

# Public Document Pack



**Barry Keel**  
Chief Executive

Plymouth City Council  
Civic Centre  
Plymouth PL1 2AA

[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)

Date: 24-2-2012

Please ask for: Helen Rickman, Democratic Support Officer  
T: 01752 304022 E: [helen.rickman@plymouth.gov.uk](mailto:helen.rickman@plymouth.gov.uk)

## **GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL**

**Date:** Monday 5 March 2012

**Time:** 3pm

**Venue:** Council House, Next to the Civic Centre

**Members:**

Councillor Nicholson, Chair

Councillor Coker, Vice Chair

Councillors Berrow, Churchill, K Foster, Martin Leaves, Murphy, Mrs Nelder, Dr. Salter,  
Wheeler, Williams and Wright.

Members are invited to attend the above meeting to consider the items of business overleaf.

Members and officers are requested to sign the attendance list at the meeting.

Please note that unless the chair of the meeting agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used in meetings.

**Barry Keel**  
Chief Executive

# **GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL**

## **AGENDA**

### **PART I – PUBLIC MEETING**

#### **1. APOLOGIES**

To receive apologies for non-attendance by panel members.

#### **2. DECLARATIONS OF INTEREST**

Members will be asked to make any declarations of interest in respect of items on this agenda.

#### **3. CHAIR'S URGENT BUSINESS**

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

#### **4. TRACKING RESOLUTIONS AND FEEDBACK FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD (Pages 1 - 2)**

The panel will monitor the progress of previous resolutions and receive any relevant feedback from the Overview and Scrutiny Management Board.

#### **5. DELEGATION FOR APPROVAL OF YOUTH UNEMPLOYMENT TASK AND FINISH GROUP REPORT (Pages 3 - 4)**

The panel will be provided with a recommendation for delegation of approval of the Youth Unemployment Task and Finish Group report.

#### **6. WRITTEN UPDATE ON GOVERNMENT POLICY CHANGES (Pages 5 - 14)**

The panel will be provided with an update on Government policy changes.

#### **7. LOCALISM ACT**

The panel will be provided with a further update on the Localism Act.

#### **8. PLYMOUTH PLAN**

The panel will be provided with a brief verbal introduction to the Plymouth Plan.

**9. WORK PROGRAMME (Pages 15 - 18)**

To review the panels work programme 11/12.

**10. MINUTES (Pages 19 - 28)**

To confirm the minutes of the last meeting held on 9 January 2012.

**11. EXEMPT BUSINESS**

To consider passing a resolution under Section 100A (4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

**PART II (PRIVATE MEETING)**

**AGENDA**

**MEMBERS OF THE PUBLIC TO NOTE**

that under the law, the Panel is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

This page is intentionally left blank

## TRACKING RESOLUTIONS

### Growth and Prosperity Overview and Scrutiny Panel

Date / Minute number	Resolution	Explanation / Minute	Officer	Progress	Target date
17.10.11 Minute 43	<u>Agreed</u> that a written response would be provided to panel members on the possible liabilities linked with the transfer of Regional Development Agency land to council ownership.	GOSW and SWRDA Exit Strategy	David Draffan	An email was sent to David Draffan on 28 October 2011 – several follow up phonecalls have been made.  The information requested by the panel was forwarded to Councillors on 10 January 2012.	
17.10.11 Minute 44	<u>Agreed</u> that the Chair and Vice Chair will nominate two Councillors each, resulting in a total of four members to the task and finish group review which would be held over a three month period.	Economy and Growth Board Update	-	This task and finish group has been superseded by the youth unemployment task and finish group – membership has been finalised and the meetings will start in February 2012.	
9.1.12 Minute 59	<u>Agreed</u> that the Localism Act would be included on the agenda for the next panel meeting.	Localism Update	Helen Rickman	This item has been added to the agenda for 5 March 2012 meeting.	5.3.12
9.1.12 Minute 59	<u>Agreed</u> that the power-point presentation on the Localism Act would be emailed to the panel for their information.	Localism Update	Helen Rickman	The power-point presentation was emailed to the panel on 17.1.12.	Page 1
9.1.12 Minute 60	<u>Agreed</u> that the costs awarded to the council due to planning appeals would be emailed to panel members.	LDF AMR	Paul Barnard	This information was emailed to panel members on 20 Feb 2012.	5.3.12
9.1.12 Minute 60	<u>Agreed</u> that the specific measures of delivery for an indicator set would be provided to panel members.	LDF AMR	Paul Barnard	This information was emailed to panel members on 20 Feb 2012.	5.3.12
9.1.12 Minute 61	<u>Agreed</u> that the panel endorse the use of a non-immediate Article 4 Direction.	Article 4 HMO	Dave Taylor	No action required.	Agenda Item 4
9.1.12 Minute 62	<u>Agreed</u> that Clint Jones would provide the panel with data, definitions and explanations that contributed to the mapping exercise.	Plymouth City Centre BID	Clint Jones	This information was emailed to panel members on 21 Feb 2012.	5.3.12

