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Elmbridge Borough Council

Cabinet

Report of a meeting held on 14 November 2018

Members of the Cabinet:

\* T.G. Oliver (Leader)  
\* J.W. Browne (Deputy Leader)

* A.P. Burley	* A. Kelly
* G.P. Dearlove	* Mrs. R. Mitchell
* M.F. Howard	

Also present:

Tricia W. Bland, A. Coomes, Mrs. C.J. Cross, Mrs. C. Elmer, B. Fairbank, Mrs. V. Macleod, Mrs. M. Marshall, Mrs. K. Randolph, M. Rollings, C.R. Sadler, S.J. Selleck and Mrs. J.R. Turner

62/18 Declarations of Interest

G.P. Dearlove declared a pecuniary interest under the Code of Conduct in respect of agenda item 14 (Minute No.68/18 and 72/18 refers) – Property Transactions, by virtue of having an interest in one of the sites identified in the Part II report. He left the room during consideration of the item.

63/18 Exclusion of Public

<u>Minute No.</u>	<u>Item</u>	<u>Description of Exempt Information (Schedule 12A)</u>
72/18	Property Transactions	Paragraph 3

**Recommendations to Council on 5 December 2018**

64/18 2018/19 2nd Quarter Council Performance Report

(Link to Council Priorities: All)

The Leader introduced the second quarter's performance monitoring report in respect of the 2018/19 basket of performance indicators and Council Plan objectives.

In the second quarter, 21 (60%) of the basket of performance indicators and 13 (72%) Council Plan objectives were on target.

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The Cabinet considered the progress made during the second quarter and the opportunity was taken for each of the Portfolio Holders to provide updates in respect of their areas of responsibility.

In respect of the Community and Social Affairs Portfolio, the Portfolio Holder reported that the performance indicators for his Portfolio were on target. However, he commented that he considered that the range of performance indicators were quite narrow and principally focussed on the meals on wheels service. In this regard, he advised that it was his intention to expand the performance indicators to more adequately reflect the services provided by Community Support Services. The Portfolio Holder also provided a brief update on the Crime and Disorder Benchmarking Report. He reported that Elmbridge continued to have the highest number of burglaries in Surrey and in this regard he had been assured that the focus of the Police continued to be on domestic burglary, vehicle crime and organised crime.

The Portfolio Holder for Environment and Transport then provided a brief update in respect of Performance Indicator LES9 (Missed bin collections per 100,000 (Joint Waste Contract Performance Standard)). He reported that the collection service had now stabilised and approximately 230 to 250 bins were being missed per week. On a positive note, most of these missed bins were collected within 24 hours. The Portfolio Holder advised that he was due to meet the contractor on 22 November 2018 and the issues in respect of repeated missed bin collections would be discussed and accordingly improvements would be expected. With regard to Performance Indicator L-ES10 (Number of food hygiene visits made by officers), the Portfolio Holder advised that this indicator was for information purposes only and he was uncertain as to why this indicator had been included within the report, particularly given that there was no comparison data available.

In respect of the Housing Portfolio, the Portfolio Holder updated on the improvements that had been made to date. With regard to Performance Indicator L-HS1 (Number of affordable homes delivered (gross) – cumulative) the Portfolio Holder advised that he was confident that the overall target of the delivery of 100 affordable homes would be met by the end of Quarter 4. In respect of Performance Indicator L-HS2(c) (Number of households in temporary accommodation out of Borough), the Portfolio Holder commented that whilst the figure for Quarter 2 was slightly above the target, it was considered that this was a short-term increase and the additional five temporary accommodation units at Albermarle House would hopefully reduce the number of households accommodated outside of the Borough. The Portfolio Holder also provided a brief update in respect of the Housing Benefit and Council Tax Benefit performance. It was noted that work to clear the backlog of claims was continuing and a noticeable improvement was being made in this regard.

During consideration of the Housing Portfolio, the Portfolio Holder for Resources reminded Members that at the presentation given last week in respect of housing needs, it had been reported that 56% of social rented housing was needed compared to 2% of affordable rented housing. Given that

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the figures in the report only reflected affordable housing, the Portfolio Holder asked whether in 2019/20, a breakdown of both could be provided. The Portfolio Holder for Housing agreed to look into this for 2019/20.

The Portfolio Holder for Leisure and Culture then provided a brief update in respect of his Portfolio. Whilst all the Performance Indicators were on target, he commented that some concerns had previously been raised regarding the grass cutting. However, he was pleased to report that this had improved considerably over the grass cutting season.

In respect of the Planning Services Portfolio, the Portfolio Holder provided a brief update in respect of Performance Indicator L-TP5 (Percentage of planning applications processed in 13 weeks: Major applications). Whilst the figures for Quarter 2 had slightly increased, he reported that the recruitment process was continuing and that he was confident that once the two vacant Senior Planning Officer posts had been recruited to, significant improvements would be made.

The Portfolio Holder for Resources then provided a brief update in respect of her Portfolio. With regard to Performance Indicators L-Customer7 (Percentage of customers who were satisfied with the service provided) and L-Customer8 (Percentage of customers who contacted the Council once to deal with their enquiry), whilst these indicators were below target, this had been due to the enquiries / complaints regarding the waste and recycling service. However, she was pleased to report that the figures for September 2018 were above target and therefore trending in the right direction.

