

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE EXECUTIVE – 1 OCTOBER 2013

SUBMITTED TO THE COUNCIL MEETING – 15 OCTOBER 2013

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

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|----------------------------------|--------------------------|
| * Cllr Robert Knowles (Chairman) | Cllr Julia Potts |
| * Cllr Mike Band (Vice-Chairman) | * Cllr Stefan Reynolds |
| * Cllr Brian Adams | * Cllr Adam Taylor-Smith |
| * Cllr Carole King | * Cllr Keith Webster |
| * Cllr Stephen O'Grady | |

* Present

57. MINUTES

The Minutes of the Meeting of the Executive held on 3rd September 2013 were confirmed and signed.

58. DECLARATION OF INTERESTS

There were no Declarations of Interest.

PART I - RECOMMENDATIONS TO THE COUNCIL

59. PARKING GUIDELINES

- 59.1 The provision of appropriate levels of car parking and cycle parking is an important consideration when assessing proposals for new development. In the past the Council used the Surrey County Council Parking Guidelines from 2003 as the starting point for assessing the level of parking provision, albeit that these Guidelines were not formally adopted by the Council.
- 59.2 There are various reasons why it is appropriate to review the situation and for the Council to adopt new parking guidelines:-
- Surrey County Council has recently issued new parking guidelines (January 2012) and recommended that the districts in Surrey use these within their own Local Development Framework (LDF) documents;
 - In relation to residential parking there has been a move away from maximum standards and a recognition that local circumstances need to be considered when assessing the right level of parking in new residential developments.
- 59.3 A consultation on the Draft Parking guidelines took place between 25th May and 5th July 2012. Those invited to comment included the Highways Agency, Surrey County Council, adjoining local authorities, town and parish councils, transport operators and residents' associations. A range of views were expressed from those considering that the parking guidelines do not provide for enough parking, to those who consider that in some locations the

guidelines are too prescriptive and may require provision of more parking than is necessary.

59.4 In March this year two workshops were held for Members to discuss the proposed parking guidelines. Following this, officers reviewed the proposed parking guidelines and made some further changes. A copy of the proposed parking guidelines is attached as Annexe 1. The main changes and amendments are as follows:-

- Residential guidelines: A further change to the residential parking guidelines by increasing the requirement outside town centres for 2 and 3+ bedroom dwellings to 2 and 2.5 spaces per dwelling respectively. The issue of visitor parking was discussed with the County Council and the guidelines proposed by the County do take account of visitor requirements. It should also be pointed out that the guidelines for residential developments are expressed as the minimum that would normally be required. However, the guidelines also say that where space permits, it may be appropriate to consider an increased provision above this minimum. Officers consider that this provision addresses the concerns that more parking may be required than the indicated minimum.
- Non-residential guidelines: In the guidelines recommended by the County Council, these are expressed as a maximum. Following further consideration and discussion with County officers, it is recommended that these should not be expressed either as a maximum or a minimum. Instead they are simply expressed as a guideline for the appropriate level of parking for these uses. The County Council has also confirmed that its Guidelines take account of the need for staff parking.
- Retail uses: It is proposed that the standards in the County Guidelines be retained, albeit not expressed as a maximum. The County recommend four zones where the standard is varied in recognition of the relative accessibility to public transport. Officers recommend two zones (as is also recommended for residential parking), namely town centre and 'rest of Waverley'. In relation to retail development the guideline standard would apply outside town centres but the reduction by 75% should apply in town centre locations.
- Class A2 Uses (banks, building societies etc.): There is currently no recommended guideline for these uses. Officers recommend using the 1 space per 30sqm standard that applied in the County Council's 2003 Parking Strategy.
- B1 Business uses (including offices): It is proposed that the range in the County Guidelines of between 1:30sqm to 1:100sqm be retained. It is recognised, however, that some flexibility may be required if these developments take place in more remote locations where access by other modes of transport is limited.
- Hospitals: Following discussion with County Officers, it is recommended that there should not be a specific standard, but that the parking requirement for these uses be based on individual justification/assessment. This provides the flexibility to respond to local circumstances.

- Day Nurseries and Creches: Similarly, it is recommended that the parking provision should be based on individual assessment.
- Doctors', Dentists' and Veterinary Practices: Officers are recommending that the guideline figures in the County's 2003 Parking Strategy should be the starting point for assessing the appropriate level of parking for these uses.
- Schools: The current guidelines include a general comment that discourages the provision on site of pupil parking areas and areas for dropping-off and picking-up. Officers propose to retain this statement but to include a note to the effect that for both new and expanding schools an exception may be made where there is the risk that further on-street parking would reduce highway safety or emergency access.

59.5 On the specific issue of evidence, the County Guidelines are based on research, the earlier 2003 guidelines, the previous national guidance in PPG13 and responses to the County's own consultations.

59.6 Members had expressed the view that all non-residential institutions such as places of worship, galleries, public halls etc. should have the same standard of 1 space per 3 persons. The County response is that this could be too prescriptive and lacks the flexibility to respond to local circumstances etc. In each case the proposed guidelines include scope for individual assessment which provides a degree of flexibility.

59.7 Members also commented on the differences between the parking standards for different types of leisure use. In response, the County Council has said that its guidelines are based on research and the earlier 2003 guidelines and previous national guidance. No change is recommended to these guidelines.

