

COUNCIL MEETING

15 December 2021

COUNCIL MINUTE BOOK

- | | | |
|-----|--|------------------------|
| 1. | Council - 27 October 2021 | (Pages 3 - 10) |
| 2. | Executive - 16 November 2021 | (Pages 11 - 16) |
| 3. | Executive - 7 December 2021 (to be laid on the table) | - |
| 4. | Planning Applications Committee - 28 October 2021 | (Pages 17 - 26) |
| 5. | Planning Applications Committee - 11 November 2021 | (Pages 27 - 30) |
| 6. | Licensing Committee - 20 October 2021 | (Pages 31 - 36) |
| 7. | Performance & Finance Scrutiny Committee - 10 November 2021 (to be laid on the table) | - |
| 8. | Audit & Standards Committee - 22 November 2021 (to be laid on the table) | - |
| 9. | Joint Staff Consultative Group - 25 November 2021 (to be laid on the table) | - |
| 10. | External Partnerships Select Committee - 30 November 2021 (to be laid on the table) | - |

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**MINUTES OF A MEETING OF SURREY
HEATH BOROUGH COUNCIL held at
Surrey Heath House, Camberley on
27 October 2021**

+ Cllr Sarah Jane Croke (Mayor)
+ Cllr Helen Whitcroft (Deputy Mayor)

+ Cllr Dan Adams	- Cllr David Lewis
+ Cllr Graham Alleway	+ Cllr David Mansfield
* Cllr Peter Barnett	+ Cllr Emma-Jane McGrath
+ Cllr Rodney Bates	+ Cllr Charlotte Morley
+ Cllr Cliff Betton	+ Cllr Alan McClafferty
+ Cllr Richard Brooks	+ Cllr Sashi Mylvaganam
+ Cllr Vivienne Chapman	+ Cllr Adrian Page
+ Cllr Paul Deach	+ Cllr Robin Perry
* Cllr Colin Dougan	+ Cllr Darryl Ratiram
- Cllr Tim FitzGerald	+ Cllr Morgan Rise
+ Cllr Sharon Galliford	- Cllr John Skipper
+ Cllr Shaun Garrett	+ Cllr Graham Tapper
+ Cllr Mark Gordon	+ Cllr Pat Tedder
+ Cllr Edward Hawkins	+ Cllr Victoria Wheeler
+ Cllr Josephine Hawkins	+ Cllr Valerie White
+ Cllr Rebecca Jennings-Evans	+ Cllr Kristian Wrenn

+ Present

- Apologies for absence presented

* In attendance virtually but did not vote

32/C Sir David Amess MP

The Council observed a minute's silence in memory of Sir David Amess MP, who had been killed on 15 October 2021 whilst attending his constituency surgery.

33/C Suspension of Council Procedure Rules

It was moved by the Mayor, seconded by the Deputy Mayor and

RESOLVED that Council Procedure Rule 21.2 (requirement to stand) be suspended for the meeting.

34/C Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Peter Barnett, Colin Dougan, Tim FitzGerald, David Lewis and John Skipper. It was noted that some councillors had joined the meeting virtually but would not be entitled to vote.

35/C Minutes

It was moved by the Mayor, seconded by the Deputy Mayor, and

RESOLVED that the minutes of the meeting of the Council held on 28 July 2021 be approved as a correct record.

36/C Report of the Returning Officer

The Council received the report of the Returning Officer in relation to results of the by election of a councillor for the Frimley Green Ward of the Borough of Surrey Heath held on 14 October 2021 and noted that Stuart Black had been elected.

37/C Mayor's Announcements

The Mayor referred to the recent death of Alderman Derek Franklin, who had served as a councillor from 1991 until 1999. He had been Mayor of Surrey Heath in the 1997-98 municipal year and conferred as an Alderman in 2009. On behalf of the Council, the Mayor sent condolences to Alderman Franklin's family.

The Mayor paid tribute to Mr Richard Payne, the Executive Head of Corporate, who would be leaving the Council's employment at the end of October 2021 and wished him well for the future.

The Council was informed of the variety of events the Mayor had attended since the meeting in July, including the raising of the Pride Flag and the Emergency Services Flag at Surrey Heath House, which had been held on 2 August 2021 and 9 September 2021 respectively. The Mayor also reminded Members that, on 12 September 2021, the Freedom of the Borough had been conferred upon the Joint Hospital Group (South East).

38/C Leader's Announcements

The Leader welcomed Councillor Stuart Black to the Council and extended a welcome to new employees, including the two members of staff who had joined as part of the national graduate trainee programme. The Leader also thanked Mr Richard Payne, who would be leaving the Council at the end of the month, for his service and wished him well for the future.

The Council was updated on the progress of the families housed in the borough as part of the Afghan resettlement scheme. The Leader reported on the progress of the Night Stop project, where building works for the emergency accommodation were underway and, thanks to the efforts of officers and the Hope Hub, support would be available to residents in need before Christmas.

The Leader referred to the national shortage HGV drivers and reported that, despite the shortages, the vast majority of Council's services had continued without interruption. He also advised that in the previous week a final collection of garden waste had been completed for that year and it was hoped to be a position to relaunch the service in the spring of 2022.

Members were informed that the Local Council Tax Support Scheme had been reviewed and a report would be considered by the Executive the following month. The Leader reported that the Council was fourth and seventh respectively for

national Council Tax and Business Rates collection rates. He thanked residents, businesses and officers for contributing towards this success.

The Leader extended his condolences to the families of Sir David Amess and Alderman Derek Franklin.

39/C Executive, Committees and Other Bodies

- (a) Executive – 20 July, 17 August, 9 September and 19 October 2021.

It was moved by Councillor Alan McClafferty, seconded by Councillor Shaun Garrett, and

RESOLVED that the minutes of the meetings of the Executive held on 20 July, 17 August, 9 September and 19 October 2021 be received and the recommendations therein be adopted as set out below:

43/E Doman Road Bulking Shed

RESOLVED that

- (i) the Bulking Shed at Doman Road be removed from the Capital Programme at this time; and**
- (ii) a supplementary estimate of £20,000 be agreed to cover the cost of the feasibility study for the rebuilding of the bulking shed in the Council's Depot at Doman Road, including producing drawings, preparing specifications, inviting tenders, and applying for planning permission.**

- (b) Planning Applications Committee – 12 August and 23 September 2021

It was moved by Councillor Edward Hawkins, seconded by Councillor Victoria Wheeler, and

RESOLVED that the minutes of the meetings of the Planning Applications Committee held on 12 August and 23 September 2021 be received.

