

Minutes of a Meeting of the Executive held on Tuesday 9th December 2014 at Pippbrook, Dorking, from 7.00pm to 9.12pm

Present:

Executive Members: Councillors Chris Townsend (Leader/Chairman), James Friend, Simon Ling, Vivienne Michael, John Northcott and Charles Yarwood.

Non-Executive Members: Councillors Emile Aboud, Margaret Cooksey, Stephen Cooksey, David Preedy and Sarah Seed.

46. Minutes

RESOLVED: That the minutes of the meeting of the Executive held on 4th November 2014 be approved as a correct record and signed by the Chairman/Leader.

47. Apologies for Absence

Apologies for absence were received from Councillor Paul Newman.

48. Disclosure of Interests

Councillor James Friend declared a non-pecuniary interest in item 9 - Dorking Cemetery, by virtue of being a Church Warden of St John the Evangelist, Wotton.

49. Councillor Question Time

(1) Councillor James Friend asked the following question:

'Please can the Executive Member for Planning confirm, if the council were to be starting the Housing & Traveller Land Allocation process again today, land for what number of dwellings would be required to be identified based on the methodology set out at the start of the Housing & Traveller Land Allocation process updated for permissions granted and dwelling completed as at 20th November 2014 together with ministerial guidance on the ability to extend the number of years of windfall allowance that can be included in the numbers of dwellings not yet required to be identified and on the more limited need to identify land for dwelling numbers required beyond the tenth year of the plan period?'

Councillor John Northcott, Executive Member for Planning, responded as follows:

Section 6 of my report on the proposed termination of work on the Housing and Traveller Sites Plan explains the current land supply situation when measured against the Core Strategy's housing requirements to 2026. It also indicates the Plan would have needed to have identified sites for around 420 new homes to satisfy the Council's commitment to meet the housing requirement in the Core Strategy. This includes the decisions taken at November Development Control Committee.

If we were starting the Plan again today as the question poses, it could not be adopted until after 2016 at the earliest, so it would at most have only ten years to run. What might happen in years 11 and later would not be a matter for that plan so the last part of the question is not relevant.

(2) Councillor David Preedy asked the following question:

'Last week we had an interesting presentation at Scrutiny about the challenges of maintaining our recycling rate. I see from the Council's Web site that Tetrapaks can be recycled if they are brought to the Recycling bring sites, but are the only recycling stream not collected from the doorstep. How much is brought to the bring sites and what consideration has been given to collecting these from the doorstep?'

Councillor Chris Townsend, Leader of the Council, responded as follows on behalf of Councillor Paul Newman, Executive Member for Environment:

As Councillors will know from the informative presentation at last week's Scrutiny Committee, the Recycling Team are continually looking for ways to encourage and enable residents to recycle more of their waste. In recent years the Council has introduced kerbside collections of food waste, plastic tubs, trays and bottles, as well as textiles and small electrical items. For several years the team have been working to introduce kerbside collections of tetra paks to make it as easy as possible for our residents to recycle from their homes. However, unfortunately the Materials Recovery Facility (MRF) in Leatherhead, where the rest of the mixed recycling goes, is currently unable to accept tetra paks. The Council has a successful history of working with the MRF operators to include additional materials for the benefit of residents. For example, glass was included in 2008 and mixed plastics were included in 2012. However, the operators have not yet found a way for their facility to separate tetra paks from the general recycling mix and therefore it is not possible to accept this material at the kerbside. The Recycling Team will continue to explore the possibility of extending further the material mix at the MRF for the benefit of our residents.

In the meantime, I would like to thank those residents who take their cartons to the bring banks across our district. Over the course of a year we collect approximately 4 tonnes of tetra-pak cartons from these sites.

Councillor Preedy asked a supplementary question regarding whether there was a method of collecting items separately which could not be separated from the mixed recycling at the MRF.

The Corporate Head of Service advised that a separate collection could be possible if this was considered appropriate.

