**Scrutiny Streets, Environment & Homes Sub-Committee**

Meeting held on Tuesday, 16 March 2021 at 6.30 pm. This meeting was held remotely via Microsoft Teams.

**MINUTES**

**Present:** Councillor Leila Ben-Hassel (Chair);
Councillor Jeet Bains (Vice-Chair);
Councillors Jamie Audsley, Luke Clancy, Stephen Mann and Vidhi Mohan

**Also Present:** Councillor Oliver Lewis, Cabinet Member for Culture and Regeneration
Councillor Muhammad Ali, Cabinet Member for Sustainable Croydon
Councillor Clive Fraser
Councillor Paul Scott
Councillor Sean Fitzsimons
Heather Cheesbrough, Director of Planning and Strategic Transport
Steve Dennington, Head of Spatial Planning

**Apologies:** None

**PART A**

**6/21 Apologies for Absence**

There were none.

**7/21 Disclosure of Interests**

There were none.

**8/21 Urgent Business (if any)**

There were no items of urgent business.

**9/21 SECTION 106 AND COMMUNITY INFRASTRUCTURE LEVY (CIL)**

The Cabinet Member for Culture and Regeneration introduced the item and outlined details in a Presentation

Following the Presentation, Members had the opportunity to ask questions.

**Points of Clarification**

A Member asked for further details and composition of the infrastructure finance group

Officers said that it was an officer group led by the Spatial Planning Service, with officers from the Council's finance and legal services. The group undertakes legislative checks and it was bound by the Council's finance levels in terms of authority. All decisions made was reported in the Annual Infrastructure Funding Statement.

The Cabinet Member when asked if there was a potential for Councillors to be part of the group, whether it be portfolio members or ward members, said this was a discussion that would take place with officers.

Following points of clarification, the Chair opened discussions for questions and answers.

A Member asked what the difference was between the Section 106 and the Community Infrastructure Levy (CIL). The Cabinet Member said that S106 was specifically designed to mitigate the impact of a particular development by addressing various challenges pertinent to the geography around the development. CIL paid for things such as school improvement which benefitted the wider community and borough. CIL levied for a particular development may be spent elsewhere to address challenges or priorities that were Borough wide. The whole basis of CIL which was introduced in 2010 was to allow for LA's to collect funding on a Borough wide basis to enable strategic infrastructure investment decisions to be made.

A Member asked how local people were listened to across the whole borough and their voice taken into account within the strategic decision around allocation of funds. The Cabinet Member said that the administration was tasked with delivery of government programmes that were set out strategically through manifesto pledges with programmes to be delivered locally which could be funded by CIL and this was done as expected. Councillors work actively in their Wards to encourage community involvement in decision making.

A Member asked if minutes of the community infrastructure group were in the public domain. Officers said that in terms of transparency of the work of the infrastructure finance group, since inception they published the S106 tracker on the Council website, which details all the decisions made by the group on a quarterly basis. In accordance with CIL regulations, they published the Infrastructure Funding Statement on an annual basis on what had been received, assigned and balances carried over.

A Member commented that the total amount of CIL collected from the Cane Hill development was extensive and very little had been spent in the area where a large scale development had taken place to alleviate the strain on current resources that a development of this type would cause on local community infrastructure. The Cabinet Member said that CIL was designed to be spent across the borough and not necessarily in the area that it was collected in and that there was competing priorities across the Borough for the

relatively small pot of funding. The total amount collected for the year was approximately £8million and in terms of addressing infrastructure issues, this was not a vast sum of money. Officers added that CIL and allocation per wards was a subject of a recent Councillor question which was responded to and could be attached to the minutes.

The Council Question, 001/21, 007/21 and 008/21 can be viewed here

https://democracy.croydon.gov.uk/documents/s29684/25%20February%20Responses.pdf
https://democracy.croydon.gov.uk/documents/s29687/2%20June%20responses.pdf

In response to a Member question on discrepancies on what was collected against what spent on CIL and what happens to the rest of the money as there were balances left each year that could have been spent elsewhere. The Cabinet Member said that not everything collected was spent in that specific year. Officers said that the figures presented were gross figures, total CIL collected each year and total allocations shown with the residual of the 15% local meaningful proportion and was allocated to Community Ward Budgets. The CIL regulations also allows up to 5% of the budget to be allocated to administrative tasks of the collecting authority, any underspend following that was rolled onto the following year. It was made clear that there was no rolling over of any CIL funds to the General Fund.

