

# Surrey MPs oppose each other on drills in the hills

8 March 2023



**Jeremy Hunt MP** has said it is “disappointing” that plans to drill for oil and gas in Dunsfold have not been “formally shelved” altogether. The Chancellor of the Exchequer issued the statement after the High Court ruled the government-approved exploratory drilling in his South West Surrey constituency would go to Judicial Review.

The High Court ordered the review on the grounds that there was “inconsistency in decision-making” by Secretary of State **Michael Gove**, and that Dunsfold bordered the Surrey Hills Area of Outstanding Natural Beauty – where great weight should be placed on “conserving and enhancing landscape and scenic beauty”.

Mr Hunt, who has campaigned against the planning application in Dunsfold before, said: “Despite the latest judicial review, it is again disappointing that plans for this potential gas exploration have not been formally shelved. The idea of drilling on this beautiful area continues to be inappropriate – what’s more UKOG’s data and mapping of the sub-surface is sparse, old and simply not detailed enough. I hope to meet with Protect Dunsfold again later this month to continue discussions.”

The Conservative MP has form in the matter. In June 2022 he wrote that DLUHC’s decision to overturn Surrey County Council’s initial refusal was “bitterly disappointing and wrong both economically and environmentally”.

He also wrote a letter to Housing Secretary **Michael Gove** that said the project had been strongly opposed by both county council and “the entire local community”, going as far as accusing DLUHC of “ignoring the strength of local opinion”.

After news of the judicial review broke, UK Oil & Gas (UKOG) issued a statement to the London Stock Exchange.

It said: “Mr **Justice Lane**, dismissed five of the opponent’s grounds seeking to reverse the Secretary of State’s grant of planning consent as being unarguable. Two remaining grounds were given leave to be argued at a further hearing at some time in the future, as yet unknown.”

It added that full planning and environmental consents remain in force.

**Stephen Sanderson**, UKOG’s chief executive, said: “The company’s legal team remains robustly confident that following the extensive Loxley public inquiry, the secretary of state’s decision to grant planning consent was thoroughly considered and entirely lawful. Consequently, we will continue to move our project ahead.”

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## Can you beat the ULEZ charge?

8 March 2023



Established in **Epsom** in 1904 **Wilson's** car dealership still keeps ahead with the times. LDRS reports on its efforts to stay ahead of ULEZ expansion to Epsom and Ewell’s London borders

A quick-thinking car dealership in Surrey is advertising ULEZ compliant cars to drivers looking to make the switch before the zone expands to the Surrey border later this year.

Wilson's Epsom car dealership, in Kiln Lane, has placed a huge advert emblazoned with “beat the ULEZ charge” and its marketing team said they have been thinking of going large as the expansion was “something that’s been in the news a lot lately”.

Last year, London mayor Sadiq Khan announced the expansion of the Ultra Low Emissions Zone (ULEZ) which would bring it right up to the county’s border with the capital in areas such as Epsom and Ewell, Elmbridge and Spelthorne from August 2023.

The scheme will slap motorists of most petrol cars registered with the DVLA before 2005 with a £12.50 daily charge to enter the ULEZ zone after August 29. Diesel cars must be much newer and will have had to have been registered after September 2015 to enter the zone free of charge.

Check your vehicle [HERE](#)

The car dealership told the LDRS : “It’s at the forefront of people’s minds and there is a lot of confusion still around with councils looking to challenge the expansion or to comply with the new zones.” they added: “The situation was still at an early stage given the zone is only scheduled to come into force in August. People who have got older vehicles are considering electric or hybrid. ULEZ directly impacts our business and we want to be helping all of our customers as much as possible. We have a large range of ULEZ complaint stock and we want to show that off to customers.”

According to the Mayor of London’s office, five million more Londoners will breathe cleaner air as a result of the zone expanding.

A scrappage scheme exists for Londoners, but those on the outside are currently unable to apply despite requests from Mr Khan to the Prime Minister to include Surrey residents.

