

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE EXECUTIVE – 4 SEPTEMBER 2012

SUBMITTED TO THE COUNCIL MEETING – 16 OCTOBER 2012

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

- |                                  |                          |
|----------------------------------|--------------------------|
| * Cllr Robert Knowles (Chairman) | Cllr Stephen O’Grady     |
| * Cllr Mike Band (Vice-Chairman) | * Cllr Julia Potts       |
| * Cllr Brian Adams               | * Cllr Stefan Reynolds   |
| * Cllr Carole King               | * Cllr Adam Taylor-Smith |
| * Cllr Bryn Morgan               | * Cllr Keith Webster     |

\* Present

Cllrs Nicholas Holder and Stephen Mulliner were also in attendance and spoke on Minute No. 61

47. MINUTES

The Minutes of the Meeting of the Executive held on 3 July 2012 were confirmed and signed.

48. APOLOGY FOR ABSENCE

An apology for absence was received from Cllr Stephen O’Grady.

49. DISCLOSURE OF INTERESTS

There were no interests raised under this heading.

50. QUESTIONS

The Executive received the following question from Mrs Celia Sandars of Farnham:

“We were reliably informed that, as a result of internal talks around the proposals for appropriation of land agreed at the full Council Meeting on 8 May, Waverley Council undertook to listen to and discuss the serious concerns of members, who also serve as Farnham Town Councillors, regarding the proposed East Street development.

What has happened or is planned to happen about those promised discussions between Waverley Council and Farnham Town Council and what, if any, negotiations have been, are being, or are planned to be taken forward for revisions to those plans for Farnham, which the Town Council sees as damaging and/or unworkable?

I should explain that this question has assumed new urgency following the meeting of the Joint Planning Committee on 1 August when consent was given to the renewal of the East Street development planning permission in spite of the strong and substantial objections of our Town Council.”

The Leader of the Council and the Portfolio Holder for East Street responded in turn:-

Thank you for that question, I'm pleased you have asked so that we can put the record straight. And just so that it's accurate, it wasn't a meeting that was asked for with just the Waverley members who are on the Farnham Town Council, it was all of the Farnham Town Councillors. Farnham Town Councillors were offered a meeting and in fact we cancelled another meeting here in June to facilitate that, but they pulled out; Cllr John Ward informed me that they could not meet on the evening allocated. I have offered alternative dates and reminded all Waverley Borough Council Farnham members again last month that we waited for when they would be available to meet us. Therefore, Waverley has made three offers and those offers remain open but have not been taken up by Farnham Town Council. I'll ask the portfolio holder if he wishes to add anything.

Thank you Leader. Mrs Sandars, thank you again for your question and your continuing interest in these matters. I know of course that you are a long-standing opponent of the plans over the past decade to regenerate this run down part of Farnham. The visibly declining fortunes of the centre of town make it important, I feel, that steps are taken to add to the vitality of central Farnham. Turning to your question, this Council remains absolutely committed to a constructive dialogue with the whole community in Farnham, including Farnham Town Council. Waverley has received a very positive range of responses to a leaflet that was sent to all homes in Farnham and the surrounding area with information about the progress of the Brightwells scheme. As you are aware, I believe, Crest Nicholson will be holding an exhibition this week, starting on Thursday and ending on Friday or Saturday in the Lion and Lamb Yard where the venue for that has kindly been provided by Sir Ray Tindle. This will provide hopefully an opportunity for as many people as possible to see the facts about the scheme and to learn more about it. I'm assuming you will be there if not inside but outside in some form. As the leader said, I was going to go on to say in response to your question, we have asked the Farnham Town Council now on three occasions for a date. Their self-appointed representative has not come back to organise a date, but we're very happy to have that dialogue with them, really to discuss the implementation of the scheme, and how that can best be implemented in the best way for Farnham. Thank you."

## **PART I - RECOMMENDATIONS TO THE COUNCIL**

### **51. BUDGET MONITORING – JULY 2012**

- 51.1 The Executive noted the position as at 31 July 2012 and endorsed the action taken in relation to future project management and project costs monitoring, as set out in paragraph 5 of the report. The Executive approved the virements listed in paragraph 12 and the amendments and additions to the General Fund Capital Programme detailed in paragraph 18 of the report.

