

**MINUTES OF THE HOUSING AND REGENERATION SCRUTINY PANEL**  
**MONDAY, 18 JANUARY 2016**

Councillors Eugene Ayisi (Chair), Gail Engert, Tim Gallagher, Eddie Griffith, Makbule Gunes, Emine Ibrahim and Martin Newton

In attendance  
Councillor Demirci

**LC1. FILMING AT MEETINGS**

The Chair referred Members present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein'.

**LC2. APOLOGIES FOR ABSENCE**

None received.

**LC3. URGENT BUSINESS**

None received.

**LC4. DECLARATIONS OF INTEREST**

None received.

**LC5. DEPUTATIONS/ PETITIONS/ PRESENTATIONS/ QUESTIONS**

None received.

**LC6. MINUTES**

6.1 There were a number of corrections to the minutes.

- Section 8.4 on housing affordability of housing should read 'exclude' rather than 'excuse';
- Section 10.3 should be sites not 'cites';
- Section 10.4 should read 'Holcombe Road Market'.

6.2 It was noted that an update on modular build was due to be provided to the panel, but Homes for Haringey are collating further information ahead of this being circulated to all members shortly. It was noted that modular build could be used to help respond to temporary accommodation needs, though no final decisions had yet been taken.

6.3 Subject to the amendments and matters arising listed above, the minutes of the meeting held on November 16<sup>th</sup> were approved.

**LC7. CABINET Q & A**

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7.1 The Cabinet member for Planning attended to respond to questions within this portfolio. To begin with, a number of key issues within this portfolio were highlighted:

- the Spurs Stadium application had progressed, and whilst there were concerns in respect of affordable homes provision, it represented positive progress for plans to regenerate Tottenham;
- the planning service was performing well, with 100% of major applications and 81% of minor applications assessed within the target time time;
- the service is not immune from finance pressures and will need to make efficiency savings;
- the planning service had set itself a target of being top quartile among London services for speed, cost and quality and this had been achieved;
- the service is also in top quartile in respect of appeals and planning enforcement;
- there has been a significant rise in income derived from pre-applications;
- the service has restructured as of 1/1/16 to help it meet new demands as well as helping to find efficiency savings;
- the service is currently active in progressing 6 planning policy documents and this is a major challenge;
- the service is supporting two neighbourhood forums in developing neighbourhood plans;
- the building control service is also busy, having had over 200 call outs to dangerous structures in the borough.

7.2 The panel noted that there were 4 key challenges for the service:

- **Funding** – there is currently a gap of 25% between planning fees income and costs and the challenge is to reduce this either through improved efficiency or increased income;
- **Skills** – the profession has a well known skill-shortage and the service has recruited internally to some key positions and is now looking to recruit externally, though this is a very challenging market and the service needs to be flexible to respond to changing demands (e.g. recruitment of agency staff);
- **Density and growth** – it is recognised as an area of great anxiety among local residents though the council has to balance the future needs for new homes and businesses with this;
- **Infrastructure delivery** – there is a planned programme of investment to help deliver the supporting infrastructure needed to support new homes but funding arrangements are complex and will involve both internal and external sources (e.g. central government, health, education, CIL).

7.3 The panel noted that the service had set up the Quality Review Panel, made up of Leading planners, architects and construction experts to provide additional advice and support to the Planning Committee. Four to five members of the panel will meet monthly to consider applications referred by the council, and will be managed externally to ensure its independence.

7.4 The panel discussed the centrality of the planning service in helping to drive growth in the borough and helping it to achieve key objectives in terms of affordable housing, opportunities for employment, improving parks and green spaces and better connected transport. The service is trying to increase the profile of what is being delivered through planning processes to the local community. The service is trying to improve communication with local residents to help realise the value of planning and how it can contribute to development of local communities.

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7.5 The panel noted that the nature of the economy is cyclical and when slow-downs occur this does not precipitate a halt to planning processes, it just affects the pace of applications coming forward. But when the economy does go in to a down turn, it does create uncertainty and in this context the council must be clear and certain on its priorities about what it needs to achieve (e.g. through the Local Plan).

