ELMBRIDGE BOROUGH COUNCIL

CABINET

Report of a meeting held on 17 September 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)

(B.J.F. Cheyne, Mrs. R.J.M. Lyon, C.R. Sadler, S.J. Selleck, J.G. Sheldon and Mrs. J.R. Turner were also present.)

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

The Minutes of the Cabinet meetings held on 18 June and 9 July 2014 were agreed as correct records and signed by the Leader.

3. LEADER’S OPENING REMARKS

The Leader began by advising that it had now been officially announced that Cobham Rugby Club and the Elmbridge Xcel Leisure Complex would be used as team training bases for next year’s Rugby World Cup featuring Italy, Namibia, Wales and Fiji.

The Cabinet was pleased to note that work on the new Splash Pad at Hersham Recreation Ground had commenced on 15 September 2014 and it was anticipated that it would open in Spring 2015.

The Customer Services Team was now handling calls on behalf of Planning Services and it was estimated that 61% of planning calls were being resolved within Customer Services which was enabling Planning Officers to focus on more value added work.

The Leader congratulated the Executive and Member Services Team who had sought the Council’s re-accreditation under the National Charter for Elected Member Development. The Charter provided quality assurance of service and strong Council profile nationally. The re-assessment took place at the beginning of September, where external Assessors had interviewed a number of Members and Officers. The Cabinet was pleased to note that the Council had met the required standard for re-accreditation for a further 3 year period and the Council would be presented with the Charter in due course.
At Halfpenny Pond in West End Common, the Leader advised that the Starfruit (Damasonium alisma) had reappeared after an absence of 9 years. This was the only site in the UK to currently have the plant and was one of only 100 sites estimated worldwide. Credit had been given by Natural England who financed many of the grant-aided projects on the Esher Commons Site of Special Scientific Interest (SSSI).

The Leader was pleased to advise that the Molesey Centre had had its official launch / open day last Sunday which had been well attended. The Centre would be focussing specifically on engaging with the local community and an initiative to develop a Community Garden had been identified. Given that the old Centre had been an underutilised facility it had now been transformed into a heavily used and highly valued facility for the whole community. The Leader also took the opportunity to draw Members’ attention to two ‘Keeping Warm, Keeping Well’ events that were taking place at Hersham Centre for the Community on 2 October 2014 and Claygate Centre for the Community on 8 October 2014.

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

**RECOMMENDATIONS TO COUNCIL ON 1 OCTOBER 2014**

4. **COUNCIL PLAN 2014/15 – 1ST QUARTER MONITORING REPORT AND COUNCIL PERFORMANCE IN 2014/15**

(Link to Council Priorities: All)

The Leader introduced the first quarter’s performance monitoring report in respect of the 2014/15 Council Plan objectives, Flagship activities and the basket of performance indicators.

In the first quarter, 31 (91%) 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 23 September 2014.

On consideration of the item, the Leader expressed 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. The Strategic Director clarified the position and confirmed that a review would be undertaken of all cases allowed on appeal for the 1st quarter and a report in this regard would be provided to the Portfolio Holder for Regulatory Affairs. It was requested that within this report, a breakdown be provided for each of the Area Planning Sub-Committees.

**RECOMMENDED: THAT**

(A) PROGRESS AGAINST THE PERFORMANCE DASHBOARD BE NOTED;

(B) PROGRESS AGAINST COUNCIL PLAN OBJECTIVES 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.

(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.**

5. **REVIEW OF EVIDENCE BASE SUPPORTING THE CORE STRATEGY**

(5) **(Link to Council Priorities: P2, P4)**

In April 2014, the Planning Inspector examining Harrogate Borough Council’s Sites and Policies Development Plan Document (DPD) wrote to them outlining that he had concerns regarding the fact that the DPD was seeking to deliver the housing target in their Core Strategy that was adopted prior to the National Planning Policy Framework (NPPF) and was therefore not based on up to date evidence. This decision followed a legal judgement on Solihull’s adopted Core Strategy which agreed with two developers challenging the adoption on the basis that the housing target was based on pre-NPPF evidence. These two decisions could potentially mean that any Council seeking to take forward plans allocating development to meet a target based on pre-NPPF evidence would run the significant risk of these plans being found unsound at examination. In this regard, the Portfolio Holder for Regulatory Affairs introduced the report that set out the impacts of these decisions on the preparation of the Elmbridge Borough Council Local Plan and sought Cabinet’s agreement of a new Local Development Scheme which set out a timetable for the review of the evidence base supporting the Core Strategy.

The Cabinet noted that whilst the Council was in a unique position of having consulted on and adopted a local housing target within the Core Strategy, the evidence and assumptions used in setting that target were all pre-NPPF. Whilst objectively assessed need did not have to equal the housing target, the Council would have to prove beyond doubt that it had done everything within its power to meet it. This could include amending Green Belt boundaries where this did not compromise its overall purpose and working with other local authorities within the housing market area to deliver any unmet need. Accordingly, the Portfolio Holder advised that this clearly had significant implications for the future direction of the Elmbridge Local Plan and in particular Settlement ID Plans. There was a significant risk that the Plans would be found unsound should they proceed to examination. Furthermore, it was likely that both developers and neighbouring authorities would challenge the Plans as they sought to deliver a housing target that was based on a pre-NPPF plan and therefore did not seek to meet objectively assessed needs within the wider area.

