

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE EXECUTIVE – 5 JULY 2011

SUBMITTED TO THE COUNCIL MEETING – 19 JULY 2011

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

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| * 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

20. MINUTES (Agenda Item 2)

The Minutes of the Meeting of the Executive held on 1 June 2011 were confirmed and signed.

21. APOLOGIES FOR ABSENCE (Agenda Item 3)

An apology for absence was received from Cllr Roger Steel.

22. DISCLOSURE OF INTERESTS (Agenda Item 4)

There were no interests raised under this heading.

23. QUESTIONS (Agenda Item 5)

The Executive received questions from the following members of the public for which notice was given in accordance with Procedure Rule 10:-

i. From Mr Patrick Haveron of Godalming

"Why is Waverley promoting a Housing figure well below the total allocated for the Borough in the South East Plan and which is markedly less than the level of need indicated by the Council's Strategic Housing Market Assessment (SHMA). Given the repeated statements by Government ministers that housing numbers must be based on a robust evidence base such as the SHMA and which has resulted in the suspension of the Core Strategy in Surrey Heath for similar reasons, should we expect Waverley to do the same, as soon as possible, to save Council taxpayers more wasted costs?"

The Executive Portfolio Holder for Planning replied as follows:-

“Following the announcement from the Coalition Government that it was abolishing regional plans and making local authorities responsible for establishing the right level of housing provision in their area, the Council moved quickly in September 2010 to consult the local community on some options for setting a local housing target. The

majority of residents responding favoured setting a target that reflects the capacity to accommodate housing within settlements and minimising the need to build in the countryside.

Earlier this year we consulted on our Core Strategy Preferred Options and Draft Policies, which includes housing targets. We haven't made a decision on this yet as we are waiting for imminent national policy guidance in July. We will give careful consideration to the responses we received to that consultation, including those commenting specifically on the issue of housing numbers. We will also take into account the emerging national planning picture, including the Government's recent pronouncements called 'Planning for Growth'. In particular, the Council will have to decide how best to balance the views of local people and the demands of boosting the national and local economy through sustainable growth, before we make any decision."

ii. From Mrs Celia Sandars of Farnham

"Following up on my formal question to the Executive Committee on 29 March, Councillor Knowles wrote on 15 April to Councillor Ian Lake, Surrey County Council Cabinet Member for Transport. Waverley's Leader criticised Surrey's failure to properly recognise the Borough's air quality problems and pointed to the fact that there was little recent evidence of Surrey's commitment to any work on this issue.

Councillor Lake replied on 6 May 2011, saying simply "Thank you for your letter and I, too, look forward to working with you and Waverley Borough Council in the future."

So, would Councillor Knowles please now tell us:

What, if any, work has been done to bring forward air quality improvements in the Borough, in collaboration with Surrey County Council, since he wrote to Councillor Lake in April and what collaborative work with Surrey, particularly in respect of progress with air quality improvements in Farnham, for any time in the future, has been planned as a result of that exchange of letters."

The Executive Portfolio Holder for Environment responded as follows:-

"Mrs Sandars, thank you for your question. The role of Waverley in securing the improvement of Air Quality in Farnham is rather limited in both scope and authority. We have established that there is a requirement for an Air Quality Management Area at the Borough junction with South Street and East Street. The levels of pollution continue to support this conclusion.

Since your last question to the Executive a dialogue has continued between the Leader, and myself as Portfolio Holder, and the County Council. Officers, too, have discussed the issues with the county colleagues. These discussions continue. There are a number of

issues that need to be resolved before there can be a substantial improvement in air quality at critical points. We would anticipate extending the area under consideration to include most of South Street, Hinckley's Corner and the Level Crossing area. Waverley has posted signs asking drivers to switch off their engines when stationary, and this is about the extent of the direct measures that are available to Waverley.

We have, however, also opened a line of communication with DeFRA, which we hope will enable us to evaluate the most appropriate of the methods available to deal with the current situation. Whether this indicates that traffic re-routing away from central Farnham, lower speed limits, an emission control zone, a ban on HGV lorries or simply better phasing of the traffic lights, will provide a substantial improvement, the necessary impact of all the available options have to be assessed before taking steps to implement them. We need to find a solution to the Air Quality issue for which the required measures are acceptable to the people of Farnham: not merely imposed upon them.

