

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE EXECUTIVE – 31 MARCH 2009

SUBMITTED TO THE COUNCIL MEETING – 21 APRIL 2009

(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

Cllr Victor Duckett attended to speak on Agenda Items 14, 16 and 19 (Minute Nos. 225, 212 and 228 refer)

Cllr Ken Reed attended and spoke on Agenda Items 8 and 10 (Minute Nos. 220 and 221 refer)

Cllr Peter Isherwood was also in attendance

208. MINUTES (Agenda Item 2)

The Minutes of the Meeting held on 3 March 2009 were confirmed and signed.

209. DECLARATIONS OF INTEREST (Agenda Item 4)

The Chief Executive and Head of Democratic and Legal Services both declared personal and prejudicial interests in Agenda Item 27 and withdrew from the Council Chamber during consideration of the item.

Cllrs Mrs Cockburn, Ms Le Gal and Steel declared personal interests in Agenda Item 25 relating to the Air Quality Action Plan progress report as members of Farnham Town Council.

**PART I - RECOMMENDATIONS TO THE COUNCIL**

210. WAVERLEY CORPORATE EQUALITY SCHEME (Agenda Item 9; Appendix C)

210.1 The Corporate Equality Scheme, attached as Annexe 1, sets out Waverley Borough Council's approach to ensuring equal life chances for all, in service delivery, community shaping and developing, and in employment matters.

210.2 The law recognises six strands of potential inequality – race, gender, disability, age, religion or belief and sexuality. The Council already possesses statutory equality schemes for three of these strands – race, gender and disability – but not for the other three. This Corporate Equality Scheme sets out an overarching strategy for delivering equal life chances for everyone across all six areas.

210.3 The Scheme sets out our approach for delivering equal life chances for all. It should be emphasised that this is no less relevant to Waverley than it is to any other area, although the issues facing us are different. For example, accessibility problems and the rural isolation experienced by many elderly or disabled people is one clear area of Equalities which is more pronounced in Waverley than many other areas.

210.4 The Corporate Equality Scheme was developed throughout the second half of 2008/09. Its development was deliberately inclusive, and supported by a broad consultation programme. This included:

- Presentations to all critical partner groups;
- Discussion at an equalities forum;
- Circulation to all WBC Councillors;
- Presentation and circulation to all WBC staff, and;
- Invitations for public comment through newspaper articles, Making Waves and the website.

210.5 Although there were many comments on points of detail, the response was overwhelmingly positive, with most groups and individuals thanking the Council for its clear commitment to these important issues. The Scheme covers the two years up to March 2011. This is in order to allow a successor scheme to be developed in tandem with the next Corporate Plan.

210.6 The Equality Standard for Local Government is a nationally recognised voluntary Best Value Performance Indicator to show the progress a Council has made to integrate age, disability, gender, race, religion or belief, and sexual orientation into council policy and practice at all levels. There are 5 levels.

210.7 The Council are currently at level 1 of the Standard, which places us in the bottom quartile of councils. This has impacted negatively on recent Audit Commission enquiries and our CPA assessment.

210.8 To achieve level 2 of the Standard, an authority needs to demonstrate that it has:

- developed systems for self-assessment, scrutiny and audit as the basis for continuous improvement
- engaged in equality impact assessment
- undertaken self-assessment across the authority
- involved designated community staff and stakeholder groups in service planning
- engaged in the development of information and monitoring systems
- engaged in an equality action planning process for employment, pay and service delivery

210.9 It is considered that these standards have now been achieved, with the Corporate Equality Scheme as our primary evidence. Achieving level 2 of the Equality Standard is done by self-certification – the Council may self-certify when it feels it has achieved the recognised standard. In order to ensure

objectivity and rigour, Deloitte and Touche were commissioned to validate our assessment and were content with Waverley's proposal to self-certify.

210.10 The Corporate Equality Scheme sets out our key strategy for achieving equal life chances for all. The draft version was exposed to a wide-ranging consultation exercise and was strongly welcomed in feedback from all stakeholders. The Executive now

**RECOMMENDS that**

**58. the Corporate Equality Scheme be formally adopted; and**

**59. Waverley Borough Council self-certifies itself as having achieved Level 2 of the Equality Standard for Local Government.**

Background Papers (CEX)

Technical annexes to the Corporate Equality Scheme:

211. CULTURAL STRATEGY (Agenda Item 15; Appendix I)

211.1 The revised Cultural Strategy, attached as Annexe 2, is based on the first Cultural Strategy, developed in 2003, which was the culmination of an exercise that involved consultations and feedback from individuals, clubs, owners/managers, and societies in the area as well as other key agencies. As a result, it is hoped that the revised strategy and action plan will bring users and providers closer together and help to unlock potential funding resources for projects and programmes, a common theme identified in the consultation process.

