

## **Minutes of the Environment and Housing Scrutiny Panel 19<sup>th</sup> November 2013**

**Present:** Cllr Gibson, Cllr McNamara (Chair) and Cllr Weber

**In attendance:** Graham, Beattie (LBH), Sandra Hoiz (Groundwork), Emma Williamson (LBH), Clodah McGuirk, Sule Nisancioglu, Zoe Robertson (LBH) and Ransford Stewart (LBH).

### **1. Apologies for absence**

1.1 Apologies were received from Cllr Alexander, Cllr Bloch and Cllr Bull.

### **2. Declarations of interest**

2.1 None received.

### **3. Deputations**

3.1 None received.

### **4. Minutes and actions points of last meeting**

4.1 The minutes of the previous meeting (28<sup>th</sup> September 2013) were agreed by the panel.

### **5. Environmental Community Groups - Groundwork**

5.1 The panel agreed to invite a number of community groups to attend to present some of the work that is being undertaken in Haringey. The focus of this work was to:

- Help raise the profile of local environmental community groups in the borough;
- Help to build links with members and council services;
- Identify current work challenges and make recommendations on how these may be overcome,
- Identify opportunities to extend work and improve outcomes in the borough.

5.2 Groundwork is a charity that has been delivering environmental regeneration projects for 30 years. The group has a long history of working in Haringey (8 years) and has worked with the Council, Homes for Haringey and voluntary sector groups. A key approach of Groundwork is to work with and empower local residents. The group offers:

- Consultation, design and implementation expertise;
- Professional input into local environmental projects (landscape architecture, project management);
- Community engagement and capacity building skills;
- Employment skills and training.

5.3 Groundwork London helps people and organisations make changes in order to create better neighbourhoods, to build skills and job prospects and to live and work in a greener way. A six year funding agreement is in place with the council which Groundwork use to attract further funding into the Borough. The panel noted that an additional £565k of external funding has been secured towards projects in Haringey over the past 2 years.

- 5.4 A key area of work of Groundwork is to produce Master Plans for Parks development and produces 3 per year. A typical landscape project on a park or open space will involve a prolonged period of consultation, working with a stakeholder group. Once a design has been agreed Groundwork will work to secure the required funding, typically through charitable trusts, the Big Lottery and landfill funding awards. Once secured, the project will be delivered in partnership with the council. Past development projects included:
- Fairland's Park (£270k); LBH, Big Lottery, LMT and Veolia
  - Stationers Park (£160k) – LBH, Biffa, Big Lottery LTWGS
  - Duckets Common (£250k);
- 5.5 Groundwork also supports the development of Community Action Plans which help to guide local people's efforts to look after green spaces. This simple plan is developed in partnership with LBH, residents and local groups and sets out tasks and responsibilities for implementation. Local groups are trained to help build capacity.
- 5.6 A timebank is also supported by Groundwork in which the skills and experience of local people (e.g. cooking, baking, woodcraft) are exchanged for other services. This service operates out of Winkfield Road, has 200 members and exchanged over 5,000 volunteer hours.
- 5.7 The panel noted that a community gardening scheme is in operation, which seeks to bring back in to use small areas of land which are neglected or abandoned. There is a good partnership with Homes for Haringey, which has helped to identify local green spaces on housing estates and facilitated community engagement and involvement. In Ferry Lane, there were 30 local residents involved in community gardening. Other outcomes from this work include:
- Skill building, improved confidence
  - Community cohesion
  - Access to cheap fruit and vegetables
- 5.8 The panel noted that employment, skills and training is provided through Green Teams. This scheme offers accredited training to dedicated groups (young people, vulnerable people) to learn new skills, gain qualifications and enhance employment prospects as well as helping to create better greener places. There are two schemes in operation in Haringey one within Homes for Haringey (vulnerable tenants scheme) and the other within LBH Parks (parks maintenance). The Green Team maintain 3 parks in Haringey including Downhills and Chestnuts,
- 5.9 The panel noted the key priorities for commissioned work in Haringey for 2013-2015 include:
- Master Planning for Parks
  - Community Action Plans
  - Capacity building for local groups
  - Local volunteer and recruitment
  - Developing effective marketing and publicity
  - Working with hard to reach groups
  - Employment, skills and training

- Fundraising.

5.10 The panel noted that key outcomes delivered by Groundwork included:

- Bringing together, social, economic and environmental regeneration and improving local green parks and spaces;
- On average, 650 days of active involvement of local adults and young people in local projects
- Fundraising ability: £565,000 of external funding secured to projects in 2 years;
- Supporting two Green Teams (Employment, skills and training to local people).

