

**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE
held at the Council Chamber, Epsom Town Hall on 26 September 2023**

PRESENT -

Councillor Steven McCormick (Chair); Councillor Peter O'Donovan (for items 1-4 only) (Vice-Chair); Councillors Steve Bridger, Shanice Goldman, Julie Morris, Phil Neale, Kieran Persand and Clive Woodbridge

In Attendance: Councillor Christine Howells (for items 1-4 only), Councillor James Lawrence (for items 1-4 only), Councillor Robert Leach (for items 1-4 only) and Councillor Bernie Muir (for items 1-4 only)

Officers present: Victoria Potts (Interim Director of Environment, Housing and Regeneration), Justin Turvey (Interim Head of Place Development), Rod Brown (Head of Housing and Community), Sue Emmons (Chief Accountant) (for items 1-5 only), Angela Watson (Senior Solicitor), Ian Mawer (Planning Policy Manager), Paul Holliday (Principal Licensing Officer) (for items 7 and 8), Harry Burchill (Senior Planning Policy Officer), Tim Richardson (Democratic Services Manager), Dan Clackson (Democratic Services Officer) (for items 1-4 only), and Phoebe Batchelor (Democratic Services Officer)

39 QUESTION AND STATEMENTS FROM THE PUBLIC

The Committee received one written statement from a member of the public which was delivered verbally at the meeting.

40 DECLARATIONS OF INTEREST

No declarations of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting were made by Members.

41 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on **19 January 2023** and **15 June 2023** and authorised the Chair to sign them.

42 UNPAUSING THE LOCAL PLAN

The Committee received a report seeking the recommendation of the Committee to Full Council that work on the local plan is un-paused, to enable all necessary

work to be progressed, so that the Local Plan can be submitted for examination within the transitional arrangements set by the government.

Public consultation on the Draft Local Plan (2022-2040) was undertaken between 1 February 2023 and 19 March 2023. Following the closure of the public consultation an extraordinary Council meeting was held on the 22 March 2023 where the decision was made to pause the Local Plan to allow specified tasks to be undertaken.

The following matters were considered:

- a) **Unpausing or stopping.** A Member of the Committee asked if the choice being presented to the Committee tonight was between unpausing or stopping work on the Local Plan. The Member went on to ask Officers if any further delay to the Local Plan work and submission would cause the Council to fall on the wrong side of the May 2025 deadline. The Planning Policy Manager informed the Committee that the assumption is that a Full Council will make a decision to unpause the Local Plan before the end of 2023 and on that basis, Officers are working on the Local Plan timetable to map out the work needed to be completed between now and submitting the Local Plan. The Planning Policy Manager informed the Committee that it has been estimated that on the current time scales, the Council could submit a Local Plan to the Government by May 2025. The Planning Policy Manager explained to the Committee that the Government are currently stating that the transitional period will be from the 30 of June 2025, however, that is heavily dependent upon the government publishing a revised National Planning Policy Framework and the Levelling-up and Regeneration Bill progressing as it should. The Planning Policy Manager informed the Committee that these dates have the potential to move but the Government have set out that it is their intention that 30 June 2025 is the deadline for submission under the current system. The Chair confirmed to the Committee that if progress is made now then the Council is likely to hit the May 2025 date, however, if there is additional delay then the Council runs the risk of missing it which means the Committee would have to be revisited down the line for further steer.
- b) **Clarification on Recommendation One.** A Committee asked if the Local Plan can only be unpaused officially by Full Council and asked for clarification that if members vote to unpause at the next Full Council meeting, that the Council and Officers cannot conduct any work on the local plan until then. The Chair confirmed that the Committee are being asked to unpause the work, primarily the spatial strategy and policy work, which have not progressed since March, and then it would be sent as a recommendation to the next Full Council meeting to officially unpause work on the Local Plan. The Chair informed the Committee that an Extraordinary Full Council meeting will be looked towards being held earlier than December to give Councillors and Officers more time to recommence work. The Planning Policy Manager confirmed to the Committee that it must be a Full Council decision to formally unpause and