59.8 A concern was also raised about the recommended guideline of 1:20sqm for vehicle repair premises and whether this is high enough. Although the County Council is not necessarily opposed to a change it has said that this should be based on evidence. At this stage officers do not have specific evidence to indicate that a change is needed.

59.9 The Community Overview and Scrutiny Committee considered the report at its meeting on 16th September and welcomed the proposed changes to the parking guidelines. The Committee also endorsed the recommendation to adopt the parking standards with the following observations:

- The Committee was concerned about retaining the statement about the discouraging the provision of on-site of pupil parking areas and areas for dropping off and picking up at schools in rural areas.
- The Committee questioned the numbers quoted for car parking at dentists/vets/doctors as there did not seem to be any consistency on these.
- The Committee was pleased to see the move away from maximum standards and recognition that local circumstances need to be considered.
- There was concern about the justification of the figures noted in the report, specifically under the residential guidelines.

- The Committee asked that it be raised with SCC Members concerns about allowing dropped kerbs.

59.10 In relation to the first point, officers consider that a degree of flexibility is needed, taking account of factors such as the location of the school and what the options are in terms of other modes of transport. The proposed guidelines indicate that on-site parking may be appropriate in locations where on-street parking would reduce highway safety or emergency access.

59.11 In relation to the second point, the parking requirements for doctors' practices, dental surgeries and veterinary practices are expressed differently. The proposed guidelines originated in the 2003 Parking Strategy for Surrey and would have been derived from the evidence underpinning that document.

59.12 In relation to the residential guidelines, these originated in the parking guidelines published by Surrey County Council in 2012 and have been adjusted to take account of local circumstances.

59.13 Taking account of both the responses to the 2012 public consultation, and the further comments from Members, officers consider that the proposed guidelines strike the right balance between providing a clear indication of the general level of parking expected, whilst also having the flexibility to respond to local circumstances where necessary. It is also considered that the proposed guidelines reflect the characteristics of the Borough, including the high level of car ownership and the relative inaccessibility to public transport and other services etc. outside town centres.

59.14 The Executive

RECOMMENDS that

1. the Parking Guidelines be adopted as a material consideration in the assessment of planning applications.

[Reason: to seek endorsement to recommend to Council the proposed guidelines for the provision of vehicular and cycle parking in new developments.]

60. MID YEAR BUDGET REVIEW 2013-14

60.1 The Executive received a report which summarised the likely outturn position for 2013-14 based on updated projections as at the end of August 2013. It followed on from the Budget Management report to Executive on 2 September 2013 by identifying any changes to items reported previously. The Finance Seminar was held for all Councillors on 10 September, which set out the key strategy issues for the medium term including pressures and opportunities going forward. The most significant pressure arises from the reduction to Government Grants. Taken with other Budget pressures, the funding gap is approximately £4m over the next four years; thereby requiring further savings of circa £1m per annum. This is in addition to the £8m savings identified over the previous five years. More detailed information will be presented to Members as part of the Budget reports as the Budget process develops.

60.2 In relation to the Housing Revenue Account, the Housing service has an overall staff budget of £3,460,900 and a vacancy savings target of £78,000. Staff costs are currently within budget, with £30,000 of the vacancy target expected to be achieved. However, projections to the end of the year demonstrate the need for additional spending for the following reasons;

- Vacancies in key roles need to be filled by use of external support - agency staff and temporary quantity surveyor services in order to ensure continued service delivery. The use of external support is costly but is required to ensure that service delivery does not suffer.
- Supporting the delivery of a much larger Capital Programme requires extra surveying staff
- Cover of long-term sickness in key roles has doubled costs for a number of months. This situation is now resolved.
- Speeding up delivery of new affordable homes requires additional resources and expertise.

	£
Projected additional cost (as described above)	106,323
Add unachieved Vacancy Savings Target	48,000
Less Project manager Ockford Ridge redevelopment to be funded from Stock Remodelling Reserve	-35,000
Total additional cost	£119,323

60.3 The above position represents a worst-case scenario and allows for the continued use of agency staff until 31st March 2014. Recruitment of new permanent staff will help to reduce the projected overspend and this process has already begun.

60.4 In preparing the 2014-15 Budget a full review of the staffing structure will be carried out in order to ensure the delivery of the HRA Business Plan and corporate objectives.

60.5 At its meeting on 17 September 2013, the Audit Committee considered a number of overdue audit recommendations relating to the Housing service. The Committee felt that more support and resources were needed in order to ensure that future recommendations were met by their due dates and as such they wished to endorse the Head of Housing Operations's request for additional spending on staffing.

60.6 Waverley's Medium Term Financial Strategy has been revised to take account of Waverley's latest financial position and the emerging financial pressures and opportunities in the coming years. The document covering the period 2014-15 to 2017-18 is included at Annexe 2. The annual Finance Seminar presented the key issues to Councillors ahead of the budget setting process.

60.7 The following are the key financial strategy issues arising from the Finance Seminar held on 10 September:

- £8million saving in last 5-years' Budgets including £3m staff costs

- Further reduction in Government grant in 2013-14 with new funding regime introduced
- Budget shortfall estimated at £4m over next 4-years; £800k in 2014-15
- Some future savings identified already
- £8.7m housing repairs backlog to be cleared 2013-14
- As part of Budget process the Council will review Interest Income projections particularly from 2016-17 onwards.

