

Minutes of a Meeting of the Executive held on Tuesday 31st October 2017 at Pippbrook, Dorking, from 7.00pm to 7.55pm

Present:

Executive Members: Councillors Vivienne Michael (Leader/Chairman), Charles Yarwood (Deputy Leader), Lucy Botting, Simon Edge, Metin Huseyin and Corinna Osborne-Patterson

Non-Executive Members: Councillors Margaret Cooksey, David Draper, David Harper, Paul Kennedy and Claire Malcomson.

27. Minutes

RESOLVED: That the minutes of the meeting of the Executive held on 26th September 2017 be approved as a correct record and signed by the Leader.

28. Apologies for Absence

Apologies for absence were received from Councillors Duncan Irvine and David Mir

29. Disclosure of Interests

None

30. Councillor Question Time

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

“Planning fees are set nationally and haven't been increased since 2012. Nationally, this has led to taxpayers subsidising planning departments from their rates.

Are Mole Valley rate payers subsidising or enjoying a surplus from the activities of planning department?”

Councillor Vivienne Michael (answering on behalf of Councillor Duncan Irvine) responded as follows:

“In 2016/17 the net cost of processing planning applications in Mole Valley was £442,500.

The Housing White Paper sets out the Government's intention to increase nationally set planning fees by 20% for those local authorities who commit to investing the additional fee income in improving the productivity of their planning departments. Regulations will be brought forward as soon as possible which, subject to Parliamentary scrutiny, will enable local authorities to increase fees. It is understood the regulations will be brought into effect by the end of this year.

In a separate move, the Government last month published a consultation paper entitled “Planning for the right homes in the right places”. It includes the invitation to comment on a proposal for a further 20% increase in fees for those local planning authorities who are delivering the homes their communities need on top of the increase which is the subject of Regulations. The Government is asking what should be the criteria for measuring this and whether there are more appropriate circumstances when a local planning authority should be able to charge the further 20%.

A response to this consultation is being drafted and will be shared with members of the Planning Policy Working Group. Our initial views are that a further 20% increase in fees should not be a reward but as a necessity and ring fenced to ensure planning departments are able to increase capacity and capability in delivering the development management service. The criteria for being able to charge a further 20% should not be based simply on the number of homes as this could penalise those areas where there are constraints on development. Moreover, increasing fees as a reward to meeting targets could influence the decision making process in order to access additional funding. We feel that if a local authority is under performing and “designated” it should not be able to charge the additional 20% fee increase.”

Councillor David Harper made the observation that in his opinion the £442,500 net cost for the

service was untenable and that the Council should be able to balance the fees with the costs, as it was a service that should not take funds from other services. Councillor Vivienne Michael acknowledged that there was widespread support for this view and advised that this was the reason the Government was looking to introduce the means to increase planning fees.

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

“In the context of recent news from Hollywood, the almost daily revelation of accusations in our press against people who hold positions of authority, can the council support the 2010 Equal Opportunities Act, by asking all organisations that MV gives grants to, to provide their clauses in their employees or staff handbooks, that re-enforces this legislation and offer a training session for any organisation that wants further education on the seriousness of these issues?”

Councillor Lucy Botting responded as follows:

“The Council conducts an Equality Impact Assessment in relation to the organisations that it recommends grants for. This Assessment accompanies the Grant Report.

The Grants Policy is currently under review and consideration of any additional regard to the Equality Act 2010 or other employment policies in relation to disclosure of this information can and will be considered.

The voluntary sector infrastructure organisations advise on requirements for community and voluntary organisations in relation to their governance and legal responsibilities. We can work with our local body to ensure that training can be made available where necessary.”

Councillor David Harper welcomed the commitment to keep it under review and keep the obligations to the letter and the spirit of the law.

(3) The following question was submitted by Councillor Paul Kennedy:

“What is the Council's current assessment of the number of Mole Valley residents who are likely to be affected by the roll-out of Universal Credit, and of its impact on the Council's key performance indicators such as those relating to homelessness?”

Councillor Corinna Osborne-Patterson responded as follows:

“Currently there are 29 Universal Credit cases that MVDC are aware of in the district. MVDC is only made aware of the cases where there are housing costs included in the claim.

The Council has asked the question of the Department of Work and Pensions (DWP) as to an assessment of numbers likely to be affected in Mole Valley come the full roll out in July 2018. The DWP has replied that there is no estimate made for each area. Therefore MVDC cannot make an accurate prediction alone due to Housing Benefit being just one of the six benefits that are being rolled together for Universal Credit – hence it would be a partial picture. Anyone applying for any of the 6 benefits may trigger the need for an application for Universal Credit.

