Dear Sir or Madam,

Notice is hereby given that a meeting of the Council will be held at the Council Chamber, Civic Centre, Esher, on Wednesday, 3 December 2014 commencing at 7.45 pm for the transaction of the following business.

Yours faithfully

Chief Executive

Before the Mayor proceeds to conduct the business on the agenda there will be prayer.

---

Fire Precautions:
(To be read from the Chair if members of the public are present)

In the event of the fire alarm sounding, leave the room immediately. Proceed downstairs by way of the main stairs or follow any of the emergency exit signs. Leave the building and follow the signs to the fire assembly point in the Civic Centre Car Park Recycling Area.

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Chief Executive: Robert Moran

Strategic Director and Deputy Chief Executive: Ray Lee

Strategic Director and Deputy Chief Executive: Sarah Selvanathan
Please Note: The Council permits the filming and/or recording of the public element of its meetings. Electronic equipment and devices should be operated as unobtrusively as possible and without disruption to the business of the meeting. The Council retains copyright in all recordings. Filmed images should not be used or reproduced in a way that misrepresents or distorts the nature of the proceedings or seeks to lower the public reputation of the Council or an individual.

This meeting may also be filmed by the Council, broadcast live and subsequently retained as an archive on the Council's website (www.elmbridge.gov.uk). The images and sound recording may be used for the purposes of public record or for training purposes. Entry to the meeting room and use of the public seating area will be treated as consent to being filmed.

Members of the public are also asked to ensure their mobile phones are switched off during the course of the meeting, as they can interfere with the induction loop system and interrupt the proceedings.

Free O2 wifi is available in all civic committee meeting rooms, including the council chamber, for all to access.

Thank you for your co-operation.
Access to Historical Information Relating to Reports

Please note that the items within this Agenda will usually have an historical context and therefore may have been considered previously by the Council, Cabinet or its Committees. Whilst reports appearing on this Agenda will include a background summary, Members may wish to appraise themselves of the more detailed historical context and to do this may wish to view previous reports / minutes on the matter which are available via the Council’s website: www.elmbridge.gov.uk or intranet, either by searching on the relevant topic or by committee reports. Copies of particular reports can be provided on request from the Committee and Member Services contact shown on the front of the Agenda.

Part I Items

1. Declarations of Interest

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

(i) any disclosable pecuniary interests and / or
(ii) other interests arising under the Code of Conduct

in respect of any item(s) of business being considered at this meeting.

2. Minutes

Minutes of the

(a) Meeting of the Council held on 1 October 2014
(Minute Book Pages 181-188); and

(b) Special Meeting of the Council held on 17 November 2014
(Minute Book Pages 215- 217).

3. Mayor’s Announcements

4. Leader’s Question Time

To receive any pre-notified questions addressed to the Leader / Member of the Cabinet / Committee Chairman.(The maximum time allowed for Leader's question time is 40 minutes.)

5. Urgency Decisions

To note that there have been no executive or non-executive decisions taken as a matter of urgency since the last meeting of the Council.
6. **2015/16 Council Tax Base**

7. **Pedestrian Bridge at Neilson’s Field Open Space (Green Lane Bridge) Recreation Ground, East Molesey**

8. **Reports of Cabinet / Committees and Sub-Committee etc.**

   (a) * Overview and Scrutiny Committee - 25 September 2014 (Minute Book Pages 121 - 130)
   (b) Individual Cabinet Member Decision Making - 26 September 2014 (Minute Book Pages 131 - 180)
   (c) Appointments Sub-Committee - 7 October 2014 (Minute Book Pages 189 - 190)
   (d) Planning Committee - 7 October 2014 (Minute Book Pages 191 - 194)
   (e) Individual Cabinet Member Decision Making - 22 October 2014 (Minute Book Pages 195 - 196)
   (f) Overview and Scrutiny Committee - 22 October 2014 (Minute Book Pages 197 - 206)
   (g) Appointments Sub-Committee - 3 November 2014 (Minute Book Page 207)
   (h) Individual Cabinet Member Decision Making - 5 November 2014 (Minute Book Pages 208 - 209)
   (i) Licensing Committee - 10 November 2014 (Minute Book Pages 210 - 214)
   (j) Planning Committee - 18 November 2014 (Minute Book Pages 218 - 231)
   (k) Individual Cabinet Member Decision Making - 19 November 2014 (Minute Book Pages 232 - 238)
   (l) Cabinet - 19 November 2014 (Minute Book Pages 239 - 260)
ELMBRIDGE BOROUGH COUNCIL

MINUTES of PROCEEDINGS at the MEETING of the COUNCIL held on Wednesday 1 October 2014

Members of the Council:

* B. Fairbank (Mayor)  * Mrs. J. Fuller (Deputy Mayor)
* Ms. R. Ahmed        * D.J. Archer         * M. Axton
* S. Bax              * M.J. Bennison      * Tricia W. Bland
* L.J. Brown          * J. Browne           * Mrs. R.M. Bruce
* J.V.C. Butcher       * B.J.F. Cheyne      * A. Coomes
* Mrs. E. Cooper       * N.C. Cooper        * Ms. B.A. Cowin
* Mrs. C.J. Cross      * A. Davis            * G.P. Dearlove
* I. Donaldson        * Mrs. E.E. Dünweber * V.G. Eldridge
* Mrs. C. Elmer        * C.J. Elmer          * B.W. Fairclough
* S.J. Foale          * R.J. Gray           * R. Green
* T.J.C. Grey          * N. Haig-Brown      * P.M. Fairclough
* S. Hawkins          * G. Herbert         * A.J. Hopkins
* Mrs. T. Izard        * Mrs. S.R. Kapadia * A. Kelly
* R.A. Knight          * A.H. Kopitko       * Rachael I. Lake
* Mrs. D.M. Mitchell   * Mrs. R. Mitchell   * T.G. Oliver
* J. O’Reilly         * A. Palmer          * Mrs. K. Randolph
* Mrs. L. Robertson    * C.R. Sadler        * Mrs. L. Samuels
* S.J. Selleck        * J.G. Sheldon       * Mrs. M.C. Sheldon
* Mrs. T. Shipley     * Mrs. J.R. Turner    * J.A. Vickers
* S.J. Waugh          * denotes attendance

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

RESOLVED that the Minutes of the Meeting of the Council held on 23 July 2014, having been printed and circulated, be taken as read and signed as a correct record.

3. MAYOR’S ANNOUNCEMENTS

It had been a very busy few months. The Mayor and Mayoress had undertaken a number of visits to commemorations in respect of the start of the First World War, including at St. Mary’s Church, Oatlands; the war memorial at Oxshott Heath; a candle-lit event at Guildford Cathedral; and commemorations with the Royal British Legion at Randalls Park Crematorium. The Mayor took the opportunity to thank officers for the work undertaken in respect of the refurbishment of public War Memorials across the Borough and advised that this was a poignant time of the year with the Remembrance Day services fast approaching for the reflection on and
remembrance of those who gave their lives serving the Country.

The Mayor was delighted to have attended a number of coffee mornings at the community centres, which had raised almost £1000 for his chosen Charity, Home-Start Elmbridge. Thanks were extended to all those involved.

During August, he had attended various ‘Shout’ activities involving young people from across the Borough, and was pleased to have received a decorative paper Mayoral Chain which had been crafted by the children at Bell Farm Primary School.

The Elmbridge Civic Day had been held in September, to which Surrey Mayors had been invited. The Mayor thanked Brooklands Museum, Mercedes Benz, Chelsea Football Club and Painshill Park for their support in hosting the successful Civic Day.

The Mayor had also taken part in a flotilla of Dunkirk little ships, which sailed each year from Hampton Court to Ravens Ait and then on to Weybridge for lunch. There were a number of veterans present, including those directly involved in Dunkirk and also a number of Chelsea Pensioners.

There has also been a successful Ladies Luncheon at the Woodlands Park Hotel, which had raised a significant contribution for the Mayor’s Charity. Thanks were extended to all those that had attended and made the lunch a great success.

Other engagements had included the launch of the Community Cab Service at the Cobham Community Centre, together with the introduction of assisted technology software, which could help locate missing vulnerable members of the community. He had also been pleased to attend the first Elmbridge Food Festival, which had been a great success. Staff were thanked for giving up their time to volunteer at the Festival and Painshill Park were thanked for their support in hosting the event.

The Mayor was also pleased to advise that the Riparian Challenge had been a great success and this year Councillor Mrs. M. Marshall had been the Mayoral representative. The crew from the Thames Ditton Skiff and Punting Club had been successful in retaining the Riparian Challenge Trophy.

Finally, the Mayor took the opportunity to announce the forthcoming engagement at the Vera Fletcher Hall on 30 November 2014, entitled ‘Beguiled by Betjeman’. Further details were available from his Secretary.

4. **LEADER’S QUESTION TIME**

(a) **Question asked by M.J. Bennison to the Leader of the Council, J. O’Reilly**

‘Would the Leader care to join with me in congratulating the Elmbridge Street Smart Team, for their fantastic work, and also thank the Surrey County Councillors for their support of this Elmbridge initiative with £40,000?

The Team continue to help keep the street scene in Elmbridge up to a very high standard set by this Administration.’
Response given by J. O’Reilly

Thank you Councillor Bennison, I would certainly concur with your comments about Street Smart. When we introduced Street Smart in June 2009 we all had reasonable expectations for its performance. Over the five years since its implementation it has been an absolute spectacular success. I don’t think there has been a Councillor in this Chamber that hasn’t contacted Street Smart on occasion, and had a superb service.

With Laura and Paul at the helm and Tony, Nick and Barrie in the vehicle, they ensure that our Borough always looks at its best. There cannot be many areas that have not been beneficially affected by Street Smart.

I am delighted that our Surrey Colleagues continue to support the service. That’s a splendid example of our two Councils working together for the benefit of our residents. Councillor Bennison, in his role as Vice-Chairman of the Local Committee, was probably the inspiration behind the contribution of £40,000 from Surrey to Street Smart, and our thanks go to him for this.

Supplementary Question by M.J. Bennison

Using the e-mail previously sent to the Leader with examples of neglected vegetation along an empty building site, would the Leader agree that the fantastic work carried out by Street Smart gangs serves another purpose other than to protect our street scene. More importantly, it protects footpaths and passageways for the visually impaired, mothers with prams and also mobility scooters, especially in some cases where they could be forced into the road. Subject to really severe budget constraints can you confirm that we will protect this valuable asset?

Response given by J. O’Reilly

I entirely agree on a point of access. The occasion that he has referred to was in Claygate and other Members have had similar problems in their areas and Street Smart comes to the rescue. On his second point about the budget, subject to the Government grant, I think I can give an assurance that in this financial year and hopefully in the years after, although times are difficult, Street Smart is absolutely safe. There will be no reduction in the Street Smart budget.

Statement by Mrs. M. Marshall

I’d like to congratulate Street Smart for their efforts and good service.

(b) Question asked by C.R. Sadler to the Leader of the Council, J. O’Reilly

‘In our Corporate Plan for 2014/2015, we included among the strategic objectives for Housing that “We will produce a Housing and Homelessness Strategy by September 2014”.

While we have continued to manage statutory homelessness better than we expected last year, I have yet to see any evidence of the Housing and Homelessness Strategy
being produced. Could the Leader please provide an update on progress with this important piece of work and an explanation for the apparent delay?

Response given by J. O’Reilly

In answering Councillor Sadler’s question, I’m glad he put in his pre-amble, ‘we have continued to manage statutory homelessness better than we expected last year’, although this is somewhat an under-statement. The figures I have seen reinforce the outstanding work our housing team have done to minimise, particularly in the current economic circumstances, the number of households in temporary accommodation, and as was shown at the Overview and Scrutiny Committee where Councillor Browne presented only last week, the target for this year is 42 for 2014/15. Last year, the actuals were 36, 34, 37 & 33 each quarter and the first quarter of this year, the number of households in temporary accommodation was down to 29. That is only one quarter’s figures and 29 is too many, but the work that our Housing Team are doing in trying to prevent homelessness, is a credit to them and this Council.

I understand that at the latest meeting of the Affordable Housing Member Panel held on 28 July 2014, Councillor Sadler was provided with a verbal update regarding the plans for the Strategy.

The meeting was advised that because an extensive evidence base needs to be compiled to inform the Strategy and due to work pressures within the housing service, the September target date could not be met. The Panel acknowledged the importance of the Housing & Homelessness Strategy and supported the document being produced on a revised timescale.

Since then, work is progressing to formulate a new Strategy. The evidence base is being compiled and a meeting of the Elmbridge Homeless Network on 9 September was given over to consultation with partner agencies around the homelessness element of the Strategy. A focus group on housing issues for young people is being held in two weeks’ time to generate ideas and commitment to action. A wider consultation event is being planned for mid-December, with a report and draft Strategy for Cabinet scheduled for early 2015. The new Strategy will cover the period up to 2018 and adoption of the Strategy is planned for the end of the financial year. So, yes, there has been a delay, but I hope I have given an explanation as to why that has taken place but Councillor Sadler, and the Council as a whole, can be assured that our firm expectation is that the final adoption of the Strategy will take place in the not too distant future.

Supplementary Question by C.R. Sadler

It is unfortunate that with pressures on our Planning Services with the Settlement and ID Plans being deferred, it seems we are still some months away. The existing Housing and Homelessness Strategy ran out over two years ago, so I would like to ask if the Leader could confirm that the Housing Service has the necessary resources to meet the revised timetable that he has just set out.
Response given by J. O’Reilly

I’m as confident as anybody can be that the schedule that I’ve set out will be fulfilled.

(c) Question asked by C.R. Sadler to the Leader of the Council, J. O’Reilly

‘Stompond Lane Sports Ground and the Proposed Sports Hub for Waterside Drive.

It is now almost 3 years since the first paper was produced for Cabinet asking for funding (£65,000) for the professional advice required to proceed with the application for outline planning permission for what has become known as the Sports Hub. Please would the Leader advise how much money has been spent to date on:

1. professional advice in connection with the outline planning application for the Sports hub at Waterside Drive;

2. professional advice, including all consultants’ fees, in connection with the outline planning permission for the current Stompond Lane Sports Ground;

3. legal fees and fees to any other consultants in connection with the agreement of terms for a new lease for Stompond Lane Sports Ground Walton and Hersham Football Club; and

4. professional fees in connection with the assessment of the contaminated land at the site of the proposed Sports Hub at Waterside Drive.’

Response given by J. O’Reilly

I will take Councillor Sadler’s questions in order.

Councillor Sadler is indeed correct in that Cabinet in October 2011 approved a sum of £65,000 to be allocated from the Corporate Initiative Revenue Budget to provide the professional advice required to proceed with the outline planning application. I can confirm to Councillor Sadler that the total amount spent on transport assessments, environmental impact assessments and consultations with residents was £56,300. So I’m sure Councillor Sadler will join with me in welcoming the fact that the amount spent was almost £9,000 less than was budgeted.

In response to Councillor Sadler’s second question, I am sure he will remember asking the same question at the Council meeting in October last year. Councillor Sadler will recall that, as reported at February 2013 Cabinet, and subsequently at full Council, approval was given for the costs associated with developing and submitting an outline planning application to be met from the 2012/13 Corporate Initiatives Revenue Budget. The total costs of external architects and planning consultants who were brought on board to assist officers with this process is £62,300. Again these costs covered the various surveys and reports (topographical, transport engineer, sustainable design, ecological, tree and arboriculture, flood risk assessment) required for any big planning application submitted by anyone.
These Minutes should be referred to in conjunction with the Minutes of the subsequent Meeting of the COUNCIL as they may be subject to amendment prior to adoption.

Turning to the third question from Councillor Sadler, he will remember that the legal proceedings that took place were instigated by the Club and not at the behest of Elmbridge Borough Council. That said, the Council was successful in putting forward the case to the Courts and the break clause and a new lease with Walton & Hersham Football Club was granted in November 2013. Our professional fees for dealing with this matter cost us £60,800. This includes legal and Counsel’s fees, an independent expert report and a specialist building survey report but excludes any Elmbridge Borough Council officer time. These costs have been met within the existing Asset Development budget.

Finally, as Councillor Sadler and colleagues will know, most of the Sports Hub site comprises a former area of landfill, any disturbance of the ground through building work will require detailed investigation and, if necessary, remediation to protect public health. Under the current outline planning permission Elmbridge Borough Council had to discharge Condition 23 which involves extensive ground investigations on the site and agree a detailed scope of works document with our Environmental Services Team and the Environment Agency. The Council as landowner has legal responsibilities in relation to made up land and this specialist work needs to be carried out to the highest & safest environmental standards.

In February 2014, Cabinet approved a spend of £50,000 for the Survey works fees along with Pick Everard’s fee in order to carry out this important work. In July 2014, Cabinet approved a further £150,000 as the intrusive ground investigations surveys had proved more challenging and have needed to be more extensive than originally envisaged resulting in higher costs. In total, we will have spent £200,000 for the assessment of the contaminated land.

Of the £200,000, £50,000 was allocated from 2013/14 underspend, £100,000 from Asset Development Budget and £50,000 from Corporate Initiatives Budget, as reported to July 14 Cabinet.

All of the work was procured properly in line with our normal procurement procedures and competitive quotes were received to ensure that the Council secured appropriate expertise at the market rate.

**Supplementary Question by C.R. Sadler**

My quick arithmetic indicates a total spend of £379,400. What I would like to ask the Leader is, as far as I’m aware, this Council has not yet debated whether we should go ahead and create a Sports Hub at Waterside Drive. There is no capital budget for it in terms of the construction. A figure of £6million has been mooted in the past. I’d like to ask the Leader when does he anticipate that this Council will have an opportunity to look at these proposals in their entirety in terms of capital costs and subsequent running costs for the Sports Hub at Waterside Drive?

**Response given by J. O’Reilly**

I can’t give an explicit date because there is still more work to be done. What I can tell Councillor Sadler is that there will be a report to the Cabinet meeting in November where a lot more information will be available. In addition, the Member Task Group
that has been established and to which Councillor Sadler has been appointed, will meet and discuss this in more detail. At some point, we must have a debate before the project goes ahead. When that will precisely be I’m not in a position to say at the moment, but I can reassure Councillor Sadler that these discussions will be taking place, I hope in public, at the November Cabinet. No doubt in the November Cabinet report there will be recommendations to Council in December, so it may be that there are opportunities at the December Council meeting to have the kind of discussion that Councillor Sadler would wish us to have now.

5. **URGENCY DECISIONS**

Members noted that there had been no executive or non-executive decisions taken as a matter of urgency since the last meeting of the Council.

6. **REVIEW OF BOROUGH ELECTORAL CYCLE**

Members were asked to re-consider whether to review the current Borough Electoral Cycle with a view to undertaking public consultation on the option of changing the Council’s electoral cycle from elections by thirds to whole Council elections. In the event of such consultation and consideration of the results, the Council could, by special resolution at a Special Meeting of the Council and by two-thirds of the Members voting on it, resolve to move from the current scheme of elections by thirds, to whole Council elections.

Following introduction of the report by the Leader, J. O'Reilly, S.J. Selleck, seconded by C.R. Sadler, moved the following amendment:

‘That in Recommendation (A), ‘BEING MINDED TO’ be deleted and substituted by ‘CONSIDERING A’; and that on page 2 of the report, a new sentence be added to the end of the paragraph that starts ‘It is pertinent…’, as follows ‘However, this is by no means a guaranteed outcome.’."

Following a show of hands, the Mayor declared the amendment to be carried.

By affirmation of the meeting it was

**RESOLVED** that

(a) in view of consideration of the Council’s future Ward configurations, a public consultation exercise be undertaken regarding the Council considering a move from the current electoral cycle by thirds to full Borough Council Elections every four years; and

(b) the pre-notified Special Meeting of the Council be held on Monday 17 November 2014 at 7.15 p.m. to consider the results of the consultation and formally determine the Council’s electoral cycle.
7. REPORTS OF CABINET / COMMITTEES AND SUB-COMMITTEE ETC.

RESOLVED that, subject to the amendments noted below, the reports of the Cabinet and the following Committees at the meetings held on the dates shown, be received and the recommendations contained therein be approved:

OVERVIEW AND SCRUTINY COMMITTEE 17 July 2014

INDIVIDUAL CABINET MEMBER DECISION MAKING 3 September 2014

INDIVIDUAL CABINET MEMBER DECISION MAKING 5 September 2014

PLANNING COMMITTEE 9 September 2014

CABINET 17 September 2014

AUDIT AND STANDARDS COMMITTEE 24 September 2014

8. MAYOR’S CLOSING REMARKS

All Members of the Council agreed that their very best wishes be passed to Councillor Stuart Hawkins for a speedy recovery.

- - - - -

The meeting commenced at 7.45 p.m. and concluded at 9.06 p.m.

B. FAIRBANK
Mayor

Committee Officer
Ms. M. Hayes - Committee and Member Services Manager

Other Officers in attendance

R. Moran - Chief Executive
Mrs. S. Selvanathan - Strategic Director and Deputy Chief Executive
R. Lee - Strategic Director
Ms. B. Greenstein - Head of Executive and Member Services
A. Harrison - Head of Legal Services
Ms. A. Mammous - Electoral Services Manager
B. Swinbank - Electoral Assistant
ELMBRIDGE BOROUGH COUNCIL

MINUTES of PROCEEDINGS at the SPECIAL MEETING of the COUNCIL
held on Monday 17 November 2014

Members of the Council:

* B. Fairbank (Mayor)
* Mrs. J. Fuller (Deputy Mayor)

* Ms. R. Ahmed  * D.J. Archer  * M. Axton
* S. Bax  * M.J. Bennison  * Tricia W. Bland
* L.J. Brown  * J. Browne  * Mrs. R.M. Bruce
* J.V.C. Butcher  * B.J.F. Cheyne  * A. Coomes
* Mrs. E. Cooper  * N.C. Cooper  * Ms. B.A. Cowin
* Mrs. C.J. Cross  * A. Davis  * G.P. Dearlove
* I. Donaldson  * Mrs. E.E. Dünweber  * V.G. Eldridge
* Mrs. C. Elmer  * C.J. Elmer  * B.W. Fairclough
* S.J. Foale  * R.J. Gray  * R. Green
* T.J.C. Grey  * N. Haig-Brown  * P.M. Fairclough
* S. Hawkins  * G. Herbert  * A.J. Hopkins
* Mrs. T. Izard  * Mrs. S.R. Kapadia  * A. Kelly
* R.A. Knight  * A.H. Kopitko  * Rachael I. Lake
* Mrs. D.M. Mitchell  * Mrs. R. Mitchell  * T.G. Oliver
* J. O’Reilly  * A. Palmer  * Mrs. K. Randolph
* Mrs. L. Robertson  * C.R. Sadler  * Mrs. L. Samuels
* S.J. Selleck  * J.G. Sheldon  * Mrs. M.C. Sheldon
* Mrs. T. Shipley  * Mrs. J.R. Turner  * J.A. Vickers
* S.J. Waugh  * denotes attendance

1. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

2. **REVIEW OF BOROUGH ELECTORAL CYCLE**

Members were asked to review and determine the Borough Electoral Cycle, having regard to the recent public consultation on the option of changing the Council’s electoral cycle from elections by thirds to whole Council elections. In considering the matter, the Council could, by special resolution of a Meeting of the Council and by two-thirds of the Members voting on it, resolve to move from the current scheme of elections by thirds, to whole council elections.

The Council’s 60 Borough Councillors represented 22 wards across the Borough. Each ward was represented by either two or three councillors and each councillor was elected for a four year term of office. Currently, every three out of four years a third of councillors stood for election / re-election, known as elections by thirds.
The Council had regard to the previous reports submitted to the Council on 10 April 2013 and 1 October 2014, that had set out advantages of elections by thirds and whole council elections; financial implications and implications in respect of Electoral Review. These reports were reproduced with the Council agenda for Members’ ease of reference. Members also referred to the guidance from the Local Government Boundary Commission for England, and specifically from Sir Tony Redmond, the Lead Commissioner for the Elmbridge Electoral Review, as confirmed at the presentation to Members on 1 September 2014, that the Commission would start Electoral Reviews with a presumption in favour of delivering a uniform pattern of three Member wards where authorities had elections by thirds.

Members also considered the results of the recent public consultation where residents had been invited to indicate whether they would prefer to retain the existing system of Borough Elections by thirds or change to whole council elections once every four years.

It was noted that a total of 601 responses to the public consultation were received either by way of website or returned leaflet, as follows:

- 308 supported retaining the existing system of Borough Elections by thirds;
- 282 supported a change to whole council elections once every four years; and
- 11 responses had not indicated a preference.

In addition, a letter and two e-mails via the Council’s ‘contact us’ facility were received in response to the consultation and were detailed in the report, together with all the literal comments received.

Members expressed their thanks to the Officers for conducting an efficient public consultation together with the analysis of the outcome. Members further expressed their thanks to all the residents who had engaged in the consultation.

The Leader moved the statutory notice of object to enable Members to consider the matter. Having had a full debate on the matter, it was

RESOLVED that the motion to adopt an electoral cycle of Whole Council Elections every 4 years was not carried.

The meeting commenced at 7.15 p.m. and concluded at 8.52 p.m.

B. FAIRBANK
Mayor

Committee Officer

Ms. M. Hayes - Committee and Member Services Manager
These Minutes should be referred to in conjunction with the Minutes of the subsequent Meeting of the COUNCIL as they may be subject to amendment prior to adoption.

Other Officers in attendance

R. Moran - Chief Executive
Mrs. S. Selvanathan - Strategic Director and Deputy Chief Executive
R. Lee - Strategic Director
Ms. B. Greenstein - Head of Executive and Member Services
A. Harrison - Head of Legal Services
Miss A. Mammous - Electoral Services Manager
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Agenda Item 6.

**Committee:** COUNCIL

**Date of meeting:** 3 December 2014

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<td>Head of Local Taxation</td>
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**EXECUTIVE SUMMARY:**

To provide the statutory details of the 2015/16 council tax bases for approval.

**RECOMMENDATION:**

THAT THE COUNCIL TAX BASES (SHOWING BAND ‘D’ EQUIVALENT DWELLINGS FOR TAX SETTING PURPOSES) FOR THE ELMBRIDGE AREA IN RESPECT OF THE YEAR 2015/16 BE APPROVED AS FOLLOWS:

**FOR THE WHOLE BOROUGH**

62,176

**FOR THE AREA OF THE BOROUGH COVERED BY CLAYGATE PARISH COUNCIL**

3,380

**REPORT:**

1. The Council is required to undertake a formal calculation of the 2015/16 council tax base, in accordance with the requirements of the Local Government Finance Act 1992. Tax base details must be determined and relevant information passed to precepting authorities by the required date of 31 January 2015.

2. Legislation requires that the calculations made must be based on the position as at 30 November 2014. These tax bases will then be used by each precepting authority early next year in setting their individual elements of the 2015/16 council tax.

3. Claygate Parish requires a specific council tax base calculation for its area; there is an additional and separate council tax levied on each of the domestic properties in the Claygate Parish area.
4. At its meeting on 14 November 2007, the Cabinet agreed that future versions of this report should be made direct to Council without reference to Cabinet. Two separate calculations are attached as appendices to this report:

Appendix A - overall tax base for the Elmbridge Borough area (including the Claygate Parish area)

Appendix B - tax base for the Claygate Parish area.