Surrey County Council was one of five local authorities to announce a legal challenge to the scheme.

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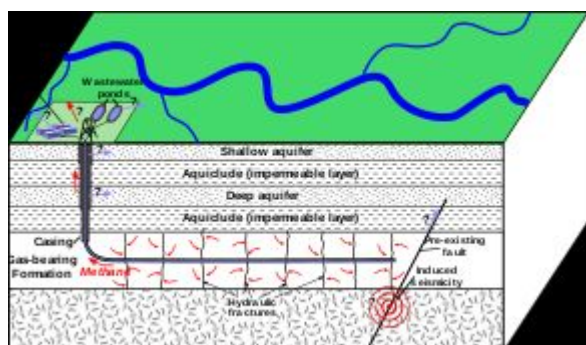
[Yet more on ULEZ....](#)

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[Council’s last minute opposition to ULEZ extension.](#)

## Fractious Court case anticipated

8 March 2023



Anti-fracking campaigners are celebrating after the High Court granted a judicial review into the exploratory drilling of £123 million of oil near the **Surrey Hills Area of Outstanding Natural Beauty**.

The **UK Oil and Gas (UKOG)** was refused planning permission to search for fossil fuels at Loxley Well in Dunsfold in December 2020 by Surrey County Council’s planning committee.

But UKOG, which describes itself as an energy company focused on oil and gas exploration, appealed in June 2022 after a public inquiry. It was granted permission by the Department of Levelling Up, Housing and Communities, led by Surrey Heath **MP Michael Gove**.

Almost immediately, **Waverley Borough Council** challenged the appeal decision in the High Court with £13,000 set aside for the legal challenge. Yesterday, the High Court ruled the matter would be examined again - by Judicial Review.

Responding to the court decision was **Frack Free Surrey**. They said: “We are delighted by the news. Allowing exploration for fossil gas during a climate emergency, and in an Area of Outstanding Natural Beauty, was an appalling decision by the government. We need to rapidly wean ourselves off gas, not look for more of it. It will be good to hear the arguments tested in the High Court.”

The legal challenge has been supported by the **Goodwill Law Project**. The group’s director, **Jo Maughan**, said: “No Secretary of State who cared about the natural environment, or climate change, would have ignored the wishes of local people to grant planning permission for a huge new fracking project next to an Area of Outstanding Natural Beauty. We are pleased the High Court has given **Protect Dunsfold**, who we are supporting, permission to bring a judicial review challenge to a decision made under Michael Gove.”

According to lawyers, the Protect Dunsfold campaign succeeded for two reasons. The first was the “inconsistency in decision-making” by Secretary of State Michael Gove, who gave the Dunsfold drilling site the go-ahead on the same day he refused permission for a comparable site.

The second is that Dunsfold sits on the edge of an Area of Outstanding Natural Beauty and there should be great weight to “conserving and enhancing landscape and scenic beauty”.

**Jeremy Hunt**, now Chancellor and whose constituency covers Dunsfold, has previously campaigned against the drilling

site going ahead. He was approached for comment.

UK Oil and Gas (UKOG) and DLUHC were approached for comment.

Paul Follows, leader of Waverley Borough Council has been approached for comment.

No date has been set for the review.

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## Mole Valley Local Plan paused: official

8 March 2023



Inspectors have agreed to pause the examination of Mole Valley's 6,000 home blueprint amid attempts to remove all green belt sites for development.

Mole Valley District Council had written to the Planning Inspectorate asking to remove all green belt sites from its draft local plan in anticipation of government changes to the planning system. But these hopes have been dashed by the inspector on the grounds it could not prejudge any prospective changes. Despite the setback, the inspector said they would be happy to delay hearings until May - when any new rule changes become clearer- and that is where things stand.

Local plans are the basis for planning decisions in an area. They outline the type, location and density of development that is likely to be permitted. Without one, developers have much freer range to chance their arms.

The council also does not have a five year housing land supply, which again tips the favour towards developers and increases the urgency with which Mole Valley District Council needs to get its local plan signed off.

Mole Valley District Council's leader member for planning, Councillor Margaret Cooksey, said that, while disappointed the local plan has been delayed yet again it is a better outcome than having to start the process from scratch. She said: "I am disappointed we are having to pause and delay. The longer we are without an adopted plan the more at risk our green sites are. If we carry on we have to work on current National Planning Policy Framework rules and greenfield sites we have in the plan. That is what we are trying to prevent. But if we just abandon the current plan we would have to start from scratch and that would take a lot longer. We don't want to lose the good parts of the draft plan."

She said they have already received an application to build on one of the green belt sites they are trying to remove from the local plan.

The planning inspector agreed to delay examination of the local plan until May 25 at which time there should be greater clarity around future national planning policy and will also accommodate the implications of the council's all out local elections in May.

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## Would you want to live in Woking?

8 March 2023



A Surrey Borough Council steeped in debt: In 2022 the Liberal Democrats seized control of Woking, inheriting a debt mountain after 14 years of Conservative Party control. At the annual budget meeting of the Full Council of Epsom and Ewell Borough Council on 14th February the debts of Croydon Council were cited when Cllr **Jan Mason** (RA Ruxley Ward) asked “Who wants to live in Croydon?” In Croydon in 2022 the Conservatives won the Mayoral election and the Council is now evenly split between Labour and Conservative representation, after years of Labour majority rule when Croydon’s £1.3 billion debt grew. In contrast the Residents Association Epsom and Ewell Borough Council has been consistently “balancing the books”.

The woes of Woking are reported by our BBC LDRS reporter.

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Annual servicing of Woking Borough Council’s massive £2billion debt is set to hit an unsustainable £62million a year, according to its own budget forecasts. The figures were published ahead of its full meeting on Thursday, February 24, where members are expected to sign off a council tax increase of 2.99 per cent.

The financial crisis at the local authority is such that the borough’s leader said the council needed government support following years of failed borrowing plans under the previous administration.

According to budget papers the council borrowed about £1.8bn for investment purposes but is only bringing in £38.5m – rising to £43.3m next year, far below the £62m in annual interest payments – leaving the council in a financial black hole and under investigation by the Department for Levelling up Housing and Communities (DLUHC).

DLUHC has confirmed that no immediate decision is pending, while borough leader Councillor Will Forster thinks the government is unlikely to put the council in special measures, given the recent changes both in its senior officers and political make up.

DLUHC’s report into the council’s finances, investments and related governance will be made available on the government’s website. Councils can not go bankrupt. Instead, they enter what is known as being under section 114 notice and means they cannot make new spending commitments. They can also lose control of their day to day running,

That does not mean Cllr Forster thinks the council can get out of its mess without help. He said: “We are still waiting for a report from the government inspection team which we will check for accuracy and information and it’s too early to predict what it will find. However, Woking needs government support, there’s not a problem with decision making and we have full faith in the officers. But the council can’t afford to pay off its debt, not even even service the debt. The papers are quite stark. £60 million a year just to service the debt -repaying the debt is even more. We need help.”

Cllr Forster said the council would be in section 114 by the 2024/25 financial year, “at this point I can not see how it can make a sustainable budget, which is terrifying,” he said.

As a comparison, Surrey County Council’s capital borrowing requirement is about £2.4billion. By 2026/27 Woking Borough Council is expected to reach the same level. The difference is that Surrey has an annual budget of about £2 billion, while Woking Council’s is closer to £55 million.

To put it another way, Woking has the equivalent of a £2m mortgage, on an annual salary of £10,000.

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## Pays to get your Council’s audit done

8 March 2023



As we reported here: Epsom and Ewell Council raises tax 2.99% Epsom and Ewell Borough Council was proud of the fact its auditors passed its last set of accounts without any qualification. Another Borough Council of Surrey is not having such a happy time over audits. Our BBC LDRS reporter reports:

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**Surrey Heath** councillors want Michael Gove to sack the Government appointed investigating the local authority’s

finances. A motion has been put forward by Councillor Robin Perry, portfolio holder for finance, to let the local authority appoint a different firm of inspectors with the “capacity and capability to complete the outstanding audit of accounts”.