Provided that our dialogue with DeFRA reaches a satisfactory conclusion, we shall be able to make specific proposals to which Waverley will, of course, properly consult local residents. We can then urge the County Council, with the backing of DeFRA, to give a high priority to providing a properly considered and evaluated solution. I should just emphasise, however, that apart from lobbying the County Council to support Farnham, Waverley will then have reached, if not over-reached, its proper level of involvement in the issue. Action will be required by the County Council to carry out the changes recommended. This is a county function and not one that Waverley could be involved in."

PART I - RECOMMENDATIONS TO THE COUNCIL

24. **TREASURY MANAGEMENT – PREPARING FOR HRA SELF-FINANCING**
(Agenda Item 10; Appendix E)
- 24.1 Since the Government launched its HRA self-financing proposals, which will replace the current housing subsidy system, Members have received various reports which explain the potential impact for Waverley. The key financial headline is that Waverley will have to take £189million of external debt under the new requirements. Members have been alerted to the need to adequately resource the initial acquisition and the ongoing management of this debt.
- 24.2 The Leader reminded Members of the significance of this issue in his budget speech at the February Council meeting. The Council's external auditors, The Audit Commission, have recognised this as being one of the key challenges going forward.
- 24.3 The debt that Waverley must take on is on a scale not seen by the Council before both in terms of value and complexity. It is critical that high quality treasury management advice is acquired both at the outset to help appraise options and inform decisions and on an ongoing basis to keep officers up to

date with the latest market position. From initial discussions with potential providers, it is estimated that an annual sum of £15,000 would be prudent to allow for this advice. It is the intention to procure this advice from August 2011 to coincide with the release of more detail on the HRA self-financing framework so that preparations can be made and approvals sought. The 2011/12 cost would therefore be £10,000.

- 24.4 Once the Council is in a position to go to the market to enter into the debt transactions, specialist debt advisors will be necessary to ensure that the optimum position is secured. This view will need to consider factors such as the type of debt product, duration of the debt, mix of repayment calculations, flexibility to restructure etc. and will need to combine this with the latest market knowledge. It is estimated that this one-off support will cost up to £15,000 in 2011/12.
- 24.5 For both types of external support sought, there is a very limited number of providers of this specialist advice to local authorities in the market. This report requests that delegation is given to the Deputy Chief Executive, in conjunction with the Portfolio Holder for Finance to select and appoint the most appropriate providers. Contract Procedure Rule 2.1(g) will apply in this case.
- 24.6 Managing such a significant debt portfolio on an ongoing basis will require a dedicated staff resource. Currently Waverley's treasury management function is undertaken as part of a senior accountant role. It will be necessary to create a new post within the accountancy team dedicated to treasury management, including debt management. This post is estimated to cost £50,000 including on-costs in a full year. Subject to Council approval, officers will advertise in July and hope to make an appointment in October. The 2011/12 cost would therefore be £25,000. Officers are expecting some opportunities to restructure the accountancy section to arise soon and it is possible that cost savings can be achieved. More detail will be reported to the Members when proposals can be developed.
- 24.7 The amount of debt and the complexity of the transactions required is significant and will need to be managed appropriately to ensure the best possible deal is achieved for Waverley. The initial specialist debt advice and ongoing treasury management advice is critical for officers and Members to understand the market and the options available to make informed decisions. The ongoing staff resource is needed to manage a major debt portfolio on a day-to-day basis to ensure that the Council benefits from emerging opportunities and continues to secure good value. The Executive accordingly

RECOMMENDS that

- 3. a supplementary estimate of £25,000 in 2011/12 be approved to fund the provision of external treasury management advice and support necessary to undertake and manage the debt required under the new HRA self- financing rules, to be funded from the HRA working balance;**

4. **authority be delegated for the selection and appointment of the advisors to the Deputy Chief Executive in conjunction with the Portfolio Holder for Finance;**
5. **a new post of Treasury Management Officer be approved with the 2011/12 cost of £25,000 being financed from salary savings in the year; and**
6. **it be noted that the ongoing cost will be included within the 2012/13 Budget proposals.**

