

MINUTES of the MEETING of the  
WAVERLEY BOROUGH COUNCIL  
held in the Council Chamber,  
Council Offices, Godalming on  
22 July 2008 at 7.00 pm

\* Cllr L C Bate (Mayor)

\* Cllr Mrs P M Frost (Deputy Mayor)

Cllr Mrs J I Arrick	* Cllr R A Knowles
* Cllr C R Baily	* Cllr Ms D Le Gal
* Cllr M H W Band	* Cllr Dr N J Lee
* Cllr Mrs G M Beel	* Cllr A J Lovell
* Cllr M W Byham	* Cllr P J Martin
* Cllr Mrs E Cable	* Cllr T E Martin
* Cllr M Causey	* Cllr B J Morgan
* Cllr Mrs C Cockburn	* Cllr S N Mulliner
* Cllr S P Connolly	Cllr D J Munro
Cllr V Duckett	Cllr S J O'Grady
* Cllr J H B Edwards	* Cllr S L Pritchard
* Cllr B A Ellis	* Cllr K T Reed
* Cllr Mrs P Ellis	Cllr S Renshaw
* Cllr Mrs L J Fleming	* Cllr S N Reynolds
* Cllr R D Frost	* Cllr I E Sampson
* Cllr R J Gates	* Cllr J R Sandy
* Cllr M R Goodridge	* Cllr Mrs C E Savage
* Cllr R A Gordon-Smith	* Cllr J M Savage
Cllr Mrs J P Hargreaves	* Cllr R J Steel
* Cllr S L Hill	* Cllr A E B Taylor-Smith
Cllr N P Holder	* Cllr Ms J R Thomson
* Cllr J P Hubble	Cllr A P Thorp
* Cllr S R E Inchbald	* Cllr J A Ward
* Cllr D C Inman	* Cllr Mrs N Warner-O'Neill
* Cllr P B Isherwood	* Cllr K Webster
* Cllr Mrs D M James	* Cllr R A Welland
Cllr Mrs C A King	* Cllr Mrs L Wheatley

\* Cllr C A Wilson

\* Present

At the commencement of the meeting, prayers were led by the Reverend John Page of Hale and Badshot Lea.

14. MINUTES

The Minutes of the Annual Meeting of the Council held on 13 May 2008 were confirmed and signed.

15. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs J I Arrick, V Duckett, Mrs J P Hargreaves, Mrs C A King, S J O'Grady, S Renshaw and A Thorp.

## 16. DISCLOSURE OF INTERESTS

Personal interests were declared by Cllr B A Ellis, Cllr K T Reed and Cllr Mrs C E Savage on Minute No. 48 (Cranleigh Village Design Statement) of the Executive meeting held on 8 July 2008 as Waverley representatives on the Cranleigh Initiative. Cllr J M Savage also declared a personal interest in this item because his wife is a Waverley representative.

Cllr B J Morgan declared a personal interest in Minute No. 7 (Frensham Village Design Statement) of the Executive meeting held on 20 May 2008 and Minute No. 49 from the Executive meeting on 8 July 2008 as a member of Frensham Parish Council.

## 17. MAYOR'S ANNOUNCEMENTS

The Mayor informed the Council that he had attended over 120 engagements since the Annual Council meeting including royal visits, his own Civic Service and Volunteers Garden Party, village fetes and a number of youth events. He reminded councillors that details of all activities were set out on the Mayor's Blog and diary page on the Waverley website.

The Mayor then provided councillors with the following dates for their diaries:-

- |                |  |
|----------------|--|
| 5 October 2008 | Water Walk at Frensham Ponds - councillors were invited to join the Mayor on either a 4, 7 or 10km sponsored walk around Frensham Ponds, or to sponsor him |
| 7 March 2009   | Black tie charity dinner at Farnham Castle, to include an Auction of Promises  |
| 27 March 2009  | Civic Reception at Charterhouse  |

Arrangements were also being made for a barn ceilidh, music festival and the Christmas Fayre, on dates yet to be confirmed.

## 18. QUESTIONS FROM MEMBERS OF THE PUBLIC

The following questions to the Mayor had been received from members of the public in accordance with Procedure Rule 10:-

### i. Mr S Cochrane of Farnham

"I would be most grateful if I could ask the following two part question, the first part is important for my understanding and only requires a yes or no answer:

'Is the air quality action plan part or whole of the Area Action Plan for Farnham's town centre traffic management which Waverley is committed to on page 5 of the Statement of Community Involvement?

