

# Public Document Pack



## Environment and Urban Renewal Policy and Performance Board

Wednesday, 9 September 2015 6.30 p.m.  
Council Chamber, Runcorn Town Hall

A handwritten signature in black ink that reads 'David WR'.

**Chief Executive**

### **BOARD MEMBERSHIP**

Councillor Bill Woolfall (Chair)	Labour
Councillor Mike Fry (Vice-Chairman)	Labour
Councillor Pauline Hignett	Labour
Councillor Valerie Hill	Labour
Councillor Chris Loftus	Labour
Councillor Andrew MacManus	Labour
Councillor Keith Morley	Labour
Councillor Pauline Sinnott	Labour
Councillor Gareth Stockton	Liberal Democrat
Councillor Andrea Wall	Labour
Councillor Geoff Zygadlo	Labour

*Please contact Gill Ferguson on 0151 511 8059 or e-mail [gill.ferguson@halton.gov.uk](mailto:gill.ferguson@halton.gov.uk) for further information.*

*The next meeting of the Board is on Wednesday, 25 November 2015*

**ITEMS TO BE DEALT WITH  
IN THE PRESENCE OF THE PRESS AND PUBLIC**

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. MINUTES</b>	
<b>2. DECLARATIONS OF INTERESTS (INCLUDING PARTY WHIP DECLARATIONS)</b>	
<p>Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.</p>	
<b>3. PUBLIC QUESTION TIME</b>	<b>1 - 3</b>
<b>4. EXECUTIVE BOARD MINUTES</b>	<b>4 - 9</b>
<b>5. PERFORMANCE MONITORING</b>	
<b>(A) PERFORMANCE MONITORING QUARTER 1 2015/16</b>	<b>10 - 38</b>
<b>6. DEVELOPMENT OF POLICY ISSUES</b>	
<b>(A) PROCUREMENT OF NEW ROLLING STOCK BY MERSEYTRAVEL</b>	
<p>The Board will receive a presentation from Merseytravel.</p>	
<b>(B) LOCAL PLAN MAKING</b>	<b>39 - 50</b>
<b>(C) PLANNING REFORM</b>	<b>51 - 68</b>
<b>(D) INTRODUCTION OF WAITING RESTRICTIONS: ASH PRIORS AND PARKLANDS, WIDNES</b>	<b>69 - 76</b>

***In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.***

**REPORT TO:** Environment and Urban Renewal Policy & Performance Board

**DATE:** 9 September 2015

**REPORTING OFFICER:** Strategic Director, Policy and Resources

**SUBJECT:** Public Question Time

**WARD(s):** Borough-wide

### **1.0 PURPOSE OF REPORT**

- 1.1 To consider any questions submitted by the Public in accordance with Standing Order 34(9).
- 1.2 Details of any questions received will be circulated at the meeting.

### **2.0 RECOMMENDED: That any questions received be dealt with.**

### **3.0 SUPPORTING INFORMATION**

- 3.1 Standing Order 34(9) states that Public Questions shall be dealt with as follows:-
- (i) A total of 30 minutes will be allocated for dealing with questions from members of the public who are residents of the Borough, to ask questions at meetings of the Policy and Performance Boards.
  - (ii) Members of the public can ask questions on any matter relating to the agenda.
  - (iii) Members of the public can ask questions. Written notice of questions must be given by 4.00 pm on the working day prior to the date of the meeting to the Committee Services Manager. At any one meeting no person/organisation may submit more than one question.
  - (iv) One supplementary question (relating to the original question) may be asked by the questioner, which may or may not be answered at the meeting.
  - (v) The Chair or proper officer may reject a question if it:-
    - Is not about a matter for which the local authority has a responsibility or which affects the Borough;
    - Is defamatory, frivolous, offensive, abusive or racist;
    - Is substantially the same as a question which has been put at a meeting of the Council in the past six months; or

- Requires the disclosure of confidential or exempt information.
- (vi) In the interests of natural justice, public questions cannot relate to a planning or licensing application or to any matter which is not dealt with in the public part of a meeting.
- (vii) The Chairperson will ask for people to indicate that they wish to ask a question.
- (viii) **PLEASE NOTE** that the maximum amount of time each questioner will be allowed is 3 minutes.
- (ix) If you do not receive a response at the meeting, a Council Officer will ask for your name and address and make sure that you receive a written response.

Please bear in mind that public question time lasts for a maximum of 30 minutes. To help in making the most of this opportunity to speak:-

- Please keep your questions as concise as possible.
- Please do not repeat or make statements on earlier questions as this reduces the time available for other issues to be raised.
- Please note public question time is not intended for debate – issues raised will be responded to either at the meeting or in writing at a later date.

#### **4.0 POLICY IMPLICATIONS**

None.

#### **5.0 OTHER IMPLICATIONS**

None.

#### **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children and Young People in Halton** - none.

6.2 **Employment, Learning and Skills in Halton** - none.

6.3 **A Healthy Halton** – none.

6.4 **A Safer Halton** – none.

6.5 **Halton's Urban Renewal** – none.

**7.0 EQUALITY AND DIVERSITY ISSUES**

7.1 None.

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

8.1 There are no background papers under the meaning of the Act.

**REPORT TO:** Environment and Urban Renewal Policy and Performance Board

**DATE:** 9 September 2015

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Executive Board Minutes

**WARD(s):** Boroughwide

## **1.0 PURPOSE OF REPORT**

- 1.1 The Minutes relating to the relevant Portfolio which have been considered by the Executive Board are attached at Appendix 1 for information.
- 1.2 The Minutes are submitted to inform the Policy and Performance Board of decisions taken in their area.

## **2.0 RECOMMENDATION: That the Minutes be noted.**

## **3.0 POLICY IMPLICATIONS**

- 3.1 None.

## **4.0 OTHER IMPLICATIONS**

- 4.1 None.

## **5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **5.1 Children and Young People in Halton**

None

### **5.2 Employment, Learning and Skills in Halton**

None

### **5.3 A Healthy Halton**

None

### **5.4 A Safer Halton**

None

### **5.5 Halton's Urban Renewal**

None

**6.0 RISK ANALYSIS**

6.1 None.

**7.0 EQUALITY AND DIVERSITY ISSUES**

7.1 None.

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

8.1 There are no background papers under the meaning of the Act.

**Extract of Executive Board Minutes Relevant to the Environment and Urban Renewal Policy and Performance Board**

**EXECUTIVE BOARD MEETING HELD ON 2 JULY 2015**

**PHYSICAL ENVIRONMENT PORTFOLIO AND ECONOMIC DEVELOPMENT PORTFOLIO**

**EXB16 BUSINESS IMPROVEMENT DISTRICTS - FUTURE MANAGEMENT ARRANGEMENTS**

The Board considered a report of the Strategic Director, Children and the Economy, on a proposal by Halton Chamber of Commerce to take on the management of the Business Improvement Districts (BIDs) in Astmoor and Halebank Industrial Estates.

The Board was advised that the Local Government Act 2003 allowed partnerships between local authorities and the local business community to set up BIDs, which allow businesses in a specific geographic area to develop a business plan aimed at improving the area.

BIDs schemes in Halton had been very successful with a number of improvements seen over the last seven years, providing a cost effective way for business to work collaboratively to achieve a series of common objectives. The current programme would be operational until 2018, with the Council providing a number of services to the Steering Group and Executive, set out in the report and included:-

- Programme Administration;
- Crime Reduction and Community Safety Initiatives;
- Image Enhancement; and
- Business Support.

It was reported however, that the BIDs Executive Committee had expressed a view that the BID programme could be delivered at a reduced cost by not using the Council as the BID body. A proposal had been received from the Chamber of Commerce and Enterprise to take on the BID body role as a 'Project Management Organisation', through a Service Level Agreement. The Council would



continue to take on responsibilities, detailed in the report, which included the issuing of BID levy bills and their collection, provision of monthly levy income statements, officer support to the BID Manager and assistance with the delivery of the BID Business Plans.

RESOLVED: That

- 1) the Board note the proposal for Halton Chamber of Commerce and Enterprise to take on the management and delivery of the BIDs programmes in Astmoor and Halebank; and
- 2) Halton Borough Council continue its role as billing authority for the BIDs area be agreed.

Strategic Director  
- Children and the  
Economy

### **PHYSICAL ENVIRONMENT PORTFOLIO**

#### **EXB21 CHARGES FOR NEW TRAVELLER SITE**

The Board considered a report of the Strategic Director, Communities, which sought approval for the setting of pitch and water/sewerage charges at the new Traveller site in Warrington Road, Astmoor, Runcorn.

The Board was advised that construction of the new Traveller site at Warrington Road was near completion. The site had in large part been funded by the Homes and Communities Agency, which required that pitch rents were set under the 'Affordable Rents' regime. It was reported that this permits rents to be set at up to 80% of the market rent, and it was proposed to set the amount at £75 per week. It was further proposed that the weekly rent for water and sewerage would be set on a cost recovery basis with an initial charge of £11.60 per week. It was noted that the combined rent and water charge for the new site would be comparable to the weekly charge for the adjacent Transit site and would enable the site to be self-financing.

RESOLVED: That

- 1) the initial pitch rent for the new permanent Traveller site at Warrington Road, Astmoor, be set at £75 per week and the water/sewerage charge at £11.60 per week;
- 2) future increases of the pitch rent be calculated in line with the Homes and Communities Agency 'Affordable Rent' regime; and

Strategic Director  
- Communities

- 3) future increase of the water/sewerage charge be set on a cost recovery basis.

### **TRANSPORTATION PORTFOLIO**

#### **EXB22 LIVERPOOL CITY REGION MAJOR MAINTENANCE BID FOR THE SJB COMPLEX**

The Board considered a report of the Strategic Director, Policy and Resources, which sought approval to submit a major maintenance bid to the Liverpool City Region Combined Authority for the Silver Jubilee Bridge Complex (SJBC).

The Board was advised that the SJBC, approach viaducts and other major highway bridges formed a strategically important River Mersey and Manchester Ship Canal crossing. The SJBC required a continual programme of structural and maintenance works to maintain its state and availability for use. It was reported that a number of interventions had been necessary since 2006, with Department for Transport funding of £18.5m approved in 2009, so as to remove a significant amount of backlog in structural works.

It was noted that timely and on-going investment in maintenance would safeguard the previous capital investment. A proposed scheme of maintenance works, planned to start in April 2016 and to be carried out over a three year period, required a contribution from the Liverpool City Region (LCR) Growth Fund towards the capital elements of the scheme. To that end, a Major Maintenance Bid would be submitted to the LCR Combined Authority to provide gap funding for capital maintenance works.

RESOLVED: That

- 1) the Silver Jubilee Bridge Complex Major Maintenance bid to the Liverpool City Region Combined Authority for an element of the Regional Growth Fund be approved; and
- 2) Council be recommended to approve the inclusion of £330,000 in the Capital Programme to provide the partial match funding required for the Major Maintenance bid.

Strategic Director  
- Policy &  
Resources

### **PHYSICAL ENVIRONMENT PORTFOLIO**

#### **EXB24 SCI TECH DARESURY**

The Board considered a report of the Strategic Director, Children and the Economy, which informed them of urgent action taken by the Chief Executive regarding the Sci-Tech Daresbury Joint Venture Partnership.

Members were reminded of a previous report considered on 4 June 2015 regarding the changes to the Joint Venture Partnership. It was reported that the necessary legal arrangements had now been completed which brought about the change to the Joint Venture Partnership, which had required a revision to the terms of the agreed changes.

**RESOLVED:** That the action taken by the Chief Executive be noted.

**REPORT TO:** Environment and Urban Renewal Policy and Performance Board

**DATE:** 9 September 2015

**REPORTING OFFICER:** Strategic Director, Policy & Resources

**PORTFOLIO:** Resources

**SUBJECT:** Performance Management Reports for Quarter 1 of 2015/16

**WARDS:** Boroughwide

### **1.0 PURPOSE OF REPORT**

- 1.1 To consider, and raise any questions or points of clarification, in respect of performance management for the fourth quarter period to 30<sup>th</sup> June 2015.
- 1.2 Key priorities for development or improvement in 2015-18 were agreed by Members and included in Directorate Plans, for the various functional areas reporting to the Environment and Urban Renewal Policy and Performance Board as detailed below:
- Development and Investment Services
  - Open Spaces and Waste and Environmental Improvement
  - Highways, Transportation and Logistics and Physical Environment
  - Housing Strategy

The report details progress against service objectives and milestones and performance targets and provides information relating to key developments and emerging issues that have arisen during the period.

### **2.0 RECOMMENDED: That the Policy and Performance Board**

- 1) Receive the first quarter performance management report;**
- 2) Consider the progress and performance information and raise any questions or points for clarification; and**
- 3) Highlight any areas of interest and/or concern where further information is to be reported at a future meeting of the Board.**

### **3.0 SUPPORTING INFORMATION**

- 3.1 Departmental objectives provide a clear statement on what services are planning to achieve and to show how they contribute to the Council's strategic priorities. Such information is central to the Council's performance management arrangements and the Policy and

Performance Board has a key role in monitoring performance and strengthening accountability.

## **4.0 POLICY IMPLICATIONS**

4.1 There are no policy implications associated with this report.

## **5.0 OTHER IMPLICATIONS**

5.1 There are no other implications associated with this report.

## **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 Departmental service objectives and performance measures, both local and national are linked to the delivery of the Council's priorities. The introduction of a Thematic Priority Based Report and the identification of business critical objectives/ milestones and performance indicators will further support organisational improvement.

6.2 Although some objectives link specifically to one priority area, the nature of the cross - cutting activities being reported, means that to a greater or lesser extent a contribution is made to one or more of the Council priorities.

## **7.0 RISK ANALYSIS**

7.1 Not applicable.

## **8.0 EQUALITY AND DIVERSITY ISSUES**

8.1 Not applicable.

## **9.0 LIST OF BACKGROUND PAPERS UNDER SECTIONS 100D OF THE LOCAL GOVERNMENT ACT 1972**

9.1 Not applicable

## Environment & Urban Renewal Policy and Performance Board Priority Based Monitoring Report

Reporting Period: **Quarter 1 – Period 01<sup>st</sup> April 2015 to 30<sup>th</sup> June 2015**

### 1.0 Introduction

- 1.1. This report provides an overview of issues and progress against key service objectives/milestones and performance targets, during the first quarter of 2015/16 for service areas within the remit of the Environment & Urban Renewal (E&UR) Policy and Performance Board.
- 1.2. Key priorities for development or improvement in 2015-18 were agreed by Members and included in Directorate Plans, for the various functional areas reporting to the Environment & Urban Renewal Policy & Performance Board i.e.:
- Development & Investment Services
  - Open Spaces and Waste and Environmental Improvement
  - Highways, Transportation & Logistics and Physical Environment
  - Housing Strategy
- 1.3 The way in which traffic light symbols have been used to reflect progress to date is explained within Section 8 of this report.

### 2.0 Key Developments

- 2.1 There have been a number of developments within the Directorate during the period which include:

#### *Development & Investment Services*

- **St Michaels Golf Course**  
The lease agreement at St Michaels is driven by obtaining the necessary consents in advance of commencement of the lease. Variation to planning permission was received by HBC on 22nd April and a decision is anticipated in July 2015. The Bespoke Permit application to the Environment Agency is also currently in process with a decision expected by August 2015. Officers are finalising the detail of financial controls, boundaries, monitoring and reporting. A site start is expected in September 2015.
- **Merseyside Business Support Programme**  
The programme is now coming to an end. The project closedown plan has been completed and suppliers informed of a timetable for the completion of all outstanding work and invoices. Ongoing tasks include the collection of additional information of the impact of the programme on employment, the final financial claims and ensuring that project documentation is in order to comply with future audits.

- **Liverpool City Region Business Growth Grant Programme**  
The Liverpool City Region (LCR) Business Growth Grant can provide grant of between £10,000.00 and £1,000,000.00 to eligible companies across the LCR based on a private sector leverage ratio of 5:1 and the creation of sustainable jobs.

The deadline for final company claims for grant from the Regional Growth Fund (RGF) 3 element of the programme (grant between £50,000.00 and £1,000,000.00) was Friday 29 May. Halton Borough Council then had two weeks to process all claims and submit a corresponding claim to the LEP to reimburse the Council for grant paid to businesses. All RGF 4 final claims were processed by the 12 June deadline.

A total of £3,027,954.20 of private sector leverage was invested in the Borough as a consequence of the RGF 4 scheme against total project expenditure of £3,649,077.27. To date the RGF 3 programme has created 26 jobs and safeguarded a further 23 jobs.

