

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE EXECUTIVE – 6 MARCH 2012

SUBMITTED TO THE COUNCIL MEETING – 17 APRIL 2012

(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 Julia Potts |
| * Cllr Carole King | * Cllr Stefan Reynolds |
| * Cllr Bryn Morgan | Cllr Adam Taylor-Smith |
| * Cllr David Munro | * Cllr Keith Webster |

* Present

Cllr Nick Williams attended and spoke on Agenda Item 12 (Minute No. 163)
Cllr Andrew Wilson was also in attendance

The Leader informed those present that it was Jon Poore’s last Executive meeting before leaving Waverley. He thanked Jon for everything he had contributed to Waverley during his time here and wished him good luck for the future.

152. MINUTES (Agenda Item 2)

The Minutes of the Meeting of the Executive held on 7 February 2012 were confirmed and signed.

153. APOLOGIES FOR ABSENCE (Agenda Item 3)

Apologies for absence were received from Cllrs Mike Band and Adam Taylor-Smith.

154. DISCLOSURE OF INTERESTS (Agenda Item 4)

There were no interests raised under this heading.

155. QUESTIONS (Agenda Item 5)

The Executive received the following questions in accordance with Procedure Rule 10:-

i. from Mr David Beaman of Farnham

"In order to identify the true feelings of the residents of Farnham before the East Street scheme progresses any further, would WBC and CNS be prepared to arrange an exhibition of the current proposals in a suitable location in Central Farnham lasting at least one week so that as many local residents as possible can have the opportunity of finding out what exactly is proposed following which a household survey can be undertaken to see whether the residents of Farnham wish the current scheme to proceed with the results of any survey being binding on all parties."

The Leader of the Council responded as follows:-

"We expect that over the coming months there will be some significant steps forward with the scheme when we will be able to announce new tenants coming to the Town. We anticipate that after these announcements we will move to further actively inform residents about the scheme and to promote it.

At present full details of the East Street scheme are easily available to everybody to see on the Waverley website (and also on designated websites), including video images of what the scheme will look like when it is built. We would urge people to take a look and see for themselves the benefits the scheme will bring.

Mr Beaman; you must remember that the scheme has been through a comprehensive redesign by the Conservative administration when we won control of Waverley in 2007, and it has also been through the rigorous test of the planning process. It is not appropriate to design a large regeneration scheme such as this by opinion poll."

ii. from Mr Jerry Hyman of Farnham

"Is it your position that the EIA legislation allows development of the East Street scheme to commence before a satisfactory assessment of the main impact has been conducted, such that a consent exists sufficient to allow Crest to move on site, under s237 of TCPA'90?"

The Leader of the Council replied:-

Yes. The East Street development does have a valid planning consent. It is wrong to assume that the impact of the development has not been assessed. An assessment in accordance with the requirements of the EIA legislation took place as part of the planning application process."

iii. from Mr David Savage of Farnham

"In certain circumstances the contract relating to the East Street Development may be extended beyond the Long Stop Date. What, precisely, are those circumstances?"

The Leader replied as follows:-

"There seems to be some misunderstanding. There is a contract in place and it has not been extended. The long stop date is a term that refers to partners leaving the contract and incurring a penalty. The long stop date does not end the contract and it has not been extended."

Part I - Recommendations to the Council

156. **AMENDMENTS TO FINANCIAL LIMITS AND THE CONSTITUTION** (Agenda Item 14; Appendix I)

156.1 This item revisits the issue of whether to raise the financial limits set out in the Council's constitution that give the Executive the authority to approve supplementary estimates without reference to the Council.

156.2 The current limits were set around six years ago, and as a result, a number of items have to wait for full Council approval. This can involve a five week delay in some meeting cycles. The key reason for proposing an increase to the supplementary estimate limit for the Executive is to prevent such delays. Most supplementary estimate requests arise from events where the timing and/or amount is unclear until very near to the time when the expenditure is required e.g. planning appeal cases. Giving the Executive a higher limit within which it can approve additional funding should prevent the delay of waiting for the next full council meeting. The current limit of £20,000 has been in place for 9 years.

156.3 In total, over the last four years, there have been 15 separate requests for supplementary estimates in each year. The following shows the number and type requested:

Purpose	Number under £20k	Number over £20k
Planning enforcement		4 (2 >£50k)
Planning appeal		4 (2 >£50k)
Other	6	1

156.4 There are occasions within the financial year when, because of the need to react to new situations or unanticipated events, the Council needs to approve new expenditure and funding at short notice. This requires a supplementary estimate. Specifically, based on past experience, having additional flexibility and speed of decision-making would be advantageous for approving unexpected planning appeals and planning enforcement costs. It is also recognised that in the event of a civil emergency, Waverley may have to incur costs at short notice so the ability to manoeuvre quickly would also be of benefit.

156.5. The proposed changes are as follows:-

Supplementary estimates – increase limit from £20,000 to £50,000 only in relation to the estimated costs arising from the following instances:

- ***Civil emergencies***
- ***Planning appeals***
- ***Planning enforcement***

156.6 Extracts from the Constitution are attached at Annexe 1 showing the proposed changes.

156.7 The existing Scheme of Delegation gives the Chief Executive “power to act in respect of those powers delegated to the Executive in cases where a decision is required before the Executive next meets”. This power is exercised “on the advice of the relevant Head(s) of Service and after consultation in each case with the Leader and relevant Portfolio Holder”. This power has been exercised within the limits for supplementary estimates set out above.

