

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE EXECUTIVE – 6 NOVEMBER 2012

SUBMITTED TO THE COUNCIL MEETING – 11 NOVEMBER 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 Brian Adams | * Cllr Stefan Reynolds |
| * Cllr Carole King | Cllr Adam Taylor-Smith |
| * Cllr Bryn Morgan | * Cllr Keith Webster |
- * Present

Cllr Peter Isherwood was also in attendance and spoke on Minute No. 94

88. MINUTES

The Minutes of the Meeting of the Executive held on 2 October 2012 were confirmed and signed.

89. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Brian Adams, Stephen O’Grady and Adam Taylor-Smith.

90. DISCLOSURE OF INTERESTS

There were no interests raised under this heading.

PART I - RECOMMENDATIONS TO THE COUNCIL

91. SEPTEMBER BUDGET MONITORING 2012-13

91.1 The Executive was advised that the proposal for installing a wireless network in the Burys as part of the report was withdrawn for further consideration. The Executive noted the position as at the end of September 2012 and also agreed:

1. to approve the Supplementary Estimates in paragraph 18 of the report for Undershaw Hotel, £20,000 claimants costs and £10,000 legal fees;
2. to approve a virement of £15,000 from the overall underspend in relation to additional planning specialist costs as detailed in paragraph 19 of the report;
3. that the balance of the council tax reduction scheme implementation grant, up to £45,000, be utilised for one-off temporary resource to backfill officer time spent on the implementation as detailed in paragraph 21;

4. to approve the amendments and additions to the General Fund Capital Programme detailed in paragraph 30;
5. to approve the amendment of £20,000 within the HRA Capital Programme to enable more Fire Safety Upgrades to be undertaken as detailed in paragraph 33 of the report;
6. to approve a supplementary estimate of £20,000 to undertake a consultation exercise to inform the capital project for the Herons Leisure Centre; and
7. to give approval for Waverley Training Services to recruit staff to run courses where the cost is covered by income generated, subject to the agreement of the Deputy Chief Executive as detailed in paragraph 6 of the report.

91.2 Waverley Training Services operates like a trading account and normal practice requires spending on staffing to provide courses to generate income. Because of an extension to an existing training contract, additional staffing costs have been incurred. Income exceeding £80,000 has been earned from this contract extension and, therefore, a virement of £80,000 from the additional income is requested to fund these additional staffing costs. Waverley Training Services is carefully monitored by the Corporate Management Team. The Executive now

RECOMMENDS that

- 40. the increase of £80,000 in the staff budget within Waverley Training Services be approved, to be funded by the extra income as detailed in paragraph 91.2 above.**

[Reason: This item provides details of the income and expenditure position compared with the budget and reassures councillors that at this stage of the year, the general fund is sound and the housing revenue account positive.]

Background Papers

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

92. CONTAMINATED LAND STRATEGY

92.1 Local Authorities have a legal duty to meet the requirements of the Environmental Protection Act 1990 s.78B by producing and publishing a Contaminated Land Strategy. Waverley published its 'Contaminated Land Inspection Strategy' in 2000.

92.2 Since then the processes and requirements have become familiar to Local Authorities and developers alike – the bulk of remediation being achieved through the Planning process. Nonetheless a decision to review Waverley's Strategy led to an updated draft in 2009.

- 92.3 However, before this was finalised a major overhaul of the central government guidance was announced and the review was put on hold pending this new information. The new guidance was finally published in the spring of 2012.
- 92.4 Whilst the original Waverley Strategy was a detailed document – informing and guiding interested parties through a new and complex process – the proposed Strategy attached as Annexe 1 is simplified. This is due in the main to the revised approach from government making the identification of land in need of attention much more straightforward.
- 92.5 The new process is based on a traffic light system where Category 1 (Red) identifies Contaminated Land in need of immediate action, Category 4 (Green) identifies land where action is unlikely and Categories 2 & 3 (Amber/Red & Amber/Green) require further consideration.
- 92.6 Alongside these changes the National Planning Policy Framework (NPPF) was released. A major change to Contaminated Land guidance under the NPPF is the repeal of PPS23. Future guidance to developers will be locally framed and Waverley's new Strategy will incorporate an appendix specifically for this purpose (based on the existing "Contaminated Land Planning Guidance") which will be recognised as a matter of material consideration.
- 92.7 This planning guidance is supplementary to the overall Contaminated Land Strategy and this approach will ensure developers receive consistent and current information as the guidance can be reviewed automatically when changes in legislation, knowledge & understanding or good practice occur.
- 92.8 The final document will be published on the Council's website. The first of the risk-rated sites for investigation under the new regime will receive attention from 2013-14 onward. Any existing investigations started under the existing Strategy will be interpreted in light of the new Guidance.
- 92.9 The new Strategy meets Waverley's statutory requirements and informs the public and developers alike of how potentially contaminated sites are now identified, risk-rated and investigated. The sites identified will be continually risk-assessed as and when new information comes to light, either through desk-top studies and site investigations, or from the public, developers or other agencies.
- 92.10 It is presented in a relatively non-technical fashion to ensure understanding by the widest possible audience. To ensure the Strategy remains current a review period should be incorporated and this is suggested to be a maximum of 5 years.
- 92.11 The Executive now