Background Papers

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

25. HINDHEAD CONCEPT STATEMENT AVOIDANCE STRATEGY (Agenda Item 12; Appendix F)
 - 25.1 It is anticipated that there will be proposals for redevelopment on some of the sites in Hindhead that front onto the existing A3, as a result of the opening of the tunnel. In fact there have already been two planning applications for mixed use redevelopment, including new housing, on the Drummonds site, which is located on the northern side of the existing A3 (in 2007 and 2010). In both cases the schemes were refused on a number of grounds, including prematurity pending the opening of the tunnel and the potential impact on the nearby Wealden Heaths Phase II SPA.
 - 25.2 The Hindhead Concept Statement was adopted as a material planning consideration in July 2008. The document sets out the broad principles to guide the redevelopment/regeneration of the London Road area of Hindhead, following the opening of the Hindhead tunnel and the closure of the existing A3 to through traffic.
 - 25.3 RPS were commissioned to carry out a Habitat Regulations Assessment (HRA) of the Concept Statement (titled Hindhead Concept Statement – Report on the Conservation Regulations Assessment). For the purposes of the assessment, it was assumed that development within the Concept Statement area could result in the development of up to 100 dwellings. The HRA was completed in December 2010 and concluded that without avoidance or mitigation measures, development in the Hindhead Concept Statement area has the potential to lead to the following adverse impacts on the SPA:
 - An increase in recreational access by people with dogs on to the SPA on a daily basis by residents of the new dwellings and any employees of the businesses that bring their dog(s) to work
 - An increase in the incidence of uncontrolled fires affecting the habitat on which the Annex 1 birds depend.
 - Garden waste tipping if residential development were to take place immediately adjacent to the SPA

25.4 To address this impact, the HRA recommended:

- a combination of measures to encourage dog walking by future local residents and employees from the proposed Hindhead Concept Statement regeneration area to take place away from the heathland areas of the SPA.
- A programme of education targeted at new residents, visitors to the heathland and children attending local schools about the risk of heathland fires and their effects
- Measures such as green waste collection and/or composting facilities to preclude garden waste tipping from development adjoining the SPA boundary.

25.5 Attached as Annexe 1 is a copy of the proposed Avoidance Strategy. Given the localised nature of the Strategy, there has only been limited consultation. It has been developed taking account of views of the National Trust, Natural England and local landowners. Further details are set out in the Avoidance Strategy itself. The proposed Avoidance Strategy has two key elements:

- Details of the Avoidance Measures
- The collection of a tariff to contribute towards their implementation

25.6 Unlike the Thames Basin Heaths SPA, where there are criteria and guidance on identifying Suitable Alternative Natural Greenspace (SANG), Natural England have confirmed that there are no guidelines for establishing what is required to address the potential for significant harm to other SPAs.

25.7 It is acknowledged that the absence of a wider consultation on the Strategy may affect the weight that it would be given in decision making, for example at appeal. However, there is general support for development in the Hindhead area to come forward due to the significant changes that will take place this year following the opening of the tunnel. The Hindhead Concept Statement was produced specifically to guide redevelopment proposals in this area. This Strategy focuses on the potential impacts on the SPA arising from new residential development. It is considered that specific avoidance/mitigation measures are needed to address the particular circumstances in Hindhead, namely the potential for a significant number of new homes being built adjacent to or very close to the SPA. Without this Strategy, it is likely that Appropriate Assessments would need to be carried out on a case-by-case basis.

25.8 There will be a requirement for the Council to enter into a legal agreement with the National Trust to enable the measures to be carried out. In preparing the Strategy, officers have worked very closely with Natural England and the National Trust. It is recognised by the partners involved that there will need to be a formal mechanism to deal with the collection and allocation of the funds.

25.9 It is understood that the National Trust is considering replacing its visitor centre in Hindhead. However, there is no precise timescale for this and the site is outside the specific development area that was considered in the HRA for the Hindhead Concept Statement. There will need to be a separate

assessment of the potential impact of that development as and when those proposals come forward.

25.10 The Executive now

RECOMMENDS that

- 7. the Hindhead Avoidance Strategy attached as Annexe 1 be adopted, subject to the Head of Planning Services being authorised to set the amount of the monitoring fee in consultation with Natural England; and**
- 8. the Head of Planning Services be authorised to enter into a Section 106 Agreement with the National Trust to manage the collection and distribution of the required financial contributions.**

Background Papers

Hindhead Concept Statement – Report on the Conservation Regulations Assessment (December 2010).

Hindhead Concept Statement (2008)

South East Plan (2009)

Colour plans referred to as Appendices 5 and 6 of the Strategy Document are available on the Waverley website.