As part of the consideration of the report, the Leader also took the opportunity to provide a brief update in respect of the Council's application for an injunction to prevent the setting up of unauthorised encampments on all identified public land. Whilst the Council had obtained a temporary injunction for 3 months in August 2018, officers had attended the High Court the previous week and a new 3-year injunction to prevent the unlawful encampments had been granted. The Leader commented that this was not a step that the Council wanted to take. However, due to the level of disruption, damage and cost that the Council had experienced over the summer there had been no alternative. The granting of this injunction within Elmbridge would no doubt have an impact on the neighbouring Boroughs and Districts and in this regard the Council would continue to work with them to find an overall solution for Surrey.

**Recommended: that**

- (a) progress against the performance dashboard be noted;**
- (b) progress against Council Plan objectives be noted; and**
- (c) the comments provided for the targets showing an amber or red traffic light arising from (a) and (b) above be noted.**

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65/18 Council's Schedule of Meetings 2019/20

(Link to Council Priorities: All)

The Leader introduced the report, which set out the Council's proposed Schedule of Meetings for the Municipal Year 2019/20.

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; and taking account of the Multi-Faith Calendar and the planned School Term and Holiday dates 2019/20 as published by Surrey County Council.

During consideration of the report, the Portfolio Holder for Planning Services reported that the Planning Services Team had been looking at the dates for the Local Spending Board meetings in February and March 2020 and in this regard, he advised that there could be a need to amend these dates. Accordingly, he asked that the dates for these meetings in 2020, be noted as provisional at this time.

The Leader also took the opportunity to encourage Members to attend the Overview and Scrutiny Workshop that would be taking place on 23 May 2019. This was an important workshop which would give all Members the opportunity to generate and prioritise topics for inclusion in the Overview and Scrutiny Work Programme.

**Recommended: that**

- (a) the Council's Schedule of Meetings for the Municipal Year 2019/20, as set out at Appendix A to these minutes, be approved;**
- (b) in accordance with (a) above, the dates for the Local Spending Board meetings scheduled in February and March 2020, be regarded as provisional at this time; and**
- (c) it be noted that the Overview and Scrutiny Workshop will be held on Thursday 23 May 2019.**

66/18 Revenue Budget Proposals for 2019/20

(Link to Council Priorities: All)

The Portfolio Holder for Resources introduced the report which included initial Budget proposals for consideration and inclusion in the 2019/20 Budget as part of the Annual Budget Setting process.

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The Portfolio Holder provided a progress update in respect of the 2019/20 Budget together with details in respect of the national funding position; the Council Tax levels; the New Homes Bonus Grant; an economic update; and Business Rates including the 100% Business Rates Retention Pilot and Business Rates Pooling.

With regard to new spending pressures, the Cabinet noted that an updated forecast had been prepared which identified a number of spending pressures totalling £660,000 for 2019/20. The Portfolio Holder highlighted that these pressures included the reductions in Surrey County Council funding which had accounted for £200,000; the allowance for traveller encampments at a cost of £100,000; and the potential decrease in planning income of £100,000. In addition, she reported that the Council Tax surplus for 2018/19, which would form part of the 2019/20 Council Tax, had decreased from approximately £175,000 to £54,000. This had resulted in a decrease of £120,000 compared to the £25,000 which had been reflected and allowed for in the Strategy.

With regard to Budget Savings for 2019/20, the Portfolio Holder updated on the savings and additional income that had been identified to date which totalled £285,000. These proposals included the proposed additional income from the increase in fees and charges for both Leisure & Cultural Services and Environmental Services (garden waste and car parking); additional income as a result of the Gold Service pre-planning application service; additional income from the redevelopment of the Xcel Indoor Bowls facility; revenue underspends; the net cost saving in respect of the Automatic Public Conveniences contract; and the 2019 NNDR1 return.

The Portfolio Holder highlighted that since the publishing of the report, as a result of obtaining the 3-year protective injunction banning the setting up of unauthorised encampments on all identified public land, the figures that had been included within the budget for this purpose, would need to be revisited.

The Cabinet welcomed the comprehensive report and noted that in order to meet the 2019/20 budget requirement, further savings and budget reductions of £410,000 were required. The Portfolio Holder advised that officers continued to work to find further savings / additional income and these would be reported to the Cabinet in the New Year. Whilst the Council was in a good position to have a balanced budget in 2019/20, the implications and timing of the Fair Funding Review were still unknown. Furthermore, it has been assumed that the Negative Revenue Support Grant would not be applied for in 2019/20. However, this could not be ruled out in future years.

The Portfolio Holder also advised that in February 2019, the Council would be considering a Capital Strategy in accordance with the new requirements, which would provide a longer term view of Capital expenditure, funding profiles, affordability and risk.

Whilst commending the recommendations to the Cabinet, the Portfolio Holder advised that the budget reductions total should read £285,000 and not £265,000 as outlined in the agenda.

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The Leader then invited Councillor Mrs. J.R. Turner, Group Leader of the Hinchley Wood Residents' Association Political Group, to address the meeting. With regard to the budget savings proposals for 2019/20 and specifically the income from redevelopment of Xcel Indoor Bowls, Councillor Mrs. Turner considered that the wording of this was misleading and therefore asked that the word 'area' be added after the word 'Bowls', which the Cabinet supported.

The Leader then invited Councillor M. Rollings, a Claygate Ward Councillor, to address the meeting. Councillor Rollings asked what the additional income would be for Elmbridge should there be a 1% rise in Council Tax for 2019/20. The Leader explained that the income would be approximately £125,000 and stressed that there had been no determination of what the Council Tax increase would be for 2019/20. Decisions in this regard would be considered by the Council in February 2019 at which time confirmation of the settlement from Government would be known.

