

CABINET

7 MARCH 2016

Present: Mayor (Chair)
Councillors D Scudder, S Johnson, I Sharpe, P Taylor and M Watkin

Also present: Councillor Bell (Labour)
Councillor Martins (Liberal Democrat)
Councillor Mehta (Conservative)

Officers: Managing Director
Head of Finance
Head of Regeneration and Development
Head of Community and Customer Services
Head of Corporate Strategy and Client Services
Client Manager - Waste and Recycling
Planning Policy Section Head
Interim Housing Section Head
Corporate and External Communications Section Head
Legal and Democratic Section Head
Democratic Services Manager

54 **APOLOGIES FOR ABSENCE**

No apologies were received.

55 **DISCLOSURE OF INTEREST (IF ANY)**

There were no disclosures of interest.

56 **MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on 8 February 2016 were submitted and signed.

57 **CONDUCT OF MEETING**

Councillor Bell spoke on behalf of the Labour Group. Councillor Mehta spoke on behalf of the Conservative Group.

Councillor Martins attended as Chair of the Management of Conservation Areas Task Group.

Cabinet agreed some changes to the order of the agenda items.

MANAGEMENT OF CONSERVATION AREAS TASK GROUP - FINAL REPORT AND RECOMMENDATIONS

Cabinet received a report of the Committee and Scrutiny Officer regarding the final report and recommendations of the Management of Conservation Areas Task Group.

Councillor Rabi Martins, Chair of the Task Group, attended the meeting and introduced the report. The Task Group comprised Councillors Martins, Collett, Joynes, Haley and Topping.

Councillor Martins commented that the Council had always taken pride in the town and in conservation areas. The first conservation area was created in 1973, since that time the Council had continued to look at parts of the town and nominate them to be conservation areas e.g., an area of Oxhey in 2013.

Councillor Martins stated that he had requested the scrutiny task group as there was a conservation area in his ward, Central, where it had been noticed that some properties were beginning to ignore that they were in a conservation area and had made inappropriate modifications. Following this he consulted with other wards and felt that there was a problem so the task group was set up to see what could be done better. The work of the task group took place over three months and met on four occasions and held a public drop-in session. There was engagement with officers from Watford Borough Council and from other councils. The final report was a document which addressed the issues and looked to improvements for the future.

The task group's main recommendations were around communication. In areas such as Central Ward there had been a change in ratio from owner-occupier properties to a greater number of rented properties. The survey carried out showed that only 10% of landlords knew or told their tenants that they were living in a conservation area. There needed to be greater communication to the public, councillors and staff about conservation areas.

With regards to recommendations around legislation there was a changing environment in this area with an increase in permitted developments. The task group recommended that a review of Article 4 directions should be undertaken regularly to reflect changes in legislation and to address the impact of changes in technologies such as solar panels.

Councillor Martins continued that there were plenty of examples in planning where the conservation team had made comments on significant developments. He commented that the conservation team needed to be consulted on the impact of developments adjacent to conservation areas as this issue had arisen in a recent application.

In conclusion, Councillor Martins stated that three months had not been sufficient time to complete the work and that the task group should reconvene to continue at a future date.

Councillor Sharpe thanked Councillor Martins and the members of the task group. He commented that the report made constructive suggestions. In the management of conservation areas the council had led the way compared to other authorities. Last year the council had been short listed for planning awards. The council had also been proactive in identifying where there was a threat to an area and responding to this e.g., MacDonnell gardens and the King Street area. With regards to the Met quarter it could be seen in action that without a conservation area the whole area would have faced demolition or fundamental change. The council had benefited from a truly inspirational officer who was a Senior Planner (Design and Conservation) who had successfully brought in funding for war memorials and worked to declutter the conservation areas. The officer had now left the council but Councillor Sharpe hoped that the new recent appointment would be able to continue the work.

Councillor Sharpe continued that the recommendations gave suggestions for immediate action and others were pause for thought. With regards to the suggestion for roundels on street lamps for somewhere in the Oxhey conservation area it may be seen as divisive. For an area such as MacDonnell Gardens it was already a clearly defined area. However, he could see that it might be of use in Central ward. The Article 4 directions were an important strategy and kept under review for reasons set out by the task group.

