

ROYAL BOROUGH OF KINGSTON UPON THAMES

Decisions 18 – 24 can be called in up to and including 5pm on Wednesday 9 November 2016.

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GROWTH COMMITTEE

13 OCTOBER 2016

7:30 pm - 11:01 pm

Councillor David Cunningham (**Chair**)

Councillor Andrea Craig (**Vice Chair**)

- Councillor Bill Brisbane
- * Councillor Kevin Davis
- Councillor Sheila Griffin
- Councillor Raju Pandya
- Councillor Priyen Patel
- Councillor Cathy Roberts
- Councillor Malcolm Self
- Councillor Ken Smith
- * Councillor Thay Thayalan
- * Councillor Jon Tolley
- Councillor Gaj Wallooppillai

*Absent

14. QUESTIONS AND PUBLIC PARTICIPATION

No questions were submitted.

A petition was submitted by Mrs Pedley calling on the Council to:

- 1 Reject planning application 16/14730 for the installation of a 12.5 meter high mobile phone mast on the following planning grounds;
 - a) Siting in relation to the protection of trees and the grass verge.
 - b) Siting in relation to highway safety
 - c) Appearance in relation to character and setting.
 - d) Appearance in relation to amenity.
- 2 Establish a strategic plan for the Royal Borough on mobile phone masts so that mobile phone companies don't continue to ride roughshod over residents and ignore the Code of Best Practice on Mobile Development in England (2013).

The Chair thanked Mrs Pedley for submitting the petition. The Council are conscious of the issue and are already looking at how local planning policy can be

strengthened in this regard. The Council does not have the expertise in house to develop new policy in this area and as such an independent consultant has been engaged to assist with this policy review. The Chair asked for the Committee and Mrs Pedley, as Lead Petitioner, to be kept informed of the progress of this work.

**15. APOLOGIES FOR ABSENCE AND ATTENDANCE OF
SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Kevin Davis, Thay Thayalan and Jon Tolley. Councillors Maria Netley, Liz Green and John Ayles attended as substitutes.

16. MINUTES

The minutes of the meeting held on 9 June 2016 were confirmed as a correct record.

17. DECLARATIONS OF INTEREST

No interests were declared.

**18. KINGSTON INDOOR SPORTS & LEISURE FACILITIES
STRATEGY**

Appendix A

The Committee considered the adoption of the Kingston Indoor Sports and Leisure Facilities Strategy (2016-2028) which was attached to the report as Annex 1. Kingston has a need to consider its facilities given its ageing stock of leisure facilities. The Strategy was written for the Council by specialist sport and leisure consultancy Knight, Kavanagh & Page (KKP).

Both the Assessment Report and the Strategy have been prepared in accordance with guidance from Sport England contained in the document 'Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports Facilities (ANOG)'. This recommended approach will help the local authority and other potential users to understand current and future facility needs within the borough and the adequacy of existing provision to meet these needs. This approach will take account of the range of providers; the importance of education, private and voluntary sector provision and, with a duty to co-operate, cross boundary supply and demand issues.

The strategy itself is not based upon detailed technical assessments of the buildings nor does it address other wider issues such as parking needs or travel plans. This detail will be addressed elsewhere by the project team as this strategy is taken forward. The Strategy provides a clear direction to all the Council's partners so that together we can plan and develop the more modern, efficient and sustainable range of community based sport and leisure facilities that Kingston requires.

The Committee welcomed the report and the recommended strategy. It was the Committee's view that the strategy should be adopted subject to the addition of a requirement that all new indoor sports facilities are either Council owned or Council controlled. The Committee also noted that the Cocks Crescent Development Brief will include a requirement for a new swimming pool.

Resolved that:

1. the Kingston Indoor Sports and Leisure Facilities Strategy (2016-2028) (attached to the report as Annex 1) is adopted.
2. the requirement that new facilities should be either Council owned or Council Controlled is added to the strategy.
3. the Committee note that the Cocks Crescent Development Brief will include a requirement for a new swimming pool.

Voting: Unanimous.

19. DIRECTION OF TRAVEL

Appendix B

The Committee considered the adoption of the Direction of Travel (as set out in Annex 1 of the report). The Direction of Travel will play a key role in the production of the Local Plan subject to its adoption by the Mayor for London. Once adopted by the Greater London Authority (GLA), it will provide supplementary planning advice to the London Plan policies by supporting the selective redevelopment of areas within the borough in order to provide new homes, jobs and investment.