- (c) Audit and Standards Committee – 4 August 2021

It was moved by Councillor Cliff Betton, seconded by Councillor Darryl Ratiram and

RESOLVED that the minutes of the meeting of the Audit and Standards Committee held on 4 August 2021 be received.

- (d) Joint Staff Consultative Group – 22 July and 23 September 2021

It was moved by Councillor Graham Tapper, seconded by Councillor Josephine Hawkins and

RESOLVED that the minutes of the meetings of the Joint Staff Consultative Group held on 22 July and 23 September 2021 be received.

- (e) Employment Committee – 27 July and 7 October 2021

It was moved by Councillor Cliff Betton, seconded by Councillor Rebecca Jennings-Evans and

RESOLVED that the minutes of the meetings of the Employment Committee held on 27 July and 7 October 2021 be received.

- (f) Licensing Committee – 29 July 2021

It was moved by Councillor Rodney Bates, seconded by Councillor Dan Adams and

RESOLVED that the minutes of the meeting of the Licensing Committee held on 29 July 2021 be received.

- (g) External Partnerships Select Committee – 7 September 2021

It was moved by Councillor Vivienne Chapman, seconded by Councillor Morgan Rise and

RESOLVED that the minutes of the meetings of the External Partnerships Select Committee held on 7 September 2021 be received.

- (h) Performance and Finance Scrutiny Committee – 8 September 2021

It was moved by Councillor Sashi Mylvaganam, seconded by Councillor Valerie White, and

RESOLVED that the minutes of the meetings of the Performance and Finance Scrutiny Committee held on 8 September 2021 be received.

40/C Motions

It was moved by Councillor Cliff Betton and seconded by Councillor Graham Alleway that

“the Council RESOLVES that

- (i) this Council needs a quality management system which:

- a. needs to demonstrate its ability to consistently provide products and services that meet customer and applicable statutory and regulatory requirements; and
 - b. aims to enhance customer satisfaction through the effective application of the system, including processes for improvement of the system and the assurance of conformity to customer and applicable statutory and regulatory requirements; and
- (ii) the Chief Executive be asked to produce a report for consideration by the Full Council on 15 December 2021 in respect of the resources and timescales required for Surrey Heath Borough Council to become certified to the ISO 9001:2015 standard and to determine whether the standard should apply to departments that outface to residents and outside bodies, or to the Council as a whole.”

It was moved by Councillor Victoria Wheeler and seconded by Councillor Edward Hawkins that the motion be amended by replacing the wording in (ii) with:

“the Chief Executive be asked to review the findings of the Performance & Finance Scrutiny Committee and further review how applicable the standards of ISO9001 are and could be applied to each service function, with this to be reviewed by the appropriate committee and a full report to be brought to the Full Council within the first quarter of 2022”.

As Councillor Cliff Betton indicated his agreement to this change the motion was amended without a vote.

RESOLVED that

- (i) this Council needs a quality management system which:**
 - a. needs to demonstrate its ability to consistently provide products and services that meet customer and applicable statutory and regulatory requirements; and**
 - b. aims to enhance customer satisfaction through the effective application of the system, including processes for improvement of the system and the assurance of conformity to customer and applicable statutory and regulatory requirements; and**
- (ii) the Chief Executive be asked to review the findings of the Performance & Finance Scrutiny Committee and further review how applicable the standards of ISO9001 are and could be applied to each service function, with this to be reviewed by the appropriate committee and a full report to be brought to the Full Council within the first quarter of 2022.**

Note: It was noted for the record that Councillor Graham Alleway declared that he was employed by a certification body as a consultant and certified auditor of the ISO standard.

41/C Review of Political Proportionality

The Council was required by law to allocate seats in proportion to the political composition of the Council, with the aggregate membership of all the committees also being proportionate. The Council received a report setting out a proposed revised scheme of proportionality following the Frimley Green by-election on 14 October 2021. Members also noted revised memberships proposed by the respective Group Leaders to the Planning Applications Committee and the Performance & Finance Scrutiny Committee.

It was moved by Councillor Alan McClafferty, seconded by Councillor Adrian Page and

RESOLVED that

- (i) the revised the scheme of proportionality as set out at Annex A to the agenda report, be adopted for the remainder 2021/22; and**
- (ii) the revised membership of the Planning Applications Committee and Performance Finance Scrutiny Committee and, as set out at Annex B to the agenda report, be agreed.**

42/C Five Year Strategy 2022-2027

The Council considered the draft Five Year Strategy 2022-2027. The Strategy had been developed following an extensive consultation, with a cross-party Task & Finish group steering its development. The overarching priorities for the Strategy, from which all the issues and objectives for the Strategy would then flow, were:

- Environment,
- Health & Quality of Life
- Economy
- Effective & Responsive Council

Members were informed that the Executive had considered the Strategy at its meeting on 19 October 2021 and the changes recommended at that meeting were noted.

RESOLVED that the new Five Year Strategy be adopted and any final amendments to the content of the strategy be delegated to the Chief Executive in consultation with the Leader.

43/C Governance Working Group

The Council received a report from the Governance Working Group on the issues it had discussed at its meeting on 17 September 2021.

The Working Group had considered governance matters in relation to planning appeals, which had been referred to it by the Council in October 2021. The Group

proposed the addition of a delegation to the Head of Planning to determine the strategy for planning appeals in cases where the proposed approach could be considered to undermine a decision of the Planning Applications Committee. The delegation would be exercised after consultation with the Chairman and Vice Chairman of the Planning Applications Committee, along with the relevant ward councillors.

Members also considered proposed changes to Financial Regulations and Contract Standing Orders, as detailed in the agenda report.

It was moved by Councillor Alan McClafferty, seconded by Councillor Sashi Mylvaganam, and

RESOLVED that

- (i) the Scheme of Delegation of Functions to Officers at Part 3, Section B of the Constitution be updated to include the following delegation:**

The Head of Planning

Authority	After Consultation with	Function
To make decisions relating to the strategy of the Council's case in planning appeals where the strategy would be contrary to or considered unsupportive of a decision of the Planning Applications Committee	The Chairman and Vice Chairman of the Planning Applications Committee and the relevant Ward Councillors.	Non-Executive

- (ii) Financial Regulations at Part 4, Section H of the Constitution be updated as set out at Annex A to the agenda report; and**
- (iii) Contract Standing orders at Part 4, Section I of the Constitution be updated as set out at Annex B to the agenda report.**

44/C Section 151 Officer

In accordance with Section 151 of the Local Government Act 1982 and Section 113 of the Local Government Finance Act 1988 there was a statutory requirement on the Council to designate one of its officers as its Section 151 Officer/Chief Finance Officer.

