

**STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE  
25 NOVEMBER 2014**

**Present:** Councillors Tickner (Chair), Ayub, Chrisp, Dennis, Duveen, K Edwards, Jones, Maskell, Page, Stanford-Beale and Willis.

**Apologies:** Councillors DL Absolom, Anderson and Whitham

**Also in attendance:** Councillor White

**12. MINUTES**

The Minutes of the meeting of 16 July 2014 were confirmed as a correct record and signed by the Chair.

**13. MINUTES OF TRAFFIC MANAGEMENT SUB-COMMITTEE**

The Minutes of the meetings of the Traffic Management Sub-Committee of 11 September and 4 November 2014 were received.

**14. MINUTES OF OTHER BODIES**

The Minutes of the meeting of the Reading Climate Change Partnership Board of 22 October 2014, the meetings of the Joint Waste Disposal Board of 5 June and 18 September 2014 and the Minutes of the meeting of the AWE Local Liaison Committee of 17 September 2014 were submitted.

**Resolved:** That the Minutes be noted.

**15. AWE PRESENTATION ON THE STRUCTURE AND COMPOSITION OF THE LOCAL LIAISON COMMITTEE AND TIMESCALES FOR THE SUBMARINE DISMANTLING PROJECT.**

The Director of Environment and Neighbourhood Services submitted a report updating the Committee on the decision to invite a representative from AWE to provide further information with regard to the structure and composition of the Local Liaison Committee (LLC) and to provide information with regard to the timescales for the submarine dismantling project.

Hadyn Clulow, AWE Site Director and Fiona Rogers, AWE Head of Corporate Communications, gave a presentation and answered questions from the Committee.

Fiona Rogers explained that they had carried out a review of the terms of reference for the LLC and had also completed a benchmark exercise against LLCs on other sites. There was no national guidance for LLCs, but the AWE felt that the primary function of the LLC was to focus on issues for local communities.

The Committee discussed the presentation and a number of points were made including that several members felt that the membership of the LLC did not reflect the composition of the local community around AWE, in particular the Reading community as the largest urban area close to AWE.

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Hadyn Clulow explained that AWE had responded to requests for information from the Ministry of Defence (MoD) with regard to the submarine dismantling project and that they had the capacity within the current facilities to complete this. The final decision would be taken by the MoD following a period of public consultation.

**Resolved:**

- (1) That the presentation be noted;
- (2) That the AWE be asked to reconsider whether the membership of the LLC was representative of the local community;
- (3) That the Chair of the Committee, in consultation with the Lead Councillor for Strategic Environment, Planning and Transport, prepare a response to the public consultation on the submarine dismantling project.

(Councillor Willis declared an interest in the above item. Nature of Interest: Councillor Willis was employed by the Ministry of Defence.)

(Councillor K Edwards declared an interest and withdrew for the above item. Nature of Interest: Councillor K Edwards was employed by a company that worked for AWE.)

## **16. THE COMMUNITY VALUE OF PUBS**

The Director of Environment and Neighbourhood Services submitted a report updating the Committee on the response to the Council motion submitted by Councillor White at the meeting of Council on 21 October 2014 (Minute 32 refers) regarding the community role of pubs. An extract of the draft Council Minute was attached to the report at Appendix 1 and a copy of the letter sent by the Managing Director, at the request of the Deputy Leader/ Lead Councillor for Environment, Planning and Transport, in response to the Government's consultation on the draft Small Business, Enterprise and Employment Bill was attached to the report at Appendix 2.

The report stated that there had been a considerable number of pubs converted to other uses in Reading over recent years and that a change from a pub to a shop, financial or professional service or to a restaurant was permitted under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order so no planning permission was required. There had been considerable public concern about this lack of control as well as detrimental impact of the loss of a community facility, although it was recognised that some pubs were not economically viable.

The report contained details of the officer response to each aspect of the motion as follows:

The development and adoption of planning policies to give stronger protection to local public houses

The report stated that the Council had already adopted policy protection for public houses under Policy DM15 (Protection of Leisure Facilities and Public Houses) in

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October 2012, but that this would be reviewed with other local plan policies as part of the review of the Local Plan.

To help facilitate community groups to nominate pubs as Assets of Community Value

The report explained that under Part 5 Chapter 3 of the Localism Act 2011 (the Act) the Council was required to maintain a list of Assets of Community Value which had been nominated by bodies representing the local community. This was intended to help local communities to keep such assets in public use and part of local life. When listed assets came up for sale or change of ownership, the Act gave community groups the time to develop a bid and raise money to bid to buy the asset, although the owner retained the discretion to sell to whomever they chose.