60.8 For the HRA the more positive position continues, with resources now in place from rents and grants to meet decent homes backlog repairs by 2014 and to invest significant sums for new affordable homes and to improve existing council house stock.

60.9 In January, the Council agreed its local scheme of council tax support which replaced council tax benefit from 1 April 2013. The Government cut Waverley's funding for council tax benefit by £600,000 (WBC's proportion is approx. £67,000). The six changes that Waverley made to the scheme were expected to reduce the support for around 900 working age claimants and have saved over £200,000 of this budget shortfall.

60.10 The actual impact of the changes is now clear. From the 852 claimants affected by the new scheme, as set out in the table below, there are 655 households that receive less support towards their council tax in 2013/14 compared to the previous year.

Changes	Number of Claimants	No. of changes that apply
Limit to maximum Band D	635	1
Treat child maintenance as income	191	2
Increase earnings disregard from 16 to 24hpw	21	3
Increase Non Dependent deductions	4	4
No Second adult rebate	1	5
Limit minimum award to £5pw	0	6

60.11 Waverley established a hardship fund to support those affected through the transition and is working with council tax payers who are experiencing difficulty paying their council tax. Given that Waverley has already implemented a thoroughly considered range of measures following a comprehensive consultation in 2012, and a detailed impact assessment, it is proposed that the current council tax support scheme is not changed in 2014/2015 and a further review involving public consultation is not necessary.

60.12 The Executive noted the mid-year revenue Budget projection and acknowledged that no immediate action is required for 2013-14 and RESOLVED to

1. approve the Structural Repairs over £5,000, totalling £18,005 as scheduled to be included in the 2013-14 HRA Capital Programme;
2. agree the updated Medium Term Financial Strategy; and
3. to continue to monitor the budget closely during the remainder of 2013-14.

60.13 The Executive accordingly

RECOMMENDS that

2. **in light of the advice from officers on the medium term financial outlook, officers be asked to review the Senior Management Team staffing structure, with the aim of streamlining the structure and offering financial savings, so that the Executive can receive reports in the next cycle and consider if it wishes to make a recommendation on the Senior Management Team Structure to the 10th December 2013 Council meeting;**
3. **a supplementary estimate of £120,000 on the HRA to meet the projected shortfall on the staffing budget; and**
4. **the current Council Tax Support Scheme in 2014-15 be continued.**

[Reason: to provide a projection of the total expenditure and income position for the General fund and the Housing Revenue Account for 2013-14 compared with the budget.]

61. REVIEW OF PLANNING OFFICER SALARIES AND PROPOSED CHANGES TO ESTABLISHMENT

61.1 The planning function is a high profile and important part of the Council's statutory duties and has the difficult task of balancing development needs against the environmental constraints which exist in the Borough. To deliver the Council's aspirations for the Service, it needs to recruit and retain highly qualified professional planning staff. Planning Officers are employed either in delivering the development control function (planning applications, appeals and enforcement) or in plan preparation (local plan and supplementary planning guidance).

61.2 In recent years the Service has experienced a high level of turnover as staff have left to advance their career elsewhere in both the public and private sector. As a result, in 2012/2013 12 recruitment exercises were carried out (including re-advertisements) out of a headcount of 26 professional planning posts. As a consequence 6 Development Control officers have less than one years service. Changes in national planning policy and the Government's growth agenda will further increase the demand for planners in both public

and private sectors.

- 61.3 Current levels of turnover has impacted upon the efficiency of the service in terms of the estimated time to competency of 3 months; on our level of customer service (i.e. relationships with ward Councillors, applicants), local knowledge and continuity on planning applications and wider public confidence in the service.
- 61.4 Staff turnover also imposes additional costs as the Service has had to appoint agency staff on short-term contracts to maintain capacity. Between September 2011 and May 2013, 15 temporary agency planning officers were employed with an average length of service of 2.5 months. In addition, since 2009/2010 the average annual spend on agency staff in Planning has been £100,000.
- 61.5 Typically the average cost of employing an agency planner is 1.5 times the cost of employing a full-time planner in an established post. Despite this cost, the calibre and experience of agency staff is such that they are not always able to perform as efficiently as permanent staff. Their lack of local knowledge and well-developed relationships with Councillors and applicants mean that they operate at Planning Officer level with permanent staff adjusting their duties to temporarily fill vacant posts at a more senior level.
- 61.6 There are also both the direct and indirect costs of recruiting permanent staff. Since 2009/2010, the average yearly spend on recruitment advertising for permanent staff has been over £5,500, while the process of recruitment and training new members of staff also takes up considerable Officer time.
- 61.7 As a consequence of high levels of staff turnover, extensive salary benchmarking has been undertaken. The analysis is set out in Annexe 3. This has demonstrated that the salaries of professional planners within Waverley are not competitive in the local authority market. It should also be noted that at the same time the private sector increasingly also offers competitive opportunities for planners. Over the past decade the proportion of Royal Town Planning Institute members employed by local authorities has fallen so that this year local authority employees represent just 43% of membership, down from 54% in 2000.
- 61.8 As part of the salary benchmarking exercise, data was collected from six other Surrey authorities (Guildford, Woking, Epsom & Ewell, Tandridge, Spelthorne and Reigate & Banstead). Runnymede, Elmbridge and Surrey Heath were also contacted but did not provide data. Information was also included from the SEE Regional Pay and Benefits Survey 2011 and E-paycheck, the new public sector pay comparator coordinated by South East Employers, to which Waverley has subscribed and which supplied data provided anonymously by 11 authorities in the South East. None of the 6 Surrey authorities that responded to our survey, or the 11 authorities that reported data to E-paycheck reported recruitment or retention difficulties with these posts.
- 61.9 Annexe 4 is a proposed salary structure for professional planning officers, up to and including Section Manager level.