Members were reminded that, at its meeting on 28 July 2021 the Council had resolved to appoint Joanne Moore as Section 151 Officer. Due to unforeseen circumstances Ms Moore had been unable to take up the appointment. The Council's Chief Accountant, Mr Adrian Flynn, had consequently appointed as Section 151 Officer, by Urgent Action, pending the recruitment to the new post of

Strategic Director of Finance & Customer Services. The Urgent Action authorisation form was noted.

At its meeting on 13 September 2021, an Appointments Sub Committee had agreed to appoint Bob Watson as Strategic Director of Finance & Customer Services and recommended that he be appointed as the Council's Section 151 Officer. The Sub Committee had also agreed to appoint Amanda Fahey as Interim Strategic Director of Finance & Customer Services and it was proposed that she be appointed as Section 151 Officer whilst she was in this role.

RESOLVED that

- (i) Mr Bob Watson be appointed as the Section 151 Officer, to be effective upon commencement of his employment with the Council; and**
- (ii) Ms Amanda Fahey be appointed as the Section 151 Officer with immediate effect until Mr Watson commences his employment with the Council.**

45/C Leader's Question Time

The Leader responded to questions from Councillor Vivienne Chapman arising from the environmental section in the new Five Year Strategy. He indicated his support for publicising information in Heathscene concerning the important role of hedgerows in carbon capture. Furthermore, following a question from Councillor Pat Tedder, he undertook to discuss with the Chief Executive options within the planning process to encourage the use of soft landscaping rather than mortar, as well as discouraging the removal of hedges and trees.

In respect of concerns raised by Councillor Chapman about the impact on pupils of exhaust emissions from idling vehicles outside schools, he also agreed to write to Surrey County Council (SCC) about installing notices outside schools and indicated that funding could be made available if necessary. Furthermore, he asked the Chief Executive to look into Civil Enforcement Officers enforcing against idling vehicles.

In response to a question from Councillor Morgan Rise, the Leader referred to the new aspirations section in the Five Year Strategy.

The Leader received a question from Councillor Rebecca Jennings-Evans concerning reports that the Arriva bus routes 34 and 35 were to be discontinued and a question from Councillor Victoria Wheeler on plans reported at a Surrey Heath Local Committee meeting that SCC was proposing improvements to the bus stops on those routes. In response, the Leader undertook to write to Surrey County Council to lobby for retaining a service on those routes and clarify proposals to update the bus stops.

Mayor

**Minutes of a Meeting of the Executive
held at Surrey Heath House on 16
November 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 Tim FitzGerald, Cllr Sharon Galliford, Cllr Emma-Jane McGrath, Cllr Sashi Mylvaganam, Cllr Pat Tedder, Cllr Victoria Wheeler and Cllr Valerie White

59/E Minutes

The minutes of the meeting held on 19 October 2021 were confirmed and signed by the Chairman.

60/E Questions by Members

The Environment & Health Portfolio Holder, Councillor David Mansfield, updated members on the current position concerning Garden Waste Scheme collections and the process undertaken for the disposal of food waste. Following discussion concerning the letter sent to Scheme members regarding refunds and a need to re-join the Scheme at a later date, the Leader undertook to discuss the matter further with Councillor Mansfield and thereafter advise whether he would take any further action.

61/E Designation of the Deepcut Neighbourhood Forum

The Executive was informed that the Council had received an application to designate a Neighbourhood Forum for the Deepcut Neighbourhood Area, under Regulation 8 of the Neighbourhood Planning (General) Regulations 2012. The previous Neighbourhood Forum designation for this area had expired in 2019. The same organisation had applied to be formally designated again, to enable it to continue preparation of a Neighbourhood Plan.

Members noted the conditions set out in Section 61F(5) of the Town and Country Planning Act (1990) (as amended), as introduced by Schedule 9 of the Localism Act 2011, which would need to be met in order for the Council to designate a Neighbourhood Forum. The outcomes of the public consultation on the on the application for the designation of the Deepcut Neighbourhood Forum were also noted.

RESOLVED that

- (i) the application to designate the Neighbourhood Forum for the Deepcut Neighbourhood Area be approved; and**

- (ii) **the designated Neighbourhood Forum be named the 'Deepcut Neighbourhood Forum'.**

62/E Collectively Camberley Levy

The Executive considered a request to make an advance payment of Business Improvement District (BID) levy due in respect of the 2021/22 BID year, to Collectively Camberley Limited. Collectively Camberley (CC), a not for profit company that managed the BID for Camberley Town Centre, had been re-elected for third 5-year term to run from 2021 to 2026.

The Council was responsible for maintaining a separate BID Revenue Account for each five-year BID term. Members were advised that the Council had been unable to commence billing procedures for the new BID term until certain steps had been taken, but the BID database would be fully tested and implemented to allow the annual bills to be issued for a 2 December 2021 instalment. As the bills would normally be issued in October, it was proposed to make an advance payment of £150,000 to CC. An undertaking would be required from CC to ensure that the advance could be retained by the Council, from BID levy monies collected, and that no levy beyond the £150,000 advance would be paid to CC until the full £150,000 had been collected.

RESOLVED that an advance payment of £150,000 in respect of the 2021/22 BID levy due be made to Collectively Camberley Limited.

63/E Review of the Local Council Tax Support Scheme

The Executive considered a report proposing changes to the Local Council Tax Support Scheme (LCTSS). In 2013, the Government had abolished Council Tax Benefit and asked local councils to introduce their own scheme for working age residents who need help paying their Council Tax. This had become known as Local Council Tax Support.

The Community Support Working Group had reviewed the LCTSS and had recommended the adoption of a revised scheme, which had the overriding principles that it targeted households least able to pay their council tax and had a simplified process. A broad outline of the proposed scheme, along with worked examples, as detailed in the agenda report were noted.

Members were advised that transitional protection was proposed for those impacted by more than a £5 per week reduction in support in payments of Council Tax due to the introduction of the revised scheme from 1 April 2022. It was also proposed to give transitional protection from the new capital limit for those current vulnerable group claimants with over £6000 but less than £16,001 capital for the period 1 April 2022 to 30 September 2022.

A public consultation would be undertaken, including with precepting authorities, prior to the adoption of any new Scheme.

RESOLVED that a consultation be undertaken on the proposed a new Local Council Tax Support Scheme, with a view to adoption from 1 April 2022.

64/E Local Cycling and Walking Infrastructure Plan for Surrey Heath

The Executive was informed that Surrey County Council (SCC) was working with the borough and district authorities in Surrey to produce Local Cycling and Walking Infrastructure Plans (LCWIP). SCC had requested a total funding contribution of up to £190,000 to support the production of a LCWIP for Surrey Heath. The LCWIP would help to deliver significant benefits to walking and cycling routes in the Borough.

