

# OVERVIEW AND SCRUTINY COMMITTEE MINUTES

## 5 APRIL 2011

<b>Chairman:</b>	* Councillor Jerry Miles	
<b>Councillors:</b>	* Nana Asante (1) * Kam Chana * Ann Gate * Barry Macleod-Cullinane	* Paul Osborn * Bill Phillips * Sachin Shah * Stephen Wright
<b>Voting Co-opted:</b>	(Voluntary Aided)  Mrs J Rammelt Reverend P Reece	(Parent Governors)  Vacant
<b>In attendance: (Councillors)</b>	* Keith Ferry	Minute 117,118 and119

\* Denotes Member present  
(1) Denotes category of Reserve Members

### 111. Attendance by Reserve Members

**RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Member:-

Ordinary Member

Councillor Sue Anderson

Reserve Member

Councillor Nana Asante

## 112. Declarations of Interest

**RESOLVED:** To note that the following interests were declared:

### Agenda Item 8 – Transport Local Implementation Plan

Councillor Macleod-Cullinane declared a personal interest in that he was a keen cyclist. He would remain in the room whilst the matter was considered and voted upon.

### Agenda Item 10 – Draft Issues and Options Consultation Documents for the Harrow and Wealdstone Area Action Plan; Draft Site Allocations Development Plan Document (DPD); and Draft Development Management Policies Development Plan Document (DPD)

Councillor Bill Phillips declared a personal interest in that he was a Greenhill ward councilor, which was included in the intensification area. He would remain in the room whilst the matter was considered and voted upon.

## 113. Minutes

A Member stated that the minutes did not reflect the level of challenge at the meeting. Another Member stated that the views of the Committee had been put in full and strong terms to Cabinet.

**RESOLVED:** That the minutes of the meeting held on 15 March 2011 be taken as read and signed as a correct record.

## 114. Public Questions, Petitions and Deputations

**RESOLVED:** To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rules 17, 15 and 16 (Part 4B of the Constitution) respectively.

## 115. References from Council/Cabinet

**RESOLVED:** To note that no references had been received.

## **RESOLVED ITEMS**

## 116. Transport Local Implementation Plan

The Committee received a report of the Corporate Director of Community and Environment which detailed the consultation results on the draft second Local Implementation Plan (LIP). The Chair advised that the report would be considered by Cabinet in May and Council in July.

An officer advised that the revised LIP had been made available in the Group Offices and Members' library and that there were strict guidelines that governed the preparation of the document. It was also necessary to meet the Mayor of London's goals. The Council had received positive feedback on the document and the changes made since the original document related mainly to links with the London Sub-Regional Transport Plan. Transport for London

(TfL) had not requested any substantial changes. Following consultation, further changes had been made as there had been a significant number of comments on cycling.

In considering the report, Members asked questions and made comments which were responded to as follows:

- A Member stated that if Council and TfL funds were being used it would be helpful to know the percentage split. The officer confirmed that approximately 90% of the funding was TfL and that all the items were included in the budget.
- Another Member expressed concern at the small amount of Council revenue being spent on traffic issues over the next few years and challenged officers stating that there seemed to be insufficient resources. The officer responded that these resources did not include the money being spent on local roads.
- In terms of performance, a Member suggested that more context in some areas would be helpful. The officer advised that, as some of the indicators were new, there was no context.
- A Member challenged the spend on walking studies and was advised that the resource allocated enabled officers to respond to requests from members of the public. Areas were prioritised according to corporate priorities, transport objectives and different schemes. In response to a further question from the Member, the officer advised that all works were the subject of local consultation, including the relevant ward councillors, and it was not possible to identify in which quarter expenditure would occur until a proposed works/scheme was finalised.
- A Member questioned the indicative totals in appendix B of the report and, in particular, why the totals in the first and third years were considerably larger. The officer advised that major schemes relied on bids and that no bid was being submitted in the second year.
- In terms of managing contracts, a Member questioned whether there was a lack of skills and resources in this area. The officer responded that this was a nationwide issue and if a problem arose, a project might require re-phasing. In response to the Member's question in relation to carbon dioxide emissions, the officer advised that the start/stop of cars was problematic for the environment and that every traffic scheme aimed to reduce the occurrence of this. In terms of electronic signs for bus lanes, the officer advised that there were sufficient resources to start the scheme and, if it were successful, resources might require reallocation. The officer acknowledged the Member's comment in relation to the separation of 'killed' from 'seriously injured' in the report but advised that this was often the way TfL required this information.