- **Castlefields, Lakeside Phase 3**  
Keepmoat have been given a 3 year exclusivity agreement covering Phase 3 to enable them to investigate a number of abnormal issues with the remaining 1ha parcel. Housing mix on phase 3 is likely to include affordable housing to due to financial viability and possibly to enable demolition of a further deck access block.

Initial advice has been given to Keepmoat in respect of design, layout and dealing with site constraints. Regeneration will return to this in April 2016 following progress with Phase 2.

- **3MG**  
The Council is waiting to hear if HBC Field has been shortlisted by a transport and logistics operator. The rail scheme is progressing through Network Rail's approval process. Good progress is being made on the construction of a Biomass Plant and a new bridge which will span Stewards Brook.
- **Sci-Tech Daresbury**  
Galliford have started on site for both the Tech Space construction and site connectivity. The Joint Venture Partnership between Langtree, Halton Borough Council and Science and Technologies Facilities Council (STFC) has agreed a price for the hostel plot, which now requires approval.

### *Policy, Planning and Transportation.*

- **Bridge & Highway Maintenance**  
A major Maintenance Outline Business Case is to be submitted to the Liverpool City Region Combined Authority by the end of July, the full business case is expected to be completed in early autumn. The scheme will ensure steady state maintenance for the SJB for the next 3yrs post 2016/17. The overall value of the scheme is £3.3m, however, an option to extend the scheme to 5 years has also been submitted which would cover the wider SJB complex.
- **Highway Schemes**

The Lunts Heath Road / Wilmere Lane junction improvement scheme was completed in early June 2015. The scheme comprised the installation of traffic signals to reduce delays at the junction aimed at assisting bus services, improving safety and providing improved pedestrian and cycle crossing facilities in the developing area of North Widnes. The finished scheme has been well received with several positive comments being received from residents, pedestrians and road users.

➤ Logistics

Real Time Bus Passenger Information Systems continue to be rolled out across the Borough with a further 12 units having been installed. The remaining 5 units are due to be installed within the next few months. A number of units have been subject to vandalism and considerations are now being given to the ongoing suitability of some original site locations in order that maintenance and operational costs can be managed effectively.

➤ Transport Policy

Halton has been awarded funding from the Liverpool City Region Local growth Fund to deliver a number of Sustainable Transport Enhancement Packages which includes the continuation of the A56 cycle route from Preston on the Hill to Warrington with a scheme value of approx. £230k.

Also the delivery of the Ditton to Jaguar Land Rover factory, via 3MG, cycle network will provide residents with a clear and safe route between the locations. Halton is leading on the scheme which has a value of £330k, and is the only cross-boundary scheme in this round of funding.

Halton and Knowsley MBC have also been awarded £90k to deliver sustainable travel information within the locality and Halton will lead on the procurement of services with the key aims of the project to promote new and existing cycle routes to employment and education locations.

The delivery of the 'Get Halton Cycling' initiative has provided cycling sessions across the borough being organised every 3 weeks with maintenance checks, cycle skills and organised rides taking place and bikes being available to loan providing equality of opportunity for the Halton community.

Phoenix Park in Castlefields, Runcorn, is to provide the first cycle café in Halton. Urban Trikes, a Halton based company, will provide bike rental, a bike maintenance service, as well trike carriage rides around the Town Park. It is hoped the Café will be open in early August 2015 and will help provide an element of sustainability to the 'Get Halton Cycling' project.

The governments July budget announcement confirmed that £30M will be made available for the North of England over the next 3 years for the development of Smartcard technology and more detail will be provided as this becomes available.

Halton as part of the LCR is currently developing an alternative freight fuelling strategy. A workshop is to be held in Sefton to discuss the needs and aspirations of local hauliers/ bus operators with regard to future fuel technologies.

Halton is presently working with the Liverpool City Region to develop a bid to ULEV (Ultra Low Emission Vehicles) which will provide a grant to the LCR to lease (at extremely low rates)



electric vehicles and charging points to local authorities. Halton has requested a grant for two vehicles (small vans) with an option for a third. The grant would provide a 75% discount on a 2 year lease.

Works on the Mersey Gateway, predicted to open in autumn 2017, continue with a number of notable developments including:

- The Trestle Bridge was completed in May and the installation of the moving span continues,
- Remediation works at Ditton Road are progressing as planned and the reconstruction of the Central Expressway to Weston Link Road has commenced along with retaining wall earthworks for Junction 12 of M56,
- The Moving Scaffolding System, which filled 90 shipping containers currently being assembled on Catalyst Trade Park and the Tower Crane for the south pylon has been erected,
- Signed diversion routes are being introduced in order to maximise traffic flows and minimise disruption for drivers.
- The UK and South Korean Ambassadors led a group of Korean trade representatives and UK Dept. of Trade and Industry officials on a tour of the site.

### *Open Spaces and Waste & Environmental Improvement*

#### ➤ Cemeteries & Crematorium

The cemeteries and crematorium section had a very busy first quarter. Registered deaths were up during the quarter on the previous year. As a result the section dealt with 17% more burials and 11% more cremations which meant that it was stretched at times. One of the issues was the increase in deaths ran into the mowing season and additional resources had to be deployed from other sections within the Open Space Service.

All of the necessary permissions for the creation of a new cemetery (Peel House Cemetery) had been put in place during Q1 and it is expected that work will start on the ground in Q2/2 2015/16.

#### ➤ Design & Development

The Runcorn Hill & Heath Park Café building was completed in Q1 and internal kitchen fit out commenced. Caldwell Road Playground was provided with a new climbing piece of equipment that replaced an out dated multi-play unit. Over 800 school children had become engaged with the Forest Schools activities as part of the Runcorn Hill & Heath Park HLF project.

#### ➤ Parks

During Q1 the ice cream kiosk at Victoria Park opened for business. Operated through a franchise early indications are that the kiosk has done very well. Park users have made many positive comments on social media about the venture.

The pavilion at Phoenix Park was successfully let as a café franchise during Q1. Work began on an external and internal refurbishment during Q1 and it is hoped that the café will be open by the end of the summer period.

#### ➤ Garden Waste Collection Service

There has been a positive response by Halton's residents to the introduction of the charge for the garden waste collection service. By the end of June over 13,000 households had subscribed to the service, representing a participation rate of 32% of the 41,490 households that are currently offered the service. The level of income received means that the service has become self-financing as a result of the introduction of the subscription charge.

This is a completely new scheme and as we move forward Officers will be reviewing the service, for example, looking at options for those householders who do not generate large quantities of garden waste and those who cannot accommodate wheeled bins.

➤ Waste Related Offences

The Deregulation Act 2015 came into force on 15th June 2015. Section 58 of the Act amends Section 46 of the Environmental Protection Act 1990 (EPA) to decriminalise offences relating to waste collection. Powers to deal with waste offences covered by s46 of the EPA are similar to those previously available however the criminal offence is removed and replaced by provision for a civic penalty (Fixed Penalty Notices).

The prosecution provisions formerly contained in s.46 of the EPA have been repealed and have been replaced by an elaborate non-criminal system that now includes two further steps between a written warning being issued to an offender and the issuing of a Fixed Penalty Notice.

Officers are reviewing current practices and will be introducing new processes to deal with waste offences in accordance with the new legislative requirements.

*Housing Strategy*

➤ Housing

The transfer in ownership of 272 dwellings (predominantly in the Halton Lodge and Runcorn old town areas) from Sanctuary Housing Association to Halton Housing Trust, LHT and Riverside was completed just prior to the financial year end.

The new accommodation for single homeless persons at Brennan Lodge (Albert Rd, Widnes) opened in June.

**3.0 Emerging Issues**

3.1 A number of emerging issues have been identified during the period that will impact upon the work of the Directorate including:

*Development & Investment Services*

I. Runcorn Retail BID

A Business Improvement District (BID) proposal, encompassing Runcorn Old Town, Trident Retail Park and Runcorn Shopping Centre has been proposed. Groundwork Cheshire have been appointed to facilitate the development of a BID Business Plan, manage a major consultation exercise and oversee a ballot of all businesses within the programme area.

The proposal was launched at the Brindley on 5th February 2015 and Groundwork Cheshire is currently working on the business plan following the completion of the consultation exercise.

Three key themes have emerged:

1. Vibrant and Attractive Runcorn – How we better market Runcorn, Which festivals and events best support Runcorn, Stay Local/ Shop Local, Street Scene.
2. Connectivity and Accessibility – Improving transport and signage. Building on studies already commissioned/ completed but translate into actions.
3. Supportive Environment for Businesses – Establishing a Runcorn Retail Business group, Make town centres more competitive, establishing training, seminars and networking opportunities, joint procurement to make trading cheaper, develop crime prevention initiatives.

The intended timescale is to share the Business Plan with businesses in July 2015 with a vote in September 2015.

### II. Growth Hub

The Liverpool City Region (LCR) Local Enterprise Partnership (LEP) has developed a proposal to create a 'Growth Hub' for the city region. A Growth Hub is not a physical entity but rather a virtual organisation to provide business support services across the City Region.

At a city region level an initial funding package of £550,000.00 has been agreed between the LEP and the Department for Business, Innovation & Skills (BIS) to support the development of an LCR Growth Hub. The LEP plan to recruit a team of 'Business Brokers', of which a core team of Business Brokers will be based at the LEP and a single Business Broker will be based within each Local Authority area, embedded within the Local Authority.

Halton Borough Council and Halton Chamber of Commerce and Enterprise submitted a joint response to the Growth Hub tender as Halton Growth Hub Partnership.

### III. Pan-Merseyside Client Relationship Management System

As part of the development of a LCR Growth Hub the LEP has also proposed a pan-Merseyside CRM system to manage investment projects, commercial property enquiries and future grant and business support programmes.

The BIG Team have been working closely with developers Alcium and the Council's ICT Team to migrate data from the existing system to the new Evolutive system. It is anticipated that the system will go live from the first week in August 2015. Halton Borough Council will be the first LCR Local Authority to adopt the system.

### IV. European Funding (Business Support)

Government published the first round of calls for the European Structural and Investment Funds in March 2015. The calls were for Research and Innovation, Low Carbon, SME Support, Access to Employment and Technical Assistance.

A consortium made up of the LCR Local Authorities, the LCR LEP and some, but not all, LCR Chambers of Commerce submitted an Expression of Interest (EOI) under Priority 3c 'SME Support' to government for funding from the European Programme 2014-20.

The project will provide eligible SME's across the Liverpool City Region, who would not typically engage with providers of business support, with the capacity and support they need to grow and prosper. The project will be a bridge between start-up support and more bespoke, intensive or specialist support typically provided by the private sector.

The project will provide participating SME's with the following quantifiable outputs:

- An intensive Business Diagnostic
- A Strategic Business Plan
- A dedicated Relationship Manager
- Informed brokerage into commercial business support
- More intensive support, where appropriate, focusing upon the management of people, processes and resources

The Halton element of the overall project will be for a projected spend of £530,073.00 and will aim to assist 164 companies and create 140 new jobs.

### V. Mersey Gateway Regeneration

On the 1st June the Regeneration Team commenced a 12 month project to explore securing local economic benefits from the Mersey Gateway Project, following its completion. The main focus being:

- Identifying development site / site assembly opportunities resulting from the construction of the bridge;
- Place-making benefits through local infrastructure (highway / landscape) projects;
- Place-promotion & marketing opportunities.

There are six spatial areas of focus:

- 1) Rock Savage / M56 J12
- 2) Halton Lea / Hallwood Park
- 3) Astmoor
- 4) West Bank / South Widnes (including SJB de-linking)
- 5) Ditton / A562 corridor
- 6) Runcorn Old Town Silver Jubilee Bridge(SJB) De-linking

Upon completion of the 12 month project, a report will be presented which will set out a deliverable programme of actions that can be taken forward to help secure investment in Halton and improve perceptions of the area. Costs and benefits for each action will be outlined.

*Policy, Planning and Transportation.*

### VI. Emergency Planning

Due to changes in ownership of parts of the Ineos site in Runcorn, it is now classed as having six top tier Control of Major Accident Hazards (COMAH) sites. Originally it was one site and then became three sites under previous ownership changes. The full impact on the requirement for off-site emergency plans is under discussion with the Health & Safety Executive (HSE). Due to these changes there are now eight top tier COMAH sites within Halton.

VII. Mersey Gateway / CCTV

Construction of the Mersey Gateway is progressing and beginning to impact on the road network. This is particularly evident in Runcorn at present but will increase particularly on the Widnes side as Ditton roundabout is re-modelled to a signalised junction and Watkinson Way is removed between Ashley Way and the Silver Jubilee Bridge. These works are impacting on service delivery and require staff resources to co-ordinate the works to minimise the impact on the Borough. More options are being discussed but every endeavour is being made to minimise the impact on the travelling public.

In Runcorn Town Centre, wireless links are being installed to reduce the operating costs of the Town Centre CCTV system. At present it is difficult to say what the expected saving will be but it could be up to £10k per year and would give better control over communication faults.

VIII. Planning

In its budget government has proposed changes to the planning system that pose a significant challenge to councils. In the Treasury's productivity document 'Fixing the Foundations', it is stated: "The government will also take steps to ensure that local plans are more responsive to local needs".

In the future large development schemes with a housing element can be determined nationally. Local plans may be imposed in councils and housing on brownfield sites will, in principle, receive automatic planning permission.

The Statement to Cooperate on Local Planning document has been prepared at officer level by the Liverpool City Region (LCR) Chief Planning Officers Group with aims of:

- Providing an agreed position of how strategic planning is currently being undertaken;
- Providing a description of those strategic thematic topics the authorities have agreement upon;
- Providing an approved mechanism for ongoing strategic planning; and
- Identifying those areas of joint working that will be required in the period 2015 to 2020.

This document aims to help fulfil the Duty to Cooperate that became a statutory requirement under the Localism Act. The document will be presented to members via the LCR Housing and Spatial Planning Board

Guidance from the Government requires that Councils assess the "Objectively Assessed Need for Housing (OAN)" and that this should be considered at a Strategic Housing Market Area (HMA) level.

Halton is presently working with St. Helens and Warrington Councils to assess the Mid-Mersey HMA and have commissioned consultants to undertake a SHMA which will be a key evidence base document informing the development of the emerging Local Plan. Draft results are expected during the latter part of July 2015

*Open Spaces and Waste & Environmental Improvement*

IX. Waste & Recycling Collection Services

During this quarter plans are being finalised for the implementation of major changes to the waste and recycling collection services, which are due to be introduced in August. The changes are being brought about as a result of the borough-wide roll out of the Alternate Bin Collection (ABC) scheme to all suitable properties, which is being completed as part of a 'Route Optimisation' exercise and will see the complete re-design of existing waste and recycling collection schedules.

Whilst some properties will remain on weekly waste collections, all households will be affected in some way by the changes. Full details will be provided to Members in advance of householders receiving information leaflets explaining how they will be affected.

Those households that will be remaining on weekly waste collections will be those provided with a 'sack' collection service and those provided with small wheeled bins that only hold half the amount of rubbish compared to standard sized bins.

The changes will mean that from August the Council will restrict the amount of rubbish it removes from every household and, over a fortnightly period, will collect equal amounts from every home. This will encourage waste reduction and increased recycling.

*Housing Strategy*

X. Housing

The Queen's speech and July 2015 budget have heralded a number of significant changes that will impact on the housing sector, these include:

- Extension of the Right to Buy to Housing Association tenants.
- Rents for social housing to reduce by 1% for each of the next four years starting in 2016.
- 18–21 yr. olds will not be eligible to claim Housing Benefit if they are not working, with some exceptions for the vulnerable (yet to be defined) and those who were in work in the 6 months prior to application.
- Local Housing Allowance rates frozen for the next 4 years for private rented sector tenancies.
- Tax relief for 'Buy to Let' investments is to be reduced to basic rate, potentially leading to rent increases to recoup costs.
- The Universal Credit cap will be reduced from £26,000 to £20,000, further increasing the risk of the Housing Benefit element being insufficient to cover rent payments.
- Social housing tenants with incomes above £30,000 will be charged a market rent.
- Further planning reforms to remove obstacles to house building.

**4.0 Risk Control Measures**

4.1 Risk control forms an integral part of the Council’s Business Planning and performance monitoring arrangements. As such Directorate Risk Registers were updated in tandem with the development of the suite of 2014 – 15 Directorate Business Plans.

