

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE EXECUTIVE – 1 DECEMBER 2009

SUBMITTED TO THE COUNCIL MEETING – 15 DECEMBER 2009

(To be read in conjunction with the Agenda for the Meeting)

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| * Cllr Richard Gates (Chairman) | * Cllr Stefan Reynolds |
| * Cllr Mike Band (Vice-Chairman) | * Cllr John Sandy |
| Cllr Mrs Carole King | * Cllr Roger Steel |
| * Cllr Robert Knowles | * Cllr Adam Taylor-Smith |
| Cllr Ms Denise Le Gal | * Cllr Keith Webster |

* Present

Cllrs Peter Isherwood, David Munro and Ken Reed were also in attendance.

121. MINUTES (Agenda Item 2)

The minutes of the meeting of the Executive held on 3 November 2009 were confirmed and signed.

122. APOLOGIES FOR ABSENCE (Agenda Item 3)

Apologies for absence were received from Cllr Mrs Carole King and Cllr Ms Denise Le Gal.

123. DISCLOSURE OF INTERESTS (Agenda Item 4)

Cllr Roger Steel declared a personal interest in Item 12 as a member of Farnham Town Council, Cllr Stefan Reynolds declared a personal interest in Item 10 as a member of Godalming Town Council and Cllr John Ward also in Item 10 as a member of Farnham Town Council.

124. QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda Item 5)

In accordance with Procedure Rule 10, the following questions had been submitted.

From Mrs Anne Cooper of Farnham

“On the basis that the 10.9 ha of SANGS in Farnham Park was limited to that amount by Natural England due to the availability of car parking spaces, can you explain why 21.25 ha of the Park has now been proposed for SANGS, when no new car parking is to be provided, particularly as the car park at the Six Bells Roundabout has always been available?”

The Leader of the Council responded as follows:

In 2007 21.25 hectares of SANG capacity was agreed by Natural England but reduced to 10.9 hectares due to the need for improved parking provision at the Park and the lack of a direct link into SANG from the Six Bells car park.

Natural England now support an increase in SANG capacity to 21.25 hectares as a result of improvements to existing car parks (which are now completed and add 13 extra places) and the results of the user survey to substantiate the officer's estimate of 50% capacity (surveys carried out 2007 & 2009). They are now content with the existing footpath link to the Park from the car park in the East.

From Mrs Celia Sandars of Farnham

"In respect of SANG allocation, what capital sum does Waverley Council depend on receiving from developers' contributions, in order to maintain Farnham Park as a SANG in perpetuity and what sum is the Council expecting to receive from S106 agreements in respect of planning permissions granted, since the mini-plan requirements were put into effect in 2007 until the moratorium on development early this year?"

The Leader of the Council responded as follows:

The amended avoidance strategy on the agenda for this meeting at Item 12 requires a capital sum of £2,075,000 to be provided to maintain Farnham Park in perpetuity. The Council is expecting to receive £1,017,000 in Section 106 agreement on permissions granted from 2007 to date.

From Richard Sandars of Farnham

"In relation to provision of SANG in Farnham Park, what figures has Natural England supplied to Waverley BC on comparative visitor numbers to the SPA from 2007, when the interim mini-plan was introduced, to the present day, to prove the effectiveness of SANG policy?"

The Leader of the Council responded as follows: -

A baseline survey of visitors to the SPA was carried out in 2005. The effect of the SPA Delivery Framework (of which the Avoidance Strategy is one part) will need to be monitored and Natural England have set up a Strategic Access and Monitoring project which will be carrying out further surveys and monitoring impacts.

From David Wylde of Farnham

"What areas of the East Street scheme could possibly be affected, if pollution is discovered as a result of current investigations arranged by Waverley and will the Council promise to inform the public of the results in a full and open way, by using more means of communication than just its own website?"

The Portfolio Holder for the East Street Development, Cllr Adam Taylor-Smith responded as follows:

No areas of the East Street Scheme could be affected. We are aware of the residual ground pollution in the areas originally occupied by the former gas works in Farnham, and these have been the subject of a number of surveys and soil tests since 1983. The current investigations that are being carried out are a further precautionary measure to monitor the situation. The area of pollution of the gas works site does not extend to the areas to be redeveloped as part of the new East Street Scheme. The Riverside car park and proposed re-sited tennis club is adjacent to the fringes of the known pollution and this has been accounted for in all the preparations to date, and there is no known reason to alter any current plans.

From Jerry Hyman of Farnham:

“Waverley's Avoidance Strategy proposes the requirement for a second 'SPA tariff' of £630 per home, to cover management and monitoring of the heaths. However at the JSPB meeting on 15th October it was made clear that the necessary agreement of all the councils involved and the Delivery Framework's implementation will be further delayed by the fundamental legal and funding difficulties that remain unresolved. Given such delay, and the fact that that the Framework stipulates that the tariff cannot be applied outside of a formal 'miniplan SPD' requiring an Appropriate Assessment, and given the need for further consideration of alternative SANGs and approaches at our local level, can you please advise us of the timeframe by which WBC hope to be able to use the Framework to consent housing development in Farnham?”