Councillor Sharpe stated that there would be engagement with all the recommendations to see what could be implemented by letter or spirit. There was a conservation area management plan which was designed to last for five years. This was due to be reviewed and updated in 2018, if scrutiny was engaged with the process in updating the plan that would tie into a specific piece of work.

Councillor Bell welcomed the report and was disappointed that there had not been greater input from all the councillors to the survey. He commented that the Conservation Area Task Group could continue its work as legislation changed.

The Mayor commented that with regards to the recommendation on communication it was important that landlords knew whether they had a property in a conservation area and it could not be assumed that this knowledge would be there. It was therefore important to be proactive. Residents needed to be reminded what it meant to live in a conservation area.

Councillor Martins responded that communication was key and the task group's recommendation regarding the roundels was to remind people that they lived in a conservation area and to take care.

The Head of Regeneration and Development commented that whilst she did not disagree with comments about the impact of rented accommodation, it was the case that rented properties were less likely to have

additions/alterations than owner-occupier properties. The most interesting part of the task group was the survey of residents and businesses which had been promoted through posters and social media. There had been a good number of responses and this was something that could be looked at as an additional way of consulting on planning policies in the future.

The Head of Regeneration and Development continued that there had been roundels placed on lampposts in conservation areas which were largely unnoticed. The council would need to look at each area and make a decision on whether they would be effective. People were made aware that they were in a conservation area when they bought properties. The council would look to use the website to make information more available. They were also looking at making Facebook groups for those in a conservation area. The time for the task group to reengage would be when there was a review of the conservation area management plan in 2018, so that the recommendations could feed into something tangible.

The Mayor thanked the scrutiny task group.

RESOLVED

That Cabinet agrees to consider the Task Group recommendations below to inform the review of the conservation area management plan.

Task Group Recommendations:

Communication

1. Include information about conservation areas in annual council tax and business rates notices for properties with postcodes in these areas.
2. Introduce a symbol on lamp columns or existing street furniture to show that the street or neighbourhood is in a designated conservation area.
3. Improve access to comprehensive information about conservation areas on Watford Borough Council's website, including guidance to residents about living or owning property there.
4. Encourage Councillors to play an active role in raising awareness of conservation areas, for example through public meetings, promoting local history projects, arranging for officers to speak at local meetings etc.
5. Consider alternative ways to engage with residents and businesses about the need for planning permissions for certain alterations in conservation areas. This might include utilising social media to sign post them to the Council's website for comprehensive information.

Legislation, Council policy and procedures

6. Review current Article 4 directions to reflect changes in the General Permitted Development Orders and consider whether other classes should be included.

7. Ensure that procedures remain in place to undertake regular reviews of Watford Borough Council's Article 4 directions in order to address the potential impact of changes in technology or legislation.
8. Continue with the regular review of Watford Borough Council's toolkit of documents ensuring that these remain relevant.
9. Ensure that Watford Borough Council's development management officers continue to consult with the conservation and policy team when considering applications adjacent to conservation areas, in order to minimise the impact of new developments on properties within those areas.

Council resources

10. Continue to assign conservation area management responsibility to a designated officer and commit to providing adequate council resources to continue the excellent work that has been done to manage Watford's conservation areas and protect the character of Watford's built environment and street scene, particularly within designated conservation areas.

Training

11. Include conservation, design and enforcement issues in the induction and development management training for Councillors to establish a comprehensive training programme.

59

DEVELOPMENT OF THE COUNCIL'S CORPORATE PLAN 2016-2020 AND ON THE DEVELOPMENT OF THE COUNCIL'S VISION, PRIORITIES AND VALUES

Cabinet received a report of the Managing Director. This report set out the work undertaken to date on reviewing the Council's vision, priorities and values and also to develop the Corporate Plan 2016-20.