Whilst there was no formal confirmation that the Planning Inspectorate had changed their position, Officers had written to the Minister for Communities and Local Government, Nick Boles MP, to seek clarification from Government on their approach to pre-NPPF plans, going forward. In addition, the Leader of the Council had met with Dominic Raab MP to discuss these issues and to press for a response to the Council’s letter to the Department for Communities and Local Government (DCLG). In this regard, a response was received from Brandon Lewis MP, the new Minister of State for Housing and Planning, which clarified the Council’s existing position but did not provide a different interpretation to the one already understood by Officers.
Mindful of the challenging and difficult position the Council was in, the Portfolio Holder advised that it would be sensible to stop the preparation of Settlement ID Plans and commence work on reviewing the evidence base behind the Core Strategy in order to establish if it provided an appropriate basis on which to continue preparing future plans.

It was noted that an interim Local Development Scheme (LDS) had been prepared which set out the work programme for the next three years (2014-2017) and included timescales for reviewing the evidence base underpinning the Core Strategy. It was anticipated that the LDS would be reviewed in Summer 2015 to reflect the outcome of the evidence base review work and the future direction of the Local Plan i.e. continue with Settlement ID Plans or commencing preparation of a new Local Plan.

Whilst acknowledging that the Planning Policy Team had the expertise and knowledge to undertake most of the work, there were clear benefits to appointing consultants in some instances. Given the sensitivity of some of the issues it was considered essential that they were prepared independently, with Officers managing studies, including co-operation with other authorities’ and political processes.

With regard to future resources, Members noted that it was proposed to appoint to the role of full-time Planning Policy Assistant on a fixed term 3 year contract. This post would support the preparation of the evidence base documents, with the principal focus being on the monitoring of housing and employment related issues.

The Portfolio Holder advised that the total additional cost for this programme of work over 4 financial years would be £241,000. In order to fund this, it was proposed to use the Housing and Planning Delivery Grant which had been allocated to the Council to support the preparation of Local Development Frameworks.

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 paragraph 6.4 of the report relating to the Green Belt and the risks associated with ensuring its continued defence in its entirety. With regard to paragraph 12.1 of the report, he also raised a query as to whether brownfield sites would continue to be prioritised for development. The Strategic Director confirmed that whilst reference had been made to work being undertaken in respect of reviewing the current Green Belt boundaries against the NPPF justification, the Council’s commitment to utilising brownfield sites in the first instance remained.

**RECOMMENDED: THAT**

(A) THE LOCAL DEVELOPMENT SCHEME, AS ATTACHED AT APPENDIX A OF THE REPORT, BE ADOPTED; AND

(B) THE NECESSARY RESOURCES, AS SET OUT IN THE REPORT, BE ALLOCATED FROM THE EXISTING HOUSING AND PLANNING DELIVERY GRANT RESERVE TO SUPPORT THE DELIVERY OF THE TIMETABLE AND WORK SET OUT IN THE LOCAL DEVELOPMENT SCHEME.
MATTERS OF REPORT

6. PETITION FROM MRS. G. CONDRON IN RESPECT OF A REQUEST TO ADDRESS THE LOSS OF SPORTS FACILITIES WITHIN ELM GROVE RECREATION GROUND, SPECIFICALLY THE CHILDREN’S GOAL WITHIN THE ENCLOSED PLAY PARK AND THE CRICKET

The Cabinet was addressed by Mr. C. Sadler, on behalf of Mrs. G. Condron (the Petition organiser), and received details of an e-petition that contained 211 online signatures. The e-petition contained the following wording:

“We the undersigned petition Elmbridge Borough Council to address the loss of sports facilities within Elm Grove Recreation Ground, specifically the children’s goal within the enclosed play park and the cricket pitch.

There is a worrying trend to remove sporting facilities within the Elm Grove Recreation Ground which is in direct conflict with the government policy in encouraging sport in the community. The children's goal within the enclosed play park has been removed, this should be re-instated (perhaps placed at 90 degrees to the original with netting to prevent stray balls escaping into the main recreation ground). The goal predates the new Kings Square development which now borders the existing playground. This is a much loved and much used facility used by preschoolers and younger primary aged children. The goal predates the new Kings Square development which now borders the existing playground. This facility has been in place for 40+ years and is used predominantly by youth teams and friendly amateurs. If these facilities are removed they will be lost forever.”

The Leader thanked Mr. Sadler for addressing the Cabinet and invited the Portfolio Holder for Leisure and Culture to provide a response to the petition. He also confirmed that a response will be sent to Mrs. Condron in the normal way.

In response to the petition, the Portfolio Holder for Leisure and Culture advised that, with regard to the informal ‘kick about’ football goal, this had not been removed but relocated from within the children’s play area after a complaint about balls landing in adjacent gardens and injuring a child. The goal had been in place for a number of years, however this was unique to the Borough, and in fact was adjacent to a ‘no ball games’ sign. The Portfolio Holder confirmed that Officers had met with residents and local Ward Councillors and an alternative location was being trialled for the goal within the same recreation ground. Should the alternative location not be suitable, then it would be moved to another location within the Recreation Ground, but not back within the play area.

