



Meeting of the

# CABINET

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Wednesday, 16 December 2020 at 5.30 p.m.

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If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact:

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# **PRE-DECISION SCRUTINY QUESTIONS (PDSQ) FOR CABINET**

Wednesday, 16 December 2020 at 5.30 p.m.

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6.2 Adoption of the High Density Living Supplementary Planning Document	
Question	Response
<p>Why does the term “Grenfell” not appear in the document given the enormous consequences of what we continue to discover about dense buildings, the word “Fire” appears only 3 times in 214 pages. The words crime, terrorism, bomb, CCTV, social media, broadband, internet, wi-fi, money, £, financial also do not appear anywhere and the term service charge appears only twice in Council written text.</p>	<p>It is important to understand the scope of planning policy and Supplementary planning documents (SPDs) in particular. As per planning legislations, SPDs should build upon and provide more detailed advice or guidance on policies in an adopted development plan (which is the London Borough of Tower Hamlets Local Plan and London Plan). As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. In regard to the various topics highlighted in the question we provide more detailed responses below:</p> <p><b>Fire</b> It is not the role of planning policy (Local Plan and SPDs) to cover the detail of fire matters. This is the remit of Building Regulations. It was agreed that fire was not included in the scope of this documents as planners are not fire safety experts and it would be important that the right expertise was used to provide guidance on these matters, which are often complex and affected by a range of variables.</p> <p>As part of the Hackett review the government is updating building regulations on fire safety. At a London level they intend to publish a London Plan that includes a policy on fire safety however it does not provide advice on the actual design, it is more about ensuring that the issues are taken account of at the early stage – again because it is not for Planning to provide advice on fire safety, that responsibility sits with government through the building control regs.</p> <p><b>Crime/terrorism/bomb/CCTV</b> The term used in the document to refer to criminal activity is ASB or anti-social behaviour which, as recognised in the document and supporting text/evidence, is an important challenge in this form of developments. This SPD addresses ASB through design recommendations that will minimize opportunities for crime and ASB. These include, location of communal amenity areas in prominent visible locations where residents will frequently be passing, in addition to having concierges in prominent locations with views on lobbies and communal spaces. Guidance on the design of</p>

public realm and security features have been provided in the section around the building. We do not consider it appropriate for a planning policy document to stipulate what tools the police and responsible authorities should use to manage crime, terrorism and ASB. As a result this SPD does not include specific references to design requirements related to these.

#### **Social media**

The management of buildings falls outside the scope of this document and planning. However given the importance of management, recommendations have been added in the form of further considerations. In particular there are recommendations for the setting up of Residents Associations and management of spaces through online platforms.

#### **Broadband/internet/wi-fi**

The document recognises the increasing trend of working from home. Unfortunately Tower Hamlets planning does not currently have the remit to control the rollout of WIFI systems in areas or within buildings.

#### **Money/Financial/Service charge**

In the SPD reference to cost and service charges are made throughout the document to recognise its implication in the everyday life of residents and managers at high density developments. It is agreed that service charges and other cost implications are a large part of life in HDL, and this was identified through the survey. The SPD aims to avoid some of the service charge implications by suggesting design solutions that minimize management cost, such as for example location of communal amenity spaces and play spaces closer to the ground, with greater levels of overlook to avoid more extensive management requirements. Concierges were identified as key to support residents quality but service charge implications are recognised in the document. Where these cannot be provided, due to service charge implications, ensuring some management presence through better location of staff facilities is encouraged. Economies of scale in management resources are encouraged. From case studies when a developer continues to manage the scheme or when one

