

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE EXECUTIVE – 7 JANUARY 2014

SUBMITTED TO THE COUNCIL MEETING – 18 FEBRUARY 2014

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

- |                                  |                          |
|----------------------------------|--------------------------|
| * Cllr Robert Knowles (Chairman) | * Cllr Donal O'Neill     |
| * Cllr Mike Band (Vice-Chairman) | * Cllr Julia Potts       |
| * Cllr Brian Adams               | * Cllr Stefan Reynolds   |
| * Cllr Carole King               | * Cllr Adam Taylor-Smith |
| * Cllr Tom Martin                | * Cllr Keith Webster     |

\* Present

Cllr Wyatt Ramsdale was also in attendance and spoke on Agenda Item 9 – Budget Update 2014/15 (Minute No. 131 refers)

123. MINUTES

The Minutes of the Meetings held on 3 and 12 December 2013 were confirmed and signed.

124. DECLARATION OF INTERESTS

Cllr Mike Band declared a non-pecuniary interest in Agenda Items 11 (Development of Four Affordable Homes in Wonersh) and 15 (Parking Spaces at Shamley Green) as a member of Wonersh Parish Council.

Cllr Keith Webster declared a pecuniary interest in Agenda Item 14 (Solar Panel project). Had there been any discussion on the item, Cllr Webster would have withdrawn from the meeting.

125. QUESTIONS

The Executive received the following questions in accordance with Procedure Rule 10:-

- i. from Mr David Beaman of Farnham

*"Is there any reason why WBC does not publish details of the meeting attendance records of Councillors as is common practice in many other local authorities?"*

The Leader of the Council replied:-

"Waverley publishes details of attendance by councillors at meetings as part of the minutes of those meetings which are available on our website. Recently, attendance figures have been summarised in the annual reports of the Overview and Scrutiny Committees and the Audit Committee has also agreed to include this information in its annual

report in the future. I have asked officers to widen this out to include all decision-making meetings in the future.”

ii. from Mrs Celia Sandars of Farnham

*“In view of the proposed relocation of the replacement Gostrey Centre from its previously agreed site within the Brightwells/East Street development, would the Chairman or Portfolio Holder please reassure the public of its future viability in terms of any constraints that might apply as a result of this decision, such as capital and running costs, accessibility by public transport, parking for users, visitors and the centre’s own vehicles, and publish openly for the public to see the consultations that Waverley Council has undertaken in order to fully investigate any possible constraints on services the centre should provide into the future?”*

Cllr Carole King gave the following response:-

“The Gostrey Centre is of great importance to Waverley Borough Council and is highly valued by the residents of Farnham and the surrounding area. It is felt that, with the projected increase in age of Waverley’s population over the next 20 years, it is important to have a community centre future-proofed to deliver an exemplar service. The feasibility study authorised by the Executive at the end of last year is aimed at exploring the potential of building such a centre on the Memorial Hall site.

To ensure the appropriate facilities and services are delivered, a working group comprising representatives from the board and operational management of the Gostrey Centre; SCC Health & Wellbeing officers; Adult Social Services and GPs has been assembled to input their expertise to aid the design of this potential new centre for the older people of Farnham.

The design and layout will drive the operational costs, but the intention is to improve the energy efficiency of the current building, as well as incorporating energy reducing options at the foundation of any future development. It is exciting to be involved with such an important process at the start to help improve future provision for Farnham’s older population.”

iii. from Mr Jerry Hyman of Farnham

*“Council Leader, in your response to my Formal Question at the 3rd December Executive meeting you claimed that,*

*“the Council’s position was supported by Mr Ball (the Inspector who held the recent CPO inquiry) who saw no evidence that the traffic impact assessments were flawed”.*

*As a matter of fact during my CX of the Head of Planning at the CPO Inquiry, I submitted CNS documents into evidence which demonstrated beyond doubt that their Transport Assessment did not assess what is actually proposed, and that the 'assessment' was instead founded upon their creation of a 'Base Model' of a situation that never exists in reality. Mr Ball listened closely and he certainly did 'see the evidence'.*

