

**MINUTES OF THE REGULATORY COMMITTEE
THURSDAY, 15 JANUARY 2015**

Councillors Ahmet (Chair), Basu, Bevan, Carroll, Carter, Gunes, Mallett (Vice-Chair), Patterson, Rice and Stennett

Apologies Councillor Beacham and Sahota

MINUTE NO.	SUBJECT/DECISION	ACTION BY
REG148.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies were received from Cllrs Beacham and Sahota.</p>	
REG149.	<p>DECISIONS MADE IN RELATION TO APPLICATIONS MANAGED BY THE LICENSING TEAM</p> <p>The Committee considered a briefing providing an overview of decisions taken in 2014 in respect of licence applications submitted under the Licensing Act and Gambling Act. A detailed breakdown was provided of the number of new premises licences, premises licence variations and transfer applications processed and licence reviews undertaken. Information was also provided on Temporary Event Notices applications received and the outcomes as well as permits and other licences issued by the service such as those covering street trading.</p> <p>The following points were raised during the discussion of the report:</p> <ul style="list-style-type: none"> • An appeal decision was awaited from the District Judge on the Paddy Power, Lordship Lane Gambling Act application which had been refused at Committee. • An appeal had now been lodged against the Committee decision made in respect of the premises licence variation sought for Wetherspoons, 258 Muswell Hill Broadway and was expected to be heard in May. • The last year had seen an increase in demand for market trading licences. • A review would be undertaken of the Council's Statement of Licensing Policy (SoLP) with a view to implementation by January 2016. A draft revised Policy would be submitted for Committee consideration prior to its release for public consultation. An alcohol cumulative impact policy would be included within the Policy at the lead of the Public Health team to provide a policy steer to deter the proliferation of new businesses selling alcohol in the borough. • The Committee sought clarification on the Council's powers to deal with the sale of illicit cigarettes and over strength lagers and cider within the borough. It was advised that an operation had been undertaken in conjunction with the Police to encourage retailers to not sell alcohol over 6.5% ABV but had proved to be unsuccessful with no retailers signing up. The potential would be explored as part of the refresh of the SoLP of placing restrictions on the sale of these products as a licence condition in areas with 	

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	<p>an evidenced proliferation of street drinkers. Operations had also been undertaken with HMRC in November and December covering the sale of counterfeit alcohol and cigarettes and which had resulted in significant confiscations. The resourcing of such work however remained an ongoing issue.</p> <ul style="list-style-type: none"> • Confirmation was provided that Chinese herbalists shops were not covered under the licensing regime. • In response to a question regarding any discernible licensing trends, officers advised that an increase had been seen in illegal raves in Finsbury Park and other venues in the last year. • Confirmation was provided that a service level agreement was in place with the Public Fundraising Regulatory Association covering the operation of charity 'chuggers' in the borough. • It was noted that further training was required for Committee members on the Gambling Act and for Regulatory Committee members who had yet to undergo licensing training. <p>RESOLVED</p> <ul style="list-style-type: none"> • That the report be noted. 	<p>Daliah Barrett/ Clerk</p>
<p>REG150.</p>	<p>REVIEW OF FEES AND CHARGES 2015-16 - LICENCES</p> <p>Officers advised that this item would be deferred to the next Committee meeting on 3 March.</p>	<p>Daliah Barrett</p>
<p>REG151.</p>	<p>LOCAL PLAN MAKING - REVIEW OF HARINGEY'S LOCAL PLAN: STRATEGIC POLICIES, LOCAL DEVELOPMENT SCHEME, AND PREFERRED OPTIONS FOR TOTTENHAM AREA ACTION PLAN, SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT, AND DEVELOPMENT MANAGEMENT DEVELOPMENT PLAN DOCUMENT (DPDS)</p> <p>The Committee considered a report seeking comments on proposals to consult on four development plan documents (DPDs): Alterations to Haringey's Strategic Polices DPD and "preferred option" drafts of the Development Management DPD, Site Allocations DPD and Tottenham Area Action Plan DPD and the revised Local Development Scheme 2015-18. The documents were due for submission to Cabinet on 20 January 2015 seeking approval to release the DPD documents for consultation under the statutory process and to adopt the revised Local Development Scheme.</p> <p>The following points were raised during the discussion of the report:</p> <ul style="list-style-type: none"> • The Committee expressed concern over the new housing target proposed for the borough and its deliverability. Officers acknowledged that this increased figure would be challenging for communities, the planning service and the Planning Committee. Should this quantum not be met however, central government via the Secretary of State had the power to take a greater role in the planning process through the appeals route, with decisions taken within the context of the overriding imperative of achieving housing targets. 	

