

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE RESCHEDULED MEETING OF THE EXECUTIVE  
7 DECEMBER 2010 (ORIGINAL DATE OF 30 NOVEMBER 2010)

SUBMITTED TO THE COUNCIL MEETING – 14 DECEMBER 2010

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

- |                                  |                        |
|----------------------------------|------------------------|
| * Cllr Robert Knowles (Chairman) | * Cllr Stephen O'Grady |
| * Cllr Mike Band (Vice-Chairman) | * Cllr Stefan Reynolds |
| * Cllr Mrs Carole King           | * Cllr Roger Steel     |
| Cllr Bryn Morgan                 | Cllr Adam Taylor-Smith |
| * Cllr David Munro               | * Cllr Keith Webster   |
- \* Present

96. MINUTES (Agenda Item 2)

The Minutes of the Meeting of the Executive held on 2 November 2010 were confirmed and signed.

97. APOLOGIES FOR ABSENCE (Agenda Item 3)

Apologies for absence were received from Cllrs Bryn Morgan and Adam Taylor-Smith.

98. DISCLOSURE OF INTERESTS (Agenda Item 4)

There were no interests raised under this heading.

**Part I - Recommendations to the Council**

99. A PLAN FOR WASTE MANAGEMENT 2010: ADOPTION BY WAVERLEY BOROUGH COUNCIL (Agenda Item 7; Appendix B)

99.1 In 2006/07 this Council, along with all Surrey authorities, adopted the current JMWMS. It set out a plan for managing household waste in Surrey until 2026. Defra proposed five yearly reviews of JMWMS in its guidance. The EU waste Directive suggests six yearly. Surrey's JMWMS is about half-way through its first term, and Surrey Waste Partnership (SWP), representing all the Surrey authorities, agreed to an interim review because of refocusing of targets locally and new legislation about to be put in place. The JMWMS was subject to public consultation in 2006 and the revised Plan for Waste Management has also been carried-out with a public consultation exercise.

99.2 Surrey Waste Partnership has been actively working on the revised Plan for Waste Management during this year. The process commenced in February, with the first draft proposals being considered by officers. The Consultation Draft was agreed by the Waste Members' Group in April. The public consultation closed mid-August. Waste officers and the relevant Members' Groups have been fully briefed throughout the process.

99.3 Changes were proposed to the original Strategy because of:

- a. new legislation including both English law and EU Directives;
- b. new national targets, such as the National Waste Strategy 2007;
- c. new local targets, including the agreed Surrey target of 70% recycling by 2013/14, the move to anaerobic digestion for food waste, and the preference for advanced thermal treatment;
- d. the need for the inclusion of a waste reduction plan;
- e. and because of areas in the original JMWMS which have been achieved or are now out-of-date.

99.4 Dialogue by Design was appointed by SWP to carry out the public consultation. They were best placed to undertake this work, having previously carried out the 2006 consultation, worked with Surrey County Council on the County Minerals Plan, and being a recognised expert in this field, ensuring authenticity and reliability. As well as a consultation document leaflet, the consultation has included press releases and media interviews, a specially developed website as well as individual councils' websites, local displays, presentations to Local Committees and a Workshop for relevant organisations and individuals. Responses from the Consultation, including a formal response from this Council, have all been considered.

99.5 The vast majority of responses were supportive of the main directional shifts in the Strategy (now called 'A Plan for Waste Management') which include:

- a. The addition of a comprehensive waste reduction programme;
- b. A recycling target of 70% by 2013/14;
- c. A move from in-vessel composting to anaerobic digestion for food waste;
- d. A move away from mass burn incineration for the disposal of residual waste to a preference for advanced thermal treatment (gasification using BOS technology).

99.6 When the consultation closed on 12 August, 333 responses had been received from residents, organisations and councils. Most were multiple issue responses, amounting to over 200 pages of typed responses, with several to each page. All the responses and the officer comment on each is available to view at [www.surreywastepartnership.org.uk](http://www.surreywastepartnership.org.uk). Most (72%) of the responses were received on-line. 21% used the form provided. 60% of respondents were aged 45 to 74, only 3% aged under 24.