9.1.12 Minute 67	The panel noted the Bi-annual Scrutiny report however the Chair advised that Councillors Mrs Nicholson and Churchill should be included in the attendance figures for the Winter Maintenance task and finish group.	Bi-annual scrutiny report	Helen Rickman	The report has been amended and will be sent to the Overview and Scrutiny Management Board.	
9.1.12 Minute 68	The panel considered the Youth Unemployment PID, it was agreed that the scope of the task and finish group would be discussed at an informal planning meeting to be arranged by the Democratic Support Officer.	Youth Unemployment PID	Helen Rickman	This meeting was arranged and has already taken place.	
9.1.12 Minute 69	<u>Agreed</u> that an update on the Localism Act would be provided at the next panel meeting on 5 March 2012.	Work programme	Helen Rickman	This item has been added to the agenda for 5 March 2012.	
9.1.12 Minute 69	<u>Agreed</u> that agendas should be appropriately planned to ensure that the items of particular interest should be allocated the appropriate amount of time at future meetings.	Work programme	Helen Rickman	This will be taken into consideration when planning future agendas.	Page 2

### Overview and Scrutiny Management Board

Date/min number	Resolution / Recommendation	Explanation / Minute	Response	Explanation
9.1.12 Minute 61	<u>Agreed</u> that the panel propose to the Cabinet Member for Planning, Strategic Housing and Economic Development, through the Overview and Scrutiny Management Board, that, taking into account the consultation responses received, he should confirm the Direction.		At 1 February 2012 O+S Management Board meeting the panel agreed this recommendation	

**Grey** = Completed (once completed resolutions have been noted by the panel they will be removed from this document)

**Red** = Urgent – item not considered at last meeting or requires an urgent response

**Overview and Scrutiny Management Board  
28 March 2012**

Following approval on 14 December 2011 by the Overview and Scrutiny Management Board, Members will shortly begin a joint task and finish group on 'Youth Unemployment'.

Taking into account the start date of the review and the number of meetings that will take place, the review is unlikely to finish within a timescale which would allow approval by the Growth and Prosperity Overview and Scrutiny Panel and the Overview and Scrutiny Management Board before the City Council Elections on 3 May 2012.

Members may like to give consideration to putting alternative arrangements in place to ensure that any outcomes from the review can be progressed without delay. Recommendations to the Cabinet will not be considered until after the election, however, if alternative arrangements are put in place and following approval of the report by the Overview and Scrutiny Management Board, recommendations to Cabinet Members, Directors or outside agencies can be sent for action without delay.

**Recommendation**

It is recommended that delegated authority is given to the Lead officer, in consultation with the Chair of the Growth and Prosperity Overview and Scrutiny Panel to approve the final report of the 'Youth Unemployment' Task and Finish Group.

**Gemma Pearce**  
**Team Leader (Democratic Support)**

This page is intentionally left blank



**PLYMOUTH CITY COUNCIL**

<b>Subject:</b>	Implementation of the Penfold Review
<b>Committee:</b>	Growth and Prosperity Overview and Scrutiny Panel
<b>Date:</b>	05 March 2012
<b>Cabinet Member:</b>	Councillor Fry
<b>CMT Member:</b>	Director for Place
<b>Author:</b>	Paul Barnard, Assistant Director for Planning Services
<b>Contact:</b>	Tel: 01752 304305 e-mail: paul.barnard@plymouth.gov.uk
<b>Ref:</b>	PWB/SMT/Horizon Scanning
<b>Key Decision:</b>	No
<b>Part:</b>	I

---

**Executive Summary:**

The Coalition Government has made supporting sustainable growth and enterprise, balanced across all regions and industries, one of its top priorities in the Coalition Agreement (May 2010). The final report of the Penfold Review into Non-Planning Consents was published in July 2010. The Review aimed to identify areas where there is scope to support investment by streamlining the process for securing consents obtained alongside or after, and separate from, planning permission ('non-planning consents'). It sought to do so by:

- a. Identifying non-planning consents which developers and other stakeholders regard as problematic;
- b. Assessing their impact on developers and the development process; and
- c. Considering how obtaining such consents could be made simpler and more cost-effective.

