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Monday, 7 June 2021

To: The Members of the **EXECUTIVE**
(Councillors: Alan McClafferty (Chairman), Colin Dougan, Shaun Garrett,
Rebecca Jennings-Evans, David Mansfield, Adrian Page and Robin Perry)

Dear Councillor,

A meeting of the **EXECUTIVE** will be held at Surrey Heath House and
www.youtube.com/user/SurreyHeathBCon Tuesday, 15 June 2021 at 6.00 pm. The agenda
will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Damian Roberts

Chief Executive

AGENDA

Pages

Part 1 (Public)

- | | | |
|----|------------------------------|--------|
| 1. | Apologies for Absence | - |
| 2. | Minutes | 3 - 12 |

To confirm and sign the minutes of the meeting held on 25 May 2021
(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. | Extension of the review period for the Parking Subsidy Season Ticket | 13 - 16 |
| 6. | Drainage Works programme for 2021/22 and feedback on works undertaken in 2020/21 | 17 - 28 |
| 7. | Community Infrastructure Levy monitoring report | 29 - 42 |
| 8. | Closure Order for St Peter's Churchyard, Frimley | 43 - 54 |
| 9. | Exclusion of Press and Public | 55 - 56 |

**Part 2
(Exempt)**

- | | | |
|------------|--|----------------|
| 10. | Exempt Minutes | 57 - 60 |
| | To confirm and sign the exempt minutes of the meeting held on 25 May 2021 (copy attached). | |
| 11. | Cambridge Square Refurbishment | 61 - 76 |
| 12. | Enforcement Matters | - |
| | Report to follow. | |
| 13. | 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 25 May
2021**

+ Cllr Alan McClafferty (Chairman)

| | |
|-------------------------------|------------------------|
| + Cllr Colin Dougan | + Cllr David Mansfield |
| + Cllr Shaun Garrett | + Cllr Adrian Page |
| + Cllr Rebecca Jennings-Evans | + Cllr Robin Perry |

+ Present

In Attendance: Cllr Peter Barnett, Cllr Rodney Bates, Cllr Cliff Betton, Cllr Sharon Galliford, Cllr David Lewis, Cllr Emma-Jane McGrath, Cllr Sashi Mylvaganam, Cllr Morgan Rise, Cllr Graham Tapper, Cllr Pat Tedder, Cllr Victoria Wheeler and Cllr Valerie White

1/E Minutes

The minutes of the meeting held on 20 April were confirmed and signed by the Chairman.

2/E Report of Stage 1 Investigation of feasibility of Gypsy and Traveller site on Watchmoor Nature reserve

The Executive was reminded that, at its meeting on 15 September 2020, it had agreed to undertake an initial feasibility study to explore the possibility of delivering a Gypsy and Traveller site on land at Watchmoor Reserve. Since this meeting a number of studies had been commissioned and a desktop survey of information held by the Council had also been undertaken alongside this work. The key findings of the work undertaken to date, as detailed in the report, were noted and, in view of the issues identified on the site, it was recommended that no further work be undertaken on the use of land at Watchmoor Reserve as a Gypsy and Traveller site.

Members were reminded that The Gypsy and Traveller Accommodation Assessment (GTAA) undertaken in 2019 had identified a need for 35 new Gypsy and Traveller pitches and 12 new Travelling Showpeople plots in the Borough over the next 18 years. With 24 plots needed in the first 5 years for Gypsies and Traveller and 8 plots needed for Travelling Showpeople, there was an urgent need for action. Furthermore, without some provision for Gypsy and Traveller sites and pitches, the emerging Local Plan was unlikely to be found sound at Examination. It was agreed that the Chief Executive would write to all councillors detailing the risks to the borough of failing to identify sites and having an unsound Local Plan.

RESOLVED that

- (i) the work undertaken to date and the issues identified be noted;**

- (ii) in light of the issues identified, no further work be undertaken on use of the land at Watchmoor Reserve as a Gypsy and Traveller site; and**
- (iii) the Chief Executive be asked to write to all councillors detailing the implications of not identifying Gypsy and Traveller sites as part of the Local Plan work.**

3/E Petition - Watchmoor Nature Reserve

The Executive receive a presentation from Kel Finan-Cooke of Watchmoor Residents Forum on a petition submitted concerning Watchmoor Nature Reserve. The petition asked the Council not to approve the development of the green space at Watchmoor Nature Reserve to create a static site for the travelling and gypsy community. It further stated that the area was a well-loved and used area by the local community and was home to many protected species. The petition had been available for signing on the Council's website between 11 September 2020 and 11 March 2021 and had received 1,292 signatures.

Ms Finan-Cooke noted the decision taken earlier in the meeting (minute 2/E refers) on the Stage 1 investigation into the feasibility of a Gypsy and Traveller site on the Nature Reserve and thanked the Executive for this decision. The Places & Strategy Portfolio Holder agreed to work with the Residents Forum to explore approaches for addressing the protection of green spaces.

Note: It was noted for the record that Councillor Rodney Bates declared that he knew the lead petitioner.

4/E Five Year Strategy 2021 - 2026 - update

The Executive considered a report setting out the timescales for the preparation of a new Five Year Strategy, the key themes to be included in the Strategy, and the proposals for a public consultation in the summer of 2021. It was agreed to appoint a cross party Task & Finish Group comprising 7 members, which would steer the development of the new strategy.

RESOLVED that

- (i) the timetable for the preparation of the Council's new Five Year Strategy set out in paragraph 2.2 be noted;**
- (ii) proposals for public and partner consultation set out at Annex A to the agenda report be noted;**
- (iii) the comments of the Performance & Finance Committee on 17 March 2021 at paragraph 2.8 of the agenda report be noted;**
- (i) the key themes for inclusion in the Strategy set out at paragraphs 1.2, 2.9 and 2.10 of the agenda report be noted; and**

- (v) **a cross-party Task and Finish Group of seven members be appointed to input into and steer the development of the new strategy and the analysis of feedback received during the consultation.**

5/E BID (Collectively Camberley) Renewal 2021

The Executive was reminded that the Camberley Town Centre Business Improvement District (BID) had been established in 2011 and was operated by Collectively Camberley. The BID, approaching the end of its second five year period of office, was asking the Camberley business community to vote for a further five year term of operation.

Members considered a report which detailed the services provided and the benefits received from the BID, including the impact on the Council in the event that the BID was not re-established. It was reported that the Camberley Town Centre Working Group had considered the work of the BID and had recommended that the Council votes in favour of a further term for all hereditaments for which the Council was liable for a BID levy.

RESOLVED that

- (i) **the BID renewal process be supported with a “yes” vote, as recommended by the Camberley Town Centre Working Group, for all hereditaments for which the Council was liable for Business Rates; and**
- (ii) **the Leader of the Council takes on the Role of Board member on behalf of the Council, supported by The Executive Head of Business as a non-voting officer on the BID Board.**

6/E Appointment of Executive Working Groups 2021/22

The Executive considered a report proposing the establishment of working groups, their terms of reference and the allocation of seats to those working groups. It was agreed to add the oversight and monitoring of investment strategy and performance to the Property Investment Working Group's Terms of Reference.

The list of the proposed membership for each Working Group, as nominated by Group Leaders, was noted and it was agreed that, where any nominations were outstanding, these appointments would be made by the Chief Executive in consultation with the relevant Group Leader.

In response to a suggestion that a Climate Change Committee be established in place of the working group, Members were advised that, as this was an executive function, it would need to be a committee of the Executive and the committee's members would therefore be precluded from being members of a scrutiny committee.

RESOLVED that

- (i) the following Executive Working Groups for the Municipal Year 2021/22 be established:
 - Camberley Town Centre Working Group;
 - Climate Change Working Group;
 - Community Support Working Group;
 - Equality Working Group;
 - Local Plan Working Group;
 - Property Investment Working Group;
 - Surrey Heath Villages Working Group;
- (ii) the Terms of Reference for each of the Working Groups, as set out in the agenda report, as amended, be agreed;
- (iii) the number and allocation of seats on each working group be as set out in the Terms of Reference;
- (iv) the nominations of members to each Working Group by Group Leaders, as previously circulated, be noted; and
- (v) authority to appoint Members to any outstanding vacancies be delegated to the Chief Executive in consultation with the relevant Group Leader.

7/E Appointment of Members to Outside Bodies 2021/22

The Executive considered a report seeking appointments to outside bodies for the 2021/22 municipal year. Any further nominations to vacancies received after the meeting would be agreed by the Chief Executive after consultation with the Group Leaders.

RESOLVED that

- (i) the appointments to outside bodies listed below be agreed;

| Organisation | Nominations for Representatives 2021/22 |
|---|---|
| Basingstoke Canal Joint Management Committee | <i>Vacancy</i> Cllr David Lewis (sub) |
| Blackwater Valley Advisory Committee for Public Transport | Cllr Edward Hawkins Cllr Valerie White Cllr David Lewis <i>Vacancy (sub)</i> |
| Blackwater Valley Countryside Partnership | Cllr Sarah Jane Croke Cllr David Lewis |
| Briars Centre Management Committee | Cllr Sharon Galliford |
| Camberley Town Football Club – Observer | Cllr Valerie White |
| Chobham Common Liaison | <i>Vacancy</i> |

| | |
|---|--|
| Group | |
| Citizens Advice Bureau Management Committee | Cllr David Lewis |
| Collectively Camberley BID Board – New Appointment for 2021/22 | Cllr Alan McClafferty |
| Community Services Partnership Board – New Appointment for 2021/22 | Cllr David Mansfield <i>Vacancy</i> |
| Deepcut Village Association | Cllr Paul Deach |
| Fairoaks Airport Consultative Committee | <i>Vacancy</i> |
| Farnborough Aerodrome Consultative Committee | <i>Vacancy</i> <i>Vacancy (sub)</i> |
| Frimley Community Centre Management Committee | Cllr Darryl Ratiram |
| <i>Frimley Fuel Allotments Charity (4 year appointments)</i> <i>No appointments to be made in 2021/22</i> | n/a |
| Heatherside Community Centre Council | <i>Vacancy</i> <i>Vacancy</i> |
| Heathrow Community Noise Forum | <i>Vacancy</i> <i>Vacancy (sub)</i> |
| <i>Henry Smith Charity (4 year appointments)</i> <i>No appointments to be made in 2021/22</i> | n/a |
| Joint Waste Collection Services Committee | Cllr David Mansfield <i>Vacancy (sub)</i> |
| Local Government Association - General Assembly | Leader of the Council – Cllr Alan McClafferty Cllr Colin Dougan (sub) |
| Miss Gomms Trust (4 year appointments) <i>no appointments to be made in 2020/21</i> | n/a |
| Mytchett Community Association General Committee | Cllr Paul Deach |
| Parity for Disability | <i>Vacancy</i> |
| Parking and Traffic Regulation outside London Adjudication Joint Committee (4 year appointments) <i>No appointments to be made in 2021/22</i> | n/a |
| RELATE North East Hants and | <i>Vacancy</i> |