Progress concerning the implementation of all high-risk mitigation measures will be monitored in Quarter 2 (14-15).

**5.0 High Priority Equality Actions**

5.1 Equality issues continue to form a routine element of the Council’s business planning and operational decision making processes. Additionally the Council must have evidence to demonstrate compliance with the Public Sector Equality Duty (PSED) which came into force in April 2011.

The Councils latest annual progress report in relation to the achievement of its equality objectives was published on the Council website during quarter 4 and is available via:




[http://www3.halton.gov.uk/Pages/councildemocracy/pdfs/EandD/Equality - objectives progress report - April 2013.pdf](http://www3.halton.gov.uk/Pages/councildemocracy/pdfs/EandD/Equality_-_objectives_progress_report_-_April_2013.pdf)

**6.0 Performance Overview**

6.1 The following information provides a synopsis of progress for both milestones and performance indicators across the key business areas that have been identified by the Directorate:

**Development and Investment Services**



**Key Objectives / milestones**

Ref	Milestones	Q1 Progress
CED10b	Commence Sci-Tech Daresbury Tech Space by <b>April 2015</b> .	
CED10d	Completion of road at Johnson's Lane by <b>March 2016</b> .	
CED10g	Commence Crossville development by <b>March 2016</b> .	

**Supporting Commentary**

All objective and milestones are currently on track for completion by their respective target dates.

**Key Performance Indicators**

Ref	Measure	14 / 15 Actual	15 / 16 Target	Q1 Actual	Q1 Progress	Direction of travel
CED060	Occupancy of HBC industrial Units	89%	90%	90%		
CED061	Occupancy of Widnes Market Hall	85%	95%	82%		
CED062	Number of inward investment enquiries per annum	239	250	38 (Q1 only)		
CED064	Number of funding enquiries per annum	113	110	35	N/A	


### Supporting Commentary

Compared to last year the number of applications for Widnes Market Hall has declined. The economic recession continues to affect retailers along with competition from supermarkets, out-of-town shopping centres and online shopping. During the quarter five new traders started trading, and three businesses have changed ownership. It is hoped this will ensure their long-term sustainability. Ten traders have left the market during the quarter, many of which have only traded for a few months. Development of a marketing and promotions plan for the boroughs markets is being finalised and is scheduled for completion in August 2015.

Conversions of investment enquiries has exceeded all expectations due to a number received in 2014/15 which have only come to fruition in quarter 1 2015/16, and the lower numbers received within the quarter. Sustaining this level of conversion will be unlikely.

### Open Spaces and Waste & Environmental Improvement

#### Key Objectives / milestones



Ref	Milestones	Q1 Progress
CE 05	Woodland Expansion - Additional 200m <sup>2</sup> of Woodland planted Borough wide - <b>March 2016.</b>	

### Supporting Commentary

Planning has begun for the winter planting for 2015/16.

#### Key Objectives / milestones



Ref	Milestones	Q1 Progress
CE 06	Continue to deliver communications and awareness raising initiatives to ensure that participation with the Council's recycling services is maximised and that residents comply with the requirements of the Council's Household Waste Collection policy, <b>March 2016</b> .	
CE 07	Continue to review and assess the effectiveness of the Council's Environmental Enforcement Plans and Policies and maintain actions to ensure that the Council continues to effectively prevent and tackle a range of waste and environmental offences, <b>March 2016</b> .	

### Supporting Commentary

#### CE 06





As part of the introduction of operational changes referred to in 'Emerging Issues', all households will receive an information booklet that advising of how they will be affected by the changes. This booklet represented the opportunity to directly engage with every household in the borough and as such it also provides information about the importance of waste reduction and increased recycling as well as information about the recycling services provided by the Council.

Ahead of the introduction of the changes, Information will also be provided to the local press to help raise awareness of waste issues. Further campaigns and direct engagement with residents will remain on-going.

#### CE 07

This work is on-going and Members will receive updates throughout the financial year.

### Key Performance Indicators



Ref	Measure	14 / 15 Actual	15 / 16 Target	Q1 Actual	Q1 Progress	Direction of travel
CE LI 10	Residual household waste per household (Previously NI191).	534 Kgs	593 Kgs	143 Kgs <i>Estimated</i>		
CE LI 11	Household waste recycled and composted (Previously NI192).	46.8%	40%	47%		

### Supporting Commentary

Both the residual household waste and household waste recycled per household are both a cumulative figures however, the estimated performance in Q1 indicates that they will both be met by the end of the financial year.

### Highways, Transportation & Logistics

**Key Objectives / milestones**








Ref	Milestones	Q1 Progress
PPT 01	Deliver 2015/16 major bridge maintenance works programme. <b>March 2016.</b>	
PPT 02	To deliver the 2014/15 LTP Capital Programme <b>March 2016.</b>	









**Supporting Commentary**

Annual bridge maintenance works Programme currently on Target. The Early Contractor Involvement (ECI) is anticipated to commence through the Summer regarding the outstanding land slip and footpath works on Moor Lane, Widnes.

The LTP Capital programme is progressing as planned with a detailed programme of sustainable transport improvements has been approved and design work on schemes is underway. Additionally the first phase programmes of carriageway resurfacing and footway reconstruction schemes have been designed and is currently being target costed by the Term Contractor.

**Key Performance Indicators**

Ref	Measure	14 / 15 Actual	15 / 16 Target	Q1 Actual	Q1 Progress	Direction of travel
PPT LI 01	Percentage of third party compensation claims due to alleged highway / footway defects successfully defended.	N / A	80	80		N / A
PPT LI 04 (ex NI 157)	Processing of planning applications as measured against targets for:					
	a) 'major' applications	75%	60%	84.6%		
	b) 'minor' applications	43.75%	80%	82.9%		
	c) 'other' applications	85.71%	80%	94.9%		
PPT LI 05	To ensure a five year rolling supply of housing land available for 2,760 homes over 5 years. Measure as supply of ready to develop housing sites (%).	100	105	N / A	N / A	N / A
PPT LI 15	Bus service punctuality, Part 1: The proportion of non-					

Ref	Measure	14 / 15 Actual	15 / 16 Target	Q1 Actual	Q1 Progress	Direction of travel
	frequent scheduled services on time (%):					
	Percentage of buses starting route on time	98.38%	98.40%	97.10%		
	Percentage of buses on time at intermediate timing points	93.82%	94.00%	91.43%		
PPT LI 17	No. of passengers on community based accessible transport	213,998	214,100	47,578		
PPT LI 19	Number of local bus passenger journeys originating in the authority area in one year (000's)	5,493	5,500	1372		

### Supporting Commentary

#### PPT LI 01

This is an amended Performance Indicator and reflects the number of successfully defended cases, rather than the number of claims received. All data will be referenced to the baseline established from 1<sup>st</sup> April 2015.

#### PPT LI 04

Progress is on target.

#### PPT LI 05

Reported annually at year end.

#### PPT LI 15

Operators have indicated that the slight decline in performance is due to the increased level of roadworks and the removal of the bus lanes across Liverpool. However, service schedules have been changed and it is anticipated performance will improve.

#### PPT LI 17

Passenger journeys have dropped by 2.76% on the previous period. This is due to a reduction in college journeys and charitable groups are making fewer bookings as a result of funding issues. It is anticipated that a marketing initiative over the coming months will bring the usage figures back on track.

#### PPT LI 19

Passenger figures have increased by approximately 4.65% on the same period last year. It is thought the increase is due to more students travelling on the network.

## 7.0 Financial Summaries

## ECONOMY, ENTERPRISE &amp; PROPERTY DEPARTMENT

**Summary Financial Position as at 30<sup>th</sup> June 2015**

	Annual Budget	Budget to Date	Expenditure to Date	Variance to Date (overspend)
	£'000	£'000	£'000	£'000
<b><u>Expenditure</u></b>				
Employees	4,242	1,073	1,099	(26)
Repairs & Maintenance	2,485	399	398	1
Premises	41	36	36	0
Energy & Water Costs	599	95	98	(3)
NNDR	544	504	501	3
Rents	446	120	120	0
Marketing Programme	23	3	3	0
Promotions	9	4	4	0
Supplies & Services	1,726	290	285	5
Agency Related Expenditure	42	2	3	(1)
Grants to Non Voluntary Organisations	323	301	301	0
Surplus Property Assets	-685	-75	0	(75)
Revenue Contrib'n to / from Reserves	35	35	35	0
<b>Total Expenditure</b>	<b>9,830</b>	<b>2,787</b>	<b>2,883</b>	<b>(96)</b>
<b><u>Income</u></b>				
Fees & Charges	-654	-268	-274	6
Rent - Markets	-766	-164	-166	2
Rent - Industrial Estates	-605	-120	-123	3
Rent - Investment Properties	-627	-111	-119	8
Transfer to / from Reserves	-518	-518	-518	0
Government Grant – Income	-1,827	-537	-537	0
Reimbursements & Other Income	-46	-32	-36	4
Recharges to Capital	-227	-3	-3	0
Schools SLA Income	-510	-437	-434	(3)
<b>Total Income</b>	<b>-5,780</b>	<b>-2,190</b>	<b>-2,210</b>	<b>20</b>
<b>NET OPERATIONAL BUDGET</b>	<b>4,050</b>	<b>597</b>	<b>673</b>	<b>(76)</b>
Premises Support Costs	1,924	508	508	0
Transport Support Costs	32	5	5	0
Central Support Service Costs	2,049	542	542	0
Asset Rental Support Costs	2,543	0	0	0
Repairs & Maint. Rech. Income	-2,558	-640	-640	0
Accommodation Rech. Income	-2,763	-691	-691	0
Central Supp. Service Rech. Income	-2,061	-515	-515	0
<b>Total Recharges</b>	<b>-834</b>	<b>-791</b>	<b>-791</b>	<b>0</b>
<b>Net Expenditure</b>	<b>3,216</b>	<b>-194</b>	<b>-118</b>	<b>(76)</b>

**Comments on the above figures**

Spend against the employee budget is higher than the profiled budget as at quarter 1. This relates to the staff turnover savings target which has not been achieved due to low turnover of staff within the Department.

Premises costs have remained constant during Quarter 1. Property Services will continue to utilise council accommodation wherever possible and outsource accommodation space to external agencies to generate additional income, at the same time as aiming to continue to keep expenditure to a minimum.

It is anticipated that the Surplus Property Assets savings target will not be fully achieved by year-end. An action plan has been developed and is being implemented in conjunction with the Members Asset Review Panel, to assist with achieving the savings target at the earliest opportunity.

NNDR budgets are under budget, as most of the Investment Properties are fully occupied (HBC not being liable for many empty rates at present).

In order to ease budget pressures spending will be restricted in-year on Supplies & Services; Promotions and Marketing has also been kept to a minimum in an effort to achieve savings for the Department.

It is projected Investment Properties and Industrial Estates rental income will remain constant during the year and envisaging minimal change in the occupancy rates.

Market rental income is slightly above budget at the end of Quarter 1. Both market hall and open market income has remained stable during the first quarter of the year.

Work will continue with Managers to deal with any in-year budget pressures. In overall terms it is anticipated that net expenditure will be over budget by year-end. In the main this is due to the savings target against surplus property assets. However work is being undertaken to minimise this where possible.

## ECONOMY ENTERPRISE &amp; PROPERTY CAPITAL PROJECTS

Summary Financial Position as at 30<sup>th</sup> June 2015

	2015/16 Capital Allocation £'000	Allocation To Date £000's	Expenditure to Date £'000	Variance to Date (overspend) £'000
Castlefields Regeneration	635	19	19	0
3MG	3,493	121	121	0
Widnes Waterfront	1,000	0	0	0
Johnsons Lane Infrastructure	450	0	0	0
Decontamination of Land	6	0	0	0
Sci Tech Daresbury	10,965	5	5	0
Former Crossville Depot	518	25	25	0
Fairfield Primary School	380	0	0	0
Fairfield High Site - Contingency	64	9	9	0
Peel House Lane Cemetery	1,017	1	1	0
Peel House Lane Roundabout & Cemetery Access	53	2	2	0
John Briggs House	350	0	0	0
Travellers Site - Warrington Road	1,286	604	604	0
Widnes Town Centre Initiative	21	0	0	0
Lower House Lane Depot – Upgrade	38	4	4	0
Equality Act Improvement Works	250	10	10	0
<b>Grand Total</b>	<b>20,526</b>	<b>800</b>	<b>800</b>	<b>0</b>

Comments on the above figures

The timing of spend for Castlefields Regeneration scheme is unknown as the main expenditure item relates to a compulsory purchase order claim (which is likely to be referred to Lands Tribunal).

The bulk of the capital allocation for 3MG will be used to fund the construction of rail sidings which will commence in quarter 2.

Widnes Waterfront and Bayer project will only commence once the developer has an end user in place so timing of spend is hard to predict at this moment in time.

Decontamination of Land allocation will fund final contract retention payment.

Sci Tech Daresbury spend will relate to purchase of Tech Space building which is expected to be towards the end of the financial year.

In regards to Peel house Lane scheme, Officers are meeting up on a on a regular basis to progress the works and also financial profile remains estimated subject to the results of the tender. Johnsons Lane road construction has been completed up to its wearing course and currently work is being carried out to secure the remaining sites from unauthorised use.

## POLICY, PLANNING &amp; TRANSPORTATION DEPARTMENT

Revenue Budget as at 30<sup>th</sup> June 2015

	Annual Budget	Budget To Date	Actual To Date	Variance To Date (overspend)
	£'000	£'000	£'000	£'000
<b>Expenditure</b>				
Employees	4,831	1,180	1,181	(1)
Other Premises	222	64	51	13
Hired & Contracted Services	307	67	43	24
Supplies & Services	283	73	76	(3)
Street Lighting	2,026	65	66	(1)
Highways Maintenance	2,281	300	295	5
Bridges	98	4	3	1
Fleet Transport	1,397	178	177	1
Lease Car Contracts	516	197	196	1
Bus Support – Hopper Tickets	180	30	30	0
Bus Support	525	151	154	(3)
Out of Borough Transport	51	9	7	2
Finance Charges	406	146	143	3
Grants to Voluntary Organisations	68	34	34	0
NRA Levy	60	15	15	0
<b>Total Expenditure</b>	<b>13,250</b>	<b>2,513</b>	<b>2,471</b>	<b>42</b>
<b>Income</b>				
Sales	-358	-51	-42	(9)
Planning Fees	-531	-133	-124	(9)
Building Control Fees	-201	-50	-57	7
Other Fees & Charges	-449	-76	-89	13
Rents	-8	0	0	0
Grants & Reimbursements	-527	-74	-74	0
Efficiency Savings	-60	0	0	0
School SLAs	-40	-40	-40	0
Recharge to Capital	-312	0	0	0
Transfer from Reserves	-217	0	0	0
<b>Total Income</b>	<b>-2,703</b>	<b>-424</b>	<b>-426</b>	<b>2</b>
<b>Net Controllable Expenditure</b>	<b>10,547</b>	<b>2,089</b>	<b>2,045</b>	<b>44</b>
<b>Recharges</b>				
Premises Support	681	271	271	0
Transport Recharges	629	147	157	(10)
Asset Charges	7,791	0	0	0
Central Support Recharges	2,120	530	530	0
Departmental Support Recharges	491	123	123	0
Departmental Support Recharges Income	-491	-123	-123	0
Support Recharges Income – Transport	-3,734	-850	-866	16
Support Recharges Income	-1,995	-430	-430	0
<b>Net Total Recharges</b>	<b>5,492</b>	<b>-332</b>	<b>-338</b>	<b>6</b>
<b>Net Departmental Total</b>	<b>16,039</b>	<b>1,757</b>	<b>1,707</b>	<b>50</b>

### **Comments on the above figures**

In overall terms revenue spending at the end of quarter 1 is below budget profile. This is due to a number of expenditure and income budget areas.

Other premises is below budget to date mainly due to lower than expected utility bills and lower than expected NNDR for Lower House Lane Depot within the Logistics division.

Contracted services expenditure is currently below budget due to expected goods and services not yet being received. The budget is expected to be fully spent by year end.

Planning fees are currently under budget; this income stream is however expected to increase as the year progresses and it is expected that income will be in line with the budget at year end.

Building Control income is exceeding the budget profile to date, the increased income reflects the increase in the number of control inspections provided by the department to members of the public, this is despite the strong competition from outside competitors who can provide the same service expect for the issuing of the certificate.

The above budget increase in other fees and charges is mainly due to income generated within the Traffic area for overrun charges and permits etc. This is expected to be just above budget throughout the year.

