

MINUTES of the MEETING of the  
WAVERLEY BOROUGH COUNCIL  
held in the Council Chamber,  
Council Offices, Godalming on  
16 July 2013 at 7.00 p.m.

\* Cllr Patricia Ellis (Mayor)

\* Cllr Liz Wheatley (Deputy Mayor)

- |                            |                           |
|----------------------------|---------------------------|
| * Cllr Brian Adams         | * Cllr Nicky Lee          |
| Cllr Stella Andersen-Payne | Cllr Denis Leigh          |
| * Cllr Mike Band           | * Cllr Peter Martin       |
| Cllr Gillian Beel          | * Cllr Tom Martin         |
| Cllr Patrick Blagden       | * Cllr Bryn Morgan        |
| * Cllr Maurice Byham       | Cllr Stephen Mulliner     |
| * Cllr Elizabeth Cable     | * Cllr David Munro        |
| Cllr Carole Cockburn       | Cllr Elliot Nichols       |
| * Cllr Jim Edwards         | * Cllr Jennifer O'Grady   |
| * Cllr Brian Ellis         | * Cllr Stephen O'Grady    |
| * Cllr Jenny Else          | * Cllr Donal O'Neill      |
| * Cllr Mary Foryszewski    | * Cllr Julia Potts        |
| * Cllr Pat Frost           | * Cllr Wyatt Ramsdale     |
| * Cllr Richard Gates       | * Cllr Stefan Reynolds    |
| * Cllr Michael Goodridge   | Cllr Ian Sampson          |
| * Cllr Tony Gordon-Smith   | * Cllr Janet Somerville   |
| * Cllr Lynn Graffham       | * Cllr Roger Steel        |
| Cllr Jill Hargreaves       | * Cllr Stewart Stennett   |
| Cllr Christiaan Hesse      | * Cllr Christopher Storey |
| * Cllr Stephen Hill        | * Cllr Adam Taylor-Smith  |
| * Cllr Nicholas Holder     | * Cllr Jane Thomson       |
| * Cllr Simon Inchbald      | * Cllr Simon Thornton     |
| * Cllr Peter Isherwood     | * Cllr Brett Vorley       |
| * Cllr Diane James         | Cllr John Ward            |
| * Cllr Carole King         | * Cllr Keith Webster      |
| * Cllr Robert Knowles      | Cllr Ross Welland         |
| Cllr Martin Lear           | * Cllr Nick Williams      |

\* Cllr Andrew Wilson

\* Present

Prior to the commencement of the meeting, prayers were led by the  
Reverend Jonathan Thomas.

11. MINUTES

The Minutes of the Annual Meeting of the Council held on 14 May 2013 were confirmed and signed.

12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Stella Andersen-Payne, Gillian Beel, Jill Hargreaves, Christiaan Hesse, Martin Lear, Denis Leigh, Stephen Mulliner, Elliot Nichols, John Ward and Ross Welland.

### 13. DECLARATIONS OF INTEREST

The following declarations of interest were declared in advance and at the meeting:-

Cllrs Jane Thomson and Brian Ellis declared personal interests in Executive Minute No. 21 (Godalming and Cranleigh Neighbourhood Development Plan Area Applications) from the meeting held on 2 July 2013 as respective members of Godalming Town and Cranleigh Parish Councils.

Cllr Adam Taylor-Smith declared a disclosable pecuniary interest in Executive Minute No. 43.4 (Property Matters) from the meeting held on 2 July 2013. He withdrew from the meeting when this item was referred to.

### 14. MAYOR'S ANNOUNCEMENTS

The Mayor welcomed the Chief Executive back and wished her well for a full recovery as soon as possible. The Mayor went on to celebrate the magnificent Freedom Parade that had taken place through Godalming on Saturday 13 July. She thanked everyone who had attended to fill the High Street and all of the officers and staff involved in planning the event for their hard work and preparations that had made the parade so special.