61.10 The estimated additional cost of the proposal during 2013/2014 of £18,220 can be met from projected Planning salary savings (latest available saving is £97,000) whilst still enabling the Service to achieve the target salary saving of £47,300.

61.11 Beyond 2013/2014 the full cost of these recommendations (of £89,330 by 2017/2018) cannot be met by the existing salary budgets in Planning. Annexe 5 sets out the projected cost over the next four years. However the cost is likely to be offset by:

- Some continued staff turnover such that assumptions about increased salary costs are likely to be over estimates.
- The likely retirement (and non replacement) of the Historic Buildings equating to £26,000 per year.
- One current post (Brightwells Officer planning officer) will in the longer term be deleted with the post holder moving into another post when one becomes vacant.
- Potential significant reduction in agency costs as a consequence of improved recruitment and retention of staff
- Potential for increased income from planning fees (this is currently projected to be above budget by £100,000 in 2013/2014) and may increase further in the longer term as the Council has to accommodate increased levels of house building in line with the Government's growth agenda.
- Potential increases in income from revisions to the Council's pre-application charging regime which will brought forward through the Star Chamber process.
- Reduction in salary costs outlined in the section below.

61.12 It is proposed to make some changes to the establishment as follows:

Establishment changes	Estimate 2013/2014 £
Policy Planner Post P/T (CD15) - vacant	21,101
Policy Planner Post F/T (CD08) - vacant	30,498
Housing Enabling Manager F/T (HB01)	51,492
	103,091
Proposal:	
Principal Policy Planner (new post)	43,490
Policy and Information Officer (CD05) additional 6 hours per week	7,000
Housing Enabling Manager P/T (HB01)	30,880
	81,370
Saving against 2013/2014 estimate	-£21,721

61.13 The financial implications of the above are an estimated saving of £21,721 against the 2013/2014 budget.

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01.10.13

61.14 Annexe 6 shows the current and proposed changes to the Planning Policy team structure

61.15 There will be no adverse service implications of these changes. The reduction in hours of the Housing Enabling Manager has already been implemented. The creation of a Principal Planner post will provide capacity at a senior level in taking forward the Core Strategy and supporting the neighbourhood planning process.

61.16 The Planning payscale changes will result in an estimated total additional cost of £89,330 across the different categories of Planning officer.

61.17 The estimated net cost of the changes contained in this report is £67,609.

61.18 The Executive

RECOMMENDS that

5. the revised professional planning salary structure be agreed with an implementation date of November 2013; and

6. the changes to the Establishment of the Planning Service be agreed.

[Reason: to recommend to the Council the introduction of a professional planning officer salary structure and changes to the establishment in the Planning Service.]

62. IMPLEMENTING INCREASED RENTS IN TEMPORARY ACCOMMODATION FOR BED AND BREAKFAST

62.1 To maximise the rental income from temporary accommodation and Bed and Breakfast approval is being sought to increase the weekly charges from January 2014. An increased rental stream will better reflect the additional costs of providing temporary accommodation and ensure that there is no incentive to applicants to accept temporary accommodation or Bed and Breakfast.

62.2 The Council's six units of temporary accommodation at Chapel Court, Milford comprises of a mix of one-bedroom self-contained flats and flats with en-suite bedrooms and shared facilities. The five units of temporary accommodation at Ladymead are being replaced by new permanent affordable homes

62.3 The weekly rent charged for the 1-bed flats at 1 and 2 Chapel Court is £95.34 per week and the weekly rent for the en-suite rooms at 3 – 6 Chapel Court is £79.16 per week. These rents are significantly below the maximum payable by Housing Benefit, which are set at the Local Housing Allowance (LHA) rate.

62.4 Households that move into private rented housing are likely to be charged rents that are close to the maximum LHA rate and those who access homelessness prevention units provided by local housing associations, pay affordable rents set at 80% of market rents.

63.5 The Council has arrangements in place with Bed and Breakfast providers in Ash Vale and Slough. These providers are widely used by homelessness services across Surrey and regarded as reputable establishments to provide a specialised emergency accommodation service.

63.6 The Council is charged the following rates:

- Slough/Ash Vale: £60 per night for a single room which is equivalent to £1820 pcm, £80 for a family room equivalent to £2,426 pcm. Both charges include breakfast.
- Travelodge: £54 per night on average equivalent to £1,638. This does not include breakfast.

The Council makes the following weekly charge to homeless households:

Rent	£81.37
Heating/lighting	£12.50
<u>Breakfast</u>	<u>£ 2.45</u>
Total	£96.32 per week equivalent to £417.39 pcm

63.7 The net monthly cost to the Council of providing emergency accommodation to a single person in B&B in Slough is £1,402.61. The cost to the Council is greater when accommodating family households as the amount charged to the Council per room is greater for a larger room.

