

**OLYMPIC DELIVERY AUTHORITY**

**ODA PLANNING COMMITTEE**

**SUBJECT: FINAL MINUTES OF 71<sup>st</sup> COMMITTEE MEETING**  
Held on 28 September 2010 at 18.00

Old Town Hall, Stratford, 29 Broadway, London E15 4BQ

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**Present:**

Lorraine Baldry                      Chairman

**Local Authority Members:**

Cllr Terry Wheeler,      LB Waltham Forest  
Cllr Geoffrey Taylor,    LB Hackney  
Cllr Conor McAuley,    LB Newham  
Cllr Judith Gardiner,    LB Tower Hamlets

**Independent Members:**

Celia Carrington  
William Hodgson  
Janice Morphet  
Dru Vesty

**Officers in attendance:**

Vivienne Ramsey	ODA, Head of Development Control
Anthony Hollingsworth	ODA, Chief Planner Development Control, Planning Decisions Team
Allan Ledden	ODA Legal Adviser, Planning Decisions Team (Pinsent Masons)
Saba Master	Committee Secretary

**1. APOLOGIES  
(AGENDA ITEM 1)**

1.1. There were apologies from David Taylor and Mike Appleton.

## **2. UPDATES, ORDER OF BUSINESS, AND REQUESTS TO SPEAK (AGENDA ITEM 2)**

- 2.1. There were no updates. The Chair of OPTEMS, Ted Allett, and PDT's transport advisor, were available to answer questions on item 5.
- 2.2. The order of business was unchanged.

## **3. DECLARATIONS OF INTEREST (AGENDA ITEM 3)**

- 3.1. The Secretary read the following statement:

'Members of this Planning Committee need to declare personal interests relevant to the agenda at the beginning of each meeting of the Planning Committee.

'Members will see that the paper for Item 3 which has been circulated lists interests which they have declared which appear to be personal interests relating to Item 5 and 6.

'Would Members please confirm that the declarations of personal interests listed in the paper for Item 3 are correct; and state if there are any other interests you wish to declare?

'Personal interests are prejudicial if a reasonable member of the public with knowledge of the relevant facts would conclude that the nature of your personal interest is such that your judgement of the public interest is likely to be affected. If, by virtue of your personal interest you have been involved in decisions about these proposals, you may have a prejudicial interest. In that circumstance you would need to leave the meeting during the consideration of that item. In light of the agenda before you this evening, please state whether or not any of the interests declared are prejudicial interests?'

Members confirmed that the declarations of personal interests recorded on the paper for Item 3 were correct and that none were considered prejudicial.

## **4. MINUTES AND MATTERS ARISING (AGENDA ITEM 4)**

- 4.1. Outstanding action: The Head of Developmental Control agreed to send an email, to the Committee members to clarify details of the land in the Olympic Park being retained by the LDA (6.3 of the 68<sup>th</sup> meeting minutes).
- 4.2. The Committee:

**AGREED** the Minutes of the 70<sup>th</sup> Planning Committee Meeting.

## **5. APPLICATION NUMBER 10/90389/106ODA – OPTEMS Strategy 2010 (AGENDA ITEM 5)**

*Submission of 2010 OPTEMS Strategy pursuant to Schedule 4 of the September 2007 Section 106 agreement.*

