

MINUTES OF THE MEETING OF THE REGULATORY COMMITTEE HELD ON THURSDAY, 19TH MAY, 2016

PRESENT:

Councillors: Natan Doron (Chair), Vincent Carroll (Vice-Chair), Dhiren Basu, David Beacham, John Bevan, Clive Carter, Toni Mallett, James Patterson, Jennifer Mann, Liz McShane and Ann Waters

211. FILMING AT MEETINGS

RESOLVED

- That the Chair's announcement regarding the filming of the meeting for live or subsequent broadcast be noted.

212. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Mitchell.

213. MINUTES

RESOLVED

- That the minutes of the meeting held on 15 February be approved as an accurate record.

The Committee sought an update on a number of points contained within the minutes:

- Regarding the mooted community conference to facilitate working with the Quality Review Panel (QRP), officers updated that this would be rolled into the annual community conference to be held in October.
- In relation to progress with pooled resources with the GLA on viability assessments, officers advised that work was continuing as part of a London wide group to develop a shared protocol. Additionally, the Council were looking into the implementation of findings from the recent scrutiny review on viability assessments.
- Further details were sought on the policy implications of new flexibilities for local authorities in defining who can be considered a Gypsy or Traveller for the purposes of meeting obligations under planning law. Officers agreed to circulate a written update to the Committee.
- The Committee sought assurances that comments made at the last meeting around the setting of gambling fees to their maximum permissible level had been noted and to this end, requested a written response from the Licensing Officer when she returned from annual leave.
- Following a question, officers confirmed that circulation of the weekly planning application list to Councillors would continue, as reflected within the revised

Planning Protocol. Members were asked to inform officers of any issues experienced receiving this.

214. ESTABLISHMENT OF PLANNING AND LICENSING SUB-COMMITTEES 2016/17

The Committee considered a report on the formal establishment of the sub bodies of Regulatory Committee. for the 2016/17 municipal year. It was proposed that a Planning Committee and two Licensing Committees be established to discharge the respective functions as set out with the Council Constitution. The terms of reference and tabled proposed membership of these Committees were noted. It was advised that there had been one revision to the proposed membership submitted to Annual Council on 16 May to replace Cllr Ryan with Cllr Basu as a member of the Planning Committee.

The Chair asked that a note of thanks be placed on record for the outgoing Chair and members of Regulatory Committee.

RESOLVED

- To note the terms of reference of the Regulatory Committee as set out within the Council's Constitution attached as Appendix 1 and confirm the terms of reference of the Planning and Licensing Sub-Committees attached as Appendix 3.
- To establish a Planning Sub-Committee and two Licensing Sub-Committees with the memberships set out in Appendix 2 to the report (tabled).
- To note the provisions in the Committee Procedure Rules, Part 4, Section B of the Constitution covering substitution arrangements for Committees and Sub-Committees. Additional delegations are made to the Democratic Services Manager (Part 3, Section E paragraph 1.5 of the Constitution), attached at Appendix 4ii to this report, for the appointment of a substitute Member for a Licensing Sub-Committee from among the Members of the Regulatory Committee when the permanent Sub-Committee Member is unable to attend for any reason.
- To note that the Council Procedure Rules in Part 4 Section B of the Constitution do not apply to licensing hearings only in those areas where they conflict with the Local Licensing Procedure Rules and the relevant Acts and Regulations which take precedence.

215. HARINGEY QUALITY REVIEW PANEL (DEFERRED FROM PREVIOUS MEETING)

The Committee received a short presentation from Peter Studdert, the independent Chair of the Haringey QRP providing a brief overview of the work and role of the Panel in seeking to help ensure the top-quality design of new developments in the borough.

The Committee raised the following questions following the presentation:

- Peter's view was sought as to how high quality design could be promoted for smaller development schemes. He commented that the Council were already in a good position to support this through the quality charter and policy framework in place. He emphasised the importance of providing early policy guidance to

applicants and potentially strengthening the policy framework to address the cramming of developments on brownfield sites and schemes, particularly of flats, coming forward with insufficient amenity space.

