

Time Commenced – 6.00 pm
Time Finished – 7.21 pm

Planning, Housing and Leisure Overview and Scrutiny Board

28 January 2014

Present: Councillor Pegg (Chair)
Councillors Dhindsa, Holmes, J Khan, MacDonald, Troup, and Wood

52/13 Apologies for Absence

An apology for absence was received from Councillor Jackson.

54/13 Late Items

There were no late items.

55/13 Declarations of Interest

There were no declarations of interest.

56/13 Call-in

There were no items

57/13 Minutes

The minutes of the meetings held on 12 November and 2 December 2013 were agreed as a correct record and signed by the Chair.

58/13 Forward Plan

The Board requested item 39/13 – A52 congestion management and integrated transport scheme to be considered at a future meeting.

59/13 Leisure Facilities Pricing Structure Options

The Board considered a report which stated that a review had taken place of the fees and charges currently applied at all Council run sports centres and proposals developed for a revised pricing structure and charges.

In developing the proposals for the pricing structure and charges a number of principles underpinning the approach to be taken had been developed. These would apply to all Council run facilities.

- Discounted prices for Derby residents on pay as you play activities would be offered through a revised leisure card scheme. Derby residents would be defined as residents paying Council Tax to the Council.
- Concessionary prices would be based on the ability to pay therefore targeting the most financially disadvantaged customers and not solely on the age of the customer or the time of day they use the facility.
- Consistent percentage discounts would be applied to all concessionary prices enabling clear communication to customers.
- Discounted prices for Derby sports clubs would be offered alongside development support to encourage good practice in areas such as child protection, athlete development and increasing participation.

Benchmarking across neighbouring authorities for activities such as gym, badminton and swimming and with other cycling facilities across the country had taken place. This had then informed the development of the proposed pricing structure and charges.

It was proposed to introduce the new pricing structure and charges from 1 April 2014. This would coincide with the go-live date of an updated leisure booking system which would allow customers to purchase and renew fitness memberships on line.

Members of the Board requested a visit to the Derby Arena before the end of the Municipal Year.

Resolved

- 1. To approve the key principles underpinning the revised leisure pricing structure and price proposals.**
- 2. To approve the proposed approach to the leisure pricing structure and charges.**
- 3. To request that a site visit be arranged for Members of the Board to see the Derby Arena before the end of the Municipal Year.**

60/13 Housing Revenue Account Business Plan 2014/44 and Associated Rents and Service Charges Increases for 2014/15

The Board considered a report which

The HRA had now had 18 months since the debt settlement of 2012 which gave Council Housing a sustainable financial position for the future, but it now faced a number of challenges

- Welfare reform – Universal credit impacting on rental income

- Likely constraints on future rent increases – rent convergence looked likely to be stopped a year early effectively limiting the amount of income derived through rent increases
- Continued right to buy (RTB) losses
- Uncertainties relating to the debt Cap
- Restrictions on income derived through Service Charges

The full impact of some of these challenges would not be felt for a number of months, however at this stage; the 2014/15 update to the HRA business plan indicated that the Council could still achieve the Council's key aspirations. The key features in this year's update to the plan were:

- To identify that at the current time financial capacity existed for up to 400 additional homes to be delivered through the HRA over the next three to four years.
- To identify that the Supported Living Service could be part funded through the HRA with Derby Homes meeting the remainder of the cost.

The rental income assumptions that underpin HRA Business Plan were critical if it was to successfully deliver against its objectives. The government had made it clear that there would be further restraint on rent levels from 2015/16, as it appeared that individual rents would be restricted to CPI (inflation) plus 1% in any one year. The rent increase for 2014/15 therefore appeared to be the last one before this restriction was imposed. The report and the HRA Business Plan proposed a maximum rental increase of RPI+0.5%+£4 subject to the final details of government rent policy which were still to be issued.

The Board discussed the issue of residents being unable to pay increased rent payments due to the compounded impact of this alongside council tax increases and the under-occupancy charge (bedroom tax). The Head of Strategic Housing stated that they were currently unable to predict or quantify this.

Members also discussed social housing waiting times and were informed that although there had been no notable increase in waiting times, there had been a notable increase in hard to let 2-bed flats and 3-bed houses. It was also reported that around 18% of available social housing were being advertised under the 'open-to-all' category, meaning that they were available to anyone using the Homefinder system, regardless of need. Members expressed concern about this and suggested that this should be looked at through a review of the Housing Allocations system.

Resolved

- 1. To note and consider the proposed 2014/15 update of the rolling 30 year HRA business plan.**
- 2. To note that the proposed average rent increase should be RPI + 0.5% + £4 as set out in the HRA business plan subject to confirmation of the limit rents from Department of Works and Pensions.**

3. **To note that increases to other Council rents were proposed to be set in line with RPI at January 2014.**
4. **To note that proposed increases to Service Charges to tenants were in line with the previous policy of increasing them in line with inflation, with the exception of furniture packs which were to be frozen.**
5. **To undertake a review of the current Housing Allocations policy.**

61/13 2014/15 Highways and Transport Programme

The Board considered a report which set out the 2014/15 proposed Highways and Transport Work Programme.

The programme included both revenue and capital funded projects but specifically set out in more detail the capital works. This detail was included at appendix 2 of the report.

