

**SOUTH EAST ENGLAND REGIONAL ASSEMBLY
REGIONAL PLANNING COMMITTEE**

MINUTES OF THE MEETING ON 19 MARCH 2008

Present:

Members

Cllr Ian Beardsmore
Cllr John Burden
Cllr Paul Clokie, OBE
Cllr Mrs Claire Denman
Mr Alan Durrant
Cllr Miss Moira Gibson
Cllr Jonathan Glen
Mr Robert Hamlin
Mr Ian Hepburn
Mr Douglas Horner
Cllr Royce Longton
Rev Dr Derek Overfield
Cllr Jerry Patterson
Cllr Peter Pragnell
Cllr Tony Reid
Ms Karen Stalbow
Cllr Martin Tett

Officers

Catriona Riddell
Martin Tugwell
Paul Bevan
Heather Bolton
David Payne
Louise Wilby
Kate Aulman
Alison Bailey
Sue Janota
Sandrine Mathard
Lesley van Dijk
Tina Morris

In Attendance

Richard Lemon (GOSE)
Tim Stansfeld (SEEDA)

1. Apologies and Substitutions

- 1.1 Apologies were received from Cllr Mrs Mary Ballin, Cllr Jill Baston, Ms Judith Corcho, Cllr Janet Duncton, Mr Warren Finney, Cllr Keith House, Cllr Alan Lovell and Cllr Keith Mann. The following substitutions were declared: Cllr Royce Longton for Cllr Jill Baston and Ms Karen Stalbow for Mr Warren Finney.

2. Minutes of the Meeting on 30 January 2008

- 2.1 The Minutes were **AGREED** subject to the following amendments:

Page 5, paragraph 8.2:

Cllr Jonathan Glen requested that the minutes be amended to record that it was **AGREED** that the County Councils in England be added to the list of Local Authorities to be consulted on National Policy Statements. This was **NOTED**.

3. Matters Arising Not Elsewhere on the Agenda

- 3.1 South East Plan Partial Review (Gypsies, Travellers and Travelling Showpeople): Options for consultation.

- 3.1.1 Several Members of the Committee expressed concern that the options for consultation agreed at the last meeting were not presented to the Plenary meeting on 5 March 2008. They felt that there should have been an opportunity to debate the report to Plenary before the Chairman moved the resolution to delay the process.
- 3.1.2 The Chairman advised that she had taken the view that additional time should be provided so that those local authorities who wanted to express a view would be able to do so. She explained that a deferral to the next meeting of the RPC, with a further recommendation to be presented to the next Plenary on 16 July 2008, would enable this to happen. She noted the concerns expressed by Members but felt that it was appropriate for her to move the resolution in advance of any debate on the issue, as Chairman of RPC.

4. Regional Monitoring Report 2007

- 4.1 Kate Aulman, Regional Analyst, gave a presentation on the Assembly's Regional Monitoring Report 2007 (RMR).
- 4.2 Responding to a question about whether information about child poverty referred to relative or actual poverty, Kate Aulman indicated that data was relative to the rest of the country because improvements in other areas impacted on the position of the South East.
- 4.3 Tim Stansfeld confirmed the analysis of the RMR and indicated that Hastings and Thanet had the highest levels of child poverty. He reported that physical regeneration and the improvement of skills were long-term targets to improve people's ability to compete in the labour market.
- 4.4 Douglas Horner made a number of suggestions to improve the next report. He recommended using a common style for comparators and mapping with the Implementation Plan to address key actions and identify future targets. He believed this was especially important for economic and skills comparators to enable comparisons with other global regions.
- 4.5 Referring to the Housing Trajectory Data on pages 66-7 he asked about the demographic and evidence base used for forecasting housing completions. He expressed concern about the difference between what was being forecast and what was being planned for in the South East Plan.
- 4.6 Kate Aulman explained that the information on housing trajectories was sourced from local authority annual housing trajectories and projected completions from allocations in local authority plans.
- 4.7 Catriona Riddell, Director of Planning, emphasised the need to monitor progress over a five year period which would give a more accurate picture than annual monitoring and that average annual rates were very close to those proposed in the South East Plan. Alison Bailey, Planning Manager, confirmed this view and suggested that although annual data was a useful tool for local authorities it did not accurately reflect peaks and troughs in the housing market.