5. The tax base is calculated by taking the actual number of properties in each property band then making allowances for anticipated changes to the end of the next financial year. These changes include the number of physical properties, statutory exemptions, discounts and the cost of awards under the local council tax support scheme (LCTSS). The adjusted totals are then multiplied by a band specific ratio to produce the number of band D equivalents. Working out to band D equivalents is a legal requirement although in Elmbridge’s case the average property falls within band E.

This year’s tax base takes account of estimated reductions arising from the Year 3 (2015/16) changes to the LCTSS approved by Council in December 2013, as well as the actual effect of year 1 and year 2 LCTSS.

6. Given the tax base is estimating events up to 16 months ahead, an allowance is built in to protect against adverse movements such as successful appeals against banding, increases in the number of discounts, exemptions, and LCTSS granted etc as well as non payment and bad debt. Last year an allowance of 2.0% was deducted from the tax base. Taking into account the uncertain economic conditions and potential impact of year 3 changes to the LCTSS, it is recommended that this prudent allowance is maintained for a further year. This gives an estimated collection rate of 98% and has been used in the calculation of the council tax base for 2015/16. When next year’s council tax base is calculated the 2% allowance will be reviewed in the light of experience.

Financial implications:
The council tax base stated in this report will be used to work out the council tax funding in the 2015/16 budget to be approved by Council in February 2015.

Environmental/Sustainability implications:
Administrative report - exempt.

Legal implications:
Approval of the tax base by the Council, and notification to precepting authorities by no later than 31 January 2015, is a statutory requirement.
**Equality Implications:**
None for the purpose of this report.

**Risk Implications:**
None, other than the legal implications above and the estimated nature of the tax base calculation.

**Community Safety Implications:**
None for the purpose of this report.

**Principal Consultees:**
None for the purpose of this report.

**Background papers:**
None for the purpose of this report.

**Enclosures/Appendices:**
Appendix A: Tax base for the Elmbridge Borough area (including the Claygate Parish area).
Appendix B: Tax base for the Claygate Parish area.

**Contact details**
Head of Local Taxation – 01372 474229
tbatchelor@elmbridge.gov.uk
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### Appendix A

**Date:** 30 November 2014

<table>
<thead>
<tr>
<th>Properties on Valuation List at 30/11/14</th>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>363</td>
<td>1,753</td>
<td>7,399</td>
<td>13,261</td>
<td>10,825</td>
<td>7,807</td>
<td>11,124</td>
<td>3,894</td>
<td>56,426</td>
</tr>
</tbody>
</table>

Add expected new properties to 31/3/2016 (adjusted)

|                                       | -      | 4      | 110    | 29     | 17     | 27     | 39     | 45     | 271   |

Less:

| Exempt properties                      | 32     | 47     | 102    | 105    | 90     | 59     | 63     | 19     | 517   |
| Demolished properties                   | -      | -      | -      | -      | -      | -      | 2      | 1      | 3     |

Chargeable dwellings

|                                       | 331    | 1,710  | 7,407  | 13,185 | 10,752 | 7,775  | 11,098 | 3,919  | 56,177|

Disabled relief properties - actual

|                                       | 3      | 14     | 69     | 54     | 46     | 66     | 28     | 280    |

Disabled relief properties - effective

|                                       | 3      | 14     | 69     | 54     | 46     | 66     | 28     | 280    |

Discounted properties at 25%

|                                       | 112    | 1,171  | 3,746  | 4,464  | 3,012  | 1,698  | 1,634  | 272    | 16,109|

Discounted properties at 50%

|                                       | 30     | -      | 4      | 6      | 7      | 8      | 21     | 14     | 90    |

Discounted properties at 100%

|                                       | -      | 5      | 42     | 38     | 40     | 23     | 26     | 8      | 182   |

Premium properties at 150%

|                                       | 4      | 17     | 11     | 15     | 10     | 7      | 10     | 9      | 83    |

Non discounted properties

|                                       | 188    | 528    | 3,659  | 8,647  | 7,675  | 6,059  | 9,369  | 3,588  | 39,713|

Less local council tax support cost (band D equivalents)

|                                       | 34     | 502    | 1,399  | 1,368  | 409    | 110    | 36     | 4      | 3,862 |

Chargeable dwellings adjusted for discount

|                                       | 259.36 | 930.13 | 5,088.03 | 10,652.12 | 9,543.85 | 7,236.81 | 10,583.71 | 3,808.10 | 48,102.11 |

**Ratio to Band "D"**

<table>
<thead>
<tr>
<th></th>
<th>6:9</th>
<th>7:9</th>
<th>8:9</th>
<th>1</th>
<th>11:9</th>
<th>13:9</th>
<th>15:9</th>
<th>18:9</th>
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<tbody>
<tr>
<td></td>
<td>0.67</td>
<td>0.78</td>
<td>0.89</td>
<td>1.00</td>
<td>1.22</td>
<td>1.44</td>
<td>1.67</td>
<td>2.00</td>
</tr>
</tbody>
</table>

Band "D" equivalents

|                                       | 172.91 | 723.43 | 4,522.69 | 10,652.12 | 11,664.71 | 10,453.17 | 17,639.52 | 7,616.20 | 63,444.75 |

Estimated collection rate %

|                                       | 98.0   |

Band "D" equivalents x collection rate

|                                       | 62,175.85 |

Band "D" Equivalents for tax setting

|                                       | 62,176  |

---

Appendix A
### Appendix B

**Date:** 30 November 2014

**Claygate Parish - Properties on Valuation List at 30/11/14**

<table>
<thead>
<tr>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>42</td>
<td>164</td>
<td>494</td>
<td>512</td>
<td>694</td>
<td>857</td>
<td>63</td>
<td>2,834</td>
</tr>
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</table>

Add expected new properties to 31/3/2016 (adjusted)

<table>
<thead>
<tr>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>-</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>1</td>
<td>4</td>
</tr>
</tbody>
</table>

Less:

- Exempt properties
  - Band A: 1, Band B: 1, Band C: 1, Band D: 2, Band E: 4, Band F: 4, Band G: 4, Band H: -
  - Total: 17

- Demolished properties
  - Band A: - , Band B: - , Band C: - , Band D: - , Band E: - , Band F: - , Band G: - , Band H: -
  - Total: -

Chargeable dwellings

<table>
<thead>
<tr>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>41</td>
<td>165</td>
<td>492</td>
<td>508</td>
<td>690</td>
<td>854</td>
<td>64</td>
<td>2,821</td>
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Disabled relief properties - actual

<table>
<thead>
<tr>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>-</td>
<td>2</td>
<td>-</td>
<td>6</td>
<td>3</td>
<td>8</td>
<td>6</td>
<td>1</td>
<td>26</td>
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</table>

Disabled relief properties - effective

<table>
<thead>
<tr>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>-</td>
<td>6</td>
<td>3</td>
<td>8</td>
<td>6</td>
<td>1</td>
<td>-</td>
<td>26</td>
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</table>

Chargeable dwellings adjusted for discount

<table>
<thead>
<tr>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
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<tbody>
<tr>
<td>7.50</td>
<td>27.50</td>
<td>89.50</td>
<td>374.25</td>
<td>459.50</td>
<td>638.00</td>
<td>815.50</td>
<td>63.00</td>
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**Ratio to Band "D"**

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<th>Band A</th>
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<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
</tr>
</thead>
<tbody>
<tr>
<td>6:9</td>
<td>7:9</td>
<td>8:9</td>
<td>1</td>
<td>11:9</td>
<td>13:9</td>
<td>15:9</td>
<td>18:9</td>
</tr>
<tr>
<td>0.67</td>
<td>0.78</td>
<td>0.89</td>
<td>1.00</td>
<td>1.22</td>
<td>1.44</td>
<td>1.67</td>
<td>2.00</td>
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</table>

Band "D" equivalents

<table>
<thead>
<tr>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.00</td>
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<td>79.56</td>
<td>374.25</td>
<td>561.61</td>
<td>921.56</td>
<td>1,359.17</td>
<td>126.00</td>
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</table>

**Estimated collection rate %**

<table>
<thead>
<tr>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
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</thead>
<tbody>
<tr>
<td>98.0</td>
<td>98.0</td>
<td>98.0</td>
<td>98.0</td>
<td>98.0</td>
<td>98.0</td>
<td>98.0</td>
<td>98.0</td>
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</tbody>
</table>

Band "D" equivalents x collection rate

<table>
<thead>
<tr>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,379.56</td>
<td>3,379.56</td>
<td>3,379.56</td>
<td>3,379.56</td>
<td>3,379.56</td>
<td>3,379.56</td>
<td>3,379.56</td>
<td>3,379.56</td>
</tr>
</tbody>
</table>

Band "D" equivalents for tax setting

<table>
<thead>
<tr>
<th>Band A</th>
<th>Band B</th>
<th>Band C</th>
<th>Band D</th>
<th>Band E</th>
<th>Band F</th>
<th>Band G</th>
<th>Band H</th>
</tr>
</thead>
</table>

Appendix B
Subject: Pedestrian Bridge at Neilson’s Field Open Space (Green Lane Bridge) Recreation Ground, East Molesey.

Lead Officer: Heads of Asset Management and Property Services and Leisure & Culture

Portfolio Holder: Resources and Leisure & Culture

Link to Council Priorities:
1. Safe, Caring and Healthy Elmbridge.
2. Unique, Green and Attractive Elmbridge.

Exempt information: None

Delegated status: For resolution

EXECUTIVE SUMMARY:

The report informs the Council on a feasibility study and budget costs for replacement of the footbridge at Neilson Field recreation ground in West Molesey and reports back on the outcome of the application for CIL funding.

RECOMMENDATION THAT:

(A) £133,500 BE ADDED TO THE 2014/15 CAPITAL PROGRAMME FOR THE REPLACEMENT OF NEILSON’S FIELD FOOTBRIDGE AS DETAILED AT APPENDIX 1; AND

(B) £20,000 TO BE FUNDED FROM THE MOLESEY CIL ALLOCATION WITH THE REMAINDER FUNDED FROM THE NEW HOMES BONUS RESERVE, SET ASIDE FOR CAPITAL EXPENDITURE.

REPORT:

Background

A structural engineer's investigation in October 2013 found that the existing bridge structure has been significantly weakened by corrosion. The bridge has since been closed to the public and the Asset Management Team have been working with local civil engineers to find a suitable, affordable fit for purpose replacement bridge.

In July, Council considered the recommendation from Cabinet and arising from discussion it was agreed that consideration of the item be deferred to enable a funding application to be submitted to and determined by the Local Spending Board for East and West Molesey.

The Spending Board has now met and the Board has awarded £20,000 towards the replacement of Neilson’s Field Footbridge.
Proposals for Replacement

Following Cabinet and Council meeting, a further structural engineer’s report was commissioned in September this year. The findings of this investigation, which covered options for replacement, costs and programme, informed the Council that the existing bridge is so badly corroded that repairs would not be viable. The report considered options for replacement with a suitable modern structure. The key requirements to be taken into account were:

- Suitability for the location.
- Initial cost.
- On-going maintenance costs.
- Overall life and lifetime costs.

The report recommends replacement of the bridge with a composite structure comprising galvanised steel beams with hardwood deck and balustrading. The existing brick piers, which were a feature of the original bridge, would be repaired. A concept drawing of the proposed structure is attached at Appendix 1.

The advantages of this design are that it offers a low capital cost compared to the alternatives which would be suitable for the location. The use of a timber deck and parapets is considered to be aesthetically pleasing, and these elements can be replaced relatively easily. On the other hand, a composite steel and timber structure would have a significantly longer design life than an all-timber bridge.

Programme

If approval is given at Council the project will start immediately with completion by September 2015.

Financial implications:
As part of the feasibility work AMPS have undertaken a comparison of initial and whole life costs. The initial capital cost of £121,000 to construct a composite steel and timber bridge with galvanised steelwork is between 3.2% and 7.6% lower than the other options investigated.

Allowing for a 10% contingency sum, the total project cost including professional fees would be £133,200. Following the allocation of CIL funding of £20,000 by the Local Spending Board, the remaining amount of £113,200 will be funded from the New Homes Bonus reserve set aside for Capital Expenditure.

Environmental/Sustainability Implications:
The River Mole and its banks provide a habitat for wildlife. Works in this area are regulated by the Environment Authority. The project costs allow for undertaking an ecological survey, obtaining permission and liaising with the Environment Agency.

Any major maintenance or renewal work in the future will require Environment
Agency consent, and measures taken to minimise any adverse impact on the environment. The option of a galvanised steel and timber composite bridge has the longest service life (in excess of 50 years) and the lowest maintenance requirement, and would therefore have the lowest environmental impact over its life.

**Legal implications:**
Replacement of the bridge will require Planning consent and Environment Agency approval. It is likely that works will require notification to the Health and Safety Executive under the Construction (Design and Management) Regulations 2007.

The bridge supports service conduits and further investigation will be required to determine whether these are live and in use.

**Equality Implications:**
An equality impact assessment form has been completed for this project.

**Risk Implications:**
A risk register will be produced as part of the project plan but there are no immediate risks.

**Community Safety Implications:**
The current proposals include illuminating the bridge deck. The lighting system will be designed to illuminate the bridge deck sufficiently for bridge users and to create an overall sense of security, without being intrusive to local residents.

**Principal Consultees:**
Head of Leisure & Cultural Services
Local Spending CIL Board for East and West Molesey
Cabinet

**Background papers:**
None.

**Enclosures/Appendices:**
Appendix 1: Concept Design
Appendix 2: Letter offering CIL funding

**Contact details:**
Alex Williams
Head of Asset Management and Property Services
Direct dial: 01372 474218
Email: awilliams@elmbridge.gov.uk
Dear Mr Ian Burrows,

First and Final Offer Letter of CIL Funding for Community Project - Ref CILM20143

I am pleased to be able to inform you that your application for funding from the Community Infrastructure Levy (CIL) towards the Neilson's Field Footbridge has been successful.

Following a 4 week community consultation, the comments received have been considered by the Molesey Local Spending Board. After examining these, the board has awarded £20,000.00 on submission of verifiable invoices. This is the first and final offer and is to be used towards the items submitted in your application, namely:

- Complete replacement of Neilson's Field Footbridge

Starting the project
Should you accept the offer, the project should commence within 6 months of the date of this letter. If you are unable to start the project within this timeframe, you must write to the Borough Council using the contact details contained within this letter. The Council will then consider a revised timetable or the future funding of this project.

Approved Works and Payment
It will be necessary for us to check that the project has been completed in accordance with your application and proposal and therefore, please provide us with appropriate dates on which to view the work carried out and invoices, in one submission. Once we have checked that the work has been carried out to your satisfaction and we have the invoices, we will approve the payment.
Publicising the support of the Council
As part of your acceptance, you will need to include in any literature or publicity the fact that you have been supported by the Community Infrastructure Levy, together with the Borough Council’s logo. Please do not use any logos that have not been supplied directly to you by the Infrastructure Delivery Coordinator.

Accepting the Offer
Payment of the grant is subject to your acceptance of this first and final offer letter and of the Terms and Conditions enclosed. If you are happy with the offer, the conditions within this letter as well as the Terms and Conditions of the Grant, please sign and date the Acceptance of the Offer form provided with the Terms and Conditions of the Grant. Then complete your bank details and return it to the Infrastructure and Delivery Coordinator as instructed. Please note that there is no right of appeal against an award of a grant. Once you have completed this form, you can start work on your project.

If you have any further queries regarding this first and final offer, please do not hesitate to contact me.

Yours Sincerely

Z. Belton

Zoe Belton
Senior Planning Officer
10 November 2014

Dear Mr Ian Burrows,

**First and Final Offer Letter of CIL Funding for Community Project - Ref CILM20143**

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If you have any further queries regarding this first and final offer, please do not hesitate to contact me.

Yours Sincerely

Z. Belton

Zoe Belton
Senior Planning Officer
ELMBRIDGE BOROUGH COUNCIL
OVERVIEW AND SCRUTINY COMMITTEE

REPORT of a meeting held on 25 September 2014

Members of Committee:
* A.J. Hopkins (Chairman)
* C.J. Elmer (Vice-Chairman)

δ M. Axton
* L.J. Brown
* B.W. Fairclough
* N. Haig-Brown
* Mrs. T. Izard
* Mrs. R.J.M. Lyon
* C.R. Sadler
* J.G. Sheldon

* S. Bax
* B.J.F. Cheyne
* S.J. Foale
* G. Herbert

δ Rachael. I. Lake
δ Mrs. L. Samuels

* Denotes attendance
δ Denotes Substitution

(δ M.J. Bennison, I. Donaldson and Mrs. K. Randolph were present as temporary substitutes for Rachael I. Lake, Mrs. L. Samuels and M. Axton respectively.)

(J. Browne, G.P. Dearlove, Mrs. S.R. Kapadia, A. Kelly, Mrs. R. Mitchell, J. O’Reilly and Mrs. J.R. Turner were also present.)

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

The Minutes of the meetings held on 27 March, 4 June and 26 June 2014 were agreed as correct records and signed by the Chairman.

3. EXCLUSION OF PUBLIC

<table>
<thead>
<tr>
<th>Minute No.</th>
<th>Item</th>
<th>Description of Exempt Information (Schedule 12A)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.</td>
<td>Painshill Park Update</td>
<td>Paragraph 3</td>
</tr>
</tbody>
</table>
MATTERS OF REPORT

4. PRESENTATION BY THE ENVIRONMENT AGENCY ON THE WINTER 2013/14 FLOODING

(Link to Council Priorities: All)

The Committee received a presentation from Justine Glynn from the Environment Agency’s Partnerships & Strategic Overview (Surrey) Flood & Coastal Risk Management, West Thames. The presentation provided Members with an overview of how the winter flooding of 2013/14 affected Elmbridge, the causes of the flooding and how it compared to previous flooding events within the Borough.

Ms. Glynn explained that between mid-December 2013 and mid-February 2014, the upper part of the River Mole received almost 80% of its expected annual rainfall which was the highest percentage of any catchment in the South East. The localised intense storms created approximately 50-80 mm of rainfall on the already saturated River Mole catchment and this was similar for the River Wey. In respect of the River Wey, a flood warning was issued for Weybridge on the 25 December which peaked on 26 December 2013. During this period, the worst affected area recorded in Weybridge was Wey Road.

The flooding of the River Mole led to local drainage issues at West End (ponding and boggy areas) whilst in Claygate, the River Rythe caused flooding mainly by the heavy runoff from saturated clay and problems with some blockages and undercapacity at key structures. The Environment Agency had worked with landowners during the bad weather to clear blockages thus stopping some properties from flooding.

Ms. Glynn advised that there had been three of the largest flood events on the River Thames at Kingston during the years 1894, 1947 and the recent flooding in 2014. The 2014 flooding was significant in the fact that the total volume of flooding was the same amount as both the 1894 and 1947 years volume added together. Between 2 January and 28 February 2014, the Thames Barrier was closed 50 times and 41 of these closures was to alleviate fluvial flooding. For Elmbridge, the closure of the barrier had assisted parts of Molesey and Thames Ditton Island.

The Committee was informed that the River Mole flooding saw an unprecedented flow of flooding of 150 cubic metres per second at its peak on 25 December 2013. During the event, the Environment Agency had operated water control structures along the Lower Mole by lowering tilting gates and raising radial gates to increase capacity through the Lower Mole Flood Alleviation Scheme. This winter’s rain caused turbulent flows on the River Mole which damaged the banks of the scheme. The combination of prolonged high flows and turbulence had eroded sections of the river bank which had since been repaired.
Ms. Glynn advised that there were different types of flooding that included: Groundwater, Surcharged Sewers, Surface water runoff, Fluvial, flood defence failure, canal breach and Reservoir Failure. In addition there were a number of Risk Management Authorities that had key responsibilities during flooding events. This included not only the Environment Agency but Surrey County Council, District and Borough Councils and Thames Water.

The Environment Agency had a key role in warning people about flood risk from main rivers and the sea and to manage the effects of flooding. In Surrey between December 2013 and February 2014 the Environment Agency had issued 75 flood warnings and 10 severe flood warnings of which 1 was issued in the Elmbridge area.

Ms. Glynn further advised that the Government was to introduce a new approach to flood insurance in the summer of 2015 called ‘Flood Re’ for households that were at a high risk of flooding. This approach would see a cap on insurance premiums and would be linked to the Council tax band a property was in.

The Committee took the opportunity to ask Ms. Glynn a number of questions.

One Member asked whether Climate Change was the reason for these flood events occurring and what could Elmbridge do differently to address this.

Ms. Glynn said that, in her opinion, Climate Change was the main cause for these flood events happening and that it was likely that there would be more frequent flood events happening in the future. Ms. Glynn said that it was difficult to say what Elmbridge could do differently to address these events however better preparedness was important to ensure that staff were properly trained to help during the floods. The Environment Agency had to draw upon officers from other regions during this flood event because for 2 to 3 months resources were used on a 24 hours 7 days a week basis.

One Member enquired whether ‘dredging’ of rivers was still being undertaken to address flooding.

Ms. Glynn explained that the use of dredging sometimes only achieved a marginal benefit. To really see a benefit, a lot of dredging would have to be undertaken of the river bed which could lead to the destabilisation of the river banks and would need to be repeated every couple of years.

In answer to a question about the possibility of Cobham being affected by flooding if a second runway was to be built at Gatwick, Ms. Glynn commented that, in her opinion, she did not think that Cobham would be affected as any flooding would have levelled out before it reached this area. However, it would be unlikely that a Council would allow a scheme to be built where there was to be an increase to flood risk.

The Chairman thanked Ms. Glynn for providing the Committee with a comprehensive presentation and for her informative responses to the Members detailed questions.
5. **CALL IN OF THE CABINET’S DECISION IN RESPECT OF ARTICLE 4 DIRECTIONS (RECOMMENDATION FROM THE PLANNING COMMITTEE MEETING HELD ON 25 MARCH 2014)**

The Overview and Scrutiny Committee reviewed a decision taken by the Cabinet, following receipt of a Call In notice that was signed by 5 Members of the Council. The Call In was in respect of the Cabinet’s resolution of 10 July 2014 in respect of the ‘Article 4 Directions (Recommendation from the Planning Committee meeting held on 25 March 2014)’.

At the July Cabinet meeting a report was considered that outlined the following recommendations from the Planning Committee meeting held on 25 March 2014:

‘That a consultation be undertaken and the appropriate notifications made for the making of non-immediate Article 4 Directions under the Town and Country Planning (General Permitted Development) Order 1995 (as amended) to remove the permitted development right to change the use from offices (B1a) to a dwelling house (class C3) in respect of the following areas:

1. The town centres of Weybridge and Walton-on-Thames (as defined in appendices A and B); and

2. Molesey Industrial Estate, Hersham Trading Estate (including North Weylands and Riverdene Estate) and Brooklands Industrial Estate (as defined in appendices C, D and E).’

On consideration of the recommendations, the Portfolio Holder for Regulatory Affairs had proposed that, whilst supporting the making of non-immediate Article 4 Directions for the Industrial and Trading Estates, the Town Centres of Weybridge and Walton-on-Thames be not progressed and was fully supported by the Cabinet. This decision was subsequently Called In for consideration by the Overview and Scrutiny Committee on the grounds of enabling all Councillors to consider the making of non-immediate Article 4 Directions to remove the permitted development right to change the use from offices to a dwelling house in respect of the town centres of Weybridge and Walton on Thames.

Prior to consideration of the item, one Member made a point of order as they considered that the Call in Notice, did not clearly state the reasons for requiring a review and questioned how the Overview and Scrutiny Committee could make a decision without any evidence or information why the matter had been called in.

With the agreement of the Chairman, the Solicitor explained to the Committee that the Head of Legal Services had agreed that the Call In notice had met the requirements as set out in the Council’s Constitution and accordingly the Call in should proceed.
As part of the discussion, one Member stated that they would be asking the Committee to refer the item to full Council with a recommendation that Council ask the Cabinet to reconsider its decision. The Member commented that the reason for this was that the Planning Committee had discussed at length a 20 page report on the permitted development rights to change from a commercial property to a residential property and recommended to seek article 4 directions for Walton and Weybridge Town Centres. In her opinion, if these town centres were to be unregulated, it would be to the detriment of the Borough. She further stated that at the Cabinet meeting on the 9 July, the Portfolio Holder for Regulatory Affairs had dismissed the Planning Committees recommendation in less than 5 minutes. She therefore felt that by referring the matter to full Council, all Members would have the opportunity to consider the matter and the item could be referred back to Cabinet if required.

Whilst concurring with these points, another Member commented that a lack of resources had been mentioned as a reason for not progressing with Article 4 Directions and this was a concern given that this reason had been increasingly used with regard to planning matters.

One Member added that a report was to be considered at a forthcoming Individual Cabinet Member Decision Making meeting in relation to a technical consultation on planning. One of the questions in the consultation document asked whether the Council agreed that there should be a permitted development right from May 2016 to allow change of use from offices (B1(a)) to residential (C3). It was noted that Officers had proposed raising an objection to this question commenting that the proposal would result in significant additional infrastructure burdens with no controls over amenity space standards, affordable housing, space standards, housing mix and consideration of associated infrastructure needs. The Member considered that if there was no Article 4 direction made for Walton and Weybridge Town Centres, this element could not be controlled.

Another Member, who was also the Chairman of the Planning Committee, advised that he had looked at the latest figures regarding the number of Offices that could potentially be affected if no article 4 directions for both Walton and Weybridge Town Centres were made. He commented that there was a number of high quality, high value office stock located in these two areas, and it was likely that they would be let commercially and therefore the risk of these offices being converted was low. However, there were some offices that were of a lower quality which may not be attractive to be let commercially. Furthermore, if the Permitted Development rights were to be extended in this regard, in his opinion, he did not consider that this would have a large effect on these areas at the current time. It was also important to note that Permitted Development rights could always be removed upon consideration of each planning application.

Mrs. R.J.M. Lyon, seconded by Mrs. K. Randolph moved that this matter be referred to full Council and that Council be recommended to ask the Cabinet to
reconsider its decision.

Following a show of hands, the Chairman declared the motion to be LOST.

J.G. Sheldon, seconded by S. Foale moved that it be agreed that no further action be taken, in which case the decision of the Cabinet may be implemented without further consideration or delay.

Following a show of hands, the Chairman declared the motion to be CARRIED

Accordingly, the Overview and Scrutiny Committee

RESOLVED that no further action be taken.

6. SCRUTINY OF CABINET MEMBERS

(Link to Council Priorities: All)

The Portfolio Holder for Housing was invited to attend the meeting to provide an update on the work currently being undertaken as part of his Portfolio, highlighting any issues or challenges and providing Members of the Committee with an opportunity to ask relevant questions.

The Committee welcomed Councillor J. Browne, Portfolio Holder for Housing to the meeting.

