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Friday, 27 May 2016

To: The Members of the **EXECUTIVE**
(Councillors: Moira Gibson (Chairman), Richard Brooks, Mrs Vivienne Chapman,
Colin Dougan, Craig Fennell, Josephine Hawkins and Charlotte Morley)

Dear Councillor,

A meeting of the **EXECUTIVE** will be held at Surrey Heath House on Tuesday, 7 June 2016
at 6.00 pm. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Karen Whelan

Chief Executive

AGENDA

Pages

Part 1 (Public)

1. Apologies for Absence

2. Minutes

3 - 6

To confirm and sign the minutes of the meeting held on 19 April 2016
(copy attached).

3. Declarations of Interest

Members are invited to declare any interests they may have with
respect to matters which are to be considered at this meeting.
Members who consider they may have an interest are invited to
consult the Monitoring Officer or the Democratic Services Officer prior
to the meeting.

4. Questions by Members

The Leader and Portfolio Holders to receive and respond to questions

from Members on any matter which relates to an Executive function in accordance with Part 4 of the Constitution, Section B Executive Procedure Rules, Paragraph 16.

- | | | |
|------------|--|----------------|
| 5. | Renewal of Camberley town centre Business Improvement District | 7 - 12 |
| 6. | Expressions of Interest to the Local Enterprise Partnership | 13 - 18 |
| 7. | Design Review to Assist with Determination of Strategic Planning Applications | 19 - 22 |
| 8. | Allocation and Expenditure of Planning Infrastructure Contributions (PIC) | 23 - 32 |
| 9. | Fixed Penalty Notice (FPN) Policy for Environmental Offences | 33 - 38 |
| 10. | Appointment of Members to Outside Bodies 2016/17 | 39 - 44 |
| 11. | Appointment of Executive Working Groups | 45 - 52 |
| 12. | Exclusion of Press and Public | 53 - 54 |

**Part 2
(Exempt)**

- | | | |
|------------|-----------------------|----------------|
| 13. | Exempt Minutes | 55 - 56 |
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To confirm and sign the exempt minutes of the meeting held on 19 April 2016 (copy attached).

- | | | |
|------------|-------------------------------|--|
| 14. | Review of Exempt Items | |
|------------|-------------------------------|--|

To review those items or parts thereof which can be released as information available to the public.

**Minutes of a Meeting of the Executive
held at Surrey Heath House on 19 April
2016**

+ Cllr Moira Gibson (Chairman)

+ Cllr Richard Brooks	+ Cllr Craig Fennell
+ Cllr Mrs Vivienne Chapman	+ Cllr Josephine Hawkins
- Cllr Colin Dougan	+ Cllr Charlotte Morley

+ Present

- Apologies for absence presented

In Attendance: Councillors Chris Pitt and Pat Tedder.

87/E Minutes

The minutes of the meeting held on 22 March 2016 were confirmed and signed by the Chairman.

88/E Proposed Refurbishment of the Mall, Camberley

The Head of Legal Services reported that Capital & Regional (C&R) had developed a scheme for the refurbishment of the Mall, Camberley which, in accordance with the terms of its lease, would need consent from the Council.

Members noted that a briefing had been provided for the Executive by C&R and that a temporary shop front had been constructed on Unit 02 in the Mall, giving examples of flooring, lighting and treatment of the roof. An application for planning permission had also been submitted and this would be considered by the Planning Applications Committee on 12 May 2016.

C&R planned to commence the refurbishment in June 2016, allocating approximately 10 months to the works, which would be carried out during the evenings, to avoid interfering with trading or impacting on customers.

Members agreed that the proposed works would be an important part of the regeneration of the Town Centre and would support Key Priority One as part of the delivery of the overall Town Centre Vision for Camberley

Resolved, to grant Landlord's Consent for the refurbishment of the Mall.

89/E Appointments to Surrey Leaders' Group Outside Bodies

The Executive received a report seeking a nomination to the Surrey Leaders' Group outside bodies and in particular, to a vacancy on the Surrey County Council Wellbeing and Health Scrutiny Board, formerly known as the Health Scrutiny Select Committee.

Members noted that there was one place available for nomination to and that nominations had been received for Councillor Darryl Ratiram, from the Council Leader, and Councillor Ruth Hutchinson, from the Leader of the Others Group.

Nominated Members were encouraged to submit full and detailed explanations on their suitability for the vacant post.

Resolved, that Councillor Ruth Hutchinson and Darryl Ratiram be nominated to the vacant position on the Surrey County Council Wellbeing and Health Scrutiny Board.

90/E Consultation on West End Village Design Statement Draft Supplementary Planning Document (SPD)

The Executive considered the proposed West End Village Design Statement Draft Supplementary Planning Document (SPD) and a report seeking authority for the Council to undertake a statutory consultation on the SPD.

The West End Village Design Statement (VDS) supported policies in the Council's Core Strategy, gave a description of the different character areas of West End and set out design guidelines for these areas.

Members' agreement was sought on a 6 week statutory consultation on the VDS in respect of it becoming an SPD. Following the completion of the consultation, a further report would be submitted to the Executive, to consider adoption of the VDS as an SPD.

It was noted that the role of the VDS was to support the Council's adopted Local Plan and in particular the Development Management Policies, by providing local guidance on design issues. However, the VDS could not be used to determine whether permission could be granted or not, as this was the role of the Local Plan.

Resolved, to agree to the Council undertaking a statutory consultation on the draft West End Village Design Statement SPD.

91/E Surface Car Park Management Changes

The report on possible changes surface car park management arrangements was deferred to a later meeting to allow further considerations to be incorporated.

92/E Olympic and Paralympic Games

The Executive received a report proposing a number of initiatives in Surrey Heath, to celebrate the Rio Olympic and Paralympic Games in the summer of 2016.

The proposed initiatives were designed to harness and build on the enthusiasm for sport which would be generated by these 2 international events, to improve health, encourage both residents and visitors to visit the Town Centre and to foster a sense of civic pride.

Members noted that the proposed events would include:

- A Sports and Physical Activity Market on Park Street – This would be similar to the concept of the Farmers’ Market, but with a number of sports and physical activity stalls and demonstrations from local experts;
- Press Event at the Judo Club – An event, to be confirmed, when those selected for the UK Team could be congratulated by local VIPs;
- ‘Our Sporting Heritage’ Exhibition – An exhibition in the Camberley Museum which would showcase historical sports photos or memorabilia from local athletes who had previously lived in Surrey Heath;
- Camberley Judo Club on the Big Screen – Showing Judo and/or other events live from the Camberley Theatre;
- Surrey Heath Summer of Sport Festival Week – focussing on the coordination of a number of sports clubs across the Borough, to offer a series of one-off taster sessions in a variety of Olympic sports; and
- Olympic Athletes visiting Surrey Youth Games sessions - Athletes from Judo and other sports to make guest appearances, enhancing this already successful event.

Whilst it was proposed to allocate up to £500 on publicity measures, the Executive noted that this could be achieved from within existing resources.

Resolved that

- (i) **The proposed Surrey Heath initiatives to celebrate the Rio Olympic and Paralympic Games in the summer of 2016, be noted; and**
- (ii) **The expenditure of approximately £500 be agreed, from within existing resources, to allow for the rental of items for a Sports and Physical Activity Market on Park Street, Camberley, designed to engage the public.**

93/E Exclusion of Press and Public

In accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the ground that they involved the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act as set out below:

Minute	Paragraph(s)
95/E	3
96/E	3

Note: Minutes 95/E and 96/E are summaries of matters considered in Part II of the agenda, the minutes of which it is considered should remain confidential at the present time.

94/E Redevelopment of Ashwood House and Pembroke House

The Executive noted an update on progress on Ashwood House and considered proposals in relation to both Ashwood House and Pembroke House.

95/E Review of Exempt Items

The Executive reviewed the reports which had been considered at the meeting following the exclusion of members of the press and public, as it involved the likely disclosure of exempt information.

RESOLVED, that the information in the report at Agenda Item 11 and Minute 95/E remain exempt, but that authorisation be given to a press release at the appropriate time.

Chairman

Renewal of Camberley town centre Business Improvement District

Summary: The Camberley town centre Business Improvement District (BID) was established in 2011 and is operated by Collectively Camberley. The BID, approaching the end of its initial five year period of office, is asking the Camberley business community to vote for a further five year term of operation. This report, setting out the recommendation from the Camberley Town Centre Future Working Group, gives the Council the opportunity to cast its vote.

