enhanced security and each plot will have parking provision.

The Group was advised that a 30% offer for local employment to construct the houses would be achieved and that all partners involved pride themselves on using local labour, sub-contractors and local materials which would be confirmed within the reserved matters for planning.

In respect of the Covid-19 pandemic and lockdown restrictions, the Group was advised that the programmes timeline and delivery is not anticipated to be delayed and that the outline planning application is expected to be completed spring/summer 2021.

The Group welcomed the update and look forward to seeing its successful completion.

Management of Open Spaces

At its meeting in July 2020, the Group asked officers to identify and investigate what is happening on housing developments across with regards to the future of public open spaces on housing developments.

The Group was reminded that from 2012, the management and maintenance of open spaces were the responsibility of the developer, most of whom collect a service charge as follows:

- The housing developer(s) are responsible for payments towards the maintenance of open space on Strategic Sites, Local Plan Part 2 sites and major windfall sites.

- The developer(s) pass that cost/responsibility on to residents through a management company as a monthly charge.
- That service charge is then payable for the entire time that each property on the development is occupied.

The Group was advised that this model had shown up a number of issues, which residents living on these developments have reported. Following the meeting in July 2020, support from members and developers was sought, 15 sites were identified and from these a small sample size of responses were received. It was noted that many of the issues identified could not be addressed through planning and that the Council is doing what the majority of other local authorities are doing and any long-term implications are unknown.

The Group was provided an example from Warwick District Council of a supplementary Planning Document (SPD), which the Council may wish to consider to set Rushcliffe standards and provide consistency for developers.

The Group welcomed the officer's recommendation to develop a draft Supplementary Planning Document (SDP) that would address some of the issues raised and requested the support from Cabinet, including a letter from the Cabinet Portfolio Holder for Housing and Planning to the Secretary of State highlighting these issues.

Conservation Areas

A presentation was delivered to the Group that provided information and clarity over the purpose of conservation areas, the Borough Council's responsibility and duties in relation to these areas, the application and policy when considering planning applications and the impact on other planning functions.

The Group was informed that the Borough currently has 30 conservation areas, each having an Appraisal Management Plan document available to view on the Council's website. The appraisals provide information on a settlement's history, archaeology, industrial and building history. It was noted that the appraisals date back to January 2009 and are being considered for review.

The Group was provided with information in respect of the implications of Conservation Area designations on aspects of planning and were advised that these are referred to as permitted development. The Group was provided with an extensive list of Permitted Development rights, which do not apply or may be subject to restrictions within a Conservation Area. An explanation of how the Council as a planning authority assesses harm when considering the impact of a proposed development and were advised of the three levels of harm:

- No Harm – would preserve the character and appearance of the Conservation Area.
- Substantial Harm – should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm.
- Less than Substantial Harm – harm should be weighed against the public benefits of the proposed including, where appropriate, securing its optimum viable use.

The Group noted that there was no statutory definition of harm and the degree of harm is a matter of judgement. However, when considering the impact of cumulative harm and the risk of small harms on the character of an area, the Group was assured that mechanisms were in place to monitor cumulative risk and a programme of condition surveys and reviews of Conservation Areas are regularly carried out.

The Group had questioned the dates of the current Appraisal and Management Plans and was pleased to note that mechanisms were in place to update them, and that this would involve community engagement and the assistance from external bodies.

Members asked officers to provide a list of non-designated heritage assets for the Group to consider at its meeting in October 2021, and suggested that members, particularly those on Planning Committee, be provided with training to assist with planning decisions in Conservation Areas.

Member Panels

The Group did not establish any Member Panels this year.

Call-ins

The Group did not discuss any call-ins this year.

Looking forward to the year ahead

Following the review of the Council's scrutiny functions in 2020/21 all members of Growth and Development Scrutiny are looking forward to a comprehensive programme of scrutiny topics that will deliver economic growth and ensure sustainable, prosperous and thriving communities.