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Legal and Democratic Services



LICENSING AND PLANNING POLICY COMMITTEE

Tuesday 21 June 2022 at 7.30 pm

Place: Council Chamber, EpsomTown Hall

Link for public online access to this meeting:

<https://attendee.gotowebinar.com/register/2529006909967838732>

Council Chamber - Epsom Town Hall

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The members listed below are summoned to attend the Licensing and Planning Policy Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Steven McCormick (Chair)	Councillor Rob Geleit
Councillor Peter O'Donovan (Vice-Chair)	Councillor Julie Morris
Councillor Steve Bridger	Councillor Barry Nash
Councillor Neil Dallen	Councillor Phil Neale
Councillor Liz Frost	Councillor Peter Webb

Yours sincerely

A handwritten signature in black ink that reads 'J.C. Beldan'.

Chief Executive

For further information, please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

EMERGENCY EVACUATION PROCEDURE

No emergency drill is planned to take place during the meeting. If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions.

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move to the assembly point at Dullshot Green and await further instructions; and

- Do not re-enter the building until told that it is safe to do so.

Public information

Please note that this meeting will be held at the Town Hall, Epsom and will be available to observe live on the internet

This meeting will be open to the press and public to attend as an observer using free GoToWebinar software, or by telephone.

A link to the online address for this meeting is provided on the first page of this agenda and on the Council's website. A telephone connection number is also provided on the front page of this agenda as a way to observe the meeting, and will relay the full audio from the meeting as an alternative to online connection. A limited number of seats will also be available in the public gallery at the Town Hall. For further information please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk, telephone: 01372 732000.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for the Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at Democraticservices@epsom-ewell.gov.uk.

Exclusion of the Press and the Public

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government (Access to Information) Act 1985. Should any such matters arise during the course of discussion of the below items or should the Chairman agree to discuss any other such matters on the grounds of urgency, the Committee will wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

Questions from the Public

Questions from the public are permitted at meetings of the Committee. Any person wishing to ask a question at a meeting of the Committee must register to do so, as set out below.

Up to 30 minutes will be set aside for written or oral questions from any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough on matters within the Terms of Reference of the Licensing and Planning Policy Committee which may not include matters listed on a Committee Agenda.

All questions whether written or oral must consist of one question only, they cannot consist of multi parts or of a statement.

The question or topic may not relate to a specific planning application or decision under the Planning Acts, a specific application for a licence or permit of any kind, the personal affairs of an individual, or a matter which is exempt from disclosure or confidential under the Local Government Act 1972. Questions which in the view of the Chairman are vexatious or frivolous will not be accepted.

To register to ask a question at a meeting of the Committee, please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk, telephone: 01372 732000.

Written questions must be received by Democratic Services by noon on the tenth working day before the day of the meeting. For this meeting this is **Noon, 6 June 2022**.

Registration for oral questions is open until noon on the second working day before the day of the meeting. For this meeting this is **Noon, 17 June 2022**.

AGENDA

1. QUESTION TIME

To take any questions from members of the Public.

2. DECLARATIONS OF INTEREST

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

3. MINUTES OF PREVIOUS MEETING (Pages 5 - 8)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on 26 May 2022 (attached) and to authorise the Chairman to sign them.

4. LOCAL PLAN FUNDING UPDATE (Pages 9 - 14)

The report provides an updated financial position in regard to preparing a new Local Plan in line with the recently approved Local Plan timetable.

**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE
held at the Council Chamber, Epsom Town Hall on 26 May 2022**

PRESENT -

Councillor Steven McCormick (Chair); Councillor Peter O'Donovan (Vice-Chair);
Councillors Steve Bridger, Neil Dallen, Liz Frost, Rob Geleit, David Gulland (as
nominated substitute for Councillor Julie Morris), Barry Nash and Phil Neale

In Attendance:

Absent: Councillor Julie Morris and Councillor Peter Webb

Officers present: Victoria Potts (Head of Place Development), Ian Mawer (Planning
Policy Manager) and Stephanie Gray (Senior Democratic Services Officer)

43 QUESTION TIME

No questions were received from members of the public.

44 DECLARATIONS OF INTEREST

Councillors made the following declarations of interest regarding items on the
agenda:

Declarations of Interest

Councillor Liz Frost, Other Interest: In the interests of openness and
transparency, Councillor Liz Frost declared that she is a member of the Epsom
Civic Society, and that she came to the meeting with an open mind.