Currently there are in the region of 2,000 Housing Benefit claims for working age people in Mole Valley. The rollout in July next year will be for new claimants only with existing Housing Benefit claimants being rolled onto Universal Credit following after.

Experience of other areas suggests that the impacts are in relation to a build-up of arrears due to the assessment period and Universal Credit being paid in arrears.

Both the Government and Parliamentary Select Committees have debated this recently and clarified certain things and made changes:

- Advance Payments are available within the period of assessment which is repaid over 6 months.
- Calls to the DWP helpline will become free from December.

- DWP are monitoring closely the roll out in other areas to learn, test and rectify issues for the next phases.

It is anticipated that there could be impacts in terms of homelessness in light of any build-up of arrears as a result of Universal Credit and the Council is preparing for this in tandem with its preparations for the Homelessness Reduction Act which is also coming into force in 2018. The Council will continue to provide support to customers in hardship and exhaust all its homelessness prevention techniques including liaising directly with the DWP on behalf of clients.

I have updated Members on the impending roll out of Universal Credit for some months, as well as other Welfare Reforms. I have included items in my Executive Member Updates and have produced and provided via MOSS and at Council, comprehensive briefing papers specifically related to all these changes.

Universal Credit has already been rolled out in Mole Valley for single, non-complex claimants and this has gone smoothly, though the numbers have been small. We have also been working with a few more complex cases where they have moved to Mole Valley from other areas where Universal Credit has already rolled out more fully. Our teams in Housing, Benefits and Council Tax have been working with the DWP to prepare for these changes, and with support agencies such as Citizens Advice and with Housing Associations to ensure that we are all in receipt of the same information and guidance in preparation for the rollout.

Whilst the DWP are the lead agency in relation to new claimants for Universal Credit, we have been working with them and the other agencies mentioned to ensure that communication is being delivered widely to those likely to be affected. We will continue to meet with our local DWP partners who are sharing information with us in preparation for rollout and coordinating messages to our partners and landlords. Our private sector landlords forum have been kept apprised of the plans for roll out and what they need to do to prepare.”

Councillor Paul Kennedy asked the following supplemental question:

“Are the 2,000 Housing Benefit claims for working age people in Mole Valley new claims or does this figure include existing claimants?”

Councillor Corinna Osborne-Patterson replied as follows:

“The figure relates to all current claimants.”

(4) The following question was submitted by Councillor Paul Kennedy:

“What steps is the Council taking to ensure that the proposed new emergency access to River Walk via Mole Road in Fetcham conforms with approved plans and drawings in accordance with Condition 10 to MO/2015/0401 (namely a fixed barrier to prevent unauthorised access, reducing the size of the opening to the agreed minimum width necessary for emergency vehicles, placing the barrier on the boundary line so as to preserve a turning area at the cul de sac end of Mole Road, and any rectification work is carried out prior to the development being first occupied)?”

Councillor Vivienne Michael (answering on behalf of Councillor Duncan Irvine) responded as follows:

“Condition 10 of the planning permission for the development of twenty six new homes at River Walk, Fetcham states that: The development hereby permitted shall not be first occupied unless and until a physical barrier fronting Mole Road has been erected to prevent the formation of unauthorised access to that road in accordance with the approved plans. Thereafter, that physical barrier shall be permanently retained and maintained to the satisfaction of the local planning authority

The reason for the condition is to ensure the development should not prejudice highway safety nor cause inconvenience to other highway users.

The emergency access that has been constructed reflects the design shown on the approved drawings.

The developers of River Walk have installed three bollards across the emergency access. They have been advised by Surrey County Council that this is insufficient to form a barrier. The developers have confirmed that two additional bollards will be installed between the existing ones. The County Council has confirmed that such an arrangement would be satisfactory and provides a physical barrier to prevent the formation of unauthorised access from River Walk to Mole Road as required by Condition 10.

Enforcement action is discretionary and local planning authorities are expected to act proportionately in response to suspected breaches of planning control. National planning guidance explains that action should be taken when it is expedient. In this case the emergency access which has been constructed is acceptable on its planning merits and is not considered to cause significant material harm or adverse impact on the amenity of the area.

Subject to the installation of the two additional bollards, it is not considered expedient to take any action in regard to the emergency access.”