Portfolio: Leader

Date Portfolio Holder signed off report: 23 May 2016

Wards Affected: All, but St. Michael's and Town in particular

Recommendation

The Executive is advised to RESOLVE to accept the recommendation of the Camberley Town Centre Future Management Working Group and vote 'Yes' to support a further five years of the Camberley Business Improvement District.

1. Resource Implications

- 1.1 The Council's liability to the Business Improvement District (BID) is based on a 1.5% levy of the total Rateable Value of its property within the BID area. For 2016 this amount is £10,086.29. Amounts vary year on year depending on the size of the Council's property portfolio.
- 1.2 The Council has a non-pecuniary position on the Collectively Camberley board; currently held by Councillor Richard Brooks, Deputy Leader and Portfolio Holder for Finance.
- 1.3 In addition, the Council administers the billing and collection of BID levies, for which the authority receives £5,000 per annum.
- 1.4 Additional officer support is provided by the Media and Marketing, Greenspace and Economic Development teams on a project by project basis.

2. Key Issues

- 2.1 The Council has established the Camberley Town Centre Future Management Working Group (Working Group) to consider and make recommendations to the Executive regarding proposals for a second period of operation of a Business Improvement District (BID) in the town.
- 2.2 Collectively Camberley will ballot the business community in Camberley between June and July 2016 requesting support for its business plan to deliver projects and events for a renewed period. The vote is by postal ballot carried out by Electoral Reform Services.

- 2.3 Should the business community vote in favour of renewal of the existing arrangements the BID will continue from October 2016. Should the vote go against the decision to continue the BID will cease operating from that month.
- 2.4 As one of the businesses in the town centre and in the BID area, the Council has the opportunity to cast votes relating to the properties for which it has the responsibility for National Non Domestic Rates (NNDR) payments.
- 2.5 In the Camberley BID area there are 396 votes to be cast. In order for the BID to be re-elected a majority of those voting by number, and a majority of those voting by rateable value, need to be in favour.
- 2.6 The terms of reference for the Working Group set an objective to review the benefits of the BID since its inception in 2011 and recommend to the Executive whether the Council's decision should be to support or not support a further five year period.
- 2.7 The BID published three documents in the spring of 2016; summarising achievements against priorities; reporting the results of a recent survey of BID levy payers; and, outlining additional priorities for the next five year period.
- 2.8 The Working Group had previously given its comments to the BID on the information it suggested should be included in the documents. The papers published by the BID reflected these conversations, along with those from the wider business community, in setting out the BID's priorities for the next period should it be successful in gaining a second term of office.

3. Options

- 3.1 The Council can vote 'Yes' to support the BID re-election, or 'No' to not support. The recommendation of the Working Group is that the Council votes 'Yes'.

4. Proposals

- 4.1 It is proposed that the Council votes 'Yes' to support a further term of the BID, in accordance with the recommendation of the Working Group.

5. Supporting Information

- 5.1 To date, nine out of ten BID renewals nationally have been successful, and a number of local proposals for BIDS are currently under consideration including Aldershot and Farnborough/North Camp.
- 5.1 There are 396 different businesses in the BID area, amounting to £198 million of rateable value, each contributing a 1.5% annual levy. This has resulted in an extra £1.5 million being invested in Camberley town centre over the 5 year period of the BID.
- 5.2 The BID is coming to the end of its first 5 year period and a renewal is being sought. To be renewed, the BID needs the support of over 50 % of businesses in the BID area, both in terms of numbers and rateable value.

- 5.3 As part of the renewal process the BID has surveyed its members, (gaining a 27% response level). The survey included a mix of questions in which the respondents were asked to score current projects from very important to 'need to be dropped'. The survey also asked contributors to indicate other areas that the BID should focus on.
- 5.4 The survey outcomes, indicated that none of the BID's current projects should be terminated, but that a whole range of new areas should be developed, including vacant unit improvements, improvements to the town centre environment, support for the late night economy and improved signage.
- 5.5 The respondents also indicated the need for increased income without adding to the existing levy, looking more to sponsorship, engaging with businesses on the periphery of the BID area and seeking increased voluntary contributions.
- 5.6 Of the businesses who responded, 53% had rated the BID performance as excellent, with 38% rating it as good and 9% as average. No businesses had opted for the poor or very poor options.
- 5.7 78% of respondents had indicated that they would vote in favour of renewing the BID, though a small number, typically local outlets for national retailers, were awaiting guidance from parent organisations. The BID Business Plan would be distributed on 16 May 2016, with a ballot on the future of the BID to be held between 9 June and 7 July 2016. The outcome would be announced on 8 July 2016.
- 5.8 The Working Group has highlighted to Collectively Camberley management improvements resulting directly from the operation of the BID, including Christmas displays, floral displays and events in Park Street and High Street and also noted the following:
- Signage – The need for improved signage to the Atrium had been highlighted by both Working Group members and responding businesses;
 - Christmas Lights – The quality had not been of an acceptable standard. A new supplier would be engaged for future years;
 - Environmental Improvements – It was anticipated that the refurbishment planned for The Mall would start to address the need identified for environmental improvements.
 - Engaging Organisations outside of the BID area – Whilst legislation did not permit giving any rights to organisations lying outside the BID area, it was suggested that the BID explore with companies such as Bank of America, Siemens, Eli Lilly, Novartis and the Business Parks, projects which could benefit the wider area;
 - Pembroke Broadway – Improvements were already planned for the transport hub on Pembroke Broadway.

6 Corporate Objectives And Key Priorities

- 6.1 The BID aligns with the Council's key priority of delivering an improved Camberley town centre.
- 6.2 The BID also supports the Council's objective relating to encouraging economic development in the Borough.

7 Policy Framework

- 7.1 The Local Government Act, which received Royal Assent in 2003, introduced Business Improvement Districts to the UK.
- 7.2 Essentially a BID is an arrangement whereby businesses get together, decide what improvements they want to make in their town centre, how they will manage these and what it will cost them. A business plan is then drawn up which is voted upon by those who would have to pay a levy. A BID lasts for a maximum of five years and needs to be able to demonstrate the businesses that have supported it.

8 Legal Issues

- 8.1 There are no legal issues.

9 Governance

- 9.1 The Camberley BID is delivered through a limited company, the Camberley Town Centre BID Company, known as Collectively Camberley, with a Board of Directors drawn from organisations supporting the BID.

10 Risk Management

- 10.1 There is no direct risk to the Council, the Collectively Camberley board meets regularly to oversee projects and manage activities. The BID has actively marketed the town centre over the past five years.

11 Consultation

- 11.1 The BID has carried out consultation with the Camberley business community in developing the documentation supporting its application for re-election.

12 PR And Marketing

- 12.1 The BID has extensively marketed the benefits of Camberley town centre over the five years of its duration; and has similar plans to carry this on should it be re-elected.

13 Officer Comments

- 13.1 The Camberley BID continues to deliver a number of high profile, high quality events to help promote Camberley town centre. Events such as the annual classic car show have proven to be hugely popular and significantly swells the number of shoppers and visitors in to the town when it is hosted, helping to promote the town across the region and boost trade for local companies.

Annexes	None
Background Papers	None
Author/Contact Details	Kevin Cantlon – Economic Development Officer Kevin.cantlon@surreyheath.gov.uk
Head of Service	Louise Livingston

Consultations, Implications and Issues Addressed

Resources	Required	Consulted
Revenue	✓	12/5/16
Capital		
Human Resources		
Asset Management		
IT		
Other Issues	Required	Consulted
Corporate Objectives & Key Priorities	✓	12/5/16
Policy Framework		
Legal	✓	12/5/16
Governance		
Sustainability		
Risk Management		
Equalities Impact Assessment		
Community Safety		
Human Rights		
Consultation		
P R & Marketing	✓	12/5/16

Review Date:

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Title: Expressions of Interest to the Local Enterprise Partnership

Summary: Enterprise M3 (EM3), the LEP for the local area, has invited outline expressions of interest for projects from across its sub-region for Local Growth Funding (LGF). Together with partners, the Borough Council submitted two expressions of interest in accordance with the EM3 timetable of 31st March 2016 for the following projects:

- (i) Camberley town centre public realm and High Street improvements.
- (ii) Yorktown and Watchmoor public transport improvements.

Should the expressions of interest be approved, business cases will be required, as will match funding. At such time the Council will need to consider how to meet any financial commitment.

