

Reigate and Banstead Borough Council
Meeting of Council 20 July 2023
Questions by Members

Verbal responses given at the meeting			
	Question by	To be answered by	Subject
1.	Councillor Dwight	Councillor Biggs, Leader of the Council	Changes to rail ticket offices
2.	Councillor Essex	Councillor Biggs, Leader of the Council	Changes to rail ticket offices
3.	Councillor Sinden	Councillor (Andrew) King, the Executive Member for Commercial & Community Assets	Park pavilions and toilets
4.	Councillor Khan	Councillor Ashford, Executive Member for Communities, Leisure & Culture	Community bus service
5.	Councillor Cooper	Councillor Ashford, Executive Member for Communities, Leisure & Culture	Financial support for the rising cost of living
6.	Councillor Torra	Councillor Moses, Executive Member for Environment & Sustainability	Single use plastics
7.	Councillor Chandler	Councillor Lewanski, Deputy Leader of the Council and Executive Member for Finance, Governance & Organisation	Ethical procurement
8.	Councillor Thorne	Councillor Neame, Executive Member for Housing & Support	Asylum seekers
9.	Councillor Proudfoot	Councillor Michalowski, Executive Member for Place, Planning & Regulatory Services	Biodiversity Net Gain
10.	Councillor Chester	Councillor Michalowski, Executive Member for Place, Planning & Regulatory Services	Gatwick Airport Development Consent Order
11.	Councillor Kelly	Councillor Michalowski, Executive Member for Place, Planning & Regulatory Services	Merstham Recreation Ground renovation

Written responses given after the meeting

12.	Councillor Booton	Councillor Biggs, Leader of the Council	Climate Emergency
13.	Councillor Ritter	Councillor Avery, Executive Member for Neighbourhood Services	Garden Waste
14.	Councillor Kelly	Councillor Avery, Executive Member for Neighbourhood Services	Recycling bus
15.	Councillor McKenna	Councillor Michalowski, Executive Member for Place, Planning & Regulatory Services	Permitted Development Rights
16.	Councillor Khan	Councillor Michalowski, Executive Member for Place, Planning & Regulatory Services	Permitted Development Rights

Councillor Dwight will ask the **Leader of the Council, Councillor Biggs**, the following question:

Question 1: Changes to rail ticket offices

Please will the Leader of Reigate and Banstead Borough Council write to the Minister of State for Rail, Huw Merriman MP, to ensure proposed changes to ticket offices across our Borough do not disadvantage local rail users, particularly the young, the elderly and those with disabilities.

Councillor Essex will ask the **Leader of the Council, Councillor Biggs**, the following question:

Question 2: Changes to rail ticket offices

Please confirm whether, and if so how, the Council will challenge plans to close every ticket office in the borough.

Response:

Thank you, Councillors Dwight and Essex.

Your questions refer to the proposals by Train Operators to change how rail stations are staffed – specifically, to move staff onto station platforms and concourses and an associated closure of ticket offices.

We must ensure that the most vulnerable people in our borough are not adversely impacted by these proposals.

I can therefore confirm that we will be responding to the current consultation, and I will also write to Huw Merriman MP stressing the importance of station services that are accessible to all and do not disadvantage any resident.

Supplementary Question:

Councillor Dwight:

We have seen many areas of life move over to digital. Rail tickets are no exception. The difficulties this will pose for some of our community need to be recognised. When looking at the consultation, it was evident that there was a difference being made between ticket office hours and ticket assistance hours. When the Leader writes to the Rail Minister, please can he clarify exactly what this means and ensure that our residents can continue to travel with confidence.

Councillor Essex:

I now understand that the Council is committed to write to the Minister. In addition, please can I ask that the Council fully participate in the consultation with Southern which has published a very short list of ticket offices that will remain open. This will mean a considerable reduction in station staffing affecting the assistance available to

and accessibility of the rail network particularly for our most vulnerable residents including those with a visual impairment. Please can residents be encouraged to participate in the consultation.