The Portfolio Holder explained that it had been a very busy year for the Housing Services Team and took the opportunity to highlight a number of specific areas that had been faced by the team. This included the ongoing work being undertaken in respect of the Welfare Reform and the changes to housing benefit. With the continuing reduction in benefits, the Council had been trying to keep as many people in their homes where possible.

The Council had been actively prosecuting Housing Benefit fraudsters and this had resulted in a number of individuals receiving suspended sentences and one individual being imprisoned. It was important to note that the Council took a very serious view on fraudulent activity and would take all necessary action to bring these people to account.

The Committee was pleased to note that the Housing Services Team was looking to establish a permanent solution to emergency accommodation placements. At the present time, the Council had to utilise Bed and Breakfast placements that were located outside of the Borough which included placements in Hounslow and Slough. An agreement had been established with Paragon Community Housing Group to include some short stay furnished accommodation within a new affordable housing scheme in Molesey at the former Radnor House Sheltered accommodation location.

The Portfolio Holder explained that following the withdrawal of Runnymede
Borough Council from the Search Moves partnership, the scheme had seen some major changes to its assessment criteria, in particular, an emphasis for priority to be given to people leaving the armed services. The revised Allocations Policy was implemented in July 2014 with the introduction of an online housing application process. It was believed that the introduction of the online system would make the application process easier for residents and deliver efficiencies in the assessment process.

The Portfolio Holder also advised that the Council was still on target to deliver 1150 affordable homes by 2026. The latest forecasts indicated that approximately 100 affordable homes would be completed in 2014/15.

Finally, the Portfolio Holder wished to place on record his thanks all of the Housing Services Team for their continued hard work.

The Chairman thanked the Portfolio Holder for his update and invited Members of the Committee to ask any questions.

One Member asked whether there were any plans for a Winter Night Shelter or similar facility to be in operation this year given the success of the one operated at the former Radnor House during the winter months of 2013/2014.

The Portfolio Holder advised that the Council and partner organisations were currently looking at potential sites that could be utilised for a similar scheme. It was hoped that a site could be established and once identified, a planning application would be submitted in order for the Night Shelter to be in place during the key winter months of January to March.

One Member enquired what impact the new Allocations Policy had on the number of households on the housing register.

The Head of Housing Services explained that the total number of people on the register had reduced dramatically as the new Policy was designed to filter out the applicants who had no chance of being successfully rehoused by the scheme. There were approximately 2500 applicants on the waiting list and following the new policy it had reduced to approximately 1000 applicants. However, this number was slowing increasing as people started to re-apply and it was estimated that the waiting list would increase to approximately 1500 applicants.

In answer to a question about the Welfare Reform Bedroom Tax, the Portfolio Holder explained that those households that had been affected had seen their housing benefit reduced and this had led to some people losing their private sector accommodation. However, the Council had been able to source some funding from the Department for Work and Pensions to try and help those affected to remain in their accommodation.

The Committee thanked the Portfolio Holder for attending the meeting and providing a comprehensive update. In addition, the Chairman thanked the
Head of Housing Services and the Housing Services Team for all efforts in respect of this challenging area of work.

7. **CABINET DECISION MAKING**

(Link to Council Priorities: All)

The Committee considered the Cabinet’s Forward Plan, which covered the period 1 October 2014 to 31 January 2015 and contained matters which the Leader of the Council had reason to believe would be the subject of consideration by Cabinet or Individual Cabinet Members during this period. The Committee was also asked to identify any relevant matters for inclusion within the Work Programme in 2014-15.

AGREED that:

(a) the Cabinet’s Forward Plan be noted; and

(b) the decisions taken by Cabinet at its meeting on 17 September 2014 be noted.

8. **OVERVIEW AND SCRUTINY WORK PROGRAMME 2014/15**

(Link to Council Priorities: All)

The Committee was invited to review progress against its work programme, identify any additional items for consideration at a future programme and add, amend or delete items from the work programme as appropriate.

AGREE D that:

(a) the progress of the Committee’s work programme for 2014-15 be noted; and

(b) Councillors Mrs. M. Marshall and A. Palmer be appointed to the Community Safety Task and Finish Group.

9. **PAINSHILL PARK UPDATE**

(Below is a brief summary of the matters discussed under this item. In view of the nature of the discussion which contained exempt information as defined under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, a copy of the full Minute is appended [at the back of these Minutes] as Minute No. 10 for Members of the Council only.)

The Committee received a written report from Mr. Michael Gove, Chief Executive of Painshill Park, regarding Painshill Park activities since February 2014.

AGREED that the report be noted.
These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

- - - - - -

The meeting commenced at 7.45 p.m. and concluded at 10.02 p.m.

A.J. HOPKINS
Chairman

Committee and Member Services Officer

M. Clarke - Committee and Member Services Officer

Other Officers in attendance

Mrs. J. Cook - Head of Housing Services
Mrs. K. Fossett - Head of Planning Services
Miss. K. Mills - Policy Manager
Mrs. A. Gale - Corporate Group Accountant
Ms. A. McHugh - Solicitor
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
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ELMBRIDGE BOROUGH COUNCIL

INDIVIDUAL CABINET MEMBER DECISION MAKING

Report of decisions taken on 26 September 2014

Present:

A. Kelly - Portfolio Holder for Regulatory Affairs

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

MATTERS OF REPORT

2. GOVERNMENT CONSULTATION – TECHNICAL CONSULTATION ON PLANNING

(Link to Council Priorities: P1, P2, P4)

The Portfolio Holder for Regulatory Affairs considered a report which set out the Council’s proposed response to the Government’s consultation on proposals to streamline the planning system.

Whilst a number of changes to the planning system had already been made, the proposals currently being consulted on were considered by the Government to be beneficial, particularly as they would reduce the cost and burden to developers.

The Portfolio Holder noted that whilst the Government’s overarching objective to unlock vital economic and housing growth and to make it easier for applicants to navigate the planning system was supported, the Council considered that the most appropriate manner in which to achieve this was through a planning application and not through the creation of new or extension of existing permitted development rights for homeowners and businesses.

Furthermore, it was felt that the proposed changes would introduce more complexity and bureaucracy into the system and the number of proposals requiring a full planning application would be reduced which could mean that the Council would have less influence over developments in the Borough in terms of their assessment and determination of proposals in accordance with the Elmbridge Local Plan Core Strategy.

In addition, proposals to introduce the discharge of planning conditions would place pressure on the Council to determine applications within the prescribed period, whatever the outcome. Where information was insufficient or required detailed input from third parties or involved complicated issues such as contaminated land, this was likely to result in a fast track refusal to avoid details automatically being approved.
Another key proposal was the requirement for local planning authorities to consult with applicants on proposed draft conditions for major developments (i.e. applications proposing 10 or more dwellings or 1000sqm commercial floorspace). The Government argue that a consultation period of 5 or 10 working days before a permission was granted would be possible within the 13 week determination period. However, the Council was already required to justify conditions and Officers had sought to reduce the number of conditions imposed. However, many were imposed due to a lack of information with applications. Requiring an additional period for consultation on draft conditions would be onerous and introduce new delays into the process.

As a result of these proposals, it was likely that the work of Planning Services was likely to increase, rather than decrease, due to the introduction of additional procedures and prior approval applications. Uncertainty over whether permission was required was also likely to increase the level of enforcement complaints. This would be within an overall context of reducing finances as planning fees would no longer be collected for the consideration of these proposals.

Whilst considering the Council’s proposed consultation response, the Portfolio Holder was advised that since the initial draft, Officers had considered that a number of further comments should be included in the final response, specifically in respect of Section 2 – Reducing planning regulations to support housing, high streets and growth and Section 3 – Improving the use of planning conditions. In addition, during consideration of these additional comments, the Portfolio Holder requested that some further changes be made in addition to the comments suggested by Officers. The revised comments that were supported by the Portfolio Holder were as follows:

- **Question 2.1** – It was considered appropriate to highlight in the comments that whilst the proposed changes could provide a lower application fee to developers, it would increase the cost to the Council given the additional complexity and bureaucracy of the new system.

  A further sentence was suggested that the proposed changes would also undermine the plan-led system.

- **Question 2.2** – Examples be included in respect of the reference to the ‘additional infrastructure burdens’ in the third paragraph.

- **Question 2.5** - Examples be included in respect of the reference to the ‘additional infrastructure burdens’ in the first paragraph.

  It was also considered appropriate that an additional comment be added highlighting that it was unclear what criteria would apply to the proposed new permitted development rights from 2016, i.e. would offices built after 2013 be eligible?

- **Question 2.6** - A further sentence was suggested that the proposed changes would also undermine the plan-led system and local democracy.
• Question 2.9 – Detailed comments with regard to the growing proliferation of betting shops and/or payday loan shops in High Streets and the effects thereof were considered appropriate to be included in the Council’s response.

• Question 2.11 – As well as objectors, reference be made in the second paragraph to include ‘other neighbours’.

The fifth paragraph be expanded to highlight that such uses could result in different environmental situations, such as large crowds in betting shops on race days.

• Question 2.14 – Reference in respect of whether a loading bay was in the same ownership as the shop be included in the first paragraph.

• Question 2.15 – Whilst Officers had suggested that an objection should be raised to this question, the Portfolio Holder commented that he did not consider allowing shops to build internal mezzanine floors would be an issue and therefore asked that this objection be removed.

• Question 2.18 – Whilst noting that Officers were in agreement with the question, it was suggested that a comment be added stating that if permitted development rights were allowed for the installation of solar PV up to 1MW on the roof of non-domestic buildings, then this should be subject to criteria over the impact of solar PV, particularly in designated areas such as Conservation Areas.

• Question 2.19 – Whilst noting that Officers had suggested that an objection should be raised to this question, the Portfolio Holder asked that the previous consultation response referred to in the comments, be included in full.

• Question 3.10 – Whilst noting that Officers had suggested no time period as being appropriate, the Portfolio Holder felt that additional wording should be included in the comments to reflect that, should the Government choose to impose the sharing of draft conditions with applicants, the Council would prefer the shorter timescale of five days before a planning permission was granted.

Subject to the above comments being included in the Council’s response to the Government’s technical consultation on planning, the Portfolio Holder for Regulatory Affairs

RESOLVED that the revised completed questionnaire, as set out at Appendix A to these minutes, be approved as the Council’s response to the Government’s Technical Consultation on Planning.

The meeting commenced at 10.00 a.m. and concluded at 10.31 a.m.
These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

Committee and Member Services Officer

Mrs. T. Hulse - Principal Committee and Member Services Officer

Other Officers in attendance

Mrs. K. Fossett - Head of Planning Services
P. Falconer - Assistant Development Manager
Mrs. C. Herbert - Law Practice Manager
Technical consultation on planning

Consultation response form

We are seeking your views to the following questions on the proposals to streamline the planning system.

How to respond to this consultation

Please email your response to the questions in this consultation by 26 September 2014 to planning.consultation@communities.gsi.gov.uk.

Alternatively you can write to:

Planning Consultation Team
Department for Communities and Local Government
1/H3 Eland House
Bressenden Place
London SW1E 5DU

When you reply please confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name,
- your position (if applicable),
- the name of organisation (if applicable),
- an address (including post-code),
- an email address, and
- a contact telephone number
(i) **Your details**

<table>
<thead>
<tr>
<th>Name:</th>
<th>Paul Falconer, Assistant Development Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation (if applicable):</td>
<td>Elmbridge Borough Council</td>
</tr>
<tr>
<td>Address:</td>
<td>Civic Centre, High Street, Esher, Surrey</td>
</tr>
<tr>
<td>Post Code:</td>
<td>KT10 9SD</td>
</tr>
<tr>
<td>Email Address:</td>
<td><a href="mailto:pfalconer@elmbridge.gov.uk">pfalconer@elmbridge.gov.uk</a></td>
</tr>
<tr>
<td>Telephone Number:</td>
<td>01372 474808</td>
</tr>
</tbody>
</table>

(ii) **Are the views expressed on this consultation an official response from an organisation you represent or your own personal views?**

- Organisational response [x]
- Personal views [ ]

(iii) **Please tick the one box that best describes you or your organisation**

**Public Authority:**

- District/Borough Council [x]
- London Borough Council [ ]
- Unitary Council [ ]
- County Council [ ]
- National Park/Broads Authority [ ]
- Parish/Town Council [ ]
- Other public sector (please specify) [ ]

**Voluntary/Community:**

- Designated neighbourhood forum [ ]
- Community organisation [ ]
Voluntary/charitable sector

Residents Association

Other (please specify)

Retail (A1) and Financial and Professional Services (A2) Business:

Bank/Building society

Estate agent

Professional service

Betting shop

Pay day loan shop

Existing A1 retail/shop

Other A2 (please specify)

Other:

Land Owner

Developer/House builder

Developer association

Professional institute/professional e.g. planner, consultant

Professional Trade Association

Local Enterprise Partnership

Other (if none of the options in the lists above apply to you, please specify here)
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4. Planning application process improvements 27  
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1. Neighbourhood planning

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on neighbourhood planning?

Yes ☐ No ☒

Time limit for taking decisions on the designation of a neighbourhood area

Question 1.1: Do you agree that regulations should require an application for a neighbourhood area designation to be determined by a prescribed date? We are interested in the views of local planning authorities on the impact this proposal may have on them.

Comments

N/A

Question 1.2: If a prescribed date is supported do you agree that this should apply only where:

i) the boundaries of the neighbourhood area applied for coincide with those of an existing parish or electoral ward; and

ii) there is no existing designation or outstanding application for designation, for all or part of the area for which a new designation is sought?

Comments

N/A
Question 1.3: If a date is prescribed, do you agree that this should be 10 weeks (70 days) after a valid application is made? If you do not agree, is there an alternative time period that you would propose?

Comments

N/A

Question 1.4: Do you support our proposal not to change the period of six weeks in which representations can be made on an application for a neighbourhood area to be designated? If you do not, do you think this period should be shorter? What alternative time period would you propose?

Comments

N/A

Further measures

Question 1.5: We are interested in views on whether there are other stages in the neighbourhood planning process where time limits may be beneficial. Where time limits are considered beneficial, we would also welcome views on what might be an appropriate time period for local planning authority decision taking at each stage.

Comments

N/A
Pre-submission consultation

**Question 1.6:** Do you support the removal of the requirement in regulations for a minimum of six weeks consultation and publicity before a neighbourhood plan or Order is submitted to a local planning authority?

**Comments**

N/A

**Question 1.7:** Do you agree that responsibility for publicising a proposed neighbourhood plan or Order, inviting representations and notifying consultation bodies ahead of independent examination should remain with a local planning authority? If you do not agree, what alternative proposals do you suggest, recognising the need to ensure that the process is open, transparent and robust?

**Comments**

N/A

Consulting landowners

**Question 1.8:** Do you agree that regulations should require those preparing a neighbourhood plan proposal to consult the owners of sites they consider may be affected by the neighbourhood plan as part of the site assessment process? If you do not agree, is there an alternative approach that you would suggest that can achieve our objective?

**Comments**

N/A
**Question 1.9:** If regulations required those preparing a neighbourhood plan proposal to consult the owners of sites they consider may be affected by the neighbourhood plan as part of the site assessment process, what would be the estimated cost of that requirement to you or your organisation? Are there other material impacts that the requirement might have on you or your organisation? We are also interested in your views on how such consultation could be undertaken and for examples of successful approaches that may have been taken.

**Comments**

N/A

**Introducing an additional basic condition to test the extent of consultation**

**Question 1.10:** Do you agree with the introduction of a new statutory requirement (basic condition) to test the nature and adequacy of the consultation undertaken during the preparation of a neighbourhood plan or Order? If you do not agree, is there an alternative approach that you would suggest that can achieve our objective?

**Comments**

N/A

**Strategic Environmental Assessment**

**Question 1.11:** Do you agree that it should be a statutory requirement that either: a statement of reasons, an environmental report, or an explanation of why the plan is not subject to the requirements of the Strategic Environmental Assessment Directive must accompany a neighbourhood plan proposal when it is submitted to a local planning authority?

**Comments**

N/A
**Question 1.12:** Aside from the proposals put forward in this consultation document are there alternative or further measures that would improve the understanding of how the Environmental Assessment of Plans and Programmes Regulations 2004 apply to neighbourhood plans? If there are such measures should they be introduced through changes to existing guidance, policy or new legislation?

**Comments**

N/A

**Further measures**

**Question 1.13:** We would like your views on what further steps we and others could take to meet the Government’s objective to see more communities taking up their right to produce a neighbourhood plan or neighbourhood development order. We are particularly interested in hearing views on:

- stages in the process that are considered disproportionate to the purpose, or any unnecessary requirements that could be removed
- how the shared insights from early adopters could support and speed up the progress of others
- whether communities need to be supported differently
- innovative ways in which communities are funding, or could fund, their neighbourhood planning activities.

**Comments**

N/A
Question 1.14: Are there any further comments that you wish to make in response to this section?

Yes □ No □

Comments

N/A
2. Reducing planning regulations to support housing, high streets and growth

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on reducing planning regulations to support housing, high streets and growth?

Yes ☒ No ☐

Increasing Housing Supply

Question 2.1: Do you agree that there should be permitted development rights for:

(i) light industrial (B1(c)) buildings and

Yes ☐ No ☒

(ii) storage and distribution (B8) buildings to change to residential (C3) use?

Yes ☐ No ☒

Comments

The expansion of the three-tier planning system will not be effective in meeting the Government’s stated aims. The proposed changes will introduce more complexity and bureaucracy into the system and the same information will still be required with the application which would not reduce the cost or burden to developers other than a lower application fee will be payable. However, it would increase the cost to the Council.

The expansion of permitted development with prior approval would increase confusion for customers and would make it more difficult for objectors to be engaged and understand the different processes involved.

To simplify the system, low impact developments should benefit from permitted development rights with no prior approval process and for those developments where matters of detail are required to be considered, a full application should be required.

Many of these buildings would be on existing industrial estates and are unlikely to be suitable for conversion. No mention is made whether physical changes to facilitate a change of use would be within the prior approval process. The introduction of a
residential use in an industrial area is likely to result in harm to future residential amenities and may hinder economic growth by restricting the ability of existing industrial uses to expand or redevelop.

This would also undermine the plan-led system.
**Question 2.2:** Should the new permitted development right:

(i) include a limit on the amount of floor space that can change use to residential

(ii) apply in Article 1(5) land i.e. land within a National Park, the Broads, an Area of Outstanding Natural Beauty, an area designated as a conservation area, and land within World Heritage Sites and

(iii) should other issues be considered as part of the prior approval, for example the impact of the proposed residential use on neighbouring employment uses?

<table>
<thead>
<tr>
<th>(i) limit on floor space</th>
<th>Yes ☒</th>
<th>No ☐</th>
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<tr>
<td>(ii) apply in Article 1(5) land</td>
<td>Yes ☐</td>
<td>No ☒</td>
</tr>
<tr>
<td>(iii) other prior approval issues</td>
<td>Yes ☒</td>
<td>No ☐</td>
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**Comments**

Impact on neighbouring employment uses should be considered as part of the prior approval process.

There should be a requirement to consider whether the building is capable of conversion.

The proposal will result in significant additional infrastructure burdens, such as schools, roads and doctors, with no controls over amenity space standards, affordable housing, space standards, housing mix and consideration of associated infrastructure needs.

**Question 2.3:** Do you agree that there should be permitted development rights, as proposed, for laundrettes, amusement arcades/centres, casinos and nightclubs to change use to residential (C3) use and to carry out building work directly related to the change of use?

| Yes ☐ | No ☒ |

**Comments**

This may be acceptable for laundrettes, but many nightclubs are adjacent to other noise generating uses, such as other nightclubs, and the introduction of residential development could result in noise or other adverse impacts to future residents.

The expansion of the three-tier planning system will not be effective in meeting the Government’s stated aims. The proposed changes will introduce more complexity and bureaucracy into the system and the same information will still be required with
the application which would not reduce the cost or burden to developers other than a lower application fee will be payable.

The expansion of permitted development with prior approval would increase confusion for customers and would make it more difficult for objectors to be engaged and understand the different processes involved.

To simplify the system, low impact developments should benefit from permitted development rights with no prior approval process and for those developments where matters of detail are required to be considered, a full application should be required.
**Question 2.4:** Should the new permitted development right include:

(i) a limit on the amount of floor space that can change use to residential and

Yes ☒ No ☐

(ii) a prior approval in respect of design and external appearance?

Yes ☒ No ☐

**Comments**

| N/A |

**Question 2.5:** Do you agree that there should be a permitted development right from May 2016 to allow change of use from offices (B1(a)) to residential (C3)?

Yes ☐ No ☒

**Comments**

The proposal will result in significant additional infrastructure burdens, such as schools, roads and doctors, with no controls over amenity space standards, affordable housing, space standards, housing mix and consideration of associated infrastructure needs.

It is unclear what criteria would apply to the proposed new permitted development rights from 2016, ie. would offices built after 2013 be eligible.

**Question 2.6:** Do you have suggestions for the definition of the prior approval required to allow local planning authorities to consider the impact of the significant loss of the most strategically important office accommodation within the local area?

Yes ☒ No ☐

**Comments**
This is a complex planning policy issue and should not be left to consideration under a prior approval criteria. Applying a threshold nationally is unlikely to reflect what is considered to be strategically important at a local level. This would also undermine the plan-led system and local democracy.

**Question 2.7:** Do you agree that the permitted development rights allowing larger extensions for dwelling houses should be made permanent?

Yes ☐ No ☒

**Comments**

There is limited evidence regarding the costs and benefits of this prior approval process.

There is a lack of clarity over requirements for the prior approval procedure with some of the drawings submitted being substandard, which makes it difficult for neighbouring residential occupiers to understand what is being proposed and to comment accordingly.

If it is to be made permanent, the requirements for a prior approval submission should be made more explicit. A fee should be introduced as these applications have costs associated with their administration and determination by LPAs. The LPA should also be given 56 days within which to make a decision.

**Supporting a mixed and vibrant high street**

**Question 2.8:** Do you agree that the shops (A1) use class should be broadened to incorporate the majority of uses currently within the financial and professional services (A2) use class?

Yes ☒ No ☐

**Comments**

N/A

**Question 2.9:** Do you agree that a planning application should be required for any change of use to a betting shop or a pay day loan shop?

Yes ☒ No ☐
Comments

There has been a growing proliferation of such uses in High Streets over recent years. The consultation quite correctly proposes a redefinition of classes A1 and A2 but at para. 2.61 it appears to be a contradiction to allow the flexible use from A1 and A2 for a further two years. This would negate any moves to secure the need for planning permission to change to a betting shop whilst uses can still change between A1 and A2 for a short 2 years period.

The licensing regime should not be the sole source of control over betting shops especially where adjacent retail or residential uses will be affected by late or unsocial operating hours of betting shops.
Question 2.10: Do you have suggestions for the definition of pay day loan shops, or on the type of activities undertaken, that the regulations should capture?

Yes ☐     No ☒

Comments

N/A

Question 2.11: Do you agree that there should be permitted development rights for:

(i) A1 and A2 premises and

Yes ☐     No ☒

(ii) laundrettes, amusement arcades/centres, casinos and nightclubs to change use to restaurants and cafés (A3)?

Yes ☐     No ☒

Comments

The expansion of the three-tier planning system will not be effective in meeting the Government’s stated aims. The proposed changes will introduce more complexity and bureaucracy into the system and the same information will still be required with the application which would not reduce the cost or burden to developers other than a lower application fee will be payable.

The expansion of permitted development with prior approval would increase confusion for customers and would make it more difficult for objectors or other neighbours to be engaged and understand the different processes involved.

To simplify the system, low impact developments should benefit from permitted development rights with no prior approval process and for those developments where matters of detail are required to be considered, a full application should be required.

Matters for the prior approval process would only be engaged if a neighbour objected. However, within town centres such matters can extend beyond the immediate neighbouring property, eg noise and disturbance from late night opening.
Such uses can have differing opening hours, eg. a café vs a restaurant, although there is no requirement within the proposals for such matters to be considered and can result in different environmental situations, such as large crowds in betting shops on race days.

It is not clear whether the prior approval process would deal with extract ducts and ventilation equipment or whether a separate application would be required. Apart from amenity issues, this can have significant visual impact. It is noted that Article 1(5) land such as Conservation Areas are not excluded from this proposal.

**Question 2.12:** Do you agree that there should be permitted development rights for A1 and A2 uses, laundrettes, amusement arcades/centres and nightclubs to change use to assembly and leisure (D2)?

Yes ☒ No ☐

**Comments**

N/A
Supporting retail facilities

**Question 2.13:** Do you agree that there should be a permitted development right for an ancillary building within the curtilage of an existing shop?

Yes ☐ No ☒

**Comments**

Allowing buildings on existing car parks would appear to conflict with proposals elsewhere in the Consultation to tackle on-street parking problems.

**Question 2.14:** Do you agree that there should be a permitted development right to extend loading bays for existing shops?

Yes ☐ No ☒

**Comments**

Insufficient detail is provided to indicate how the 20% limitation would be calculated and it will not always be clear what structure comprises part of a loading bay or whether a loading bay is in the same ownership as the shop.

There should be a prior approval process to consider impacts, particularly when shops are located close to residential.

**Question 2.15:** Do you agree that the permitted development right allowing shops to build internal mezzanine floors should be increased from 200 square metres?

Yes ☒ No ☐

**Comments**

N/A
**Question 2.16:** Do you agree that parking policy should be strengthened to tackle on-street parking problems by restricting powers to set maximum parking standards?

Yes ☐  No ☒

**Comments**

Parking standards should be set at a local level to recognise different market conditions affecting different areas and different pressures to maximize the use of non-car modes of transport.

**Supporting growth**

**Question 2.17:** Do you agree that there should be a new permitted development right for commercial film and television production?

Yes ☒  No ☐

**Comments**

N/A

**Question 2.18:** Do you agree that there should be a permitted development right for the installation of solar PV up to 1MW on the roof of non-domestic buildings?

Yes ☒  No ☐

**Comments**

This should be subject to criteria over the impact of solar PV, particularly in designated areas such as Conservation Areas.
**Question 2.19:** Do you agree that the permitted development rights allowing larger extensions for shops, financial and professional services, offices, industrial and warehouse buildings should be made permanent?

Yes ☐  No ☑

**Comments**

The Council maintains its concern to these permitted development rights as set out in the previous consultation response when the changes were first proposed.

We have concerns regarding neighbouring amenity for residential properties. Furthermore, the issue of design is also key. This proposal would also affect extensions to the side of commercial premises and therefore the design and the impact upon the character of the streetscene would not benefit from careful assessment and the consideration of conditions that materials will match the main building. It is acknowledged that this is also the situation under the current provisions but the proposal would double the allowable size, resulting in much larger developments of up to 100m$^2$ and therefore greater impact on local character.

In addition, it should also be borne in mind that curtilage areas to commercial premises may serve important functions such as parking, bin storage, servicing and access, including for residential properties above, that might be displaced as a result of a large extension. This could be carefully considered through the planning application process and conditions applied as necessary but this opportunity may be lost if permitted development rights were extended.

Whilst it is noted that the requirement for a 2-metre distance to the boundary with residential properties would be maintained, the Council is concerned over the implications if a neighbouring building were to change its use from a commercial to a residential property. The requirement to maintain a gap would not be effective once the development is constructed so building up to the boundary should not be permitted, no matter what the adjoining use is at the time.