| | |
|---|---|
| Borders | |
| South East England Councils | Leader of the Council – Cllr Alan McClafferty Cllr Colin Dougan (sub) |
| Surrey County Playing Fields Association | <i>Vacancy</i> |
| Surrey Environment Partnership | Cllr David Mansfield |
| Surrey Heath Age Concern | Cllr Shaun Garrett |
| Surrey Heath Arts Council | <i>Vacancy</i> Cllr David Lewis Cllr John Skipper Cllr Edward Hawkins (sub) |
| Surrey Heath Duke of Edinburgh Award Forum | <i>Cllr Brooks has advised that this Outside Body no longer exists</i> |
| Surrey Heath Local Area Committee | Cllr Vivienne Chapman Cllr Josephine Hawkins Cllr Helen Whitcroft Cllr Valerie White <i>Vacancy</i> <i>Vacancy</i> <i>Vacancy (sub)</i> <i>Vacancy (sub)</i> |
| Surrey Heath Partnership | Cllr Alan McClafferty Cllr Shaun Garrett |
| Surrey Heath Sports Council (1 reserved to Portfolio Holder) | Cllr Rebecca Jennings-Evans <i>Vacancy</i> <i>Vacancy</i> <i>Vacancy</i> |
| Surrey Heath Youth Focus | <i>Vacancy</i> |
| Surrey Leaders' Group | Cllr Alan McClafferty |
| Thames Basin Heaths Joint Strategic Partnership Board | <i>Vacancy</i> Cllr David Lewis (sub) |
| Voluntary Support North Surrey | Cllr Josephine Hawkins <i>Vacancy (sub)</i> |

(ii) attendance by the appointed members at meetings of the bodies listed above and at Annex A to the Executive report, be regarded as approved duties, in accordance with the Members' Allowances Scheme.

8/E Surrey Leaders' Group Outside Body Appointments

The Executive considered a report detailing the vacancies for Surrey Leaders' Group Outside Bodies which would be filled in 2021/22.

RESOLVED to make the following nominations to Surrey Leaders' Group Outside Bodies vacancies:

The High Sheriff's Award

Cllr Shaun Garrett

**The Active Surrey Sports
Partner Forum**

**Cllr Rebecca Jennings-
Evans**

**The Surrey Civilian Military
Partnership**

Cllr John Skipper

9/E Exclusion of Press and Public

In accordance with Regulation 4 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 Local Government Act 1972 as set out below:

| Minute | Paragraph(s) |
|--------|--------------|
| 10/E | 3 |
| 11/E | 3 |
| 12/E | 3 |
| 13/E | 3 |
| 14/E | 3 |
| 15/E | 3 |
| 16/E | 3 |

Note: Minutes 10/E, 11/E and 15/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.

10/E Supporting the Re-opening of Retail and Hospitality within the Council's Property Estate

The Executive considered a report setting out a proposed framework for supporting local businesses to recover following the pandemic, whilst managing the Council's income from its tenants, and agreed to support the recommendations in the report, as amended.

11/E Leisure Centre Update

The Executive received a report concerning the opening of the new Leisure Centre and agreed the recommendations contained in the report.

12/E Public Realm

The Executive was informed that in 2017 the Council had successfully bid for £3,500,000 of Local Enterprise Partnerships funding to improve the High Street, Camberley; the Council's agreed contribution for the scheme was £900,000. Work on the construction of the scheme had begun in January 2020. Due to a number of factors beyond the Council's control, including Covid-19 related, and the location

of underground utilities, the scheme had run over budget and would require additional £754,600 of funding from this Council.

Members noted a report which detailed the reasons leading to the overspend and supported a proposal that the Performance and Finance Scrutiny Committee conducted a review of the circumstances leading to the increased costs of the Public Realm project in order to help inform future projects. The Monitoring Officer also undertook to review any governance issues associated with the overspend.

The Executive noted that, due to issues with the position of some infrastructure under pavements, it had not been possible to plant the intended number trees. It was therefore proposed that a further sum of money be agreed to install trees within pots, or other additional planting if necessary, in order to increase the foliage to that expected in the original scheme. It was noted that a sum of money would need to be allocated to cover the cost of maintenance for this additional landscaping.

RECOMMENDED to Full Council that

- (i) an additional £754,600 required for the High Street Public Realm Project be added to the Capital Programme; and**
- (ii) an additional £90,000 be added to the capital programme to fund further landscaping works in the High Street Public Realm area**

to be funded from the Council's reserves.

RESOLVED that the final costs outturn be reported to Performance & Finance Scrutiny Committee and thereafter, a review of the circumstances leading to the increased costs of the Public Realm project be undertaken to help inform future projects and report back to the Executive with any recommendations it considers appropriate.

13/E Joint Waste Update

The Executive received a report on the Joint Waste contract and noted its contents.

RESOLVED to note the update.

14/E Urgent Action

The Executive received details of an exempt decision which had been undertaken in accordance with the Scheme of Delegation of Functions to Officers.

RESOLVED to note the Urgent Action taken under the Scheme of Delegation of Functions to Officers.

15/E London Road Development

The Executive received a report concerning the London Road Development and agreed the recommendations contained in the report.

16/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

- (i) minutes 10/E and 11/E and the associated agenda reports remain exempt for the present time, with any future release of information authorised following review by the Chief Executive and Head of Legal Services ;**
- (ii) the report associated with minute 14/E remain exempt for the present time, with any future release of information authorised following review by the Chief Executive and Head of Legal Services;**
- (iii) minute 12/E and the associated agenda report be made public; and**
- (iv) the decision at minute 15/E be made public once relevant parties have been notified, with the associated agenda report to remain exempt for the present time, with any future release of information authorised following review by the Chief Executive and Head of Legal Services.**

Chairman

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Extension of the review period for the Parking Subsidy Season Ticket

Summary

The Executive at its meeting on 23 June 2020 resolved that a Parking Subsidy Season Ticket be introduced for a 12 month period at £10 per month on 13 July 2020 or as is practicable after this date and that its use would be reviewed after 12 months.

However, due to repeated lockdowns due to Covid-19, the effectiveness of these permits could not be fully assessed and it is proposed to extend the review period for a further 12 months at £10 per month until 30 June 2022.

Portfolio: Business & Transformation

Date Portfolio Holder signed off the report: 4 May 2021

Wards Affected: All

Recommendation

The Executive is advised to RESOLVE that the Parking Subsidy Season Ticket be extended for a further 12 months and reviewed by 30 June 2022

1. Key Issues

- 1.1 The Executive at its meeting on 23 June 2020 resolved that the Parking Subsidy Season Ticket would be introduced for a 12 months and that a review of the season ticket would be carried out after this period.
- 1.2 The Parking Subsidy Season Ticket provides low cost parking for low paid workers across the borough. Parking Subsidy Season Ticket costs £120 per year, payable in full or £10 per month on a rolling basis. Details of how the scheme will work is at Annex 1.
- 1.3 Sales of the Parking Subsidy Season Ticket are very low and the local economy has faced various lockdowns due to the Covid-19 pandemic. Most of the retail businesses have been affected, and it is this group of employees that were set to benefit most from the introduction of the Parking Subsidy Season Ticket.
- 1.4 Only 7 Parking Subsidy Season Tickets were sold, with 2 permits cancelled due to the lockdowns throughout the year.
- 1.5 Due to the impact of Covid-19 it has been impossible to assess the use of these season tickets, so it is proposed to extend the permits for a further 12 months and review their use by 30 June 2022.

2. Resource Implications

- 2.1 The provision of a Parking Subsidy Season Ticket at £120 per annum or £10 per month provides cheap parking for low paid workers across the borough. The number of Parking Subsidy Season Ticket is limited to 150 permits, distributed pro-rata across all car parks that have parking charges, except Main Square multi-storey car park. The Interim Executive Head of Finance has confirmed that the impact of the extension of the review period until June 2022 will not have a significant impact on the overall finances of the Council.
- 2.2 There will be no additional costs associated with extending the review period.

3. Options

- 3.1 The Executive has the options to:
- (i) approve the extension of the Parking Subsidy Season Ticket for a further 12 months and review by 30 June 2022
 - (ii) reject the recommendations in this report and withdraw the sale of the Parking Subsidy Season Ticket

4. Proposals

- 4.1 It is proposed that the Executive:
- (i) approve the extension of the Parking Subsidy Season Ticket for a further 12 months and review by 30 June 2022

5. Supporting Information

- 5.1 Take up of the Parking Subsidy Season Ticket was small but widespread across the borough.

6. Corporate Objectives And Key Priorities

- 6.1 Place: Delivering an improved Camberley Town Centre for the benefit of the Borough.

7. Policy Framework

- 7.1 This proposal supports Council Recovery Plan.

8. Legal Issues

- 8.1 There are no legal issues.

9. Governance

9.1 There are no governance issues.

10. Risk Management

10.1 The Parking Subsidy Season Ticket will assist in providing low cost parking yet maintain income for the council.

11. Equalities

11.1 An Equality Impact Assessment is for the Parking Subsidy Season Ticket has found no issues impacting on any protected group.

12. Human Rights

12.1 There are no Human Rights issues.

13. Environmental Impact

13.1 The terms and conditions of use of the Parking Subsidy Season Ticket ensures that any vehicle journey is over 2 miles, so the introduction of permit will not increase short journeys in the local area.

14. Consultation

14.1 The Parking Subsidy Season Ticket is advertised on the Councils web pages.

15. PR and Marketing

15.1 The new Parking Subsidy Season Ticket has been introduced to provide a cheap alternative to public transport for low paid workers.