7.6 The panel noted that of the 68 appeals against planning decisions of the council in 2015, 43 were rejected. The panel felt it would be useful to have appeal data come to the panel, not only the proportion of cases won or lost, but data on the cost of lost appeals and analysis of lost cases (to identify any common themes or patterns).

**Agreed:** that further data on planning appeals to be sent out to members of the panel.

7.7 There has been a long standing discussion at the national level in respect of Planning Fees. The government has introduced a provision within the Housing and Planning Bill to allow people to choose another planning provider other than the local planning service to process planning applications. It is not clear how this will work at present, but it could be through some other third party (e.g. Capita as is the case in Barnet). The current position however, is that planning authorities cannot delegate decisions to any other body, therefore in Barnet someone in the council is still required to make that decision. There has been no further information on liberalisation of fees as there has been with Building Control.

7.8 Conservation Reviews are focusing on those areas where there is the greatest amount of change and therefore is focusing on the east of the borough at present. A conservation area appraisal and management plan will inform planning in those areas.

7.9 The panel noted that in the funding settlement for TFL, that Local Implementation Plan (LIP) funding (which provides resources for highways, smarter travel and other transport issues) would no longer be provided to local authorities. The Council has had a dialogue with TfL, where it has been established that funding is not going to dry up but is offered in more discrete pots of funding. Any new funding mechanism will be agreed with the incoming Mayor in 2016.

7.10 The panel discussed the possible options that are available to the council when a large planned development goes into difficulty. Achieving starts on site is the biggest challenge, and we are currently below the new 1,500 homes target. Although there is a concern about mothballing sites, there is in fact very little the council can do in that it does not have the resources to underwrite such large schemes.

7.11 The lack of GPs and supporting infrastructure was discussed by the panel, and what can be done to make sure that this necessary service is in place for when people take up residence in this regeneration area. The planning service and CCG have worked together on what is a very complex process, as the GP owns the facilities and is commissioned by the CCG to provide medical services. The problem at the moment is that health infrastructure is fragmented, with a disproportionate number of small single handed practices, or consortia of GPs operating out of inadequate spaces (generally a house).

7.12 There has been a review of GP infrastructure needed against existing provision which has allowed the identification of areas needed for core primary care facilities. This needs to be reflected in borough wide plans. A number of sites have been identified: Welbourne, High Road West or the new Tottenham Hotspur facility. The

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Hawes and Curtis site on Green Lanes has also been identified as a possible primary care facility. Two of these sites are proposing to use development above to cross subsidise health provision below.

7.13 There have been a number of representations to Crossrail 2 indicating local dissatisfaction with current proposals, in particular that the use of Downhill's Park was unsatisfactory and that all the other possible options have not been fully explored.

7.14 There was a discussion about the impact of Conservation Plans on regeneration. It was noted that these have been undertaken in Tottenham and whilst there are implicit tensions, the plans should guide and inform development. The panel noted that it is important to fully understand the area which may be subject to regeneration proposals and the impact that this may have. Further protection is provided through the Haringey Charter and the Quality Review Panel (as provider of independent advice to the Planning Committee).

7.15 The panel questioned whether a building could be demolished if it was subject to a conservation order. It was noted that there is always a fine judgement to make on the basis of evidence submitted, but protected status does not confer absolute protection. The critical question that is always assessed is does the gain from development outweigh the harm inflicted to that building. In respect of the planning applications for Tottenham, there were 3 different views on the significance of the local sites, highlighting the competing views which may underpin such a decision.

7.16 Tall buildings were also discussed and the impact that this may have on local communities. The panel understood that there is no height limit in the borough. The test is the degree to which the plans can meet the tall building and other design policies. There are locations where development will not be able to go that high and the council is preparing a SPG (supplementary planning guidance on this) which will identify those areas where it is unlikely that planning permission will be granted.

**Agreed:** that the Tall Building SPG should come to a future meeting of the panel.

7.17 The panel noted that local Characterisation Studies had been carried out in many areas across the borough and are key studies to help support the local plan.