Whilst shops and professional/financial services establishments are usually located in town and village centres, offices are sometimes situated in more remote locations and the Council is concerned that this proposal would result in the intensification of a use without due consideration being given to the associated impact of the activity, for example by adding to local on-street parking stress as a result of doubling the permitted size and potentially reducing available parking on site.

**Question 2.20:** Do you agree that there should be a new permitted development right for waste management facilities to replace buildings, equipment and machinery?

Yes ☑  No ☐
Question 2.21: Do you agree that permitted development rights for sewerage undertakers should be extended to include equipment housings?

Yes ☒ No ☐

Comments

N/A
Question 2.22: Do you have any other comments or suggestions for extending permitted development rights?

Yes ☐ No ☒

Comments

N/A

Implementing the proposals

Question 2.23: Do you have any evidence regarding the costs or benefits of the proposed changes or new permitted development rights, including any evidence regarding the impact of the proposal on the number of new betting shops and pay day loan shops, and the costs and benefits, in particular new openings in premises that were formerly A2, A3, A4 or A5?

Yes ☐ No ☒

Comments

N/A

Article 4 Directions

Question 2.24: Do you agree:

(i) that where prior approval for permitted development has been given, but not yet implemented, it should not be removed by subsequent Article 4 direction and

Yes ☒ No ☐

(ii) should the compensation regulations also cover the permitted development rights set out in the consultation?

Yes ☒ No ☐
Comments

N/A

**Question 2.25:** Are there any further comments that you wish to make in response to this section?

Yes ☒ No ☐

Comments

The Town and Country Planning (General Permitted Development) Order should be consolidated into a single document.
3. Improving the use of planning conditions

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on improving the use of planning conditions?

Yes ☒  No ☐

Deemed discharge for certain types of conditions where the local planning authority does not make a timely decision

Question 3.1: Do you have any general comments on our intention to introduce a deemed discharge for planning conditions?

Yes ☒  No ☐

Comments

It should be recognised that there is a responsibility on the developer to ensure that sufficient information is provided with the application. Conditions are often imposed to require further information.

New guidance on planning conditions discharge should encourage pre-application engagement so that issues and detail can be resolved at an early stage.

If details submitted for discharge of condition are not sufficient, this is likely to lead to a focus on refusing within the time period rather than reaching positive decisions. This would delay the process and be more costly to applicants.

It should be noted that many conditions are recommended by statutory consultees and there is a need to educate statutory consultees as well as local planning authorities.

Question 3.2: Do you agree with our proposal to exclude some types of conditions from the deemed discharge?

Yes ☒  No ☐

Where we exclude a type of condition, should we apply the exemption to all conditions in the planning permission requiring discharge or only those relating to the reason for the exemption (e.g. those relating to flooding). Are there other types of conditions that you think should also be excluded?
The exemption relating to “likely to have a significant effect on a European site” should be amended to “development which is subject to a Habitats Regulation Assessment”. For planning permission to be granted it would have to be concluded that the development would not have a significant effect on the European site unless there were “imperative reasons of overriding public interest (IROPI)”. Otherwise applicants may argue that the exception does not apply which could result in environmental harm.

Exemptions should also cover conditions where input is required from others or the planning conditions are complicated such as details associated with listed buildings, construction logistics, noise and air quality.

The exemptions should relate to all of the conditions on the planning permission as it would be clearer for applicants and others to understand.

Contaminated land conditions should also be exempted from deemed discharge.
**Question 3.3:** Do you agree with our proposal that a deemed discharge should be an applicant option activated by the serving of a notice, rather than applying automatically?

Yes ☐ No ☒

If not, why?

**Comments**

This would introduce further bureaucracy into the system. It is not clear how a condition which could benefit from a deemed discharge would be identified and whether by the applicant or local planning authority.

There are no validation requirements for compliance with conditions applications and therefore many are of poor quality with insufficient information to enable the local planning authority to assess whether the details submitted address the requirements of the planning condition imposed.

**Question 3.4:** Do you agree with our proposed timings for when a deemed discharge would be available to an applicant?

Yes ☐ No ☒

If not, why? What alternative timing would you suggest?

**Comments**

If details submitted for discharge of condition are not sufficient, this is likely to lead to a focus on refusing within the time period, to avoid a deemed discharge, rather than reaching positive decisions. This would delay the process and be more costly to applicants.

There should be no deemed discharge.
**Question 3.5:** We propose that (unless the type of condition is excluded) deemed discharge would be available for conditions in full or outline (not reserved matters) planning permissions under S.70, 73, and 73A of the Town and Country Planning Act 1990 (as amended).

Do you think that deemed discharge should be available for other types of consents such as advertisement consent, or planning permission granted by a local development order?

Yes ☐ No ☑

**Comments**

N/A

Reducing the time limit for return of the fee for applications for confirmation of compliance with conditions attached to planning permissions

**Question 3.6:** Do you agree that the time limit for the fee refund should be shortened from twelve weeks to eight weeks?

Yes ☐ No ☑

If not, why?

**Comments**

Applications are often undetermined for the benefit of the applicant to avoid the need for a refusal and a new application. This would be counter to the Government’s stated aim of speeding up the development process.
**Question 3.7**: Are there any instances where you consider that a return of the fee after eight weeks would not be appropriate?

Yes ☐  No ☒

Why?

**Comments**

N/A

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**Sharing draft conditions with applicants for major developments before a decision is made**

**Question 3.8**: Do you agree there should be a requirement for local planning authorities to share draft conditions with applicants for major developments before they can make a decision on the application?

Yes ☐  No ☒

**Comments**

This would delay the process for the applicant and it is not clear what status applicant’s comments would have.

The majority of major applications would be determined by Elmbridge’s Planning Sub-Committees and therefore any recommended conditions would be available 5 days before the date of the Committee. It is very rare for any applicants to comment or object to recommended conditions.

There is already a right of appeal against conditions if the applicant considers they are not necessary.

The requirement to share draft conditions could be linked to a Planning Performance Agreement rather than a general requirement.

**Question 3.9**: Do you agree that this requirement should be limited to major applications?

Yes ☒  No ☐

**Comments**
However, whilst the requirement should not be expanded beyond major applications, as set out in Q3.8, it is considered that in any case it should not relate to all major applications. It should be a consideration as part of a Planning Performance Agreement which could relate to any application.
**Question 3.10:** When do you consider it to be an appropriate time to share draft conditions:

- ten days before a planning permission is granted? □
- five days before a planning permission is granted? or x
- another time?, please detail □

**Comments**

We have concerns with the principle, therefore no time period is considered appropriate.

**Question 3.11:** We have identified two possible options for dealing with late changes or additions to conditions – Option A or Option B. Which option do you prefer?

Option A □ Option B □ Neither x

If neither, can you suggest another way of addressing this issue and if so please explain your alternative approach?

**Comments**

This would add delays to the planning process. There is already a right of appeal against imposition of conditions.

Many applications for major development are considered by planning committees where recommended conditions are published as part of an agenda 5 working days in advance.

**Requirement to justify the use of pre-commencement conditions**

**Question 3.12:** Do you agree there should be an additional requirement for local planning authorities to justify the use of pre-commencement conditions?

Yes □ No x

**Comments**

This is already a requirement under Article 31 (1)(a)(iii) of the Town and Country Planning (Development Management Procedure)(England) Order 2010.
**Question 3.13:** Do you think that the proposed requirement for local planning authorities to justify the use of pre-commencement conditions should be expanded to apply to conditions that require further action to be undertaken by an applicant before an aspect of the development can go ahead?

Yes ☐  No ☒

**Comments**

This is already a requirement under Article 31 (1)(a)(iii) of the Town and Country Planning (Development Management Procedure)(England) Order 2010.

**Question 3.14:** What more could be done to ensure that conditions requiring further action to be undertaken by an applicant before an aspect of the development can go ahead are appropriate and that the timing is suitable and properly justified?

**Comments**

PINS model conditions should be updated and included in the PPG together with the model trigger point eg. prior to demolition, commencement, occupation.

**Question 3.15:** Are there any further comments that you wish to make in response to this section?

Yes ☐  No ☒

**Comments**

N/A
4. Planning application process improvements

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on planning application process improvements?

Yes ☒ No ☐

Review of requirements for consultation with Natural England and the Highways Agency

Question 4.1: Do you agree with the proposed change to the requirements for consulting Natural England set out in Table 1? If not, please specify why.

Yes ☒ No ☐

Comments

N/A

Question 4.2: Do you agree with the proposed changes to the requirements for consulting the Highways Agency set out in Table 2? If not, please specify what change is of concern and why?

Yes ☒ No ☐

Comments

N/A
Review of requirements for consulting with English Heritage

**Question 4.3:** Do you agree with the proposed changes to the requirements for consulting and notifying English Heritage set out in Table 3? If not, please specify what change is of concern and why?

Yes ☒  No ☐

Do you agree with the proposed change to remove English Heritage’s powers of Direction and authorisation in Greater London? If not, please explain why?

Yes ☒  No ☐

**Comments**

N/A

**Question 4.4:** Do you agree with the proposed changes to the requirements for referring applications to the Secretary of State set out in Table 4? If not, please specify what change is of concern and why.

Yes ☒  No ☐

**Comments**

N/A
Question 4.5: Do you agree with the proposed minor changes to current arrangements for consultation/notification of other heritage bodies? If not, please specify what change is of concern and why.

Yes ☒ No ☐

Comments

N/A

Further measure to streamline statutory consultation arrangements

Question 4.6: Do you agree with the principle of statutory consultees making more frequent use of the existing flexibility not to be consulted at the application stage, in cases where technical issues were resolved at the pre-application stage?

Yes ☐ No ☒

Do you have any comments on what specific measures would be necessary to facilitate more regular use of this flexibility?

Yes ☐ No ☒

Comments

There is a risk that the information submitted to and agreed by a statutory consultee at the pre-application stage may not be identical to the information submitted to the local planning authority at the application stage.

The requirement to consult relevant statutory consultees should be kept. However, if pre-application consultation has taken place, it should enable the consultee to provide a response to the LPA within the 21 neighbour notification period therefore avoiding delay the process.
Impacts and benefits of the proposals

Question 4.7: How significant do you think the reduction in applications which statutory consultees are unnecessarily consulted on will be? Please provide evidence to support your answer.

Comments

N/A

Notifying railway infrastructure managers of planning applications for development near railways

Question 4.8: In the interest of public safety, do you agree with the proposal requiring local planning authorities to notify railway infrastructure managers of planning applications within the vicinity of their railway, rather than making them formal statutory consultees with a duty to respond?

Yes ☒ No ☐

Comments

N/A

Question 4.9: Do you agree with notification being required when any part of a proposed development is within 10 metres of a railway?

Yes ☒ No ☐

Do you agree that 10 metres is a suitable distance?

Yes ☒ No ☐

Do you have a suggestion about a methodology for measuring the distance from a railway (such as whether to measure from the edge of the railway track or the boundary of railway land, and how this would include underground railway tunnels)?

Yes ☐ No ☒
Consolidation of the Town and Country Planning (Development Management Procedure) Order 2010

**Question 4.10:** Do you have any comments on the proposal to consolidate the Town and Country Planning (Development Management Procedure) Order 2010?

Yes ☒ No ☐

**Comments**

The General Permitted Development Order should also be consolidated.

Measurement of the end-to-end planning process

**Question 4.11:** Do you have any suggestions on how each stage of the planning application process should be measured? What is your idea? What stage of the process does it relate to? Why should this stage be measured and what are the benefits of such information?

Yes ☐ No ☒

**Comments**

The application and appeals process are already measured by timescales and the performance indicators set out nationally.
**Question 4.12:** Are there any further comments that you wish to make in response to this section?

Yes ☐  No ☒

**Comments**

N/A
5. Environmental Impact Assessment Thresholds

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on Environmental Impact Assessment Thresholds?

Yes ☒ No ☐

The proposals we are consulting on

Question 5.1: Do you agree that the existing thresholds for urban development and industrial estate development which are outside of sensitive areas are unnecessarily low?

Yes ☐ No ☒

Comments

N/A

Question 5.2: Do you have any comments on where we propose to set the new thresholds?

Yes ☐ No ☒

Comments

N/A
**Question 5.3:** If you consider there is scope to raise the screening threshold for residential dwellings above our current proposal, or to raise thresholds for other Schedule 2 categories, what would you suggest and why?

**Comments**

N/A

**Question 5.4:** Are there any further comments that you wish to make in response to this section?

Yes ☐ No ☒

**Comments**

N/A
6. Improving the nationally significant infrastructure regime

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on streamlining consents for nationally significant infrastructure projects?

Yes [ ] No [x]

Non-material and material changes to Development Consents Orders

**Question 6.1:** Do you agree that the three characteristics set out in paragraph 6.10 are suitable for assessing whether a change to a Development Consent Order is more likely to be non-material? Are there any others that should be considered?

Yes [ ] No [ ]

Comments

N/A

Making a non-material change

**Question 6.2:** Do you agree with:

(i) making publicising and consulting on a non-material change the responsibility of the applicant, rather than the Secretary of State?

Yes [ ] No [ ]

(ii) the additional amendments to regulations proposed for handling non-material changes?

Yes [ ] No [ ]
Making a material change

**Question 6.3:** Do you agree with the proposals:

(i) to change the consultation requirements for a proposed application for a material change to a Development Consent Order?

Yes □ No □

(ii) to remove the requirement on an applicant to prepare a statement of community consultation for an application for a material change?

Yes □ No □

(iii) to remove the current requirement to publish a notice publicising a proposed application where an application for a material change is to be made?

Yes □ No □

**Comments**

N/A

**Question 6.4:** Do you agree with the proposal that there should be a new regulation allowing the Secretary of State to dispense with the need to hold an examination into an application for a material change?

Yes □ No □
Question 6.5: Do you agree with the proposal to reduce the statutory time periods set out in the 2011 Regulations to four months for the examination of an application for a material change, two months for the examining authority to produce a report and their recommendation and two months for the Secretary of State to reach a decision?

Yes ☐ No ☐

Guidance on procedures

Question 6.6: Are there any other issues that should be covered if guidance is produced on the procedures for making non-material and material changes to Development Consent Orders?

Yes ☐ No ☐
The proposal we are consulting on

**Question 6.7:** Do you agree with the proposal that applicants should be able to include the ten consents (see main document) within a Development Consent Order without the prior approval of the relevant consenting body?

Yes ☐ No ☐

**Comments**

N/A

**Question 6.8:** Do you agree with the ways in which we propose to approach these reforms?

Yes ☐ No ☐

**Comments**

N/A

**Question 6.9:** Are there any other ideas that we should consider in enacting the proposed changes?

Yes ☐ No ☐

**Comments**

N/A
**Question 6.10:** Do you have any views on the proposal for some of the consents to deal only with the construction stage of projects, and for some to also cover the operational stage of projects?

Yes [ ] No [ ]

**Comments**

N/A

**Question 6.11:** Are there any other comments you wish to make in response to this section?

Yes [ ] No [ ]

**Comments**

N/A
ELMBRIDGE BOROUGH COUNCIL
APPOINTMENTS SUB-COMMITTEE
REPORT of a meeting held on 7 October 2014

Members of Sub-Committee:

* J. O’Reilly (Chairman)
* M.J. Bennison
* A. Davis
δ T.G. Oliver
* Mrs. K. Randolph
δ C.R. Sadler
* Denotes attendance
δ Denotes Substitution

(δ N.C. Cooper and Mrs. M.C. Sheldon were present as temporary substitutes for C.R. Sadler and T.G. Oliver respectively.)

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

The Minutes of the meetings of the Sub-Committee held on 31 March, 28 May and 8 July 2014, were agreed as correct records and signed by the Chairman.

MATTERS OF REPORT

3. APPOINTMENTS TO OUTSIDE BODIES.

(Link to Council Priorities: All)

The Sub-Committee considered the nominations in respect of appointments to outside bodies.

AGREED that the following appointments be made:

(i) The Sub-Committee acknowledged the request for a third representative to be appointed to the Elmbridge Sports Council however, agreed to leave this position vacant for consideration at a future Appointments Sub-Committee meeting;

(ii) Councillor Mrs. M. Marshall be appointed to serve as the Council’s representative on HomeSupport Elmbridge for the 2014/15 and 2015/16 Municipal Years;

(iii) Councillor Mrs. M.C. Sheldon be appointed to serve as the Council representative on Surrey County Playing Fields Association (SCPFA) for the Municipal Year 2014/15;
(iv) The Sub-Committee acknowledged the request for a representative and a substitute representative to be nominated to the Surrey Museums’ Consultative Committee for the 2014/15 Municipal Year period, however, agreed to leave these positions vacant for consideration at a future Appointments Sub-Committee meeting;

(v) Councillor J. O’Reilly be appointed to serve as the Council’s substitute Executive Member on the Joint Waste Collection Services Committee for the Municipal Year 2014/15; and

(vi) Councillor Mrs. K. Randolph be appointed to serve as the Council’s representative on Ashford & St Peter’s Hospitals NHS Foundation Trust and The Royal Surrey County NHS Foundation Trust Public Stakeholder Panel for the Municipal Year 2014/15.

5. APPOINTMENT OF NOMINATIVE TRUSTEES

(Link to Council Priorities: All)

Upon consideration of nominations in respect of appointments to charities, the Sub-Committee

AGREED that the following appointments be made:

(i) Councillor M. Axton be appointed as a Trustee to the Eleemosynary Charity of Joseph Palmer for a four year term of office, expiring 7 October 2018;

[Subsequent to the meeting, it transpired that Councillor M. Axton was already a Trustee of the Eleemosynary Charity of Joseph Palmer. Therefore this position remained vacant and a replacement representative would be considered at a future Appointments Sub-Committee meeting.]

(ii) Mr. D.J. Lewis be reappointed as a Trustee to the Stoke D’Abernon Charities for a further four year term of office, expiring 30 September 2018; and

(iii) Mr. G.L. Banks and Mr. G. Winton both be reappointed as Trustees to the Weybridge Land Charity for a further four year term of office, expiring 30 September 2018.

[Subsequent to the meeting, it transpired that Mr. G.L. Banks did not want to be reappointed to the Weybridge Land Charity and therefore a replacement representative would be considered at a future Appointments Sub-Committee meeting.]

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The meeting commenced at 7.30 p.m. and ended at 7.35 p.m.

J. O’REILLY
Chairman

Committee and Member Services Officer
M. Clarke
ELMBRIDGE BOROUGH COUNCIL

PLANNING COMMITTEE

REPORT of a meeting held on 7 October 2014

Members of Committee:

* B.J.F. Cheyne (Chairman)
δ S. Hawkins (Vice-Chairman)

* D.J. Archer * Mrs. R.M. Bruce
* Mrs. C.J. Cross * A. Davis
* V.G. Eldridge * C.J. Elmer
* Mrs. J. Fuller * R. Green
δ T.J.C. Grey * P.M. Harman
* A.J. Hopkins * Mrs. S.R. Kapadia
* A. Kopitko * N.J. Luxton
* Mrs. D.M. Mitchell * J. O'Reilly
δ Mrs. K. Randolph * Mrs. M.C. Sheldon
* Mrs. J.R. Turner * S.J. Waugh

* Denotes attendance
δ Denotes substitution

(δ Mrs. C. Elmer, A. Kelly and S.J. Selleck were present as temporary substitutes for S. Hawkins, T.J.C. Grey and Mrs. K. Randolph respectively.)

(N.C. Cooper was also present.)

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

The Minutes of the meeting held on 9 September 2014 were agreed as a correct record and signed by the Chairman.

MATTERS OF REPORT

3. PLANNING APPLICATIONS

The Committee considered the reports of the meeting of the East, North & West Area Planning Sub-Committees held on 1 September and 22 September 2014.

RESOLVED that the reports of the East, North & West Area Planning Sub-Committees held on 1 September and 22 September 2014, be received and, except where already determined under delegated powers, as listed in Appendices 'A' to 'F' [to be circulated as TP1 with the Council Agenda for 3 December 2014], the planning matters set out below be determined as follows:
2014/2518 – 1 Molesham Way, West Molesey

It was noted that on page 11 of the report under ‘Reasons for Refusal’, the address on line 4 should read ‘No. 3 Molesham Way’.

The Assistant Development Manager introduced the application and presented the drawings together with an aerial photo of the surrounding area. Clarification was provided that the boundary treatment to No.3 Molesham Way was lower than shown in the drawings.

The Committee considered the recommendation of the North Area Planning Sub-Committee.

During consideration of the application, R. Green moved that planning application 2014/2518 – 1 Molesham Way, West Molesey be granted permission for the reasons set out in the officer’s report to the North Area Planning Sub-Committee on 1 September 2014.

The Planning Committee having discussed and debated the relevant material considerations concluded that the proposal for a single storey extension to existing rear outbuilding and new pitched roof was acceptable. Furthermore, the Committee was of the view that reference to HSG16 should be included within the list of relevant policies.

The Planning Committee did not therefore concur with the recommendation of the North Area Planning Sub-Committee and, following the amendment moved by R. Green,

RESOLVED that permission be granted, contrary to the North Area Planning Sub Committee’s recommendation, subject to the conditions and informatives as set out in the North Area Planning Sub Committee agenda of 1 September 2014, and subject to the following additional conditions and amended Informative:

Additional Conditions:

5. **ROOFLIGHTS**

Prior to commencement of development, notwithstanding the approved drawings, details of the roof fenestration shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:**

To preserve the reasonable privacy of neighbouring residents in accordance with Policies HSG16 and HSG20 of the Replacement Elmbridge Borough Local Plan 2000.
6. ADDITIONAL TREE INFORMATION AND PRE-COMMENCEMENT INSPECTION

No development shall take place until further arboricultural details have been submitted to and approved in writing by the Borough Council and these works shall be carried out as approved.

This scheme shall include details of:

a) the existing trees and hedges to be retained in the form of a Tree Survey and Arboricultural Impact Assessment, in line with BS5837:2012, and shall include details of all current and proposed hard surfaces, walls, fences, access features, and ground levels.

b) the measures taken to protect existing trees and hedges during construction, demolition, and delivery of materials / machinery, including a tree protection plan and an arboricultural method statement in line with BS5837:2012 (See Arboricultural Method Statement Informative.)

c) the scheme shall pay particular attention to trees in the garden of No.3 Molesham Way.

d) prior to the commencement of works on site and after the installation of the tree protection in accordance with (b) above the applicant shall arrange a pre-commencement meeting between the Borough Council and the applicant’s project arboriculturist to allow inspection and verification of the protection measures.

Reason: To mitigate the impact of the development on adjacent trees in accordance with Policy ENV12 of the Replacement Elmbridge Borough Local Plan 2000.

Amended Informative:

1. REASONS FOR PERMISSION

Summary of reasons for grant of permission: It is considered that the proposed single storey extension to existing rear outbuilding and new pitched roof would not have an unacceptable impact upon neighbouring properties or the visual amenities of the area. The application has been considered against saved policies HSG16, HSG20 and ENV2 of the Replacement Elmbridge Borough Local Plan 2000, Policies CS7 and CS17 of the Elmbridge Core Strategy (2011), the Elmbridge Design and Character SPD (2012) and the National Planning Policy Framework (2012). It has been concluded that the development would not result in any significant harm that would justify refusal in the public interest.
4. RE-APPOINTMENTS TO THE LOCAL PLAN WORKING GROUP

(Link to Council Priorities: P3)

The Committee considered the re-appointment of two Members to the Local Plan Working Group.

RESOLVED that Councillors A.J. Hopkins and Mrs. S.R. Kapadia be re-appointed to the Local Plan Working Group for further four year periods ending 7 October 2018, subject to the Members concerned remaining on the Planning Committee.

The meeting commenced at 7.45 p.m. and concluded at 8.31 p.m.

B.J.F CHEYNE
Chairman

Committee and Member Services Officer

Ms. M. Hayes - Committee and Member Services Manager

Other Officers in attendance

Mrs. K. Fossett - Head of Planning Services
P. Falconer - Assistant Development Manager
Mrs. C. Herbert - Law Practice Manager
INDIVIDUAL CABINET MEMBER DECISION MAKING

Report of decisions taken on 22 October 2014

Present:

A. Kelly - Portfolio Holder for Regulatory Affairs

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MAIN MODIFICATIONS TO THE DEVELOPMENT MANAGEMENT PLAN

(Link to Council Priorities: P2, P4)

The Portfolio Holder for Regulatory Affairs considered a report which set out the main modifications to the Council’s Development Management Plan.

In June 2014, the Council submitted its Development Management Plan to the Secretary of State for Examination In Public (EIP). This was a statutory requirement prior to the adoption of any Development Plan in order to test whether or not it could be considered sound. As part of this process, the Portfolio Holder noted that the Inspector had proposed some modifications in order for the Plan to be found sound.

The changes that had been suggested were principally to ensure conformity with the National Planning Policy Framework (NPPF) and to improve the clarity of policies, their supporting statements and the monitoring of the Plan. It was noted that out of the 22 policies that had been set out in the Development Management Plan, only 7 policies required modification in order to make them sound.

The Portfolio Holder noted that the Inspector had raised concerns about Policy DM12 (Heritage) particularly in respect of its conformity with the NPPF with regard to the impact of development on Listed Buildings and Conservation Areas and the consideration of their significance within the Policy. Whilst the changes proposed would ensure conformity with the NPPF and the Plan’s soundness, they would also allow more flexibility with regard to the development of listed buildings and buildings in Conservation Areas than the ones set out in the proposed submission version of the Development Management Plan.

The Portfolio Holder also noted that a number of minor amendments had been agreed to improve clarity and address any typographical, grammatical or formatting errors present in the document. As the Inspector had considered these amendments to be minor and therefore not affecting the substance of the policies,
there was no requirement to consult. However, these would be published alongside the main modifications to ensure transparency.

It was proposed that the modifications would be published on 27 October 2014 to allow for interested parties to make representations. These representations would need to be submitted within 6 weeks of publication and only comments relating to the main modifications would be accepted by the Inspector. Any representations made would need to set out why the modifications were not sound. It was noted that all relevant representations would be sent to the Inspector by 12 December 2014 with the aim of receiving the final report on the examination by the end of January 2015. Subject to the receipt of the Inspector’s final report, it was anticipated that the Development Management Plan would be adopted in April 2015.

Whilst considering the proposed modifications and amendments to the Development Management Plan, the Portfolio Holder expressed concern regarding the changes suggested by the Inspector in respect of Listed Buildings, particularly with regard to the wording about permitting, only in exceptional circumstances, the total or partial demolition of a listed building. The Planning Policy Manager took the opportunity to provide further clarification in this regard.

Whilst acknowledging that the Council was required to make these changes in order to ensure that the Development Management Plan would be found sound by the Inspector, the Portfolio Holder for Regulatory Affairs supported the proposed modifications and amendments and accordingly

RESOLVED that the modifications and amendments, as set out at Appendices A and B of the report, be agreed for publication on 27 October 2014.

The meeting commenced at 10.00 a.m. and concluded at 10.07 a.m.

