

**Minutes of the Meeting of the ENVIRONMENT COMMITTEE held at the Council Chamber, Epsom Town Hall on 23 January 2024**

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**PRESENT -**

Councillor John Beckett (Chair); Councillor Liz Frost (Vice-Chair); Councillors Arthur Abdulin, Tony Froud, Steven McCormick, Julie Morris, Kieran Persand and Kim Spickett

In Attendance: Councillor Bernie Muir

Officers present: Piero Ionta (Head of Legal Services and Monitoring Officer), Rod Brown (Head of Housing and Community), Oliver Nelson (Public Protection Manager), Justin Turvey (Interim Head of Place Development) (Items 19 - 22 only), Mark Rachwal (Environment and Sustainability Officer) (Items 19 - 22 only), Jon Sharpe (Transport & Waste Services Manager), Richard Chevalier (Parking Manager), Sue Emmons (Chief Accountant) and Dan Clackson (Democratic Services Officer)

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**19 QUESTIONS AND STATEMENTS FROM THE PUBLIC**

The Committee received one written question from a member of the public, to which a written response was provided.

**20 DECLARATIONS OF INTEREST**

**Tree Planting Fees and Charges**

Councillor Steven McCormick, Other Interest: Councillor Steven McCormick declared he was a member of the Tree Advisory Board. He stated it was a non-prejudicial interest.

**Fees and Charges 2024/25**

Councillor Julie Morris, Other Interest: Councillor Julie Morris declared that she held an allotment in the borough. She stated it was a non-prejudicial interest.

Councillor Steven McCormick, Other Interest: Councillor Steven McCormick declared that he held an allotment in the borough. He stated it was a non-pecuniary interest.

**Chalk Pit**

Councillor John Beckett, Other Interest: Councillor John Beckett declared he is a County Councillor for the division in which Chalk pit is located.

Councillor Steven McCormick, Other Interest: Councillor Steven McCormick declared he is a County Councillor for the division which borders the division in which Chalk Pit is located, and that he had been involved in previous discussions with Epsom Council, Surrey County Council and the Environment Agency, with respect to Chalk Pit.

## 21 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the minutes and the restricted minutes of the meeting of the Committee held on 17 October 2024 and authorised the Chair to sign them.

## 22 CLIMATE CHANGE ACTION PLAN - PROGRESS UPDATE

The Committee received a report providing an update on the progress of the Council's Climate Change Action Plan.

The Committee considered the following matters:

- a) **Sustainability and Environmental Aims within the Local Plan.** In response to a question from a Member, with respect to the Council's objective to develop a Local Plan including policies supporting the delivery of new energy efficient homes, the Interim Head of Place Development stated that there is an aim to deliver c.1500 net zero homes within the plan.
- b) **Climate Change information on the Council Website.** A Member stated they felt concerned that information relating to climate change and the Council's commitment to combatting climate change was not accessible or emphasised enough on the Council Website. The Chair stated that he would investigate and see how the matter could be improved.

Following consideration, the Committee unanimously resolved to:

- (1) **Consider and note the progress made on the delivery of the Council's Climate Change Action Plan over the past year.**

## 23 TREE PLANTING FEES AND CHARGES

The Committee received a report seeking to set out Council Policy on determining applications for tree planting and the associated fees and charges.

The Committee considered the following matters:

- a) **Fees and Charges.** In response to a concern from a Member, the Head of Legal explained that the fees and charges in the report had been set at a rate so as to cover the cost to the Council in administering the applications received and to cover the cost of any requested tree planting. He explained that there was no scope for income or profit within the fees and charges, and that to lower them would be of detriment to the budget.

- b) **Budget Considerations.** In response to a comment from a Member, the Head of Legal explained that to waive any fee would be to effectually add an item to the Committee's budget, and would require a funding option to be identified by the Committee in order to facilitate the waiving.
- c) **Proposed Tree Planting Sites within the Tree Management Plan.** The Chair explained that schemes carried out by organisations, such as the Tree Advisory Board, would not be subject to the fees and charges so long as the works are carried out within sites identified in the Council's Tree Management Plan.

Councillor Julie Morris proposed that an additional recommendation be added as follows:

- (6) *Agree that a report be brought back to Committee in 9 months' time reviewing the effectiveness of the Policy, providing a breakdown of the associated fees and charges, and providing a comparison of the associated fees and charges to those of similar policies adopted by neighbouring authorities.*

The proposal was seconded by Councillor Steven McCormick.

The Committee unanimously voted in favour of the proposal.

Following consideration, the Committee unanimously resolved to:

- (1) **Agree and adopt the policy for determining single memorial tree planting applications to be implemented by the Council.**
- (2) **Agree and adopt the policy for determining third party tree planting applications/requests.**

Resolved (4 for, 2 against, 1 abstaining, and the Chair not voting) to:

- (3) **Agree the fees and charges for 2023/24 and 2024/25 as set out at paragraphs 1.12 and 1.23 of the report.**

Unanimously resolved to:

- (4) **Delegate authority to determine application/requests for tree planting to the Director for Housing, Environment and Regeneration in accordance with the Policy.**
- (5) **Agree that the Policy at (1) and (2) above be finalised in consultation with the Chair and Vice Chair of the Environment Committee.**
- (6) **Agree that a report be brought back to Committee in 9 months' time reviewing the effectiveness of the Policy, providing a breakdown of the associated fees and charges, and providing a comparison of the associated fees and charges to those of similar policies adopted by neighbouring authorities.**

## 24 FEES AND CHARGES 2024/25

The Committee received a report recommending fees and charges for which this Committee is responsible, with the new charges being effective from 1 April 2024.