Budgets had been allocated to maintain the current broad split between our priority areas of Asset Management, Network Management and Active Travel and Public Transport. However within the context of LSTF funding to deliver our Connected programme, this ensures we were moving towards a more balanced approach of expenditure across all strategy areas. This proposed programme was the final year programme in the current Implementation Plan. A refresh of it would take place in 2014/15, as part of the revenue programme and to meet our statutory duty.

The proposed programme of s106 expenditure was also included at appendix 3 of the report. All proposals were based on the mitigation of the impacts of development on the transport network and were in accordance with the relevant terms of the individual s106 agreements. The proposed use of these contributions had been discussed with Neighbourhood Boards.

Resolved to note the proposed Highways and Transport Work Programme for 2014/15.

62/13 Planning Peer Review – Improvement Action Plan Update

The Board considered a report which stated that in January 2012 a planning peer review was carried out by the Planning Advisory Service, PAS. The review was carried out on a voluntary basis with no additional costs incurred by the authority.

The aim of the peer review was to help the planning service, including development control, planning policy and regeneration, to consider which aspects of the Council's planning functions work well and where improvements could be made.

An action plan incorporating the recommendations and actions required to address areas of improvement was developed and was shown in Appendix 2 of the report.

The report presented an updated position of the improvement action plan for member consideration.

The Board had a discussion around S106 reporting and the detail to which this could be reported to members, which could be improved upon. The Planning Manager agreed that more detail could be included to provide further clarity on what S106 funds could be spent on and in which areas in the city.

The Board requested that further detail be included in the S106 Fund status reports to members and that this should be developed through consultation with members at a Planning Committee Member Review Meeting

Resolved

- 1. To note the updated improvement action plan**
- 2. To request officers to prepare a report for Planning Committee Member Review Meeting asking for S106 Fund status reports to be made more explicit in the detail they contain.**

63/13 Planning Process Review - Update

The Board considered a report which gave update on how the Development Control team was progressing with process reviews and on-going service improvements in the face of changing legislation and restructure pressures. The Board were presented with a paper in July last year and this sought to provide an up-date on the individual areas outlined under the relevant areas in part 4 – supporting information.

The Board was informed that the 'Planning Guarantee' was introduced by the Government in October last year, and allowed planning applications to be submitted directly to the Secretary of State if the Local Planning Authority had a record of failing to decide applications for major developments on time. The thresholds for designation for such 'special measures' were currently where a Local Planning Authority determined 30% or fewer major applications on time, or had more than 20% of major decisions overturned at appeal, both indicators measured over the previous two years.

It was reported that our performance on major applications over the previous two year period, excluding the July-September 2013 quarter, was 44.4%, in excess of the 30% threshold for designation set by the Government. Members and Officers need to be aware however, that the Government had indicated that it was their intention to raise these thresholds over time. Recent announcements suggest that this could be raised to a 40% threshold. However, officers continued to use 'Planning Performance Agreements' and formal extension of time arrangements to manage major applications and these were methods of taking applications outside of the remit of the performance monitoring regime. This had had a positive impact on performance and in the last October – December quarter the performance on major applications was 60%.

The Board expressed concerns that the timescales for processing smaller applications would be adversely affected by the focus on major applications. The Planning Officer indicated that due to a current lack of resources this was currently an issue.

The Planning Manager also informed the Board that the Planning Team still did not have adequate resources to adequately deal with planning enforcement issues and complaints.

Resolved

- 1. To request that Council Cabinet work alongside the Planning Team, Planning, Housing and Leisure Board and the Strategic Director for Neighbourhoods to explore the options for delivering effective planning enforcement in the city.**
- 2. To request that officers look into the possible use of the current technology to 'trigger' communication on the progress and/or position of smaller planning applications to applicants to keep them better informed.**

64/13 To Let Boards Update

The Board considered a report which stated that At the Planning, Housing and Leisure Board meeting of 24 July 2012, members received a report on private sector housing – standards and issues related to rented properties'. At that time members enquired about the display of letting boards which appeared to breach Town and Country Planning (Control of Advertisements) Regulations. It was reported that the then Head of Development Management was investigating the issue.

The purpose of this report was to allow the Board to receive an update on the current situation and action that had been taken to combat the breach of regulations.

It was reported to the Board that because of the proliferation of these boards throughout the City and the amount of resources and time required to pursue the problem a corporate approach needs to be considered as it was not possible for the now sole enforcement officer to effectively deal with this matter.

It was suggested to the Board that to assist with this approach a proforma which had been devised by planning officers could potentially be used by any authorised officer to address this type of breach. The Board's views were sought on this approach and members agreed that the proforma would be a good tool for other authorised officers to use to report breaches to the planning team on the display of 'Let By' or 'Sold' boards.

Resolved

- 1. To request that the Director of Neighbourhoods encourage Neighbourhood workers and any other authorised officers to use the**

finalised proforma to report breaches of the display or 'Let by' and 'Sold' boards on a trial basis.

- 2. To request that the instructions are included on the reverse of the proforma to aid officers in completing and returning the form.**
- 3. To attempt one or more test cases in the Magistrates Court once an appropriate breach has been reported.**
- 4. To report back to the Planning, Housing and Leisure Board with an update on the success of the trial.**

65/13 Outline Work Programme and Topic Reviews

The Board considered a report to identify and agree items for the future work programme and identify any topic reviews for the remainder of the Municipal Year.

Resolved to agree the current work programme for the forthcoming year set out in appendix 2 of the report but to include a review of the housing allocations policy.

MINUTES END