51.2 With regard to Waste Recycling, the recycling rate of around 65% was higher than expected and resulted in an extra £120,000 recycling credit being received. The Executive gave approval to the following virements within the Waste Recycling service and now seeks Council approval for one remaining budget transfer of £67,000, required to match the expenditure now charged to Refuse Collection (instead of Waste Recycling) as part of the integral weekly food waste collection service:-

Waste Recycling – Virement to be met from overall General Fund underspend £25,000	25,000	Formally adjust budget for missed/additional collections commissioned
Waste Recycling – Virement within Service	12,000	Formally adjust budget for collection costs of disused boxes
Waste Recycling – Virement within service	30,000	Formally adjust budget to reflect Temporary Staff and other Promotion costs.
Waste Recycling- Virement within Service	18,000	Formally adjust budget to reflect additional Storage, Distribution and associated costs.
Waste Recycling – virement within service	32,000	Formally adjust budget to accommodate the decision to leave the collection from bring-sites unchanged until July 2012.
Waste Recycling – virement within service	28,000	Contract costs incurred after budget set for Bank Holiday collections and MRF handling charge for increased tonnages

51.3 The Executive now

**RECOMMENDS that**

**31. the virement of £67,000 from Waste Recycling to Refuse Collection be approved to reflect the final food waste collection arrangements.**

Background Papers

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

52. RIVERSIDE WORKS

- 52.1 In May 2008 the Council gave approval to a planning application for the development of the Riverside area of Farnham. This work is to provide five new tennis courts and purpose built-pavilion as a replacement for the existing facilities at Brightwells whose leased land will be required as part of the Brightwells regeneration project.
- 52.2 Approval was also given for 200 temporary car parking spaces to substitute for the temporary loss of parking at Dogflud Way during the construction of the main project to regenerate the Brightwells area. The site will then be partially landscaped, with the existing trees and foliage at the east end of the site being maintained as wild areas. Much of the site is currently unused scrubland bisected diagonally by a public footpath, and it will be necessary to reposition and bury underground high tension overhead electricity cables that run along the existing length of the site and over the proposed tennis facilities.
- 52.3 The Development Agreement between Waverley Borough Council and Crest Nicholson Sainsbury (CNS) for the Brightwells scheme is a conditional contract including the requirement for a successful Compulsory Purchase Order to complete the land assembly for the site. Once the contract becomes unconditional, development of the main site can begin. However, prior to the commencement of the Brightwells scheme the planning approval requires that new car parking facilities be constructed, and the tennis club at Brightwells have a new permanent facilities provided.
- 52.4 The planned works at Riverside will fulfil these obligations, and under the terms of the Development Agreement it is Waverley Borough Council's responsibility to construct and fund the works. To enable the works on the main site to commence in a timely manner following acquisition of the land through the CPO process, preparation and procurement works on Riverside need to be timetabled to occur in advance of the CPO decision.
- 52.5 The upgrading of the public footpath which crosses the site has already been completed and therefore the Planning permission for the Riverside site has commenced. Planning permission conditions for the temporary car parking spaces during the construction phase of the Brightwells regeneration project granted on 19 May 2007, WA/2007/1967 condition 5, state that the land be restored and landscaped by 7 May 2013. Delays in the construction of the Brightwells project has resulted in works not starting in the expected timeframe making this condition of time irrelevant. Therefore, it is proposed that approval is given to submit a planning application in January 2013 to vary the planning permission relating to WA/2007/1967 condition 5 to make the car parking permanent.
- 52.6 Waverley Borough Council does not have in-house resources to carry out the design, procurement and supervisory work required to complete the Riverside project. It is therefore necessary to appoint an external Development Agent to oversee this project. The Development Agent procurement and construction contracts will be tendered strictly in accordance with Waverley's Contract Procedure Rules.