211.2 Waverley is very keen to hear from local people about cultural pursuits and facilities in the area and the ways in which improvements could be made. Although it has not been possible to canvas the entire local electorate, the new strategy has been built on evidence found in recent Market Town Healthchecks (in Godalming, published 2008, and Cranleigh and Haslemere – major consultation exercises as part of the healthcheck reviews in 2008). In addition the document has drawn on other published research such as the County Council surveys as part of the Local Area Agreement and Surrey Community Strategy development.

211.3 As well as the two methods outlined above, feedback from previous research and consultation with key partners and stakeholders including the public, private and voluntary agencies, was also reviewed and taken into account. This included user surveys from Godalming Leisure Needs Study, non-user surveys relating to Farnham, Haslemere and Cranleigh Sports Centres, feedback from Friends Groups, Youth Surveys and existing strategies. Neighbouring local authorities have been consulted where appropriate.

211.4 It is proposed that the Cultural Strategy should reside primarily on Waverley's website, where it can be regularly reviewed and updated and in essence it will become a 'living' document. Hard copies will also be available upon request.

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211.5 The Cultural Strategy sets the agenda for delivering local cultural priorities and these themselves contribute to other local, regional and national strategies. The intention is to create, deliver and to promote co-ordinated activities and strategies that complement each other.

211.6 This document is the culmination of the efforts of the Leisure SIG and Officers of the Leisure & Youth Services Department. Consultation has been consistent and thorough creating a detailed and comprehensive Strategy. Action Plan priorities can be easily identified by viewing the timescales set out within the document.

211.7 The intention is to create a 'living' document that will be available on Waverley's website. This will allow annual reviews and updates of the Strategy to ensure, unlike its predecessor, that the document remains effective and relevant. Feedback will be collected periodically throughout the year via the website and Making Waves for consideration.

211.8 At its meeting on 13 January, the Environment and Leisure Overview and Scrutiny Committee agreed to make the following observations to the Executive on the Strategy:-

- To thank the SIG, the Portfolio Holder for Leisure and officers for their hard work in producing the Cultural Strategy.
- It was noted that there were a number of textual corrections and updates throughout the Cultural Strategy which would be amended.
- The Committee felt that in parts, the strategy was not clear, as actions were not clearly separated from content. It would be helpful if actions were prioritised (particularly around the Olympics) and resource implications and objectives made clear throughout the whole plan. Furthermore, Members asked whether there was some way of separating the strategic objectives from action points.
- The Committee noted that the Council was achieving greater income over the last year from Cranleigh Arts Centre and was pleased to see the success of the alliance being developed with Farnham Maltings. Members thanked Katie Webb for her assistance in achieving grant funding for a Children's Play Ground in Cranleigh.
- The Committee asked for more clarity around the point of setting up a working group to discuss the future of Godalming Leisure Centre.

211.9 The Executive accordingly

**RECOMMENDS that**

- 60. the refreshed Cultural Strategy be adopted; and**
- 61. the approach of continuous communication via the website be supported to ensure that the strategy remains current and relevant.**

Background Papers (SDCS)

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

212. NEW POWERS FOR OVERVIEW AND SCRUTINY COMMITTEES (Agenda Item 16; Appendix J)

212.1 The Executive considered a report, previously considered by the three Overview and Scrutiny Committees at their meetings in March 2009, providing an overview of recent changes in legislation that will provide new powers for overview and scrutiny committees aimed at empowering communities and enabling local people, through their councillors, to participate in decisions that affect their day to day lives. In some instances these changes will require amendments to the Council's constitution and the development of protocols, taking into account guidance produced by central government and the Centre for Public Scrutiny.

212.2 To help local ward councillors carry out their role as a champion of local concerns, Section 119 of the Act makes provision for a 'Councillor Call for Action' (CCfA) which provides members with the opportunity to ask for discussions at scrutiny committees on issues where local problems have arisen and where other methods of resolution have been exhausted. In Waverley this could involve the matter having been raised with the appropriate Head of Service or equivalent in partner organisations, and a reasonable period allowed for resolving the issue.