- In responses to questions, it was advised that the Panel did not generally propose conditions for applications that came before them, although they were encouraging wider imposition of a condition requiring the design architects for developments to be retained through to completion. Officers confirmed that had been conditioned for larger schemes recently approved including Spurs stadium and Apex House, but that it was not feasible to impose on a blanket basis.
- The Committee extended praise for the improvements made to the scheme design for the St Ann's Police station development following input from the QRP.
- Concerns were raised over the treatment of QRP comments within officer reports coming before the Planning Committee. Officers confirmed that a new approach had now been implemented whereby Committee reports would contain the QRP comments in a tabled format with a corresponding officer response. Further streamlining would also be trialled through full QRP consideration at pre-application stage followed by a Chair's review when the full application came forward.
- In response to a question, it was confirmed that no developer invited had refused to participate in the QRP process.
- The Committee asked for an example of a large scheme which had undergone significant change following input from the QRP. Officers advised that changes had been made to the scheme for 500 White Hart Lane, due to come before Planning Committee for determination in the summer, following on from the Panel supporting the officer position at pre-application stage that the scheme was not acceptable in its current configuration.
- Clarification was sought on the weighting the Panel gave to Building for Life industry standards. Peter advised that the Panel used the Quality Charter as a structure to the analysis of applications and which predominantly covered Building for Life standards.
- It was questioned how the Panel dealt with differences of opinion due to the subjective nature of design. Peter advised that generally disagreements were rare but stressed that there was no requirement to reach a consensus view, with any variance simply noted within the minutes.

The Chair thanked Peter for attending the Committee and for the continued welcome input of the Panel.

216. PLANNING SERVICES 2015/16 AND APRIL 2016/17 UPDATE

The Committee received a short presentation providing an overview of the work of the Planning Service in 2015/16 and April 2017 including development management, enforcement and building control. An overview was also provided of historical performance to provide a context to discussions.

The Committee raised the following points in the discussion of the report and officer presentation:

- The Committee requested that officers gave consideration to promoting successful planning enforcements cases, referencing a recent fly tipping prosecution by the Council that had received national media coverage. Officers agreed to provide

further details of cases within monitoring reports provided to the Committee going forward and advised of two successful enforcement prosecutions within the last month.

- The Committee noted the success of the Building Control team at the recent London region Building Excellence Awards 2016 including winning a partnership award for the team's work with CG Architects. The Committee asked that the thanks of the Committee be passed on to the Building Control team for their hard work and good performance over the year, despite ongoing challenges including continued oversight of the Spurs Stadium scheme as the development progressed. It was noted the Club had also praised the work of the team.
- In response to a request, officers agreed to circulate details of the three recent Assets of Community value nomination applications from 2015/16.
- An issue was raised over the difficulties experienced by Councillors and members of the public in contacting the Planning Service to make enquiries. The Head of Development Management acknowledged that this was a challenge and to an extent reflected the high caseloads of planning officers and the need for them to dedicate time to determining applications and managing expectations around the timescales involved. The service was also currently experiencing issues related to the routing of calls through the Customer Service Centre. This was having knock on performance impacts such as the acknowledgement of planning enforcement complaints falling below target. Discussions were ongoing with the Customer Services team to resolve this issue. The Committee emphasised the importance of officers resolving this issue, with the involvement of the Chair if necessary to assist the process.
- The Committee sought clarification on the validation of planning applications, particularly whether improvements could be made to delays related to the clearance of cheque payments. Officers advised that this was a problem experienced nationally and that consideration was currently being given to refusing acceptance of cheque payments for this reason, subject to this action not disadvantaging applicants.

The Head of Development Management outlined to the Committee a proposed revision to the Scheme of Delegation relating to Planning Committee as outlined within the Council's Constitution. Currently, all planning applications where the Council were the applicant were delegated to the Committee to determine. This had resulted in a greater volume than expected of predominantly minor Haringey School schemes having to come before the Committee, thereby placing pressure on meeting agendas. It was therefore proposed to amend this requirement to allow the Chair to agree that a delegated decision could be taken on Council applications. The Committee expressed general support for this amendment, although emphasised that this should not impede efforts to try to improve the design quality of school developments. The Chair provided assurance that any Haringey school applications of concern would be brought before the Committee for determination.

RESOLVED

- That the report be noted

- To approve the change to the scheme of delegation proposed to allow for Chair's discretion for Council own applications to be delegated decisions.

217. NORTH LONDON WASTE PLAN - PRE-SUBMISSION VERSION

The Chair advised that this item had been withdrawn from the agenda due to concerns raised by LB Enfield regarding the current version of the Plan resulting in them being unwilling to agree the Plan in its present form. They had requested that the Plan be subject to further discussion and amendment by partner boroughs prior to progression.

218. DATES OF FUTURE MEETINGS

8 September.

CHAIR: Councillor Natan Doron

Signed by Chair

Date