63.8 Housing Benefit regulations allow the Council to charge for Bed and Breakfast accommodation up to the relevant one bedroom rate as at January of the previous year. This means that the current rates are:

Blackwater Valley:	£135 per week
Guildford:	£161.54 per week
Slough:	£146.54 per week

63.9 Housing Benefit is payable at 100% of LHA rate for shared accommodation and 90% of LHA rate for self-contained accommodation. This would allow the Council to increase the rents to this level and continue to be covered by Housing Benefit for those who receive it.

63.10 However, in order to recognise the impact of the benefit cap which will restrict the housing credit element to £133.85 per week for households of up to 5 people, when it is introduced in October 2013, and reduce risk of associated rent arrears, it is recommended that:

- the rent increase for temporary accommodation should be to 80% LHA for 1 bed flats and kept at the same level for the en-suite rooms
- B&B charges area increased from £81.37 per week to £133.86 per week (£580.06 per month) in line with the proposed rate for one bedroom accommodation.
- where breakfast is provided, the breakfast charge is increased from £2.45 per household per week to £3 per person per night (£91 pcm) to better reflect the amount and the quality of food provided
- the heating/lighting charge is increased to £13 per week per household, as set out in the table below:

Address	Monthly (weekly) rent	Maximum LHA rate Monthly	Maximum HB payable (set at 90% LHA rate for 1+ beds)	80% LHA rate	Suggested revised monthly (and weekly) charges
1 Chapel Court (1 bed ground floor flat)	£412.14 (£95.34)	£725.01 (1 bed rate)	£652.09	£580.08	£580.08 (£133.86)
2 Chapel Court (1 bed first floor flat)	£412.14 (£95.34)	£725.01 (1 bed rate)	£652.09	£580.08	£580.08 (133.86)
3-6 Chapel Court (en-suite rooms)	£330.81 (79.16)	£360.01 (shared room rate)	£360.01	£288.01	No increase – to remain at current level of £330.81
Bed and Breakfast Ash Vale Guildford Slough		£585.00 £700.01 £635.06	N/A		£580.08 (£133.86) Breakfast = £91 p/p pcm or £21 p/p per wk Heating = £56 pcm per h/hold (£13 per h/hold per week)

63.11 It is also recommended the temporary accommodation and Bed and Breakfast rates are reviewed annually and where appropriate increased in line with LHA rates.

63.12 The majority of households that move into temporary accommodation and Bed and Breakfast are in receipt of Housing Benefit to cover the cost of the increased rent, but they would need to pay breakfast and heating charges from their benefits.

63.13 The Executive

RECOMMENDS that

- 7. the proposed increase in rents for temporary accommodation and Bed and Breakfast come into effect from 1st January 2014.**

[Reason: to seek approval on increasing the rents in temporary accommodation and for Bed & Breakfast, as recommended within the 2013/14 budget process]

64. REVIEW OF THE LANDLORD SERVICES TEAM IN THE HOUSING SERVICE

64.1 The Housing Service has significant challenges around staff engagement: communication, morale, trust, empowerment and work loads.

- 64.2 It is proposed to delete the Landlord Services Manager post and redirect the resources to front-line services by establishing an additional Tenancy & Estates Officer and an additional Rents Arrears Officer. The proposed structure is attached at Annexe 7 and financial implications are detailed in Annexe 8.
- 64.3 The flatter management structure will allow:
- Fast and clear communication
 - Quicker decision making
 - Empowerment
 - Effective response to opportunities and threats
- 64.4 The Landlord Services Managers post was a barrier to the Head of Housing communicating with the front-line staff.
- 64.5 Moreover there was a lack of clarity on who was responsible for the development of policies and procedures for the service, the Landlord Services Manager or the Service Development Team. Under this proposal the Service Development Team will have the responsibility.
- 64.6 The proposals would allow the Head of Service to build a professional and committed Landlord Services Management Team that would deliver a 'joined up' customer focussed service.
- 64.7 The proposal will allow the service delivery 'patches' to be reconfigured to allow equal workloads for the Officers.
- 64.8 At its meeting on 17 September 2013, the Audit Committee considered a number of overdue audit recommendations relating to the Housing service. The Committee felt that more support was needed in order to ensure that future recommendations were met by their due dates and as such they wished to endorse the Head of Housing Operations's proposal for restructuring and additional resources.
- 64.9 The Executive

RECOMMENDS that

- 8. the Landlord Services Managers post be deleted;**
- 9. an additional Tenancy & Estates Officer position be established;**
- 10. an additional Rent Arrears Officer post be established; and**
- 11. an additional Orchard Systems Administrator post be established.**

[Reason: to seek approval on the proposed development of the Landlord Services Team in light of the Landlord Services Manager position being vacant.]