The Managing Director introduced the report and stated that all well led organisations should review their vision, priorities and values from time to time to ensure that they were fit for purpose. The overall vision and priorities had been in place since 2012, and much had changed in that period to date. It was important for staff and stakeholders that the vision and priorities needed to reflect the ambitions and aspirations held. A full report on the recommended vision, values and priorities would be brought to May Annual Council.

In paragraph 3.2 of the report it set out the current values, these had been embedded in the council, particularly the need to be fair, honest and inclusive. One value that resonated with external stakeholders and staff was about being bold. The town was now very successful and a place where people wanted to live and visit. Paragraph 3.4.2 of the report suggested that it was the right time to express a change of emphasis and direction in the council's vision. Work had also been done to link the council's brand to the theme of being bold.

The Mayor commented that there was a need to refresh. Watford acted like a small city but was only a medium sized town. She confirmed that there would be a full report to Annual Council.

RESOLVED

That Cabinet:

1. notes the progress in developing a corporate planning framework that reflects the council's current opportunities and challenges and its future ambitions. This framework includes a new council vision, set of priorities and corporate values and will be articulated through its Corporate Plan 2016-2020.
2. notes the proposed timescale for the development of the framework and the Corporate Plan 2016-2020 and approval by Council in May 2016.

60

TO AGREE A CHANGE TO THE EXECUTIVE SCHEME OF DELEGATION

Cabinet received a report of the Head of Regeneration and Development. From 1 April 2016 the Council would have a statutory duty under the Self-build and Custom Housebuilding (Register) Regulations 2016 made under the Self-build and Custom Housebuilding Act 2015 to keep and maintain a register of people or associations seeking to acquire serviced plots of land in the borough to build themselves. The Council would be required to have regard to the register when exercising its planning, housing and regeneration functions and when considering the disposal of any land.

Cabinet was asked to agree to amend the executive scheme of delegation so that the Principal Planner could compile and maintain the register.

Councillor Sharpe and the Head of Regeneration and Development confirmed that the register was something which the council was required to do and a change in the scheme of delegation was needed to acknowledge that.

RESOLVED

That Cabinet agrees to amend the executive scheme of delegation so that: The Principal Planner in policy is given delegated authority for compiling, determining eligibility, maintaining and publicising the register under the 2015 Act.

61

APPROVAL OF THE SKYLINE - WATFORD'S APPROACH TO TALLER BUILDINGS SUPPLEMENTARY PLANNING DOCUMENT

Cabinet received a report of the Head of Regeneration and Development which introduced a Supplementary Planning Document (SPD) which would accompany the forthcoming Taller Buildings Policies with Local Plan 2.

The SPD had been prepared as a number of pre-application enquiries relating to proposals for taller buildings had been received.

The Mayor commented that it was an extremely important policy. The policy was there to protect residents and the character of areas. The council was already being approached by developers, in common with other towns and London.

Councillor Sharpe gave some background to the issue, that in the 1990s national policy was for edge of town development. This led to towns merging into one another and resulted in urban decline and depopulation as people moved out of urban areas. There was then a change of policy which was designed to protect greenbelt land and regenerate town centres. The end result was pressure for urban development and intensification. The report stated that London was to deliver up to 270 tall buildings in forthcoming years. Although Watford was not London it was an urban area within the M25, and therefore had similar pressures and also pressure from government on brownfield sites.

Councillor Sharpe continued that the importance of this policy together with Local Plan 2 was to give more control over what was allowed and where and what quality. The alternative was planning by appeal in places the council did not want developments with designs that the council did not like. The tall buildings SPD was not about saying what the council would actively seek but it was to deal with what would happen to the town, as developers wanted to build tall buildings and government would be encouraging this. There was a moral responsibility to existing and future residents of Watford regarding the legacy of planning decisions. The council needed to get control and make sure development was steered so where tall buildings applications were received the council was insistent on a certain environmental quality which would not adversely affect residential neighbourhoods or the skyline. The council had to operate within one of the most centralised planning systems within Europe. It was right and responsible to agree a policy to give more chance to control the process.