Whilst improving air quality is a priority, changes to traffic flows, direction and pedestrianisation will undoubtedly have an economic and physical impact on certain elements of the community. When only one statutory respondent replies to the consultation, the local town council fails to do so, there is no sign that retailers or the Chamber of Commerce has been consulted and the consultants employed also have CNS as a client and therefore potential conflicts of interest, why is it that decisions are being made by the council before adequate truly independent studies have been completed and more importantly specific schemes trialed before implementation and approval?”.

Mr Cochrane was not able to be present at the meeting, but the Executive Portfolio Holder for Climate Change and Neighbourhood Environmental Services gave the following response in his absence and confirmed that the answer would be sent to him in writing:-

“The first part of the question refers to the Statement of Community Involvement (SCI). This is the document that the Council is required to produce. It explains how the Council proposes to engage with the local community and other stakeholders in the preparation of planning policy and when considering planning applications. On page 5 there is a list of the different types of LDF documents. Area Action Plans are included in the list. An Area Action Plan is a tool that can be used where it is necessary to provide a planning framework for areas where significant change or conservation is needed. In the section on Area Action Plans in the SCI, there is a specific reference to issues in Farnham Town Centre and an Area Action Plan being the LDF tool to deal with the issues.

Our Local Development Scheme (LDS) sets out the project programme for the production of LDF documents. The only documents currently programmed in the LDS are the Core Strategy, a Site Allocations Document and the Planning Infrastructure Contributions Supplementary Planning Document (SPD). We make reference to other LDF documents that we propose to produce. The list includes an Area Action Plan, or an SPD, for each of the main town centres. However, we make it clear that these are currently a lesser priority and will be progressed through the LDF when resources permit.

Clearly if we do an Area Action Plan for Farnham it will need to consider relevant issues affecting the town centre, such as the impact of traffic. It will also be necessary to have regard to the fact that part of the town centre is affected by the Air Quality Action Plan. Therefore, although the AQAP is not in itself an LDF document, it is something that we would need to be mindful of when we do produce either an Area Action Plan or an SPD for Farnham.

In addition to the statutory consultees, members of local interest and business groups together with people who had previously expressed an interest in air quality issues received details of the draft action plan by email or by letter. Copies of the draft action plan were sent out to members of the public and other consultees on request. In addition a hard copy of the draft action plan was made available at Waverley’s

Farnham Locality Office, which is within the Farnham Air Quality Management Area. This was also available by visiting the main Waverley office at The Burys. Consultees were encouraged to respond by telephone, email, and letter or by completing an on-line web form on the draft action plan via the air quality section of the Waverley website.

Waverley's Communications Section issued a press release on the action plan, which resulted in coverage in the Farnham Herald and the Surrey Advertiser on 25 January 2008 including details of how to respond to the consultation. The article also featured in the Talking Newspaper.

There were nine public responses, plus one statutory consultee response, to the consultation. A number of other statutory consultees acknowledged receipt of the document but made no formal comments. Waverley is not in a position to require comments to be made by consultees.

The draft air quality action plan was discussed at Surrey County Council's Waverley Local Committee in March and at the Waverley Local Strategic Partnership in May. The former was a meeting open to the public and for which Surrey County Council have published reports and minutes on their website.

Many of the proposed measures in the Action Plan fall within the remit of the local Highway Authority, Surrey County Council. The measures outlined in the three options outlined in the Farnham Review study are subject to further feasibility work and funding and do not represent a final plan for Farnham. In addition Waverley has applied for a grant from DEFRA for a study that will model the air quality impacts of the Farnham Review Study both within and beyond the AQMA. This will include the implications on air quality in the Upper Hale Road".

ii. Mr J Hyman of Farnham

"Mr Mayor,

At present, pedestrians that wish to cross South Street or Bear Lane at the Royal Deer junction have to wait up to thirty eight seconds for the next pedestrian 'green' phase.

Surrey County Council have recently confirmed that the re-phasing proposal, which is an integral and (in terms of funding mechanisms) a pre-requisite of the Farnham AQAP, involves increasing that 38-second wait to 82 (EIGHTY TWO) seconds.

**Can you please explain in simple terms how WBC justify this drastic measure as being in accordance with the AQAP's claim to 'improve pedestrian conditions', how it passed SCC's 'Safety Audit', and how it improves the pedestrian linkage between The Borough and the eastern parts of the town centre?**

Thank you".