Councillor Paul Kennedy asked the following supplemental question:

“The response will be a disappointment to local residents who don't think that the design of the scheme reflects what was agreed when planning permission was granted. Will any account be taken of the view of local residents?”

Councillor Vivienne Michael replied as follows:

“I will relay this opinion back to Councillor Irvine as the relevant Executive Member to investigate further. However, the given response was fairly clear about that particular condition and that there is compliance in this instance.”

(5) The following question was submitted by Councillor Claire Malcomson:

“On the MVDC website it says 'Mole Valley is committed to ensuring its own operations and the activities of the district's residents and businesses have as few negative effects on the environment as possible.' Please can the Executive update us on what the next step is to ensure this and include this in the New Local Plan? Stipulating that developers must install the most energy efficient heating systems, in domestic and non-domestic builds. Perhaps encouraging the installation of Ground Source Heat Pumps, and could this be included in the renovation of Pippbrook House?”

Councillor Vivienne Michael (answering on behalf of Councillor Duncan Irvine) responded as follows:

“In March 2015, the Government introduced a new national policy on housing standards, which replaced locally defined housing standards with a set of national technical standards, mainly operating through the Building Regulations. As part of the work to prepare a new Local Plan for Mole Valley, we will be reviewing our current Core Strategy Policy CS19, which deals with renewable energy and energy conservation. This work will be towards the latter stages of the plan making process and will identify how we can best encourage environmentally friendly development within the national technical standard framework.

The proposal to prepare a Master Plan to identify potential regeneration opportunities for the Pippbrook site and Reigate Road Car Park which will be considered later this evening provides an opportunity to assess options for the future of Pippbrook House. Any works to the property requiring planning permission will be required to meet the national standards I have referred to or policies in the new Local Plan depending on when the proposals come forward. Whether the building's refurbishment should include a new heat source will be something that could be considered when its future is agreed taking into account the financial viability of the refurbishment.

It is also worth saying that the recent renovation of the Pippbrook offices included several energy saving measures which will reduce the building's impact on the environment. These include a LED lighting system that is sensitive to external light levels and is activated by sensors only when the building is occupied; insulation of the roof and heating /cooling systems to meet modern standards. Initial indications are that these energy saving measures are showing promising cost savings as well as environmental benefits.”

Councillor Claire Malcomson asked the following supplemental question:

“The response given refers to ‘how we can best encourage environmentally friendly development’, can it be clarified how committed the Council is to encouraging developers to install the most efficient heating systems?”

Councillor Vivienne Michael replied as follows:

“I would agree that MVDC needs to be doing all it can to encourage environmentally friendly development, but I will pass your question onto Councillor Duncan Irvine to provide a more detailed response.”

(6) The following question was submitted by Councillor Claire Malcomson:

“MVDC is committed to reducing the environmental effects of travel. The Staff Travel Plan aims to encourage and enable staff to adopt more sustainable and low emission transport for commuting and business travel, but as there are no working public EV points no-one can charge their Hybrid or electric car, whilst at work. Please will the Administration urgently encourage Southern Rail to replace or renew the 8 out of date Electric Charging Points at the Dorking Station as none of them are working and once replaced have signs directing the public to them?”

Councillor Vivienne Michael (answering on behalf of Councillor David Mir) responded as follows:

“Officers have already been in discussion with Govia Thameslink over this issue, following a request that they do so from the Leader of the Council in September. Govia Thameslink have advised that they are aware of issues with the charge points at both Dorking and Ashted Stations, as well as at other sites, and they are in the process of upgrading the charge points. Govia Thameslink have advised that they expect these upgrades to be complete by early 2018. Furthermore, officers have discussed the issue of the signage. Govia Thameslink have agreed to consider additional signage and officers will continue to progress this with Govia Thameslink.”

Councillor Claire Malcomson asked the following supplemental question:

“Could we look to install universal charge points in MVDC car parks and also look to include a stipulation in the Local Plan for developers on sites of five or more units to install charge points, the installation cost of which would be met by the developer?”

Councillor Vivienne Michael replied as follows:

“The Council is in discussion with experts to identify the best charging points to install in Council car parks. Charge points will be installed in the Swan Centre car park and following this other locations will be considered. The Car Parking Scrutiny Panel has also been asked to look at the provision of electric vehicle charge points and will be presenting their views later in the year.”

31. Report of the Scrutiny Committee

The Chairman of the Scrutiny Committee advised that apart from Executive reports to be considered elsewhere on the agenda, the Committee had received a presentation from Rob Fairbanks, a Director of Surrey Hills Area of Outstanding Natural Beauty, MVDC’s Annual Review of Complaints for 2016/17 and a short update on the work of the Mole Valley Access Group.