5.11 The panel indicated that there was significant potential to build and extend upon the principles embodied through the work of Groundwork, in particular using community engagement and involvement to identify, cultivate and maintain small pockets of neglected green spaces across the borough. This approach could help to bring community ownership / involvement in to green regeneration and bring neglected areas back in to use.

5.12 It was noted by the panel that a significant factor in the success of local projects was the degree to which local residents, community groups and friends of parks could be engaged and involved. The panel noted the success of Lorship Rec, of which a contributory factor was the presence of strong, effective and mobilised community groups. In other areas, engagement had proved more difficult.

5.13 The panel noted that current sites supported by Groundwork for community gardening were on the whole, those nominated by officers (in consultation with other bodies). The panel suggested that there should be a more organic or 'bottom up' approach to the identification of potential sites to be developed, and indicated that there should be a mechanism through which to consult local communities to help identify areas of neglected green space in each ward.

**Agreed:** that a mechanism is created through which to consult local residents to help identify 'pocket sites' to be potentially redeveloped as community green-space (e.g. community garden).

5.14 Similarly, the panel felt that the selection of sites for redevelopment could also contribute to 'designing out' those sites associated with fly tipping, particularly if these were cross referenced with Veolia and Neighbourhood Action Team data (NAT).

**Agreed:** that Veolia and NAT fly-tipping data further informs the selection of pocket sites for potential redevelopment.

5.15 It was noted in discussions, that whilst conversions of pocket sites would not necessarily be problematic, that maintenance and upkeep of such sites would represent much more of a challenge. There were however, examples presented to the panel of such pocket sites which could be very low maintenance e.g. green roofs, green walls and rain gardens.

5.16 In addition, the panel noted that there were too many instances within new development which were creating small pockets of land which were becoming

neglected. It was acknowledged that in respect of technical guidance on landscaping there was lack of in-house expertise, and that the planning service would welcome further input. It was suggested that the experience and skills of Groundwork could be put to greater effect in design consultation stage of local development to ensure that potential 'dead land' is not incorporated within plans and to maximise the greening of local development.

**Agreed:** that Groundwork would attend a future meeting of the Development Management team to provide further expertise and guidance as to how green spaces can be incorporated in to new development and minimise the occurrence of 'dead spaces' that could become neglected.

**Agreed:** That the sustainable Design Guidelines would be reassessed.

5.17 The Chair and the panel thanked Groundwork for attending and for giving a full and informative account of its work in the borough.

## **6. Performance report**

6.1 This report was deferred from the last agenda and was noted by the panel.

## **7. Environment Department Update**

7.1 At the previous meeting, an update was requested on a number of issues relating to services within Frontline.

### Out Haringey App

7.2 Officers gave a short presentation on the Our Haringey App, a reporting tool for smart phones for street based issues (e.g. potholes, fly tipping, rubbish and pavement repairs). The system uses GPS to pinpoint the location of reported item, allows details to be recorded (including a photo) and can be used with iPhone and Android operating systems (via free download). The APP can be used by local residents, groups as well as front line and all other council staff.

7.3 Reports generated through the APP go to the contact centre at Veolia and directed to the appropriate Haringey service (e.g. NATs or Highways). Residents (or other reporter) will receive an email update when report is received and confirmed when the job is closed.

7.4 The panel noted that whilst this APP did allow pictures to be sent to support the report, it was not encouraged to use this facility to report 'in-situ' contraventions such as fly tipping. Aside from the personal risk of reporting such instances, it was not clear if such material could be used as evidence to support any prosecutions.

7.5 It was confirmed to the panel however that if there were suspicions of illegal or unauthorised dumping, details could be checked within NAT to ensure that there was an appropriate license to support this (trade waste), and if necessary, appropriate enforcement action taken.

### Waste Contract Management Group

- 7.6 A briefing repapered for the panel was discussed. It was noted that this group was no longer functioning as it was perceived that this duplicated the contract management function of the Partnership Board.
- 7.7 The panel indicated that the current arrangement did not allow for sufficient member involvement for a service which was of particular importance within the community and is a significant contributor to local casework. The panel agreed that it would be useful if data could come to the EHSP as this may help bring further accountability and inform further scrutiny work.