Supplementary Question Response:

Digital exclusion is something of which the Council is very aware and we must make sure that we do everything possible for residents who are not digitally adapt. The Council will continue its work to ensure that residents are not disadvantaged by not being digitally aware.

I can confirm that I am more than happy to write to the train operators. I have looked at the assistance times compared to the ticket office times, and it certainly appears that the assistance times are longer. However, the assistance has to be effective. I will work with the Managing Director to ensure that consultation by the train operators is promoted.

Councillor Sinden will ask the **Executive Member for Commercial & Community Assets, Councillor (Andrew) King**, the following question:

Question 3: Park pavilions and toilets

Please could the Council provide an update on the dates for reopening the pavilions and toilets in the council's three parks - Lady Neville, Memorial and Priory parks - and any refurbishments required to make this happen as these are so important to our residents. Thank you.

Response:

Thank you, Councillor Sinden.

All three park cafes now have Heads of Terms agreed with new prospective tenants and all parties are beginning the legal process to determine the new leases.

The reopening of the park cafes will be led by the tenant fit requirements and we are currently engaging with the tenants' respective design teams to agree the works required.

Once agreed a project programme will be formulated with an estimated opening date for each.

Temporary toilet provision will remain in situ at Priory Park and Redhill Memorial Park until the new tenants start trading. Lady Neville Park will continue to be serviced by the public facilities locally.

Supplementary Question:

Is there any proposed timeframe for the pavilions and toilets to reopen? Would the Council consider running the pavilions, providing opportunities for employment, and bringing benefit to residents who are missing their refreshments and would like proper toilets and not portaloos.

Supplementary Question Response:

I refer the Councillor to my earlier response. The new tenants will have their programme of works which will determine when these facilities will reopen. Obviously, we want this to happen as quickly as possible. But it is not possible for me to give a date. Until the facilities do reopen, we will continue with the temporary arrangements.

Councillor Khan will ask the **Executive Member for Communities, Leisure & Culture, Councillor Ashford**, the following question:

Question 4: Community bus service

The neighbouring borough Councils of Epsom and Ewell, Tandridge and Mole Valley have a community bus service operation in place. Why doesn't Reigate and Banstead Council?

Response:

Thank you, Councillor Khan.

The Council a ground breaking introduced a taxi voucher scheme in 2014. The scheme provides subsidised taxi travel for residents who are on low incomes and have poor mobility. Predominantly the scheme supports residents of pension age although terminally ill residents are also eligible to seek taxi vouchers if they meet the other criteria. As opposed to a community bus service, the scheme gives residents the flexibility to travel when and where they need and unlike other schemes, alternative vehicles are always available. Due to budgetary pressures the scheme was closed to new applications in 2022/23. However, it is still providing support to over 80 residents this year.

A minibus service is in operation at the community centres in Banstead and Horley bringing residents to and from the centres. The Council funds the part-time minibus drivers, working in partnership with the centre committees who fund the costs associated with the minibuses.

The Council also supports Banstead Age Concern who provide escorted transport for older people to health and welfare appointments through a volunteer scheme.

Supplementary Question:

Earlier this week I met with some elderly and vulnerable residents from the north of the Borough. They have a 20-minute walk down to the bottom of a hill to catch a bus for their GP appointments. These are residents for whom the taxi voucher scheme is no longer available. It costs them £26 on average for a return taxi trip to the GP. Given there is a bus service in Banstead and Horley, please can this be extended to benefit residents in the north of the Borough?

Supplementary Question Response:

The bus service mentioned is run by the community centres for residents using these and is not generally available as there is no community centre in Netherne. East Surrey Rural Transport, funded through Surrey Heartlands, is providing community transport in Redhill, Merstham and Horley so it may be possible to look at how this could be used.

The Good Neighbours Scheme provides transport to local residents for medical and welfare appointments. This may provide another opportunity as setting up other local schemes is being explored.

If you would like to email me at any time, I would be happy to discuss this further with you.

