

To: All Members of the Council

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Date: 8 April 2009

Dear Councillor

COUNCIL MEETING - TUESDAY 21 APRIL 2009

A Meeting of the WAVERLEY BOROUGH COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS, GODALMING on **TUESDAY, 21 APRIL 2009** at ***7.00 p.m.** and you are hereby summoned to attend such meeting.

The Agenda for the Meeting is set out below.

Prior to the commencement of the Meeting, prayers will be led by the Reverend Margaret Jackson.

Yours sincerely

Chief Executive

*** This meeting will be webcast and can be viewed by visiting <http://www.waverley.ukcouncil.net/> and will be preceded by an open public question time at 6.30 p.m.**

AGENDA

1. **MINUTES**

To confirm the Minutes of the Meeting of the Council held on 24 February 2009 (herewith).

2. **RESIGNATION OF COUNCILLOR CYRIL BAILY**

The Council to note that Councillor Cyril Baily has resigned as member for the Alfold, Cranleigh Rural and Ellens Green Ward. The by-election to fill the vacancy will be held on Thursday 23 April 2009.

3. APOLOGIES FOR ABSENCE

The Mayor to report apologies for absence.

4. DISCLOSURE OF INTERESTS

To receive from Members declarations of personal and prejudicial interests in relation to any items included on the agenda for this meeting in accordance with the Waverley Code of Local Government Conduct.

5. MAYOR'S ANNOUNCEMENTS

6. QUESTIONS FROM MEMBERS OF THE PUBLIC

To answer the following questions received from members of the public in accordance with Procedure Rule 10:-

(i) from Mrs A Cooper of Farnham

“On the 31st March the Executive agreed an amendment to the second recommendation to the Council on the adoption of the Cultural Strategy. This is to replace the word “consultation” with “communication” in regard to the purpose of placing the Strategy on the Waverley website. I wonder if this change could be explained for the general public? The public are now being excluded from any consultation on the Cultural Strategy and have also been denied an opportunity to comment on Leisure and Tourism as part of the recent Local Development Framework Consultation, due to the absence of the Cultural Strategy.

Will the Council now redress this anomaly by giving the public an opportunity to comment on Leisure and Tourism within the Local Development Framework Consultation, and how soon can we expect this to be implemented?”

(ii) from Mr J Hyman of Farnham

“Mr Mayor,

The Habitats Directive seeks to address the problem of species extinction by providing the highest level of protection to those on the endangered list, including our local woodlarks and nightjars, but that worthy intent is reliant upon Competent Authorities being willing to implement the law faithfully. It is established that where for instance 20,000 new homes are proposed near the TBHSPA protected habitats, and where the proposed mitigation measures cannot provide the required written objective scientific evidence of 'no in-combination effect', then those applications cannot be lawfully permitted.

However, rather than cause an unnecessary 'moratorium' the Directive specifically provides for experimental mitigation strategies to be tested, by permitting limited development in accordance with the tests of

Article 6(4). In Farnham's case, applications that are of overriding public interest can be granted, subject to EC scrutiny of the proposed mitigatory or compensatory measures. In practice, that means that developments that are important to the town and have public approval can be lawfully permitted, but only if the public are willing to take the risk of public access to the heaths being curtailed in future, should long-term monitoring of the SANG and complementary 'soft' SPA access management prove those experiments to be ineffective.

Will Waverley please now move to re-assess the uncompleted extant permissions in accordance with the Directive and established EC Case Law, and furthermore remove the current unnecessary moratorium immediately, by adopting the proper approach of allowing imperative development in Farnham through the limitations of Article 6(4)? Yes or no? Thank you.”

7. QUESTION TIME

To answer any questions received in accordance with Procedure Rule 11.2.

8. NOTICE OF MOTION

To receive the following notice of motion from Cllr Alan Lovell in accordance with Procedure Rule 12.1:-

“That an urgent meeting be arranged between this Council and Surrey County Council to consider the issues raised by the Air Quality Action Plan (AQAP) and other related traffic and development matters in Farnham and its surrounding areas: with a view to giving them greater priority and the resources necessary to provide an adequate and practicable transport solution.”

9. MINUTES OF THE EXECUTIVE AND COMMITTEES

- (a) To receive the minutes of the meetings of the Executive held on:-
 - (i) 3 March 2009 (herewith - coloured grey); and
 - (ii) 31 March 2009 (herewith - coloured grey); and
- (b) To receive the minutes of the meetings of the Standards Committee held on:-
 - (i) 25 February 2009 (herewith - coloured buff); and
 - (ii) 24 March 2009 (herewith - coloured buff); and
- (c) To receive the minutes of the meeting of the Audit Committee held on 10 March 2009 (herewith - coloured lavender); and
- (d) To receive the minutes of the meeting of the Licensing and Regulatory Committee held on 7 April 2009 (herewith – coloured aqua).

10. EXCLUSION OF PRESS AND PUBLIC

To consider the following motion, to be moved by the Mayor, where appropriate:-

That pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of any matter on this agenda on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s), there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in the appropriate paragraph(s) of the revised Part I of Schedule 12A of the Local Government Act 1972 (to be identified at the meeting).

If you would like a copy of this agenda or the attached papers in another format, e.g. large print, on tape or in another language, please call
01483 523351

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