(3) Councillor David Preedy asked the following question:

'On 28th November the Secretary of State for Communities and Local Government announced plans to exempt developments of fewer than 10 houses (or fewer than 5 in "very rural" areas) from most Section 106 charges – specifically those for infrastructure charges and for affordable housing. What annual receipts has this Council received over recent years from developments that would be exempt if this plan is implemented in full?'

Councillor John Northcott, Executive Member for Planning, responded as follows:

In 2013/14 the sum of £830,000 was collected from housing schemes of 1-9 units and put towards the provision of affordable housing schemes and in 2012/13, the total was £560,000.

These figures relate to sums that have been paid by developers of small scale housing schemes for use in the provision of affordable housing elsewhere in the District. They do not include contributions for affordable housing that have been agreed with developers through unilateral undertakings but which have not yet been paid because a development has not commenced.

Officers will interrogate further our records of unimplemented housing schemes to identify the level of agreed contributions that might be at risk and the findings circulated to Members as soon as possible.

In addition to collecting funds for affordable housing provision from housing schemes of 1-9 units, contributions are also sought for infrastructure improvements through the system of Planning Infrastructure Contributions or PIC which is levied through S106 agreements.

An initial assessment of schemes indicates that if the Government's latest guidance had applied to PIC contributions in 2013/14, then £141,500 collected for MVDC to use for infrastructure and £261,500 for Surrey County Council to use for transport and education would no longer be able to be secured. This would have equated to a loss of approximately two-thirds of all PIC contributions.

We have sought legal advice with Surrey County Council and other Surrey districts and boroughs regarding how these changes should be considered in relation to the Council's adopted policies and supplementary planning document on affordable housing and the processing of planning applications. This advice is expected soon and Members will be briefed accordingly. In the meantime PIC and affordable housing contributions will continue to be collected as before.

(4) Councillor David Preedy asked the following question:

‘Several months ago it was agreed that Working Group papers would be made available to all interested Members, including those not on a particular Working Group. We were told that arrangements would be made to put them on MOSS – the intranet system for Members. When can we expect these arrangements to be in place?’

Councillor Chris Townsend, Leader, responded as follows:

I can confirm that arrangements for uploading Working Groups papers to MOSS are already in place. The papers for the Cycling, Sustainable Economy, Wellbeing, Aviation, Thomas Flack and Planning Policy Working Groups are on MOSS. Papers for the reconvened Pippbrook Working Group will be added once it meets.

I will ask the Democratic Services team to send a short note to all Members highlighting where the Working Group papers can be found within MOSS.

50. Report of the Scrutiny Committee

The Scrutiny Committee met on 2nd December and considered a number of reports which were included on the Executive agenda for 9th December 2014. The Chairman of the Scrutiny Committee, with the approval of the Leader, undertook to submit feedback to the Executive during their consideration of each report. In addition, the Chairman updated the Executive on the Scrutiny Committee held on 11th November which had received informative presentations from a number of organisations – Leatherhead and Dorking CAB, East Surrey Domestic Abuse Service, National Trust and Surrey Highways. This meeting had afforded the Committee an opportunity to undertake questioning and scrutiny of these organisations and to participate in constructive dialogue. The Committee on 2nd December had also received a number of presentations and updates from the South East Surrey Family Support team, the East Surrey Rural Transport Partnership and Mole Valley’s Recycling Team, and a report back on the flooding action plan.

51. Month 7 2014/15 Budget and Performance Report

The Executive considered a report detailing progress during the year to date with regard to performance indicators and priorities, and the outcome of the monthly budget monitoring exercise for the end of October. The Executive Member for Finance and Corporate Services outlined the budgetary changes since the last reported position to the Executive.

With regard to performance, the Executive Member for Finance and Corporate Services reported that 14 out of 17 performance indicators were on or above target. A number of key achievements across the Council’s three priority areas were highlighted, including the reduction in time taken to assess changes in circumstances for benefit claims, the reduction in the number of missed bins per 100,000 collections and the increase in the percentage of Housing Benefit overpayments recovered. Further to his report at the last meeting, the Executive Member for Finance and Corporate Services advised that the percentage of non-domestic rates collected was still slightly below target due to the introduction of a facility to pay in twelve rather than ten instalments. It was anticipated that the year end collection rate would be on target, and monthly targets would be updated for 2015/16 to reflect this change in the payment pattern.