The report also stated that the Council would continue to provide information and support to community groups who wished to submit nominations.

To give consideration to the use of Article 4 Directions to protect threatened pubs from demolition or change of use

The report stated that Councils could consider the use of Article 4 Direction powers in response to concerns about permitted development rights. However, recent Planning Practice Guidance made it clear that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this was necessary to protect the local amenity or the wellbeing of the area and that the potential harm should be clearly identified.

In an urban area such as Reading, it would be difficult to argue that the loss of a pub as a community facility was unacceptable if there were other pubs in the vicinity and so a borough wide Article 4 Direction to remove permitted development rights for all public houses in the Borough was unlikely to be capable of justification.

To submit, under the Sustainable Communities Act, a proposal to Government to protect community pubs in England by ensuring that planning permission and community consultation were required before community pubs were allowed to be converted to betting shops, supermarkets and pay-day loan stores or other uses, or were allowed to be demolished

The report explained that the Sustainable Communities Act 2007 introduced legislation to help reverse the trend of community decline due to the loss of local facilities and services. Councils could make proposals to the Secretary of State, but must also involve local people by setting up citizens' panels and reaching agreement with the panels as to proposals.

The report stated that this was not considered an appropriate scheme to preserve public houses in the Borough.

That the Managing Director wrote to the Secretary of State at the Department of Business Innovation & Skills to request that publican lessees were offered a fair market rent-only option and at this be included in the Small Business Bill currently before Parliament.

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The report stated that the Bill sought to ensure that pub landlords received a fair deal through the introduction of a statutory code and an Adjudicator. On behalf of the Council and at the request of the Deputy Leader/ Lead Councillor for Environment, Planning and Transport, the Managing Director had responded to the consultation.

At the invitation of the Chair, Councillor White, Mr G Epps and Mr P Scrivens addressed the Committee.

**Resolved:**

- (1) That the Local Plan be reviewed to ensure it provided an appropriate and sustainable level of protection for public houses;
- (2) That the powers contained within Article 5, Chapter 3 of the Localism Act 2011 in relation to the Assets of Community Value be noted and future appropriate applications for listing from community groups be supported;
- (3) That the regulatory constraints in relation to Article 4 Directions which would not support the serving of a Borough wide direction be noted;
- (4) That it be noted that it was not considered appropriate to use the Sustainable Communities Act 2007 as a way of preserving public houses from development in the Borough;
- (4) That the letter sent by the Managing Director, at the request of the Deputy Leader/ Lead Member for Environment Planning and Transport, in response to the consultation on the proposed Small Business, Enterprise and Employment Bill, be noted.

**17. REVISED LOCAL DEVELOPMENT SCHEME**

The Director of Environment and Neighbourhood Services submitted a report to update the Committee on the Local Development Scheme (LDS). The revised LDS was attached to the report at Appendix 2.

The report stated that the LDS was a statutory programme tool which set out the planning policy documents that the Council intended to produce with their purpose, timescales and geographical area. The Committee had approved the last LDS at the meeting of 9 July 2013 (Minute 8 refers) and set out a programme for producing a comprehensive Local Plan to replace three separate development plan documents. The Committee approved subsequent amendments to the LDS on 20 November 2013 (Minute 19 refers) which allowed for an alteration to the Council's existing affordable housing policies prior to a full review of the Local Plan.

The report explained that the current proposals were to amend the timescales for the production of the LDS so that the evidence document on housing needs that had been commissioned jointly with neighbouring authorities could be used to inform the strategy of the LDS.

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The report also stated that two alternative options could be considered. The first of these would be to proceed with the existing 2013 LDS, but this would mean moving to an Issues and Options consultation before information on housing needs was available in summer 2015 and proposed housing figures were potentially the most important element of the Local Plan. The second option would be to produce a LDS with less ambitious timescales, but this would leave the Council without a planning policy in place to cover some important issues, which could leave the Council vulnerable to appeals and be a less effective use of resources.

**Resolved:** That the Local Development Scheme, as attached to the report at Appendix 2, be approved and form the basis for production of the planning policy.

#### **18. ANNUAL CARBON FOOTPRINT REPORT 2013-14**

The Director of Environment and Neighbourhood Services submitted a report to update the Committee on the annual Carbon Footprint report for 2013/14. The full details were included in the Greenhouse Gas (GHG) Protocol Report 2013-14, which was attached to the report at Appendix 1.

The report stated that the Council had published its first Climate Change Strategy in 2008, which included a commitment to reduce emissions of greenhouse gases by 4% per annum and by 50% in total by 2020. Reading Climate Change Partnership's strategy 'Reading means business on Climate Change' was developed to further this commitment by developing a collaborative strategy with business, community and public sector that invited other organisations to join in a shared ambition to reduce their emissions by 7% per annum.

