

COUNCIL - 23 OCTOBER 2014

## RECOMMENDATIONS OF THE EXECUTIVE

### Summary

The Council is invited to consider the recommendations from the Executive and determine accordingly. The extracts from the minutes of the meeting of the Executive on 11 September 2014 are set out below.

### EXECUTIVE – 11 SEPTEMBER 2014

#### 1. NOTICES OF MOTION

At its meeting on 10 July 2014, the Council referred the following Notice of Motion to the Executive.

#### Councillor C S Kemp

“Litter in the town centre and across the Borough is a battle our officers and contractors are constantly fighting, everything from cigarette butts and chewing gum to bottles are thrown on the floor by a few inconsiderate people and this spoils the look of our town centre and costs the Council money to clear.

I understand it is difficult for officers and contractors to catch the culprits and do anything about it if people are caught.

After a little research I have found that other Councils have had the same problem and there is a solution. There are companies that offer an independent service, they have fully trained people on the ground and they wear real time body cameras to gain evidence and issue fixed penalty notices to people who deliberately drop litter. The contractor will work with the Council and patrols are carried out at pre arranged times and in areas agreed by the Council and at no cost to the Council.

I believe this commercially based service would be supported by the large majority of our residents because it is not about making money but punishing the minority who spoil our town centre and our Borough for the majority.

I therefore propose that:

The Council considers the introduction of a commercial litter service in the Borough of Woking.”

Councillor Mrs B A Hunwicks, Portfolio Holder for Waste and Recycling, welcomed the Motion and suggested that it be recommended to Council on the understanding that Officers would procure a contract on a trial basis, which would be evaluated and made permanent if proven to be successful. It was noted that an amendment to the Council’s Scheme of Delegations would be necessary in order to allow any pilot scheme to include enforcement against dog fouling.

#### **RECOMMENDED to Council**

**That (i) the Motion be supported; and**

**(ii) the Council’s Scheme of Delegations be amended accordingly.**

**2. AFFORDABLE HOUSING DELIVERY SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

Following the meeting of the Executive on 20 March 2014, Councillor G S Cundy, Portfolio Holder for Planning Policy, introduced the report which outlined the responses to the public consultation on the draft Affordable Housing Delivery SPD, and recommended to Council that the proposed amendments to the draft Affordable Housing Delivery SPD be approved and the Affordable Housing Delivery SPD be adopted for the purposes of managing development in the area. The Executive was informed that over 2,500 people and key stakeholders, including the Citizen's Panel, had been contacted during the extensive consultation and 12 responses had been received. It was noted that the SPD provided guidance to Developers, Providers, Officers and Members on what to expect of development proposals and would assist in the delivery of the Council's Affordable Housing policy. The Executive was informed that affordable housing contributions were not currently sought from non-residential development.

Following a question regarding the Government's proposed reforms to national planning policy to establish a national affordable housing threshold, Officers advised that the Council had responded to the Government's consultation and had raised concerns on a number of grounds. It was noted that Officers would keep the position regarding national consultations under review.

Affordable housing provision was discussed and it was highlighted that the Council would be prepared to negotiate for a proportion of affordable housing required to be provided off-site, if that would ensure a more effective distribution of affordable housing across the Borough. Officers reported that the Council had genuinely tried to progress affordable housing, such as at the Moor Lane development, and it was commented that development could be reduced if the Council was too strict on delivery of affordable housing on-site. The Council's investment in street properties was also raised. EXE14-329

**RECOMMENDED to Council**

- That (i) **the various responses to the draft Affordable Housing Delivery SPD with Officer's analysis and recommendations be noted and agreed, as set out in Appendix 1 of the report;**
- (ii) **the proposed amendments to the draft Affordable Housing Delivery SPD, as shown as tracked changes in Appendix 2 of the report, be approved and the Affordable Housing Delivery SPD be adopted for the purposes of managing development in the area, with immediate effect; and**
- (iii) **authority be delegated to the Head of Planning Services, in consultation with the Portfolio Holder for Planning, to approve minor amendments to the SPD as necessary before the SPD is adopted and, after adoption, to make minor factual updates to address matters such as new space standards.**

Reason: To ensure that there is an appropriate guidance for an effective application of Policy CS12 - *Affordable Housing* of the Core Strategy.

