

Minutes of the Meeting of the Planning, Transport, Regeneration Overview and Scrutiny Committee held on 16 January 2018 at 7.00 pm

Present: Councillors John Allen (Vice-Chair, in the Chair), Oliver Gerrish, Tom Kelly and Peter Smith

Apologies: Councillors Barbara Rice (Chair) and Terry Piccolo

In attendance: Steve Cox, Corporate Director of Place
Andrew Millard, Assistant Director - Planning, Transport and Public Protection
Stephen Taylor, Programmes and Projects Manager
Rebecca Ellsmore, Regeneration Programme Manager
Charlotte Raper, Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

24. Minutes

The minutes of the Planning, Transport, Regeneration Overview and Scrutiny Committee meeting held on 14 November 2017 were approved as a correct record.

25. Items of Urgent Business

There were no items of urgent business.

26. Declaration of Interests

Councillor Kelly declared an interest regarding item 7: Lower Thames Crossing Task Force Update, in that he was a member of the Task Force. This was repeated by the Chair.

Councillor Smith declared an interest regarding the same item as Chair of the Task Force.

Councillor Gerrish also declared an interest regarding item 7 as, while he did not sit full time, he was a substitute member of the Task Force.

27. Planning Fees

The Assistant Director of Planning, Transport and Public Protection advised the Committee that planning fees had not increased since 2014. Following concern from developers regarding the skills and capacity of Local Authorities the Government agreed that planning fees could be increased by 20%,

provided that the s151 Officer agreed that any revenue raised would be ring-fenced for use by the planning department.

This change would come into force as of the 17 January 2018 and Officers were seeking the views of Overview and Scrutiny prior to presentation to Cabinet in February with an aim to begin implementation from 12 February 2018, to help support the significant local planning agenda.

Councillor Gerrish noted that there would be an estimated increase of £180,000 and asked whether there were any concrete plans for its usage. Members heard that there were a variety of ways the money could be used and it was essential that the department was flexible. There was an issue around retaining experienced staff and it was hoped some would go to resolving this, however the department was also known for recruiting young, local people and training them to the role. There were no concrete plans however there was a clear strategy in place.

Councillor Gerrish continued to ask whether, in terms of the national situation, it was felt there would be a uniform approach. The Committee was advised that every Planning Authority had expressed the intention of doing so and it would be highly surprising if any didn't take the opportunity at hand.

The Chair summarised that it had been four years since any increase in planning fees and added that the increase was not a huge amount but the additional funds would help grow the department.

RESOLVED:

- 1. That the Planning, Transport, Regeneration Overview and Scrutiny Committee noted the revised Planning fees and comment on the proposal to implement, subject to Cabinet approval, with effect from 12th February 2018.**
- 2. That the Planning, Transport, Regeneration Overview and Scrutiny Committee noted that Director delegated authority will be sought via Cabinet in February to allow Planning Fees to be varied within a financial year in response to any further regulatory changes in consultation with the Portfolio Holder.**

28. Purfleet Centre Update

The Corporate Director of Place presented the report which highlighted recent progress of the project and considered the next steps required. The outline planning application had been submitted before Christmas and would be determined in spring 2018. The report sought the views of Planning, Transport, Regeneration Overview and Scrutiny Committee for the 'in principle' use of Compulsory Purchase Order (CPO) process, prior to recommendations seeking the same 'in principle' decision being presented to Cabinet. CPOs would be used as a last resort but would help to accelerate

negotiations around land acquisition by providing a clear signal that the project was both serious and gaining momentum.

Councillor Kelly reminded Officers that the Planning Committee had recently approved planning permission for a secondary school in the area with an understanding that land nearby would be used as a drop off point. This land was near the railway station and he queried whether the comments of the Planning Committee would be taken into consideration as the regeneration progressed. He also queried what impact the bridge over the level crossing would have. The Assistant Director of Planning, Transport and Public Protection echoed that Members of the Planning Committee had been concerned to ensure access to the site was properly planned for. It had been highlighted at the time that the land in question was time-limited due to the Purfleet Regeneration however the pupil population would shift over time to become more local. The Corporate Director of Place highlighted the importance of the bridge, as the level crossing at present was a constraint to the area. Plans would potentially affect the car park in time however the decision of the Planning Committee would be addressed.

Councillor Smith stated that it was right and proper that the Committee agree to the possible use of CPOs and put it to Cabinet to reach the final decision. He personally welcomed the project, which he felt was long overdue, as Purfleet had been somewhat unloved in recent years. He expressed some concern that the West of the borough was the worst area for traffic bottlenecks and urged full consideration to traffic modelling to make life for Purfleet residents as easy as possible.

The Chair advised Members that during his pre-brief with officers he had echoed Councillor Smith's concerns regarding the west of Thurrock. He welcomed the scheme but with caution as it would be impossible to understand the full impact until the scheme was in place.

Councillor Gerrish agreed it was right to open up the possibility of CPOs, as it was important to maintain the momentum given the scale and aspiration of the scheme. He added however that he hoped officers would act with the utmost sympathy for landowners during the CPO process and ensure they communicated openly and in the right way. The regeneration had been a long time coming and he was keen to see it happen.

RESOLVED:

Members of Planning, Transport, Regeneration Overview and Scrutiny Committee were asked to comment on the recommendations to be presented to Cabinet and give their thoughts on the use of Compulsory Purchase Powers to secure the delivery of this significant regeneration scheme.