*The documentary evidence shows that Crest's peak-hour traffic modelling used a 90-second cycle at the Royal Deer junction, rather than the 58-second cycle which occurs when the normal daytime pedestrian flow 'presses the button' and activates the pedestrian crossing phase. By modelling a non-existent situation where hardly any pedestrians are around during peak hours, Crest created a false 'Base Model' in which Farnham traffic always flows freely.*

*Furthermore, rather than model the effect of more than doubling traffic and pedestrian red-light times at the junction (which is what SCC Highways' proposed timings show would result from the ill-considered road scheme), Crest instead made an arbitrary assumption that the efficiency of the junction would increase from 50% to 100%. For consent to be granted lawfully, the EIA Regs require that all the data necessary to assess the likely impacts is provided in a complete Environmental Statement. None of Crest's Transport Assessments have ever provided the proposed new signal timing data for the Royal Deer, so it follows that the actual proposals could not be and were not modelled, assessed or lawfully consented, as Waverley's Reg.19 Request to Crest of November 2010 confirms. Crest's 'cordon model' also excluded Station Hill, and so the modelling also falsely assumed that the station level crossing does not affect town centre traffic flow. Thus by creating a false Base Model where Farnham traffic always flows freely and the new road system causes no delays, Crest were able to produce a model that still flowed freely when the extra traffic generated by the scheme was added.*

*The omission from the Environmental Statement of obligatory data and assessments was demonstrated to Mr Ball, as was the need for a number of further 'Implementing Consents' (including for Riverside and for Crest's apparently insoluble Transport proposals), so it follows that in terms of the EIA Regulations, Mr Ball's conclusion that that "all the necessary planning permissions and consents are in place" (IR para 11) was incorrect.*

*Given the evidence, does Waverley now accept the fact that whilst further 'implementing consents' are necessary prior to commencement, Crest's Environmental Statement fails to assess the likely significant effects of their proposed new road system, and do you further accept that your claim that Mr Ball "saw no evidence that the traffic assessments were flawed" is untrue?"*

The Leader of the Council gave the following response:-

“I do not accept your proposition that the planning application for Brightwells, and the Environmental Statement which accompanied it, failed to properly assess the effects of the proposed new road system. This is for the reasons I have given in previous answers to your questions.

I acknowledge that Mr Ball received evidence from non-qualifying objectors to the CPO inquiry that the traffic impact assessment was flawed. However as Mr Hyman will be aware Mr Ball concluded that no persuasive evidence was submitted to support the objectors case.”

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

### 126. DEVELOPMENT OF FOUR AFFORDABLE HOMES IN WONERSH

*[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 I 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)]*

- 126.1 In November 2013, the Council submitted a planning application for the redevelopment of Ladymead, the former homeless hostel in Barnett Lane, Wonersh to provide four permanent affordable homes for social rent to meet local housing need. The proposed layout of the site is shown in Annexe 1. The planning application was considered by the Eastern Area Planning Committee on 15 January 2014 and permission was granted.
- 126.2 Pre-development services have been provided by Nye Saunders Architects, who have worked with specialists to provide supplementary information to support the planning application. At the early stage of the project, the pre-development costs have been funded by the approved budget of £83,500 from the New Affordable Homes Reserve.
- 126.3 The build contract will be tendered in accordance with the Council’s Contract Procedure Rules and, if required, EU Procurement Regulations. The precise nature of selecting a contractor will depend on which procurement route is necessary, and appropriate advertising will be undertaken as part of the applicable procurement process. Financial checks of each contractor will be completed before tender documents are issued to those on the short list.
- 126.4 The build programme is estimated to take 12 months and the implementation of the project plan will be monitored by the Housing Delivery Board. It is hoped that by seeking budget approval at this stage, the process of selecting a build contractor can start and an earlier start on site date be achieved.