The Leader of the Council responded as follows: -

If the Executive and subsequently the Council agree, the timeframe for giving consent for housing within the 5Km zone of influence to the SPA would be after 15 December 2009 if full Council agrees the Avoidance Strategy at that meeting.

Natural England is working with the Local Authorities to draw up the details of the Memorandum of Agreement, based on the tariff devised by Natural England. The need for the Natural England monitoring and management work was identified in the South East Plan Policy NRM6. The delivery framework states that the tariff can be applied by a miniplan (Avoidance Strategy) and a legal opinion has verified that an Appropriate Assessment is not required for the Avoidance Strategy.

From Caroline and Jac Slim of Farnham

“Why is the council going ahead with the extension to the existing SANGS in Farnham Park given that:

1. There has been little or no attempt to find whether the existing measures have made any appreciable difference in terms of reducing the use of the SPA or reducing the decline of the protected wildlife therein.

2. The effect of the additional housing on the already congested traffic situation, demand for school places and other infrastructure resources such as water supply is not yet known since the extra housing due to the existing SANGS has not yet been built.

How can we be assured that the benefits and the drawbacks have been fully quantified?"

The Leader of the Council responded as follows:-

Natural England is putting in place a monitoring regime to assess the success of avoidance and mitigation measures and the Avoidance Strategy proposes an additional tariff to support this monitoring. The Council has undertaken its own survey of users of Farnham Park and will continue to work with Natural England to monitor the strategy. Monitoring habitat condition and bird numbers is a Natural England responsibility.

The assessment of the infrastructure effects of new development including housing is undertaken as part of the assessment of planning applications. Where necessary, through the S106 process, the Council ensures new development makes provision for further infrastructure. It will continue to do this when considering any further housing across Waverley including Farnham.

PART I - RECOMMENDATIONS TO THE COUNCIL

125. PROPOSED AVOIDANCE STRATEGY FOR THE THAMES BASIN HEATHS SPECIAL PROTECTION AREA (Agenda Item 12; Appendix F)
- 125.1 The draft Avoidance Strategy had previously been considered by the Environment and Leisure Overview and Scrutiny Committee, by the Planning Policy Special Interest Group and by the Executive, following the public consultation that took place earlier in the year. Based on the outcome from the consultation and those meetings, the following important issues had been identified:
 - a. Potential alternative SANGs;
 - b. Potential Impact on Farnham Park resulting from further use as SANG; and
 - c. Implications for housing development.
- Potential alternative SANGs
- 125.2 Following the meeting of the Executive on 29 September 2009, there had been further discussions with the owners of potential SANG and it had become apparent that there were medium term opportunities to offer alternatives to Farnham Park as indicated in Annexe 1. However, it was also clear that of the sites considered, only Farnham Park offered the opportunity for immediate use as SANG.

Potential impact on Farnham Park

125.3 The public consultation responses included strong concerns about the impact of further SANG release on the Park. The concerns raised were principally that:

- The character of the Park will be damaged and urbanised.
- The wildlife in Farnham Park will be put at risk.

125.4 Waverley has a responsibility to conserve and enhance the character and biodiversity of Farnham Park. The enhancements, already agreed by Natural England (NE) to meet the SANG requirements, were the ones consulted on and recommended in the 'Historic Landscape Survey and Restoration Management Plan' (published in 2004 before the Interim 2007 Miniplan).

125.5 The further use of the Park would not require any additional enhancements other than those previously identified in 2007. Natural England was satisfied that the Park already had adequate capacity in its current state for an increase without any further enhancements. Any further tariff collected would therefore be used to support long-term maintenance of the Park.

125.6 NE's criteria for a SANG is that it is a 'semi-natural space with little intrusion of artificial structures'. The same balance between formal amenity grass area and wilder hay meadows would be maintained, as detailed in the Park's 'Management and Implementation Plan 2007' that aimed 'To manage Farnham Park as an historic landscape for the benefit of biodiversity and local recreation'. This does not conflict with its use as a SANG. It is clearly the case that a "successful" SANG would mean it would be used by more people for dog walking than at present.

Implications for housing development

125.7 There were two related points:

- (a) Quantity of new development.
- (b) If new development was necessary, it should be appropriate to Farnham's character.

125.8 The first of these was raised against the background that the full immediate allocation of the 10.35 hectares of acceptable SANG at Farnham Park could potentially equate to 539 new dwellings (see Annexe 1). However, as noted in Annexe 1, specific proposals would, in common with the rest of the Borough, need to be judged against local and national development plan policies. The Executive had commented that, as Waverley's largest settlement, Farnham would need to make a continuing contribution to achieving South East Plan housing targets and the maintenance of a five year housing supply. However, the concern over immediate very large developments could be significantly mitigated if only a portion of the 10.35 hectares was allocated.