The Direction of Travel Consultation Draft was published and circulated for consultation from 24 June 2016 to 29 August 2016. The Council engaged in a comprehensive engagement process during this period, reflecting the requirements of the Council's revised Statement of Community Involvement. Minor amendments have been made to the document in response to the public consultation and these amendments were reported to the Committee in Annex 4 of the report. A Consultation Statement, setting out the Council's full approach to the consultation and an analysis of the responses received was attached as Annex 2.

During their consideration of the report the Committee sought clarification on the role and status of the Direction of Travel in the context of Development Control functions and in particular the determination of planning applications. Officers informed the Committee that once adopted by the GLA the Direction of Travel will provide supplementary planning advice to the current London Plan Policies but that its significance will be minimal in comparison to statutory documents. This is not the document's role, the Direction of Travel is a high level strategic document.

Members also questioned the figures given for growth estimates in the draft Direction of Travel and asked why these figures varied from those figures cited in the final version. The Committee were informed that these figures are routinely

provided to the Council by the GLA and that the figures in the final version are reflective of the data most recently received.

Some Members expressed concern about some of the proposed infrastructure improvements cited within the Direction of Travel and questioned whether developments such as the proposed Tolworth A3 junction improvements or the introduction of Crossrail 2 will ever be funded and implemented. It was however the view of the majority of the Committee that the Council could not ignore these proposed large-scale infrastructure improvements and that it is prudent for the Council to consider the potential impact of these schemes as part of its long term planning processes. The Committee endorses and encourages infrastructure improvements within the borough.

A number of local residents spoke on this item from the public gallery. A member of the public questioned the development of the Direction of Travel and asked for a timeline of its progress through the Council's governance processes. The Committee were given an update on the work stream's progression through the Council's committee system and given a brief summary of the following reports:

- *'The Need for a New Borough-wide Local Plan and new Local Development Scheme'* as considered by the Infrastructure, Projects and Contracts Committee on 25 June 2015.
- *'Revisions to the Local Development Scheme'* considered by the Committee at its meeting on 16 March 2016.

Following a question from the public gallery the Committee briefly discussed Opportunity Areas (OAs), their differing makeups and the processes that OAs go through as they are developed prior to their adoption by the GLA. The Committee noted that they will receive a report on OAs at the relevant stage in the development of the next London Plan. The Committee also noted that a number of issues identified by residents as part of the Direction of Travel consultation will be reflected in the Issues and Options consultation which is being undertaken as part of the development of the New London plan and that these issues will be discussed by the Committee at a future meeting.

Resolved that:

1. the Committee notes the consultation responses received and the consequential modifications made to the Direction of Travel.
2. prior to adoption, the Head of Planning and Transport and Regeneration, in consultation with the Portfolio Holder for Regeneration, is given delegated authority to make factual amendments to the Direction of Travel.
3. The Direction of Travel for the Royal Borough of Kingston upon Thames is adopted, as set out in Annex 1 of the report, subject to its adoption by the Mayor for London.

Voting:

Those for: Councillors David Cunningham, Andrea Craig, Ken Smith, Priyen Patel, Gaj Wallooppillai, Cathy Roberts, Raju Pandya and Maria Netley.

Those against: Councillors Sheila Griffin, Malcolm Self, Liz Green and John Ayles.

Abstained: Councillor Bill Brisbane.

20. NORTH KINGSTON DEVELOPMENT BRIEF**Appendix C**

The Committee considered the adoption of the North Kingston Development Brief which sets out a planning framework to guide redevelopment in North Kingston. The document will become a material consideration as part of decision making in Development Management. Once adopted the brief will supersede the previously adopted North Kingston Development Brief (Stage One: Land Use and Spatial Parameters).

The draft North Kingston Development Brief was published for consultation on Friday 8 July 2016 for a period of 8 weeks. Minor amendments have been made to the brief in response to the consultation. A consultation statement that fully analysed the responses received was attached as Annex 2 of the report and a version of the brief demonstrating these amendments was attached as Annex 5.

The majority of the Committee welcomed the brief and the clear guidance that it will give to both residents and developers. It was noted that by adopting the brief the Committee would be accepting, in principle, the stopping up of Kingsgate Road between Sopwith Way and Richmond Road in line with the Highways Act and subject to consultation and appropriate committee approval.