**Recommended: that**

- (a) the budget reductions totalling £285,000 for inclusion in the draft budget and service plans for 2019/20 be approved;**
- (b) the spending pressures identified in paragraph 5 of the report, to be included in the 2019/20 draft budget, be approved;**
- (c) the surplus on the Collection Fund for 2018/19 be declared and split amongst the precepting authorities in 2019/20, as reported in Section 10 of the report; and**
- (d) the progress made on developing the budget position for 2019/20 be noted.**

67/18 Discretionary Fees & Charges - 2019/20 - Environmental Services - Joint Waste Service Charges

(Link to Council Priorities: Commitment to the Environment)

The Portfolio Holder for Environment and Transport introduced the report that set out a number of changes to the fees and charges for the services delivered under the Joint Waste Contract.

The Cabinet was advised that under the Joint Waste Contract, each authority paid the service provider the same charge for common services such as the collection of garden waste, and the collection of one or more unwanted bulky household items. Now that the Contract had been mobilised in all four of the participating Councils, it had been considered appropriate that the opportunity be taken to align a common set of fees and charges.

With regard to the fees and charges for the Garden Waste Collection Service, the Portfolio Holder advised that it was proposed that the charges for all subscriptions be set at £45 for the initial bin and £40 for any subsequent bins.

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Furthermore, those subscribers who had initially purchased their bin prior to June 2017 would also be eligible for a free replacement bin in the event that their bin became unusable due to wear & tear or any other failure.

In respect of the Special Collection Service and the Wheeled Bin Charges, the Cabinet was advised that the Contract Partnering Board and Joint Waste Services Committee planned to consider these areas of charging later in the year. Accordingly, it was proposed that the Strategic Director be authorised to set the levels of fees and charges for the collection of bulky waste items and the provision of bins (refuse and recycling / food bins) with effect from 1 June 2019. Should any proposed fee increase significantly exceed inflation, this would be reported to the Cabinet.

**Recommended: that**

- (a) the annual subscription charges from 1 June 2019 for the garden waste collection service be set at £45 for the initial wheeled bin and £40 for each additional wheeled bin, as detailed in Paragraph 6 of the report; and**
- (b) for the reasons set out in Paragraphs 8 and 12, the Strategic Director be authorised to set the levels of fees and charges for the collection of bulky waste items and the provision of wheeled bins with effect from 1 June 2019, except for any proposed fee increase which significantly exceeded inflation.**

68/18 Revised Parking Charges: 2019-2021

(Link to Council Priorities: Economic Development, Character & Environment, Quality Services)

The Portfolio Holder for Environment and Transport introduced the report and reminded Members that at its meeting on 22 July 2015, the Council had agreed a three-year schedule for revised parking charges. It was noted that the final year of the schedule was 2018, and therefore Cabinet was asked to give consideration to a further three-year schedule for the January 2019 to December 2021.

The Cabinet noted that as a result of the present three-year programme of revised parking charges, the Council's parking charges remained broadly competitive with similar areas.

The Portfolio Holder explained that rather than applying an annual 'inflationary' increase, the proposals for the next 3 years focussed on targeted changes to the structure of the parking charges that would better influence how and when a car park was used. Specifically, increases were proposed where they would help balance the often-competing needs for parking by shoppers, workers, visitors and commuters. For this reason, some of the changes proposed represented an above inflation increase whilst other charges remained unchanged.

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With regard to the offer of significantly discounted annual parking permits for use by commuters and workers, as demand for all-day parking was very high at the majority of the Council's main and station car parks, the proposals included a reduction in the discounts to help manage demand. In this regard, the reduction in the discount was proposed as part of a switch to an on-line permit system that would enable the customer to pay monthly instead of by way of an annual prepayment, and enabled the permit to be easily cancelled when periodically not in use, such as over the summer holidays. Under the new on-line permit system, it would be possible to elect to pay monthly under a recurring arrangement or select and pay for any number of months up to a given maximum, for example, 12-months.

Furthermore, with the introduction of flexible working practices many of the car parks were increasingly used outside of the traditional 9.00 a.m. to 6.00 p.m. pattern. Similarly, the emergence of a vibrant night time economy had resulted in several town centre car parks becoming increasingly busy well in to the evening. In these circumstances, the proposals allowed for a 1-hour extension to the beginning and to end of the current charging period.

The Portfolio Holder further advised that to encourage the adoption of 'greener and cleaner' travel in Elmbridge, the proposals included the introduction of a new 70% discount for a Green Parking Permit for fully-electric vehicles. Although the number of fully electric cars in use nationally was low at just over 2% overall, it was also proposed that up to 5% of the available permits in a car park be made available for Green Permits, although the number would be agreed and reviewed each year in consultation with the Portfolio Holder for Environment and Transport.

The Portfolio Holder then provided details of the three-year schedule for the revised parking charges with effect from January 2019 to December 2021.

With regard to the Station Car Parks, it was proposed that there be no increases in the all-day or permit charge for the first year. For Year 2, it was proposed that the daily peak and off-peak charges be increased by 50p to £8.50 and £3.50 respectively. In addition, it was proposed that the annual Permit (previously discounted by 30%) be withdrawn in favour of the monthly Permit which carried a lower discount of 20%. In Year 3, it was proposed that the daily peak and off-peak charges be increased by 30p to £8.80 and £3.80 respectively, which would also increase the monthly permit cost. The Cabinet was also asked to consider whether to introduce an off-peak all-day Sunday charge of £2.50 given the growing use of these car parks on a Sunday.