Members considered the report and emphasised the need to ensure appropriate governance arrangements for the final decision-making on routes. Members also identified the need, when drafting the LCWIP, to follow government requirements regarding direct routes, consider possibilities for routes that crossed into adjoining authority areas, and monitor where funding had already been agreed for specific routes.

RESOLVED that

- (i) funding of £20,000 for phase 1 of the Local Cycling and Walking Infrastructure Plans (LCWIP) be approved and that funding of up to £170,000 be approved to be reserved in the CIL main fund for phase 2 of the LCWIP, as the Council's contribution towards the costs of the production of a LCWIP for Surrey Heath; and**
- (ii) authority be delegated to the Head of Planning in consultation with the Portfolio Holder for Planning & People to agree the final funding amount for phase 2 of the LCWIP up to a limit of £170,000.**

65/E Community Infrastructure Levy

The Council had been collecting Community Infrastructure Levy (CIL) funding since the Charging Schedule had come 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 £1,577,871 for the reporting period between 1 April and 30 September 2021.

Members were advised that the Covid 19 pandemic and resulting national lockdown measures had affected the amount of CIL receipts collected by the Council. However, the latest reporting period had recorded a notable increase in CIL receipts in comparison to the two previous reporting periods.

RESOLVED to note

- (i) the income received in the period 1st April to 30th September 2021 as set out in Annex 1;
- (ii) the impacts of Covid19 on income; and
- (iii) the amended CIL regulations due to the impact of Covid19 on the development industry.

66/E Annual Report on the Treasury Management Service and Actual Prudential Indicators for 2020/21

The Executive noted the Treasury Management Service Performance for 2020/21 and the compliance with the Prudential Indicators for 2020/21.

RESOLVED to note the report on Treasury Management including compliance with the 2020/21 Prudential Indicators.

67/E Treasury Management Mid-Year Report for 2021/22

The Executive noted the Treasury Management Service performance for 2021/22, as at 30 September 2021. The report also illustrated the compliance to-date with the Treasury Management Indicators for 2021/22.

RESOLVED to note the Treasury Management Service performance for 2021/22 as at 30 September 2021.

68/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)
69/E	3
70/E	3

69/E Award of Contract

The Executive considered a report seeking authority to award a contract for refurbishment and sub division works for a Council owned property, which would enable an agreed letting at that property.

RESOLVED that the recommendations as set out in the agenda report be agreed, including the awarding of a contract to carry out refurbishment and sub-division works to enable an agreed letting at Theta.

70/E Review of Exempt Items

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

RESOLVED that the decision at minute 69/E be made public but any contractual and financial information remain exempt for the present time.

Chairman

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Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 28 October 2021

- + Cllr Edward Hawkins (Chairman)
- + Cllr Victoria Wheeler (Vice Chairman)

- | | |
|------------------------|-------------------------|
| + Cllr Graham Alleway | - Cllr Charlotte Morley |
| + Cllr Peter Barnett | + Cllr Robin Perry |
| + Cllr Cliff Betton | + Cllr Darryl Ratiram |
| + Cllr Stuart Black | + Cllr Graham Tapper |
| + Cllr Mark Gordon | + Cllr Helen Whitcroft |
| - Cllr David Lewis | + Cllr Valerie White |
| - Cllr David Mansfield | |

- + Present
- Apologies for absence presented

Substitutes: Cllr Shaun Garrett (in place with Cllr David Mansfield)

Members in Attendance: Cllr Sashi Mylvaganam, Cllr Adrian Page, Cllr Morgan Rise, Cllr Pat Tedder

Officers Present: Gavin Chinniah, Julia Greenfield, Jonathan Partington, Eddie Scott and Ryno Van der Hoven

29/P Exclusion of Press and Public

In accordance with Section 100A(4) of the Local Government Act 1972 (as amended), 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:

<u>Minute</u>	<u>Paragraph(s)</u>
30/P	1
31/P	1

30/P Planning Enforcement Update

The Committee considered a table outlining the highest priority planning enforcement cases within the borough.

The Committee noted the significant progress the Council had made in respect of its Planning Enforcement service in respect of both service provision, and attitude and resourcing. Moreover, further improvement, in respect of resourcing, had been

made by the recent recruitment of a further Planning Enforcement Officer and an Assistant Corporate Enforcement Officer.

However, it was felt by Members that there was an opportunity for improvement in respect of greater partnership working between the Development Management and Corporate Enforcement Teams; and to create a service which wasn't felt by residents to be biased towards applicants. It was also reiterated to Members that any enforcement monitoring and action needed to be conducted within the confines of what the law allowed.

RESOLVED that the update be noted.

31/P Review of Exempt Items

The Committee 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 annex associated with minute 30/P remain exempt.

Chairman

**Minutes of a Meeting of the Planning
Applications Committee held at
Council Chamber, Surrey Heath
House, Knoll Road, Camberley, GU15
3HD on 28 October 2021**

+ Cllr Edward Hawkins (Chairman)
+ Cllr Victoria Wheeler (Vice Chairman)

+ Cllr Graham Alleway	- Cllr Charlotte Morley
+ Cllr Peter Barnett	+ Cllr Robin Perry
+ Cllr Cliff Betton	+ Cllr Darryl Ratiram
+ Cllr Stuart Black	+ Cllr Graham Tapper
+ Cllr Mark Gordon	+ Cllr Helen Whitcroft
- Cllr David Lewis	+ Cllr Valerie White
- Cllr David Mansfield	Cllr Shaun Garrett

+ Present
- Apologies for absence presented

Substitutes: Cllr Shaun Garrett (In place of Cllr David Mansfield)

Members in Attendance: Cllr Paul Deach, Cllr Sharon Galliford, Cllr
Sashi Mylvaganam, Cllr Morgan Rise, Cllr Pat Tedder,

Officers Present: Sarita Bishop, Duncan Carty, Gavin Chinniah, Julia Greenfield,
William Hinde, Shannon Kimber, Jonathan Partington,
Eddie Scott, Patricia Terceiro and Ryno Van der Hoven

32/P Minutes of Previous Meeting

The minutes of the meeting held on 23 September 2021 were confirmed and signed by the Chairman.

33/P Enforcement Monitoring Report

The Committee received an update in respect of the Council's Planning Enforcement Service and performance. During the period 1 May 2021 to 31 August 2021 the Enforcement Team had received 77 new referrals. 28 cases were closed as no breach was found, 8 were resolved without any further action, 3 had formal notices served and 9 cases had retrospective planning applications submitted.