Committee and Member Services Officer
Mrs. T. Hulse - Principal Committee and Member Services Officer

Other Officers in attendance
A. Harrison - Head of Legal Services
M. Behrendt - Planning Policy Manager
ELMBRIDGE BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

REPORT of a meeting held on 22 October 2014

Members of Committee:

* A.J. Hopkins (Chairman)
* C.J. Elmer (Vice-Chairman)

* M. Axton
* L.J. Brown
δ B.W. Fairclough
* N. Haig-Brown
* Mrs. T. Izard
* Mrs. R.J.M. Lyon
* C.R. Sadler
* J.G. Sheldon

* S. Bax
* B.J.F. Cheyne
* S.J. Foale
* G. Herbert
* Rachael. I. Lake
* Mrs. M. Marshall
* Mrs. L. Samuels

* Denotes attendance
δ Denotes Substitution

(δ P. Harman was present as a temporary substitute for B.W. Fairclough.)

(A. Kelly, Mrs. C. Elmer, Mrs. R. Mitchell, J. O'Reilly, Mrs M.C. Sheldon and Mrs. J.R. Turner were also present.)

1. DECLARATIONS OF INTEREST

There were no declarations of interest

MINUTES

2. The Minutes of the meeting held on 17 July 2014 were agreed as a correct record and signed by the Chairman.

RECOMMENDATION TO CABINET ON 19 NOVEMBER 2014

3. RECOMMENDATIONS FROM THE CONSTITUTIONAL REVIEW MEMBER WORKING GROUP MEETING HELD ON 10 SEPTEMBER 2014 – DECISION-MAKING STRUCTURES.

(Link to Council Priorities: All)

The Committee considered a report that highlighted the recommendation from the Constitutional Review Member Working Group in relation to the review of the governance arrangements of Elbridge Borough Council in accordance with the Localism Act 2011 and the option of a returning to the Committee System.
The Member Working Group had met on three occasions namely 13 September 2013, 4 March 2014 and 10 September 2014. As part of the review, the Group took in to account the best emerging guidance, and were addressed by Mr. Ed Hammond from the Centre for Public Scrutiny who provided the Member Working Group with an overview of what should be considered when reviewing a Local Authority’s governance arrangements. Mr. Hammond advised that a review should not be undertaken with any preconceived idea of a future decision making structure but instead to establish why the Council wanted to, or needed to make a change.

The Member Working Group was not in favour of a wholesale reversion to the pre-2000 system and acknowledged that the policy and economic landscape was very different now from the last time Elmbridge took decisions through a service committee system. However, the Group wanted to hear from Members as to any perceived problems with the current Cabinet model in order to consider any scope for improvements. In this regard, a survey was conducted in April 2014, addressed to all Members.

From the survey, there were 14 individual responses to the consultation of which 5 Members considered that the current system worked well with no barriers to participation and 9 members felt that the Cabinet system restricted participation in decision-making. These opinions were divided along Political Group lines with the Conservative Group Members being supportive of the current system and the Residents Association and Liberal Democrat Group Members considering that the system was not permitting of wider participation or representation.

The Member Working Group noted the concerns raised by Members in relation to instances when Ward Councillors had not been contacted or been made aware of issues occurring in their areas and agreed that this should have been undertaken. In addition, some Members felt that there was very little time available for consideration of the Council financial details when the budget approval was made in February.

In conclusion, the Member Working Group acknowledged that there had been detailed consideration in relation to the opportunity to change the current governance arrangements. However, the majority of the Member Working Group considered that the Cabinet Model was a very democratic system and there had not been any specific reasons identified that this should be changed at this time. The Member Working Group recommended that, subject to all Ward Councillors being consulted on relevant matters relating to their Wards and all financial information relating to the Council annual Budget being made available at the earliest opportunity, the Council continue to operate with the Cabinet model decision making structure.

During consideration of the item, one Member, who was on the Member Working Group, commented that in her opinion the report that the Committee had been provided with in respect of the Member Working Group did not
contain sufficient information as it did not provide the Membership details of the group or fully summarise all of the work undertaken. Furthermore, at the Member Working Group meeting of 13 September 2013, it had been agreed that the group would meet with a District Council that had returned to the Committee System in order to ascertain views on why they had changed their governance arrangements. The Member was disappointed that during the 10 September 2014 meeting, the majority of the Member Working Group had considered that they no longer wanted to meet with a District Council in this regard. In addition, the Member commented that the Member Working Group had not fully acknowledged the comments provided by Members, by way of the Member Survey, in respect of the effectiveness of the Council's current governance arrangements.

In response, another Member, who was also on the Member Working Group, advised that whilst the Working Group had wanted to meet with a District Council in this regard, it had been difficult to ascertain an authority that was of a similar size and demography to Elmbridge.

During the discussion, one Member commented that in their opinion, the current Cabinet model provided clear decision making and as such, if decisions were made and the electorate were not happy then they could vote against that political party in the future and this was all part of democracy. Furthermore, as only 14 completed surveys had been received, this indicated that Councillors who had not responded were happy with the present system.

Another Member commented that the recommendation of the Member Working Group was positive as it addressed the need for better communication for Ward Members to be consulted on matters relating to their Wards which had been highlighted as a concern from the feedback of the Member survey.

Mrs. R.J.M. Lyon, seconded by C.R. Sadler moved that a further meeting of the Constitutional Review Member Working Group be convened in order to meet with a District Council who had returned to a Committee System as agreed at the 13 September 2013 meeting of the Member Working Group.

Following a show of hands, the Chairman declared the motion to be LOST.

Accordingly, the Overview and Scrutiny agreed to endorse the recommendation from the Constitutional Review Member Working Group.

**RECOMMENDED:** THAT SUBJECT TO ALL WARD COUNCILLORS BEING CONSULTED ON RELEVANT MATTERS RELATING TO THEIR WARDS AND ALL FINANCIAL INFORMATION RELATING TO THE COUNCIL ANNUAL BUDGET BEING MADE AVAILABLE AT THE EARLIEST OPPORTUNITY, THE COUNCIL CONTINUE TO OPERATE WITH THE CABINET MODEL DECISION MAKING STRUCTURE.
These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

**MATTERS OF REPORT**

4. **INVITATION TO SURREY AND BORDERS PARTNERSHIP TO DISCUSS MENTAL HEALTH SERVICES WITHIN ELMBRIDGE**

(Link to Council Priorities: All)

The Committee received a presentation from Andy Erskine, the Director of Mental Health for Surrey and Borders Partnership NHS Foundation Trust (SABP). The presentation provided Members with a comprehensive overview of the work undertaken by the Trust in relation to Mental Health Services including those for Older Adults.

In relation to the Mental Health services for Older Adults, Mr. Erskine provided an overview which included an insight into the National Imperatives; Local Challenges and Opportunities; information relating to the new Integrated Care Organisations; and the future of Older People Services. Mr. Erskine explained that one of the National Imperatives related to the target for General Practitioners (GP) to improve the diagnosis for dementia in Older Adults by 66% by 2016. This had recently been mentioned in the media whereby GP’s would be paid an incentive when a patient had been diagnosed. Another area of importance related to the ‘Parity of Esteem’ which meant that attention focussed on patients mental health should be the same as their physical health.

The Committee was advised that the demand for older adult mental health services had increased significantly however, the funding for these services had not. Therefore there was an emphasis to provide a high quality service but within the same resources available which was a challenge.

Mr. Erskine explained that a new initiative going forward was the formation of a number of Integrated Care Organisations. This service aimed to enable older people to stay in their own homes as long as possible, instead of being admitted to hospital or a care home. The Surrey Heath Integrated Care Organisation was the first of these services created within Surrey with a branch in North West Surrey going live in 2015.

The Committee was also provided with a brief overview in relation to Mental Health Services; the services most local to Elmbridge; and how Care Pathways worked. Mr. Erskine explained that mental health was one of the biggest disabilities worldwide and in particular affected 1 in 4 people at some time during their life in the United Kingdom.

Mr. Erskine provided statistical information relating to the service that SABP provide for people with mental health within their catchment area. One particular area of note was that 90% of people seen by the Trust had been seen within the community setting with only 10% being admitted to inpatient services. In addition, the hospital re-admission rate was one of the lowest in the Country.
The Committee was pleased to note that there was a 90% satisfaction rate for Elmbridge patients utilising the Joseph Palmer Centre, Community Mental Health Recovery Services and this was based on the “Your Views Matter” survey that was undertaken quarterly.

Following the presentation, the Committee took the opportunity to ask Mr. Erskine a number of questions.

One Member enquired whether the statistic relating to 1 in 4 people suffering from mental health problems could in fact be higher given that some people do not engage with mental health services.

Mr. Erskine agreed that the figure was likely to be higher due to the fact that some patients were able to manage their mental health conditions without needing to engage with mental health services and in some cases some didn’t even seek assistance from their GPs. The spectrum for mental health issues was vast, ranging from low level to potentially life threatening. This was reflected in the National Operative relating to “Parity of Esteem”.

In relation to the bed occupancy rate for mental health inpatients, one Member enquired whether there were occasions when the demand exceeded the supply. Mr. Erskine explained that there had been times where this had happened however, if there was a patient that required a bed as a priority, this would be sourced from another mental health service provider and ideally in a nearby locality. Mr. Erskine advised that this would be reciprocated if other service providers required an inpatient bed.

One Member enquired why there was a disparity between mental health referrals from some GPs so that some patients were waiting longer to access the services. Mr. Erskine explained that all Clinical Commissioning Groups were required to provide full waiting list details for their services and that this information was accessible by GPs. The reason for the disparity could be due to the fact that a GP may not have checked this information prior to making a referral. There could be a number of suitable available services with differing waiting times but the one with the least waiting time may not have been referred to.

The Chairman thanked Mr. Erskine for providing the Committee with a very comprehensive presentation and for the informative responses to the Members questions.

5. COMMUNITY TRANSPORT REVIEW

(Link to Council Priorities: A safe, caring and healthy Elmbridge and a vibrant and striving Elmbridge)

The Committee considered a report in relation to a Community Transport Review that had been undertaken by the Community Support Services Team. The Head of Community Support Services and the Community Transport Co-ordinator also provided the Committee with a comprehensive presentation.
The Community Transport review outlined the current service operation; staffing; current activity levels and demands; and highlighted a range of actions being taken to meet both the challenges and opportunities for the Community Transport Service now and in the future. It was noted that it had been four years since the Community Transport operation was reduced in order to deliver saving requirements.

The core aim of the Community Transport Service was to provide a localised, responsive, customer focused, flexible service that could respond to community needs including all aspects of the Community Support Services Team to ensure that quality services were provided.

Whilst the Community Transport Service was the backbone for the seven Community Centres it also provided a Dial a Ride service, shopping trips, specialist group transport to dementia services, transport for the Parkinson’s and Stroke groups as well as a Hire a Bus Service for over 40 community groups and a newly launched Community Cab Scheme.

In response to a question relating to the Community Transport activity and fuel costs that had been received in advance of the meeting, the Head of Community Support Services and the Community Transport Co-ordinator advised that for the last financial year (April 2013-March 2014) the total annual mileage for the fleet was 104,739 with an average annual and weekly mileage per bus of 8728.25 and 167.85 respectively. This total was based on twelve vehicles, although only 9 or 10 were operated on a daily basis with the remaining two acting as a back-up. An increase had been seen in activity over the last six months compared to last year following a new range of tasks being undertaken.

With regard to fuel costs, the Council used a particular fuel card that was accepted universally in all garages. The Council had considered alternatives but had not found any other suitable company that were able to offer better terms or service. Surrey County Council had also undertaken a similar exercise and had also concluded that there was not another provider that would be more appropriate in terms of cost and accessibility. Fuel costs were heavy by the nature of the Community Transport work due to the continual stop, start and short trips. The average fuel use was approximately 20,000-22,000 litres per year for the fleet which equated to around £26,000. The Council reclaimed the fuel duty rebate which enabled the Council to offset the fuel cost by around £8,000 per year. Newer vehicles were likely to be more fuel efficient however, the Community Transport vehicles operated under conditions that would never allow them to achieve the optimum miles per gallon. The Community Transport Co-ordinator also provided the Committee with a breakdown of the Community Transport charges for the various services that were undertaken.

The Committee took the opportunity to ask the Head of Community Support Services and the Community Transport Co-ordinator a number of questions.
One Member suggested that the Council should write to local Members of Parliament or the Secretary of State for Transport asking them to review the recent section 19 guidance that had meant that Community Transport vehicles had to be MOT tested every 10 weeks. This was a cost to the Council of approximately £4,500 and had seen a reduction of activity and therefore securing less income.

In relation to the Taxi Vouchers Scheme, one Member enquired whether there could be some recipients of the vouchers who could actually afford to pay for their transport needs. The Head of Community Support Services explained that there could be some individuals who could be in a position to pay. However, as the Scheme was not means tested, when the applications for the vouchers were assessed, the needs of the individual were taken in to consideration rather than their ability to pay.

One Member commented that for some individuals, the transport provision had to be suspended where there was a high risk of them falling and enquired what the process was for assessing this. The Community Transport Co-ordinator explained that an individual was assessed from when they leave their home to when they get in to the vehicle. This assessment was monitored by the driver on an on-going basis per person and any changes or deterioration to their ability would be recorded and reported.

The Chairman thanked the Head of Community Support Services and the Community Transport Co-ordinator for the comprehensive report and presentation.

Accordingly, the Overview and Scrutiny Committee, subject to the comments raised above

AGREED that support be given to the Community Transport Review and the proposed actions based on the current understanding of the service provision, demands, opportunities and challenges.

6. SCRUTINY OF CABINET MEMBERS

(Link to Council Priorities: All)

The Portfolio Holder for Social Affairs was invited to attend the meeting to provide an update on the work currently being undertaken as part of her Portfolio, highlighting any issues or challenges and providing Members of the Committee with an opportunity to ask relevant questions.

The Committee welcomed Councillor Mrs. C. Elmer, Portfolio Holder for Social Affairs to the meeting.

The Portfolio Holder highlighted a number of areas from the Social Affairs Portfolio, including the work undertaken at the Molesey and Thames Ditton Community Centres; Community Cab Launch and Telecare Initiatives and the OFSTED inspection of the SureStart Children’s Centre.
In relation to the Community Centres, two particular areas of note related to the official opening of the Molesey Centre for the Community and the Community Time re-launch at the Thames Ditton Centre. The official opening of the Molesey Centre for the Community took place on 14 September 2014 following its successful move to Mole Hall in February 2014. The opening was a great success and well attended by over 150 members of the local community. The focus of the day was to raise awareness of the range of services provided by the Centre and included a number of ‘Taster Sessions’ for people to see these in action. In August 2014, the Thames Ditton Centre saw the Community Time re-launch whereby the reception area, activity room, ladies toilets and hallway were all redecorated. Unfortunately, there had been a recent fire at the Thames Ditton Centre, but this had not been too extensive and accordingly had not affected the redecoration undertaken during the Community Time re-launch. Immediate repairs had already been undertaken to enable the Centre to open a week after the fire but the Centre was to close for one week during during half term for re-decoration of the main hall area as a result of the fire.

The Community Cab Scheme was launched by the Mayor on 22 September 2014. The Scheme introduced the use of a small wheelchair accessible vehicle to transport passengers across the Borough. In the short period of time since the launch, there had been a number of daily requests for this service. The Committee was also pleased to note the introduction of the new mobile Global Positioning System (GPS) Telecare initiative. This provided users with a home monitoring service by way of either a watch worn by the individual or by a SIM card which could monitor the location of the user. This support mechanism helped to maintain the users independence within the community setting and complemented the existing range of Telecare equipment which was available.

The Portfolio Holder provided the Committee with an update in respect of the recent OFSTED inspection undertaken at the SureStart Children Centres. Following the inspection the service had been given a rating of grade 4 “inadequate” which was very disappointing. However, the shortcomings identified from the inspection are being addressed as a matter of urgency. An improvement plan had been developed that focussed on the engagement issues where immediate action was required. OFSTED Inspectors acknowledged how hard staff were working to support families and were making a real difference to their lives and stated that the one to one support to vulnerable families was a strength.

The Chairman thanked the Portfolio Holder for her update and invited Members of the Committee to ask any questions.

One Member enquired how many people were currently on the waiting list for the Relief Carers Scheme specialist day care service at the Claygate Centre for the Community. The Head of Community Support Services advised that there were approximately 3 to 4 people currently on the waiting list. The waiting time for this service did vary depending on when someone stops using the service however, there could be a six month wait. It was acknowledged that
currently there were ten specialist groups operating weekly, providing eighty places a week with two new groups being developed during the last year which had eased the waiting list situation.

The Committee thanked the Portfolio Holder for attending the meeting and providing a comprehensive update.

7. CABINET DECISION MAKING

(Link to Council Priorities: All)

The Committee considered the Cabinet’s Forward Plan, which covered the period 1 November to 28 February 2015 and contained matters which the Leader of the Council had reason to believe would be the subject of consideration by Cabinet or Individual Cabinet Members during this period. The Committee was also asked to identify any relevant matters for inclusion within the Work Programme in 2014-15.

AGREED that the Cabinet’s Forward Plan be noted.

8. OVERVIEW AND SCRUTINY WORK PROGRAMME 2014/15

(Link to Council Priorities: All)

The Committee was invited to review progress against its work programme, identify any additional items for consideration at a future programme and add, amend or delete items from the work programme as appropriate.

The Policy Manager advised that the North West Clinical Commissioning Group would be attending the January Overview and Scrutiny Committee meeting to provide a presentation to Members. In addition, the South Downs Clinical Commissioning Group had been invited to attend the Overview and Scrutiny Committee meeting in February.

Due to a number of Members not being able to attend the previously agreed November meeting date, the Committee agreed for the meeting to take place on Wednesday 26 November 2014 instead.

AGREED that:

(a) the progress of the Committee’s work programme for 2014-15 be noted; and

(b) the date of the November Overview and Scrutiny Committee be changed to 26 November 2014.

The meeting commenced at 7.45 p.m. and concluded at 10.30 p.m.
These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

A.J. HOPKINS
Chairman

Committee and Member Services Officer
M. Clarke - Committee and Member Services Officer

Other Officers in attendance
Mrs. M. Bussicott - Head of Community Support Services
Miss. K. Mills - Policy Manager
Mrs. A. Gale - Corporate Group Accountant
Ms. A. McHugh - Solicitor
C. Harris - Community Transport Co-ordinator
ELMBRIDGE BOROUGH COUNCIL
APPOINTMENTS SUB-COMMITTEE

REPORT of a meeting held on 3 November 2014

Members of Sub-Committee:

* J. O’Reilly (Chairman)

* M.J. Bennison
* T.G. Oliver
* C.R. Sadler
* A. Davis
* Mrs. K. Randolph

* Denotes attendance

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

MATTERS OF REPORT

2. APPOINTMENT OF NOMINATIVE TRUSTEES

(Link to Council Priorities: All)

Upon consideration of nominations in respect of appointments to charities, the Sub-Committee

AGREED that the following appointments be made:

(i) Councillor S. Bax be appointed as a Trustee to the Eleemosynary Charity of Joseph Palmer for a four year term of office, expiring 3 November 2018; and

(ii) Councillor Mrs. L. Samuels be appointed as a Trustee to the Weybridge Land Charity for a four year term of office, expiring 3 November 2018.

The meeting commenced at 6.15 p.m. and ended at 6.16 p.m.

J. O’REILLY
Chairman

Committee and Member Services Officer

M. Clarke
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ELMBRIDGE BOROUGH COUNCIL

INDIVIDUAL CABINET MEMBER DECISION MAKING

Report of decisions taken on 5 November 2014

Present:

T.G. Oliver - Portfolio Holder for Resources

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

MATTERS OF REPORT

2. EXTENSION TO CIVIC CENTRE PRE-PLANNED MAINTENANCE CONTRACT

(Link to Council Priorities: Commitment to Value for Money)

The Portfolio Holder for Resources considered a report that sought agreement for an extension of 6 months (to the end of August 2015) for the current Civic Centre pre-planned maintenance contract.

The Council currently had a pre-planned maintenance contract covering the Civic Centre only which was due to expire on 28 February 2015. All other pre-planned maintenance for the Council’s operational property estate was undertaken using a number of different contractors on various arrangements.

The Portfolio Holder noted that the Council was in the process of tendering a new contract which would encompass pre-planned maintenance, statutory testing and reactive mechanical and electrical repairs across the Council’s property estate. Whilst having significant advantages in management arrangements, this approach would also attract best value.

It was proposed to extend the current contract by a further 6 months which would allow the Council to complete the procurement process within the mandatory timescales required by both the Council and the Public Procurement Regulations. The Portfolio Holder noted that if agreed, the planned term of the new contract would be five years, with options to extend for up to two years, commencing on 1 September 2015. The current contractor for the Civic Centre had confirmed that they would retain all current arrangements including costs throughout the 6 month extension period.

Whilst noting that the new contract would continue to support the areas of the Civic Centre leased to Surrey Police and Surrey County Council and that it was anticipated that the Civic Centre element of the new contract would remain at an annual value of £40,000 per annum, the Portfolio Holder for Resources
These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

RESOLVED that the current Civic Centre Pre-Planned Maintenance Contract be extended for a further 6 months.

The meeting commenced at 10.30 a.m. and concluded at 10.32 a.m.

Committee and Member Services Officer

Mrs. T. Hulse - Principal Committee and Member Services Officer

Other Officers in attendance

M. Newman - Facilities Services Manager
Mrs. C. Herbert - Law Practice Manager
L. Kester - Senior Building Surveyor
ELMBRIDGE BOROUGH COUNCIL

LICENSING COMMITTEE

REPORT of a meeting held on 10 November 2014

Members of Committee:
* I. Donaldson (Chairman)
* D.J. Archer (Vice-Chairman)
* B.J.F. Cheyne
* Mrs. E. Cooper
* Ms. B.A. Cowin
* B.W. Fairclough
* R.A. Knight
* Mrs. L. Robertson
* J.A. Vickers
* A. Coomes
* N.C. Cooper
* A. Davis
* A. Kelly
* A. Palmer
* Mrs. M.C. Sheldon

* Denotes attendance

(G.P. Dearlove and T.G. Oliver were also present.)

1. DECLARATIONS OF INTEREST

In respect of agenda item 4 ‘Responses to Taxi Rank Consultation’ and in particular to the proposed location of a new taxi rank in Esher, whilst not a disclosable pecuniary or any other interest under the Code of Conduct, D.J. Archer wished that it be noted that he rented an office located on Esher High Street near the site of the proposed taxi rank..

2. MINUTES

The Minutes of the meetings held on 4 June and 23 June 2014 were agreed as correct records and signed by the Chairman.

LICENSING (ALCOHOL & ENTERTAINMENT) COMMITTEE RELATED ITEMS

3. MINUTES OF THE LICENSING SUB-COMMITTEE HELD ON 14 APRIL 2014

RESOLVED that the report of the Licensing Sub-Committee held on 27 June 2014 be agreed.

The part of the meeting considering Licensing (Alcohol/Entertainment) Committee related items concluded at 7.48 p.m.

LICENSING (GENERAL) COMMITTEE RELATED ITEMS

4. RESPONSES TO TAXI RANK CONSULTATION

(Link to Council Priorities: A Safe, Caring and Healthy Elmbridge)

The Committee considered a report that highlighted the responses received in relation to the public advertisement and consultation exercise that had been
undertaken during August and September 2014 regarding the Council’s proposals for the adoption of new taxi ranks within the Borough.

The Committee was reminded that a report was considered in March 2014 that set out the proposed new taxi rank sites and the intention for a public consultation to be undertaken. The proposed locations for 5 new Taxi Rank sites were: High Street, Esher (3 spaces); Creek Road, East Molesey (3 spaces); Queens Road North, Weybridge (5 spaces); Mayfield Road, Walton on Thames (4 spaces); and High Street, Weybridge (3 spaces).

Approval for four out of five sites was obtained from Surrey County Council through the Elmbridge Local Committee. The Local Committee had concerns that residents would be inconvenienced at the Creek Road, East Molesey location since the proposed rank would necessitate the relocation of resident’s cars during the hours of operation and therefore they refused consent for this site. The Committee noted that Officers would investigate this further with Surrey County Council colleagues. The Police were notified on 13 August 2014 regarding the four sites and they advised that they did not have any formal objections to the proposals although they asked officers to note that the introduction of taxi ranks generally caused residents who used to park at these locations to park illegally elsewhere.

A public consultation was undertaken by the Council which resulted in 65 respondents commenting on the four taxi rank proposals. In relation to the Esher and Walton on Thames location the majority of respondents were in support of these locations and therefore Officers had recommended the adoption of these ranks. In respect of the Weybridge proposals, having regard to the comments received, Officers considered that the most expedient approach was to consider the adoption of the ranks on a staged basis in order to gauge usage and impact. The success or otherwise of new taxi ranks, once established, could be evaluated at and appropriate action taken if their operation was not proving successful.

In relation to the proposed Taxi Rank in Esher, one Member commented that notwithstanding that there had been no responses received from Esher residents with regard to the consultation, in their opinion in order for the Taxi Rank to be successful, there needed to be full time enforcement within Esher both at the rank location and at other areas of the town centre where there had been problems with parking linked to the night time economy in the town. He commented that there were not enough police/Council resources to undertake full time enforcement.

Although not a Licensing Committee Member, an Esher Ward Councillor who was present, took the opportunity to highlight some concerns raised by Esher residents who were also present. These concerns included a query in relation to the validity of the consultation notification procedure, a question whether the location was the most suitable, health and safety concerns for pedestrians and that a Taxi Rank at the proposed location would cause significant disruption to local residents.

In response to the question regarding the validity of the consultation notice
procedure, the Principal Licensing Officer advised that the consultation had been undertaken comprehensively and in excess of the statutory requirements. The public consultation had been advertised in a number of ways including a press release; present on the Council’s website with comment facility; correspondence with the Taxi trader; public notices displayed at the proposed sites for the duration of the consultation; and other promotional activities by way of displaying leaflets on the Borough notice boards and social media. There was no requirement however, for all residents living within the vicinity of proposed Taxi Ranks to be written to individually.

In relation to the proposed Taxi Rank at Mayfield Road, Walton on Thames, some Members raised health and safety concerns in relation to the proposed location. In addition, they considered that a more preferred location would be for the rank to be located on the same side of the road as Walton Railway Station.

The Chairman advised that South West Trains had previously been contacted in relation to the possibility of siting a Taxi Rank on the same side of the road as the Railway Station but had been advised that they would not give authority for this.

The Environmental Health & Licensing Manager advised that both of the locations had been considered by Surrey County Council’s Highways Officers and the Local Committee and both had considered these to be suitable locations in relation to road safety. These locations had been identified as the best fit for the locality.

Accordingly the Committee voted, by way of a show of hands, to not adopt either of the proposed Taxi Ranks at High Street, Esher or Mayfield Road, Walton on Thames. However, one Member queried whether the land located adjacent to the Railway Station and near to the station exit steps/slope was owned by Surrey County Council and if so could this be considered as a possible taxi rank location. and moved that this be considered as a recommendation. The Committee voted on this motion and agreed that a review should be undertaken by Officers in this regard.