The Committee considered the following matters:

- a) **Allotments Water Usage.** A Member raised concerns with respect to the expense and the high use of water on allotments. The Vice-Chair explained water charges was an item for investigation on the allotment working group's workplan.
- b) **Car Park Resident permits.** Following a question from a Member, the Parking Manager explained that the topic of car park resident permits was due for discussion at the upcoming meeting of the car park working group.

Following consideration, the Committee resolved (6 for, 1 against, and the Chair not voting) to:

- (1) Agree the fees and charges for 2024/25 as set out at Appendices 1, 2, and 3 of the report.**

Councillor Kieran Persand requested that his vote against the proposal be recorded.

## 25 CAPITAL PROGRAMME 2024/25

The Committee received a report summarising the proposed 2024/25 capital programme and a provisional programme for 2025/26 to 2028/29 and seeking the Committee's approval for the programme to be submitted to Council in February 2024.

The Committee considered the following matters:

- a) **Ashley Centre Car Park Barriers Replacement.** Following a query from a Member with respect to the alternative pay-and-display solution set out at section 4 under 'Risks associated with the scheme' in Appendix 2 to the report, the Parking Manager explained that the pay-and-display model, whilst cheaper in terms of setup cost, would come with significant drawbacks by way of financial, public-perception, and health-and-safety risks.

Following consideration, the Committee unanimously resolved to:

- (1) Submit the capital programme for 2024/25 as identified in section 3 of the report to the Council for approval on 13 February 2024;**
- (2) Note the provisional forecast of schemes for the capital programme for 2025/26 to 2028/29.**

**26 URGENT DECISIONS**

The Committee received a report on the decisions taken by the Chief Executive and Directors on the grounds of urgency, in compliance with Appendix 2 to the Constitution – The Scheme of Delegation paragraph 3.1.

Following consideration, the Committee unanimously resolved to:

- (1) To note the urgent decision taken and the reason for that decision.**

**27 REVENUE BUDGET 2024/25**

The Committee received a report setting out budget estimates for income and expenditure for Environment Committee services in 2024/25.

The Chair made a statement prior to consideration of the item:

The Chair stated, as set out at item 15 of the minutes of the Environment Committee of 17 October 2023, the Committee had passed a motion to 'agree that an additional cost item be added into the Committee's budget plans for 2024/25 for £40k to cover possible additional independent noise assessment works or other activities that may be required at the Chalk Pit site in Epsom'. It had since been brought to his attention that that motion ought not to have been allowed as it was contrary to the decision taken by the Strategy and Resources Committee ('S&R') in July 2023 – S&R passed a resolution, further to consideration of its budget setting report, requiring any proposals to add new items into a budget to have a funding option identified by the relevant Committee, which the Environment Committee did not do. He stated that the report before Committee sought to reconsider the issue, mindful of the budgetary framework set out by S&R at its July 2023 meeting.

Following consideration, the Committee unanimously resolved to:

- (1) Recommend the 2024/25 service estimates for approval at the budget meeting of Full Council in February 2024.**
- (2) Support in principle the future savings as set out in section 5 of the report for inclusion in the Medium Term Financial Strategy.**
- (3) Note that potential Chalk Pit investigation works are being considered, in full, by the Committee at separate Agenda Item 10 of the agenda.**

**28 CHALK PIT**

The Committee received a report setting out the options available to the Council which include, if necessary, to fund further substantial statutory nuisance

investigations into noise or dust complaints arising from business located in Epsom Chalk Pit.

As the proposer of the original motion referred to the Environment Committee by Full Council, Councillor Bernie Muir, who was in attendance at the meeting, opened the debate on the matter.

The Committee considered the following matters:

- a) **Options set out in the report.** Following consideration, Members suggested that they would be minded to choose 'option 3', as set out at section 8.8 of the report.

Councillor Bernie Muir exercised her right of reply in response to the debate.

Following consideration, the Committee unanimously resolved to:

- (1) Note the motion referred to the Committee by Full Council and, in light of the options set out at section 8.8 of the report, make no resolution or recommendation following a debate on that motion.**

The Committee considered the following matters:

- a) **Definition of 'significant complaints'.** It was the feeling of the Committee, following consideration, that the definition of what constitutes 'significant complaints', as written at 8.8.3 of the report, would be determined by the professional opinion of Council Officers.

Following consideration, the Chair proposed that the Committee agree to option 3, as set out at paragraph 8.8.3 of the report. Councillor Julie Morris seconded the proposal.

Subsequently, the Committee resolved (6 for, 1 abstaining, and the Chair not voting) to:

- (2) Submit a request to Strategy and Resources Committee that funding be allocated from limited Council reserves to instruct external noise consultants to conduct a fresh investigation based upon the activities on the site should significant complaints continue despite the buildings being constructed and commissioned. It is anticipated that further investigations may require a substantial financial commitment of taxpayer's funds of up to £140,000, as set-out in section 10 of the report.**

Councillor Kieran Persand requested that his vote in favour of the proposal be recorded.

*The meeting began at 7.30 pm and ended at 9.24 pm*

COUNCILLOR JOHN BECKETT (CHAIR)