the Local Plan Update report presented to this Committee in June set out some work streams that Officers were able to progress on the Local Plan within the spirit of the pause, for example, commencing work on updating the land availability assessment and the strategic flood risk assessment, however, nothing site specific has been able to be progressed as the wording of the pause motion is very limiting. The Planning Policy Manager informed the Committee that the next steps are that the call for sites has closed, with some additional sites having been put forward to be discussed, along with the spatial strategy as a whole, with all Members. The Planning Policy manager explained that there is only so much Officers can do whilst the Local Plan is paused and in order to make actual milestones towards getting a Local Plan ready for submission the Local Plan must be unpaused.

- c) **Continue work whilst still paused.** A Member of the Committee asked if the Local Plan could remain paused, but a certain set of requirements be set for work to be undertaken over the next few months. The Chair responded to confirm that the motion that came to Full Council in March was very specific that the Local Plan is paused, and it was made very clear the pause meant no work on the spatial strategy, site selection and also the policy development, so therefore, if this Committee chooses to recommend that it goes to Full Council to unpause then those pieces of work would carry on if Full Council are minded to unpause. The Chair continued to share that spatial strategy review sessions would be lined up with all members to look at the sites that have come forward and the sites that have dropped out and to look at the site selection strategy piece of work to move towards a refined version of the Local Plan which then would move forwards to Regulation 19, which is the next step in the process. The Chair informed the Committee that Regulation 19 would have to come to Full Council as well, so there are a number of steps and fail safes to ensure that full Member involvement happens throughout that process. The Member asked for further clarification from the Monitoring Officer as to whether the Council can carry on and change the criteria for work without unpasing.
- d) **NPPF updates.** A Member of the Committee raised that one of the reasons the Local Plan was paused was due to potential incoming changes expected to NPPF, yet they have still not appeared. The Planning Policy Manager responded to inform the Committee that Officers are frustrated that the NPPF updates still haven't appeared as they would certainly provide the Council and many other Local Authorities with certainty.
- e) **Housing targets.** A Member of the Committee stated that housing targets are advisory and not mandatory to achieve. The Planning Policy Manager confirmed that housing targets are a starting point and that was the approach taken throughout developing the Local Plan. The Planning Policy Manager explained to the Committee that the national housing need generated by the standard method last year was 576 dwellings per

annum, the Local Plan itself contained a requirement of 300 dwellings per annum. The Planning Policy Manager informed the Committee that the justification for that was partially paragraph 11 of the NPPF, where local authorities are provided with flexibility to go beneath the housing target where certain circumstances or constraints apply. The Planning Policy Manager explained that as a Local Authority, there is a need to balance social, environmental, and economic impacts, and with housing need being a key issue in the borough at present, it's all about balancing different objectives through the production of a Local Plan. The Planning Policy Manager confirmed that, following engagement with Members, the draft Local Plan came up with a strategy that aimed to achieve an appropriate balance of those different needs as detailed in a sustainability appraisal supporting the Local Plan, which looked at different options, and informed decision making. The Planning Policy Manager continued to explain that the Plan must be prepared under the current legislation and guidance, and a Planning Inspector will be weighing up if we have gone far enough or gone too far during the examination process. The Member responded to ask if the target is advisory, then why is the Council trying to continue with that figure when the 2018 data more accurately shows the borough's actual real housing demand and need. The Planning Policy Manager informed the Committee that the national policy is clear, and the standard methodology is used to determine housing needs. In the Local Plan Update Report, presented to this Committee in June, the 2018 date was considered, however, the government haven't set out any changes to the standard method, so the Council must continue to use 2014 data under the government set methodology.