Declarations of Interest

Councillor Neil Dallen CBE, Other Interest: In the interests of openness and
transparency, Councillor Neil Dallen declared that he lives in Town Ward, is a
Councillor for Town Ward and has an interest in Town Ward. Councillor Dallen
confirmed that he came to the meeting with an open and unbiased mind.

Declarations of Interest

Councillor Steven McCormick, Other Interest: In the interests of openness and
transparency, Councillor Steven McCormick declared that he is a member of the
Epsom Civic Society, and that he came to the meeting with an open mind.

45 MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting of the Licensing and Planning Policy Committee held on 26 April 2022 were agreed as a true record and signed by the Chair.

46 STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

The Committee received a paper submitted to it for a decision to undertake a public consultation on an updated Draft Statement of Community Involvement in line with the Council's statutory requirements.

The following matters were considered by the Committee:

- a) **Communication regarding consultation period:** Officers confirmed that communication would also be sent to everyone on the database who has expressed an interest in planning matters. This communication is in addition to publication on the Council's webpage, and the consultation material that will be available at the Town Hall and libraries within the Borough.
- b) **Update/re-validation of Supplementary Planning Document (SPD):** a Councillor enquired whether there was a need to re-validate the SPD to give it additional weight. Officers confirmed that if this proves necessary, it having been reviewed, this will be done.
- c) **CIL Charging Schedule:** Officers confirmed that the CIL Charging Schedule will be reviewed as part of the Local Plan process.

Following consideration, it was resolved:

- (1) **To approve the revised draft Statement of Community Involvement (Appendix 1 of this report), inclusive of additional clarification regarding Section 6, (in consultation with the Chair and the Vice Chair) for a four-week public consultation period.**

47 PLANNING FRAMEWORK - LOCAL PLAN PREPARATION

The Committee received a report setting out the framework in which the new local plan will be prepared.

An up-to-date framework is presented which includes changes to the basis on which the council will prepare the local plan to reflect changes in national planning policy and the revised evidence base.

This will be what shapes the strategic direction of the spatial strategy and policies of the new Local Plan.

The following matters were considered by the Committee:

- a) **Key evidence base:** it was noted that the Strategic Housing Market Assessment (SHMA) 2016, is to be superseded by the Housing and Economic Development Needs Assessment (HEDNA).
- b) **Climate change:** A Councillor asked how far the Local Plan can go in respect of climate change goals. An Officer explained that the Plan can set targets in excess of national standards relating to water and energy efficiency, however viability will always need to be considered.

Following consideration, it was resolved to:

- (1) **Agree the revised planning framework which will be the foundation for the Local Plan preparation, incorporating minor changes to the framework, in consultation with the Chair and the Vice Chair.**
- (2) **Agree the framework will be kept under review and any changes to national planning policy which have implications for the local plan preparation will be reported to the LPPC.**

48 PLACE DEVELOPMENT - FUNDING ALLOCATION

The Committee received a report setting out that Council has been successful in securing funding to enable the development of a community led masterplan for Epsom Town Centre as follows: -

£100,000 through the LEP Regional Projects Development Fund to fund the development of an Epsom Town Centre Masterplan.

£125,000, from The Department for Levelling Up, Housing and Communities Round 2 of the PropTech Engagement Fund to fund digital community engagement associated with the Epsom Town Centre Masterplan.

In addition, as part of a Joint East Surrey bid, the Council has been successful in securing £125,000 through the LEP to provide a Shared East Surrey Economic Development Initiative.

The Committee considered the following matters:

- a) **Purpose of the funds:** Officers stated that the purpose of the funds was to fund specialist external input.
- b) **Timeframe to spend funds:** Officers stated that the time available within which the funds have to be spent, is tight, and that all funds have to have been spent by the end of September 2022.
- c) **Epsom Town Centre Masterplan:** it was agreed that the word “leisure” be added to bullet 2 under item 2.3 so that it reads: “The facilities and infrastructure that would be needed to support the development of key sites (parking, retail, social, community, transport and leisure)”.