16. Officer Comments

16.1 Extending the review period will enable Parking Services to fully assess the use of the Parking Subsidy Season Ticket.

| | |
|-------------------------------|--|
| Annexes | Annex 1 – Details of the Parking Subsidy Season Ticket |
| Background Papers | None |
| Author/Contact Details | Eugene Leal – Parking Services Manager Eugene.leal@surreyheath.gov.uk |
| Head of Service | Daniel Harrison - Executive Head of Business |

Annex 1: Parking Subsidy Season Ticket

The Parking Subsidy Season Ticket enables lower paid staff who commute to work in shops or offices across Surrey Heath to apply for a discounted parking Season Ticket.

Parking Subsidy Season Tickets will apply to park in a specific car park and each car park will have a maximum limit to ensure the availability of parking for daily customers and other Season Ticket holders.

Qualifying Criteria

To be eligible for the Parking Subsidy Season Ticket, applicants must:

- work in either a commercial centre as defined by the maps in Appendix 1.
- drive a minimum of 2 miles for their place of residence to their place of work
- earn less than the National Living Wage plus 10% per hour. This is currently £8.91 per hour + 10% gives an hourly rate of £9.80. Should earnings increase above this figure the person will no longer be eligible for the Season Ticket.

Required Documents:

Proof of Earnings. Acceptable documents include:

- Copy of payslips
- A letter on headed paper from your employer stating the hourly rate which you are paid and place of work
- A copy of contract of employment

Proof of Residence. Acceptable documents include:

- A recent utility bill, bank statement or payslip no more than 3 months old (electricity, gas, landline phone, water bill)
- Benefit Award Statement, Tenancy Agreement or letter from your landlord confirming your tenancy

Photocopies and online downloads of the above will be accepted.

Cost

150 Season Tickets are available across the borough at a price of £120 each per annum or £10 each month payable by direct debit on a first come first served basis.

The season ticket will be issued for a specific car park and made available on a pro-rata basis based on the spaces available in each car park

| Main Square multi-storey car park – | Not available | Pro rata space |
|--|-------------------|--------------------------|
| Knoll Road multi-storey car park | 606 spaces | 85 Season Tickets |
| Bagshot pay and display car park | 95 spaces | 15 Season Tickets |
| Chobham pay and display car park | 96 spaces | 15 Season Tickets |
| Burrell Road pay and display car park | 60 spaces | 9 Season Tickets |
| Watchetts Road pay and display car park | 36 spaces | 6 Season Tickets |
| <u>Yorktown pay and display car park –</u> | <u>137 spaces</u> | <u>20 Season Tickets</u> |
| Total spaces and available Season Tickets | 1030 spaces | 150 Season Tickets |

Drainage Works programme for 2021/22 and feedback on works undertaken in 2020/21

Summary

To consider the proposed drainage works programme for 2021/22 and to note the progress with flood prevention measures, including the new partnership working arrangements, flood relief schemes proposed and previous works undertaken during 2020/21.

Portfolio: Planning and People

Date signed off: 28 May 2021

Wards Affected: ALL

Recommendation

The Executive is asked to RESOLVE that

- (i) the proposed drainage works programme for 2021/22, as set out at Annex A to this report, be agreed, to be funded from the budget agreed by Full Council in February 2021;
- (ii) the remaining Department of Environment Farming and Rural Affairs grant be used for flood alleviation works within Chobham;
- (iii) the new working partnership arrangements with the Environment Agency and Surrey County Council be supported; and
- (iv) the outcome of the Environment Agency flood alleviation study for the Chobham (Bourne) catchment area be noted.

1. Key Issues

- 1.1 The Council provides a Land Drainage function through its drainage service and has a budget of £67,470 for works during 2021/22. The remit is primarily to undertake maintenance of and make improvements to watercourses and land drainage systems within the Council's own landholdings. The service also provides advice to planning applications to help mitigate flooding from new development and help improve general surface water management across the borough. The service works in partnership with other local authorities, organisations and landowners to help resolve drainage issues and work towards drainage improvements where the outcome is beneficial to residents or where external funding assistance can be obtained. The proposed drainage maintenance work for 2021/22, as set out at Annex A, would be met from the approved 2021/22 budget.

2. Resource Implications

- 2.1 Previously the Executive has allowed public funding to be used for works on land not owned by the Council either on a preferred outcome basis (beneficial to general flood resilience) or on a matched fund basis sourced from external contributions. The use of land or labour may also be undertaken in lieu of financial contribution by a third party, subject to agreement by all involved. Options to access land prior to commencement of third party work may also be undertaken if deemed beneficial to do so, or considered to be financially restrictive to undertake afterwards.
- 2.2 Work continues to be undertaken for the Chobham Flood Alleviation Scheme with an additional funding application (£65k) to complete the works programme currently being considered by the Environment Agency (EA).
- 2.3 The Council's Interim Head of Finance (the S151 Officer) has confirmed that the cost of the proposed drainage works programme for 2021/22 set out in Annex A of this report can be met from the budget agreed by Full Council in February 2021.

3. Options

- 3.1 The alternative options are :
- (i) That the proposed capital programme of £67,470 for the Councils drainage works programme in 2021/22 be approved; and
 - (ii) That the remaining Department of Environment Farming and Rural Affairs grant, and additional external funds, be used for flood alleviation works within Chobham; and
 - (iii) That the new working partnership arrangements with the Environment Agency and Surrey County Council be supported; and
 - (iv) That the outcome of the Environment Agency flood alleviation study for the Chobham (Bourne) catchment area be noted; and
 - (v) To agree or not agree to any of the above
- 3.2 To not agree to any drainage works in 2021/22 would increase flood risk as the failure to maintain the drainage network on the Councils land will result in failures of drainage channels and flood protection, in particular in Chobham where some works remain to be completed. Members are asked to agree options (i), (ii), (iii) and (iv).

4. Proposals

- 4.1 It is proposed that the capital works drainage programme for 2021/22 as set out in Annex A, be approved with the flexibility for amendments where covid restrictions affect works and that works on the flood alleviation works at Chobham continue. That a new approach to partnership working with the EA and SCC to deliver improvements be supported where additional partnership funding becomes available.

That through all of these approaches the Council continues to maintain and improve the overall operation of the land drainage network across the Borough in the interests of reducing flood risk to local communities.

- 4.2 Annexes A and B provide the work programme for 2020/21 as completed, and proposed 2021/22, respectively.

5. Supporting Information

- 5.1 Covid 19 Due to the changing covid restrictions, works throughout 2020/21 were either delayed during times of lockdown and furlough, or revised to suit distancing requirements. In addition, the normal seasonal working restrictions that apply to watercourse intrusions have hindered completion of some works. There have also been difficulties in obtaining construction supplies and general delayed deliveries being experienced throughout the year. This has led to increases to costs and delays on-site. As lockdown and restrictions have eased, there are some supplies that still prove difficult to source so the 2021/22 works schedule is shown with options to continue a flexible approach that allows for potential future working restrictions and supply delays.
- 5.2 In order to keep some momentum of work during 2020/21, some isolated sections of work were commenced where the materials were available and suitable distancing measures could be respected. This work included the bringing forward of projects that were envisaged as being undertaken over future years, in-particular, replacement of concrete bagwork headwalls and timber structures, with recycled plastic products. This work was undertaken at various SHBC owned locations, due to the maintained availability of recycled plastic products and the ability for contractors to work safely within restricted areas and away from members of the public.
- 5.3 As lockdown measures were eased in late 2020, the councils scheduled watercourse maintenance work was undertaken. With contractors generally being kept employed throughout the winter months to undertake this work, ongoing grill clearance and reactive maintenance was also completed as needed.
- 5.4 Work Schedule The annex tables differentiate between the works that are undertaken regularly as a maintenance responsibility and the project works that are more involved in both complexity and duration. Annex A shows the proposed project and maintenance schedule for 2021/22 and Annex B shows a summary of the work completed during 2020/21.
- 5.5 Maintenance All watercourse and surface water maintenance obligations within the councils land holdings have been met within 2020/21.
- 5.6 Resilience Measures During the winter of 2020/21 there were no reports of flooding that could be attributed to the Councils responsibility. All new flood defence and attenuation measures have

performed as intended with only very minor problems being reported within the Borough.

- 5.7 Sand Bag Containers these are sited at Lightwater Country Park and Chobham Fire Station, the containers have provided sufficient sandbag stocks to provide protection for properties since installation. Both containers offer a greater quantity of sandbags to be stored safely and in a protected environment to prolong life, ready for use close to vulnerable locations. The feasibility of locating a third sandbag store at Frimley Lodge Park, to serve the western side of the Borough, is currently being considered.
- 5.8 EA Chobham Flood Alleviation Study The results of the Bournes catchment study have been discussed within joint meetings between this Council and Surrey County Council (SCC). The study concluded that they would be following the approach previously taken by this Council to consider a range of smaller catchment wide flood alleviation works that will reduce flows into the Bourne main-river.
- 5.9 Department of Environment Farming and Rural Affairs (DEFRA) funded Chobham Flood Alleviation Works Discussions are ongoing with the EA regarding the provision of further funding to enable completion of the previously identified flood defence works. Work was identified at 5 areas around Chobham village centre that would either detain or expedite surface water flows to help protect property. However, these schemes were bought forward to suit the EA 6-year schedule and, due to the speed of design, there were additional works and cost increases that hadn't been fully considered. There was a contingency sum attached to the works and additional funds from this sum are expected to be provided through the EA during 2021/22, for completion of all the scheme areas identified.
- 5.10 Staple Hill Pond (James Osbourn Pond) the work was undertaken by the Council and substantially completed in 2020/21 utilising DEFRA funding with EA support, and located on SCC land. Some delays were encountered with supplies and deliveries during the covid restrictions which added to contractor time on site. Additional work was also undertaken with the installation of a plastic sheet pile line through the pond attenuation embankment to ensure the future stability of the structure. Final works including surfacing of the access path and bridleway route is expected to be undertaken during the Summer of 2021 and the asset will then be handed-over to SCC (as landowner).
- 5.11 Broadford Lane Work has been completed with the upgrade of the open watercourse and culvert crossings to improve flows to main-river from the Station Road junction, highway drainage systems and roadside watercourse.
- 5.12 Philpot Lane Work has commenced with the clearance of boundary watercourses, restoration of connections to improve flows and the lowering of verge areas to off-set the highway flooding. Further work will be undertaken during winter 2021/22 to provide further ability for the verge areas to displace and attenuate surface water.

