

MINUTES OF A MEETING OF THE CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE HELD ON TUESDAY 27 JANUARY 2015 FROM 7:00PM TO 8:30PM

Present:- Norman Jorgensen (Chairman), Michael Firmager (Vice-Chairman), Parry Batth, Chris Bowring, and Dee Tomlin (substitute for Rachelle Shepherd-DuBey).

Also present:-

*Mr Tom Berman;
Susan Coulter, Senior Democratic Services Officer;
Marcia Head, Service Manager, Regulatory Services and Compliance
Matt Gould, Service Manager, Transport & Road Safety;
Councillor John Kaiser, Executive Member for Planning and Highways;
Clare Lawrence, Head of Development Management and Regulatory Services;
Mr Philip Meadowcroft; and
Jason Varley, Development Management Team Leader (Enforcement).*

PART I

26. MINUTES

The Minutes of the meeting of the Committee held on 10 November 2014 were confirmed as a correct record and signed by the Chairman.

27. APOLOGIES

Apologies for absence were received from Councillors Kate Haines, Ken Miall, Rachelle Shepherd-DuBey and Shahid Younis.

28. DECLARATIONS OF INTEREST

There were no declarations of interest made.

29. PUBLIC QUESTION TIME

Mr Berman asked the Chairman the following question:

29.1 Question

This meeting was specially convened to deal with the local enforcement plan so that it could happen before the meeting of the Executive in two days' time on 29th January 2015 and so my question was, and is "When exactly did members of this Committee receive the promised draft of the Local Enforcement Plan and is it considered reasonable that such a crucial (and lengthy) document, which members are required to scrutinise and comment upon, is received barely a week before the meeting"?

Answer provided by the Chairman

In response to that, I certainly received the document on 15th January 2015 last week and I think all of the other members received it at some point last week. This could not be provided before that as the document was not finalised, subject to amendments as it went through due process at that stage, prior to it going to the Council's Executive on Thursday of this week for approval for going out to consultation. Tonight, we have the opportunity to make any substantial comments on the draft and the Executive Member, John Kaiser, who is here tonight, can take those into account and present the report on Thursday. Anything else that is by way of draft or less substantial comments will go in as part of the consultation response. So the consultation runs from 9th February to 23rd March 2015 so

you will have a further opportunity to comment. I think it is also important to just remind everyone that we have looked at this several times before so we have been able to have an input to the process and say what we would like to see in the plan and I hope that we've achieved that

Supplementary Question

You have not actually said when the Members received the document but the indication of what you have said is that it is considered reasonable amount of time and barely a week before this meeting. If it is considered a reasonable amount of time, for Members to pick out the issues and indeed the flaws in the local enforcement plan, my supplementary question is, "will Members' criticism of the plan be minuted this evening and will those minuted comments be made available to the Members of the Executive in good time before the Executive meets two days hence"?

Supplementary Answer provided by the Chairman

As I said, any substantive comments that we have and any recommendations that the Committee has tonight, we will ask the Executive Member to take those away and present them to the Executive on Thursday night so, yes, we will do that. There is a longer opportunity for people to review and either put in individual comments, as you as members of the public can do through the consultation process, or for us as a Committee to feed in further comments.

Councillor Kaiser advised that the document was only a draft and was going out to consultation so any comments received, whether they be from Members or individuals, we will look at them and include them in the document if necessary. The Executive's role is to get permission to bring the document forward for consultation, rather than signing it off.

Mr Meadowcroft asked the Chairman the following question:

29.2 Question

The Head of Development Management and Regulatory Services, Ms Lawrence, informed the September last year meeting of this Committee that she would be consulting with Town and Parish Councils on ramifications of the prospective Local Enforcement Plan at the meeting with these Councils which duly took place on November 26th.

In those same September minutes, the Deputy Chairman of this Committee, Michael Firmager, who is also Chairman of the Borough Parish Working Group, is quoted as follows that *"...he wished to echo the importance of engaging with Town and Parish Councils on planning enforcement issues and commented that he felt that John Kaiser, the Executive Member for Planning and Highways was of the same opinion."*

At the November meeting, bearing in mind the above, the Chairman, Norman Jorgensen, re-scheduled the next meeting of this Committee from January 14 to January 27 so that this Committee could review and comment on the Local Enforcement Plan, prior to consultation, and I emphasise that because the Chairman was anxious that this Committee did discuss it prior to consultation, and for those comments to be delivered to the Executive two days later.