The intention of the Review has been to explore whether the process for obtaining non-planning consents is delaying or discouraging businesses from investing, with a view to identifying areas where there is scope to support investment by streamlining the process. The Government's response to the Review, published in November 2010, largely accepted the recommendations set out in the Review. In March 2011 the Government published the Plan for Growth proposing a number of reforms to the planning system. Planning Services produced a 15-point action plan in response to this in April 2011. Linked to the 2011 Autumn Statement, the Government announced a further programme to scrap unnecessary development consents and simplify others; reform the remits and working practices of the public bodies granting or advising on development consents; set a clear timescale for deciding

development consent applications; and making it easier to apply for development consents. This report summarises these proposals and highlights the implications for the City Council.

---

**Corporate Plan 2011-2014:**

The recommendations of the report directly support the Council's 'delivering growth' priority.

---

**Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land**

The implementation of the Penfold Review will result in some savings of officer time arising from consents, such as Conservation Area Consent applications, no longer being required. However the implementation of other changes could have workload implications resulting in extra monitoring or other costs.

---

**Other Implications: e.g. Section 17 Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.**

None directly related to the report.

---

**Recommendations & Reasons for recommended action:**

It is recommended that Growth & Prosperity Overview and Scrutiny Panel note the implications of the implementation of the Penfold Review as set out in the report.

**Reason:** To ensure that Members are aware of the Penfold Review.

---

**Background Documents**

Cabinet Office, "The Coalition: Our Programme for Government", May 2010.

Penfold/BIS, "Review of Non-Planning Consents", Final Report, July 2010.

BIS, "Government Response to the Penfold Review of Non-Planning Consents", November 2010.

HM Government, "The Plan for Growth", March 2011.

Plymouth City Council, "Planning Review Actions: City Council Response and 15-Point Action Plan", April 2011.

BIS, "Implementation of the Penfold Review", November 2011.

## Implementation of the Penfold Review: November 2011

Recommendation	Timescale	+ve/-ve Implications
<b>HERITAGE</b>		
A1. Enable the extent of a listed building's special interest to be legally defined.	Subject to Parliamentary time	+ Will reduce amount of applications received since only parts of listing will require consent  + Could have significant positive implications for City Council buildings  - Could reduce income if local fees introduced
A2. Enable developers to seek a Certificate of Immunity from designation or listing at any time.	Subject to Parliamentary time	+ Will create greater certainty in the regeneration process  - Could have workload implications if the numbers of certificates sought significantly rises
A3. Allow owners of listed buildings and local authorities to enter into Statutory Management Agreements.	Subject to Parliamentary time	+ Could simplify the regeneration process for complex sites (e.g. Dockyard or organisations with large or multiple listed buildings)  + Will reduce number of applications required  - Could reduce income if local fees introduced  - Would be resource intensive upfront
A4. Remove the requirement for Conservation Area Consent when demolishing unlisted buildings.	Subject to Parliamentary time	+ Will simplify the system as planning permission will only be required  - Could reduce income if local fees introduced

<b>Recommendation</b>	<b>Timescale</b>	<b>+ve/-ve Implications</b>
B1. Consult on introducing a system of prior approval for specified types of works to listed buildings.	During 2012	<ul style="list-style-type: none"> <li>+ Might reduce the number of listed building consent applications</li> <li>+ Could speed up process</li> <li>- Adds a confusing layer of application type (as with Telecommunications it is not as simple as what does or does not need planning permission there is a prior notice procedure)</li> <li>- May reduce pre-application fee income</li> <li>- Could reduce income if local fees introduced</li> </ul>
B2. Consult on allowing certification of applications for Listed Building Consent by accredited independent agents.	During 2012	<ul style="list-style-type: none"> <li>+ Could potentially save money by reducing need for in house expertise</li> <li>+ Could be linked to wider accredited agents scheme currently being planned for householder and other minor applications</li> <li>- Could raise probity and quality issues</li> <li>- Could reduce income if local fees introduced</li> </ul>
B3. Consult on legally defining circumstances in which minimum compensation should be payable when listed buildings are subject to compulsory purchase.	During 2012	<ul style="list-style-type: none"> <li>+ Gives greater certainty to owners of listed buildings</li> <li>+ Will reduce the costs of enforcement</li> <li>- Could increase the costs of Compulsory Purchase Order procedures by the City Council</li> </ul>