99.7 41 responses were received from this Council area, which was the second-highest participation rate by borough. A report outlining the consultation and the full analysis of the responses produced by Dialogue by Design is available on [www.surreywastepartnership.org.uk](http://www.surreywastepartnership.org.uk).

99.8 Most comments received were supportive of the proposed direction of the Plan. Some were able to be understood but did not align with the proposed strategic or political direction, and a few comments were unable to be supported because of what they were proposing.

- 99.9 A complete copy of the final proposed version, incorporating the proposed changes, has been laid in the Members' Room for Members to inspect. It is entitled 'A Plan for Waste Management 2010'. It can also be viewed on the website referred to earlier.
- 99.10 Although in general support of the principles of the Strategy, this Council recognises that the targets within it are extremely challenging and will present Waverley, and other member authorities with some significant challenges over the coming years. In particular, the proposals to reduce municipal waste by 15,000 tonnes and achieve an overall recycling rate of 70% by 2013/14 are considered very ambitious. For this reason, Waverley BC welcomes the fact that the proposed 70% target has been re-framed as an 'aspirational' one.
- 99.11 The current review of Waverley's waste contracts is likely to result in a very different service post-2012, and this service should aspire to make a significant contribution towards the targets set in the Strategy, through for example, the incorporation of a comprehensive food waste collection service, the addition of card and mixed plastics recycling and a fundamental review of the current garden waste collection service.
- 99.12 Any significant change to service specification to incorporate more materials recycling is, however, highly likely to result in additional costs, and officers need to ensure that the council is appropriately reimbursed by Surrey County Council (either in monetary terms, or in the provision of appropriate and nearby material handling facilities). The Partnership is currently exploring this to agree a formula to ensure any savings are shared in an equitable manner, and WBC Officers are also having detailed conversations with colleagues at the County Council to agree how this might work in practice for Waverley.
- 99.13 Officers firmly believe that the principle of working in partnership to reduce costs to all authorities in the county is a good one. WBC, as an active partner in the Surrey Waste Partnership, agreed, in May 2008, to contribute 50% of its LPSA Performance Rewards Grant funds, over two years, (amounting to £87,308) to finance a number of Partnership projects, including the revision of the JMWMS, and the Surrey First-sponsored 'Improved Joint Working' project, which is due to report before the end of 2010.
- 99.14 These Partnership projects (in particular the 'Improved Joint Working' project) have the potential to yield significant savings in the medium and longer term, through among other things, intelligence sharing, joint procurement and a joined-up approach to the sale of recyclables. Indeed, this Council has already benefited from a much-improved income for its cardboard and a reduced processing cost for its green waste as a result of this work. However, there are significant issues that need to be addressed before the challenging aspirations contained within the Strategy can become reality, some of which have been detailed above.

99.15 Each council in Surrey appoints a Member to sit on the SWP Waste Members' Meeting. This Council appoints Cllr Bryn Morgan to this role as Portfolio Holder for the Environment. Their meeting is advised by a smaller strategic Group of Members and is supported by Waverley officers. In recent months the role of the Member representative has been of great importance in relation to the work to see through to adoption the Plan for Waste Management. The Surrey Waste Members' last met on 28 September and agreed unanimously to recommend for adoption by each individual council in Surrey the final version of the Plan for Waste Management.

99.16 This Plan and its adoption is related to another piece of work being undertaken by the SWP at present, which is a project concerning improved joint working on waste management in Surrey. The Project Group driving this project is due to complete its work relating to the consideration of options by November. The issues of improved joint working, together with the adoption of the Plan for Waste Management, are of significant importance for us here in Waverley Borough Council and for the future of waste management in Surrey. Waste management is also one of the key themes being progressed through Surrey First.

99.17 The Executive

**RECOMMENDS that**

**23. the "Plan for Waste Management 2010" be adopted as the revised Joint Municipal Waste Management Strategy, subject to an equitable agreement being put in place with Surrey County Council to enable this Council to carry out the necessary investment to deliver the aims of the strategy.**

Background Papers

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

100. PROPOSALS FOR NEW EXECUTIVE ARRANGEMENTS (Agenda Item 10; Appendix F)

[This matter is being dealt with as a separate minute, with recommendation number 24, which will be submitted to the Special Council Meeting convened for the purpose earlier in the evening on 14 December 2010].