- In response to a Member's question in relation to additional bus links, the officer confirmed that the consultation had identified that the public would like existing routes to be extended into hospitals and also better links to Ealing. This had now been included in the revised LIP but was a matter for TfL.
- A Member questioned whether school support extended to private schools and the officer confirmed that it did but that some were not willing to produce the required travel plan. Another Member questioned the implications for academies and was advised that the support would work in the same way as for private schools.
- In relation to consultation with the Learning and Physically Disabled Transport Group, the officer confirmed that a meeting had been held and was attended by a cross-section of people with mental health and physical disabilities. Following this, regular future meetings were to be held with this group.
- In response to a Member's question on school travel plans, the officer advised that the plans were available to view on the Council's website and were reviewed annually. The travel plans could be used to address issues such as people parking on school zig zags. The Member challenged the need for a travel plan adviser as, once the plans were in place, it seemed a relatively minor job to keep them updated. The officer stated that this was not a full time post but was extremely valuable and the relevant officer worked on other areas too.
- A Member challenged the size of the budget for the promotion of cycling and indicated that there was a need to consider other options. The officer advised that there was a statutory duty to meet cycling targets and that promotion covered a wide range of issues that could not be addressed in detail in the current report.

The Chair thanked the officer for their attendance and for the responses provided.

**RESOLVED:** That the Cabinet be requested to take on board the Committee's comments during their consideration of this item.

## 117. Civic Centre Renewal

The Chair welcomed Councillor Keith Ferry, Portfolio Holder for Planning, Development and Enterprise, and Andrew Trehern, Corporate Director of Place Shaping, to the meeting. He advised the Committee that as this item was not available for consideration at this stage, it would be submitted to a future meeting. The Corporate Director had, however, indicated that he would provide an oral update.

The Corporate Director reported that no work had been done on civic centre renewal during 2010/2011 and that work had been concentrated on the Area Action Plan for the central area. This work would lead on to the development

of the civic centre site. He indicated that a report would be submitted to Members in June/July with the outline programme for the project.

Members asked a number of questions and made comments which were responded to as follows:

- A Member stated that he was concerned at the lack of progress given that one of the drivers for the outsourcing of the IT contract was the renewal of the civic centre. The Corporate Director responded that work had been continuing on the utilisation of facilities and that officers were working on the footprint within the capital programme. He was confident that the savings could be achieved.
- A Member stated that in terms of cashable savings, a new civic centre would require less square metres and this had not progressed. Bringing services onto one site could achieve substantial savings. He also expressed concern that there might be double counting. The Corporate Director reported that the closure of some children's services facilities had progressed and that the transformation tracker had been thoroughly checked. The Area Action Plan had given officers a stronger platform on which to progress renewal.
- In response to a Member's question in terms of the carbon footprint, the Corporate Director indicated that he would provide him with the information requested.
- A Member stated that the Major Developments Panel (MDP) had expressed concern that the masterplan might be superseded by events. He added that some Members were restricted in expressing their views at the MDP due to planning obligations.

The Chair thanked the Corporate Director for his oral report and the responses given.

**RESOLVED:** That the position be noted.

**118. Draft Issues and Options Consultation Documents for the Harrow and Wealdstone Area Action Plan; Draft Site Allocations Development Plan Document (DPD); and Draft Development Management Policies Development Plan Document (DPD)**

Having welcomed the Portfolio Holder for Planning, Development and Enterprise, the Corporate Director of Place Shaping and other officers to the meeting, the Chair advised that the three Development Plan Documents (DPDs) would be considered by Cabinet before being recommended to Council for approval.

The Portfolio Holder for Planning, Development and Enterprise introduced the report which detailed three Development Plan Documents (DPDs) that were being prepared in support of the spatial strategy set out in the Core Strategy. These DPDs, when adopted, would form part of Harrow's Local Development

Framework. He outlined the consultation process and advised that, subject to Cabinet and Council approval, the three draft documents would be published in May 2011 for a six week period of public consultation.