<b>Recommendation</b>	<b>Timescale</b>	<b>+ve/-ve Implications</b>
C. Undertake a prioritisation programme to update the list entries of listed buildings.	Programme scoping is underway	<p>+ Will result in more rationalisation and more robust justification of listing entries</p> <p>+ Historic anomalies will be identified which could help the regeneration process</p> <p>- Could increase workloads for monitoring and managing the changes</p>
<b>ENVIRONMENTAL DEVELOPMENT CONSENTS</b>		
D1. Introduce water abstraction and impoundment, flood defence consents and fish pass approvals into the Environmental Permit.	Subject to agreement, included in the Water Bill 2012	<p>+ Could reduce the complexity of consents procedure</p> <p>+ Could speed up consent process by allowing more work to be undertaken upfront</p>
D2. Expand class licensing to further low risk activities and species and introduce organisational licensing.	By summer 2012	+ Could simplify class licensing and speed up the process
D3. Explore the scope for developing a system of chartered or accredited consultants.	Beginning 2012/13	<p>+ Could potentially save money by reducing need for in house and external expertise</p> <p>+ Could speed up consents process caused by need to check quality</p>
D4. Issue guidance on how Natural England proposes to apply the offence of deliberately disturbing a wild animal.	By end of 2011/12	<p>+ Reduce the likelihood of a developer undertaking “pre-planning” activities to reduce planning constraints</p> <p>- Could increase enforcement and monitoring responsibilities</p>
D5. Consult on the introduction of Environmental Account Managers.	September 2012	+ Could improve coordination for developers between Natural England, Environment Agency and Forestry Commission by having a single point of contact

Recommendation	Timescale	+ve/-ve Implications
<b>HIGHWAYS CONSENTS</b>		
E1. Consult upon options to improve the operation of 'Stopping Up Orders' and the interaction between highways consents and the planning system.	End of 2011/12	<ul style="list-style-type: none"> <li>+ Could create greater opportunities for joined up working with Highway Authorities</li> <li>+ Could provide an opportunity for streamlining departmental processes</li> <li>+ Could speed up planning application process</li> <li>- Could slow down the consents process if not properly joined up</li> </ul>
E2. Review existing arrangements between local highways authorities and local planning authorities.	Report by end 2012	<ul style="list-style-type: none"> <li>+ Could create greater opportunities for joined up working with Highway Authorities</li> <li>+ Could provide an opportunity for streamlining departmental processes</li> <li>- Could slow down the consents process if not properly joined up</li> </ul>
E3. Consult upon publicity requirements associated with Traffic Regulation Orders.	By end of 2011	<ul style="list-style-type: none"> <li>+ Could streamline processes and allow for more local decision making</li> <li>+ Could speed up regeneration projects where a Traffic Regulation Order is required (and paid for) by a developer</li> </ul>
<b>LICENSING APPLICATIONS</b>		
F1. Pilot a system of prior-approval for Natural England's species licenses.	September 2012	<ul style="list-style-type: none"> <li>+ Could give developers the option of applying for a species license (charged on a cost-recovery basis) prior to planning permission, to speed up the subsequent planning process</li> </ul>

<b>Recommendation</b>	<b>Timescale</b>	<b>+ve/-ve Implications</b>
F2. Issue a consultation document giving options for reducing the duplication between Rights of Way consents and planning system.	In due course	<ul style="list-style-type: none"> <li>+ Could simplify and speed up consent process</li> <li>+ Could create greater opportunities for joined up working with Highway Authorities</li> <li>+ May create departmental savings</li> <li>- Could slow down the consents process if not properly joined up</li> </ul>
F3. Strength guidance to smooth working practices between licensing authorities and planning authorities – through statutory Home Office guidance and DCLG guidance following the National Planning Policy Framework (NPPF).	April 2012 and following publication of the NPPF	<ul style="list-style-type: none"> <li>+ Depending on the detail could simplify the process for all parties</li> <li>+ Could create greater opportunities for joined up working with the Public Protection Service</li> <li>+ Could simplify and speed up consent process</li> <li>- Potential to slow down planning consent process if not properly managed</li> </ul>
G. Remove two redundant energy development consents.	Upon securing a legislative slot	Minimal impact on projects in Plymouth
<b>STATUTORY CONSULTEES</b>		
H1. Ensure the Environment Agency has a remit to promote sustainable development.	Upon finalisation of the NPPF	+ Should promote better synergy with spatial planning
H2. Ensure Natural England has a remit to promote sustainable development.	Upon finalisation of the NPPF	+ Should promote better synergy with spatial planning
H3. Ensure English Heritage has a remit to promote sustainable development.	Upon finalisation of the NPPF	+ Should promote better synergy with spatial planning