- 4.8 Responding to questions about whether the decline in work based employment was viewed as negative or positive; Kate Aulman reported that it may impact on economic activity (GVA per head) and, therefore, needed to be closely monitored.
- 4.9 A question was asked as to whether there was a limit on recycling rates. In response David Payne, Planning Manager, reported that the best authorities were achieving almost 50% recycling and composting of household waste. He advised that targets in the South East Plan and RPG9 aimed for even higher rates over the long-term based on assessments of composition of waste and what the practical limit to recycling and composting might be - up to 60% of municipal solid waste (MSW) by 2025.
- 4.10 He further explained that the growth in MSW, which the RMR shows as stabilising over recent years, may be due to other factors than actual reduction in waste generation such as local authorities stopping the collection of commercial waste. He advised that if local authorities collected this, it would be counted as municipal due to the Landfill Allowance Trading Scheme. He reported that local authorities will be penalised if they collect and landfill more waste and so will try to reduce the waste that they collect.
- 4.11 Cllr Jonathan Glen asked about separating figures for the amount of dry, recycled waste from composted, biodegradable waste. David Payne advised that the DEFRA statistics, which the Assembly used, measured recycled and composted waste together. He further explained that every waste collection authority presents these figures annually. He assured the Committee that the Assembly will raise the issue with DEFRA.
- 4.12 In response to a question David Payne confirmed that London's waste had not been included in the data.
- 4.13 Cllr Jonathan Glen noted that local authorities are not responsible for dealing with demolition waste and sought clarification about the process for dealing with this. David Payne advised members that the Government will now require major developments to have waste management plans to maximise recycling, on site, and to monitor what happens to construction waste. David Payne also referred to the role of the Assembly in the apportionment and recycling of aggregates.
- 4.14 Ian Hepburn emphasised that it was important to identify how the region will address social and environmental issues where the South East was performing less well. He also highlighted the need to address data deficiencies in advance of the Annual Monitoring Report for 2008. He offered to work with officers to correct two errors relating to diversity on page 8 of the Executive Summary.
- 4.15 Kate Aulman assured members that data integrity was a key priority to be addressed during the work programme for 2008-9.
- 4.16 Alan Durrant noted that the Trades Union Congress (TUC) had expressed concern that there was no discernable reduction in deprivation and took the view that although less people were claiming unemployment benefit this did not mean there were more people being employed. He also reported disappointment that the 30% target for completions of affordable housing was not being met and asked if there was a case for an investigation by the Regional Housing Board (RHB).

- 4.17 Catriona Riddell, whilst acknowledging that different bodies had a role to play, explained that the Single Regional Delivery Plan, which focused on both the Regional Spatial Strategy (RSS) and the Regional Economic Strategy (RES) would be best placed to address these issues.
- 4.18 Karen Stalbow asked whether a future RMR would be able to provide an insight into the provision of affordable housing through Section 106 agreements and what can be provided without grants. Kate Aulman advised that relevant information was included on page 72 of the report.
- 4.19 Martin Tugwell, Director of Development, reported that the issues related to affordable housing delivery would be discussed at the next meetings of the RHB on 15 May 2008 and Regional Transport Board (RTB) on 16 June 2008 and that a progress report on the Implementation Plan will be presented to the Executive Committee on 11 April 2008. Other agencies will also need to consider how they will address these issues.
- 4.20 Cllr Jonathan Glen referred to page 3, para 1 of the Executive Summary and sought clarification about the assumption underlying the reference to targets for the proportion of development in urban areas being significantly exceeded at a price, particularly an adverse impact on infrastructure and the environment.
- 4.21 Catriona Riddell explained that the Executive Summary sought to highlight some of the key issues behind the data and emerging concerns. She reported growing disquiet about insufficient provision of affordable housing, the diminishing supply of brownfield sites and the consequent long-term impact on infrastructure needs and quality of life.
- 4.22 Cllr Jonathan Glen commented on the reference on page 90, to Hampshire being one a number of authority areas which do not have a significant level of renewable energy capacity installed. He reported that Hampshire had invested in three energy recovery facilities and asked whether these had been taken into account. David Payne confirmed that these facilities did not count towards 'renewable energy' for the purposes of the RMR indicators. The Chairman noted Cllr Jonathan Glen's view that this was a serious omission.