In response to a question on how to streamline the processes to ensure the right and robust decisions had been made in spending of the CIL appropriately and timely, the Cabinet Member said that it would appear that there was a bureaucratic process to unlock funds but that a degree of bureaucracy was needed to ensure that money was allocated appropriately in accordance to scheme aims and objectives and the right balance had to be sought. Officers added that Community Ward Budgets had been subject to audit to ensure that they were being spent as per purpose of allocation. In terms of proportionality of process, bids were considered on a timely basis as the team meets monthly to discuss bids. The completed bidding forms was in line with the requirements and teams support bidders where necessary to complete the forms. This was all conditional on available resource to progress a bid and execute delivery of the project thereafter as there was a requirement of meaningful commence of the project within 12 month or the funds would be returned to the balance sheet thereafter. This was to avoid unintentional banking or funds being unspent when could be utilised elsewhere.

It was asked what the other models for CIL Local Meaningful Proportion consideration on allocation processes was and how it was decided that Ward Budget was the model for Croydon. The Cabinet Member said that some LA's have a Borough wide community fund model where communities can bid for but Croydon had a more localised model where individual Ward Members would hold a budget and local organisations could bid. The Ward Budget system determination was made several years ago through the Council's budget setting report and it was felt at the time that it was a good link between

local reps, communities and councillors. Officers added that there is a variation of models across London in terms of levels of engagement with communities and how resource demanding they were. Croydon had a middle approach based on the available options, where councillors could engage with communities on how budgets were utilised.

It was asked how to strengthen governance arrangements in order to improve processes in Croydon. The Cabinet Member welcomed Scrutiny's thoughts on how the allocation process could be strengthened whilst being mindful of the organisations capacity.

An update was requested on the Place Plans funding investments in communities and what was the future for the approach. The Cabinet Member said that it was designed to assist communities to adapt to the changes and developments in their area. There would be a degree of change going forward in all communities and it was important for residents to be supported through the process. If within the current resource constraints, Place Plans could be resurrected, it would be a useful tool to assist people to adjust and drive change in individual neighbourhoods. Officers added that this would be discussed with the district centre and regeneration directorate.

A Member asked if there was a way to have more influence on how the local fund was spent locally to allow for more involvement in the prioritisation process. The Cabinet Member said that Place Plan should be a bottom up process in an arena where processes can feel to be very top down and local ward councillors were best places to drive Plans in the communities they serve.

It was asked if there was any risk of cross subsiding infrastructure elsewhere in the Borough than anywhere that development occurs. The Cabinet Member said that CIL collected in one end may pay for services in another part of the Borough and residents would benefit from that infrastructure spend regardless of it not being where they live in the Borough. CIL allows for Borough wide strategic infrastructure investment.

It was asked as the Council was looking forward to receiving the recommendations from the Climate Change commission and was exploring how to work within the existing funding, if there was opportunity to put together a policy around taking action against Climate Change using CIL and S106 funding. The Cabinet Member for sustainable Croydon would welcome the opportunity to work with officers on this where possible. The Cabinet Member said that tackling Climate Change was priority and welcomed any opportunities to discuss if CIL and S106 could be used to fund projects.

It was commented that more platforms for joined up working models of engagement on issues was needed across the Council.

It was asked what the Borough CIL collection rate was for the Town Centre. The charging schedule was set in 2013 and was set at £0 and this was due to a challenge regarding the viability of schemes in the Town Centre and the ability to pay CIL and deliver affordable housing. The LA took the decision that

it wanted affordable housing coming through with developments and CIL would be set at zero to maintain the viability of those developments. In the last 7/8 years, conditions and land values had changed and it may now be viable to provide affordable housing as well as pay CIL and the Council would need to reassess the conditions and what was now possible.

The Chair thanked the Cabinet Member and officers for their engagement and responses.

In reaching its recommendations, the Sub-Committee came to the following conclusions

1. In the interest of transparency, the public to be made aware of discussions that took place and how decisions were arrived at in the Community Infrastructure group meetings.
2. The Infrastructure Finance Group was made of officers and it would be beneficial for a Councillor to be part of the group
3. Details on CIL collection and allocation was an area of interest for Councillors and Members of the public and it was important that this information be made accessible to the community.
4. The lack of member activeness in the allocation process of Bid was noted and in order to further streamline the service, it would be beneficial for the role that members could play be expanded.
5. There was a lack of engagement and participation on how the allocation process was approached as it was heavily officer led process
6. It was vital that the Place Plan be brought back due to importance of the work that was and could be further carried out.