125.9 So far as (b) was concerned, increased control over the design of new development in Farnham would be beneficial. It was expected that this would be provided by the Farnham Design Statement, which was currently being prepared by Farnham Town Council with support from Waverley's Officers.

The Proposed Avoidance Strategy

125.10 Attached as Annexe 2 is a copy of the proposed new Avoidance Strategy. The Strategy had been developed taking account of both the issues raised during the review and also in the context of the Delivery Framework produced by the Thames Basin Heaths Joint Strategic Partnership Board (JSPB) and Policy NRM6 of the South East Plan. Further details of both of these and their relevance was set out in the Avoidance Strategy itself. The proposed Avoidance Strategy had two key elements:

- The further use of Farnham Park as SANG; and
- The collection of an additional tariff to contribute towards the Strategic Access Management and Monitoring of the SPA

Further use of Farnham Park

125.11 Although Natural England was supportive of an increase in the SANG capacity in Farnham Park from the original 10.9ha to 21.25ha, it was recommended at this stage that a more limited increase in SANG capacity should be agreed. It was therefore proposed that the SANG capacity be increased by a further 4ha from 10.9ha to 14.9ha. In terms of the number of dwellings, the capacity was increased by 208. This precautionary approach was being recommended for a number of reasons:

- In recognition of the need for monitoring of the use of the Park to ensure its character was not harmed
- Having regard to the possibility that other sites would become available as alternative SANG
- To allow for further review of the Council's approach to SPA mitigation and avoidance once the LDF Core Strategy had progressed further.

125.12 It was generally, but not universally, acknowledged, that development does need to continue in Farnham provided it is appropriate. Future control over development may be enhanced by the Farnham Design Statement and the LDF. There was every incentive therefore for the Design Statement to be completed as a matter of urgency.

125.13 The current tariff for Farnham Park was based on 21.25 hectares. Changes were required to reflect inflation since April 2007, changes in medium term interest rates with regard to the calculation of the capital sum required. Details of the tariff for the Farnham Park SANG are set out in the Avoidance Strategy itself.

Additional Tariff for Strategic Access Management and Monitoring

125.14 The new Avoidance Strategy differs from the earlier Interim Miniplan in one important respect. It now also included a requirement for a contribution to access management and monitoring of the SPA itself. This approach followed guidance in the South East Plan and the Delivery Framework and constituted an additional strand of avoidance/mitigation. It was in response to the fact that Natural England had worked up proposals for access management and monitoring that did not exist when the Interim Miniplan was adopted in 2007.

125.15 Following consideration by the Executive at its earlier meeting in September and very careful consideration to the representations raised in the consultation and the comments from ELOS and the Planning Policy SIG it was concluded that there were no alternative sites that could immediately provide SANG. The principle of increasing the capacity of the SANG at Farnham Park had been agreed by Natural England but, for the reasons set out above, it was recommended that, at this time, the capacity was only increased by a further 4ha.

125.16 The Executive acknowledged with thanks the work of ELOS and the Planning Policy SIG, which was undertaken against the background of the recent consultation and the published responses to that consultation. Recognising that work, and the concerns expressed during the consultation, the Executive accepted the recommendations, which, in the Executive's opinion, represented a fair balance between those concerns and future housing needs in Farnham, but reduced the proposed area of additional SANG in the Park.

RESOLVED that

1. Officers continue to assist Farnham Town council with a view to the early conclusion of the Farnham Design Statement, recognising always that this is a Farnham Town Council project; and
2. Officers continue their investigations of alternatives to Farnham Park as previously agreed with the Executive with the objective of enabling appropriate medium term options to be considered at a later date.

The Executive further **RECOMMENDS** that

- 40. the SPA Avoidance Strategy be adopted;**
- 41. a further 3.45 hectares of Farnham Park be designated as SANG (equivalent to 179 further homes);**
- 42. a revised tariff taking into account inflation, changes in medium term interest rates and the proposed contribution towards the SPA Access Management and Monitoring project of Natural England be agreed as set out in the Avoidance Strategy (Appendix 4: page xix);**
- 43. no further designations of Farnham Park as SANG be considered until either the Core Strategy is adopted or July 2012 whichever is the earlier; and**
- 44. this Council's assurance be given that no further significant capital works will be undertaken in Farnham Park other than those proposed in the Historic Landscape Survey and Restoration Management Plan, and that maintenance and minor improvement works will be in accordance with this already agreed plan, modified only with the approval of stakeholders, in particular Farnham Town Council.**

126. NEW LEISURE CENTRE FOR GODALMING (Agenda Item 13; Appendix G)

126.1 In July 2007, Waverley's new administration made improving our leisure centres a central corporate priority, committing to undertake large-scale improvements to the Borough's leisure centres. In February 2008, the Council reaffirmed this commitment and approved capital works for the leisure centres in Godalming, Farnham and Cranleigh with an estimated expenditure of £9.1 million.

