



## OVERVIEW AND SCRUTINY COMMITTEE

Date: Thursday, 16 May 2019

Time: 6.00pm

Location: Shimkent Room - Daneshill House, Danestrete

Contact: Ian Gourlay (01438) 242703

Members: Councillors: L Martin-Haugh (Chair), P Bibby CC (Vice-Chair), S Barr, J Brown, M Downing, J Hanafin, ME Gardner, L Kelly, S-J McDonough, J Mead, S Mead, A Mitchell CC and R Parker CC.

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### AGENDA

#### PART 1

1. **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

2. **MINUTES - 30 APRIL 2019**

To approve as a correct record the Minutes of the meetings of the Overview and Scrutiny Committee held on 30 April 2019.

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3. **PART I DECISIONS OF THE EXECUTIVE**

To consider the Part I Decisions of the Executive taken on 14 May 2019.

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3. Stevenage Borough Local Plan: Pre-Adoption Draft	7

Notice of Decisions to be tabled at the meeting.

**PLEASE BRING YOUR AGENDA AND REPORTS FOR THE EXECUTIVE MEETING HELD ON 14 MAY 2019.**

**PLEASE ALSO BRING YOUR COPY OF THE STEVENAGE LOCAL PLAN ITEM CONSIDERED BY THE EXECUTIVE AND THE COMMITTEE ON 30 APRIL 2019.**

4. **URGENT PART I BUSINESS**

To consider any Part I business accepted by the Chair as urgent.

## **5. EXCLUSION OF PRESS AND PUBLIC**

1. That under Section 100(A) 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 Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

## **6. URGENT PART II BUSINESS**

To consider any Part II business accepted by the Chair as urgent.

## STEVENAGE BOROUGH COUNCIL

### OVERVIEW AND SCRUTINY COMMITTEE MINUTES

Date: Tuesday, 30 April 2019

Time: 6.00pm

Place: Shimkent Room - Daneshill House, Danestrete

**Present:** Councillors: Lin Martin-Haugh (Chair), Sandra Barr, Jim Brown, Michael Downing, Jody Hanafin, Michelle Gardner, Lizzy Kelly, Sarah-Jane McDonough, John Mead, Sarah Mead, Adam Mitchell CC and Robin Parker CC.

**Start / End Time:** Start Time: 6.00pm  
End Time: 7.00pm

#### 1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

An apology for absence was received from Councillor Phil Bibby, CC.

There were no declarations of interest.

#### 2 **MINUTES - 18 MARCH 2019**

It was **RESOLVED** that the Minutes of the Overview and Scrutiny Committee held on 18 March 2019 are approved as a correct record and signed by the Chair.

#### 3 **PART I DECISIONS OF THE EXECUTIVE**

##### **Minutes of the Executive – 14 March 2019**

The Committee noted the comments of the Executive.

##### **Local Development Scheme (LDS)**

The Interim Assistant Director (Planning and Regulatory) advised that the Council's existing Local Development Scheme (LDS), approved in July 2016, needed to be updated to reflect the delay in adoption of the Stevenage Borough Plan as a result of the recent lifting of the Secretary of State's Holding Direction. The proposed revised LDS now showed an anticipated adoption date for the Local Plan of 22 May 2019, as well as timetables for the Railway Station Area Action Plan and the introduction of the Community Infrastructure Levy (CIL), as well as a programme for reviewing the Council's Statement of Community Involvement.

In response to questions raised by Members, the Portfolio Holder for Environment and Regeneration and officers responded as follows:

- Why were the Community Infrastructure Levy (CIL) rates for Stevenage low in comparison with other Hertfordshire Local Authorities? The Community Infrastructure Levy (CIL) rates for Stevenage had been determined according to evidence produced by an external specialist consultant in this field. There were certain viability issues relating to development in the town, and viability was likely improve further with the regeneration of the town centre. However, officers were keen to bring in CIL in as early as possible to ensure the Council captured Local Plan schemes. The Council had committed to a review of the CIL rates 12 months after adoption, where any changes in viability could be addressed. In any event, the proposed CIL rates would be subject to examination by an Independent Inspector, who would review the rates in full;
- When did the Council receive notification of the lifting of the Holding Direction? The letter from the Secretary of State for Housing, Communities and Local Government lifting the Holding Direction was undated, but it was confirmed that the letter had been received by the Council on 25 March 2019; and
- Would the Council be able to reclaim its costs associated with work on the Judicial Review application? Officers confirmed that the Council would be seeking to reclaim its legal costs associated with work on the Council's Judicial Review application, and undertook to provide Members of the Committee with figures relating to these legal costs, together with an estimate of officer time spent over the past 18 months on matters relating to attempts made to obtain a lifting of the Holding Direction. Officers indicated that costs could be made publically available.

