

ECONOMY & PLACE SCRUTINY COMMITTEE

Thursday, 8th June, 2023
Time of Commencement: 7.00 pm

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Present: Councillor Gary White (Chair)

Councillors: Burnett-Faulkner Grocott Panter
Edginton-Plunkett Johnson Skelding
Gorton Moffat

Apologies: Councillor(s) Beeston and Bettley-Smith

Substitutes: Councillor Andrew Fox-Hewitt (In place of Councillor Susan Beeston)
Councillor Mark Holland

Officers: Allan Clarke Planning Policy Manager
Craig Jordan Service Director - Planning
Simon McEneny Deputy Chief Executive

Also in attendance: Councillor Andrew Fear Portfolio Holder - Strategic Planning
Councillor Stephen Sweeney Deputy Leader of the Council and Portfolio Holder - Finance, Town Centres and Growth

1. APOLOGIES

2. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

3. MINUTES OF PREVIOUS MEETING

Resolved: That the minutes of the previous meeting held on 16th March 2023 be approved as a correct record.

4. UPDATE FROM CABINET

There were no update from Cabinet.

Cllr Moffat expressed her concern over the number of substantial items on the agenda which may have required more than one meeting. The Chair wished to reassure everyone that the necessary time would be spent on each topic.

5. HS2 PROJECT UPDATE

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Mrs Victoria Roberts, Senior Community Engagement Manager for the HS2 Project, gave an update presentation on the Phase 2a constructions works involved in delivering the railway between the West Midlands and Crewe. The project, which formed part of the Government transport capital investment programme, was to be paused for two years while activity was being rephased. Some preparatory works were nonetheless to be carried out.

Three questions had been received from members of the Public and were passed on by the Chair before being discussed.

Question 1:

"I Reside on Whitmore Heath which before HS2 was a very sought after area to live, I always enjoyed walking around the Heath until now with padlocked chained up gates, empty eerie houses and hs2 security doing laps around the Heath. I'm disgusted by how many of these houses are sat empty, many for over 6 years, which has resulted in three properties costing over £3 million being turned into Cannabis Plantations. Another property worth £1.4 million has been taken over by squatters which would never have happened if these properties had been let out, instead of renting it out, HS2 have now set up a welfare unit for their security on a neighbouring empty property which cost hs2/the taxpayer £1.3 million last year. Just on my walk alone I pass properties worth over £11 million which are all currently sat empty with some being empty since the day they were purchased by hs2 many years ago. The security alone on our road is needlessly costing the taxpayer hundreds of thousands if these properties had been rented out, I'm fully aware this is a recurring story all the way along the trace wasting millions of tax payers money. My question is why aren't these properties being rented out, is there anyone even accountable for renting out these properties?"

It was confirmed that HS2 acquired 35 properties around Whitmore Heath, 16 of which were rented out and 19 currently unoccupied. Among the latter 3 were on the market, 5 were undergoing works and remaining properties were subject to governance approval processes and surveys to ensure they were meeting rental standards. Regarding security, regular patrols were operating and would stay in place regardless of properties being rented out or not. This applied to other areas as well across the whole of the HS2 route. Illegal occupiers had also been evicted and the related property secured.

The Chair asked questions and responses were provided as follows:

- How many properties were currently unoccupied under the consideration that the cost of bringing them up to standards would be exceeding taxpayers' money? – Three of the properties were concerned.
- Given the rentable value of these properties, and the fact they had been unoccupied for so many years, who was accountable for scrutinising whether taxpayers' money was indeed not being wasted? – A property management company was managing the properties on behalf of HS2 and required to supply reports demonstrating good governance. HS2 was in turn reporting to the Department of Transports which had to give approval for any public money spent by HS2.
- Was the information about those processes and how taxpayers' money was spent in relation to these properties publically available? – Mrs Roberts would investigate and report back to the Committee.

Cllr Moffat asked two further questions: how did HS2 allow the properties to end up in such a state and how would HS2 ensure that other areas would not be devastated

the same way? – The properties had been maintained to the state they were at on the date of purchase and so would future properties acquired. Cllr Moffat rephrased her questions as referring to the decline, deterioration and illegal possession of the properties. – It was confirmed that the properties were maintained in the conditions they were purchased at and clarified that the security issues encountered originated from tenants in situ. Mrs Roberts would look into the challenges raised by Cllr Moffat and report back to the Committee.

Question 2:

“What structure do HS2 have to ensure all people and businesses are not disadvantaged in any way by the HS2 project?”

As part of the project HS2 aimed to minimise and mitigate the disruption resulting from the works. Clear guidelines to adhere to had been set out however it was to be recognised that there would still be disruption during the construction. Minimum requirements set out by the Government included taking into account and minimizing the effects on both the environment and people. The Code of Construction practice would also apply for matters such as noise and vibrations and there would be a compensation scheme for land owners as well as a discretionary property scheme for those impacted by the works based on the level of disruption. Finally the community engagement team was there to listen and look at ways to further minimise any impacts.