- f) **Greenbelt land.** A Member of the Committee raised that paragraph 11 of the current NPPF document states that Local Authorities do not need to build on greenbelt land. The Member raised that there is ample evidence to not build on greenbelt land and asked whether the Council would commit to removing greenbelt land from the Local Plan. The Planning Policy Manager responded to explain that it comes down to balancing needs and it is necessary to read the NPPF as a whole, of which paragraph 11 is only one component. The Planning Policy Manager confirmed that paragraph 11 does give us an opportunity to justify not meeting our development needs, but the flip side is that the government still expects us to try, therefore, it is about finding that balance. The Planning Policy Manager informed the Committee that a Government Inspector will be testing the soundness of our Local Plan and it is Officer's professional view based on current legislation, national policy and guidance, that the approach set out in the draft local plan, with the inclusion of some green belt release alongside urban sites is the appropriate strategy to take and one that potentially poses the least risk at examination stage.
- g) **Affordable housing.** A Member of the Committee raised that under the current definition of affordable housing, it is not actually affordable in relation to wages for many residents. The Planning Policy Manager

responded to explain that the NPPF does set out a broad definition of affordable housing, and certain types are more affordable than others, however, national policy prescribes what affordable housing is for the purposes of plan making and development management. The Planning Policy Manager continued to set out that discounted rent, shared ownership, and social rents are all examples of affordable housing, and it is important that the Council tries to meet the need for affordable homes, with evidence indicating that the current need is high, and the Council hasn't been making much progress in bringing that down in recent years. The Planning Policy Manager confirmed that the draft Local Plan policy on affordable housing can be refined as things move forwards.

- h) Sustainable development.** A Member of the Committee asked why there isn't specific focus on urban brownfield sites that the Council own, namely Kiln Lane and Longmead, both of which have existing transport links and infrastructure. The Planning Policy Manager confirmed that the draft Local Plan, that was consulted on, set out the approach taken, and the focus was initially on urban brownfield sites, with 4 fairly sizable sites within the town centre being allocated, and the landowners promoting these sites as being available for development. The Planning Policy Manager explained that with Kiln Lane and Longmead the Council have been proactive and wrote to all the landowners, providing information and asking them if they wish to put their sites forward. The Planning Policy Manager explained that Kiln Lane and Longmead a large employment sites and employment needs must be balanced with other development needs. Therefore, the focus in the Local Plan is on intensifying the use of the two sites, ensuring they continue to fulfil a valuable role as employment locations, with 130 businesses and 1900 jobs approximately supported across the two sites. The Planning Policy Manager informed the Committee that when the local plan is being looked at, the inspector will be looking at have the Council met our housing need and also have the Council met our employment needs amongst others. The Planning Policy Manager continued to point out that a key requirement for the Local Plan is whether the land is available, and following the writing to all the freeholders on the site (including the Council), a detailed report went to Strategy & Resources Committee about the Council owned sites, with a few being put forward, none of which were in Longmead or Kiln Lane, therefore, it gets to a point where we cannot spend resource looking at sites that the landowners aren't making available comprehensively.
- i) Unpause the Local Plan.** A Member of the Committee implored the Committee to unpause the Local Plan with haste, in order to avoid wasting further time, effort and money. The Member continued to state that the Local Plan must be a compromise between what the government want and what residents want. The Member called on the Chair to ask for an Extraordinary Full Council meeting before December. The Chair confirmed that they would be calling on the Mayor to call an Extraordinary Full council Meeting as soon as possible, so as to unpause the local plan and continue work without further delay. The Chair continued to explain

that if an Extraordinary Full Council meeting was held at the end of October, then a special LPPC meeting will be scheduled in November. A Member of the Committee asked Officers if it would help if the official unpausing would happen sooner than the 12th of December. The Chair and Officers confirmed it would. The Chair informed the Committee that there is a lot of work to be done on the Local Development Schedule and the Local Plan Timetable, and both need to come promptly and quickly to an LPPC meeting if Full council are minded to unpause the Local Plan. The Chair stated that there are dates pencilled in to go out to all Members and further discuss the spatial strategy and site selection, but they cannot progress until Full council unpause the Local Plan.