<b>Recommendation</b>	<b>Timescale</b>	<b>+ve/-ve Implications</b>
H4. Ensure Highways Agency has a remit to promote sustainable development.	Upon finalisation of the NPPF	+ Should promote better synergy with spatial planning
H5. Ensure Health and Safety Executive has a remit to promote sustainable development.	Upon finalisation of the NPPF	+ Should promote better synergy with spatial planning  + Should help address more proactive engagement on specific areas of Plymouth where HSE objections have prevented regeneration projects (e.g. Cattedown)
<b>TIMESCALES FOR CONSENTS</b>		
I. Determine development consent applications in a maximum of 13 weeks and less when other timetables are agreed.	Immediately for national consenting agencies and subject to consultation for Local Authority consenting authorities	+ Other consenting authorities coming under the same performance standards as Local Planning Authorities should result in less delays  + Should give an opportunity to further review planning processes to improve performance  - May need a more rigorous process to ensure applicants either meet their targets or formally agree an extension of time  - Position with local authority level consents still unclear  - The timescale would not apply to consents determined by private sector providers (e.g. Building Regulations Approved Inspectors)
J. Provide information on performance to developers and Parliament in determining development consents within the agreed timescales.	Immediately for national consenting agencies	+ Other consenting authorities coming under the same performance scrutiny as Local Planning Authorities should result in less delays  + Will create greater accountability and ownership of targets by other consultees



Recommendation	Timescale	+ve/-ve Implications
<b>APPLYING FOR PLANNING PERMISSION</b>		
<p>K. Add information and web links on major development consents to the Planning Portal.</p>	<p>Go live from April 2012</p>	<ul style="list-style-type: none"> <li>+ Endorsement of the Planning Portal's role should help improve the take up of electronic submission of applications thereby improving efficiency</li> <li>+ Will enable "do I need planning permission" service to be delivered through Planning Portal allowing staff time to be dedicated to other service priorities</li> <li>+ Should enable more Building Regulation applications to be made online</li> <li>- May reduce opportunity for pre-application fees</li> </ul>
<p>L. Evaluate whether further integration of planning permission and development consent applications is feasible.</p>	<p>Commencing April 2012</p>	<ul style="list-style-type: none"> <li>+ Should speed up the consents process and provide more of a one stop shop approach to development consents</li> <li>- Could complicate the consents process if decisions are being held up by multi agency co-operation</li> <li>- Could result in a "democratic deficit" in relation to any current planning consents combined with permits or licenses which are not subject to community and stakeholder consultations</li> <li>- Will lead to further uncertainty given the wider planning reforms still being implemented through the Localism Act 2011</li> </ul>

This page is intentionally left blank







Work programme	J	J	A	S	O	N	D	J	F	M	A
Winter Maintenance				8/ 15							
Youth Unemployment											

**Key**

\* **New item**

## **Growth and Prosperity Overview and Scrutiny Panel**

**Monday 9 January 2012**

### **PRESENT:**

Councillor Nicholson, in the Chair.

Councillor Coker, Vice Chair.

Councillors Berrow, Churchill, K Foster, Murphy, Mrs Nelder, Mrs Nicholson, Dr. Salter, Wheeler, Williams and Wright.

Apologies for absence: Councillor Martin Leaves

Also in attendance: Gill Peele (Business Manager for Development), Councillor Wiggins (Cabinet Member for Transport), Clive Perkin (Assistant Director for Transport), Paul Barnard (Assistant Director for Planning Services), Dave Taylor (Spatial Planning Officer), Clint Jones (City Centre Company Manager) and Helen Rickman (Democratic Support Officer).

The meeting started at 3.00 pm and finished at 5.30 pm.

*Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

### 53. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by Councillors in accordance with the Code of Conduct.

### 54. **MINUTES**

Agreed that the minutes of the meeting held on 17 October 2011 are approved as a correct record.