At this stage of the year it is anticipated that the overall spend will be within the Departmental budget at the financial year-end.



## POLICY, PLANNING &amp; TRANSPORTATION

**Capital Projects as at 30<sup>th</sup> June 2015**

	2015/16 Capital Allocation £'000	Allocation To Date £'000	Actual Spend To Date £'000	Allocation Remaining £'000
<i>Local Transport Plan</i>				
<i>Bridges &amp; Highway Maintenance</i>				
Bridge Assessment, Strengthening & Maintenance	967	105	85	882
Road Maintenance	1,261	300	290	971
	<b>2,228</b>	<b>405</b>	<b>375</b>	<b>1,853</b>
<i>Total Bridge &amp; Highway Maintenance</i>				
<b>Integrated Transport</b>	<b>908</b>	<b>130</b>	<b>125</b>	<b>783</b>
	<b>3,136</b>	<b>535</b>	<b>500</b>	<b>2,636</b>
<i>Total Local Transport Plan</i>				
<i>Halton Borough Council</i>				
Street lighting – Structural Maintenance	200	50	31	169
Street lighting – replacement programme	4,700	50	50	4,650
Risk Management	120	10	0	120
	2,174	300	283	1,891
<i>Fleet Replacement</i>				
	<b>7,194</b>	<b>410</b>	<b>364</b>	<b>6,829</b>
<i>Total Halton Borough Council</i>				
<u>Grant Funded</u>				
	122	10	0	122
<i>Surface Water Management Grant</i>				
	384	5	4	380
<i>S106 schemes</i>				
	534	0	0	534
<i>STEPS program</i>				
	<b>1,040</b>	<b>15</b>	<b>4</b>	<b>1,036</b>
<i>Total Grant Funded</i>				
	<b>11,370</b>	<b>960</b>	<b>868</b>	<b>10,502</b>
<i>Total Capital Programme</i>				

**Comments on the above figures**

The programme of spend regarding surface water management is dependent on uptake by members of the public. This in turn is affected by local weather conditions.

The STEP (Sustainable Transport Enhancement Package) programme is scheduled to start from quarter 2, this spend will then be reflected from this period onwards.

## COMMUNITY &amp; ENVIRONMENT DEPARTMENT

Revenue Budget as at 30 June 2015

	Annual Budget £'000	Budget To Date £'000	Actual To Date £'000	Variance To Date (overspend) £'000
<b><u>Expenditure</u></b>				
Employees	12,018	3,022	3,039	(17)
Other Premises	1,182	479	471	8
Supplies & Services	1,565	374	347	27
Book Fund	142	35	35	0
Hired & Contracted Services	1,151	225	239	(14)
Food Provisions	652	163	162	1
School Meals Food	2,077	389	382	7
Transport	54	9	5	4
Other Agency Costs	674	169	142	27
Waste Disposal Contracts	5,160	525	536	(11)
Leisure Management Contract	1,496	260	280	(20)
Grants To Voluntary Organisations	322	137	131	6
Grant To Norton Priory	222	115	117	(2)
Rolling Projects	20	21	21	0
Capital Financing	9	2	0	2
<b>Total Spending</b>	<b>26,744</b>	<b>5,925</b>	<b>5,907</b>	<b>18</b>
<b><u>Income</u></b>				
Sales Income	-2,259	-607	-563	(44)
School Meals Sales	-2,180	-349	-357	8
Fees & Charges Income	-3,235	-1,029	-1,000	(29)
Rents Income	-235	-48	-63	15
Government Grant Income	-1,186	-8	-8	0
Reimbursements & Other Grant Income	-516	-96	-100	4
Schools SLA Income	-79	-79	-83	4
Internal Fees Income	-120	-25	-30	5
School Meals Other Income	-2,270	-1,373	-1,375	2
Meals On Wheels	-196	-49	-37	(12)
Catering Fees	-225	-39	-15	(24)
Capital Salaries	-53	-13	-13	0
Transfers From Reserves	-32	0	0	0
<b>Total Income</b>	<b>-12,586</b>	<b>-3,715</b>	<b>-3,644</b>	<b>(71)</b>
<b>Net Controllable Expenditure</b>	<b>14,158</b>	<b>2,210</b>	<b>2,263</b>	<b>(53)</b>
<b><u>Recharges</u></b>				
Premises Support	1,947	522	522	0
Transport Recharges	2,390	165	164	1
Departmental Support Services	9	0	0	0
Central Support Services	3,146	845	845	0
Asset Charges	3,005	0	0	0
HBC Support Costs Income	-382	-382	-382	0
<b>Net Total Recharges</b>	<b>10,115</b>	<b>1,150</b>	<b>1,149</b>	<b>1</b>
<b>Net Departmental Total</b>	<b>24,273</b>	<b>3,360</b>	<b>3,412</b>	<b>(52)</b>

**Comments on the above figures**

The net budget is £52,000 over budget profile at the end of the first quarter of the 2015/16 financial year.

Employee expenditure is subject to savings this year which have yet to take effect so the position is slightly worse than anticipated at this stage of the year. The use of agency staff across the department has fallen significantly since the introduction of the apprenticeship schemes and vacant posts being filled.

Other Agency costs are £27,000 under budget mainly due to underspending on the Area Forums for projects not yet started.

The Leisure Contract is now in its final year and will end in January 2016, the contract price exceeds budget and will overspend this year.

Expenditure on Waste contracts is currently over budget to date and will remain a pressure throughout the year. This budget will be closely monitored to ensure expenditure is brought back in line.

Sales income, Fees & Charges and Internal Catering Fees across the Department will significantly struggle to achieve income targets for the year. Last year income for these specific areas underachieved by over £322,000, although this was partially offset by other income streams. Sales targets have increased this year and as a result income budgets will be closely monitored and if necessary income targets will be realigned where possible. Income relating to the collection of green waste, approved as a saving item for 2015/16 is on target with the budget for the year.

## COMMUNITY &amp; ENVIRONMENT DEPARTMENT

**Capital Projects as at 30<sup>th</sup> June 2015**

	2015-16 Capital Allocation £'000	Allocation To Date £'000	Actual Spend To Date £'000	Total Allocation Remaining £'000
Stadium Minor Works	30	20	18	12
Stadium 3G Equipment	12	0	0	12
Widnes Recreation Site	741	530	524	217
Norton Priory	3,426	100	82	3,344
Norton Priory Biomass Boiler	140	0	0	140
Children's Playground Equipment	138	60	53	85
Upton Improvements	13	0	0	13
Crow Wood Play Area	13	0	0	13
Runcorn Hill Park	250	200	199	51
Runcorn Cemetery Extension	9	0	0	9
Cremators Widnes Crematorium	109	109	151	(42)
Open Spaces Schemes	18	15	15	3
Playground Third Party Funding	340	0	0	340
Litter Bins	20	0	0	20
<b>Total</b>	<b>5,259</b>	<b>1,034</b>	<b>1,042</b>	<b>4,217</b>

**Comments on the above figures**

Most capital projects are on line to spend their allocations in year with the exception of the Norton Priory schemes which will run into next year.

The Widnes Recreation project has now completed with remaining invoices anticipated in quarter two. Total spend should be within the allocation.

The allocation for Playground Third Party Funding represents funding carried forward from previous years to provide match funding for external grants. Any residual funding will be carried forward at year-end.

## COMMISSIONING &amp; COMPLEX CARE DEPARTMENT

Revenue Budget as at 30<sup>th</sup> June 2015

	Annual Budget	Budget To Date	Actual To Date	Variance To Date (overspend)
	£'000	£'000	£'000	£'000
<b>Expenditure</b>				
Employees	7,608	1,746	1,700	46
Premises	308	87	82	5
Supplies & Services	1,912	498	500	(2)
Carers Breaks	427	166	164	2
Transport	170	44	40	4
Contracts & SLAs	90	23	21	2
Payments To Providers	3,591	757	757	0
Emergency Duty Team	93	0	0	0
Other Agency Costs	446	87	87	0
<b>Total Expenditure</b>	<b>14,645</b>	<b>3,408</b>	<b>3,351</b>	<b>57</b>
<b>Income</b>				
Sales & Rents Income	-284	-129	-134	5
Fees & Charges	-176	-44	-29	(15)
CCG Contribution To Service	-392	-98	-89	(9)
Reimbursements & Grant Income	-648	-78	-75	(3)
Transfer From Reserves	-620	-0	0	0
<b>Total Income</b>	<b>-2,120</b>	<b>-349</b>	<b>-327</b>	<b>(22)</b>
<b>Net Operational Expenditure</b>	<b>12,525</b>	<b>3,059</b>	<b>3,024</b>	<b>35</b>
<b>Recharges</b>				
Premises Support	174	57	57	0
Transport	450	7	7	0
Central Support Services	1,515	376	376	0
Asset Charges	62	16	16	0
Internal Recharge Income	-2,012	-199	-199	0
<b>Net Total Recharges</b>	<b>189</b>	<b>257</b>	<b>257</b>	<b>0</b>
<b>Net Departmental Total</b>	<b>12,714</b>	<b>3,316</b>	<b>3,281</b>	<b>35</b>

**Comments on the above figures**

Net operational expenditure is £35,000 below budget profile at the end of the first quarter of the financial year.

Employee costs are currently £46,000 below budget profile. This results from savings made on vacant posts, specifically in relation to Day Services. The majority of these posts have now either been filled, or are in the process of being recruited to. It is therefore not anticipated that the current spend below budget profile will continue at this level for the remainder of the financial year.

Income is below target to date. There is an anticipated shortfall on Fees & Charges income as a result of revised contract arrangements for the homeless hostel. Additionally, income received from the Clinical Commissioning Group is projected to be below target. This income relates to Continuing Health Care funded packages within Day Services and the Supported Housing Network. The income received is dependent on the nature of service user's care packages, and is out of the direct control of the service. The shortfall is currently estimated to be in the region of £35,000 for the full year. This shortfall is likely to be partly offset by an over-achievement of trading income from Day Services ventures.

At this stage in the financial year, it is anticipated that a balanced budget overall will be achieved for the year. Whilst income is projected below target, this will be offset by in-year savings in other areas, principally on savings on staff turnover above the set target.

**COMMISSIONING & COMPLEX CARE DEPARTMENT****Capital Projects as at 30th June 2015**

	2015-16 Capital Allocation £'000	Allocation To Date £'000	Actual Spend To Date £'000	Total Allocation Remaining £'000
ALD Bungalows	200	0	1	199
Lifeline Telecare Upgrade	100	0	0	100
Grangeway Court Refurbishment	360	0	0	360
Halton Carer's Centre Refurbishment	34	0	0	34
The Halton Brew	16	0	0	16
Social Care Capital Grant	413	0	0	413
<b>Total</b>	<b>1,123</b>	<b>0</b>	<b>1</b>	<b>1,122</b>




Completion of the first phase of the ALD Bungalows has been delayed due to the original contractor going into liquidation. The contract is currently being retendered, with the building works estimated for completion in November. Spend is now anticipated to be £200,000 in-year, with the remainder being spent in 2016/17.

The refurbishment of Grangeway Court is expected to be completed in-year, although approximately 10% of the capital allocation will be required in 2016/17 for retention payments. It is expected that all other projects will be completed within the financial year.





## 8.0 Explanation of Symbols

Symbols are used in the following manner:

### Progress Symbols

<u>Symbol</u>	<u>Objective</u>	<u>Performance Indicator</u>
Green 	Indicates that the <u>objective is on course to be achieved</u> within the appropriate timeframe.	<i>Indicates that the annual target <u>is on course to be achieved</u>.</i>
Amber 	Indicates that it is <u>uncertain or too early to say at this stage</u> whether the milestone/objective will be achieved within the appropriate timeframe.	<i>Indicates that it is <u>uncertain or too early to say at this stage</u> whether the annual target is on course to be achieved</i>
Red 	Indicates that it is <u>highly likely or certain</u> that the objective will not be achieved within the appropriate timeframe.	<i>Indicates that the target <u>will not be achieved</u> unless there is an intervention or remedial action taken.</i>

### Direction of Travel Indicator

Green 	Indicates that performance <b>is better</b> as compared to the same period last year.
Amber 	Indicates that performance <b>is the same</b> as compared to the same period last year.
Red 	Indicates that performance <b>is worse</b> as compared to the same period last year.
N / A 	Indicates that the measure cannot be compared to the same period last year.



**REPORT TO:** Environment and Urban Renewal  
Policy and Performance Board

**DATE:** 9 September 2015

**REPORTING OFFICER:** Strategic Director – Policy and Resources

**PORTFOLIO:** Physical Environment

**SUBJECT:** Local Plan Making

**WARDS:** Boroughwide

### **1.0 PURPOSE OF REPORT**

- 1.1 Halton's statutory development plan for town planning purposes, also known as the 'Local Plan', is of interest to all Elected Members as it sets out how Halton should physically grow.
- 1.2 Halton has an emerging local plan, called the 'Delivery and Allocations Local Plan' (DALP). This emerging local plan provides the detailed policies and identifies specific sites that should deliver the overall quantum of development set out in the adopted Core Strategy.
- 1.3 In April 2015, the Planning Advisory Service (PAS) undertook a review of local plan making in Halton. The implications of this review are set out in this report.

### **2.0 RECOMMENDATION: That Elected Members note the recent and proposed reforms for the purposes of local plan making.**

### **3.0 BACKGROUND**

#### **3.1 Local Plan Making**

A local plan is the cornerstone of the development management process as it is the starting point for all planning decisions. Successive governments have all remained committed to a local plan that sets out the future development needs of any borough.

- 3.2 The planning system is delivering strongly within Halton. Much needed homes are being constructed, contributing towards local plan targets. The New Homes Bonus (NHB) allocation for Halton Borough Council will total £2,165,336 and this year's instalment (2015-16) includes an affordable homes premium of £24,500. Over the period from 2011-12 to 2015-16, the total NHB awarded to Halton is £6,146,564 for 941 units (net additions) to the housing stock.
- 3.3 For the financial year 2014-15, there were 511 (gross) new dwellings constructed (501 net of demolitions), and of the gross total, 260 were

affordable units. This is close to the local plan target of 552 dwellings per annum, and exceeds the target for affordable housing. These are positive indicators of the returning strength of the housing market. Historically, 2007 generated the greatest number of new dwellings, with 741 units constructed. It is clear that the development industry can deliver in volume when required to do so. The lower rates of house building that have been achieved over the last few years did not result from a constrained supply of land, but from demand side failures (for example availability of mortgages, developers restricting release of units to the market). Nevertheless, land needs to be made available through the local plan process to provide future homes and jobs.

- 3.4 *'Signal Failure: A Review Of Local Plans And Housing Requirements'*, a report by consultancy Nathaniel Lichfield & Partners (NLP), suggests that three years after the introduction of the National Planning Policy Framework (NPPF), progress on getting local plans in place remains slow. The report states that only a quarter of English local authorities have introduced a local plan - and a third of these require an early review to assess whether housing need is being met. Additionally, the report says a growing number of councils are being asked to increase housing allocations by planning inspectors. Evidence of housing need relied on by plans is being found wanting and it is proving difficult for local authorities to agree on how overspill housing from towns and cities is dealt with in surrounding districts.
- 3.5 Regional Spatial Strategies imposed housing targets on individual Councils, however the government's removal of them has yet to be compensated for by a well-functioning alternative system, including the 'Duty to Cooperate'. Addressing this strategic vacuum is important in ensuring housing needs are met, particularly around fast-growing towns and cities. The NLP report identifies two difficulties local authorities are struggling to reconcile:
- The first is determining which neighbouring authorities will be asked to meet the housing overspill that cannot be accommodated by the council itself - the 'Duty to Co-operate'
  - Secondly, many Green Belt authorities appear to be slow when dealing with housing requirements in their plans, said NLP. The test will be when more Green Belt authorities progress their plans over coming years, although there is currently little incentive for many of these councils to accelerate plan delivery with all the difficult implications involved.

The NLP Report concludes that if the system were fully functioning, more than 200,000 of the required 240,000 homes a year would be built. At present only half that number of homes needed are being built.

- 3.6 In the Chancellor's recent publication (10 July 2015) 'Fixing the Foundations: Creating a more Prosperous Nation', the Government sets out provisions for making local plans on behalf of those local

authorities who are slow to produce their own. This approach has cross-party support, as it is an approach that has been suggested in the Labour Party's Lyons Review and also the Commons Committee review of the NPPF (see detail in Appendix 1).