The Mayor commented on the current Housing and Planning Bill in the Lords and said that things were set to get worse for councils' planning. The powers reserved to the Secretary of State were unprecedented, and could mean that decisions were taken out of the hands of councils. The bill was a result of the frustrations of resistance to developments such as wind farms.

The Planning Policy Section Head described a computer model of the town which could be used to navigate the streets of Watford to see how tall buildings would appear at different views. The idea behind the programme was for developers to use the facility to drop in ideas in so the public could see what they would look like.

The Mayor explained that the policy was not focussed on floor numbers but used the model to see and understand the impact of a tall building. It was important that councillors on the Development Management Committee (DMC) understood the changes in development and if it was not possible for development to spread out then it would need to go up.

Councillor Bell commented that following discussion on conservation areas, they would need to be taken into account when it came to tall buildings. Ordinary people attending DMC needed to understand how it would affect them.

The Mayor responded that this was a legitimate concern and the policy would highlight areas where tall buildings would be acceptable. These were very limited for example, Watford Junction. She was pleased there was cross party consensus about the need to have a policy as there was no doubt that these were homes which were needed for people.

Following a comment by Councillor Scudder the Mayor stated that the DMC needed to be tough on the quality of tall buildings.

Councillor Johnson agreed that as a member of DMC it was important to have a policy which was transparent and open about where we could have tall buildings. The vast majority of Watford was not appropriate to have tall buildings.

RESOLVED

That Cabinet:

1. agrees to adopt Skyline – Watford’s approach to Taller Buildings SPD.
2. delegates authority to the Head of Regeneration and Development to approve editorial changes to layout, photos and general editing post Cabinet.

62

LOCAL DEVELOPMENT SCHEME 2016-19

A report was received from the Head of Regeneration and Development. The Local Development Scheme (LDS) set out the subject, scope and timetable for the preparation of the Local Plan Documents.

During 2016-19 it was expected that Local Plan 2 would be completed and adopted and have commenced a review of the Local Plan Strategy to advance the end date to 2036.

Councillor Sharpe introduced the report and commented that the local development scheme was a timetable for producing planning policy documents. It was a requirement in the 2004 Act which envisaged an easy to operate planning system. Watford was ahead of other local authorities as it was coming to the end of Local Plan 2. The report set out the timetable for Local Plan 2 and also for the ongoing process.

The Mayor thanked the Head of Regeneration and Development’s team.

RESOLVED

That Cabinet:

1. supports the timetable set out in the Local Development Scheme.
2. agrees that the Local Development Scheme is recommended for approval to Council on 16 March – with a commencement date of 1 April 2016.

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TEMPORARY ACCOMMODATION PLACEMENT POLICY

The Housing Project Manager's report contained the council's draft Temporary Accommodation Policy which set out how the council would assess, prioritise and manage the placement of eligible Watford homeless applicants into temporary accommodation.

Councillor Johnson introduced the report and stated that the aim was to house families in the borough whenever possible. There had been a steep increase in the number of families needing temporary accommodation. There had also been a legal challenge in Westminster City Council which had emphasised the importance of having a firm policy. The large increase in temporary accommodation figures was down to private rented sector and landlord evictions. The local housing allowance for a three bedroom house was £1,000; however, the market rent was £1,500. This gap was difficult to sustain and therefore resulted in evictions.

The criteria of Priority for Placements in Watford in section 4.3.1 of the policy explained that the council would seek for applicants who had children aged over 14 enrolled in public examination courses to be placed in Watford within reasonable travelling distance to their school. There were also other criteria for example if people were working the council would want it to be possible for them to continue in work. The housing section was doing a good job and Councillor Johnson commended staff for their professional manner. The latest temporary accommodation figures were on a downward trajectory, and he was hopeful this would continue.

The Mayor commented that the number of people in temporary accommodation was a national trend not just a Watford one. However it was more acute when the private sector and public sector were hundreds of pounds a month different.

In response to a question from the Mayor the Housing Section Head explained that Landlords could use a Section 21 notice which meant that they did not need to give any reason for an eviction on an assured short hold tenancy.