Since its last update, the Corporate Enforcement Team had added two additional staffing resources. As a consequence, the team aimed to increase performance by reviewing the overall number of open investigations, resolving the highest priority investigations at the earliest opportunity, and thus increasing officer availability to tackle and monitor new cases in a more expedient and proactive manner.

The service was continuing to review the team's internal processes, review and update the Uniform IT system and finalise all templates, including the completion of the Enforcement Register project.

34/P

Application Number: 21/0004- Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN

The application was submission of details to comply with condition 9 (affordable housing) attached to planning permission 12/0546 dated 4 April 2014 (as amended by 18/0619 dated 19 July 2019 and 18/1002 dated 14 November 2019 in respect of residential parcels comprising Phases 4b, 4c, 4d, 4f, 4h, 6a, 6b. 6c and 6d.

The application was reported to the Planning Applications Committee by the Head of Planning, as it sought to reduce the level of affordable housing to be secured at Princess Royal Barracks (PRB) from a target of 35% to 15%.

Members were advised of the following updates on the application:

“In the interests of clarity regard has been had to the National Planning Practice Guidance in considering this application.

A letter of representation has been received from the Mytchett, Frimley Green and Deepcut Society which makes the following comments:

1. The first two paragraphs should be amended to reflect that the 15% target is being applied to the remaining land parcels at Mindenhurst as per the table at paragraph 4.3 in the report. When the completed parcels (Cala, Bovis and Trivselhus) are included the overall affordable housing target for the site becomes 20% (ie 234 on 1200) not 15% as stated in the report.

[Officer comment: As set out in paragraph 4.3 the 15% target applies to the remaining land parcels. This paragraph also sets out that the the affordable housing secured on the Cala (Phase 2b) and Bovis (Vistry) (Phase 2a) parcels would result in an overall affordable housing provision of 20% ie 234 dwellings].

2. We believe the departure from this clear and long established policy principle is to be hugely regretted and cannot understand why the Council goes to the trouble of establishing Local Plan policies if it is then going to permit departures from these policies.

[Officer comment: Policy CP4 states that the 35% affordable housing provision is a target which the Council aspires to. The National Planning Practice Guidance makes it clear that the financial viability of a development is a material consideration for local planning authorities in determining applications relating to the level of affordable housing provision on a site.]

1. Setting a precedent for every developer to seek less than 35% affordable housing which will also be used in appeals against any refusal of permission on this ground.

[Officer comment: As the Society correctly asserts each application will be determined on its own merits. Any submission which seeks to provide less than the target of 35% affordable housing will have to be accompanied by a Financial Viability Assessment which will be subject to detailed assessment and public inspection]

2. Please confirm that the case of High Court of Justice case relating to Parkhurst Road Limited v Secretary of State for Communities and Local Government and the London Borough of Islington (LBI) 2018 has been fully taken into account in considering the current application as it appears to have great deal in common with this application.

[Officer comment: This case related to a private developer (Parkhurst Road Limited) which sought to redevelop a former Ministry of Defence site in Holloway. The site was the subject of planning appeals following refusals of permission on two different schemes. The first one proposed 112 dwellings, 16 of which would be affordable with the second proposing 96 dwellings, 10 of which would be affordable. During the appeal process for the first scheme the developer justified the low level of affordable housing by citing the land purchase price. The LBI was of the view that the developer paid the Ministry of Defence too much for the site. Both appeals were dismissed. The appellant then appealed to the High Court. Judgement was made in favour of the Secretary of State and LBI. In his concluding statement the judge stated that the appeal proposal would not provide the maximum reasonable level of affordable housing and the submitted planning obligation did not provide a suitable means for a viability review.

The circumstances are considered to be different as the Ministry of Defence is the owner of the Deepcut site, save for the parcels which have already been sold. The main viability issue at Deepcut is the significant increase in costs. The application is accompanied by a detailed Financial Viability Assessment which has been rigorously assessed by the Council's Financial Viability Consultants. They are satisfied that the proposed affordable housing provision is reasonable subject to review. If agreed the proposal would be subject to two reviews secured by legal agreement. This would enable the Council to secure the maximum level of affordable housing that the development could support]".

Andrew Jones, in the role of the Council's consultant on Viability on the site, spoke on the application as part of the officer's presentation.

Following discussions it was reiterated to the Committee that the proposal entailed an overall 20% affordable housing provision on the Princess Royal Barracks site with all remaining phases to be reported to the Planning Applications Committee as reserved matters applications. Moreover, following the proposed first review of viability, any surplus would be used to provide on-site affordable housing within Phase 6d. Any financial contribution arising from the second review process would be available to the Council or its designated Registered Provider to be used exclusively to support the provision of affordable housing on other sites within the Borough.

The officer recommendation to agree details subject to secure a minimum of 15% affordable housing provision and a mechanism to review the viability of the scheme was proposed by Councillor Edward Hawkins, seconded by Councillor Cliff Betton, and put to the vote and carried.

RESOLVED that details be agreed, subject to LEGAL AGREEMENT, to secure a minimum of 15% affordable housing provision and a mechanism to review the viability of the scheme.

Note 1

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the officer recommendation to agree the details to secure a minimum of 15% affordable housing provision and a mechanism to review the viability of the scheme:

Councillors Graham Alleway, Peter Barnett, Cliff Betton, Stuart Black, Mark Gordon, Shaun Garrett, Edward Hawkins, Robin Perry, Darryl Ratiram, Graham Tapper, Victoria Wheeler, Helen Whitcroft, Valerie White.

35/P Application Number: 20/0913 - 45 And Land To The Rear Of 43 And 47, Station Road, Frimley, Camberley, Surrey, GU16 7HE

The application was an outline application for the erection of a three storey building to provide 19 no one and 6 no two bedroom flats together with associated parking and access, following the demolition of the existing house.

This application had been reported to the Planning Applications Committee because it was a major development. The application was subject to a non-determination appeal and so the Planning Inspectorate was now the determining authority.

Members noted the following updates on the application:

Update

“One further objection has been received, neither providing new objections to the proposal.

Informatives

1. The applicant is advised that the schematic floor plans for the development do not, for a number of the proposed flats, provide sufficient space to meet the DCLG Technical Housing Standards 2019 and Principle 7.6 of the Residential Design Guide SPD 2017 and this will need to be addressed at the reserved matters stage (if the appeal is allowed).

2. The applicant is advised that energy sustainability measures will need to be provided at the reserved matters stage (if the appeal is allowed) to comply with Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012.”