The draft minutes of this Committee's November 10th meeting confirmed that it was the Chairman's plan for the officers to meet the Town and Parish Councils on November 26 *"to get their buy-in"* and to see, as Ms Lawrence had firmly indicated to this Committee in

September, if there was any appetite amongst Town and Parish Councils to play a more frontline role in the enforcement process.

Wargrave Parish Council was represented at the November 26th meeting and I have been advised that those attending received a presentation from the officers, but there was no dialogue, and no invitation, or discussion, as to whether members of Town and Parish Council were keen to play a more active role in the enforcement process. That's my background

My question is thus:

Assuming that it can be confirmed that genuine consultation has subsequently occurred between the Town and Parish Councils and the Head of Development Management and Regulatory Services, which was a key objective of the November 26th meeting, what has emerged from it; and if no genuine consultation has occurred, when will it occur ?

Answer provided by the Chairman

In response, we have requested and received positive feedback on the Town and Parish event held on 26th November. The purpose of the event was twofold.

The first part of the session addressed the planning application process and explored how the Council could assist the town and parish councils to increase their knowledge and understanding so as to help them input into the consideration of planning applications and also, how the service could help respond to their issues in this respect.

The second section addressed planning enforcement. Officers provided the representatives with a training session about planning enforcement, again to help improve town and parish councillors' understanding of the system, and also provided a summary of how the service has developed following the independent report by John Silvester. The town and parish councils then took part in a group discussion on their tables and provided feedback about their appetite to become involved in issues in their localities and ways in which they could be involved in the planning enforcement and compliance process. The feedback was recorded and informed the Local Planning Enforcement Plan, which has sections addressing this.

The session, we felt, was highly successful and was very well received by the town and parish councils. We have had requests to rerun this session and this is being organised for March this year. It is intended that we will run similar sessions with the town and parish councils on a regular basis following this.

Supplementary Question

May I ask if the Wargrave Councillors have submitted an e-mail to officials regarding any thoughts that they had at that meeting and has that been replied to yet?

Supplementary Answer provided by the Head of Development Management and Regulatory Services

The Head of Development Management and Regulatory Services advised that the e-mail had been received with a number of comments and she would have expected that there would have been a response. She undertook to discuss this with her colleague, John Cawdell, who was co-ordinating the responses and find out what the nature of the response was.

30. MEMBER QUESTION TIME

There were no Member questions.

31. PLANNING ENFORCEMENT SERVICE ACTION PLAN AND CONSULTATION ON THE LOCAL PLAN

The Committee received a report, as set out on Agenda pages 9 to 30, which asked Members to consider the consultation on the Local Enforcement Plan, which would set out the Council's policy and procedure to address improvements to the service.

The plan had received an input from John Silvester, who was pleased that most of his draft comments had been retained. The Head of Development Management and Regulatory Services advised that officers had tried to simplify what was a very complex document so that it was more user friendly for the general public. The document set out what constituted a breach of planning control and what the Council's policy was to deal with that.

The document also set out a number of priorities. With the Council's resources being finite, when breaches were investigated, they needed to be prioritised, for example: whether they posed significant harm or whether they posed minor harm. Officers tried to focus on the advice they had been given from the Government and the legislation and guidance notes provided.

One particular thing the document focussed on was that where the Council could not negotiate with an applicant who breached planning control, then action would be taken, where the Council felt it was expedient to do so.

All but one of the Town and Parish Councils were present at the event discussed above and it is expected that the Town and Parish Council acts as the 'eyes and ears' on the ground to advise the Council of any breaches of planning control. It was important that the Town, Parish and Borough Council worked together.

Councillor Kaiser explained that the emphasis tonight was on the plan, which had been improved over the last 18 months. The comments received so far had been positive. Councillor Kaiser congratulated the officers present for their hard work and stressed that the document was a living document and would be amended when and as legislation changed. He added that he was looking forward to the outcome of the consultation.

The Chairman thanked Councillor Kaiser for attending the meeting.

A Member stressed that harm was subjective and asked if it was possible to include a more coherent definition of harm. The Head of Development Management and Regulatory Services advised that it was not easy to give a precise definition of harm because each case is different as is every site. Any breach needs to be considered addressing all material consideration in planning terms and if the proposal did have a negative impact, planning harm could result. This is similar to assessing a planning application. She suggested that the request by the member for this to be made clearer will be registered as a comment as part of the consultation process.