126.2 When developing capital schemes for buildings of the age of the Godalming facility (36 yrs) it was essential to undertake a range of surveys and investigations to establish the true condition of the land and buildings. During 2008 a range of building surveys was undertaken with a view to undertaking a refurbishment project. A new build project would need further studies on ground and site conditions.

126.3 While Godalming Leisure Centre was currently in a safe condition, the condition surveys indicated that the fabric of the building was in a considerably worse condition than was previously understood, and that the mechanical and electrical equipment was at risk of failure on a greater scale than previously predicted. There were also some major concerns about the pool tank. The surveys indicated that refurbishment works at Godalming could cause the pool tank to fail which would cost an estimated additional £750,000 to repair, not including the costs of prolonged closure. As a result of these findings the refurbishment works proposal were not agreed.

126.4 However, there remained a significant public desire to see the quality of leisure facilities available to people in Godalming substantially enhanced. Members agreed, in December 2008, to establish a project group to seek to develop proposals for a new Godalming Leisure Centre. The Project Working Group was assembled and chaired by Cllr Roger Steel, Portfolio Holder for Leisure. As this group consisted of 22 individuals the Chair decided to split the group into three specific working parties to enable the group to deliver its objective.

126.5 The three working parties were as follows: -

i) Site Group – Chair Cllr Jane Thomson

The specific aim of this group was to explore the potential location for the new leisure centre. Looking at every potential aspect of the proposed sites, approximately 30 sites, of suitable size, were shortlisted for investigation. With planning advice provided to the group it produced a shortened list of the four most suitable sites to be considered by the main group.

The four sites proposed were:

Site 1 -	Broadwater Park	-	The Current Leisure Centre Site
Site 2 -	Broadwater Park	-	Tennis Centre Site
Site 3 -	Broadwater Park	-	School Site
Site 4 -	Town Centre	-	Crown Court Car Park

It was agreed by the main project group that the process which the site group had carried out, was comprehensive in terms of the original number of sites considered and the four recommended for further investigation. The main project group proposed that a cost benefit analysis report be carried out by expert consultants to analyse these sites in even greater detail. This would give the project group a clear steer on the most appropriate site taking into consideration the build cost, revenue cost, commercial viability, planning and timescale for delivery.

This piece of work was tendered and Max Associates were chosen to carry out this project; their full report is attached Annexe 3.

Members will need to have pre agreed criteria for evaluating the two alternative sites once all of the information has been received. This criteria will include factors such as capital and revenue cost, timeframe, public opinion, social impact and potential planning and site issues.

ii) Facilities Group - Chair Cllr Liz Wheatley

The specific aim for this group was to ascertain the facilities that should be included within the new leisure centre to maximise usage and attractiveness to the local residents. It was agreed that a survey of residents should be carried out to gauge the feelings and requirements of those living in and around Godalming. A detailed survey was produced by the group and shared with the main group. The main group added to this questionnaire and agreed to go out to tender to administer this survey.

SSMR were chosen to carry out this consultation and based on the report's findings a headline list of facilities that people wanted in the new leisure centre is attached in Annexe 4. Respondents were asked how important a number of sport and leisure facilities were to them with regard to inclusion in the proposed leisure centre. Using a scale with ranging from very important to not at all important, respondents were asked to rate these. Following this study, and with the cost constraints facing the Council, it was suggested that there were already sufficient alternative facilities in the area for squash, therefore it was not proposed to include squash in the new centre. This would enable higher priority facilities such as a learner pool to be included.

iii) Finance Group - Chair Cllr Roger Steel

The Finance Group met and discussed external finance opportunities. However given that this is predominantly a Waverley financed project the group had a limited opportunity to consider options, particularly in light of the developing picture in terms of site and facilities.

Key Issues

126.6 Time scale for Delivery

It had been a key objective of the Project Working Group to help and enable the delivery of the new leisure centre as quickly as possible, ideally within the next two years. While it was hoped that market conditions remain favourable

the future was uncertain and the Council would want to secure the best possible deal to ensure the project is affordable. It had been a key aim of Project Working Group to be in a position to report to the Executive and full Council in December 2009 to seek approval to progress the project.

Officers had considered an indicative project timescale and had set out below potential key milestones. This programme did not allow for any protracted negotiations or land acquisition difficulties:

2010 Quarter 1

Agreement on tender process and production of detailed Employers Requirements including planning brief

Quarter 2

Invite Tenders

Quarter 3

Planning process
Tender period and evaluation

Quarter 4

Planning process
Council approval and award of contract
Potential mobilisation of contractor onsite

126.7. Funding for the New Leisure Centre

[Exempt] Annexe 5 sets out the indicative costs for the two preferred site options. The figures clearly showed that there was a significantly higher cost for delivering on the tennis court site. While the figures presented in the annexe were best estimates at this point there were a number of factors that could impact on them as the project developed, such as planning and/or site issues and construction tender costs. The funding statement showed that the estimated balance of resources that was likely to accrue from the Cranleigh and Farnham elements of the Leisure Strategy had been utilised to help meet the new build costs.