- j) **Increasing density.** A Member of the Committee raised that increasing density in the more urban areas is key to providing development whilst protecting the greenbelt. The Member continued to state that there is no reason why not to go to six storeys in the town centre.
- k) **Carbon Neutral Homes.** A Member of the Committee raised that they will be disappointed if the Carbon Neutral Homes set out in the current draft Local Plan are removed or reduced.
- l) **Revisiting Brownfield sites.** A Member of the Committee raised that there is a need to relook at the Noble Park site, amongst others, including areas of Longmead and Kiln Lane that are generously laid out. The Member continued to state that further consideration should also be made regarding the Council's Depot site, where housing and social housing already exist. The Member stated that by looking at these areas in more detail, greenbelt sites can be removed from the Local Plan.
- m) **Sports pitches.** A Member of the Committee raised that the Borough is in desperate need of producing more leisure spaces, which will feed into part of the compromise that must take place in order to please Government, by building on greenbelt land.
- n) **Biodiversity Net Gain.** A Member of the Committee asked how the loss of biodiversity will be compensated for, when it comes to building on green belt sites. The Planning Policy Manager informed the Committee that Biodiversity Net Gain is a legal requirement coming through in the Environment Act, which will come into force for major applications in November 2023. The Planning Policy Manager highlighted that they are still waiting on some secondary legislation, but that it is the intent that it will come into force at the end of November, regardless of the local plan and the minimum Biodiversity Net Gain is 10%.
- o) **Focus on unpausing.** A Member of the Committee raised that the focus of the meeting is not to discuss the plan or even to unpause, it is vote to recommend to Full Council that the plan is unpause. The Member continued to explain that currently the Council is stuck unable to on changing or progressing the Local Plan and focus must be given to

unpausing and then more in detail discussions can take place further down the line once the plan is unpaused.

- p) **Lack of NPPF updates.** A Member of the Committee raised that the NPPF updates are still not here, and the Council cannot afford to lose more time. The Member continued to highlight the need to unpause so Officers can continue with the work. The Member stated that once the Local Plan is unpaused, further conversations can happen down the line to feed into and refine the Local Plan. The Chair responded to inform the Committee that other Local Authorities paused their Local Plan process waiting on updates to the NPPF, however, the Council runs certain risks to itself if the Local Plan is to remain paused.
- q) **Upcoming Work on the Local Plan.** A Member of the Committee asked if it would be possible to get a list of criteria and priorities of the coming work on the local plan over the next few months. The Planning Policy Manager responded to say that they would question what those would be without unpauseing the Local Plan first. A Member of the Committee commented that once the Local Plan was unpaused it should come back to the Committee where an outline strategy for the development of the Local plan in the coming months should be agreed and set.
- r) **Local Heritage List.** A Member of the Committee asked for greater reasoning be provided as to why the Local Heritage List needs to remain paused and why work cannot carry on in the background whether the Committee decide to unpause or not. The Planning Policy Manager responded to state that it was a capacity and resource issue, with the priority being the Local Plan and completing all the work that needs to be completed in order to submit before the 30 June 2025 deadline.
- s) **Purpose of Greenbelt Land.** A Member of the Committee raised that in section 13, paragraph 138 of the NPPF, the purpose that greenbelt serves is looked at, with subsection d stating that greenbelt serves to preserve the setting and special character of historic towns, therefore, how much weight has been given to the purpose that greenbelt serves in that respect, when drafting the Local Plan. The Planning Policy Manager responded to explain that supporting the draft Local Plan was a greenbelt technical note, and within that, some analysis of various greenbelt parcels, the five tests they are scored accordingly against, this provides a key piece of evidence base. The Planning Policy Manager informed the Committee that an option without including greenbelt land was considered, but it didn't deliver much development, which was assessed in the sustainability appraisal supporting the Draft Local Plan. The Principal Planning Manager highlighted that the Council have considered Greenbelt in our site selection process and explained that Epsom and Ewell are a borough that is heavily constrained by greenbelt, which limits opportunities to grow. The Principal Planning Manager informed the Committee historically that there has been some greenbelt release and subsequent development within the greenbelt back in the previous

