

To: All Members of the EXECUTIVE
(Agenda pages to other
Members for Information)

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Date: 30th May 2008

Membership of the Executive

Cllr R J Gates (Chairman)
Cllr M H W Band (Vice-Chairman)
Cllr Mrs C Cockburn
Cllr Mrs C A King
Cllr R A Knowles

Cllr Ms D Le Gal
Cllr B J Morgan
Cllr J R Sandy
Cllr R J Steel
Cllr A E B Taylor-Smith

Dear Councillor

A Meeting of the EXECUTIVE will be held as follows:-

DATE: TUESDAY, 10TH JUNE 2008

TIME: 6.45 P.M. *

PLACE: COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS,
GODALMING

Yours sincerely

MARY ORTON

Chief Executive

*This meeting will be webcast and can be viewed by visiting
<http://www.waverley.ukcouncil.net/>

NOTE FOR MEMBERS

Contact Officers are shown at the end of each report and members are welcome to raise questions, make observations etc. in advance of the meeting with the appropriate officer.

AGENDA

1. **INFORMAL QUESTION TIME**

The Chairman to receive any informal questions from members of the public (for a maximum of 15 minutes).

2. **MINUTES**

To confirm the Minutes of the Meeting held on 20th May 2008 (to be laid on the table half-an-hour before the meeting).

3. **APOLOGIES FOR ABSENCE**

To advise the Executive of any apologies for absence.

4. **DISCLOSURE OF INTERESTS**

To receive from members, declarations of personal and prejudicial interests in relation to any items included on the agenda for this meeting, in accordance with the Waverley Code of Local Government Conduct.

5. **QUESTIONS**

The Chairman to respond to the following questions received in accordance with Procedure Rule 10:-

i. **from Mrs Cooper of Farnham**

"What rights, previously enjoyed by the public, will be lost unless they are written into the development lease of the Waverley freehold land at Brightwells, and will the Council ensure that these public rights are safeguarded?"

ii. **from Mr Sandars of Farnham**

The following statement appeared in paragraph 2 of Appendix G of the agenda for the 20 May meeting of the Executive:

"This report does not consider the merits of the provision of a purpose built theatre within Waverley, as the Council has previously set out its policy in relation to this issue which remains unchanged at this time."

The statement does not identify the policy concerned nor specify when, or at what meeting it was formally adopted by the Council. May we please have these details?

Are we to assume that the 'policy' is, or relates to the 2003 Cultural Strategy which expired in April this year. If so, the only reference to theatre is at paragraph 3.3 and merely refers to "improving the provision of live theatre."

iii. from Mr Hyman of Farnham

"Having submitted a question to the Council meeting in April asking for an explanation as to how an East Street permission that included a 5 storey element could possibly satisfy the terms of the Conditional Contract (5.3), I understand that WBC could not answer the question and sought the expert Opinion of "leading Counsel". Your response quoted Counsel's "short answer", merely referring me to paragraph 5.3, which cannot truly be considered an explanation. I must apologise if that was an expensive question to not answer, and to make amends I feel I should seek better value for the offended Council Tax Payer. Thus my question here is:

Would you please now answer that question by providing a clear explanation (understanding the implication if you cannot), by providing us with the leading Counsel's 'long answer' if such exists; and for completeness, please also clarify whether WBC accept that the first floor facilities of the proposed new Brightwell Gostrey Centre must *in all reasonableness* be counted as a storey, i.e. that D20 does include a 5 storey element?"

iv. from Mrs C Sandars of Farnham

"Please would the Chairman of the Executive tell me what actual progress has been made between Waverley Borough Council, Surrey County Council Highways and Crest Nicholson Sainsbury in negotiating access across the River Wey on to the A31 for construction vehicles from the East Street/Brightwells site, in order to avoid the necessity for such vehicles to use Farnham's town centre roads, and where might I find written evidence of any relevant negotiations and resultant progress?"

6. EXECUTIVE FOUR-MONTH ROLLING PROGRAMME

To adopt the four-month rolling programme of key decisions for Waverley Borough Council, attached at Appendix A - for all Members of the Council.

7. FINANCIAL OUTTURN 2007/2008

[Portfolio Holder for Finance: Cllr M H W Band]
[Wards Affected: All]

7.1 Overall Revenue Outturn (General Fund And Housing Revenue Account)

The report at Appendix B.1 provides a summary of the 2007/08 General Fund revenue outturn and the 2007/08 revenue outturn for the Housing Revenue Account. The Statement of Accounts, which contains the detailed figures in a format compliant with Audit requirements will be presented for approval by the Audit Committee on 24th June.

