

Strategic Environment Cabinet Committee

Monday, 27 September 2021

7.30 pm

Present:

Cllr Lauren Sullivan (Chair)
Cllr Brian Sangha (Vice-Chair)

Councillors: Harold Craske
Dakota Dibben
Brian Francis
Baljit Hayre
Leslie Hills
Bob Lane
Jordan Meade
Peter Scollard

Wendy Lane	Assistant Director (Planning)
Simon Hookway	Assistant Director (Communities)
Shazad Ghani	Service Manager (Planning)
Keith Grimley	Senior Economic Development Officer
Jackie Denton	Customer Services Manager (Minutes)

73. Apologies for Absence

An apology for absence was received from Cllr Leslie Hoskins and Cllr Jordan Meade attended as his substitute.

An apology for absence was received from Cllr Emma Morley and Cllr Peter Scollard attended as her substitute.

74. Declarations of Interest

No declarations of interest were made.

75. Minutes

The minutes of the meeting of the Strategic Environment Cabinet Committee held on Monday, 21 June 2021 were signed by the Chair

76. Planning Enforcement principles

The Assistant Director (Planning) provided the Committee with a presentation on the basic Planning Enforcement principles.

A successful planning service consists of three components:

- Visionary plan-making which sets out the policies and proposals for the area
- Efficient and effective development management which applies those local and national policies in the determination of planning applications
- Well-resourced and effective enforcement

Paragraph 59 of the National Planning Policy Framework July 2021 states that effective enforcement is important to maintain public confidence in the planning system.

There are a number of Acts that relate to this including the Town and Country Planning Act 1990. We also have to have regard to other legislations and in particular:

- Regulation of Investigatory Powers Act 2000
- Data Protection Act 2018

There are various penalties and a lot of them are fines. We can have Proceeds of Crime when you have a Landlord who has a HMO and they are renting it out and they don't have permission but are earning thousands of pounds. You should not earn from something which is a crime. And there is also imprisonment.

Effective enforcement is important to tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area; to maintain the integrity of the decision-making process and to help ensure that public acceptance of the decision-making is maintained.

The Enforcement investigation process has been simplified to consist of 11 steps and these can be found in the presentation.

The full presentation can be viewed on the link below:

<https://democracy.gravesham.gov.uk/ieListDocuments.aspx?CId=444&MId=4692&Ver=4>

Members raised a number of points below and the Assistant Director (Planning) responded:

- Sometimes we have a problem on Step 8 of the process with expediency. Is there a definition of what is expedient and what isn't? Following on from that if you get to step 11 why go back to step 8, why not go back to step 9? The Assistant Director (Planning) responded that expediency is very much about planning judgement when you look at the policies at government level and local level, the likelihood of it being granted on appeal and if it is worth going through that process. If you decide it is expedient then you might go back and look at different mechanics to deliver that outcome. If you got action and it isn't effective the point of going back is expedient, there may be a reason it wasn't effective in the first place so you have to go back to consider if it is expedient to do it that way or look at it another way
- The Chair advised it is about the definition of harm and whether it is expedient and this is where Member input is important
- Guidelines on why something is expedient and why something isn't expedient to proceed with would be helpful. The Chair advised that this will form a document which will have those steps in a way to show that

- The Assistant Director (Planning) advised that we would like a list of published criteria where everyone understands the thought processes, it is transparent and you understand and can see how we are judging
- We need to have effective communication. We need to look at how Members are the golden thread through the processes of communication and the role of Members in dissemination of information through the media and that takes a long time. As members we should be able to intervene and say this is where the council currently is and in a couple of weeks we can update. The Assistant Director (Planning) responded that we haven't been as strong as we could have been. There has been times when we have focused on the mechanics of doing it but sometimes it is in the best interests not to have information in the public domain
- A Member asked if it would be possible that if an issue arises in a Ward that the Ward Members are informed out of courtesy and there is a point of communication for Members. The Assistant Director (Planning) responded that it is something we could look at. We may need to have a protocol around confidentiality in that if we make it really clear that something needs to be kept confidential then the Member is aware. We want trust between all parties in the system as a whole and we need to understand what you are happy with and what processes you want
- The Assistant Director (Planning) agreed that Members had articulated how they think it needs to be, brief, simple to follow, transparent, with clear language and an explanation of terminology

The Chair thanked the Assistant Director (Planning) for the interesting and useful presentation.

77. Overview of Biodiversity Net Gain Metric 3.0

The Service Manager (Planning) gave a presentation to Committee to explain what Biodiversity Net Gain Metric 3.0 is and what our duties are as a Local Authority under the Natural Environment and Rural Communities Act.