The Executive Portfolio Holder for Climate Change and Neighbourhood Environmental Services responded as follows:-

"Technical matters involving roads and the phasing of pedestrian crossings are the statutory responsibility of the Highways Authority (Surrey County Council) on whose advice Waverley relies. The question has been put to the Local Transport Plan Performance Coordinator of Surrey County Council and he has responded with the following information: -

No pedestrian signals in Surrey are set at times of 82 seconds or anything near that. The normal target time is about 30 seconds though it may be a little longer at junctions.

The transport measures proposed in the AQAP for Farnham are provisional and are subject to both feasibility and funding.

Surrey County Council have pointed out that the Farnham Area Major Scheme report by Scott Wilson is a review - not a plan. Measures within it will be subject to further feasibility study and consultation. Waverley itself is seeking funding to assess the impact of the measures on air quality both within and outside the Air Quality Management Area".

iii. Mr M Murphy of Farnham

"Many existing Farnham businesses feel threatened by the so-called East Street Development proposals. Several have closed and gone, others are considering whether to renew their leases.

This is Planning Blight. If WBC were to grant consent it would extend this blight over Farnham indefinitely leading to the ruination of Farnham's commercial viability and therefore damage to WBC's own financial stability.

Why are we so pessimistic? It is because it is now apparent that WBC's chosen commercial development partner is not in a position to carry out their side of the contract. It emerges that Crest Nicholson are in trouble. They are laying off their work force, abandoning unfinished developments and not starting on any new projects. They have been obliged to call upon the services of one of the nation's top accountancy firms who specialise in "distressed companies" to sort out their financial problems.

My question is:-

Is it any longer prudent for WBC to grant consent to their development partners if Crest Nicholson are unable to fulfil their side of the contract.

May I add that if WBC are planning to continue playing this busted flush, we will require that the point raised by our MP be fulfilled and that the people of Farnham should now be given all the financial information on this latest scheme showing that is a “fully costed, commercially viable plan”.

The Leader of the Council replied as follows:-

- “1. Your assertion that "many Farnham businesses feel threatened by the East Street re-development" appears to be at odds with the Farnham Chamber of Commerce's support for the scheme"
2. Waverley is progressing, as it is required to do by law, a planning application. The issue of financial viability is governed by the contract and is not a planning consideration.
3. It is perfectly obvious that there are difficulties in the economy at this time, and these particularly affect home-building and its associated industries. This is a serious situation that affects us all, and Waverley will do all in its power to safeguard its position in those circumstances and to work with all those affected. The economic situation, or its affect on Waverley's partners, is not a matter to be taken lightly or to be rejoiced about because it serves particular interests. In fact open speculation such as that contained in the preamble to your question is positively unhelpful for those anxious about their jobs in all the industries affected by the downturn.
4. The contract provides for viability calculations to be undertaken at a time in the future when certain conditions are fulfilled. At the time of granting Landlord's consent Waverley, and their professional advisors, and the developer were confident, as was Council who had full access to the detailed calculations, that the scheme was then viable and would meet Waverley's financial requirements.
5. It is entirely wrong to speculate as to what the situation might be, either at this moment or at some future date when the viability test as detailed in the contract is called for. That date itself is particularly uncertain because the conditions that need to be fulfilled cannot be accurately timetabled. Waverley will remain in close contact with CNS, as contractual partners.

I would add that since opponents have in the past speculated, incorrectly, that CNS were "making a killing" on this development it is not clear why pessimism as to whether they now want to proceed is now the prevailing emotion."

iv. Mrs C Sandars of Farnham

“As a process matter re the East Street scheme, last October’s Council meeting was assured that the ‘cherry picking’ by the developer of the most profitable residential elements from the East Street scheme could not occur, due to the access to the construction site being via a temporary link to the A31 bypass and the direction of works necessarily being from the north to south of the site. As there is no sign of progress on a complementary planning application to secure that link road for the start of construction, what alternative access would be used to ensure that the developer is not free to include only those most profitable elements within a partial scheme?”

The Leader of the Council gave the following reply:

“It is the current contract that ensures that the entire development is completed within a specified time-frame. There is no option for the developer to “cherry-pick”.

v. Mr R Sandars of Farnham

“The Air Quality Action Plan for Farnham prescribes measures that include re-phasing of the signals at the Royal Deer junction and ‘Reallocating Roadspace’ in Downing Street and the Borough. The unavoidable consequence of these proposals will be further congestion in the town centre, with significant displacement of A287 (Castle Hill / Castle Street) traffic to other routes - in particular the already heavily loaded Upper Hale Road - and significant congestion in South Farnham on all routes into the town centre, especially those feeding into the Hickley’s Corner / A31 junction.

