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Elmbridge Borough Council

Overview and Scrutiny Committee

Report of a meeting held on Thursday, 11 July 2019

Members of the Committee:

- \* Rachael I. Lake (Chairman)
- \* N. Houston (Vice-Chairman)

* S. Bax	* D.J. Lewis
* Tricia W. Bland	* M. Rollings
* Mrs. H.C. Butler	* Mrs. C. Sood
* T. Catton	* A. Tilling
* G.P. Dearlove	* G.L. Woolgar
* N. Haig-Brown	* Mrs. L.A. Yauner

\* Denotes attendance

Also present:

J.W. Browne, B.J.F. Cheyne, Mrs. K. Randolph, Mrs. T. Shipley and  
Mrs. J.R. Turner

6/19 Declarations of Interest

There were no declarations of interest.

7/19 Exclusion of Public

<u>Minute No.</u>	<u>Item</u>	<u>Description of Exempt Information (Schedule 12A)</u>
13/19	Local Plan	Paragraphs 3 & 6

Matters of Report

8/19 Update on grant funding for the economy and infrastructure

(Link to Council Priorities: Economic Development)

The Committee considered a report that provided an update in respect of the support provided to the local economy through the Elmbridge Civic Improvement Fund (ECIF) and the Community Infrastructure Levy.

The Committee noted that economic development was one of the Council's top priorities and in 2009, the ECIF Scheme had been established to provide investment to make the Borough's high streets and town centres a more attractive shopping destination. The scheme was open to local independent retailers,

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business groups and community organisations who could apply for up to 90% of the eligible cost for a range of projects such as shop front improvements; street scene and street furniture improvements; marketing and promotion; learning skills and training initiatives; and community improvement projects.

The Committee was pleased to note that approximately 281 grants had been awarded funding totalling more than £1 million and that the most common project that had been awarded grants had been for shop front improvements. Some of the town-wide projects supported by the scheme had included £350,000 funding towards the 'Soul to the Street' town centre improvement scheme in Walton-on-Thames; £33,205 invested in the Community Connect scheme; £150,000 for enhanced street lighting in the Borough's town centres; £11,000 for the Shop Local grant scheme; and £40,500 towards the Walton-on-Thames Business Improvement District.

In addition to the ECIF Scheme, the Council had also established an Elmbridge Start Up Fund which aimed to help new businesses survive through its first crucial year of trading. This Scheme offered up to £1,000 towards start-up costs and to date 56 grants had been allocated in this regard.

The Committee also noted that funds arising from the Community Infrastructure Levy (CIL) could be utilised to pay for infrastructure that was, or would be, needed to mitigate the impacts of development. In this regard, CIL funds had been awarded to projects that would directly develop town centres and business areas including the Brooklands Business Park Accessibility Project; Weybridge Streetscape Project; and the Walton on Thames Trading Alliance that had been awarded funding to install signage, banners and planters along the High Street in Walton on Thames.

When applying for an ECIF grant to improve shop fronts, one Member enquired whether applicants were required to provide drawings or details of what the remodelling was to look like. The Chairman explained that details of the application process was accessible on the Council's website however, applicants were able to provide drawings or plans to indicate what the proposed refurbished shop front would look like should they wish to. It was noted that businesses would not necessarily need to go to a huge expense in this regard to apply for a grant.

In respect of the Elmbridge Start Up Fund, one Member enquired whether the grant amount of £1,000 was reviewed on a regular basis given that feedback from a prospective applicant considered that this amount had been insufficient to start up their business. The Policy Assistant explained that the Start Up Fund was not awarded to fund a new enterprise in its entirety but to help to pay for specific equipment that may be needed. The grant amount awarded was agreed by Cabinet in 2015 and there was no specific plan for this to be reviewed at this time. In answer to a follow up question regarding the funding of both the ECIF and Start Up Fund Schemes, the Chairman explained that this funding came out of the Council's budget and not from any Government grants.

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9/19 Update from Member Champion for Veterans - Armed Forces Community Covenant

(Link to Council Priorities: All)

In October 2013, the Council had formally agreed to sign up to the Armed Forces Community Covenant which was set up as a voluntary statement of mutual support between the civilian community and its local armed forces community. The purpose of the covenant was to encourage support for the armed forces community that either lived or worked within Elmbridge and to remember the sacrifices made by the Armed Forces Community.

The Committee welcomed Councillor B.J.F. Cheyne who had been invited to the meeting to provide an update in respect of his role as the Council's Armed Forces Member Champion.

Councillor Cheyne explained that there was not an obvious armed forces presence within the Borough given there were no barracks or armed forces bases but there was a number of individuals that were connected to the armed forces by way of being cadets, reservists and most importantly veterans. He explained that the main impact for the armed forces families was education, access to health care, employment, housing and access to welfare & social care.