The Government adopted a 25 Year Environment Plan in 2018 and its overarching goals are:

- Cleaner air and water
- Plants and animals which are thriving
- A cleaner, greener country for us all

As a Local Authority we have a duty under the Natural Environment and Rural Communities Act to show regard for biodiversity in all our actions. This duty is being strengthened through the forthcoming Environment Bill with the aim of setting a legally binding target to halt species decline by 2030. The Bill introduces a 10% biodiversity net gain requirement for all new developments. KCC are in the process of commissioning some work to see whether we should achieve 20% biodiversity net gain. The government has done some analysis and in their view taking into account the cost of delivering a higher density, it doesn't give sufficient added benefit.

Net Gain within Gravesham – The Local Plan Core Strategy CS12 (Green infrastructure) seeks to ensure that there is no net loss of biodiversity as a result of development. GI6 (Biodiversity) in the Emerging Local Plan seeks measurable biodiversity net gain which takes account of the mitigation hierarchy.

Biodiversity net gain means a development that leaves biodiversity in a better state than before. To achieve net gain a development must have a higher biodiversity unit score after completion than the baseline score before development. Net Gain = More Nature.

Some of the wider benefits include workplace productivity, mental health, physical health, wellbeing, childhood development, reduced energy costs, cleaner water, property prices, tourist and recreational facilities.

There are 10 principles of good practice and guidance which can be seen in the full presentation.

The full presentation can be viewed on the link below:

<https://democracy.gravesham.gov.uk/ieListDocuments.aspx?CId=444&MId=4692&Ver=4>

Members raised a number of points below and the Assistant Director (Planning) and the Service Manager (Planning) responded:

- KCC are about to launch their new Kent Design Guide which could be an opportunity to include a section on Biodiversity Net Gain as we need a consistency across the county. The Assistant Director (Planning) wasn't sure it will be part of the Guide but is something we can raise with KCC. We do have a Service Level Agreement with KCC. We do need someone who truly understands the Metric as getting the right information to feed in is going to be important. The main guidance will come from DEFRA Natural England and that needs to be changed to something we can understand
- The Service Manager (Planning) advised that as part of the infrastructure study it will identify projects which Members will be able to contribute towards
- The biodiversity would be no further than Kent and hopefully the document will show where we want to see these gains

78. Overview of Householder Extensions / Alterations Design Guidance SPD

This Design Guide is a Supplementary Planning Document to the Gravesham Local Plan. It establishes the principles of good design and sets out the components which should be used for all developments in terms of layout, the form and scale, the appearance, landscape, materials and detailing.

Members made the following points:

- A copy of the Guide will be on the Gravesham website soon
- It is an excellent document and plainly written
- Members are keen that the document is promoted
- There will be a signature strip on Planning Officer's emails to highlight that we are adopting this Guide
- Members asked that the Guide is promoted via an article in Your Borough

Members agreed the document should be adopted.

79. Economic Stimulus Package Update

The Assistant Director (Communities) presented this report to update Committee on progress with the Economic Stimulus package which was agreed at Full Council in February 2021.

The measures within the package are to support business recovery in response to the impact of the Coronavirus pandemic. The majority of these measures were to be funded out of the £3,088,725 of Additional Restrictions Grant allocated to Gravesham as part of the Government's financial support to businesses. Funding was available for expenditure up to the end of March 2021 but that was subsequently extended to 31 July 2021 and if 100% was used by that date there would be an additional top-up of £692,120 which was achieved. The council has had to distribute in excess of thirteen rounds of covid grants and since the beginning of the year has distributed in excess of £12m to local businesses.

We are now directing the £692,120 'top up' from Additional Restrictions Grant to support the remaining economic stimulus workstreams, including Adaptation Grants, 1-2-1 support, procurement workshops and vacant retail units grant.

The council made a commitment to participate in the Government's Kickstart Scheme and to provide 34 work placements for young people for a period of six months. Within the last few weeks we have taken on 15 placements, five within the Operational Services Directorate, five within Housing Estate Management and five within the Housing Building Works Team. Also looking to roll out others in the offices in the coming weeks. Some placements are more work ready than others. We provide wrap around employment support linked with North Kent College. We have also appointed an Employability Co-ordinator to progress the scheme and match candidates with placements within the council.