From the presentation given on the work of the Surrey AONB, the following key points were relayed back to the Executive:-

- The Quiet Lanes Project aimed at discouraging larger vehicles from using narrow country lanes was currently being developed, including a pilot scheme using wooden bollards to visually narrow the entrance to these roads.
- Drilling on Leith Hill was discussed in depth by the Committee at their meeting; with it confirmed that a planning application was due to be considered by Surrey County Council, with the traffic management plan forming a significant part of this application. Following the meeting it had

since been confirmed that the decision had been deferred to allow for further work on the application.

- It was confirmed that 75% of the funding for Surrey Hills AONB was derived from the Department for Environment, Food and Rural Affairs (Defra) with the remaining 25% from local authority grants. Defra had confirmed funding for the next two years, but this was dependent on continued funding from local authorities as well.
- As Surrey Hills AONB did not own or manage any areas of land themselves, it enabled them to maintain a good relationship with all their partner organisation ensuing there were no conflicts of interest.

From the Scrutiny Committee's consideration of the Review of Complaints for 2016/2017 the following points were noted:-

- The Scrutiny Committee were pleased to note that the number of complaints received by MVDC in 2016/17 had reduced compared to previous years, continuing a trend of year on year reductions.
- The Scrutiny Committee were also pleased to note that MVDC continued to investigate complaints, with any feedback received used to identify improvements to services.
- The Development Management service had received the highest number of complaints, which was a regular pattern from previous years and could be attributed to the nature of their work and in particular rejected planning applications.
- The Committee had suggested that it would be useful for complaints to be analysed to see whether there were any geographical patterns within the District.

The Committee had also received a short presentation from Councillor Tim Loretto on the work of Mole Valley Access Group, including information about the different organisations, such as Sight for Surrey and Try Before You Fly, who attended meetings to discuss relevant issues in the area. Council Officers from different departments, such as Planning and Parking, also attended meetings to discuss issues which were within the remit of MVDC.

32. Fixed Penalty Notice Enforcement Policy

Interim Corporate Head of Service, Paul Anderson introduced the report, highlighting that the development of a Fixed Penalty Notice Enforcement Policy had been included within the Environmental Anti-Social Behaviour Strategy approved by the Executive in April 2017. MVDC had been issuing fixed penalty notices (FPN) since August 2016, but the new policy reflected current legislation, allowed MVDC to issue fines at the maximum possible level and also ensured that adequate resources were in place.

The Scrutiny Committee Chairman advised that Members had welcomed the updated Policy, which was felt to be comprehensive and the following points were raised during the Committee's discussion:

- In relation to the unauthorised distribution of printed material, it was advised that organisations were approached in the first instance before an FPN was issued for handing out flyers. When the flyers related to an event on MVDC land the deposit from the hirers could be withheld to cover the cost of clearing the litter.
- The Committee also discussed the impact of FPNs on concerts held at Dorking Halls with it advised that MVDC had spoken to regular promoters at Dorking Halls and they were aware of the guidelines regarding flyers as these were included in the terms and conditions when hiring the venue.
- The powers relating to the parking of vehicles exposed for sale on a road only applied to businesses selling vehicles on the road (i.e. 2 or more vehicles). A private seller selling only

one vehicle would not be given an FPN.

The risks from adopting the new policy were discussed with it highlighted that increasing the ability of officers to impose 'on the spot' fines did carry potential risks. It was confirmed that training was given to all staff issuing fines and additional safeguards were put in place.

RESOLVED: That the Fixed Penalty Notice Enforcement Policy be approved.

33. The Potential Regeneration Development Opportunities on Pippbrook Site and Reigate Road Car Park, Dorking

The Executive Member for Assets and Investments, Councillor Charles Yarwood, introduced the report advising that this project represented a unique opportunity to boost the vitality of Dorking town centre, as well as having the potential to create new jobs, new housing and find a viable use for Pippbrook House. It was also advised that any proposals for the site would need to complement the existing use of the Pippbrook site, namely the Council offices, bowls club and tennis court, as well as Dorking Halls and Dorking Sports Centre.

