

Minutes of the meeting of the Council held on 5th December 2017 at Pippbrook, Dorking from 7.00pm to 9.52pm

Present: Councillors Simon Ling (Chairman), Raj Haque (Vice Chairman), Lucy Botting, Lynne Brooks, John Chandler, Margaret Cooksey, Stephen Cooksey, Mary Cooper, Joe Crome, Rosemary Dickson, David Draper, Simon Edge, Paul Elderton, James Friend, David Harper, David Hawksworth, Mary Huggins, Chris Hunt, Metin Huseyin, Duncan Irvine, Howard Jones, Paul Kennedy, Malcolm Ladell, Tim Loretto, Claire Malcomson, Vivienne Michael, David Mir, Wayne Monkman, John Muggeridge, Paul Newman, Corinna Osborne-Patterson, Jatin Patel, Paul Potter, Sarah Seed, Peter Stanyard, Michelle Watson, Clayton Wellman, Patricia Wiltshire and Charles Yarwood.

42. Minutes

The minutes of the meeting held on 10th October 2017 were confirmed as a correct record and signed by the Chairman.

43. Apologies for Absence

Apologies for absence were received from Councillors Tim Ashton and Bridget Kendrick.

44. Disclosure of Interests

Councillor James Friend declared a non-pecuniary interest in item 8 as a member of the Westcott Neighbourhood Forum who had developed the Westcott Neighbourhood Plan.

Councillor Chris Hunt declared a disclosable pecuniary interest in the first urgent item as he had undertaken paid work on behalf of the vendor in the past.

45. Chairman's Announcements

The Chairman advised that since the previous Council meeting on 10th October 2017 he had attended 20 civic engagements, with the Vice Chairman attending a number of others as well. Highlights included the Remembrance Day services in both Dorking and Leatherhead and switching on the Dorking Christmas lights.

Members were reminded that the Chairman's Christmas Concert would be held on 7th December at the Ashtead Peace Memorial Hall, a Charity Dinner would be held on 18th January 2018 at the Fetcham Tandoori and a Charity Quiz would be held at St Johns School in Leatherhead on 10th February 2018.

The Chairman also invited Members to make contact if they were aware of any community groups who would like to arrange his attendance at an event in the New Year.

46. Political Balances and Committee Memberships 2017/18

Members noted the details as set out on page 2 of the agenda and the consequent changes to the allocation of the number of seats allocated to each Group. The proposals from the Leader of the Informal Independent Group in respect of amendments to her Group's membership of the Development Control and Licensing Committees were also approved as set out in the agenda.

RESOLVED:

1. That the allocation of seats to the Conservative, Liberal Democrat and informal Independent Groups be on the basis that 25 seats are allocated to the Conservative Group, 15 seats are allocated to the Liberal Democrat Group, 8 seats to the informal Independent Group.
2. That the proposals submitted of the Informal Independent Group Leader in respect of the membership of the Council's Committees be approved

47. Recommendations of Committees

Executive – 28th November 2017 – Interim Policy Statement on Employment Land

The Executive Member for Planning, Councillor Duncan Irvine, introduced the report which had been considered by the Executive at its meeting on 28th November 2017. During the introduction it was advised that the purpose of the report was to clarify the Council's position on employment land prior to the Local Plan being adopted in 2019. The statement specified the type of employment land the Council would and would not be prepared to lose to residential development and also special circumstances relating to the rural areas and tourism related employment land.

The Executive Member for Economic Development and Transform Leatherhead, Councillor Simon Edge, advised the Council that from an economic development perspective he felt the interim statement to be both supportive and useful to the development of the local economy.

Resolved: That an Interim Policy Statement on Employment Land be published and subsequently be taken into account as a material consideration in the determination of planning applications.

(NB. Counted vote 35 in favour, 0 against and 1 abstention)

48. Capel (Parish Wards of Beare Green, Capel and Coldharbour) Neighbourhood Development Plan

The Council considered the report set out at pages 19 to 22 of the agenda (along with a separately circulated Annex) setting out details in respect of the Neighbourhood Development Plan (NDP) for the Capel Parish. The Executive Member for Planning introduced the report and proposed the recommendation.

During the introduction to the report a summary was given of the process that had led to the development of the NDP, including the most recent stage in which a referendum was held in the Capel Parish Wards to establish residents support for the plan. The result of the Referendum had been conclusive with 76% of those who voted voting in favour of the NDP.

RESOLVED: That the Capel (Parish Wards of Beare Green, Capel and Coldharbour) Neighbourhood Development Plan be made, bringing it into force as part of the Development Plan.

(NB. Counted vote 36 in favour, 0 against and 2 abstentions)

49. Westcott Neighbourhood Development Plan

The Council considered the report set out at pages 79 to 138 of the agenda setting out details in respect of the Neighbourhood Development Plan for Westcott. The Executive Member for Planning introduced the report and proposed the recommendation.

During the introduction to the report a summary was given of the process that had led to the development of the NDP, including the most recent stage which was a referendum held in the Westcott Wards to establish residents support for the plan. The result of the Referendum had been conclusive with 91% of those who voted voting in favour of the NDP.

It was recognised that a tremendous amount of work had been undertaken locally and the Westcott Neighbourhood Forum was congratulated on the work that it had put into developing the Plan. The work of the Planning Policy Officers who provided expert advice and guidance throughout the process was also recognised.

RESOLVED: That the Westcott Neighbourhood Development Plan be made, bringing it into force as part of the Development Plan.

(NB. Counted vote 36 in favour, 0 against and 2 abstentions)

50. Indemnity for Officers and Members

The Council considered the report set out at pages 57 to 60 of the agenda which set out a revised policy for adoption providing an indemnity for Officers and Members arising from errors or omissions. The Chairman of the Council introduced the report and proposed the recommendation.