Cabinet will be asked to:

- a) **note progress on the Purfleet Centre Project;**

- b) **agree these recommendations on the basis that a full Compulsory Purchase Order (CPO) can only be made by Cabinet at a future Cabinet meeting.**
- c) **resolve as a matter of principle, that the Council is prepared to use its compulsory purchase powers pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 to acquire land to deliver the comprehensive regeneration of Purfleet Centre;**
- d) **note that the regeneration team is progressing negotiations to acquire the land and interests required by private treaty and to delegate authority to the Corporate Director, Place in consultation with the Portfolio Holder for Regeneration to approve and enter into agreements with the owners and/or occupiers of the land so as to facilitate its acquisition;**
- e) **note the progress on the land referencing exercise and, if required, delegate authority to the Corporate Director, Place in consultation with the Portfolio Holder for Regeneration and Assistant Director of Law and Governance to issue requisitions for information pursuant to section 5A of the Acquisition of Land Act 1981 to persons who have a potential legal interest in or who occupy the area in respect of which compulsory purchase powers are proposed to be used;**
- f) **authorise the regeneration team under the direction of the Corporate Director, Place to undertake the work needed to prepare for the making of a possible Compulsory Purchase Order(s)(CPO) together with the associated documentation;**
- g) **delegate authority to the Corporate Director, Place in consultation with the Portfolio Holder for Regeneration to finalise and enter into the CPO Indemnity Agreement;**
- h) **resolve that any land acquired by the Council by private treaty within the area shown red on the plan at Appendix 1 in order to facilitate the Purfleet Centre Project shall be acquired for planning purposes pursuant to section 227 Town and Country Planning Act 1990;**
- i) **note that pursuant to sections 203 and 204 of the Housing and Planning Act 2016, land acquired under sections 226 or 227 of the Town and Country Planning Act 1990 may then be developed and used in accordance with planning permission for the proposed scheme notwithstanding any interference with any subsisting interests, rights or restrictions (subject to the**

payment of compensation calculated in accordance with sections 7 and 10 of the Compulsory Purchase Act 1965);

- j) in the event that Blight Notices under section 150 of the Town and Country Planning Act 1990 are served upon the Council, delegate authority to the Corporate Director for Place, in consultation with the Portfolio Holder for Regeneration and the Director for Law and Governance to acquire land or reject the Blight Notices as appropriate;**
- k) delegate authority to the Corporate Director for Place, in consultation with the Portfolio Holder for Regeneration, the Assistant Director for Law and Governance and the Council's section 151 Officer to grant any approvals necessary in order to allow the Purfleet Centre Project to progress.**

29. Lower Thames Crossing Task Force Update

Councillor Smith, as Chair of the Lower Thames Crossing Task Force, presented the Committee with an update. The first update report had been presented to Cabinet the week before which highlighted the excellent work of officers and specialists and outlined the response to the Environmental Impact Assessment Scoping Report. He continued that the Task Force was providing the residents of Thurrock with a service by being cross-party and including independent representatives providing a voice to Thurrock residents, Thurrock businesses and the Thames Crossing Action Group.

The Committee heard a somewhat negative aspect had been the interaction from Highways England, who had been disappointing to date however Councillor Smith was confident that the Task Force could expect improvements moving forward. Task Force meetings for the rest of the municipal year would be thematic:

- January's meeting would focus on those areas which the Council could influence, and those it could not to provide Members and Officers with guidance and manage expectations.
- February's meeting would consider the visual impact of the scheme and models, visual representations and other tools would be welcome.
- The meeting to be held in March would centre around public health and the impact and possible mitigations for the scheme.

Councillor Smith felt this would be a helpful strategy to avoid repetition of questions and prevent the Task Force getting 'bogged down' in the same aspects. He felt the unique panel had seen a very positive start.

Councillor Gerrish agreed it was good to see the work of the Task Force progressing. He noted that additional funds of £380,000 had been granted by Cabinet to manage the necessary work regarding the Lower Thames Crossing and asked what involvement the Task Force had in obtaining the funds and influencing their direction. The Task Force had proven its worth and directed officers to highlight the need for technical specialists to provide the best benefits for Thurrock. This approach would require additional funding and Councillor Smith was pleased to see this was on the table. While the Council still opposed the scheme it was necessary to ensure that, were it to go ahead, the best outcome for Thurrock and its residents would be achieved.

Councillor Gerrish continued to ask whether the Task Force would be involved in deciding how funds would be spent. The Corporate Director of Place advised that there were a number of areas for which Thurrock Council would be required to provide a response to Highways England in terms of a Traffic Impact Assessment, Environmental Impact Assessment, Air Quality Assessments and similar. It was crucial that the Council was ready with relevant evidence and data to challenge the scheme. Officers would work with the Task Force to shape what needed to be done, however Members were reminded that Highways England were responsible for the scheme, not Thurrock Council and therefore it was paramount that the Council could react quickly. The Task Force would provide a steer at each meeting once data had been received from Highways England.

30. Work Programme

Members discussed the Work Programme and requested items around the improved two-way traffic system in Grays, an update on the Tilbury Health Hub and a further update on the work of the Lower Thames Crossing Task Force, which would probably be in the next municipal year.

The meeting finished at 7.29 pm

Approved as a true and correct record

CHAIR

DATE

Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk