

**MINUTES** of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 21 May 2014 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting.

**Members Present:**

Mr Keith Taylor (Chairman)  
Mr Tim Hall (Vice-Chairman)  
Mr Ian Beardsmore  
Mrs Natalie Bramhall  
Mrs Carol Coleman  
Mr Jonathan Essex  
Mrs Margaret Hicks  
Mr George Johnson  
Mr Ernest Mallett MBE  
Mr Michael Sydney  
Mr Richard Wilson

**52/14 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]**

There were no apologies.

The Chairman explained that Christian Mahne had been selected as the new member of the Planning and Regulatory committee.

**53/14 MINUTES OF THE LAST MEETING [Item 2]**

These were agreed.

**54/14 PETITIONS [Item 3]**

There were none.

**55/14 PUBLIC QUESTION TIME [Item 4]**

There were none.

**56/14 MEMBERS' QUESTION TIME [Item 5]**

There were none.

**57/14 DECLARATIONS OF INTERESTS [Item 6]**

There were none.

## **58/14 THE SURREY CODE OF BEST PRACTICE IN RIGHTS OF WAY PROCEDURES [Item 8]**

This item was taken first by the committee to allow the Senior Countryside Access Officer to leave the meeting early.

### **Declarations of interest:**

None

### **Officers:**

Debbie Prismall, Senior Countryside Access Officer  
Nancy el Shatoury, Principal Lawyer

### **Key Points raised during the discussion:**

1. The Senior Countryside Access Officer briefly introduced the report explaining that the code of best practice in rights of way had been drawn up and based on the current planning code of best practice. The code clarifies what Members can expect from officers and the public from Members.
2. A Member of the Committee raised concerns around the delay with claims applications being processed. The Senior Countryside Access Officer explained that extra effort had been made to ensure that applications were dealt with in an efficient and timely manner. If a decision had not been made within 12 months the applicant had the choice of raising the matter with the Secretary of State. Officers did everything to ensure that contentious issues were properly investigated and so did not end up in the High Court.
3. There was concern around the wording used in paragraph 5.3 of the report regarding indicating the likely decision on an application. The Senior Countryside Access Officer explained that a thorough research process was undertaken at the beginning of any application to make a realistic decision as to whether or not a rights of way application should be approved. It was explained that the issue around avoiding indicating the likely decision on a procedure related to Members indicating decisions before they came to a Committee.
4. The Senior Countryside Access Officer explained that certain rights of ways were regularly cleared as part of an annual vegetation cut. The rights of way team would investigate all reports of obstructions or maintenance issues.
5. The Chairman asked for a refresher session on Rights of Way to be set up for Members of the Committee.
6. Members enquired on whether there was a short summary on best practice in rights of way for residents. It was explained that the local Committee web pages had details around rights of ways and information for residents on speaking on rights of way matters at Committee meetings.

**Actions/Further information to be provided:**

For a refresher session on Rights of Way to be set up for Members of the Committee.

**RESOLVED:**

The Planning and Regulatory Committee **APPROVED** the **Surrey Code of Practice in Rights of Way Procedures** and commended it to Council for inclusion in the Constitution.

**59/14 TRANSPORT STRATEGY FOR SCHOOLS PLACE PROGRAMME [Item 7]**

**Declarations of interest:**

None

**Officers:**

Hannah Philpott, Senior Policy Manager

Nancy el Shatoury, Principal Lawyer

Caroline Smith, Transport Development Planning Team Manager

Alan Stones, Planning Development Control Team Manager

Stephen Jenkins, Deputy Planning Development Control Team Manager

**Key Points raised during the discussion:**

1. The report was introduced by the Senior Policy Manager who listed the key findings and recommendations of the report. Key issues raised in the report included the need to put together travel plans before school applications go to Committee and recognising that onsite parking/drop offs should be judged on a case by case approach.
2. The Transport Development Planning Team Manager explained that generally academy and free school planning applications went through the district and borough planning process, although the County Council would still have some involvement in the application as the designated highway authority.
3. Some Members of the Committee felt that pickup and drop off points should have been considered in more detail in the report especially when taking account of safety around schools.
4. Concerns were raised around the cut to bus budgets proposed by the County Council and the implications this would have on increased car journeys to and from schools.
5. The Chairman explained that the Committee was restricted in its powers and officers would take a flexible approach when considering parking and pick up/drop off points.
6. A Member of the Committee asked when work included on the process map, figure 3, would come into force. The Senior Policy

Manager explained that a lot of the work on the process map was already being done. Monitoring, auditing and reviewing travel plans have been included as part of the travel plan process. It was further explained that the county did not have any statutory powers to enforce travel plans.

7. Members asked that schools ensure necessary action is taken to budget for transport impacts and any necessary travel measures required.
8. A Member of the Committee asked whether statistics relating to accidents outside of schools was available. The Transport Development Planning Team Manager explained that any transport assessment relating to a school application had to take account of accident rates. The accident rates around schools in Surrey were low with a majority of the accidents not involving children.
9. Concerns were raised around whether the Cycling Guidance mentioned in the strategy was being viewed in respect of school place planning or the county as a whole. The Senior Policy Manager explained that Cycling Guidance would be viewed in respect of schools.
10. A number of options including 'drive by drop offs' had been considered by the travel planning team who were now focussing on new ways of doing things.
11. Concerns were raised around new housing developments and the increase in school spaces this would create. The Transport Development Planning Team Manager explained that discussions were ongoing to ensure that enough consideration was being given to new housing provisions.
12. Members queried whether training on unilateral undertaking could be given to the Committee. The Principal Lawyer explained that in any unilateral undertaking the parties involved had to be two distinct entities. Therefore the county council could not undertake this process with itself in regards to school planning.
13. It was suggested that training on Community Infrastructure Levy (CIL) be organised for the Committee.
14. The Senior Policy Manager explained that if a school planning application did not go to the planning and regulatory Committee the travel planning team could include the application on their priority list and ensure there was engagement with the creation of the school travel plan.
15. On page 47 of the report a Member of the Committee asked for clarification around 'largely revenue/capital neutral' and asked for this to be amended as necessary.
16. It was explained that a great amount of work would go into the public consultation for the strategy. Organisations and groups signed onto the list of consultees including voluntary, resident organisations and

planning groups would be consulted as part of the process. Media publicity around the consultation would also be undertaken.

17. The Committee thanked the Member Reference Group and officers for their hard work pulling together the draft strategy.

**Actions/Further information to be provided:**

For training on CIL to be organised for the Committee.

**RESOLVED:**

1. That Planning & Regulatory Committee invites Children & Education and Environment & Transport Select Committees to comment on the transport strategy for schools place programme.
2. That it be agreed that a three month public consultation is held on the strategy document to enable its adoption as part of Surrey's Local Transport Plan.

**60/14 DATE OF NEXT MEETING [Item 9]**

The next meeting will be held on 11 June 2014 at 10.30am.

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**Chairman**