iterations of the local plan. The Principal Planning Manager agreed that releasing greenbelt land for development is not an easy decision to make, and there has undoubtedly been regard for the greenbelt and its purpose and function, however, national policy does enable us to look at greenbelt as an authority, and that is a key part of the Local Plan process. The Interim Director of Environment, Housing & Regeneration informed the Committee that paragraph 141 is key and the Council must make sure that the criteria of a, b and c have been considered before, looking at Green Belt in terms of our spatial strategy. The Interim Director of Environment, Housing & Regeneration confirmed that the Council's initial focus was on utilising brownfield land first. The Interim Director of Environment, Housing & Regeneration explained that the greenbelt study looks at all the greenbelt parcels of land and assesses it against those five purposes listed in paragraph 138, which sits as a standalone piece of work as part of the evidence base. The Interim Director of Environment, Housing & Regeneration continued to explain that if you are to review greenbelt, its which parts of the green belt you look to first and that's where the evidence base comes in. The Interim Director of Environment, Housing & Regeneration confirmed that paragraph 142 talks about being well served by public transport as an example, and that was the approach taken in the spatial strategy in terms of the areas of green belt that were considered first as a priority.

- t) **Reconsider Greenbelt sites.** A Member of the Committee asked if all greenbelt sites could be reconsidered. The Chair informed the Committee that this could only be done once the Local Plan is unpaused, so the spatial strategy and site selection be reconsidered and discussed. The Member asked for assurance that moving forwards there would be a priority to remove greenbelt sites up for potential development. The Chair confirmed that it would be a decision for all Members to feed into once the Local Plan is unpaused by Full Council.
- u) **Removing Greenbelt Land from the Local Plan.** A Member of the Committee asked if an amendment could be added to the recommendation to Full Council to unpause, with the caveat that greenbelt land is removed from the draft local plan and only if there's exceptional circumstance that it will be included. The Senior Solicitor advised against doing that and explained to the Committee that the Local Plan is all about evidence base and that is how to come up with a sound plan. The Senior Solicitor continued to state that there isn't enough information or evidence before Committee Members at present to make that decision or to ask for that to be included. The Senior Solicitor advised the Committee against adding the amendment to the recommendation but made clear that further discussions about the development of greenbelt land are able to progress in the near future. The Member raised that they do believe there is ample evidence for the removal of greenbelt land, but that it had not been discussed at the meeting, therefore, a commitment could be made at the next LPPC meeting, to remove all greenbelt from the Local Plan if Full Council unpauses. The Chair confirmed to the

committee that the next step will be to look at and discuss the spatial strategy with all members but to do that Full Council need to un-pause.

- v) **Consequences of removing the greenbelt from development.** A Member of the Committee asked what the consequences are of removing the greenbelt land from the Local Plan. The Chair raised that a possible consequence is that the plan may be found unsound and may be turned over by the Planning Inspector for not going far enough, in the same way that Tandridge Council have had their plan found unsound.
- w) **Brownfield Sites.** Councillor Muir addressed to Chair to ask if the Council will be approaching large scale developers to ascertain what they are capable of with developing brownfield site, such as Longmead and Kiln Lane. The Chair responded to explain that in order to focus on the development of Longmead and Kiln Lane, those sites would need to come to this process in the call for sites and they haven't. The Chair further explained that the remit of this committee is to develop the Local Plan with call for sites, and commissioning a regeneration option would fall under the remit of the Strategy & Resources Committee. The Chair confirmed they would get clarification from Officers and provide a further written response if deemed necessary.
- x) **Commercial Value of Kiln Lane and Longmead.** Councillor Muir addressed the Chair to ask if the Council will persist with viewing the commercial value of Kiln Lane and Longmead sites. The Chair responded to explain that the housing economic delivery needs assessment was a vital piece of evidence that provides and outlines the economic structure and requirement for this borough going forward and the Local Plan. The Chair informed Councillor Muir that any specific questions around the commercial viability of that particular area of land are better placed and targeted at the S&R Committee.

