

To: All Members of the EXECUTIVE
(Agenda pages to other
Members for Information)

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Date: 20th December 2013

Membership of the Executive

Cllr Robert Knowles (Chairman)
Cllr Mike Band (Vice-Chairman)
Cllr Brian Adams
Cllr Carole King
Cllr Tom Martin

Cllr Donal O'Neill
Cllr Julia Potts
Cllr Stefan Reynolds
Cllr Adam Taylor-Smith
Cllr Keith Webster

Dear Councillor

A Meeting of the EXECUTIVE will be held as follows:-

DATE: TUESDAY, 7 JANUARY 2014

TIME: 6.45 P.M.*

PLACE: COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS,
GODALMING

[In the event that adverse weather conditions prevent this meeting from proceeding, the meeting will be held instead at 2pm on Tuesday 14th January 2014]

Yours sincerely

ROBIN TAYLOR
Head of Policy and Governance

*This meeting will be webcast from the conclusion of informal question time and can be viewed by visiting <http://www.waverley.gov.uk>

NOTE FOR MEMBERS

Contact Officers are shown at the end of each report and members are welcome to raise questions, make observations etc. in advance of the meeting with the appropriate officer.

AGENDA

1. **INFORMAL QUESTION TIME**

The Chairman to receive any informal questions from members of the public (for a maximum of 15 minutes).

2. **MINUTES**

To confirm the Minutes of the Meetings held on 3rd and 12th December 2013 (to be laid on the table half-an-hour before the meeting).

3. **APOLOGIES FOR ABSENCE**

To advise the Executive of any apologies for absence.

4. **DECLARATION OF INTERESTS**

To receive from members, declarations of interest in relation to any items included on the agenda for this meeting, in accordance with the Waverley Code of Local Government Conduct.

5. **QUESTIONS**

The Chairman to respond to the following questions received from members of the public for which notice has been given in accordance with Procedure Rule 10:

Mr David Beaman from Farnham

"Is there any reason why WBC does not publish details of the meeting attendance records of Councillors as is common practice in many other local authorities?"

Mrs Celia Saunders from Farnham

"In view of the proposed relocation of the replacement Gostrey Centre from its previously agreed site within the Brightwells/East Street development, would the Chairman or Portfolio Holder please reassure the public of its future viability in terms of any constraints that might apply as a result of this decision, such as capital and running costs, accessibility by public transport, parking for users, visitors and the centre's own vehicles, and publish openly for the public to see the consultations that Waverley Council has undertaken in order to fully investigate any possible constraints on services the centre should provide into the future?"

Mr Jerry Hyman from Farnham
Council Leader,

In your response to my Formal Question at the 3rd December Executive meeting you claimed that,

"the Council's position was supported by Mr Ball (the Inspector who held the recent CPO inquiry) who saw no evidence that the traffic impact assessments were flawed".

As a matter of fact during my CX of the Head of Planning at the CPO Inquiry, I submitted CNS documents into evidence which demonstrated beyond doubt that their Transport Assessment did not assess what is actually proposed, and that the 'assessment' was instead founded upon their creation of a 'Base Model' of a situation that never exists in reality. Mr Ball listened closely and he certainly did 'see the evidence'.

The documentary evidence shows that Crest's peak-hour traffic modelling used a 90-second cycle at the Royal Deer junction, rather than the 58-second cycle which occurs when the normal daytime pedestrian flow 'presses the button' and activates the pedestrian crossing phase. By modelling a non-existent situation where hardly any pedestrians are around during peak hours, Crest created a false 'Base Model' in which Farnham traffic always flows freely.

Furthermore, rather than model the effect of more than doubling traffic and pedestrian red-light times at the junction (which is what SCC Highways' proposed timings show would result from the ill-considered road scheme), Crest instead made an arbitrary assumption that the efficiency of the junction would increase from 50% to 100%. For consent to be granted lawfully, the EIA Regs require that all the data necessary to assess the likely impacts is provided in a complete Environmental Statement. None of Crest's Transport Assessments have ever provided the proposed new signal timing data for the Royal Deer, so it follows that the actual proposals could not be and were not modelled, assessed or lawfully consented, as Waverley's Reg.19 Request to Crest of November 2010 confirms. Crest's 'cordon model' also excluded Station Hill, and so the modelling also falsely assumed that the station level crossing does not affect town centre traffic flow.

