

MINUTES of the MEETING of the
 WAVERLEY BOROUGH COUNCIL
 held in the Council Chamber,
 Council Offices, Godalming on
20 July 2010 at 7.07 p.m.

- * Cllr Mrs Carole Cockburn (Mayor)
- * Cllr Richard Gates (Deputy Mayor)

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| * Cllr Mrs Jean Arrick | * Cllr Robert Knowles |
| * Cllr Mike Band | Cllr Ms Denise Le Gal |
| * Cllr Leonard Bate | * Cllr Dr Nicky Lee |
| * Cllr Mrs Gillian Beel | * Cllr Alan Lovell |
| * Cllr Maurice Byham | * Cllr Peter Martin |
| * Cllr Mrs Elizabeth Cable | * Cllr Tom Martin |
| * Cllr Mike Causey | * Cllr Bryn Morgan |
| * Cllr Stuart Connolly | * Cllr Stephen Mulliner |
| * Cllr Victor Duckett | * Cllr David Munro |
| * Cllr Jim Edwards | * Cllr Stephen O'Grady |
| * Cllr Brian Ellis | Cllr Samuel Pritchard |
| * Cllr Mrs Patricia Ellis | * Cllr Ken Reed |
| * Cllr Mrs Lucinda Fleming | * Cllr Steven Renshaw |
| * Cllr Mrs Mary Forszewska | Cllr Stefan Reynolds |
| Cllr Bob Frost | Cllr Ian Sampson |
| Cllr Mrs Pat Frost | * Cllr John Sandy |
| * Cllr Michael Goodridge | * Cllr Mrs Celia Savage |
| * Cllr Tony Gordon-Smith | * Cllr John Savage |
| * Cllr Mrs Jill Hargreaves | * Cllr Roger Steel |
| * Cllr Stephen Hill | * Cllr Adam Taylor-Smith |
| * Cllr Nicholas Holder | Cllr Ms Jane Thomson |
| * Cllr Julian Hubble | * Cllr Andrew Thorp |
| Cllr Simon Inchbald | * Cllr John Ward |
| * Cllr David Inman | * Cllr Mrs Nerissa Warner-O'Neill |
| * Cllr Peter Isherwood | * Cllr Keith Webster |
| * Cllr Mrs Diane James | Cllr Ross Welland |
| * Cllr Mrs Carole King | * Cllr Mrs Liz Wheatley |
| | * Cllr Andrew Wilson |

* Present

David Wheatley, Independent Chairman of the Standards Committee was also in attendance

At the commencement of the meeting, prayers were led by the Reverend Jonathan Still.

13. MINUTES

The Minutes of the Annual Meeting of the Council held on 11 May 2010 were confirmed and signed.

14. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mr and Mrs Frost, Pritchard, Reynolds, Ms Thomson and Welland.

15. DISCLOSURE OF INTERESTS

The following interests were raised in advance of and at the meeting:-

Personal and Prejudicial Interests

Name	Item	Interest
Cllrs Mrs Lucinda Fleming and Stephen O'Grady	Sale of assets to FTC (Exec Minute No. 47)	As a member of Farnham Town Council

Both councillors left the meeting discussion and voting on this item.

Personal Interests

Name	Item	Interest
Cllr John Ward	9 a (ii) 24 - East Street Regeneration Scheme; 25 - Farnham Design Statement = 9 a (iii) 47 - Devolution of Property to FTC	I am a Member of Farnham Town Council that has previously considered these matters but I am now approaching them with an open mind, as a Waverley Councillor, to hear new and more detailed presentations, after which my judgements will be based on what is best for Waverley.
Cllr Gillian Beel	Executive of 29.06.10, page 41 -East Street Regeneration Scheme	I am a Farnham Town Councillor
Cllr Gillian Beel	Farnham Design Statement (page 44)	I am a Farnham Town Councillor
Cllr Gillian Beel	Devolution of property to Farnham Town Council	I am a Farnham Town Councillor
Cllrs Mrs Jill Hargreaves, Roger Steel, Mrs Carole Cockburn, Victor Duckett and Stephen Hill	Devolution of Property to Farnham Town Council, East Street and the Farnham Design Statement	As Farnham Town Councillors

16. MAYOR'S ANNOUNCEMENTS

The Mayor told the Council about the success of the Volunteers' Garden Party at Charterhouse and the Cadet 150 Day, both of which had been held with superb weather. The Mayor thanked Alison Burrows and Robin Pellow for working with Brigadier Bartlett in advance of and on the day of the event and making it such a success.