65. PRIMARY AUTHORITY PARTNERSHIP SCHEME

- 65.1 It is proposed that the Council operate a Primary Authority Partnership (PAP) Scheme for businesses that trade across Council boundaries. This means that a business, regardless of its size, could enter into a legally recognised partnership with the Council, receiving an agreed package of advice and support relating to the Environmental Health Service functions of food, and health and safety. This would be chargeable on a cost recovery basis. Any proposed agreement(s) would be ratified by the Better Regulation Delivery Office (BRDO).
- 65.2 The PAP scheme is gathering momentum nationally, currently with approximately 750 partnerships across more than 100 Local Authorities. The scheme provides benefits for the local authority and for businesses.
- 65.3 The Council has not currently identified a primary authority agreement that it wishes to put forward. Should the opportunity arise it is important that legal authority is approved by the Council to enter into an agreement under the provisions of section 25 of the Regulatory Enforcement and Sanctions Act 2008.
- 65.4 The Executive RESOLVED
1. to approve the Council entering into legal Primary Authority agreements with businesses under the provisions of Section 25 of the Regulatory Enforcement and Sanctions Act 2008;
 2. that the Environmental Health Team promotes the Primary Authority Scheme to businesses based on the arrangement of £60 per hour and that agreements be negotiated as appropriate on that basis; and
 3. that the Scheme be reviewed after 12 months.
- 65.5 The Executive accordingly

RECOMMENDS that

- 12. authority be delegated to the Strategic Director in consultation with the Portfolio Holder and Deputy Chief Executive to enter into Primary Authority partnerships for the purposes of the Regulatory Enforcement and Sanctions Act 2008 and that the Scheme of Delegation be amended accordingly.**

[Reason: seeks member approval to enter into an agreement(s). Any proposed agreement(s) would be ratified by the Better Regulation Delivery Office (BRDO).]

66. SCRAP METAL LICENSING – NEW LEGISLATION

- 66.1 There are a small number of businesses in Waverley that deal with scrap metal (Scrap Metal Dealers and Motor Salvage Operators) and they are required to register this. To reduce the potential for metal theft, fraud and

money laundering, changes to the record keeping processes and payments were introduced by central government in September 2012.

- 66.2 Since then, government has looked again and decided to remove the registration requirement on such businesses and replace it with one licensing system covering both arms of scrap metal dealing, under the Scrap Metal Dealers Act 2103 (the 2013 Act). New transitional arrangements were released in August – this report is based on the information contained in these updates and a guidance document released by the Local Government Association, but a number of issues remain outstanding.
- 66.3 Transitional arrangements: It is understood that currently registered scrap metal dealers and motor salvage operators will be able to apply for a new licence from 1st October 2013. Provided they make their applications before 16th October currently registered scrap metal dealers will automatically be deemed to hold a temporary licence pending completion of formal suitability assessments. Deemed licences will run until the application is determined but the Home Office is recommending a completion date of 1st December, by which time Licensing Authorities are expected to have concluded their licensing processes.
- 66.4 Any scrap metal dealers caught by the new legislation who are not currently registered will be able to apply from 1st October but will not receive an interim licence. The application will be processed under the 2013 Act and determined accordingly; trading without a licence will be an offence and full enforcement of the provisions of the 2013 Act will commence 1st December 2013.
- 66.5 Although the primary legislation has been passed a lot of work is still required, mainly through provision of detailed guidance for operators and Licensing Authorities, and passing of Statutory Instruments to set detailed regulations, including:
- Issue of regulations setting out the form & content of licences.
 - Issue of formal guidance to local authorities on suitability assessment.
 - Issue of regulations setting out relevant offences to be considered in assessing suitability of applicants.
 - Issue of regulations specifying requirements for verifying the identity of persons supplying scrap metal.
 - Issue of guidance for applicants on applying to “Disclosure Scotland” for basic criminal record checks.
- 66.6 There are currently six registered scrap metal dealers (including one itinerant collector) and one motor salvage operator in Waverley. No fees are currently payable, although the Council introduced a registration fee of £109 for motor salvage in 2013-14 which would have fallen due to that one operator on renewal, in January 2014. Registration currently last 3 years and the new licensing regime mirrors this. The £109 fee will no longer be required but fees will need to be set for the two types of scrap metal dealer licences: Site licences and Collectors’ licences, as well as for variations and renewals under each category.

- 66.7 Fees must be set locally by each local authority on a cost recovery basis, so will provide the funding needed to administer the regime and ensure compliance. In accordance with the EU Services Directive, the Provision of Services Regulations 2009 and current case law, fees set must not exceed the costs of providing the authorisation service.
- 66.8 Local authorities have a duty to have regard to guidance issued by the Secretary of State which outlines issues to be considered when setting the fees and what activities the fees can cover. The guidance states the fees should reflect the time spent:
- assessing and administering applications
 - processing applications
 - having experienced licensing officers review applications
 - storing applications
 - consulting on the suitability of an applicant
 - reviewing relevant offences
 - the decision on whether to issue a licence
- 66.9 Licence fees can also include:
- the cost of issuing a licence in a format which can be displayed
 - the cost of consulting the local authority's enforcement records in order to determine the suitability of the applicant
 - costs associated with contested applications
- 66.10 The licence fee cannot be used to support enforcement action against unlicensed scrap metal dealers, and such action must be funded through existing resources.
- 66.11 Unfortunately the fee-setting guidance has been issued very late in the day. It is understood that currently registered premises will have deemed licences even if the accompanying paperwork is incomplete. Interim fees for new applications have been agreed by CMT in order to take payment pending the setting of a fee. Applications are not valid without the payment of a fee and the Council's timetable, due to the lateness of guidance, means this will not be formally resolved by 1st October. Any shortfalls or overpayments arising out of the interim fees will be recovered or remitted.
- 66.12 Applicants would need to be notified that the payment represents the estimated fee, and that should the fees finally set be greater or less than the estimated fee, any resultant shortfall or excess would be recovered or remitted.
- 66.13 Using the above guidance in the fee-setting process a charge of £440 for Site Licences and £400 for Collectors' Licences is recommended, with lower levels for renewals and variations. Some previously unregistered businesses may now fall under the 2013 Act and these will be identified, assessed and advised accordingly.
- 66.14 A number of powers are included in the 2013 Act, many of which reflect existing practices under other regulatory regimes. The Council's Scheme of Delegation should be amended to include the new provisions. Whilst

addressing this, the Council may wish to take the opportunity to correct some errors in the current Scheme (Annexe 9).