Councillor Cheyne explained that all 74 Local Authorities in the South East had signed up to the Armed Forces Community Covenant which included all 11 of the Surrey Borough and District Council's including Elmbridge. In addition to the Armed Forces Community Covenant, the Council carried out all ceremonial matters, including the annual Armed Forces Flag Raising Ceremony to recognise and acknowledge the contribution of the Armed Forces.

By signing the covenant, Local Authorities promised to treat the armed forces fairly, supporting veterans and serving personnel and their families in accessing and signposting them to vital public services quickly and efficiently and where necessary giving them the highest priority. Councillor Cheyne explained that it was important that these individuals had access to these services without any barriers and it was vital to recognise the valuable contribution that the armed forces had and continued to make.

In response to Councillor Cheyne's comments in respect of remembrance and the contribution the armed forces made to society, one Member commented that the Council should be proud of the replacement cherry trees that had been planted on the Cobham Tilt which was a registered war memorial. At the present time, the poppy seeds that were scattered by local school children were currently in bloom and the Member encouraged the Committee to go and see them as they looked fantastic.

One Member enquired whether the Council assisted armed forces veterans with any priority in areas such as housing and whether there were any further services that could be provided that were not already. Councillor Cheyne explained that although the Council was not a housing provider, it sought to do everything possible to help these individuals. He further added that it was difficult to identify veterans

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given that they tended to become reclusive after leaving the armed service and didn't seek assistance until it became a necessity. Therefore, it was important to identify veterans at the earliest opportunity and to signpost them to the services that were available to them.

The Chairman thanked Councillor Cheyne for attending the meeting and for providing an enlightening report on his role as the Council's Armed Forces Member Champion.

#### 10/19 Scrutiny of Cabinet Members - Planning

(Link to Council Priorities: All)

The Portfolio Holder for Planning, Councillor Mrs. K. Randolph was invited to attend the meeting to answer any questions that the Committee had in respect of the work currently being undertaken as part of her Portfolio and to highlight any issues or challenges.

Councillor Mrs. Randolph provided the Committee with a brief update in respect of the following areas within her portfolio: Local Plan/Core Strategy and Planning Policy; Development Management including Tree Preservation Orders; Heritage; Design Champion Role; Street Naming; Land Charges; Tree Risk Strategy; Elmbridge Building Control Services; and Community Infrastructure Levy.

The Committee then took the opportunity to ask the Portfolio Holder a number of questions.

The Chairman asked the Portfolio Holder, aside from the Local Plan, what was her three top priorities for the coming year and which areas she was most concerned about. The Portfolio Holder explained that the top three priorities were to make better use of the expenditure of the planning department to ensure that local taxpayers were provided with the best value for money; improve communication both for residents and fellow Councillors; and to review the planning pre-application service to make it run more efficient and to better meet the needs of applicants and the Council. In answer to a follow up question regarding staffing levels, the Portfolio Holder explained that the Council faced a competitive market when recruiting qualified staff given that the public sector was able to offer higher salaries which could attract existing staff away. Therefore, it was important to make the most efficient use of officers given the increasing workload.

One Member commented that residents impacted by planning applications believed that the Pre-Application process was unfairly weighted in favour of an applicant who could attend numerous meetings with Planning Officers prior to the submission of a planning application. In this regard the Member enquired whether the Portfolio Holder agreed that steps were required to address the issue. The Portfolio Holder explained that the pre-application service provided an invaluable opportunity for discussions to be held between both the Council and the applicant to discuss the proposed development, and where appropriate, negotiate possible changes or improvements prior to submission. Once the application was submitted it was difficult for any negotiated changes or improvements to take place. Furthermore,

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the determination deadlines also prevented officers from negotiating relatively minor changes that, whilst in themselves would not warrant refusal, would nevertheless improve the schemes for residents. Although the Portfolio Holder considered that pre-application consultation with residents should take place, the National Planning Policy Framework (NPPF) stated that all Council's and Local Planning Authorities must work proactively with applicants to bring sites forward for development and in this regard the provision of a pre-application service was part of the Council's measures to meet this requirement.

In respect of a question regarding whether Ward Councillors should be given the opportunity to receive information relating to Freedom of Information (Fol) requests submitted in respect of planning applications, the Head of Planning explained that this was an area that had been explored and given that the Council received up to 900 requests per year it would not be time effective to ask individual Members if they wanted to see particular requests. Therefore, in the future when responses were made to each Fol requests, Members would be blind copied in to the relative application responses.

In respect of measures to tackle the climate emergency, one Member enquired whether there were any government guidelines or regulations that developers were required to adhere to and whether the Council could impose contributions from buildings to energy sustainability and production. The Portfolio Holder advised that as part of the Local Plan the Council's Development Management (DM) Policies would be reviewed and it was at that level that the implementation of any recommendations in this regard could take place. The Chairman commented that within the Council's existing policies there were energy saving standards including the inclusion of electric charging points for electric vehicles for new developments etc.