The Chair asked a follow up question: what was HS2 going to do to speed up and resolve the compensation payment processes? – The challenges being mainly about the collection of information and evidence, it was about making sure to communicate what was needed. There were two channels of compensation: the Compulsory Purchase Compensation and the Business Claim that allowed farmers to claim retrospectively on any business losses relating to HS2 works.

Question 3:

“In June 2018 at HS2a Select Committee Justine Thornton KC promised on behalf of HS2 to alleviate the stressful and detrimental impact of HS2, making particular reference to Whitmore Heath. Also in June 2018, the same Select Committee asked HS2 to report on Mental Health and Wellbeing. In December 2022 HS2 produced a progress report (tabled this evening) and they are not living up to any of their promises made in it, in fact, they have made the situation worse. 16 residents of Whitmore Heath have died since HS2 started, all living under the stress and as Justine Thornton said (statement tabled this evening), the detrimental impact of HS2. Many people are vulnerable and yet none of the commitments within the progress report have been put in place, in fact, the situation has worsened. The residents have had to contend with empty properties, properties having been turned into cannabis farms and the security thereafter was so non-existent that a large property now has people squatting in it. Security guards are now patrolling the area but this only adds to the detrimental impact of this once peaceful and desirable area. Anyone wishing to sell to HS2 in this area should be allowed to do so. At present only those who, according to HS2's Need to Sell rules, can do so, but even they have to jump through hoops. People are told they can apply through Atypical but are still refused adding to the stress this places upon them. People have been living with this situation since 2013, 10 years already and they are now being told 2a will be completed between 2038 and 2041, another 18 years. The question is: When is HS2 going to live up to its promises to Parliament? Look after the welfare of people, because this won't just be happening in this area, do regular face-to-face welfare checks and assist those who want to sell up and move, for any reason, to do so with as little fuss as possible.”

Mrs Roberts responded that there was a designated engagement officer for the community, a role she was currently filling until a new person was hired. Residents

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could contact her directly to raise any issues and have insight on what would be the right support for them. Newsletters and leaflets were also being distributed to inform the community of upcoming works in their area and there were drop-in sessions in places for people wishing to have face-to-face discussions. Residents could furthermore use the help of an independent advocate to go through the various processes via a charity called Power which HS2 was working with.

A wellbeing survey was currently underway in partnership with the National Institute of Health and Care looking at the welfare impacts of large construction projects. Finally a support scheme was available to help people go through the process when needing to sell their property.

Cllr Fox-Hewitt asked if the health support referred to included paid access to therapy and treatments. – The support provided depended on personal circumstances and the support team was there to assess what was the best this could be done. Mrs Roberts would look into the options that were offered and report back to the Committee.

The Chair asked who had been so far engaging into face-to-face discussions. – The previous Engagement Manager had been doing it and Mrs Roberts had taken over. Other team members would also be involved and experts would be brought in as required.

The Chair commented that this wasn't enough to give the community what they needed and wished to know how to escalate this to HS2 as a scrutiny committee. Mrs Roberts responded that as contractors would come on board they would be taking on some of this engagement activity, along with the design delivery partner who would be coming towards the end of the year.

The Chair wished that an official request for more support to be available for the community be escalated. There were no objections.

Cllr Fox-Hewitt asked how the community funding grant was administrated and defined. – The level of disruption was evaluated looking at the environmental statement that outlined where the works had an actual impact and how to minimize it.

Cllr Fox-Hewitt also wished to know the origin of the steel used to build the railway. – 98% was UK sourced. Mrs Roberts would look into the exact location and get back to the Committee.

Resolved: That the update be noted along with the request for the HS2 Senior Community Engagement Manager to come back and respond to questions raised at the meeting.

[Watch the debate here](#)

6. BOROUGH LOCAL PLAN UPDATE

The Planning Policy Manager presented an update on the Borough Local Plan that had been presented to Cabinet earlier in the week.

Questions were asked and responses were provided as follows:

- Cllr Gorton expressed his disappointment that members only had limited opportunity to feed into the Local Plan before it went live; what were the

arrangements to scrutinize the Local Plan once the consultation would have ended? – The Chair commented that this was a regular standing item on every scrutiny committee and the Strategic Planning Portfolio Holder added that members would be able to scrutinize the plan then. It was confirmed that the Local Plan was at the draft stage and would be reviewed by the committee following the consultation. It would then go through full Council for approval before being submitted to the Planning Inspector.