126.5 Nye Saunders has produced the following cost estimates, including build costs, professional fees and pre-development survey costs and a contingency for the site, split over the next two years. This is set out in (Exempt) Annexe 2.

<b>Key activities</b>	<b>Date</b>
Planning Application – Committee Meeting	January 2014
Prepare detailed specification	January – March 2014
Seek expressions of interest & Pre Qualification Questionnaire	February 2014
Select short-list of build contractors and issue tender documents	March 2014
Tender documents returned	Early May 2014
Inform successful contractor	End May 2014
Lead – in period	June 2014
Start on site	July 2014
Completion	July 2015

The Executive accordingly

**RECOMMENDS that**

- 16. approval be given to the allocation of funding from S106 funds, capital receipts and the New Affordable Homes Reserve, as appropriate and as set out at (Exempt) Annexe 2, for the development of four affordable homes at Ladymead, Barnett Lane, Womersh;**
- 17. the appointment of the architect to act as both architect and Employer’s Agent and a build contractor in accordance with the Council’s Contract Procedure Rules be agreed, to deliver four new affordable homes within the agreed budget; and**
- 18. authority be given to the Head of Housing Strategy and Delivery and Director of Operations to enter into a contract with Nye Saunders as architect and Employer’s Agent.**

*[Reason: to seek approval for funding from the New Affordable Homes Reserve in 2013/14 and 2014/15 for the development of four affordable homes for social rent at Ladymead, Barnett Lane, Womersh after planning consent has been secured.]*

Background Papers

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

127. REDEVELOPMENT OF WEY COURT HOUSE, GODALMING

*[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 the specific paragraphs of the revised Part I of Schedule 12A to the Local Government Act 1972, namely:-*

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

127.1 In February 2013, the Council held an initial consultation event with local residents about the principle of redeveloping the site of a former sheltered housing scheme at Wey Court House to provide 24 new affordable homes to meet local housing need. Following this consultation the Housing Development Team met with Ward Councillors to discuss the proposed scheme and share feedback from residents.

127.2 After the initial consultation event, three local architects were invited to design a scheme with 24 flats on an 'at risk' basis and submit their fee proposals for taking their scheme through to submission of a planning application. A further consultation event was held with the residents in June where the three proposals were shared. Residents were asked to consider the draft schemes and give their views. As the number of comments from residents was split equally between two of the proposals, pre-application advice provided by Planning was taken into account to make the final scheme choice and Nye Saunders Architects were appointed.

127.3 On 10 December 2013, the Council held a final consultation event at the Godalming Town Football Club for residents of Wey Court bungalows, their advocates and relatives, Tenants Panel representatives and the Ward and Town Councillors to meet the architects and view the plans. This provided an opportunity to discuss the more detailed site and property layouts. The proposed scheme has taken into account feedback from residents, by altering the position of the buildings and increasing parking provision for new and existing residents.

127.4 The proposed scheme comprises 10 x 1 bedroom flats and 14 x 2 bedroom flats, split between four blocks as follows:

Block	Number	Type
1	6	1 bed 2 person
2	6	2 bed 3 person
	4	2 bed 4 person
3	4	1 bed 2 person
4	2	2 bed 3 person
	2	2 bed 4 person

127.5 Following the final consultation in December, a flood risk assessment, a landfill gas risk assessment and Ecological Assessment will be commissioned to support the planning application. A planning application is expected to be submitted in March 2014.

127.6 The Council is committed to making best use of its assets to increase the supply of affordable housing to meet housing need in the borough. The Waverley Strategic Housing Market Assessment identified 1,960 households in need in Godalming, with the majority of need being for smaller one and two bedroom homes.

127.7 The Housing Register provides a further indicator of need. Following the implementation of the new allocation scheme earlier this year which requires applicants to demonstrate a housing need and local connection to the borough, the number of applicants has reduced, but there continues to be significant need, especially in the main settlement areas. The table below shows the number of applicants on the Housing Register by area and size of property.