3.7 'Fixing the Foundations: Creating a more Prosperous Nation' specifies that in order to increase the number of LPAs with up-to-date local plans the Government intends to:

- publish league tables highlighting local authority progress.
- introduce legislation that would 'significantly streamline the length and process of local plans', and allow for the Secretary of State for Communities and Local Government (DCLG) to take plan preparation out of the hands of local authorities and 'to arrange for local plans to be written, in consultation with local people'.
- The deadline for a local authority to produce a local plan without risk of government intervention is early 2017 (likely to be March as this is five years after the publication of the National Planning Policy Framework).
- strengthen guidance on the 'Duty to Cooperate' to improve local authority collaboration on housing and planning matters.

3.8 Local plan making must be done against the backdrop of a tough financial climate for local government. A recent report (March 2015) by the Institute for Fiscal Studies ('Central Cuts, Local Decision-Making: Changes in Local Government Spending and Revenues in England, 2009-10 to 2014-15') looking at net spending by local authorities, found that during this parliament, this measure of spending by local authorities in England has been cut significantly in real terms. Between 2009/10 and 2014/15, it was cut by 20.4% after accounting for economy-wide inflation. Taking into account population growth over this period, spending per person was cut by 23.4%. The service area with the largest cut to net spending was planning and development.

#### **4.0 POLICY IMPLICATIONS**

4.1 The Government approach, set out above, will undoubtedly put local plan making back up the political agenda, both on a sub-regional basis and locally.

#### **4.2 LCR Duty to Cooperate**

4.3 The district planning officers of the Liverpool City Region have commenced the drafting of a 'Statement of Cooperation on Local Planning'. This is a requirement of national legislation (Localism Act 2011) and is one of the tests that planning inspectors apply when local plans are formally examined. The document has the aims of:

- Providing an agreed position of how strategic planning is currently undertaken;

- Providing a description of those strategic thematic topics the authorities have agreement upon;
- Providing an approved mechanism for ongoing strategic planning; and
- Identifying those areas of joint working that will be required in the period 2015 – 2020.

4.4 It is anticipated that the LCR Strategic Housing and Spatial Planning Board, which comprises Elected Members from each local authority, will provide direction on the drafting of this document. Once the document reaches an advanced draft it will be reported to respective cabinets / executive boards for formal adoption.

#### 4.5 Halton Local Plan

4.6 Halton has an adopted Core Strategy (adopted April 2013). As this is post publication of the National Planning Policy Framework (NPPF), this puts Halton in a strong position in terms of the status of its development plan. However, the Government has yet to say what constitutes a 'local plan' under its proposals to intervene after 2017. A local plan is not complete until all the required parts of a local plan, such as land allocations, are in place (a lengthy process). Halton is progressing the second part of its local plan that deals with land allocations, the emerging Delivery and Allocations Local Plan (DALP).

4.7 The detail behind the development strategy that is contained in the Core Strategy needs to be set out fully, and this is the purpose of the DALP. This will update the extant policies contained in the Unitary Development Plan, together with allocating specific sites that will accommodate the overall quantum of development set out in the Core Strategy.

#### 4.8 Planning Advisory Service Review (April 2015)

In order to ensure Halton is in the best possible place for plan making, the Planning Advisory Service (PAS) was invited to undertake a review in Halton of the phases of work being implemented to produce the Delivery and Allocations Local Plan. The review was provided free of charge to the Council.

4.9 The implications of planning reform in general, and the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (PPG) in particular, continue to 'change the goal posts', in particular the issues surrounding Objectively Assessed Need (OAN) (this is an assessment of housing needs in a borough) and long term housing land supply.

4.10 The review was undertaken by consultants Fortismere Associates/Arup who reviewed the following matters:

- Plan progress, including a review of the evidence base, for example the requirement to undertake an Objectively Assessed Need (OAN) for housing.
- Project management

4.11 The review identified the parts of the evidence base requiring an update, and the focus is on the core evidential elements needed to support the DALP at formal examination. To update each evidence document, regard must be had to the latest guidance in NPPF and PPG. The core evidence that requires updating comprises the following:

- Open Space and Playing Pitch Strategies
- Strategic Housing Market Assessment (SHMA) for the mid-Mersey area
- Retail and Leisure Study
- Widnes and Hale Green Belt Review
- Strategic Housing Land Availability Assessment

These studies are already in the process of being completed.

4.12 The implications of meeting current housing targets mean there is currently a requirement for release of sites from the Green Belt, particularly towards the end of the plan period (2028). Any release will require exceptional circumstances to be justified to be in accordance with NPPF.

4.13 A key part of these exceptional circumstances will be the quantity of housing required. Evidence of housing need will be updated as it is currently based upon the withdrawn Regional Spatial Strategy (RSS). It will also need to be updated to incorporate the latest household projections, as required by Planning Practice Guidance. A new Strategic Housing Market Assessment is currently being undertaken, providing key information on 'objectively assessed need'. Halton's housing targets partly stem from the drive for economic development and growth, which requires the attraction of new jobs and market sectors, and this, in turn, drives the need for additional housing beyond natural population growth and household formation due to the need to provide permanent accommodation for new workers.

4.14 The findings of the PAS report are that the DALP is being prepared positively in accordance with the relevant regulations, policy, and guidance. This gives confidence that the DALP will be found sound when it is submitted for formal examination by the Planning Inspectorate in the future (expected to be in 18 months' time).

4.15 **Policy Implications – Conclusion**

The key messages from local plan making agenda are as follows:

- The focus on new house building remains strong.
- The need for current and up-to-date local plans is a priority for the government and all political parties.
- Resource needs to be made available to maintain momentum in statutory development plan making for Halton as plans cannot be put into place overnight and many statutory requirements are burdensome, such as duty to co-operate and the various necessary assessments (such as habitats regulations assessment, sustainability appraisal and strategic environmental assessment).
- There is a risk that if local plans are not accelerated then the government will step in and impose a centrally created plan upon a local authority.

### **5.0 FINANCIAL IMPLICATIONS**

- 5.1 There are no direct financial implications arising from this report as it serves to update Members on the context of local plan making. However, national policy impacts upon the use of resources and capacity as it is necessary to demonstrate how the Council complies with national policy and guidance in local plan making.

### **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

The planning reform set out in this report impacts upon all Council priorities.

#### **6.1 Children and Young People in Halton**

Local plan making and decision taking directly impacts the setting of the Council's community (economic, environmental, and social structures), together with the availability of facilities and infrastructure in which children grow up.

#### **6.2 Employment, Learning and Skills in Halton**

Local plan making directly affects the availability of land for employment, jobs and growth.

#### **6.3 A Healthy Halton**

Local plan making is directly associated with health and well-being, for example through the availability of open spaces, access to sustainable transport routes and infrastructure (particularly walking and cycling), adaption of the built environment to climate change, and the provision of homes.

#### **6.4 A Safer Halton**

The existing statutory development plan contains a number of policies designed to improve safety. Specifically, these relate to safety around hazardous installations, airports, safe transport infrastructure, and a reduction in opportunities for crime through well designed developments.

**6.5 Environment and Regeneration in Halton**

Halton’s statutory development plan sets out a strategy to regenerate key areas of the Borough and to conserve, protect and enhance other areas through proactive planning policies. The policies contained within the development plan are used to shape and improve Halton’s environment.

**7.0 RISK ANALYSIS**

7.1 Failure to meet European and national law, and policy and guidance can lead to appeals and legal challenges to the Council. In planning decisions, national policy carries significant weight in the planning balance when a decision is reached.

7.2 Local Plan making remains under scrutiny as nationally the process is considered to be slow. There are now proposals through the Government’s reform process to impose government created local plans upon those local authorities who fail to make their own statutory plan. It is imperative that Halton maintains an up-to-date local plan in order to continue to exert positive control over the future development of the Borough.

**8.0 EQUALITY AND DIVERSITY ISSUES**

8.1 There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

**9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

Document	Place of Inspection	Contact Officer
House of Commons Report on the Operation of the NPPF	<a href="http://www.publications.parliament.uk/pa/cm201415/cmselect/cmco/mloc/190/19002.htm">http://www.publications.parliament.uk/pa/cm201415/cmselect/cmco/mloc/190/19002.htm</a>	Tim Gibbs
Lyons Housing Review	<a href="http://www.yourbritain.org.uk/uploads/editor/files/The_Lyons_Housing_Review_2.pdf">http://www.yourbritain.org.uk/uploads/editor/files/The_Lyons_Housing_Review_2.pdf</a>	Tim Gibbs
Institute for Fiscal Studies Central Cuts, Local Decision-Making: Changes in Local	<a href="http://www.ifs.org.uk/publications/7617">http://www.ifs.org.uk/publications/7617</a>	Tim Gibbs

Government Spending and Revenues in England, 2009-10 to 2014-15	<a href="http://www.ifs.org.uk/uploads/publications/bns/BN166.pdf">http://www.ifs.org.uk/uploads/publications/bns/BN166.pdf</a>	
Planning Advisory Service Report	Municipal Building	Tim Gibbs



### 10.1 House of Commons Report on the Operation of the NPPF

10.2 Overall, this report makes 43 recommendations, including specific changes to be made to the National Planning Policy Framework (NPPF) itself and to the way it is applied. The key recommendations most relevant to local planning authorities are:

- That all councils need to move more quickly to get an adopted plan in place as this will give communities increased protection against the threat of undesirable development. A statutory requirement is called for so that councils get local plans adopted within three years of legislation being enacted.
- That the Government should take steps to ensure that the planning system delivers the sustainable development promised in the NPPF. This includes making sure that the same weight is given to the environmental and social dimensions as to the economic dimension; that permission is only granted to development that is accompanied by the infrastructure necessary to support it; and that the planning system places due emphasis on the natural environment.
- That the Government should address the complex issue of land supply, as provisions in the NPPF relating to the viability of housing land are leading to inappropriate development. In addition, clearer guidance should be provided on how housing need should be assessed and, perhaps most notably, local authorities should be encouraged to review their Green Belts as part of the local planning process.
- That the Government should make changes to the NPPF to ensure greater protection of town centres, as well as removing permitted development rights that allow shops and buildings used for financial and professional services to become homes without planning permission.

In relation to housing land, the report recommends the following:

- That the Government should issue guidance on assessments of site viability so that a standard approach to determining viability is adopted. The Government should work with local authorities and the house building industry to agree the wording of this new guidance.
- That the Government should amend the NPPF to make clear that all sites with planning permission should be counted towards the five year supply of housing.

In relation to retail development the recommendations are:

- Reinstatement of the requirement for disaggregation to be considered as part of the sequential test, so that local authorities are required to ask developers for evidence of flexibility, i.e. whether a proposed retail development can be broken down into specific parts on separate sites.

- Removal of the policy that states that needs for retail, leisure, office and other main town centre uses should be met in full in the local plan as it would be more sensible to expect councils to allocate sites to meet needs over the first five years with regular reviews to keep the supply of sites up to date, taking into account the expected changes in retail habits. This would ensure that councils keep their planning policies up to date with rapidly changing dynamics of the retail sector and town centre environments
  - Revocation of the permitted development rights allowing change from classes A1 and A2 to C3.
- 10.3 At the end of February 2015, government published its response to the review of the operation of the NPPF and has rejected most of the recommendations made by the Select Committee following its inquiry. The response said the government was keen to avoid the "unnecessary recreation of the top-down planning regime that we abolished in the Localism Act". The government was satisfied that existing provisions gave clear guidance on the meaning of "sustainable development" and on the production of strategic housing market assessments and that sufficient protection was given to the environment under the NPPF. However, the response said consideration would be given to "changes to planning guidance to clarify the operation of the five-year housing land supply". Committee chair, Clive Betts MP, expressed his disappointment in the government's response and accused the government of "burying its head in the sand about ... important public concerns" about the operation of the Framework.
- 10.4 The conclusion of the inquiry demonstrates that, despite the government's response, there remains a desire to make further reforms to national planning policy and guidance.
- 10.5 **The Lyons Housing Review**  
The Labour Party's Lyons Review into the housing crisis highlighted a number of concerns about progress with Local Plans, including: the partial coverage of plans across the country; the length of time taken to get plans in place; slow progress with identifying 5 year land supplies and ongoing challenges to housing needs assessments; and that there is no authoritative estimate of land currently identified in plans.
- 10.6 The review proposes that sanctions should be imposed against councils without a Local Plan and that the Secretary of State should direct the Planning Inspectorate to produce a Local Plan in place of the Council.
- 10.7 *"Recommendation 8: Increasing land for housing through Local Plans  
To increase identification and delivery of land through Local Plans:*
  - *All local planning authorities should be required to submit a Local Plan to the planning inspectorate for examination within a set time frame (December 2016). If this requirement is not met, the*

*Secretary of State will have the power to direct the Planning Inspectorate to intervene and ensure an acceptable plan is produced in cooperation with local residents and partners including the local authority. Similar sanctions will apply if a submitted plan is deemed to be wholly inadequate.”*

- 10.8 Delivery of housing is proposed to be monitored annually by DCLG in terms of house build as well as land allocation. Where there is a persistent under-delivery, the Secretary of State will have the power to intervene to ensure improved performance. Such measures could include an increase in the buffer provision of additional land to increase the number of sites with potential for delivery; designation of a planning authority under the regime currently used for performance on determining major planning applications (under which an applicant could choose to submit their application directly to the Planning Inspectorate); or the creation of a New Homes Corporation to drive delivery.
- 10.9 A major constraint in delivering housing in the short to medium term is that the length and complexity of the current Local Plan making process creates a prolonged period of uncertainty. Lyons states *“A plan cannot be put in place overnight given the evidence, consultation and examination processes required. Even with a fair wind a plan can take 3 years on average to produce and costs at least £500,000 from beginning to end plus staff time.”* Only at the point that the Local Plan is complete, examined and approved are the policies in it considered to have full weight.
- 10.10 Currently, the Local Plans examination process applies to and delays the whole plan, no matter what the spatial or other impact of a particular proposal. Although the NPPF implies that an emerging plan can gain influence over decision making as it proceeds through this process, in reality significant influence is only achieved on adoption, thanks to the requirements of the Soundness Test. This means there is more uncertainty for developers and communities for longer than necessary.
- 10.11 Lyons recommends that the plan making process should be split into two stages. Local authorities would first work together on the strategic elements of their plans including housing numbers, and related issues such as strategic infrastructure, major urban extensions or new settlements. This strategic element could take the form of a Strategic Housing Market Plan where authorities have opted or been required to produce one.
- 10.12 If and when found sound by the Planning Inspectorate, the strategic part of the plan could be accorded weight in decision making much earlier than at present. This would bring certainty to developers and communities much earlier in the process. It would also have the advantage of limiting more expensive and labour intensive

requirements such as Strategic Environmental Assessment and strategic viability assessments to that stage and not the plan as a whole. The detailed work on the detailed policies of a Local Plan could be approved after a lighter touch second stage examination.

10.13 *“Recommendation 10: Simplifying plan making*

*To simplify and speed up plan making, the process, including examination, should be split into two stages. Local authorities would first work together on the strategic elements of their plans including housing numbers, strategic infrastructure, major urban extensions or new settlements. Once found sound by the Planning Inspectorate, it could be accorded weight in decision making much earlier than at present. The detailed work on the detailed policies of a Local Plan could be approved after a lighter touch second stage.”*

<b>REPORT TO:</b>	Environment and Urban Renewal Policy and Performance Board
<b>DATE:</b>	9 September 2015
<b>REPORTING OFFICER:</b>	Strategic Director – Policy and Resources
<b>PORTFOLIO:</b>	Physical Environment
<b>SUBJECT:</b>	Planning Reform
<b>WARDS:</b>	Boroughwide

## **1.0 PURPOSE OF REPORT**

1.1 This report provides an overview of the most recent and proposed reforms to the town and country planning system. The report illustrates the scale and pace of change within the Planning Service.

**2.0 RECOMMENDATION: That Elected members be aware of the reforms for the purposes of policy making and decision taking.**

## **3.0 BACKGROUND**

### **3.1 Former Government**

3.2 The Coalition Agreement of 2010 set out the Government's ambitions for a "radical reform" of the planning system. Since this agreement, major reforms have taken place with the introduction of the Localism Act 2011 and the National Planning Policy Framework. Changes were also made in the Growth and Infrastructure Act 2013, and in the Infrastructure Act 2015, aimed at speeding up the planning system.

