

Major Developments Panel AGENDA

DATE: Tuesday 20 November 2018

TIME: 7.30 pm

VENUE: Committee Rooms 1 & 2, Harrow Civic Centre,
Station Road, Harrow, HA1 2XY

MEMBERSHIP (Quorum 3)

Chair: Councillor Keith Ferry

Councillors:

Ghazanfar Ali
Varsha Parmar
David Perry

Marilyn Ashton
Stephen Greek
Paul Osborn

Reserve Members:

- | | |
|----------------------|---------------------|
| 1. Jeff Anderson | 1. Bharat Thakker |
| 2. Simon Brown | 2. Anjana Patel |
| 3. Niraj Dattani | 3. Norman Stevenson |
| 4. Kiran Ramchandani | |

Contact: Miriam Wearing, Senior Democratic Services Officer
Tel: 020 8424 1542 E-mail: miriam.wearing@harrow.gov.uk

Useful Information

Meeting details:

This meeting is open to the press and public.

Directions to the Civic Centre can be found at:
<http://www.harrow.gov.uk/site/scripts/location.php>.

Filming / recording of meetings

The Council will audio record Public and Councillor Questions. The audio recording will be placed on the Council's website.

Please note that proceedings at this meeting may be photographed, recorded or filmed. If you choose to attend, you will be deemed to have consented to being photographed, recorded and/or filmed.

When present in the meeting room, silent mode should be enabled for all mobile devices.

Meeting access / special requirements.

The Civic Centre is accessible to people with special needs. There are accessible toilets and lifts to meeting rooms. If you have special requirements, please contact the officer listed on the front page of this agenda.

An induction loop system for people with hearing difficulties is available. Please ask at the Security Desk on the Middlesex Floor.

Agenda publication date: Monday 12 November 2018

AGENDA - PART I

1. ATTENDANCE BY RESERVE MEMBERS

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) the meeting notes at the start of the meeting at the item 'Reserves' that the Reserve Member is or will be attending as a reserve;
- (iv) if a Reserve Member whose intention to attend has been noted arrives after the commencement of the meeting, then that Reserve Member can only act as a Member from the start of the next item of business on the agenda after his/her arrival.

2. APPOINTMENT OF VICE-CHAIR

To consider the appointment of a Vice-Chair to the Panel for the Municipal Year 2018/19.

3. DECLARATIONS OF INTEREST

To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Panel;
- (b) all other Members present.

4. MINUTES (Pages 5 - 10)

That the minutes of the meeting held on 14 November 2017 be taken as read and signed as a correct record.

5. PUBLIC QUESTIONS *

To receive any public questions received in accordance with Executive Procedure Rule 49 (Part 4D of the Constitution).

Questions will be asked in the order in which they were received. There will be a time limit of 15 minutes for the asking and answering of public questions.

[The deadline for receipt of public questions is 3.00 pm, 15 November 2018. Questions should be sent to publicquestions@harrow.gov.uk

No person may submit more than one question].

6. PETITIONS

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Executive Procedure Rule 47 (Part 4D of the Constitution).

7. DEPUTATIONS

To receive deputations (if any) under the provisions of Executive Procedure Rule 48 (Part 4D of the Constitution).

8. PRESENTATION FROM TRANSPORT FOR LONDON AND REDROW HOMES

To receive a presentation from TfL and Redrow Homes on the Harrow on the Hill Station site and three other TfL sites in the Borough.

9. PRESENTATION IN RELATION TO THE PROPOSED SCHEME AT THE SAFARI CINEMA

To receive a presentation in relation to the proposed scheme at the Safari Cinema

10. FUTURE TOPICS AND PRESENTATIONS

11. ANY OTHER URGENT BUSINESS

Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

*** DATA PROTECTION ACT NOTICE**

The Council will audio record item 4 (Public Questions) and will place the audio recording on the Council's website, which will be accessible to all.

[**Note:** The questions and answers will not be reproduced in the minutes.]

MAJOR DEVELOPMENTS PANEL MINUTES

14 NOVEMBER 2017

Chair: * Councillor Keith Ferry

Councillors: Sue Anderson * Barry Macleod-Cullinane
* June Baxter * Sachin Shah
* Stephen Greek * Anne Whitehead

* Denotes Member present

90. Attendance by Reserve Members

RESOLVED: To note that there were no Reserve Members in attendance.