In respect of the local car parks, it was proposed that in Year 1, a simple linear parking tariff at all these car parks based on 80p per hour for stays from 30 minutes up to 4 hours, with an all-day charge of £4.00, be adopted. In addition, the monthly cost of a Permit would be £50. In Year 2, as proposed for other car parks, the additional discount that had been applied when purchasing twelve months in advance for the pay-monthly permit facility would be discontinued and the monthly cost of a permit would remain at £50. For Year 3, it was proposed that the tariff rate be increased by 10p per hour to a

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standard rate of 90p per hour, therefore increasing the all-day charge to £4.50 and the monthly permit to £56.30.

With regard to the main car parks, the Portfolio Holder advised that in Year 1, it was proposed that the charging hours be extended to 8.00 a.m. – 7.00 p.m., and that new 9-hour and 5-hour charges be introduced of £7.00 and £6.00 (to cater for the working day). The charge per hour for the first and second hour would increase by 10p, and the charge per hour for the third and fourth would increase by 20p per hour. For Year 2, it was proposed that the charge for the first two hours would not change. However, the charge per hour for the third to fifth hour would increase by 10p per hour, and the all-day charge would increase by 50p to £7.50. It was further proposed that the annual Permit (discounted by 45%) be withdrawn in favour of the pay-monthly Permit which would carry a lower discount of 35%. In Year 3, the Cabinet was asked to consider options for the introduction of a small overnight and Sunday flat fee charge of £1.20 which would be based on the charge for a one-hour ticket, and a further extension to the end of charging period i.e. from 7.00 p.m. to 8.00 p.m. or 10.00 p.m.

The Leader thanked the Portfolio Holder for Environment and Transport for his comprehensive update and then invited Councillor C.R. Sadler, a Walton Central Ward Councillor, to address the meeting. Whilst expecting to see a range of price increases around the current sub 3% level of inflation, Councillor Sadler was surprised with the actual proposed increases as set out in the report. He highlighted the various percentage increases for the station car parks, the local car parks and the main car parks and commented that overall, the increases in total income from off street parking would amount to nearly 10% in Year 1, almost 6% in Year 2 and 2.8% in Year 3. In his opinion, Councillor Sadler considered that this was excessive and unfair. He reminded Members that over the last 6 years, there had been significant increases in the prices charged in the Council's off-street car parks. This had resulted in an increase of local workers parking their cars for free in residential roads which then made it difficult for those who lived there to be able to park their cars. In view of this, Councillor Sadler asked that the report be withdrawn and more moderately priced charges, in line with inflation levels, be considered.

The Leader thanked Councillor Sadler for his comments and advised that the use of percentages, could at times, be misleading and in context, most of these increases would result in a 10p rise. The Leader further commented that the final year of the current parking charging schedule would end in December 2018 and therefore it was timely that parking charges for the next three years should be considered. Whilst the proposals included the extension of the charging hour to 7.00 p.m., those who visited the Town Centres in the evening would still be able to park for free. He advised that if the increases were not set at a sensible level going forward, then there would be a need to find the money from elsewhere and the general consensus was that there should be no cuts to frontline services. In respect of commuters parking in residential roads, this was a wider issue across the Borough and could be addressed by introducing or extending resident parking schemes.

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The Leader then invited Councillor S.J. Selleck, Group Leader of the Residents' Associations Political Group, to address the meeting. Councillor Selleck raised the issue of the current free Saturday parking concessions and queried whether this would continue after 31 December 2018. The Portfolio Holder for Housing reminded Members that under the previous Administration, these concessions had been introduced. However, it had been agreed at that time that these concessions would end when the Drewitts Court Car Park refurbishment works were completed or 31 December 2018, whichever was the latest. Accordingly, the Portfolio Holder for Housing confirmed that the concessions in the three Walton off-street car parks would end on 31 December 2018.

**Recommended: that the three-year schedule for revised parking charges for January 2019 to December 2021 in respect of the following, be agreed:**

- (i) Station Car Parks, as set out in Appendix B (page 1) of the report;**
- (ii) Local Car Parks, as set out in Appendix B (page 2) of the report;  
and**
- (iii) Main Car Parks, as set out in Appendix B (page 3) of the report.**

69/18 Parks Tennis Review

(Link to Council Priorities: P1, P2, P3)

The Portfolio Holder for Leisure and Culture introduced the report and reminded the Cabinet that the Council had launched the parks tennis booking and gate access system across seven Parks Tennis venues together with the introduction of fees and charges across all twelve Parks Tennis venues in June 2017 and with the remaining sites having introduced gate access systems in 2018.

The Cabinet acknowledged that following significant feedback from residents, a summer promotion offering 6 weeks free tennis at all twelve Parks Tennis venues had been agreed for the summer of 2018. Now that the offer had come to an end, a review of the summer take up and further survey of users had been completed and in this regard options for the way forward had been considered in order to continue to support the development of tennis across the Borough.