Councillor Howells, Lawrence and Muir made a verbal statement to the Committee.

Following consideration, the Committee;

Resolved (6 for, 2 against) to:

- (1) **To recommend to Full Council that work on the Local Plan is un-paused.**

Unanimously resolved to:

- (2) **Note the work that has been undertaken since and in line with the decision by full Council to pause the Local Plan.**
- (3) **Note that a decision to progress (un-pause) work on the Local Heritage List update will be considered at a future meeting of this Committee.**

43 TEMPORARY VICE-CHAIR PROPOSED AND AGREED

Vice Chair, Cllr Peter O'Donovan, left the Meeting following the conclusion of Agenda item 4.

The Chair proposed Cllr Woodbridge sit as Vice Chair for the remainder of the Meeting.

The Committee raised no objection and agreed for Cllr Woodbridge to sit as Vice Chair for the remainder of the Meeting.

44 2024/25 BUDGET TARGETS

The Committee received a report informing them of the Council's revenue budget targets that were presented to the Strategy & Resources Committee in July. The report was seeking guidance on the preparation of the Committee's service estimates for 2024/25.

The following matters were considered:

- a) **Pay for Local Plan Officers.** A Member of the Committee asked who is responsible for ensuring the pay for the Officers involved in working on and delivering the Local Plan and queried whether it falls under S&R. The Chair informed the Committee that the budgets to cover that come under LPPC and explained that items regarding resourcing and local plan development will come back to this Committee, before then feeding into the larger scope of work for the full budget, which will then go to Full Council in February 2024.
- b) **Clarification on Recommendation 2.** A Member of the Committee asked for Clarification regarding Recommendation 2 and whether the Committee were being asked to come up with additional cost-saving or income-generating ideas at the current meeting. The Chair confirmed to the Committee that opportunities to contribute and information on additional income savings or generation ideas will come as a future report to the Committee.

Following consideration, the Committee unanimously resolved to:

- (1) **Note the implications of the budget targets presented to Strategy & Resources Committee on 13 July 2023.**
- (2) **Consider how additional income or savings can be generated to address the projected Council wide funding gap of £1.1m in 2024/25, rising to £2.5m by 2027/28.**
- (3) **Note that owing to the Council's projected budget deficit, any additional new revenue growth items (i.e. service enhancements**

resulting in increased net expenditure) supported by Policy Committees will need to be fully funded from existing budgets.

**45 RESPONSE TO THE LEVELLING-UP AND REGENERATION BILL:
CONSULTATION ON IMPLEMENTATION OF PLAN-MAKING REFORMS**

The Committee received a report detailing EEBC's draft response to the Levelling-up and Regeneration Bill. The Department for Levelling Up, Housing and Communities (DLUHC) published a consultation titled 'Levelling-Up and Regeneration Bill: Consultation on Implementation of Plan-Making Reforms'. The consultation was published on 25 July 2023 and comments are invited by the end of 18 October 2023. The consultation is seeking views on the government's proposals to implement the parts of the emerging Levelling-up and Regeneration Bill that relate to plan making. The consultation document is split into 15 Chapters and contains 43 questions.

The following matters were considered:

- a) **Draft Response.** A Member of the Committee commended Officers for their composure and restraint evidenced in the draft response document.
- b) **Exceptional Circumstances.** A Member of the Committee asked what the exceptional circumstance are, as referenced in paragraph 2.37. The Planning Policy Manager responded to inform the Committee that the exceptional circumstances are still to be defined and there is no detail currently about what they may be at this stage, however, they may feature in future iterations of the NPPF. The Planning Policy Manager confirmed that officers will be seeking clarity on what those exceptional circumstances may be, we are waiting on more detail to come out.
- c) **Planning Inspector.** A Member of the Committee commented that the Gateway assessments should be conducted by the same Planning Inspector wherever possible and queried whether that request could be included in our Draft Response. The Planning Policy Manager responded to confirm to the Committee that already included in the response is a sentence putting forward that it should be a Planning Inspector who undertakes the checks throughout and it is possible to add an additional line making the point that we would like to have the continuation throughout where possible.
- d) **Amendment to Draft Response Document – Appendix 1.** Councillor Woodbridge proposed an amendment to the Draft Response Document as follows:
 - a. "Question 19: Do you agree with these proposals around the frequency and timing of gateways and who is responsible?"