Resolved: That a revised policy be adopted providing an indemnity for officers and members arising from errors or omissions (not covered by the Council's insurance policies or falling within the excess of such policies).

51. Minor Changes to the Constitution Relating to the Scheme of Delegation

The Council considered the report set out at pages 61 to 64 of the agenda which set out some minor changes to the Council's Constitution to clarify the scheme of delegation to minimise the likelihood of a challenge to officer decision making processes. The Chairman of the Council introduced the report and proposed the recommendation.

Resolved: That the revised provisions be adopted and incorporated into the relevant parts of the Constitution.

52. Leader's Statement

The Leader of the Council, Councillor Vivienne Michael made the following statement:

"I think we would all agree that new technologies are transforming the way we live our lives at an incredible rate and, last week, the Government published its new Industrial Strategy, Building a Britain Fit for the Future setting out four areas where it believes that Britain can lead this global, technological revolution – artificial intelligence and big data; clean growth; the future of mobility; and meeting the needs of an ageing society.

In launching the Strategy, the Secretary of State talked about Britain's great strengths – listing, amongst other things, our world leading universities, our success in sectors such as financial services, the life sciences and the creative industries and our reputation for being a dependable place to do business, with high standards respected institutions and the reliable rule of law. But he also talked honestly about the UK's weaknesses – the most significant being the fact that in many areas of the country we have businesses, people and places whose level of productivity is well below what could and should be achieved.

I am delighted to say that Mole Valley is not one of those areas. In fact, productivity levels in the District are well above the national average with Grant Thornton ranking us 7th out of 324 local authorities on this measure. Again, according to Grant Thornton, we rank very highly indeed on what is known as the Dynamism Index which measures rates of new business formation, education and skills levels, innovation and employment in Research and Development, higher education and such like.

We should be proud of this level of excellence – in fact we should be shouting it from the rooftops – success breeds success - but it cannot be taken for granted - it needs to be maintained, nurtured and developed. Most importantly it needs to be translated into economic growth that benefits everyone in the District. Our 10 year Economic Development Strategy will begin to address this, in particular asking how we can support business retention, engage more effectively with businesses and support them with the skills and infrastructure they need.

I know that Cllr Edge and the Economic Development team are encouraged by the contribution Members and local businesses have already made to this work and, given the great team we have working on this, I'm confident that will continue. The Strategy is due to come forward for consideration in the first half of next year so the Government's new Industrial Strategy comes at a fortuitous time for us, it reminds us that we are in a time of rapid change and that preserving and augmenting prosperity has never been a more important priority. But the Strategy shouldn't be seen in isolation – our Local Plan, the Rural Strategy and Transform are all linked

and it's vital that we approach them in a coherent and "joined up" way – this is a challenge that we are determined to address in coming months.

While the Economic Development Strategy will put in place projects and programmes for next year and beyond, more immediately we are focussing, as we do every year, on helping support our business community in the run up to the festive period with events across the District. With so much retail activity now on-line it's more important than ever to attract consumers onto our high streets. We have some wonderful smaller independent retailers in our market towns and villages and these events help ensure that people actually know about them and visit them. In my own Ward recently we have had two events showcasing local village businesses and what has struck everyone is that no-one really appreciated how many businesses there were and how diverse - from potters to cheese-makers, florists to candle-makers. The events have not only helped to promote them but they've brought the community together in a really positive way.

So what can we look forward to - well on Thursday we have Dorking's Gala Night and next Saturday, there will be a special 'Light up Leatherhead' event hosted by Churches Together, the Swan Centre, the High Street and Leatherhead Theatre. That weekend there will also be a Christmas 'Winter Wonders' weekend in Deepdene Gardens with a variety of activities including Christmas wreath making, tales from Dickens, festive music, not to mention, the chance to meet Father Christmas and his reindeer. I'm delighted to report that this sold out within two weeks of being announced.

I never tire of reminding people that Mole Valley has some of the lowest car parking charges in Surrey but, once again, we are doing even more to support our retailers by providing free parking on three Saturday afternoons in the run up to Christmas as well as free parking after 3pm to support Dorking's Gala Night and Christmas events in Ashted and Bookham.

Finally, I want to mention our pop up website, Hello Mole Valley, which gives local businesses another platform to promote their offers. If you haven't done so already, do take a look. It's a really popular initiative and we'll be using it in the future to help local businesses and supplement all the other work we are doing to promote the wide range of activities and events taking place right across Mole Valley.'

53. Reports of Executive Members

Councillor Lucy Botting (Executive Member for Wellbeing)

The Executive Member for Wellbeing updated Council on the following:

Wellbeing Prescription

Mole Valley's 12 month pilot Wellbeing Prescription Scheme in partnership with Tandridge and Reigate and Banstead went live on the 8th May at the 4 selected medical practices - Medwyn Medical Practice in Dorking, Brockwood Medical Practice in North Holmwood, Ashlea Medical Practice (Linden House) in Leatherhead and Molebridge Medical Practice in Fetcham and North Leatherhead.

Our fulltime Wellbeing Advisor works one day each week in each of the practices in order to reduce existing pressure on GP's and provides support and advice to patients who would benefit from non-clinical intervention.

In the first 28 weeks of the pilot we have had 460 referral appointments for 217 different patients with a wide range of conditions. The most common of which has been for weight management followed by low level mental health and social isolation.

Six months into the pilot the feedback from the practice managers and GP's has been excellent, particularly how it helps and supports the more complex non-medical patients, as well as the professionalism of our Wellbeing Advisor and GP's have confirmed that they would recommend this to all other practices.

