

Minutes of a meeting of the Scrutiny Committee held on 13th March 2018 at Pippbrook, Dorking from 7.00pm to 10.07pm

Present: Councillors David Draper (Chairman), David Harper (Vice Chairman), Tim Ashton, Stephen Cooksey, Rosemary Dickson (substituting for Lynne Brooks), Mary Huggins, Chris Hunt, Malcolm Ladell, Paul Potter and Sarah Seed

Also present: Councillors Margaret Cooksey, Simon Edge, Metin Huseyin, Clare Malcomson, Vivienne Michael and Corinna Osborne-Patterson.

47. Minutes

The minutes of the Scrutiny Committee meeting held on 13th February 2018 were agreed as a correct record and signed by the Chairman.

48. Apologies for Absence

An apology for absence was received from Councillor Lynne Brooks.

49. Disclosure of Interests

None.

50. Demolition of the Royal Oak Leatherhead – Lessons Learnt Review

The Chief Executive of Mole Valley District Council (MVDC) introduced the report by explaining the timeline of events that led to the demolition of the Royal Oak in Leatherhead and highlighted the stages where MVDC could have acted more effectively. An apology was given for the incorrect information which was put out in the public domain via press releases and a statement from the Leader of the Council. It was also recognised that responses to public enquiries were not timely and could have been handled in a more appropriate manner.

The Chairman welcomed Tom Crowley, an independent management consultant and chartered town planner who had been commissioned to carry out the review, and invited him to address the Committee. Mr Crowley thanked the public, Members and Officers who he had interviewed and who had helped him in compiling the information he needed to carry out the review. Mr Crowley explained that the impression he had gained of MVDC Officers was that they were hard working and committed to the service they provided for residents.

Members raised concern about the way that information was provided to the Planning Department and how new information relating to legislation was communicated. It was suggested that a section could be included in the recommendations to cover how information provided by Members should be communicated to the relevant officers. The Chief Executive explained that small groups were being set up to review how information was received and used and that this was something that would be covered.

The Committee suggested that the third recommendation be reworded to include a system of briefing for Members as well as officers on impending and current changes to legislation for the planning service. It was agreed that this could be incorporated into the recommendations.

It was acknowledged that even if the correct processes had been followed for Royal Oak the result may have still been the same, as planning permission could have still been granted for the demolition of the building.

The Committee discussed the way that MVDC handled emails, which in this instance were sent to disused email inboxes and how changes could be communicated to residents. It was explained that there had been a thorough review of all generic email addresses. Any redundant ones had either been deleted or redirected. It was suggested that any inboxes that were not monitored should be set up to have any emails forwarded to an inbox that is monitored as this would deliver a better service for customers.

It was queried whether there was an update relating to recommendation ten, an enquiry which had

been made seeking Counsel's opinion on whether it would be expedient to issue an enforcement notice to require the reconstruction of the demolished building. The Chief Executive explained that there had not been a response from Counsel and as a result the enquiry had been withdrawn and resubmitted with another Chambers. The Committee was assured that Members and residents would receive an update by the end of the week following the Scrutiny Committee.

Resolved: That the Scrutiny Committee:-

1. Note the findings and recommendations (as amended) of the independent review of Mole Valley District Council's response to the demolition of the Royal Oak public house, Leatherhead, in November 2017
2. Note the actions to be implemented in the response to the recommendations
3. Agree to receive an update at its next meeting (June 2018)

51. Affordable Housing – Alternative Methods of Delivery

The Executive Member for Communities, Services and Housing introduced the report and explained that an average of 50 affordable homes per annum had been delivered in Mole Valley over the last fifteen years. In 2016/17 approximately 50 affordable homes were delivered and in 2017/18 an additional 40 affordable homes would be provided. In 2018/19 it was currently predicted that approximately 70 homes would be built. Analysis by the Housing and Finance Institute shows that Mole Valley's figures are in keeping with National trend levels. However, it was felt that more needed to be done to meet the needs of residents. Therefore, new ways of delivering affordable homes were being looked at alongside the existing methods of delivery.

The primary challenge facing MVDC in the delivery of Affordable Housing was the availability of land. Therefore, it was paramount that the development of the new Local Plan gave regard to maximising the delivery of Affordable Homes.