Yes, we are supportive of the introduction of the three gateways, the first two of which are advisory, however we have some

reservations about these requirements being introduced through regulations which could result in plan development becoming too process driven. In addition, we consider that it would be beneficial if all three gateways could be undertaken or overseen by a planning inspector(s) to ensure continuity through the process as far as reasonably possible. **Ideally, all assessments and checks would be undertaken by the same planning inspector throughout.**

- b. This amendment was agreed (5 for, 2 Abstaining) by the Committee.

Following consideration, the Committee unanimously resolved to:

- (1) **Approve the principle of the draft response to the Levelling-Up and Regeneration Bill: Consultation on Implementation of Plan-Making Reforms.**
- (2) **To note, if changes are recommended by this committee due to insufficient time to bring it back to committee it will be dealt with under the urgency provision in the constitution set out at Paragraph 3.1 of appendix 2 and the decision to approve the final draft response will be taken by the relevant director in consultation with the Chair of this Committee.**

46 TAXI AND PRIVATE HIRE EMISSIONS POLICY

The Committee received a report asking them to consider the Taxi and Private Hire Emissions Policy Consultation responses and approve a revised policy which can be recommended for adoption by Full Council. On 15 June 2023 the Licensing and Planning Policy Committee agreed in principle the proposal for amending the Hackney Carriage and Private Hire Licensing Policy to phase in a requirement that licensed vehicles meet the same emissions requirements as the London Ultra-Low Emissions Zone. A 6-week public consultation ran from 19 June until 30 July 2023.

The following matters were considered:

- a) **Relicensing Vehicles.** A Member of the Committee asked whether it has been confirmed that Transport for London offered the practice of allowing proprietors to relicense their vehicles early, prior to the introduction of their emission standards. The Principal Licensing Officer informed the Committee that a number of members of the trade have shared that this is what TfL allowed, therefore it would seem a reasonable step to also allow this. The Principal Licensing Officer informed the Committee that they would find out and confirm to the Committee whether TfL did in fact allow this practice when introducing their emission standards.
- b) **Uptake of early relicensing.** A Member of the Committee asked what number of vehicles were expected to take up the option to relicense early.

The Principal Licensing Officer informed the Committee that there are 37 Hackney carriages in the borough and roughly a quarter might decide to get licensed earlier in order to get the benefit for that matter but most of the licensed trade it wouldn't be worth their time.

- c) **Private Hire and Hackney Carriage Vehicles.** A Member of the Committee asked if the policy is to cover all private hire vehicles or just hackney carriage licensed vehicles. The Principal Licensing Officer confirmed that the policy would be applied to all licensed vehicles. The Member asked how long a licence last for. The Principal Licensing Officer confirmed that vehicle licences last for one year.

- d) **Electric Vehicles.** A Member of the Committee raised the use of Electric Vehicles and whether they are covered by the policy. The Principal Licensing Officer confirmed that at present the policy reads that we licence to the same standard as the ultra-low emission zone standard, so that clearly allows electric vehicles to be licensed. The Member responded to asked if the Council are allowed to use the licensing policy to move more quickly towards electric powered engines and to try and encourage their use further. The Principal Licensing Officer responded to confirm that in terms of encouraging the use of electric, the Council do currently have a price differential for hybrid and electric vehicles, however, that is something to look at going forwards, as there is an argument that financially the cost of licensing can only be recovered through the fees and therefore, the cost of licensing an electric vehicle should be the same as the cost of licensing a non-electric vehicle. The Principal Licensing Officer explained to the Committee that a discount can be added but only if the funding is agreed from central funding, meaning that the taxpayers of this council must agree to give their money to the owners of electric vehicles to pay a lower license fee, it cannot be achieved within the licensing fee setup. The Principal Licensing Officer informed the Committee that this would be a conversation to have with Finance and Legal to progress further, as there are limits to what you can do in terms of the fee. The Member responded to point out that Uber have told their drivers that they've got to have electric cars by a certain date, or they can't use the app anymore, therefore, there is precedent to move towards electric vehicles more quickly, although there needs to be more infrastructure in place for EVs, mainly having more readily available charging points.