Portfolio: Transformation

Date Portfolio Holder signed off report: 24th May 2016

Wards Affected: St. Michael's, Town

Recommendation

The Executive is advised to RESOLVE:

- (i) To note the bids presented to the Local Enterprise Partnership; and
- (ii) To agree, in principle, to make a funding contribution to the Camberley Town Centre Public Realm and High Street improvements, if they are approved by the LEP.

1. Resource Implications

- 1.1 The requirement to offer an element of match funding in order to secure funding from the Local Growth Fund (LGF) will raise a resource issue for the Council should the EM3 Board decide to advance the projects submitted. EM3 has residual LGF funding and is seeking to support sustainable transport projects in the Blackwater Valley, and Surrey County Council is the highways authority for the area. Therefore, although it submitted the public transport improvements expression of interest in conjunction with the Yorktown and Watchmoor Business Association, the Borough Council has advised both EM3 and the County Council that the funding for the project should be met by those two organisations, without any Borough Council contribution.
- 1.2 The exact level of funding commitment for the Camberley town centre project is not known at this stage and will not be quantified unless the EM3 Board decides to request business plans to be drawn up. At such time a further report will be brought back to the Executive setting out a detailed cost/benefit analysis along with proposals for how the Council might meet its element of match funding. A 1% 'administration fee' will be levied by EM3 to assess all expressions taken forward to the preparation of business cases for LGF grant applications. EM3 advise that the administration fee amounts can be added to the overall cost of funding applications.

- 1.3 Members agreed local contributions to support projects awarded LGF by EM3 from the 2014 funding round for improvements to Camberley town centre, the A30 (Meadows Gyrotory and London Road approaches towards the town) and A331. These works were supported as part of the Camberley Package. The expressions of interest for additional funding would support the Camberley Package and bring further economic benefits to the town and local area.

2. Key Issues

- 2.1 The March 2016 Budget made £1.8bn of Government funding available to LEPs through the Local Growth Fund to support infrastructure, transport, skills and other related projects. The funding will become available later in 2016 and all 39 LEPs will be able to bid for a share of the funding for projects in their areas. Although the exact dates for LEPs to bid for funding haven't been published by the Government, EM3 is seeking to gauge the level of expressions it will receive to give it an idea of how much to apply for, and published a prospectus seeking expressions of interest for funding for projects to be submitted by 31st March 2016.
- 2.2 The outline expressions of interest submitted by the Council and partners contained very broad brush figures; £6m for project (i) Camberley town centre public realm and High Street improvements; and, £4m for project (ii) Yorktown and Watchmoor public transport improvements.
- 2.3 For illustrative purposes if the overall cost of project (i) were indeed £6m then the Council's match funding element may be a total of £1.5m; 25% of the overall cost of the project in line with EM3 requirements. 25% would come from the County Council and 50% from the LEP. For a, likely, three year project, this may equate to £0.5m per year for three years for the authority.
- 2.4 Highways projects are the responsibility of county councils and project (ii), therefore, would fall to Surrey County Council to match fund the local element of the project along with EM3, at (an estimated) £2m per organisation.
- 2.5 In addition to the release of funds later this year, Enterprise M3 still has around £17m of unallocated funding from the 2014 LGF funding release. This money is specifically to support sustainable transport projects in the Blackwater Valley. EM3 has advised that it is keen to improve public transport and travel to work options across the Blackwater Valley, from Aldershot to Camberley and sustainable transport projects able to demonstrate they could commence in 2016/17 could be funded from the residual £17m, rather than waiting for the assessment process for the 2016 funding release. It is felt that by including lunchtime bus provision to Camberley town centre from the business parks there is sufficient connection between the two expressions of interest to enable both to demonstrate sustainable transport benefits.
- 2.6 There are a number of transport expressions currently being developed across the sub-region that fit with EM3's overall aims and this has led to the Borough Council, Rushmoor and the two county councils submitting their own individual expressions of interest, but also referencing those from the other areas as part of a wider transport package of measures for the Blackwater Valley.

- 2.7 The Executive will recall that LGF funding has previously been awarded to the Council and the 'Camberley Package'. At the last funding round in 2014 LGF was awarded to highways and infrastructure schemes for the town centre and surrounding areas. The 2016 expressions of interest build on this work and would further enhance the local area which has been designated by EM3 as a 'Step Up' town; an area with the potential to develop and grow.

3. Options

- 3.1 Members have the option to:
- (i) Agree the principle of local contributions subject to the clarifications as set out above; or
 - (ii) To not agree the principle of local contributions.

4. Proposals

- 4.1 It is considered that the scheme for which a local contribution should be supported in principal is the Camberley town centre public realm and High Street improvements scheme.
- 4.2 It is also proposed that the Borough Council does not offer financial support to the Yorktown and Watchmoor public transport improvements project.
- 4.3 As stated, the Council has not worked out detailed costs or delivery plans for the proposed projects and has only submitted an expression of interest at this stage. However, the LGF funding represents an opportunity to deliver significant public realm and other improvements for the town in keeping with the Council's corporate objectives and set out in policy documentation listed elsewhere in this report.
- 4.4 In 2014 LGF funding was given by EM3 for highways and infrastructure work in and around the town centre and approaches to Camberley. The 2016 submissions augment and build upon the original funded projects.
- 4.5 Members are asked to agree the principle of local contributions for the reasons set out in this report.

5. Supporting Information

- 5.1 The Council already has an extensive body of policy documentation in place that set out measures for improvements to the public realm, pedestrian prioritisation and other infrastructure including: the Camberley town centre Area Action Plan; the Camberley Vision; the Camberley Masterplan and Public Realm Strategy; and, the Economic Development Strategy. These documents have recently been joined by a town signage and a Camberley High Street review. The signage review sets out recommendations to improve the signage to the town from approach roads along the A30, and around the town to improve connectivity between the various pedestrian thoroughfares. The High Street review recommendations included inward investment measures and initiatives such as a shop front improvement scheme. Both additional reports have been used in conjunction with existing policy papers to support the Council's expression of interest submissions.

- 5.2 With regard to the expression of interest for public transport improvements to the Yorktown and Watchmoor area; businesses consistently say key barriers to growth include poor connectivity and congestion. Commercial agents report that potential inward investors are put off coming to Camberley because of the lack of a bus service for the business parks. Agents also say there are problems attracting companies out of London because journey times can't be guaranteed, Camberley is seen as difficult to get to; and public transport provision as not coordinated or reliable.
- 5.3 The Yorktown and Watchmoor Business Association has spoken before of its desire for a bus service linking the two business sites with train stations in the area to make it easier for staff to get to and from work. Some companies on the business parks run their own shuttle services to do this at their own cost.
- 5.4 The introduction of a morning and evening rush hour bus service, run by the local provider Stagecoach, will have a specific remit to ferry commuters to and from Blackwater, Farnborough and Camberley train stations. The service will be coordinated with train arrival times by upgrading, where required, real time travel information available to service providers and commuters to ensure buses are waiting at train stations when trains arrive.

6. Corporate Objectives And Key Priorities

- 6.1 The Council's 2020 Corporate Strategy states its second objective as: We will sustain and promote our local economy so that our people can work and do business across Surrey Heath.
- 6.2 In addition, Key Priority 2 is to assist with the improvement of economic growth. We will achieve this through:
- Using prudential borrowing opportunity to improve sustainability & growth;
 - Maximising income returns from our reserves, through effective investment strategies;
 - Maximising the potential for appropriate construction-led growth in the Borough; and
 - Delivering the Economic Development Strategy Action Plans.

7. Policy Framework

- 7.1 The policy framework is as set out in the policy documents listed in Paragraph 5.1 above.

8. Legal Issues

- 8.1 There are no legal issues at this expression of interest stage.

9. Governance

- 9.1 Not required at this stage.

Annexes	None
Background Papers	As set out above
Author/Contact Details	Kevin Cantlon, Economic Development Officer Kevin.cantlon@surreyheath.gov.uk
Head of Service	Louise Livingston, Executive Head of Transformation

Consultations, Implications and Issues Addressed

Resources	Required	Consulted
Revenue	✓	
Capital		
Human Resources		
Asset Management		
IT		
Other Issues	Required	Consulted
Corporate Objectives & Key Priorities	✓	
Policy Framework		
Legal	✓	
Governance		
Sustainability		
Risk Management		
Equalities Impact Assessment		
Community Safety		
Human Rights		
Consultation		
P R & Marketing	✓	

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DESIGN REVIEW TO ASSIST WITH DETERMINATION OF STRATEGIC PLANNING APPLICATIONS

Summary

The National Planning Policy Framework (NPPF) encourages independent design review of major projects. The aim of this process is to improve the design quality of new development. This process is collaborative and attended by the applicant. It is most effective if undertaken as part of the pre-application service. Schemes which have gone through design review and taken on board the recommendations are less likely to be refused planning permission on poor design grounds. Officers recommend that design review ought to normally only relate to developments for housing schemes in excess of 50 dwellings (gross) and for any other developments where the floor area exceeds 10,000 sq metres (gross). It is recommended that for applicable cases Design South East (D-SE) is appointed to undertake the design review.

