

**Minutes of a Meeting of the Executive
held at Council Chamber, Surrey Heath
House, Knoll Road, Camberley, GU15
3HD on 20 November 2018**

+ Cllr Moira Gibson (Chairman)

+ Cllr Richard Brooks	+ Cllr Craig Fennell
+ Cllr Mrs Vivienne Chapman	+ Cllr Josephine Hawkins
+ Cllr Paul Deach	+ Cllr Alan McClafferty
+ Cllr Colin Dougan	+ Cllr Charlotte Morley

+ Present

In Attendance: Cllr Dan Adams, Cllr Rodney Bates, Cllr Jonathan Lytle, Cllr Katia Malcaus Cooper, Cllr Bruce Mansell, Cllr Chris Pitt, Cllr Joanne Potter and Cllr Valerie White

37/E Minutes

The minutes of the meeting held on 16 October 2018 were confirmed and signed by the Chairman.

38/E Camberley Multi-story Car Parks Tariff Review

The Chairman of the Performance and Finance Scrutiny Committee introduced a report on the Committee's recommendations from its review of the Executive's decision to increase tariffs in Camberley Town Centre Multi-Story car parks. This decision had been the subject of a Member call-in and had been considered at the Committee's meeting on 2 October 2018 (minute 10/PF refers). The Committee had agreed that:

- (i) The Called-In decision to implement changes to the parking tariffs in Camberley Town centre multi-storey car parks be referred back to the Executive for reconsideration because:
 - The decision taken had been based on a report that contained insufficient information to enable a fully informed decision to be made.
 - Increasing parking charges at a time when the town centre traders were facing already difficult trading conditions would further depress footfall through the town centre.
 - Considering Recommendations i and ii as a single indivisible recommendation had prevented adequate debate.

- (ii) The Executive be advised to:
 1. Make its decision only when more complete data relating to footfall and income and expenditure was made available; and that

2. The proposed increase in charges and the proposed introduction of subsidised permits for those earning below the living wage be considered as two distinct recommendations.

The Committee had also agreed to establish a Task & Finish Group to examine council provided parking in Camberley Town Centre.

The Executive reviewed the Committee's recommendations. Whilst some Members reiterated their view that car parking tariffs should be increased, there was general support for the Committee's proposal that the decision to increase the tariffs be deferred in order to undertake this review and create a holistic approach to parking in Camberley Town Centre. Members also expressed a wish for this review to include introducing a more strategic approach to increasing parking tariffs in future.

The Executive considered the Committee's view that subsidised permits for those earning the living wage and below should be introduced as soon as possible and reiterated its previous position that this would need to be introduced alongside a tariff increase.

The proposed remit of the Performance & Finance Scrutiny Committee's Task & Finish Group was noted and members of the Executive expressed a willingness to work with it to achieve these outcomes. It was, however, suggested that, as an established Town Centre-focused working group benefiting from officer support, the Camberley Town Centre Working Group would be better placed to undertake this work instead. The Chairman of the Committee indicated her support for this proposal and agreed to report this at its next meeting.

The Executive noted advice that the decision to delay an increase to the parking tariffs could impact on timings for the commencement of Phase 2 regeneration works in the Town Centre.

RESOLVED that

- (i) its decision to increase car parking tariffs in its Camberley Town Centre Multi-Storey Car Parks and introduce subsidised permits for those earning below the living wage be deferred pending the availability of more complete data relating to footfall and income and expenditure being made available in order to develop a holistic parking strategy for the Town Centre;**
- (ii) the Performance and Finance Scrutiny Committee be advised of the proposal for the above work to be carried out by the Camberley Town Centre Working Group in place of a Task & Finish Group; and**
- (iii) the Terms of Reference of the Camberley Town Centre Working Group be updated to include this area of work.**

Note: It was noted for the record that Councillor Valerie White declared that she was a user of Main Square Multi-Storey Car Park.