The Portfolio Holder advised Members that the following four options had been proposed in respect of the way forward for tennis across the Borough:

- Option 1 - Completely remove the Scheme – the booking system would be cancelled and the gate locks would be disabled completely which could incur an increase in maintenance and vandalism. No charges would be levied, except for professional coaching, and courts would operate on a first come first served basis;

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- Option 2 - Retain booking / gate controls but free courts all year – the court booking system and gate control systems would remain in place but all charging would be removed other than for professional coaches. Users would be required to register for free with the system to be able to make a free of charge booking;
- Option 3 – Upgraded business model – the court booking system and gate control systems would remain in place and charging would be continued as per the original business plan. Furthermore, those individuals on low income would be entitled to free access all year round and £10,000 of income from the Scheme would be redirected back in to Free Tennis Development activities. Improvements would also be made to the booking system following feedback from the customer survey; and
- Option 4 – Continue with original 2017/18 Parks Tennis Business Plan – the court booking system and gate control systems would remain in place and charging would continue as per the original business plan.

The Cabinet noted that within all four options, it was proposed to retain the coaching licences and to continue to charge professional coaches for the use of the Boroughs courts.

In view of the four options that had been proposed, the Portfolio Holder advised that he was minded to support Option 2 going forward which was to retain the booking and gate controls but have the courts for free. This would result in various advantages for those people who enjoy the opportunity to book and play at a time and on a court of their choice. In addition, it would enable the courts to be maintained and to reduce the amount of vandalism. Whilst it was hoped that the Council would continue to work with the Lawn Tennis Association, monitoring would take place over the coming years to ensure that the Scheme was working.

Whilst supporting Option 2, the Portfolio Holder for Planning Services commented that it had been clear over the last year that the public were not happy to pay to use the tennis courts in the Borough. In his opinion, he would not support the removal of the booking system / gate controls as this provided a huge advantage in knowing that the tennis court would be available when it had been booked. He further commented that he had personally used the booking system and he had found it very simple to register and book courts.

The Leader then invited Councillor Mrs. J.R. Turner, Group Leader of the Hinchley Wood Residents' Association Political Group, to address the meeting. Councillor Mrs. Turner was very disappointed that it was being proposed to remove the small charges for the use of the tennis courts. She considered that the public should be required to pay a small fee to use the courts and given that the Council was required to find funds to meet the spending pressures and reductions in funding, this small amount of income would help in this regard.

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The Leader then invited Councillor S.J. Selleck, Group Leader of the Residents' Associations Political Group, to address the meeting. Councillor Selleck queried the comments made by the Lawn Tennis Association particularly in respect of Option 2. He highlighted that as outlined in the report, the Lawn Tennis Association had considered that Option 2 would be unsustainable and unless another option could be committed to / confirmed, any support and commitment for future investment from the LTA would need to be reviewed. In this regard, Councillor Selleck queried whether the Lawn Tennis Association would withdraw their support if Option 2 was agreed.

The Portfolio Holder for Leisure and Culture commented that it was important that the relationship with the Lawn Tennis Association continued specifically in respect of the development of the sport and in this regard, he hoped that the Association would continue to support the Council.

The Portfolio Holder for Housing disagreed with the comments made by Councillor Mrs. Turner and advised that, at the Borough Elections held in May 2018, the residents of Walton in particular, had indicated that they wanted to see the tennis courts free to use. In his opinion, he felt that the residents received very little for free and in fact the residents did contribute to the tennis courts by way of Council tax payments. He further considered that tennis courts came under the same category as the recreational grounds and as the Council did not charge for those, then access to the tennis courts should also be free.

In concluding the discussion, whilst respecting Councillor Mrs. Turner's view, the Leader reiterated that the Scheme would be monitored going forward to ensure that the courts were used to their full potential.

**Recommended: that on consideration of the review, Option 2 – Retain booking / gate controls but free courts all year, be supported.**

#### 70/18 Green Spaces Grounds Maintenance Contract Review

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

The Portfolio Holder for Leisure and Culture introduced the report that provided a summary and recommendations of a review of the Grounds Maintenance Contract following a number of concerns regarding performance over the past year.

The Cabinet was reminded that the current Grounds Maintenance Contract had commenced from the 1 April 2015 for seven years ending on the 31 March 2022. However, due to an unsatisfactory service delivery and an unprecedented number of customer complaints, the contract had been novated in January 2017 from The Landscape Group to Burleys, in agreement with the Council.

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The Portfolio Holder reported that in accordance with the contract, an annual review had been undertaken. Whilst the overall quality and customer satisfaction had risen, it had highlighted the following three areas of challenge and concern:

- the number of complaints regarding the quality of amenity grass cutting during the annual spring flush of growth which generally peaked in May;
- the quality of the seasonal hanging baskets and trough floral displays supplied by Burleys had been of a poor and unacceptable standard; and
- Burleys had put forward a proposal to change and enhance the Security and Patrol Service.

With regard to the amenity grass cutting, the Portfolio Holder advised that these areas were specified to be cut on a fortnightly basis between March and October each year, with a quality / height of between 25 mm and 5 mm as appropriate to ground conditions. However, following unacceptable amenity grass cutting standards in Quarter 1 of 2018, the standards had been reviewed with the contractor. It was acknowledged that due to mild Winters and as Spring arrived later than usual in 2018 with unusually wet weather, this had culminated in a delay and difficulty in grass cutting over a prolonged period. In order to mitigate and manage this natural and now expected seasonal growth, Burleys had agreed, at no extra cost to the Council, to additionally carry out several winter cuts.

Furthermore, in order to improve customer service, it was proposed to publish an indicative grass cutting route from March to the end of October, on the Council's website together with a weekly update showing completed grass cut areas throughout the Borough. It was hoped that this would provide Members and residents with up to date information on the progress of grass cutting around the Borough.