Following consideration, it was resolved to:

- (1) Agree to delegate authority to the Head of Place Development to use the allocation of £100,000 awarded to the Council through the LEP Regional Projects Development Fund for the development of an Epsom Town Centre Masterplan.**
- (2) Agree to delegate authority to the Head of Place Development to use the allocation of £125,000 awarded to the Council through The Department for Levelling Up, Housing and Communities Round 2 of the PropTech Engagement Fund digital community engagement for the Epsom Town Centre Masterplan**
- (3) Agree to delegate authority to the Head of Place Development to use the allocation of £125,000 to the four East Surrey local authorities through the LEP to provide a Shared East Surrey Economic Development Initiative.**
- (4) Note that the consultation period is from the end of July 2022 to 31 August 2022.**

The meeting began at 7.30 pm and ended at 8.34 pm

COUNCILLOR STEVEN MCCORMICK (CHAIR)

LOCAL PLAN FUNDING UPDATE

Head of Service:	Victoria Potts, Head of Place Development
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	n/a

Summary

The report provides an updated financial position in regard to preparing a new Local Plan in line with the recently approved Local Plan timetable.

Recommendation (s)

The Committee is asked to:

- (1) To note the financial update position with regards to the Local Plan and Planning Policy staffing funding.
- (2) To note the potential shortfall in funding for 2023/24 and 2024/25
- (3) Agree to delegate authority to the Chair of Licensing and Planning Policy Committee in conjunction with the Head of Place Development to effectively and efficiently use the Local Plan funds to deliver an up-to-date and robust Regulation 19 Proposed Submission Local Plan in line with the recently approved Local Plan timetable.

1 Reason for Recommendation

1.1 A comprehensive review of the Local Plan progress and supporting evidence base was undertaken by the Head of Place Development earlier this year to understand the implications of change in legislation and local context post Covid. This consisted of reviewing the following: -

- the soundness of existing evidence base
- gaps in the evidence
- the full step by step process to reach Local Plan adoption

- existing contractual arrangements with consultants
 - in house staffing resource levels
 - spent, committed and available funds.
- 1.2 The review enabled a detailed project plan to be developed to underpin the recently approved Local Development Scheme (LDS) ‘local plan timetable’, supported by anticipated costs.
- 1.3 This comprehensive review has realigned the available budget to focus on the areas of Local Plan preparation which are critical to achieving a sound Local Plan and to secure and maintain current staffing levels.
- 1.4 This has highlighted a potential shortfall in available funds post Regulation 19 which is focussed on the Proposed Submission Local Plan and the reduction in staffing levels which could have an impact at the Local Plan examination stage. Any shortfall in funding will need to be addressed by the Strategy and Resources Committee at this stage.

2 Background

2.1 Staffing resource

- 2.2 On 30 March 2021 the Strategy and Resources Committee approved two fixed term contract posts. The table below shows what was approved and how the funds have been committed.

Additional post	Funds allocated	Update
Senior Planning Officer – 3-year fixed contract	£168,000	Extension of Principal Policy Officer (covering maternity leave) additional 2 years – end early May 2024
Planning Policy Officer – 3-year fixed contract	£144,000	Planning Policy Officer 3-year fixed term – end early December 2024

2.3 Additional funds

2.4 On 30 March 2021 the Strategy and Resources Committee approved an additional £400,000 to fund the preparation of the Local Plan. This was mainly for external support to prepare evidence base but also included an allowance for the estimated Examination In Public costs. This money has been added to the outstanding local plan fund of £117,830 and together, a total of £517,830 has been realigned to the most recent project plan. The anticipated costs are set out in the table below.

Financial year	Local Plan stage	Estimated cost	Description
22/23	Regulation 18 – Draft Local Plan	£272,000	Suite of draft evidence base to support the draft Local Plan Communications and the public consultation.
23/24	Regulation 19 – Proposed Submission Local Plan	£244,500	Final evidence base Legal advice Communications and the public consultation.
Total		£516,500	

2.5 The table above shows that the funding available is likely to be sufficient to enable the Council to reach the Regulation 19 stage.

2.6 However, due to the changes in legislation and local circumstances as a result of Covid resulting in the need to review evidence base and processes, the funds would not be adequate to cover the examination in public and in particular the Planning Inspectorate fees as set out below.

Financial year	Local Plan stage	Estimated cost (minimum)	Description
24/25	Submission and Examination in public	£255,000	Legal advice Programme Officer Planning Inspectorate fees Resourcing the examination

- 2.7 The costs once the Local Plan is submitted are dependent on the length of the examination and the number of hearings, the number of issues and matters raised, and the level of expert input required into the examination process from our team of external specialist consultants. The cost for the examination can only therefore be estimated.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

- 3.1.1 None arising from this report.