### 55. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

### 56. **TRACKING RESOLUTIONS AND FEEDBACK FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

The Chair informed the panel that previous tracking resolutions greyed out in the tracking document had been completed and would be removed. It was also highlighted that the Democratic Support Officer would continue to contact David Draffan, the Assistant Director for Economic Development, for the information requested by the panel at 17 October 2011 meeting regarding land transfers since the demise of the Regional Development Agency (RDA). Once received this information would be emailed to the panel.

With regards to feedback from the Overview and Scrutiny Management Board the Chair informed the panel that the motion on notice submitted to the 5 December 2011 City Council meeting regarding youth unemployment in the city had been agreed by the Management Board to be a task and finish group. This would be a joint task and finish group with Growth and Prosperity OSP and Children and Young People OSP. The membership would comprise of the following councillors:

Councillor Nicholson  
Councillor Coker  
Councillor Williams  
Councillor Stark  
Councillor Ken Foster  
Councillor Wildy

The panel was advised that this task and finish group on youth unemployment would supersede the recommendation sent to the Overview and Scrutiny Management Board regarding the task and finish group on apprenticeships for young people as it was considered that this new piece of work would also encompass those issues.

57. **TRANSPORT RELATED ISSUES**

Councillor Wogens, Cabinet Member for Transport, and Clive Perkin, Assistant Director for Transport, provided the panel with an update on transport related issues.

The panel was informed that –

- (a) the review on grit bins had been included in the annual maintenance review;
- (b) the five recommendations from the panel's Highway Maintenance task and finish group had been submitted to Cabinet;
- (c) as part of the highway maintenance review the need for increased funding was identified, this had been approved by the Cabinet and service levels were being reviewed;
- (d) Operation Upgrade had delivered works of £1.8m across the city however an additional £1.3m had been made available for this budget in October 2011;
- (e) it was not feasible for large scale work to be carried out on footways in Plymouth as there was no identified pattern of problems;
- (f) the Community Events and Road Closure task and finish group undertaken by the panel had resulted in five recommendations that had been submitted to Cabinet, currently work was being undertaken to progress a new policy however work had been delayed due to the government changing the criteria for dealing with this process;
- (g) a decision had been taken to waive fees for smaller community road closures;



- (h) the final policy was nearing completion and the panel would be kept updated on the progress;
- (i) a Rail Task Force group had been formed to look at the issues concerning rail connectivity in Plymouth;
- (j) it was of paramount importance that the rail link between London and Plymouth, specifically with regards to timings, was improved;

In response to questions raised it was reported that –

- (k) additional funding for highway maintenance had been secured however, the amount received linked to several factors including the length and categorisation of the highway as well as the current state of the highway;
- (l) it was the intention of the Cabinet Member to attend the Growth and Prosperity panel meetings to update the panel on relevant issues and not provide a written report;
- (m) Councillor Wiggins was unable to answer specific ward related transport queries as this was not the correct forum to do so however, he encouraged panel members to approach the transport department if they had any further questions;

The Chair thanked Councillor Wiggins and Clive Perkin for their attendance and agreed to ensure that in the future agenda items would be labelled specifically to avoid confusion as to what was expected from Cabinet Members and officers.

58. **UPDATE ON GOVERNMENT POLICY CHANGES**

Gill Peele, Business Manager for Development, advised the panel that this item would be covered by Assistant Directors later in the agenda.

59. **LOCALISM UPDATE**

Paul Barnard, Assistant Director for Planning Services, provided the panel with an update on the Localism Act.

The panel was informed that –

- (a) government, through the Localism Act, aimed to streamline the planning system and allow new freedoms and flexibilities for local government;
- (b) there would be an increase in community empowerment as communities and individuals would have new rights and powers;
- (c) there would be reform to ensure that decisions about housing would be taken locally;

- (d) there would be the creation of a new tier of neighbourhood planning and a neighbourhood development plan;
- (e) there would be an opportunity for a Neighbourhood Forum to be created in a neighbourhood area; the Forum must comprise of 21 people in that area;
- (f) the key principles of the Localism Act included:
  - growth and efficiency
  - streamline and speed up
  - less prescription and regulation
  - community empowerment
  - incentivisation
- (g) the Infrastructure Planning Commission would be abolished.

The Chair advised the panel that due to the enormity of the Localism Act and the restricted time allocated to this item because of the size of the agenda it would be beneficial for this item to be included on the agenda for the next meeting. The panel was in agreement and raised the following issues to be answered by Paul Barnard at the next meeting:

- the Localism Act was intended to simplify legislation, is it the opinion of Paul Barnard that this is the case?
- how is the planning department changing as a result of this legislation, what plans does the council have with regards to planning currently and will they still be current?

