

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE – RECOMMENDATIONS ON EAST STREET
3 NOVEMBER 2008

SUBMITTED TO THE SPECIAL COUNCIL MEETING – 4 NOVEMBER 2008

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

- | | |
|----------------------------------|--------------------------|
| * Cllr Richard Gates (Chairman) | * Cllr Ms Denise Le Gal |
| * Cllr Mike Band (Vice-Chairman) | * Cllr Bryn Morgan |
| Cllr Mrs Carole Cockburn | * Cllr John Sandy |
| * Cllr Mrs Carole King | * Cllr Roger Steel |
| * Cllr Robert Knowles | * Cllr Adam Taylor-Smith |

* Present

Cllrs Victor Duckett and Mrs Diane James attended to speak on Agenda Item 7.1
(Minute No. 115 relates)
Cllrs Jim Edwards and Ken Reed were also in attendance.

113. APOLOGIES (Agenda Item 3)

An apology for absence was received from Cllr Mrs Carole Cockburn.

114. DECLARATIONS OF INTEREST (Agenda Item 4)

Cllr Roger Steel declared a personal interest in the items relating to East Street, Farnham because of his previous involvement with objectors to the scheme.

PART I - RECOMMENDATIONS TO THE COUNCIL

115. EAST STREET, FARNHAM - PROPOSED COMPULSORY PURCHASE ORDER (Agenda Item 7.1; Appendix B.1)

115.1 The Executive considered a report (previously circulated to all councillors) providing an update on the East Street project and seeking approval to the making of a Compulsory Purchase Order [CPO] of the land and premises on which the former Regal Cinema was erected and the Marlborough Head Public House, Farnham ("the Sites") shown coloured on the plan at Annexe 1 to the report.

115.2 The Executive

RECOMMENDS that

- 26. subject to completion of an appropriate CPO and Cost Indemnity Agreement by the Chief Executive in consultation with the Portfolio Holder, the Council shall make a CPO under Section 226**

(1)(a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions Act 1976 for the acquisition of land and the creation of any new rights within the areas shown on the plan (attached as Annexe 1) for the purposes of securing the proposed redevelopment scheme to include mixed-use redevelopment comprising: 9,814 sq m of retail, restaurant and café-bar accommodation (239 gross) (235 net) residential units; a cinema; multi-storey, surface and basement car parks providing a total of 426 spaces; associated highway and access works; provision of infrastructure and landscaping; replacement facility for the existing 'Gostrey Centre';

- 27. in order to carry out the development as currently proposed and achieve the social economic and environmental benefits outlined in this report, the Council is satisfied that it is necessary to acquire the CPO Sites as part of the required redevelopment site;**
- 28. if appropriate, subject to the outcome of the referencing process, it is agreed that the Council shall exercise its powers under Sections 236, 237 and 271 of the 1990 in order to extinguish any relevant rights in connection with the CPO;**
- 29. the Chief Executive in consultation with the Portfolio Holder be authorised to take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order including finalising the terms of the Statement of Reasons, CPO Order and Schedule of Interests; service of notices and dealing with all other relevant documentation; negotiating and entering into agreements or undertakings with landowners; acquisition of third party interests by private treaty and payment of compensation; and**
- 30. the Chief Executive, in consultation with the Deputy Chief Executive, be authorised to incur the necessary expenditure in obtaining the CPO site and undertaking the CPO procedure.**

Background Papers (CSP)

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

116. EAST STREET, FARNHAM - CONTRACTUAL MATTERS (Agenda Item 7.2; Appendix B.2)
 - 116.1 The Executive also considered a report recommending variations to the Council's contract with Crest Nicholson Sainsburys for the redevelopment and regeneration of the East Street site in Farnham.
 - 116.2 The Executive accordingly

RECOMMENDS that

- 31. the target date for fulfilment of the contract conditions within the Development Agreement be extended to 31 December 2010;**
- 32. the contract be varied to allow a rolling viability test at intervals of no greater than six months, between the date of fulfilment of the site assembly and road closure conditions and the target deadline as set out in 31 above;**
- 33. additional variations be negotiated, as set out in paragraph 20 of the report; and**
- 34. authority to approve the final contract text be delegated to the Chief Executive in consultation with the Portfolio Holder for East Street.**

Background Papers (CSP)

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

PARTS II AND III - MATTERS OF REPORT

Background Papers

The background papers relating to the following items in Parts II and III are as specified in the agenda for the meeting of the Executive.

Part II – Matters Reported in Detail for the Information of the Council

Part III – Brief Summaries of Other Matters Dealt With

The other items considered at the Executive meeting on 3 November 2008 are set out in a separate set of minutes.

The meeting commenced at 6.45 p.m. and concluded at 8.19 p.m.

Chairman