

STEVENAGE BOROUGH COUNCIL

EXECUTIVE MINUTES

Date: Wednesday, 14 July 2021

Time: 1.00pm

Place: Council Chamber, Daneshill House, Danestrete, Stevenage

Present: Councillors: Sharon Taylor OBE CC (Chair), Mrs Joan Lloyd (Vice-Chair), Lloyd Briscoe, Rob Broom, John Gardner, Richard Henry, Jackie Hollywell and Jeannette Thomas.

Start / End Start Time: 1.00pm

Time: End Time: 4.37pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillor Robin Parker, CC (observer).

There were no declarations of interest.

Members supported the Chair's suggestion that the Executive's congratulations be recorded regarding the inspirational and uplifting performance and the conduct of the England Football Team at the recent European Championships.

2 MINUTES - 9 JUNE 2021

It was **RESOLVED** that the Minutes of the meeting of the Executive held on 9 June 2021 be approved as a correct record for signature by the Chair.

3 MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE AND SELECT COMMITTEES

The Executive considered the Minutes of the meetings of the Overview & Scrutiny Committee held on 14 June 2021 and Environment & Economy Select Committee held on 22 June 2021.

In terms of the bulky waste charging item considered at the Environment & Economy Select Committee, the Chair reported that the pilot scheme for charging less for fewer items had yielded excellent results, and that work was underway with a view to introducing a permanent scheme.

It was **RESOLVED** that the following Minutes of meetings of the Overview & Scrutiny Committee and Select Committees be noted:

Overview & Scrutiny Committee – 14 June 2021

Overview & Scrutiny Committee – 22 June 2021

4 COVID-19 UPDATE

The Executive considered a presentation providing an update on the Covid-19 pandemic from the Strategic Director (TP), assisted by other officers. The presentation covered Local and National epidemiology statistics; Step 4 – Removal of restrictions; National Five Point Plan – Living with Covid; Testing, outbreak management and compliance; Community Response; Business Support and Grants; Business Continuity, new ways of working and wellbeing & resilience; and Communications update

The following matters were raised during the presentation:

- it was confirmed that the 168 Covid-related deaths in Stevenage during the course of the pandemic were of Stevenage NHS-registered patients;
- officers undertook to respond to Members with any statistics they were able to find in respect of vaccine effectiveness (including anti-body testing);
- officers were requested to liaise with HCC officers with a view to asking the local bus companies to adopt a requirement for continued mask wearing on their vehicles (in line with Transport for London requirements); and also to investigate the possibility of continued mask wearing by the Borough's taxi drivers;
- officers agreed to confirm whether businesses were still required to use the QR code reader system for customers;
- it was considered that increasing the awareness of businesses in the Neighbourhood Centres in respect of the grants and support funding available to them (and how to access such funding) should form part of the work of the Co-operative Neighbourhood Teams;
- officers agreed to provide figures regarding the level of take up from businesses of the Covid-19 business support advice provided by SBC, the Business Technology Centre and Hertfordshire Growth Hub;
- it was clarified that a new Daneshill House office layout with a reduced number of work stations would be launched in September 2021; the Museum was also planned to re-open fully in September, as during its closure many staff had been redeployed on other duties;
- the backlog of complaints/service requests in certain areas, such as repairs, would be addressed in the coming weeks. It was noted that a recent surge was primarily due to the easing of Covid restrictions and residents feeling more comfortable about operatives visiting their homes, which was not the case during the height of the second wave of the pandemic in early 2021;
- officers undertook to share with Members the percentage of staff who had indicated that they wished to return to work full-time in response to the recent Employee Survey;
- it was confirmed that work flexibility would remain for those staff who undertook a caring role within their family unit.

It was **RESOLVED** that the Covid-19 update be noted.

5 REVIEW OF ARTICLE 4 DIRECTIONS AND EMPLOYMENT SITES IN STEVENAGE

The Executive considered a report in respect of a review of the Article 4 Directions and Employment Sites in Stevenage.