After the 12 month pilot we are aiming to secure future funding from the CCG in order to continue and expand the service to other medical practices in the district.

Parkrun

This is progressing well with planning permission for the extra car park at Denbies now approved with works planned to start in the week commencing 4th December and the 5k course agreed with Denbies.

We have appointed an Event Director who will take responsibility of the event once it is up and running and will also be in charge of the volunteers and any operational issues. To date over 40 volunteers have expressed an interest in helping out at the weekly event. These volunteers need to assist at a local parkrun in order to gain experience prior to implementing a trial event for Mole Valley before parkrun will allocate a start date. Realistically all being well the first parkrun in Mole Valley will be March 2018.

Surrey Performing Arts Library

As promised following the last Council meeting, I established a meeting with the lead officer and Member from Surrey County Council, Cllr Margaret Cooksey and myself to discuss the plans for the future of Surrey Performing Arts Library. That meeting was positive with SCC assuring us that proposals are being developed with partners and that they would meet with MVDC in the New Year to update us further.

Epsom and St Helier Hospital Trust Engagement

The Epsom and St Helier Hospital Trust will be attending the Scrutiny Committee meeting on 11th December to discuss the options and initial outcomes of their most recent engagement.

Councillor Corinna Osborne-Patterson (Executive Member for Communities, Services and Housing)

The Executive Member for Communities, Services and Housing updated Council on the following:

Customer Services

The Customer Services team has recently celebrated National Customer Service week with a range of activities designed to encourage services across the Council to share examples of where they have delivered great customer service. A further training day for Customer Care has been held bringing the total of staff attending this course to 207.

A total of six frontline services have now achieved Customer Service Excellence accreditation with two more working towards assessment in the New Year. At Mole Valley, we are using this as a tool for improvement, and to recognise the high levels of customer service that we know we deliver.

Communications

The Communications Team continues to provide both a proactive and reactive service across all council services. They have been instrumental in supporting a number of initiatives being delivered in other portfolios including town centre events, parking promotion, Dorking Halls and the Deepdene Trail.

#OurDay

#OurDay is a 24 hour social media marathon led by the LGA with participation by most local authorities. This year it took place on 21st November and nationally, 14,000 contributors posted 45,083 tweets, reaching more than 31 million people.

As a result, #OurDay trended at number 1 in the UK for the largest part of the day, as well as first worldwide in the English language. We supported #OurDay with 12 videos of different members of staff talking about their role and working for Mole Valley District Council.

Cycling

The project to develop a Destination Management Plan (DMP) for rural Mole Valley is well underway. Following the visitor data collection exercises undertaken by the consultants over the summer we are now entering the next phase.

On 21st November, the first of a series of workshops were held. The first workshop focused on cycling and walking and we were very fortunate to have speakers from Welcome Yorkshire, the organisers of Tour de Yorkshire and Peter Morris from National Trails. This led into a very interesting discussion between the local businesses and stakeholders about how Mole Valley could look to maximise the potential benefits from an increase in walkers and cyclists to the area. The second workshop, focusing on local equestrian businesses is planned for 6th December

Benefits

The Benefits service continues to support those who are affected by Welfare Reforms both in relation to ensuring they are claiming what they are entitled to and by way of additional payments in the form of Discretionary Housing Payments for the most vulnerable. So far this year awards of £73,000 have been made with a further £28,000 committed for future needs. These payments are helping some 85 individuals and families remain in their homes whilst they look to improve or change their personal circumstances.

Mole Valley is preparing for the full roll out of Universal Credit in the District and has recently been advised that this will now take place in October 2018 at the earliest. There has been a lot of attention given to this Welfare Reform and in its Autumn Budget, the Government have announced a series of changes to address the issues raised in relation to delays in payments and increased rent arrears. MVDC will continue to work with claimants to support them to provide accurate and timely information in support of their claims so that payment can be made as swiftly as possible.

54. Questions to Members of the Executive

(1) The following question was submitted by Councillor Chris Hunt:

“Would the relevant Executive Member please tell me if there has been an increase in the number of reports of antisocial behaviour at the Ashtead Queen Elizabeth Memorial Ground (Ashtead Recreation Ground) compared to last year?”

Councillor Lucy Botting responded as follows:

“Mole Valley District Council didn't receive any complaints about Anti-Social Behaviour last year at Ashtead Recreation Ground. This year we have had one report about a group of youths using bad language and intimidating behaviour while younger children were taking tennis lessons.

Most of these types of reports are made to the police via 101, and they advise us that there has been a reduction in reporting from last year. They are aware of the reported incidents of young people causing nuisance and the neighbourhood sergeant has asked for more visits to the area at appropriate times.

I will personally follow this up at the Community Safety Partnership meeting when it is held in December 2017.

As a point of note we have enhanced the CCTV camera at the other end of the recreation park, which will help address some issues of anti-social behaviour in the park.

We have also been asked about a Public Space Protection Order (PSPO) for this area and are exploring this in more detail.

As usual we would encourage residents to continue to report episodes of antisocial behaviour to the Police so that we have a true account of the problems and can look to resolve these.”

Councillor Chris Hunt asked the following supplemental question:

“In relation to the PSPO, could assurance be given that the Ashtead Members as well as the Ashtead Football Club and Ashtead Tennis Club will be involved when drawing up proposals?”

Councillor Lucy Botting replied as follows:

“I can confirm that this will be the case.”

(2) The following question was submitted by Councillor Clayton Wellman:

“In light of the fact that the planning enforcement email address goes into a black hole. And that there are cases of alleged breaches where a number of Councillors and Parish Councillors have , without success, spent over a year trying to find out what action has or has not been carried out by the enforcement team (using every communication method at their disposal). And considering that, if anything, it is more difficult for members of the public to communicate with the enforcement team. What will the Executive do to ensure that communication with, and reporting back to, people who report alleged breaches of planning controls is improved?”