212.3 Any member of an authority can bring a CCfA on any issue they choose, subject to certain exceptions (for example if a CCfA is vexatious, where it deals with an individual complaint or if it concerns an individual licensing or planning matter). CCfA is designed as a long stop to be used when all other attempts at resolution have failed. It is not designed to provide an immediate solution, but offers a chance to bring a pressing issue to a wider audience and to discuss such issues in an independent, neutral forum. Examples of issues that might be the subject of a CCfA include:

- poor maintenance of a park leading to increased anti-social behaviour;
- a series of complaints about refuse collection services, which demonstrate a continuing trend of poor performance.

212.4 It is up to local councils to specify exactly how CCfA will work in their authority. Section 119 comes into force with effect from 1 April 2009, and proposals for an interim amendment to Waverley's constitution to take account of the new legislation is attached as Annexe 3. Officers are working jointly with other Surrey district and borough councils through the Surrey Administrators and Solicitors Group to reduce duplication of effort and work in a coordinated way across the County.

212.5 The Executive noted and approved the observations of the Overview and Scrutiny Committees and agreed that when the guidance is received, officers should bring forward further reports to the Executive. It was also agreed that the Overview and Scrutiny Committees should develop jointly their own proposals for procedures for dealing with Councillor Calls for Action.

212.6 As a first step towards dealing with Councillor Calls for Action, the Executive

**RECOMMENDS that**

**62. the Constitution be amended, as set out in Annexe 3.**

Background Papers (CEX)

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

213. EAST STREET REDUNDANT BUILDINGS - HEALTH CENTRE, 1 AND 2 BRIGHTWELLS COTTAGES AND CASA MIA BUNGALOW (Agenda Item 24; Appendix R)

213.1 The Executive considered a report seeking approval for the demolition of the Health Centre, 1 and 2 Brightwells Cottages and Casa Mia bungalow at East Street Farnham.

213.2 The regeneration project for East Street has now received (subject to the Section 106 agreement being finalised) planning approval, and preparatory works are proceeding. However, due to the unprecedented national economic situation the prospects of development works starting on site during 2009 and 2010 look unlikely.

213.3 Works on site will probably not commence until such time as land values have recovered and funding becomes available. Before such time as the Council is in a position to progress the project, there is a recognised need to manage and maintain the environment around the East Street development area. The Executive Portfolio Holder for East Street, working with officers, has actively taken steps to improve the area and, for example, works have recently been undertaken to improve the landscaping and maintenance of Brightwells Gardens. The development area at East Street must be managed in a manner which protects the health and safety of the general public, as well as balancing the best interests of both Waverley Borough Council and the local community.

213.4 Four of the redundant buildings on the site are grouped together in the northwest corner abutting Dog Flud car park. In their current condition they are a danger to health and safety, an attraction for vermin and have no environmental benefit. It is therefore necessary to demolish these buildings as soon as possible.

213.5 No firm use has yet been ascertained for the resultant space, however its proximity to other car parking facilities would suggest a similar use and potential income. The cost of the demolition is outlined in Annexe 4.

213.6 Currently there is no budget provision for the cost in the 2009/10 Capital Programme. However, the Budget Report approved by the Council on 24 February highlighted the fact that the revenue contribution to the Revenue Reserve Fund to finance capital expenditure is significantly greater than the total cost of approved capital schemes in 2009/10, leaving scope for new/increased capital spend identified in the year. If members are minded to approve the demolitions, the cost would need to be met from this funding, although clearly this reduces flexibility later in the year if other priority capital schemes are identified. It should be noted that when the East Street scheme commences, the demolition costs would be included in the calculation of Waverley's capital receipt, which may give the opportunity of reimbursing the Revenue Reserve Fund.

213.7 The Executive accordingly

**RECOMMENDS that**

**63. the demolition of Casa Mia, 1 and 2 Brightwells Cottages and the Health Centre be approved along with the expenditure, as set out in Annexe 4, to be vired from the unallocated element of the revenue contribution to capital in the Revenue Reserve Fund for 2009/2010.**

Background Papers (CEX)

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

214. MEMBER DEVELOPMENT SPECIAL INTEREST GROUP (Agenda Item 28; Appendix V)

The Executive noted the report of the Member Development Special Interest Group, particularly noting that Waverley had been awarded the South East Employers Charter for Elected Member Development. Part of the continuing work in this area includes the adoption of the Member Development Policy for 2009/2010, attached as Annexe 5 by the Council. The Executive accordingly

**RECOMMENDS that**

**64. the Member Development Policy, as set out at Annexe 5, be adopted.**

215. EXCLUSION OF PRESS AND PUBLIC (Agenda Item 31)

At 9.18 p.m. it was

RESOLVED 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 items 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

these items there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in paragraphs 1 and 4 of the revised Part I of Schedule 12A to the Act, namely:-

- (1) Information relating to any individual; and
- (4) Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office-holders under the authority.