- e) **Supply change issues.** A Member of the Committee highlighted that some consultation responses referenced supply chain issues and how that would affect the time it would take to become compliant and queried whether the six-month extension to the original deadline provides enough time. The Principal Licensing Officer informed the Committee that with the recent expansion of ULEZ zone to include all London Boroughs, a lot of drivers were waiting to see what happened before replacing their vehicles, therefore, we are in a situation now where demand is very high, and supply is low. The Principal Licensing Officer informed the Committee that

there is hope this will flatten out going forwards and further extensions to the deadline run the risk of making it meaningless. The Principal Licensing Officer continued to explain that the proposal is for the fleet to become entirely ULEZ compliant over 2.5 years which is considered a long enough time to allow people to adapt.

Following consideration, the Committee unanimously resolved to:

- (1) Consider the responses to the public consultation,**
- (2) Agree the changes to the Hackney Carriage and Private Hire Licensing Policy as follows; -**
 - a) From 1 July 2024 licences will normally only be granted to vehicles being licensed for the first time that meet the TFL Ultra Low Emission Zone requirements (Petrol: Euro 4, Diesel: Euro 6). An exception will be allowed until 1 January 2025 for proprietors of licensed Euro 4 diesel vehicles that are replacing them with Euro 5 diesel vehicles.**
 - b) From 1 January 2025 licences will not normally be renewed in respect of any licensed diesel vehicle that does not meet or exceed Euro 5 emission standards.**
 - c) From 1 July 2026, licences will normally only be granted to vehicles (including renewal of existing licences) that meet the TFL Ultra Low Emission Zone requirements (Petrol: Euro 4 Diesel: Euro 6).**
 - d) Vehicles that have been specially adapted [i.e., post manufacture] to carry wheelchair users will be exempted from the emission requirement.**
 - e) Vehicles used for the completion of home to school transport under contract from a County Council will be given a one-year extension to each of the phased emission requirements.**
 - f) All hackney carriages must be wheelchair accessible. Hackney Carriages are no longer required to be purpose built/London style 'black' cabs. All non-purpose-built hackney carriages will be required to display a 'Taxi' sign of a minimum width of 76.2cm with lettering of a minimum height of 12.7cm and bearing the words 'Licensed by Epsom & Ewell Borough Council', capable of being illuminated, to be mounted across the roof of the vehicle.**
- (3) Agree that the Hackney Carriage and Private Hire Licensing Policy as set in Appendix 6 is recommended for approval at Full Council**

47 AUTHORITY MONITORING REPORT 2022/23

The Committee received the Authority Monitoring Report (AMR). A factual report that has two purposes; to monitor progress towards new Local Development Documents and to monitor the effectiveness of key policies set out in Local Development Documents.

The following matters were considered:

- a) Scale Developments.** A Member of the Committee commented that it was encouraging to read that last year the Council delivered its highest number of housing for roughly ten years, in particular delivering more affordable housing units, largely due to a number of scale developments. The Member went on to state that when talking about the local plan, it's a useful lesson because permission was given for development at scale, and therefore, more housing was delivered, and it showed that it is possible to insist on developers putting affordable housing and ensuring they deliver on it.

Following consideration, the Committee unanimously resolved to:

- (1) Note the content of AMR and agree to it being published.**

The meeting began at 7.30 pm and ended at 9.47 pm

COUNCILLOR STEVEN MCCORMICK (CHAIR)