

# ROYAL BOROUGH OF GREENWICH

## OVERVIEW AND SCRUTINY COMMITTEE

MONDAY, 20 SEPTEMBER 2021 AT 19.00 PM

### MINUTES

#### PRESENT:

##### Members:

Councillor Chris Lloyd (Chair), Councillors John Fahy, Mark James, Clive Mardner, Gary Parker, David Stanley, Ivis Williams, Nigel Fletcher and Matt Hartley

##### Officers

Director of Regeneration, Enterprise & Skills, Assistant Director Planning & Building Control, Performance & Planning Obligations Manager and Scrutiny Manager

##### Under Standing Orders

Councillor Linda Perks, Cabinet Member for Finance & Resources

##### Item

##### No.

#### 1 Apologies for Absence

Apologies for lateness received for Councillor Gary Parker.

#### 2 Urgent Business

There was none.

## **Declarations of Interest**

### **Resolved –**

1. That the list of Councillors' memberships as Council appointed representatives on outside bodies, joint committees and school governing bodies be noted.
2. Councillor Mark James declared a personal interest in item 5, as he was an employee of Transport for London.
3. Councillor Chris Lloyd declared a personal interest in item 5, as he was an employee of Arriva Group.

## **4. Minutes**

### **Resolved –**

That the minutes of the meeting of the Panel held on Thursday, 22nd July 2021 be agreed and signed as a true and accurate record.

## **5. Developer Contributions (CIL and S106)**

The report was presented and summarised by the Cabinet Member for Finance & Resources who confirmed that Greenwich had the second lowest Community Infrastructure Levy (CIL) collection rate in London resulting from low CIL charging rates when compared to other boroughs. She stated the CIL was introduced in 2015 and some developers commenced works prior to its implementation to avoid charges. She advised on the review of the Greenwich charging schedule which would commence in autumn 2021.

In response to a question, the Performance and Planning Obligations Manager confirmed that Greenwich had not changed its CIL charging rates since its introduction in 2015.

In addressing the Committee, The Assistant Director Planning & Building Control confirmed that the CIL review process would take 2 years and that any new CIL rates would be based on local viability and subject to a Planning Inspector led Examination. She added that when CIL rates were set out in 2015, the Council went for a blanket rate and then reduced charges in the north of the Borough following challenges from developers.

The Committee agreed to monitor the start of the CIL review process to ensure there were no delays. Officers agreed to notify the Committee on the commencement of the review.

**Action:** Scrutiny Manager &  
Performance and Planning Obligations Manager

In response to a question, the Performance and Planning Obligations Manager highlighted the challenges faced by the CIL collection team, confirming that Greenwich was mainly reliant on applicants notifying the Council when works were due to start in order that Demand Notices could be issued in a timely fashion. He explained that historically the challenge had been developers not acknowledging letters and that the team was now liaising with other Council teams for evidence of commencement (Building Control, Street Naming and Council Tax records); and using Google Street View.

The Committee requested details of the complete process for monitoring commencement of works on development sites.

**Action:** Performance and Planning Obligations Manager

With regards to CIL, The Committee noted the discretionary surcharges that could be applied where applicants failed to meet the requirements of the regulations and asked officers to explore the legality of non-financial penalties for developers who fail to submit a commencement notice prior to starting works.

**Action:** Performance and Planning Obligations Manager

In response to a question, the Performance and Planning Obligations Manager confirmed that CIL collection processes were the same across London however, some local authorities had larger collection teams. He added that he was a member of a CIL collection group where ideas were shared.

In response to questions, the Performance and Planning Obligations Manager stated that it was difficult to estimate the actual amount of S106 obligations that would be received as they would only be due if the schemes were implemented and the relevant payment triggers were met. He advised on the ongoing work around unpaid CIL and confirmed that there was a back log issuing liability notices due to an issue with the planning system.

With regards to the fit out of the Woolwich Crossrail Station, the Director of Regeneration, Enterprise and Skills stated that the funding agreement expected that the £15m financial contribution would be met in full by

2022/23. She advised that this was dependant on the pace of development in the borough and that unspent strategic CIL was being held to underwrite the outstanding funding commitment. She added that the Council could also choose to renegotiate with TfL to revise the payment plan.

In relation to the enforcement of CIL collection, the Committee requested further information on the number of discretionary surcharges that had been applied where applicants failed to meet the requirements of the regulations and how many Stop Notices that had been issued as a result of failures to make payment.

**Action:** Performance and Planning Obligations Manager

In response to a question on staffing, the Performance and Planning Obligations Manager confirmed that additional CIL officers had been appointed to the collections team and a part time post was created to monitor the migration of the new system. He stated that recruiting permanent CIL Officers had been challenging which necessitated the appointment of agency staff and added that the jobs would be re-advertised.

In response to questions from a local resident, the Cabinet Member for Finance & Resources stated the Council would look at the possibility of increasing the CIL charging rate. She confirmed that S106 agreements secure obligations against defined headings or categories and must be used for those specific purposes. She added that the relevant directors prioritise this spend in accordance with their service needs and earmark this funding for future investment such as the £10m of Affordable Housing money which is anticipated to support the delivery of future phases of the Greenwich Build Programme.

There then followed a discussion on what recommendations should be passed to the Cabinet Member and Director. After the debate, the following were agreed: -

Recommendation 1 - In collaboration with other local authorities, identify innovative ways to monitor and enforce the collection of CIL.

Recommendation 2 - With regards to CIL, examine the process of identifying the commencement of works on sites and assess if Greenwich could be doing more.

Recommendation 3 - Provide a breakdown of “Figure 11. S106 balance by category” to include what the funds will likely be spent on and provide greater transparency on pooled funds that have been earmarked for future investment.

Recommendation 4 - When setting new CIL charging rates, consideration should be given to setting different rates based on the impact, location and size of each development.

Recommendation 5 - Explore ways of accelerating the CIL review process.

The Chair agreed to explore the potential for further scrutiny of the item this municipal year failing that, for the item to be presented early in the O&S 2022/23 Work Programme.

The Committee

**Resolved -**

That the update on the borough’s developer contributions (CIL and S106) be noted.

**6. Review by the Corporate Finance & Performance Scrutiny Panel – Customer Service Standards Review**

The report was presented by Councillor John Fahy, the Chair of the Corporate Finance & Performance Scrutiny Panel who provided a brief background on the review and highlighted the recommendations.

In response to a suggestion, the Chair of the Corporate Finance & Performance Scrutiny confirmed that the Assistant Director of Digital was

aiming to move things forward in terms of communication with residents when their jobs had been logged.

The Committee congratulated the Corporate Finance & Performance Panel and the Chair for the excellent piece of work.

The Committee

**Resolved -**

That the recommendations arising from the Review by the Corporate Finance and Performance Scrutiny Panel be endorsed and the recommendations be submitted to the Chief Executive.

**7 Forward Plan**

The item was presented by the Chair who agreed to look into the “Community Centres – Options for Leases & Maintenance” item which was scheduled for the November Cabinet and due for pre-decision scrutiny. He advised that pre-decision scrutiny could take place in many formats including informal sessions and discussions with the relevant Director and Cabinet Member.

The Committee

**Resolved -**

That the Executive decisions set out in the Forward Plan for the period September 2021 - December 2021 be noted.

The meeting closed at 21.01pm

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Chair