



## **DULWICH COMMUNITY COUNCIL**

MINUTES of the Dulwich Community Council held on Wednesday 30 January 2013 at 7.00 pm at Christ Church, 263 Barry Road, London SE22 OJT

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**PRESENT:** Councillor Robin Crookshank Hilton (Chair)  
Councillor Michael Mitchell (Vice-Chair)  
Councillor James Barber  
Councillor Toby Eckersley  
Councillor Helen Hayes  
Councillor Jonathan Mitchell  
Councillor Lewis Robinson  
Councillor Rosie Shimell  
Councillor Andy Simmons

**OFFICER SUPPORT:** Simon Bevan, Acting Director of Planning  
Zayd Al-Jawad, Section 106 Planning Agreements Manager  
Stephen Douglass, Head of Community Engagement  
Matt Hill, Public Realm Programme Manager  
Fitzroy Lewis, Community Council Development Officer  
Tim Murtagh, Constitutional Officer

### **1. INTRODUCTION AND WELCOME**

The chair welcomed councillors, members of the public and officers to the meeting.

### **2. APOLOGIES**

There were none.

### **3. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT**

The chair announced that a late report on Paxton Green roundabout improvements had been circulated as part of Supplemental Agenda No. 1. The report was late as the consultation period had been extended to 25 January 2013, due to the strength of feeling generated by the proposals.

#### **4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS**

There were none.

#### **5. MINUTES**

##### **RESOLVED:**

That the minutes of the meeting held on 27 November 2012 be agreed as a correct record of that meeting and signed by the chair, subject to the following change:

Page 5 – Safer Routes to school (instead of Safer Roads to school).

In response to issues raised at the previous meeting the chair advised that regarding the closure of East Dulwich Police Station, twelve local councillors had written a letter suggesting an interim patrol base on the Dulwich Hospital site. The borough commander, John Sutherland had written back saying that was not possible.

Councillor Simmons added that at the Crystal Palace end of Southwark there would be a real problem with other planned station closures. Conversations were taking place across several boroughs and with traders on how best to retain a station with a front counter for residents to speak to officers, rather than simply a base for officers.

The chair said the matter was ongoing and more information was needed on costs ahead of further discussions.

#### **6. COMMUNITY ANNOUNCEMENTS**

The Crystal Palace Community Association announced that its legal appeal against the Secretary of State's decision, to approve the housing master plan, would take place at the Court of Appeal on 22 – 24 April 2013.

#### **7. DEPUTATIONS/PETITIONS (IF ANY)**

##### **RESOLVED:**

That the deputation from Richard Hanson on behalf of residents objecting to the proposed moving of a local bus stop be heard.

The meeting heard that two separate petitions, against the plans to move a bus stop near Paxton Green roundabout, had been signed by about two hundred local people. Richard had heard that the bus stop element of the proposals had recently been dropped from the plans but went on to explain the reasons behind the grounds for the initial objection as follows:

There were concerns that, if the bus stop was moved, it would risk the safety of school children and cyclists, and increase anti-social behaviour in the local area.

The chair thanked the deputation and the matters raised were noted. Councillor Andy Simmons added that councillors from Lewisham had raised concerns about the initial proposals.

## **8. PAXTON GREEN ROUNDABOUT IMPROVEMENTS**

Matt Hill, Public Realm Programme Manager, presented the report. He explained that the views of the community council would be forwarded to the Cabinet Member for Transport, Environment and recycling who would decide whether to implement the scheme.

Among the general objectives of the scheme were the improved access to the bus stop and improved safety within the area of the roundabout. The measures would be funded by Transport for London (TfL) as part of the council's local implementation plan programme. If approved, the scheme would be commenced in the 2013/14 financial year.

A pre-consultation took place a year ago to gauge initial views on traffic issues in the area. That had been followed by a public consultation on the details of the proposed scheme which ran from November 2012 until January 2013. Overall, there was a 50/50 split on whether or not the scheme was supported by the public. Some unpopular elements had led to the proposals being altered; those included the moving of the bus stop and cycle lane.