The Portfolio Holder advised the Committee that the Area Action Plan had been considered by the Local Development Framework Panel and the Major Developments Panel. East Associates had done a considerable amount of work on the Plan and the aim was to have a coherent strategy for the intensification area.

In considering the report, Members asked questions and made comments, which were responded to as follows:

- A Member challenged officers as to how easy the documents would be for the public to understand and respond to. An officer advised that the documents would be uploaded onto the consultation portal. Officers were particularly interested to hear the views of landowners and developers and those parties were already aware of the documents and the process. The documents had been checked for plain English and, in addition, summary leaflets would be provided and a series of consultation events held.
- In terms of the Area Action Plan, a Member questioned how some of the proposals for retail in the town centre could be delivered. An officer advised that a stimulus was required for any type of economic development. It was clear, following a retail study, that 46,000 square metres of retail floor space was required to maintain Harrow's market share. He reported that part of the Area Action Plan would be engagement with developers. There was stiff competition for both public and private sector investment but Harrow had a lot to offer, including excellent transport links. The Member responded by stating that, despite the good transport links with central London, he did not see any development in Wealdstone. He added that residents in some wards did not want to see large developments.
- The Divisional Director of Planning advised that young people wanted flats and the key was affordability but acknowledged the Member's point that other population age groups did not wish to see such development. The Council was looking for a clear, long term strategy and the way to gain investment was for the Council to do what it said it would and to engage constructively with developers. An officer added that if the Council did not promote brown field sites for development, there would be no benefit or uplift.
- In relation to the Site Allocations DPD, a Member questioned whether the document would make it easier to enforce the protection of retail frontages and referred to the issue of Starbucks in Pinner. An officer confirmed that the new document would change the position slightly and that town centre health checks would still be carried out. The localism agenda would also have an impact.

- Referring to the table on page 37, a Member questioned whether it would be beneficial to break this information down by ward. An officer advised that this was dealt with in the Core Strategy and that each sub-area set out how much development was expected. The Core Strategy also contained policies on minimum room size and a presumption against 'garden grabbing'.
- A Member challenged officers as to whether there were sufficient resources to achieve the proposals set out in the documents. An officer responded that resources were not an issue, it was about effective cross-council working and that this was already being done with the economic development team, and housing. The Corporate Director added that the Place Shaping priorities had been agreed with the Portfolio Holder and had been supported through the budget making process.
- A Member stated that the Council was not using the town centre to best advantage, particularly in relation to restaurants. He also questioned whether a traffic survey had been carried out. An officer advised that the Core Strategy addressed the town centre issues. The Area Action Plan would strengthen this and consider where the evening economy should be located in the town centre. A traffic audit of the whole borough had been completed, the results of which had been considered by East Architects and Alan Baxter consultants, and further transport modelling would be undertaken during the next stage of the Plan's preparation. In terms of the town centre, the Corporate Director stated that as major developments progressed, there would be public realm issues.
- A Member, who represented Greenhill ward, stated that during canvassing, residents were clearly not in favour of intensification in their ward. He suggested that it might be necessary to reconsider the terminology used. There also needed to be good reasons for people to visit Harrow. He referred to the different types of redevelopment of both Coventry and Nuremberg and expressed concern at what Harrow might look like in 10-20 years. The Divisional Director of Planning responded that, whilst he understood the Member's concern, both Bath and Kensington and Chelsea had high density development and that in order to obtain investment, the Council had to outline how it would develop Harrow. Harrow had, in the past, lacked visibility. He added that the term 'intensification' was a London Plan designation. An officer added that Harrow could continue with 15 more years of piecemeal development or could use the Area Action Plan (AAP) to plan ahead. The community needed to advise the Council of their vision for Harrow and the developers' interests also required consideration.
- Another Member supported the previous Member's concern in relation to the redevelopment and questioned whether the Council's information was more accurate than the census information due to be released in 2012. He also emphasised the importance of the architecture and

aesthetic feel of the buildings. The Portfolio Holder responded that since 2001, the census figures had been updated by the Office of National Statistics and Greater London Authority Statistical Unit. He estimated that there were 19 sets of evidence and these would be included on a CD rom once the Core Strategy process had been completed. In terms of the buildings, the Council was working closely with Design for London to ensure the AAP contained appropriate policies in relation to managing building bulk, size and density. Consideration was being given to the establishment of a Design Review Panel, comprising a group of building professionals, who would consider the design and aesthetic building proposals to assist the Council in validating or confirming otherwise subjective assessments.