Accordingly the Committee,

RESOLVED, that:

(a) the proposal to adopt Taxi Ranks at the following locations, not be approved;
   (i) High Street, Esher; and
   (ii) Mayfield Road, Walton on Thames

(b) the position with regard to the Weybridge site proposals (Queens Road and High Street) be noted; and

(c) Officers undertake a review to identify whether the land located adjacent to the Walton on Thames Railway Station and in particular near to the station exit steps/slope was owned by Surrey County Council and if so, whether this locality could be considered as a possible taxi rank location in the
These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

interest of Health and Safety of the potential taxi rank users.

5. GAMBLING UPDATE

( Link to Council Priorities: A Safe, Caring and Healthy Elmbridge )

The Committee considered a report that provided a Gambling Update following the request for a scoping exercise to be undertaken by Officers to identify possible ways to strengthen the Councils Gambling Statement of Principles as agreed at the Licensing Committee meeting held on 23 June 2014.

The Committee noted that the responsibility for the licensing of betting offices was transferred to the Council as a Licensing Authority in 2007 when the Gambling Act 2005 came in to force. At that time 17 operators of the 18 existing premises exercised their right to automatically convert their licences from those that had been previously issued by the Justices with one operator choosing not to continue.

Since 2007, there had been 21 betting offices/facilities within the Borough however as at 1 October 2014 the number had reduced to 17. There had been no complaints received in relation to betting premises since 2007.

The Committee considered whether a formal assessment of the extent of gambling activity within the Borough along with an assessment of the activity should be undertaken. However, this would involve a further review of the Elmbridge Gambling Policy which was not due to be reviewed until 2016. Therefore the Committee agreed, rather than undertake a premature review of the Gambling Policy, to continue to make views known to Government by way of a ‘lobbying’ stance. In addition, Officers would keep on-going contact with the LGA to ensure that the Council was kept informed of developments.

Accordingly the Committee,

RESOLVED that,

(a) the Committee continue to raise its concerns and views with the Government on the Gambling Legislation; and

(b) an assessment of the extent and nature of the gambling activity in Elmbridge be included as part of the 2016 review of the Elmbridge Gambling Policy.

The meeting commenced at 7.45 p.m., adjourned at 8.44 p.m., reconvened at 8:49 p.m. and concluded at 9.12 p.m.
These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

I. DONALDSON
Chairman

Committee and Member Services Officer

M. Clarke - Committee and Member Services Officer

Other Officers in attendance

I. Tucker - Environmental Health & Licensing Manager
Mrs. A. Knights - Principal Licensing Officer
Mrs. C. Herbert - Law Practice Manager
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ELMBRIDGE BOROUGH COUNCIL

PLANNING COMMITTEE

REPORT of a meeting held on 18 November 2014

Members of Committee:

* B.J.F. Cheyne (Chairman)
δ S. Hawkins (Vice-Chairman)

* D.J. Archer
* Mrs. C.J. Cross
* V.G. Eldridge
δ Mrs. J. Fuller
* T.J.C. Grey
* A.J. Hopkins
* A. Kopitko
* Mrs. D.M. Mitchell
* Mrs. K. Randolph
* Mrs. J.R. Turner
* Mrs. R.M. Bruce
* A. Davis
* C.J. Elmer
* R. Green
* P.M. Harman
* Mrs. S.R. Kapadia
* N.J. Luxton
* J. O’Reilly
* Mrs. M.C. Sheldon
δ S.J. Waugh

* Denotes attendance
δ Denotes substitution

(δ I Donaldson, Mrs. C. Elmer, and G. Herbert were present as temporary substitutes for S.J. Waugh, S. Hawkins and Mrs. J. Fuller respectively.)

(M.J. Bennison, A. Coomes, A. Kelly, Mrs. M. Marshall, A. Palmer and C.R. Sadler were also present.)

1. DECLARATIONS OF INTEREST

In respect of application 2013/5035 – Rydens Enterprise School and Sixth Form College (including Playing Field Land), Hersham Road, Hersham, Walton on Thames, whilst not a disclosable pecuniary or any other interest under the Code of Conduct, Mrs. C.J. Cross wished that it be noted that her son was a student at the school and P.M. Harman wished that it be noted that his granddaughter also attended the school.

In respect of application 2013/5035 – Rydens Enterprise School and Sixth Form College (including Playing Field Land), Hershams Road, Hersham, Walton on Thames, whilst not a disclosable pecuniary or any other interest under the Code of Conduct A.H. Kopitko wished that it be noted that he had been a former pupil at the School.

In respect of Agenda item 4 – Claygate Parish Council Planning Representations, G. Herbert declared an interest under the Code of Conduct by virtue of being a member of Claygate Parish Council.
MATTERS OF REPORT

2. MINUTES OF THE LOCAL PLAN WORKING GROUP MEETING HELD ON 4 NOVEMBER 2014

The Committee received the report of the meeting of the Local Plan Working Group (LPWG) held on 4 November 2014.

RESOLVED that the report of the meeting of the Local Plan Working Group held on 4 November 2014 be received and noted.

3. PLANNING APPLICATIONS

The Committee considered the reports of the meeting of the East Area Planning Sub-Committee held on 13 October and the East, North and West Area Planning Sub-Committees held on 3 November 2014.

RESOLVED that the reports of the East Area Planning Sub-Committee held on 13 October and the East, North and West Area Planning Sub-Committees held on 3 November 2014, be received and, except where already determined under delegated powers, as listed in Appendices ‘A’ to ‘D’ [to be circulated as TP2 with the Council Agenda for 3 December 2014], the planning matter set out below be determined as follows:

(i) 2013/5035 – Rydens Enterprise School and Sixth Form College (including Playing Field Land), Hersham Road, Hersham

Two further letters of objection were received together with a letter from the applicant providing further additional information in support of the application.

The Principal Planning Officer introduced the application and presented the drawings.

The Committee considered the recommendation of the North Area Planning Sub-Committee.

Members welcomed Mr. Dominic Forbes, Planning and Development Group Manager at Surrey County Council to the meeting. Mr. Forbes outlined the highway matters that had been considered as part of the development of the application and advised Members that in the opinion of the Highway Authority, the proposed road layout was the optimum and most appropriate solution to managing the local road network.

The Planning Committee, having discussed and debated the relevant material considerations, concluded that the proposed development comprising an application for outline planning permission (means of access only to be determined at this time) for 296 residential units, replacement secondary school and sixth form college along with associated modified access, landscaping and parking following demolition of the existing school and sixth form college was acceptable.
The Committee supported a grant of planning permission, contrary to the North Area Planning Sub Committee’s recommendation, and accordingly RESOLVED that permission be granted subject to referral to the Secretary of State, and subject to the negotiation and execution within three months of the date of this decision, of an Agreement under Section 106 of the Town & Country Planning Act 1990 to secure a planning obligation and subject to the Conditions / Informatives set out below:

Conditions/Reasons

1 Outline (reserved matters) plans and particulars of the:
   (i) appearance
   (ii) landscaping
   (iii) layout
   (iv) scale

   of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Borough Council before any work on the site is commenced and shall thereafter be carried out as approved.


2 Outline (reserved matters - submission in 3 years)

   application for the approval of all reserved matters referred to in condition 1 above shall be made to the Borough Council before the expiration of three years from the date of this permission.


3 Outline (duration)

   The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

   Reason: to comply with section 51 of part 4 of the Planning and Compulsory Purchase Act 2004.

4 List of Approved Plans

   The development hereby permitted shall be carried out in strict accordance with the following list of Approved Plans:
   153550-GA(00)01, GA(00)02-01 & 120713-03 received on 16 December 2013, 120713-02 REV D, 120713-05 REV A received on 6 October 2014

   Reason: to ensure that the development is carried out in a satisfactory manner
These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

5 Drainage Strategy
Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community in accordance with Elmbridge Core Strategy Policy CS26

6 Secure By Design
No development shall take place until details of how the development is to meet the requirements of 'secured by design' have been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be undertaken in accordance with the approved details and permanently maintained thereafter.


7 Implementation of Flood Risk Assessment
The development hereby permitted shall only be carried out in accordance with the approved FRA prepared by Arup (doc. ref. 233317-00/4.50/fra?addendsdum001’, dated 07 March 2014)

Reason: to reduce the impact of flooding on the proposed development and future site users/operatives in accordance with the National Planning Policy Framework (NPPF).

8 Surface Water Drainage Scheme
No development shall commence until a surface water drainage scheme for the site based on sustainable drainage principles, where possible, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved by the Local Planning Authority. As set out within the approved Drainage Strategy Report, off site discharges should be restricted to greenfield values set out within tables 4 & 5. Relevant manufacturer's details on all SUDs features and any drainage improvement works should be provided within a flood risk management plan and/or the health and safety plan operation and maintenance manuals.

Reason: to reduce the impact of flooding on the proposed
development and future site users/operatives in accordance with
the National Planning Policy Framework (NPPF)

9  Bat Survey
Prior to the commencement of the development hereby
permitted a survey to establish the presence or otherwise of
bats shall be carried out and the results along with details of
proposed mitigation measures shall be submitted for approval
by the Local Planning Authority. The agreed measures shall be
implemented in accordance with the approved details.

Reason: to accord with the requirements of the NPPF

10  Additional Tree Information and Pre-Commencement
Inspection
No development shall take place until further arboricultural
details have been submitted to and approved in writing by the
Borough Council and these works shall be carried out as
approved. This scheme shall include details of:

a) the existing trees and hedges to be retained in the form of
a tree survey and arboricultural impact assessment, in
line with BS5837:2012, and shall include details of all
current and proposed hard surfaces, walls, fences, access
features, and ground levels.

b) the measures taken to protect existing trees and hedges
during construction, demolition, and delivery of materials /
machinery, including a tree protection plan and an
arboricultural method statement in line with BS5837:2012
(see arboricultural method statement informative.)

c) the scheme shall pay particular attention to (list specific
tree / areas of development or delete if not appropriate)

d) prior to the commencement of works on site and after the
installation of the tree protection in accordance with (b)
above the applicant shall arrange a pre-commencement
meeting between the Borough Council and the applicant’s
project arboriculturist to allow inspection and verification
of the protection measures.

11  Landscaping - Full Survey (Outline)
The reserved matters shall include a full site survey which shall
provide drawings showing, as appropriate, the following
information at a suitable scale:

(i) location, species, girth or stem diameter, accurately
plotted crown spread and reference number of all trees on
and adjoining the site with a stem diameter of 100mm or
greater.
(ii) a numbered tree condition schedule with proposals for surgery or other works, where applicable.

(iii) existing ground levels including sufficient detail to allow proper consideration of existing tree protection.

(iv) location, spread and other relevant details of existing hedges and other significant areas of vegetation.

(v) location and dimensions of existing watercourses, drainage channels and other aquatic features.

(vi) existing boundary treatments and means of enclosure.

(vii) existing structures, services and other artefacts, including hard surfaces.

Reason: to allow the proper consideration of the impact of the details of the development on the amenity value of the existing site in accordance with Saved Policy ENV11 of the Replacement Elmbridge Borough Local Plan 2000.

12 Landscaping - Scheme
No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Borough Council and these works shall be carried out as approved. This scheme shall include indications of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out, and details of the measures to be taken to protect existing features during the construction of the development.

Reason: to preserve and enhance the visual amenities of the locality in accordance with Saved Policy ENV11 of the Replacement Elmbridge Borough Local Plan 2000.

13 Landscaping - Implementation
All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development, otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the Borough Council. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased, shall be replaced as soon as practicable with others of similar size and species, following consultation with the Borough Council, unless the Borough Council gives written consent to any variation.
Reason: to preserve and enhance the visual amenities of the locality in accordance with Saved Policy ENV11 of the Replacement Elmbridge Borough Local Plan 2000.

14 Bus Stop Improvement - Southbound
Prior to the commencement of development, the southbound bus stop closest to the school shall be relocated and fully upgraded providing a shelter, seating, real time passenger information, lighting and hardstanding/kerbing where necessary to ensure full DDA compliance in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan and Policy CS28 within the Elmbridge Core Strategy 2011.

15 Bus Stop Improvement - Northbound
Prior to the commencement of development, the northbound bus stop closest to the school shall be fully upgraded providing a shelter, seating, real time passenger information, lighting and hardstanding/kerbing where necessary to ensure full DDA compliance in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan And Policy CS28 within the Elmbridge Core Strategy 2011.

16 Traffic Signal Revalidation
Prior to the commencement of development, traffic signals at the Halfway Green (Station Avenue/Rydens Road/A244) junction and Robinsway/Queensway South A244/A317 shall be re-validated to maximise the efficiency of the signals, the details to be agreed by the Local Planning Authority.

Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan and Policy CS28 within the Elmbridge Core Strategy 2011.

17 New Access
Before the development hereby permitted is occupied the
proposed vehicular access to Hersham Road (including a shared foot / cycleway, modified existing access to Hersham Road and alterations to existing highway shall be designed/constructed and provided with visibility zones in general accordance with drawing no.120713-02 REV D all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction (above 600mm).

Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan and Policy CS28 within the Elmbridge Core Strategy 2011.

18 Closure of Existing Access
The existing access from the site to Hersham Road shall be permanently closed and any kerbs, verge, footway, fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority.

Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan and Policy CS28 within the Elmbridge Core Strategy 2011.

19 Parking and Turning/Retention of Parking and Turning
(a) The development hereby approved shall not be first occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for cars and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking / turning area shall be used and retained exclusively for its designated purpose.

(b) The existing vehicle parking (and turning) area at the premises (as shown on the application drawings) shall be permanently retained and maintained for their designated purpose(s).

Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan and Policy CS28 within the Elmbridge Core Strategy 2011.
20 Parking Area Management Plan
The development shall not be occupied until details of the management and use of the existing/proposed parking have been submitted to and agreed in writing by the Local Planning Authority, this will include a hierarchy for priority of use (e.g.: staff, visitors, high occupancy vehicles, parents). These details shall be submitted for approval by the Local Planning Authority or included in a travel plan and only the approved details shall be implemented.

Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan and Policy CS28 within the Elmbridge Core Strategy 2011.

21 Method of Construction Statement
No development shall commence until a construction transport management plan, to include details of:
(a) parking for vehicles of site personnel, operatives and visitors
(b) loading and unloading of plant and materials
(c) storage of plant and materials
(d) programme of works (including measures for traffic management)
(e) provision of boundary hoarding behind any visibility zones
(f) routing and access arrangements for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan and Policy CS28 within the Elmbridge Core Strategy 2011.

22 Protection of Highway from Mud etc
Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.
Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan and Policy CS28 within the Elmbridge Core Strategy 2011.

23 Travel Plan
Prior to the commencement of the development the applicant shall submit both a School and Residential Travel Plan for the written approval of the Local Planning Authority in accordance with the aims and objectives of the national planning policy framework. The applicant shall then implement the approved travel plan prior to first occupation / school opening and for each subsequent occupation of the development and thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan and Policy CS28 within the Elmbridge Core Strategy 2011.

24 Archaeology - Scheme of Working (Large Surface Area)
A written scheme of archaeological investigation for this large site shall be submitted to and agreed in writing with the Borough Council before the commencement of the development hereby approved. No development shall take place until the applicant has secured the implementation of a programme of archaeological work and recording in accordance with the findings of that investigation.

Reason: the development proposed covers a large surface area and it is therefore considered likely that it will affect currently unknown archaeological information. It is important that the site is surveyed and work is carried out as necessary in order to preserve as a record any such information before it is destroyed by the development, in accordance with Saved Policy HEN17 of the Replacement Elmbridge Borough Local Plan 2000.

The Following Condition Was Added By The Planning Committee:

25 Controlled Pedestrian Crossing
Prior to the commencement of development, details of a controlled pedestrian crossing on Hersham Road including details of implementation shall be provided in accordance with a scheme to be submitted and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details.
Reason: the above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in recognition of NPPF and in order to satisfy Saved Policy MOV4 of the Replacement Elmbridge Local Plan and Policy CS28 within the Elmbridge Core Strategy 2011.

Informatives

1. Reasons For Permission
   Summary of reasons for grant of permission: this outline application for development comprising 296 residential units, replacement secondary school and sixth form college along with associated modified access, landscaping and parking following demolition of the existing school and sixth form college (means of access only to be determined at this time) would not have an adverse impact on the character or amenity of the area and would provide additional housing units and a replacement school within the urban area. The proposal has been considered against core strategy policies CS5, CS17, CS19, CS21, CS27 and Saved Local Plan Policies HSG16, HSG19, ENV2, ENV3, ENV11, ENV12, MOV2, MOV4, and MOV6 (Off-Street Parking). In addition, regard has also been had to the NPPF, to the Council’s Design and Character and Developer Contributions SPDs both adopted in April 2012 and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest.

2. Council Ownership
   This decision is without prejudice to Elmbridge Borough Council’s position as freeholder or leaseholder of part of the property. The application has been considered only from a town planning point of view and application for any necessary consent which may be required from the Council as freeholder or lessor should be made to the Chief Executive of the Council in accordance with the provisions of the conveyance, lease or agreement.

3. Detailed Information
   Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.

4. Other Works to the Highway
   The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278
agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council’s Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

5. Scaffolding Licences
The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

6. Approval Of Temporary Access
When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.

7. Pedestrian Inter-Visibility Splay
A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

8. Independent Travel Plan Monitoring
The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey Format consistent with the UK standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the Travel Plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The developer would be expected to fund the survey validation and data entry costs.
9. Community Infrastructure Levy
The development permitted is subject to a community infrastructure levy (CIL) liability for which a liability notice will be issued.

4. CLAYGATE PARISH COUNCIL PLANNING REPRESENTATIONS

The Committee considered whether it wished to review the current status of Claygate Parish Council’s (CPC) role as a statutory consultee and the exception to delegated powers which meant that all applications to which the CPC objected were automatically de-delegated and reported directly to the East Area Sub–Committee.

The report examined the legal status of the Parish in planning terms; provided comparison with other Surrey authorities; and detailed the numbers of applications that had been de-delegated following CPC objections.

A Member expressed concern that the preparation of reports to the East Area Planning Sub-Committee risked other applications being delayed, as reports to the Sub-Committee were prioritised. Furthermore, the current arrangements often meant that Claygate applications did not meet the 8-week target for determination. The Member also commented that such de-delegated applications formed a disproportionate number of applications considered by the East Area Planning Sub-Committee. Furthermore, there was a concern that other statutory consultees, such as the Conservation Area Advisory Committees, did not have such rights to de-delegate applications.

By way of a contrary view, some Members commented that as the CPC was a democratically elected body, due consideration should be given to their right to formally object and that this ability to object was used sensibly and not abused by the CPC.

Furthermore, a Member commented that CPC Planning Committee meetings were arranged every three weeks, to avoid delay in consideration of the applications referred to the CPC in its capacity as a statutory consultee, and that a CPC representative attended each of the East Area Planning Sub-Committee meetings to provide feedback to fellow CPC Members on the outcome of the consideration of the de-delegated applications by the East Area Planning Sub-Committee.

It was agreed that the Head of Planning Services should continue to offer Planning related training to CPC, which would be of particular relevance given the extent of recent changes in planning law, with consideration being given to the possibility of CPC Members attending relevant bite-sized Planning training sessions offered to Elmbridge Borough Council Members.

After full consideration of the matter and following extensive debate, the Committee was of the view that the existing arrangements should remain unchanged and therefore it was
RESOLVED that

(a) there be no change to the existing ‘Protocol for Consulting Claygate Parish Council on Planning Applications and other Town Planning Matters’; and

(b) The Head of Planning Services liaise with the Parish Council regarding the offer of training in respect of planning matters.

The meeting commenced at 7.45 p.m., adjourned at 9.34 p.m., reconvened at 9.38 p.m. and concluded at 10.50 p.m.

B.J.F CHEYNE
Chairman

Committee and Member Services Officer

Ms. M. Hayes - Committee and Member Services Manager

Other Officers in attendance

R. Lee - Strategic Director
Mrs. K. Fossett - Head of Planning Services
E. Chetwynd-Stapylton - Principal Planning Officer
Mrs. C. Herbert - Law Practice Manager

Also present

D. Forbes - Planning and Development Group Manager – Surrey County Council
INDIVIDUAL CABINET MEMBER DECISION MAKING

Report of decisions taken on 19 November 2014

Present:

A. Kelly - Portfolio Holder for Regulatory Affairs

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

MATTERS OF REPORT

2. DCLG Consultation: Planning and Travellers

(Link to Council Priorities: P1, P2, P3, P4, P5, P6)

The Portfolio Holder for Regulatory Affairs considered a report which set out the Council’s proposed response to the Department for Communities and Local Government Consultation on planning and travellers that was published in September 2014.

The consultation sought views on proposed changes to the planning policy and guidance ensuring fairness in the planning system in relation to planning applications for Gypsy and Traveller sites and in particular where these related to sensitive areas and the Green Belt. The key changes comprised:

(a) amending the definition of Gypsies and Travellers and Travelling Showpeople for the purposes of planning policy to exclude those who had permanently ceased travelling;

(b) strengthening the protection for sensitive areas and the Green Belt;

(c) clarifying that intentional unauthorised occupation of land, whether by members of the travelling or settled community, was a material consideration in planning decisions weighing against the grant of permission; and

(d) introducing updated, streamlines statutory guidance for assessing traveller accommodation needs.

Whilst considering the Council’s proposed consultation response, the Portfolio Holder requested that the following minor changes be made to the response prior to submission to the Department for Communities and Local Government:

- with regard to who the consultation response had to be returned to, having read the public consultation document, the Portfolio Holder advised that the job
title for Owen Neal in the document was listed as ‘Planning Policy for Traveller Site Consultation’. Accordingly, he asked that this title be reflected in the response. It was also considered appropriate that a subject heading be included stating ‘Policy for Planning and Traveller Consultation’;

- the Portfolio Holder asked, for consistency purposes, that where the questions had been laid out in the response, the word “Question” be replaced with a “Q”.

- with regard to Question 8, whilst supporting the proposed response, the Portfolio Holder considered it appropriate that the word ‘Yes’ be added at the beginning of the response;

- with regard to Question 12, the Portfolio Holder asked whether the first paragraph, which outlined the work that the Council had previously undertaken in respect of the future needs of Gypsies and Travellers within the Borough, was required. The Senior Planning Officer took the opportunity to clarify the position and in this regard, the Portfolio Holder agreed that the following be included after the first sentence: “However, the Council would appreciate a clear timetable on this so that the Council can continue to undertake its planned work in identifying gypsy and traveller sites within the Borough”; 

- with regard to Question 13, the Portfolio Holder queried whether the draft planning guidance for travellers was too brief as outlined in the draft response. In this regard, he considered it appropriate that the beginning of the response be amended to read: “The Council supports clear and streamlined guidance. In this particular case, greater detail may assist Local Authorities when carrying out their duty to assess Gypsy and Traveller accommodation needs. There should be a …….”.

Subject to the above comments being included in the Council’s response to the Department for Communities and Local Government Consultation on planning and travellers, the Portfolio Holder for Regulatory Affairs

RESOLVED that the revised response, as set out at Appendix A to these minutes, be approved as the Council’s response to the Department for Communities and Local Government Consultation on planning and travellers.

The meeting commenced at 9.01 a.m. and concluded at 9.16 a.m.

Committee and Member Services Officer

Mrs. T. Hulse - Principal Committee and Member Services Officer

Other Officers in attendance

A. Harrison - Head of Legal Services
M. Behrendt - Planning Policy Manager
Mrs. Z. Belton - Senior Planning Officer
Dear Mr Neal,

Planning Policy for Traveller Sites Consultation

The Council welcomes the opportunity to comment on the Government’s proposals on this issue which is of interest to many of our residents. With regard to this, Elmbridge Borough Council supports the Government’s promotion of fairness in the planning system and its commitment to protect sensitive areas such as the Green Belt.

Elmbridge Borough Council has a settled Gypsy and Traveller community with one publically owned site and various smaller private sites located in the Borough. Evidence from the Council’s 2013 Traveller Accommodation Assessment (TAA) has indicated that the Borough’s current Gypsy and Traveller population do not travel and want to stay where they live maintaining their traditional caravan dwelling lifestyle. Their children attend school on a regular basis and having a settled base reduces the need for long distance travelling and possible environmental damage caused by unauthorised encampment. Overall, the Borough has had very little incidents of unauthorised traveller sites and has no transit pitches/sites as evidence from the TAA suggests there is no need for such sites in the Borough at present.

In line with our statutory duty, the Council has assessed the needs of this community through the TAA and have identified the number of pitches required to take account of family formation. Work has also progressed on the allocation of sites to meet the Borough’s identified need.

Therefore any changes to national policy relating to the provision of traveller sites could have an impact on the approach to planning for their accommodation needs. These concerns are outlined below in response to the questions asked within the consultation.
Ensuring fairness in the planning system

Q1 – Do you agree that the planning definition of travellers should be amended to remove the words *or permanently* to limit it to those who have a nomadic habit of life? If not, why not?

As explained above, the Borough has a settled Gypsy and Traveller community. Changing the definition as proposed would potentially result in there being no need for traveller sites as the Borough’s Gypsy and Traveller population do not travel. In terms of strategic planning, this would affect the current TAA and land allocation work that has been carried out. Changing the definition could also mean that the Borough’s existing Gypsy and Traveller community start travelling creating unnecessary social and environmental issues across the borough and region. There is also a serious concern that this could disrupt children’s education and create issues for local schools when children are absent for periods throughout the year.

In terms of making decisions on applications, the planning definition change could create additional work for planning officers who will have to identify whether the applicant to the planning application is a ‘traveller’ in planning terms. As paragraph 2.8 states in the consultation document “decision takers should give close scrutiny to whether the applicants are in fact living a nomadic lifestyle”. Even if the applicant is a Gypsy and Traveller in ethnic/racial terms, it would be difficult for planning officers to prove that they no longer travel or take part in a nomadic lifestyle. They may not travel currently, but may wish to in the future or have done in the past.

Additionally some of the family may travel and some may not due to health reasons and/or schooling. Trying to assess if the applicant falls into the planning definition of a ‘traveller’ would place another burden on planning officers and potentially cause further delay to decision making. It also infers that officers would need to condition the permission making sure the applicant travels for a certain length of time per year to ensure compliance, which would be difficult to enforce.

Due to the reasons explained above, the Council require assurance from Government that should this proposal be implemented, they must provide very clear advice as to what constitutes a ‘nomadic lifestyle’ and create explicit guidance for officers when assessing whether an applicant is a ‘traveller’ in planning terms.

Q2 – Are there any additional measures which would support those travellers who maintain a nomadic habit of life to have their needs met? If so, what are they?

The provision of transit sites across the Borough would encourage greater movement and support travellers who want to maintain a nomadic habit of life. However, additional public services may be needed to support a less settled traveller community.