3.3 Outside of these Acts, the former Government made a number of other announcements on planning reform, which have not yet been implemented. These outstanding proposals stem from Budget 2015: the Technical Consultation on Planning July 2014; Consultation: planning and travellers, September 2014; National Infrastructure Plan 2014; and Autumn Statement 2014 ( December 2014), which include:

- a proposed new permitted development right for the drilling of boreholes for groundwater monitoring for petroleum exploration (including for shale gas exploration);
- amending the definition of "travellers" for planning purposes;
- proposals to get more brownfield land back into use;
- steps to speed up section 106 negotiations; and
- proposed reform of the compulsory purchase regime.

It is not yet known whether the new Government will continue to take these further.

3.4 The former Government also implemented significant reforms to the planning system that are already in place:

- National Planning Practice Guidance;
- Allowing further changes of use to residential use without requiring planning permission;
- Reforming the system of permitted development rights;
- Environmental impact assessment thresholds;
- Planning Conditions;
- Planning authority performance;
- Section 106 contributions;
- Proposed reform of the compulsory purchase regime; and
- Sustainable Urban Drainage.

Further detail on these former announcements is set out in Appendix 1 to this report.

3.5 In addition, new regulations came into force on 15 April 2015. These are significant pieces of planning legislation that are fundamental to the operation of the development management process.

- Development Management Procedure Order 2015. (This legislation is essentially the 'process manual' for planning applications).
- General Development Procedure Order 2015. (This statutory instrument grants permitted development rights (essentially automatic planning permission) and has therefore been updated and consolidated).

### 3.6 **Conservative Government**

The various pronouncements made by the new Government set out the likely future direction for planning reform.

### 3.7 Conservative Party 2015 Manifesto

3.8 The Manifesto document contained several planning commitments:

- give local people more control over planning
- support locally-led garden cities and towns in places where communities want them
- where new housing is approved, ensure that local communities know upfront that accompanying infrastructure such as schools will be provided
- aim to double the number of custom-built and self-built homes by 2020, and take forward a Right to Build, which will require councils to allocate land to people to build their own home
- require local authorities to have a statutory register of brownfield land and ensure that 90 per cent of suitable brownfield sites have planning permission for housing by 2020

- create a London Land Commission and fund Housing Zones in other parts of the country to bring forward brownfield land for development
- end any new public subsidy for onshore wind farms and change the law so that local people have the final say on windfarms.
- devolve powers over economic development, transport and social care to large cities that choose to have elected mayors, and devolve further powers over skills spending and planning to the Mayor of London.

### 3.9 Queen's Speech

3.10 In the Queen's speech on 27 May 2015, four new bills were announced which have implications for planning law: a Cities and Local Government Devolution Bill; HS2 Bill; a Housing Bill which would introduce a statutory register for brownfield land and make changes to neighbourhood planning law; and an Energy Bill, which would remove onshore wind farms from the nationally significant development consent process - instead of the final decision on development consent being taken by the Secretary of State, it would return these onshore wind projects to the planning application process where the decision is taken by the local planning authority in the first instance.

### 3.11 Budget July 2015

3.12 On 8 July, the Conservative Party's first Budget since 1996 was delivered. The Budget Statement focused on the economic outlook, the programme for deficit reduction, and welfare reform. An accompanying Treasury report 'Fixing the Foundations' was published two days later (see section below) containing the next round of planning reforms.

### 3.13 Fixing the Foundations: Creating a More Prosperous Nation

3.14 Published on 10 July, this was described as the "second half" of the budget and a 'productivity plan'. The document is called 'Fixing the Foundations: Creating a More Prosperous Nation', it covers higher education, transport, trade, devolution to cities and regions, skills, long-term investment, tax, digital matters and science. Osborne frames this latest reform initiative as the need to build more houses, saying that planning laws have made it impossible to build enough houses.

3.15 The changes to the planning process in 'Fixing the Foundations' are:

1. A new "zonal" system will give automatic planning permission on all suitable brownfield sites, removing unnecessary delays to redevelopment.
2. Power for the government to intervene and have local plans drafted setting out how housing needs will be met when local

authorities fail to produce them and penalties for those that make 50% or fewer planning decisions on time.

3. Stronger compulsory purchase powers to bring forward more brownfield land and devolution of planning powers, including powers over land, to the mayors of London and Manchester.
4. The right for major infrastructure projects that include elements of housing development to be fast-tracked through the Nationally Significant Infrastructure regime – meaning the project does not need to go through full democratic consultation – and allowing developers to apply directly to Government.
5. Allowing upwards extensions in London (for a limited number of storeys up to the height of the adjoining building). Promotion of the development of shale gas (fracking). Allowing taller mobile masts
6. A package to support small and medium-sized housebuilders, including new sanctions for local authorities not processing smaller planning applications on time, with earlier fee refunds.
7. Work towards devolution deals with Liverpool City Region. Put Transport for the North on a statutory footing and give it a budget, clear leadership and a focussed remit, including working to introduce Oyster-style integrated and smart ticketing across the North.

3.16 Local authorities state that planning delays are caused by factors beyond planning, such as dealing with contamination on brownfield sites, a constraint that adds significant risk to the development, and also the lack of resources in planning departments to deal with the flurry of planning reforms.

#### **4.0 POLICY IMPLICATIONS**

4.1 There are too many reforms to provide exhaustive details on each one here. Those reforms considered to be of greatest interest to Elected Members are summarised in this section. Members wanting additional information should make a request to the PPB Lead Officer and specify those topics of interest and a separate topic briefing can be provided.

#### **4.2 Outstanding Proposals from the Former Government**

4.3 The time limit for the residential conversion of offices through permitted development rights has not been extended, and is still set to expire on 30 May 2016. This is the provision under which the developers are seeking to convert the office buildings around Halton Lea. Currently, if the conversion is not completed by 30 May 2016 then the development



can be subject to enforcement. However, it is widely expected that the Government will introduce legislation to extend this time limit to 2019.

- 4.4 National Government remains 'pro-fracking' in terms of national energy strategy. The power of local government to veto projects through the planning regime is being limited through changes to planning guidance and permitted development rights.
- 4.5 The former Government announced it could create a 'right to self-build' which would give people who want to build their own homes a right to a plot from the Council and access to a repayable fund. The first element of the right, requiring local planning authorities to set up a register of prospective custom building who are seeking a suitable serviced plot of land is now contained in the Self-Building and Custom Housing Act 2015. Government is to undertake a new burdens assessment of the additional cost of these local registers on local government.
- 4.6 Cities and Local Government Devolution Bill
- 4.7 The main point is that the Government is proposing to increase local authority/combined authorities power over budgets and spending across a number of policy areas such as housing, transport, planning, policing and health for those cities that choose to have elected mayors. The ten Greater Manchester authorities have already agreed a deal that will come into place after elections have been held for a mayor in 2017 (legislation to enact this is included in this bill). There remains a Government commitment to devolution and the Liverpool City Region will continue to discuss its future, and role in the 'Northern Powerhouse', with Government.
- 4.8 Fixing the Foundations: Creating a More Prosperous Nation
- 4.9 The Government's proposals for further changes to the planning system are set out in Chapter 9 of this document. The document blames "an excessively strict planning system", which prevents land from being used efficiently, thereby impeding productivity by increasing the cost and uncertainty of investment, hindering competition, constraining the agglomeration of firms and the mobility of labour, and encouraging land speculation, rather than productive development. Ministers assert that the resulting under-supply of housing, especially in high-growth areas of the country, has pushed up house prices.
- 4.10 The document recognises that the slow pace of the plan-making system has been a major constraint in achieving the release of housing land, although one of the primary factors is ignored (the abolition of the Regional Spatial Strategies, which were designed to ensure that all authorities should contribute their share to meeting housing land need). The weak 'Duty to Co-operate' that was incorporated in the Localism Act 2011 has failed to provide an effective alternative for the sub-regional allocation of development. The Government therefore intends

to strengthen the duty of cooperation between local authorities, meaning that LPAs will have to be prepared to find housing land to meet the housing needs of adjoining local authority areas where they cannot be met within those areas. This results in obvious tensions.

- 4.11 The government has announced its intention to take further action to ensure that local authorities put local plans in place by a set deadline. It will be “early 2017” (five years after the publication of the NPPF), although it is not entirely clear whether ‘producing’ a local plan means actually adopting it, or merely publishing the first consultation draft. Furthermore, a local plan is not complete until all the required parts of a local plan, such as land allocations, are in place (a lengthy process). At present it is suspected that what is referred to here is simply the Core Strategy, but it is not clear exactly how this measure will be defined. Where it becomes clear that LPAs are not making effective progress towards the adoption of a Local Plan, DCLG will intervene in those authorities and will do the job themselves. Whether this will in practice lead to faster plan-making is perhaps open to doubt.
- 4.12 For ‘brownfield’ sites, the government is promising funding to provide infrastructure, strong local leadership to shape development and assemble sites, and the removal of unnecessary planning obstacles. The real problem, however, is the cost of remediation of site contamination where there has been an interesting and varied history of industrial uses. Developers have been known to bankrupt themselves in the process of trying to clean up sites of this sort.
- 4.13 Ministers contend that the planning system can create the sort of “slow, expensive and uncertain process” that reduces the appetite to build, where development proposals require individual planning permission and are subject to detailed and discretionary scrutiny. The government says it is clear on the need to promote the use of brownfield land, and that it will remove all unnecessary obstacles to its re-development, including these sorts of planning obstacles. To this end, as well as legislating for statutory registers of brownfield land suitable for housing, the government proposes to legislate to grant automatic permission in principle on brownfield sites identified on those registers, subject to the approval of a limited number of technical details.
- 4.14 The assertion is repeated that delays in processing planning applications may be a significant factor preventing housing supply from responding to upturns in the market. So the government proposes to legislate to allow major infrastructure projects with an element of housing to apply through the Nationally Significant Infrastructure Regime (i.e. taking the project out of the normal planning system and putting it through the fast-track procedure for Development Consent).
- 4.15 There is a threat to further tighten the planning performance regime, so that local authorities making 50% or fewer of decisions on time are at risk of designation. The performance regime will also be extended to

minor applications, so that local authorities processing those applications too slowly will be at risk of designation.

4.16 How all this reform will be brought into effect will become clear over the next year or so. Presumably, there will be another Planning Bill later in this parliamentary session, and some re-writing of ministerial policy to give effect to the government's stated intentions.

#### 4.17 **Policy Implications – Conclusion**

The key messages from the planning reform agenda are as follows:

- The legislative basis within which planning professionals operate is changing almost daily. The general workload must be delivered expediently, but this must be done so against ever changing guidance.
- The focus on new house building remains strong.
- Automatic 'permission in principle' on brownfield sites maybe akin to outline consent or prior approvals, however the detail has yet to be published. Halton is likely to lose planning fee income as Government is looking to create a statutory register of brownfield land, and anything on the register gets approval in principle.
- The need for up-to-date local plans is a priority for the government and all political parties. Resource needs to be made available to maintain momentum in statutory development plan making for Halton as plans cannot be put into place overnight and a March 2017 deadline is not far away in terms of the plan making process, which is cumbersome by virtue of legislation.
- Halton's speed of determination for major schemes is over 50%, and Halton will not become a designated authority in 'special measures' if a 50% target is adopted.
- Tension remains between the national pro-fracking agenda and concerns of local people, especially environmental impacts.

#### 5.0 **FINANCIAL IMPLICATIONS**

5.1 There are no direct financial implications arising from this report. However, national policy impacts upon the use of resource capacity as it is necessary for the Council to comply with legislation, national policy and guidance in both planning decision and local plan making.

5.2 Indirectly there will be resource implication, for example, in creating a local brownfield land register and undertaking an assessment to ascertain which sites are suitable for housing. The registers of self-builders wanting plots is another example of an additional burden on local government.

## **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

The planning reforms set out in this report impact upon all Council priorities.

### **6.1 Children and Young People in Halton**

Local plan making and decision taking directly impacts the setting of their community (economic, environmental, and social structures), together with the availability of facilities and infrastructure in which children grow up.

### **6.2 Employment, Learning and Skills in Halton**

Local plan making directly affects the availability of land for employment, jobs and growth. Specifically, the changes in permitted development rights impact upon the availability of office buildings as the control of the residential conversion of offices is now beyond the control of the local planning authority (until May 2016).

### **6.3 A Healthy Halton**

Local plan making is directly associated with health and well-being, for example through the availability of open spaces, access to sustainable transport routes and infrastructure (particularly walking and cycling), adaption of the built environment to climate change, and the provision of homes.

### **6.4 A Safer Halton**

The existing statutory development plan contains a number of policies designed to improve safety. Specifically, these relate to safety around hazardous installations, airports, safe transport infrastructure, and a reduction in opportunities for crime through well designed developments.

### **6.5 Environment and Regeneration in Halton**

Halton's statutory development plan sets out a strategy to regenerate key areas of the Borough and to conserve, protect and enhance other areas through proactive planning policies. The policies contained within the development plan are used to shape and improve Halton's environment.

## **7.0 RISK ANALYSIS**

7.1 Failure to meet European and national law, and policy and guidance can lead to appeals and legal challenges to the Council. In planning decisions, national policy carries significant weight in the planning balance when a decision is reached.

7.2 Measures are already in place to penalise poor performance and the threshold for performance is being increased with regard to the speed of planning decisions. Measures are also being introduced for local plan making. The risk is that slow decision taking or plan making will be punished by the Government stepping in through 'special measure' interventions.

## 8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

## 9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
DCLG Planning Election Update March 2015	<a href="https://www.gov.uk/planning-guidance-letters-to-chief-planning-officers">https://www.gov.uk/planning-guidance-letters-to-chief-planning-officers</a>	Tim Gibbs
National Planning Practice Guidance	<a href="http://planningguidance.planningportal.gov.uk/blog/guidance/">http://planningguidance.planningportal.gov.uk/blog/guidance/</a>	Tim Gibbs
Institute for Fiscal Studies Central Cuts, Local Decision-Making: Changes in Local Government Spending and Revenues in England, 2009-10 to 2014-15	<a href="http://www.ifs.org.uk/publications/7617">http://www.ifs.org.uk/publications/7617</a> <a href="http://www.ifs.org.uk/uploads/publications/bns/BN166.pdf">http://www.ifs.org.uk/uploads/publications/bns/BN166.pdf</a>	Tim Gibbs
Budget 2014	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/293759/37630_Budget_2014_Web_Accessible.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/293759/37630_Budget_2014_Web_Accessible.pdf</a>	Tim Gibbs
Autumn Statement 2014	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/382327/44695_Accessible.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/382327/44695_Accessible.pdf</a>	Tim Gibbs
Planning and Travellers Consultation	<a href="https://www.gov.uk/government/consultations/planning-and-travellers-proposed-changes-to-planning-policy-and-guidance">https://www.gov.uk/government/consultations/planning-and-travellers-proposed-changes-to-planning-policy-and-guidance</a>	Tim Gibbs
Mansion House Speech 2014	<a href="https://www.gov.uk/government/speeches/mansion-house-2014-speech-by-the-chancellor-of-the-exchequer">https://www.gov.uk/government/speeches/mansion-house-2014-speech-by-the-chancellor-of-the-exchequer</a>	Tim Gibbs
Sustainable Drainage Systems	<a href="https://consult.defra.gov.uk/water/delivering-sustainable-drainage-">https://consult.defra.gov.uk/water/delivering-sustainable-drainage-</a>	Tim Gibbs

	<a href="#">systems</a>	
--	-------------------------	--

**Former Government Planning Reforms**10.1 a) National Planning Practice Guidance

On 6 March 2014, the Department for Communities and Local Government (DCLG) launched the planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when this site was launched. Planning practice guidance is now available entirely online in a usable and accessible way. Important information previously only published in separate documents can now be found quickly and simply online. In 2015, guidance on the following has been issued:

- Aerodromes
- Older People
- Starter Homes
- Planning Obligations, including the vacant building credit
- Community Infrastructure Levy
- Compulsory Purchase System
- Permitted Development for Change of Use of Agricultural Buildings
- Household Projections
- Sustainable Drainage Systems
- Temporary Stop Notices
- Flood Risk and Coastal Change
- Hazardous Substances
- Environmental Impact Assessment
- Students
- Viability
- Maximum Parking Standards
- Gypsy and Travellers

10.2 b) Permitted Development Rights

Permitted development rights are basically a right to make certain changes to a building without the need to apply for planning permission. These derive from a general planning permission granted from Parliament (in *The Town and Country Planning (General Permitted Development) Order 1995*), rather than from permission granted by the local planning authority. Schedule 2 contained within this Order sets out the scope of permitted development rights.