Councillor Duncan Irvine responded as follows:

“We are currently experiencing a high level of alleged breaches of planning control and are also dealing with a number of legacy cases, appeals against Enforcement Notices and prosecutions. Consequently new cases are being prioritised and our focus is on the most significant alleged breaches. We have deployed additional resources to work on reducing the caseload of alleged breaches and are looking at ways to improve our ability to keep complainants informed and expectations managed. I acknowledge the Planning Enforcement Service is having a challenging time and I am working with the Corporate Head of Service to bring forward improvements by making the most efficient and effective use of the resources we have available.”

Councillor Clayton Wellman asked the following supplemental question:

“Will the Executive Member please report back on the progress that has been made at the next Council meeting and can a bounce back be placed on the email addresses directing enquiries to the online reporting form?”

Councillor Duncan Irvine replied as follows:

“Yes, I’m very happy to report back on key performance indicators (KPI’s), if that will be of assistance*. I would have thought that a link on the bounce back would be in place, because we are keen that everybody goes via the website to report things, but if there is room for improvement we can look at it.”

*agreed that an update on KPI’s would be disseminated to Members outside of a Council meeting.

(3) The following question was submitted by Councillor Clayton Wellman:

“Sandwell Council have managed to reduce fly-tipping by up to 40% in some areas of their constituency and bring a series of prosecutions after investing in 5 mobile cameras that can be strategically placed and moved as per requirements. Will Mole Valley make the relatively minor investment in such technology in order to replicate their model and stamp down on fly-tipping in our District?”

Councillor David Mir responded as follows:

“Sandwell Council have seen a reduction in fly-tipping and increase in fixed penalty notices issued, since the establishment of a Rapid Enforcement Team. Mobile CCTV cameras have been used as

part of their enforcement strategy although their successes haven't been purely down to CCTV. Mobile cameras can be a useful part of a strategy to tackle fly-tipping. However, they are not the easy way of catching fly-tippers that many of us first assume. Once they have been installed, they can require a significant amount of officer time to go through the recordings, to identify whether there is any evidence, before the detail of the investigation can begin. Even the cameras with motion sensors will pick up both lawful users of an area and animals, and so there can be a lot of time spent looking through footage to identify whether there is any evidence. That said, we are working with Surrey County Council on the delivery of both the County wide fly-tipping strategy, and the Mole Valley Environmental Anti-Social Behaviour Strategy – and both include references to trialling cameras. Surrey County Council recently trialled a camera in a neighbouring authority, although the trial was cut short as it was not proving to be effective. They are going to trial another type of camera, and we have advised them that we would be keen to trial them locally.”

Councillor Clayton Wellman asked the following supplemental question:

“Will the Executive Member report back on progress at the next meeting?”

Councillor David Mir replied as follows:

“Absolutely, I'm sure that it won't be a problem.”

(4) The following question was submitted by Councillor Joe Crome:

“The Cleeve Road area of Leatherhead North is currently the subject of 2 major housing developments comprising over 200 new units, and in addition to these, between June-November 7 major permitted development office to residential conversions have been notified in the area, which would result in a further 342 new units within a small radius if acted upon, and additionally another application for 239 units is currently going through the planning process.

Will the Council take steps to address the strong concerns of local residents with regard to local infrastructure needs which are already under immense pressure in this area, including getting other agencies together to tackle these issues which include parking, roads, traffic congestion, play facilities and healthcare needs?”

Councillor Duncan Irvine responded as follows:

“With the exception of the housing site on the corner of Randalls Road and Cleeve Road which MVDC identified for development in the current Local Plan and a site adjacent to Therfield School, the remaining development that is proposed around Cleeve Road is either at appeal (ERA site), not yet determined (Leatherhead Food RA site) or is for office-to-residential conversions, which have not been implemented. The actual number of units that may eventually result is therefore uncertain, although it is likely to be less than that being proposed.

Where it is within our power, the Council does take steps to address the need for infrastructure when considering planning applications for new homes. For example, one of the reasons for refusing planning permission for 117 dwellings on the ERA site off Cleeve Road is the lack of play space, and in all permitted developments parking is required to meet the parking standards. So far as traffic and primary health care is concerned, we take the advice of the respective agencies and support them when necessary. In the case of new housing schemes in North Leatherhead, there has not been a requirement for additional highway works although that is always under constant review and we will respond to the advice of Surrey County Council's Highways Service as required.

I am aware however that concern has been expressed by the Ashlea Medical Practice regarding the lack of provision of primary health care in the light of a current application for planning permission for 250 new homes off Randalls Way, Leatherhead and other recent housing schemes in the area.

The impact that speculative development such as the Randalls Way scheme and others in Councillor Crome's ward has on infrastructure only serves to emphasise the need for a Local Plan. The cumulative effect of ad hoc proposals is difficult for infrastructure providers to accommodate in the short term because they happen in an unplanned fashion. The Local Plan will address these issues

by determining how much and where development should go. This in turn gives infrastructure providers the information they need to plan ahead for the longer term.

I will ensure in particular that we engage with the Surrey Downs Clinical Commissioning Group who are the body responsible for primary health care provision in Mole Valley to ensure the health needs of our communities are met. I can see there could be an opportunity to explore with them the scope to use the Transform Leatherhead project to address the issues highlighted by the Ashlea Medical Practice.

I hope all members will work with me to address our communities' infrastructure needs as part of the Local Plan as we go forward."