The Mayor reminded the Council that her chosen charity was the Phyllis Tuckwell Hospice and encouraged councillors to hold a coffee morning or similar to try to help raise the profile of the hospice across the Borough on World Hospice Day, 9 October 2010.

The first draw was then made from the Mayor's 100 Club and the winner was Environmental Health Enforcement Officer, Gisella de Gennaro, who won £50. The Mayor announced that there was still time to join the 100 Club for future draws which would take place on the last Tuesday of every 2 months.

17. 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. from Mrs Celia Sandars of Farnham

"I was very interested to hear from Councillor Adam Taylor-Smith at the meeting of the Executive Committee on 29 June that Crest Nicholson have reached an agreement with Odeon Cinemas for a 6-screen cinema to be included in the East Street development, instead of the previously proposed provision by Vue Entertainment of a 7/8-screen cinema. This seems to indicate that it is perfectly possible to renegotiate aspects of the scheme that are not appropriate to Farnham.

Would the Portfolio Holder therefore consult with the people of Farnham and their elected representatives regarding other aspects of the consented scheme, such as the reliance on flats and the over-sized retail element, that are no longer appropriate for the new age of austerity, which is likely to be with us for the next decade, and, then, seek to re-negotiate further with Crest Nicholson for sensible revisions to the East Street scheme?"

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

"As ever, thank you for your question, Mrs Sandars. I am afraid that you are confusing two very different issues. The East Street development was granted planning consent in August 2009. Thus, the number, size and configuration of the residential units, and the amount of retail space within the proposed development are already decided.

When the Conservative administration won the election in Waverley in 2007, we pledged to renegotiate the East Street scheme to make it smaller and to change the architectural style to make it more in keeping with Farnham. This we did. We got the developer to reduce the number of residential units from 294 to 239, we took out the basement car park, we made the cinema and the retail units smaller, and we insisted that the architectural look and feel of the scheme had to be completely changed. And the residents of Farnham told us, by a majority of two to one, that they liked the changes we made.

The East Street scheme will be a great benefit to Farnham. I am delighted that the Odeon is coming into the scheme, and I am certain that the residents of Farnham will be delighted too. I look forward to the day when I can take my four children to the cinema in Farnham rather than having to drive to the Odeon Cinema in Guildford.”

ii. from Mrs Ann Thurston of Farnham

“It was said at the Executive Meeting on 29th June that the extension of the contract longstop date may be necessary for Waverley to pursue a Compulsory Purchase Order for the land not under its control. The owners of this land participated in the original selection process to identify a development partner for the Council, and they may now wish to develop the land themselves. In view of this, is a Compulsory Purchase Order likely to be successful?”

The Portfolio Holder for East Street, Cllr Adam Taylor-Smith, again replied:-

“Thank you for your question. I am sure that you are aware that this country has been in the grip of a very serious financial downturn for the past two years. The global financial crisis has taken its toll on us all, and has, unfortunately, caused inevitable delays to the progress of the East Street development. However, the signs are now that the economy is hopefully slowly beginning to pick up, and the fact that the Odeon cinema chain has agreed heads of terms to come into the East Street development is testimony to that.

Waverley is confident that we have a development proposal that will become commercially viable, and that, when we proceed to make a compulsory purchase order, we will have a very strong case. We have, however, made it clear to the owners of the two plots of land that still need to be acquired that we are willing to purchase their land without recourse to our CPO powers. This has not changed and we remain ready, willing and able to purchase.

I give no credence to the speculation that the owner of the former cinema site has a viable alternative scheme for East Street. One back-of-an-envelope sketch does not constitute a serious development proposal and indeed my recent conversation with the owner has confirmed this view.”

18. MINUTES OF THE EXECUTIVE

18.1 Meeting of 25 May 2010

With regard to Minute No. 7 relating to the Covert Surveillance Policy, Cllr John Savage requested clarification on the contents of paragraph 7.4 and was informed that the Legal Team would respond directly to him outside of the meeting.

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

RESOLVED that the Minutes of the Meeting of the Executive held on 25 May 2010 be approved and the recommendations contained therein adopted.

18.2 Meeting of 29 June 2010

It was moved by the Chairman of the Executive and duly seconded that the Minutes of the Meeting of the Executive held on 29 June 2010 be approved and adopted.

i. East Street Regeneration Scheme, Farnham (Minute No. 24)

a. Amendment to Recommendation 3

It was moved and duly seconded that the following wording be added after “and” in the fourth line:-

“and that special attention be given to looking afresh at the proposed S106 traffic arrangements; and to working together with SCC and Farnham Town Council in order to produce a more appropriate and beneficial traffic management scheme.”