### 15. QUESTIONS FROM MEMBERS OF THE PUBLIC

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

i. from Patrick Haveron of Godalming

“In a written reply to a formal question from Mr Stewart Edge on 2 July, Councillor Bryn Morgan said that “the lower Waverley figure of 230 houses was based on the government South East Regional Plan, which required Waverley to provide some 250 houses per year. This was revised after public consultation, which proposed a substantially lower figure.” Assuming the consultation Councillor Morgan is referring to is the “How many homes would be right for Waverley” consultation initiated in 2010 by the previous portfolio holder, Councillor Taylor Smith, can either Councillor Morgan or Councillor Taylor Smith explain why Waverley Council included an option in that consultation which produced a figure which was so low that it was contrary to the Conservative Party Policy published before the last election which had said it expected the Option 1 numbers to be used as “the base-line for the projections that provided to neighbourhoods at the start of the collaborative planning process” i.e. in effect saying that the Option 1 figure was the minimum figure that should have been included as part of any core strategy public consultation.”

The Portfolio Holder for Planning gave the following response:-

“I have assumed that you are referring to the “Open Source Planning Consultation Document” published by the Conservative Party prior to the last General Election.

This highlighted the idea that “Option 1” figures prepared by local authorities were a reasonable assessment of housing need and should be used by local authorities pending the completion of their new Local Plan. You might note too, as we do, that Option 1 did not rule out other housing figures, either higher or lower than that.

Consequently, at public consultation, the Council offered Waverley residents a choice between a low figure (effectively around 157 to 180 houses per annum), which it was estimated we could provide without the need for green field sites; a more realistic and practical figure of 230, based on the then assessed need for housing, was offered as a median figure, together with a “developers’ dream” figure of more than 300 houses per annum.

Waverley had previously offered 230 houses to the South East Regional Planners who came back with a requirement of 250 houses per year. So all the time we have been in the right ball-park.

It is quite clear; it seems to me, that the consultation was both consistent with the “green paper”, and consistent with the guidance notes, issued in the summer 2010, in which the government made it clear that local authorities should continue to produce Core Strategies reflecting local aspirations, including those for housing provision, you might consider that part of the concept of Localism.

It was also made clear that the “Option 1” figure could be pursued if “if it is the right thing to do for your area” with the clear indication that authorities were able to consider alternative figures if that would satisfy local requirements.”

ii. from Ken Reed of Cranleigh

“Cllr Morgan’s response to questions asked at the Executive Meeting held on the 2nd July seemed to suggest a change of direction by the Administration. Cllr Morgan seemed to say that the Waverley housing market area needs to be subdivided and that demand in a place such as Farnham in the West of the Borough, for example, cannot be met by provision elsewhere.

If, as argued by Cllr Morgan, the brownfield site at Dunsfold Park cannot be used to meet need in Farnham, it surely follows that the green fields of Cranleigh cannot be used to meet the housing needs of Haslemere or Godalming. Although the smallest of the four urban areas in Waverley the currently suspended Core Strategy allocates 836 homes in total to Cranleigh, almost 500 more than Haslemere, with 433 of these targeted for green field sites in Cranleigh. Does the Leader agree that the numbers for Cranleigh should be reduced and that the current meagre allocation for his own town of Haslemere be significantly revised upwards from the current level of 380 - perhaps by 433?”

The Portfolio Holder for Planning gave the following response:-

“Thank you for your question, Mr Reed. I am sure that I can speak for the Leader and for the whole Council when I observe that you are clearly struggling with the concept of a Core Strategy with localism in view. Unfortunately, your approach is much too simplistic, overlooks too many relevant facts and conflicts with the essence of the National Planning Policy Framework.

The Core Strategy was constructed on much more rigorous and sustainability-based principles than you give it credit for. The Council considered and examined several options for future development in Waverley and, by overwhelming agreement, settled for the potentially gentle and sensitive expansion of our major settlements rather than piecemeal increases in potentially unsustainable locations elsewhere or the “big-village” offer so beloved of Lord Taylor and others. One factor was, of course, that although infrastructure was not always (often) up to the standard required, there was more likelihood that it could be improved in our major settlements than in more isolated rural areas. Certainly not Dunsfold Park.

The figures that you quote from Core Strategy CS2 are inclusive of expected windfall sites, the developments that have taken place or will take place during the compilation of the Core Strategy, rural exception sites, the Upper Tuesley site and sites within existing settlements already identified and, of course, the current extant planning permissions. The proposal is to release selected and limited areas of green field land on the edges of Cranleigh, Godalming and Farnham to the extent necessary to meet the housing numbers required, after the existing permissions and available redundant brown field sites are exhausted. The decision to propose releasing green field sites was not taken lightly and was the outcome of careful appraisal against the relevant established criteria including, particularly, the avoidance of development in the Green Belt and the Surrey Hills AONB. The specific green field and other sites will be determined later through the Development Management and Site Allocations process and through Neighbourhood Plans devised by individual local parish councils.