91. Declarations of Interest

RESOLVED: To note that there were no declarations of interests made by Members.

92. Change in Membership

RESOLVED: That the appointment of Councillor June Baxter as a Conservative Group representative on the Panel in place of Councillor Susan Hall and Councillor Paul Osborn as a Reserve be noted.

93. Minutes

RESOLVED: That the minutes of the meeting held on 12 July 2017, be taken as read and signed as a correct record.

94. Public Questions, Petitions and Deputations

RESOLVED: To note that no public questions, petitions or deputations were received at this meeting.

RECOMMENDED ITEM

95. Community Infrastructure Levy (CIL) - Proposed Allocation Process

The Panel received a report which provided a background to the Community Infrastructure Levy (CIL), which was introduced by the Planning Act 2008. Consideration was given to the CIL receipts, received and projected, from new development in the borough, the criteria for their distribution and the allocation for boroughwide and neighbourhood portions.

An officer introduced the report and informed the Panel that, in accordance with the regulations, at least 15% of the CIL funds received had to be spent on projects that took account of the views of the communities in which development had taken place and that supported the development of the area in which the CIL had been generated. The percentage was 25% if there was a neighbourhood plan or a neighbourhood development order.

Particular attention was drawn to:

- the broad allocation of Neighbourhood CIL would be agreed as part of the capital programme;
- the proposed timetable for implementation;
- the allocation of Neighbourhood CIL to specific projects would follow the same process as for past community engagement schemes.

Members considered the proposed approach to allocating Borough CIL and the geographic options for allocating Neighbourhood CIL together with potential project-specific criteria for the allocation of CIL.

In response to questions, the Panel was informed that:

- the government envisaged neighbourhood CIL schemes would be initiated and implemented using current processes. Ward member involvement would be similar to how ward projects had been initiated in the past with the assistance of the Community Engagement Team. With regard to the 'pooled' Opportunity Area funds, Members from all relevant wards would be involved;
- failure to spend CIL could result in it being clawed back after five years;
- capital programme bids for the 2018/19 financial year were currently being assessed for potential borough CIL funding;
- match funding, an incentive for the community to work together, was one of the financial criteria available for consideration;
- developers would be unable to avoid CIL payments by submitting two smaller planning applications as it applied to any new residential unit regardless of size.

A Member suggested that it would be useful for budget lines in the capital programme to indicate which elements of the capital programmes were directly funded by CIL. The officer stated that whilst the exact format was to be determined finance colleagues currently indicated external funding, which would include CIL.

With regard to consideration of bids from external providers, such as NHS and TfL, the officer stated that this was possible under the Regulations and health and emergency services could be considered for funding, if the Local Authority so decided. The mechanism for inviting external bids had not yet been considered in detail. Discussions with external providers took place as part of the infrastructure delivery plan and they were aware of CIL.

A Member stated that currently there were no neighbourhood plans in Harrow, although an application had been made for Harrow Hill. She enquired whether the process would ensure transparency of the funding received, how it was spent and any remaining funds. The officer stated that the application for Harrow Hill would be submitted to the December meeting of the Planning Committee and it was envisaged that should a neighbourhood plan be adopted and identify potential use of neighbourhood CIL, projects would still be delivered by the Council and the Council CIL reporting cycle would cover the points raised.

Members discussed the CIL income based on the 9 sub areas comprising groups of wards as shown in the Core Strategy. A Member referred to area 5 which had raised £2918 neighbourhood CIL in three years and queried whether there was a level where the sum was so small it was of no consequence. The officer informed the Panel that one modest development in a ward could result in a significant increase in CIL payments. Legal advice had been received that when balancing the area from which the CIL payment had been made with a broader approach, care should be taken to ensure adherence to the concept of neighbourhood CIL. Regarding a question as to the affect of large developments in central Harrow on surrounding areas, the rationale for the pooling of Neighbourhood CIL contributions within the Opportunity Area was to take into account the broader impacts of development. The main focus was to mitigate development and if the impact in other areas could be demonstrated it was possible for a CIL funded project to address this even in a separate location.