39/E Child Poverty in Surrey Heath

The Executive was reminded that, at its meeting on 21 February 2018, the Council had received a motion from Councillor Rodney Bates requesting "*This Council notes with sadness that there are many children within the borough that are experiencing poverty including a third of all children within Old Dean. As a result, this Council requests officers bring forward a report to the Executive within the next 6 months outlining practical steps that the Council could consider in order to help address this issue in partnership with others*". The motion had been referred to the Executive for consideration (minute 58/C refers).

Members considered a report showing published data on the number of children living in poverty in the borough, broken down by ward.

The Executive discussed the Council's responsibilities under the Child Poverty Act 2010 and agreed to clarify what actions it was taking to support Surrey County Council in how it addressed its duties under the Act.

RESOLVED that

- (i) the report be noted; and**
- (ii) the Executive Head of Regulatory and Portfolio Holder for Support & Safeguarding be asked to clarify what actions this Council was taking to support Surrey County Council in how it addressed the Child Poverty Act 2010.**

40/E Mid Year Performance Report

The Executive considered a report detailing the Council's performance against its corporate objectives, priorities and success measures in the first 6 months of the year.

RESOLVED to note the 2018/2019 Mid-Year Report.

41/E Deanside Commuted Sums

The Executive was informed that Deanside had been built by Accent Housing Association in 2003. The maintenance of the park and woodland areas had been transferred to the Council in 2008.

Members were advised that the Council held £210,000 of Section 106 money from Accent Housing for the upkeep, maintenance and replacement of Deanside play area. Accent Housing had agreed to increase the scope of where these funds could be spent to include Old Dean Recreation Ground and Deanside.

An annual inspection by RoSPA had advised that the play area and BMX track at Old Dean Recreation Ground needed to be completely refurbished, which was expected to cost about £200,000.

It was proposed to use £100,000 from the Deanside Section 106 Agreement on the playground at Old Dean Recreation Ground; this would be in addition to the funding allocated by the Executive from Community Infrastructure Contributions in March 2017. Accent Housing was in agreement to support the refurbishment of this playground and a new deed of variation had been granted and agreed with all legal parties. Consultation had also been undertaken with local community groups.

Members noted that the proposed investment project would still ensure sufficient funds for on-going maintenance were retained for both Deanside and Old Dean Recreation Ground.

RECOMMENDED to Council that

- (i) £100,000 be made available to draw down from the Deanside Section 106 to refurbish the Old Dean playground; and**
- (ii) the implementation of the works be delegated to the Executive Head of Business in consultation with the Portfolio Holder for Places & Strategy.**

Note: Councillor Rodney Bates declared a non-pecuniary interest as he was Chairman of the Old Dean Community Group, which had raised money for the playground.

42/E Thames Basin Heaths Special Protection Area Avoidance Strategy SPD

The Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (2018) (Regulation 13 Consultation Draft) set out the approach that the Council would take to avoiding harm to the Special Protection Area as a result of new housing development.

The Executive was advised that the draft Supplementary Planning Document SPD updated the existing Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 and had taken into account guidance that had been issued since the 2012 SPD had been adopted. The notable changes included:

- The addition of the requirement for considering step-in rights where a Suitable Alternative Natural Greenspace (SANG) was not owned by the Council
- The definition of ‘in perpetuity period’ had been updated in accordance with the Perpetuities and Accumulations Act 2009, which was considered to be at least 125 years, as SANGs were expected to be provided and funded in perpetuity
- Enabling the allocation of strategic or shared SANG (local authority owned) for development sites located in Camberley Town Centre, which were over the size threshold for triggering the requirement for bespoke SANGs, but unable to provide SANG land on-site
- A consolidation of how developer contributions were currently collected for SANG and Strategic Access Management and Monitoring payments

The revised SPD would be subject to a 6- week period of public consultation.