In response to questions, Matt made the following points:

- The cycle lane would be retained in its existing form.
- The proposal was to build out the footway/kerb on the roundabout side of Gipsy Hill and put in a raised table across the mouth of the junction and to remove the pedestrian island.
- The risks of the proposals had been assessed in an audit.
- There were no other roundabouts like this one in the borough and if officers were starting from scratch the proposals would be different from those being put forward in this instance.
- Guardrails tended not to help and were often removed; segregated cycle lanes were very expensive
- At the feasibility stage a range of options were considered including signalling the roundabout but the benefits were not proportionate to the extra costs involved.

Councillors noted the report and thanked officers for their work. They asked that the following be taken into consideration:

- That officers look at the option of retaining the traffic island in the design.
- That the benefits of the kerb build out be tested with a temporary measure to assess if it would have the desired impact.
- That detailed explanations be reported for the design decisions taken.
- That another round of consultation takes place with more analysis of the cycle lane issue.

Matt said he would report the views expressed to the cabinet member and in the meantime he would amend the consultation report to incorporate more details of the views

expressed.

## **9. THE FUTURE DEVELOPMENT OF DULWICH**

Simon Bevan, Acting Director of Planning, gave a general introduction to the planning process in Southwark. Planning law required that applications for planning permission must be determined in accordance with the development plan unless material considerations indicated otherwise.

Simon explained that there was a National Planning Policy Framework. Planning decisions were generally a presumption in favour of sustainable development. The other main documents were the Mayor's London Plan and Southwark's own core strategy, adopted in 2011.

Southwark was generally very pro-development with targets for delivering new homes of just over two thousand per year. The developments tended to be concentrated mainly in the north and centre of the borough.

### **9.1 DULWICH SUPPLEMENTARY PLANNING DOCUMENT**

Simon Bevan explained that a Supplementary Planning Document (SPD) was being prepared. A draft document was on the Southwark website and a twelve-week consultation period had just commenced. The SPD for Dulwich was about the particular characteristics of Dulwich and how development decisions should be approached in the area.

### **9.2 NEIGHBOURHOOD FORUMS**

Simon Bevan explained that following the passing of the Localism Act in 2011, a number of measures designed to empower local people in their communities had been introduced. There were now ways for people to prepare neighbourhood plans and bring forward developments and make things happen. Residents could prepare a neighbourhood plan which was a guide for a range of different types of development. In an area such as Dulwich, the plan would be developed by a forum that worked together for that specific purpose.

If people wanted to be part of a forum there was a mechanism to enable that. There would be a number of tests via the council so that the forum could be recognised as the official forum making that plan. The forum would then be advertised and via a number of stages of working with the council a plan would take shape. A decision on whether to adopt the neighbourhood plan would be voted upon in a referendum.

The chair encouraged all residents wishing to get involved in the planning process to take part in the twelve week consultation for the Dulwich SPD.

In response to questions, Simon stated:

- The Council had expressed some general views in the SPD about subterranean

developments. The consultation would give residents the opportunity to comment on those.

- All comments concerning the SPD would be logged and feedback given to those who had contributed to the process. The SPD would then be forwarded to the Cabinet for decision. The SPD would be brought back to the community council in April before it goes to Cabinet in June.
- If various local groups wanted to get together and work on a neighbourhood plan, officer advice and time would be made available. Also, there were nationally funded bodies that could offer advice, such as [www.locality.org.uk](http://www.locality.org.uk) Locality produces a fact pack containing helpful information.
- There was scope for cross borough neighbourhoods. If it involved parts of three boroughs then all three boroughs would have to approve it. There were merits in concentrating on a small area as it was a more manageable task for those involved.

Public consultation sessions on the SPD would take place on Saturday 2 March 2013 and Wednesday 10 April 2013.