The Portfolio Holder for Environment & Regeneration advised that, in May 2013, the Government announced a series of planning reforms in order to make the process easier to secure residential development, through “permitted development rights”. A permitted development right was the carrying out of certain types of work or development, without needing to apply for planning permission. From the above date, various changes of use could be made without the need for a formal planning consent. The most prominent of these was from office, commercial and employment use (previous Use Class B1) to residential use (Use Class C3).

The Portfolio Holder for Environment & Regeneration commented that, as a response to these reforms, many local authorities across the country began to designate areas to protect against the loss of office, commercial and employment space to residential areas. This included imposing Article 4_Directions on areas which the local authority deemed worthy of additional protection from change of use from office, commercial and employment to residential.

The Portfolio Holder for Environment & Regeneration explained that an Article 4 Direction was a Direction under Article 4 of the General Permitted Development Order by which a local planning authority could bring within planning control certain types of development, or changes of use, which would normally be “permitted development” (i.e. not require an application for planning permission). There had, however, been two recent Government announcements:

- (1) On 1 September 2020, the Government made a series of changes to the “Use Classes Order”, which categorised different types of building uses for planning purposes, such as applications to change the use of a building.
- (2) On 31 March 2021, the Government announced new rules allowing commercial premises to be converted into homes, through a “prior approval” process, from 1 August 2021. This was part of a package of measures to “revitalise” high streets and town centres. Where there was an existing Article 4 Direction in force as at 31 July 2021 in respect of the change of use from offices to residential, it would continue to have effect until 31 July 2022.

It was noted that Stevenage currently had three Article 4 Directions in force, two of which removed permitted development rights for changes of use from office and light industrial to residential use.

The Portfolio Holder for Environment & Regeneration stated that, in addition to the Article 4 Directions in force, the Planning Policy team was progressing work on Employment Sites. This work highlighted the designated employment sites in the Stevenage Borough Local Plan, as well as any vacant employment sites, to show the potential for maximising commercial and employment space in the Borough and seek to future-proof space for likely future demand for grow-on space. This should

strengthen the argument for protecting Stevenage's employment land from change to alternative uses, such as residential, into the future.

The Chair of the Planning & Development Committee summarised the views of that Committee on the report, made at its meeting held on 13 July 2021, as follows:

- support to officers in their endeavours to firm up the evidence base in seeking to retain the protection afforded by the Article 4 Directions;
- the discord and disharmony that would ensue should residential and industrial/commercial uses be mixed, which could be the case should the Article 4 Directions cease;
- major planning applications should be determined by the Planning & Development Committee rather than through permitted development processes.

The Executive supported the views of the Planning & Development Committee, and considered that lobbying of the Hertfordshire Local Enterprise Board (LEP) and Hertfordshire Growth Board would be required to garner their support to the work of the Council in seeking to retain the protection afforded by the Article 4 Directions, based on the Borough's New Town heritage of separation of commercial/residential land uses.

It was **RESOLVED**:

1. That the new arrangements imposed by Government on use class changes and relating to change of use from commercial to residential use via permitted development rights be noted.
2. That the extended period that existing Article 4 Directions in Stevenage are in force, to 31 July 2022, relating to:
 - (A) Change of use from Light Industrial to Residential use – applicable to Gunnels Wood and Pin Green Employment areas.
 - (B) Change of use from Office to Residential use – applicable to Gunnels Wood and Pin Green Employment areas,be noted.
3. That the evidence base relating to employment sites in the Borough be developed to support the existing Article 4 Directions and further support protection of employment space in the Borough be agreed.
4. That the comments of the Planning & Development Committee, held on 13 July 2021, regarding the content of this report be supported.
5. That delegated powers be granted to the Assistant Director: Planning and Regulation, following consultation with the Portfolio Holder for Environment and Regeneration, to make any subsequent amendments to Article 4 Directions.
6. That the lobbying activities of the Council for retention of the protection afforded by the Article 4 Directions (including lobbying for the support of the

Hertfordshire LEP and Hertfordshire Growth Board) be concentrated and based on the Borough's New Town heritage of separation of residential/commercial land uses, which has not changed since the original Article 4 Directions were granted.

Reason for Decision: As contained in report; and 6. To lobby support for the continuation of the Article 4 Directions.

Other Options considered: As contained in report.