Portfolio: Regulatory

Date Portfolio Holder signed off report 12th May 2016

Wards Affected

ALL

Recommendation

The Executive is advised to resolve:

- (i) To agree to the use of a design review panel with the indicative threshold set at housing schemes in excess of 50 dwellings (gross); and, any other developments where the new floor area exceeds 10,000 sq metres (gross);
- (ii) To agree to Design- South East (D-SE) as the appointed body responsible for review; and,
- (iii) To agree to the applicant paying for the design review panel service and for a protocol as to how this will work in practice to be agreed at officer level.

1. Resource Implications

- 1.1 No additional resources are required, the work can be undertaken within the approved budget for 2016/17.
- 1.2 The administration of setting up panels will have some impact on the planning service's staffing resource. However, organising who attends, the agenda etc. is typically undertaken by D-SE. The fee for D-SE must be met by the applicant either as part of an additional fee, on a case-by-case basis, in addition to the normal pre-application service charge, or be a fee that form parts of a planning performance agreement.
- 1.3 Any in-house staff training required can be funded from within existing budgets.

2. Key Issues

- 2.1 The National Planning Policy Framework (NPPF) stresses the importance of good design with this key to delivering sustainable development. To facilitate this paragraph 62 of the NPPF states the following:

'Local Planning Authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design. They should also when appropriate refer major projects for a national design review. In general, early engagement on design produces the greatest benefits. In assessing planning applications, local planning authorities should have regard to the recommendations from the design review panel.'

- 2.2 The associated national Planning Practice Guidance (PPG) explains in more detail how Design Review can be used as a tool to help achieve good design:

Design Review is a tried and tested method of promoting good design and is an effective way to improve quality. Local planning authorities should have local design review arrangements in place to provide assessment of proposals and to support high standards of design. Local authorities should, when appropriate, refer major projects for a national design review. Design review is most effective if done at the early stages of an application, and in many cases local authorities charge for this as part of a pre-application service.

Local authorities can source design reviews in a variety of ways. They could, for example, choose to appoint their own design review panel or share resources with other local authorities or outsource to external organisations.

Developers can apply for planning permission without going through a design review panel. However schemes that have been through the design review process, and have developed positively in response to the recommendations from the design review panel, are less likely to be refused planning permission on the grounds of poor design.

The purpose of design review is to improve the design quality of new development. In assessing applications, local planning authorities should have regard to the recommendations from the design review panel.

- 2.3 There have been a number of high profile applications recently considered by the Planning Authority including, for example, the West End reserve housing sites. It is therefore considered that having an agreed design review protocol in place would have assisted with these projects. In addition, it is of strategic importance to the Borough that the residential redevelopment of Princess Royal Barracks (PRB), Deepcut is subject to the highest design scrutiny and it is considered that design review is a necessity to achieve this.
- 2.4 Design South East (D-SE) is a non-for-profit and impartial organisation with over 10 years. Dependent on the nature of the case this organisation will appoint the necessary independent experts to sit on the design review panel. D-SE has contact with over 80-90 architects and other experts. Typically a panel would consist of 5-6 experts with a chair and the applicant would be invited. Councillors can attend but this is not universal. Half day or full day workshops are normally held with written feedback provided to all parties after the event.

2.5 The Planning Authority has taken advice from other authorities who have adopted design review, including Guildford Borough Council, who use D-SE. To date their experiences have been well received and this has helped to deliver positive outcomes. Independent design review has also been piloted at Surrey Heath on the infrastructure design code application for PRB. This involved a half day workshop which included a site visit followed by a workshop. D-SE appointed landscape and infrastructure experts to sit on the panel. The applicant was invited and attended this panel. This workshop included a presentation by the applicant, planning officer input and a question and answer session by the panel. The workshop was followed up by a written report of recommendations from D-SE which was forwarded to the applicant and officers. The conclusions were well received.

2.6 The design review on PRB referred to above was undertaken once the application was submitted but as explained at paragraph 2.2 above it is most successful when undertaken at the pre-application stage. A protocol would need to be written and published on the website but the intention is that the applicant pays for the design review.

3. Options

3.1 The options for the Executive are to agree or disagree with the setting up of a Design Panel.

4. Proposals

4.1 Good design is recognised as an important consideration in the determination of planning applications. The piloted work on PRB Deepcut has been well received by developers and officers and in the light of this it is proposed to work with D-SE to set up a design panel for the Borough.

4.2 The government does not define what the threshold ought to be for major projects to be subject to design review. This is because each local authority has different local requirements and issues. Guildford Borough Council, for example, has set its threshold at 100 dwellings or more or 10,000 sq m for commercial. It is considered that for Surrey Heath an indicative threshold of 50 dwellings or more (gross) or 10,000 sq metres for other developments would be more reflective of the local issues. This, however, is only indicative as some case smaller schemes may still benefit from design review and so officers have the discretion to recommend review where applicable.

4.3 It is also proposed to work with D-SE on developing a training package for officers to enhance design skills within the service for dealing with smaller schemes.

5. Supporting Information

5.1 None

6. Corporate Objectives and Key Priorities

6.1 Design review is aligned with all corporate objectives 1, 2 and 4 as it helps to deliver good design which is a key requirement of sustainable development. In particular, it will meet objective 1 by making Surrey Heath an even better place where people are happy to live. In addition, it will support objective 3 by improving the planning application process.

7. Policy Framework

- 7.1 This approach supports Policies CP2 and DM9 of the Councils adopted Core Strategy and Development Management Policies in supporting good design in new development.

8. Officer Comments

- 8.1 It is considered that design review is an important mechanism to achieve the highest quality of design on the major projects. The proposed threshold is set at a reasonable level which would not place too high a burden on developers of smaller schemes, but ensure that the delivery of the most strategic projects is subject to the necessary scrutiny.
- 8.2 The design review process will positively assist the planning service by hopefully reducing the need to negotiate during the planning application and/or refuse planning applications on design grounds. Planning refusals have resource implications in respect of further planning submissions and potential appeals.

Annexes	None
Background Papers	None
Author/Contact Details	Jonathan Partington, Development Manager jonathan.partington@surreyheath.gov.uk 01276 707296
Head Of Service	Jenny Rickard

Consultations, Implications and Issues Addressed

Resources	Required	Consulted
Revenue	✓	<u>01/04/2016</u>
Capital		
Human Resources		
Asset Management		
IT		
Other Issues	Required	Consulted
Corporate Objectives & Key Priorities	✓	<u>01/04/2016</u>
Policy Framework	✓	<u>01/04/2016</u>
Legal	✓	<u>01/04/2016</u>
Governance		
Sustainability		
Risk Management		
Equalities Impact Assessment		
Community Safety		
Human Rights		
Consultation		
P R & Marketing		

Review Date:

Version:

ALLOCATION AND EXPENDITURE OF PLANNING INFRASTRUCTURE CONTRIBUTIONS (PIC)

Summary

This report recommends the allocation and expenditure of specific funds received via planning obligations as part of Section 106 Agreements and Unilateral Undertakings collected from development schemes in Surrey Heath for specific categories of works.

Portfolio – Regulatory/Business

Date Portfolio Holders signed off report: 23 May 2016

Wards Affected

All

Recommendation

The Executive is advised to resolve that:

- (i) the projects identified in Annex A be carried out and funded by funds collected through Planning Infrastructure Contributions;
- (ii) the implementation of the individual schemes be delegated to the Executive head of Business after consultation with the Business and Finance Portfolio Holders.

The Executive is advised to recommend to Council that the Capital Programme for 2016/17 be increased by £526,000 as set out in Annex A.

1. Resource Implications

1.1 The monies earmarked for the expenditure on the identified projects contained in Annex A have already been collected through Planning S106 agreements and unilateral undertakings. There are no additional resource implications for the Council should this proposal be agreed. The maintenance costs relating to the identified projects are already accounted for within on-going maintenance budgets and the proposed expenditure will not therefore increase existing maintenance costs. In addition new equipment being proposed will have at least a 10 year guarantee hence, additional maintenance costs will be kept low.