With regard to hanging baskets and troughs and in particular the two years of unacceptable seasonal displays, the Portfolio Holder reported that, having reviewed the service, Burleys were now unable to deliver the required standard of seasonal floral display for the hanging baskets and troughs.

Accordingly, the Cabinet noted that it was proposed to remove this service from the Burleys contract and use a preferred supplier following a mini-tender to deliver this service to the required standard. Subject to the outcomes of the mini-tender, it was likely that this would cost the Council an annual revenue increase of £3,000.

The Portfolio Holder then provided an update following a review of the Security Patrol Service. The associated contract had commenced on 1 April 2005 and had been awarded to Continental Landscapes at an annual cost of £72,590.

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The Cabinet noted that the Security Patrol Service element of the Green Spaces Contract had been designed to provide a visible presence of authority within the recreation grounds and public open spaces throughout Elmbridge from early afternoon (2.00 p.m.) until midnight (during the summer months).

Having reviewed the service to seek a more sustainable option and one that provided added value to the Council, the Portfolio Holder reported that the proposed service would provide one operative through a staff rota, to provide continuous cover 7 days a week at variable times depending on the time of year. The Cabinet noted that the cost to the Council for this revised service would remain the same as the current arrangements at £70,590 per annum.

The Portfolio Holder advised Members of the operative's working patterns and was pleased to update that, whilst the current service covered 2,688 hours per year, the new revised service would now equate to 3,464 hours per year. This increase in hours would provide the Council with additional resources to support areas of concern and recent increase in activity such as unauthorised encampments, fishing, and unauthorised moorings. In re-designing this service, the approach was to present a Green Space Ranger style service, rather than the 'Security Officer'.

The Leader thanked the Portfolio Holder for his detailed update and invited Councillor Mrs. J.R. Turner, Group Leader of the Hinchley Wood Residents' Association Political Group, to address the meeting. Councillor Mrs. Turner congratulated the officers for undertaking the review. With regard to the amenity grass cutting, as the grass was still growing during the Autumn, she considered that additional grass cutting would make a difference. In respect of the hanging baskets and troughs, Councillor Mrs. Turner commented that due to the extreme weather conditions experienced over the summer months, the seasonal floral displays provided by Burleys had not been satisfactory and therefore a change in supplier was the most appropriate solution going forward.

**Recommended: that**

- (a) the steps to be taken to mitigate and manage the impact of the annual expected rapid Spring grass growth be noted;**
- (b) authority be delegated to the Head of Leisure and Cultural Services to remove the supply and delivery of the seasonal hanging baskets and troughs displays service from the contract with Burleys and commence procurement for a new supplier; and**
- (c) the Security and Patrol Service be renamed 'Green Spaces Ranger Service' and the proposed service delivery improvements be implemented.**

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## 71/18 Local Plan Budget

(Link to Council Priorities: P1)

The Portfolio Holder for Planning Services introduced the report that set out the estimated cost required to support the delivery of the Local Plan over the current and next two financial years.

The Cabinet was advised that to ensure that the Local Plan was sound it was vital that the programme was adequately resourced. Whilst the majority of the evidence base, as well as the plan writing and managing of the programme including consultation, was being undertaken 'in-house', a significant proportion of the essential evidence required technical and / or independent expertise not held internally, which could include the use of advanced modelling systems.

Furthermore, a budgetary allocation was required for legal Counsel advice during the Local Plan preparation and the examination as well as expert support to respond to technical questions and challenges made to key evidence base documents. As seen with neighbouring authorities experiences, regardless of the policy position of the Local Plan, there was significant risk of legal challenge to the adoption of the Local Plan from either residents, landowners or developers. Accordingly, the use of appropriate legal Counsel at key stages of the preparation and during the examination would reduce the risk of a costly legal challenge.

The Portfolio Holder provided Members with details of the forecasted costs required to support the Local Plan to adoption in 2021, the details of which were outlined in the report. The Cabinet noted that as of September 2018, the forecast to 2021 indicated that there would be an overall shortfall in budget provision of £447,850.

In order to deliver the infrastructure elements of the programme, resources from the Council's Strategic Infrastructure Projects and Community Infrastructure Levy administration funds was required, drawing down £311,000 over the three-year period. The Cabinet acknowledged that this would meet the cost of production, examination and adoption of the new Infrastructure Delivery Plan to support proposed growth in the Local Plan as well as the update to the Community Infrastructure Levy Charging Schedule.

The utilisation of the Strategic Infrastructure Projects fund and the Community Infrastructure Levy administration fund would result in £136,850 budget growth above the existing Local Plan budget across the three years, most notably in 2020/21 to support the examination.

The Portfolio Holder commented that initially he was concerned whether Community Infrastructure Levy funding could be utilised for this area of work. However, it had been established that there were no legal reasons why this funding could not be used for the infrastructure element of the Local Plan programme.

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Members noted that the 2018/19 expenditure primarily related to the production of the evidence base which had been committed by order or contract. In 2019/20, the estimated expenditure focused on the outstanding spend as the evidence base concluded. In addition, an allocation was required for the two statutory consultation periods, in line with previous costs incurred.

With regard to the estimated expenditure in 2020/21, this was centred around the examination. The figure included the cost of the examination itself including the Inspectorate fees as well as the necessary expert witness(es) to support the evidence base conclusions. Whilst the figure in 2020/21 for legal representation had been forecasted to be £100,000, the Portfolio Holder stressed the need to ensure that the Council had in place expert legal representation given that there could be the need to defend legal challenges against the adoption of the Local Plan.