Given the legal requirement that the feasibility, benefits and disadvantages of measures intended to improve air quality be assessed **prior** to their inclusion in an Air Quality Action Plan, will Waverley Borough Council please detail what research has been undertaken to assess the impact of the proposed signal re-phasing and ‘reallocation of roadspace’ on the wider road network, particularly in Hale and South Farnham.

Will the Council also explain how it is complying with requirements to

- [1] make public the Surrey County Council plans for all the ‘improvements’ within the Farnham Review Study and AQAP (including the complementary traffic calming on Upper Hale Road) and,
- [2] provide an appropriate Strategic Environmental Assessment of the consequences?”

The Executive Portfolio Holder for Climate Change and Neighbourhood Environmental Services responded as follows:-

“Technical matters involving roads and the phasing of pedestrian crossings are the statutory responsibility of the Highways Authority (Surrey County Council) on whose advice Waverley relies.

The question has been put to the Local Transport Plan Performance Coordinator of Surrey County Council and he has responded with the following information:

The transport measures proposed in the AQAP for Farnham are provisional and are subject to both feasibility and funding.

The Farnham Area Major Scheme report by Scott Wilson is just a review – not a plan.

[1] The Farnham Review Study is a piece of work commissioned by Surrey County Council. SCC made it available on their own website in March this year shortly after it had been produced. In April, Waverley facilitated a link to the Farnham Review Study on its own website via the air quality section of the Waverley website. This can be found at [www.waverley.gov.uk/airquality](http://www.waverley.gov.uk/airquality) and follow the link to Waverley’s air quality action plan.

[2] The Air Quality Action Plan notes that option 2B appears to offer the greatest potential for improving air quality in the Farnham Air Quality Management Area (AQMA). Waverley has applied for a grant from DEFRA for a study that will model the air quality impact of the Farnham Review Study both within and beyond the AQMA. This will include the implications on air quality in the Upper Hale Road.

The Highway Authority, Surrey County Council, will be ultimately responsible for the delivery of measures in the Farnham Review Study within the context of the Local Transport Plan, which will require its own Strategic Environmental Assessment. It is understood that the other measures within the Air Quality Action Plan do not require a Strategic Environmental Assessment”.

## 19. MINUTES OF THE EXECUTIVE

### 19.1 Meeting of 20 May 2008

It was moved by the Chairman of the Executive and duly seconded that the Minutes of the Meeting of the Executive held on 20 May 2008 be approved and adopted.

#### i. Waste Management - Joint Working (Minute No. 5)

[At this point in the meeting, Cllr P J Martin declared a personal interest in this item as a Surrey County Council Executive Member.]

Cllr Mrs D M James asked that her vote against Recommendation No.1 be recorded.



ii. Frensham Village Design Statement (Minute No. 7)

The Council was informed that Recommendation No. 3 had been superseded by Recommendation No. 11 and was reported in Minute No. 49 of the Executive meeting on 8 July 2008.

RESOLVED that the Minutes of the Meeting of the Executive held on 20 May 2008 be approved and the recommendations contained therein adopted.

19.2 Meeting of 10 June 2008

It was moved by the Chairman of the Executive, duly seconded and

RESOLVED that the Minutes of the Meeting of the Executive held on 10 June 2008 be approved and the recommendations contained therein adopted.

19.3 Meeting of 8 July 2008

It was moved by the Chairman of the Executive and duly seconded that the Minutes of the Meeting of the Executive held on 8 July 2008 be approved and adopted.

i. Cranleigh Village Design Statement (Minute No. 48)

It was proposed, and the Council agreed, that the word 'village' be deleted from references to the document so that it was now referred to as the Cranleigh Design Statement. Cllr J M Savage requested that his vote against this change be recorded.

ii. Waverley Borough Council Air Quality Action Plan (Minute No. 50)

[At this point in the meeting, Cllr R J Steel declared a personal interest as a member of Farnham Town Council.]

It was moved and seconded that a new recommendation 12A be added, as follows:-

12A. That an urgent meeting be arranged between this Council and Surrey County Council to consider the issues raised by the Air Quality Action Plan and other related traffic and development matters in Farnham and its surrounding areas; with a view to obtaining greater priority, and the resources necessary, to providing an adequate and practicable transport system for the future."

The amendment was then amended to extend the area of concern wider than just "...in Farnham and its surrounding areas..." and instead to read "...in Waverley, and in particular Farnham and its surrounding areas...". This was agreed by assent.