Councillor Cooper will ask the **Executive Member for Communities, Leisure & Culture, Councillor Ashford**, the following question:

Question 5: Financial support for the rising cost of living

With the rising cost of living, I would like to ask what financial support we are putting in place, if any, to assist families who are struggling to help get them through the coming winter months.

Response:

Thank you, Councillor Cooper.

I am pleased to outline some of the financial support that this Council can offer local residents to assist managing the rise in the cost of living.

The government has announced a further round (round 4) of Household Support Fund grant which is due to run until 31st March 2024.

The grant's main purpose is to assist vulnerable households who are particularly struggling with the rising cost of living and in particular food and energy bills. The Borough Council has been allocated £511,939, which brings the total allocated to RBBC for distribution to £1.52 million over the 4 funding rounds.

At Reigate and Banstead, we have prepared plans to distribute this latest round of funding, using our experience gained in rounds 1-3, and with close regard to the strict grant criteria which have been laid down by the Department of Work and Pensions.

Most of the funding will be distributed to residents via a number of trusted voluntary and community sector partners who are 'on the ground' and are therefore able to identify genuine need at the earliest opportunity.

Our spending plan includes:

- Food and fuel vouchers, which will be distributed via VCS partners (CARB, CDA and Raven's Moneywise) and our own Money Support Team to those in greatest need. The vouchers are expected to be available from September 2023.
- Direct payments to VCS partners to provide essentials to support particular groups (they include YMCA, I Choose Freedom, ESDAS, Stripey Stork)
- Support for Food clubs, helping the clubs bolster their food supplies to meet high demand
- Support for hot meals during the winter at a range of venues
- Fuel Poverty Initiatives which support sustainable energy efficiency improvements for homes
- Direct support to nominated individuals administered via the Mayor's Trust Fund
- Help with a few narrowly defined types of housing costs (historic rent arrears or emergency assistance), where this helps to avoid homelessness

The details of our plans are being finalised with our partners and we expect to publish further information on our website in early September and communicate to Residents through wider channels.

We also operate the Mayor's Trust Fund which is a hardship fund designed to support residents of Reigate & Banstead who are experiencing particularly acute financial hardship. The Fund can support one off costs to a maximum of £500 that are putting extra financial pressure on a resident. However, in exceptional circumstances this amount can up to £750.

Applications are invited all year round and can be made on behalf of a resident by Council officers or a trusted 3rd Party. Further details are on our website.

Since the start of 2023, the Council has also been administering the government's Energy Bill Support Scheme (Alternative Funding), assisting households with payments who were not eligible under the main energy support scheme as they do not have a direct relationship with an energy supplier. To date just under 500 households have received payments totalling £163K. The Council will continue to support any further national programmes of support, by ensuring that those eligible households receive their payments as soon as possible upon application.

Supplementary Question:

I note the support to which you refer. When the Government support ceases, what provision do we have in place?

Supplementary Question Response:

Councillor Ashford deferred to Councillor Neame, the Executive Member for Housing and Support to respond to the supplementary question.

This authority's business as usual is represented by our money and family support teams. Any Councillors who have families or individuals who are really struggling are encouraged to send them towards these teams with further information available on the Council's website.

We can offer help with housing benefit but we also have a discretionary fund available along with a variety of different grants to help residents stay in their properties to avoid homelessness.

Councillor Torra will ask the **Executive Member for Environment & Sustainability, Councillor Moses**, the following question:

Question 6: Single use plastics

The UK Government published its 25-Year Environment Plan in January 2018, which includes a target of “achieving zero avoidable plastic waste by the end of 2042”. Similarly, DEFRA’s new waste and resources strategy 2018/9 also sets out a number of plastic waste reduction reforms to help the Government achieve its ambitious plans for a greener future. These include proposals for further financial incentives to change consumer habits and greater responsibilities for retailers and manufacturers, such as handling the cost of treatment or disposal of their products at the end of their lifecycle and eco-friendly product design. In light of this, and the Council's existing commitment to eliminate avoidable single use plastics, what action can and will we take against the sale of single use vapes which are now being sold in various outlets around the borough including a dedicated vape stand at the front of the Belfry shopping centre in Redhill?