Agreed that –

1. the Localism Act would be included on the agenda for the next panel meeting;
2. the power-point presentation on the Localism Act would be emailed to the panel for their information.

60. **LOCAL DEVELOPMENT FRAMEWORK ANNUAL MONITORING REPORT**

Paul Barnard, Assistant Director for Planning Services, provided the panel with an update on the Local Development Framework - Annual Monitoring Report (AMR).

The panel was informed that –

- (a) the Local Development Framework Annual Monitoring Report 2011 had been produced as a series of web-pages that could be accessed on the following link:

<http://www.plymouth.gov.uk/amr.htm>

- (b) it was the intention that the electronic version of the AMR would be live and more accessible;
- (c) the economic downturn was having an effect on the levels of unemployment within the city, this was linked to the ongoing concerns of job creation within Plymouth;
- (d) housing waiting lists were increasing and the number of homelessness was beginning to rise;
- (e) there were increased retail vacant units across the city;
- (f) there was still an inequality in the life expectancy across the city;
- (g) more homes were built in Plymouth than had been expected;
- (h) there were more affordable housing completions in the city;
- (i) the quality of developments was improving;
- (j) there was a growth in tourism and leisure across the city;
- (k) household waste targets had been met;
- (l) core strategy targets had been met.

In response to questions raised it was reported that –

- (m) officers had yet to analyse air quality management data;
- (n) the costs award to the council due to planning appeals would be emailed to panel members;
- (o) the targets relating to buildings at risk in the city were no longer proactively monitored;
- (p) the housing delivery national indicator target had been abandoned by the government and was therefore not monitored by the council;
- (q) the specific measures of delivery for an indicator set would be provided to panel members;
- (r) the council's adopted city centre area action plan proposes to concentrate retail activity to Drake Circus however, the Independent Sector in the West End would also be supported; changes of use for city centre land could enable residential and office use in vacated city centre areas;

Agreed that –

1. the costs awarded to the council due to planning appeals would be emailed to panel members;
2. the specific measures of delivery for an indicator set would be provided to panel members;

61. **ARTICLE 4 DIRECTION IN RESPECT OF HOUSES IN MULTIPLE OCCUPATION (HMO)**

Paul Barnard, Assistant Director for Planning Services, and Dave Taylor, Spatial Planning Officer, provided the panel with an update on Article 4 Houses in Multiple Occupation (HMO).

The panel was informed that –

- (a) a recent consultation on Article 4 HMOs was carried out, comments received as part of the consultation were detailed in the report submitted to the panel;
- (b) it was considered that the Article 4 Direction would remove the current permitted development rights in certain areas of the city to the effect that planning permission would be required to change the use of a family dwelling to a House in Multiple Occupation;

Agreed that the Growth and Prosperity Overview and Scrutiny Panel –

1. endorse the use of a non-immediate Article 4 Direction;
2. propose to the Cabinet Member for Planning, Strategic Housing and Economic Development that, taking into account the consultation responses received, he should confirm the Direction.

62. **PLYMOUTH CITY CENTRE COMPANY (BUSINESS IMPROVEMENT DISTRICT) (BID)**

Clint Jones, City Centre Company Manager, provided the panel with an update on the City Centre Business Improvement District.

At the commencement of this item, the Chair highlighted to the panel that the report on pages 39 – 52 in the agenda pack were the views of the City Centre Company and not the Council.

The panel was informed that –

- (a) the BID was in a strong position in terms of project delivery as 75 per cent of projects had been delivered;
- (b) city centre retail was currently in a very challenging position; several store closures had taken place including that of TJ Hughes, Woolworths and Derry's;

- (c) Plymouth was doing well in terms of fashion retail;
- (d) the City Centre Company had been approaching companies to encourage them to set up in Plymouth;
- (e) with the help of Plymouth College of Art empty shop fronts in Plymouth were being improved as they were used to display students' artwork;
- (f) Plymouth College of Art and the City Centre Company had taken over the lease of 109 Cornwall Street to use as a gallery/ shop space as well as a space for a project for people not in employment or education;
- (g) the City Centre Company was working with partners to deliver retail apps (phone applications) for Plymouth;
- (h) a specific element of the report concerning Operation Drake, which limited the number of foreign students into any one shop at one time, had been taken out of context by the press and should not have been in the public domain, this aspect of the report submitted to the panel was withdrawn by the City Centre Company;