Following a debate on this amendment, it was moved in accordance with Procedure Rule 17.5, that voting on the amendment should be by roll-call and recorded. The voting was as follows:-

For the amendment (6 votes)

Cllrs Victor Duckett, Mrs Diane James, Alan Lovell, Ken Reed, Mrs Celia Savage and John Savage.

Against the amendment (41 votes)

Cllrs Mrs Jean Arrick, Mike Band, Leonard Bate, Mrs Gillian Beel, Maurice Byham, Elizabeth Cable, Mrs Carole Cockburn, Stuart Connolly, Jim Edwards, Brian Ellis, Mrs Patricia Ellis, Mrs Lucinda Fleming, Mrs Mary Foryszewski, Richard Gates, Michael Goodridge, Tony Gordon-Smith, Mrs Jill Hargreaves, Stephen Hill, Nicholas Holder, Julian Hubble, David Inman, Peter Isherwood, Mrs Carole King, Robert Knowles, Dr Nicky Lee, Peter Martin, Tom Martin, Bryn Morgan, Stephen Mulliner, David Munro, Stephen O’Grady, Steven Renshaw, John Sandy, Roger Steel, Adam Taylor-Smith, Andrew Thorp, John Ward, Mrs Nerissa Warner-O’Neill, Keith Webster, Liz Wheatley and Andrew Wilson.

Abstaining (1 vote)

Cllr Mike Causey.

The amendment was therefore LOST.

b. Alternative Recommendations 3 and 4

It was further moved and duly seconded that the original wording of Recommendations 3 and 4 be replaced with the following:-

- “3. Current WBC/CNS agreed long stop date of 31 December 2010 is retained and no further extension is considered or agreed until 14 December 2010 Council meeting; and
- 4. The Chief Executive, working with the Leader and Portfolio Holder, reopen ‘Invitation to Tender’ activities with immediate effect to source and secure an alternative developer for East Street regeneration scheme; and report to Council on 14 December resulting recommendations relating to redevelopment and existing WBC/CNS agreed long stop date of 31 December 2010.”

Upon being put to the vote, the amendments were LOST.

[Note: Following the deletion of the second reference to the Chief Executive, Cllrs Victor Duckett, Mrs Diane James and Alan Lovell requested that their vote against the substantive Recommendation 3 be recorded.]

ii. Petitions Scheme for Waverley Borough Council (Minute No. 26)

It was moved and duly seconded that Recommendations 6, 7 and 8 be replaced with the following:-

- “6. Officers report at Annexe 1 be returned for re-drafting to incorporate content changes;
- 7. revised petition report is submitted to Corporate O&S for review and ratification;
- 8a. Constitution SIG be authorised to make appropriate changes to the Council Constitution and Procedure Rules; and
- 8b. the Head of Democratic Services in conjunction with the Monitoring Officer be authorised to determine what constitutes an inappropriate petition”.

Upon being put to the vote, the amendments were LOST.

[Note: Cllrs Victor Duckett and Mrs Diane James wished that their votes against the substantive recommendations 6, 7 and 8 be recorded.]

RESOLVED that the Minutes of the Meeting of the Executive held on 29 June 2010 be approved and the recommendations contained therein adopted.

18.3 Special Meeting of 9 July 2010

During consideration of Minute No. 49 (Streamlining Waverley's Senior Management Team), at 9.33 p.m. it was

RESOLVED 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 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 following paragraphs of the revised Part I of Schedule 12A to the Act, namely:-

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

At 9.54 p.m. the meeting resumed in open session when it was

RESOLVED that the Minutes of the Special Meeting of the Executive held on 9 July 2010 be approved and the recommendations contained therein adopted.

19. CONTINUATION OF MEETING

During consideration of the above minutes, at 9.45 p.m. it was proposed by the Mayor in accordance with Procedure Rule 9, and agreed by the Council, that the meeting should continue until all business on the agenda had been concluded.

20. MINUTES OF THE JOINT PLANNING COMMITTEE

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

RESOLVED that the Minutes of the Meetings of the Joint Planning Committee held on 11 and 25 May 2010 be approved.

21. MINUTES OF THE LICENSING AND REGULATORY COMMITTEE

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

RESOLVED that the Minutes of the Meetings of the Licensing and Regulatory Committee held on 11 and 27 May 2010 be approved and the recommendations contained therein adopted.

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 22 June 2010 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 6 July 2010 be approved.

The meeting concluded at 10.08 p.m.

Mayor