101. PROPERTY ASSET MANAGEMENT STRATEGY 2010-2013 (Agenda Item 11; Appendix F)

*[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 1 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).]*

- 101.1 Property supports the delivery of Waverley's services. The Council aims only to hold property that is necessary to maintain and support the delivery of corporate priorities or that has strategic significance in the regeneration of the Borough. The Council's property assets should be suitable and sufficient, sustainable and well maintained.
- 101.2 The Property Asset Management Strategy for 2010-13 (attached as Annexe 1) is intended to ensure that Waverley's assets are managed to meet all statutory requirements. The aim is to manage assets (primarily property assets) in the most cost effective way and to minimise the opportunity cost of holding land and buildings and to protect and optimise the value of the Council assets. The aim of the strategy is to ensure that assets contribute to the process of service improvement. The Executive RESOLVED that the Portfolio Holder and Ward Councillors be included at relevant meetings of the Asset Advisory Group and now

**RECOMMENDS that**

- 25. the Property Asset Management Strategy for 2010-13, as set out at Annexe 1, be approved and adopted.**

Background Papers

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

102. SOCIAL HOUSING GRANT – AFFORDABLE HOUSING – MARSHALLS, WEYDON LANE, FARNHAM (Agenda Item 12; Appendix G)

- 102.1 The Council has already agreed to dispose of a property – Marshalls, Weydon Lane, Farnham - to Mount Green Housing Association for a capital receipt of £601,000. The rationale for this disposal was to:

- bring the property back into use through redevelopment;
- provide a development of 100% 'affordable housing' for local people in housing need;
- produce a tenure mix and size of accommodation (1- and 2-bedroom affordable homes to rent) more suited to local need;
- secure a capital receipt for the Council's HRA – which can then be used to invest in meeting the Decent Homes Standard in our own housing stock; and
- secure nomination rights to these homes.

- 102.2 Mount Green Housing Association has been successful in securing a capital grant allocation of £450,000 from the Homes and Communities Agency (HCA) on 19.10.10. Announcements made in the Comprehensive Spending Review indicate that the HCA capital programme is being reduced by 50%. Future HCA investment may be prioritised on larger sites. Therefore this HCA allocation may be an ever increasingly rare opportunity to secure grant in the Waverley area. The HCA funding allocation for this scheme is timely and welcomed. However, it is insufficient to fund the whole of the development costs.

- 102.3 The HCA allocation represents subsidy of £30,000 per unit. This will be combined with private investment from Mount Green Housing Association. This level of finance is needed to cover the build costs and on costs (planning, architecture surveys, planners agent etc). However, this amount is not enough to enable Mount Green Housing Association to pay the Council a Capital Receipt of £601,000 for the land as originally anticipated.
- 102.4 One of the Council's key corporate priorities is the delivery of additional affordable housing across the Borough. It was for this reason that the Council identified that this site should be disposed of to Mount Green Housing Association for 100% affordable housing. Given the need for affordable housing it is considered that the Council should strive to maintain the position that this all of block of flats will be affordable homes for rent.
- 102.5 The Council does have a funding pool of £3m from which to provide capital grant to support new affordable housing. This capital pool has arisen from Section 106 contributions from developers in lieu of affordable housing on site and historical capital receipts. Some of the Section 106 contributions are time-limited and have to be returned to the developers should they not be used for affordable housing within a specified period. Commuted sums must be used to provide new affordable homes. They cannot be invested in making improvements to the Council's own housing stock.
- 102.6 The Council could choose to provide a grant of £601,000 to Mount Green Housing Association from the affordable housing programme. Mount Green would then use this money to provide the Council with a capital receipt of £601,000 to represent a receipt for Council land. This receipt would then be reinvested in meeting the Decent Homes Standard.
- 102.7 In the past, the Council has made capital grant available to Registered Social Landlords to support the provision of new affordable housing – which is a Corporate Priority of the Council. The Council has powers to make available grant to RSLs under the Local Government Act 1988 Section 25.
- 102.8 If the Council wishes to retain the whole of the capital receipt, it is required by the Department for Communities and Local Government to resolve to reinvest the capital sum arising from the disposal in its retained housing to contribute towards meeting the Decent Homes Standard or for a specified regeneration project. Should the Council decide to use the capital receipt for other activities the Council would only be able to retain 50% of the resulting receipt and the balance would have to be paid to the Government.
- 102.9 The Executive