Response:

Thank you, Councillor Torra.

This issue falls somewhere between my own portfolio and that of Cllr Avery.

I believe that the stall to which you refer is a concession within the Belfry Shopping Centre.

Disposable vapes are a recognised hazard when it comes to waste and litter collection. They have the potential to cause fires in bin lorries and at waste and recycling plants. They are also very difficult and expensive to recycle.

Unfortunately, although there have been different Government consultations on single use plastics and vapes and vaping, there has been no clear suggestion yet that single use vapes will be banned.

We are therefore unable to take any direct action, as the sale of these products is still legal.

I will however work with Cllr Avery and the Surrey Environment Partnership to explore how we can provide more information for residents about how to dispose of single use vapes.

Supplementary: As a mother was angry when saw the store outside clare’s accessories. Can’t stop from enticing children. Schools having to take action to stop pupils smoking vapes. Thought there was a requirement for shops to deal with used vapes. Is it possible to promote a take back scheme and awareness in schools.

Supplementary Question:

As a mother, I was angry when I saw the store outside Claire’s Accessories. It’s as if we can’t stop these stores from opening or enticing children from using Vapes even

though it is illegal to sell them to under 18s. Various schools around the Borough are now having to open up their toilets to stop children smoking Vapes inside them. I thought manufacturers had a legal responsibility to take in the used plastics in these Vapes. Along with other Councillors, we pick them up and return them to various outlets. The Fire Brigade has also told me that they cause fires because their batteries ignite. Please can we promote a take-back scheme and a promotion in schools highlighting that they contain nicotine.

Supplementary Question Response:

Councillor Moses deferred to Councillor Avery, the Executive Member for Neighbourhood Services, to provide the response to the supplementary question.

I completely agree with the point you have raised. Single use Vapes cause fires, which is a risk to our bin trucks and would be costly to replace. We need to get the message out there to dispose of them correctly so that they do not cause harm. This is something on which I would happily work with our Council teams to get the message across.

Councillor Chandler will ask the **Executive Member for Finance, Governance & Regulatory Services, Councillor Lewanski**, the following question:

Question 7: Ethical procurement

In light of media reports of Shell:

1. Withdrawing from renewable energy as their CEO focuses the company's investments on fossil fuels in a bid to increase shareholder returns
2. Producing biogas from livestock manure and crops like maize which is an environmentally unsustainable strategy
3. Failing on pledges to reduce natural gas contracts with Russia

We find that Shell is being used by the Council to supply electricity and gas for the next two years.

Does the Council have clear criteria on ethical procurement in order to use suppliers with the best environmental, ecological and sustainable credentials?

Response:

Thank you, Councillor Chandler.

Under the Contract Procedure Rules in the Council's Constitution, among other criteria, Heads of Service are required to take ethical, social and sustainability issues into consideration when planning to procure goods or services.

The specific application of this requirement will depend on the nature of the procurement that is being undertaken.

In the case of procuring the new energy contract, the recent report to Executive set out in some detail why the energy supply market remains challenging, and why the priority therefore had to be to ensure continuity of supply at an affordable cost and residents receive value for money.

Supplementary Question:

I can see there is an advantage for going for the cheapest contract available as this is saving residents' money. Will a pledge be made that the money saved will go towards our own attempts to generate renewable energy which I am glad have started with the provision of solar panels for the pavilion in Priory Park.

Supplementary Question Response:

Any savings will be ploughed back into the budget with options for generating renewable energy to be considered.

Councillor Thorne will ask the **Executive Member for Housing & Support, Councillor Neame**, the following question:

Question 8: Asylum seekers

Please can the Executive Member report on the number of asylum seekers currently housed in the Reigate & Banstead Borough and what the Council is doing to support these asylum seekers and the communities within which they live.

Response:

Thank you, Councillor Thorne.

We are currently aware that the Home Office is using four hotels within our Borough to accommodate asylum seekers.