2. Key Issues

2.1 The authority to raise and spend planning infrastructure monies on the specific projects stems from Planning Circular 05/2005, which has now been superseded by the National Planning Policy Framework, Policy CP12 Infrastructure Delivery and Implementation of the Core Strategy & Development Management Policies DPD 2012, the Council's adopted Infrastructure Contributions (Developer Tariff) Scheme February 2009 and the Developer Contributions Supplementary Planning Document 2011.

2.2 The principles behind applying the tariff scheme to new development proposals is to ensure that all development, including small scale development, addresses the collective impact of development proposals on existing local infrastructure provision.

2.3 Planning Infrastructure Contributions (PIC) must be spent in accordance with the Council's 'Developer Contributions Supplementary Planning Document 2011, adopted by the Council's Executive on 18th October 2011. This now allows for the collection of infrastructure contributions under the following categories:

- Primary Education
- Secondary Education
- Transport,
- Libraries and Museums
- Open Space
- Outdoor recreation (Incl LEAP, NEAP & MUGA)
- Indoor sports facilities,
- Community facilities,
- Waste and recycling
- Environmental improvements
- Town Centre management

The tariff scheme criteria together with the unilateral undertakings and s106 agreements signed as part of the approved planning permissions do not allow for funding of projects outside these categories.

2.4 Contributions collected for libraries and transport, are not spent by SHBC but under the agreed tariff scheme are allocated and spent by Surrey County Council on identified new transport infrastructure and library facilities. The contributions made on the remainder of the PIC categories are held and overseen by SHBC.

2.5 Of the funding categories for which SHBC is responsible, the agreed tariff scheme requires that the majority of the sums raised are spent on equipped play space with reduced proportions spent on the other identified category areas.

2.6 With contributions collected through s106 agreements, there are time constraint requirements on the Council to allocate and spend the monies on projects within a specific time scale. Even where such time constraints do not apply, the PIC monies that have already been collected need to be spent in accordance with criteria as set out in the tariff scheme as well as in a timely and reasonable manner.

2.7 The monies collected under PIC cannot be used for the general maintenance of existing play space sites (see paragraph 1 above).

2.8 As new development schemes come forward and make contributions under the Developer Contributions SPD, different categories of proposed works will come forward for consideration.

3. Options

3.1 The options before the Executive are as follows:

- (i) To AGREE the list of identified projects to which Planning Infrastructure Contributions can be allocated as set out in Annex A.

- (ii) To NOT AGREE the list of identified projects or the expenditure of PIC already collected for the projects set out at Annex A.

3.2 The Executive is advised to agree options (i).

4. Proposals

4.1 The list of projects for which member approval is sought to implement with the PIC monies collected is at Annex A.

5. Supporting Information

5.1 Work has been undertaken with the Business Services Team in relation to identifying suitable Equipped Play Space, Environmental Improvements and Community Facilities projects for which PIC can be utilised.

5.2 Projects are allocated on a case-by-case basis depending on the location of Development sites in relation to project catchment zones and compliance with the collection criteria.

6. Corporate Objectives And Key Priorities

6.1 The proposals contained in this report support Objective 1 of making Surrey Heath an even better place where people are happy to live through the protection, management, maintenance and enhancement of public green spaces and supports sustainable living, construction and development. The proposal is in line with the Play Areas and Playgrounds in Surrey Heath report approved at Leisure and Environment Scrutiny Committee in September 2011 and strategy on Play Space provision in the Borough.

6.2 These proposals also support Key Priority 4 to keep Surrey Heath a clean, green and safe place for the continued wellbeing of our borough

7. Policy Framework

7.1 The relevant planning policies are as follows: Policy CP2: Sustainable Development and Design, Policy DM16: Provision of Open Space and Recreational Facilities and Policy DM14 Community and Cultural Facilities of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy CC7: Infrastructure and Implementation of the South East Plan 2009.

8. Legal Issues

8.1 The categories of the proposed infrastructure have been specifically identified in the Unilateral Undertaking and s106 Agreements submitted as part of the grant of planning permission and as such the contributions need to be spent on the identified infrastructure categories. The identified projects also comply with the CIL (Community Infrastructure Levy) regulations that came into force in 2010.

9. Governance Issues

9.1 None arising.

10. Sustainability

- 10.1 The spending of Planning Infrastructure Contributions and delivery of projects to enhance and expand infrastructure provision in the borough, in accordance with the list of projects put forward in this report, will deliver additional and enhanced facilities to address the increased pressures on existing facilities from new development. The delivery of projects identified in this report would enable a sustainable approach being achieved when dealing with the pressures of new development on infrastructure facilities provided by SHBC.

11. Risk Management

- 11.1 The key risk identified is that the approach taken by SHBC in levying PIC can be challenged at appeal. Therefore, it is necessary to take action to demonstrate that funds are being allocated to identified infrastructure projects and the projects being provided.

12. Equalities Impact

- 12.1 An equalities impact assessment has been undertaken for the projects identified in this report. The funding of the proposed projects will ensure that all residents in the borough have access to high quality equipped play facilities and improved leisure and community facilities irrespective of age.

13. Human Rights

- 13.1 No matters arising.

14. Community Safety

- 14.1 Ensuring that the Borough's play areas are improved and upgraded to a high standard where children as well as adults are able to recreate in a well-designed safe environment. In addition the provision of new community facilities will ensure that the wider community benefits from better facilities within the Borough.

15. Consultation

- 15.1 Internal consultation has been undertaken between the Section 106 Implementation Officer, the Development Manager and the Business Services Team.

16. PR And Marketing

- 16.1 N/A.

17. Officer Comments

- 17.1 The proposed funding of the identified projects by utilising developer contributions (secured and collected via Section 106 Agreements and Unilateral Undertakings) will help address deficiencies that arise from new development in the borough and the resulting increase in demand and usage of existing infrastructure facilities. The proposed works identified in the schedule will contribute towards ensuring that the borough is providing improved public infrastructure for existing and future residents and that new

development is not having a detrimental impact on the built environment and the quality of living in the borough.

Annexes	Annex A – List of projects for which member approval is sought to implement with the PIC collected to date.
Background Papers	None
Author/Contact Details	Steven Appleby, Community Infrastructure Delivery Officer, Regulatory Services Jonathan Partington, Development Manager, Regulatory Services
Head of Service	Jenny Rickard

Consultations, Implications and Issues Addressed

Resources	Required	Consulted
Revenue	✓	
Capital	✓	10/05/2016
Human Resources	✓	10/05/2016
Asset Management		
IT		
Other Issues	Required	Consulted
Corporate Objectives & Key Priorities	✓	10/05/2016
Policy Framework		
Legal		
Governance		
Sustainability		
Risk Management		
Equalities Impact Assessment		
Community Safety		
Human Rights		
Consultation		
P R & Marketing	✓	10/05/2016

Review Date:

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PIC OPPORTUNITIES

APPENDIX A

	PIC CATEGORY	SITE	WARD	DESCRIPTION	APPROX. COST	DEVELOPMENT SITE
1	Equipped Playspace	Frimley Lodge Park	Frimley Green	Frimley Lodge is our flagship park with Greenflag status and the existing play area is in need of a refresh. Our aim would be to secure £100k through existing PIC and then seek match funding through grant applications to make this a destination in itself. This park is extremely popular and visited by residents throughout the Surrey Heath borough and beyond. Following recent consultations, most responses advised that upgraded play equipment would make the park even more attractive to visitors.	£100,000	<p>Ref 11/0941 5-9 Frimley Green Road, Frimley</p> <p>Ref 12/0053 Land Adj to 2 Purley Way, Frimley</p> <p>Ref 12/0239 Land at The Ridgewood Centre, Old Bisley Road, Frimley</p> <p>Ref 12/0839 84-88 Frimley High Street, Frimley</p>
2	Equipped Playspace	Frimley Lodge Park	Frimley Green	An additional option for Frimley Lodge Park or as part of the new development in Deepcut in 2017/18 would be the installation of a treetop walkway. This would present a commercial opportunity for either site.	£85,000	<p>Ref 14/0330 1-3 Beaumaris Parade, Frimley</p>
3	Equipped Playspace	Loman Road	Mytchett & Deepcut	The current play area would benefit from a full replacement.	£40,000	<p>Ref 12/0499 Linsford Bungalow, Linsford Lane, Mytchett</p> <p>Ref 13/0047 Lawrenny,10,Mytchett Place Rd,Mytchett</p> <p>Ref 14/0107 Land East of 220 Mytchett Road, Mytchett</p>
4	Equipped Playspace	Lightwater Country Park	Lightwater	The current play area would benefit from a full replacement.	£80,000	<p>Ref 11/0511 Land rear of 14 Ambleside Rd & adj to 12 Ullswater Rd, Lightwater</p> <p>Ref 13/0566 66,Guildford Road, Lightwater</p>
5	Equipped Playspace	Cheylesmore Drive Park	Heatherside	The current play area would benefit from a full replacement.	£40,000	<p>Ref 14/0800 The Ridgewood Centre, Old Bisley Road, Frimley</p>
6	Equipped Playspace	Watchetts Recreation Ground	Watchetts	The current play area would benefit from a full replacement.	£29,000	<p>Ref 12/0276 146A Frimley Road, Camberley</p> <p>Ref 13/0428 Land at Hunts Lane, Camberley</p> <p>Ref 14/0396 1, Heatherdale Road,</p>