- 5.13 Emmetts Mill Work has commenced with the upgrade of the open watercourse and culvert crossings. An additional watercourse route is to be upgraded in partnership with the private landowner, including the replacement of a bridleway culvert (by the Council) and 4 field access culverts (by the landowner). This work will reduce flood risk to property and highway by improving surface water flow options to main-river.
- 5.14 Castle Grove Road This is the last project area is and still to commence, expected to start summer 2021. The Castle Grove Road scheme is dependent upon additional funding (£65k) being agreed by the EA and the ability to implement works with distancing measures due to close proximity of, and working within, residential property. The work includes width restriction to a public footpath during construction.
- 5.15 New SHBC, EA and SCC Partnership Working Following the EA flood study around Chobham and the upstream villages of Bagshot, Lightwater and Windlesham, the EA has proposed a joint working arrangement with SHBC and SCC to progress various small scale flood alleviation schemes. This proposal has been agreed to extend to flood alleviation works throughout the borough. The SHBC Engineer is providing details to the EA and SCC of various potential areas for consideration and discussions have commenced to investigate where surface water can be detained to off-set minor flooding issues, reduce pressure on existing drainage networks, and/or reduce the uncontrolled discharge to rivers.
- 5.16 Partnership Funding Both the EA and SCC have confirmed they have funding streams available to undertake works during 2021/22 and it is proposed that SHBC utilises surplus funding from the Land Drainage budget to assist with the delivery of small scale projects, where it is considered appropriate for SHBC to make a contribution. Additional capital funds from the Drainage Reserve funds which currently stand at £383,750 may also be considered for larger scale works, subject to suitably matched contributions from land, labour or funds. Where such works are identified these will be the subject of a separate report to the Executive for approval of the capital expenditure.
- 5.17 Pennypot Lane Flood Alleviation Funding has been received from a developer upstream of Pennypot Lane to help alleviate flooding of highway and properties. An additional £40,000 of funding was previously approved by Executive to enable completion of work through private land. The proposal has subsequently been abandoned. This is because, following a change of landownership, it has not been possible to obtain approval for the works from the new landowner. Work has commenced with restoration of a section of watercourse and a new scheme is being considered to connect to this watercourse. The revised scheme involves work to main-river and a new highway culvert so it will seek to utilise funds from EA and SCC to supplement the developer contribution.
- 5.18 Lightwater Flood Alleviation There is one area of flood alleviation work that remains to be undertaken to help reduce risk to properties in

Ambleside Road. The installation of a new highway drainage connection is proposed and works are being discussed with SCC alongside potential funding options.

- 5.19 Lightwater Country Park Following success in defending the Council against court proceedings taken by an adjacent landowner, flow control structures within the Tomlin Order watercourse have now been replaced. Recycled plastic control structures have been installed that will be more effective, offer a much longer lifespan and have an appearance more in-keeping with the surrounding country park.

6. Corporate Objectives and Key Priorities

- 6.1 Implementation of studies and flood improvement schemes, along with on-going maintenance of the borough watercourses, contributes to mitigating flood risk and helps the Council meet its Corporate Objective 1 of making Surrey Heath an even better place to live.

7. Policy Framework

- 7.1 The Executive approved a Land Drainage and Flood Prevention Strategy in 2007/08 which, with subsequent adjustments, focuses the Council's limited resources primarily on maintaining and improving drainage on the Council's own land and examination of proposed drainage solutions submitted through the planning process. Thereafter, the engineer is charged with working in partnership with other agencies and landowners to try and secure external or partnership funding for needed schemes of improvement.

8. Legal Issues

- 8.1 The Flood and Water Management Act 2010 brought in new legal duties for SCC LLFA (Lead Local Flood Authority) and changed working relationships with SHBC. The SHBC Engineer provides comments for smaller development SUDS systems as required, while SUDS approval for larger developments is a SCC responsibility. The SHBC Engineer advises and corresponds with SCC upon some larger developments, within areas of concern or where flood risk appears to be affected. However, this is an informal partnership and remains an advisory role. A similar arrangement exists for development with EA affected main-river planning application comments.

9. Governance

- 9.1 No matters arising.

10. Risk Management

- 10.1 Through investigation of flooding issues and devising drainage improvements the engineer assesses the risks within any course of action to be taken.

- 10.2 The risk of flood to land and property will increase with any reduction in maintenance and improvement programmes. Although serious flooding to homes has continued to be avoided during periods of wet winter, flood alleviation work has not been completed and some homes could be better protected. With the effects of climate change, the new EA and SCC partnership working and shared funding possibilities, it is suggested that flood alleviation works should be continue to be undertaken to help improve flood resilience throughout the SHBC area.
- 10.3 Drainage maintenance and improvements will decrease the risk to community safety which could arise from the more severe flooding events, although it is not possible to prevent all flooding. The Chobham flood relief work will deliver a significant improvement to the drainage network around Chobham and further reduce the risk to persons and property, with an associated reduction in the number of internally flood affected dwellings. The Lightwater flood relief work offers the same beneficial results to residents; and the new partnership funding and working arrangements will help to speed up the design and implementation of flood alleviation schemes throughout the Borough.
- 11. Equalities Impact**
- 11.1 No matters arising
- 12. Human Rights**
- 12.1 No matters arising.
- 13. Environmental Impact**
- 13.1 Continued maintenance and borough wide improvements to the surface water drainage systems and management have been aimed at securing a more sustainable drainage system. Flood alleviation schemes are being considered around the borough that will further improve water quality with restoration of lost ponds and implementation of sustainable flow retention schemes, creating new wetland areas and encouraging bio-diversity.
- 14. Consultation**
- 14.1 Consultation will be undertaken with any affected parties prior to implementing approved drainage schemes. Larger scale flood alleviation schemes that require funding from the Drainage Reserve will be reported to the Executive for approval; and reported to Full Council in (the unlikely) event of an alleviation scheme exceeding £100,000 SHBC contribution.
- 15. PR And Marketing**
- 15.1 No matters arising.

16. Officer Comments

16.1

| | |
|-------------------------------|--|
| Annexes | Annex A –Proposed drainage programme for 2021/22 Annex B - summary of the work completed during 2020/21 |
| Background Papers | None |
| Author/Contact Details | Wayne Purdon – Project Engineer Wayne.purdon@surreyheath.gov.uk |
| Head of Service | Jonathan Partington – Development Manager |

| 2021 / 2022 | | | | | | ANNEX A |
|--|-------------------------|--------------------------|---------------|--|--|---|
| Ref. | LOCATION | ROAD/STREET | WARD | PROBLEM / LOCATION | | COMMENTS / SOLUTIONS |
| ANNUAL WORKS | | | | | | |
| FLOOD PROVISIONS AND MINOR WORKS | | | | | | |
| A | All | Container Stores | Various | Ongoing maintenance of sandbag containers | | Check condition, replace any removed stocks, potential new installation at Frimley Lodge |
| B | All | Emergency Works | Various | Flood defence, tools and equipment provision | | Maintenance of flood defence supplies in Emergency Stores |
| C | All | Grill Maintenance | Various | Grill checks and clearance of strategic points throughout Borough | | Ongoing clearance of grills around borough to prevent flooding |
| D | All | Investigation | Various | Undertaking investigation of surface water drainage systems | | Minor exploration of unrecorded drainage systems for potential flood alleviation works |
| E | All | Minor Works | Various | General minor works and maintenance to improve the operation of watercourses | | To ensure efficient passage of surface water |
| MAINTENANCE - SHBC LAND | | | | | | |
| 1 | SHBC Depot | Doman Road | Camberley | Open watercourse clearance through industrial location, limited access | | Partial hand clearance, arisings to embankments where possible |
| 2 | Heatherside Rec | The Maultway | Camberley | Maintenance of open watercourse to reduce flood risk | | Hand clearance required to ensure flows maintained |
| 3 | Chobham Water Meadows | High Street | Chobham | Maintenance of open watercourses and headwall replacement | | On-going maintenance, site to be reviewed with EA and SCC for flood alleviation works |
| 4 | Balmoral Ditch | Balmoral Drive | Frimley Green | Maintenance of open watercourse and vegetation clearance | | Maintenance to include the on-going replacement of concrete and wood assets |
| 5 | Frimley Green Rec | Frimley Green Road | Frimley Green | Open watercourse clearance behind Sandringham Way with headwall replacement | | Clear watercourse, trim embankments and install new recycled plastic headwall |
| 6 | East Curve | Sturt Road | Frimley Green | Maintenance of open boundary watercourse behind properties | | Excavator clearance to ensure flows are maintained |
| 7 | Frimley Lodge Park | Sturt Road | Frimley Green | Clear through open watercourses as required to maintain flows | | Maintenance to include the on-going replacement of concrete and wood assets |
| 8 | Lightwater Country Park | The Avenue | Lightwater | Maintenance of open watercourses and associated assets throughout | | Maintenance to include the on-going replacement of concrete and wood assets |
| 9 | Lightwater Country Park | The Avenue | Lightwater | Tomlin Order - Open watercourse clearance (legal obligation) | | Maintenance of open watercourse and asset system |
| 10 | Rugosa to Mahonia | Fenns Lane Development | West End | Maintenance of open watercourse | | Excavator clearance of watercourse |
| 11 | Turf Hill | Guildford Road | West End | Maintenance of open watercourse | | Excavator clearance of watercourse |
| SHBC RESPONSIBILITY - HISTORICAL COMMITMENT (NOT SHBC LAND) | | | | | | |
| 12 | Field Lane | Frimley Grove Gardens | Frimley | Open watercourse requires hand clearance | | Limited access, located by steep embankment |
| 13 | The Grove | Frimley Grove Gardens | Frimley | Open watercourse requires hand clearance | | Limited access, located between fence lines, only able to access from downstream headwall |
| 14 | Frimley Fuel Allotments | Old Bisley Road | Frimley | Clearance of watercourse, on-line ponds and culverts | | Replacement headwall and pond areas to be cleared |
| PROJECT WORK | | | | | | |
| ONGOING IMPROVEMENTS ON SHBC LAND - AS SURPLUS FUNDING ALLOWS | | | | | | |
| 15 | Tomlins Pond | Tomlins Avenue | Frimley | Revision of outfall structure to reduce flows into piped system | | New attenuation structure to reduce flows without increase to maintenance |
| 16 | Lightwater Country Park | The Avenue | Lightwater | Dredging of lower pond following outfall revision works | | Silt removal and embankment clearance |
| 17 | Lightwater Country Park | The Avenue | Lightwater | Replacement of middle pond wooden structures with recycled plastic | | Increase of attenuation volumes possible with raised defences |
| 18 | Lightwater Country Park | The Avenue | Lightwater | Replacement of concrete bagwork structures with recycled plastic | | Improved visual appearance and increased lifespan |
| JOINT FUNDED IMPROVEMENT WORKS - SHARED HISTORICAL FINANCIAL COMMITMENT | | | | | | |
| 19 | Telephone Exchange | Castle Grove Road | Chobham | Revision of roadside drainage systems to reduce flood risk to properties | | Work to commence mid-late 2021 with EA/DEFRA partnership funding |
| 20 | Emmetts Mill | Philpot Lane | Chobham | Replacement of bridgeway culvert | | Watercourse and culvert works being undertaken in partnership with landowner |
| 21 | Sandpit Hall Road | Philpot Lane | Chobham | Revision of verge levels to off-set flooding of highway | | Work commenced, to be completed through winter 2021/22 |
| 22 | Chobham Common | Windsor Road/Staple Hill | Chobham | Completion of attenuation pond and preparations for handover | | Final surfacing of paths, detail and remedial works for handover to SCC |
| 23 | Rydal Place | Ambleside Road | Lightwater | Revised highway gully connection | | New gully to allow flows to enter surface water system, part funded by EA |
| SHBC Drainage Budget Works | | | | | | £67,470 |
| EA Chobham Flood Alleviation External Funding C/F | | | | | | <u>£15,000</u> |
| Pennypot Lane External Funding C/F | | | | | | <u>£20,000</u> |
| Expected Additional External Funding | | | | | | <u>£65,000</u> |
| Total Works Budget | | | | | | £167,470 |