- The Chair asked when the consultation would finish and if any information would be available at the next committee meeting in September. – The consultation would end on the 14th August and the responses would then take a couple of months to process. A sense of how many responses had been received as well as key themes could be shared with members at the next meeting. The Chair commented that there wouldn't be many items on the agenda then, which would allow members to ask questions and decide next steps.
- Cllr Gorton asked if any public events were scheduled in the Wolstanton area in relation with the consultation. The Chair followed up wondering about the choice of the locations, who and why were the decisions made. – The Strategic Planning Portfolio Holder responded that the choice was down to where the consultation would generate the most interest which included the centre of the Town. Having an extra event in Wolstanton could be considered. The Chair encouraged other members to contact the portfolio holder directly if felt that other locations would need to be added to the list.
- Cllr Gorton commented on the length of the document and wished to know if there could be a stronger statement on section 106 than the current one, as well as if other aspects of health and wellbeing could be addressed rather than focussing only on takeaway hot food shops. – The Strategic Planning Portfolio Holder responded that these were very useful remarks and could be taken into account in the next version of the document.
- Cllr Panter asked if there could be paper copies of the presentation to be submitted to the Planning Committee and commented on the fact there were no reference to measures taken to generate employment in the area to match the 500 houses to be built. – The Strategic Planning Portfolio Holder responded that employment sites were taken in consideration in the Local Plan as well as overall sustainable development as required by paragraph 11d. About the presentation material the goal was to move towards paperless agendas and only print out paper as and when required.
- Cllr Fox-Hewitt asked about government former targets and whether residents would be consulted on whether or not they were appropriate for the borough and development. – The Strategic Planning Portfolio Holder clarified that despite muted ideas that the targets would be taken away these were still in place and the Council would need to fulfil the required criteria. Officers confirmed that the plan presented a position reflective of the standard method of calculation set by the government. Cllr Fox-Hewitt commented that the Government statutory housing targets had been replaced by advisory guidance on 6th December 2022.
- Cllr Fox-Hewitt asked about the monitoring framework of how section 106 budget was spent and the indicator according to which should housing not be delivered within the expected trajectory, the proposed action would be to

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review section 106 agreements; what assurance could members have that social housing community projects and infrastructures would be delivered? – The Strategic Planning Portfolio Holder responded that it would be the developers' right to ask for renegotiation. Officers added that an Infrastructure Delivery Plan would be included in the Local Plan to that extent.

- Cllr Fox-Hewitt passed on a question from a resident: why was the Local Plan not easier to find, as they had to go through several pages of scrolling and links to access it? – The Strategic Planning Portfolio Holder commented this could be raised with IT and that having the plan straight on the front page would be a good thing. Officers clarified that the links were currently accessible through the Cabinet Papers only as the consultation hadn't started; there would be a dedicated Local Plan page on the website as soon as the consultation would go live.
- Cllr Edgington-Plunkett asked why the Local Plan did not consider a place based approach for the availability of open spaces. – The Strategic Planning Portfolio Holder confirmed that the Local Plan was promoting green space in the borough.
- Cllr Grocott wished to know how to ensure the social housing standards would be driven forward, what the standards would apply to social providers and if the Council would engage with town and parish clerks to bring these forward with local residents. – The Strategic Planning Portfolio Holder confirmed that social housing standards would be built into the Local Plan and that if there was anything members or local clerks wished to be conveyed to future developers now was a good time to send comments to be processed for the next stage of the draft. The Chair added that the link would be sent to all town and parish councils.
- Cllr Moffat reminded the Committee that a number of residents and local clerks had expressed the wish for housing needs assessment processes to be revisited by the Council. A petition had notably be brought to the Council with suggestions to enhance the Local Plan and make sure it was fit for purpose. Why had this petition not been received yet and why was it deceptively described as aiming to stop the Local Plan? – The Strategic Planning Portfolio Holder wished to draw members' attention to section 5.3 of the report and the risk of unwanted development the longer the process would go on and until a proper Local Plan was adopted. The petition would be received in July and more information could be sought with the legal team. The Chair added the suggestion that group leaders reach out to the Leader of the Council so that a written answer is provided.
- Cllr Moffat asked about the 49 hectares allocated for employment exceeding the amount required for growth option 1 and why 118 additional hectares would be allocated for indicative employment. – The plan was supported by evidence based documents of which the Housing Economic Needs Assessment ensuring a balance between economic and housing growth in line with government standards. Cllr Moffat wished to seek reassurance that sites identified and associated benefits were not fixed deals. It was confirmed that the plan being at the draft stage the Council was currently seeking views on the matter.