6 STEVENAGE DESIGN GUIDANCE SUPPLEMENTARY PLANNING DOCUMENT 2021: PUBLIC CONSULTATION

The Executive considered a report seeking approval of the draft Stevenage Design Guidance Supplementary Planning Document (SPD) 2021 for public consultation.

The Portfolio Holder for Environment & Regeneration reminded Members that a Supplementary Planning Document (SPD) built upon policies included in Local Plans, providing further guidance for development. They were a material consideration in planning applications.

The Portfolio Holder for Environment & Regeneration advised that the Council currently had a Design Guide SPD, which was adopted in October 2009. The document focused on traditional design issues, such as separation distances and design standards for new dwellings and was heavily focussed on the residential side of design.

The Portfolio Holder for Environment & Regeneration explained that local and national policy had changed significantly over recent years, with the examination and subsequent adoption of the Stevenage Borough Local Plan (2019), and with the introduction of the National Design Guide (2021). Policy now strongly supported sustainable development in all its forms and the protection and enhancement of a sense of place across the Borough.

To avoid any potential confusion, the Portfolio Holder for Environment & Regeneration commented that the new Stevenage Design Guidance SPD had been brought in line with the National Design Guide and highlighting the following characteristics:

- Context;
- Identity;
- Built form;
- Movement;
- Nature;
- Public Spaces;
- Uses;
- Homes and buildings;
- Resources; and
- Lifespan.

Members were informed that there was an additional section in the Design Guidance

SPD that sets out details for the redevelopment of the Town Centre and incorporated work commissioned by the Regeneration Team and that undertaken by BDP.

The Chair of the Planning & Development Committee summarised the views of that Committee on the SPD, made at its meeting held on 13 July 2021, as follows:

- An excellent externally-facilitated workshop on design had been attended by a number of Members of the Committee;
- Once adopted, documents like the SPD should be available via digital means, enabling Members to easily locate the latest versions;
- The need for site visits to other parts of the UK to view good urban design; and
- Debate on the Local Heritage List had centred on how buildings were allocated/added to that List.

The following comments were made by Executive Members:

- It was recommended that an All-Member Briefing on the Design SPD be held prior to public consultation, including further discussion on the Local Heritage List;
- In view of the size of the document, consideration should be given to a method whereby consultees could easily navigate around it;
- The SPD should contain a reference to the negative lessons learnt from the New Town heritage (such as Radburn layout housing);
- The SPD should also refer to the fact that Stevenage was comprised of self-contained neighbourhoods, based on New Town principles;
- The SPD should set out what would be expected of developers of new flat blocks in terms of their linkage and accessibility to green spaces in the town;
- The SPD should contain reference to the importance of fire safety in building design; and
- Officers were asked to bring the SPD, Local Heritage List; and the Stevenage Town Centre Public Realm Guide back separately when the SPD returned to the Executive following completion of the consultation process.

The Executive supported the recommendation for an All-Member Briefing on the SPD, and a deferral of the commencement of public consultation on the document until after it had been discussed at the All-Member Briefing, and no earlier than September 2021.

It was **RESOLVED**:

1. That the content of the Stevenage Design Guidance SPD 2021 be noted.
2. That delegated powers be granted to the Assistant Director: Planning and Regulation, following consultation with the Portfolio Holder for Environment and Regeneration, to make minor amendments as are necessary in the final preparation of the draft SPD prior to its consultation.
3. That an All-Member Briefing on the draft Design Guidance SPD 2021 be held

at the earliest opportunity, and the Assistant Director Planning and Regulation, following consultation with the Portfolio Holder for Environment and Regeneration, be given delegated authority to determine the commencement of the consultation period on the SPD (no earlier than September 2021).

4. That the comments of the Planning & Development Committee, at its meeting held on 13 July 2021, regarding the content of the report, be noted and taken into account in the further work on the SPD.

Reason for Decision: As contained in report; and amended 3. To allow All-Member input into the content of the SPD.

Other options considered: As contained in report.

7 COMMUNITY INFRASTRUCTURE LEVY (CIL) - 12 MONTH REVIEW

The Executive considered a report with regard to the amounts of Community Infrastructure Levy (CIL) secured and projected, and seeking approval to the maintenance of the current CIL Charging Schedule rates, with a review of the rates in 2022/23.