7	Equipped Playspace	Evergreen Road Play Area	Parkside	Some of the existing play equipment is in good condition but extra new equipment would enhance this facility.	£15,000
8	Equipped Playspace	Old Dean Recreation Ground	Old Dean	This is a large play area which also incorporates concrete ramps for BMX / Skateboarding which would benefit from a major re-imagining.	£60,000
9	Community Facilities	Lightwater Country Park	Lightwater	This area would benefit from outdoor gym equipment which would benefit this extremely popular park.	£17,000
10	Community Facilities	Borough Wide	All Boards	We currently have approximately 20 notice boards within the Borough that need to be replaced. Ideally we would like to replace the boards in each ward to ensure the community are aware of all events and activities within their local area.	£20,000

Ref 13/0100 Camberley Heath Golf Club

Ref 13/0680 2, Brackendale Close
Camberley

Ref 12/0662 Linbar, Middleton Rd,
Camberley

Ref 12/0850 Pit 6, Development
Site, Burgoyne Rd, Camberley

Ref 13/0259 Maywood St John,
Maywood Drive, Camberley

Ref 14/0161 Development Site, 8,9
Burgoyne Rd, Camberley

Ref 11/0511 Land rear of 14
Ambleside Rd & adj to Ullswater Rd,
Lightwater

Ref 13/0566 66, Guildford Rd.
Lightwater

11	Community Facilities	Frimley Lodge Park	Frimley Green	Flourish Community Garden is based within Frimley Lodge Park. This facility is extremely popular with community groups within the borough and beyond. The vision would be to expand the garden and extend the building to work with larger groups.	£25,000
12	Environmental Improvement	Curley Hill	Lightwater	Curley Hill is situated within Lightwater Country Park and is one of the best viewpoints in the borough and a real asset of the park. The installation of a new rail would encourage cyclists and walkers to stay on the walkway and avoid damage to vegetation which results in erosion. We would also like to make this a focal point and install a new plaque to highlight the buildings and areas of interest from the view	£5,000
13	Environmental Improvement	Watchmoor Reserve	Watchetts	The area is itself a beauty spot located behind Sainsburys on the BVR road. By cutting all the vegetation down to 1-2 ft, leaving some trees as standards, it would open up sight lines and discourage antisocial behaviour in the woodland. It would also restore the site to its original concept and make it a far safer place for all visitors and encourage people to explore the site for its beauty.	£10,000

Ref 11/0941 5-9 Frimley Green Road, Frimley

Ref 12/0053 Land adj to 2 Purley Way, Frimley

Ref 12/0239 Land at The Ridgewood Centre, Old Bisley Road, Frimley

Ref 12/0839 84-88 Frimley High Street, Frimley

Ref 14/0330 1-3 Beaumaris Parade, Frimley

Ref 11/0511 Land rear of 14 Ambleside Rd and adj to Ullswater Rd, Lightwater

Ref 13/0566 66, Guildford Rd, Lightwater

Ref 12/0276 146 A Frimley Rd, Camberley

Ref 13/0428 Land at Hunts Lane, Camberley

Ref 14/0396 1, Heatherdale Road,

£526,000

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Fixed Penalty Notice (FPN) Policy for environmental offences

Summary

To request approval to be able to issue Fixed Penalty Notices for fly tipping, a contravention of the Environmental Protection Act 1990.

The new provisions provide for a fine of not less than £150 and not more than £400 as specified by the Waste Collection Authority and £200 if no amount is specified by the Local Authority.

Portfolio: Councillor Vivienne Chapman for Community
Date Portfolio Holder signed off report: 25 May 2016

Wards Affected: All

Recommendation

The Executive is RECOMMENDED to:

- a) SET a fixed penalty of £400, reduced to £300 if paid within 10 days in accordance with the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016;
- b) DELEGATE to the Executive Head of Community, in consultation with the Portfolio Holder for Community, the ability to vary all environmental Fixed Penalty Notice charges in accordance with legislation; and
- c) AUTHORISE that revenue raised from fixed penalty notices be used on prevention, detection and investigation of future offences.

1. Resource Implications

- 1.1. The investigation of fly tipping and issuing of any fixed penalty notices will be carried out within existing staff resources and budgets.
- 1.2. The primary purpose of having the ability to issue an FPN is to discourage offending rather than to raise revenue.
- 1.3. Government legislation stipulates that penalty receipts generated from environmental crime must be spent on the function they relate to. However, this does not apply to fly tipping penalties.
- 1.4. The Executive is being asked to approve that any income raised through the issues of all FPNs is used for enforcement and prevention.

2. Key Issues

- 2.1. Currently the Council has the ability to issue Fixed Penalty Notices (FPN) for a variety of environmental offences such as littering, smoking in a public place etc.
- 2.2. Fly tipping is an offence under Section 33 of the Environmental Protection Act 1990. Currently the Council has two options when enforcing against fly tipping offenders as follows:
 - taking formal court proceedings; or
 - issuing a £75.00 (reduced to £50.00 if paid within 10 days) Fixed Penalty Notice for littering.
- 2.3. The issuing of the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 on the 9th May 2016 changed the law to enable Waste Collection Authorities to issue fixed penalty notices (FPNs) to be served specifically for fly tipping as an alternative to prosecution.
- 2.4. A FPN offers the perpetrator the opportunity to discharge their liability to conviction for the offence it relates to by payment of a fixed penalty and is usually applied in low level cases where it is not cost effective or proportionate to prosecute.
- 2.5. The Environmental Protection Act 1990 does not provide a comprehensive definition of litter or refuse, however DEFRA guidance states a single plastic sack of rubbish should usually be considered fly tipping rather than litter.
- 2.6. Many parts of the Borough are subject to persistent fly tipping, especially in rural areas. The Council's Counter Fraud and Corporate Enforcement Team use a range of techniques to identify perpetrators which include tracking down the ownership of vehicles seen dumping illegal waste and CCTV cameras. It is important that perpetrators receive a sanction that properly reflects the damage to the environment and local community, the cost to the Local Authority in clearing the dumped waste and also acts as a deterrent against future offending, both for the identified offender and, if suitably publicised, for others who may be minded to fly tip. A £75 penalty under the current rules falls short on all counts.
- 2.7. Investigations into fly tipping are resource intensive and can be lengthy and complex. The proposed £400 penalty will provide a more proportionate and expeditious approach to deal with small scale fly tipping offences. The Council will continue to prosecute serious cases and repeat offenders through the court, together with those who fail to pay the FPN.

3. Options

- 3.1. The Executive may accept, reject or amend the proposal

4. Proposals

- 4.1. It is proposed that Executive:

- a) Set a fixed penalty of £400 for fly tipping, reduced to £300 if paid within 10 days in accordance with the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016;
- b) Delegate to Executive Head of Community, in consultation with the Portfolio Holder for Community, the ability to vary all environmental FPN charges in accordance with legislation; and
- c) Authorise that revenue raised from fixed penalty notices be used on prevention and investigation of future offences.

5. Supporting Information

- 5.1 Some guidance has been issued by DEFRA.

6. Corporate Objectives and Key Priorities

- 6.1. The policy underpins Corporate Objectives 1 and 3, we will do this by:
 - (a) Keeping the Borough clean by delivering good recycling and refuse collection and street cleansing services; and
 - (b) Protecting the general health and wellbeing of the community through our services, our health promotion and community development work.