Whilst considering the draft development brief Members felt that it was difficult to make out from the maps provided the status of permitted planning applications within the brief area and asked for this information to be clearly presented in the final version of the 'Planning Context' section.

Resolved that:

1. the Committee notes the consultation responses received and the consequential modifications made to the North Kingston Development Brief.
2. prior to adoption, the Head of Planning and Regeneration, in consultation with the Portfolio Holder for Regeneration, is given delegated authority to make factual amendments to the North Kingston Development Brief.
3. the North Kingston Development Brief, as set out in Annex 1 of the report, is adopted.

Voting:

Those for: Councillors David Cunningham, Andrea Craig, Kenneth Smith, Priyen Patel, Gaj Wallooppillai, Cathy Roberts, Raju Pandya and Maria Netley.

Those against: Councillors Liz Green and John Ayles.

Abstained: Councillors Sushila Griffin, Malcolm Self and Bill Brisbane.

21. CREATIVE KINGSTON GROUP - CIC PROPOSAL

Appendix D

The Committee considered the establishment of Creative Kingston as a cultural Community Interest Company (CIC) with a view to enabling its ambition to develop Kingston's profile as a creative place to do business.

Creative Kingston comprises stakeholders from Kingston University, Kingston College, Rose Theatre, Community Brain, BalletBoyz, Creative Youth and Kingstonfirst. Its aim is to harness collective capabilities and to drive innovation and regeneration in order to ensure the borough develops an infrastructure that supports its creative industries. Creative Kingston's mission is to support and advocate for a strong creative economy through talent development, business incubation and a programme of creative and cultural activities that enhance Kingston's reputation as a centre of innovation and heritage.

The CIC will focus on place shaping, feeding into the Local Plan as a critical friend, ensuring current and future cultural assets support growth and are developed in such a way as to retain and attract creative talent. At this point in Creative Kingston's development it is envisaged that the CIC will seek to strengthen and widen the borough's cultural programme rather than deliver services already commissioned by the Council and its partners.

Subject to Creative Kingston developing a sustainability plan, a bid will be submitted later in 2016 to Arts Council England to support a two year programme of cultural activity that will support the borough's development and regeneration programme.

Resolved that:

1. the establishment of the Community Interest Group is approved and the scope of its objectives, as set out in paragraph 7 of the report, are affirmed.
2. the Head of Culture, in consultation with the Portfolio Holder for Growth and Identity and the Opposition Spokesperson for Growth and Identity, is authorised to further develop proposals for this initiative.

Voting:

Those for: Councillors David Cunningham, Andrea Craig, Ken Smith, Priyen Patel, Gaj Wallooppillai, Maria Netley, Sheila Griffin, Malcolm Self, Bill Brisbane, Liz Green and John Ayles.

Abstained: Councillors Cathy Roberts and Raju Pandya.

**22. PROPOSALS FOR RIGHT TO BUY RECEIPTS - REFERENCE
FROM THE ADULTS AND CHILDREN'S COMMITTEE**

Appendix E

The Committee considered delegating authority to the Head of Housing to acquire properties on the open market for inclusion in the HRA Stock, as recommended by the Adults and Children's Committee and Housing Sub-Committee.

The Housing Sub-Committee received a report at its meeting on 13 September 2016 on the requirement to repay to the Government Right to Buy (RTB) receipts unless appropriate acquisitions are completed and that the first payment will equate to £0.4 to be repaid to the Government by 31 March 2017. The proposal set out in that report is for the Council to use those Right to Buy Receipts which might otherwise have to be repaid to the Government to purchase £1.2m of additional homes from the open market. The Sub-Committee noted the need for such homes as there are currently 9226 households on the RBK housing register.

As there is an urgency in progressing this project, the Adults and Children's Committee recommended that the Growth Committee delegate authority for the required property acquisition. The Treasury Committee has subsequently agreed (on 6 October) an addition to the HRA Capital Programme of £1.2m for the purpose of acquiring properties on the open market for inclusion in HRA stock.

In their consideration of the report it was the Committee's view that any dwellings purchased under this delegated authority outside of the borough should be within its close vicinity.

Resolved that:

1. the Head of Housing, in consultation with the Head of Property and the Portfolio Holder for Adults Social Care and Health, is authorised to purchase dwellings that are considered to be suitable for use as affordable housing both in the borough and within the close vicinity of the borough.
2. the South London Legal Partnership (SLLP) are authorised to negotiate and complete such documents as are deemed necessary to conclude the transactions negotiated by the Head of Housing.

