

Minutes of a meeting of the **POLICY DEVELOPMENT PANEL** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Tuesday, 25 June 2019 at 6.30 pm.

PRESENT

A R Woolf (Chairman)
J D McLean (Vice-Chairman)

J R Astill
F Biggadike
R A Gibson

M Hasan
J L King
P A Redgate

J L Reynolds
G R D Rudkin
S C Walsh

In Attendance: The Place Manager, the Housing Landlord Services Manager, the Environmental Protection Manager and the Lead Democratic Services Officer.

Apologies for absence were received from or on behalf of Councillors J Avery, M D Booth, H Drury, A M Newton, S-A Slade and E J Sneath

	<u>Action By</u>
<p>1. POLICY DEVELOPMENT PANEL</p> <p>Consideration was given to the minutes of the Policy Development Panel held on 5 March 2019.</p> <p>AGREED:</p> <p>That the minutes be signed as a correct record.</p>	
<p>2. JOINT PERFORMANCE MONITORING PANEL AND POLICY DEVELOPMENT PANEL</p> <p>Consideration was given to the minutes of the meeting of the Joint Performance Monitoring Panel and Policy Development Panel.</p> <p>AGREED:</p> <p>That the minutes be agreed as a correct record.</p>	
<p>3. JOINT PERFORMANCE MONITORING PANEL AND POLICY DEVELOPMENT PANEL</p> <p>Consideration was given to the Joint Performance Monitoring Panel and Policy Development Panel meeting held on 9 January 2019.</p> <p>Councillors were informed that when the minutes had been considered by the Performance Monitoring Panel on 20th March 2019, Councillors had asked for clarification regarding one of the</p>	

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bullet points on the leisure contract. Clarification had been given with the following additional wording which had been agreed by the Performance Monitoring Panel:

The five year contract in the current facilities met short term needs whilst a position around future requirements was assessed. This would include taking into account the current facilities.

This clarification was circulated to members of the Panel.

AGREED:

That subject to the above inclusion, the minutes be signed as a correct record.

4. JOINT PERFORMANCE MONITORING PANEL AND POLICY DEVELOPMENT PANEL

Consideration was given to the minutes of the Joint Performance Monitoring Panel and Policy Development Panel meeting held on 12 February 2019.

AGREED:

That the minutes be signed as a correct record.

5. DECLARATION OF INTERESTS.

There were no declarations of interest.

6. QUESTIONS ASKED UNDER STANDING ORDER 6

There were no questions asked under Standing Order 6.

7. TRACKING OF RECOMMENDATIONS

There were no tracking of recommendations.

8. ITEMS REFERRED FROM THE PERFORMANCE MONITORING PANEL

There were no items referred from the Performance Monitoring Panel.

9. KEY DECISION PLAN

Consideration was given to the Key Decision Plan dated 17 June 2019.

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AGREED:

That the Key Decision Plan be noted.

10. POLICY REGISTER

The Panel gave consideration to the Policy Register dated 14 June 2019.

AGREED:

That the Policy Register be noted.

11. REVIEW OF HMO LICENSING POLICY

The Housing Services Manager provided an update on the review of the Houses of Multiple Occupancy (HMO) Licensing Policy.

The Panel noted that in October 2018, in light of new legislation, the Council had agreed to increase the HMO licensing fee to £540. Since then 33 properties had been licensed. There were 30 properties against which the Council was considering taking enforcement action. Partnership working with the police and fire brigade was being undertaken.

A Councillor highlighted that sometimes the refuse arrangements in HMOs caused problems and asked how the Council dealt with that? It was noted that refuse collection was picked up as part of the process. If a HMO was licensed then it would have to meet certain criteria at inspection.

Working with other authorities would continue, as required by legislation. Councillors would be informed of how regularly meetings with other local authorities took place.

Members of the Committee discussed the Councillors' role in intelligence gathering about HMOs. Which houses were registered as HMOs was a matter of public information. Councillors would be directed to where this information could be found.

It was agreed that a further update would be provided at the meeting on 6 November 2019.

AGREED:

That the update on the review of the HMP Licensing Policy be

PS

CM, PS

noted.

12. REVIEW OF CONTAMINATED LAND STRATEGY

The Panel considered a report of the Portfolio Holder for Public Protection and Executive Director – Strategy and Governance setting out the revised Contaminated Land Strategy.

Councillors noted that Local authorities had a number of duties in respect of contaminated land. These duties were originally imposed by Part 2A, Environmental Protection Act 1990 (Part 2A), as inserted by Section 57, Environment Act 1995. The duties were implemented by the Contaminated Land (England) Regulations 2000 as amended, supported by Part 2A Contaminated Land Statutory Guidance.