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- The Committee questioned the planned focus of future development to the east of the borough compared to the west. Officers advised that the proposed focus would be on Tottenham and Wood Green areas and that site allocations had been based on detailed assessments across the borough of development capacity including consideration of transport accessibility and the need to drive and support regeneration and investment.
- Members expressed concern over the level of charging of the Community Infrastructure Levy (CIL) and that this would be insufficient going forward to mitigate the additional pressures on Council services arising from new development. Officers confirmed that a review of the borough's CIL charging regime would be started before the end of the year. Members were advised that the definition of infrastructure in the CIL Regulations no longer included "Affordable Housing" and consequently that would not be a mechanism for securing financial contributions towards provision.
- It was requested that the wording of the Haringey Civic Centre site allocation plan be reviewed to avoid any presumption being implied regarding the future of the travellers' site. Officers advised that a separate traveller's needs assessment was being undertaken by the Council to look at housing needs within the community and which would feed into the final decision on the future of the site.
- Clarification was sought as to whether the Council had withdrawn guidelines covering basement developments. Confirmation was provided that the guidelines had not been formally adopted and were therefore included within the recent review of supplementary planning documents. A new basement policy had been incorporated within the Development Management Policy DPD.
- An update was requested on the Hornsey depot development following the granting of planning permission. Officers confirmed they were working on the presumption that the site was deliverable and as far as they had been advised, was progressing, with marketing starting for the first phase of open sale residential units.
- The Committee sought clarification on the rationale behind the allocation of only two sites within the borough suitable for the siting of tall buildings and in particular, the reason behind the selection of Tottenham Hale. Officers advised that these sites had been identified following completion of an urban characterisation study throughout the borough and assessment of the capacity of areas to change, existing sensitivities, transport accessibility and capacity and opportunities to complement existing regeneration proposals. Members raised concern over potential overshadowing from tall buildings as part of the Spurs redevelopment, particularly impacting the existing school. Confirmation was provided that the site allocation for Northumberland Park recognised that education provision in the area may change as part of the ongoing regeneration.
- The Committee questioned whether an independent advisor would be provided to assist and facilitate local communities in Tottenham Hale to engage with the consultation process. The Assistant Director Planning advised that there were no proposals for this but agreed to discuss this request and the aspiration to promote engagement by communities during the consultation with the Tottenham

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Regeneration Team.

- A request was made for officers to look into the potential of establishing a policy position prohibiting advertising on BT phone boxes in line with that made by LB Westminster and encouraging the early exploration of estate renewal works for Tangmere and the Enterprise Centre on Broadwater Farm.
- The resource demands on the Planning Service associated with the need to support the Highgate Neighbourhood Plan were identified as an area of concern by the Committee.
- Concerns were also expressed over the tone of some of the language used within the documents, in particular the Tottenham Area Action Plan (AAP) which made references to a culture of intergenerational worklessness, depressed rents etc that could be misconstrued, as well as errors in spelling and punctuation which required correction. Officers confirmed that they were seeking delegation from the Cabinet to enable further refinement of the text in the AAP and copy editing of all of the documents before they progressed to consultation in February.
- The Committee expressed a degree of concern over the proposed 6 week public consultation period in light of the size of the documents under consideration. The potential was discussed for extending the period although it was noted the feasibility was restricted by the start of purdah at the end of March/beginning of April and the Council's approved consultation policy which supported a 6 week consultation period. Members emphasised the importance of executive summaries of the plans being made available during the consultation period in order that the documents were as accessible as possible to members of the public. It was also requested that any site allocations and maps within the documents be annotated with postcodes and road names respectively to allow them to be more easily identified.
- Officers emphasised to the Committee that although the documents would proceed through two further stages of statutory consultation prior to final adoption, the first consultation period was the primary opportunity for Members and the public to contribute at a stage when the plans could be changed or altered. Members were advised that the Regulation 19 stage was not to be considered as a consultation as it published the document(s) that the Council would be taking to the examination in public stage of the process.
- The Committee questioned the degree of involvement Tottenham ward councillors had had in the drafting of the Tottenham Area Action Plan and requested that officers review engagement arrangements with local Members to ensure they had sufficient opportunity to feed in their views as part of the consultation.
- The Committee discussed the proposed changes to Housing Policy SP2 with regards to the borough wide affordable housing target and the target for small schemes below 10 units. Officers provided advice that the basis for the proposed changes to small site contributions which arose from a Ministerial Statement of Policy in November 2014 and updated National Planning Practice Guidance. In respect of the revised affordable housing target of 40% (down from 50%) this was based upon up to date evidence of development viability which was important in determining the deliverability of the plan. Advice was

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also given on the implications of the proposed changes to the small sites affordable housing policy with regard to fighting a current appeal and in the determination of planning applications prior to the formal adoption of the Local Plan policies next year.