With regard to the cricket pitch, the Portfolio Holder advised that funding for a new cricket table at Molesey Hurst Recreation Ground had been approved at Council in February 2013 which would replace the cricket square at Elm Grove. This new facility also included provision of a new artificial strip to support Clubs in their need for training, and games at lower leagues when the weather was inclement. The Portfolio Holder commented that the Elm Grove pitch was small for adult cricket, had not been well used and was some distance away from the pavilion which had lessened the appeal. It was noted that Clubs using the pitch in the 2014 season had been from
Molesey, Cobham and other areas, with local Walton Clubs only using the facility once. Once the grass wickets at Molesey Hurst were available next season, hirers from Elm Grove would be relocated to this facility, or to another square in the Borough and the Elm Grove square would be returned to recreational use. The Portfolio Holder confirmed that the Borough Playing Pitch Needs Assessment Study undertaken in April 2013 had identified that the Borough as a whole had provision of 31 cricket pitches which was the correct level of provision in 2013. Accordingly, it was considered that there was no increase in demand to warrant retaining both squares given the other facilities available to hire.

RESOLVED that the e-petition from Mrs. G. Condron be received and noted.

7. **WEBCASTING**

(Link to Council Priorities: All)

The Leader introduced the report and advised the Cabinet that following the Council’s decision to permit the public to film and/or record the public element of its meeting, the ability to record and webcast these meetings as a separate corporate function and for the wider public benefit had been reviewed.

Whilst the Council already had much of the infrastructure to introduce webcasting in the Council Chamber, any additional equipment to bring these services “on-line” could be met from existing budgets. However, a new revenue budget of £10,000 would be required to host webcasting events.

Although the take up for webcasting was improving across local authorities, the desire and effectiveness was yet to be determined for Elmbridge. Accordingly, it was proposed that webcasting be introduced on a 12 months trial basis which would allow for a further review before committing additional resources. It was hoped that the trial period would be in place by December 2014.

The Cabinet acknowledged that the current infrastructure for webcasting was based within the Council Chamber and accordingly supported the proposal that the pilot include the webcasting of Council and Cabinet meetings. In addition, the Leader also suggested that Overview and Scrutiny Committee meetings be included in the pilot particularly when an outside speaker had been asked to present to the Committee.

RESOLVED that

(a) a sum of £10,000 be allocated from the Corporate Initiative Contingency Revenue Budget to undertake a webcasting pilot; and

(b) a further review be undertaken following implementation to assess effectiveness and desire for continued webcasting.

8. **2014/15 REVENUE AND CAPITAL BUDGET UPDATE – QUARTER 1**

(Link to Council Priorities: All)

The Portfolio Holder for Resources introduced the report, which advised Members of the first quarter monitoring against the 2014/15 approved budget; together with an
update on the Revenue and Capital budget position as at 30 June 2014. The Cabinet noted that as at the end of June 2014, the operational revenue budget indicated a positive variance against the budget of £136,123.

The Portfolio Holder also took the opportunity to update Members on the property acquisition in Cobham that had been approved by Council in July for purchase as an investment property. The Cabinet noted that, since the Council meeting in July 2014, due to various legal issues, the Council had withdrawn its offer to purchase the property.

RESOLVED that the Revenue and Capital budget position for the first quarter of 2014/15 be noted.

9. PERSONALISATION, PREVENTION, PARTNERSHIP PLAN FOR ELMBRIDGE – ANNUAL REVIEW REPORT

(Quoting Council Priorities: A safe, caring and healthy Elmbridge / A vibrant and thriving Elmbridge)

The Portfolio Holder for Social Affairs introduced the report and reminded Members that in 2012, the Leader of Surrey County Council (SCC) had launched a £10 million Personalisation and Prevention Partnership Fund to support the 11 Borough and District Councils over a five year period, in their development of preventative services. In February 2013, the Cabinet had received a report detailing the areas of activity that would be developed within the Personalisation and Preventative Partnership Plan for Elmbridge which had included Wellbeing Centre developments; housing support and advice; Community Transport; development of befriending services; and an equipment fund to support Centres for the Community.

The Cabinet noted that in 2012/13, the Council had received £150,000 of funding from SCC followed by £180,000 in 2013/14 and again in 2014/15 towards the development of preventative services.

The Cabinet welcomed the annual update and was pleased to note that the focus of the Plan had ensured that all services had been developed in response to local needs. The Cabinet supported the development of the Plan for 2014/15 and the recruitment of staff, as defined within the Plan, on fixed term contracts or on a sessional basis.

RESOLVED that the 2014/15 Plan be supported and that the recruitment of staff, as defined within the Plan, on fixed term contracts or on a sessional basis, with costs being met by Surrey County Council, continue to be supported.

The meeting commenced at 7.00 p.m. and concluded at 7.49 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. M. Bussicott - Head of Community Support Services
M. Behrendt - Planning Policy Manager