**Agreed:** further information on the local characterisation studies to be sent to the panel.

7.18 The panel discussed an enquiry from a member of the public in relation to the public availability of printed copies of the Local Plan consultation documents. The council have produced 200 copies of each plan document which equated to 1,000 documents which has cost £10,000. Three copies of all these documents have been placed in every library, two of which are on loan and one is reference. The documents are also on line. It was suggested by the member of the public that it should be sent to everyone who made a representation that would be 660 copies, which would cost in excess of £30,000. It should be borne in mind that this is not the final document and some balance should be struck between cost and ensuring access to the documents. In this context, the service was reluctant to authorise a further print run. A poster is being developed to promote awareness of the plans in libraries. In addition each ward councillor has been sent a copy.

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#### **LC8. IMPROVING THE QUALITY OF PRIVATE RENTED SECTOR**

8.1 A verbal update was presented to the panel on plans to introduce Selective Licensing in the borough. To recap, the 2004 Housing Act brought in mandatory licensing for HMOs. The same act also empowered authorities to introduce additional licensing (smaller HMOs) and selective licensing (which licenses all private sector rented accommodation in a given area). The Council has already introduced two additional schemes in Harringay ward and along Tottenham High Road, and is now considering whether to apply for selective licensing for all the PRS in Haringey.

8.2 On the basis of commissioned research and evidence base, it has been suggested that there is sufficient evidence to apply selective licensing in all those wards to the east of the railway line that dissects the borough. That is, those 12 wards to the east of the borough have levels of ASB (noise, dumping, housing complaints) associated with private rented sector sufficient enough to warrant the introduction of selective licensing. However, from April 2015, the government introduced restrictions limiting the application to 20% of the local area (geographical or number of properties).

8.3 Since April 2015 however, the government has signalled that it will introduce new legislation via the Housing and Planning Bill or an amendment to the 2004 Housing Act, which will extend the range of mandatory licensing. This regulation currently only applies to 3 story properties with 5 or more people, though this will now include 2 story properties and self contained flats. This would include a vast number of flats in this borough, probably in excess of 12,000 HMOs. Therefore the regime change would be significant in terms of the number of properties this could be applied. A fee of £1,000 per property (over 5 years) would yield £12million to support enforcement and other measures to improve safety and quality in this sector. This is expected to be introduced in September 2016.

8.4 The panel noted that the Housing and Planning Bill would also introduce Banning Orders to ban rogue landlords and increase powers for rent repayment orders to help recover housing benefit.

8.5 Given the above, the key question for the Council is whether to continue to pursue selective licensing or to wait for the extension of mandatory licensing later in the year. The new powers were all to be welcomed though this would require some considerable assessment of the logistics that would be needed to scale up provision to support the new legislation.

8.6 In Harringay Ward, an additional license has been in operation for 4 years, thus this is the last year of operation (they are granted for 5 years). There have been approximately 500 licenses issued of which 90-95% had no fire protection whatsoever. The extension of the mandatory licensing would make for effective use of officer time, in that the onus is on the landlord to register and comply.

8.7 In the context of the above, it was suggested that this may be the time to pause on pursuing the selective licensing approach and to enact those new mandatory powers when they become available. If there are any enforcement gaps after the introduction of new mandatory powers, then this may be an opportunity to consider the introduction of selective licensing.

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8.8 The panel discussed the 'warehouse district' in the Arena Estate and in Omega Works area. In respect of accommodation at Omega Works, it was noted that Housing Act notices are going out at the end January specifying all the work that is required as a result of the planning action agreed. It was anticipated that this may present a problem for current landlords given the scale of the works required and the general state of repair of the buildings. In this context, the property owners have come forward to discuss their own plans to improve the sites with the council which is a very positive development.

8.9 It was noted that every single property on the Arena Estate has been visited and a programme of improvements have been agreed with the owner. The housing standards service is now working on Overbury Road. It was also noted that the use class had not been made residential for these areas, but was of mixed use in the designated areas, with emphasis on employment.