126.8. The additional borrowing required took the overall estimated borrowing level to just under £7m. [Exempt] Annexe 5 showed that, for the current site option, the estimated net revenue impact was slightly above the approved budget level of £110,000. In order to keep the revenue costs within this amount, a small shortfall in funding would need to be addressed and it was likely that this could be met from unspent contingency from the Cranleigh refurbishment project. The net revenue cost of the tennis club site option was currently significantly greater than the £110,000 level and a much higher level of additional funding would need to be identified in order to keep the revenue cost within the approved budget level. Officers would endeavour to identify additional sources of funding to minimise the overall borrowing requirement.

126.9. In pursuing Waverley's Environmental priority the Council wished to optimise the energy efficiency of any new Godalming Leisure Centre. It was likely that this could incur additional capital cost. However this could not be quantified

until detailed proposals had been considered. Officers would aim to secure any grant funding that was available to support the delivery of this priority.

126.10. Risk analysis

Any major procurement, particularly one which involved a large building project, had risks associated with it and officers needed to present these to members when key decisions were being considered. Officers had identified and analysed these risks throughout the project and the key risks associated with the financial and contractual issues covered in the report were set out in Annexe 6.

126.11. Project Management

This was a major and complex project and it was critical to have robust arrangements in place to oversee the project and ensure it was delivered on time and within budget. It was proposed that the project management team at an operational level would comprise of Waverley officers, contracted advisers and DC Leisure, overseen by Corporate Management Team. Given the important nature of this project it was considered necessary to have a high level Officer / Member Steering Group, comprising of appropriate Portfolio Holders and other members. This group would periodically monitor the progress of the project and coordinate the community and communication interface.

126.12. Waverley had developed a successful project team for the pre and post tender work associated with the Cranleigh and Farnham refurbishment work. The primary advisers were DC Leisure and Press & Starkey and officers proposed that this team was maintained for the delivery of the Godalming Leisure Centre project as it would bring continuity of expertise with a proven track record and would enable a quick commencement of this project. It was also necessary that appropriate advice was sought regarding the optimisation of the environmental aspects of the new building. Members were requested to approve, under Contract Procedure Rule W101 the appointment of DC Leisure and Press & Starkey as lead advisers subjective to satisfactory appraisal of price proposals. All other advisers and survey costs would be subject to normal requirements of contract procedure rules.

The Executive **RECOMMENDS** that:

- 45. both the current leisure centre site and the adjacent tennis court site be short-listed as the preferred options for the new leisure centre location;**
- 46. the site selection criteria, which will need to take careful account of the capital construction costs, revenue implications, social impact, planning considerations and constraints, and public opinion, be agreed by the Executive at its meeting in February 2010, in advance of construction tenders being invited;**
- 47. the Deputy Chief Executive, in conjunction with the Finance and Leisure Portfolio Holders, hold discussions with the tennis club to**

enable potential development of the tennis court site, subject to these negotiations being concluded by 31st January 2010 and the outcome being reported to the Executive in February 2010;

- 48. based on the current funding forecasts, the capital programme be revised to include the overall leisure strategy costs at £11.6m, replacing the current £9.1m total, and the approved borrowing limit for the purpose of delivering the Leisure Strategy be increased from £5m to £7m;**
- 49. under the Contract Procedure Rule W101 the Deputy Chief Executive, in conjunction with the Finance and Leisure Portfolio Holders, appoint DC Leisure, Press & Starkey and a Green Advisor onto the Advisory Team, to take the project up to award of tender;**
- 50. the Council use its best endeavours to seek energy efficiency solutions and to minimise the carbon footprint through the procurement process;**
- 51. the Council approve the Project Management arrangements detailed in minute 126.11, and delegate responsibility to the Chief Executive, in consultation with the relevant Portfolio Holders, to agree the membership of the Officer/Member Steering Group;**
- 52. the Executive approve the facility mix as set out in Annexe 4; and**
- 53. the Chief Executive be authorised to place the appropriate notice in the Official Journal of the European Union announcing Waverley's intention to invite tenders for the construction of the new Godalming Leisure Centre.**

127. AMENDMENTS TO CONTRACT PROCEDURE RULES AND FINANCIAL REGULATIONS (Agenda Item 18 and Appendix L)

127.1 Waverley's Financial Regulations and Contract Procedure Rules (CPRs) had been reviewed, as was done regularly to ensure that they reflected current policy and best practice. Annexe 7 identifies changes proposed to reflect the role and responsibilities of service heads, to give greater emphasis on the need to buy responsibly, to make greater provision for some risk management and to take account of the agreed changes in practice to give local businesses greater opportunity to bid for Council contracts. They were intended to ensure greater understanding and compliance.

127.2 The proposed changes

The proposed amendments to CPRs are highlighted in Annexe 7 and included many detailed changes. Changes had also been made to designated officers to place responsibility more clearly.