26. REVIEW OF FARNHAM LOCALITY OFFICE (Agenda Item 15; Appendix I)

- 26.1 Historically, one of the principal uses of the Council's local offices was for payment of housing rents and Council Tax bills. However following a review in 2008/09 the Council changed its payment receiving services by providing facilities for payments at Post Offices and All Pay outlets and in November 2009 Waverley's local cash offices were closed.
- 26.2 The closure of Waverley's cash offices as expected had an impact on usage of the local offices and visitor numbers declined. As a result from November 2009 opening hours at all three local offices were reduced and the generalist staffing numbers were reduced to reflect the anticipated lower demand.
- 26.3 The service currently provided at Cranleigh and Haslemere is primarily based around service areas providing specialist staff to operate from each location on particular day/half days. This model of service was introduced in June 2010 and replaced the provision of permanently based generalist locality office staff at the two offices. The service provision was further refined following a review in March 2011.
- 26.4 Farnham Locality Office however remains as the one local office retaining generalist locality office staff. Unsurprisingly as the largest town in the borough, it remains the busiest of the Council's three local offices. The Farnham Locality Office establishment is 3 full-time staff at a budgeted cost of approximately £80,000 in 2011/12.

- 26.5 The Locality Office at Farnham was largely unaffected by the changes made to the model of service introduced at the other local offices at Haslemere and Cranleigh. However the transfer of the Farnham Council Offices building to Farnham Town Council, the consequential operation of the locality office from a shared reception desk and a reduction in service enquiries and changes in the services provided means it is now appropriate to review the service model provided at Farnham.
- 26.6 Since early 2011 Farnham Locality Office has been operating on less than the established staffing level of 3 full time equivalent posts with vacant hours not being filled and some team members have been regularly reallocated to cover vacancies in other areas. For this reason it is considered that the establishment of generalist staff at Farnham could be reduced to one full-time post continuing to provide a permanent daily staffing presence.
- 26.7 At the same time as adjusting the generalist established staffing numbers provided at Farnham, it is proposed that the service model adopted at Haslemere and Cranleigh be replicated at Farnham to improve the provision of local services for Farnham residents. The service model would be to provide appointment-based services for Benefits and Planning on two separate half days each week and a Housing surgery for a further half day each week. The staff operating the appointment based services would be provided by existing specialist staff from each of the service areas.
- 26.8 The changes in service provision outlined above would achieve financial savings of approximately £50,000 in a full year by reducing the staffing establishment from 3 full time equivalent posts to one full time post. The aim is to redeploy the postholders in the two full time equivalent posts at Farnham which would be removed from the staffing establishment. It is not therefore considered that there will be a need for redundancy in this instance. The Executive

RECOMMENDS that

- 9. the revised operational arrangements for the permanent staffing establishment at Farnham Locality Office be reduced from three full time equivalent posts to one full time equivalent post, providing a full year budget saving of approximately £50,000;**
- 10. the existing Locality Office post holders who are not appointed to the remaining permanent full time post at the Farnham Local Office be redeployed within Waverley; and**
- 11. approval be given to the provision of specialist service staff providing an appointment/surgery based service for Planning, Benefits and Housing in line with the Council's other local offices.**

Background Papers

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

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

27. **EXECUTIVE FORWARD PROGRAMME** (Agenda Item 6.a; Appendix A)

RESOLVED that the forward programme of key decisions for Waverley Borough Council be adopted, subject to the addition to the IT Portfolio of 'Review of Telecoms and Communication Systems' with the date as September 2011; and

28. **IN-DEPTH REVIEW OF POLICING IN THE BOROUGH** (Agenda Item 6.b)

The Executive expressed growing concern about the level of police cover in the Borough especially with regard to burglary, break-ins and malicious damage to property as well as response times to incidents, particularly at night. The Executive therefore

RESOLVED that the Community Overview and Scrutiny Committee be commissioned by the Executive to undertake an in-depth review of policing in the Borough and report back its findings in due course.

29. **WASTE MANAGEMENT – CONTRACT RENEWAL 2012** (Agenda Item 7; Appendix B)

[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).]