The Sub-Committee recommended that

1. Consideration be given to summary of the minutes from the Infrastructure Finance Group meetings being made available in the public domain
2. The officer response to Councillor Simon Brew's request for information on CIL receipts be added to the minutes of this meeting,
3. In order to improve transparency and accountability in the allocation process of Bids, Member involvement be weaved into the process.
4. A review of the CIL Local Meaningful Proportion allocation process be conducted to include looking at different models and how to better involve community groups and residents.
5. Officers bring back the Place Plan to a future meeting, with a proposal on how to redevelop

## 10/21 CROYDON LOCAL PLAN REVIEW

The Cabinet Member for Culture and Regeneration introduced the item and outlined details of the report in a Presentation

Following the Presentation, Members had the opportunity to ask questions.

The Chair reminded the public that there were inks imbedded in the report which could be found in the report which gave detailed background information to the Local Plan.

In response to a question on community involvement and how officers engaged with the public, The Cabinet Member said that the principles of community engagement was important and this was done diligently. There was recognition of the importance of involving the community in all steps of the process, especially as there would be a lot of change for Croydon on the coming months. Officers added that there was strong dialogue in the organisation about the Local Plan which was a corporate expression about the future of the Borough. Engagement took place with partners such as the GLA and NHS to ensure there was understanding of direction for the Borough. There was also engagement with neighbouring Boroughs which was a legal and statutory requirement to ensure they were kept up to date, discuss issues and shared vision. The Council had a strong relationship of working practice with other Local Authorities (LA). In engaging with the community and other developers a wide range of exhibitions took place including the Urban Room which was a mobile room used widely to present the vision for the Borough which was taken across the Borough and was also static in the Whitgift centre. They reached out to youth services, schools and community groups to engage with the Urban Room. It was realised that arriving at spatial option would be difficult and put the challenge back to community groups about planning through a Planning for Real exercise, to convey the balances that had to be taken into consideration in producing a Strategy.

In response to a question on how the gathered feedback from the events would be fed back to residents on how they were used or not used in shaping decision, Officers said that when the paper was presented at Cabinet, they would bring alongside it a consultation statement which would detail the themes gathered and the Councils' response. The documents would also form part of the submission to the Secretary of State.

A Member asked if the experience of Low Traffic Neighbourhood (LTN) and the learning from that process had helped shape the Local Plan process development. The Cabinet Member said that there was a lot of lessons learnt across the organisation around LTN and community reaction to them. Work on the Local Plan had not been taking place in the last six month and when that started again a lot of learning from different experiences would be applied. Officers added that learning took place all the time from corporate processes and consultations and that the main challenge was with communications. The responses from the next stage of the consultation was for examination by the planning inspectorate and it was important that the Council make that clear to those participating and assist them to make their representation appropriately.

It was asked what was being done to ensure that consultation was being promoted on every scheme and development that was approved in the Borough in order to ensure best practice as prescribed by the Statement of Community Involvement (SCI). Officers encouraged Members to contact the

relevant planning officers to discuss the statement of community involvement in relation to specific schemes and developments in the Borough and that in terms of the Local Plan, they were very mindful of the SCI. The potential to utilise technology as an engagement tool in a resource sensitive way had its benefits and some of the work done to date drew on use of technology to engage with a wide range of the community but was not the only tool used and can have its limitations . The boundaries on engagement continue to be pushed.

A Member asked if the Loan Plan review, given the Councils' current circumstances and priorities would be reworked by the new Executive Leadership Team if the financial challenges would impeded the review. The Cabinet Member said that the direction of travel has been clear and would not change in the review despite changes in the Executive Leadership of the Council and this was a politically led authority. The purpose of the review was to refine approaches and learn from previous experiences. The work done to date would not change. The current financial challenge would not impeded as it was a statutory responsibility to produce the Local Plan. Work was paused for a period but would continue in the next financial year (2021/22) and there was a commitment to ensure that work resumed up until submission of papers to the Secretary of State.

In response to a question on what would be a different in terms of the Borough's journey on emission reduction and net zero and how the Climate Commission and Citizens Assembly approach had informed the Local Plan Review. The Cabinet Member said that the Local Plan encouraged a move to net zero in several ways including transport emissions which was an issue in Croydon. The Plan would encourage developments which would reduce car usage in high PTAL rating areas. It could encourage car clubs to reduce number of cars on Croydon streets. Within developments to encourage planting and greening of space to encourage bio-diversity.