Recommendation

It is recommended that:

- 1. the outturn position for 2007/08 be noted; and**
- 2. revenue carry forwards of £144,210 on the General Fund from 2007/08 to 2008/09, as shown at Annexe 5, be approved.**

7.2 Capital Programme Outturn (General Fund, Housing Revenue Account and LA Social Housing Grant)

The report at Appendix B.2 presents the outturn for the Council's 2007/08 Capital Programme. It also seeks approval for the financing proposals and authority to add slippage from the 2007/08 Programme to the 2008/09 Programme.

Recommendation

It is recommended that:-

- 1. the financing proposals for the 2007/08 financial year summarised in paragraph 10 be approved;**
- 2. slippage totalling £613,200, as detailed in Annexe 1, from the 2007/08 General Fund Capital Programme to the 2008/09 General Fund Capital Programme be approved; and**
- 3. the acceleration of £806,000 from the 2008/09 Housing Revenue Account Capital Programme be agreed.**

8. PERFORMANCE MANAGEMENT - DRAFT 2007/08 PERFORMANCE FIGURES & TARGETS 2008/09 – 2010/11

[Portfolio Holder for Performance: Cllr M H W Band]
[Wards Affected: All]

The purpose of the report at Appendix C is to present to the Executive performance outturn figures for 2007/08 and to seek approval for targets for 2008/09 and indicative targets for 2009/10 and 2010/11.

The annexes to the report were considered by the Corporate, ELOS and Community Performance Sub-Committees on 13th, 21st and 22nd May, and their observations are included in the report.

It is recommended that

1. **the 2007/08 Performance Outturns in Annexe 1 be noted, prior to their publication and submission to the Audit Commission by 30th June 2008;**
2. **the observations of the Overview and Scrutiny Performance Sub-Committees be received and considered; and**
3. **the targets for 2008/09, and indicative targets for 2009/10 – 2010/11, as set out in Annexe 2, be approved.**

9. TREASURY MANAGEMENT - INVESTMENT TRANSACTIONS AND PERFORMANCE MEASUREMENT 2007/2008 AND POLICY UPDATE 2008/2009

[Portfolio Holder for Finance: Cllr M H W Band]

[Wards Affected: N/A]

The purpose of the report at Appendix D is to summarise Waverley's investment performance for 2007/2008 in accordance with Waverley's Treasury Management Policy and the Code of Practice on Treasury Management in Local Authorities, and to update the Treasury Management Policy in the light of current market conditions.

Recommendation

It is recommended that

1. **the treasury management performance for 2007-2008 be noted; and**
2. **the Council be recommended to increase that the Investment Policy limit for the maximum amount of non-specified investments be increased from £22million to £28million for the remainder of 2008/09, noting that it will be reviewed in February 2009.**

10. REVIEW OF SUB-NATIONAL REGENERATION - CONSULTATION

To consider the report at Appendix E - To Follow.

11. REMOVAL OF BT PAYPHONES

[Portfolio Holder for Partnerships and Community: Cllr B J Morgan
Portfolio Holder for Local Economy: Cllr R A Knowles]
[Wards Affected: All]

Waverley received a letter from British Telecom advising of 48 payphones in the Borough on which it was obliged to consult about removal. BT propose to remove the boxes because they are not sufficiently used to make them economically sustainable. However this does not over-ride their Universal Service Obligation - the report at Appendix F refers.

The deadline for responding to the consultation is 2nd July 2008. The consultation letter was sent by Waverley to all councillors, town and parish clerks for their comments and has been placed on the website, in locality offices and local newspapers. Comments received are being used to help inform Waverley's response.

Recommendation

It is recommended that

- 1. the Executive determines which of the proposed boxes should be retained on the basis of the consultation responses and other factors such as the location map; and**
- 2. a response be sent to BT under Chief Executive's delegated powers by the deadline of 2nd July 2008 taking into account any additional responses received in good time.**

12. FARNHAM PARK - CREATION OF TWO NEW PONDS

[Portfolio Holder for Leisure: Cllr R J Steel]
[Wards Affected: Farnham Castle & Farnham Upper Hale]

The purpose of the report at Appendix G is to seek the approval of members to submit a planning application for the creation of two ponds within Farnham Park for biodiversity and environmental education purposes.