Voting: Unanimous.

23. HRA SITES AFFORDABLE HOUSING DEVELOPMENT FEASIBILITY STUDY - REFERENCE FROM THE HOUSING SUB-COMMITTEE **Appendix F**

The Committee considered entering into discussions with Registered Providers and private developers in order to dispose of the sites identified by the HRA Sites Affordable Housing Development Feasibility Study, as recommended by the Housing Sub-Committee.

With housing development land being finite in supply, increasingly innovative solutions are being sought in order to create new affordable housing development projects. The Affordable Housing Strategy for 2015-2017 has identified new opportunities to create affordable housing sites, typically by exploring prospects for infill development or for redeveloping existing buildings and land more intensively. The strategy was agreed by the Residents, Health and Care Services Committee (RH&CS) in September 2014.

The report identified HRA sites with potential for redevelopment where affordable homes can be created and recommended that each site is assessed in more detail with the most appropriate method of development taken forward. The report included a proposal to dispose of a number of garage blocks no longer considered to be fit for purpose and the receipt of these sales contributing towards capital funding to develop the sites.

The Committee received late material at the meeting that amended the recommendation in the original report and the following two sites were subsequently withdrawn from the scope of the report:

- Garages 58-64 Marshall House off Rodney Road
- Garages 16-11 Downfield House.

Resolved that the Committee endorses the recommendations of the Housing Sub-Committee and that:

1. the 5 sites in scope (as amended by the Late Material) which were appraised in the feasibility and viability study are disposed of to Registered Providers or private developers using a mix of approaches, as set out in Option 1 (paragraph 14) in the report and Option 2 (paragraph 15) in the report in order to enable the Council to develop homes on the sites.
2. all disposals of sites to a Registered Provider should be:
 - a) for housing, with affordable housing use in perpetuity where affordable housing is provided and the Head of Property, in consultation with the Head of Housing are authorised to agree the terms of the disposal; and
 - b) through a competitive tendering process.

Voting: Unanimous.

24. INVESTIGATING A LEASING MODEL FOR HOUSING PROPERTY DEVELOPMENT (FOR VACANT HIGH VALUE LOCAL AUTHORITY HOUSING) - REFERENCE FROM THE HOUSING SUB-COMMITTEE Appendix G

The Committee considered investigating the viability of a leasing model for housing property development arising from the requirements of the Housing and Planning Act 2016.

At its meeting on 13 September 2016 the Housing Sub-Committee received a report on the likely impact of the requirements of the Housing and Planning Act 2016 in relation to disposal of high value void properties and considered possible approaches to enable the Council to meet the requirements of this legislation. The Housing and Planning Act 2016 (Part 4, Chapter 2) sets out that local authorities will be required to make a payment to central Government equal to the value of all high value properties likely to become vacant over the following year.

Although the specifics of the scheme are not yet known, the report estimated the financial impact on the Council at between £10.6M and £14.8M in the first year. As well as selling properties according to a calculated approach, the Council may consider other measures such as development land sales, property development and sale, and the sale and leasing back of properties.

Given that decisions on individual disposals will need to be taken within timescales which do not fit with the schedule of the five Housing Sub-Committee meetings per year, the Housing Sub-Committee agreed a process of delegating decisions on individual disposals to the Head of Housing in consultation with the Portfolio Holder for Adults Social Care and Health and the Portfolio Holder for Regeneration in accordance with criteria set out in paragraphs 8-15 of the report.

It was the Committee’s view that a report, that has investigated the viability of a leasing model, should be submitted to a future meeting for consideration. However, given the length of the projected timetable for implementation, the Committee did not feel it necessary to delegate authority to allow Officers to agree individual disposals at this time. This will allow the Council to develop appropriate measures once the specifics of the scheme are known.

Resolved that a report is submitted to a future meeting of the Growth Committee that investigates the viability of a leasing model as a way of responding to the housing property development requirements of the Housing and Planning Act 2016 in relation to high value voids.

Voting: Unanimous.

25. DISPOSAL OF LONG LEASE OF ST MARY’S CENTRE, CHESSINGTON

This item was deferred and it will be considered at the Committee’s next meeting on Wednesday 23 November.

26. URGENT ITEMS AUTHORISED BY THE CHAIR

There were no urgent items.

Signed.....Date.....
Chair