The Executive Member for Community and Resident Services drew Members’ attention to a number of performance indicators within her portfolio, in particular the number of affordable homes completed during the year, the provision of new emergency accommodation and the reduction of households in bed and breakfast accommodation. The Council was now focussing on the affordable housing programme for 2015/16 and 2016/17 and the Executive Member asked Members to advise her of any Circle Housing garage sites or brownfield sites within their wards which may be suitable for affordable housing development. She reported that Benita Potts in the Housing team had been awarded an ‘Above and Beyond Award’ in recognition of her service to clients and that the Council had successfully applied for funding from the Help for Single Homeless Fund and had been awarded almost £59,000 in the current year with a provisional award of £98,000 in 2015/16.

In response to a query from the Chairman of the Scrutiny Committee regarding the LINKS playing field, the Executive Member for Wellbeing advised that an agreement had now been reached between Mole Valley District Council and Surrey County Council (SCC), and the funding would go to SCC. In addition, the Executive Member updated Members on developments within his portfolio area including the Meadowbank consultation which had elicited more than 450 responses, the increase in the number of free swim school places available at Leatherhead Leisure Centre, and the Childhood Obesity event which would be held at Leatherhead Leisure Centre on 3rd March 2015. The Executive Member advised that he had been delighted to present Tony Wynn, the Assistant Parks Manager, with an Above and Beyond award for his outstanding contribution to the Westcott play equipment consultation, and finally thanked all the community volunteers who were participating in the Heart Start project.

The Executive Member for Planning noted that the performance indicator (PI) in respect of the percentage of other applications processed within 8 weeks was below target, however the percentages of major and minor applications processed within required timescales had both exceeded the targets. An increase in the overall number of planning applications processed during the year coupled with staff turnover within the department had resulted in one of the PIs being below target, but it was anticipated that the target would be met by the end of the 2014/15 Municipal Year.

The Leader of the Opposition raised a number of questions and suggestions regarding the report. The Executive Member for Finance and Corporate Services undertook to look into how Appendix A could include the previous month's variances as well as the current position. The Executive Member for Community and Resident Services advised that the figures in the graph showing views of MVDC produced videos were cumulative and not monthly, and acknowledged that the data would be more informative if it showed a month on month variation. This suggestion would be taken on board in future reports. Finally, in response to a question regarding how many Mole Valley residents had applied for the Repair and Renew Grant, the Deputy Chief Executive undertook to advise Members of the figures following the meeting.

[Post-meeting note: 75 Repair and Renew Grant applications have been received for Mole Valley. Of these, 50 have been approved and 1 has been declined, with the remainder pending. Across Surrey as a whole, 461 applications have been received in total. 337 have been accepted, 27 have been declined and 97 have been deferred as supporting documentation is awaited. In financial terms, the total amount approved is £1,413,392 and the total amount applied for is £1,885,084.]

RESOLVED: That the Council's financial and performance position for Month 7 2014/15 be noted.

52. Children Safeguarding Policy and Procedure

The Executive considered a new Children Safeguarding Policy and Procedure for Mole Valley. The document set out the legislative and safeguarding framework, identified a Lead Officer for children's safeguarding and detailed procedures for dealing with incidents, concerns and allegations, and included a comprehensive training programme for both officers and Members. The Executive Member for Wellbeing recorded his thanks to the members of the Wellbeing Working Group and the Scrutiny Committee and to officers and SCC for their work in drafting the new policy and procedure. He advised that the document would be subject to further revisions in the future arising from reviews and recommendations of the Surrey Safeguarding Children Board and proposed an additional recommendation to address this.

The Chairman of the Scrutiny Committee noted that the comments made previously by the Committee had been taken into account in the revised document presented to the Executive and advised that the Scrutiny Committee had recommended its approval.

