



## Business, Planning and Transport Policy and Scrutiny Committee Briefing

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Please find below an update on key areas of activity from the Planning and Public Realm portfolio since the committee last met.

### Development Planning

#### 1. Telephone Boxes and advertising

The current intensity of interest around telephone boxes has increased since September's report with three new companies, Europayphones, Infocus and Maximus, applying for new telephone boxes with the intention, we believe, to use them for dedicated advertising – which is in addition to the New World boxes which have already been refused and are currently subject to appeal. The new proposals will also be refused, and these decisions are very likely to be challenged on appeal.

A new trend has now added to the issue surrounding telephone boxes, as a company called Red Kiosk has applied to convert 8 existing telephone boxes to coffee kiosks containing coffee-making machines to dispense hot drinks to passing members of the public with an attendant operator/server. Although these applications do not currently include advertising, it is very likely that their real purpose is to establish a plausible use for the boxes to justify their retention and so in the future be able to make a case for also using them for advertising. As the planning issues are different to those for new phone boxes, alternative reasons for refusal will be needed which can be successfully defended on appeal.

Following my letter to the Secretary of State on the matter of misusing phone boxes for the primary purpose of hosting advertisements, a meeting was convened which was attended by senior planning officers from a large number of Local Authorities along with civil servants from the DCLG. Despite pressure from Local Authorities the DCLG delegation was unmoved by requests to change the law, stating that it was a low priority matter at present. There was consensus, however, among the Local Authorities representatives that the matter should not be dropped and pressure on the DCLG should continue to be applied.

## **2. Workload and Recruitment**

2.1 There is still currently no evidence of a slowing workload in Development Planning, despite the uncertainty around Brexit and predictions that international investment may decline. In particular, it remains the case that there are still sufficient on-going pre-application discussions in respect of several large schemes which would be likely to require substantial investment, including foreign, and which would not commence for perhaps 5 years and so at present there is still development industry long-term interest in key sites in Westminster.

2.2 As a correction to September's report which stated that interviews for four new planning officers would take place in March 2018, these will actually occur in November 2017.

There has been a successful appointment to the new post of Head of Arboriculture, for which two candidates were interviewed. Barbara Milne has been internally promoted to this post.

## **3. Planning Fees**

There is still much uncertainty around the Government's proposals to increase planning fees by 20%, which was put on hold in June 2017, with some unofficial sources indicating that there may be an announcement on this in the November budget. However, a November announcement is not to be relied upon.

## **Planning Policy**

### **4. Neighbourhood planning**

4.1 It is anticipated that the Knightsbridge Neighbourhood Forum will formally submit their draft neighbourhood plan to the council by mid November 2017. This will be the first neighbourhood plan in Westminster to have reached this stage in the process. When the plan has been submitted officers will check the draft plan and accompanying documentation to ensure they meet the

requirements of the neighbourhood planning legislation. There will then be a further formal stage of consultation and a public examination that will be conducted by an independent person appointed in agreement with the Neighbourhood Forum.

- 4.2 Officers have been advised that Queen's Park Community Council (QPCC) are planning imminently to publish their draft plan for consultation. This consultation will be undertaken by QPCC, as the qualifying body for producing the plan, and is a requirement of the Neighbourhood Planning Regulations 2012 (as amended) as stage prior to formal submission of the draft plan to the council. The council will be a consultee to the pre submission draft of the plan along with other key stakeholders. Officers have already commented on an earlier draft of QPCC's draft plan.
- 4.3 There are no further updates on the other Neighbourhood Areas at the time of writing.

## **5. Community Infrastructure Levy (CIL)**

- 5.1 Westminster's Community Infrastructure Levy (CIL) is a charge applied to development to help fund strategic and neighbourhood infrastructure that is required to support the development of Westminster. Westminster's CIL was formally introduced on 1st May 2016 and as of 30th September 2017 a total of £7,444,076 had been received. Demand notices have been issued for a further £6,002,285 of Westminster CIL that is payable before 31st March 2018.
- 5.2 Liability notices for a potential additional value of £58,442,497 have also been issued. These notices are raised following the grant of planning permission and set out what the liable charge would be should work on the development start. The realisation of these monies is therefore totally dependent on a developer implementing their planning permission. In Westminster it is common to have multiple planning permissions on a site or for a permission not to be implemented. This figure, while informative, should not therefore be treated as guaranteed future income.
- 5.3 On 2 November 2017 I will chair the first Cabinet CIL Committee to discuss the potential allocation of both CIL and Section 106 funds. In preparation of the committee all Councillors were invited to put forward projects that could benefit from funding in their local neighbourhood areas. These will be included for consideration in the report to committee alongside priority projects that have been put forward from the council's main service areas.
- 5.4 It is not the intention for this first meeting of the Cabinet Committee to consider the allocation of the monies ring fenced for neighbourhood CIL. A

clear strategy for engagement with the neighbourhood areas and forums is currently being developed by officers and will be taken forward following the resolution of this committee in association with an approved Policy Spending Statement. It is anticipated that following engagement with the neighbourhood areas, and the accrual of sufficient receipts, that agreed recommendations for neighbourhood CIL allocations will be brought forward to a future Cabinet Committee.

**2 November 2017**

**If you have any queries about this report or wish to inspect any of the background papers please contact Charlie Hawken x2621 [chawken@westminster.gov.uk](mailto:chawken@westminster.gov.uk)**