**RECOMMENDS that**

- 26. a payment of a capital grant of £601,000 be made to Mount Green Housing Association in respect of the affordable housing development at Marshalls, Farnham, this sum to be found from within the General Fund of Commuted Sums and Capital Receipts for affordable housing; and**

- 27. given that the Council needs to invest in its own housing stock, the capital receipt be applied to the Decent Homes Standard, thereby allowing the Council to retain 100% of the receipt for these purposes.**

Background Papers

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

103. CHURT VILLAGE DESIGN STATEMENT (Agenda Item 14; Appendix I)

- 103.1 A Village Design Statement (VDS) is a published document that gives a detailed guide to the character of a village. It sets out the specific nature of the buildings and landscape which make the town distinctive, with recommendations on how to encourage new development that enhances and compliment what already exists.
- 103.2 In the autumn of 2009, Churt Parish Council approached Waverley to discuss the opportunity of undertaking a VDS for the village. This document gives guidance to residents, developers and the Planning Service for consideration when preparing plans for development, for pre-application discussion and in the determination of planning applications.
- 103.3 It is intended that the VDS will serve a number of purposes. It contains specific design guidelines that are intended to be used in the consideration of proposed new development within the village. It also provides local views and comments on wide planning issues in the village, with the intention that these will be taken into account by the Council when developing future planning policies.
- 103.4 The aim of the VDS was to record what is distinctive about Churt, indicating what is particularly valued and should be conserved, and to provide guidance for future development and design. Churt Parish Council began work on the VDS in September 2009. A copy of the latest version of the document is available in the Members' Room and on the website. Copies are also available on request.
- 103.5 The VDS will directly relate to the Development Plan. In this case the policy to be amplified is Saved Policy D4 (Design and Layout) of the Waverley Borough Local Plan 2002. The supporting text has evolved out of the significant public consultation that has taken place. It identifies residents' concerns and also highlights aspirations for the future of the town.
- 103.6 The VDS has been subject to a comprehensive consultation process, ensuring that it will be a robust document and stand up through the planning process.

103.7 Churt Parish Council has co-ordinated all of the responses, and where practicable accommodated changes in the document. In addition a number of changes have been made to the document reflecting the response to the consultation by WBC Officers. These changes include:

- Points of clarification to ensure that the document does not conflict with local or national planning policy.
- An amendment to the wording to ensure a consistent message is given throughout the document (e.g. on the point of potential growth).
- Strengthening some sections to reflect current planning.

103.8 These amendments are not considered to be at odds with national, regional or local plan policy. The design guidelines, as set out in the document, are considered to comfortably supplement the policies of the local plan. The supporting text, in places, goes beyond commenting on design principles/guidelines, and embrace issues more appropriate to the LDF. This information will help to shape future policies for the parish of Churt.

103.9 The Executive

**RECOMMENDS that**

**28. the Churt Village Design Statement be adopted as a material planning consideration.**

Background Papers

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

104. LICENSING ACT 2003 – PUBLIC CONSULTATION ON REVIEW OF THE COUNCIL'S STATEMENT OF LICENSING POLICY (Agenda Item 16; Appendix L)

104.1 The existing Statement of Licensing Policy was adopted by the Council in December 2007, following a period of public consultation. However, the legislation obliges licensing authorities to review their licensing policies on a three-year cycle.

104.2 A copy of the existing Statement of Licensing Policy, incorporating the changes proposed (1) by the Responsible Authorities at the initial stage, and (2) amendments from your officers to reflect the revised Government Guidance, latest issued in October 2010, and (3) amendments recommended by your officers, is attached at Annexe 2. The changes are shown in **bold type and underlined**.