As the application had triggered the Council's public speaking scheme Mr Jonathan Barlow, the agent, spoke in support of the application.

The officer recommendation to resolve that the application would have been refused was proposed by Councillor Victoria Wheeler, seconded by Councillor Helen Whitcroft and put to the vote and carried.

RESOLVED that application 20/0913 would have been refused for the reasons outlined in the officer's report and updates.

Note 1

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the officer recommendation to resolve that the application would have been refused:

Councillors Graham Alleway, Peter Barnett, Cliff Betton, Stuart Black, Mark Gordon, Shaun Garrett, Edward Hawkins, Robin Perry, Darryl Ratiram, Graham Tapper, Helen Whitcroft, Victoria Wheeler, Valerie White and Helen Whitcroft.

36/P Application Number: 21/0555 - 1 Gorse Bank, Lightwater, Surrey, GU18 5QX

The application was for the erection of a single storey side/front extension and conversion of store.

This application would have normally been determined under the Council's Scheme of Delegation. However, it had been reported to the Planning Applications Committee at the request of Councillor Sharon Galliford and Councillor Peter Barnett due to concerns that the development would be overbearing in size and would be overdevelopment in Gorse Bank. Councillor Peter Barnett also raised the following concerns: impact on trees; overshadowing; loss of privacy; and, out of character in terms of appearance, resulting in a negative effect on the surrounding area.

Members had particular concerns in respect of the effect of the proposal and its construction on the neighbouring residential amenity of 93 Broomfield. As a result the Committee agreed to change the proposed informative 4 to a condition to require that no construction work be carried out during the set hours.

It was also agreed to add a further condition to the recommendation to stipulate that no new windows would be installed on the proposed elevation facing 93 Broomfield in order to ensure against any adverse overlooking impact. The Committee also agreed to strengthen the proposed informative 8 in the officer report in order to advise that debris netting should be used during the entire duration of scaffolding being erect on site. An informative was also added to the recommendation by the Committee to reemphasise that no part of the development including guttering and overhanging pipes should encroach on 93 Broomfield and fall outside of the application site.

The amended recommendation to grant the application was proposed by Councillor Victoria Wheeler, seconded by Councillor Robin Perry and put to the vote and carried.

RESOLVED that

- I. Application 21/0555 be granted subject to the conditions and informatives in the officer report, as amended, and the additional conditions and informatives as agreed by the Committee; and**
- II. The final wording of the new and amended conditions and informatives be delegated to the Head of Planning.**

Note 1

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the officer recommendation to grant the application:

Councillors Graham Alleway, Cliff Betton, Stuart Black, Mark Gordon, Shaun Garrett, Edward Hawkins, Robin Perry, Darryl Ratiram, Graham Tapper, Helen Whitcroft, and Valerie White.

Voting against the officer recommendation to grant the application:

Councillors Peter Barnett and Victoria Wheeler.

37/P Application Number: 21/0836 - 13 Parsonage Way, Frimley, Camberley, Surrey, GU16 8HZ

The application was for the erection of single storey front/side extension and single storey rear extension.

The application would have normally been determined under the Council's Scheme of Delegation. However, it had been reported to the Planning Applications Committee at the request of Councillor Sashi Mylvaganam due to concerns in respect of the loss neighbour's amenity and the size of the proposed development, which would create a large building out of keeping with the street scene in Parsonage Close.

Members had concerns in respect of the effect of the proposal on neighbouring residential amenity. As result the Committee agreed to add an informative to the officer's recommendation advising that noisy construction should be limited to the hours as per the Control of Pollution Act 1974

The officer recommendation to grant the application was proposed by Councillor Edward Hawkins, seconded by Councillor Robin Perry and put to the vote and carried.

RESOLVED that

- I. application 21/0836 be granted subject to the conditions in the officer's report and the additional informative; and
- II. the wording of the additional informative be delegated to the Head of Planning.

Note 1

It was noted for the record that Councillor Edward Hawkins declared that:

- i. A Committee Site Visit had taken place on the application; and
- ii. All members of the Committee had received a letter of objection from the adjoining neighbour.

Note 2

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to grant the application:

Councillors Graham Alleway, Cliff Betton, Stuart Black, Shaun Garrett, Edward Hawkins, Robin Perry, Darryl Ratiram, Graham Tapper and Valerie White.

Voting against the recommendation to grant the application:

Councillors Mark Gordon, Victoria Wheeler and Helen Whitcroft.

Voting in abstention to grant the application:

Councillor Peter Barnett

Chairman

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Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 11 November 2021

+ Cllr Edward Hawkins (Chairman)
+ Cllr Victoria Wheeler (Vice Chairman)

+ Cllr Graham Alleway	+ Cllr Charlotte Morley
+ Cllr Peter Barnett	+ Cllr Robin Perry
+ Cllr Cliff Betton	+ Cllr Darryl Ratiram
- Cllr Stuart Black	+ Cllr Graham Tapper
+ Cllr Mark Gordon	+ Cllr Helen Whitcroft
- Cllr David Lewis	+ Cllr Valerie White
- Cllr David Mansfield	

+ Present

- Apologies for absence presented

Substitutes: Cllr Shaun Garrett (In place of Cllr Stuart Black)

Members in Attendance: Cllr Sashi Mylvaganam

Officers Present: Duncan Carty
Gavin Chinniah
William Hinde
Jonathan Partington
Eddie Scott

38/P Minutes of Previous Meeting

The minutes of the meetings held on 28 October 2021 were confirmed and signed by the Chairman.

39/P Application Number: 20/1048 - 22-30 Sturt Road, Frimley Green, Camberley, Surrey, GU16 6HY

The application was for the erection of a residential development of 160 dwellings, including the conversion of the pumphouse building into residential dwellings, to provide 36 no one bedroom and 48 no two bedroom flats; 30 no two bedroom, 37 no three bedroom and 9 no four bedroom houses, along with associated estate roads and accesses onto Sturt Road, car parking, bin and cycle storage, local area of play and external landscaping following the demolition of all other buildings.

Members were advised of the following updates on the application:

“Representations

Two further objections received neither raising any new objections.

Consultee responses

The Council's Climate Change Officer has raised no objections to the proposal indicating that proposed Condition 34 and energy efficiency proposals in place indicates a suitable response to deliver compliance with current policies to achieve Carbon Dioxide reductions at the site.

Clarification

In first sentence of Paragraph (iv) of the Second Update report, additional text (in bold) is added:

'...at around 17-32 dwellings per hectare per hectare for **houses** and flats typically at a density of 55 dwellings per hectare.'