Councillor Joe Crome asked the following supplemental question:

"Just to touch on the Surrey County Council Highways service advice, will the Executive Member commit to working with residents and local Members to look at raising these issues with Surrey County Council around parking and congestion, so we can take a proactive approach to solving these problems, rather than just reacting quickly to last minute large developments?"

Councillor Duncan Irvine replied as follows:

"Absolutely in principle we are fully on board with this approach. The Executive can never know fully what is going on throughout the district, all the time. We depend on Ward Members and local residents to feed information back to us. Where that information comes back and we can use it to activate good change that is what we want to do. I would also like to emphasize again, the Local Plan will give us the opportunity to take a sweeping look at all of these issues and the sooner we get behind that the better. But absolutely I have no problem with what Councillor Crome suggests."

(5) The following question was submitted by Councillor David Draper:

"Given the published overspend of some £2 million on the current Meadowbank project, could the Executive member please explain the reasons for the overspend and give a detailed breakdown of these additional costs?"

Councillor Charles Yarwood responded as follows:

"There are two material issues which have resulted in additional spending on the Meadowbank project:

Natural Spring in North West corner of the site.

The whole of the Meadowbank site forms part of the flood plane for the Pipp Brook. During the excavation works a natural spring was discovered in the North West corner of the ground and following extensive discussions with the Environment Agency and the local planning department, a revised scheme was designed in order to adjust the overall level of the site and cope with any future flooding issues. As part of this work a revised drainage scheme was designed along with a temporary dewatering strategy for dealing with the natural spring during the construction phase.

Soil Conditions

During initial excavation works on the site, asbestos deposits were discovered in a number of locations. As a result, a further survey and soil analysis was commissioned which revealed the presence of extensive asbestos and localised metal deposits within the ground. As a result of these findings, 5000 cubic metres of soil was deemed to be contaminated (asbestos) and a further 1000 cubic metres as hazardous (traces of heavy metals). This soil had to be disposed of in specialist land fill facilities.

Cost

All costs are still subject to negotiation and agreement with the principal contractor, and are consequently commercially sensitive, and not within the public domain. However, a breakdown of likely costs is provided confidentially for Members.”

Councillor David Draper asked the following supplemental question:

“Given one element of overspend, can the Executive Member confirm that the scheme is still due to open on the newly planned date?”

Councillor Charles Yarwood replied as follows:

“Yes – that is my belief.”

(6) The following question was submitted by Councillor Stephen Cooksey:

“Will the Portfolio Holder for Planning provide the following details about housing development in Mole Valley in the period May 2014 to November 2017:

- a) How many planning applications for housing development were received and how many homes will be provided as a consequence of those that were approved;
- b) How much office to flats conversion notices were received in that period and how many flats will result from those conversions;
- c) How many 'affordable' homes were included in the approved plans and permitted development office conversions;
- d) How many 'affordable' homes were lost as a consequence of 'viability' arguments put forward by developers?”

Councillor Duncan Irvine responded as follows:

- a) “711 planning applications for housing development were received during the period May 2014 to November 2017. Planning permission was granted for 1,050 dwellings. I would add that the 711 planning applications include instances where more than one permission has been granted on a site. Moreover, not all the planning permissions are likely to be implemented.
- b) 85 applications were received for office-to-residential prior approval, amounting to 893 dwellings. Again I would emphasise that not all prior approvals are likely to be implemented. Of the office floorspace subject to office-to-residential prior approval, only 8% has been converted to residential use so far.
- c) Out of the total of 1,943 dwellings permitted or granted prior approval, 115 were affordable dwellings. I would also like to remind Council that we are not able to require a percentage of affordable homes in office to residential conversion schemes which require only prior approval.
- d) Only planning applications for 15+ dwellings are required to provide 40% on-site affordable housing contribution (smaller schemes have lesser requirements). Of the eight developments over 15 dwellings that were granted planning permission during the period, two developments had their combined on-site affordable housing contribution reduced on viability grounds from 25 to 15; a reduction of 10 affordable dwellings.”

Councillor Stephen Cooksey asked the following supplemental question:

“Given the very small number of affordable dwellings that were approved, does the Executive Member agree with me that this proportion is far too low and if he does, what plans are there to improve this in the coming years?”

Councillor Duncan Irvine replied as follows:

“The Local Plan is the plan that I have to improve this in the future. I can’t comment whether or not this proportion is too low. It is a low proportion, but without examining the specific circumstances behind each of the decisions and the reductions in requirements I can’t say.

The fact of the matter is what we need to do is everybody get behind the Local Plan, get the policies solid, so that in future when developers come to us and say we can’t possibly afford that, we can say to them, I’m sorry, but that is our policy in this district and if you want to build those homes, then this number of them need to be affordable.”

(7) The following question was submitted by Councillor Stephen Cooksey:

“At Scrutiny Committee on 14th November the Police and Crime Commissioner indicated an enthusiasm for the development of a Joint Enforcement Team with Mole Valley Council and made a commitment to provide £50,000 to launch the scheme. Would the Leader of the Council indicate whether Mole Valley will take up this offer and, if so, when it is planned for the Joint Enforcement Team to become effective?”

Councillor Vivienne Michael responded as follows:

“I have been an enthusiastic advocate of the principle of a Joint Enforcement Team or JET since discussing it with the former Police and Crime Commissioner in 2015 and, in April this year the Executive approved the Environmental Anti-Social Behaviour Strategy which set out a range of activities to target environmental ASB, including the development of a JET. I discussed this personally with the current PCC in the Spring, and he indicated then that he would support the establishment of a JET in Mole Valley including offering £50,000 in financial support. I am pleased to say that he has re-stated this commitment to me on a number of occasions since and, as you say, did so most recently at Scrutiny Committee in November.