It will be discussed at Full Council on Thursday, February 23, as part of Surrey Heath’s budget meeting – where council tax is also expected to rise by 2.99 per cent. The motion comes as the council’s accounts from 2019/20 to present have yet to be signed off and approved.

According to the tabled motion, the problems stem from “much publicised pressures across the whole local government audit system that are the result of staffing and capacity issues within those audit firms” and as such “many councils like Surrey Heath are experiencing significant delays in the completion of the audits on their accounts”. Cllr Perry says this “falsely and unnecessarily undermines confidence in the finances of all those councils, including Surrey Heath.”

Auditors were appointed in 2020 through the Public Sector Audits Appointments but the 2019/2020 accounts have still to be completed. Audit work has not even begun on any of the council’s later accounts. This, the motion says, has impacted preparation of the 2021/22 accounts and has “incurred significant expenditure retaining temporary staff with the historic knowledge and experience required to respond to queries relevant to the outstanding annual accounts”.

However, Councillor Rodney Bates, Labour opposition member for Old Dean, said it was just a “desperate attempt” by the Conservative-run council to blame “others for their own financial failures.” He said: “The main reasons why our external auditors have taken longer than expected to complete the 2019/20 accounts is because they were left in a dreadful mess after the council’s speculative property investments needed updated valuations. In addition, we have had repeated financial governance issues where the council made very large payments outside their own regulations. The external auditor is also hardly to blame for the fact that many of the Council financial files from that time were surprisingly deleted or for the poor handover records when key finance staff left. It is frankly ridiculous for the Conservative Portfolio Holder for Finance to complain about the auditors when it was his own Government that appointed them in a contract less than three years ago.

“Whilst there are customer service questions for our external auditor to answer, these are best addressed through the non-political audit committee at the council. This receives regular reports on the progress of the audits from both our officers and from our external auditor. The committee has a Conservative, Cllr Ratiram, as the vice chair and it is therefore surprising that Cllr Perry seems to have such a lack of confidence in his own colleague to address this issue.”

Should the council vote in favour of the recommended tax increase, bills for average band d home in the borough would rise from £2,155.62 per year to £2,226.30, a jump of £70.68.

This figure, the papers say, includes the county council and Surrey Police and Crime Commissioner increases, but not the parish councils.

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Epsom and Ewell Council raises tax 2.99%

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## Surrey County failed SEND boy

8 March 2023



Surrey County Council has been ordered to apologise and pay a family £7,400 after failing a young boy with special educational needs. The local government and social care ombudsman published its finding today. It found Surrey County Council failed to provide the boy his full entitlement of education and therapy for 18 months and fined the local authority due the frustration, distress, and lost education it caused.

The boy’s mother raised the complaint in June 2021. As part of his education, health, and care plan, the boy should receive 15 hours of tutoring a week, along with speech, language and occupational therapy. Between September 2020 and January 2021 “he received just four hours a week. This rose to six hours a week in February 2021.”

In April 2021 a special educational needs and disabilities (SEND) tribunal ordered the council to increase this to 25 hours a week, including weekly therapeutic provision, and animal therapy. Full speech and language therapy did not begin until September 2021. Animal therapy, despite the mother alerting the council that sessions had not started in May 2021, did not begin until March 2022 – as the council did not follow up her complaints, the ombudsman found.

In December 2021, the boy’s relationship with his occupational therapist was said to have broken down but Surrey County Council did not put in an alternative until March 2022.

Michael King, local government and social care ombudsman, said: “Councils cannot delegate their duties to ensure

provision laid out in young people's EHC Plans are delivered. After councils issue these plans we expect them to ensure all the provision included is in place – and if it is not, it should act to secure it without delay. In this case the boy missed out on a significant amount of tuition and therapies for a prolonged period, despite a previous investigation by us which found the son did not get education between 2018 and 2020. It is disappointing that the council did not learn from the issues raised in my first investigation."

