

CHAIR/CHAIRMEN'S STATEMENTS TO COUNCIL

Councillor Barry Nash

Chair of the Community and Wellbeing Committee

I would like to convey my thanks to the Officers in every service across the Council, for their continued and impressive co-ordinated response to the coronavirus pandemic.

This year has been extremely challenging for everyone across the community and as a council we are hopeful that elements of normality will return next year.

The C&W committee have had to make some difficult decisions during November, not least the decision to close the Playhouse until the end of the current financial year.

Unfortunately, due to its size, the Playhouse is disproportionately affected by social distancing requirements through:

- **Auditorium capacity** – reduced from 450 to 87
- **Dressing room capacity** – reduced from 78 to 13 people. This prevents most of the larger professional shows, amateur societies, and dance schools from using the theatre.
- **Foyer capacity** – this is the most restrictive area being reduced to only 15 people compounded by the front of house male and female toilets (each reduced to a capacity of 2). This would lead to queues quickly forming in the foyer, thereby reducing its capacity further. To ensure compliance with social distancing, staff would also be required to manage the queues, again reducing its capacity.

The Playhouse will require modest staff resources whilst it is closed to carry out daily administration, maintain contact with promoters and hirers, as well as process refunds and maintenance of backstage equipment. For the remainder of the time, they will continue to be redeployed to support the Council's Covid-19 response and assist with enforcement and regulatory activities.

The committee also decided that due to the current social distancing guidelines, Ewell Court House and Bourne Hall Café would also remain closed until further notice.

In addition, it was agreed that the boroughs participation in the Surrey Youth Games will be deferred until 2022. Whilst regrettable, organising the Surrey Youth Games requires a huge amount of preparation and lead time from staff, as well as from the other boroughs across Surrey at a time when each borough is focusing on its response to the continuing challenges of the pandemic.

The Defoe Court project with Sanctuary Housing is progressing after some legal delays, which have been outside of the council's control. The aim is to have the project completed during January 2021, which will be an important new facility, providing up to 24 flexible single units to support our Temporary Accommodation numbers during these challenging times.

Current nightly paid Temporary Accommodation numbers have been sitting at 90 and the Housing Team are working tirelessly to reduce these numbers. The council is aware that there will be an increasing pressure on its temporary accommodation because of the financial impact of the pandemic on individuals. As part of this, there will be a review of new opportunities next year, which will include looking to increase the number of private landlords to our portfolio. This would help to reduce the financial impact of temporary accommodation costs, as well as using the extra Ministry of Housing, Communities and Local Government funding (MHCLG), to recruit an additional member of the team to help tackle the ongoing housing challenges.

As we come out of the second lockdown, it is our understanding that the Rainbow Centre and the Community and Wellbeing Centre will re-open from 2 December and they will continue to provide services within the current government guidelines.

Lastly, as to the future of Epsom Hospital, the decision to build a new Acute Hospital site was confirmed on 3 July by the Clinical Commissioning Group, with Sutton as the chosen location. After a review of the decision, the Independent Reconfiguration Panel (IRP) on behalf of the Secretary of State for Health and Social Care, recommended that the NHS proceed to implement its plans to build the new Acute Hospital at Sutton and the Secretary of State Matt Hancock accepted their recommendation.

Councillor David Reeve
Chair of the Licensing & Planning Policy Committee

The Council's Licencing and Planning Policy Committee remains fully committed to working with all Councillors, residents and stakeholders to bring forward a new Local Plan as quickly as possible.

Unfortunately, the Council's ability to commence with a Regulation 18 Consultation this year has been impacted significantly by the COVID-19 pandemic, the two associated national lockdowns and the restrictions under the Tier 2 arrangements given the continued high infection rates.

The Government has also announced a fundamental overhaul of the Planning system in England and as part of this, their intention to bring forward a completely different approach to Plan making. A considered Consultation response to the Government's proposals was approved by the Licencing and Planning Policy Committee on 22 October 2020.

As the Government's proposed transition arrangements to the new style Local Plans do not reflect our particular local circumstances (i.e. we are some way off being at the preparation for Regulation 19 stage), the Council has written to both the Secretary of State at MHCLG, and the Minister of State for Housing for clarification on how best to move forward. We have also highlighted the need to avoid the risk of Councils directing further officer time and local tax payers' money on activities that the Government have announced they are intending to abolish to make way for their new Local Plan arrangements.

Members have been kept informed of all the responses the Council has received.

The Government have also set out proposals for a different algorithm for determining the numbers of new homes they expect to be built in each local authority area. This comes at a time when the Office for National Statistics has published revised 2018 figures for household growth projections which would have resulted in Epsom and Ewell's housing number reducing from 575 homes per year, to just 215 homes per year using the Government's established formula. Unfortunately, the Government's proposed new algorithm could increase Epsom and Ewell's housing target to beyond 600 new homes per year, a change that would also impact disproportionately on other Councils in this part of the country. The Government are expected to come to a final decision in the coming weeks on which algorithm they are intending to use and in turn, the new housing targets that will apply for each local authority.

Given the huge variation in housing numbers associated with different Government algorithms, a confirmed housing target will be key to determining the Local Plan Strategy for the Council and the content of any Regulation 18 Consultation.

I will ensure that Members are all kept informed on all further announcements from Government regarding confirmation of Epsom and Ewell's new housing target or about the requirements and timetable for the new style Local Plan and they are reported to the next available Licensing and Planning Policy Committee.

On 10 September we changed our Statement of Community Involvement to reflect required amendments whilst we are under COVID-19 restrictions. We also adopted our Communications and Engagement Strategy for the new Local plan.