The Leader invited Councillor Mrs. K. Randolph, a Thames Ditton Ward Councillor, to address the meeting. Councillor Mrs. Randolph fully supported the forecasted costs associated with the legal representation as there was a need to be able to defend any challenges. She further commented that should the Council not be able to provide the expert representation required, this could lead to a loss in credibility.

**Recommended: that**

- (a) the external expenditure within 2018/19 and the budgetary placeholders for expenditures for 2019/20 and 2020/21 be approved;**
- (b) the Community Infrastructure Levy funding to deliver the infrastructure aspect of the Local Plan programme be agreed; and**
- (c) the financial risk associated, should a potential legal challenge to the adoption of the Local Plan be made, be noted.**

72/18 Property Transactions

**(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. 72/18 for Members of the Council only.)**

The Portfolio Holder for Resources introduced the report that provided details of a proposal for the acquisition of a property in Weybridge for investment purposes in accordance with the Council's Property Acquisition and Investment Strategy.

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## Matters of Report

### 73/18 Wider Determinants of Health

(Link to Council Priorities: P1, P2, P3)

The Leader introduced the report and advised the Cabinet that the wider determinants of health, also known as social determinants, were a diverse range of social, economic and environmental factors which impacted on people's health. Whilst the Surrey Heartlands, which included the 2 local Clinical Commissioning Groups, was the primary organisation with responsibility for health, the Borough played a key role in supporting wider health objectives through the delivery of a wide range of health initiatives across several Council teams.

Members noted that the framework of the Council's Health and Wellbeing Statement (2015- 2019), set out how Elmbridge, and its partners, was working to address the wider determinants of health and what more could be done locally to build on that work. It was acknowledged that this included looking for opportunities to 'join up' work to address the wider determinants of health across the system, with Elmbridge, Surrey County Council and the other Surrey Boroughs and Districts, as the key enablers. Through this work, the aim was to enable a system-wide approach to improving health and wellbeing outcomes for the Borough's residents.

As well as there being numerous national policies relating to health and wellbeing, the Council had several policy and strategy documents that individually contributed to health promotion, or social care. These included the Council Plan (2018-19) and Five-Year Vision (2018-23); the Older People's Strategy; the Elmbridge Physical Activity Strategy (2015-2020); the Core Strategy 2011 and the emerging Local Plan; the Air Quality Plan; the Contaminated Land Strategy; the Elmbridge Cycle Plan (2016); and the Housing & Homelessness Strategy (2015 to 2019).

With regard to local partnership working, the Cabinet noted that over the last 18 months there had been an enhanced partnership agenda working closely with the Surrey Downs and North West Surrey Clinical Commissioning Groups together with Social Care. The focus had been to drive forward partnership opportunities to support the preventative approach ensuring older people could be appropriately supported to maintain their independence within community settings and recognising the vital role of Borough and District Councils in achieving this. There had been active involvement in a range of project activities working closely with health and social care partners, which included the development of two Social Prescribing Services; Frail, Elderly Hub developments; the launch of the Home Safe Plus joint referral form; the Home from Hospital Service; Community Transport providing Patient Transport; Health Population Management Project; and the Loneliness and Isolation Agenda.

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Through a variety of work streams, the Council was already working to address the wider determinants of health and various examples of work being undertaken by Elmbridge and how this could be built upon, was detailed in Appendix 1 of the report. The Cabinet acknowledged that all the services offered, as detailed in the report, were provided within existing budgets.

The Leader welcomed this excellent report and advised that as an organisation, the Council could significantly influence health outcomes. Consideration of the wider context of Surrey County Council's Vision for 2030 together with the work in respect of Surrey Health should also be taken into account. He reported that a plan was being prepared for the whole of Surrey which would set 10 or 12 priorities to be delivered over the coming years. These priorities would focus on all the areas but especially those areas of social deprivation.

The Leader also took the opportunity to highlight to Members the 2010 Marmot Review (Fair Society, Healthy Lives) which raised the profile of wider determinants of health by emphasising the strong and persistent link between social inequalities and disparities in health outcomes. He considered that there was a link between social inequalities and disparities in health related to social deprivation and that in those more affluent neighbourhoods, individuals generally experienced longer life expectancy. In this regard, he commented that everything the Council did, needed to focus on those more vulnerable members of society and in those areas of deprivation.

As part of the discussion, as the Council did not have a specific Portfolio Holder for health and wellbeing, the Leader advised that this was an area that would be considered going forward particularly as the profile of these types of issues did need highlighting to ensure that the Council was contributing to the health of the Borough's residents.

Resolved that the ongoing work to address the wide determinants of health be supported.

#### 74/18 Drinking Water Scheme - Update

The Portfolio Holder for Environment and Transport introduced the report and reminded Members that in June 2018, a report had been considered by the Cabinet on options for the use of the default payments made by Amey for the failures in the Waste Collection Contract.

The Portfolio Holder advised that the Cabinet at its meeting in June 2018 had agreed to allocate £100,000 of the default payments to the creation of a Community Green Infrastructure Improvement Fund and work in this regard was currently underway.

With regard to the remaining £143,000 of the default payments, the Cabinet agreed to defer the use of these monies so that the most appropriate use, together with a further investigation into costs, could be undertaken.