#### Contamination Policy

- 7.8 The Panel noted that where contamination was present in recycling, this could potentially contaminate the whole truck, which may mean that the entire load being rejected and incorporated in to residual waste. A contamination policy was developed in April 2013 to minimise such occurrences. The panel heard that NAT deployed a three step approach to tackling contamination with offending residents; this was a balance between education and enforcement.
- 7.9 Prior to April 2013, contamination reports totalled (on average) 500-600 per week or 0.7% collections. Despite an initial increase after the introduction of the policy (where possibly more cases were being reported), contamination reports had reduced to back to original levels (500 reports per week).
- 7.10 Analysis undertaken by Veolia over the period late July to 13<sup>th</sup> October 2013 indicated that there were 9,200 contamination reports that involved 7,450 individual properties. The overwhelming majority (83%) of these reports related to the first contamination incident (12% of reports were for a 2<sup>nd</sup> incident, 3% for 3<sup>rd</sup> incident, 1% for a 4<sup>th</sup> incident and 1% for a 5<sup>th</sup> incident. This would seem to infer that most households comply after one incident and that there is not a significant core of repeat offenders.
- 7.11 In the 3 months to November, it was noted that there were just 100 households with 3 or more contamination notes. NAT was preparing FPNs under the Environmental Protection Act (section 46 Notice) which would incur a £65 fine to offending households. HMOs would be dealt with under provision within the Town & Country Planning Act (Section 215).

#### Community Environmental Champions

- 7.12 The panel understood that up to 30 local residents would be trained as environmental champions developed across Haringey. Environmental Champions would:
- Help to report environmental crime in their area;
  - Cascade environmental information across the community;
  - Act as a reference or focus group to discuss environmental issues within Haringey.
- 7.13 The panel noted that the initial training and recruitment day was being held on the 20<sup>th</sup> November 2014 and would initially seek at least one community environmental champion from each ward. The panel indicated that it would be useful if members

could be notified of local environmental champions, to be able to offer them support and links to other local groups.

**Agreed:** It was agreed that members would be notified of the environmental champion for each ward

#### Heavy Good Vehicles (Automatic Number Plate Recognition (HGV – ANPR))

- 7.14 Further to previous panel discussions and the successful business case presented, it was noted that HGV ANPR was being procured and would commence operation in January 2014. As this was a mobile unit (not fixed but not a car), there was a possibility that this could also be used for other traffic enforcement issues, for example, on zig zag lines near schools.

### **8. Community engagement with planning**

#### Scope

- 8.1 The panel agreed that community engagement with planning would be a project in the work programme for 2013-14. The panel discussed and agreed the proposed project scoping report. The overarching aim of this work was to:

*‘To assess whether residents and communities have appropriate opportunities to engage meaningfully in local planning processes through community engagement and involvement strategies within the planning service (with particular reference to the Statement of Community Involvement).’*

#### Evidence from Planning Officers

- 8.2 The panel noted that the Planning Service was committed to involving and consulting with local people in all planning processes and decisions and that the views of local people were important in shaping the future of the borough. Effective community involvement and consultation is fundamental to this process to ensure that decisions are reasoned, transparent and accountable to the community.
- 8.3 The panel heard that the planning service undertakes consultations for two types of planning processes:
- planning applications; and
  - planning policy documents.

#### Statement of Community Involvement

- 8.4 It was noted that consultations on both planning applications and planning policy documents are subject to statutory requirements. In addition, the principles and methods of local planning consultations are statutorily required to be set out in a local Statement of Community Involvement (SCI). The panel noted that the SCI is generally a framework document as too much detail may stifle creativity and could be subject a Planning Service to legal challenge if not complied with.
- 8.5 The panel noted that Haringey’s SCI was first adopted in May 2007 and was reviewed in February 2011 in response to changes in planning law. The planning service aims to exceed any minimum requirements detailed in the SCI, though this

will depend on the type of consultation, the targeted consultees and resources available.

8.6 The panel noted that the SCI needs to be updated to reflect the introduction of Localism Act, National Planning Policy Framework and Neighbourhood Planning. The review will also incorporate a review of new engagement tools available to the Council. The panel noted that its work, which would involve consulting local groups on the SCI, would also contribute to the review process.

Planning Consultations

8.7 The Planning Service consults in the formulation of local planning policies; these would include major planning documents at the Core Strategy, as well as more specific policies for particular planning issues. Minimum requirements for consultations are set out by government, and the SCI provides additional methods and approaches to help ensure community involvement is effective and reaches local stakeholders.

8.8 Different methods and requirements for consultation are required depending on the status of the planning document, for example, whether it is a Development Plan Document (DPD) or a Supplementary Planning Document (SPD):

- A DPD brings forward statutory local policy which requires at least two stages of community consultation and an independent examination.
- An SPD provides further guidance for policies in DPDs and as such requires only one stage of community consultation and is not subject to an examination.