216. STAFFING MATTER - CARELINE (Agenda Item 32; (Exempt) Appendix W)

The Executive has considered a report on this matter. The report is attached as (Exempt) Annexe 6. The Executive accordingly

**RECOMMENDS that**

65. **the recommendations set out in the (Exempt) Annexe 6 to these minutes be approved.**

217. STAFFING MATTER (Agenda Item 33; (Exempt) Appendix X)

The Chief Executive introduced the full report (set out at (Exempt) Appendix X to the Executive agenda), a summary of which is set out at (Exempt) Annexe 7 to these minutes. The Executive accordingly

**RECOMMENDS that**

66. **the recommendations set out in (Exempt) Annexe 7 to these minutes be approved.**

**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**

218. LEADER UPDATE ON RENTS (Agenda Item 6)

The Leader/Portfolio Holder for Housing updated the Executive on the latest position with regard to tenants' rents and explained that councillors would work with the Department for Communities and Local Government (DCLG) to ensure that any additional funding made available was used to reduce rents.



219. EXECUTIVE FORWARD PROGRAMME (Agenda Item 7; Appendix A)

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

220. PAY AWARD 2009 (Agenda Item 8; Appendix B)

RESOLVED that the outcome of the ACAS award on the Council's budget be noted and the funding proposals indicated in paragraph 4 of the report be agreed.

221. RISK MANAGEMENT FRAMEWORK (Agenda Item 10; Appendix D)

RESOLVED that

1. the Risk Management Policy and Process Document set out in Annexe 1 to the report be approved;
2. R/KBR001 on the Key Business Risk Register be revised to read "reduction in ***budgeted*** use of balances" and R/KBR002 to read "**49%** of rental income"; and
3. the view of the Audit Committee in relation to the Housing Revenue Account key business risk concerning the achievement of the Decent Homes Standard, as detailed at paragraph 10a of the report, be supported and officers be instructed to commence the necessary action to commence a housing options appraisal process, which need not necessarily lead to beginning a stock transfer process.

222. PLACE SURVEY 2008 - RESULTS (Agenda Item 11; Appendix E)

The Executive noted the results of the 2008 Place Survey for Waverley and

RESOLVED that

1. the information be used to help inform target setting against those indicators for future years; and
2. the Waverley Strategic Partnership be asked to consider the results of the Place Survey in relation to the Sustainable Community Strategy objectives and the Local Area Agreement targets and identify any future actions necessary.

223. SURREY RURAL PARTNERSHIP - CONSULTATION ON ISSUES TO BE ADDRESSED BY THE NEW SURREY RURAL STRATEGY (Agenda Item 12; Appendix F)

RESOLVED that Waverley's response to an interim consultation by Surrey Rural Partnership be endorsed.

224. SOUTH-WEST SURREY FARMERS' MARKETS CO-OPERATIVE (Agenda Item 13; Appendix G)

RESOLVED that

1. the creation of the new South West Surrey Farmers' Markets Cooperative be welcomed and wished every success in continuing and developing farmers' markets in the Borough;
2. the balance of funds held on behalf of the Producer Committee be transferred in an agreed phased manner to the new Cooperative once its rules had been signed off by the Financial Services Authority and Cooperatives UK, and its bank account created;
3. the proposal to continue to provide administration and advice to the new cooperative in its first year under a Service Level Agreement be endorsed; and
4. Waverley appoints a Member to serve on the South West Surrey Farmers Market Co-operative Stakeholder Group.

225. WEBCASTING REVIEW (Agenda Item 14; Appendix H)

The Executive welcomed the successful partnership achieved through the *eParticipate* project and Waverley's contribution to this successful European project and

RESOLVED that officers

1. review elements of the webcast contract with the technology provider, with the possibility of upgrading the audio facilities in the Council Chamber to improve the 'listening experience' both in the Chamber and on the webcast and make suggestions for optimising use of the system in the future; and
2. examine the financial implications of continuing the webcasting project beyond March 2010 as part of the next budget review.