7. Policy Framework

- 7.1. The proposed changes will be inserted into the existing Fixed Penalty Notice policy which is based on the framework issued by DEFRA.

8. Legal Issues

- 8.1 The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016.
- 8.2 If a person refuses to accept a Fixed Penalty Notice or does not pay within the specified period, the case will be referred to Legal Services who will apply the evidential and public interest tests before issuing proceedings for prosecution.

9. Governance

- 9.1. Fixed Penalty receipts for fly tipping offences are not legally ring fenced for specific environmental functions or enforcement action.

10. Equalities Impact

- 10.1. The Fixed Penalty Notice policy has clearly defined guidelines to deal with vulnerable people. The change in legislation does not highlight any specific equality considerations.

11. Human Rights

- 11.1. Officers authorised to issue Fixed Penalty Notices are fully trained in legislation directly affecting human rights, specifically Articles 6 & 8.

12. Consultation

- 12.1. The relevant Executive Heads have been consulted.

13. PR and Marketing

- 13.1. The introduction of fixed penalty notices for fly tipping will be actively promoted in conjunction with the Communication team so as to discourage offending.

14. Officer Comments

- 14.1 Fixed penalty notices for fly tipping are a positive step in tackling the issue and will enable the council to take a faster and more direct approach to ensuring the perpetrators are made accountable.

Annexes	N/A
Background Papers	
Author/Contact Details	Julia Greenfield – Counter Fraud & Corporate Enforcement Manager
Head of Service	Kelvin Menon – Executive Head - Finance

Consultations, Implications and Issues Addressed

Resources	Required	Consulted
Revenue	✓	
Capital		
Human Resources		
Asset Management		
IT		
Other Issues	Required	Consulted
Corporate Objectives & Key Priorities	✓	
Policy Framework		
Legal	✓	
Governance		
Sustainability		
Risk Management		
Equalities Impact Assessment		
Community Safety		
Human Rights		
Consultation		
P R & Marketing	✓	

Review Date:

Version:

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Appointment of Members to Outside Bodies 2016/17

Summary

To make appointments to outside bodies for the 2016/17 municipal year.

Portfolio: Leader

Date Portfolio Holder signed off report: 23 May 2016

Wards Affected: All

Recommendation

The Executive is advised to resolve

- (i) to make appointments to the outside bodies listed at Annex A; and
- (ii) that attendance by the appointed members at meetings of the bodies listed at Annex A be regarded as approved duties in accordance with the Members Allowances Scheme.

1. Resource Implications

- 1.1 Under the Members' Allowance Scheme Members are entitled to claim travelling expenses to meetings of outside bodies for journeys in excess of 3 miles. The only expense relating to these appointments is the payment of travelling allowances which can be met by the existing budget.

2. Key Issues

- 2.1 Every year, the Council is asked to nominate and make appointments to a number of outside bodies.
- 2.2 The Council wishes to monitor the activities of these organisations through the Council's representatives during the year. Its aim is to judge, for the 2015/16 municipal year, whether it is appropriate, given the Council's corporate priorities and the many calls on councillors' time, to make appointments to certain outside bodies.
- 2.3 Councillors who are appointed to represent the Council on an outside body for the 2016/17 municipal year will be requested to keep the relevant portfolio holder apprised of the activities of that organisation.
- 2.4 A brief description of the purpose of each of the organisations, and the role of a Member appointed to that organisation, is available on the Council's website.

2.5 It is Council policy not to appoint representatives to outside bodies where no councillor has expressed an interest in being appointed or where the activities of the organisation concerned are not a priority for the Council.

2.6 The list of Outside Bodies is attached at Annex A. Nominations to these bodies will be circulated at the meeting.

3. Options

3.1 The Executive has the option to make appointments to the outside bodies set out at Annex A or not make to some or any of the appointments.

4. Proposals

4.1 The Executive is asked to appoint representatives to the bodies set out at Annex A.

5. Local Government Act 1972 - Approved Duties

5.1 The outside bodies referred to at Annex A meet the requirements of the Council's Members Allowances Scheme in respect of an approved duties for the payment of travelling expenses.

Annexes	Annex A – list of outside bodies for 2016/17. Annex B – List of Nominations (to follow)
Background Papers	None
Author/Contact Details	Lee Brewin – Democratic and Electoral Services Officer Lee.brewin@surreyheath.gov.uk
Executive Head of Service	Richard Payne - Executive Head - Corporate

Consultations, Implications and Issues Addressed

Resources	Required	Consulted
Revenue	✓	✓
Capital		
Human Resources		
Asset Management		
IT		
Other Issues	Required	Consulted
Corporate Objectives & Key Priorities		
Policy Framework		
Legal		
Governance		
Sustainability		

Resources	Required	Consulted
Risk Management		
Equalities Impact Assessment		
Community Safety		
Human Rights		
Consultation		
P R & Marketing		

Appointment of Representatives to serve on Outside Bodies

<u>Organisation</u>	<u>Number of Representatives</u>	<u>Current representative 2015/16</u>
Accent Peerless Ltd - Local Customer Services Committee	One	<i>Cllr Colin Dougan</i>
Basingstoke Canal Joint Management Committee	One plus one sub	<i>Cllr David Lewis Cllr Nick Chambers (sub)</i>
Blackwater Valley Advisory Committee for Public Transport	Two plus two subs	<i>Cllr Paul Ilnicki Cllr Valerie White Cllr Chris Pitt (sub) Vacancy (sub)</i>
Blackwater Valley Countryside Partnership	Two	<i>Cllr David Lewis Cllr Wynne Price</i>
Blackwater Valley Joint Local Authorities Group	One plus one sub	<i>Leader of the Council – Cllr Moira Gibson Cllr Vivienne Chapman (sub)</i>
Briars Centre Management Committee	One	<i>Cllr John Winterton</i>
Camberley Town Football Club – Observer	One	<i>Cllr Valerie White</i>
Chobham Common Liaison Group	Two	<i>Cllr Pat Tedder Cllr Victoria Wheeler</i>
Citizens Advice Bureau Management Committee	One	<i>Cllr Robin Perry Term for 2 years – no vacancy this year</i>
Collectively Camberley Ltd	One	<i>Cllr Richard Brooks</i>
Community Noise Forum	Two	<i>Cllr Rebecca Jennings-Evans Cllr Conrad Sturt</i>
Deepcut Village Association	One	<i>Cllr Paul Deach</i>
Fairoaks Airport Consultative Committee	One	<i>Cllr Pat Tedder</i>
Farnborough Aerodrome Consultative Committee	One plus one sub	<i>Cllr Josephine Hawkins Cllr Robin Perry (sub)</i>
Frimley Community Centre Management Committee	One	<i>Cllr Bruce Mansell</i>
Frimley Fuel Allotments Charity(4 year appointments)	Four Trustees Four vacancies this year.	<i>Cllr Josephine Hawkins Cllr Paul Ilnicki Cllr Bruce Mansell Cllr Chris Pitt</i>
Heatherside Community Centre Council	One plus one sub	<i>Cllr Paul Ilnicki Cllr Jonathan Lytle (sub)</i>
Heathrow Airport Consultative Committee	One plus one sub	<i>Cllr Moira Gibson Cllr Charlotte Morley</i>

Henry Smith Charity (4 year appointments)	Three Trustees two vacancies this year	<i>Cllr Chris Pitt (to 2019)</i> <i>Cllr Bruce Mansell(to 2016)</i> <i>Cllr Ian Sams (to 2016)</i>
Joint Waste Collection Services Committee	Community Portfolio Holder	<i>Ex-officio - Cllr Mrs Vivienne Chapman</i> <i>Cllr Valerie White (sub)</i>
Local Government Association - General Assembly	One plus one sub	<i>Leader of the Council – Cllr Moira Gibson</i> <i>Cllr Richard Brooks (sub)</i>
Miss Gomms Trust (4 year appointments)	Six Trustees Three vacancies this year	<i>Martin Goodway (to 2018)</i> <i>Cllr Chris Pitt (to 2016)</i> <i>Cllr Joanne Potter (to 2016)</i> <i>Rev Russell (to 2016)</i> <i>Cllr Pat Tedder (to 2018)</i> <i>Cllr Nick Chambers (to 2019)</i>
Mytchett Community Association General Committee	One plus one sub	<i>Cllr Craig Fennell</i> <i>Vacancy (sub)</i>
Parking and Traffic Regulation outside London Adjudication Joint Committee (4 year appointments)	One plus one sub – no vacancies this year	<i>Cllr Craig Fennell (to 2019)</i> <i>Cllr Paul Deach (sub)(to 2019)</i>
RELATE North East Hants and Borders	One	<i>Cllr Katia Malcaus Cooper</i>
South East Employers	One plus one sub	<i>Cllr Josephine Hawkins</i> <i>Cllr Chris Pitt (sub)</i>
South East England Councils	One plus one sub	<i>Leader of the Council - Cllr Moira Gibson</i> <i>Cllr Richard Brooks (sub)</i>
Surrey Climate Change Partnership Member Group	Community Portfolio Holder	<i>Cllr Mrs Vivienne Chapman</i>
Surrey County Playing Fields Association	One	<i>Cllr Victoria Wheeler</i>
Surrey Energy and Sustainability Partnership	Executive Appointment	
Surrey Heath Age Concern	One	<i>Cllr Ruth Hutchinson</i>
Surrey Heath Arts Council	Three	<i>Cllr Edward Hawkins</i> <i>Cllr Ian Cullen</i> <i>Cllr Ian Sams</i>
Surrey Heath Duke of Edinburgh Award Forum	One	<i>Cllr Jonathan Lytle</i>