Thus by creating a false Base Model where Farnham traffic always flows freely and the new road system causes no delays, Crest were able to produce a model that still flowed freely when the extra traffic generated by the scheme was added.

The omission from the Environmental Statement of obligatory data and assessments was demonstrated to Mr Ball, as was the need for a number of further 'Implementing Consents' (including for Riverside and for Crest's apparently insoluble Transport proposals), so it follows that in terms of the EIA Regulations, Mr Ball's conclusion that that "all the necessary planning permissions and consents are in place" (IR para 11) was incorrect.

Given the evidence, does Waverley now accept the fact that whilst further 'implementing consents' are necessary prior to commencement, Crest's

Environmental Statement fails to assess the likely significant effects of their proposed new road system, and do you further accept that your claim that Mr Ball "saw no evidence that the traffic assessments were flawed" is untrue?

6. MEMBERSHIP OF EXECUTIVE AND ALLOCATION OF PORTFOLIOS BY THE LEADER OF THE COUNCIL (page 11)

(Cllr Robert Knowles)
(Wards Affected: N/A)

The paper attached at Appendix A details amendments to the Portfolio Holder responsibilities and membership of the Executive, effective from 1st January 2014. In accordance with the Constitution, the Leader, Councillor Robert Knowles has appointed Councillors Tom Martin and Donal O'Neil onto the Executive.

Recommendation

That the Executive:-

- 1. Notes the changes to the Portfolio Holder allocations; and**
- 2. Notes the appointment of Cllrs Tom Martin and Donal O'Neill to the Executive for the remainder of the Council Year 2013/14.**

7. EXECUTIVE FORWARD PROGRAMME [Page 13]

To adopt the forward programme of key decisions for Waverley Borough Council, attached at Appendix B

8. BUDGET MANAGEMENT REPORT – NOVEMBER 2013 [Page 19]

[Portfolio Holder: Cllr Mike Band]
[Wards Affected: All Wards]

The report attached at Appendix C provides a projection of the total expenditure and income position for the General Fund and the Housing Revenue Account as at the end of November 2013 compared with the budget.

Recommendation

That the Executive:-

- 1. Approves the allocation of £29,300 of the 2013-14 projected capital savings to the improvement of facilities at The Herons Skatepark;**
- 2. Approves the allocation of £16,400 of the 2013-14 projected capital savings to the current parking equipment budget for the upgrade of parking machines;**
- 3. Approves disabled adaptations, estimated at £15,000 to be met from within the Landlord Services capital budget, to a property in Queensmead, as detailed in (Exempt) Annexe 5;**
- 4. Approves £15,000 expenditure to be met from within the Landlord Services capital budget on a void property at Broomsquires,**

including £5,000 for floor soundproofing as detailed in (Exempt) Annexe 6; and

5. **Continues to monitor the Budget closely during the remainder of 2013-14.**

9. BUDGET UPDATE 2014/15 (page 43)

[Portfolio Holder: Cllr Mike Band]

[Wards Affected: All Wards]

The report attached at Appendix D outlines the proposed approach to be taken to the 2014/2015 budget. Members have been invited to comment on issues that fall within the remit of the Overview and Scrutiny Committees to help balance the General Fund Budget in the coming months. These comments are now reported to the Executive. The Housing Revenue Account now operates under the self-financing regime and is in a strong financial position going forward and this is explained in more detail in the report

Recommendation

That the Executive:-

1. **Endorses the approach taken to budget preparation for 2014/2015;**
2. **Notes the initial observations of the Overview and Scrutiny Committees;**
3. **Asks the Overview and Scrutiny Committees to consider the detailed budget proposals within their remit at their January meetings and to make observations to the Executive; and**
4. **Gives final consideration to budget proposals at the meeting on 4 February 2014.**

10. WELFARE REFORM – IMPACT ON BENEFITS SERVICE (page 49)

[Portfolio Holder: Cllr Mike Band]

[Wards Affected: N/A]

The purpose of this report, attached at Appendix E, is to update Members on the impact of welfare reforms in Waverley and to request some additional staff resource, externally funded, to support the benefits service in the coming year.