- 66.15 A scrap metal dealer aggrieved by a decision of the Council has a right to make representations, in writing or orally, detailed in Schedule 1 of the 2013 Act. Such representations should be heard by an appointed person (Head of Service) and their right of appeal is directly to the Magistrates' Court.

	Scrap metal dealers licence by type	Proposed fee £
1	Site - new application	440
2	Collector's - new application	400
3	Site – renewal	248
4	Collector's – renewal	208
5	Site to Collector's – variation	377
6	Collector's to Site - variation	416

- 66.16 The Licensing and Regulatory Committee considered the report at its meeting on 26th September 2013 and made no comments other than to endorse the proposal.

- 66.17 The Executive

RECOMMENDS that

- 13. a fee of £440 and £400 for Site and Collectors' licences respectively be set; of £248 and £208 for their respective renewals, and of £377 and £416 for variations to Site and Collector's licences; and**
- 14. the Scheme of Delegation be amended to reflect the new Scrap Metal licensing regime, and that the previously identified errors in the scheme of delegation be corrected.**

[Reason: to receive information about new legislation, the Scrap Metal Dealers Act 2013, which is due to come into force fully in December 2013]

67. OCKFORD RIDGE: BUYING BACK PROPERTIES SOLD UNDER RIGHT TO BUY

[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 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)]

- 67.1 In June 2013, the Council embarked on an ambitious investment project to redevelop and refurbish homes at Ockford Ridge to enhance the estate for the benefit of current and future generations.

- 67.2 Of the 203 homes at Ockford Ridge, 61 have been sold under Right-to-Buy. There are only six properties previously sold through Right-to-Buy in the areas identified for redevelopment, where the intention is to replace 58 existing homes with 92 new-build homes.
- 67.3 The remainder of the estate has been identified for refurbishment, although some properties may be rebuilt on their existing footprint to provide modern, well-designed and energy efficient new homes because the cost of refurbishing them is too high.
- 67.4 The Council has been approached by three owner-occupiers within the refurbishment areas who are interested in selling their properties back to Waverley. These would provide additional homes for temporary accommodation during the build programme and increase the housing stock in Ockford Ridge in the long term.
- 67.5 A valuation has been carried out by the Council's Estates Team and assessed each of the properties. Details are included in (Exempt) Annexe 10.
- 67.6 The framework for the approval process for the purchase of former Council-owned properties was agreed by Council in July 2013. It set a borough-wide threshold of £230,000 for two-bedroom properties and £250,000 for three-bedroom properties. As market values are higher in Godalming, it would be necessary to agree a price above the threshold to enable the purchases to proceed. There would be no requirement to pay additional compensation, such as home loss payments, to owners of properties in the areas identified for refurbishment.
- 67.7 The Executive

RECOMMENDS

- 15. the purchase of two two-bedroom properties at Ockford Ridge, and one three-bedroom property at Ockford Ridge, subject to final agreement between the Portfolio Holder for Housing Delivery and the Deputy Chief Executive, to be funded from the new affordable homes reserve.**

[Reason: to seek approval to purchase three houses within the refurbishment area at Ockford Ridge to provide additional properties for use during the redevelopment programme and increase the housing stock.]

68. EXCLUSION OF PRESS AND PUBLIC

At 7.30p.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:-

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

69. REFURBISHMENT OF ROLSTON HOUSE

The Executive considered a report on this matter, attached as (Exempt) Annexe 11 and now

RECOMMENDS that

16. The recommendations set out in (Exempt) Annexe 11 be agreed.

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

70. EXECUTIVE FORWARD PROGRAMME

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

71. CORE STRATEGY – UPDATE

Item withdrawn from the agenda.

72. BRIGHTWELL TENNIS CLUB & RIVERSIDE II CAR PARK, FARNHAM

[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 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

1. that money be released and the order be placed for the building of five new tennis courts and pavilion for Brightwell Tennis Club (Phase 2 of the works);
2. that money be released and the order be placed for the extension to the Riverside 2 car park (Phase 3 of the works), subject to the removal of Planning condition 5; and
3. that the current lease at Brightwells Gardens be surrendered following the completion of building works to construct the tennis courts and pavilions, and a new lease of land adjacent to Riverside 2 be granted to Brightwell Tennis Club for a period of 25 years on the terms set out in (Exempt) Annexe 1.

[Reason: to seek authorisation to place the order for the building of five new courts and pavilion for Brightwell Tennis Club (Phase 2) and extension of the Riverside car park (to provide 198 extra spaces – Phase 3).]