The Committee discussed the building of a new settlement beyond the Green Belt. The Leader of the Council explained that this was not an option which MVDC could consider, as it would only be viable if 8,000 homes or more were built.

The Committee questioned how MOVA could be used to deliver Affordable Housing. It was explained that it was not permitted to borrow money for housing in the way money is borrowed for the Asset Investment Strategy. However, there could be subsidiary companies below MOVA which can be used for this purpose. It was proposed that a subsidiary company of MOVA could be established for the purpose of a housing company.

Members suggested that MVDC work with local charities, such as the Poland Trust in Brockham, who were committed to the provision of Affordable Homes. The Executive Member advised that they were open to working with partners and thanks the Committee for its suggestions.

Resolved: That the comments of the Scrutiny Committee be relayed to the Executive during its consideration of the report.

52. Community Transport Strategy

The Executive Member for Wellbeing introduced the report and explained that it was a Council priority to tackle social isolation within Mole Valley and the provision of Community Transport was one method of doing so. The new service would now be focussed on need rather than efficiency. Fees for the service had been revised and residents would now be paying in zones. The charge would be four pounds for travel within one zone and six pounds to cover travel between all zones. In the 2018/19 Budget the grant for the East Surrey Rural Transport Partnership (ESRTP) had been withdrawn, however, the Executive Member reassured the Committee that the ESRTP had confirmed that they were not intending to remove the demand response service that the grant had originally funded. Purchasing a reliable fleet for Community Transport had been included in the Capital Programme and the intention was that this would reduce costs in the long term.

The Committee welcomed the explanation from the Executive Member for the journey fees that residents would have to pay for the service. It was suggested that this should be included in the

report as part of an explanation of the overall budget for Community Transport with a breakdown of the smaller costs and how these fitted together as a whole.

Concern was raised over the lack of recent communication about the services to residents. It was explained that the Executive Member had wanted to wait until the report had been discussed by the Scrutiny Committee before any communications were sent out to allow for any suggestions of the Committee to be included where necessary.

The Committee discussed the membership of the service and it was questioned whether there were criteria that had to be met in order for residents to become members and use the service. Officers advised that it was primarily for those who were vulnerable to social isolation and MVDC would not be checking income levels.

Members queried why there would be smaller vehicles included in the fleet alongside the larger mini buses. Officers explained that the smaller vehicles were being introduced, as there had been situations where there was only one passenger on a 16 seater mini bus. These smaller vehicles would be better at navigating the smaller rural streets and would be a more economically viable option for single passenger journeys.

Members enquired why journeys were being made to shops outside of the District when it was also important to support local businesses. It was explained that these journeys were often to neighbouring towns such as Horsham and Reigate. It was important to meet the needs of users and often those who lived on the outskirts of Mole Valley had a shorter journey to shops outside of the District than they did to those within Mole Valley. It was explained that taxi vouchers would be used as a last resort.

The Executive Member for Wellbeing thanked the Committee for their suggestions.

Resolved: That the comments of the Scrutiny Committee be relayed to the Executive during its consideration of the report.

53. Adoption of an Economic Prosperity Strategy for Mole Valley 2018-2028

The Executive Member for Economic Development and Transform Leatherhead introduced the report and explained that this was a draft version of the Economic Prosperity Strategy which would be much clearer when the final version was published. The report laid out the Near Term Delivery Plan for the first year of the Strategy (2018/19) and explained that each near term plan would pull a selection of projects from the Medium Term bank.

It was queried how MVDC could involve itself with local schools. Officers explained that MVDC's role would be facilitator between schools and businesses to encourage young enterprise groups to become involved with businesses.

Members expressed concern over the neglect for certain functions, such as the business directory for Mole Valley, which had not been operating since MVDC had moved away from having Town Centre Managers. These functions were detailed as areas for improvement within the EPS report, however, Members wanted to clarify what action would be taken in the short term before the implementation of the Strategy to make improvements.

Concern was raised about a perceived lack of detail in the report. The Executive Member explained that this report was the Strategy report which laid out the overarching plan for the coming years. The detail would be included in future reports which would be coming to Scrutiny Committee relating to the individual projects which were laid out in the Strategy report.

The Committee discussed the workshop which had been held for Members. The Economic Development Officer explained that he would be contacting Members individually to respond to the queries they had raised. Members suggested that these responses should be compiled on a spreadsheet and circulated to all Members as this would help reduce duplicate enquiries.

