

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE - ENVIRONMENT
- 25 FEBRUARY 2019

(To be read in conjunction with the Agenda for the Meeting)

Present

Cllr Jerry Hyman (Chairman)	Cllr David Hunter
Cllr Wyatt Ramsdale (Vice Chairman)	Cllr Denis Leigh
Cllr Maurice Byham	Cllr Ross Welland
Cllr Mary Forszewska	Cllr Nick Williams

Cllr Nabeel Nasir (Substitute)

Apologies

Cllr Peter Isherwood

Also Present

Councillor David Beaman, Councillor Andrew Bolton, Councillor Paul Follows and
Councillor Stephen Mulliner

15. MINUTES (Agenda item 1.)

The Minutes of the Meeting held on 26 November 2018 were confirmed as a correct of the meeting.

Cllr Ramsdale referred to Minute 11 in which the Head of Environmental Services had advised the Committee that Waverley owned the freehold of the Farnham Community Recycling Centre (CRC) site. He reported that Surrey County Council officers had queried this, and asked for clarification regarding the ownership and lease arrangements of the site.

Richard Homewood, Head of Environmental Services, advised that his understanding was that Waverley owned the freehold of the site, and Surrey County Council leased the CRC site; but he would check and clarify the arrangements.

16. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 2.)

Apologies for absence were received from Cllr Peter Isherwood.

Cllr Nabeel Nasir attended as a substitute.

17. DECLARATIONS OF INTERESTS (Agenda item 3.)

There were no interests declared.

18. QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 4.)

There were no questions from members of the public.

19. QUESTIONS FROM MEMBERS (Agenda item 5.)

There were no questions from Members.

20. ENVIRONMENT CORPORATE PRIORITIES (Agenda item 6.)

The Committee received the quarterly update report on corporate priorities, and noted the following further updates:

- LPP1 – the Court of Appeal had allowed the application by POW Campaign Ltd and CPRE to appeal the elements of the 5 November 2018 decision relating to Policy ALH1 of Local Plan Part 1, and the allocation by the Local Plan Inspector to allocate Waverley 50% of Woking's unmet housing need. The application to appeal had been allowed on the grounds of importance of the principle, and the grounds for appeal was a novel argument not previously considered at the Court of Appeal, and was not in itself an indication of the likely outcome of the appeal.
- Neighbourhood Plans – a number had progressed to the Regulation 14 consultation stage.
- Community Infrastructure Levy – CIL would be implemented with effect from 1 March 2019. Governance arrangements for allocating CIL funds to specific infrastructure projects were going through the committee system, for adoption by Council.
- Dunsfold Park – a planning application for access, either as Reserved Matters or a full application for a new access, was expected shortly. The Gordon Murray Design planning application for industrial premises on Dunsfold Park was expected to come to Joint Planning Committee in the next few weeks.

In response to questions from Committee Members, officers provided the following information:

- The workshops with parish councils on LPP2 were being arranged for those parishes that had particular issues with the approach in the draft LPP2 – Witley, Haslemere, Elstead and Godalming. The timetable for bringing LPP2 forward was as set out in the report.
- With regard to delivery of housing, developers would have to re-apply for planning permission if they failed to implement a planning permission within the normal timeframe. In law, the permission would be implemented by the developer satisfying the pre-commencement conditions and making a technical material start on site. However, whilst Waverley would do all it could to encourage planning permissions to be built out, there was little that Waverley could do to force them to complete.
- Dunsfold Park was specifically excluded from the CIL Charging Schedule, and would contribute to infrastructure to mitigate the impact of development through negotiated S106 agreements. This meant that the contributions would be ring-fenced to identified impacts that were specific to the site and immediate area, rather than being available for infrastructure projects across the borough. The timing of the Dunsfold Park planning permission meant that it was never an option for the Council to charge CIL rather than negotiate

contributions through a S106 agreement; however, officers were very pleased with S106 agreement with Dunsfold Park, especially with regard to the highways improvement negotiated.

- With regard to the Grounds Maintenance Contract tender, a two-stage procurement was now underway. An OJEU notice was published on 28 January and the Standard Qualification stage closed on 22 February. Returns were now being evaluated and bidders would be informed of the outcome in early March. The Invitation to Tender would commence 11 March, with a deadline of 5 April, followed by evaluation and notification of the intention to award at the end of May. Following a 'standstill' period, the contract would finally be awarded late May with a start date of 1 November 2019. In line with the recommendations of the O&S Committee, the tender was for a fixed price contract with a separate performance bonus available dependent on the contractor meeting the desired performance standard each year of the contract. The evaluation of the tenders would be purely on the quality of service offered for the fixed price of the contract.