RESOLVED that the recommendations of the Community Overview and Scrutiny Committee be endorsed and

1. the headline specification for Waste Management beyond 2012, of alternate weekly collection, co-mingled recycling and weekly food waste collections, be agreed as set out in Annexe 1 to the agenda report;
2. the latest position regarding funding from Surrey County Council be noted, as set out in paragraph 14 of (Exempt) Annexe 2; and
3. authority be delegated to the Strategic Director and Deputy Chief Executive, in consultation with the Portfolio Holder for the Environment, to proceed with the procurement of waste, recycling and street cleaning services, as set out in paragraphs 13&14 of (Exempt) Annexe 2, and in line with the timetable set out in (Exempt) Annexe 5 of the agenda report.

30. PROPOSAL TO RE-TENDER OR EXTEND GROUNDS MAINTENANCE CONTRACT (Agenda Item 8; Appendix C)

[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).]

RESOLVED that the recommendations set out in the (Exempt) Annexe to these minutes be agreed.

31. LOCAL GOVERNMENT RESOURCE REVIEW (Agenda Item 9; Appendix D)

RESOLVED that the Executive support the relocalisation of business rates discussed in the Government Review of Local Government Resources and subsequent phases of the review.

32. SURREYSAVE CREDIT UNION – PAYMENT OF WAVERLEY'S BUDGET CONTRIBUTION (Agenda Item 11)

RESOLVED that the £20,000 budget contribution to SurreySave Credit Union be released, noting that it will be refunded if FSA approval is not forthcoming.

33. CONSULTATION ON CLG DRAFT PLANNING POLICY STATEMENT ON PLANNING FOR TRAVELLERS (Agenda Item 13; Appendix G)

RESOLVED that the Executive respond to the consultation setting out its concerns on the guidance note and the issues that impact on Waverley's communities, as set out in Annexe 1 to the agenda report.

34. CARBON MANAGEMENT PLAN – ANNUAL PROGRESS REPORT (Agenda Item 14; Appendix H)

RESOLVED that

1. the progress report be noted and attention drawn to the reduction in Waverley's carbon emissions; and
2. the Energy and Carbon Policy be endorsed and adopted as Council policy.

35. LEASING PART OF THE LAMMAS LANDS (Agenda Item 16; Appendix J)

RESOLVED that the Deputy Chief Executive be authorised to negotiate 10 year leases with the Henry Smith Charity and Loseley Park Estate.

36. FUTURE OF THE SURREY LOCAL GOVERNMENT ASSOCIATION (Agenda Item 17; Appendix K)

RESOLVED that

1. the dissolution of the Surrey Local Government Association be approved;
2. the intention to establish a Surrey Leaders' Group be endorsed in accordance with the draft constitution attached to the agenda report;
3. the Chief Executive be authorised to agree any minor amendments to the constitution of the Surrey Leaders' Group that may arise following consideration by all Councils;
4. the transfer of the assets and monies of the SLGA to the Surrey Leaders' Group be approved; and
5. the schedule of approved duties in the Scheme of Members' Allowances be amended to reflect this change.

37. APPOINTMENTS TO OUTSIDE BODIES 2011-2013 (Agenda Item 18; Appendix L)

RESOLVED that the appointments to Outside Bodies for 2011-2013 be agreed, as set out at Annexe 2.

38. BUSBRIDGE PARISH COUNCIL (Agenda Item 19)

This item was withdrawn.

39. TEMPORARY LICENCE FOR ACCESS AND COMPOUND AT HIGH STREET CAR PARK, HASLEMERE (Agenda Item 20; Appendix M)

[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).]

RESOLVED that Waverley grant the developer of 14-18 Lower Street, Haslemere, a temporary licence to access the development site and to store materials within a designated area on High Street Car Park, Haslemere with terms and conditions as set out in the (Exempt) Annexe to the report and the details to be agreed by the Deputy Chief Executive.

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

At 7.19 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 the following paragraphs of the revised Part I of Schedule 12A to the Act, namely:-

Information relating to an individual (Paragraph 1); and

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3).

41. ELECTIONS TEAM RECONFIGURATION (Agenda Item 23; (Exempt) Appendix N)

RESOLVED that the staffing changes within the Elections Team be approved, as set out in the report.

42. REQUEST FOR FLEXIBLE RETIREMENT (Agenda Item 24; (Exempt) Appendix O)

RESOLVED that

1. Postholder CA32 in Planning Services be granted flexible retirement from 29 July 2011 in accordance with the Council's flexible retirement policy;
2. a part-time post of Planning Information Officer be created; and
3. a full year saving of £5,200 be noted.

The meeting commenced at 6.45 p.m. and concluded at 7.23 p.m.

Chairman