*NOTE: The Executive on 11 September agreed the Affordable Housing Delivery SPD for referral to full Council for adoption. On 12 September the Government released a new*

*consultation on housing space standards. Details are available at <https://www.gov.uk/government/consultations/housing-standards-review-technical-consultation>. These draft national space standards differ slightly from those already set out in the SPD but, as a consultation draft, are not definitive. The final national standards are expected to be published in early 2015, when the Council will be in a position to briefly update the Affordable Housing Delivery SPD to reflect this factual change.*

### **3. HOT FOOD TAKEAWAY SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

Following the meeting of the Executive on 20 March 2014, the Executive received a report which outlined the responses to the public consultation on the Hot Food Takeaway SPD and recommended to Council that the Hot Food Takeaway SPD be adopted for the purposes of managing development across the Borough. Councillor Cundy, Portfolio Holder for Planning Policy, explained that the SPD would provide useful guidance to Planning Officers, Members, applicants and developers to ensure the effective management of Hot Food Takeaways in the Borough. Following a question, Officers advised that the SPD could not be applied retrospectively to existing Takeaways. It was noted that new applications regarding Takeaways would be assessed against the SPD, subject to adoption by Council. The Executive was supportive of the Hot Food Takeaway SPD and, in particular, welcomed that the impacts on the amenity of nearby residents would be properly taken into account going forward. EXE14-327

#### **RECOMMENDED to Council**

- That (i) **the various representations to the Hot Food Takeaway consultation together with Officer's responses and recommendations as set out in the Consultation Statement in Appendix 1 to the report be noted;**
- (ii) **the Hot Food Takeaway SPD included in Appendix 2 to the report be adopted as Supplementary Planning Document for the purposes of managing development across the Borough;**
- (iii) **the requirements of the SPD should apply to all relevant decisions after the date of adoption, in this case 23 October 2014; and**
- (iv) **authority be delegated to the Head of Planning Services, in consultation with the Portfolio Holder for Planning, to approve amendments to the draft SPD to reflect new information before it is adopted.**

Reason: To ensure that the Council has clear guidance for managing the development of Hot Food Takeaways in the Borough.

### **4. COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE - EXAMINER'S REPORT**

The Executive received a report which set out the recommendations of the Examiner's Report, and recommended to Council that the Examiner's recommendations be accepted and the Community Infrastructure Levy Charging Schedule be adopted as the primary means for securing developer contributions towards infrastructure provision to support

development in the area. Councillor Cundy, Portfolio Holder for Planning Policy, informed the Executive that the Examiner had recommended that the Regulations 123 List, at Appendix 4 to the report, be detached from the Charging Schedule and be treated as a standalone document to allow flexibility for its regular review.

The Executive was informed that affordable housing was exempt from the CIL charge and would continue to be secured through Section 106 Agreements after CIL was adopted on 1 April 2015.

Discussion ensued on the Regulations 123 List and the significant funding gap of over £53 million between the need for new infrastructure and currently identified funding sources was highlighted. Officers advised that all responsible bodies would need to consider how the deficit would be met and that it was not solely the responsibility of the Council to meet the shortfall. The Executive was informed that the Joint Committee, at its meeting on 24 September 2014, would consider a report on how the decision making framework would work.

A document setting out examples of the CIL charge was tabled at the meeting as an indicative guide. EXE14-326

### **RECOMMENDED to Council**

- That (i) **the Examiner's recommendations and the conclusions that underpins them be accepted by the Council;**
- (ii) **subject to the Examiner's proposed modifications being accepted, the Woking Borough Council Community Infrastructure Levy Charging Schedule be adopted as the primary means for securing developer contributions towards infrastructure provision to support development in the area. The Charging Schedule is in Appendix 3 to the report;**
- (iii) **the Community Infrastructure Levy Charging Schedule should apply to all planning decisions on and after 1 April 2015; and**
- (iv) **delegated authority be given to the Head of Planning Services and Head of Democratic and Legal Services, in consultation with the Portfolio Holder for Planning, to ensure that the adoption process follows relevant legal requirements.**

Reason: To ensure that the Council has a robust mechanism in place to secure developer contributions towards infrastructure provision in the area before the Government's deadline of 1 April 2015 to scale back the use of Section 106 Agreements.

### **Background Papers:**

None

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