Mr King said he had further concerns over the way Surrey County Council dealt with the mother's complaints, which at one stage took 11 months to handle. The council's own policy states it should have taken a maximum of 30 days.

Following the investigation Surrey County Council must now write to the mother and apologise for its faults and the injustice it caused. It must also pay £5,400 for the boy's his lost hours of education and therapy, £1,000 to the boy's mother for the prolonged frustration and distress it caused which it compounded with poor complaint handling, and a further £1,000 to the boy in recognition of the distress caused to him.

It must also carry out a review of how it arranges and monitors its provisions and complaint handling for its children and young people services.

Mr King added: "The council has accepted my recommendations to improve its processes and I hope the better oversight this will bring will ensure other children and young people in Surrey do not miss out on the education and therapy they are entitled to in the same way."

Surrey County Council now has three months to consider the report and confirm its actions. A spokesperson for the county council said: "The Local Government and Social Care Ombudsman has issued a report following its investigation of a complaint about Surrey County Council. The complaint was about education and children's services. The Ombudsman found that there had been fault on the part of the council, and this had caused injustice to the complainant. Surrey County Council takes the findings very seriously and apologises for any distress the family experienced, and has agreed to take action which the ombudsman regards as providing a satisfactory remedy for the complaint."

The council must now consider the report and tell the ombudsman within three months (or such longer period as the ombudsman may agree) what it proposes to do.

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## Blot on Epsom Downs horizon to grow no more?

8 March 2023



Ever wondered where are those tower-blocks on the west horizon from Epsom Downs? Our LDRS journalist reports on Woking Council's consideration of the height of its buildings:

Plans to limit high-rise development in Woking is akin to slamming the stable door shut after the horse has bolted, Surrey County Council's ex-head of planning has said. On Thursday February 2, Woking Borough Council's executive committee agreed to press ahead with its goal to create a masterplan that would "provide a long-term vision" for the town centre's skyline.

It continues work that began in 2021 that included a six-month consultation which garnered more than 850 responses from about 450 individuals and organisations. According to council documents, though, there remain several legal issues the borough must overcome before it adopts the full masterplan, including the fallout of the Planning Inspectorate decision on the Crown Place from December 3 2022 that granted planning permission three towers of 23, 25 and 28 storeys respectively.

The appeal decision has had a "clear implication" for the Masterplan, the report read, "in that it has changed the nature of the townscape" and that "as a minimum, the design principles for this site, including what prospective heights may be appropriate, will need reconsidering."

Furthermore, the report states, during the public consultation phase, Woking Borough Council received representations from developers regarding the possibility of legal challenges if it were to be adopted. There is also the financial risk with officers identifying "significant" cost implications and suggesting the only way to "avoid unnecessary additional expense to the taxpayers purse" is not to proceed to adopt the Town Centre Masterplan in its current draft form.

This has caused the council to seek legal advice on how to proceed. Whether the masterplan can ever have the impact the council desires – fewer high rises in the town centre is debated.

Catriona Riddell is a former head of planning at Surrey County Council and current director at Catriona Riddell & Associates. She said: "Woking is a very tiny, very constrained borough with a lot of debate about how high up the

developments go. Anywhere from Surrey you can see Woking. Some love it, some hate it. It's very much Marmite. "The Government is trying to help local authorities restrict the number of high rises but with Woking, it is going to be difficult as it already has so many. The local plan is in place in Woking and is up to date - that's what developers will look at. Any supplementary planning won't have the same status. Developers are used to playing this game. It's going to be difficult for the council to change this."

According to council papers, the masterplan will establish an "overarching vision for the town centre to enable designed, sustainable development, such as building new homes, cultivating a thriving retail and business environment and strengthening Woking's cultural and leisure offer".

The report said that the "ambition and need for a clear and robust plan to guide development in the town centre, to give certainty to developers wishing to invest, and provide officers with an effective tool to assess planning applications and defend decisions on appeal remains".