On 12 November 2020 we designated the first Neighbourhood Forum and Neighbourhood Area in Stoneleigh and Auriol. The council supports the creation of neighbourhood forums as they increase the participation of local residents and businesses in the formal planning process. We look forward to working closely with Stoneleigh and Auriol over coming months and years.

And lastly, on 3 November we published our Annual Monitoring Report for 2019-2020.

<p style="text-align: center;">Councillor Eber Kington Chair of the Strategy and Resources Committee</p>
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Covid-19 Pandemic – The Council's Response

We are in difficult times, the nation's health and the health of the national economy are both being challenged. However, since the beginning of the pandemic our Officers have acted to manage those challenges, many of them adopting new ways of working as well undertaking new and crucial roles. This has continued to be the case during the recent national lockdown, and in December as our borough, along with the rest of Surrey, moved into Tier 2.

Officers with responsibility for our emergency response and liaison with the Surrey Local Resilience Forum and the Government, have continued to work with speed and to great effect to ensure our residents remain safe and informed. The Community Hub was reconvened during the lockdown supporting our most vulnerable residents, and the High Street Taskforce have been visiting a number of sites where there have been complaints of noncompliance, including Nonsuch, the Downs and the skate park at Longmead. Our Environmental Health Team have been continuing their work supporting businesses to be covid secure, and our Housing Team, facing significant pressures, have maintained their strong support for those facing homelessness as well as our local rough sleepers.

Many of our Officers are continuing their vital work as normal, but not in normal conditions. My thanks to Operational Services, our recycling teams, meals at home, the cemetery staff, the Countryside Team and Rangers, Communications Team, Planning, Enforcement, the Revenues and Benefits Team, Contact Centre staff, and our Officers in Democratic and Legal Services, Finance, ICT, HR, Property, Governance, Environmental Health and Housing.

It is vital for our residents' well-being that our normal services continue to provide them with a high level of support and security, but it also vitally important to ensure that the Borough Council itself remains in a strong financial and operational position as, hopefully, we move forward to more settled times. Again, my thanks to you all.

High Court Injunction

On 20 May 2019 the High Court granted the Council an Injunction lasting 3 years forbidding Persons Unknown Occupying Land and/or Depositing Waste from setting-up an encampment or occupying land for residential purposes of 10 vehicles or more on 57 sites within the Borough, without written permission from the Local Planning Authority, or planning permission granted by a planning inspector; or from bringing on those 57 sites any vehicle whether for the purposes of disposal of waste and materials or otherwise.

Recently the Court of Appeal handed down judgments in *LB Bromley -v- Persons Unknown* [2020] PTSR 1043 and *Canada Goose -v- Persons Unknown* [2020] 1 WLR 2802 which raised questions as to whether there were grounds upon which the Final Order for the Council's Injunction dealing with unauthorised encampments ought to be varied or set aside.

As a result, the Council has been required by the High Court to remove all notices of the Injunction from Council sites at which the Injunction is displayed and make clear on its website that the Court has discharged the previous Injunction which is no longer in force. Obviously, and without the security of the Injunction, the Council will continue to take action against any future unauthorised encampments but will revert to using the much slower Magistrates Court procedure.

At present, the London Borough of Enfield are in Court, as they seek to renew their unauthorised encampments Injunction. It is expected the case will need to proceed to the Court of Appeal or Supreme Court before the matter is fully settled. Their case is due to be heard in the High Court in January 2021, and any appeal process will mean this issue is unlikely to be resolved quickly. The Court has also asked for the Attorney General to instruct lawyers to address the 'wider issues of public importance' raised by Enfield's request for a continued Injunction. The High Court Judge has reserved all legal action on unauthorised encampments to himself and, given his stated position, it is anticipated that LB Enfield will lose in front of this judge.

Going forward, the Court has listed a hearing on the 17 December 2020 for a Case Management Hearing. The purpose of this is for the Court to hear from those authorities who wish to maintain Injunctions and those who wish to discontinue their claims for the current Injunction. In support of our wish to retain an Injunction, EEBC are currently working with Merton, Sutton, Kingston, Richmond, Wandsworth, Hillingdon, Waltham Forest, Enfield, and Elmbridge to reduce the legal costs per Council for representation on the 17th. A number of other Councils are either working separately or in other groups.

At the original High Court hearing when the Borough Council was granted the Injunction our Officers provided compelling evidence and personal testimony of the financial cost and environmental damage caused by unauthorised encampments, as well the effect on the communities local to the sites. The situation now is uncertain, but it is important that this Council seeks to provide the best protection from unauthorised encampments for our residents.

Return to in-person meetings & remote meetings - update

Council & Committee meetings at the Town Hall were cancelled initially to allow a focus by the Council on its responsibilities under the Civil Contingencies legalisation. During that time work started on being able to make decisions via remote meetings. The Member Recovery Group agreed the existing Municipal Calendar could remain

flexible up to the end of July and that the planned remote Council and Committee meetings would return from September 2020. This was achieved.

It was also agreed that an assessment would be made at the end of the year as to whether the Council could and should return to in-person meetings in January 2021. That assessment has been undertaken and, at present, the return to in-person council and committee meetings is constrained by three factors:

1. Current regulations limiting gatherings to 30 in number
2. The Council's own risk assessments for occupancy of Committee Rooms and the Council Chamber with a maximum assessed at just 15 people
3. Technology Infrastructure within the Committee Rooms and Council Chamber, including the lack of a facility to webcast meetings in the event that the Council could consider hybrid meetings (where some members and officers operated from the same room and others joined in remotely from other locations).

Given these restraints, and the Surrey's position as a Tier 2 region, all Council and Committee Meetings will continue to be undertaken remotely. However, when the situation around restrictions and regulations change the position will be considered further and Members advised and a consensus view sought.