Immediately after the approval of the Strategy in April, our officers started work on a plan for the development of a JET and, as part of this work, they had discussions with the PCC’s office about the support that would be provided. However, shortly after this, Surrey County Council advised all the Districts and Boroughs of a review of on-street parking arrangements and it was agreed that it would be appropriate to pause the work on JET while this review was underway so that we could ensure that any new arrangements would deliver best value in terms of the way in which we use our enforcement officers.

We are expecting a decision from County on future arrangements for on street parking enforcement in January, and we will take forward plans for a JET after that in line with the resource available. Officers have stayed in touch with the PCC’s office throughout the year and have agreed to talk again in January.”

(8) The following question was submitted by Councillor Margaret Cooksey:

“Can the Portfolio Holder provide details of the implementation of the following planning requirements for Cherkley Court:

- a) Whether the programme of public interpretation, enhancing public enjoyment of the site by explaining the historical significance of Cherkley Court, has been implemented as required in condition 51 of the planning permission?
- b) What arrangements have been notified to the Council about how Beaverbrook Golf Course is recording the number of rounds of golf played?
- c) Details of the Public Art required to be commissioned and installed within one year from occupation (as required under the Section 106 agreement) and confirmation that it is available to be seen by members of the public without charge?

- d) What steps the Council has taken to ensure that the operators of Cherkley Court are following clauses 12 and 13 of the Section 106 agreement - namely to recruit local employees and to source goods and materials locally?
- e) How many jobs and apprenticeships have actually been created pursuant to the planning statement which envisaged that 166 full-time and 26 part-time jobs would be created once operational with 'particular emphasis' being placed on skills training and initiatives such as apprenticeship schemes?"

Councillor Duncan Irvine responded as follows:

- a) "Work on the programme of public interpretation is in progress. The Planning Department have been in discussion with the site's owners about ideas for public interpretation and the owners will also seek advice from the Deepdene Trail Team which has recent experience of providing public interpretation for an historic site. The emerging ideas are centring on modern digital technologies rather than traditional signage.
- b) The s106 Agreement requires an annual meeting with the operators of Cherkley Court to review the operation of the site and ensure the ecological work programmes for the site are being adhered to and the planning conditions are being implemented as agreed. In addition, the Planning Department carry out regular monitoring of the site. At a recent meeting with the operators it was explained that the complex is not yet fully operational and the number of rounds of golf is below the 12,000 annual maximum as not all the golf memberships have been sold.
- c) Discussions with the site's owners have taken place about the nature of the public art work but ideas are at an early stage. It is anticipated that any proposals will require planning permission and be subject to public consultation before a decision is made.
- d) Some of the food is grown on site and some is sourced locally. Some of the staff live in accommodation provided in Leatherhead and Epsom and a staff bus provides a service from Leatherhead. More detail has been requested from the operator which I will circulate to Members when it is received.
- e) There are currently 220 employees which will rise to 250 when the spa and glass house cottages are completed. The operators have been asked to provide details of apprenticeships and I will make the information available to members when it is received."

Councillor Margaret Cooksey asked the following supplemental question:

"Given that most of these things are well overdue, could the Executive Member explain how he is going to expedite a rapid improvement in the movement of what is required and has been required for some time, particularly the art work, but also local employees, which are very different to employees who are housed locally?"

Councillor Duncan Irvine replied as follows:

"The officers are the primary interface with the operators of Cherkley Court. Obviously this is at least partly in my Ward and I am very happy to get involved as well in the conversation, if we decide it will help.

I would like clarity on the difference between local employees and employees who are housed locally, but this can be picked up outside of the meeting. I would be happy to look at our communications with Cherkley Court and provide Councillor Cooksey with more information following the meeting."

(9) The following question was submitted by Councillor David Hawksworth:

"In view of (1) The assertion of the Chancellor that the Government's commitment to protect the Green Belt remains firm; and (2) The Secretary of State for Communities and Local Government stressing to Chris Grayling MP on 9 October that local authorities should determine if constraints such

as the Green Belt prevent them from meeting the housing need, will the Executive now be re-considering its priorities for future development?"

Councillor Duncan Irvine responded as follows:

"Our selection of priorities for future development accords with the Secretary of State's advice. We are in the process of determining whether demand for future development can be met having regard to the constraints on new development that apply in the District.

So far as the Green Belt is concerned, the Government has recently proposed guidance in the Housing White Paper, Fixing our broken housing market, on what might be considered 'exceptional circumstances' for the release of Green Belt land to meet the requirements of the National Planning Policy Framework. The advice is that an authority should amend Green Belt boundaries only where it has examined fully all other reasonable options for meeting its identified development requirements.

We have been through the options suggested by the Government, including making an effective use of brownfield land, reviewing surplus public land, optimising density of development, and exploring whether other authorities can meet our demand. Even after considering these options, it is still the case that there is unmet housing demand. It is therefore necessary for us to look at options for the release of greenfield land, which may include amending Green Belt boundaries. We have chosen to explore three such options in more detail. That work will identify the extent to which unmet demand can be met in the District."

Councillor David Hawksworth asked the following supplemental question:

"Bearing in mind that the results of the consultation on the Government's White Paper are unknown, and this Council has not yet agreed a number for the unmet housing demand, should that not be done before revising any greenbelt boundaries, where these boundaries still meet the purposes of the greenbelt?"

Councillor Duncan Irvine replied as follows:

"Basically the answer to that question is no, because there is a fundamental misunderstanding about the process. It is not the case that we get a number of homes and then go about our business finding out how can we fit them into the district. We figure out the number of homes for which there is demand and then we basically stop the numbers side of it and look at the available land. We see what the land in the district looks like, as Councillor Hawksworth say, that involves an assessment of the greenbelt, to see how much of this land could we potentially look at developing without seriously harming the character of the countryside of the district. Then we have to have a more holistic look at how much land we have, how many homes we would ideally like to have and bring those two things together. It is not the process that we find the number of homes and that number is set in stone and then we have to go and find space for them in the district no matter what. For that reason, what has been suggested would not be the correct order to proceed."