	<p>management company manages both affordable and private were most effective.</p>
<p>The SPD contains no specific policy recommendations as a response to COVID-19 or coronavirus type pandemics in the future despite the consultation period including a large part of the 1st lockdown and clear evidence about the importance of space, filtration, ventilation and surface materials as a response to pandemics. Why?</p>	<p>Covid-19 has led to places and spaces being used differently and is likely to lead to long term changes in how cities and buildings function. Timing and project scope did not allow for complete restructure in response to the crisis and in the early stages of the pandemic, during the preparation of the document, there was a lack of sufficient published evidence. However, the key aim of the HDL and much of the guidance has become even more important in light of the pandemic and in the SPD we emphasized the importance of generous circulation spaces, increasing natural ventilation and provision of usable private amenity spaces. There are also design guidelines recommending the use of robust materials that are easy to clean in corridors and other communal areas.</p>
<p>Will any omissions be dealt with in the Tall Building SPD or does LBTH not consider these material issues?</p>	<p>It is not anticipated that the Tall Buildings SPD will consider these, for the reasons given above.</p> <p>On the broader potential implications of covid on how cities and places are used and function, this will be something that will be considered as part of any future review of the Plan.</p>

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6.3 Spitalfields Neighbourhood Plan – Validation of Submission	
Question	Information Question Response
<p>What is the financial cost of the administration of the Neighbourhood Plan development process to the council?</p>	<p>The Neighbourhood Plan development process would have administration costs to the Council, associated with:</p> <ul style="list-style-type: none"> <li>- senior officer guidance and support throughout, along with expertise from other services, such as legal, design &amp; heritage and development management – depending on the nature of the policies being drafted</li> <li>- an examination in public (EiP)</li> <li>- a referendum</li> </ul> <p>The senior officer time committed to the development process of a plan is dependent on the content, complexity and length of the Neighbourhood Plan. It should be noted that, before a Neighbourhood Plan can be progressed, a forum and area would need to be established. For each of these stages, the Council is required to provide support and advice.</p> <p>Council’s experience of an Examination in Public (EiP) for a Neighbourhood Plan has been at the cost of approximately £7,000. This would vary according to the number of days required for the EiP as well as whether the Inspector requests hearings or not.</p> <p>A referendum is estimated to cost £20,000.</p> <p>It should be noted that for each forum and area designated, there is a grant awarded to the Local Authority of £5,000, and for a referendum there is financial support of £20,000 from the Government to pay for each referendum (regardless of size or other factors).</p>

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6.4 Local Government and Social Care Ombudsman, Determination of Outcome	
Question	Response
<p><b>6.4a Appendix 1 - Draft report by the Local Government and Social Care</b></p> <p>How many people applied for disabled parking bays in 2018 and 2019 (or similar period) and were either approved or rejected?</p>	<p>There has been a total of 197 applications between 2018/19</p> <p>Approved = 76 Rejected = 82 Closed = 39 as they did not provide further evidence required upon request.</p>
<p>How many previous applicants who have been refused a parking bay over the past year have now been written to by the parking team informing them of the changes to its policy?</p>	<p>We wrote to a total of fifty applicants who were refused a parking bay over the past year.</p>
<p>How many of these residents have subsequently had a fresh mobility assessment which has resulted in their being assigned a personalised disabled parking bay?</p>	<p>To date three of the applicants that were written to have made fresh applications, however two have off street parking and therefore do not qualify and a further one has been rejected as they did not have 12pts on their PIP (personal independence payment) of DLA mobility. None of these cases had hidden disabilities.</p>
<p>The date of the draft report from the Ombudsman is August 2020, thus 3 months have already elapsed. Have the agreed actions been taken? Have there been any subsequent appeals following letters to all those who have recently applied for a personal disabled bay?</p>	<p>We have taken all the agreed actions including the installation of a bay ahead of time.</p> <p>There have been no appeals following the letter sent to previous applicants.</p>
<p>It is recommended to contact applicants who have been refused a parking bay and inform them of the changes to its policy.</p> <p>Could the changes have cost implications</p>	<p>20.11.20 as recommended by the ombudsman we wrote to all applicants who had previously been refused a bay informing them that they could reapply following changes to the policy. The only cost implications are the Traffic Management Orders which will be combined with the current programme of current applications.</p> <p>The ombudsman action was for us to inform the previous applicants to reapply and not to</p>

<p>and is there budget? Should applicants appeal against previous decisions and request the Council to install parking spaces for them and provide some compensation?</p>	<p>appeal the decision.</p>
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