The Committee discussed infrastructure and working with organisations such as National Rail for improvements to the Dorking Deepdene Train Station. Members discussed the North Downs Link study and the Executive Member advised that this was something that would be considered as part

of the Economic Prosperity Strategy.

The Committee discussed higher education in Mole Valley. It was explained that the plan would not be to build a brand new university within the district. Instead the plan would be to have a hub facility where events and lectures could be held by universities and businesses.

Resolved: That the comments of the Scrutiny Committee be relayed to the Executive during its consideration of the report.

54. Adoption of new Data Protection Policy

The Executive Member for Finance and Corporate Services introduced the report and explained that MVDC was required to have the new policy in place before the implementation of the General Data Protection Regulations (GDPR) on 25th May 2018. A project had been running since August 2017 to prepare MVDC for the changes arising from the regulations. The report set out the differences between current data protection regulations and GDPR.

It was questioned whether the new regulations would have an impact on equality issues. Officers explained that there would be no discrimination and it was likely that there would be more protection with the new regulations.

It was queried who the Data Protection Officer was at MVDC. It was explained that this was the Legal Services Manager at present, but this would likely be changing in future. Members queried what arrangements were in place for Parish Councils (PCs). It was explained that MVDC would be holding training for PCs; however, the PCs would need to arrange their own data protection officer or group together with other PCs to employ a shared officer.

Members suggested that it would be beneficial for a Member Seminar to be held to inform Members of how GDPR would affect their role. The Executive Member agreed that this was necessary and that a date would be arranged as soon as possible before the implementation of the GDPR in May.

The Chairman reminded Members that they could contact the Legal department at Mole Valley if they had concerns or queries relating to data protection.

Resolved: That the comments of the Scrutiny Committee be relayed to the Executive during its consideration of the report.

55. Report of the Planning Scrutiny Panel

The Chairman of the Planning Panel, Councillor Mary Huggins, introduced the report by explaining that the Panel had thoroughly looked at the different areas of the Planning Service and had put together the recommendations as laid out in the report.

The Committee discussed the recommendation concerning a peer review for the Development Control Committee. Concern was raised that this may not be effective given that a peer review had been conducted within the last five years and very few of the recommendations had been taken on board. The Committee discussed the importance of welcoming external scrutiny

Councillor Stephen Cooksey proposed a motion for recommendation five 'A peer review of the work of the Development Control Committee is commissioned' to be removed. This was seconded by Councillor Paul Potter. The motion was put to the vote and lost (n.b. votes for 2, against 7).

An amendment to recommendation five was proposed to replace the words 'Development Control Committee' with 'Planning Service'. The Committee agreed the amendment.

Members recognised that regular training for Development Control Committee Members was important to ensure that they were up to date with changes in legislation.

Resolved: That:-

1. the report and the work of the Planning Scrutiny Panel: be noted,
2. That the recommendations of the Panel, including the amendment as agreed by the Scrutiny Committee, be referred to the Executive for consideration at their next meeting.

56. Report of the Car Parking Scrutiny Panel – Car Parking Strategy 2018-2023

The Chairman of the Car Parking Panel, Councillor Chris Hunt, introduce the report and explained that the Panel had worked hard on developing the Car Parking Strategy and proposed that the Car Parking Panel continue to meet to look at specific areas in more detail. The Panel had supported the rise in car parking charges as this would enable MVDC to carry out much needed improvements to car parks in Mole Valley.

The Committee discussed the idea of differential parking charges and the way in which this could be implemented. For example, it was suggested that the less popular car parking spaces could be charged at a lower rate to those which were more desirable, for example those closer to the shops. It was suggested that this could also be considered for the different width of parking spaces.

It was questioned whether the number of 30 minute free parking bays could be extended to elsewhere in the District. The Leader confirmed that the MVDC was already committed to putting more spaces elsewhere in the District.

The Committee questioned what criteria would be used when prioritising which car parks would be chosen for improvements. It was explained that the Panel had looked at the car parks and a schedule of works had been created. Officers explained that there was additional information on the Member's extranet, MOSS, relating to the Strategy and the 5 year plan which all Members could view.

Resolved: That:-

1. the report and the work of the Car Parking Scrutiny Panel: be noted,
2. That the recommendations of the Panel, as set out in the report, be referred to the Executive for consideration at their next meeting.