The Portfolio Holder for Environment & Regeneration reminded Members that the Community Infrastructure Levy (CIL) was a planning charge that could help local authorities to deliver infrastructure to support the development of their area. It allowed local authorities to raise funds from developers undertaking new building projects. The money could be used to fund a wide range of infrastructure, such as transport schemes, schools, community facilities, parks and leisure facilities, which were needed as a result of development taking place.

The Portfolio Holder for Environment & Regeneration stated that CIL was fairer, faster, more certain and transparent than the system of planning obligations (S106), which caused delay as a result of lengthy negotiations and was subject to viability. When the Executive and Council, in 2019/2020, agreed the current rates of CIL they also agreed to review it after a year. Since 1 April 2020 the Council had been charging at the agreed rates.

The Portfolio Holder for Environment & Regeneration commented that when the Council consulted about the rates back in 2018/2019, Hertfordshire County Council had considered that the rates should be higher to support funding that they wanted, but they were unable to justify higher rates in terms of viability.

Given that many of the CIL applications had yet to be formally issued, it was noted that the Council had limited data at this time. Furthermore, given the unknown stability of the Covid recovery it would be premature to review the rates at this time. As such, it was recommended that the Council delayed the review until 2022/2023 so that the impact of the rates and how the economy was fairing could be better assessed.

Members supported an additional recommendation proposed by the Chair that CIL performance be reported on a quarterly basis to the Executive through the existing budget/performance reporting mechanisms.

It was **RESOLVED**:

1. That the amounts of Community Infrastructure Levy (CIL) secured and projected be noted.
2. That the current CIL Charge Schedule (CS) rates be maintained until after the outcome of a review in 2022/2023.
3. That CIL performance be reported on a quarterly basis to the Executive through the existing budget/performance reporting mechanisms.

Reason for Decision: As contained in report; and 3. To ensure regular monitoring of CIL performance.

Other options considered: As contained in report.

8 ANNUAL REPORT 2020/21

The Executive considered a report seeking approval to the Council's Annual Report 2020/21.

The Leader advised that, as part of the Annual Report review process, consideration had been given as to how best the Council could deliver and communicate the Future Town Future Council (FTFC) programme for the period 2021/22 - 2022/23. The report proposed that the former nine programmes were consolidated into four external-facing and one internal-facing programmes, as follows:

- Transforming Our Town Centre
- Building More Social and Affordable Homes
- Working Co-operatively Within Our Neighbourhoods
- A Clean, Green, Safe and Thriving Town
- Making Your Money Count

The Leader stated that the 2021/22 Co-operative Corporate FTFC Programme was both ambitious and exciting. As always it reflected the priorities that had been identified by the Council's residents and businesses. Developing the programme for 2021/22 had been particularly challenging given the Covid-19 situation and the related impacts, some of which, regrettably, had continued into the new financial year.

Members noted that considerable uncertainty remained for the year ahead in particular, with regard to the return of key income streams, and it would therefore be necessary to keep the deliverability of the FTFC programme under review. Furthermore, if and when new priorities emerged during the course of the year, it may be necessary to review and revise the original FTFC programme in order to accommodate changes, subject to the identification of supporting resources.

The Leader stated that, in addition to setting out delivery plans for the FTFC programmes, the report included the suite of performance measures and targets

which would be used to monitor performance across all business units during the 2021/22 financial year. These were set out in Appendix B to the report.

The Chair advised that final changes to the Annual Report before publication would include retention of the term “Co-operative Neighbourhoods” (instead of “Working Co-operatively within our Neighbourhoods”) as one of the four external-facing themes; and an expansion of the section outlining the support provided by SBC to the Stevenage High Street within the “Covid and our Co-operative Council response” element of the document.

It was **RESOLVED**:

1. That the progress on the delivery of the Co-operative Future Town Future Council (FTFC) programme and the overall performance and achievements of the Council during 2020/21 be noted.
2. That the content and publication of the Council’s draft Annual Report 2020/21, as set out at Appendix A to the report, be agreed.
3. That delegated authority be given to the Strategic Director (RP), following consultation with the Leader of the Council, to approve any final changes to the Annual Report prior to its publication.
4. That the proposals to refocus the FTFC programmes in 2021/22 be agreed, including the proposal to deliver a number of the internal facing priorities through the new Transformation programme.
5. That the proposed Co-operative Future Town Future Council programme deliverables for 2021/22 be noted and the deliverability of the programme be kept under review.
6. That the suite of 2021/22 performance measures and targets, as set out at Appendix B to the report, be noted.