The UK policy on contaminated land was to prevent future pollution (dealt with separately through Groundwater Regulations and Pollution Prevention and Control (PPC) Legislation) and to restore past damage / contamination in a structured way. This element of the policy was delivered through a combination of the planning regime and the duties under Part 2A. The UK policy aimed to reduce unacceptable risks to human health and the environment, to enable the re-use of brownfield sites and to protect green-field sites. This was based on a risk based approach that emphasised voluntary, positive and controlled action and recognised that the best means of paying for remediation was often through redevelopment.

The strategic approach by local authorities referred to above, was dealt with by a requirement for all local authorities to produce and publish a Contaminated Land Strategy. The strategy detailed how contaminated land was to be identified and the inspection strategy to be employed (rational, ordered and efficient). The aim of the strategy was to direct the work to assess potentially contaminated sites, ensure that the most pressing and serious problems were located first, reflected local circumstances and where appropriate formally determined land as contaminated land. Local Authorities were also required to identify who was liable, secure remediation where necessary, or to act in default and recover costs and to maintain a public register of contaminated land.

The Strategy was last reviewed in 2014, at which time a number of changes had been made to reflect changes in legislation and statutory guidance (The Contaminated Land (England)(Amendment) Regulations 2012), as well as changes in the planning framework which included the introduction of the

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national planning policy framework at that time and removal of Defra (Department for the Environment, Food and Rural Affairs) grant funding for certain aspects (Pt 2A remediation work).

Members noted that this current draft didn't materially change the strategic approach already set out for contaminated land and that there had been no significant changes in legislation or statutory guidance that the Council had to have regard to at this time. The opportunity has been taken to remove some duplication of information, move some technical information from the main body of the Strategy and move it to the appendices and make reference to the new South Lincolnshire Local Plan.

In response to a question from a Councillor, the Environmental Protection Manager explained that there were over 1000 potentially contaminated sites and that routine inspections did not take place. The service was intelligence led and action was targeted where a complaint was received.

The Panel asked whether there was any opportunity to interact with the utility companies. It was noted that it had proven difficult to obtain information from the utility companies. However, with regard to planning permissions, a condition was added requiring ground works and having to report contamination if any was found.

Councillors referred to the former gypsy and traveller site at Gosberton and whether there were areas of concern with regard to contamination, as there was anecdotal evidence that contaminated objects were buried. The Environmental Protection Manager stated that the site was on a list of sites of potential concern. If the site was used in the future then the Council would get involved, but there needed to be the potential for significant harm, for example the contamination of controlled waters. If there was no risk then it was unlikely that the Council would get involved.

Councillors asked what a 'special' site was. It was noted that the Council did not know of any contaminated areas that affected 'special' sites, and that the definition would be circulated to Councillors.

With regards to audit of the strategy, there was no external process but it was subject to internal audit.

Councillors praised the strategy for being easy to understand and noted that, as set out in legislation, the consultees would be neighbouring local authorities, the Environment Agency, Natural

RB

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England, Fire and Rescue and other relevant bodies. There would be a six week consultation period.

AGREED:

That the Panel commends the draft Contaminated Land Strategy for consultation.

13. POLICY DEVELOPMENT PANEL WORK PROGRAMME

The Panel considered a report by the Executive Manager – Governance setting out the work programme of the Panel. The work programme consisted of two sections, the first setting out the dates of future panel meetings along with proposed items for consideration, and the second setting out Task Groups that had been identified by the Panel.

The Chairman informed the Panel that the Executive Director for Place had given his apologies for the meeting, but had met with him and the Vice-Chairman to go through the work programme.

The Panel discussed areas of work that they would like included in the work programme and the following key points emerged:

- Public Open Spaces Task Group – Councillors felt that this Task Group had stalled and was awaiting a report back following consultation with Parish Councils. It was agreed that, as it was a joint Task Group with PMP (the Performance Monitoring Panel), the Chairman of that Panel would be approached to see if they would be happy for it to be encompassed into a new Task Group looking at Planning Design that would be set up as a Policy Development Panel Task Group. If not, it the Planning Design Task Group could be set up as a joint Task Group with PMP. CM
- Further to above, a Planning Design Task Group be established composed of Councillors Astill, King, Redgate, Reynolds, and Walsh CM
- Postage and Paper Reduction Task Group – It was agreed that this Task Group had served its purpose and could be removed from the Work Programme. CM
- Leisure Facilities Task Group – This was a joint Task Group with PMP which reported to Cabinet in 2014 and tracking of recommendations considered by PDP in CM

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February 2015. It was agreed that, in consultation with PMP, this Task Group be removed from the work programme.

- The Panel identified that they would like to give consideration to possible Task Groups on Cross Departmental Working at South Holland District Council and also the Community Infrastructure Levy. It was agreed that officers would be invited to the next meeting of the Panel to give a position statement on these issues in order that the panel could make an informed decision on whether or not to proceed with a Task Group.

CM, PN,
GP, ES

AGREED:

1. That the Work Programme be noted; and
2. That the actions be progressed as set out above.

14. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.

There were no urgent items.

(The meeting ended at 8.05 pm)

(End of minutes)