With regards to supporting both asylum seekers and the local community, we have recently been notified of a grant being provided by the Home Office to cover any costs to the Council.

As such money will be allocated through a light touch grant process, initially to volunteer groups already working with the asylum seekers and also to support organisations to increase activities already underway. In particular, to seek and support activities with community relations within these areas.

The Council will be engaging with local organisations over the summer to put in place the grant process.

Supplementary Question:

Please would the Council consider options to bring further pressure on the Home Office to speed up processing asylum applications.

Supplementary Question Response:

There are talks ongoing all the time between officers and the Home Office to speed up processing. I can assure you that the pressure is constant.

Councillor Proudfoot will ask the **Executive Member for Place, Planning & Regulatory Services, Councillor Michalowski**, the following question:

Question 9: Biodiversity Net Gain

Please can the Executive Member provide an update on the Council's plans to have policies in place before the Government introduces the requirement for Biodiversity Net Gain this autumn and commit to following the lead of other Councils in setting a higher minimum such as the 20% biodiversity net gain now embedded in the planning guidance elsewhere.

Response:

Thank you, Councillor Proudfoot.

Biodiversity net gain or BNG becomes mandatory for major development in November 2023 and for non-major development from April 2024. I and other members of the Executive welcome the new requirements on development to help arrest the worrying decrease in biodiversity that has occurred over the past few decades.

In terms of committing to a higher biodiversity net gain, such as the 20% mentioned, this can only be achieved through local plan policies requiring it, rather than through guidance. I have already discussed with Officers the potential to seek a higher biodiversity net gain than the mandatory 10% through our new local plan and can certainly commit to aiming for this, subject to the usual viability testing and evidence testing to ensure it can be justified and pass through the examination process.

With regards preparations for the introduction of BNG later this year, there have been various meetings with the County, other Boroughs and Districts and the Local Government Association to aim to deliver a consistent, joined-up approach. This includes working with County to undertake baselining work to enable Council-owned sites to be considered as habitat banks and looking at the potential for a shared East Surrey Ecological resource. Other work we have been doing includes drafting a biodiversity Supplementary Planning Document and amending our planning application validation criteria to ensure the relevant BNG information can be required of applicants in their submissions. Later in the year there are also plans for training Officers in assessing proposals against the BNG metric to ensure it is fully understood and implemented.

We are still awaiting some key detail and secondary legislation from Government, but all authorities are in the same boat on this and I can assure you that we are not letting this stop us doing what we can to help us prepare for BNG.

Supplementary Question:

Will the Council use the 10% net gain from biodiversity to fund the restoration of damaged habitats in the Borough. For example, the Lavender Hill sandpit and also for the generation of freshwater ponds as a stopgap until the restoration of river catchments damaged by sewage can be achieved.

Supplementary Question Response:

We have to look at biodiversity net gain issues in the round. We need to be looking at the options well in advance of the statutory obligations coming forward. I am happy to look into this further and communicate with the Councillor on this matter.

Councillor Chester will ask the **Executive Member for Place, Planning & Regulatory Services, Councillor Michalowski**, the following question:

Question 10: Gatwick Airport Development Consent Order

On Monday 3 July, Gatwick Airport Ltd (GAL) submitted a Development Consent Order (DCO) to build a second runway in place of the emergency runway at Gatwick Airport. Will the Council now write to the Government requesting that the DCO submitted by GAL is not accepted on the following grounds: 1. recent advice (June 2023) from its own Committee on Climate Change against 'any further airport expansions in the UK until the Government has developed a capacity management framework for aviation' and 2. inadequacy of consultation following GAL's failure to provide correct data on climate costs, economic benefits and local impacts, or deliver effective public engagement, particularly with respect to Horley residents?

Response:

Thank you, Councillor Chester.

This Council has consistently raised concerns relating to Gatwick's plans for expansion in the pre-submission consultations to date.