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| 2020/2021 | | | | | | ANNEX B |
|--|-------------------------|------------------------|---------------|--|---------|---|
| Ref. No. | LOCATION | ROAD/STREET | WARD | PROBLEM | | COMMENTS / SOLUTIONS |
| ANNUAL WORKS | | | | | | |
| FLOOD PROVISIONS AND MINOR WORKS | | | | | | |
| A | All | Container Stores | Various | Ongoing maintenance of sandbag containers | | Check condition, replace any removed stocks |
| B | All | Emergency Works | Various | Flood defence, tools and equipment provision | | Maintenance of flood defence supplies in Emergency Stores |
| C | All | Grill Maintenance | Various | Grill checks and clearance of strategic points throughout Borough | | Ongoing clearance of grills around borough to prevent flooding |
| D | All | Investigation | Various | Undertaking investigation of surface water drainage systems | | Minor exploration of unrecorded drainage systems for potential flood alleviation works |
| E | All | Minor Works | Various | General works to improve the operation of watercourses | | Minor works to ensure efficient passage of surface water |
| MAINTENANCE - SHBC LAND | | | | | | |
| 1 | Heatherside Rec | The Maultway | Camberley | Open watercourse requires clearance | | Ongoing hand clearance of leaf fall required through winter to maintain flows |
| 2 | Chobham Water Meadows | High Street | Chobham | Maintenance of open watercourse and drainage assets | | Excavator clearance of all watercourses and culverts checked throughout site. |
| 3 | Frimley Green Rec | Frimley Green Road | Frimley Green | Maintenance of open watercourse behind properties to maintain function | | Excavator clearance of open watercourse behind Sandringham Way |
| 4 | Balmoral Ditch | Balmoral Drive | Frimley Green | Maintain open watercourse, some sections require hand clearance | | Watercourse cleared of vegetation and profiles maintained |
| 5 | East Curve | Sturt Road | Frimley Green | Maintenance of open watercourse behind properties | | Clearance of boundary watercourse |
| 6 | Frimley Lodge Park | Sturt Road | Frimley Green | Clear through open watercourses as required, to maintain function | | Hand and excavator clearance as necessary with associated culvert clearance |
| 7 | Lightwater Country Park | The Avenue | Lightwater | Maintenance of Tomlin Order watercourse | | Clearance of attenuation structures and maintenance of watercourse profile |
| 8 | Nursery Estate | Fenns Lane Development | West End | Maintenance of open watercourse and box culverts | | Excavator clean watercourse in partnership with Leisure Services |
| SHBC RESPONSIBILITY - HISTORICAL COMMITMENT (NOT SHBC LAND) | | | | | | |
| 9 | Chobham Common | Gracious Pond Road | Chobham | Review of SHBC installed assets and remedial work as necessary | | Fittleworth Rock spillways added to reduce outfall erosion around previous works |
| 10 | Field Lane | Frimley Grove Gardens | Frimley | Open watercourse requires hand clearance | | Limited access, located by steep embankment |
| 11 | The Grove | Frimley Grove Gardens | Frimley | Open watercourse requires hand clearance | | Limited access, located between fence lines, only able to access from downstream headwall |
| 12 | Frimley Fuel Allotments | Old Bisley Road | Frimley | Maintenance of open watercourse and culverts to maintain function | | Excavator clearance of open watercourse, further work required to pond areas |
| PROJECT WORK | | | | | | |
| ONGOING IMPROVEMENTS ON SHBC LAND - AS SURPLUS FUNDING ALLOWS | | | | | | |
| 13 | Lightwater Country Park | The Avenue | Lightwater | Replacement of SHBC owned attenuation structures (Tomlin Order) | | Wooden attenuation structures replaced with recycled plastic |
| 14 | Lightwater Country Park | The Avenue | Lightwater | Replacement of SHBC owned headwall structures around Hammonds Pond | | Wooden attenuation structures replaced with recycled plastic |
| JOINT FUNDED WORKS - SHARED HISTORICAL FINANCIAL COMMITMENT | | | | | | |
| 15 | Chobham Common | Gracious Pond Road | Chobham | Erosion of embankments around outlet points of previous works | | New Fittleworth Rock spillways installed to reduce erosion risk |
| 16 | Field 81 | Pennypot Lane | Chobham | Restoration of open watercourse from roadside to main-river | | Contribution from upstream development, further work required in partnership with SCC |
| 17 | Sandpit Hall Road | Philpot Lane | Chobham | Reduction of verge levels to off-set highway flooding | | Works commenced, due for completion during winter 2021/22 |
| 18 | Kelmstone Stud | Philpot Lane | Chobham | Improvements to minor watercourse to improve flows to main-river | | Works generally complete, new culvert works to be shared between SHBC and landowner |
| 19 | Staple Hill Road | Windsor Road | Chobham | Restoration of pond area to provide new attenuation pond | | Works generally complete, minor details to finish and handover process with SCC |
| Total SHBC Works Budget | | | | | £67,470 | |

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Community Infrastructure Levy

The Council has been collecting CIL funding since the Charging Schedule came into effect on the 1st December 2014.

The CIL Regulations require that the Council, as the collecting authority, pay money over to the parishes where development has taken place. It is for the parishes to decide how to use that money. The Regulations require the Council to publish its CIL income and expenditure.

The Council received a total of £726,106.10 for the reporting period 1st October 2020 – 31st March 2021.

A breakdown of the CIL receipts received for this reporting period is shown in Appendix 1, attached to this report.

Portfolio: Finance

Date Portfolio Holder signed off report – 25 May 2021

Wards Affected

All

Recommendation

The Executive is advised to NOTE:

- (i) the income received in the period 1st October 2020 to 31st March 2021 as set out in Annex 1
- (ii) the amended CIL regulations due to the impact of Covid19 on the development industry
- (iii) the possible implications of State Aid for CIL payments
- (iv) that no change is recommended to the Neighbourhood CIL pooling arrangements at this time.

1. Resource Implications

- 1.1 CIL includes a contribution toward the cost of administration of the scheme. The monies raised are currently covering the cost of administration.

2. Key Issues

- 2.1 Section 106 payments have largely been replaced by Community Infrastructure Levy contributions although restrictions on the 'pooling' of section 106 planning obligations to fund infrastructure have now been removed.
- 2.2 In respect of monies collected to date, Annex 1 lists CIL monies collected from sites by ward and parish in the period 1st October 2020 – 31st March 2021. It also sets out how the CIL money is apportioned out according to the priorities in the Section 123 List, in particular for SANGs and parishes.

- 2.3 It should be noted, that during this reporting period, the second national lockdown took place due to Covid 19, with some aspects of the building industry temporarily shut down. As a consequence, this has had an impact on the amount of CIL receipts collected by the Council during this reporting period.as is shown in the table below.

CIL income April 2018 to March 2021

| | |
|-----------------------------|---------------|
| April 2018- September 2018 | £1,926,672.71 |
| October 2018 – March 2019 | £1,251,433.76 |
| April 2019 – September 2019 | £1,299,716.82 |
| October 2019 – March 2020 | £1,013,934.13 |
| April-September 2020 | £740,106.93 |
| October 2020-March 2021 | £726,106.10 |

- 2.4 From 1st September 2019, new amendments to the CIL regulations introduced a requirement for Councils to publish “infrastructure funding statements”. These statements will replace existing Regulation 123 lists and should include details of how much money has been raised through developer contributions and how it has been spent. Statements must be published on local authority websites at least once a year. The Council published its first Infrastructure Funding Statement (IFS) in December 2020 (dated November 2020) for the period 19/20 and it is available to view on the website. The Council’s current November 2020 Regulation 123 List (also known as the Strategic Infrastructure Spending Priorities) is appended to this report (see Annex 2). Future CIL spending priorities will align with the Regulation 123 list but are not limited to this.
- 2.5 In October 2020 the Executive agreed to pool the Neighbourhood CIL contributions to allow wards that don’t deliver new development but that do experience its impact to have access to CIL funding and also to allow the community to bid for funding. Funding is only for small scale local capital projects and is at the discretion of the Councils Executive subject to availability of funding. Information on the Fund bidding process is published on the Councils website. The next bidding round will open in June.
- 2.6 Payments to parishes’ payable from 1st April 2021 for income collected in the last reporting period were as follows;
- a. Chobham £1,092.83
 - b. West End £37,849.89
 - c. Windlesham £119,829.04

3. Options

3.1 The Executive is requested to agree the following:

- (i) To NOTE the income received in the period 1st October 2020 to 31st March 2021 in Appendix1
- (ii) To NOTE the amended CIL regulations due to the impact of Covid19 on the development industry
- (iii) To NOTE the possible implications of State Aid for CIL payments
- (iv) To NOTE that no change is recommended to the Neighbourhood CIL pooling arrangements at this time.