8.9 The panel noted that a variety of local stakeholders were involved at various stages of the plan making process and include:

- Statutory consultees (e.g. Mayor of London, neighbouring boroughs, fire, police, utilities, health, transport);
- Representative bodies
- Community groups
- Business groups, planning agents and consultants
- Local residents and individuals.

8.10 The planning service maintains a database of local stakeholders and currently this has almost 1,500 entries. The database is updated every three years and this last occurred in 2012. In some cases the Planning Policy team will access other consultation databases to target groups or individuals for particular issues, for example the London Landlord Association database was used for consultation on the for the introduction of the Article 4 Direction.

8.11 Consultations need to be flexible, accessible and proactive and above all, tailored to meet the needs of consultees and the scope of the planning document. In this context a wide range of consultative methods can be deployed to inform and engage local residents. These could include:

• On line surveys	• workshops
• Dedicated focus groups	• Area Forums

<ul style="list-style-type: none"> <li>• Drop in sessions</li> </ul>	<ul style="list-style-type: none"> <li>• Street leafleting</li> </ul>
<ul style="list-style-type: none"> <li>• Attendance at residents and community group meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Public roadshows, exhibitions, stalls</li> </ul>

8.12 Informal methods of consulting such as drop-in sessions, public exhibitions and on street leafleting proved to be successful in engaging with individuals who have not been involved with Planning before and who would otherwise not have the time, interest or inclination to submit a formal response to a consultation. Their views and issues are captured and in some cases the participants will ask to be included in the consultation database to receive information on future consultations.

8.13 Notifications setting out when and how the Council will consult on a particular document is published through a variety of mediums including: local press; the Council’s website; emails and letters to statutory consultees, all organisations, voluntary and community groups, and individuals on the Planning Policy consultation database; the Council’s consultation calendar; Haringey People (when appropriate); and information leaflets and posters (when appropriate). Printed documents are made available in public libraries and in the planning service office.

8.14 The panel noted that wherever possible, the Planning Service seeks to work with established structures such as the Developers Forum, Conservation Area Advisory Committees, Tenants Forums and residents’ associations which allow engagement with a wider audience.

Statutory Consultees

8.15 In the presentation given to the panel it was noted that there were a number of agencies which need to be systematically consulted within certain planning processes these included Thames Water, Fire Service, Police Service, Environment Agency and English Heritage. Contact is predominantly via email and is made in accordance with guidance from individual bodies.

8.16 In discussion on statutory planning consultees it was noted that:

- statutory consultees do not have to respond to consultations
- In respect of development consultations, there is a threshold for statutory consultation.
- The provision of responses from statutory consultees varies, and that a planning view or judgement has to be taken where there has been no response.
- In respect of Development Management, statutory consultees would be re-evaluated.

Internal consultees

8.17 The panel discussed those services from within the Council that are routinely consulted within planning applications. The panel indicated that it would be useful to understand further what services were included, what was asked and how frequently these responded to consultations.



### Website

8.18 The panel discussed the use of the website as a tool through which to provide planning information. A wide range of planning information is contained on the site, including local planning policies, planning proposals and planning advice. Whilst it was acknowledged that there was a lot of information on the website and that improvements have been made, it was acknowledged that further work to improve the content and accessibility would be undertaken (it would be assessed as part of the Development Management improvement programme). The panel also noted that:

- It would be useful, if (panel) members could receive a demonstration of the planning service website, how and information is stored and can be accessed;
- Planning consultation responses would be labelled in the future.

### Pre-application discussions

8.19 The panel noted that constructive pre-application discussions between potential applicants and planning officers can help to ensure all relevant considerations are addressed when an application is submitted. The opportunity for local stakeholders to engage and discuss proposals offers a number of potential benefits to the planning process:

- It can help to identify improvements needed to a scheme before it is formally considered;
- Improve the quality of the submitted application (for example, ensure that it is supported within development plan, conforms with local planning policies);
- Facilitate the speedier delivery of decisions, time and cost savings and higher quality development;
- Bring greater certainty into the process;
- Less pressurised timescales also allow for greater community engagement and involvement.

8.20 Due to issues of probity, the panel noted that there was no formal member involvement in the pre-application process. Planning Authorities were naturally wary that members could be accused of predetermination when applications subsequently came in for consideration that may result in legal challenge. The panel noted however that the Localism Act (2011) has recognised the benefits of involving members in pre-application consultation and seeking of advice at a pre-application stage so long as members:

- Avoid expressing an overall view and indication of how they intend to vote
- Limit their questions to an understanding of the proposal
- Asking questions which could not be viewed as having a closed mind.