No changes to the financial thresholds were proposed, as the indices used suggested that changes are unwarranted. The value of contracts as contained in EC Directives were revised nationally, but these were defined independently

of CPRs. CPRs remained subservient to EC Directives in those instances when they applied. The proposed change to CPR Q101 (a) sought to mitigate the financial and legal risks of extending contracts, particularly to ensure that EC procurement rules were complied with.

The flow of CPRs had been considered in the light of comments received by officers. Once any changes had been agreed then it was proposed that the resultant document was re-ordered to improve flow and understanding and therefore make them easier to use.

The full version of Waverley's Financial Regulations were available on the Council's website.

The Financial Regulations had been reviewed and the following minor changes proposed:-

All references to Director of Finance replaced with Deputy Chief Executive

All references to Chief Officers replaced with Chief Executive, directors and service heads

B230a To report to the Capital Monitoring Group if it is likely that a capital project will underspend or slip against its agreed timetable, particularly if this will result in the project not being delivered in the approved financial year.

D227a To ensure that every endeavour is made to pay invoices for local suppliers and small businesses within 10 days

D212 To establish a charging policy for the supply of goods or services, including the appropriate charging of VAT, and to review it regularly, in line with corporate policies. Where charges are not included in the approved fees and charges schedule, the proposed charging policy must be determined in conjunction with the Head of Finance.

Following approval to the changes, officers would produce guidance for staff and Members and would undertake refresher training early in 2010. The Audit Committee would keep an overview of these documents and the full versions would be reported to the Audit Committee in March 2010 with awareness training provided to Members.

The Executive **RECOMMENDS** that:

54. the amendments to CPRs as set out in Annexe 7 be approved; and

55. the amendments to the Financial Regulations be approved.

128. RECOGNISING THE CONTRIBUTION OF THE LOCAL ARMED FORCES
(Agenda Item 23; Appendix Q)

128.1 Over the previous few years, Waverley's Mayors had recognised the contributions that members of the armed forces who lived in the Borough had

made to national security. The Mayor now proposed that the Council consider recognising the contribution made by the local army regiment, the Princess of Wales's Royal Regiment (Queen's and Royal Hampshires) which following various amalgamations incorporated the Queen's Royal Surrey Regiment. This was effectively the successor to the traditional County Regiment which recruited from Waverley and the whole of Surrey, and the new regiment which now covered most of the South-Eastern Counties of England.

- 128.2 The Regiment had a local Territorial Army battalion based at the TA Centre in Farnham, the Battalion of the Royal Surrey Regiment. Several members of the Battalion had served alongside regular army forces in both Iraq and Afghanistan over the last few years. The Regiment had a long a distinguished history and was the Senior English Line Infantry Regiment of the British Army.

The process for expressing the Borough's support

- 128.3 As part of the developing links, appropriate representation by the Regiment had been included in this year's Remembrance Sunday commemoration held in Farnham.
- 128.4 The Mayor had also been keen to involve Waverley's three Town Councils and Cranleigh Parish and the Town Mayors and Cranleigh Parish had met with representatives of the Regiment. All were keen to join in some form of expression of support.
- 128.5 However, the Mayor had met representatives of the Regiment who had suggested an informal bond of friendship would be more appropriate. A note of the conclusions of the last meeting was presented to the Executive.

Legal Position

- 128.6 The proposed less formal link would be within the Council's overall wellbeing powers.
- 128.7 The Mayor supported the principle of Waverley, the three Town Councils and Cranleigh Parish Council jointly giving some form of declaration of support, and a suggested wording is attached as Annexe 8.

Resource Implications

- 128.8 The Executive noted that staffing support to make the arrangements for any ceremony to mark the Borough's support and appropriate receptions could be met from within existing resources, and voluntary organisations such as the Royal British Legion or other members involved with Territorial Army Veterans Organisations had been invited to help with the preparations for this so that the event was firmly grounded in the community.
- 128.9 In relation to other costs the Executive noted that the Mayor's budgets were limited and generally fully committed by the end of the Mayoral year. Depending on the arrangements for any mark of support, this could involve the cost of a reception and then possibly a further reception following a parade organised by the Regiment when operational commitments would permit in 2011.

- 128.10 The Executive noted that these extra costs should not amount to more than a maximum of £2,500 which could cover any necessary scroll to mark the recognition and refreshments for a reception to be held for the Regiment and their families. This would be met from underspends in other Democratic representation budgets.
- 128.11 The Executive endorsed the Mayor's desire to involve the Borough more closely with the members of the community who serve in the army, and considered that this would seem a fitting way to recognise the contribution of the Borough's local army unit.