- Cllr Bevan put forward a motion, which was seconded, to reject the proposed amendment to Haringey Strategic Policies, Housing Policy SP2, section 3.2 (alteration 49) to amend Policy SP2 (5) to reduce the borough wide affordable housing target from 50% to 40% for larger development sites and that this recommendation be reported onto Cabinet. Following a vote, the motion was carried.
- Cllr Carroll put forward a motion, which was seconded, to reject the proposed amendment to Haringey Strategic Policies, Housing Policy SP2, section 3.2 (alteration 51) to delete Policy SP2 (7) (and any associated reference links to it) requiring schemes below the 10 unit threshold to provide 20% affordable housing on site or financial contributions towards affordable housing provision and that this recommendation be reported on to Cabinet. Following a vote, the motion was carried.

The Chair moved the recommendation of the report, subject to the amendments detailed above to the affordable housing targets for large and small developments and it was

RESOLVED

1. That the annexed documents be noted and the comments of the Committee, including the two recommendations relating to affordable housing targets, be reported to Cabinet at the meeting on 20 January 2015.
2. To recommend that Cabinet (subject to point 1 above) approve the annexed documents for consultation during a six week period currently scheduled for February to March 2015:
 - The Proposed Alterations to Haringey's Local Plan: Strategic Polices (LPSP) which was adopted in 2013 (Appendix A);
 - The "preferred option" draft of the Development Management Development Plan Document (DM DPD) (Appendix B);
 - The "preferred option" draft of the Site Allocations Development Plan Document (Sites DPD) (Appendix C);
 - The "preferred option" draft of the Tottenham Area Action Plan Development Plan Document (Tottenham AAP) (Appendix D); and
 - The Draft Sustainability Appraisal (Appendix E).
3. To note that the versions of the LPSP, the DM DPD, the Sites DPD, the Tottenham AAP and the Draft Interim Sustainability Appraisal which are annexed to this report, are working drafts. These documents will be edited before being taken to Cabinet in January.

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4. To recommend to Cabinet (subject to point 1 above) that it adopt the revised Local Development Scheme (LDS) (Appendix F) for 2015-2018.
5. To recommend to Cabinet (subject to point 1 above) that it note the draft Consultation Programme (Appendix G).

REG152. PLANNING SERVICE REVIEW OF PRE-APPLICATION ADVICE SERVICES AND OTHER MISCELLANEOUS SERVICES AND ASSOCIATED CHARGES.

The Committee considered a report setting out details of a review of and changes to the Council's pre-application planning advice services to align with priorities set out in the Corporate Plan and Development Management Improvement Plan and new proposed charges for Building Control services.

Officers advised of an amendment to recommendation 2.2 within the report to reflect the need to revisit the proposed charges levied by Building Control for exhibition licences. The recommendation would now read 'to recommend to Cabinet that it adopts the Building Control charges set out in paragraph 5.10 and table 7 of this report.....'

The scope, quality and value of the pre-application advice service had been reviewed in conjunction with application of the new Government Planning Practice Guidance. It was intended to introduce a more tailored, customer focussed service approach including the provision of advice at earlier feasibility stage and improvements in the information and signposting provided on the Council website. The new service offer aimed to reduce the costs associated with 'failure demand', improve the quality of planning applications coming forward and their likelihood of success for both householders and commercial businesses. Proposals had been developed for a new charging regime for the redesigned pre-application service following a benchmarking exercise with other authorities. New charges aimed to move closer towards full cost recovery across the service, with an exemption for micro businesses and a discount to small to medium businesses. Subject to Cabinet approval, the new charges would come into effect on 1 April.

Reconfiguration was also proposed of the current Design Review Panel to introduce a Quality Review Panel, with a new independent chair and panel of development experts offering a range of review options with refreshed charges. Arrangements were currently being finalised with a view to the new Panel becoming operational in the near future.

The Committee questioned whether advice under the new service offer would be available to community groups or residents wishing to respond to applications. Officers confirmed that this could be considered but would be dependent on a review of service capacity.

Members expressed concern that the exemption for micro businesses could potentially result in additional bureaucracy and confusion and that

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