The affordable housing review mechanism is to be undertaken at **50% sales.**"

As the application had triggered the Council's public speaking scheme, Mr Alister Mogford and Mr David Whitcroft, on behalf of the Mytchett, Frimley Green & Deepcut Society, spoke in objection to the application. Ms Zena Foale-Banks spoke as the agent on the application, and was assisted by Mr David Gilchrist, Berkeley Homes; Mr Mayler Colloton, Clague Architects; Mr Phil Bell, Motion Transport Planning; and Mr Matt Fitzpatrick, Abbey Consultants in respect of answering questions from the Committee.

Members had reservations in respect of the scheme in regards to its density, cumulative scale and mass and some felt the proposal entailed overdevelopment. There were also concerns expressed in respect of the parking layout and the lack of sufficient readily accessible, designated amenity space in respect of the flatted developments.

In addition, as it was felt that the proposed bus stop improvement scheme in regards to the southbound bus stop (to the east of Sturt Road) was narrow and unsuitable as to location, it was sought by Members that informative 1 of the Officer recommendation be amended to advise the applicant that they were encouraged to engage in dialogue with the County Highways Authority with a view to the installation of a southbound layby bus stop next to the main entrance of Frimley Lodge Park. This was in order to ensure visual and residential amenities were not compromised and to promote alternative modes of transport to the car.

The officer recommendation, including the amended informative, was proposed by Councillor Edward Hawkins, seconded by Councillor Robin Perry and put to the vote and lost. As the officer recommendation was lost, as per paragraph 18.3.6 Part 4 Section D of the constitution an alternative proposal was sought.

Following much debate, it was considered by some Members that the proposed parking layout of the proposed scheme had the potential to make parking dominant in the streetscene, which was in conflict with the guidance in Section 6 of the Council's Residential Design Guide. In order to further protect visual amenity, it was agreed that condition 16 would be bolstered or a new condition added; to require the applicant to provide soft landscaping specifically with the goal of

screening the proposed parking spaces and to reduce the dominance of parking within the streetscene.

The proposal to grant the application with the amended condition 16, or if deemed appropriate a new condition; in addition to the amended informative 1, and the conditions and informatives in the Officer report was proposed by Councillor Edward Hawkins, seconded by Councillor Robin Perry and put to the vote and carried.

RESOLVED that application 20/1048 be granted subject to the conditions and informatives in the officer report, as amended.

Note 1

It was noted for the record that Councillor Helen Whitcroft declared that one of the public speakers on the application was her father and she had spoken to the Mytchett, Frimley Green & Deepcut Society in respect of the application. However she came into the meeting with an open mind.

Note 2

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the officer recommendation to grant the application, with amended informative 1:

Councillors Graham Alleway, Shaun Garrett, Edward Hawkins, Charlotte Morley, Robin Perry and Darryl Ratiram.

Voting against the officer recommendation to grant the application, with amended informative 1:

Councillors Peter Barnett, Cliff Betton, Mark Gordon, Graham Tapper, Helen Whitcroft, Valerie White and Victoria Wheeler.

Voting in favour of the alternative proposal to grant the application subject to the conditions and informatives in the officer report, with the amended informative 1 and amended condition 16:

Councillors Graham Alleway, Shaun Garrett, Mark Gordon, Edward Hawkins, Charlotte Morley, Robin Perry and Darryl Ratiram.

Voting against the alternative proposal to grant the application subject to the conditions and informatives in the officer report, with the amended informative 1 and amended condition 16:

Councillors Peter Barnett, Cliff Betton, Graham Tapper, Helen Whitcroft, Valerie White and Victoria Wheeler.

Chairman

**Minutes of a Meeting of the Licensing
Committee held at Council Chamber,
Surrey Heath House on 20 October 2021**

+ Cllr Rodney Bates (Chairman)
+ Cllr Dan Adams (Vice Chairman)

+ Cllr Peter Barnett	+ Cllr David Mansfield*
+ Cllr Richard Brooks	- Cllr John Skipper
+ Cllr Paul Deach	+ Cllr Pat Tedder
+ Cllr Tim FitzGerald	+ Cllr Helen Whitcroft
+ Cllr Shaun Garrett	+ Cllr Valerie White
- Cllr David Lewis	

+ Present
- Apologies for absence presented

Officers Present: Paula Barnshaw, Rebecca Batten, Nathita Fleet, Helen Lolley and Frances Soper

*Cllr David Mansfield was present virtually and did not participate in the voting

9/L Minutes of the Last Meeting

RESOLVED that the minutes of the meeting of the Licensing Committee held on 29th July 2021 be approved as a correct record and signed by the Chairman.

10/L Draft Gambling Act 2005 Statement of Policy

The Committee considered a report setting out the draft revised Statement of Gambling Principles for 2022-2025.

The Gambling Act 2005 placed a statutory requirement on licensing authorities to publish a Statement of Gambling Principles which set out the authority's expectations with regard to how gambling would be regulated in their area. The draft revised Statement was intended to replace the Council's current Statement of Principles which was scheduled to expire in January 2022.

The draft Statement had been prepared in accordance with the regulations within the Gambling Act 2005 and guidance issued by the Gambling Commission. It was anticipated that the new Statement would be largely unchanged from the current Statement however there would be an increased emphasis on the need for licence holders and applicants to prepare and maintain local risk assessments and the Licensing Authority would develop a Local Area Profile to support this process.

It was clarified that it was considered good practice to publish Local Area Profiles which could not only be used by operators to help them develop mitigating actions to reduce risks to vulnerable people in the vicinity of a licenced establishment but it would also help officers target resources appropriately.

The draft Statement would be subject to a six week public consultation period which would commence on the 8th November 2021. The consultation would be shared with both statutory consultees including the Chief Police Officer for the area and business associations as well as non-statutory consultees including the County Council, neighbouring authorities, ward councillors, parish councils and Collectively Camberley.

The outcomes of the consultation would be shared with the Licensing Committee at their meeting on 16th February 2022.

It was questioned whether the risk assessment might include guidance on how an operator might deal with customers who were known to have a gambling problem. It was agreed that this would be fed into the consultation.

It was requested that the details of any additional consultees be forwarded to officers.

RESOLVED that:

- i. The contents of the report be noted
- ii. The draft Statement of Principles 2022-2025, as set out in the annex to the report, be approved for consultation.

11/L Review of Hackney Carriage Fares

The Committee considered a report setting out proposals to update the Taxi Fare Chart for the hire of hackney carriages in Surrey Heath.