The Chairman had a number of specific and detailed questions regarding the Brightwells development in relation to the under-pinning of Brightwells House, and the traffic modelling. The Chairman was asked to forward his questions to the Head of Planning, who would arrange for the relevant officers to respond offline.

There were no further questions from Committee Members, who agreed to note the updates received from officers.

21. AIR QUALITY UPDATE (Agenda item 7.)

The Committee received a report providing an update on air quality issues in Waverley that highlighted the recent developments with the automatic analysers and the implementation of the review of the air quality monitoring network.

The Committee discussed what actions could be taken to address poor air quality, and noted the potential for electric buses in Farnham.

- The Guildford Park & Ride fleet of buses operated by Stagecoach had been converted to electric vehicles with government grant funding, but this was only available through a periodic bidding round.
- The introduction of Electric Vehicle charging points in Waverley certain car parks was a high profile and symbolic 'quick win'. However, there would be minimal impact on air quality in the short-term due to the low number of electric vehicles on the roads.
- The volume of traffic generally, and specifically passing through the centre of Farnham, was the major issue, and addressing this required strategic working with partners in Surrey County Council, the EM3 LEP, and central government to secure funding to resolve the wider traffic challenges in and around Farnham.

Cllr Ramsdale outlined the actions that had begun on behaviour change, including a stall at Rowledge Village Fair highlighting the impact that behaviour change could have, and which was being followed up through the work with schools. At the County Council discussions continued on the Farnham Town Centre plan and options for reducing traffic volume.

The Committee agreed to note the report, and was pleased to learn about the good progress being made on developing a robust and transparent air quality monitoring regime.

22. CORPORATE PERFORMANCE REPORT Q3 (Agenda item 8.)

Nora Copping, the Policy & Performance Officer, introduced the Corporate Performance Report for Q3 of 2018/19, September – December 2018.

In Environmental Services, there were two indicators that were under-performing relating to the MRF reject rate (E1) and the residual waste collected per household (NI191). The latter indicator had been incorrectly reported in the report, and for Q3 was 90.6kg per household, just off the target of 90kg. The reasons for these indicators under-performing had been discussed previously; there was volatility in the market for plastic recyclables overseas that had an impact on what the MRF would accept, and higher rejects had a knock-on impact on residual waste tonnage. The problem of fly-tipping and incorrect recycling at Waverley Bring Sites continued to present challenges.

In relation to Planning Performance, the Committee noted that the local indicator on planning appeals allowed (P2) was off-target, reflecting a number of appeal decisions where the Inspector had disagreed with the Council on matters of judgement. The Council was performing better on the appeals indicators monitored by the government, but these needed to be monitored carefully each quarter as the implications of under-performing could be severe. The Committee noted that the data used to calculate P152 and P154 related to appeal success in government-defined accounting periods.

With regard to recruitment and retention of planning officers, this continued to be a challenge. There was a dearth of experienced planning officers in the recruitment market, and all local authorities were having similar issues in recruiting planning officers. The Planning Service was working with Human Resources to explore how to address the problem.

The Committee thanked officers for their comments on performance in Q3, and agreed to note the report, with no comments to be passed to the Executive.

23. LGA PLANNING PEER REVIEW REPORT AND ACTION PLAN (Agenda item 9.)

The Chairman advised the Committee that Cllrs Beaman, Follows and Mulliner had given notice to speak on this item, and he was happy for them to contribute to the discussion.

Elizabeth Sims, the Head of Planning, reminded the Committee that the Peer Review of decision-making and customer engagement had been an outcome of the independent review of the Planning Service carried out by Ransford Stewart. That review had been a recommendation of the Cratus Strategic Review of the Council. The Peer Review Team's report had been considered at two all-Member briefings, along with the proposed actions to respond to the recommendations.

The Committee discussed the recommendations of the Peer Review Team, and the proposed actions. The Committee, and other Members attending the meeting,

continued to disagree with the recommendation in relation to the committee decision-making process, and did not recognise it as being inefficient or a barrier to delivering housing in Waverley. The Committee had no objections to the actions proposed to address the other recommendations, although they expressed reservations about the culture under-pinning those recommendations.