- 52.7 The Enterprise M3 LEP is a partnership between the private, public and third sectors to support economic growth along the M3 corridor in Hampshire and Surrey. Waverley BC is one of 14 local authorities which are members of the LEP. The Growing Enterprise Fund (part of the Government's Growing Places Fund) was launched in mid April. It has a total value of £21.7m and is available to support economic growth by addressing immediate infrastructure constraints, helping to create housing and jobs for local people. The LEP Board is looking to make investments which deliver early, repay quickly and have a direct impact on jobs and housing. It will therefore be looking closely at deliverability, outcomes and the ability to recycle funding, where investment is repaid to allow future investments.
- 52.8 An application was made for funding for the necessary cabling works and the LEP Board have asked for further details on the timetable and mechanism for repayment. Within this correspondence the Board indicated that they would also like to discuss the possibility of a larger scheme. To this end the funding decision for the M3 LEP Growing Enterprise Fund will be made in October 2012.
- 52.9 The Capital Programme for 2012/13 includes the provision for cabling works at Riverside of £234,000. It also includes an indicative amount of £1,322,000 of which £198,000 is for pre-construction work, in 2013/14 for the completion of the Riverside works. The total costs will be reimbursed to the Council through the Minimum Land Value included in the Development Agreement when the Brightwells regeneration scheme becomes unconditional.
- 52.10 However, until that time it is important that the Council makes a prompt start on these enabling works at Riverside to facilitate as early a start on site for the main scheme as possible. Therefore it is important to release the £198,000 to begin a pre-construction and design elements of this work. The main risk to this part of the project is that the Council does not secure compulsory purchases on land currently not in the Council's ownership. It is expected that the decision on the Compulsory Purchase Order (CPO) will be made early in the new year. If the CPO case is unsuccessful it will lengthen the period where M3 LEP bridging finance is required to fund these works.
- 52.11 If Waverley is unsuccessful with the M3 LEP application then any bridging finance for this pre-construction work could be funded from revenue reserves.

52.11 The Executive

RESOLVED that

1. a Development Agent be appointed to carry out the pre-construction element of the Riverside project;
2. the laying underground of existing overhead electricity cables in preparation for overground works at Riverside in the financial year 2012/13 be approved; and
3. a planning application be submitted in January 2013 for consideration by the Western Area Planning Committee to vary under Section 73(a)

condition number 5 of WA/2007/1967 to allow the car parking at Riverside to be made permanent.

52.12 The Executive now

**RECOMMENDS that**

- 32. £198,000 of the £1,322,000 budget provision included in the 2013/14 Capital Programme, be brought forward to 2012/13 to enable pre-construction works to commence, to be funded in the first instance from the Revenue Reserve Fund pending receipt of the M3 LEP funding.**

Background Papers

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

53. WHEELERSTREET CONSERVATION AREA APPRAISAL

- 53.1 Wheelerstreet is one of 45 Conservation Areas (CA) in Waverley. Currently only four Conservation Area Appraisals (CAAs) have been completed (Wrecclesham, Bramley, Farnham Town Centre and Chiddingfold). This is the first CAA to be completed since 2007, and forms a pilot project that will help Waverley formulate a methodology (following the latest English Heritage guidelines) so that the remaining 40 CAAs can be undertaken in a consistent manner.
- 53.2 CAAs are undertaken to identify and explain the character of the CA. This document will identify the specific qualities of the Wheelerstreet CA and thereby help to manage change within the CA. Section 71 of the 1990 Act explains that "it shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas". The proposed CAA is attached at Annexe 1.
- 53.3 To ensure best practice is followed, and to inform local residents and key stakeholders, a robust consultation was undertaken. The consultation started on 23 April 2012 for a period of six weeks. The following methods to inform the public of the consultation included a letter to all residents in the CAA and relevant stakeholders, including:
- Witley Parish Council
  - Surrey County Council
  - Statutory consultees (English Heritage, Natural England and Environment Agency)
  - CABE at the Design Council
  - The Godalming Trust
  - Relevant internal Waverley officers and local Councillors

In addition, all the relevant information was uploaded to the website at [www.waverley.gov.uk/WheelerstreetConsultation](http://www.waverley.gov.uk/WheelerstreetConsultation)