104.3 The consultation has been by a written process to all Responsible Authorities, bodies representing existing licence holders, representatives of registered clubs, businesses and residents in the Borough, Town and Parish Councils, others who have expressed interest, and via the Waverley website.



- 104.4 There have been two written responses to the consultation. Of these, one has come from a Responsible Authority and one from a parish council. No representations were received from the Police regarding the Policy itself and in particular no requests have been received for a review of the cumulative impact policy.
- 104.5 Alcohol related crime and anti-social behaviour was a significant problem in parts of the Borough before the introduction of the new legislation. As a result, Surrey Police has worked in partnership with Waverley to ensure that the potential for extended licensing hours did not make this situation worse. The Council has used its powers under the Licensing Act to pursue two of the key licensing objectives of preventing crime and disorder and preventing public nuisance, working in close conjunction with its partners under these Licensing Objectives, namely Surrey Police and the Environmental Health Section. This close working has been via a two- or three-pronged approach, as needed, which has proved very effective. The Licensing Manager and Enforcement Officer's input has been used as an added tool, in that they are removed from the responsible authorities and can therefore have an independent and added impact where problems arise in licensed premises.
- 104.6 The Council has agreed a Licensing Enforcement Protocol with Surrey Police, Surrey Fire and Rescue Service, Environmental Health and Surrey Trading Standards, whereby enforcement activity is targeted and its results monitored. All agencies, are invited to meet every six weeks, as the Joint Action Group (JAG), in order to review any problems arising during the previous weeks. This meeting is co-ordinated by the Police and led by the Borough Inspector. Reports from the public are shared at meetings of the Group. A "traffic lights" priority system is then agreed to target enforcement resources.
- 104.7 The result has been a very focused partnership-working approach, which has also involved working with licensees through the four Pubwatch schemes in the Borough. The legislation has also enabled the Council to take a co-ordinated view of the impact of all of the licensed activities, such as late night refreshment and this has contributed to reducing crime and nuisance in town centres. This is closely monitored at the JAG.
- 104.8 The Government is currently carrying out a major consultation exercise on reviewing the Licensing Act, and the Chairman and Vice-Chairman have agreed a response. The Council is under a duty under current legislation to review its policy in advance of any possible government changes to legislation or guidance.
- 104.9 The legislation went 'live' on 24th November 2005. To date around 985 personal licences have been issued in Waverley, and there are currently 444 premises licences, along with a continuing succession of variations to licences, premises supervisors and transfers of licences (ownership issues). Around 3016 temporary event notices (TENs) have been dealt with since introduction of the legislation in November 2005, with an average now of around 600 TENs a year.
- 104.10 Since December 2007, one appeal has been lodged at the Magistrates' Court against decisions of the various Licensing Sub-Committees:-

- House of Blues, Godalming – An Appeal against decision to attach certain condition to a premises licence, removal of DPS and some Licensable activities – Appeal withdrawn

104.11 The Government has stated that the licence fees income received should cover all Council costs, including the consultation exercise. This is a general principle for all licensing although it is rarely achieved. The Council's budget book shows that the Council recovers only around 72% of all licensing costs from the fee structure. The income and expenditure issue is looked at during budget consideration in the autumn of each year.

104.12 The Human Rights Act 1998 incorporated into English law the protection of human rights enshrined in the European Convention on Human Rights (ECHR). The Council must have regard to the human rights of individuals affected by its decisions. Although there are no direct implications in this report, the Council will have regard to the following matters in considering applications for licences under the Licensing Act 2003.

104.13 Article 1 of the First Protocol of the ECHR provides for the protection of private property and possessions. In addition to Article 1 of the First Protocol, the Council must comply with the principles of Article 6, which provides for the right to a fair hearing in determining civil rights and obligations. This necessitates a fair and public hearing undertaken within a reasonable time by an independent and impartial tribunal established by law. In providing for determination of licensing matters by a local authority the legislation also provides for appeal to the magistrates' court, so that there is access to an independent and impartial tribunal and a public hearing.