In conclusion, the Committee disagreed with the findings of the LGA Peer Review Team in relation to decision-making, and their recommendation R1. The Committee felt that no evidence had been presented to the Council that the proposed approach (increasing officer delegated decision-making, reviewing Member call-in arrangements, one borough-wide Planning Committee) would increase housing delivery in Waverley. The Committee was concerned that one Planning Committee would create a democratic deficit in planning, which would frustrate members and residents; and could have the unintended consequence of officers spending more time responding to Members' questions out of committee. The planning performance metrics showed that the current approach to decision-making was serving Waverley very well.

There was no consensus within the Committee on the proposal to establish a new protocol so that a Ward member could not vote on planning matters within their ward, in order to clearly differentiate between a councillor's community representation role, and their responsibility as a member of a planning committee. Strong arguments were made by individual members for the proposed approach, and for the status quo.

With regard to the actions proposed in response to the Peer Review Team's recommendations R2 to R8, the Committee was generally supportive although some Members had reservations about the practicality or likely effectiveness of the actions, particularly at a time when the Planning Team is experiencing very high workloads and recruitment challenges, which they felt should be resolved before the introduction of major changes to process and procedure.

The Committee agreed that their comments be passed to the Executive for consideration.

24. INFRASTRUCTURE TASK AND FINISH GROUP - FINAL REPORT ON THE REVIEW OF THE STRUCTURE TO DELIVER THE COMMUNITY INFRASTRUCTURE LEVY (Agenda item 10.)

Cllr Wyatt Ramsdale introduced the report of the Task & Finish Group's review of the structure to deliver the Community Infrastructure Levy. He explained that the review had been carried out in parallel with the development of the CIL governance arrangements by the CIL Advisory Board. Some of the Committee's early concerns about how CIL would be allocated to support infrastructure improvements to mitigate the impact of development had been addressed by the emerging CIL governance arrangements, and the Task & Finish Group had decided to focus their work on the review of the Infrastructure Delivery Plan (IDP).

The IDP would be a key document for the CIL Advisory Board to use in its evaluation of bids for CIL funds, and it was important that there was a good level of engagement external stakeholders to inform the review of the IDP in preparation for the first bids for CIL funding.

Cllr Ramsdale thanked the members on the Task & Finish Group for their enthusiasm and hard work across a number of meetings; and also Planning Officers, and the Scrutiny Officer, Wendy Cooper. He commended the report of the Task & Finish Group to the Committee, for endorsement to the Executive.

The Chairman echoed thanks to the committee Members on the Task & Finish Group, and the Committee agreed to endorse the report and recommendations to the Executive.

25. ENVIRONMENTAL AND PLANNING SERVICE PLANS (Agenda item 11.)

The Committee noted the Service Plans for Environmental Services and Planning for 2019/20 – 2021/22, which set out the service objectives for the coming three years to deliver the Corporate Strategy and the Medium Term Financial Plan.

The Committee agreed that these would be key documents for the new committee to review, after the May elections; and therefore they had no policy comments to forward to the Executive at this point.

26. JOINT ENFORCEMENT INITIATIVE (Agenda item 12.)

The Committee received a report from the Head of Environmental Services on Waverley's Joint Enforcement Initiative (JEI). The JEI had been a response to the funding opportunity provided by the Police & Crime Commissioner to improve joint working on enforcement with Surrey Police and other enforcement agencies.

Rather than creating a dedicated Joint Enforcement Team to work alongside police colleagues, as other councils had done, Waverley had adopted a more flexible approach to improving co-ordination and partnership working on enforcement across services within the council and with external partners. The approach had been challenging at times for officers, but good progress was being made; and, the joint enforcement work with external partners including the police, Environment Agency, Thames Water, Home Office Immigration Office, and East Hants District Council, had achieved good outcomes.

Cllr Ramsdale commended the report, and thanked all Officers involved in the Waverley Joint Enforcement Initiative. As a County Councillor he had attended and cross-borough meeting of Joint Enforcement Teams and had been very proud of Waverley's achievements compared with others'.

The Committee agreed to note the report.

27. COMMITTEE FORWARD WORK PROGRAMME (Agenda item 13.)

The Committee noted that the June meeting of the Committee would be used in part for induction for new committee members, and agreeing the work programme for the new council year.

The meeting commenced at 7.00 pm and concluded at 10.00 pm

Chairman