Recommendation

It is recommended that a first resolution be made in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992 to allow a planning application to be submitted for the construction of two ponds in Farnham Park.

13. APPOINTMENTS TO SURREY COUNTY COUNCIL LOCAL COMMITTEE TASK GROUPS 2008/2009

The County Council has requested that Waverley nominates to a number of Task/Sub-Groups of the Waverley Local Committee as follows. Members have been consulted and nominations are as follows:

Farnham Transportation Task Group

Councillors L C Bate, R D Frost, J A Ward.

Godalming, Milford and Witley Transportation Task Group

Councillors R A Gordon-Smith, K Webster

Haslemere and Western Villages Transportation Task Group

Councillors R A Knowles, B J Morgan

Cranleigh and Eastern Villages Transportation Task Group

Councillors B A Ellis, K T Reed

Recommendation

It is recommended that the nominations to the Waverley Local Committee Task Groups be agreed.

Background Papers

Correspondence from Surrey County Council received April 2008.

14. APPOINTMENTS TO OUTSIDE BODIES 2008/2009

Members will recall that appointments were made to the list of outside bodies and organisations in 2007/2008 for a two-year period. However, requests have been received from the following organisations for confirmation of their appointments for 2008/2009 and due to the recent changes to the Executive, it may be appropriate to re-consider the representatives:-

i. South East Employers

Cllr Mrs P M Frost was the representative for 2007/2008 as the Portfolio Holder for Human Resources, with Cllr R J Gates as the reserve. It is proposed that Cllr Ms D Le Gal be appointed for 2008/2009 as the new Portfolio Holder.

ii. LGA Rural Commission

Cllr R J Gates was the representative for 2007/2008 as Leader of the Council, with Cllr Mrs P M Frost as reserve in her capacity as Deputy Leader. It is therefore proposed that Cllr M H W Band replaces Cllr Mrs P M Frost as the reserve for 2008/2009.

iii. LGA Urban Commission

Cllr R J Gates was the representative for 2007/2008 as Leader of the Council, with Cllr Mrs P M Frost as reserve in her capacity as Deputy Leader. It is therefore proposed that Cllr M H W Band replaces Cllr Mrs P M Frost as the reserve for 2008/2009.

iv. Parking and Traffic Regulation Outside London Adjudication Joint Committee

The Council needs to nominate a representative (usually the Portfolio Holder for Parking) and substitute representative to this reconstituted body for 2008/2009.

v. Godalming and Environs Project Team - Surrey PCT

The Council is invited to nominate up to 2 members to sit on this newly-formed project team. Godalming and Milford are currently well represented and therefore representation is encouraged from the wards surrounding Godalming.

Recommendation

It is recommended that

1. **Cllr Ms D Le Gal be appointed as the representative on South East Employers for 2008/2009, and a reserve be appointed;**
2. **Cllr R J Gates continues as the representative on the LGA Rural and Urban Commissions for 2008/2009, with Cllr M H W Band as the reserve; and**
3. **Cllr R A Knowles be appointed as the representative on the Parking and Traffic Regulation Outside London Adjudication Joint Committee, and a substitute representative be appointed; and**
4. **up to 2 members be appointed to the Godalming and Environs PCT Project Team.**

Background Papers (CEx)

Correspondence from organisations received during April and May 2008.

15. ACTION TAKEN SINCE LAST MEETING

To note the following decision taken by the Chief Executive after consultation with the Chairman and Vice-Chairman since the last meeting. The Register of Decisions will be laid on the table half an hour before the meeting:-

Parking Enforcement Adjudication Joint Committee Civil Parking Enforcement

To authorise the Head of Legal Services to enter into a new Parking Adjudication Joint Committee Agreement under Section 81 of the Traffic Management Act 2004 in accordance with arrangements made under Section 101(5) of the Local Government Act 1972 with a Joint Committee appointed under Section 102(1)(b) of the Act.

16. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman:-

Recommendation

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 the appropriate paragraph(s) of the revised Part I of Schedule 12A to the Act (to be identified at the meeting).

17. ANY OTHER ISSUES TO BE CONSIDERED IN EXEMPT SESSION

To consider matters (if any) relating to aspects of any reports on this agenda which, it is felt, may need to be considered in Exempt session.

**For further information or assistance, please telephone Robin Pellow,
Head of Democratic Services, on extension 3222 or 01483 523222.**