3.2 Crime & Disorder

- 3.2.1 None arising from this report.

3.3 Safeguarding

- 3.3.1 None arising from this report.

3.4 Dependencies

- 3.4.1 Delivering a robust Local Plan and in line with the approved timeline is dependent on retaining sufficient staffing levels and funds to secure the external technical support required.

- 3.4.2 There is a minimum that is required in order to prepare a robust local plan. To do more for example, a wider scope, or shortening or extending the timetable, all have additional cost and human resource implications. Any deviation from the approved timeline agreed by this committee on 26 April 2022 and the supporting project plan will have cost implications.

3.5 Other

- 3.5.1 None arising from this report.

4 Financial Implications

- 4.1 This report sets out the financial implications of the Local Plan and highlights a shortfall in funds in 2023/24 to support the Local Plan through to the Examination in Public.

- 4.2 The Local Plan will not be able to progress beyond Regulation 19 without sufficient funds. These funds will need to be secured before the Local Plan is submitted for examination. A further Local Plan funding report will be brought to this Committee post Regulation 18 Draft Local Plan consultation, which sets out an updated and refined budget shortfall figure. This will factor in recent examination costs experienced by our neighbouring authorities as well as a clearer understanding over the level of response and the types of issues and matters being raised regarding our Local Plan through the Regulation 18 consultation. Any further funding requests will need to be considered by the Strategy and Resources Committee.
- 4.3 **Section 151 Officer's comments:** Wherever possible, the service should aim to produce the Local Plan within the budget envelope agreed by Strategy and Resources Committee. As the project progresses, any request for additional resources should be supported by a robust business case for members to consider and scrutinise.
- 4.4 Should additional funding requirements arise, in the first instance the service should look to deploy existing external funding, or secure new external funding, as the Council itself faces a projected revenue budget deficit of £1.4m from 2023/24 (as reported to Full Council in February 2022), and therefore the Council's reserves are already likely to come under substantial pressure in future years.

5 Legal Implications

- 5.1 The Planning and Compulsory Purchase Act 2004 sets out that each local planning authority must identify their strategic priorities and have policies to address these in their development plan documents. The Town and Country Planning (Local Planning) (England) Regulations 2012 stipulates that a local planning authority must complete a review of a Local Plan every five years, starting from the date of adoption of the Local Plan.

5.2 **Legal Officer's comments:**

A new Levelling Up & Regeneration Bill was announced in the recent Queen's Speech. While a lot of the detail has yet to emerge, there will be some significant changes to the way local plans are produced, including some additional duties as part of that process. Detailed announcements in this regard are expected over the next few months.

There is a risk that the Local Plan Budget (should Members be mindful to commit at this meeting) may not be sufficient to carry the Local Plan to adoption. The budget needs to be managed carefully to ensure costs are contained within the funding available as has been the case to date.

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- 6.2 The new Local Plan will contribute towards delivering the Council's Visions and objectives identified in its Four-Year Plan.
- 6.3 **Service Plans:** Preparation of the Local Plan is included within the current Service Delivery Plan.
- 6.4 **Climate & Environmental Impact of recommendations:** The Local Plan itself has a key role in implementing a number of key objectives that are set out in our Climate Change Action Plan.
- 6.5 **Sustainability Policy & Community Safety Implications:**
- 6.6 The Local Plan itself has a key role in delivering sustainable development.
- 6.7 There are no Community Safety Implications.
- 6.8 **Partnerships:** The Council has a duty to cooperate with relevant stakeholders in the preparation of a Development Plan.

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Local Development Scheme 26 April 2022 (<https://democracy.epsom-ewell.gov.uk/documents/s23447/Local%20Development%20Scheme.pdf>)

Other papers:

- Local Plan Resources 30 March 2021 (<http://th-modgov-01/documents/s19367/Local%20Plan%20Resources.pdf>)
- Local Plan consultation 24 September 2019 (<https://democracy.epsom-ewell.gov.uk/documents/s13782/Local%20Plan%20Consultation.pdf>)
- Allocation of Planning Delivery Grant Reserve 30 July 2019 (<https://democracy.epsom-ewell.gov.uk/documents/s13301/Allocation%20of%20Planning%20Delivery%20Grant%20Reserve.pdf>)