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- Cllr Moffat had another long technical question and asked if she could perhaps submit it in writing. – The Chair confirmed that this could be passed on to the portfolio holder and officers.
- Cllr Moffat asked why the consultation was taking place during the summer holidays. – The Strategic Planning Portfolio Holder responded that eight weeks were allocated to the consultation i.e. two weeks more than the government required, leaving people plenty of time outside of any scheduled holiday. Responses to the consultation and constructive proposals for amendments would be genuinely considered and everyone was encouraged to take part in the process.
- Cllr Moffat asked about the key points in Policy HOU 1 and 2 as well as SE5 and SE6 that mitigated against the selection of LW53. Why were the 400 objections to the Loggerheads not taken into account? – A rigorous set of criteria had been used and comments would be welcome on the sites suggested as part of the consultation.
- Cllr Holland expressed his enthusiasm over the process and emphasised the importance of avoiding un-necessary delays as the Local Plan would once and for all give a framework of reference as opposed to leaving local development in the hands of corporations. Keeping substantial housing targets in all wards to give a home to future generations was also evoked.
- Cllr Moffat wished to clarify that comments made and questions asked were aspirational, not to delay the Local Plan but to get the best out of it. Was this acceptable? – The Chair confirmed the approach was appropriate and requested that no reference to political affiliation be made during committee meetings.
- Cllr Fox-Hewitt was concerned that not all information was available despite the consultation being just about to be launched. What was the hierarchy of priorities on the authority's decision making: meeting the targets and the plan with regards to housing or conforming to policies? – The Strategic Planning Portfolio Holder reiterated the need to demonstrate the five-year rolling supply of housing in line with the presumption for sustainable development set in the National Planning Policy Framework.

The Planning Policy Manager reminded members that all documents supporting the Local Plan would be available on the consultation page on the 19th July.

Resolved: That a report had been considered by Cabinet on the 6th June with a recommendation to consult on the First Draft Local Plan (Regulation 18) from the 19th June until the 14th August 2023 be noted.

[Watch the debate here](#)

7. NEIGHBOURHOOD PLANNING UPDATE

The Planning Policy Manager presented an update on Neighbourhood Planning including background information and current neighbourhood plans in the borough.

Issues were raised and responses were provided as follows:

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- The Chair asked about the neighbourhood plan covering Baldwin's Gate and the relevance of the plan in the decision making process. – It was clarified that there were processes for communities to modify their plans however matters such as five years supply would come into play when decisions were made. The Chair commented that a lot of time and money were put in those plans by communities who would need to know what to do to stay compliant and keep the weight of it. Were there any mechanisms to help them achieve that? – There were indeed and the planning team was always open to provide advice and guidance to communities.
- Cllr Holland shared that the Localism Act provided communities with mechanisms to have greater control over development in their local area. Their weight however was reliant on having a proper Local Plan in place.
- Cllr Gorton wished to thank the Planning Policy Manager for his presentation and report extremely timely and helpful for members.
- Cllr Moffat wished to emphasise the importance of neighbourhood plans in building positive relationships between the Council and local parishes and areas embarking into neighbourhood planning.

Resolved: That the progress update provided on Neighbourhood Planning in the Borough be noted.

[Watch the debate here](#)

8. FUTURE HIGH STREET FUND & TOWN DEAL

The Portfolio Holder for Finance, Town Centres and Growth introduced a presentation from the Deputy Chief Executive who provided an update on Future High Street Funds and Town Deals.

Members commented and responses were provided as follows:

- Cllr Fox Hewitt asked when and how residents had had a say on shaping the strategic vision for the town on projects such as the car park, the circus school and the hotel. – There had been an exhibition in the library and a public consultation resulting in a lot of favourable responses had taken place as part of the bidding process.
- Cllr Moffat wondered what the contingency payment plans were in case of change in economic circumstances. – The section 151 Officer was responsible to ensure projects were financially viable and measures were put in place to address economic risks. Regarding borrowing money the Council would only do this while having a plan how to pay back and bankruptcy was an unlikely scenario.
- Cllr Moffat asked that going forward presentations be shared with members before the meeting so that they can think on it and prepare questions. – It was confirmed that officers would arrange that.
- Cllr Gorton commented that the development were unusual as he would have expected the authority to have sold the site and for the developers to handle the risks. How would the Council manage those, such as ensuring a prospective owner or tenant for the hotel was found? – Hotel brands did not

buy buildings, they rented them. The Council would be the landlord and owner, taking most of the revenue in. An operator would operate it and a hotel brand would take a franchise, both charging a fee. A feasibility study had been completed to demonstrate the need for a hotel in the area.

The Chair wished to clarify and the Deputy Chief Executive confirmed that risk assessments were carried out for all projects and while moving from one stage to another.

Resolved: That the update be noted.

[Watch the debate here](#)

9. **WORK PROGRAMME**

Resolved: That the work programme be received.

[Watch the debate here](#)

10. **PUBLIC QUESTION TIME**

Public questions had been addressed under item 5 – the HS2 project update.

11. **URGENT BUSINESS**

There were no urgent business.

**Councillor Gary White
Chair**

Meeting concluded at 9.31 pm