226. TEMPORARY FUNDED POST - SUSTAINABILITY ASSISTANT (Agenda Item 17; Appendix K)

RESOLVED that a temporary part-time Sustainability Assistant be appointed at a salary level to keep total costs within the funding available of £67,500 for the three year period.

***[This item was subsequently called-in for scrutiny by the Environment and Leisure Overview and Scrutiny Committee and will be considered at a Call-In meeting on 22 April 2009].***

227. AUDIT COMMISSION ANNUAL AUDIT LETTER (Agenda Item 18; Appendix L)

RESOLVED that the actions proposed for addressing the recommendations contained within the Annual Audit and Inspection Letter be endorsed.

228. AUDIT COMMISSION - INSPECTION OF LANDLORD SERVICES - AUTUMN 2008 (Agenda Item 19; Appendix M)

The Executive received the officer's report and the Audit Commission's Inspection Report on Housing Management Landlord Services 2008 and

RESOLVED that

1. the recommendations set out by the Audit Commission be implemented; and
2. a progress report on the implementation of the Audit Commission's recommendations be presented to each meeting of the Community Overview and Scrutiny Committee and items drawn to the attention of the Executive where appropriate.

229. DISPOSAL OF HOUSING REVENUE ACCOUNT PROPERTY AT OCKFORD RIDGE (Agenda Item 20; Appendix N)

*[This item contains exempt information by virtue of which the public is likely to be excluded. The information is 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)].*

RESOLVED that

1. the two dwelling houses owned by the Council at 106 Ockford Ridge and 189 Ockford Ridge, Godalming be disposed of on the open market, on terms to be negotiated by the Council's Estates and Valuation Manager in consultation with the Deputy Chief Executive; and
2. the capital receipt from the sale of those properties be applied to contribute toward achieving the Decent Homes Standard in the remaining Council housing stock, having particular regard to Ockford Ridge.

230. UPDATE ON THE PLANNING INFRASTRUCTURE CONTRIBUTIONS: SUPPLEMENTARY PLANNING DOCUMENT (SPD) (Agenda Item 21; Appendix O)

RESOLVED that the update on the application of the Planning Infrastructure Contributions be noted.

231. REVISED LOCAL DEVELOPMENT SCHEME (Agenda Item 22; Appendix P)

RESOLVED that:

1. the revised Local Development Scheme, as set out in Annexe 1 to the report be approved; and
2. the Head of Planning be authorised, in consultation with the Portfolio Holder, to make the necessary revisions and updating to the text of the Local Development Scheme document prior to formal submission to the Government Office.

232. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA) (Agenda Item 23)

The Executive was informed that this item had been withdrawn from the agenda and would be considered at a future meeting.

233. WAVERLEY'S AIR QUALITY ACTION PLAN PROGRESS REPORT (Agenda Item 25; Appendix S)

RESOLVED that

1. the content of the draft Annual Progress Report to date be noted and the observations on the final version be submitted to DEFRA; and
2. the Head of Service, with the agreement of the Portfolio Holder, be authorised to make further amendments arising from consultation with partners as necessary.

***[This item was subsequently called-in for scrutiny by the Environment and Leisure Overview and Scrutiny Committee and will be considered at a Call-In meeting on 22 April 2009].***

234. PERFORMANCE MANAGEMENT REPORT (Q3) (OCTOBER - DECEMBER) 2008/09 AND REVIEW OF PERFORMANCE INDICATORS AND TARGETS (Agenda Item 26; Appendix T)

The Executive considered the performance figures at Quarter 3, as set out in Annexe 1, the observations of the Overview & Scrutiny Committees set out in Annexe 3, and the recommendations made by the Overview and Scrutiny Committees in paragraph 5 of the report, and

RESOLVED that

1. the list of proposed performance indicators and targets for 2009/10 onwards be approved, as set out at Annexe 2 to the report; and
2. the Executive reviews the future targets, particularly for indicators reported only on an annual basis, when it considers the 2008/09 performance report at its meeting in July.

235. ELECTIONS - INSURANCE ARRANGEMENTS (Agenda Item 27; Appendix U)

RESOLVED that the Returning Officer and Deputy Returning Officer be indemnified up to the value of the excess amount on the Council's insurance policies.

236. GUILDFORD COLLEGE CORPORATION (GOVERNING BODY) (Agenda Item 29)

RESOLVED that the Chief Executive be authorised, in consultation with the Leader, to agree a nomination of a Councillor to the Corporation.

**The meeting commenced at 6.45 p.m. and concluded at 9.46 p.m.**

Chairman