This, Ms Riddell says, may be the best way for the authority to move forward. She added: 'It will be about how to make the area a good place to live and work and the only way is through a masterplan so they are right to go ahead with it but it will be difficult with developers looking to build highrises. It will be very difficult for the council to argue its out of character. Woking has changed massively over the years, that horse has bolted.'

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## Will Cathedral repairs threaten Canadian WW1 memorial?

8 March 2023



Plans to build 124 homes on undeveloped woodland next to **Guildford Cathedral** will threaten a memorial to Canada's First World War military sacrifice, a preservation society has warned. Guildford Cathedral needs to carry out an estimated £3.2million in repairs, but unlike other cathedrals in the UK, it says, has "never possessed endowments of any significance and has always struggled to fund repairs to the Grade II\* listed building".

Image: Grahame Larter

To solve the issue, the cathedral sold a parcel of land to developers which, it says, will "enable the endowment to be secured for the cathedral which is vital for its survival" and secure its long-term maintenance.

The issue, says the **Vimy Foundation**, which oversees the public historical resources and modern perspectives on Canada's participation in the First World War, is that land is a memorial to the 650,000 Canadians and Newfoundlanders who fought in Europe during the First World War, 66,000 of whom lost their lives.

Writing to **Guildford Borough Council's** planning committee, the foundation said: "This undeveloped wooded area was created on the initiative of **R.B. Bennet**, prime minister of Canada from 1930 to 1935, who lived near Guildford, to provide a place for reflection and remembrance of Canada's contribution during the conflicts that shook the first half of the 20th century."

They added: "While understanding the needs of the Guildford community, The Vimy Foundation wishes to reaffirm its commitment to the preservation of memorial sites honouring Canada's fallen soldiers. In recognition of the bravery and sacrifice of these men and women, their memory must continue to be honoured. The Vimy Foundation calls on decision-makers, Guildford Cathedral, Guildford Borough Council and developers, to preserve the commemorative and memorial dimension of this site and will support initiatives in this direction."

There are currently seven homes on the site and used by staff cathedral staff. It is designated as open space as part of the Cathedral land but earmarked for 100 homes within the council's local plan.

A previous planning application to build 134 homes on the slopes of the cathedral was turned down, despite officer recommendations, by Guildford's planning committee. Background papers to the application said it was due to the plans being "poor quality and out of character with the surrounding area".

This led to the cathedral working with developers **Vivid** to carry out what it described as a "comprehensive review" that included "extensive work to address the reasons for refusal in the 2015 scheme". The new plans would demolish the existing staff buildings to create 124 homes, 44 of which would be affordable. Cathedral staff would have use of 13 dwellings, with the remaining 111 consisting of 19 one bed units, 61 two-beds, 28 three-beds and three four-bed homes.

**Matt O'Grady**, chief operating officer at Guildford Cathedral, said: "The Charity Commission, the regulatory body responsible for these matters, was given the full details of the gift of land, including all associated historical

correspondence. After a thorough assessment the commission approved schemes allowing the cathedral to sell the relevant land - allocated in Guildford's Local Plan - for development. R Bennet will always be acknowledged as the generous donor who enabled land to be purchased from the Earl of Onslow.

"His contribution is commemorated in a ledger stone on the south elevation of the Cathedral and the protection of this is encapsulated in the Cathedral's Grade II\* listing and in the Care of Cathedrals Measure 2011. The Grade II\* listed Guildford Cathedral doesn't benefit from a large income in the same way as many English cathedrals; because it is relatively new, it doesn't have any historic endowments. The sale of land to Vivid for new homes will safeguard the long-term future of the building.

"The income generated will be used to create an annual endowment that will provide for the long-term repair, maintenance, and improvement of the cathedral. The cathedral is proud of its community links and believes very strongly that it should play a part in contributing to new homes in Guildford."

The latest neighbourhood consultation expired in January. A date has yet to be set for the matter to appear before committee.