## 10.3 In Budget 2014, it was announced that the Government would review the General Permitted Development Order (GPDO):

*“the government will review the General Permitted Development Order. The refreshed approach is based on a three-tier system to decide the appropriate level of permission, using permitted development rights for*

*small-scale changes, prior approval rights for development requiring consideration of specific issues, and planning permission for the largest scale development.”*

10.4 The much-amended 1995 GPDO has been replaced with a consolidated order – the Town and Country Planning (General Permitted Development) (England) Order 2015 (SI 2015 No. 596). This consolidates the many amendments that had previously been made to the GPDO. The Order was made on 18 March, laid before parliament on 24 March and came into force on 15 April 2015. The main changes made by the new GPDO are:

- the date for the expiry of permitted development rights for larger home extensions (in Class A of Part 1) has been extended and will now expire on 30 May 2019; BUT the time limit for the residential conversion of offices (formerly Class J, now Class O), has not been extended, and is still set to expire on 30 May 2016. This is the provision under which the developers are seeking to convert the office buildings around Halton Lea.
- the previous time-limit for extensions to non-domestic premises (offices, shops, industrial buildings and schools etc.) has been made permanent (now Part 7 of Schedule 2);
- a number of new permitted development rights have been inserted in Part 3 (changes of use): the conversion of retail premises to restaurants / cafes (Class C); the existing permitted development to convert a shop to a deposit-taker is replaced by a wider right to convert a shop (or a betting office) to a premises providing financial and professional services (Classes D and F); the conversion of retail premises to assembly and leisure (Class J); the conversion of casinos or amusement arcades to dwelling houses (Class N); and the conversion of premises used for storage or distribution centre uses to dwelling houses (Class P);
- a new permitted development right for temporary use of buildings and land for commercial film-making has been inserted in Part 4;
- a new permitted development right has been included for the provision of ‘click and collection’ facilities within the curtilage of a shop and for increasing the size of loading bays for shops and permitted development for the extension etc of buildings used for waste facilities (see Classes C, D and L of Part 7 of Schedule 2); and
- a new permitted development right for the installation of solar PV panels, with a generating capacity of up to 1 MW on the roofs of non-domestic buildings (Class J(c) of Part 14).

10.5 c) Environmental impact assessment thresholds

The aim of European Directive 2011/92/EU is to protect the environment and human health by ensuring that a competent authority (e.g. a local authority or the Secretary of State) giving consent for



certain projects to proceed, makes the decision in the knowledge of any likely significant effects on the environment. The procedure is known as environmental impact assessment. The existing directive on environmental impact assessment was amended by a new *Directive 2014/52/EU* in early 2014. The Government will implement the new requirements by 17 May 2017. On 5 March 2015, the Government said that it would “shortly be laying regulations which will significantly reduce the number of housing schemes and proposals for other urban development which are not likely to have significant effects on the environment but which currently have to be screened by local planning authorities (Gov.uk press release, Planning update: written statement to Parliament, 5 March 2015).

10.6 d) Planning Conditions

The power to impose conditions when granting planning permission is very wide. They are used to enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. In the *National Infrastructure Plan 2013*, the Government expressed concern about delays with local planning authorities discharging planning conditions and committed to making changes to the system:

*7.43 Delays associated with the discharge of planning conditions can hinder the effective delivery of development. The government will legislate so that where a planning authority has failed to discharge a condition on time, it will be treated as approved, and will consult on using legislative measures to strengthen the requirement for planning authorities to justify conditions that must be discharged before any work can start.*

The Infrastructure Act 2015 has now received Royal Assent and permits certain types of planning conditions to be regarded as discharged if a local planning authority has not notified the applicant of their decision within a set time period.

10.7 The Government’s July 2014 Technical Consultation on Planning also proposed some changes to the regime relating to planning conditions, including:

- a reduction from 12 weeks to 8 weeks in the time period after which an applicant asking for confirmation of compliance with conditions attached to a planning permission, becomes entitled to a fee refund if the local authority has not notified the applicant of its decision; and
- an additional requirement for local authorities to justify the use of pre-commencement conditions (i.e. conditions requiring the submission and approval of something by the local planning authority before a prescribed part of the development goes ahead).

10.8 The Government's response to this part of the consultation was published on 5 March 2015. It confirmed that these changes would be made by amendments to secondary legislation.

10.9 e) Planning authority performance

The *Growth and Infrastructure Act 2013* allows applicants for major development to apply direct to the Secretary of State (in practice a Planning Inspector), rather than the local planning authority (LPA), where the LPA has been "designated" for having a record of very poor performance in the speed or quality of its decisions.

10.10 In the *Autumn Statement 2013*, the Government said that it would consult on increasing the threshold for designation from 30% to 40% of decisions made on time. On 23 March 2014, the Government published a consultation, *Planning performance and planning contributions: consultation* which consulted on raising the threshold for designation as follows:

*We are proposing that the threshold for designating authorities as under-performing, based on the speed of deciding applications for major development, should increase to 40% or fewer of decisions made on time. The threshold may be raised further at a future stage. Authorities that have dealt with an average of no more than two applications for major development, over the two year assessment period, would be exempt from designation based on their speed of decisions. The document setting out the criteria for designation would set out the types of exceptional circumstances that may be taken into account, prior to designations being confirmed.*

10.11 The Government responded to this part of the consultation on 13 June 2014 and confirmed that the threshold for designation would be raised to 40%. In respect of this, it laid a document of revised criteria for designation on 13 June 2014 before Parliament which is now in effect.

10.12 In the National Infrastructure Plan 2014, the Government said that the government will keep the speed of major decisions under review, with "minimum performance thresholds increasing to 50% of major decisions made on time as performance improves. This proposal has now been made in the 'Fixing the Foundations' report of July 2015.

10.13 f) Section 106 contributions

Section 106 contributions, sometimes known as "planning obligations" or "planning gain" stem from agreements made under section 106 of the *Town and Country Planning Act 1990*. They are agreements made between the developer and the LPA to meet concerns such as (but not limited to) the costs of providing new infrastructure or affordable housing levels.

10.14 The proposals to speed up negotiation of section 106 obligations included:

- setting clear time limits so section 106 negotiations are completed in line with the existing 8 to 13 week target for planning applications to be processed rather than letting them slow the whole planning process down;
- requiring parties to start discussions at the beginning of the planning application process, rather than the current system where negotiations can often start towards the end;
- a dispute resolution process where negotiations stall preventing development;
- using standardised documents to avoid agreements being drafted from scratch for each and every application;
- potential legislation to give new measures teeth.

10.15 The consultation closed on 19 March 2015. The former Government responded that changes would be made to National Planning Practice Guidance to promote the use of standard clauses and promote pre-application discussions. These changes have now been made and it appears that there may be further changes to the legislative framework for resolving delays in negotiating S.106 agreements.

10.16 g) Traveller and Green Belt sites

*Consultation: planning and travellers* was published on 14 September 2014, closing on 23 November 2014. The consultation invited views on a number of different questions. One of the main questions is about whether the definition of “traveller” should be changed for planning related purposes so that it would exclude those who have permanently ceased from travelling. The current definition of traveller can be found in the Government’s Planning Policy for Traveller Sites. The consultation explains the Government’s reasons for proposing this change:

*2.2 Current policy requires that those who have ceased travelling permanently for reasons of health, education or old age (be it their needs or their family’s or dependents’) are for the purposes of planning treated in the same way as those who continue to travel.*

*2.3 The Government feels that where a member of the travelling community has given up travelling permanently, for whatever reason, and applies for a permanent site then that should be treated no differently to an application from the settled population (for example, seeking permission for a Park Home). This would not prevent applications for permanent sites, but would mean that such applications would be considered as any other application for a permanent caravan site would be: i.e. not in the context of Planning Policy for Traveller Sites.*

*2.4 This is not about ethnicity or racial identity. It is simply that for planning purposes the Government believes a traveller should be someone who travels.*

- 10.17 The proposed new definition of gypsies and travellers would read:  
*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*
- 10.18 The Consultation also asked for views on whether the Government should integrate sections from the National Planning Policy Framework on Green Belt protection with its Planning Policy for Traveller Sites. The intention of this is to reiterate and make clearer existing planning policy relating to green belt and travellers, rather than to change policy. The Government also proposed to inset the word "very" into the following existing policy to give stronger emphasis: "Local planning authorities should [very] strictly limit new traveller site development in open countryside."
- 10.19 One proposed change is to amend the weight which is currently given to any absence of a five year supply of permanent sites when deciding planning applications for temporary sites in land designated as Green Belt, sites protected under the Birds and Habitats Directives, sites designated as Sites of Special Scientific Interest, Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park or the Broads. The consultation explained, "the absence of an up-to-date five year supply of deliverable sites would therefore no longer be a significant material consideration in favour of the grant of temporary permission for sites in these areas. It would remain a material consideration, but its weight would be a matter for the decision taker."
- 10.20 The Consultation also proposed to change planning policy to deal with the intentional unauthorised occupation of sites, so that if a site were to be intentionally occupied without planning permission, this would be a material consideration in any retrospective planning application:
- For the avoidance of doubt, this does not mean that retrospective applications should be automatically refused, but rather failure to seek permission in advance of occupation will count against the application. It will, the Government hopes, encourage all applicants to apply through the proper planning processes before occupying land and carrying out development.*
- 10.21 Another measure aimed at addressing unauthorised occupation of land was to remove the need for local authorities which are "burdened by a large-scale unauthorised site which has significantly increased their need", to be required to plan to meet their traveller site needs in full.

10.22 The former Government did not issue a response to this consultation and it is unclear if this will be taken forward.

10.23 h) Brownfield Land

In the Mansion House Speech on 12 June 2014, the Chancellor George Osborne announced that Councils would be required to put local development orders on over 90% of brownfield sites that are considered suitable for housing by 2020. He suggested that this would mean planning permission for up to 200,000 new homes. This speech was later followed by a written statement in the House of Commons by the Secretary of State for Communities and Local Government, Eric Pickles, which set out further the Government's plans to increase housebuilding on brownfield land.

10.24 A Local Development Order (LDO) grants permission for a certain type of development and thereby removes the need for a planning application to be made by the developer. The legal basis is sections 61A-61D of the *Town and Country Planning Act 1990*. The idea is that they can allow developers to progress development proposals with greater speed and certainty. Associated costs may be lower with an LDO as there will not be a planning application fee or need to commit the resources associated with the preparation of an application.

10.25 In January 2015, the Government issued a consultation, Building more homes on brownfield land, which "seeks views on the Government's proposals for identifying suitable brownfield land". As a measure to encourage progress on LPAs meeting the target of putting in place LDOs on 90% of brownfield sites that are considered suitable for housing by 2020, the consultation proposes that LPAs could be designated as under-performing where they do not meet this objective, or where they have failed to provide sufficient evidence that this objective is being met. Where an authority is designated, this would mean that developers would then have a choice of applying directly to the Secretary of State for planning permission. The consultation also proposes an intermediate objective of putting LDOs in place on 50% of brownfield land suitable for housing by 2017 and that LPAs could be designated for not meeting this objective. A second option to incentivise progress on the 2020 target was also put forward for consultation. In this option, the National Planning Policy Framework would be amended to say that local planning authorities that had failed to make sufficient progress against the brownfield objective would be unable to claim the existence of an up-to-date five year housing land supply when considering applications for brownfield development, and therefore the presumption in favour of sustainable development would apply.

10.26 The Consultation closed on 11 March 2015 and a response has yet to be issued. However, proposals appeared in the Queen's Speech and Fixing the Foundations report that indicate that the Housing Bill will

contain measures to progress development on brownfield land (see main body of this report 4.12 & 4.13).

10.27 i) Compulsory Purchase

In the Autumn Statement 2014, the Government announced, that in respect of compulsory purchase reform, it would “publish proposals for consultation at Budget 2015 to make processes clearer, faster and fairer, with the aim of bringing forward more brownfield land for development. The budget of 18 March 2015 launched a technical consultation of the use of CP powers, however the Government has yet to respond to that consultation.

10.28 j) Sustainable Drainage Systems

The Government has set out changes to ensure that sustainable drainage systems for the management of run-off are put in place. These came into force from 6 April 2015:

*“we expect local planning policies and decisions on planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010) - to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate.”*

10.29 Under these arrangements, in considering planning applications, local planning authorities should consult the relevant lead local flood authority (of which Halton is one) on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The sustainable drainage system should be designed to ensure that the maintenance and operation requirements are economically proportionate.

**REPORT TO:** Environment & Urban Renewal  
Policy & Performance Board

**DATE:** 9 September 2015

**REPORTING OFFICER:** Strategic Director, Policy & Resources

**PORTFOLIO:** Transportation

**SUBJECT:** Consultation results re: introduction of waiting restrictions to prevent parking on parts of Ash Priors and Parklands, Widnes.

**WARDS:** Hough Green

### 1.0 PURPOSE OF REPORT

1.1 To report on consultation that has been carried out in accordance with the Board minute EUR 27 of the meeting held on 19<sup>th</sup> November 2014, which requested that a wider consultation exercise be conducted regarding the possible introduction of waiting restrictions in Parklands & Ash Priors.

**2.0 RECOMMENDATION That the process be commenced to introduce a Traffic Regulation Order to implement 'At Any Time' waiting restrictions as set out in Appendix A and shown on Appendix D.**

### 3.0 SUPPORTING INFORMATION

3.1 At a previous meeting on 19 November 2014, the Board considered a petition containing 27 signatures, together with a covering letter, that cited noise, disturbance and parking problems associated with the Parklands Club. Its receipt followed a limited consultation exercise which had been undertaken on waiting restriction proposals adjacent to the Club (shown on Drg. No. 9754 in Appendix B) and which extended only to the first few properties on Ash Priors and the Parklands club itself. Whilst the petition was not an objection to the parking restriction proposals, one objection was received to the proposals from the Club itself. In addition, two letters were received from/on behalf of the occupiers of properties immediately outside the range of the proposed waiting restrictions, requesting the proposals be extended to cover the frontages of further properties amid concerns that, if introduced as originally proposed, the waiting restrictions would see displacement of the parking issues to outside other nearby homes.

3.2 Having considered the matter, the Board requested that a wider consultation area be agreed with ward councillors. This covered the whole of Ash Priors and Shipton Close, a total of 33 properties. Drg. No. 9755B in Appendix 'C' shows the boundary of this area. This second consultation exercise received 18 responses, with 16 of these being in favour of the introduction of 'At Any Time' waiting restrictions in the immediate area of the Club. Only one of the respondents who opposed these restrictions cited any reasons, these being:

- the lack of enforcement action
- the restrictions would prevent the writer stopping to post letters
- the funding could be better used elsewhere

Should waiting restrictions be introduced, Cheshire Police would be requested to carry out specific enforcement, the restrictions would not prevent a driver stopping to post letters and these proposals are being put forward as a direct result of complaints and requests received from residents of the area.

- 3.3 In undertaking the consultation, residents were advised that any waiting restriction proposals that extended to cover their frontage would be likely to have a direct impact on themselves and their visitors as on-street parking here would be prohibited at all times. They were, as a consequence, asked to comment accordingly. Of 14 respondents, 10 were essentially in favour of seeing waiting restrictions extend further from the immediate area of the Parklands Club and unsurprisingly support for this was strongest in Ash Priors, although the survey results did not display a clearly-defined pattern of being in favour or against along this road.
- 3.4 Of the four questionnaires returned from Shipton Close properties, three were opposed to the introduction of waiting restrictions in their Close and it is, therefore, recommended that no waiting restrictions be introduced in this Close other than immediately around the junction with Parklands in order to protect sightlines.
- 3.5 The following issues were raised during the consultation exercise:
- 2 residents suggested that waiting restrictions on Parklands should be extended further to the south-west beyond the area immediately outside the Parklands Club.
  - 1 resident suggested waiting restrictions should extend over the whole of Ash Priors.
- 3.6 After reviewing the consultation results, ward councillors believe that the legal process should be commenced to introduce “At Any Time” waiting restriction extending further into Ash Priors from Parklands, on Chapel Lane on either side of the Parklands junction and on Parklands itself extending to just west of Ellerton Close with junction protection to Ellerton Close and Clanfield Avenue junctions to protect sight lines. Drg. No. 9755C in Appendix “D” refers and the proposed restrictions are detailed in Appendix “A”. Should the recommendation be approved, a formal consultation exercise would be undertaken with affected frontages and any objections would be reported back to this Board prior to going to the Executive Board in the agreed way.
- 3.7 Compliance with any waiting restriction is dependent on enforcement action from the Police and if the proposed waiting restrictions are introduced, enhanced enforcement will be requested. Should the proposed restrictions lead to parking displacement into surrounding areas, further restrictions may become necessary.
- 3.8 Officers at Knowsley Council have been approached with a view to it proposing the simultaneous introduction of ‘At Any Time’ waiting restrictions on the section of Parklands which falls within its boundary. At the time of writing this report, confirmation as to its intentions, in this regard, are awaited.
- 3.9 The ward councillors for Hough Green have been consulted and support the recommended actions. Cheshire Police has been consulted and has raised no objections to the proposals.