### **9.3 COMMUNITY INFRASTRUCTURE LEVY (CIL)**

Zayd Al-Jawad, Section 106 (S106) Planning Agreements Manager, explained that S106 was a contract with the developer when planning permission was granted. It secured things such as contributions towards open space, education, affordable housing and any mitigation that was deemed required. From next year much of the strategic element of S106 would be transferred to the Community Infrastructure Levy (CIL). The CIL would in effect be a charge on new floor space. S106 would remain for affordable housing and site specific mitigation.

There was currently a Mayoral CIL that the council collected on behalf of the Mayor for strategic transport. Last year Southwark Council consulted on what rates to charge for the Southwark CIL. The rates proposed were £250 per square metre for new residential floor space and a zero rate for storage / industrial use. There were variable rates for retail and a hotel rate of £125 per square metre. The rates were based on viability and affordability. The majority of CIL was to fund strategic infrastructure, although a defined smaller amount of 15 - 25% would be for the local area.

The S106 project bank would be updated into the CIL project list. It would be for existing S106's and for local non strategic amounts for CIL. Consultation on ideas took place in 2012. The main remit for the CIL list was that it had to be a project that supported growth in some way. There were currently 15 projects on the CIL list for the Dulwich area. The list would come to the next community council in Dulwich on 22 April 2013, for approval.

In response to questions, Zayd made the following points:

- The rate levels varied across Southwark, with three bands for residential developments to reflect differing values. The rates were similar to those in Lambeth, Camden and Hammersmith & Fulham.

- CIL applied to new developments and not for extensions to domestic housing.

#### **9.4 ASSETS OF COMMUNITY VALUE**

Stephen Douglass, Head of Community Engagement, explained that the Localism Act introduced some community rights that had come into force in 2012. Broadly speaking there were four new community rights in the legislation:

1. Neighbourhood planning
2. Community right to build
3. Community right to challenge
4. Community right to bid.

The new community right to bid was now in force. It was about keeping valued land and buildings in community use, by giving local people the chance to bid to buy them if they came onto the market. It gave certain groups the right to nominate public and private land and buildings to be part of a register of assets of community value. If something on the nominated registered list came up for sale then the right could be triggered. The community group then would have six months to prepare a bid and compete to buy it. Examples included village shops, public houses, former schools, and public open spaces. Southwark was required to publish the list of nominated assets. More details on the process had been circulated and available on request.

The community right to bid was about ensuring that an asset no longer used in the community and with a reasonable prospect of continuing to be in community use, had a measure of protection. The groups eligible to nominate for the list were tightly defined within the legislation. A registered charity could nominate as could a group with at least twelve people on the electoral register in Southwark.

The first stage was nominating for the list which would then be published as a land charge on the property. If the property came up for sale, the owner was obliged to inform the council. If a constituted community group, then expressed an interest to buy, there would be a six month moratorium period that prevented the owner selling to anyone else. The owner was not obliged to sell to the group.

The community right to challenge came into effect in June 2012. It was about community organisations interested in running a public service. That could include a wide range of local services. If a community organisation came forward expressing an interest in running a public service it would trigger a procurement exercise. There would then be an open procurement with no guarantee of success.

In response to questions, Stephen made the following points:

- The definition of community use in the legislation, applied to the community right to bid, was about furthering the social well-being of an area. The Localism Act gave the example of cultural, recreational and sporting use. It was up to community organisations to put in a nomination and make their case.

## 10. PARISH COUNCILS

This item was withdrawn.

The chair stated that she had met with some people from Queens Park, Westminster who were in the process of setting up a parish council. It may or may not be something that people in Dulwich would be interested in. If groups were interested in exploring the idea of parish councils in Dulwich, they should contact the council or councillors and an officer could be invited to attend a meeting and explain what was involved.

At this point, Councillor James Barber and Councillor Lewis Robinson left the meeting.

## 11. PUBLIC QUESTION TIME

The following written public question had been received:

On behalf of the Herne Hill Society, local residents and traders: Can we have an update on the action to address the problems of the late night economy in Norwood Road, SE24.

The chair requested an official officer reply but added that legal action was being planned against one of the premises.