Members discussed the Harrow and Wealdstone Opportunity Area and noted that the Wards most affected by proposed development would be Greenhill and Marlborough whereas areas on the fringe of the Area such as Headstone North and Wealdstone formed a smaller amount of development. It was therefore agreed to recommend that there be a Harrow and Wealdstone sub area based on the geographical definition of the Opportunity Area which would not be defined on a Ward basis. As a result, for a Ward partly in the Opportunity Area, CIL could be allocated either in the Opportunity Area 'pooled' funds or to individual Wards as appropriate. The allocation process could be reviewed subsequently.

Resolved to RECOMMEND: (to Cabinet)

That

- (1) the allocation of Borough CIL be included as part of the Annual Budget Setting process and included in the Capital Programme report which is presented to Cabinet every year in December (draft budget) and February (final budget);
- (2) the allocation of Borough CIL be informed by the Harrow Local Plan, Infrastructure Delivery Plan, corporate priorities and external funding opportunities and have regard to the criteria outlined in Section 7 of the report;
- (3) the following approaches to allocating Neighbourhood CIL be approved:
 - (i) Allocation of 15% of CIL receipts raised in each ward back to the respective ward in which it was generated (except where received from within the geographical definition of the Harrow and Wealdstone Opportunity Area), provided there was no neighbourhood plan for that area (if there was, the amount be 25%).
 - (ii) For CIL received within the geographical definition of the Harrow and Wealdstone Opportunity Area, (which was considered to form a neighbourhood), allocation of 15% of CIL receipts into a combined fund to be spent on projects across the entire area, to reflect that the area contained the greater proportion of strategic development sites within the borough.
 - (iii) The broad allocation of Neighbourhood CIL be agreed as part of the Capital Programme (based on available funds at the time and allocated as per (i) and (ii) above), and included in the Capital Programme report which was presented to Cabinet every year in December (draft budget) and February (final budget).
 - (iv) Once the broad allocation of NCIL is agreed as part of the Capital Programme, individual projects put forward by the relevant Directorates / Ward members be assessed against the criteria outlined in section 7 of the report (including the extent of consultation and level of community support), with the final decision on what projects were funded from the agreed CIL allocations being delegated to the Divisional Director – Regeneration and Planning, in consultation with the Portfolio Holders for Regeneration and Planning, and Finance and Commercialisation.

Reason for Recommendations: The Community Infrastructure Levy Regulations and the National Planning Practice Guidance set a framework in which CIL receipts need to be spent. Establishing a robust mechanism for the allocation of CIL that seeks to ensure these requirements are complied with and links expenditure to supporting new development in the borough to maximise the benefit such expenditure brings. A transparent mechanism also provides opportunity for input from stakeholders.

RESOLVED ITEMS

96. Update on Various Projects

The Panel received an update on the major development projects in Harrow.

In response to questions from Members of the Panel, it was noted that:

- the GLA was expected to sign the section 106 Heads of Agreement for the Palmerston Road development shortly;
- the combined Cumberland Hotel and Victoria Hall development had been submitted to Planning. A contractor had been appointed, the same contractor as for Origin's scheme on Northolt Road;
- it would be clarified whether the Harrow College/Brookshill application would be submitted to the Planning Committee in July 2018;
- it was hoped that the Grange Farm Estate application would be submitted to the Planning Committee in December 2017;
- the HZ - Council sites were progressing well with planning applications for the New Civic and Byron Quarter to be made in December 2017 except for the Poets Corner site which would be submitted in February 2018;
- liability for business rates would arise if the Kodak site was not cleared by March 2020;
- the reserved matters for the Harrow View East development would be considered by the Planning Committee given the scale of the development;
- due to phasing, completion of the new Civic Centre was required before Phase 2 of the existing Civic Centre site could be undertaken

A Member stated that the new housing requirement in the new London Plan for Harrow was expected to increase to approximately 1,400.

RESOLVED: That the report be noted.

97. Future Topics and Presentations

RESOLVED: That it be noted that no items were put forward by Members of the Panel.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.23 pm).

(Signed) COUNCILLOR KEITH FERRY
Chair