Q3 – Do you consider that:

a) we should amend the 2006 regulations to bring the definition of “gypsies and travellers” into line with the proposed definition of “travellers” for planning purposes?, and b) we should also amend primary legislation to
ensure that those who have given up travelling permanently have their needs assessed? If not, why not?

a). The housing definition has a very different purpose to the planning definition which is concerned with the regulation, use and development of land in the public interest and assists in the development of policy and determination of planning applications. The housing definition is intended to be pragmatic and enables local authorities to understand the possible future accommodation needs of this group and plan strategically to meet those needs. It recognises that an understanding of the full Gypsy and Traveller community (including those in bricks and mortar accommodation) and not just those that are travelling, is necessary in order for local authorities to meet their responsibilities and put proper strategic plans in place. Any amendment to the statutory definition would make it difficult to assess the needs of the traveller community and ensure, where appropriate, their housing needs are met.

In terms of point b) it is important that those who have given up travelling permanently should have their needs assessed and that this should remain part of the TAA.

Protecting sensitive areas and the Green Belt

Q4 – Do you agree that Planning Policy for Traveller Sites be amended to reflect the provisions in the National Planning Policy Framework that provide protection to these sensitive areas? If not, why not?

Yes. The Council supports the appropriate and adequate protection to these sensitive areas, particularly areas of Green Belt and agrees that Planning Policy for Traveller Sites should be amended to reflect the provisions in the National Planning Policy Framework that provides protection to these sensitive areas.

Q5 – Do you agree that paragraph 23 of Planning Policy for Traveller Sites should be amended to “local authorities should very strictly limit new traveller sites in the open countryside”? If not, why not?

Elmbridge Borough Council cannot answer this question as our towns and villages are surrounded by Green Belt and any decision would be made in relation to that designation.

Q6 – Do you agree that the absence of an up-to-date five year supply of deliverable sites should be removed from Planning Policy for Traveller Sites as a significant material consideration in the grant of temporary permission for traveller sites in the areas mentioned above? If not, why not?

Yes, removing this paragraph would allow local authorities to make informed and balanced decisions based on the suitability of any specific development.

Q7 – Do you agree with the policy proposal that, subject to the best interests of the child, unmet need and personal circumstances are unlikely to outweigh
harm to the Green Belt and any other harm so as to establish very special circumstances? If not, why not?

Yes, as outlined above, such a change would allow local authorities to make informed and balanced decisions, taking into account the social, environmental and economic impacts of any proposed development.

**Addressing unauthorised occupation of land**

**Q8** – Do you agree that intentional unauthorised occupation should be regarded by decision takers as a material consideration that weighs against the grant of permission? If not, why not?

Yes, the Council agrees that intentional unauthorised occupation does cause community tension and can prevent the planning system working effectively to prevent or mitigate harm and the negative impact of the development. It is important to make sure travellers do apply for permission before occupying the site so that the development proposal can be considered appropriately and the correct conditions can be applied. However, the Council is concerned that planning officers would have to work out whether the unauthorised occupation was intentional or accidental, which would impact on time and resources.

**Q9** – Do you agree that unauthorised occupation causes harm to the planning system and community relations? If not, why not?

Yes

**Q10** – Do you have evidence of the impact of harm caused by intentional unauthorised occupation? (And if so, could you submit them with your response.)

Elmbridge Borough Council has experienced some incidents of unauthorised occupation. It appears that high land prices have prevented the purchase of land which has stopped unauthorised development taking place.

There has only been one incident in 2005, where a family bought and then occupied the owned land without gaining permission. Following a series of refusals, enforcement notices, and appeals, an application for temporary permission was allowed on appeal in 2009. Permission was granted again for a further 5 years this summer by the Council. Although both communities experience a largely peaceful co-existence, formal objections to this application related to the original breach of planning regulations (intentional occupation) and non-compliance with conditions as well as a series of environmental issues concerning traffic, detriment to the local area and damage to the green belt.

The Council seeks a civil remedy to the unauthorised gypsy/traveller camps on Elmbridge’s public green spaces, by seeking a Possession Order to regain its land. Elmbridge has suffered with a large number of repeat incursions in the past two summers which has caused community concern. This has been responded to with a joint approach with Surrey Police and the Council.
Q11 – Would amending Planning Policy for Traveller Sites in line with the proposal set out in paragraph 4.16 above help that small number of local authorities in these exceptional circumstances? If not, why not? What other measures can Government take to help local authorities in this situation?

Elmbridge Borough Council has no experience of large unauthorised sites and therefore cannot comment.

Q12 – Are there any other points that you wish to make in response to this consultation, in particular to inform the Government’s consideration of the potential impacts that the proposals in this paper may have on either the traveller community or the settled community?

Elmbridge Borough Council is committed to meeting the future needs of Gypsies and Travellers within the Borough. Two Traveller Accommodation Assessments have been produced, one jointly in 2006 and the most recent has been produced using a Surrey wide methodology to ensure a robust and up to date evidence base. Colleagues have met and talked to our Gypsy and Traveller communities and have a strong understanding of their needs. Work is progressing on the identification of sites to meet our 5 year land supply. However, the Council would appreciate a clear timetable on this so that the Council can continue to undertake its planned work in identifying gypsy and traveller sites within the Borough.

Some of the proposals outlined in this consultation will create additional burdens for local planning authorities in terms of development management, enforcement and social cohesion. As part of any changes, consideration should be given to providing additional support to Local Authorities to help offset the extra work these changes will create.

Q13 – Do you have any comments on the draft planning guidance for travellers (see Annex A)?

The Council supports clear and streamlined guidance. In this particular case, greater detail may assist Local Authorities when carrying out their duty to assess Gypsy and Traveller accommodation needs. There should be a nationally consistent methodology that provides far greater detail in explaining exactly how to carry out these important assessments. The DCLG 2007 Gypsy and Traveller Accommodation Assessment Guidance was used when establishing a Surrey wide methodology in 2012 and based on experience writing an assessment, Elmbridge Borough Council would not support replacing the 2007 guidance with the information contained at Annex A.

Yours sincerely,

Councillor Andrew Kelly
Portfolio Holder for Regulatory Affairs
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ELMBRIDGE BOROUGH COUNCIL

CABINET

Report of a meeting held on 19 November 2014

* J. O’Reilly - Leader
* T.G. Oliver - Deputy Leader

* J. Browne
* G.P. Dearlove
* A. Kelly
Mrs. R. Mitchell

* Mrs. C.J. Cross
* Mrs. C. Elmer
* Mrs. D.M. Mitchell
* Mrs. M.C. Sheldon

(* Denotes attendance)

(D.J. Archer, N.C. Cooper, I. Donaldson, N. Haig-Brown, C.R. Sadler, S.J. Selleck, J.G. Sheldon and Mrs. J.R. Turner were also present.)

1. DECLARATIONS OF INTEREST

J. Browne declared a pecuniary interest under the Code of Conduct in respect of agenda item 7 – Revenue Budget Proposals and Council Priorities for 2015/16 and specifically recommendation (B) (Minute No. 8 refers), by virtue of his wife being an employee of the Council. He indicated that he would leave the room should this element of the report be discussed but in the event there was no discussion in this regard.

In respect of agenda item 15 – Rydens Enterprise School, Hersham Road: Proposed transfer of open space, whilst not a disclosable pecuniary or any other interest under the Code of Conduct, Mrs. C.J. Cross wished that it be noted that her son was a student in the Sixth Form.

2. MINUTES

The Minutes of the Cabinet meeting held on 17 September 2014 were agreed as a correct record and signed by the Leader.

3. LEADER’S OPENING REMARKS

The Leader conveyed apologies for absence from Councillor Mrs. R. Mitchell.

The Leader was pleased to advise the Cabinet of the headline results following the Residents’ Panel Survey 2014. Members noted that 88% were satisfied with the way the Council ran its services, which was an increase of 2% on the 2013 figures. In addition, 73% considered that the Council provided value for money, which was an increase of 7% on the 2012 figures. In this regard, the Leader advised that when compared with the other 10 Councils which measured against such value for money criteria, Elmbridge secured the highest rating. Furthermore, the Residents’ Panel Survey results showed that 73% were satisfied with Environmental Services; 44% were satisfied with Planning Services; and 68% were satisfied with Leisure Services.
Congratulations were extended to the Environmental Services Team who had received top honours for their noise abatement work at the John Connell Awards ceremony held at the Palace of Westminster on 5 November 2014. The annual awards, dubbed the "Noise Oscars", were hosted by the Noise Abatement Society and the Team collected the local authority award for their Out of Hours Enforcement Service run in partnership with Surrey Police.

The Cabinet was pleased to note that the Legal Services Team had been re-accredited the Lexcel Quality Standard for a further 3 years, following a full assessment.

The Leader congratulated Colman’s Architects and Council Officers who had won an award for the Council’s Community Hub in Walton under the ‘Best Change of Use of an Existing Building’ category. Members noted that this had been featured in the October Local Authority Building & Maintenance magazine.

The Portfolio Holder for Resources also took the opportunity to advise that the iPad rollout for email and calendars for the Pilot Group, which consisted of the Cabinet and the ICT Member Reference Group, had commenced and that this meeting of the Cabinet was the first meeting to go live using the iPad ModGov application.

Thanks were extended to Officers for their hard work in respect of the above initiatives and successes.

**RECOMMENDATIONS TO COUNCIL ON 3 DECEMBER 2014**

4. COUNCIL PLAN 2014/15 – 2ND QUARTER MONITORING REPORT AND COUNCIL PERFORMANCE IN 2014/15

(Link to Council Priorities: All)


In the second quarter, 26 (76%) Council Plan objectives were on target. Of the 9 ‘Flagship’ activities, 8 (89%) were on target.

It was noted that the report would be presented to the Performance and Finance Standing Panel on 25 November 2014.

On consideration of the item, the Leader reiterated his concern with regard to Performance Indicator L-TP4 – ‘Percentage of planning appeal decisions made in favour of the Council’. Whilst acknowledging that the Council’s overall success rate was higher than the Government guidance target, he commented that the number of appeals allowed appeared to be higher than in previous quarters. In respect of this, the Portfolio Holder for Regulatory Affairs was pleased to advise that over the last two months, where appeals had been decided, none had been allowed and therefore the figures for Quarter 3 should be on target.

With regard to Council Objective CR1 – ‘we will better integrate our customer services’, the Cabinet noted that this target was no longer achievable. The Chief Executive took the opportunity to clarify the position and the Cabinet supported the
resetting of the target to 31 March 2015 which it was hoped would enable the further migration phases of the customer services project to be achieved.

RECOMMENDED: THAT

(A) PROGRESS AGAINST THE PERFORMANCE DASHBOARD BE NOTED;
(B) PROGRESS AGAINST COUNCIL PLAN OBJECTIVES BE NOTED;
(C) PROGRESS AGAINST ‘FLAGSHIP’ ACTIVITIES BE NOTED; AND
(D) THE COMMENTS PROVIDED FOR THE TARGETS SHOWING AN AMBER OR RED TRAFFIC LIGHT ARISING FROM (A), (B) AND (C) ABOVE BE NOTED.
(E) FOLLOWING NEW GOVERNMENT GUIDANCE, THE COLLECTION OF DATA FOR THE INDICATOR L-TP5 (PROCESSING OF PLANNING APPLICATIONS IN 13 WEEKS: MAJOR APPLICATIONS) REFLECT THE NEW GUIDANCE;
(F) THE TARGET DATE FOR FLAGSHIP L3 (LAUNCH A NEW MUSEUM SERVICE TO THE WIDER COMMUNITY) BE REVISED FROM SEPTEMBER 2014 TO APRIL 2015; AND
(G) THE TARGET DATE FOR COUNCIL OBJECTIVE CR1 (WE WILL BETTER INTEGRATE OUR CUSTOMER SERVICES) BE REVISED FROM OCTOBER 2014 TO 31 MARCH 2015.

5. RECOMMENDATION FROM THE CONSTITUTIONAL REVIEW MEMBER WORKING GROUP MEETING HELD ON 10 SEPTEMBER 2014 – DECISION-MAKING STRUCTURES

(Repetition)

The Leader introduced the report which contained a minute extract from the Overview and Scrutiny Committee meeting held on 22 October 2014, regarding the recommendations of the Constitutional Review Member Working Group which was held on 10 September 2014 in respect of decision-making structures.

Whilst noting that the Constitutional Review Member Working Group had met on a number of occasions and discussed in detail reasons for considering a change to the current governance arrangements, the Cabinet supported the continuation of the Cabinet model as it was felt that it was fit for purpose, allowed for clear decision-making and provided opportunities for all Members to be involved in Working and Task Groups, Advisory Bodies and Panels. Accordingly, the Cabinet

RECOMMENDED: THAT SUBJECT TO ALL WARD COUNCILLORS BEING CONSULTED ON RELEVANT MATTERS RELATING TO THEIR WARDS AND ALL FINANCIAL INFORMATION RELATING TO THE COUNCIL ANNUAL BUDGET BEING MADE AVAILABLE AT THE EARLIEST OPPORTUNITY, THE COUNCIL CONTINUE TO OPERATE WITH THE CABINET MODEL DECISION-MAKING STRUCTURE.
6. ELECTORAL REVIEW – COUNCIL SIZE SUBMISSION

(Link to Council Priorities: All)

At the Council Meeting held on 10 April 2013, it was agreed that a formal application be made for an Electoral Review to be undertaken by the Local Government Boundary Commission for England (LGBCE) within the Electoral Review Programme for 2014/15 in order to consider reducing the number of Members of the Council. Accordingly, the LGBCE subsequently confirmed that the Council had been formally included in its Electoral Review Programme for 2014/15.

In this regard, the Leader introduced the report that set out the Council’s Submission detailing the number of Councillors that the Council considered to be appropriate. The Submission had been drawn up in consultation with the cross party Electoral Review Member Working Group and which had taken into account evidence available to the Council, including relevant consultations and surveys.

Members were reminded that at the Cabinet meeting in March 2012, it had been previously suggested that a reduction in number from 60 to 48 Councillors (20% reduction) would be appropriate. This figure was considered to reflect the significant reduction in Council-provided services as a result of changes, including the transfer of the Council’s highways responsibilities to Surrey County Council; the housing stock transfer to the Elmbridge Housing Trust; and the reduction in the Council’s workforce over recent years.

The Leader also reminded Members that the Council’s Electoral Cycle had a significant implication on the draft Submission. Under the existing arrangements of elections by thirds, the Council Size Submission should put forward a size divisible by three. A Special Meeting of the Council was held on 17 November 2014 to consider the future Electoral Cycle for the Council and it was noted that the Council had resolved that the motion to adopt an electoral cycle of Whole Council Elections every 4 years had not been carried and accordingly, the Council’s Borough Elections would continue to be held by thirds. This would be reflected in the Submission document.

The Leader confirmed that the LGBCE would make its recommendations on the Council size in the New Year based on its own assessment of relevant local factors. Once the Commission had published its proposal, the next stage would be to look at potential new warding proposals. New arrangements would be implemented in May 2016 when there would be a whole Council Borough Election.

The Cabinet extended its thanks to the Head of Executive & Member Services and her Team for all the work undertaken in producing the comprehensive Submission document.

Whilst acknowledging that the Cabinet had delegated powers to agree the recommendations, as this would affect all Members of the Council, the Leader proposed, and Cabinet agreed, that it would be appropriate for all Members to have the opportunity to consider the Submission at the Council meeting on 3 December 2014.

In accordance with Part 5-30 of the Council’s Constitution, the Leader invited Councillor C.R. Sadler to address the Cabinet on the proposals. Councillor Sadler
stated that, as the Submission was a lengthy document, he was delighted that the matter was being referred to Council for final consideration and decision. He further commented that whilst the Submission was detailed, he felt that there may be aspects that had not been included in the Submission and that in his opinion, the Submission was not reflective of all Councillors’ views.

On consideration of the item, the Cabinet fully supported the draft Electoral Review Council Size Submission document subject to the area of the Borough that was covered by Green Belt land being expressed as acreage rather than as a percentage (57%).

**RECOMMENDED: THAT**

(A) SUBJECT TO THE AREA OF THE BOROUGH THAT WAS COVERED BY GREEN BELT LAND BEING EXPRESSED AS ACREAGE RATHER THAN AS A PERCENTAGE (57%), THE DRAFT SUBMISSION ON COUNCIL SIZE OF 48 COUNCILLORS TO THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND, AS SET OUT IN APPENDIX A OF THE REPORT, BE APPROVED; AND

(B) AUTHORITY BE DELEGATED TO THE CHIEF EXECUTIVE, IN CONSULTATION WITH THE LEADER OF THE COUNCIL, TO SUBMIT THE FINAL SUBMISSION ON COUNCIL SIZE TO THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND BY 8 DECEMBER 2014, IN LINE WITH THE ELECTORAL REVIEW TIMETABLE, TAKING INTO ACCOUNT ANY CHANGES ARISING FROM THE COUNCIL MEETING.

7. **COUNCIL’S SCHEDULE OF MEETINGS 2015/2016**

(Link to Council Priorities: All)

The Leader introduced the report, which set out the Council’s proposed Schedule of Meetings for the Municipal Year 2015/2016.

As was customary, the Schedule had been prepared taking account of various aspects including the budget setting and closing accounts processes; accommodating the needs of the Planning process; the scheduling of Overview & Scrutiny Committee meetings following the Cabinet meetings and within the respective Cabinet Call In Notice periods; adjusting the pattern of meetings so as to incorporate an August recess, as far as possible; taking account of the Multi-Faith Calendar; and the planned School Term and Holiday dates 2015/16, as published by Surrey County Council.

**RECOMMENDED: THAT**

(A) THE COUNCIL’S SCHEDULE OF MEETINGS FOR THE MUNICIPAL YEAR 2015/16, AS SET OUT AT APPENDIX A TO THESE MINUTES, BE APPROVED; AND

(B) IT BE NOTED THAT THE OVERVIEW AND SCRUTINY WORKSHOP BE HELD ON THURSDAY 21 MAY 2015.
8. REVENUE BUDGET PROPOSALS AND COUNCIL PRIORITIES FOR 2015/16

(Link to Council Priorities: All)

The Portfolio Holder for Resources introduced the report which included initial Budget proposals for consideration and inclusion in the 2015/16 Budget as part of the Annual Budget Setting process. The report further set out the priorities for 2015/16 which would be used in preparing service plans and detailed budgets.

In 2012 a consultation exercise was carried out with regard to the Council’s Vision and Top Priorities. Arising from the consultation exercise, the new vision set for 2013-18 was “A confident and cohesive community with a thriving local economy and cherished environment served by quality public services delivered cost effectively”. Whilst the Council’s Vision remained unchanged, the Top Priorities had been reassessed as part of the Residents’ Panel Survey 2014 and as a result of feedback received, it had been judged that the following Top Priorities were still relevant and it was therefore proposed that these be retained for 2015-16:

- A safe, caring and healthy Elmbridge
- A vibrant and thriving Elmbridge
- A unique, green and attractive Elmbridge

A progress update in respect of the 2015/16 Budget was also provided and details in respect of the preparation of the Revenue Budgets; the Government’s Spending Round 2014; the UK economy and inflation; additional spending pressures; prices and cost of living pay award; review of fees and charges; and the 2015/16 budget reduction target update were highlighted.

The Portfolio Holder also provided an update regarding the pooling of Business Rates. The main aim of such a pool was to maximise the retention of locally generated business rates and to ensure that it further supported the economic regeneration of the wider County of Surrey. Modelling work had been undertaken which had resulted in having four Districts and the County in a pool which demonstrated that financially the County of Surrey would retain a greater share of business rates pooling than it would otherwise do, as long as it experienced economic growth. In this regard, the four Districts (including Elmbridge) and the County Council had agreed a Memorandum of Understanding which would support the realisation of these benefits.

The Cabinet welcomed the comprehensive report and was pleased to support the proposed cost of living pay award for staff on local pay of 2% from 1 April 2015.

RECOMMENDED: THAT

(A) THE BUDGET REDUCTIONS, AS DETAILED IN APPENDIX A TO THE REPORT, TOTALLING £415,000 FOR INCLUSION IN THE DRAFT BUDGET AND SERVICE PLANS FOR 2015/16 BE APPROVED;

(B) THE PAY AWARD OF 2% FOR STAFF ON LOCAL PAY, TO BE EFFECTIVE FROM 1 APRIL 2015, BE APPROVED;
(C) THE SPENDING PRESSURES IDENTIFIED IN PARAGRAPH 2.4, TO BE INCLUDED IN THE 2015/16 DRAFT BUDGET, BE APPROVED;

(D) THE SURPLUS ON THE COLLECTION FUND FOR 2014/15 BE DECLARED AND SPLIT AMONGST THE PRECEPTING AUTHORITIES IN 2015/16 AS REPORTED IN SECTION 3;

(E) THE PROGRESS MADE ON DEVELOPING THE BUDGET POSITION FOR 2015/16 BE NOTED; AND

(F) IT BE NOTED THAT THE COUNCIL, ALONG WITH THREE OTHER SURREY DISTRICTS AND SURREY COUNTY COUNCIL, HAVE SIGNED UP TO BE PART OF A BUSINESS RATE POOL FOR THE YEAR 2015/16.

9. MEMBERS’ ALLOWANCES: REPORT OF THE INDEPENDENT REMUNERATION PANEL

(Link to Council Priorities: All)

The Leader introduced the item, which set out the report of the Independent Remuneration Panel on the Council’s Scheme for Members’ Allowances, in accordance with Government Regulations and guidance for Local Authority Members’ Allowances Schemes.

The Cabinet noted that the Panel, in September 2014, had conducted a review of allowances for 2015/16. The Panel considered information obtained from a questionnaire completed by Members, from interviews conducted with a number of Members and from discussions with Officers.

After careful consideration, and in light of the responses to the questionnaire together with issues arising from the interviews, the Panel made a number of recommendations.

Whilst there would be no recommended change to the Basic Allowance, the Panel recommended that the Basic Allowance continue to be indexed, based on the increase in staff salaries with effect from 1 April 2015.

The Panel had been made aware through the questionnaire responses and by representations that the workload of the Area Planning Sub Committees had increased dramatically in the last year and that the current Special Responsibility Allowance (SRA) for the Chairman of each Area Planning Sub Committee did not reflect the significant time commitment and additional responsibilities of the role. In this regard, the Panel recommended that the SRA for the Chairman for each of the three Area Planning Sub-Committees should be increased from £3,590 to £4,075. The Panel also recommended that the allowance for the Vice-Chairmen of the Area Planning Sub-Committees be increased from £800 to £930 in recognition of the increase in workload and the impact of the role of Vice-Chairmen.

The Panel were of the view that the role of the Chairman of the Licensing Committee had changed in the recent past as there was no longer the frequency of meetings or the volume of licensing applications to deal with and therefore it was proposed that the allowance for the role of the Chairman of the Committee be reduced from £4,075
to £3,590. The Panel further recommended that the allowance for the Vice-Chairman of the Committee also be reduced from £930 to £800.

The Panel considered that the methodology for determining the SRA’s for Opposition Group Leaders was no longer fit for purpose. In this regard, the Panel recommended that a fixed allowance for the Opposition Group Leader and Leader of the Minority Groups be established. Opposition and Minority Group Leaders would receive £500 per annum provided that the Group consisted of at least 10% of the total Members of the Council. Group Leaders with less than 10% of the total Members (i.e. between 2 and 5 Members) would receive an allowance of 25% of the other Opposition or Minority Group Leaders, equating to £125 per annum. In addition, it was recommended that there be no allowance for the Leader of the Council.

As the Council currently had its own local framework for the payment of travel allowances to Members and Officers, to support transparency and local accountability, many Councils were now moving to local travel allowances recommended by Her Majesty’s Revenue and Customs (HMRC) Office. In this regard, the Panel recommended that Member travel allowances be linked to those recommended by HMRC.

With regard to the Basic Allowance and SRA’s, including the Opposition/Minority Group Leaders allowance, the Panel recommended that they be indexed and increased in line with the percentage increase in staff salaries to take place on an annual basis on the 1st April. The Panel further recommended that the Dependent Carer’s Allowance continue to be linked to the Living Wage, currently £7.65.

Whilst the 2003 Members’ Allowances Regulations did not limit the number of SRA’s an individual Member could receive, it was common and established practice for most Councils to have a ‘One SRA only’ rule set out in their allowances scheme. In this regard, the Panel recommended that the Council adopt the one SRA only rule into the scheme of Members Allowances.

Prior to consideration of the item, Members thanked the Independent Remuneration Panel who, whilst not easy to carry out, had undertaken their role with diligence and commitment.

Whilst noting the Panel’s recommendations, the Leader proposed that as there would be a whole council Election in May 2016 as a result of the work of the Boundary Commission, recommendation (E) regarding the adoption of a ‘One Special Responsibility Allowance (SRA) only’ rule, should be introduced with effect from the 2016/17 Municipal Year, which was supported by the Cabinet. The Cabinet also supported a change to recommendation (A) to fully reflect the views of the Panel, whereby in addition to the basic allowance being indexed in line with the Officers’ Pay Award, this also be reflected for the Special Responsibility Allowances including the Opposition / Minority Group Leaders Allowances.

RECOMMENDED: THAT

(A) **THE BASIC ALLOWANCE AND SPECIAL RESPONSIBILITY ALLOWANCES, INCLUDING THE OPPOSITION / MINORITY GROUP LEADERS ALLOWANCE, FOR COUNCILLORS BE INDEXED IN LINE WITH THE OFFICERS’ PAY AWARD;**
(B) IN RESPECT OF THE SPECIAL RESPONSIBILITY ALLOWANCES:

(I) THE SPECIAL RESPONSIBILITY ALLOWANCE FOR THE CHAIRMEN OF THE AREA PLANNING SUB-COMMITTEES BE INCREASED FROM £3,590 TO £4,075;

(II) THE SPECIAL RESPONSIBILITY ALLOWANCE FOR THE VICE-CHAIRMEN OF THE AREA PLANNING SUB-COMMITTEES BE INCREASED FROM £800 TO £930;

(III) THE SPECIAL RESPONSIBILITY ALLOWANCE FOR THE CHAIRMAN OF THE LICENSING COMMITTEE BE DECREASED FROM £4,075 TO £3,590;

(IV) THE SPECIAL RESPONSIBILITY ALLOWANCE FOR THE VICE-CHAIRMAN OF THE LICENSING COMMITTEE BE DECREASED FROM £930 TO £800;

(C) IN RESPECT OF THE GROUP LEADER ALLOWANCES:

(I) THE LEADER OF THE OPPOSITION GROUPS RECEIVE £500 PROVIDED THEIR POLITICAL GROUP IS GREATER THAN 10% OF THE MEMBERS OF THE COUNCIL;

(II) IN ACCORDANCE WITH (C)(I) ABOVE, ALL OTHER GROUP LEADERS RECEIVE 25% OF THE OTHER OPPOSITION OR MINORITY GROUP LEADERS (CURRENTLY EQUATING TO £125 PER ANNUM);

(III) THE LEADER OF THE COUNCIL RECEIVE NO GROUP ALLOWANCE;

(D) THE TRAVEL ALLOWANCES BE SET AT THE SAME LEVEL AS HER MAJESTY’S REVENUE AND CUSTOMS (HRMC) LEVEL USED FOR DEFINING A NON TAXABLE BENEFIT; AND

(E) A ‘ONE SPECIAL RESPONSIBILITY ALLOWANCE ONLY’ RULE BE ADOPTED WITH EFFECT FROM THE 2016/17 MUNICIPAL YEAR.