The Scrutiny Committee Chairman reported the following comments from their consideration of the report:-

- It was suggested that there may be alternative options for the provision of the bowls club and tennis courts facilities, such as a rooftop bowling green and indoor tennis courts with developments above.
- The access points on the plan were also discussed; with it suggested that the ramp onto the Pippbrook Offices should be considered as an alternative route to get to the back of the site and the tennis courts.
- The Committee had been advised that there were no assumptions about specific developers at this stage. Once the masterplan had been considered by the Executive, MVDC would need to decide whether to involve developers to deliver any of the identified projects.
- Clarification had been sought on the role of the Dorking Members in the development. It was agreed that the Dorking Members would be consulted on the draft Masterplan prior to consideration by the Executive.
- The impact of the sloped site was also discussed by the Committee, with it advised that in terms of a hotel the slope could increase the development cost from £65,000 per hotel room to £79,000 per hotel room.

RESOLVED:

1. That the Chief Executive in consultation with the Executive Member for Assets & Investments, the Executive Member for Economic Development & Transform Leatherhead and the Dorking Members be authorised to;
 - A. Draw up a brief for a consultant to carry out a Draft Master Plan for the future of the Pippbrook Site and Reigate Road Car Park.
 - B. Procure and retain a property/planning consultant to draw up the master plan for the sites. The plan will include a viability assessment of proposed uses, planning strategy advice and different options available to delivering the project.
 - C. Agree a budget for the consultant of up to £55,000.
2. That the Draft Master Plan be brought back to the Members of the Executive for further consideration following consultation with the Pippbrook Working Party and the Dorking Members.

34. Financial Scene Setting 2018/19 to 2020/21

The Executive Member for Finance and Corporate Services, Councillor Metin Huseyin, introduced the report advising that the report was the starting point for the detailed process of Business and Budget Planning for 2018/19. It provided an assessment of the financial climate and the national and local factors that will have an impact on the Council's budget.

It also updated the Medium Term Financial Plan for the three years from 2018/19 to 2020/21 and made a broad-brush comparison between expected income and spending in those years, prior to a more detailed assessment over the coming months. The financial model for the next three years, set out in the report, showed a broadly balanced position in the first year, 2018/19. However, further reductions in Government Grant and New Homes Bonus would lead to a deficit position in years two and three. Initiatives to increase the Council's income, through extending the Asset Investment Strategy and applying for pilot status on the Government's business rates reforms, would be pursued as part of the budgeting process.

The Scrutiny Committee Chairman reported the following comments from their consideration of the report:-

- The Committee had discussed the impact of the changes to the New Homes Bonus. There was now a threshold which would have to be met in order to receive the grant. This would be 0.4% of the existing housing stock – approximately 150 homes for MVDC. This would increase each year as more houses were built. Given that there were significant constraints upon building on large sections of the district, it was agreed that it would be challenging for MVDC to meet the threshold.
- The negative Revenue Support Grant was also discussed, with it advised that it had still not been confirmed whether this would be happening. It was also noted that the Leader of MVDC, along with the other Surrey Leaders, was seeking clarity on the situation from central Government.
- A reduction in income from Recycling Credits was also discussed, with it advised that over the next three years MVDC's income was estimated to decrease by £260,000.
- The Committee had welcomed the recognition that the current approach of increasing fees & charges each year would not necessarily be sustainable in future years and that the principles for increasing fees and charges were going to be reviewed as part of the forthcoming budget process.
- There was some concern expressed about the continued overspend in the Planning service budget, along with there also being, in the perception of some Members that planning enforcement was not being delivered as effectively as possible. It was noted that the Planning Scrutiny Panel had recently been set up and part of its remit was to review these concerns.
- The Capital Programme was also discussed; with it advised that it was within the remit of the Council to set the amount of capital funding budgeted for the upkeep of assets. Although there was no requirement to spend at a particular level, it was considered best practice to allocate funds at level sufficient to maintain asset value.

RESOLVED: That the financial scene setting report be noted as the starting point for detailed Business and Budget Planning for 2018/19.

35. Appointment to Dorking United Charities

The Leader of the Council, Councillor Vivienne Michael, introduced the report highlighting to Members that although appointments to external organisations were normally reserved for the Annual Council meeting, should a vacancy occur during the year it was left to the Executive to confirm any appointments as they arose.

In this case MVDC had been advised that that one of the three MVDC appointees to Dorking United Charities, Mrs Grieve, had decided to stand down from her role and as such the Executive were

being asked to confirm the appointment of a replacement, with Councillor Margaret Cooksey nominated to fill the vacancy.

RESOLVED: That Councillor Margaret Cooksey be appointed as a Council representative for Dorking United Charities.