104.14 Article 8 of the Convention says that everyone has the right to respect for his private and family life, his home and his correspondence. Accordingly, when making decisions on the grant of licences, the Council (the Committee) will consider representations on the effect of businesses on the amenities of residents living in the vicinity of premises which benefit from the licences.

104.15 The Licensing and Regulatory Committee considered this report at its meeting on 18 November and endorsed the updated Policy. The Executive now

### **RECOMMENDS that**

- 29. the final revised version of the Statement of Licensing Policy for Waverley be approved and finally adopted in time for the statutory implementation deadline of 7 January 2011.**

### Background Papers

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

105. WAVERLEY'S PAY AND GRADING STRUCTURE (Agenda Item 18; Appendix M)

105.1 Waverley has undertaken a review of the Council's pay and grading structure following the recommendations of the Equal Pay Audit to ensure that there is a transparent and fair approach to the way that all members of staff are remunerated and compliance with equality legislation, particularly equal pay for work of equal value.

105.2 Current staff will continue to be paid in line with the current pay and grading structure. There has been consultation with the trade union representatives.

105.3 This report highlights proposed changes to the pay structure, which were discussed at a Joint Consultative Committee (JCC) meeting with trade union representatives on 29 October 2010 at the start of a one-month formal consultation period. It is proposed that the new structure is implemented on 1 January 2011.

Key Aims of the structure:

- Satisfies Equal Pay requirements
- No detriment to current employees
- Transparency
- No grade overlaps
- Budget neutral – additional costs paid for by withdrawing a\* and a\*\* grades for new starters

Implementation Issues:

- Letters to all staff outlining the new structure and how it links to old one.
- A requirement that all new starters would start on bottom of grade
- Keep new grading structure under review

105.4 It is proposed that the current structure (Annexe 3) is replaced with a new structure (Annexe 4). The main principles applying to the new structure are:-

- Equalities - The new structure retains main pay bands that are linked with HAY Job Evaluation i.e. each post is allocated a grade depending on the allocation of HAY job units. HAY is commonly used throughout the public sector and particularly in local government and will help to ensure that the Council remains compliant with equalities legislation and particularly equal pay for work of equal value. The Council will be able to demonstrate that, as part of the collective agreement with the trade unions, the proposed salary structure is based on the principles of job evaluation and that this

would represent a 'genuine material factor' if ever challenged on the basis of equal pay for work of equal value.

- Apprentices and National Graduate Scheme Salaries - There are additional spinal column points for a special Apprentice Grade linked to the minimum wage and a National Graduate grade applying the National Graduate Development Programme.

105.5 It is important to undertake an Equality Impact Assessment, particularly at the time of any proposed change of policy, procedure or process as this may uncover possible discriminatory aspects of a change. It is proposed that the pay and grading structure will be changed so that either the top salary point (for Grades 8, 10 and 12) or the top two salary points (for Grades 1,2,3, 4, 5, 6, 7, 9 and 11) will now be "shaded" removing an opportunity to progress to these salaries. In practice this will mean that new staff will reach their highest salary (i.e. salary ceiling) on their grade earlier than under the current pay and grading structure. It should be emphasised that staff who are already on the "shaded salaries" or will be progressing to those salary points shortly, will be protected without any time limitation. The proposed new salary structure also provides for lower starting salaries on some grades, but this affects newly appointed, rather than existing, staff.

105.6 This proposal has been discussed with the Staffside representatives at the meeting of the Joint Negotiating Committee on 4th November 2010 who have agreed that the proposed salary structure would not have a detrimental impact on existing staff due to the protection arrangements. Staff representatives were happy with the proposals and have welcomed the proposed introduction of Apprentice and National Graduate salaries.

105.7 There is always a risk that an employee may seek to make a claim against Waverley on equal pay grounds. The new pay structure mitigates against this risk as it abolishes overlaps in grades and removes 'hidden' pay bars that were previously operated. Waverley would rigorously defend any such claim should it arise in the future.