RESOLVED that

- (i) the Draft Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (2018) as set out in Annex 1 to the agenda report be approved for public consultation in accordance with Regulation 13 of the Town & Country Planning (Local Planning) (England) Regulations 2012;**
- (ii) the SANGs Levy footnote on the Community Infrastructure Levy (CIL) Regulation 123 List be updated to accord with the Developer Contributions section of the draft Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (2018); and**
- (iii) if there are no significant changes arising from the consultation, authority be delegated to the Executive Head of Regulatory, in consultation with the Portfolio Holder for Planning & People, to adopt the SPD.**

43/E Corporate Enforcement Policy

The Executive was reminded that the Council carried out a number of regulatory functions which could require enforcement action. A draft Corporate Enforcement Policy was considered, which outlined the Council's overall approach to enforcement. This overarching policy would be supplemented by service specific policies where appropriate.

The Policy had been produced in accordance with the Principles of Good Regulation, as set out in the Legislative and Regulatory Reform Act 2006 and had regard to the Regulators' Code introduced in April 2014.

RESOLVED that

- (i) the draft Surrey Heath Borough Council Corporate Enforcement Policy, as set out in Annex A to the agenda report, be agreed for consultation with stakeholders; and**
- (ii) the Executive Head of Transformation, in consultation with the Economic Development Portfolio Holder, be authorised to make any necessary amendments arising from the consultation and thereafter adopt the Policy.**

44/E Community Infrastructure Levy

The Council had been collecting Community Infrastructure Levy (CIL) funding since the Charging Schedule came into effect on 1 December 2014. The CIL Regulations required the Council, as the collecting authority, to pay money over to

the parishes, decide how to use the Fund and to publish details of its CIL income and expenditure.

The Council had received a total of £1, 926,672.71 for the reporting period 1 April to 30 September 2018. The Executive was advised that monies due to parishes on 30 September 2018 had been as follows:

- Chobham - £18,467.28
- West End - £93,351.26
- Windlesham - £9,754.08

In March 2015, the Executive had agreed that a 15% proportion would also be made available to spend for non-parished areas according to local priorities. The amount collected within these areas had been as follows:

- Frimley - £17,990.96
- Town - £37,122.38
- Parkside - £7,587,00

It was proposed that Ward Councillors for the non-parished areas be asked to submit suggestions and bids for projects. Ward Councillors could also choose to save the money to roll forward to fund larger projects or combine across wards for jointly beneficial projects. Local projects would then be put forward to the Executive for funding in 2018/19 in combination with any project taken forward from any remaining Planning Infrastructure Contributions.

It was suggested by some Members that the procedure for submitting requests for CIL monies from non-parished areas should be reviewed to allow ward members within a specified distance from the development site to submit suggestions and bids for projects. It was agreed that clarification would be sought as to whether the current arrangements reflected legislative requirements.

RESOLVED that

- (i) the CIL monies received be noted;**
- (ii) Ward Councillors for the non-parished areas be asked to submit to the CIL Governance Panel ideas for spending CIL generated income within their wards; and**
- (iii) the remaining CIL contributions held by the Council be retained for spending to support key priorities.**

45/E Exclusion of Press and Public

In accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended) and Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, 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)
46/E	3
47/E	3

46/E Performance of the Major Property Acquisitions

The Executive received a report detailing the performance of the Council's major property acquisitions in the previous 6 months. Members were advised of the rental income against budget for Camberley Town Centre properties and noted the current position with House of Fraser. The success of the programme of events scheduled for the run up to Christmas to date was also noted.

The Executive was updated on the procurement process for the London Road Block development and the works underway at Ashwood House, both of which were on track.

It was noted that the 3 industrial estates, which had been purchased in order to safeguard local employment and support the delivery of Council services, were performing above budget. It was also reported that the acquisition of Vulcan Way, Sandhurst had recently been completed and that the performance of this acquisition would be included in future reports.

RESOLVED to note the contents of the report.

47/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 financial information included in the agenda report associated with minute 46/E remain exempt for the present time, but the acquisition of Vulcan Way Industrial Estate, Sandhurst be made public

Chairman