Reason for Decision: As contained in report.

Other Options considered: As contained in report.

9 REVIEW OF THE USE OF AGENCY STAFFING

The Executive considered a report with regard to a review of the use of Agency staffing by the Council.

The Portfolio Holder for Resources advised that the Executive, at its meeting held on 10 March 2021, had considered a report detailing the re-procurement of suppliers of temporary agency workers as part of a framework agreement. As part of that report, the Executive noted that the current spend on agency staffing was in excess of £3 Million per annum, and requested a further report come forward outlining measures currently underway and those which were planned to ensure that the Council was using agency workers in the most efficient way possible.

The Portfolio Holder for Resources stated that the report now before the Executive

provided a further update in relation to action being taken and highlighted the need for more work to be undertaken prior to a further report coming back to the Executive later in 2021/22.

It was **RESOLVED**:

1. That the actions in respect of the use of Agency staffing, as set out in Section 4 of the report, be noted.
2. That a further report be brought forward to Executive during the current financial year, detailing progress against the actions set out in the report.

Reason for Decision: As contained in report.

Other Options considered: As contained in report.

10 PROPOSED IN PRINCIPLE USE OF COMPULSORY PURCHASE POWERS FOR DELIVERY OF SG1 DEVELOPMENT

The Executive considered a report seeking approval, in principle, to the use of the Council's Compulsory Purchase (CPO) powers to facilitate the delivery of phases 2 and 3 within the wider development of SG1, the Council's regeneration scheme for Stevenage Town Centre with Development Partner, Mace.

The Portfolio Holder for Resources advised that the regeneration area ran north to south from Swingate House, down Danestrete, and included land along Southgate and between Southgate and Six Hills Way. However, not all the land and buildings within this area were within the Council's ownership, and hence it may be necessary to use CPO powers to progress the Council's regeneration ambitions for the town.

The Portfolio Holder for Resources stressed that officers would use all reasonable endeavours to assemble the land required to support the SG1 development by agreement with landowners, and only if this was not possible would a further report be brought to the Executive to trigger the CPO process.

Members noted that that the use of CPO powers related entirely to the acquisition of commercial business premises and would not be used to acquire any residential properties.

It was **RESOLVED**:

1. That the in principle use of compulsory purchase powers, pursuant to section 226 of the Town and Country Planning Act 1990 and section 13 Local Government Act 1976 be approved, to acquire the land, property and rights shown within the Red Line Area set out in Figure 1, Paragraph 4.1.2. of the report.
2. That Officers be requested to begin the necessary preparatory work for the use of Compulsory Purchase Order (CPO) powers, including:
 - (i) the appointment of Land Referencing Agents;

- (ii) the service of requisitions on landowners (where appropriate);
 - (iii) the preparation of Statement of Reasons; and
 - (iv) all other necessary documentation.
3. That it be noted that Compulsory Purchase powers should only be used as a matter of last resort and that Officers will use all reasonable endeavours to assemble the land required to support the SG1 development by agreement, and that it be further noted that, if it is not possible to assemble the land by agreement, then a resolution for the use of Compulsory Purchase Powers, supported by the relevant justification and Statement of Reasons, will be presented to a future meeting of the Executive.

Reason for Decision: As contained in report.

Other Options considered: As contained in report.

11 URGENT PART I BUSINESS

None.

12 EXCLUSION OF PRESS AND PUBLIC

It was **RESOLVED**:

1. That under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in Paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.
2. That the reasons for the following report being in Part II were accepted, and that the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

13 PART II MINUTES - EXECUTIVE - 9 JUNE 2021

It was **RESOLVED** that the Part II Minutes of the meeting of the Executive held on 9 June 2021 be approved as a correct record for signature by the Chair.

14 URGENT PART II BUSINESS

None.

CHAIR