The Vice-Chairman advised that he had been very happy with the outcome of the Town and Parish Council event referred to above. He referred to a barn conversion which had

appeared in the Daily Mail newspaper and the fact that the council was taking enforcement action against it.

A Member asked if there was a general trend in breaches of planning control and were the Council's policies having an effect on Priority 1 statistics set out in Appendix 2 to the report. The Head of Development Management and Regulatory Services advised that the number of requests for the service had been consistent over the years. There is anecdotal evidence of a general increase in awareness of the need to comply with planning regulations, and people have therefore been more likely to contact the planning department to check if permission was required before carrying out the work.

The Chairman asked about timelines. The Service Manager, Regulatory Services and Compliance advised that a period of 8 weeks has been given as a target to deal with cases (and included in Appendix 2 to the report) but it is difficult to quantify for complicated cases as this is outside of the council's control. A quarterly report was included in the agenda to the Planning Committee.

The Head of Development Management and Regulatory Services advised that the action plan was already in place and almost everything on the plan had been implemented. She circulated the action plan and gave copies to Mr Berman and Mr Meadowcroft. She explained that as residents had made an allegation of a breach of planning control, they will receive monthly updates to advise them of what the Council was doing. A new IT system was being implemented in April 2015 which would assist officers to meet the expectations and requirements set out in the plan.

The Chairman acknowledged that it is intended that comments made by John Silvester will be fed into the document via the consultation process.

The Members of the OSC made the following comments which will be fed into the consultation that commenced 9th February 2015:-

- It would be helpful if there was a clearer explanation of planning harm
- The monitoring (Appendix 2) should be simplified to show trends in breaches and the amount of information should be reduced
- It would be helpful if long term cases could be identified through monitoring to provide detail about these

32. WOKINGHAM TOWN CAR PARKS STRATEGY AND COUNCIL CAR PARKS STRATEGY

The Committee received a report, set out on Agenda pages 31 to 44, which set out activity and achievements and reported on the consultation which had been carried out.

The Service Manager, Transport and Road Safety drew Members' attention to the change in the name of the document. This was due to the timescales involved and officers felt that it was more appropriate to be considered as a plan rather than a strategy. A study had been carried out in 2013 regarding the need for off street parking. The town centre redevelopment meant that there was a loss of 311 parking spaces. The objectives were set out on page 37 of the management plan. A series of recommendations were set out on pages 43 and 44. The document had been subject to a 6 week consultation in November 2013, with input from Town and Parish Councils and Heads of Service. The final document included changes made as a result of an additional car parking survey, which took account of the latest demand and the current proposals for the Town Centre.

A Member stressed that the document did not cover on-street parking spaces and it did not mention office car parking. She asked if there had been any discussion with Waitrose regarding this matter. She also asked if users of the car parks had been consulted as there were changes to the Paddocks Car Park and there had been a suggestion of an underground car park, with a loss of spaces at the Shute End car park.

The Service Manager, Transport and Road Safety advised that the general car parking study had included Waitrose and business use but it was purely an off-street parking study, concentrating on Council provision of car parking in the Town Centre. The proposals included retail development provision and provision of parking at Carnival Pool. Members' attention was drawn to Page 42 of the document, in particular, table 4. The next step was to present the document to the Executive for approval in February 2015 so it was important that any suggestions and/or comments that the Committee had this evening were fed into the process.

Members raised the following issues:

- demand for the Shute End car park increased at weekends as it was free but weekday usage needed to be included in the document;
- there was concern about the signing as these conveyed varying messages to the public;
- concern was raised about the loss of car parking spaces at the Paddocks Car park;
- the multi-storey car park was not used to its full capacity;
- it was important to maintain the number of blue badge car parking spaces;
- was the location of the extra spaces proposed for Carnival Pool close enough to the town centre?

The Chairman thanked the Service Manager, Transport and Road Safety for updating the Committee.

33. REVIEW OF COMMUTER PARKING

The Committee received a report, as set out on Agenda pages 45 to 50, which asked the Committee to consider possible Terms of Reference for a review.

Councillor David Sleight, Chairman of the Community Partnerships Overview and Scrutiny Committee presented the report and explained that Councillor Lindsay Ferris had requested that the issue should be the subject of a scrutiny review. While this request was initially suggested for Twyford, where the issue of commuter parking had been a major issue for a number of years, the review should be widened to consider the issue in relation to all six railway stations in the Borough, as well as Crowthorne railway station, which lies just outside the Borough boundary, but where parking issues are affecting Wokingham Borough.