<b>Area</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>Total</b>
Godalming	93	67	23	183
Farncombe	71	42	18	131

127.8 The bungalows at Wey Court are currently allocated to people over the age of 60, but due to the level of high level of housing need across the borough, there will be no age restriction on the allocation of the new homes being built as part of this scheme.

127.9 Pre-developments services to date have been provided by Nye Saunders Architects. At the early stage of the project, the pre-development costs were funded by the approved budget of £83,500 from the New Affordable Homes Reserve. To progress the scheme through to planning and, subject to planning permission being granted, the preparation of the specification, additional pre-development services will be required, including an employer's agent, structural engineer, mechanical and electrical engineers, landscape architect and ecologist. These costs are included in the professional fees set out in the cost estimate below.

127.10 Prior to tendering the build contract, adverts will be placed on the South East Business Portal to seek expressions of interest from contractors through a pre-qualification questionnaire. This project will be procured in line with the Council's Contract Procedure Rules, and EU Procurement Regulations if required. The build programme is estimated to take 15 months and the implementation of the project plan will be monitored by the Housing Delivery Board. Subject to planning approval, start on site is expected in Autumn 2014.

127.11 Nye Saunders Architects has produced cost estimates for build costs and external works costs, set out in (Exempt) Annexe 3. These will be refined when detailed designs and specifications have been developed. Prices are based upon the total gross internal floor area in accordance with the 6<sup>th</sup> Edition of the RICS Code of Measuring Practice (September 2007). Building prices per m<sup>2</sup> represent the average for London and the South East. As property prices are expected to increase by an average of 6% in 2014, build costs are also expected to increase.

127.12 The Executive accordingly

**RECOMMENDS that**

- 19. approval be given to the allocation of funding from the New Affordable Homes Reserve, S106 funds and capital receipts (as appropriate), as set out in (Exempt) Annexe 3, for the development at Wey Court; and**
- 20. authority be given to the Head of Strategic Housing and Delivery and the Director of Operations to appoint pre-development consultants and a build contractor in accordance with the Council's Contract Procedure Rules to deliver 24 new affordable homes within the agreed budget.**

*[Reason: to seek approval for an allocation of pre-development costs and build costs for the development and approval for commencing a tendering process].*

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**

128. MEMBERSHIP OF EXECUTIVE AND ALLOCATION OF PORTFOLIOS BY THE LEADER OF THE COUNCIL

RESOLVED that

1. the changes to the Portfolio Holder allocations, as set out below, be noted; and

<b>Cllr Robert Knowles (Leader)</b>	Policy and Governance, Strategic Human Resources	Robin Taylor/ Matthew Baker
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<b>Cllr Mike Band (Deputy Leader)</b>	Finance and Property	Graeme Clark
<b>Cllr Donal O'Neill</b>	Environment (including car parks)	Rob Anderton
<b>Cllr Carole King</b>	Housing Operations, Community Safety, Community Grants, Health and Wellbeing and Older People	Hugh Wagstaff
<b>Cllr Keith Webster</b>	Housing Strategy	Keith Webster
<b>Cllr Brian Adams</b>	Planning	Matthew Evans
<b>Cllr Tom Martin</b>	IT and Customer Services	Roger Standing
<b>Cllr Julia Potts</b>	Community	Kelvin Mills
<b>Cllr Stefan Reynolds</b>	Member Support and Communications	Robin Taylor
<b>Cllr Adam Taylor- Smith</b>	Major Projects and East Street	Kelvin Mills

2. the appointment of Cllrs Tom Martin and Donal O'Neill to the Executive with effect from 1 January 2014 and for the remainder of the Council year 2013/14 be noted.

129. EXECUTIVE FORWARD PROGRAMME

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

130. BUDGET MANAGEMENT REPORT – NOVEMBER 2013

The Leader read out a statement in response to the recent storms and flooding in the Borough over the Christmas period and continuing into January. He explained the actions that had been taken by Council staff and contractors to deal with evacuating residents from those properties which had been flooded, setting up rest centres, clearing fallen trees and debris, keeping drains clear, as well as preventing further damage to numerous properties at risk of flooding by the issuing of sandbags.