The Executive **RECOMMENDS** that:

- 56. the Council agree in principle to a declaration of support to the Princess of Wales's Royal Regiment to be made jointly with the three Town Councils and Cranleigh Parish Council and to ask the Mayor, once the Town Councils have agreed their support, to convene a Special Council Meeting to be followed by a reception for the Regiment.**

129. GAMBLING ACT 2005 – PUBLIC CONSULTATION ON REVIEW OF THE COUNCIL'S STATEMENT OF GAMBLING POLICY (Agenda Item 22; Appendix P)

The Executive **RECOMMENDS** that:

- 57. the amendments to Waverley's Gambling Policy proposed by the Licensing and Regulatory Committee at Annexe 9 be approved.**

Part II – Matters Reported in Detail for the Information of the Council

130. PROPOSED HOUSEHOLD FOOD WASTE COLLECTION SERVICE
(Agenda Item 20; Appendix N)
- 130.1 At its meeting on 4th November 2008, the Executive had agreed the principle of introducing a dedicated kerbside collection service for household food waste in Waverley. Officers had been instructed to carry out work to determine if the weekly service should be provided initially to the urban parts of the Borough only, and the results were now presented to the Executive.
- The importance of food waste collection
- 130.2 Over recent years Waverley's recycling performance had improved steadily and it had achieved rates of just over 40% combined recycling and composting over a sustained period. However, performance was now consistently falling below that level. At the same time, targets were becoming ever more challenging. Apart from Waverley's own commitment to increasing targets to 55% by 2013/14 and the Surrey Joint Municipal Waste Management Partnership's joint target for Surrey authorities of 45% by the same year, EU Waste Directives imposed targets of reducing 1995 levels of biodegradable municipal waste sent to landfill by 50% by 2013. There would be severe financial penalties for failure to meet the EU targets.

130.3 It would be impossible for Waverley to meet its own targets for 2010/11 or the longer-term targets of the Surrey Joint Municipal Waste Management Partnership without increasing the range of materials collected and/or reviewing the current method of collection.

130.4 An initial reading of the results of the Council's recent "Participatory Budgeting" consultation process showed that the main cause of dissatisfaction with the service was the Alternate Weekly Collection of residual waste, particularly the resultant issues of smells and maggots. Recent composition studies indicated that the greatest concentration of potentially recyclable material in residual household bins in Waverley was food waste (up to 36% by weight) and the consultation process had also revealed that a weekly food waste collection was considered the first priority by far the largest proportion of respondents (35%).

Surrey County Council's position

131.5 Surrey County Council was prepared to support the introduction of food waste collection across Waverley with a capital contribution of £380,000 towards start-up costs and a revenue contribution of £150,000 per annum for the first three years, with subsequent revenue contributions subject to review and negotiation.

The long-term picture

131.6 The Council's Waste Management initial seven year contract period with Veolia would come to an end in November 2012, and this would provide an opportunity to look at collection methods and the range of materials collected. It was likely that the additional cost of incorporating new materials could to some degree be offset by a fundamental redesign of the service.

Interim proposals for a food waste collection service

131.7 At this point the most practical, flexible and financially attractive option was to gain experience by providing a "bolt-on" food waste service in urban areas using separate dedicated vehicles hired by Veolia for the remainder of the contract. This could be dealt with by a variation to the contract and could possibly commence by April/May 2010.

Financing the service

131.8 Calculations suggested that an initial capital outlay of £48,000 per round would be required with an ongoing revenue cost of approximately £135,000 per annum. Applying the Surrey County Council contribution, the capital cost would be covered and the revenue cost reduced to £115,000 per annum.

131.9 The Executive noted the various options for dealing with the additional costs. Work was still being undertaken and it would be brought back to Council in February 2010 for a decision as part of the budget process.

RESOLVED that:

1. In considering service initiatives for 2010/11 the introduction of a food-waste collection service be a priority for the Council;

2. Subject to approval as part of the budget-setting process in February 2010, the Council should embark on a bolt-on service during 2010/11, and the service should focus initially on urban areas;
3. Officers be requested to bring forward proposals for further encouraging home composting in the rural and semi-rural areas of the Borough; and
4. Officers be instructed to proceed with the 'Next Steps' as outlined in Paragraph 25 of the report, to report back to Members in February 2010 with the outcome of this work and to seek a final decision on whether to proceed with this initiative.
5. Officers be requested to bring to a future meeting proposals for longer-term strategy options relating to the overall objectives of waste minimisation.

Part III – Brief Summaries of Other Matters Dealt With

131. EXECUTIVE FORWARD PROGRAMME (Agenda Item 6; Appendix A)

RESOLVED that the forward programme of key decisions for Waverley Borough Council be adopted.

132. BUDGET MONITORING OCTOBER 2009 (Agenda Item 7; Appendix B)

RESOLVED that the position as at 30th October 2009 be noted.

133. FINANCIAL STRATEGY 2010/2011 - 2013/2014 – GENERAL FUND REVENUE BUDGET 2010/2011 (Agenda Item 8.1; Appendix C.1)

RESOLVED that:

1. the Executive endorse the approach taken to the 2010/2011 Budget process; and
2. the Executive give detailed consideration to the General Fund Budget, including detailed suggestions from the Star Chamber, for 2010/2011 at its meeting on 5 January 2010;

134. FINANCIAL STRATEGY 2009/10 – 2012/13 – HOUSING REVENUE ACCOUNT BUDGET 2010/11 (Agenda Item 8.2; Appendix C.2)

RESOLVED that the Executive:

1. note the constraints around currently producing a draft Housing Revenue Account budget for 2010/11
2. ask the Community Overview and Scrutiny Committee to consider the detailed HRA budget papers for 2010/11 and identify spending priorities within the landlord service; and

3. give further consideration to the HRA budget for 2010/11 at its meeting on 5 January 2010.