Surrey Heath Local Area Committee	Six plus two subs	<i>Cllr Rodney Bates Cllr Vivienne Chapman Cllr Josephine Hawkins Cllr Paul Innicki Cllr Rebacca Jennings-Evans Cllr Valerie White Cllr Alan McClafferty (sub) Cllr Robin Perry (sub)</i>
Surrey Heath Partnership	Two	<i>Leader of the Council – Cllr Moira Gibson Cllr Vivienne Chapman (Portfolio Holder)</i>
Surrey Heath Sports Council	Four	<i>Cllr Craig Fennell (Portfolio Holder) Cllr Charlotte Morley Cllr Max Nelson Cllr Victoria Wheeler</i>
Surrey Heath Youth Focus	Two	<i>Cllr Paul Deach Cllr Ruth Hutchinson</i>
Surrey Leaders Group	Leader of the Council	<i>Cllr Moira Gibson</i>
Surrey Police and Crime Panel	One	<i>Cllr Charlotte Morley</i>
Surrey Waste Partnership	Community Portfolio Holder	<i>Cllr Mrs Vivienne Chapman</i>
Voluntary Support North Surrey	One plus one sub	<i>Cllr Paul Deach Cllr Darryl Ratiram (sub)</i>

Appointment of Executive Working Groups

Summary

To appoint working groups of the Executive, to determine the allocation of seats to these bodies and to endorse the Terms of Reference.

Portfolio: Leader

Date signed off: 23 May 2016

Wards Affected: Not applicable

Recommendation

The Executive is advised to RESOLVE to

- (i) establish Executive Working Groups for the Municipal Year 2016/17 as considered appropriate;
- (ii) determine the number of seats and the allocation of those seats;
- (iii) appoint members and substitute members to the working groups on the nomination of the Group Leaders; and
- (iv) adopt Terms of Reference for each of the Working Groups.

1. Resource Implications

1.1 There are no additional resource implications arising from this report.

2. Options

2.1 The Executive has the options to

- (a) establish and appoint members and substitute members to working groups in 2016/17 or not to establish any;
- (b) endorse the Terms of Reference with or without amendments.

3. Proposals

3.1 As working groups of the Executive there is no legal requirement for these groups to be politically balanced, although in the past they have been so.

3.2 The Leader proposes that the following Working Groups be established for 2016/17:

Group	No of Seats
The Camberley Theatre and the Arena Leisure Centre Working Group	7
Camberley Town Centre Future Management Working Group	7
Digital Services Working Group	7
Equality Working Group	7

3.3 The Executive is asked to agree the establishment of the above Working Groups, the number and allocation of seats and the appointment of substitutes in accordance with Substitution Rules at Part 4 of the Constitution.

3.4 The proposed Terms of Reference for the Working Groups are attached at Annex A.

3.5 The nominations of the Group Leaders to these working groups will be laid on the table at the meeting if available.

Annexes	Annex A – Terms of Reference of Working Groups
Background Papers	None
Author/Contact Details	Jane Sherman – Democratic Services Manager jane.sherman@surreyheath.gov.uk
Executive Head Of Service	Richard Payne – Executive Head of Corporate

Consultations, Implications and Issues Addressed

	Required	Consulted
Resources		
Revenue	✓	✓
Capital	-	-
Human Resources	-	-
Asset Management	-	-
IT	-	-
Other Issues		
Corporate Objectives & Key Priorities	✓	✓
Policy Framework	-	-
Legal	-	-
Governance	-	-
Sustainability	-	-
Risk Management	-	-
Equalities Impact Assessment	-	-

Community Safety	-	-
Human Rights	-	-
Consultation	-	-
P R & Marketing	-	-

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The Camberley Theatre and the Arena Leisure Centre Working Group

Terms of Reference

The Camberley Theatre and the Arena Leisure Centre Working Group is a Working Group of the Executive.

Membership

The Group will be politically balanced and will be made up of 7 members comprising 6 members from the Conservative Group and 1 member from the Others Group.

The Chairman of the Working Group will be the Business Portfolio Holder.

Overall Aim

- To consider and make recommendations to the Executive in relation to
 - the performance of the Camberley Theatre
 - the future options for the Arena Leisure Centre

Key Objectives

- In relation to the Camberley Theatre
 - To receive the report of the Venue Manager in relation to the operation of the Theatre.
 - To receive reports on the budgets and financial targets of the Theatre
 - To review and make recommendations in relation to the charging structure and rates of hire of the Theatre and other fees and charges.
 - To consider and make recommendations for special projects relating to the Theatre.
- In relation to the Arena Leisure Centre
 - To receive reports on and make recommendations to the Executive on possible options for future Leisure Centre provisions.

Meetings

The Working Group will meet 3 times a year.

Camberley Town Centre Future Management Working Group

Terms of Reference

The Camberley Town Centre Future Management Working Group is a Working Group of the Executive.

Membership

The Group will be politically balanced and will be made up of 7 members comprising 6 members from the Conservative Group and 1 member from the Others Group.

The Chairman of the Working Group will be the Finance Portfolio Holder.

Overall Aim

- To consider and make recommendations to the Executive on the future management of Camberley Town Centre ready for the new Collectively Camberley Business Improvement District proposals.

Key Objectives

- To review the benefits of the BID work and make recommendations to the Executive as to whether the Council's decision should be to support a continued BID
- If the Council chooses to support a continued BID, what should the objectives be for Camberley Town Centre management through the BID.

Meetings

The Working Group will meet 3 times a year.

Digital Services Working Group

Terms of Reference

The Digital Services Working Group is a Working Group of the Executive.

Membership

The Group will be politically balanced and will be made up of 7 members comprising 6 members from the Conservative Group and 1 member from the Others Group.

The Chairman of the Working Group will be the Transformation Portfolio Holder.

Overall Aim

- To consider and make recommendations to the Executive in relation to maximising the use of digital services.

Key Objectives

- To support the Executive in researching what technology could help and enhance Camberley, Frimley and Bagshot.
- To maximise the effectiveness of Social Media for the benefit of the Council, councillors and their communities.
- To look at marketing through Social Media to inform residents more effectively.
- To consider how the Council can work more efficiently through Social Media in the future.
- To consider more effective ways the Council could develop the Digital by Default agenda and how it supports the minority who will never use an online service.
- To research income generation opportunities from the use of technology.

Meetings

The Working Group will meet a 3 times a year.

Equality Working Group

Terms of Reference

The Equality Working Group is a Working Group of the Executive

Membership

The Group will be politically balanced and will be made up of 7 members comprising 6 members from the Conservative Group and 1 member from the Others Group.

The Chairman of the Working Group will be the Corporate Portfolio Holder.

Overall Aim

To demonstrate high level commitment to equality and diversity including employment within the Council and services provided to the whole community.

Key Objectives

- To monitor the progress made in embedding Equality and Diversity within the Council and reaching the 'Achieving' Level of the Equality Framework for Local Government.
- To make recommendations to the Executive to move the equality and diversity process forward where necessary.

Meetings

The Working Group will meet three times a year or when needed.

EXCLUSION OF PRESS AND PUBLIC

RECOMMENDATION

The Executive is advised to RESOLVE that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the ground that they involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act, as set out below:

<u>Item</u>	<u>Paragraph(s)</u>
13	3
14	3

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 13.

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