- 53.4 Five responses were received to the draft Wheelerstreet Conservation Area Appraisal consultation. Consideration was given to each response and the CAA updated where necessary. Primarily the management plan section has been updated to include additional recommendations for improvements to the Star Inn, green space and general public realm. Comments relating to flood risk were also incorporated at the request of the Environment Agency.
- 53.5 The proposed CAA identifies the specific qualities and characteristics of the Wheelerstreet CA which makes it both special and unique and thereby will help to manage future change within the CA. It has been subject to a robust consultation process to ensure residents and interested stakeholders have the opportunity to comment on and shape the final document. The Executive now

**RECOMMENDS that**

- 33. the Wheelerstreet Conservation Area Appraisal be adopted as a material planning consideration.**

Background Papers

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

54. EXECUTIVE FORWARD PROGRAMME

RESOLVED that the forward programme of key decisions for Waverley Borough Council be adopted, subject to the addition to the Economic Development Portfolio of a review of Waverley's Business Support for December 2012, from Kelvin Mills.

55. TREASURY MANAGEMENT PERFORMANCE

RESOLVED that

1. the Treasury Management Performance for 2011/12 and 2012/13 to date be noted;
2. the approach to Treasury Management activity be endorsed; and
3. the following changes to the Treasury Management Strategy 2012/13 be approved:
  - a) to change the group investment limit to £10,000,000;
  - b) that this limit apply to fixed-term deposit counterparties and to instant access counterparties;

- c) that, within that overall limit, individuals within the group be restricted to £7,500,000 per individual; and
- d) that officers make appropriate use of suitable MMF funds.

56. OUTSTANDING DEBTS WRITE-OFF FOR DECISION

*[This item contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 3 of the revised Part 1 of Schedule 12A to the Local Government Act 1972, namely;-*

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

RESOLVED that, under Financial Regulation D203, the debts put forward for write-off, as listed in the (Exempt) Annexe to the report, be approved.

57. COUNCIL TAX REDUCTION SCHEME - CONSULTATION

RESOLVED that

1. for consultation purposes only, the proposed Draft Scheme is as set out in paragraph 27 and Table 1 of the report;
2. options 1 to 3 in paragraph 16 should be consulted on;
3. the consultation is undertaken as set out in paragraphs 30 and 31 and the timetable at Annexe 2 of the report be agreed; and
4. Waverley's final Local Council Tax Support Scheme would be dependent on grant support from Surrey County Council and Surrey Police Authority to help finance the costs.

58. EXCLUSION OF PRESS AND PUBLIC

At 7.13 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 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 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).



59. LEASES OF DEPOTS – BOURNE MILL, GUILDFORD ROAD, FARNHAM AND NANHURST, ELMBRIDGE ROAD, CRANLEIGH

This item was considered in (Exempt) session when it was deferred until the next meeting of the Executive.

The meeting resumed in open session at 7.21 p.m.

60. COUNTRYSIDE APPRENTICE

RESOLVED that

1. a countryside apprentice be recruited for a period of up to two years;
2. the costs of the apprentice be met from the existing staff budget and funded from an increase to the Council's vacancy factor; and
3. the success of this new countryside apprenticeship opportunity be evaluated at the end of the two year period, including the case for establishing this apprentice on an on-going basis.

61. CALL-IN REPORT BACK – WEYHILL CAR PARK

Following the last meeting of the Executive, this decision was called-in for scrutiny by the Community Overview and Scrutiny Committee, which met on 7 August 2012 to discuss it.

RESOLVED that

1. the Community Overview and Scrutiny Committee be thanked for its comments on the report; and
2. the recommendation from the Community Overview and Scrutiny Committee that a six week pre-application consultation with local traders, residents and the Town Council should be carried before moving on to the second stage, be agreed.

62. CHIEF EXECUTIVE'S ACTIONS

The Executive noted the action taken by the Chief Executive after consultation with the chairman and Vice-Chairman since the last meeting relating to Undershaw and Group Investment Limits. The Executive requested further information on the action relating to 17A Farnham Trading Estate and it was agreed that a report on this matter be considered at the next meeting of the Executive.

It was also agreed that in future, further detail of Chief Executive's actions would be included in the agenda.

The meeting commenced at 6.45 p.m. and concluded at 7.42 p.m.

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04.09.12

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Chairman