The Committee **APPROVED** the Annual Regional Monitoring Report 2007.

5. Community Infrastructure Levy - Update

- 5.1 Martin Tugwell introduced the report and referred to the Implementation Plan's emphasise on the precondition to obtain a greater share of the private sector contribution for infrastructure. He also referred to the cautious, conditional support, given by the Committee, to the principle of Planning Gain Supplement (PGS) on the basis that it was controlled by local authorities and maintained at a low level. He advised that the Community Infrastructure Levy (CIL) addressed the concerns relating to PGS.
- 5.2 He indicated that there were two substantial issues. Firstly, the proposal to deliver affordable housing, on site, through Section 106 agreements. The second issue related to how developments, by registered social landlords and housing associations, will be treated because there was the potential for affordable

housing to be subject to CIL i.e. should affordable housing providers be expected to contribute to CIL when affordable housing was expected to be provided by CIL. He recommended that the Committee seek re-assurance on this issue.

- 5.3 Cllr Paul Clokie referred to page 2, para 1.1 and page 4, para 3.10 and expressed concern about the possibility of insufficient funding, a lack of clarity about who would be responsible for funding provision and the need to incur loans. He also expressed concern about assumptions relating to land values particularly in deprived parts of the region. He believed that affordable housing providers should contribute to CIL.
- 5.4 Cllr Jonathan Glen proposed an amendment to recommendation 1 to replace the word 'endorse' with 'note' so that it reads,
- i) **note** the analysis of the key issues set out in this report as the basis for engaging with Communities and Local Government
- 5.5 Cllr Jonathan Glen referred to page 2, para 1.2 and queried the use of the words 'will continue' in the final sentence as he believed that the Government had not provided any infrastructure funding. He also expressed concern about top slicing of the CIL.
- 5.6 A number of concerns were voiced, during the ensuing discussion, concerning whether the Government will use CIL to transfer funds to other regions, and the possibility of a further depression of the market.
- 5.7 Douglas Horner declared an interest as the director of a property development company and abstained from endorsing the analysis of the key issues in the report. He emphasised the need for clarity about who will be paying the CIL as he did not believe that developers would be willing to fund it.
- 5.8 Cllr John Burden highlighted the fast track bus system at Thameside, established with Government funding, which had brought forward infrastructure ahead of development. He advised that a tariff had been agreed with developers for housing and commercial space.
- 5.9 Martin Tugwell assured the Committee that there had been no references to top slicing in either the Government's proposals or the enabling legislation. He confirmed that local and regional planning bodies will need to identify infrastructure requirements, make an assessment of the maximum private sector contribution and seek a private sector contribution. He believed that it would be rare for a locally derived contribution levy to be sought for major regional or sub-regional infrastructure.
- 5.10 He referred to the South East Plan and the many examples of local authorities obtaining very good contributions from Section 106 agreements and the evidence that the vast majority of small and medium sized developments make no contribution to infrastructure but are nevertheless the biggest contributors to the pressure on infrastructure.
- 5.11 He recommended that local authorities should take a view of the contributions which can be obtained from public and private subsidy and calculate what can be achieved through Local Development Frameworks.

- 5.12 He cited Ashford as an example of where opportunities for leverage of private sector funding, is limited due to the value of the land, but because a tariff is in place there will be an opportunity to use the Regional Infrastructure Fund (RIF) to deliver infrastructure.
- 5.13 He advised that local authorities will be in control because they will know what can be obtained from the value of land, and what can be obtained from both the public and private sector.
- 5.14 Martin Tugwell referred to page 2, para 2.3 of the report and outlined the progress that had been made towards funding infrastructure. He noted that the Assembly was currently working with SEEDA to address public sector investment through the Regional Delivery Plan (RDP). He noted that the Implementation Plan had made it possible to obtain an additional £32m in 2007 for the Thames Gateway through the Community Infrastructure Fund.
- 5.15 Martin Tugwell referred to the tunnel at Hindhead as an example of cross border working for the benefit of the region.
- 5.16 He advised that officers now needed to increase private sector funding by addressing concerns in the detail of the alignment of investment programmes. The Committee was being asked to endorse this work.
- 5.17 Martin Tugwell recommended that the Committee should explicitly state that there should be no redistribution of the CIL outside the South East Region.