It was then moved in accordance with Procedure Rule 17.5 that voting on this amendment should be by roll-call and recorded. The voting was as follows:-

For the amendment (15 votes)

Cllrs C R Baily, M Causey, Mrs P Ellis, Mrs L J Fleming, N P Holder, S R E Inchbald, Mrs D M James, A J Lovell, S L Pritchard, K T Reed, Mrs C E Savage, J M Savage, R J Steel, A E B Taylor-Smith, J A Ward.

Against the amendment (33 votes)

Cllrs M H W Band, Cllr L C Bate, Mrs G M Beel, M W Byham, Mrs E Cable, Mrs C Cockburn, S P Connolly, J H B Edwards, B A Ellis, Mrs P M Frost, R D Frost, R J Gates, M R Goodridge, R A Gordon-Smith, S L Hill, J P Hubble, P B Isherwood, R A Knowles, Ms D Le Gal, Dr N Lee, P J Martin, T E Martin, B J Morgan, S N Mulliner, S N Reynolds, I E Sampson, J R Sandy, Ms J R Thomson, Mrs N Warner-O'Neill, K Webster, R A Welland, Mrs L Wheatley, C A Wilson.

Abstaining (1 vote)

Cllr D C Inman.

This amendment was therefore LOST. Cllrs Mrs D M James and A J Lovell requested that their votes against the substantive recommendation be recorded. Cllr K T Reed abstained from voting on the substantive recommendation and asked that this also be recorded in the minutes.

iii. Central Offices - Boiler Replacement (Minute No. 64)

The Council was informed that this decision had been called-in for scrutiny by the Corporate Overview and Scrutiny Committee which would be meeting on 29 July 2008.

RESOLVED that the Minutes of the Meeting of the Executive held on 8 July 2008 be approved and the recommendations contained therein adopted.

20. MINUTES OF THE JOINT PLANNING COMMITTEE

20.1 Meeting of 13 May 2008

It was moved by the Chairman of the Committee, duly seconded and

RESOLVED that the Minutes of the Meeting of the Joint Planning Committee held on 13 May 2008 be approved.

20.2 Meeting of 27 May 2008

It was moved by the Chairman of the Committee, duly seconded and

RESOLVED that the Minutes of the Meeting of the Joint Planning Committee held on 27 May 2008 be approved.

20.3 Meeting of 28 May 2008

It was moved by the Chairman of the Committee, duly seconded and

RESOLVED that the Minutes of the Meeting of the Joint Planning Committee held on 28 May 2008 be approved.

21. MINUTES OF THE LICENSING AND REGULATORY COMMITTEE

21.1 Meeting of 13 May 2008

It was moved by the Chairman of the Committee, duly seconded and

RESOLVED that the Minutes of the Meeting of the Licensing and Regulatory Committee held on 13 May 2008 be approved, to include the corrected list of members present.

21.2 Meeting of 2 June 2008

It was moved by the Chairman of the Committee, duly seconded and

RESOLVED that the Minutes of the Meeting of the Licensing and Regulatory Committee held on 2 June 2008 be approved.

22. MINUTES OF THE AUDIT COMMITTEE

It was moved by the Chairman of the Committee, duly seconded and

RESOLVED that the Minutes of the Meeting of the Audit Committee held on 24 June 2008 be approved.

23. MINUTES OF THE STANDARDS COMMITTEE

It was moved by the Independent Chairman of the Committee, duly seconded and

RESOLVED that the Minutes of the Meeting of the Standards Committee held on 1 July 2008 be approved and the recommendations contained therein adopted.

24. ANNUAL REPORTS OF OVERVIEW AND SCRUTINY COMMITTEES

The Council received the Annual Reports from the Community, Corporate and Environment and Leisure Overview and Scrutiny Committees which had been endorsed at their June meetings.

25. LOCAL GOVERNMENT AND HOUSING ACT 1989  
LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS)  
REGULATIONS 1990

RESOLVED that the Appeals Panel and Emergency Advisory Group be constituted as follows:-

Appeals Panel (12)

Cllr Mrs G M Beel  
Cllr L C Bate  
Cllr Mrs P Ellis  
Cllr M R Goodridge  
Cllr D C Inman  
Cllr Mrs D M James

Cllr R A Knowles  
Cllr B J Morgan  
Cllr S L Pritchard  
Cllr K T Reed  
Cllr Ms J Thomson  
Cllr Mrs N Warner-O'Neill

Emergency Advisory Group (4)

Cllr M H W Band  
Cllr V Duckett

Cllr Mrs P M Frost  
Cllr R J Gates

The meeting concluded at 9.25 p.m.

Mayor