73. WAVERLEY COMMUNITY PARTNERSHIP AND WAVERLEY VOLUNTARY GRANTS PARTNERSHIP 2014/15 FUNDING ROUND

RESOLVED

1. to open the 2014/15 funding round; and
2. the overall funding process as detailed within the report.

[Reason: to seek approval to continue to support the Waverley Community Partnership scheme and the Waverley Voluntary Grants Partnership in 2014/15.]

74. BUDGET MONITORING STATEMENT – DEVELOPERS’ CONTRIBUTIONS

Noted the position and RESOLVED to ask officers to submit their capital schemes which utilise developers’ funds for approval in 2013/14 or for inclusion in the 2014/15 Capital programme.

[Reason: to inform Members of the latest monitoring position for developers’ contributions.]

75. WEY COURT AND RIVERSIDE CAR PARKS: APPROVAL TO SUBMIT PLANNING APPLICATIONS

RESOLVED to approve the submission of planning applications for the erection of temporary strategic sites at Meadow and Riverside car parks to facilitate the Decent Homes (kitchen and bathroom renewal) Programme.

[Reason: to seek approval for the submission of planning applications to allow temporary storage sites to be erected at Meadow and Riverside car parks to facilitate the Decent Homes (kitchen and bathroom renewal) Programme.]

76. SURREY WASTE PARTNERSHIP PROPOSALS FOR SUSTAINABLE FUNDING

Noted that a 3% increase in this new base for recycling credits was anticipated from April 2015, and in other subsequent years, REVOLVED to

1. pool the equivalent of 2% of its annual 3% rise in recycling credits in the financial year 2014/15; and
2. note a new base level of recycling credit payments as a consequence of this reduction, thereby allowing a similar contribution to be made in subsequent years, subject always to annual approval.

[Reason: to seek approval for proposals to ensure the ongoing sustainable funding of the Surrey Waste Partnership for 2014/15.]

77. MILFORD CONSERVATION AREA APPRAISAL

RESOLVED to approve the draft CAA for Milford for the purposes of public consultation.

[Reason: to gain authorisation to undertake a formal public consultation on the draft Conservation Area Appraisal (CAA) for the Conservation Area (CA) of Milford.]

78. COMPLAINTS ABOUT WAVERLEY'S SERVICES RECEIVED BY THE LOCAL GOVERNMENT OMBUDSMAN IN 2012-13

The Executive noted the report.

[Reason: To provide information on the Ombudsman's new approach to dealing with complaints which came into effect on 29 October 2012.]

79. FREEDOM OF THE BOROUGH

RESOLVED to adopt the guidelines and that future events be held every four years from 2015 onwards.

[Reason: To suggest a framework for future Freedom of the Borough Parades]

80. REVIEW OF PARTICULAR POLLING PLACES

RESOLVED that

1. with regard to the Hale Village Institute, agreed to the Council seeking representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability;
2. these representations be sought as part of a compulsory Review of Polling Places that is now required to be conducted Borough wide after 1 October 2013;

3. with regard to the Hale Village Institute, agreed to the Council seeking representations from political parties as to the suitability of this venue. These representations to be sought as part of the Review of Polling Places that is now required to be conducted Borough wide after 1 October 2013;
4. Busbridge Junior School continue to be the designated polling place for Busbridge and that enquiries continue in the Busbridge parish to establish if a suitable alternative can be found;
5. enquiries continue with regards to the Cricket Pavilion on the Bourne Green as part of the Review of Polling Places that is now required to be conducted Borough wide after 1 October 2013;
6. the designated polling place of The Scout Hut, Charterhouse Road, continue in the absence of any other suitable venue; and
7. The Vestry, Dockenfield continue to be the designated polling place for Dockenfield in light of the objections received from Dockenfield Parish Council and the assistance that has been offered by the Parish Council with the staffing of the polling station in forthcoming elections.

[Reason: to receive the representations received for the Review of Particular Polling Places and decide on the outcomes]

81. PERFORMANCE MANAGEMENT EXCEPTION REPORT QUARTER 1
(APRIL-JUNE) 2013-14

RESOLVED to note the performance figures for Quarter 1 (April - June) 2013/14 as set out at Annexe 1 and the action plans attached at Annexe 2 for those indicators identified as more than 5% off target; and

1. thanked the Overview & Scrutiny Committees for their observations regarding the Quarter 1 performance; and
2. accepted the recommendations of the Overview and Scrutiny Committee.

[Reason: to receive the comments and recommendations of the Overview and Scrutiny Committees]

82. SCOPING REPORT- REVIEW OF ENVIRONMENTAL HEALTH SERVICE
ENFORCEMENT POLICY

RESOLVED to establish an Environmental Health Enforcement Sub-Committee consisting of the following Members: Councillors Jim Edwards, Jenny Else, Roger Steel, Diane James, Nick Williams and Nick Holder.

[Reason: to set out the proposed parameters of the review for discussion and seek approval of membership of the Sub-Committee to take forward the review.]

83. FLEXIBLE RETIREMENTS

[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 I of Schedule 12A to the Local Government Act 1972, namely:-

Information relating to an individual]

RESOLVED that Postholder CC05, be granted flexible retirement from January 2013, in accordance with the Council's flexible retirement policy and that the changes to the team referred to in the report be agreed.

The meeting commenced at 6.45p.m. and concluded at 7.45p.m.

Chairman