In response to some questions relating to the proposed changes to the scheme of delegation for planning applications, the Portfolio Holder explained that in order to make the whole system more efficient and to be of benefit to residents a number of changes had been identified for consideration. This was in respect of the public speaking facility, promotion of applications to Sub-Committee meetings and the number of objections that a planning application received to be considered by a respective Committee.

In respect of an item relating to the Local Plan which was to be considered as a separate item on the agenda, one Member asked the Portfolio Holder what her view was for the involvement of the Overview and Scrutiny Committee and how it could add value to the process. The Portfolio Holder explained that the Local Plan was pursued and had been looked at over a period of years with Members having been on the Local Plan Working Group (LPWG) for four-year periods due to it being highly technical and complex in nature. The Local Plan was not something that could be easily looked at without understanding the background and evidence however, all Members were able to attend the LPWG meetings and contribute should they wish. In this regard, the Portfolio Holder did not, in her opinion, feel that it was appropriate for the Overview and Scrutiny Committee to consider this matter. Furthermore, the Portfolio Holder explained that the LPWG was established by Cabinet in order to progress the preparation of the Local Plan and to report its

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findings to the Planning Committee. The Portfolio Holder advised that she was happy to be invited back to a future meeting of the Committee to provide an update if required.

In respect of a number of questions relating to the Oak Processionary Moth (OPM) and whether it could have an effect on the Council's Tree Strategy or impact on planning policies going forward, the Portfolio Holder explained that the Tree Strategy was undertaken to assess the risk associated with all trees within the Borough. There had been instances in other Borough's where individuals had been injured following trees that had fallen down. The Head of Planning explained that where a tree had been identified which required maintenance both the Planning Services and Leisure & Cultural Services worked closely in this regard. Where there had been instances of the public reporting OPM issues, the Council would signpost these to the Environment Agency or companies that would fumigate the trees for them and to provide guidance and advice. Furthermore, the Head of Planning advised that instances of OPM being found at prospective development sites would not be a reason for these to be removed from the Local Plan as prospective sites. The Head of Planning explained that it was the landowner's responsibility to check their trees for OPM and to maintain them accordingly.

The Chairman thanked the Portfolio Holder for Planning for attending the meeting and for providing detailed answers to the various questions posed by the Committee.

#### 11/19 Cabinet Decision Making

(Link to Council Priorities: All)

The Committee considered the Cabinet's Forward Plan, which covered the period 1 August to 30 November 2019 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 2019-20.

Following a discussion as to whether the Committee would like to have an item on it's work programme relating to the Green Spaces Adoption Policy, it was agreed that Councillor Mrs. J.R. Turner, Portfolio Holder for Leisure and Culture be asked to highlight areas where the Committee could add value to the policy, if appropriate.

Agreed that the

- (a) Cabinet's Forward Plan be noted; and
- (b) decisions taken by Cabinet at its meeting on 3 July 2019 be noted.

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12/19 Overview and Scrutiny Committee Work Programme 2019/20

(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 Committee agreed that the following items to be added to the Committee's work programme for the 2019/20 Municipal Year: an update from Joint Waste Solutions; an invitation to the new Borough Commander to coincide with an update from the Community Safety Working Group (January 2020); and an invitation to both South Western Railways and Network Rail to update the Committee on the action points raised from their previous attendance.

Agreed that the progress of the Committee's work programme for 2019-20 be noted.

13/19 Local Plan

[Part II report – exempt under Paragraphs 3 & 6 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended)]

The Chairman advised the Committee that this item had been added to the agenda, not to look in to the detail of the work undertaken by the Local Plan Working Group or to be critical, but to give Members an opportunity to give this matter some consideration. The Chairman acknowledged that although this was a Planning matter and not part of the Committee's remit, the Committee was able to scrutinise anything that could have an effect on the residents of which the Local Plan would. Furthermore, given the Local Plan consultation timescales were tight the Chairman considered that it would be rather negative should this matter be called in. The Chairman explained that there was no ulterior motive for this item to be added to the agenda simply to protect the process of scrutiny within the Council. She acknowledged that all Members were able to attend the Local Plan Working Group Meetings and access the relevant documents however by inviting the Chairman of the Working Group it gave the Committee an opportunity to hear about the work being undertaken. Although the Chairman was pleased to note that the consultation period would be held from 19 August 2019 until the 30 September 2019 she had concerns that some of the public promotion would be held during the end of the summer holiday period and given that in the past the Council had been criticised when the first consultation had been held over the Christmas holiday period.

Although the reason for including the item on the agenda was understood, one Member commented that they considered that this was the wrong time for the Committee to discuss the matter and could not understand or see how the Overview and Scrutiny Committee could add any additional value. In this regard, the Member moved that the Committee take no further action in considering the item.