156.8 Should the Council agree to increase the limits, the delegated power will increase correspondingly. It would clarify the authority if the new limits were included in this delegation. The relevant section of the Scheme of Delegation is attached as Annexe 2 showing the proposed changes.

156.9 The Executive

RECOMMENDS that

48. the financial limits for the Executive to approve for supplementary estimates be increased from £20,000 to £50,000, subject to the qualifications set out in the report; and

49. the Constitution and 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.

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

157. EXECUTIVE FORWARD PROGRAMME (Agenda Item 6; Appendix A)

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

158. JANUARY BUDGET MONITORING 2011-2012 (Agenda Item 7; Appendix B)

RESOLVED that

1. the position as at 31 January 2012 be noted;

2. Section 106 monies be allocated as follows:

- £12,500 towards the Bishop’s Steps, Farnham on a matched-funding basis; and

- £4,000 towards the Clockhouse improvement project;

3. approval be given to rolling forward HRA capital resources as outlined in paragraph 22 of the report; and
4. the General Fund and HRA Budgets continue to be monitored closely during the remainder of 2011/12.

159. BANKING CONTRACT (Agenda Item 8; Appendix C)

RESOLVED that the extension of the HSBC banking contract be approved on the Terms set out in the (Exempt) Annexe.

160. SERVICE PLAN ACTION PLANS 2012/13 (Agenda Item 9; Appendix D)

RESOLVED that the observations from the special Joint Meeting of the Overview and Scrutiny Committees be welcomed and the Service Plan Action Plans be endorsed.

161. EAST HAMPSHIRE DISTRICT LOCAL PLAN: JOINT CORE STRATEGY (Agenda Item 10; Appendix E)

RESOLVED that the proposed response to the East Hampshire Joint Core Strategy, as set out in Annexe 1 to the report, be agreed and particular attention drawn to the request to East Hampshire District Council under the Duty to Cooperate.

162. REPLACEMENT TELEPHONE SYSTEM (Agenda Item 11; Appendix F)

RESOLVED that the Microsoft Lync telephony solution be implemented at the capital cost set out in (Exempt) Annexe 1 to be met from the capital programme provision of £25,000 in 2011/12 and from within the provision of £250,000 included in the 2012/13 capital programme.

163. SERVICE LEVEL AGREEMENTS – NOMINATED PILOT PROJECT (Agenda Item 12; Appendix G)

RESOLVED that

1. the content of the Service Level Agreement for each of the two nominated pilot organisations, Hoppa and Citizens' Advice Waverley, be agreed; and
2. the level of funding for the two nominated pilot organisations be agreed.

164. LOCALISM ACT – CONSULTATION WITH HOUSING APPLICANTS REGARDING FLEXIBLE TENANCIES (Agenda Item 13; Appendix H)

RESOLVED that

1. as part of the Council's consultation with applicants regarding restricting access to the Housing Register, the Council also consults regarding the idea of introducing flexible tenancies for new Council tenants, as set out at Annexe 1 to the report;
2. in the work to produce a Tenancy Strategy, officers will further explore the merits of introducing flexible tenancies in Waverley taking into account feedback from housing applicant consultation; and
3. a draft Tenancy Strategy be presented to members in July 2012 that will include proposals for introducing flexible tenancies and the timescales within which they could be introduced in Waverley.

165. OUTSTANDING DEBTS WRITE-OFF FOR DECISION (Agenda Item 15; Appendix J)

[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, under Financial Regulation D203, the debts put forward for write-off as listed in the (Exempt) Annexe to the report, be approved.

166. SURREY COMMUNITY COVENANT AND SURREY CIVILIAN – MILITARY PARTNERSHIP BOARD (Agenda Item 16; Appendix K)

RESOLVED that

1. officers be asked to investigate the Surrey Community Covenant further where particular needs of members of the service community could be met or responded to better and to report back to a future meeting of the Executive; and
2. Cllr Richard Gates be nominated to the Surrey Civilian – Military Partnership Board, with the appointment to be decided by the Surrey Leaders' Group.

167. LEASE FOR TENNIS COURTS, HOLLOWAY HILL RECREATION GROUND, GODALMING (Agenda Item 17; Appendix L)

[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 grants a lease to Busbridge Tennis Association for 25 years, on the terms and conditions set out in the (Exempt) Annexe to the report, with other terms and conditions to be agreed by the Estates and Valuations Manager.

168. INDEPENDENT REMUNERATION PANEL AND REVIEW OF ALLOWANCES FOR TOWN AND PARISH COUNCILS (Agenda Item 18)

RESOLVED that Waverley's Independent Remuneration Panel be designated as the Parish Remuneration Panel, subject to all costs of any review of Parish allowances being met by the Parish requesting the review.

169. APPOINTMENT TO STRATEGIC DIRECTOR POST (Agenda Item 19)

The Leader of the Council reported the appointment of Mr Damian Roberts, currently employed by the London Borough of Croydon, to the Strategic Director Post.

The meeting commenced at 6.45 p.m. and concluded at 7.24 p.m.

Chairman