## 12. COMMUNITY COUNCIL QUESTION TO COUNCIL ASSEMBLY

Following the earlier discussions about neighbourhood forums and the planning process generally, the community council considered whether to submit a question to the next Council Assembly meeting and agreed the following:

### **RESOLVED:**

Would the Leader of the Council please provide the evidence, broken down by the original eight community council designations and contrasted to the record of main planning committee, for his statement in a letter of 21 December 2012 (responding to a letter from the Chairs of the Dulwich Society and the Turney Road Residents Association of 4 December 2012) that the council were "the unsuccessful respondents in a disproportionate number of planning appeals in respect of matters determined at community council planning committees" and the cost of the cases by community council designation.

## 13. COMMUNITY COUNCIL FUND 2013/14

**Note:** This is an executive function.

Members considered the information contained in the report.

**RESOLVED:**

1. That the following allocations of community council funding for the following applications be approved:

**EAST DULWICH WARD**

<b>Organisation</b>	<b>Project</b>	<b>Amount</b>
Bangladeshi Welfare Association	A Social Event	£ 763
Dulwich Milan Association	One Day Fun Day	£ 763
East Dulwich Community Association	Open Day	£ 900
Freedom After 50	Exercise Classes	£ 763
Pioneer African Caribbean Over 50s Group	Christmas Dinner	£ 861
The Mini Cooking Club	Nutrition during pregnancy	£ 763
Vale Residents Association	Website and Content Management	£1,000

**VILLAGE WARD**

<b>Organisation</b>	<b>Project</b>	<b>Amount</b>
Clapham Film Unit	Life of the Bicycle	£1,000
Delawyck Residents Management Organisation	Summer Day Trip	£ 770
Dulwich Park Friends	Dulwich Park Fair 2014	£1,000
Dulwich Table Tennis Club (SE22 branch)	Table Tennis	£ 989

Herne Hill Music Festival	Herne Hill Music Festival Opera Night	£ 760
Redthread Youth	Green Dale Youth Club	£1,000
Tayo Situ Foundation	Recognition Awards Night	£ 649
Dulwich on View	Community Photography Walk	£ 75

#### COLLEGE WARD

<b>Organisation</b>	<b>Project</b>	<b>Amount</b>
Athol House, Leonard Cheshire Disability	The Safari Challenge	£1,000
KETRA	Kingswood Festival	£1,000
Paxton Green Time Bank	Members' Activities	£ 825
Radio King Online	Radio King Academy	£1,000
Dulwich on View	Community Photography Walk	£75
Tayo Situ Foundation	Recognition Awards Night	£351
Waymark Training	Inspiration Project	£ 949

2. That the under spend of £613 from College Ward, be considered at a future meeting in 2013/14.

#### 14. LOCAL PARKING AMENDMENTS

**Note:** This is an executive function.

Members considered the information contained in the report.

#### **RESOLVED:**

1. That the following local parking amendments, detailed in the appendices to the report, be approved for implementation subject to the outcome of any

necessary statutory procedures:

- Melbourne Grove – install one disabled person’s (blue badge) parking bay
  - Acacia Grove – install one disabled person’s (blue badge) parking bay
  - Hindmans Road – install one disabled person’s (blue badge) parking bay
  - Matham Grove – install one disabled person’s (blue badge) parking bay
  - Crystal Palace Road – install one disabled person’s (blue badge) parking bay
  - Friern Road – install one disabled person’s (blue badge) parking bay
  - Elmwood Road – install double yellow lines on the turning head near Red Post Hill
  - Gallery Road – install double yellow lines
  - Dulwich Village – install double yellow lines at the entrance to Nos. 61 to 67
  - Lordship Lane – install double yellow lines outside church
  - Turney Road – install double yellow lines across entrance to Dulwich sports ground.
2. That the following local parking amendments, detailed in the appendices to the report, be deferred for additional information to be considered:
- Mount Adon Park - install double yellow lines on the bends in the road.

The meeting ended at 9.50 pm.

**CHAIR:**

**DATED:**