In response to questions raised it was reported that –

- (i) Clint Jones would provide the panel with data, definitions and explanations that contributed to the mapping exercise;
- (j) officers were looking at alternative uses for buildings if commercial organisations moved to web space, away from physical retail space;
- (k) council properties were currently 100 per cent let out, the city centre company were trying to liaise with owners/managers of vacant premises in the city to encourage discussion;
- (l) it was not in the city centre company's business plan to liaise with bigger retailers to encourage them to come to Plymouth however retailers, as part of the BID, were encouraging officers to do this;
- (m) the approximate cost of the Plymouth Christmas Shop TV advert was £36,000, this included the design and production and was aired for a three week period;

The Chair thanked Clint Jones for his attendance.

Agreed that Clint Jones would provide the panel with data, definitions and explanations that contributed to the mapping exercise.

63. **PLYMOUTH HOUSING PLAN 2012 - 2017 AND UPDATE ON GOVERNMENT POLICY**

Stuart Palmer, Assistant Director for Strategic Housing, provided the panel with an update on the Plymouth Housing Plan.

The panel was informed that –

- (a) the Plymouth Housing Plan was now available on the council's website;
- (b) the consultation for this plan would run until 13 February 2012;
- (c) there were currently five strategies for housing however, the aim was to move to one plan instead and an action focused set of delivery plans for the four themes;
- (d) the current housing plan 2008-11 was successful in bringing inward investment to the city, as well as increased social rented housing;
- (e) major regeneration had taken place across the city, specifically in Devonport; the North Prospect project had also just started;
- (f) the four new themes would be 'Growing the City', 'Better Homes, Healthy Lives', 'Housing Choice, Smarter Solutions' and 'Successful Communities';
- (g) private rented sector housing had the worst quality housing in the city;
- (h) it was important to be able to adapt homes to enable people to stay in their own homes when their circumstances might change;
- (i) there had been a 28 per cent increase in family homelessness;

In response to questions raised it was reported that –

- (j) house prices were high and the private rented market prices were also increasing; Plymouth was more affordable than the majority of the South West;
- (k) officers were trying to get a balance of housing requirement needs, such as four bed housing, across the whole city;
- (l) the new planning regime allowed officers more flexibility and freedom however the issues for the future would be the viability of builds;
- (m) Stuart Palmer would provide panel members with details of local initiatives using Plymouth investment to assist in the housing sector;
- (n) the welfare reforms could cause people to be relocated however it was considered that officers could use their discretion and only certain people would be affected due to the criteria used (working age, etc);

The Chair thanked Stuart Palmer for his attendance.

64. **TAMAR BRIDGE FIVE WEEK PROGRAMME OF WORKS UPDATE**

The Chair informed the panel that he did not consider it was necessary to have a report on this item as the works on the Tamar Bridge had already been completed.

65. **CONNECTIVITY: RAIL NETWORK AND TRAVEL TIMES**

The Vice Chair informed the panel that he was on the newly formed Rail Task Force Group and would keep the panel informed on the rail connectivity issues, specifically with regards to the Plymouth to London rail link.

66. **WINTER MAINTENANCE PREPARATIONS FOR CORPORATE NON HIGHWAYS MAINTAINED AT PUBLIC EXPENSE (HMPE)**

The panel noted the Winter Preparations update.

67. **BI-ANNUAL SCRUTINY REPORT**

The panel noted the Bi-annual Scrutiny report however, the Chair advised that Councillors Mrs Nicholson and Churchill should be included in the attendance figures for the Winter Maintenance task and finish group.

68. **YOUTH UNEMPLOYMENT PROJECT INITIATION DOCUMENT**

The panel considered the Youth Unemployment PID, it was agreed that the scope of the task and finish group would be discussed at an informal planning meeting to be arranged by the Democratic Support Officer.

69. **WORK PROGRAMME**

The panel discussed it's work programme for 2011/12.

Agreed that –

1. an update on the Localism Act would be provided at the next panel meeting on 5 March 2012;
2. agendas should be appropriately planned to ensure that items of particular interest should be allocated the appropriate amount of time at future meetings.

Under this item Gill Peele informed the panel that the Local Housing Allowance Update due to be brought to the panel in September might not be ready however she would advise members.

70. **EXEMPT BUSINESS**

There were no items of exempt business.

This page is intentionally left blank