

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE SPECIAL MEETING OF THE EXECUTIVE
14 FEBRUARY 2011

SUBMITTED TO THE COUNCIL MEETING – 15 FEBRUARY 2011

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

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| * Cllr Robert Knowles (Chairman) | Cllr Stephen O'Grady |
| * Cllr Mike Band (Vice-Chairman) | Cllr Stefan Reynolds |
| * Cllr Mrs Carole King | Cllr Roger Steel |
| * Cllr Bryn Morgan | * Cllr Adam Taylor-Smith |
| Cllr David Munro | * Cllr Keith Webster |

* Present

Cllr Duckett attended the meeting and spoke on Agenda Items 5, 9 and 10 (Minute Nos 156, 154 and 155 refer)

Cllr Mrs Ellis attended and spoke on Agenda Item 6A (Minute No 151 refers)

Cllr Mrs James attended and spoke on Agenda Items 5, 6A, 9 and 10 (Minute Nos 156, 151, 154 and 155 refer)

Cllr Reed attended the meeting and spoke on Agenda Items 6, 6A, 9 and 10 (Minute Nos 152, 151, 154 and 155 refer)

Jane Rawlings and Brian Ekins from the Tenants' Panel were also in attendance

148. MINUTES (Agenda Item 2)

The Minutes of the Meeting of the Executive held on 25 January 2011 were confirmed and signed.

149. APOLOGIES FOR ABSENCE (Agenda Item 3)

Apologies for absence were received from Cllrs Munro, O'Grady, Reynolds and Steel.

150. DISCLOSURE OF INTERESTS (Agenda Item 4)

The Directors of the Shadow Board (Cllrs Band, Knowles and Webster, the Chief Executive and the Head of Housing) and the Head of Democratic and Legal Services as Company Secretary declared personal interests in Agenda Item 9 on Waverley Initiatives Ltd.

PART I - RECOMMENDATIONS TO THE COUNCIL

151. SURREY FIRE AND RESCUE AUTHORITY: DRAFT PUBLIC SAFETY PLAN 2011-2020 PUBLIC CONSULTATION (Urgent Item 6A; Appendix BB)

The Deputy Assistant Chief Fire Officer and Area Manager of Surrey Fire and Rescue Service and a representative from the Fire Brigade Union were present and addressed the meeting on the proposals for significant changes to the fire service in Waverley in response to the need to make budget cuts of

£2.7 million, as set out in the report at Appendix BB, previously circulated to all councillors.

The Executive welcomed the additional shifts which were proposed in the Haslemere and Godalming areas but had serious reservations about the greatly reduced service in Cranleigh, Ewhurst and Dunsfold and the disproportionate effect of the cuts to Waverley. The Executive

RECOMMENDS that

46. the consultation response, attached as Annexe 1, be endorsed.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

152. BUDGET UPDATE (Agenda Item 6; Appendix AA)

The Executive considered the update report on developments regarding the General Fund Budget position for 2011/12 since its last meeting on 25 January 2011 which had been circulated to all councillors, along with the endorsement of the fees and charges by the Licensing and Regulatory Committee. The Executive agreed to recommend the following to the Council, considered earlier as part of the General Fund Revenue and Capital Budget debate under Agenda Item 9 of the Council agenda:

- i. the uplift to the contract prices with Veolia Environmental Services be agreed at 4% on 1st April 2011;
- ii. a £250 p.a. pay award be agreed for all full-time staff earning below £21,000 p.a. on 1st January 2011, with part-time staff receiving an increase proportionate to the hours employed; and
- iii. the following motion relating to the European Union (EU) be endorsed:-

"The Council notes, with indignation and anger, that whilst Waverley is facing a massive 18% reduction in its financial settlement in 2011/12, the UK's contribution to the European Union (EU) is set to rise by 60% over two years.

This Council notes that, despite the opposition of some Conservative MPs, and Labour and Conservative MEPs, it is likely that the government will agree to a further 2.9% increase in the overall EU budget.

This Council believes the EU should be treated the same as the other tiers of government and in these austere times should share responsibility, along with central and local government, for public spending reductions. Sharing the burden would result in less severe

cuts for local authorities, and give more assistance to councils to protect front line services.

This Council therefore urges Waverley's two MPs not to support an increase in the EU budget."

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

153. EXCLUSION OF PRESS AND PUBLIC (Agenda Item 8)

At 8.08 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 following items 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 these items there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in paragraph 3 of the revised Part I of Schedule 12A to the Act, namely:-

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

154. WAVERLEY INITIATIVES LIMITED (Agenda Item 9; (Exempt) Appendix B)

The purpose of the report at (Exempt) Appendix B attached is to obtain Council's agreement to seek the approval of the Secretary of State for Communities & Local Government to trickle transfer a limited number of vacant council houses to Waverley Initiatives Ltd. The report details a potential project that the Council may wish to take advantage of, through its wholly-owned company Waverley Initiatives Ltd.