3.2 There are no other alternative options being proposed.

4. Proposals

4.1 In the period 1st October 2020 – 31st March 2021, a total of £726,106.10 has been collected. Of the total amount collected for this period, £300,604.70 is retained by the Council, to be spent on key priorities, with £154,698.46 payable to SANGS.

4.2 The government is concerned at the economic impact of Covid 19 on the development industry and in particular housebuilding. It has published amended regulations to modify the collection of CIL and S 106 payments asking local authorities to modify their collection regime as follows.

- CIL charging authorities are encouraged to consider making use of the ability to introduce an instalment policy (or amend an existing instalment policy); and
- To permit deferral of CIL payments and disapply late payment interest for SMEs, CIL collecting authorities are encouraged to use their discretion in considering what, if any, enforcement action is appropriate in respect of unpaid CIL liabilities; and
- CIL authorities should take a positive approach to their engagement with SME developers, to ensure CIL liabilities do not cause undue burdens over the period of disruption caused by the coronavirus
- CIL authorities should note the existing flexibilities they have around enforcing CIL for larger developers, including flexibilities over the imposition of surcharges. Late payment interest will remain mandatory where such flexibilities are used.

These amendments came into effect on 22nd July 2020.

4.3 Since this time, the Council has received a number of requests to defer or pay by instalment. Surrey Heath operates an instalment policy (see para 5.3 below) but has also agreed bespoke instalment arrangements in certain cases. In order to comply with the Habitat Regs. it remains a requirement that SANG monies are paid prior to commencement of works.

- 4.4 The issue of whether exemption from CIL are deemed a subsidy control post 1st January 2021 is still unclear. However, the new de minimus threshold of approximately £345,000, should result in any potential subsidies being very much the exception. Officers will be mindful of any further guidance on this issue but do not expect any issues.
- 4.5 The Council is currently required to pay 15% of CIL received in parishes to the Parish Councils (25% where a neighbourhood plan exists) to match this 15% is ring fenced for non-parished wards. The remaining monies are divided between the SANGs pot to cover costs for avoidance measures, administration and a CIL main fund to cover strategic costs and contributions to Surrey County Council.
- 4.6 It has been suggested that this amount also be paid to the parishes or wards. At this time, however, it is considered that the current approach be maintained for the following reasons. Some of the money is ring fenced for feasibility work for Surrey County Council schemes as agreed by Executive. The remaining monies are intended to be used for larger schemes that have Boroughwide benefits in accordance with the Regulation 123 list as adopted by the Council.
- 4.7 Officers have informally suggested to Surrey County Council that for highways two such schemes could be: improvements to Frimley High Street and the A325 roundabout to address the impact of traffic accessing Frimley Park Hospital on the businesses in adjoining industrial estates and in Frimley centre; and , improvements to the A322 through Bagshot, Bisley, Lightwater and West End to address the impact of traffic flows from development in surrounding areas including that from Brookwood and Bracknell. As future funding for transport improvements will now be devolved to Counties rather than Local Enterprise Partnerships the CIL Main Fund represents a resource to offer match funding for county contributions and a fund for initial feasibility work on schemes. This would not be possible if money is distributed to parishes.

5. Supporting Information

- 5.1 CIL is only payable on development which creates net additional floor space, where the gross internal area of new build exceeds 100 square metres.
- 5.2 The CIL income received from each development is proportioned as follows;
- 5% - Administration
 - 15% -to local neighbourhood ward or Parish (25% where Neighbourhood Plan adopted))
 - £125.00 per sqm (charged on net additional floor space created) – to SANG (Suitable Accessible Natural Greenspace)
 - Balance of income allocated to Surrey Heath BC CIL Main Fund for spending on the priorities, as set out in the Council's Regulation 123 List.

- 5.3 Surrey Heath Borough Council also operates an instalment policy. The Instalment policy requires the SANG element of the charge to be paid on commencement of the development, with the remaining instalment payments allocated, as set out in paragraph 5.2 above.
- 5.4 The expenditure of CIL is governed by regulations. Thus payments must be reported half yearly to Executive and payments to parishes must be made half yearly, the Council has no discretion in this. The Council is also required to report on levy income and spending on its website on 31st December each year.
- 5.5 The CIL Regulations require that no more than 15% of CIL collected within parishes and wards is payable. The payment to parishes and wards, in the absence of a neighbourhood plan, is currently capped at £100 per annum for each existing Council tax dwelling. Where neighbourhood plans have been adopted, 25% of CIL collected within parishes and wards is payable. This is uncapped. The Windlesham ward is the only ward in the Borough to have adopted a neighbourhood plan.
- 5.6 Under the CIL Regulations, the Levy portion collected for Parishes and Wards from new development must be spent on infrastructure provision in the local area in which development takes place.
- 5.7 Funding received for neighbourhoods in excess of the capped limits (currently capped at £100 per annum for each existing Council tax dwelling), is retained by the Council (as the Local Charging Authority) to spend on General Levy funds. This must be spent on infrastructure.
- 5.8 During the last reporting period, the payments to wards were as follows:
- Frimley Green £4,619.82
Mytchett & Deepcut £44,413.06
Town £1,547.02
Watchetts £3213.00

6. Corporate Objectives And Key Priorities

- 6.1 PLACE – to make Surrey Heath an even better place where people are happy to live.
- 6.2 PROSPERITY – to sustain and promote the local economy so that our people can work and do business across Surrey Heath by promoting improvements to local transport and infrastructure.

7. Policy Framework

- 7.1 The ability to set a CIL charge is set out in the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended). A CIL charging schedule will sit alongside the Local Plan, although it does not form part of the statutory development plan.

8. Legal Issues

- 8.1 The legislation requires that that 15% of CIL funds received are transferred to a Parish Council where development has occurred in that area, 25% where that Parish Council has a Neighbourhood Plan. Payment commenced on 28th October 2015 and six-monthly periods thereafter.
- 8.2 For clarity, funds for a ward or a parish are allocated from the total CIL income for a development. Annex 1 does not include total CIL income but only income received during the reporting period, which may be an instalment payment. The allocations will therefore depend on what stage of the instalment process the developer is at. For example, the £53,649 to the parish under 17/0889 is 15% of the total charge of £357,660, not 15% of £109,285.

9. Governance Issues

- 9.1 Surrey Heath BC may arrange the transfer of CIL revenue to Surrey County Council as part of a programme to prioritise improvement of infrastructure in the Borough. This will be for projects or assets that are normally delivered through County Council resources. Such projects would be agreed on a case basis by the Executive.

10. Sustainability

- 10.1 CIL will enable the Borough Council to direct funding to those projects which it believes best meet the needs of the local community and to support a sustainable community with the Borough.

11. Risk Management

- 11.1 If the housing targets set out in the Council's Core Strategy are not delivered then this would have financial implications in respect of the amount of CIL which would be raised. In addition the prior consent regime takes development outside of CIL, the government is proposing to extend this regime.

| | |
|-------------------------------|--|
| Annexes | Annex 1 – List of CIL Income 01/10/2020 – 31/03/2021 Annex 2 – Regulation 123 List |
| Background Papers | |
| Author/Contact Details | Steven Appleby steven.appleby@surreyheath.gov.uk |
| Head of Service | Jonathan Partington – Development Manager Jonathan.partington@surreyheath.gov.uk |

ANNEX 1

| | | |
|---|-------------------------------------|--|
| <u>CIL INCOME</u> | | |
| <u>Frimley Green</u> | <u>CIL Receipts Received</u> | |
| <u>Ref 19/0042</u> <u>91,Worsley Road,Frimley</u> Erection of a detached dwelling Total Received | £15,780.82 | <u>Allocation</u> (£1539.94 Admin) (£4619.82 Ward) (£875.00 SANG) (£8746.06 Main Fund) £15,780.82 |
| | | |
| <u>Mytchett & Deepcut</u> | <u>CIL Receipts Received</u> | |
| <u>Ref 18/0527</u> <u>Land adjacent to 4,Coleford Bridge</u> <u>Road.Mytchett</u> Erection of a detached dwelling | £8,428.10 | (£1,264.21 Admin) (£3,792.60 Ward) (£3,371.29 Main Fund) |
| <u>Ref 19/0021</u> <u>Doone Cottage,Linfield & Little</u> <u>Rosewarne</u> <u>Potteries Lane, Mytchett</u> Erection of 6no three bed & 2no two bed dwellings | £49,439.31 | (£9,150.64 Admin) (£27,451.92 Ward) (£3,050.00 SANG) (£9,786.75 Main Fund) |
| <u>Ref 20/0279/FFU</u> <u>Deepcut Business Centre, 123-127</u> <u>Deepcut Bridge Road</u> <u>Deepcut</u> Erection of 3no three bedroom terraced dwellings | £87,790.29 | (£4,389.51 Admin) (£13,168.54 Ward) (£43,625.00 SANG) (£26,607.24 Main Fund) |
| | | |
| Total Received | | £145,657.70 |
| | | |
| | | |
| <u>Town</u> | <u>CIL Receipts Received</u> | |
| <u>Ref 20/0280/FFU</u> <u>Bradley Court, 3 Knoll Road,</u> <u>Camberley</u> Second floor extension to form additional 1 bed flat | £10,313.47 | (£515.67 Admin) (£1,547.02 Ward) (£5,125.00 SANG) (£3,125.78 Main) |
| Total Received | | £10,313.47 |
| | | |
| | | |

