

MINUTES of the MEETING of the  
WAVERLEY BOROUGH COUNCIL  
held in the Council Chamber,  
Council Offices, Godalming on  
15 July 2014 at 7.00 p.m.

\* Cllr Liz Wheatley (Mayor)

\* Cllr Mike Band (Deputy Mayor)

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|------------------------------|---------------------------|
| * Cllr Brian Adams           | * Cllr Nicky Lee          |
| * Cllr Stella Andersen-Payne | * Cllr Denis Leigh        |
| Cllr Gillian Beel            | Cllr Peter Martin         |
| * Cllr Patrick Blagden       | * Cllr Tom Martin         |
| * Cllr Maurice Byham         | * Cllr Bryn Morgan        |
| Cllr Elizabeth Cable         | * Cllr Stephen Mulliner   |
| Cllr Carole Cockburn         | * Cllr David Munro        |
| Cllr Jim Edwards             | * Cllr Elliot Nichols     |
| * Cllr Brian Ellis           | Cllr Jennifer O'Grady     |
| * Cllr Patricia 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 Canon Mervyn Roberts.

12. MINUTES

The Minutes of the Annual Meeting of the Council held on 13 May 2014 were confirmed and signed.

13. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gillian Beel, Elizabeth Cable, Carole Cockburn, Jim Edwards, Michael Goodridge, Lynn Graffham, Jill Hargreaves, Nick Holder, Peter Isherwood, Diane James, Peter Martin, Jennifer O'Grady, Stephen O'Grady, Wyatt Ramsdale, Stefan Reynolds, Roger Steel, Stewart Stennett, Adam Taylor-Smith and Brett Vorley.

14. DECLARATIONS OF INTEREST

There were no interests raised under this heading.

15. MAYOR'S ANNOUNCEMENTS

The Mayor reported to the Council that she had already attended 62 events in her time as Mayor, including the Royal Garden Party, meeting the Countess of Wessex at the Holycross Hospital in Haslemere and the turning of the first turf in her ward of Binscombe for the delivery of 9 affordable houses.

The Mayor reminded councillors of the fundraising concert which was taking place at Charterhouse School on 18 October and encouraged everyone to attend. She also asked councillors to think about volunteers to invite to the Volunteers Party on a date yet to be confirmed in October.

The Mayor went on to congratulate Cllr Maurice Byham on his anniversary of 20 years continuous service to Waverley Borough Council.

16. QUESTIONS FROM MEMBERS OF THE PUBLIC

The following question was received in accordance with Procedure Rule 10 from Mr Jerry Hyman of Farnham:-

"Madam Mayor, the previous Mayor's response to my Formal Question re East Street at February Council included the claim that,

*"The EIA will relate effectively to the car park at Riverside and will not affect the existing planning consents for the new tennis facilities at Riverside or the main Brightwells scheme which remain extant ..."*

However the Ruling of the Court of Justice in case C-215/06 *Commission v Ireland* determined how planning authorities must interpret and apply the law, specifying that (and I quote),

*"...unless the applicant has applied for and obtained the required development consent and has first carried out the environmental impact assessment when it is required, he cannot commence the works relating to the project in question..."*

*"The competent authorities are therefore obliged to take the measures necessary to remedy failure to carry out an environmental impact assessment, for example the revocation or suspension of a consent already granted in order to carry out such an assessment..."*

Madame Mayor, now that you are aware of that Ruling, do you personally accept that this Council is bound by it?"

Prior to the Leader responding to the question, the Mayor informed Mr Hyman that the response would in no way be given as a personal assurance from any individual member of the Council. The Leader continued:-

“Thank you for your question. The case from which you have selectively quoted concerns a finding of the European Court of Justice that Ireland has failed to fulfil its obligations under a European Directive. The Republic of Ireland had put in place through its legislation a ‘retention permission’ system that allowed the regularisation of unauthorised development. The UK does not operate a ‘retention permission’ system. The Directive states that it is necessary for planning authorities to take effects on the environment into account at the earliest possible stage in all the technical planning and decision-making processes, and the Republic of Ireland had failed to do this. The Council accepts that this is the requirement of the Directive. I refer you also to previous answers to similar questions.”

## 17. MINUTES OF THE EXECUTIVE

### 17.1 Meeting of 3 June 2014

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

RESOLVED that the Minutes of the Meeting of the Executive held on 3 June 2014 be approved and the recommendations contained therein adopted.

### 17.2 Meeting of 8 July 2014

The Leader informed the Council that Minute No. 38 would be dealt with in Part I as new Minute No. 30A and drew the Council’s attention to a new Annexe 5 which had been tabled setting out the details of the decision to be taken.

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

RESOLVED that the Minutes of the Meeting of the Executive held on 8 July 2014 be approved and the recommendations contained therein adopted.

## 18. MINUTES OF THE JOINT PLANNING COMMITTEE

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

RESOLVED that the Minutes of the Meeting of the Joint Planning Committee held on 28 May 2014 be approved.

## 19. 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 Meeting of the Licensing and Regulatory Committee held on 29 May 2014 be approved.

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20. 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 2014 be approved.

21. CONTINUING ABSENCE

The Council approved the continued absence until 31 December 2014 of  
Cllr Lynn Graffham who had been unwell in recent months and sent her their  
best wishes.

The meeting concluded at 7.38 p.m.

Mayor