#### **4.0 POLICY IMPLICATIONS**

- 4.1 None.



## 5.0 FINANCIAL IMPLICATIONS

- 5.1 The total cost of introducing the requested waiting restrictions would be approximately £1000. This would be funded through annual traffic management revenue allocations.

## 6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

### 6.1 Children & Young People in Halton

There are no direct implications on the Council's 'Children and Young People in Halton' priority.

### 6.2 Employment, Learning & Skills in Halton

There are no direct implications on the Council's 'Employment, Learning & Skills in Halton' priority.

### 6.3 A Healthy Halton

There are no direct implications on the Council's 'A Healthy Halton' priority.

### 6.4 A Safer Halton

The proposed waiting restrictions could serve to prevent obstruction and protect sightlines for pedestrians, cyclists and drivers alike.

### 6.5 Halton's Urban Renewal

There are no direct implications on the Council's 'Employment, Learning & Skills in Halton' priority.

## 7.0 RISK ANALYSIS

- 7.1 There is a variable and uncertain road safety risk associated with not introducing these requested waiting restrictions, the degree of risk depending on the degree to which drivers would continue to park so as to obstruct the highway, desire lines and sight lines. This risk would have to be balanced against the proposal to introduce restrictions that would prohibit parking 24 hours a day, every day of the year in response to parking problems associated with events that can occur irregularly and for limited periods of time on a particular day.
- 7.2 There is also a risk that by introducing the restrictions, parking would be displaced further into the estate causing similar problems elsewhere and a consequent demand for additional restrictions. This would be likely to lead to even more pressure on already stretched police enforcement resources and the possible loss of on-street parking for residents.
- 7.3 There is the risk that any residents that would be directly affected by the proposed restrictions, most notably those on Ash Priors, may object when they realise the potential implications of losing on-street parking in the immediate vicinity of their homes in response to a parking problem that occurs occasionally and for limited periods of time.
- 7.4 No full risk assessment is required.

## 8.0 EQUALITY & DIVERSITY ISSUES.

- 8.1 There are no direct equality and diversity issues associated with this report.

## 9.0 KEY DECISIONS ON THE FORWARD PLAN

9.1 These proposals do not constitute a key decision and are not included in the Forward Plan.

**10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

10.1 **Document:** Report to Environment & Urban Renewal Policy & Performance Board, (Item 27, 19<sup>th</sup> November 2014 meeting) - Objection Relating to Proposed 'At Any Time' Waiting Restrictions, Parklands and Ash Priors, Widnes and Petition about Parklands Club and Associated Issues.

**Place of Inspection:** Via intranet.

**Contact Officer:** Steve Johnson, Lead Officer, Traffic & Road Safety

**Details of Proposed Order:**

[a] "At Any Time" Waiting Restrictions.

[b] Details:

Ash Priors: Both sides, for a distance of 100 metres measured along the centreline from the south kerb line of Parklands.

Parklands: Both sides, from a point 10 metres west of the centreline of Ellerton Close, eastwards to the Borough boundary.

Clanfield Avenue: Both sides, from the north kerb line of Parklands northwards for a distance of 11 metres.

Ellerton Close: Both sides, from the south kerb line of Parklands for a distance of 10 metres.

Chapel Lane: Both sides, over a length of 50 metres centred on the junction with Parklands.

[c] Plans: Drg. No. 9755C (attached in Appendix "D").

[d] Associated revocations: None.

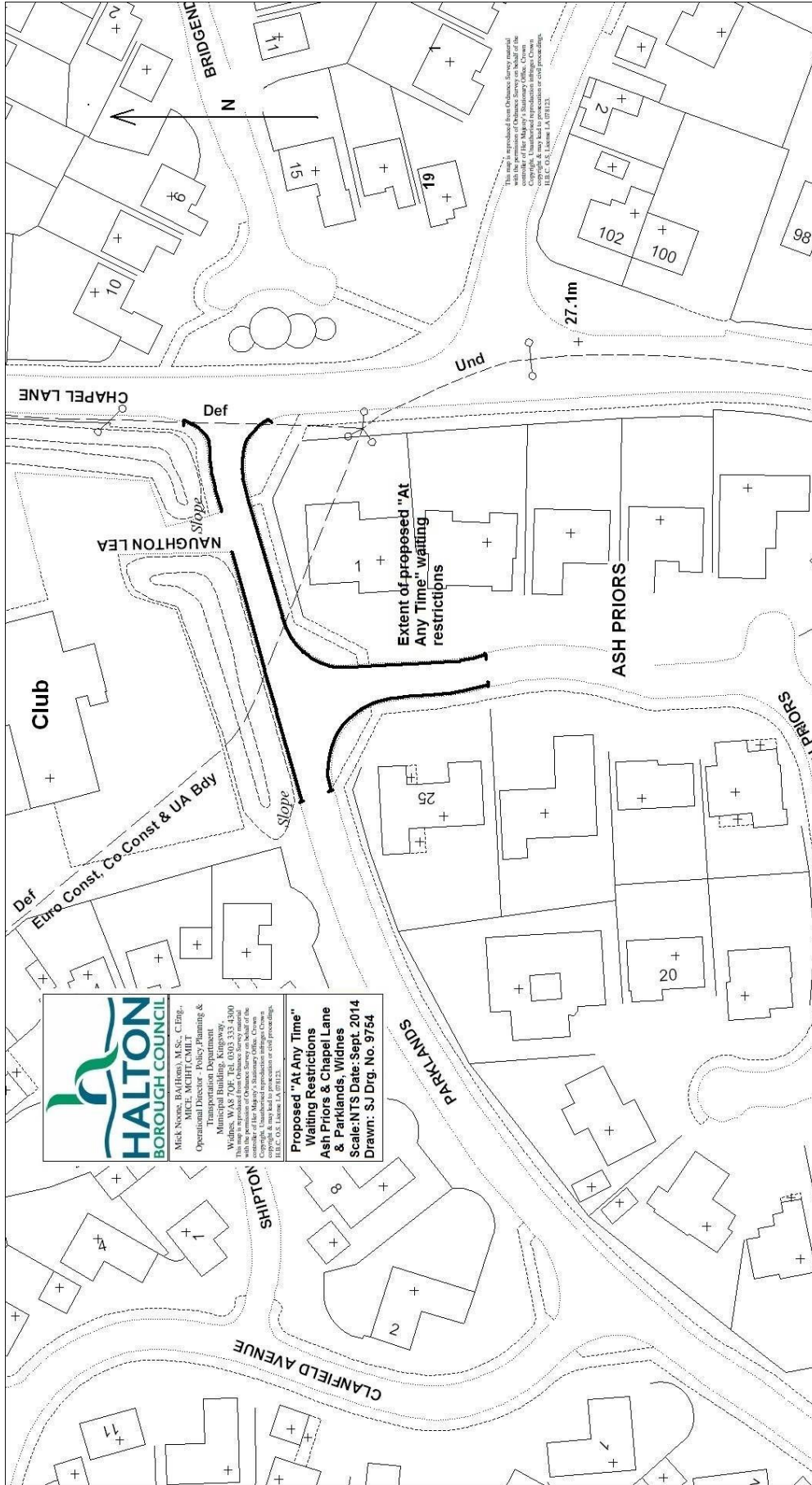
[e] Exemptions: Standard

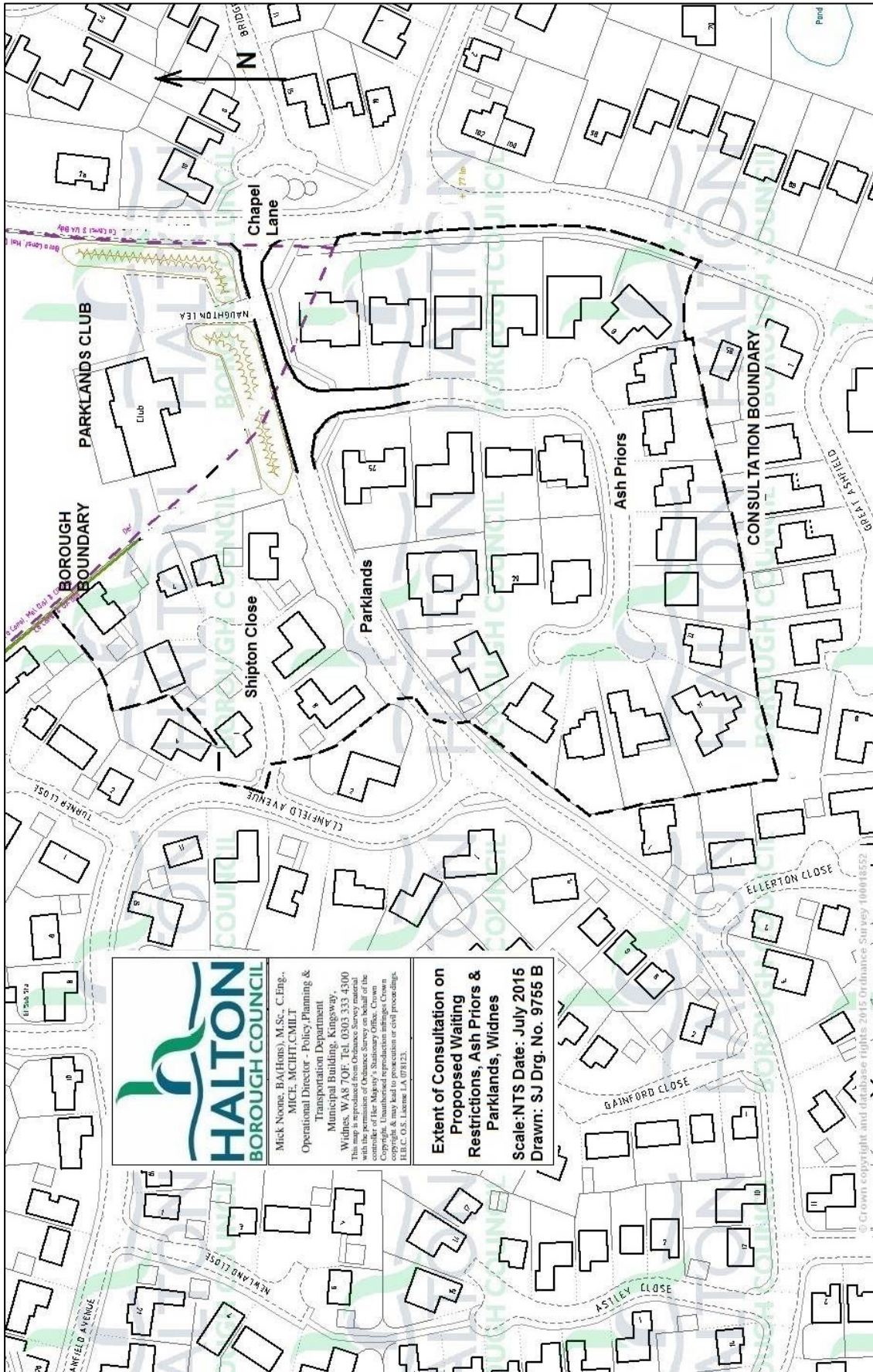
[f] Date to be advertised: ASAP

[g] Date to be effected: ASAP

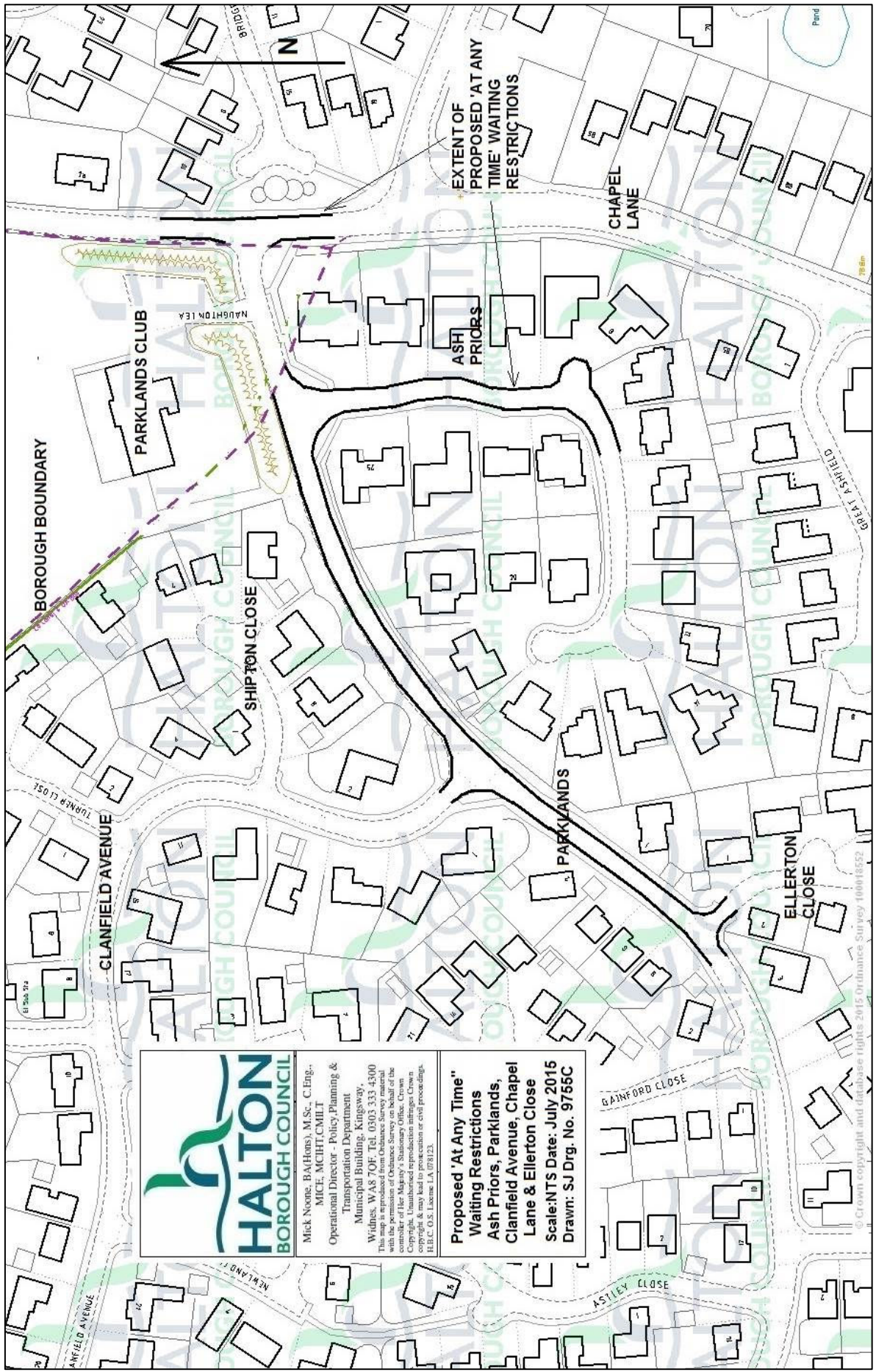
[h] Advertising code: 2050 1625 W041

Justification: To prevent obstructive parking and protect sightlines around junctions.









**HALTON BOROUGH COUNCIL**  
Mick Noone, BAHons), M.Sc., C.Eng.,  
MICE, MCIT, CMILT  
Operational Director - Policy, Planning & Transportation Department  
Municipal Building, Kingsway,  
Widnes, WARRINGTON, Tel. 0503 333 4300  
This map is reproduced from Ordnance Survey material under license from the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright & may lead to prosecution or civil proceedings.  
H.B.C. O.S. Licence LA 07/81/23.

**Proposed 'At Any Time' Waiting Restrictions**  
Ash Priors, Parklands,  
Clansfield Avenue, Chapel Lane & Ellerton Close  
Scale: NTS Date: July 2015  
Drawn: SJ Drg. No. 9755C

© Crown copyright and database rights 2015 Ordnance Survey 100018253