The Committee **AGREED** that the word 'endorsed' in recommendation i) be replaced with the word 'noted'.

The Committee:

1. **NOTED** the analysis of the key issues set out in the report as the basis for engaging with Communities and Local Government during the preparation of the regulations for the Community Infrastructure Levy and
2. **AGREED** to consider the draft regulations in detail at a future meeting following their publication.

In addition the Committee:

3. **AGREED** that there should be no redistribution of the CIL outside the South East Region.

6. Sub-National Review: Proposals for a Regional Strategy

- 6.1 Catriona Riddell advised that she had hoped to be able to provide a verbal report on the consultation but it had not been published. Richard Lemon was unable to confirm the publication date. Catriona Riddell therefore advised that a report would be presented to the next meeting on 21 May 2008.

- 6.2 She reported that the Assembly and Royal Town Planning Institute joint event on Planning the South East's Future: A Single Regional Strategy on 12 March 2008 had been very successful. The RTPI had requested another event after publication of the SNR consultation document. She reported that representatives of other regions and the regional development agencies had attended. She noted, with disappointment, that there had been no representatives from the Department for Business, Enterprise and Regulatory Reform (BERR) or CLG.
- 6.3 Robert Hamlin asked Richard Lemon to convey to ministers the Committee's frustration with respect to the delay in the publication of the consultation.

7. New Approach to Appraisal: Consultation Response

- 7.1 In his introduction to the report Martin Tugwell advised that the consultation response was part of discussions by the Department for Transport relating to 'Towards a Sustainable Transport System'.
- 7.2 He indicated that further reports would be brought to the Committee relating to the Green Paper to be published in June 2008 and the White Paper which was anticipated in September 2008.
- 7.3 He advised that 'Towards a Sustainable Transport System' would provide the long-term vision for a national infrastructure for transport and the overarching framework for the three national planning statements on aviation, ports and national networks.
- 7.4 He reported that cost-benefit analysis had historically driven the decision making process. It is now thought that this approach was flawed because a zero cost is allocated to the impact on the environment.
- 7.5 He also noted the Government's description of transport investment having moved away from mode agnostic to mode neutral and impact on funding analysis. He highlighted the problem of investment being dependent on capital and revenue funding and reported that many transport policy decisions do not have access to revenue funding. He suggested that there was, therefore, a case for having mode neutral funding analysis.
- 7.6 He advised the Committee that the appraisal took its cue from public sector policy. He considered that it was perverse that public sector policy was encouraging a reduction in public travel when the Treasury considered this to be a disbenefit because of the consequent reduction in the revenue from petrol sales.
- 7.7 He advised members that the report sought to identify markers for future debate. He indicated that the RPC and RTB will need to take a considered view of the Green and White Papers together with the National Planning Strategy.
- 7.8 Cllr Jonathan Glen recommended a pragmatic, long term view to ensure that environmental, social and economic issues were considered.
- 7.9 Responding to a request for clarification about page 3, paras 2.4 iv) and v) Martin Tugwell explained that travelling time in the South East was currently viewed as the same as travelling time in other regions.

This would be subject to future debate. There was now an acknowledgement that travelling time by public transport, in the region, provided working time. In contrast the appraisal currently viewed travelling time as non-productive and a cost.

- 7.10 Cllr Jonathan Glen presented the following amendment to provide additional wording to page 3, paras 2.4 i) and ii)

“In determining strategic investment, there is an urgent need to develop a pragmatic approach to allocating funding where the scale of the problem (in terms of wider economic, environmental and social issues) is a principal consideration.”

This was **AGREED**.