(10) The following question was submitted by Councillor David Harper:

"Can the Council please list by project, the legal expenses incurred in the last calendar year to today's date where the cost was greater than 5 thousand pounds, and a brief description of what the overall context of the project was, and what needed enforcing or defending. Please indicate where costs were recovered from the other party, or where the Council had to pay the other parties costs and if any are on-going?"

Councillor Metin Huseyin responded as follows:

"There has only been one Court case where costs involved £5,000 or more. In that case the Council was awarded £5,000 (costs of £5,683 had been sought).

There have been 3 planning appeals where costs have been awarded against the Council. Two are very recent and the costs are not yet known and one was settled at about £12,000. There was one planning appeal where the costs were awarded to the Council in the sum of £11,400.

I would say that in light of the number of applications received in planning (up 5% from last year), the appeal numbers lost are extremely low. Having spoken to the Chairman of the Development Control Committee, he is happy that the Council supports the democratic decisions of the Committee and that they reach decisions based on the Committee not financial concerns.”

55. Motions

Motion 6/2017

The following motion was proposed by Councillor Margaret Cooksey and seconded by Councillor Clayton Wellman:

"This Council notes:

1. that the Future Mole Valley project is based on satisfying central government policies which require large scale housing development regardless of location and specific area housing needs;
2. that in order to meet these requirements the Executive has adopted housing demand figures which take no or insufficient account of local constraints such as the green belt, the adequacy of infrastructure, or the need to balance housing provision with provision for employment, retail and leisure facilities;
3. that the recent ‘consultation’ was flawed particularly in relation to its questions on greenfield sites and did not provide the evidence required to justify the conclusions reached;
4. that in the next phase of the project the capacity of future housing development sites will be based on developer’s estimates and no attempt will be made to determine whether these sites will provide for the real housing needs of the community which are principally affordable and social housing.

This Council therefore resolves:-

1. To ask the Executive to provide more details of the programme as agreed on Tuesday 28th November to reassure members that they will have the opportunity to contribute to the principal policy areas of the Local Plan, alongside the Local Development Scheme;
2. to seek to prepare a Local Plan that reflects the needs and aspirations of local residents, protects our green environment, recognises the limitations of our infrastructure and ensures a sensible balance between housing, employment, leisure and wellbeing;
3. To ensure that the potential capacity of development sites to meet local needs is made clear in revised policies;
4. to be prepared, if necessary, to challenge central government when the best interests of our residents and our communities are threatened”.

The Council resolved to take the motion on the night.

During her introduction to the motion, Councillor Margaret Cooksey highlighted to Members that the original motion as set out in the agenda had been revised to ensure what it complied with the standing orders set out in the Council’s Constitution. At its meeting on 28th November, the Executive had resolved to move to the next stage of the Local Plan making process. As the Constitution prevented motions from rescinding decisions within six months of them being made, the first resolution of the original motion had been revised to take this into account.

There was support for the resolutions as set out in the motion, however an amendment was proposed to revise the section of the motion for noting to correct what was considered to be factual inaccuracies. The amendment proposed was as follows:-

“This Council notes:-

1. that the Future Mole Valley project is based on satisfying central government policies which require authorities to meet objectively assessed housing need, unless that would cause demonstrable harm or is restricted by policies of constraint;
2. that in order to meet these requirements the Executive has adopted housing demand figures as the starting point in the process of preparing a new Local Plan, and that in the next phase of preparing the Plan it will be necessary to take account of local constraints such as the green belt, the adequacy of infrastructure, and the need to balance housing provision with provision for employment, retail and leisure facilities;
3. that in the next phase of the project it will be important to ensure we deliver sites that provide for the real housing needs of the community, including affordable and social housing.”

This amendment was voted upon and accepted (For – 20, Against – 18), becoming part of the substantive motion.

Despite the amendment to the motion being accepted, there were a number of Members who felt that their view of the consultation process, which they felt to be flawed, was not reflected. As such a further amendment for noting was proposed as follows

4. we acknowledge that a number of Members feel that the recent consultation was flawed particularly in relation to its questions on Greenfield sites.

The addition of this amendment was debated and voted upon and accepted (For – 25, Against – 1, Abstentions – 12), also becoming part of the substantive motion. The revised substantive motion was discussed by the Council and approved.

RESOLVED:

This Council notes:-

1. that the Future Mole Valley project is based on satisfying central government policies which require authorities to meet objectively assessed housing need, unless that would cause demonstrable harm or is restricted by policies of constraint;
2. that in order to meet these requirements the Executive has adopted housing demand figures as the starting point in the process of preparing a new Local Plan, and that in the next phase of preparing the Plan it will be necessary to take account of local constraints such as the green belt, the adequacy of infrastructure, and the need to balance housing provision with provision for employment, retail and leisure facilities;
3. that in the next phase of the project it will be important to ensure we deliver sites that provide for the real housing needs of the community, including affordable and social housing.
4. we acknowledge that a number of Members feel that the recent consultation was flawed particularly in relation to its questions on Greenfield sites.