The Executive wanted to extend their thanks to the Council staff and contractors for their hard work alongside the emergency services to provide much needed practical help through the Christmas and New Year period.

A replacement paragraph 18 was circulated, as follows:-

“Major variations to the HRA budget are shown at Annexe 3. The phase of the corporate office maximisation project covering the HRA staff team is set to cost £32,000 and it is proposed to vire this from the HRA capital programme. This will not impact on the HRA outturn as it will be transferring an existing approved budget.”

Since the agenda had been published, some of the worst weather on record had been experienced in the borough and subsequently a new paragraph 27 of the report was circulated setting out the associated likely costs of the adverse weather. This also included three additional recommendations which are included in the resolution below.

RESOLVED that

1. the allocation of £29,300 of the 2013-14 projected capital savings to the improvement of facilities at The Herons Skatepark be approved;
2. the allocation of £16,400 of the 2013-14 projected capital savings to the current parking equipment budget for the upgrade of parking machines be approved;
3. disabled adaptations, estimated at £15,000 to be met from within the Landlord Services capital budget, to a property in Queensmead be approved, as detailed in (Exempt) Annexe 5 of the agenda report;
4. £15,000 expenditure be approved to be met from within the Landlord Services capital budget on a void property at Broomsquires, including £5,000 for floor soundproofing as detailed in (Exempt) Annexe 6 of the agenda report;
5. a virement be approved in the sum of £32,000 from the HRA capital budget to meet the costs of the phase of the corporate Office Maximisation Project covering the HRA staff;
6. a supplementary estimate of up to £25,000 be agreed to meet the General Fund proportion of the costs incurred responding to the adverse weather over the Christmas and New Year period, to be funded from the in-year underspend;
7. a supplementary estimate of up to £50,000 be agreed to meet the HRA proportion of the costs incurred responding to the adverse weather over the Christmas and New Year period, to be funded from the in-year underspend; and

8. the budget continues to be monitored closely during the remainder of 2013-14.

131. BUDGET UPDATE 2014/15

An update to paragraph 4 relating to the Government Grant settlement was tabled, as follows:

“Waverley received its grant settlement on the 18 December. The grant settlement confirms that the cut in funding in 2014/15 is slightly worse than expected in Waverley’s Finance Strategy presented to members in October. Waverley will lose £584,000 in 2014/15 which is a 13% reduction. The settlement details also gave a clear indication that Waverley will lose a further £578,000 or 15% in 2015/16.”

RESOLVED that

1. the approach taken to budget preparation for 2014/2015 be endorsed;
2. the initial observations of the Overview and Scrutiny Committees be noted;
3. the Overview and Scrutiny Committees be asked to consider the detailed budget proposals within their remit at their January meetings and to make observations to the Executive; and
4. final consideration be given to the budget proposals at the meeting on 4 February 2014.

*[Reason: to outline the financial background to producing the Council’s four-year Financial Strategy and the proposed approach to be taken to the 2014/15 Budget.]*

132. WELFARE REFORM – IMPACT ON BENEFITS SERVICE

RESOLVED that

1. the temporary additional resources in the benefits team be approved, as detailed in the report, to support the ongoing impact of the welfare reforms and to be funded from the external grant received; and
2. officers be asked to review the impact of Welfare Reforms and required resources in 6 months time.

*[Reason: to update Members on the impact of welfare reforms in Waverley and to request some additional staff resource, externally funded, to support the benefits service in the coming year.]*

133. OCKFORD RIDGE PROJECT: APPROVAL TO COMMENCE OJEU PROCUREMENT PROCESS TO SELECT A BUILD CONTRACTOR AND TO APPOINT AN EMPLOYER'S AGENT TO MANAGE THE PROCESS

RESOLVED that

1. approval be given to work proceeding on the first stage of the OJEU process; and
2. an Employer's Agent be appointed to manage the OJEU process on behalf of the Council, with the estimated costs as set out in (Exempt) Annexe 1 of the report, to be funded from S106, capital receipts and the New Affordable Homes Reserve as appropriate.