- 7.11 Cllr Peter Pragnell noted that the word ‘detail’ should be inserted in the first sentence on page 3, paragraph 2.3 iii) so that it reads,

- i) To consider in greater **detail** the potential implication of the change in Government objectives arising from the publication of the ‘Towards a Sustainable Transport System’ document; the later document identifies five objectives that are fundamentally different to those which underpinned the development of the NATA;

This was **AGREED**.

It was **AGREED** that, subject to these amendments, the key issues set out paragraphs 2.3 and 2.4 form the basis of the Assembly’s response to the consultation.

8. Extension of Saved Oxfordshire Structure Plan Policies

- 8.1 Sue Janota, Regional Planner, advised that this would be the penultimate structure plan which needed to be forwarded as a saved policy. If an adopted South East Plan was produced before the end of the 2008 the plan would replace all structure plans. Kent County Council’s policy, which was outstanding, will expire in July 2008.

The Committee **AGREED** the response set out in the Annex and its submission to Government Office as the formal advice of the Regional Planning Body.

9. Review of ‘Call-In’ Directions

- 9.1 Cllr Jerry Patterson suggested that the word “serious” be added to the first sentence of page 1, paragraph 4 so that it reads,

“The proposals are broadly supported, but there is a **serious** concern that they do not adequately recognise the role of RSS as part of the development plan.”

This was **AGREED**.

Subject to this amendment the Committee **AGREED** Annex I as a response in respect of the consultation on reviewing the ‘call-in’ directions.

10. Items for Information

10.1 LDD Conformity - Statistics

The Committee **NOTED** the contents of this report.

10.2 Major Planning Applications - Statistics

The Committee **NOTED** the contents of this report.

10.3 Heathrow Airport - Response from Leadership Group

Robert Hamlin asked whether his understanding was correct that there was only support for Stansted Airport if there was sufficient demand.

Martin Tugwell assured the Committee that nothing had been added to the response which had been presented at the Plenary meeting.

The Committee **NOTED** the contents of this report.

10.4 Towards a Sustainable Transport System

Responding to a question about page 3, para 4.4 iii) Martin Tugwell explained that it was important to understand how decisions were made and to ensure that decisions were informed by the appraisal.

The Committee **NOTED** the contents of this report.

10.5 Eco-Towns

Richard Lemon advised the Committee that a date had not been given for the consultation.

Robert Hamlin expressed concern that the Committee had not received a report on the Housing Regeneration Bill. He noted that the Bill had a planning element and was designated with planning functions. He expressed concern that the new Homes and Communities Agency would be responsible for Eco-Towns.

Cllr Jonathan Glen asked that the Committee be notified of the shortlist of Eco-Towns.

Catriona Riddell confirmed that the Assembly would be invited to respond to the consultation on the shortlist which was scheduled for publication this month.

Responding to a question about three possible sites in South Oxfordshire Martin Tugwell referred to Roland Anderson's assurance to the Executive Committee that discussions will have taken place with local authorities affected by Eco-Towns.

The Committee **NOTED** the contents of this report.

10.6 Future Water - The Government's Water Strategy for England

Alan Durrant expressed an interest as an employee of the water industry.

He suggested that the region should consider external water resources and the possibility of moving water, from the east to the west of the country, to address the shortage of water in the South East.

Cllr Jerry Patterson reported that this procedure was now considered impractical due to the weight of the water.

Ian Hepburn brought to the Committee's attention the ministerial guidance on the Water Framework Directive which was issued for consultation at the beginning of 2008. He recommended that the RPC responded to the guidance which had implications for spatial planning. He also suggested that the RPC responded to the six month consultation on River Basin Management plans which were due to be published in June 2008. This was **NOTED**.

The Committee **NOTED** the contents of this report.

10.7 Windfall Provision Update

The Committee **NOTED** the contents of this report.

11. Any Other Business

11.1 There was none.

12. Date of Next Meeting

12.1 Wednesday, 21 May 2008 commencing at 10.30am at the Institute of Materials, 1 Carlton House Terrace, London, SW1Y 5DB.

There being no other business, the meeting closed at 13.20 hours.