10. DISCRETIONARY FEES AND CHARGES REVIEW

A review of the current discretionary fees and charges had been carried out for Leisure & Cultural Services and Community Support Services. These reviews had been carried out on the principles that a comparison would be made with other Surrey Authorities with the intention that they remain competitive and where possible the Council would seek to make small regular increases to keep up with the increasing costs of services whilst reducing the impact on the user.

The Portfolio Holder for Leisure and Culture provided an update with regard to the discretionary fees and charges for Leisure and Cultural Services that were detailed in Appendices 1-8 of the report. It was noted that modest increases had been proposed in respect of these fees and charges.
With regard to the discretionary fees and charges for Community Support Services, the Portfolio Holder for Social Affairs provided an update in this regard. The Cabinet noted that the Community Support Services fees and charges, with the exception of the Relief Carers Scheme, had not been increased for a number of years. In order to maintain the vital services that the Community Support Services offered, it was considered appropriate that modest increases be introduced for a number of these frontline services.

During consideration of the item, the Leader invited Councillor S.J. Selleck, Group Leader of the Residents’ Associations Political Group to address the meeting. Councillor Selleck raised a query in respect of recommendation 4, which proposed that for future years, the RPIX figure be automatically applied (with rounding) as an annual uplift in the Leisure & Culture and Community Support Services charges. Firstly, Councillor Selleck queried why RPIX had been proposed rather than CPI and secondly whilst acknowledging that by automatically applying the RPIX figure to these fees and charges would assist with the budget process, he felt that consideration of these fees and charges should continue to be reviewed on an annual basis. The Portfolio Holder for Resources commented that applying RPIX in future years to these figures would make the process easier however should the level of RPIX increase significantly, then the opportunity would be taken to review the position.

**RECOMMENDED: THAT**

(A) THE PROPOSALS FOR THE LEISURE AND CULTURAL SERVICES FEES AND CHARGES, AS DETAILED IN APPENDICES 1-8 OF THE REPORT, BE AGREED;

(B) THE PROPOSALS FOR THE COMMUNITY SUPPORT SERVICES FEES AND CHARGES, AS DETAILED IN APPENDIX 9 OF THE REPORT, BE AGREED;

(C) FOR FUTURE YEARS, THE SETTING OF THE HAIRDRESSERS CHARGES, AS DETAILED IN PARAGRAPH 2.6 OF THE REPORT, BE DELEGATED TO THE HEAD OF COMMUNITY SUPPORT SERVICES IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR SOCIAL AFFAIRS; AND

(D) FOR FUTURE YEARS, THE RPIX FIGURE BE AUTOMATICALLY APPLIED (WITH ROUNDING) AS AN ANNUAL UPLIFT IN THE LEISURE & CULTURAL SERVICES AND COMMUNITY SUPPORT SERVICES CHARGES.

11. FORMATION OF A BUILDING CONTROL MUTUAL

(Link to Council Priorities: All)

The Portfolio Holder for Regulatory Affairs introduced the item and reminded the Cabinet that the responsibility for checking compliance with Building Regulations rested with Building Control Bodies, either from the Local Authority or Approved Inspectors who operated in the private sector. Whilst the Local Authority had a statutory responsibility to offer a Building Control service, apart from the serving of notices this work was exposed to the commercial market.
The Portfolio Holder advised that it had become increasingly difficult for the Council to compete with the private sector and the service was therefore losing market share. There had been a steady increase in work lost to Approved Inspectors and their applications now made up 32% of the work in the Borough. Unfortunately, the service did not have the freedom to trade that the Approved Inspectors enjoyed including working outside of the Borough’s boundaries; the Charging Regulations which required the Service to break even; and a lack of flexibility in service & staff provision, which made competition difficult.

Members noted that three years ago it was suggested that the Building Control Service should investigate alternative methods of service provision as a way to increase capacity and customer satisfaction, which would in turn increase the market share by winning work back from the Approved Inspectors. In this regard, at the Local Authority Building Control Conference in 2013 the Cabinet Office presented a paper on Local Government Mutuals, an option that allowed a Local Government Service to ‘spin out’ from an Authority to form a staff owned co-operative. Unlike previous break out schemes, the Mutuals would be fully supported by the Cabinet Office with an integrated support programme and associated financial support.

The Portfolio Holder advised that the Cabinet Office had put the Authority in touch with ATQ Consultants to see whether the Council would be suitable candidates for the formation of a Mutual. Having worked on an outline Business Plan and financial assessment, it was agreed that Building Control was an exciting and appropriate service to form a Mutual and the service could benefit in a number of ways. However, although exploring the mutualisation option had been recommended by the Cabinet Office, the Council Management Board wanted to ensure that this was the most appropriate model for the Building Control Service and it was therefore agreed that an options appraisal should be carried out. This work had been undertaken by Mutual Ventures, an external company.

The Options Appraisal considered the following three most viable options for the Service:

- Formation of a Public Service Mutual
- Formation of a Local Authority Trading Company
- Outsourcing the Service to a Private Company

Following a meeting on 3 January 2014 where the options appraisal criteria were agreed with the Chief Executive, Head of Finance, Head of Legal Services, Senior Building Control Officer and Building Control Manager, Mutual Ventures produced an Executive Summary and supporting documentation. The Options Appraisal recommended that the Public Service Mutual represented the preferred option for the future delivery model for the Building Control Service and accordingly it was recommended that the Council authorise the development of the Public Service Mutual business plan.

Whilst there were already a number of Local Government Mutuals, the Portfolio Holder advised that if adopted, this would be the first Building Control Mutual in the Country. The Cabinet Office had provided support throughout the Mutual process and had indicated that they would expect the Service to become a Pathfinder Mutual.
The Cabinet noted that if adopted, the intention would be for the Public Service Mutual to be established as a company limited by shares, jointly owned at Board and member level by the Parent Body and the employees of the service.

Following receipt of the Business Plan and Financial Model from Mutual Ventures, approval was sought for the formation of the Building Control Mutual with a prospective start date of 1 April 2015. However, this would be subject to finalising the financial and governance aspects and any implications for the Council including the share of the surplus, pension and redundancy liabilities.

The Portfolio Holder for Resources also took the opportunity to highlight the potential financial implications of the formation of a Building Control Mutual and it was noted that if agreed, in years 1 and 2, there would be a net cost to the taxpayers of £53,850 per annum which would then rise to approximately £160,000 per annum in years 3 and 4. In this regard, whilst supporting in principle the formation of the Mutual and acknowledging that this would be an Invest to Save initiative for the Council, the Portfolio Holder advised that more work was required in respect of the financial implications as the objective was for the service to break even, and where possible achieve a surplus.

RECOMMENDED: THAT

(A) THE BUSINESS PLAN AND GOVERNANCE MODEL, AS CONSIDERED BY THE COUNCIL MANAGEMENT BOARD, BE NOTED;

(B) APPROVAL BE GIVEN FOR THE BUILDING CONTROL SERVICE TO BECOME A PUBLIC SERVICE MUTUAL IN PRINCIPLE BASED ON THE BUSINESS PLAN, GOVERNANCE MODEL AND EXECUTIVE SUMMARY, SUBJECT TO FINAL DETAILED CLARIFICATION WORK BEING UNDERTAKEN. FINAL APPROVAL FOR THE ESTABLISHMENT OF THE MUTUAL BE DELEGATED TO THE CHIEF EXECUTIVE, STRATEGIC DIRECTOR AND DEPUTY CHIEF EXECUTIVE IN CONSULTATION WITH THE LEADER OF THE COUNCIL AND PORTFOLIO HOLDERS FOR RESOURCES & REGULATORY AFFAIRS; AND

(C) A CLIENT AND CONTRACTOR RELATIONSHIP BE ESTABLISHED WITH THE AIM OF MINIMISING ANY ADVERSE IMPACT ON THE COUNCIL’S FINANCIAL POSITION IN THE SHORT TO MEDIUM TERM, WHILE MAINTAINING THE VIABILITY OF THE MUTUAL.

12. SPORTS HUB, WATERSIDE DRIVE

(Chain to Council Priorities: All)

The Portfolio Holder for Resources introduced the item and reminded Members that one of the Council’s flagship activities for the year was to “commence construction on Waterside Drive Sports Hub”. In order to facilitate this, in February 2014 the Council agreed to use the SCAPE framework of which Willmott Dixon were the main contractor. Pick Everard, who were also on the framework, had been appointed as both the quantity surveyors and project manager assisting the Council through the feasibility stage of the project.
The Cabinet noted that Stage 1 of the process involved extensive ground investigations works, which included testing of the water, soil and gas vapours from the site. The main scope of works was in respect of the ground investigation where the key aim was to ascertain whether or not the land could be physically built upon. Stage 2 of the process was to cost as accurately as possible a scheme that was deliverable within specific financial constraints and could meet statutory requirements in respect of land contamination issues. The results of the ground investigation works revealed that although this was a challenging site to develop, the contamination issues could be resolved but would require complex structural engineering methods during the construction process which whilst costly, were effective.

At the Cabinet meeting in July 2014, Members agreed to allocate additional funds to enable more extensive ground condition surveys to be carried out. This work took place during July and August 2014 and the results indicated that the entire site had deep and extensive levels of contamination arising from unregulated refuse tipping from the middle of the last century. The mix of material meant that the Council as landowner had a legal responsibility to investigate and remediate the site.

Whilst it was acknowledged that the Council had a legal obligation to remediate the Waterside Drive site, the Portfolio Holder confirmed that the opportunity had also been taken to review the Council’s development options. In this regard, the recommended option was that the Sports Hub proposal, as originally formulated (taking redevelopment value from Stompond Lane to fund the new sports facilities at Waterside Drive), remained the best option. This model would allow the Council to address its responsibilities towards treating the ground conditions at Waterside Drive for the long term as well as creating excellent new sports facilities for the 3 important local clubs and generations of spectators in the future, resulting in either no, or a relatively small, cost to the Elmbridge Council Taxpayer.

The Portfolio Holder advised that to enable the scheme to progress and to seek full planning permission, it was essential that detailed drawings be provided which would incur further professional fees of up to a total of £255,000. Furthermore, in order to enable further site monitoring, performance specifications, project costs and the planning application fee, a further sum of £120,000 was also required. The Portfolio Holder reminded the Cabinet that although these further fees were required, it did not commit the Council in ultimately developing the site at this stage.

From the period of February – July 2015, further pre-construction development fees would also be incurred which had been estimated to be around £300,000. At the end of Stage 4 when the exact contract sum was confirmed, the Council would need to make the decision to proceed with the build. Committing to these further funds at this stage would enable the Council to ensure that all the conditions of the outline planning permission had been satisfied and at the same time secure the benefit of retaining the current design team and momentum ensuring that work on site could commence by late summer / early autumn 2015 with an aim to have a completed build by summer 2016.

The Portfolio Holder also took the opportunity provide updates in respect of the programme, stakeholder position and additional income sources.

Prior to consideration of the item, the Leader was pleased to update Members that, whilst not a legally binding document, all three Clubs had now signed a Memorandum
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of Understanding whereby if the Sports Hub was built, they would all relocate to the new facility.

In accordance with Part 5-30 of the Council’s Constitution, the Leader invited Councillor C.R. Sadler to address the Cabinet on the proposals. Councillor Sadler stated that this project had been on-going for three years and numerous Council Questions had been asked to the Leader about whether the cost of the project was still likely to cost in the region of £6 million. Councillor Sadler felt that given that this was a contentious project, the Council should be open and transparent with the public with regard to the estimated build costs and land values. The need for clarity was all the more important given the project’s dependency on the successful development of the Stompond Lane site and the current funding shortfall reported under the next item (in respect of which Councillor Sadler also addressed his remarks).

Whilst acknowledging Councillor Sadler’s comments, the Portfolio Holder for Resources advised that the cost of the build at Waterside Drive and the value of the Stompond Lane site were still not definitive and until the final figures were confirmed, it was not in the public interest to speculate as to the final costs at this stage of the project. Such details would however be made available at the earliest opportunity.

RECOMMENDED: THAT

(A) THE REVISED SPECIFICATION SPORTS HUB IN RESPECT OF THE OPEN SPACE ELEMENT, AS SET OUT AT APPENDIX A OF THE REPORT, BE PROGRESSED AND IT BE NOTED THAT THIS SCHEME WILL RESOLVE THE HISTORIC CONTAMINATION ASPECTS OF THE SITE AND DISCHARGE ANY LEGAL LANDOWNER OBLIGATIONS;

(B) AN ADDITIONAL BUDGET ALLOCATION OF UP TO £255,000 IN RESPECT OF DESIGN FEES TO ENABLE THE PROJECT TO REACH STAGE 3 OF THE SCAPE FRAMEWORK AGREEMENT BE APPROVED AND IT BE NOTED THAT THIS SUM WILL ENABLE THE COUNCIL TO APPLY FOR FULL PLANNING PERMISSION FOR THE SITE;

(C) IN ADDITION TO (B) ABOVE, THE FOLLOWING TWO AMOUNTS BE FUNDED, AS SET OUT IN SECTION 5 OF THE REPORT (AND INCLUDED IN THE CONTRACT SUM AS SET OUT IN APPENDIX B OF THE REPORT);

(I) £120,000 FOR FURTHER SITE MONITORING, PERFORMANCE SPECIFICATIONS, PROJECT COSTS AND THE PLANNING APPLICATION FEE; AND

(II) £300,000 IN RESPECT OF THE PRE-CONSTRUCTION FEE WILL BE REQUIRED AFTER STAGE THREE REPRESENTING THE CONTRACTOR’S PRE-CONSTRUCTION DESIGN COSTS TO ADVANCE THE SCAPE STAGE 4 PROCESS AND TO ENABLE CONTRACT EXECUTION;

(D) IN ACCORDANCE WITH (B) AND (C) ABOVE, THESE PREPARATION COSTS TO BE FUNDED INITIALLY FROM AN ALLOCATION FROM THE NEW HOMES BONUS RESERVE;
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(E) THE PROGRESS MADE IN RESPECT OF CLUB AND STAKEHOLDER INVOLVEMENT IN DEVELOPMENT PLANS AND THE POTENTIAL MANAGEMENT MODEL FOR THE SPORTS HUB, IF THE SCHEME WERE TO PROCEED, BE NOTED. IT BE ALSO NOTED THAT THE INTENTION WAS FOR A COST NEUTRAL POSITION FOR THE COUNCIL AND THAT THE CLUBS BE NO WORSE OFF THAN IF THEY HAD REMAINED AT THEIR EXISTING VENUES;

(F) THE ITEMISED ESTIMATED COSTS OF CONSTRUCTING A REDUCED SCHEME, AS DETAILED IN APPENDIX B OF THE REPORT, BE NOTED; AND

(G) THE INTENTION TO SEEK A SIGNIFICANT COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION TOWARDS THE CONSTRUCTION COSTS OF THE SPORTS HUB AS AN IMPORTANT INVESTMENT IN COMMUNITY INFRASTRUCTURE BE AGREED.

13. COUNCIL ASSET – DEVELOPMENT OF STOMPOND LANE SITE

(English) (Link to Council Priorities: All)

The Portfolio Holder introduced the item and reminded Members that, as a result of the cross-party Task Group considering the future of the Stompond Lane site, 30 residential units, a care home, a nursery, office and doctor’s surgery had been proposed. As both Waterside Drive and Stompond Lane were intrinsically linked, the Cabinet noted that it was essential that the Council re-provides the facilities at Stompond Lane at Waterside Drive prior to commencing any development with regard to Stompond Lane.

The Portfolio Holder advised that in order to achieve the development at Waterside Drive, it was necessary that the sale of Stompond Lane achieved at least a financially cost-neutral position for the Council. Unfortunately, given the residual land values to date, it was apparent that there would be a funding shortfall to achieve this. In order to resolve this aspect, it was vital that the balance of providing affordable and private housing on the site along with ascertaining the viability of a care home in the area and also the on-going discussions with the nursery and office provider were essential to ensure that the Council maximised its value for the site. Accordingly, it was proposed that external mixed use development agents be appointed who could assist the Council in the whole process and enable the delivery of a scheme which met the Council’s requirements together with having control over the “end product” of what could be built. In addition, external legal advice in respect of this including Agreement for Leases to office and nursery provider, input with regard to restrictive covenant, and new lease to the Tennis Club due to boundary changes as a result of the development was also key to the project.

With regard to the Council’s financial interests, these would be protected by the inclusion of a suitable overage mechanism forming part of the conditional contract for sale, to protect the Council from increases in value as a result of any enhanced planning permission actually obtained. The Portfolio Holder advised that disposal / development of the site would generate a substantial Capital Receipt which would be required to fund the Sports Hub Development at Waterside Drive. Appointments of both the agent and the legal adviser would be funded from the capital receipt received.
These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

from the sale but initial costs for advice in respect of the Scheme could be funded from the New Homes Bonus Reserve.

**RECOMMENDED:** THAT

(A) THE APPROPRIATE PROCUREMENT PROCESS BE FOLLOWED, INCLUDING EXISTING FRAMEWORKS, TO APPOINT A SUITABLE MIXED USE DEVELOPMENT AGENT TO ASSIST THE COUNCIL IN ENSURING A VIABLE DEVELOPMENT ON STOMPOND LANE SITE;

(B) DELEGATED AUTHORITY BE GIVEN TO THE STRATEGIC DIRECTOR AND DEPUTY CHIEF EXECUTIVE, IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR RESOURCES, TO APPOINT PROPERTY AND LEGAL ADVISERS TO ACT ON THE COUNCIL’S BEHALF; AND

(C) SUBJECT TO AGREEMENT OF RECOMMENDATIONS (A) AND (B) ABOVE, AUTHORITY BE GIVEN TO THE PORTFOLIO HOLDERS FOR RESOURCES AND HOUSING TO AGREE A DEVELOPMENT THAT MEETS COUNCIL’S OBJECTIVES AND REPORT BACK TO COUNCIL IN THE SUMMER OF 2015.

14. RYDEN'S ENTERPRISE SCHOOL, HERSHAM ROAD: PROPOSED TRANSFER OF OPEN SPACE

(Link to Council Priorities: All)

The Portfolio Holder for Resources introduced the report and advised that Rydens Enterprise School (RES) had approached the Council in late 2013 advising of their intentions to build a new and replacement secondary school on their site. However, in order to achieve this for the Borough, it was vital for them to also include an enabling housing development.

The land fronting the School formed part of the Coronation Playing Fields and was wholly owned by the Council. Accordingly, in order for the school and housing development to be built, it would be necessary to access the whole development through the Council’s land.

In accordance with Section 123(2A) of the Local Government Act 1972, notification in respect of the disposal of this piece of open space land was placed in the Surrey Advertiser on 29 August and 5 September 2014. In addition, notices were placed on the Council’s Website, local residents within a radius of 150m were contacted by letter and a public consultation exercise was also undertaken.

Whilst a number of responses to the public consultation were received, the Cabinet noted that most of the representations focussed on the highways and planning merits of the outline planning application which would be considered as part of the planning process.

With regard to the loss of open space, it was not considered that this would have any effect on the viability of the remaining open land and consequently no significant implications for the public’s continued use and enjoyment of the adjoining playing fields and recreation ground.
Whilst negotiations were underway with Rydens School and their professional advisors with regard to the value of the open space, the Portfolio Holder advised that it was essential that the Council obtain the best value. The Heads of Terms, as detailed in Appendix C of the report, had been confirmed as acceptable by an independent valuer and accordingly it was recommended that the Council proceed with these so that the development could progress.

Whilst noting that Outline Planning Permission had been granted to Rydens Enterprise School and Sixth Form College by the Council's Planning Committee on 18 November 2014, the Cabinet supported the disposal of part of the open space land fronting Hersham Road to facilitate development which would result in a capital receipt of £2 million.

RECOMMENDED: THAT

(A) THE COUNCIL AUTHORISES THE DISPOSAL OF PART OF THE OPEN SPACE LAND FRONTING HERSHAM ROAD TO FACILITATE DEVELOPMENT INCLUDING A REPLACEMENT SECONDARY SCHOOL AND HOUSING, PURSUANT TO SECTION 123(2A) LOCAL GOVERNMENT ACT 1972; AND

(B) THE HEADS OF TERMS, AS DETAILED IN APPENDIX C OF THE REPORT, BE APPROVED FOR THE PURPOSES OF THE SAID DISPOSAL, SUBJECT TO THE CONDITIONS SET OUT THEREIN.

MATTERS OF REPORT

15. COMMUNITY INFRASTRUCTURE LEVY – PROPOSED STRATEGIC SPENDING ALLOCATIONS

(Link to Council Priorities: P2, P4)

The Portfolio Holder for Regulatory Affairs introduced the item and reminded Members that in April 2013, the Council began collecting the Community Infrastructure Levy (CIL) becoming the tenth authority in the Country to do so. As part of its introduction the Council became the authority responsible for allocating funds raised from CIL to support infrastructure improvements locally. In order to achieve this in a transparent manner, a Strategic Spending Board was established to consider bids for funding from all infrastructure providers and which would make a recommendation to Cabinet as to those projects that should be funded. Since April 2013 just under £2m had been collected through CIL.

The Portfolio Holder advised that on 29 September 2014 the Strategic Spending Board considered the first bids for strategic funding from CIL. Eleven separate bids totalling £899,650 of CIL funding had been received. Whilst the majority of these bids were from the County Council there were three bids from two local voluntary / community groups. Members noted that out of these bids, the Board had recommended that 8 of the 11 bids totalling £483,000 be supported; one decision be deferred for consideration in the next round; and two be rejected. The background to these decisions and the recommendations of the Board were outlined in the report.
Whilst acknowledging that the strategic funding from the Community Infrastructure Levy provided a great opportunity for the Council to work with the County Council in enabling local projects to come to fruition, the Cabinet supported the recommendations of the Strategic Spending Board. The Cabinet also extended its thanks to the Planning Policy Manager and his Team for all the hard work and guidance provided in respect of the Community Infrastructure Levy to date.

RESOLVED that the recommendations made by the Strategic Spending Board, as set out at Appendix A of the report, be agreed.

16. LOCAL STRATEGIC STATEMENT AND SURREY STRATEGIC PLANNING AND INFRASTRUCTURE PARTNERSHIP

(Link to Council Priorities: P2, P4)

In 2011 the Government introduced the Localism Act, which was later expanded upon in the National Planning Practice Guidance, a Duty to Co-operate on cross boundary and strategic planning matters. This was intended to ensure that issues which affected more than one local planning authority were managed effectively. In this regard, the Portfolio Holder for Regulatory Affairs introduced the item and advised that in order to ensure that local authorities across Surrey fulfilled this duty, it was proposed that all Districts and Boroughs in the County work together to prepare a Local Strategic Statement and that they commit through a memorandum of understanding to undertake the necessary work required to develop the Local Strategic Statement.

The Portfolio Holder advised that it was considered essential that the Council fully committed to a robust framework and methodology to progress and monitor co-operation on strategic matters in order to satisfy the Duty to Co-operate placed upon it, and to facilitate the most effective cross-boundary working and delivery of sustainable development. In this regard, the Cabinet supported the Council formally entering into a Memorandum of Understanding to allow Surrey Leaders, and their Councils, to work together to meet those needs.

RESOLVED that

(a) the Leader of the Council be authorised to sign the Memorandum of Understanding on how the Surrey Local Authorities will work together in the preparation of a Local Strategic Statement for Surrey; and

(b) the Terms of Reference of the Surrey Strategic Planning and Infrastructure Spending Board be agreed.

17. 2014/15 REVENUE AND CAPITAL BUDGET UPDATE – QUARTER 2

(Link to Council Priorities: All)

The Portfolio Holder for Resources introduced the report, which advised Members of the second quarter monitoring against the 2014/15 approved budget; together with an update on the Revenue and Capital budget position as at 30 September 2014. The Cabinet noted that as at the end of September 2014, the operational revenue budget indicated a positive variance against the budget of £283,174.
RESOLVED that the Revenue and Capital budget position for the second quarter of 2014/15 be noted.

18. AWARD OF CLEANING CONTRACT

(Link to Council Priorities: Delivery of high quality public services cost effectively (AMPS3, AMPS4))

The Portfolio Holder for Resources introduced the report that sought approval to award the cleaning contract in respect of the Civic Centre, Walton Community Hub, Centres for the Community and the public conveniences throughout the Borough to Chequers Contract Services Ltd.

The contract period would commence from 1 February 2015 to 31 January 2020 with the option for extending the contract for a further period of two years in 12 month increments, subject to satisfactory performance.

The Portfolio Holder advised that the annual contract value would be £213,067 and would be subject to an annual increase for all costs, except labour cost, in line with the UK CPI Index with the base set as January 2015. Labour costs would only be subject to any changes in the national minimum wage rates.

The Cabinet noted that there was a shortfall of some £30,000 in the current budget provision of £230,270 to cover the increased costs resulting from the retendering exercise. This was partially, if not wholly, due to the increase in the National Minimum Wage Rate to £6.50 from 1 October 2014.

RESOLVED that

(a) Officers be authorised to award the Cleaning Contract to Chequers Contract Services Ltd for a five year period, with an option for the Council to extend for a further period of up to two years (subject to satisfactory performance); and

(b) an additional £30,000 be approved and included in the Budget setting process for 2015/16.

The meeting commenced at 7.00 p.m. and concluded at 8.39 p.m.

J. O’REILLY
Leader of the Council
Committee and Member Services Officer

Mrs. T. Hulse - Principal Committee and Member Services Officer

Other Officers in attendance

R. Moran - Chief Executive
Mrs. S. Selvanathan - Strategic Director and Deputy Chief Executive
R. Lee - Strategic Director
A. Harrison - Head of Legal Services
Mrs. N. Anderson - Head of Organisational Development
Mrs. K. Fossett - Head of Planning Services
Ms. B. Greenstein - Head of Executive and Member Services
M. Lumley - Head of ICT
Mrs. A. Williams - Head of Asset Management and Property Services
Mrs. L. Taylor - Leisure Facilities Manager
M. Webb - Building Control Manager
Mrs. F. Dix - Communications Manager
### Schedule of Meetings 2015/16

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AN CO* – Annual Council 7.45 pm  
APPT – Appointments Sub-Committee 7.00 pm  
APS – Area Planning Sub-Committees 7.45 pm  
A&S – Audit and Standards Committee 7.00 pm  
CBNT – Cabinet 7.00 pm  
CO – Council 7.45 pm  
ICMDM – Individual Cabinet Member Decision Making 10.00 am  
LIC – Licensing Committee 7.45 pm  
O&S – Overview and Scrutiny Committee 7.45 pm  
PLNG – Planning Committee 7.45 pm  

Meetings are usually held in the Civic Centre, Esher. Public are welcome to attend all meetings, although may be excluded on occasions.

* Meetings of the Licensing Committee; Overview & Scrutiny Committee and Planning Committee will be held at the rise of the Annual Council Meeting in order to appoint their respective Chairman and Vice-Chairman.

Agendas and minutes are available on the Council’s Website:  
www.elmbridge.gov.uk