The Mayor continued that the harsh reality was that being evicted and going into temporary accommodation was not an easy answer, it was a last resort. There was a chance if the council did not have available temporary accommodation but had to house someone there was no guarantee it would be in Watford.

The Council was firming up the policy due to the legal challenge and for public accountability. Residents lamented people who were in a difficult situation but then protested about flatted development. It was incumbent upon elected representatives to enable residents to understand the bigger picture.

Councillor Watkin commented that the policy talked of compassion, and tried hard to understand people's real circumstances and challenges.

Councillor Bell on behalf of the Labour group paid tribute to the housing department which had been under pressure following the review of housing. With regards to Section 21 notices, Councillor Bell commented that landlords did not always follow the right procedure. He questioned whether there was enough in the budget to cope with the homeless in temporary accommodation.

The Mayor responded that there had been enough in the budget every year for what was needed. The council had a legal obligation which had been met. The departments were reviewed to reflect the changing needs of residents. Last year temporary accommodation had cost nearly £1m and the money was there.

RESOLVED

That Cabinet:

1. approves the Temporary Accommodation Placement Policy set out in Appendix A of the report.
2. delegates to the Head of Community and Customer Services in consultation with the Portfolio Holder for Housing authority for agreeing the detailed implementation plan and precise implementation data.
3. that Cabinet notes that minor changes to the Policy may be deemed necessary during implementation and that the Council's Constitution delegates authority for these to be made by the Head of Community and Customer Services in consultation with the Portfolio Holder for Housing.

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RECYCLABLE MATERIAL CONSORTIUM CONTRACT

Cabinet received a report from the Client Manager Waste, Recycling and Streetcare which explained that the council's current contract for reprocessing its kerbside collected recyclable material was due to end in January 2017.

Councillor Scudder introduced the report and explained that the recommendation was for the council to be part of a consortium with three other Councils. There had been four options.

- a service contract – where the Herts Waste Partnership (HWP) simply sought a price for the processing of bulk dry recyclables with the relevant councils responsible for selling to end markets;
- a design, build and operate contract – all 11 HWP authorities working together;
- sub county contracts involving between 2-4 Partner Authorities;
- a South West Herts Partnership formed out of those authorities keen to work together for a joint solution.

Councillor Scudder explained that the option chosen was for the sub-county contract, combined with three other councils to go out to tender. A company would then be chosen which came back with the best financial solution. It would be an open tender so the current operator would be able to bid.

In response to a question from the Mayor, the Head of Corporate Strategy and Client Services stated that there were things the council had no control over for example, the international situation of an unpredicted drop in the price of oil. This had meant that it was cheaper to make plastic from the virgin product than using recycled material and had therefore impacted upon the price. Also the downturn in the Chinese economy. The process of recycling material in the past might have been lucrative, but had changed to cost neutral and was now in a cost situation. The council was required to do recycling and it benefited from recycling credits which were rewards for recycling and compensation for diverting rubbish from landfill. This was income which offset some of the costs. However, over the lifetime of the next contract the situation could change again. The purpose of a combined tender looked at the optimum size of group to go to market and would have in place a financial model which would reward the council if the market changed and also gave some stability.

Councillor Scudder added that recycling credits and compensation from the county was considerably more than recycling gate fees. The council would get more back than it spent.

In response to a question from Councillor Bell about when costs would be known, the Head of Corporate Strategy and Client Services explained that the consortium would go out to tender in accordance with the timetable in the report. Then the outcome would identify the costs associated with accepting the tender. Until such time as the returns were received the quotes would not be known.

The Head of Corporate Strategy and Client Services also confirmed that the council's client services contract team would monitor the contract once in place.

RESOLVED

That Cabinet:

1. agrees to the Council being part of a consortium contract to be tendered in 2016 and commencing in 2017 for the future reprocessing of its commingled dry recycling material.
2. agrees to the associated bulk haulage requirement forming part of another tendering exercise alongside the reprocessing contract.

Mayor

The Meeting started at 7.00 pm
and finished at 8.10 pm