Councillor Sleight advised that demand for rail services had roughly doubled since privatisation in 1995, with the growth in demand showing no sign of abating, growing at about 3 to 4% per year. This was illustrated by the growth in passenger demand on the Wessex route, basically the lines into London Waterloo, which had seen exceptional growth as shown in the graph set out on page 47 of the report.

Enhancements to rail services included:

Committed (ie funded) enhancements:

- Electric train services through Twyford by December 2016;
- Electric train services on the Henley-on-Thames branch by December 2017;

- Crossrail services to Reading by December 2019;
- Western Rail Access to Heathrow services from Twyford by December 2021.

Expected further enhancements:

- Infill electrification between Wokingham and Reigate by 2021 with electric services;
- A doubling of the frequency of the Gatwick Airport – Reading service to 2 trains per hour by 2021.

Possible future enhancements:

- HS2 opening in 2026;
- Frequency and journey time enhancements to Waterloo;
- Southern Rail Access to Heathrow;
- Business and housing development at the Old Oak Common station to the west of London.

Network Rail was required to lead the rail industry's Long Term Planning Process (LTPP) which estimated demand for rail services in 2043 and forecasted the changes needed to carry the necessary train services. As part of the LTPP, Network Rail was in the process of publishing Route Studies for consultation and the Western Route Study, published in November 2014, gave the following policy statement on station access:

“Car parking at or close to stations will need to keep pace with growing rail demand, as will highway access to stations. Good integration and co-ordination with local transport such as....bus....services and facilities for pedestrian and cyclists are equally important if rail travel is to achieve its maximum potential.”

The Council's various aims regarding its policy on modal shift were listed in the Local Transport Plan 2011 – 2026 and included a Highways Goal which stated that:

‘We will encourage alternative modes of travel to the use of private vehiclesand reduce the quantities of CO2 produced’, an Active Travel Goal of ‘We will increase opportunities to walk and cycle to work etc’, a Public Transport Goal ‘To work with bus and rail operators to improve public transport services to increase their overall use’ and a Smarter Choices of ‘Encouraging modal shift’.

Councillor Sleight suggested that as part of the review, the Committee may wish to consider the following:

- the Borough's progress towards its goals on modal shift,
- the desirability of car parking near railway stations keeping pace with the rising demand for rail travel and if such additional car parking is deemed to be necessary, where and how could that be provided;
- feeder bus services - if, or indeed when, planning for these services should start as outline planning applications have been submitted for the Arborfield SDL and house building is proceeding in the Shinfield SDL;
- whether a feeder bus service should run from Woodley to Twyford Station;
- active transport - what improvements, if any, have been achieved since the adoption of LTP3 and what further improvements are planned;
- on-street parking restrictions - the balance of parking restrictions as to whether motorists are being hounded rather than being encouraged to change their mode of travel;

- parking enforcement - Any parking restrictions have to be enforced to be effective. The Committee will be aware of the considerations for Civil Parking Enforcement;

The Chairman asked for the Committee's views as to whether a review was required. The Committee agreed that it was and that it should be carried out by the whole Committee, rather than by a Task and Finish Group. Potential witnesses were discussed and the terms of reference were considered.

RESOLVED: That:

- 1) a review should be carried out by the whole Committee, rather than by a Task and Finish Group;
- 2) potential witnesses should include:
 - a. Rail companies;
 - b. Rail operators;
 - c. Network Rail; and
 - d. Crossrail.
- 3) the terms of reference and purpose of the review be as follows:

“to consider the problems of commuter parking at or near railway stations”;
- 4) a benchmarking exercise be carried out with other local authorities to see if (and if they have, how) they have reviewed the problems of commuter parking at or near railway stations;
- 5) the draft terms of reference be presented to the next meeting of the Committee.

34. WORK PROGRAMME

The Committee received its work programme, as set out on Agenda pages 52 to 53, which set out the Committee's work for the remainder of the municipal year 2014/15.

RESOLVED: That:

- 1) an item relating to the review of Commuter Parking be added to the work programme for the meeting on 10 March 2015; and
- 2) the Committee's Annual report be added to the work programme for the meeting on 10 March 2015.

These are the Minutes of a meeting of the Corporate Services Overview and Scrutiny Committee.

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