Recommendation

That the Executive:-

1. **Approves the temporary additional resources in the benefits team as detailed in this report to support the ongoing impact of the welfare reforms and to be funded from the external grant received; and**
2. **Asks officers to review the impact of Welfare Reforms and required resources in 6months time.**

11. DEVELOPMENT OF FOUR AFFORDABLE HOMES IN WONERSH [Page 53]

[Portfolio Holder: Cllr Keith Webster]
[Wards Affected: Blackheath and Wonersh]

The purpose of this report, attached at Appendix E, is to seek approval for funding from the New Affordable Homes Reserve in 2013/14 and 2014/15 for the development of four affordable homes for social rent at Ladymead, Barnett Lane, Wonersh, after planning consent has been secured.

Recommendation

That the Executive recommends to Council:-

- 1. Approval for the allocation of funding from S106 funds, capital receipts and the New Affordable Homes Reserve as appropriate and as set out in (Exempt) Annexe 3 for the development of four affordable homes at Ladymead, Barnett Lane, Wonersh;**
- 2. The appointment of the architect to act as both architect and Employer's Agent and a build contractor in accordance with the Council's Contract Procedure Rules to deliver four new affordable homes within the agreed budget; and**
- 3. That authority be given to the Head of Housing Strategy and Delivery and Strategic Director to enter into a contract with Nye Saunders as architect and Employer's Agent.**

12. OCKFORD RIDGE PROJECT: APPROVAL TO COMMENCE OJEU PROCUREMENT PROCESS TO SELECT A BUILD CONTRACTOR AND TO APPOINT AN EMPLOYER'S AGENT TO MANAGE THE PROCESS [Page 59]

[Portfolio Holders: Cllr Keith Webster and Cllr Carole King]
[Wards Affected: Godalming Central and Ockford]

The report attached at Appendix G, outlines proposals to redevelop parts of Ockford Ridge to provide new energy efficient homes to modern space standards and refurbish the remainder of the properties. As the value of the build contract for the refurbishment and redevelopment works will exceed £4.3 million, it will need to be procured through an OJEU process. To meet the expected timescale for the delivery of the project, approval is required at an early stage. Approval is also being sought to procure the services of an Employer's Agent to lead the procurement process.

Recommendation

That the Executive approves:-

- 1. Work proceeding on the first stage of the OJEU process; and**
- 2. The appointment of an Employer's Agent to manage the OJEU process on behalf of the Council, with the estimated costs as set out**

in the (Exempt) Annexe 1 to be funded from S106, capital receipts and the New Affordable Homes Reserve as appropriate.

13. **REDEVELOPMENT OF WEY COURT HOUSE, GODALMING** [Page 63]
[Portfolio Holder: Cllr Keith Webster]
[Wards Affected: Godalming Farncombe and Cattershall]

The purpose of this report, attached at Appendix H, is to seek approval for an allocation of pre-development costs and build costs for the development and approval for commencing a tendering process.

Recommendation

That Executive recommends to Council:

1. **That it approves the allocation of funding from the New Affordable Homes Reserve, S106 funds and capital receipts (as appropriate), as set out in (Exempt) Annexe 1 for the development at Wey Court; and**
2. **That authority be given to the Head of Strategic Housing and Delivery and the Strategic Director to appoint pre-development consultants and a build contractor in accordance with the Council's Contract Procedure Rules to deliver 24 new affordable homes within the agreed budget.**

14. **FINANCIAL IMPLICATIONS OF UNDERTAKING A FURTHER SOLAR PV PANEL PROJECT** [Page 67]
[Portfolio Holder: Cllr Keith Webster]
[Wards Affected: All]

The report attached at Appendix I presents the financial implications and associated risks of the current options for installation of solar PV panels on Council homes. The report seeks advice from the Executive on whether to pursue a further Solar PV Panel Project in Waverley at this time.

Recommendation

That the Executive:-

1. **Notes the financial implications and associated risks of pursuing a further solar PV panel project; and**
2. **Agrees that the Council does not undertake a further solar PV panel project at this time, but instead focuses on delivering a core range of energy efficiency measures across the Council housing stock, and actively considers the use of solar panels in new housing developments as part of delivery of Code Level 4.**

15. AUTHORITY TO SUBMIT A PLANNING APPLICATION FOR THE CREATION OF PARKING SPACES ON SHAMLEY GREEN [Page 75]
[Portfolio Holder: Cllr Julia Potts]
[Wards Affected: Shamley Green & Cranleigh North]

This report, attached at Appendix J, seeks authority for the submission of a planning application in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, in respect of the creation of additional parking spaces on Shamley Green. Details of the proposed works are set out within the report.