- A Member questioned why Hatch End, a low density area, had a thriving evening economy in comparison to the town centre and questioned the extent to which the Council could refuse planning permission due to the appearance of a proposed development. He also questioned what was being done to encourage landmark architecture. The Portfolio Holder responded that Dandara had been refused permission for their proposed development due to appearance. In terms of the evening economy, the town centre had too much focus on office and retail and it might be possible to develop Wealdstone into a more commercial centre. Harrow had a considerable heritage and good architecture but there was a need for good restaurants. Once the preferred development option, out of the 4 being put forward for consideration, was clear, more substance could be added.
- A Member stated that, in many countries, developments had retail facilities on the ground floor with accommodation above. Another Member referred to the vacant ground floor in a property in Northolt Road and stated that it would be easier and more manageable to open up the access through to St Ann's Road. The Portfolio Holder responded that there was probably the wrong mix of use at Raeburn House, Northolt Road and an officer added that the process for dealing with this was clearly set out in the Core Strategy.

The Chair thanked the Portfolio Holder and officers for their attendance and for the responses provided.

**RESOLVED:** That the Cabinet be requested to take on board the Committee's comments during their consideration of this item.

## **119. Planning Enforcement**

The Portfolio Holder for Planning, Development and Enterprise introduced an information report which provided an overview of the performance of the planning enforcement service. He advised that local planning authorities were not required to undertake enforcement but that currently Harrow had a team of four enforcement officers. He reported that there were approximately 700 complaints about building works each year and that there was not the resource to monitor building at every stage. The Divisional Director of



Planning added that whilst enforcement was an optional activity, it was crucial to the integrity of the planning process.

The Divisional Director of Planning reported that the Council had a robust approach to those who breached planning permission but would engage and negotiate solutions, as appropriate. It was important for the Council to build a credible and robust reputation in enforcement in order to gain the confidence of the community in the planning process. This had been an area of particular focus since 2009 and was beginning to show improvement.

Members asked questions and made comments which were responded to as follows:

- A Member stated that it was clear that the views of residents differed from that of officers in terms of enforcement and suggested that a challenge panel might be required.
- In response to a question in relation to the Place Shaping budget, the Divisional Director reported that there were no cuts to enforcement in 2011/12 but that the Enforcement Team Manager post would be reviewed the following year. In addition, a permanent member of staff had been recruited to replace agency staff. He further responded that by year 3, if staff were reduced, capacity might be diminished.
- A Member questioned the fairness of some enforcement notices in that some breaches were investigated whilst others were not. The Divisional Director advised that officers tried to prioritise those that were the most serious.
- A Member questioned how the Council proposed to use the Proceeds of Crime Act. The Portfolio Holder reported that in terms of trading standards, the authority were ahead of the field and therefore been asked to advise planning as this could act as a deterrent. The Divisional Director of Planning reminded Members that a breach of enforcement was a criminal offence but that there was a need for proportionality. The Member challenged the reporting mechanism and was advised that the delegation to pursue this course of action had to come from the Planning Committee. Another Member stated that, if proceeds of crime in relation to a breach were pursued, there should be some form of Member approval.

The Corporate Director of Place Shaping reported that the prime focus over the previous two years had been to improve the professionalism of the service and the report set out the improvements made.

The Chair thanked the Portfolio Holder and officers for the responses received.

**120. Report from the Chair of the Performance and Finance Scrutiny Sub-Committee**

The Chair reported that as the meeting of the Performance and Finance Scrutiny Sub-Committee had been re-arranged, this item would be submitted to the next meeting.

**121. Termination of Meeting**

In accordance with the provisions of Committee Procedure Rule 14 (Part 4B of the Constitution) it was

**RESOLVED:** At

- (1) 9.59 pm to continue until 10.15 pm;
- (2) 10.14 pm to continue until 10.30 pm;
- (3) 10.28 pm to continue until 10.45 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.35 pm).

(Signed) COUNCILLOR JERRY MILES  
Chairman