RESOLVED:

- (1) That the Children Safeguarding Policy and Procedure attached at Appendix A to the report submitted be approved.
- (2) That authority be delegated to the Corporate Head of Service with responsibility for safeguarding to amend the Children Safeguarding Policy and Procedure in line with

recommendations from the Surrey Safeguarding Children Board.

53. Mole Valley Housing and Traveller Sites Plan: Termination of Further Work [KEY DECISION]

A report recommending that preparation of the Housing and Traveller Sites Plan be terminated and work commenced on preparing the new Local Plan was considered by the Executive. The Executive Member for Planning explained the rationale behind the recommendation to terminate preparation of the Housing and Traveller Sites Plan, but advised that the work previously undertaken would not be wasted as the evidence base established during the preparation of the Sites Plan would be utilised in the preparation of the new Local Plan. He stressed the importance of the involvement of residents and businesses in the Local Plan process.

A revised recommendation (2) was proposed and agreed by the Executive. The Chairman of the Scrutiny Committee reported that the Committee had supported the recommendation to terminate the preparation of the Housing and Traveller Sites Plan. He also supported the revised recommendation (2) as it would place on record the importance of protecting the Green Belt.

RESOLVED:

- (1) That the preparation of the Housing and Traveller Sites Plan be terminated.
- (2) That in order to fulfill our wider planning responsibilities, including the protection of our Green Belt, the Council takes the preliminary steps necessary to prepare a new Local Plan in line with the requirements of the National Planning Policy Framework.

54. Dorking Cemetery

The Executive considered a report regarding cemetery provision in Dorking.

The Chairman of the Scrutiny Committee reported that the report had generated a significant amount of discussion and that the recommendation that the Council no longer provided burial space once Dorking Cemetery had reached capacity had proved contentious. Councillor Stephen Cooksey advised that there had been a preference amongst the Committee for Option 2 as detailed in the report.

The Executive Member for Wellbeing advised that the recommendations sought to set in train a process to identify a commercial operator who could work in partnership with the Council on additional cemetery provision.

In order to fully debate and consider information relating to possible sites for cemetery use the Executive

RESOLVED: That members of the Press and public be excluded from the meeting under Section 100A(4) of the Local Government Act 1972 on the grounds that consideration of the item 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.

Part II

The Executive discussed information relating to possible sites within the District for cemetery use.

The meeting resumed in public session, following which the Executive Member for Wellbeing summed up and the Executive considered the recommendations set out in the report. The Executive Member proposed the amendment in recommendation (2) of 'endorses' to 'recognises' to reflect that the Executive was noting the policy currently in place.

RESOLVED:

- (1) That the timescale for the continuation of burials at Dorking Cemetery be noted.

- (2) That the following policy decision made by the Council's Strategy Committee on 9th July 2002 be recognised:

'The Dorking Cemetery will continue to be managed by the Council. The Council will not seek to provide a new cemetery once Dorking Cemetery has no space for new burials.'

- (3) That commercial operators be invited to express an interest in working with the Council on additional cemetery provision in the District during the last quarter of 2014/15.

55. 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 they involve 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.

56. Highways Horticulture Contract: Contractor Selection and Contract Award [KEY DECISION]

Having approved the procurement process and timetable to deliver a contract for the Highways Horticulture Contract on 29th October 2013, and the contract specification on 8th April 2014, the Executive considered a report recommending the award of the contract.

RESOLVED:

- (1) That, providing suitable funding continues to be provided, Mole Valley District Council delivers the Highways Horticulture Contract on behalf of Surrey County Council.
- (2) That the Contract be awarded on an initial 6 year and 9 month basis, with the opportunity to extend by a further three and then four years.
- (3) That Supplier C who submitted the Most economically Advantageous Tender be awarded the Contract thus ensuring quality and value for money is achieved by appointing a contractor who can reliably deliver.
- (4) That the successful supplier be invited to attend a meeting of the Scrutiny Committee to present their approach to delivering the contract.

57. The Pitstop, Leatherhead [KEY DECISION]

The Executive considered a report on appropriate premises for The Pitstop. The Chairman of the Scrutiny Committee advised that the Committee supported the proposal.

RESOLVED:

That the recommendations as advised to the Executive be agreed.