| <u>Watchetts</u> | <u>CIL Receipts Received</u> | |
|---|------------------------------|---|
| Ref 18/0240 <u>78, Watchetts Drive, Camberley</u> Two Storey Rear Extension | £21,420.00 | (£1,071.00 Admin) (£3,213.00 Ward) (£17,136.00 Main Fund) |
| Total Received | | £21,420.00 |
| | | |
| <u>Parish</u> | | |
| | | |
| <u>Chobham</u> | <u>CIL Receipts Received</u> | |
| Ref 18/1017 <u>Holly Cottage, 11a, Killy Hill, Chobham</u> Erection of a detached 3 bedroom chalet bungalow and detached single garage, following demolition of the existing. | £7,285.55 | (£364.27 Admin) (£1,092.83 Parish) (£5,828.45 Main Fund) |
| Total Received | | £7,285.55 |
| | | |
| <u>West End</u> | <u>CIL Receipts Received</u> | |
| Ref 18/0311 <u>Land to the rear of Thurdon, Bear Cottage and Homeleigh, Beldam Bridge Road, West End</u> Erection of three 4 bedroom and one 5 bedroom dwellings. | £37,849.89 | (£37,849.89 Parish) |
| Total Received | | £37,849.89 |
| | | |
| <u>Windlesham</u> | <u>CIL Receipts Received</u> | |
| Ref 18/0499 <u>45, Guildford Road, Bagshot</u> Erection of a two storey building comprising five 2 bed flats. | £50,000.00 | (£23,375.00 SANG) (£26,625.00 Main Fund) |
| | | |
| Ref 19/2258/PMR <u>89-91, Guildford Road, Lightwater</u> Erection of three 4 bed and three 3 bed dwellings. | £107,914.88 | (£68,250.00 SANG) (£39,664.88 Main Fund) |
| | | |
| Ref 17/0889 <u>Land adjacent to 1 Whitmoor Road, Bagshot</u> Erection of 16 dwellings. | £109,285.00 | (£17,883.00 Admin) (£53,649.00 Parish) (£37,753.00 Main Fund) |
| | | |

| | | |
|---|--------------------|---|
| Ref 18/0667 24 & Greenways, 26, London Road, Bagshot Erection of three storey building to provide 12 one bed & 13 two bed retirement apartments. | £220,598.79 | (£22,060.04 Admin) (£66,180.04 Parish) (£10,398.46 SANG) (£121,960.25 Main Fund) |
| | | |
| | | |
| Total Received | | £487,798.67 |
| | | |
| Grand Total | £726,106.10 | |

CIL INCOME

Frimley Green

CIL Receipts Received

Ref 19/0042

91, Worsley Road, Frimley
Erection of a detached dwelling

£15,780.82 (Allocation)
(£1539.94 Admin)
(£4619.82 Ward)
(£875.00 SANG)
(£8746.06 Main Fund)

Total Received

£15,780.82

Mytchett & Deepcut

CIL Receipts Received

Ref 18/0527

Land adjacent to 4, Coleford Bridge Road, Mytchett
Erection of a detached dwelling

£8,428.10 (£1,264.21 Admin)
(£3,792.60 Ward)
(£3,371.29 Main Fund)

Ref 19/0021

Doone Cottage, Linfield & Little Rosewarne
Potteries Lane, Mytchett
Erection of 6no three bed & 2no two bed dwellings

£49,439.31 (£9,150.64 Admin)
(£27,451.92 Ward)
(£3,050.00 SANG)
(£9,786.75 Main Fund)

Ref 20/0279/FFU

Deepcut Business Centre, 123-127 Deepcut Bridge Road
Deepcut
Erection of 3no three bedroom terraced dwellings

£87,790.29 (£4,389.51 Admin)
(£13,168.54 Ward)
(£43,625.00 SANG)
(£26,607.24 Main Fund)

Total Received

£145,657.70

Town

CIL Receipts Received

Ref 20/0280/FFU

Bradley Court, 3 Knoll Road, Camberley
Second floor extension to form additional 1 bed flat

£10,313.47

(£515.67 Admin)
(£1,547.02 Ward)
(£5,125.00 SANG)
(£3,125.78 Main)

Total Received

£10,313.47

Watchetts

CIL Receipts Received

Ref 18/0240

78, Watchetts Drive, Camberley
Two Storey Rear Extension

£21,420.00 (£1,071.00 Admin)
(£3,213.00 Ward)
(£17,136.00 Main Fund)

Total Received

£21,420.00

Parish

Chobham

CIL Receipts Received

Ref 18/1017

Holly Cottage, 11a, Killy Hill, Chobham
Erection of a detached 3 bedroom chalet bungalow and detached single garage, following demolition of the existing.

£7,285.55 (£364.27 Admin)
(£1,092.83 Parish)
(£5,828.45 Main Fund)

Total Received

£7,285.55

West End

CIL Receipts Received

Ref 18/0311

Bridge Road, West End
Erection of three 4 bedroom and one 5 bedroom dwellings.

£37,849.89 (37,849.89 Parish)

Total Received

£37,849.89

Windlesham

CIL Receipts Received

Ref 18/0499

45, Guildford Road, Bagshot
Erection of a two storey building comprising five 2 bed flats.

£50,000.00 (Allocation)
(£23,375.00 SANG)
(£26,625.00 Main Fund)

Ref 19/2258/PMR

89-91, Guildford Road, Lightwater
Erection of three 4 bed and three 3 bed dwellings.

£107,914.88

(£68,250.00 SANG)
(£39,664.88 Main Fund)

Ref 17/0889

Land adjacent to 1 Whitmoor Road, Bagshot
Erection of 16 dwellings.

£109,285.00 (17,883.00 Admin)
(£53,649.00 Parish)
(£37,753.00 Main Fund)

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24 & Greenways, 26, London Road, Bagshot
Erection of three storey building to provide 12 one bed & 13 two bed retirement apartments.

£220,598.79 (£22,060.04 Admin)
(£66,180.04 Parish)
(£10,398.46 SANG)
(£121,960.25 Main Fund)

Total Received

£487,798.67

Grand Total

£726,106.10

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STRATEGIC INFRASTRUCTURE SPENDING PRIORITIES (REGULATION 123 LIST)

November 2020

Surrey Heath Borough Council

Knoll Road, Camberley, Surrey, GU15 3HD

Development Control

Development.Control@surreyheath.gov.uk

01276 707100



Strategic infrastructure Spending Priorities (Regulation 123 List)

1. Surrey Heath Borough Council Community Infrastructure Levy: Regulation 123 List The following list of infrastructure projects may be funded or part funded through the Community Infrastructure Levy (unless otherwise stated).
2. Shared Suitable Accessible Natural Greenspace (SANG) – Shared SANG includes SANG provided for development which cannot secure its own SANG solution. ¹
3. Open Space (with the exception of Shared or On-Site SANG) which is not directly related to a development. ²
4. Sustainable Local Transport Projects and Pedestrian Safety Improvements, which are not directly related to a development. ²
5. Play Areas & Equipped Playing Space, which are not directly related to a development. ²
6. Indoor Sports & Leisure Facilities, which are not directly related to a development. ²
7. Community Facilities not directly related to a development. ²
8. Sustainable Strategic Transport Projects. ²
9. Climate change projects ²
10. Digital Infrastructure Projects ²

¹ Development sites which cannot provide their own SANG solution will contribute to shared SANG solutions by way of a CIL payment. Development which is required to provide its own bespoke SANG solution will continue to be secured by S106 obligations in line with CIL Regulations 122 & 123. Nothing in this footnote overrides the Borough Council's obligations as the competent authority for the purposes of its duties under the Conservation of Habitats & Species Regulations (2017) as amended.

² Provision, improvement, replacement, operation or maintenance to reduce the incremental impact of development on off-site infrastructure which is not provided or required as avoidance/mitigation on or near individual development sites. This Regulation 123 List excludes projects for infrastructure, which are directly related to an individual site i.e. on or near site infrastructure to avoid/mitigate impact arising from that site. The Borough Council may apply CIL; continue to seek S106 obligations, or a mix of S106 and CIL, toward on or near site infrastructure in line with the Infrastructure Delivery SPD and in accordance with Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended).

NOTE: To enable delivery of new residential units that are not CIL liable but nonetheless include a net increase in residential units the Council will require such development to contribute toward the cost of the ongoing management and maintenance of SANG through a Unilateral Undertaking. This is to meet the requirements of the Conservation of Habitats and Species Regulations 2017, (or as subsequently amended). The Council will levy a contribution of £112.50 per square metre for the residential floorspace created. This is the management and maintenance cost of SANG.

The types of development affected include: Change of use to Residential use through the Prior Approval process under the General Permitted Development Order 2015 (or as subsequently amended); Self / custom build homes; Affordable Housing and Starter Homes as defined in the National Planning Policy Framework (NPPF); Applications where less than 100sqm residential floor space is created; Conversions to residential use from other use classes (as set out in the Town and Country Planning Use Classes Order), through planning permission, where not CIL liable; Conversions to a C2 use where the development may be considered to give rise to likely significant effect to the SPA.

For residential conversions within use class C3 (Residential) and C4 (Houses of Multiple Occupation), where no additional floorspace is created but the overall number of units increases, avoidance measures must also be provided through the allocation of SANG, with contributions charged as set out in paragraphs 6.7-6.10 of the Thames Basin Heaths Special Protection Area Avoidance Measures Supplementary Planning Document (2019).

The development types above may not form an exhaustive list of residential developments providing net additional units that are not CIL liable. The Council will seek appropriate SANGs contributions for any other residential development types that are not CIL liable but are required to provide avoidance measures for their impact on the Thames Basin Heaths Special Protection Area.

Closure Order for St Peter's Churchyard, Frimley

Summary

The purpose of this report is to consider a request from the Parochial Church Council of the Parish of Frimley for a Closure Order for St Peter's Churchyard on the grounds that there is no proper space for new graves.

Portfolio: Environment & Health

Wards Affected: Frimley

Recommendation

The Executive is advised to RESOLVE that

- (i) the Executive Head – Community be asked to report back to the Parochial Church Council of the Parish of Frimley that the Council has no objection to the closure of the burial ground in the graveyard of St Peter's Church, Frimley on the grounds that there is no proper space for new graves; and
- (ii) the current discretionary grant scheme for the upkeep of the churchyard within the Council's approved budget be continued.

1. Key Issues

- 1.1 The Parochial Church Council (PCC) of the Parish of Frimley has written to the Council to ask if the Council has any objection to the closure of the burial ground at the St Peter's Churchyard on the grounds that there is no proper space for new graves.
- 1.2 The closure of a churchyard for further burials can only be ordered by Her Majesty in Council. Application should be made in the first instance to D Division of the Home Office.
- 1.3 The PCC has notified the Council that it intends to submit an application to the Home Office to close the Churchyard in Frimley on the grounds that there is no proper space for new graves. If the Council objects to this it must give its reason in writing to the PCC.
- 1.4 If the Order is granted the PCC has indicated that it intends to retain responsibility for the maintenance of the Churchyard and has no current plans to transfer this to the Council. Should this change at some point in the future the PCC has acknowledged that it must give the Council 12 months' notice of its intention to transfer maintenance responsibility to the Council.