### **Stevenage Borough Local Plan: Pre-Adoption Draft**

The Interim Assistant Director (Planning and Regulatory) provided the background and history to the Local Plan, as set out in Section 3 of the Executive report, leading up to the Secretary of State's issuing of a Holding Direction in November 2017, which had remained in force for over 16 months.

The Portfolio Holder for Environment and Regeneration advised that the Executive had been informed that the Council was now at the stage where it could either adopt the Stevenage Borough Local Plan, incorporating the Main Modifications recommended by the Inspector, or must withdraw it completely. There was no opportunity to open up for discussion issues previously considered during earlier consultation processes on the Plan or at the Examination in Public held in early 2017.

In response to questions raised by Members, the Portfolio Holder for Environment and Regeneration and officers responded as follows:

- Was there any significance in the Secretary of State's requirement that reference in the Plan to a "new" Railway Station should be removed? The Secretary of State's requirement that reference in the Plan to a "new" Railway Station should be removed was of no major significance to the Local Plan. Both amendments were minor modifications. It had always been the intention of the Council to press for an improved and regenerated Station, which had received

support from residents and local businesses.

In relation to the above matter, the Leader of the Opposition commented that he had always agreed with the Council's position regarding the Railway Station and was now pleased that the Local Plan would refer to a "regenerated" rather than a "new" Station and would enable those involved to move forward with the regeneration of the Station and surrounding area;

- Could planning matters not covered by the Local Plan be considered by the Council? The Plan outlined the use for various areas of land, but the details of each development would be matters for consideration by the Planning and Development Committee. All major site allocations would be subject to the production of Master Plans. The Plan would not preclude planning applications to be considered by the Planning and Development Committee for sites and matters not contained within it;
- Why had the Planning Inspector removed the words "at least" from "at least 30%" in respect of the level of affordable housing relating to Policy HO3 (Land North of Stevenage)? Main Modification 57 (MM57) regarding removal of the words "at least" in relation to 30% affordable housing, was put forward by the Planning Inspector. In her view, Policy HO3 (Land North of Stevenage) should not be seeking an affordable housing level above those rates set out in Policy HO7 (Affordable Housing Targets). The Council would still be able to push for a greater proportion of affordable housing, but would not be able to insist upon it.
- Officers undertook to provide Members of the Committee with details of any potential loss of affordable housing provision in the Borough as a result of the prolonged imposition of the Holding Direction.
- The Committee had no other comments on the Executive's initial proposal to recommend to Council to accept the Inspector's recommendation to adopt the Stevenage Borough Local Plan, incorporating main and minor modifications attached as Appendix C to the Executive report, and associated Proposals Map, and also to revoke the District Plan Second Review 2004 (BD1 to the report).

A Member commended and thanked the Portfolio Holder for Environment and Regeneration, other relevant Members and officers for their determination and perseverance over the past few years which had finally led to current position.

#### 4 **URGENT PART I BUSINESS**

None.

#### 5 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED:**

1. That, under Section 100(A) 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 involved the likely disclosure of exempt information as

described in Paragraphs 1 to 7 of Schedule 12A of the Act, as amended by SI 2006 No. 88.

2. That having considered the reasons for the following items being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

6 **PART II MINUTES - 18 MARCH 2019**

It was **RESOLVED** that the Part II Minutes of the Overview and Scrutiny Committee meeting held on 18 March 2019 are approved as a correct record and signed by the Chair.

7 **PART II DECISIONS OF THE EXECUTIVE - 30 APRIL 2019**

It was **RESOLVED** that the following Part II decision of the Executive meeting held on 30 April be noted:

- Part II Minutes of the Executive – 14 March 2019.

8 **URGENT PART II BUSINESS**

None.

**CHAIR**