Members raised a number of points and the Service Manager (Communities) and the Economic Development Manager responded:

- It would be useful to get some background on how much we have spent and what the outcomes have been so we can understand how effective the funds have been
- Funding to bring vacant retail premises into active use is still to go live plus the business start-ups as these have been put on hold until now. We want to focus where needs are greatest and where funding can best be used. We know where vacant units are and we need to confirm an application process in accordance with the Government guidance for Additional Restrictions Grant. We are putting those together at the moment. The allocation of £100k is aimed at reducing the vacant units which currently stand at 12.5% in the town centre and we are finding the best way to achieve that and we can report on that at a later date
- We don't have feedback on how the previous grants were spent, our role was to distribute the grants to businesses who have been impacted by Covid. It may be possible to do a short survey to get some feedback
- For the new grants we will have the opportunity to assess specific project applications and long-term impact. We put in place checks to ensure they are appropriate receivers of the grant in the first place
- Members praised the commitment of the council around apprenticeships and participating in the Kickstart Scheme. Back in 2019 the council also signed up to a Social Mobility pledge and we need to push that across the borough

- With reference to the £10k for procurement workshops for local businesses, will they be done in person or hybrid delivery and is it something we are planning to deliver in-house or will we use external expertise? We would be linking in with someone who has expertise in procurement and it will be delivered on-line but we also appreciate face to face makes a huge difference as businesses aren't taking up what is available and they need that reassurance and working together
- How do we know what we are getting in terms of bangs for bucks? Before Covid started we had estimated that we might lose a number of businesses and in fact our rate has been less than we originally anticipated with one of the reasons being the council's ability in getting grants out and outreach work reaching smaller rural businesses that might need help
- How confident are you that there are digital hubs/networks that we can tie into to provide better links for businesses given changes in work patterns during the pandemic? How confident are you that £25k will help you achieve that aim? How do we know that Gravesham is the place where small to medium enterprises want to be because of where it's located?
The Assistant Director (Communities) responded that we would look where we can make a start to get improvement and get a quick win where there is higher broadband capability and the work space that goes with that. We know we have space in the town and could put in a certain level of equipment to support businesses and once we know what the demand is we can work with that. This is something that we have already raised in St George's particularly with the proximity with the station
- With Furlough ending do you think the vacancy rate will rise from 12.5%?
Normally in the run up to Christmas we see an increase in the take-up of units. It is anyone's guess at the moment. Our main concern is in the St George's Centre where there are a cluster of vacancies and we are seeking to reduce vacancies there. Elsewhere we have seen a take-up of vacant units, for example a number of new food operators in Queen Street. We know there is more impact from the pandemic to come and we are yet to see the full impact on the local economy, especially with the end of Furlough and its effect on local employment
- It is very difficult to talk about benefits that have come out of the pandemic but one has to be that through the grants schemes we now have the best picture of the local business community. How do we plan to utilise that data? Can we use emails to invite them to business events? How will that data affect our economic development going forward?
On every application we have tried to sign them up to our business network. The message has been that we are trying to build a business network come and join us. We have been thinking about what data we have captured. We have added 200 to the business network but those who haven't joined we will invite them to join. We have been thinking about using one of our Kickstart placements to trawl through the list to create a more sophisticated profile
- Cllr Bob Lane asked if he could be invited to the next Business Network meeting as he has years of business experience and that was agreed

Members noted the information in the report.

80. Extract from the Register of Partnerships and Shared Service

Members noted the information in the report.

81. Corporate Performance Report: Q1 2021-22

The Assistant Director (Planning) and Assistant Director (Communities) provided the Committee with an update against the Performance Management Framework, as introduced within the council's Corporate Plan, for Quarter One 2021-22 (April to June 2021).

The Assistant Director (Communities) responded to Member questions as follows;

PI 32 – Why have we seen a net gain in active businesses of 4.3% in our smaller size enterprises in Gravesham given the national trend?

There has been a trend of smaller independent businesses starting up. In comparison with other districts Gravesham has been doing well. We need to look at survival rates and could bring that information back to committee. There may be a time lag around some of the data.

Thames Clipper ran four trial services during August. They were fully prescribed and they are looking to do some additional runs as they are clearly looking to build the business and are overwhelmed with the interest from Gravesham people wanting to use this service.

The Assistant Director (Planning) responded to Member questions as follows;

PI 36 – A Member commented that Major planning applications processed on time is 50% for Q1 which seems to be a significant drop whereas Non-Major planning applications are holding up at 97%?

It was only 2 major applications, 1 decided in time. The low numbers give volatility and it is down to the Developer whether to agree an extension time. We are keen to maintain high performance levels on minor and other applications. We had 254 minor applications of which 248 were decided in time.

In the past we have lost a number of Planning Officers to the Ebbsfleet Development Corporation and we then went through a stable time but we have had a number of resignations in the last couple of months, partly because people don't want to be Planning Officers, some through retirement and others going to other industries. We are talking about ways of bringing people in and we are looking at options to do Degree Apprenticeships. Our desire would be to get someone leaving school at 18 with A-levels to do a Degree Apprenticeship, it is six years. For it to be meaningful they need a lot of engagement from Officers who are already busy.

Members noted the information in the report.

Close of meeting

The meeting ended at 9.30 pm