Gatwick submitted their DCO plans to the Planning Inspectorate on the 6th July and, in turn, the Inspectorate wrote to us on the 7th July giving us 14 days to respond on the adequacy of consultation. The adequacy of consultation stage requires an assessment as to whether the consultation undertaken by Gatwick accords with the requirements of the 2008 Planning Act. There are a number of local authorities affected by the airport expansion plans and we are seeking a joined-up approach wherever possible. This includes the preparation of a joint response on the Adequacy of Consultation, raising the collective concerns of the authorities with input from a number of legal and technical specialists experienced in DCOs, including King's Counsel. This Council's response will largely rely on the comprehensive joint response with a cover letter addressing any further points. The Council will therefore be providing its response on this tomorrow and I shall be happy to circulate to Members.

This adequacy of consultation stage is not able to consider the planning merits of the proposals, such as climate change impacts, although such concerns have been raised in our pre-application responses. Instead, these will be a matter for consideration if and when the DCO is accepted as valid by the Planning Inspectorate. At that point all of the information will be reviewed and the Council will respond through a range of local impact reports, written representations and statements of common ground in order to protect the interests of residents and businesses of Horley and the rest of the Borough as best we can.

Supplementary Question:

Can it be clarified that as a Council we agree that the consultation was inadequate. Have the views of Horley Town Council and Horley residents, who were unaware the consultation was happening, been taken into account? Can we guarantee that we are going to enable our residents to effectively engage with the consultation process and application when it does progress to the next stage so the consultation will be informed of all the negative impacts that will affect local residents?

Supplementary Question Response:

The response that will be provided to the Planning Inspectorate tomorrow will be shared with Members. Of course, there will be consultation and engagement with residents, especially those in Horley given the proposed development is on their doorstep.

Councillor Kelly will ask the **Executive Member for Place, Planning & Regulatory Services, Councillor Michalowski**, the following question:

Question 11: Merstham Recreation Group Renovation

With the recent excellent news that the long-awaited renovation of Merstham Rec can go ahead following it not being called-in by the Secretary of State, can I get an update as a ward councillor and a local resident on where we are at present and the timeline going forward. Also, what are the issues that have delayed the works commencing, and how are we involving local residents and groups at all stages of the process.

Response:

Thank you, Councillor Kelly.

I am delighted, like you, that planning permission has finally been granted for our Council's exciting plans to refurbish Merstham Recreation Ground.

As you know it has taken us longer than we would have liked to get to this stage, for a number of reasons.

We undertook a thorough process of engagement and consultation with local residents and stakeholders to help shape our proposals.

We needed to secure additional funding for the things that people said they wanted, which we have been successful in doing.

We also wanted to reach agreement with Sports England about how we would mitigate the loss of two grass pitches at Merstham Rec. While the Council has committed to provide a replacement grass pitch at Battlebridge and to agreeing to substantial investment in a new 3G football pitch at Merstham Park School, unfortunately Sports England and the local Football Club objected to our proposals. As a consequence, our application had to be referred to the Secretary of State to decide whether they wished to call in our application.

We are pleased therefore that the Secretary of State decided they didn't want to call in our application and as such planning consent has been granted. However, again this delayed our progress.

We are now in a good place in getting the scheme underway. We are currently finalising all tender documentation for the works. Once we have appointed a contractor, we would expect that construction will begin in early Spring next year with works completed by the end of 2024.

It is also very much our plan to continue to engage and consult with local residents and stakeholders. We will do this through means such as information boards, updates on social media and active participation in workshops and activities.

Supplementary Question:

Can I ensure that all Hooley, Merstham and Netherne Ward Councillors, including my colleague on the other side of the room, are kept informed at all stages of the

development. Also, when the time comes to break ground on the project, that we are all invited as well as the former Leader, former Councillor Mark Brunt, because this was a project to which he was personally committed.

Supplementary Question Response:

The simple answer is yes to everything.