- 5.1 A PDT Officer gave a presentation on the submission. The Officer explained that the Olympic Park Transport and Environmental Management Scheme (OPTEMS) Strategy 2010, this was the third annual report from OPTEMS to PDT. An annual strategy is a requirement of Schedule 4 of the September 2007 Olympic planning permissions Section 106 agreement
- 5.2 The Officer explained that the Transport Assessment submitted with the 2007 Olympic planning applications recognised that the construction of the Olympic Park, operation of the Games and the construction in Post-Games Transformation phase would have “Transportation Effects” within the surrounding areas.
- 5.3 Schedule 4 of the 2007 S106 Agreement set out a process to monitor these Transportation Effects and to bring forward mitigation measures. A £20m OPTEMS contribution was negotiated with the ODA and has been deposited in the OPTEMS account. Schedule 4 requires an annual OPTEMS Strategy. The 2008 Strategy agreed the process for assessing funding bids for mitigation works. The 2009 Strategy set out the 28 programmed schemes for mitigation works across the five boroughs to address almost all Transportation Effects. These programmed schemes accounted for around £11.5M (approved in principle) of the OPTEMS contribution.
- 5.4 The Officer explained that the focus of the 2010 Strategy is to provide a status report on the approved 2009 Strategy programmed schemes. To date £5.76m of expenditure has been committed towards 16 of the 28 programmed schemes, following approval of the detailed cost submission. The following was noted:
- Of the 16 programmed schemes where expenditure has been committed since the 2009 Strategy funding has been committed for full implementation of ten schemes.
  - One scheme has been completed (N01 Stratford Controlled Parking Zones).
  - Nine other schemes are progressing and two are post-Games schemes.
  - One scheme was found to be cost prohibitive and therefore not continued.
  - No new schemes were submitted this year and any further schemes would be submitted and be subject to the selection process in 2011, as agreed by the OPTEMS Group in August 2009.
  - Co-ordination with other schemes in the areas around the Olympic Park, including Stratford City has continued.
- 5.5 The PDT Officer reported that in terms of consultation, the first draft of the 2010 OPTEMS Strategy had been circulated to the OPTEMS Group in June. The second draft was circulated in July, and approval was given, subject to limited changes agreed by its members, at the August OPTEMS meeting. All boroughs, TfL and LTGDC were consulted in preparing the Strategy and have confirmed their approval. Further consultation by PDT was not therefore, considered necessary.

5.6 The PDT Officer also explained the key considerations in the report which included:

- Schedule 4 requirements of the 2007 S106 Agreement being met,
- an update on the 2009 Strategy, the physical works on these schemes and a financial report,
- Most programmed schemes progressed with £5.76m of committed expenditure (16 schemes)
- The next steps for 2011, with further funding bids for the programmed schemes, in the 2011 Strategy,
- OPTEMS Members are to consider how to allocate the remaining £6.5m of OPTEMS Contribution available to fund new schemes.

5.6.1 A diagram (from page 47 of the Strategy), was used to explain the amounts spent so far, the amount of committed expenditure (yet to be invoiced for), the amount approved in principle in the 2009 Strategy, and remaining funds.

5.7 The PDT Officer concluded that the 2010 Strategy was considered acceptable as it complies with the Schedule 4 requirements. Further progress is expected in the 2011 Strategy on the 2009 programmed schemes and new schemes, and there is an acceptable level of progress for this stage of the Olympic Park development. Looking beyond the requirements of Schedule 4, officers consider that the OPTEMS Group and Review Panel continue to function well. The OPTEMS contribution will be available for funding mitigation schemes and admin costs after the ODA is wound up until the 20 million pound contribution and the interest accrued has been spent.

5.8 A member asked if the schemes were on target for completion and requested that for subsequent Strategy reports, could more emphasis be placed on the delivery of schemes and how these meet programme requirements. The PDT Officer reported that the timetable showed that all but one of the schemes would be completed pre-Games in accordance with programme. There would be further focus on the completion dates for the schemes in subsequent reports.

5.9 A member asked about the financial impact on the schemes in regards to decisions made by LOCOG about routes that would go through East London. A PDT Officer reported that the £20m OPTEMS funding is secured and being ring fenced for mitigation schemes..

5.10 A member asked if the naming of LTGDCO1 scheme as “Fatwalk” would be addressed, as the chosen name is counter productive and discriminatory. The Chair of OPTEMS reported that the scheme name had raised some objections at previous meetings, and that he intended to write to London Thames Gateway Development Corporation about these concerns, but that no decision had been made as of yet to rename the scheme. Another member supported the request that a formal letter should be written by the Chair of OPTEMS to the LTGDC to suggest a name change for the scheme.

5.11 A member asked about links to Leyton and why these weren't being brought forward in the existing scheme funding.. PDT officers explained that it was each individual Borough's decision to present any further schemes and that the impact of the 2007 Olympic masterplan development did not justify a new bridge connection to Leyton station, indeed the proposal for such a new bridge wasn't identified until the later fringe masterplan work. PDT officers confirmed that the

funding or provision of a new bridge to Leyton station would be considered as part of the Legacy Masterplan Framework applications. PDT's transport advisor confirmed that a funding bid has been recently submitted by LB Waltham Forest for a new pedestrian and cycle bridge on Ruckholt Road.