This Council resolves:-

1. To ask the Executive to provide more details of the programme as agreed on Tuesday 28th November to reassure members that they will have the opportunity to contribute to the principal policy areas of the Local Plan, alongside the Local Development Scheme;
2. to seek to prepare a Local Plan that reflects the needs and aspirations of local residents, protects our green environment, recognises the limitations of our infrastructure and ensures a sensible balance between housing, employment, leisure and wellbeing;

3. To ensure that the potential capacity of development sites to meet local needs is made clear in revised policies;
4. to be prepared, if necessary, to challenge central government when the best interests of our residents and our communities are threatened

(NB. Counted vote 32 in favour, 0 against and 6 abstentions)

56. Exclusion of Press and Public

RESOLVED: That members of the Press and public be excluded from the meeting for the following items of business under Section 100A(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act; namely information relating to the financial or business affairs of any particular person (including the authority holding that information) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

57. Urgent Item: Acquisition of Property Investments

Part II

The Council considered a confidential report recommending the addition of property investments to the Council's Capital Programme.

RESOLVED:

1. That subject to contract and satisfactory completion of the due diligence process, the acquisition of the properties set out in the report be approved.
2. That the delegation of the final decision to proceed with the acquisition to the Deputy Chief Executive in consultation with the Executive Member for Assets and Investments following completion of the due diligence process be approved; and
3. That the addition of funds to the 2017/2018 capital programme to enable the acquisition of the properties including stamp duty, minor refurbishment costs and acquisition fees be approved.

58. Urgent Item: Quarterly Report On Decisions Taken Under Special Urgency Arrangements

Part II

The Council considered a confidential report asking Members to note the acquisition of a property in pursuant to the Asset Investment Strategy made using the Special Urgency Arrangements set out in the Council's Constitution.

RESOLVED: That the report be noted.

Agenda Item 12 - Questions remaining to be asked

(1) Submitted by Councillor David Harper

Can the Council please advise consultants to the Council and entities wholly owned by the Council that received contracts greater than 5 thousand pounds and explain how these contracts are awarded to ensure value for money?

Answer by the Executive Member for Finance and Corporate Services - Councillor Metin Huseyin

A list of payments to Consultants over £5,000 in the one year period from October 2016 to September 2017 will be provided for Members outside of the meeting. We have added a comment on the purpose of the expenditure in each case.

There are 29 consultants on the list and the total expenditure is £577,000. In the short time available, there are a handful of items that we could not identify the purpose of. If Councillor Harper requires a more complete answer, we can follow the missing items up.

This information is all publically available on a quarterly list of all of the Council's payments in excess of £500 which we are required to display on our website.

Value for money is ensured through our contract standing orders. For work expected to cost more than £25,000, a full tender process is launched and widely advertised. For work between £10,000 and £25,000, three quotations must be obtained in advance. Below £10,000, one advance quotation is required. If, for any reason, a contract is required without following the standing order procedures, then a signed "waiver of standing orders" must be obtained from the s151 Officer. These waivers are periodically reported on the agenda for the Executive.

(2) Submitted by Councillor Claire Malcomson

With the new public announcement that Mole Valley has discovered the capability to increase brownfield intensity in order to achieve an extra 1200 homes from brownfield sites, and therefore the potential requirement to meet the OAN from greenfield has fallen to 1800 houses, can the Executive clarify that we will not encroach on any Green Belt land, "retaining [the] strong protections" currently in place and reiterated by Sajid Javid? In addition, will the Executive confirm that this windfall of 1200 extra housing capacity on brownfield land won't be added onto our previous total OAN figure of 5900 in order to exceed it by taking housing numbers responsibility from the other HMA zones? And that our total capacity will not exceed the 5900 for this or any other reason?

Answer by the Executive Member for Planning - Councillor Duncan Irvine

I refer to the answer I gave to Cllr Hawksworth in relation to the release of Green Belt land.

Members will be aware that, even after maximising the use of brownfield land, there will remain unmet housing demand in Mole Valley. Irrespective of whether we are able to meet that demand, it is essential that we can demonstrate that we have explored the possibility of development on greenfield land, including where necessary amending Green Belt boundaries. The proposed Government guidance which I have previously referred to indicates that where all other reasonable options have been considered, and there is still unmet demand, it will expect a local authority to have explored options for development on Green Belt land. Failure to do so is likely to risk the plan being found unsound at examination, a situation that has occurred elsewhere in Surrey.

The figure of 1200 extra homes that we estimate can be achieved by maximising brownfield options forms part of the potential housing capacity in Mole Valley, and helps address the overall housing demand forecast. It does not increase the housing demand.

We are in the early stages of considering to what extent we can accommodate future development demand. I indicated to the Executive last week that I plan to bring forward arrangements for all Members to be involved in this process.

We have advised neighbouring authorities that it is very unlikely that Mole Valley will have any spare capacity to meet their unmet housing needs. We will be in a better position to answer that question once the more detailed assessments of the brownfield and greenfield options selected for further work have been completed.

(3) Submitted by Councillor Paul Kennedy

At the Spring Budget on 8 March 2017, the Government announced that it would establish a £300 million discretionary business rate relief fund so that local authorities could devise local schemes to assist businesses that are facing rising bills as a result of a national revaluation of all business properties. As Mole Valley businesses have been particularly hard hit by the revaluation, Mole Valley District Council was allocated Government funding of up to £379,000 to enable it to grant relief to businesses in its area in the year beginning April 2017. As we are now 8 months through the 2017/18 year, how much of this relief has so far been paid to Mole Valley businesses, and has the Council made any assessment of the impact of this relief in mitigating the extra costs to businesses?

Answer by the Executive Member for Finance and Corporate Services - Councillor Metin Huseyin

There are 162 accounts that have been awarded £372,138 of our £379,000 grant. Revised bills have been issued and two organisation which had been granted the relief, namely Tesco and JD Wetherspoons have written to advise that they do not wish to claim this relief due to state aid.

Also we have now been advised about properties that are empty and are no longer entitled to this relief. As per Government guidance we will not claim the difference through Section 31 Grants.