By contrast, a massive building programme on Dunsfold aerodrome would result in a development which it has been clearly established to be “an unsustainable location which would cause unacceptable levels of traffic congestion” And here I am quoting from the planning inspector who dismissed the appeal against Waverley’s refusal to allow large scale development at Dunsfold Park.”

iii. from Andy MacLeod from the Farnham Society

“Inspector Hetherington’s assessment of Waverley’s Core Strategy, as one which he would almost certainly have to find to be as unsound, would appear to leave Waverley with a serious threat of overdevelopment, threatening both the urban and rural environments in the Borough. Farnham in particular could suffer irreversible long term damage, if the already excessive levels of development planned for the town are further increased, turning the town into a building site clogged

up by traffic for many years. I understand that in this dire situation the Council is considering going directly against the advice of Inspector Hetherington to withdraw the Core Strategy and correct the many flaws in the Strategy, when by following the Inspector's advice and guidance it could submit a strategy that he will find to be sound. Is it not a highly irresponsible gamble to take an approach which the Inspector has indicated carries a substantial risk of failure, resulting in a significant waste of time and resources?"

The Portfolio Holder for Planning responded as follows:-

"The answer to your question is No. And that may well be because you have been mis-informed by the endlessly published views of a number of individuals and organisations that have their own axe to grind for specific purposes that are unacceptable to the people of Waverley more generally.

However, I can personally assure you that the Executive has carefully assessed the risk attached to each of the three options offered to the Council by the Examining Inspector. The risk would be unacceptably high to proceed with Option One because the South East Regional Plan, upon which we were required to base our Core Strategy at the time, has been abolished, and the Inspector has decided that it must now become a virtually irrelevant factor in the evaluation and he requires a new housing market assessment.

Option 2 does in fact offer a risk-free opportunity to progress the Core Strategy. We must necessarily conduct a new Housing Market Assessment (SHMA) whether we were to pursue Option 2 or Option 3, and that is what we are presently doing. When we have the number of new housing developments required by the new market assessment it will be possible to assess whether there is scope to progress the present Core Strategy under Option Two, to meet the Inspector's requirements, or whether we must then look to a different option.

One thing is for sure. To withdraw the Core Strategy now and begin all over again would be quite foolish. This is what happened to the attempt to devise a Core Strategy by the previous Liberal Democrat administration, and it has taken us six years to go through the whole process again. If we want a Core Strategy that is acceptable to our residents, then we will work with and modify the one that we have and which residents have approved. It is a good strategy even though the government Inspector requires more houses. The only difference between the Option Three and Option Two courses will be the extent of the changes that need to be made to accommodate sufficiently the new "build-build-build" policy requirements of central government.

If we are forced to the Option Three situation it is likely to require a possible extension of the time frame required to complete the process of about a year or so. Option Two has distinct advantages in terms of obtaining a Core Strategy that is fit for purpose and in good time to deal with the threat that the Farnham Society believes that it has identified from overdevelopment."

iv. from Jerry Hyman of Farnham

“Lady Mayor,

With regard to the Executive’s intention of proceeding with the Riverside enabling works prior to seeking the Full Council’s ‘Landlord Approval’ for a future revised East Street scheme, the background facts are

- (i) that the Minutes of the fortnightly WBC-SCC-CNS meetings released under Fol show that Waverley now admits that the Riverside enabling works must by law be included in the East Street EIA (as must any Brightwell Gostrey Day Centre enabling development); and
- (ii) that the determining legislation here is the EIA Directive, as interpreted in the Judgments in the *Barker, Berkeley, Cornwall* and *Gillespie* cases, which demand that prior to any implementing decision and prior to commencement of works, all of the fundamental data and information necessary to assess the likely environmental impacts of the whole of the development must be made available in a full ‘Environmental Statement’ (updated as appropriate throughout the process) and given due consideration; and
- (iii) that pending the planning applications and assessments, the catch-all principle from *Barker* has a retrospective effect that serves to prevent known significant unassessed risks (e.g. where the 2011 Parsons Brinckerhoff Contamination Report has identified a previously-unknown extent of carcinogenic and heavy metal pollutants that are not addressed in the existing Remediation Strategy – or where no solution exists for the ‘Royal Deer’ junction to enable the pedestrianisation that the whole development depends upon);

and in view of those facts, does this Council accept that the legislation determines that pending the full Environmental Statement and consents required for a revised East Street Scheme, and regardless of past works undertaken, neither the Executive nor the Council has the authority to allow development works to proceed ? Thank You.”