- 5.12 A member asked for clarification that the WF01 Ruckholt Road area scheme would be completed. The Chair of OPTEMS explained that Scheme WF01 works included widening the footway but that at this stage no bridge from Leyton station has been proposed. LB Waltham Forest are bringing forward an application for the funding of a new separate pedestrian and cycle bridge on Ruckholt Road to OPTEMS at its meeting in October 2010.
- 5.13 A member asked if there would be a review of administrative costs as £2m of the overall £20m budget is allocated for this purpose, and noted that this was one of the "next steps" of the Strategy. It was noted that £300k had already been spent on administration. A PDT Officer reported that any savings on administrative costs would be used towards other mitigation schemes. The Chair of OPTEMS confirmed that administration costs were carefully controlled and this would continue to ensure that the maximum could be spent on mitigation schemes.
- 5.14 A member pointed out that the Stratford CPZ Scheme (N01) was the only scheme that had been completed and asked if there had been a cost to review the CPZ scheme. PDT's transport advisor explained that a review is standard for a CPZ scheme and the cost of this review had been included in the scheme bid.
- 5.15 There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED that:

The Committee:

**APPROVED** the submitted OPTEMS Strategy 2010.

**6. APPLICATION NUMBER 10/90401/FULODA - 204-206 Leyton Road, Stratford, E15 IDT (AGENDA ITEM 6)**

*Retention of an existing three storey community building (D1) including on site car parking. Planning permission is required as the development was not built in accordance with approved plans for the previous planning approval Ref: P./02/1215, which was granted in 2004.*

- 6.1 A PDT Officer gave a presentation on the application and explained that the report seeks the delegation of authority to the Head of Development Control to complete the S106 Agreement as required by the decision taken by the London Borough of Newham, on 3<sup>rd</sup> March 2010. The application was delegated to the LB Newham for determination as the application site is outside of the Olympic Park and was not considered to relate directly to the delivery of the Games.
- 6.2 The PDT Officer explained that the development at 204-206 Leyton Road, Stratford, was originally granted planning permission and the S106 completed for the community building, in December 2004. The scheme had subsequently been built but not to the approved plans as it was at a greater height and had a different external appearance and therefore a new application for the retrospective approval of the building had been submitted towards the end of

2009. The PDT Officer directed the Committee to the difference in the built scheme and that approved as set out in the LB Newham report, at Appendix 1.

6.3 The PDT Officer explained that the S106 Agreement required in relation to the current planning application mirrors the requirements of the S106 Agreement attached to the previous planning permission. The main requirements of the draft agreement included:

- Stewards: Stewardship system for large events at the premises, at least 21 days advance notice of large events, notifying the council of any noise complaints and promoting public transport in any publicity material for large events,
- Stewardship System: at least five stewards in the surrounding streets, and for this system to operate at least an hour before and an hour after the large event,
- Parking Scheme: Council approval of a parking scheme to manage the use of the car park by visitors to the site and the adjoining Cash and Carry premises,
- Green Travel Plan: Council approval of a Green Travel Plan within six months of the grant of permission, and submission of a revised and updated Green Travel Plan on the third and every fifth anniversary of the grant of permission.

6.4 A member asked why the application was presented to the Planning Committee when it has been delegated to LB Newham. A PDT Officer explained that LB Newham assessed the application on behalf of the Planning Committee but couldn't enter into a S106 Agreement without the approval from the ODA Planning Committee.

6.5 A member asked why the Planning Committee had only just received this application when it had been presented at the LB Newham Development Control Committee in March 2010. A PDT officer explained that this was due to the recent decision to enter into a S106 Agreement and also due to the procrastination of the applicant (Nagrecha Brothers).

6.6 A discussion took place about the proposal and members expressed concern about the external appearance of the building in contrast to that approved previously; the applicants delay in implementing the requirements of the 2004 S106 agreement; and that comments from the Environment Agency on flood risk weren't clear. Members requested a report to explain what work the applicant had actually undertaken to implement the obligations within the 2004 S106 since the completion of the building to the present time. A PDT Officer explained that LB Newham had not received a completion report from the Building Inspectorate. Members requested that a more detailed report be prepared by PDT officers; including options for any relevant enforcement action should the Committee be minded not to agree the S106 Agreement.

6.7 There being no further comment the Chairman moved to a vote and the Planning Committee RESOLVED that:

The Committee:

**DEFER** determination of the proposal and requested that Officers bring a detailed report on the proposal back to a subsequent Planning Committee meeting for consideration and determination.

**7. Any Other Business  
(AGENDA ITEM 7)**

*There being no other business the meeting closed at 18.40pm.*

Signed: 

Chair

Date: 25/1/2011