105.8 The Executive therefore

**RECOMMENDS that**

- 30. the new pay and grading structure be adopted for implementation with effect from 1 January 2011.**

Background Papers

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

106. NATIONAL NON-DOMESTIC RATES – APPLICATION FOR RATE RELIEF  
(Agenda Item 20; Appendix O)

*[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)]*

106.1 The Council's Scheme of Delegation includes provision that the determination of discretionary rate relief in respect of new applications is delegated to the Deputy Chief Executive in accordance with the policy adopted by the Council. However, when an application is received which is requesting hardship relief, or an appeal is lodged against a delegated decision made by the Deputy Chief Executive, the application and appeal is submitted to the Executive for consideration.

106.2 The Executive received and considered an application from a ratepayer seeking to reduce their non-domestic rates on the grounds of hardship. The Executive

RESOLVED that

1. as set out in (Exempt) Annexe 2 to the report, no relief be granted on this occasion as it is considered that this application does not meet the Government's guidance on hardship rate relief;
2. the Don't Lose Your Home or Business Team help this applicant to seek alternative business support and advice; and also

**RECOMMENDS that**

- 31. in future, where it is clear that an application does not meet the Government's criteria, the Executive delegate the decision to the Deputy Chief Executive, who will ensure that the applicant is referred to Waverley's business support partner organisations and the Scheme of Delegation be amended accordingly.**

Background Papers

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

107. SATURDAY CLOSING OF FARNHAM LOCALITY OFFICE (Agenda Item 21; Appendix P)

*[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)]*

107.1 The Executive has

RESOLVED that with effect from 1 January 2011, the Farnham Locality Office will be closed on Saturdays and that current and previous staff be thanked for their excellent service to the public over the years.

107.2 The decision to close Farnham Locality Office on Saturdays would save £6,500 in a full year. There are likely to be come one-off redundancy costs arising as a result of the closure on Saturdays. The Executive has considered a report on the staffing implications resulting from the closure, attached as (Exempt) Annexe 5, and now

**RECOMMENDS that**

**32. the recommendations set out in (Exempt) Annexe 5 be approved.**

108. EXCLUSION OF PRESS AND PUBLIC (Agenda Item 22)

At 5.45 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 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 Paragraph 3 of the revised Part I of Schedule 12A to the Act, namely:-

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

109. SOCIAL HOUSING GRANT – AFFORDABLE HOUSING – PURCHASE OF PROPERTY (Agenda Item 23;(Exempt) Appendix Q)

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

**RECOMMENDS that**

**33. the recommendations set out in (Exempt) Annexe 6 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**

110. FORWARD PROGRAMME (Agenda Item 6; Appendix A)

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

111. BUDGET OBSERVATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEES (Agenda Item 8.1; Appendix C.1)

RESOLVED that the observations from the Overview and Scrutiny Committees be taken into account during the forthcoming budget-setting process.

112. BUDGET MONITORING – OCTOBER 2010 UPDATE (Agenda Item 8.2; Appendix C.2)

RESOLVED that

1. the position as at 31 October 2010 be noted and that no immediate action was required at this stage;
2. the budget continue to be monitored closely during the remainder of 2010-11; and
3. the 2010-11 Capital Programme be amended as detailed in paragraph 8 of the report, with the Payroll System Replacement being met by virement from savings on the Computer Room Air Conditioning Project and progressed immediately.

113. HR PAYROLL (Agenda Item 8.3; Appendix C.3)

RESOLVED that

1. the purchase of the Midland HR/payroll system on a partnership basis with Tandridge Borough Council be agreed;
2. a waiver under Contract Procedure Rule 3.1 be agreed to procure the Midland system without seeking alternative quotations in order to secure the financial and operational advantages that this proposal delivers; and
3. the capital budget be vired for the one-off costs of supply and implementation from the data centre air conditioning capital budget in 2010/11, as set out in the (Exempt) Annexe to the report.

114. PROPOSED CONTACT MANAGEMENT SYSTEM (Agenda Item 8.4, Appendix C.4)

RESOLVED that the Civica Contact Manager System be added to the 2010-11 Capital Programme at a capital cost of £28,000, subject to

equivalent savings being identified from within the overall capital programme to fund this scheme.

115. DESKTOP REPLACEMENT PROGRAMME (Agenda Item 8.5; Appendix C.5)

RESOLVED that the planned programme for replacing desktop PCs with Thin Client devices be brought forward to 2010/11 at a capital cost of £42,000.