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As outlined in the report, there had been a general aspiration to reduce single use plastics and accordingly, the provision of easy access to drinking water appeared to be nationally accepted. In this regard, the following initiatives had been considered:

- the Refill Scheme;
- restoring existing facilities;
- providing new fountains; and
- reactive provision.

Having considered the four initiatives, the most cost-effective method of not only reducing single use plastics but also the quickest to implement, was the Refill Scheme.

To implement the Refill Scheme and make it sustainable, it was suggested that a Scheme Coordinator be employed on a one-year fixed term contract funded from the Amey default payments in order to establish the Scheme, sign up businesses and seek volunteers to operate it going forward. This would also enable the opportunity to include promotion of the Community Toilet Scheme and other green initiatives currently being adopted by the Overview and Scrutiny Energy and Sustainability Working Group. Given that this Working Group had already started looking at the Refill Scheme initiative, it was further proposed that the Group be asked to take on the role of overseeing this initiative with the funding being provided from the Amey default payment funds.

The Portfolio Holder highlighted to Members a number of errors within the report and whilst he supported the principle of the Refill Scheme initiative, he considered that the amended report should be referred to the Overview and Scrutiny Energy and Sustainability Working Group for consideration.

The Leader invited Councillor S.J. Selleck, Group Leader of the Residents' Associations Political Group, to address the meeting. Councillor Selleck sought clarification as to whether the option of installing drinking fountains around the Borough would also be considered by the Overview and Scrutiny Energy and Sustainability Working Group.

The view of the Cabinet was that whilst an amended report would be presented to the Working Group, the Refill Scheme was the most sensible option going forward. In this regard, the Working Group would be asked to deal with the practicalities and detail of the scheme. The Leader commented that the introduction of a drinking fountain scheme within the Borough had a number of complications and therefore the remaining monies from the default payments could be used to promote air quality monitoring stations across the Borough given that this was also a significant issue.

The Leader then invited Councillor S.J. Selleck, Group Leader of the Residents' Associations Political Group, to further address the meeting. Councillor Selleck asked whether the Cabinet would be comfortable if the Overview and Scrutiny

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Energy and Sustainability Working Group was to make recommendations in respect of a drinking fountain scheme.

The Leader clarified the Cabinet's position and reiterated that there was not enough quality information available on such schemes and costings were also unclear. The Refill Scheme was the appropriate way forward for the Borough and the Leader hoped that the local traders would support the Scheme. Should the Overview and Scrutiny Energy and Sustainability Working Group wish to comment on other options, including a drinking fountain scheme, then that was up to the Group. However, the Leader commented that he did not wish to mislead Members and should a recommendation regarding a drinking fountain scheme be put before Cabinet, it would probably not be supported.

The Leader then invited Councillor Tricia W. Bland, a Thames Ditton Ward Councillor and the Chairman of the Overview and Scrutiny Energy and Sustainability Working Group, to address the meeting. Councillor Bland considered that the research into water fountains was inadequate and there was a need to discuss this initiative with Thames Water. She further commented that the Refill Scheme was already being rolled out within Elmbridge.

The Leader then invited Councillor B. Fairbank, a Long Ditton Ward Councillor, to address the meeting. As a point of accuracy, Councillor Fairbank advised that the photograph in Appendix 1 of a drinking fountain at the corner of Portsmouth Road and Angel Road, was actually located in Thames Ditton and not Long Ditton.

On consideration of the report, the Cabinet

Resolved that

- (a) the Refill Scheme to reduce single use plastics in the Borough be adopted;
- (b) a Green Projects Coordinator be employed on a one-year fixed term contract, paid for from the waste default payments, to establish the Scheme, sign up businesses and seek volunteers to operate it going forward; and
- (c) the Overview and Scrutiny Energy and Sustainability Working Group be asked to take on the role of overseeing this initiative and report back to Cabinet on any further / additional proposals.

75/18 2018/19 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 2018/19 approved budget; together with an update on the Revenue & Capital budget position as

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at 30 September 2018 and an early view for the financial year. This report had been considered and discussed at the Performance and Finance Standing Panel on 13 November 2018.

The Cabinet noted that as at the end of September 2018, the revenue position was £197,763 above the net operational budget.

The report detailed that this variance was due to a number of issues including the non-variable direct costs of the Borough elections; the drop in the level of off-street car parking income; unbudgeted expenditure in respect of the recent unauthorised encampments; and a drop in the level of planning income.

With regard to the Resources Portfolio, the Portfolio Holder reported that as a result of the enhanced optimum contract (planned and preventative maintenance), significant compliance issues had been identified in a number of Council properties. Accordingly, to reflect the overspend in the expenditure incurred in this regard, it was proposed that £100,000 be funded from Earmarked Reserves.

The Portfolio Holder also provided a brief update in respect of the Capital monitoring.

The Leader thanked the Portfolio Holder for Resources for her update and commented that whilst it was highly unusual to have an overspend at this level, it would continue to be monitored going forward.

Resolved that

- (a) the Revenue and Capital budget position for the second quarter of 2018/19 be noted; and
- (b) £100,000 of the reactive property maintenance expenditure, as detailed in the Resources Portfolio, be funded from Earmarked Reserves.

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The meeting commenced at 7.00 pm and concluded at 8.19 pm

T.G. Oliver  
Leader

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Democratic 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
I. Burrows	Head of Leisure and Cultural Services
A. Jeziorski	Head of Environmental Services
M. Kearton	Environmental Services Officer
Mrs. E. Jones	Sports Development Officer