The Planning Portfolio Holder replied:-

“Mr Hyman, thank you for your question, the answer is no. The Council does not accept your proposition. You do seem to have confused yourself by an over-complication here.

The planning application for the Brightwells Scheme was accompanied by a full Environmental Statement, in accordance with statutory requirements, and benefits from the original extant planning permission.

Consequently, there are no planning or environmental barriers to prevent its implementation.”

## 16. MINUTES OF THE EXECUTIVE

### 16.1 Meeting of 4 June 2013

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

RESOLVED that the Minutes of the Meeting of the Executive held on 4 June 2013 be approved and the recommendation contained therein adopted.

### 16.2 Meeting of 2 July 2013

It was moved by the Chairman of the Executive and duly seconded that the Minutes of the Meeting of the Executive held on 2 July 2013 be approved and adopted.

#### i. Core Strategy (Minute No. 20)

It was moved in accordance with Procedure Rule 17.5, that voting on the recommendation should be by roll-call and recorded. The voting was as follows:-

#### For the recommendation (38 votes)

Cllrs Brian Adams, Mike Band, Maurice Byham, Elizabeth Cable, Jim Edwards, Brian Ellis, Patricia Ellis, Jenny Else, Pat Frost, Richard Gates, Michael Goodridge, Tony Gordon-Smith, Lynn Graffham, Stephen Hill, Nicholas Holder, Simon Inchbald, Peter Isherwood, Carole King, Robert Knowles, Nicky Lee, Peter Martin, Tom Martin, Bryn Morgan, David Munro, Jennifer O’Grady, Stephen O’Grady, Donal O’Neill, Julia Potts, Wyatt Ramsdale, Stefan Reynolds, Stewart Stennett, Christopher Storey, Adam Taylor-Smith, Jane Thomson, Simon Thornton, Keith Webster, Liz Wheatley and Nick Williams.

#### Against the recommendation (5 votes)

Cllrs Mary Forszewski, Diane James, Janet Somerville, Roger Steel and Brett Vorley.

#### Abstaining (1 vote)

Cllr Andrew Wilson.

The recommendation was therefore AGREED.

#### ii. Report from the Standards Panel (Minute No. 24)

The Council agreed that the email address [monitoringofficer@waverley.gov.uk](mailto:monitoringofficer@waverley.gov.uk) should be set up and used in place of individual named officers.

Cllrs Diane James and Brett Vorley asked that their votes against recommendations 10, 12 and 13 be recorded.

iii. Rowledge Local Governance Review – First Consultation Findings  
(Minute No. 38)

This minute was withdrawn as the item had been called in for scrutiny by the Corporate Overview and Scrutiny Committee.

RESOLVED that the Minutes of the Meeting of the Executive held on 2 July 2013 be approved and the recommendations contained therein adopted.

[NB. Cllr Brett Vorley left the meeting at 8.30 p.m. Cllr Adam Taylor-Smith left the meeting at 8.42 p.m. having declared an interest in Executive Minute No. 43.4. and did not return].

17. 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 Committee held on 10 and 18 June 2013 be approved.

18. MINUTES OF THE LICENSING AND REGULATORY COMMITTEE

18.1 Meeting of 14 May 2013

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

RESOLVED that the Minutes of the Meeting of the Licensing and Regulatory Committee held on 14 May 2013 be approved.

18.2 Meeting of 30 May 2013

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

RESOLVED that the Minutes of the Meeting of the Licensing and Regulatory Committee held on 30 May 2013 be approved and the recommendations contained therein adopted.

19. 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 25 June 2013 be approved and the recommendation contained therein adopted.

20. APPOINTMENT TO JOINT PLANNING COMMITTEE



The Council agreed to the appointment of Cllr John Ward to fill the vacancy on the Joint Planning Committee for the remainder of the Council year, created by the resignation of Cllr Jill Hargreaves from the Committee.

**The meeting concluded at 8.52 p.m.**

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Mayor