*[Reason: to outline proposals to redevelop parts of Ockford Ridge and refurbish the remainder of the properties to be procured through an OJEU process and to seek approval to procure the services of an Employer's Agent to lead the procurement process.]*

134. FINANCIAL IMPLICATIONS OF UNDERTAKING A FURTHER SOLAR PV PANEL PROJECT

RESOLVED that

1. the financial implications and associated risks of pursuing a further solar PV panel project be noted; and
2. the Council does not undertake a further solar PV panel project at this time, but instead focuses on delivering a core range of energy efficiency measures across the Council housing stock, and actively considers the use of solar panels in new housing developments as part of delivery of Code Level 4.

*[Reason: to present the financial implications and associated risks of the current options for installation of solar PV panels on Council homes, and to seek advice from the Executive on whether to pursue a further Solar PV Panel Project in Waverley at this time.]*

135. AUTHORITY TO SUBMIT A PLANNING APPLICATION FOR THE CREATION OF PARKING SPACES IN SHAMLEY GREEN

RESOLVED that authority be given for the submission of a planning application, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, for the construction of a parking area in Shamley Green.

*[Reason: to seek authority for the submission of a planning application in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, in respect of the creation of additional parking spaces on Shamley Green.]*

136. LIME TREE, MINT STREET, GODALMING

RESOLVED that the Council should not take over the responsibility for the maintenance and management of the lime tree on unregistered conservation area land in Mint Street, Godalming.

*[Reason: to seek a decision from the Executive on the future maintenance and management of the lime tree in Mint Street, Godalming upon which a TPO was confirmed].*

137. HASLEMERE SKATE PARK PROJECT – PHASE II, HASLEMERE

RESOLVED that Phase II of the Haslemere Skate Park Project be approved, subject to the release of £29,300 as detailed in Item 8 of the agenda papers to supplement the already approved s106/PIC funds allocated to this project.

*[Reason: to seek the Executive's approval to go ahead with a scheme for Haslemere Skatepark project.]*

138. THE FOOD STANDARDS AGENCY AUDIT

RESOLVED that

1. the content of the audit report and action plan be endorsed; and
2. the Council's progress continues to be monitored against the Audit Plan.

*[Reason: to advise Members of the findings of a Food Standards Agency audit, which took place on the 25-27 June 2013]*

139. MEMBERSHIP OF THE CONSTITUTION SPECIAL INTEREST GROUP

RESOLVED that the membership of the Constitution Special Interest Group be noted as Cllrs Robert Knowles (Chairman), Stewart Stennett, Michael Goodridge, Peter Isherwood, Simon Thornton, Elizabeth Cable and Elliot Nicholls. The first meeting was due to take place on 17 January 2014.

140. CALENDAR OF MEETINGS 2014/15

RESOLVED that the Calendar of Meetings for 2014/15 be agreed, a copy of which is attached as Annexe 4.

141. HACKNEY CARRIAGE TARIFF FARE SCALES – REVIEW

RESOLVED that

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1. the Hackney Carriage Fare Scale be advertised, in accordance with Section 65 Local Government (Miscellaneous Provisions) Act 1976, and as detailed at Annexe 1 to the report;
2. the latest date by which objections to the advertised scale of fares are to be submitted to be 22 February 2014; and
3. in the event of objection(s) to the advertised table of fares being received on/before 22 February 2014, the date that the scale of fares (with or without modifications) will come into force shall be 22 April 2014.

*[Reason: to enable the Executive to consider comments received from individual licensees regarding a review of the Hackney Carriage Tariff Fare Scale and to consider recommendations from the Licensing and Regulatory Committee.]*

The meeting commenced at 6.45 p.m. and concluded at 7.43 p.m.

Chairman