RECOMMENDS that

- 41. the Contaminated Land Strategy be adopted for the next five years; and**

- 42. the approach of the revised Contaminated Land Strategy for Waverley be endorsed and powers to update and amend the Strategy's planning guidance section be delegated to the Head of Environmental Services.**

[Reason: The revised Strategy will inform Waverley's contaminated land regime and inform Waverley's planning responses in relation to contaminated land. The period for review was as suggested in statutory guidance].

Background Papers

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

93. EXCLUSION OF PRESS AND PUBLIC

At 7.07 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 these items 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).

94. HOUSING DELIVERY BOARD ITEMS

The Executive considered two reports on this matter, as set out at (Exempt) Annexes 2 and 3 to these minutes and now

RECOMMENDS that

- 43. the recommendations set out in (Exempt) Annexes 2 and 3 to these minutes be agreed.**

[Reason: to help deliver new affordable homes in the Borough]

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

There were no matters raised under this category.

Part III – Brief Summaries of Other Matters Dealt With

95. **EXECUTIVE FORWARD PROGRAMME**

RESOLVED that the new format of forward programme of key decisions for Waverley Borough Council be adopted and the programme endorsed.

96. **TREASURY MANAGEMENT PERFORMANCE AND MID-YEAR REVIEW OF THE 2012/13 STRATEGY**

RESOLVED that

1. the Treasury Management Performance for 2012/13 be noted and the approach to Treasury Management activity be endorsed; and
2. the recommendation set out in (Exempt) Annexe 4 to these minutes be approved.

[Reason: The Executive undertakes a mid-year review of the Treasury Management Strategy in accordance with best practice].

97. **COMMUNITY INFRASTRUCTURE LEVY**

RESOLVED that the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule be approved for public consultation.

[Reason: To enable the public consultation to commence so that a Community Infrastructure Levy (CIL) Charging Schedule can be adopted by April 2014]

98. **THE COUNCIL'S ROLE IN SUPPORTING LOCAL BUSINESS**

RESOLVED that

1. the Council's objective to encourage and support local business and the economy be reaffirmed; and
2. the report and efforts to align the Council's resources available to supporting business to the strategic aims of encouraging and supporting the local economy so as to leverage the maximum benefit be endorsed.

[Reason: To enable the Executive to consider plans that will shape the future of the service and support local business and the economy in the Borough].

99. **SALE OF LAND AT WOOLMER HILL LODGE**

The Executive agreed that this item should be deferred.

100. DRAFT TENANCY STRATEGY

RESOLVED that:

1. the objectives and proposals of the Tenancy Strategy be supported, incorporating any changes to the proposals considered appropriate by the Executive;
2. officers commence the consultation exercise; and
3. a subsequent report on the consultation responses and proposed final Tenancy Strategy be submitted to the Executive meeting on 4 December 2012 and Council on 11 December 2012.

[Reason: To seek public support for the principles of the Strategy and approval to commence public consultation.]

101. LEASE OF GARAGES, STATION ROAD, GODALMING

[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 125-year leases to the two proposed lessees of garages and land to be built on the development site at Station Road, Godalming, on terms and conditions set out in the (Exempt Annexe), with other terms and conditions to be negotiated by the Estates and Valuation Manager and Borough Solicitor, in consultation with the Deputy Chief Executive.

[Reason: providing and leasing two garages is part of the development process to enable the provision of 14 affordable houses on the site.]

102. EASEMENT OF ACCESS TO LITTLE PARK HATCH, BOOKHURST ROAD, CRANLEIGH

[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 applicants, Shanley Homes (Leatherhead) Limited, be granted an easement of access across Waverley's common land at Little Park Hatch, Bookhurst Road, Cranleigh, on terms and conditions set out in the (Exempt) Annexe to the report, with

other terms and conditions to be negotiated by the Estates and Valuation Manager.

[Reason: the development will provide extra dwellings within the Cranleigh area and provide a capital sum for Waverley]

103. REQUESTS FOR EARLY AND FLEXIBLE RETIREMENT

[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 1 of the revised Part 1 of Schedule 12A to the Local Government Act 1972, namely:-

Information relating to an individual].

This item was considered in (Exempt) Session.

RESOLVED that the recommendations set out in (Exempt) Annexe 4 to these minutes be approved.

The meeting commenced at 6.45 p.m. and concluded at 7.14 p.m.

Chairman