The Committee was informed that officers had received a number of verbal and written requests for the hackney carriage tariffs, which had last been updated in 2012, to be reviewed. In July 2021 the Licensing Committee had been advised that it was proposed that hackney carriage fares should be increased by the annual Consumer Price Index for each year that had elapsed between 2012 and 2021. Subsequent consultation with the trade on the proposed increases had elicited 4 written and 2 verbal responses, in addition a number of hackney carriage drivers had provided feedback on the proposed increases during discussions with the trade over the development of a new Taxi Licensing Policy. Feedback on the proposed increases had on the whole been positive.

The Committee was informed that the Tariff Table in Annex E to the report had been corrected and the fares under Tariff 4 Festive Period should have been:

- First 330 yards - £7.20
- 5 x 0.40p - £2.00

On occasion it had been necessary to round fare changes to enable the meters to be updated appropriately where this had occurred fares had been rounded down.

It was a statutory requirement that the changes were advertised in local newspapers and that any objections should be made within 14 days of the date of publication. The outcomes of the public consultation would be shared with the Committee at their meeting in February 2022. The changes would also be published on the Council's website and it was agreed that the changes would also be advertised through the Council's social media channels.

It was acknowledged that the changes could impact on the trade in favour of Uber. However, it was stressed that the fares were the maximum that could be charged and drivers would have some discretion over the fares that they charged customers. It was not known precisely how many Uber drivers operated in the Borough however this would be discussed with Uber at an upcoming meeting with the organisation and the outcomes circulated.

RESOLVED that:

- i. The contents of the report be noted.
- ii. The proposed new taxi fares, as set out in the revised Annex E to the report, be advertised in the local media and through the Council's social media channels.
- iii. The steps that will be taken once the fares are advertised be noted.
- iv. The taxi fares are reviewed by the Licensing Committee regularly, depending on the prevailing economic climate.

12/L Food Safety Service Plan 2021/22

The Committee considered a report containing the draft Food Safety Service Plan for 2021/22.

The Food Standards Agency (FSA) required all local authorities to have a Food Safety Service Plan which set out how national priorities and standards in respect of food safety would be addressed and delivered at a local level. The drafting of the Plan had been delayed to enable officers to take the guidance and advice in the FSA's Covid-19 Local Authority Recovery Plan (2021) into account.

It was reported that there were 706 food businesses in Surrey Heath which were subject to inspection by the Council's food safety service. Over the course of 2020/21, the Council's Food and Safety Team had carried out 136 on-site food safety inspections, investigated 57 complaints about food or food premises and investigated 75 reports of food borne infectious diseases. The number of inspections had been lower than in previous year due to disruption caused by the Government's pandemic restrictions however it was considered that the service was well placed to ensure that food inspection programme was fully realigned with the original required inspection frequencies by the end of March 2023.

It was reported that 96.6% of the borough's food premises were currently classified as having a Food Hygiene Rating of 3 (Satisfactory), 4 (Good) or 5 (Very Good) with 78% having achieved the highest rating of 5. It was agreed that a breakdown of businesses in each rating category would be circulated.

It was confirmed that there had been no increase in the number of incidents of food poisoning being reported in the last year when compared to previous years.

The Committee commended the work of the officers to deliver such a comprehensive service over the course of a particularly difficult year.

RESOLVED that the Food Safety Service Plan 2021/22, attached as Annex A to the report, be approved.

13/L Health and Safety Service Plan 2021-22

The Committee received a report setting out the draft Health and Safety Service Plan for 2021/22.

The Committee was informed that the Council's health and safety function was governed by the Health and Safety at Work Act 1974, the Health and Safety (Enforcing Authority) Regulations 1998 and the National Local Authority Enforcement Code. Work was monitored by the Health and Safety Executive (HSE) and all local authorities were

required to complete and submit an annual return on their enforcement activities to the HSE.

The draft Health and Safety Service Plan set out how the Council planned to discharge its statutory responsibilities in respect of health and safety and described how national priorities and standards would be addressed and delivered locally. The Plan had been delayed to enable the revised HSE priorities arising from the Covid-19 pandemic and Government guidance on working practices following the removal of pandemic related business restrictions to be taken into account in the Plan's development.

RESOLVED that the draft Health and Safety Service Plan 2021/22, as attached at Annex A to the report, be approved.

14/L Business and Planning Act 2020 Pavement Licence Fees

The Committee received a report seeking an extension to the waiver of the discretionary fee payable by businesses seeking a pavement licence.

Pavement Licences had been introduced, by the Business and Planning Act 2020, with the intention of making it easier for premises serving food and drink to seat and serve customers outside. The Act allowed licensing authorities to levy a charge of up to £100 to cover the cost of administering the licence application process and initially Surrey Heath chose to charge £100, the maximum allowable. However, in order to help support local businesses recover from the impacts of the Government's pandemic restrictions, the Licensing Committee agreed in March 2021 to waive charges and refund any payments already received. Regulations extending the provisions of the Business and Planning Act 2020 until 30th September 2022 had come into effect on 20th July 2021 and the Authority has subsequently received 15 applications for Pavement Licence. In line with the Licensing Committee's decision the application fees had been waived for the applicants.

In view of the time limited nature of Pavement Licence legislation, allied to a desire to continue to support local businesses, it was proposed that the Authority continue to waive the application fee until the extended powers for pavement licences elapsed on 30th September 2022. The Committee was informed that the proposals had been discussed with the Finance Portfolio Holder who had endorsed the proposed extension.

It was confirmed that if the Government extended the Pavement Licence then the decision to waive application fees would be reviewed.

It was agreed that the Business Portfolio Holder would be asked to promote the Pavement Licence through his networks.

It was confirmed that councillors would be informed of any applications for Pavement Licences received from businesses in the wards they represented.

RESOLVED that the discretionary licence fee of £100 for all new Pavement Licence applications, made under the Business and Planning Act 2020 is waived in light of the current and ongoing impact of the Covid-19 pandemic.

15/L Licensing Act 2003 - Summary of Decisions

The Committee received and noted a report summarising the decisions taken under delegated powers in respect of licence applications where no representations had been received from the responsible authorities or any other persons.

16/L Licensing Committee Work Programme

The Committee considered its proposed work programme for the remainder of the 2021/22 municipal year.

The scheduling of a potential additional meeting on 15th December 2021 at 6.30pm to consider the Hackney Carriage and Private Hire Fees and Charges was noted.

It was agreed that the following items would be added to the agenda for the meeting scheduled for 16th February 2022:

- Review of Hackney Carriage (Taxi) Fares Feedback after Consultation
- Review of Hackney Carriage (Taxi) and Private Hire Licensing Fees

RESOLVED that, subject to the amendments set out above the proposed work programme be approved.

Chairman

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