8.21 In written evidence submitted at the meeting the panel noted that a number of other London Authorities had established pre-application consultation processes in which members were involved:

- **Camden** – operates Development Management Forum for large scale development proposals at a pre-application stage to help understand the aims and any constraints as early as possible and see how proposals can be adapted to better reflect community aspirations. The forum enables local residents, business and organisations to comment on proposals at an early stage and

supplements any developer consultation. Members and officers attend but do not express any opinions on the merits of the proposal.

- **Croydon** – operate a Strategic Planning Committee that both determines major planning applications and receives presentations on them at the pre-application stage. At key points in the pre-application process the developer has the opportunity to present their schemes to the committee and for members ask questions and give their opinion on aspects of the scheme (though must avoid giving their opinion on the scheme as a whole).
- **Lambeth** – operate a strategic panel where members and senior officers are briefed on major development proposals at pre-application stage. The protocol sets out that the panel will have no decision-making powers, nor will views expressed be binding or influence the way in which applications may be reported to and determined by the Planning Applications Committee.
- **Wycombe**– have a facility for developer presentations to members and stakeholders immediately before Planning Committee. Invitees include all members of the Council, relevant officers, representative of the Highway Authority, Chairman of the Parish/Town Council and a deputy, members of local associations and residents groups.

8.22 It was noted however, that member involvement at the pre-application stage should not be undertaken without an agreed protocol as this may unnecessarily open any member on the planning committee to avoidable risks of challenge on apparent pre-determination. The panel noted that a review of the current member protocol for involvement in planning is scheduled for 2014 which will draw on experience and best practice in other authorities.

#### Member involvement (general)

8.23 The role of members in local planning processes was discussed by the panel. The panel noted that there were three issues:

- that greater use could be made of the existing knowledge and skills of local councillors in planning consultations and processes;
- the need to further publicise to members the planning resources available to them (e.g. website, publications, public advice services) to support their role in community planning processes (e.g. liaison with local residents and groups);
- the need for further ongoing tiered training on the role of members in local planning processes should be made available to support members role (as above).

#### Benchmarking consultation costs with other Local Authorities

8.24 The panel noted from the officer presentation that the average cost for consulting on applications for residential development in Haringey was £708, this was significantly higher than the comparator average of £266. In fact, the nearest borough average was £300. It was suggested that this figure would indicate that there is a wide level

of consultation and engagement in Haringey. It was suggested this additional cost of consultation could in part be attributed to larger / or wider consultation areas for each development in Haringey.

8.25 From written evidence submitted to the panel it was noted that a summary of consultation is produced for each planning application and this accompanies application document on the website. A sample from these provides an illustration of the levels of consultation:

- Hornsey Depot application for Sainsbury's and 438 residential units, 3,931 residents were consulted;
- Mowlem Trading Estate – the replacement of warehouses, 102 residents were consulted;
- Somerset Gardens Health Centre an application for change of use of part of Doctors surgery to include a pharmacy, 92 letters were sent
- for recent householder application - 64 Elmer Road 5 letters were sent.

#### Defined community consultation post

8.25 It was noted that whilst community consultation figured within a number of individual roles, there was no defined designated community consultation post in the planning service. It was suggested that it may be of some value for the planning service to conduct an option appraisal of the community engagement function which sought to assess value and contribution of different methods (e.g. cost of scaling back quantitative consultation and being retackled by more specialist community development input).

#### New technology

8.26 The panel noted that the planned review of the SCI would include an assessment of new methods of engagement, particularly the use of more interactive online tools, such as SNAP surveys and online discussion forums. The panel noted that the service is trialling SNAP survey tool which not only allows for on-line consultation, but can also record and note responses and non-responses.

8.27 It is anticipated that on-line methods of consultation will develop further in this sector as people use more mobile and remote communications. The panel noted that the planning service would continue to work with corporate consultation to ensure that the best use of new technologies were utilised within consultation processes.

#### Capacity Building – local community

8.28 In written documentation presented, the panel noted that notifications of a planning policy consultations sets out the scope and role of the draft document, the stage of preparation, how to access the relevant documents, and how to respond to and participate in the consultation. The planning policy team also offer advice on the document and how to engage via dedicated web pages, email and telephone. In addition, information and advice is provided through meetings attended by officers during the consultation period.

8.29 The panel noted that the policy team held a number of training events in the past for community groups and are currently considering an open-day event in June/ July 2014. This will coincide with the preparation of our next three key planning policy documents. In addition, the panel also noted that an open day session for community groups early was being planned for early 2014 as part of the development management improvement plan.