- 1.5 The closure of the Churchyard in Frimley would result in just one open graveyard in the Borough for burials which is in St Michael's, Camberley.

2. Resource Implications

- 2.1 The Council currently makes a financial contribution for the upkeep of the churchyards in the Borough by way of a discretionary grant. The amount of grant ranges from £2,000 to £4,000 per year and is generally the difference between maintenance costs and income received from burial fees.
- 2.2 The current maintenance cost to the PCC is £9,000 per annum and represents six grass cuttings at £1500 per cut. This is supplemented by work carried out by a group of volunteers. This would therefore be the cost to the Council should the responsibility for maintenance be transferred to the Council.

3. Options

- 3.1 The Council has the option of agreeing or objecting to the closure. There does not appear to be any reasons for objecting to the closure. Officers have investigated the use of adjacent allotment land for additional graves. However, this has been discounted because the allotments are well used by the community.
- 3.2 The Council has assisted with graveyard maintenance cost at St Peter's Church through a discretionary grant as set out in paragraph 2.1. The Council has the option of dis-continuing this grant.. However, Members should note that grants are paid for the upkeep of St Michael's graveyard in Camberley and the closed graveyard at St Lawrence Church in Chobham.

4. Proposals

- 4.1 It is proposed to:
 - a. Report back to the Frimley PCC that the Council has no objection to the closure of the burial ground in the graveyard at St Peter's Church, Frimley.
 - b. Continue with current discretionary grant scheme within the approved Council budget.

5. Supporting Information

- 5.1 A letter from the PCC requesting the closure is attached to this report.

6. Corporate Objectives And Key Priorities

6.1 This maintenance and upkeep of graveyards contributes to the Council's 5 – year strategy by protecting and managing public open spaces.

7. Legal Issues

7.1 The legislation is set out in the Diocese of Guildford Churchyard Regulations 2005. These apply generally to all churchyards in the Diocese of Guildford. Where a churchyard becomes full of burials and there is no further useable space, the Incumbent and PCC may seek to have it closed (Reg 4.6). Closure of a churchyard for further burials can only be ordered by Her Majesty in Council. Application should be made in the first instance to D Division of the Home Office.

7.2 Where a churchyard has been closed by Order in Council, the PCC may request the local authority to take on the responsibility for its maintenance (Local Government Act 1972 section 215).

8. Environmental Impact

8.1 The Churchyard contains a number of trees, bushes and plants all of which have a positive impact upon the environment.

| | |
|-------------------------------|--|
| Annexes | Annex A - Letter from St Peter's Church, Frimley dated 10 th May 2021 |
| Background Papers | |
| Author/Contact Details | Tim Pashen –Executive Head - Community tim.pashen@surreyheath.gov.uk |
| Head of Service | Tim Pashen - Executive Head of Community |

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St. Peter's Church
Frimley Green Road
Frimley
GU16 7AQ

10 May 2021

Mr Tim Pashen
Executive Head - Community
Surrey Heath Borough Council
Surrey Heath House
Knoll Road
Camberley
GU15 3HD

RECEIVED AT S.H.B.C.
10 MAY 2021
POST ROOM

Dear Mr Pashen

I am writing to you on behalf of the Parochial Church Council (PCC) of the Parish of Frimley.

The PCC requests a closure Order for St Peter's Churchyard, on the grounds that there is no proper room for new graves.

The PCC intends to retain the responsibility for the maintenance of the churchyard themselves. Enclosed with this letter are two copies of a map showing the location of the churchyard. One copy is unmarked, the other shows the boundaries (red line) of the site to be closed.

Please could Surrey Heath Borough Council kindly complete question C2 (see accompanying Part C (ii) Notice of intention to apply for a closure Order) with a stamp and signature, as indicated.

Once completed, please could you kindly return Part C (ii) to me c/o Parochial Church Council at the above address. We would be grateful if this could be done within the next four weeks.

If you do not agree with the grounds cited, then we respectfully request that you explain the reason for this.

With all good wishes and thanks

Yours sincerely



Hon Secretary
Parochial Church Council
Parish of Frimley

Part C(ii)
Notice of intention to apply for a closure Order

Maintenance responsibility to be retained by PCC
(To be sent to the appropriate District Council)

The FRIMLEY Parochial Church Council has

applied to the Ministry of Justice to discontinue burials in

ST PETERIS CHURCHYARD churchyard,

This is being brought to your attention as the district authority responsible for the area in which the churchyard is located.

Should a closure Order be granted, the PCC intends to retain the maintenance responsibility for the churchyard and has no current plans to transfer it to the local authority.

The PCC is fully aware that should it wish to transfer maintenance at some future date, local authorities have asked that they be given at least twelve months notice of this.

Signed (Secretary of PCC):  Date: 10 May 2021

C1 The grounds for closure* are because (PCC to ✓ as appropriate):

- a) There is no proper room for new graves.
- b) Further burials would be contrary to decency.
- c) Discontinuance of burials would prevent or mitigate nuisance
- d) Further burials would constitute a health risk
- e) Other

Additional information regarding the reasons for discontinuing burials is / is not attached

* Grounds (a) to (d) have been agreed by the Ministry of Justice, Church of England and local government representative organisations as potential grounds for justifying closure.

C2 Does the Council have any objections to the closure of the burial ground, on the grounds given above at C1:

Yes

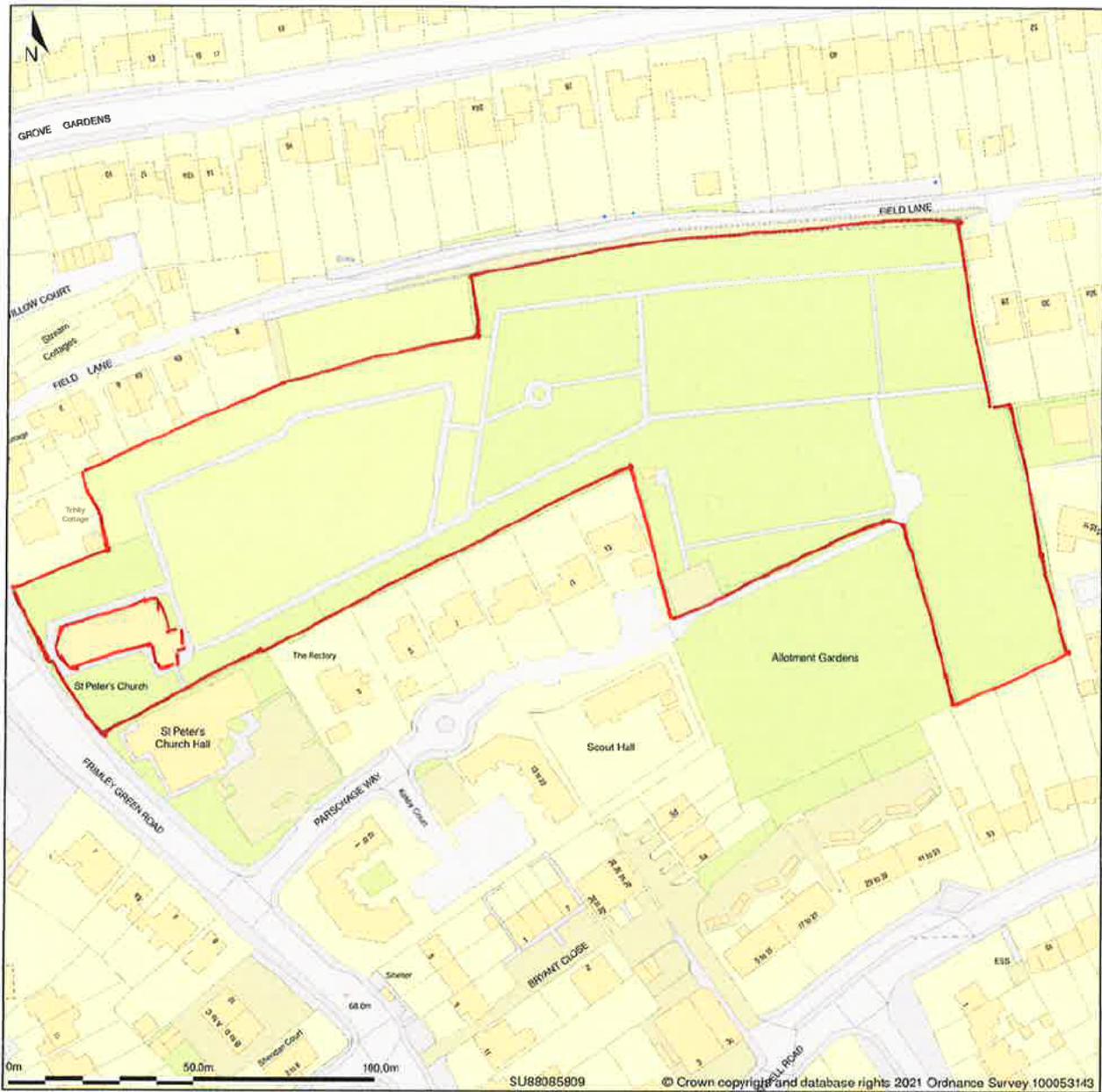
No

Please now return this form to the Parochial Church Council explaining, if necessary, why it is considered that the burial ground should not be closed under the grounds at C1.

* COUNCIL'S AGREEMENT NEEDED + STAMPED / SIGNED

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St Peter s Churchyard, Frimley, Camberley, Surrey



Site Plan shows area bounded by: 467933.15, 157944.75 486233.15, 158244.75 (at a scale of 1:1250), OSGridRef: SU88085809. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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St Peter s Churchyard, Frimley, Camberley, Surrey



Site Plan shows area bounded by: 487933.15, 157944.75 488233.15, 158244.75 (at a scale of 1:1250), OSGridRef: SU86085809. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Exclusion of Press And Public

Recommendation

The Executive is advised to RESOLVE that, under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, 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> |
|-------------|---------------------|
| 10 | 3 |
| 11 | 3 |
| 12 | 3 |
| 13 | 3 |

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By virtue of
Regulation 21(1)(A) of the Local Authorities (Executive
Arrangements) (Access to Information) (England)
Regulations 2000.

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Regulations 2000.

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