116. SETTING OF COUNCIL TAX BASE 2011/2012 (Agenda Item 8.6; Appendix C.6)

RESOLVED that, pursuant to the foregoing report and in accordance with the Local Authorities (Calculation of Tax Base) (Amendment) Regulations 2003, the council tax base for Waverley and for each of the Town/Parish Council areas for the year 2011/2012 shall be as shown in Annexe 1 of the report.

117. URGENT ITEM: SNOW REPORT

The Executive received an urgent report from the Chief Executive detailing service specific reports from Heads of Service about the recent adverse weather conditions and any arising implications on operations at Waverley. The report was dealt with as urgent business because of the need for Waverley to be able to respond quickly to the extreme weather and improve preparedness for any future bad weather in the next few months.

The report would also be included on the agenda for the next meeting of the Environment and Leisure Overview and Scrutiny Committee, for information.

RESOLVED that the report and service updates be received and noted.

118. WAVERLEY INITIATIVES LIMITED – INDEMNITY TO BOARD OF DIRECTORS (Agenda Item 9; Appendix D)

RESOLVED that an indemnity be given to members and officers who may be appointed by the Council to the Board of Directors of Waverley Initiatives Limited in respect of amounts for which they may become personally liable, arising from any act or omission by or on behalf of Waverley Initiatives Limited and/or the Council.

119. INSTALLING SOLAR PHOTO VOLTAIC PANELS ONTO COUNCIL HOMES (Agenda Item 13; Appendix H)

RESOLVED that

1. the proposal for the Council to work with a partner to install Solar PV Panels on Council-owned homes be approved; and
2. officers be instructed to seek tenders from suitable organisations to install Solar PV panels on relevant properties in the Council's housing



stock, such tenders be evaluated on the basis that they provide for the panels to be installed at no cost to Waverley with the electricity they generate being made available to tenants to use at no cost and otherwise on the basis of the best value they offer to Waverley, including economic returns but taking particular account of Waverley's climate change strategy and corporate priorities; and

3. the tender be sufficiently flexible to test best value and allow, but not commit to, the inclusion of Solar PV provision on the Council's corporate properties.

120. COMPLAINTS HANDLING AND OMBUDSMAN INVESTIGATIONS (Agenda Item 15)

120.1 Ombudsman Investigations into Complaints made about Waverley's services 2009/10 (Agenda Item 15.1; Appendix J)

RESOLVED that

1. the issues raised by the Corporate Overview and Scrutiny Committee be noted;
2. the proposal to increase the time allowed for investigating and responding to premature complaints to 28 days (20 working days) be supported, in line with the Ombudsman's target time for responding to initial enquiries; and
3. the efforts made by officers to ensure that the Ombudsman's initial enquiries are responded to well within the target time of 28 days be recognised.

120.2 Complaints Handling in Waverley in 2009/10 (Agenda Item 15.2; Appendix K)

RESOLVED that

1. the observations of the Corporate Overview and Scrutiny Committee be noted; and
2. officers be asked to work to maintain the good improvement in response times and develop the process of learning from complaints.

121. LEASE TO GUILDFORD RUGBY FOOTBALL CLUB (Agenda Item 19; 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 Waverley enters into the relevant agreements to accept a surrender from Guildford Rugby Club of the existing leases at Broadwater Park and grant a new lease of the rugby ground shown on the plan annexed to the report, excluding the hatched areas, for a period of 35 years on terms and conditions as set out in the (Exempt) Annexe to the report, other terms and conditions to be agreed with the Estates and Valuation Manager, and subject to the amendment to proposed Condition 9 by the addition of the words "or other clubs playing at Broadwater Park, with the prior permission of Waverley Borough Council".

122. HOUSING MAINTENANCE CONTRACT PROCUREMENT (Agenda Item 24; (Exempt) Appendix R)

*[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 the decisions be approved, as set out in the (Exempt) Annexe to these minutes attached.

The meeting commenced at 5.00 p.m. and concluded at 5.50 p.m.

Chairman