WRITTEN RESPONSES TO BE PROVIDED AFTER THE MEETING

Councillor Booton will ask the **Leader of the Council, Councillor Biggs**, the following question:

Question 12: Climate Emergency

This last week the continuing and worsening climate emergency is clear for all to see, with record temperatures and flooding worldwide. However, the previous political leadership of this Council has refused to declare a climate emergency despite the overwhelming scientific evidence. This contrasts with our six neighbouring councils and the County Council who have all declared a Climate Emergency. As the new Leader of Reigate and Banstead Borough Council, who has also created a new Executive post for Environment and Sustainability, will you publicly commit that this Council, joins others in publicly declaring that we face a climate emergency and ensure we respond to this with the urgency required?

Response:

Thank you, Councillor Booton.

Like my predecessor, I recognise the overwhelming scientific evidence relating human activity to climate change.

I can confirm that (also like my predecessor) I am committed to taking action, - both to tackle climate change via a reduction in greenhouse gases, and to ensure that our Borough and communities are supported to adapt to the changing climate.

This is the real nub of the issue, rather than the different terminology that we and other local authorities have chosen to use. I hope you agree that this is where we should be focusing our efforts.

At Reigate & Banstead, we have a comprehensive Environmental Sustainability Strategy. This has been in place for nearly three years, and it was developed with cross party input.

As you recognise, I have also established a dedicated Executive Portfolio with responsibility for Sustainability and the Environment. We are actively progressing workstreams to reduce our own direct carbon emissions from our buildings and vehicle fleet. We are supporting local residents and businesses to become more sustainable as well.

I do not deny that we have work to do. But our approach compares favourably to a number of our neighbouring and nearby authorities who may have declared a 'climate emergency'.

Our Strategy looks beyond energy use and direct carbon emissions to consider wider action that is essential for a sustainable future (including reducing resource use and the supporting the natural environment).

Also, unlike some nearby authorities, we have two dedicated sustainability officers to help deliver on our objectives.

Last year (via another Council question) you drew attention to the fact that an assessment by the organisation Climate Emergency UK had placed us within the top 10 percentile of District Councils in the country for our approach.

But I agree that we can't afford to be complacent.

That is why we will soon be commencing a review of our environmental sustainability priorities and action plan to ensure they remain fit for purpose and deliverable. As part of this, we will of course look at what other local authorities nearby are doing; and – at the appropriate time – I would also encourage all members to get involved in the review as well.

Councillor Ritter will ask the **Executive Member for Neighbourhood Services, Councillor Avery**, the following question:

Question 13: Garden Waste

Could this Council consider community garden waste bins in areas where residents are struggling to afford one to ensure that residents' garden waste is not placed in the bottom of their general waste bin?

Response:

Thank you for the question Councillor Ritter

The cost of a garden waste bin membership is currently £68 per year. This works out at £2.62 per collection, which we believe is still an affordable service for our residents. Residents are also able to dispose of their garden waste by taking it to Surrey County Council's Community Recycling Centre, free of charge.

The income from our Garden Waste service is valuable revenue in supporting the Council's operating budget.

Providing a community bin for garden waste which is a 'paid for' service has the potential to create some issues, similar to those we experience at our Bring Sites:

- Misuse of the bin for other waste streams, for example, refuse which contaminates the garden waste
- Encouraging fly tipping
- Reduction of 'paid for' memberships where residents elect to use the community bin instead.
- Difficulties in ensuring fair sharing of bin space, if for example it being used for garden clearance.
- Difficulty in ensuring responsibility for presentation of bin for collection.

Councillor Kelly will ask the **Executive Member for Neighbourhood Services, Councillor Avery**, the following question:

Question 14: Recycling bus

Do we have an update on where the recycling bus is that for many years was parked at the Town Hall after it visited many areas of the borough. Is it out of commission, or will we see it again in the future?

Response:

Thank you for the question Cllr Kelly.

- The recycling bus/trailer was bought in 2012 when we moved to four streams of Waste & Recycling collections.
- It was used to inform residents of the new recycling process and to promote recycling across the borough.
- It has not been in use for some years and is currently being stored at the depot.
- During Covid whilst the Town Hall Reception was closed, it was used to support the Housing Team dealing with residents presenting at the Town Hall as homeless, giving them somewhere to wait.
- Prior to any further use it requires internal & possibly external refurbishment.