8.10 The biggest risk associated with these priorities is not that there isn't any fire protection but there is inadequate means of escape if there is a fire. It is hoped that the notices issued will prompt the property owner to come forward with new schemes to ensure that the units are compliant with necessary housing and safety regulations.

8.11 In Haringey there are about 32,000-36,000 properties which are in the PRS. The licensing element deals with the higher risk properties, like those in multiple occupation and over multiple floors. Without licensing, the council cannot undertake preventative work effectively. At the moment the service is reactive, dealing with complaints directly received from tenants. The most effective way to ensure completion of required works is to serve notice on the landlord, though it was acknowledged that may have repercussions for the tenant (e.g. evictions) which the council would clearly try and avoid.

8.12 Whilst prosecutions were going ahead locally, these involved a considerable amount of time and work by the team. The additional resource provided by the extension of mandatory licensing would assist in this process.

8.13 The panel noted that a specific paper setting out the licensing options will come back to the next meeting in March 2016.

## **LC9. COMMUNITY ENGAGEMENT WITH PLANNING**

9.1 The panel received an update on the work of the planning service to implement recommendations of a scrutiny review completed in 2014. The most important recommendation outstanding, is the need to review the consultation policy. It was noted that a judicial review has been received on the Statement of Community Involvement which will impact on the timeframe for the consultation strategy to be approved.

9.2 'MyHaringey' is now in operation and which will now involve a third stage where residents can be automatically notified of planning applications in the area in which they live. This will become live in autumn 2016.

9.3 The panel noted that the service now operates development management forums and pre-application forums to facilitate community engagement ahead of planning applications being considered.

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9.4 There was some anxiety among members of the panel as to the degree to which future consultation and involvement of the community in planning decisions would rely upon digital media. Not all those local people have access to PCs or do not like this method of engagement. It was suggested that an approach which allowed greater opportunity to engage with officers directly may assist engagement, particularly as Neighbourhood Committees have been abolished.

9.5 The panel enquired whether there was any progress in enabling residents to view all the consultation responses to a planning application at one time instead having to view responses individually. It was noted that current technology in the council does not support this at present.

9.6 It was noted that responses to planning applications do not necessarily have to give their address and do not have to be resident in the area where the development is taking place (or local planning authority area). The legal requirement in considering the applications is that the planning service has to have regard to this submission and if it presents a material concern.

9.7 The panel also raised the issue of the availability of planning consultation information in different languages. It was noted that where possible the council has used existing resources within the community, including members themselves to help them convey planning information. There is no simple answer to this without recourse to significant investment. Where there are identified language needs however, there is the possibility that developer can be required to provide consultation material in a different language via a Planning Performance Agreement (PPA). But this is dependent upon information in advance.

#### **LC10. COMMUNITY INFRASTRUCTURE LEVY**

10.1 The panel discussed the draft recommendations for the Community Infrastructure Levy. The key points from this were noted:

- There were 13 recommendations from the panel covering a wide range of issues;
- It was noted that the proposal to have reassess the CIL rates would have a cost implication of approximately £35,000;
- It was noted that the actual areas defined by the CIL will be agreed by the Council in Cabinet;
- There would be difficulty in projecting income from the CIL and the annual monitoring report draws out CIL income;
- That there should be a minimum spend of £2,500 for proposals and no maximum;
- There should be at least two members supporting proposals.

#### **LC11. WORK PROGRAMME UPDATE**

11.1 The panel noted the work programme report, where one further scheduled meeting of the panel was planned on 3<sup>rd</sup> March 2016.

- Future items coming to the panel include preferred partnership status
- Older peoples housing (supported housing programme).

11.2 The Housing Viability scrutiny in a day scope would come to the next meeting of the panel in March. A date would be agreed for this to take place with the panel outside the meeting.

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**LC12. NEW ITEMS OF URGENT BUSINESS**

None.

**LC13. DATES OF FUTURE MEETINGS**

3<sup>rd</sup> March 2016

**Cllr Akwasi-Ayisi**

**Chair**