Subject to the approval of the Secretary of State, it is possible for Councils to transfer limited numbers of vacant Council houses to another body (e.g. a registered social landlord, or an arms length company such as Waverley Initiatives).

On 1 April 2012, the new 'self-financing' regime for the housing revenue account comes into operation. All stock held as at 1 April 2011 will be assessed to calculate Waverley's opening debt balance – with the exception of any stock that the Council has already taken a decision to dispose of. Therefore, a limited window of opportunity exists for Waverley to consider trickle transfer of a small number of current voids (around 40) to the company. Any such transfers would be deducted from the HRA's opening debt.

The report outlines a business plan model for the potential transfer of 40 voids to the company, to be used as the basis for approaching the Secretary of State to seek approval for the transfers (which would be considered on a case by case basis). This will allow the Executive at its next meeting in March to be able to consider the detailed business proposition in full, and to take a decision at that time as to whether or not it wishes to recommend to Council that the project should go ahead.

The recommendations below are worded in accordance with the requirements of the application process to the Secretary of State. In endorsing them, the Council is committing itself only to approaching the Secretary of State, with no obligation at this stage to do anything further. If government approval is not granted, the project could not proceed. If government approval is granted, the Executive will consider at its March meeting whether or not it wishes to proceed. The final decision as to whether to progress Trickle Transfer to Waverley Initiatives will be made by the Council at its April meeting. The Executive accordingly

RECOMMENDS that the Council

- 47. supports the disposal of void properties to Waverley Initiatives as described in this report, subject to Secretary of State consent and receipt of a final business plan (to the Executive on 29 March 2011);**
- 48. requests officers to apply to the Secretary of State for Communities and Local Government for Consent to a programme of Trickle Transfer of the properties detailed at (Exempt) Annexe 2 and, subject to consent from the Secretary of State, to also seek approval for the disposal of further void properties as and when they arise until 29 March 2011;**
- 49. agrees not to re-let current HRA void properties in its possession and those arising between 14 February 2011 and 31 March 2011 (except those detailed in paragraph 11 above), in order that (subject to Consent from the Secretary of State for Communities and Local Government) they could be transferred to Waverley Initiatives Ltd, should the Executive at its meeting on 29 March 2011 approve the transfer proposal, subject to the Strategic Director being authorised to decide if there are exceptional circumstances which make re-letting appropriate; and**
- 50. agrees to the issuing of an interest free loan of up to £2 million to Waverley Initiatives for the acquisition of void properties and start up funding of £100,000, subject again to the final approval of the Executive on 29 March 2011 to be met from existing capital resources.**

155. INSTALLING PHOTO-VOLTAIC PANELS ONTO COUNCIL HOMES (Agenda Item 10; (Exempt) Appendix C)

The Executive considered a detailed report on this matter, as set out at (Exempt) Appendix C and previously circulated to all councillors by email. The Executive felt that the scheme offered a range of benefits to the Council and to tenants and had very positive environmental implications. In outline, the company proposed for the scheme would install, at their expense, photovoltaic panels onto the roofs of suitable council houses that were facing in a generally southerly direction.

The company would then pay Waverley a rent for use of the roofs, and supply free day time electricity to tenants of the houses which had the cells installed. The company would benefit from the feed in tariff for the 25 year period of the agreement, paid by the electricity companies and government.

Waverley officers had explored a range of providers in this emerging market and concluded that the Savills Solar offer represented the best balance of risk and benefits to the Council and tenants. Because of the high capital cost, the option of the Council installing the cells itself was not viable. The Executive

RECOMMENDS that

51. **the proposal for the Council to enter into a robust contractual relationship with Savills Solar, backed by appropriate security for performance, which will install PV Panels on suitable Council properties, be approved, noting that the precise number and properties covered will be determined following the detailed property survey;**
52. **authority be given to the Deputy Chief Executive to negotiate the terms of the legal and financial agreements with Savills Solar; and**
53. **Contract Procedure Rules be waived so that Savills Solar can be appointed, as indicated at paragraph 31 of the agenda report.**

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

There were no matters falling within this category.

Part III – Brief Summaries of Other Matters Dealt With

156. PRUDENTIAL CODE FOR CAPITAL FINANCE (Agenda Item 5; Appendix A)

RESOLVED that the prudential indicators set out in the report be approved.

157. CHIEF EXECUTIVE'S ACTION (Agenda Item 7)

The action taken by the Chief Executive, after consultation with the Chairman and Vice-Chairman since the last meeting, was noted relating to the LGA and Local Land Charges.

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158. STAFFING MATTER (Agenda Item 11; (Exempt) Appendix D)

[This item contains exempt information by virtue of which the public is likely to be excluded. The information is as specified in paragraph 1 of the revised Part I of Schedule 12A to the Local Government Act 1972, namely:-

Information relating to any individual.]

RESOLVED that approval be given to the retirement of postholder AL03b on the grounds of ill-health with 12 weeks' notice of the termination of employment.

The meeting commenced at 6.45 p.m. and concluded at 9.01 p.m.

Chairman