The report showed that the Council had steadily increased its commitment to reduce its own carbon emissions over the past six years and had achieved a 3% reduction in corporate emissions between 2012/13 and 2013/14. The main projects that contributed to this reduction were the continued investment in invest-to-save energy efficiency technologies through the Salix Fund and the first solar panel project. The footprint decreased by less than 1% when the gross emissions of the wider influence of the Council were taken into account.

The 2013/14 carbon footprint for the Council's corporate activities was 31.3% lower than the baseline emissions in 2008/09. This was 10% ahead of target and demonstrated significant progress to meet the 50% reduction target by 2020.

Other schemes to reduce carbon emissions included the investment in LED (Light Emitting Diode) lamps for street lights, the installations of photovoltaic solar panels onto 500 Council houses and it was noted that the move to the new civic offices building was predicted to reduce the energy consumption by 75% compared to the current building.

The report explained that 2013/14 was the final year that the Council was required to participate in the Carbon Reduction Commitment Energy Efficiency Scheme (CRC) after the Government's simplification of the scheme.

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- (1) That the continued reduction of carbon emission for 2013/14, as detailed in the report, be noted;
- (2) That the 2013/14 carbon footprint for the Council's corporate and wider activities, as detailed in the report, be noted;
- (3) That the ongoing investment in low carbon technologies and initiatives to reduce energy costs and the carbon footprint of the Council operations, including significant energy savings from the new civic offices, be supported;
- (4) That the separation of reporting of the corporate activities and wider services, including schools and managed services, be approved.

**19. WATER SECURITY SCRUTINY REVIEW - UPDATE**

The Director of Environment and Neighbourhood Services submitted a report to update the Committee on the Water Security scrutiny review that was being carried out by a task-and-finish group of Councillors appointed by the Committee at the meeting on 16 July 2014 (Minute 6 refers).

The report stated that the Group had met on 20 October 2014 and had discussed the scope of the review. The Group had agreed that the review should look at the current condition of Reading's water supply and waste water infrastructure and the planned investments, and to investigate how the impact of planned and emergency work could be minimised. The proposed scoping framework for the review was attached to the report at Appendix 1.

The report stated that this review would build on a previous scrutiny review of water security with Thames Water and other stakeholders in 2012 but had a more specific focus, as detailed in the scoping framework. It was proposed that the Group and relevant officers sought the relevant information from Thames Water and met with their representatives to discuss these issues and then submit a final report to the Committee on 26 March 2015. Thames Water would also be invited to that meeting to discuss the review findings and to give a presentation on their planned programme of works in Reading.

**Resolved:**

- (1) That the proposed scope of the Water Security review be approved;
- (2) That Thames Water be invited to the SEPT Committee meeting on 26 March 2015 to discuss the review conclusions and to provide an update on the investment programme for Reading.

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**20. COMMUNITIES AND LOCAL GOVERNMENT (CLG) / DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS (DEFRA) CONSULTATION ON PROVIDING SUSTAINABLE DRAINAGE SYSTEMS THROUGH THE PLANNING PROCESS**

The Director of Environment and Neighbourhood Services submitted a report updating the Committee on the joint CLG and DEFRA consultation document that detailed the latest proposals, which included not to progress with the Sustainable Urban Drainage (SUDS) Approving Bodies (SABs) but to incorporate the provision of SUDS within the Planning System. A response to the consultation that was approved by Planning Application Committee on 15 October 2014 and submitted to DEFRA was attached to the report at Appendix 1.

The report stated that Schedule 3 of The Flood and Water Management Act 2010 established SUDS Approving Bodies (SABs) in unitary authorities and in county councils and gave those bodies statutory responsibility for approving Drainage Applications and, in some cases, adopting the approved drainage systems associated with all new developments.

The report contained details of the consultation proposals and stated that as the Council was considered to have taken a proactive approach in implementing SUDS systems, Chris Saunders, the Transport Development Control Manager had been asked by DEFRA to help to assess the outcomes of the consultation in December 2014.

The report also stated that the changes would have implications on the planning process and that other organisations, such as the Environment Agency, might need to be consulted specifically for SUDS. There would be additional work for the enforcement team to ensure that the conditions covering the maintenance of SUDS were undertaken, but this would be less work than there would have been under the original proposals.

**Resolved:** That the report be noted.

(The meeting started at 6.30pm and closed at 8.02pm).

Signed: \_\_\_\_\_ (Chair)

26 March 2015