Officers added that the development plan in determining planning application included the London Plan which was part of Croydon's development plan. The newly adopted London Plan brought in a new emissions policy and net gain bio diversity. The judgement that had to be made was not to repeat the London Plan and if could make more erroneous plans than the London Plan, the case would have to be made on why Croydon was different to go beyond the London Plan policy. The new London Plan was more robust which meant that Croydon would have a greater emphasis around the green grid around the Borough. The work of the Climate Commission would be in evidence and content of the review.

A question was raised on what was being done to encourage developers to take a holistic approach to sustainability and if the polycentric city model was being incorporated into the Local Plan. The Cabinet Member said that there was an opportunity for growth in district centres through the polycentric city model and the local plan review may consider some of the dynamic changes that were occurring. Officers added that the sustainability objective would be given further consideration as to how to bring through in the review.

It was asked how the Local Plan priorities would support and enable recovery of district centres as we emerge from the impact of Covid. Officers said that there were a number of things to consider, how we emerge from the impact of the pandemic, the future of the high street and the impact of permitted development rights. The department was embedded in the Councils' response to the pandemic in terms of vitality of the high street and had been working with colleagues in regeneration and economic development. Their work also informed the renewal plan in terms of Covid response and this would be reflected in the Plan. The role of shopping frontages were being considered, including control of change of use to get the right balance. The key message from developers and local businesses was flexibility and the challenge for the Council was to offer the flexibility that may be needed in terms of the three considerations described.

A Member questioned where the vision of Croydon was in the Plan as there was an opportunity to reset the vision and this was not reflected very well in the Plan and it was asked what the plans were for the North End of Croydon. The Cabinet Member responded that there was aspiration for the Borough to be the capital of South London as it was well placed to be that. Croydon had good transport links and there was the new gateway in the form of the Brighton Mainline Upgrade. The focus on housing and office space was important and crucial to the functioning economy and community and this had to be very well reflected as set out in the report and presentation. The frustrations around the Whitgift redevelopment was acknowledged and the proposals coming through would be different to originally proposed.

It was asked what the national policy framework implication would be on the housing targets in Croydon. The Cabinet Member said that the reality was if they delivered against housing targets then the target was increased as the targets were not determined by the Council, it was driven by the Government. It was further asked what the distribution of the homes target across the Borough would be and the sub-committee was advised that the majority of homes would be in the town centre, with others spread around small sites across the Borough. All areas had to play their part in the delivery of new homes.

It was further asked what the process and criteria was for intensification. Officers said that intensification areas identified were areas around the mainline and travel hubs. It was important for new homes to be built close to transport and social infrastructure to make them accessible. The Plan would evidence that there were more sustainable areas than others for intensification to take place.

It was asked if there was an opportunity to build back better with more green space around sites and what the deliverability of small sites were as Brick by Brick was now likely to cease developing any new sites on Council land. The Cabinet Member said that they would have to test viability of the small sites and with discussion with developers if they would like to develop or not. Small sites could come forward from Council or private land and would have to be assessed to establish if schemes were viable. There would be a five year

review and any changes would be dealt with in the next London and Local Plan.

It was asked how Croydon compared with other LA' in particular in terms of social infrastructure. Officers said that there would be a continued retention of communities' facilities policy which protects community facilities in their current use but also provided opportunities for other community organisations to take the premises over should they come under consideration for take over. Officers were confident in the partnership with the NHS and pupil place forecasting and this process went alongside this Local Plan review

The Chair thanked the Cabinet Member and Officers for their engagement with the sub-committee

In reaching its recommendations, the Sub-Committee came to the following conclusions

1. There had been a number of lessons learnt from the LTN process, consultation and implementation which would be beneficial for consideration in other strategy and review consultations conducted and should be utilised by the Council.
2. It was important that officers explore the work that had been completed by other local authorities on sustainability in order to gain some learning in this area.
3. There was a need for improvement on participation and engagement, in particular in respect of changes as a result of the Pandemic.
4. The Sub-Committee took on board officer's point not to push for too many changes that could be open to future challenge.
5. A case was needed to be made for a stronger fund to support district centres, post Covid recovery.
6. There were engagement opportunities on driving the city urban approach that should not be missed.

The Sub-Committee recommended that

1. Vital Learning from the Low Traffic Neighbourhood process be taken forward in the next stage of the Local Plan consultation.
2. Officers explore how to evidence sustainability as part of consideration of the review and adopt this in the draft plan.
3. Officers provide a briefing on how the sustainability objectives will be met prior to approval of the final plan at Cabinet.
4. Officers to demonstrate in the draft Local Plan how the polycentric city links back to the infrastructure plan.

**11/21 Exclusion of the Press and Public**

This was not required.

The meeting ended at 10.50 pm

**Signed:** .....

**Date:**