135. SETTING OF COUNCIL TAX BASE (Agenda Item 9; Appendix D)

RESOLVED that, pursuant to the report at Appendix D and in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) Regulations 2003, the council tax base for Waverley and for each of the Town/Parish Council areas for the year 2010/2011 shall be as shown in Annexe10 to these minutes.

136. DEVOLUTION OF PROPERTY TO GODALMING TOWN COUNCIL AND FARNHAM TOWN COUNCIL (Agenda Item 10; Appendix E)

RESOLVED that:

1. the progress on the transfer of property to Godalming Town Council and Farnham Town Council be noted;
2. the request received from Godalming Town Council for the transfer of the Borough Hall be progressed as outlined in the report and Exempt Annexe to the report with detailed terms and conditions delegated to the Deputy Chief Executive and the Property Portfolio Holder; and
3. further reports with recommendations on the specific terms for the transfer of property be submitted to the Executive in due course.

137. JOINT NEGOTIATING COMMITTEE – PROPOSED CHRISTMAS CLOSURE OF COUNCIL OFFICES (Agenda item 11)

The Executive noted the agreement reached by the Joint Negotiating Committee relating to the closure of the Council Offices over the Christmas period for 2009 only and that a further meeting of the JNC would be held following the Council's review of the budget position in July 2010.

138. RESIDENTIAL EXTENSIONS SUPPLEMENTARY PLANNING DOCUMENT (Agenda Item 14; Appendix H)

RESOLVED that the Residential Extensions draft SPD be approved for the purposes of public consultation.

139. CAPITAL PROJECT – DEFRA FUNDING FOR SITE INVESTIGATIONS (Agenda Item 15; Appendix I)

RESOLVED that

1. the former Farnham Gasworks site investigation project be endorsed; and
2. the 2009-10 Capital Programme of £30,000 for contaminated land be increased by £126,843 to £156,843 to reflect the project costs to be met from the DEFRA grant.

140. LOCAL DEVELOPMENT FRAMEWORK – ANNUAL MONITORING REPORT

2008/09 (Agenda Item 16; Appendix J)

RESOLVED that the Annual Monitoring Report be received.

141. PROPOSED CONSULTATION ON THE HOUSING OPTIONS FOR THE LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY (Agenda Item 17; Appendix K)

RESOLVED that:-

1. the Housing Options set out in Annexe 2 to the agenda report be agreed as the basis for public consultation; and
2. the Head of Planning Services, in consultation with the Planning Portfolio Holder, be authorised to approve the detailed arrangements for the consultation, including the consultation material, based on Annexe 3 to the report.

142. SOCIAL INCLUSION STRATEGY 2008 – PROGRESS AND ACTION PLAN INCLUDING FINANCIAL INCLUSION APPROACH (Agenda Item 19; Appendix M)

RESOLVED to

- i) note the progress made against the Social Inclusion Strategy Action Plan attached at Annexe 11; and
- ii) adopt the draft Financial Inclusion Approach and Action Plan at Annexe 12 as an essential component of the Social Inclusion Strategy.

143. IMPLEMENTATION OF NEW POWERS OF OVERVIEW AND SCRUTINY COMMITTEES (Agenda Item 21; Appendix O)

RESOLVED:

1. that the views of the Overview and Scrutiny Committees be endorsed; and
2. that officers draft appropriate changes to the Overview and Scrutiny Article and Procedure Rules in the Constitution and submit these to the next cycle of meetings.

144. PERFORMANCE MANAGEMENT REPORT, QUARTER 2 (JULY – SEPTEMBER 2009/10) (Agenda Item 22; Appendix P)

RESOLVED that the performance figures for Quarter 2 as set out in Annexe 1 of the report, and the comments of the Overview and Scrutiny Committees at Annexe 2 of the report be noted.

145. AIR QUALITY IN WAVERLEY – PROGRESS NOTE (Agenda item 25)

RESOLVED that the approach detailed in the progress note be endorsed.

146. ACTION TAKEN SINCE LAST MEETING (Agenda Item 26)

RESOLVED that the action taken since the last meeting be noted.

147. EXCLUSION OF PRESS AND PUBLIC (Agenda Item 27)

At 9.26 p.m. it was

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 the following item 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 this item 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 to the Act (to be identified at the meeting).

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Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3).

148. END OF TEMPORARY CONTRACT (Agenda item 28; [Exempt] Appendix S)

RESOLVED that the recommendations in the report at [Exempt] Appendix S be approved.

The meeting commenced at 6.45 p.m. and concluded at 9.28 p.m.

Chairman