Councillor McKenna will ask the **Executive Member for Place, Planning & Regulatory Services, Councillor Michalowski**, the following question:

Question 15: Permitted Development Rights

Please can you confirm the number of homes that have been created through permitted development rights conversion in the last three financial years, the amount of Community Infrastructure Levy that the Council would have earned and the number of these which would have been required to have been affordable homes if these had instead been granted via planning permission.

Response:

Thank you, Councillor McKenna.

Between 1 Apr 2020 and 31 Mar 2023 a total of 417 homes have been completed via the permitted development route. Of those, 373 came from sites of 11 or more units, which would qualify for affordable housing provision under the Development Management Plan (DMP) policy DES6, were they to have come about through a planning application. DMP Policy DES6 requires developments of 11 or more homes to provide 30% as affordable housing. Therefore, had the units be granted via planning permission, the developments would have had the potential to deliver 112 units of affordable housing.

Obviously this does not take account of viability considerations which would have formed part of the consideration of any relevant planning application and many of the new homes have been delivered when they otherwise might not have been.

Nevertheless, it is likely that we have lost out on affordable homes as a result of the permitted development rights which is a concern we highlighted when objecting to the Government's introduction of these new rights.

The amount of Community Infrastructure Levy (CIL) that we could have captured is likely to be relatively small given the premises were mostly in use as offices when converted, making them exempt from CIL payments.

Councillor Khan will ask the **Executive Member for Place, Planning & Regulatory Services, Councillor Michalowski**, the following question:

Question 16: Permitted Development Rights

A whole parade of shops, and the flats above them in Nutfield Road, Merstham, which includes Sparkle Launderette and The Oriental, is up for sale. The vendor is selling on the basis that all the retail units are, in all but name, residential units, and none of them are required to be affordable homes. Other Councils have realised that Permitted Development Rights have a harmful and negative impact on a key shopping areas and increased the number of locations with an 'Article 4 Direction' to protect shops. Will this council apply an 'Article 4 Direction' on the three shops that are still to be granted automatic change of use?

Response:

Thank you, Councillor Khan.

This Council objected robustly to the Government's expansion of permitted development rights which now allow a whole host of uses to convert to residential use without needing planning permission.

I share your frustration at the seeming eviction of tenants in this popular and vibrant local shopping parade to make way for residential redevelopment.

The Council cannot interfere with private tenancies and therefore the only potential means of preventing this is through the use of an Article 4 Direction removing the permitted development rights granted by the Government.

Article 4 Directions have been used, most commonly to secure employment floorspace when the office to residential rights were first introduced. Article 4 Directions preventing the loss of local shops are far less frequently used and there are none in Surrey that I am aware of.

Unfortunately since the first raft of Article 4 Directions, the Government has made it increasingly more difficult for local authorities to secure them, through its updating of the National Planning Policy Framework in 2021, and reiterated by the Secretary of State in announcing the proposed expansion to permitted development rights last month. Both of which state that Article 4 Directions will only be allowed where the (planning) impacts are wholly unacceptable and that they need to be robustly justified by evidence.

Unfortunately therefore an Article 4 Direction would not be straightforward and would need to be robustly justified through evidence as it is would essentially be taking away the rights of property owners conveyed by Government legislation, no matter whether we agree with them or not. The process does therefore take time, with most Directions taking a year or more. They are therefore to be used proactively rather than reactively and ought not be sought to protect a single unit or two in an attempt to save them from eviction rather than giving consideration to protection of commercial uses at a Borough-wide scale.

As we build our evidence base, including on retail and employment needs, through the new local plan processes, the use of Article 4 Directions across the Borough is something that I am keen we review and consider.

In the meantime, we will be responding to the latest permitted development rights consultation to reiterate our concerns about the impact these can have, using Nutfield Road as an example of the unintended consequences of them.

I would like to thank you for raising the issue and for your time and our recent meeting which I'm sure was helpful to all those attending.