Recommendation

That the Executive gives authority for the submission of a planning application, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 for the construction of a parking area in Shamley Green.

16. LIME TREE, MINT STREET, GODALMING [Page 79]
[Portfolio Holder: Cllr Brian Adams]
[Wards Affected: Godalming Central and Ockford]

On 4th December the Central Planning Committee considered an objection to the confirmation of a Tree Preservation Order (TPO) in relation to a Lime tree on unregistered conservation area land in Mint Street. The report attached at Appendix K seeks a decision from the Executive on the future maintenance and management of the Lime Tree. The TPO was confirmed subject to the Council being willing to accept responsibility for its management and maintenance, in the absence of the owner. The Planning Committee have referred the matter to the Executive for decision.

Recommendation

That the Executive agrees that the Council should not take over the responsibility for the maintenance and management of the Lime tree on unregistered conservation area land in Mint Street, Godalming.

17. HASLEMERE SKATE PARK PROJECT – PHASE II, HASLEMERE [Page 85]
[Portfolio Holder: Cllr Julia Potts]
[Wards Affected: Haslemere Wards]

The report attached at Appendix L This report seeks the Executive's approval to go ahead with a scheme for Haslemere Skatepark subject to the release of £29,300 of the current savings in the Councils capital programme 2013/2014 as discussed at item 8 of the agenda, to supplement the already approved s106/PIC funds agreed for the Haslemere Skatepark project.

Recommendation

That the Executive approves the scheme subject to the release of £29,300 as detailed in item 8 of the agenda papers to supplement the already approved s106/PIC funds put to this project.

18. THE FOOD STANDARDS AGENCY AUDIT [Page 93]
[Portfolio Holder: Cllr Donal O'Neill]
[Wards Affected: All]

The purpose of this report, attached at Appendix M, is to advise Members of the findings of a Food Standards Agency audit, which took place on the 25-27 June 2013. Food hygiene law enforcement/inspection is the responsibility of the Food, Health and Safety Team of the Environmental Health Team within Environmental Services.

Recommendation

That the Executive:-

1. **Endorses the content of the audit report and action plan; and**
2. **Continues to monitor the Council's progress against the Audit Plan.**

19. MEMBERSHIP OF THE CONSTITUTION SPECIAL INTEREST GROUP
(Cllr Robert Knowles)
(Wards Affected: N/A)

The Executive agreed to establish a Constitution Special Interest Group at its meeting on 4th June 2013 with the membership to be confirmed by the Leader. A meeting of the Special Interest Group is required in January 2014 and the Leader will announce membership to the Group at the meeting.

Recommendation

That the Executive notes the membership of the Constitution Special Interest Group to be announced by the Leader at the meeting.

20. CALENDAR OF MEETINGS 2014/15 [Page 121]
(Cllr Robert Knowles)
(Wards Affected: N/A)

The Calendar of Meetings for 2014/15 is attached at Appendix N.

Recommendation

That the Executive agrees the Calendar of Meetings for 2014/15.

21. HACKNEY CARRIAGE TARIFF FARE SCALES – REVIEW [Page 123]
[Wards Affected: All]

The purpose of this report, attached at Appendix O, which was considered by the Licensing and Regulatory Committee at its meeting on 16 December 2013, is to enable the Executive to consider seven comments received from individual licensees regarding a review of the Hackney Carriage Tariff Fare Scale and to consider recommendations from the Licensing and Regulatory Committee.

Recommendation

That the Executive agrees:-

1. **Advertising the Hackney Carriage Fare Scale, in accordance with Section 65 Local Government (Miscellaneous Provisions) Act 1976, and as detailed at Annexe 1 to the report;**
2. **The latest date by which objections to the advertised scale of fares are to be submitted be 22 February 2014; and**
3. **In the event of objection(s) to the advertised table of fares being received on/before 22 February 2014, the date that the scale of fares (with or without modifications) will come into force be 22 April 2014.**

22. EXECUTIVE DIRECTOR'S ACTIONS

To note the following action taken by the Executive Director after consultation with the Chairman and Vice-Chairman since the last meeting. The Register of Decisions will be laid on the table half an hour before the meeting.

- No actions fall into this category.

23. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman:-

Recommendation

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(s) 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 at the meeting in the revised Part 1 of Schedule 12A to the Local Government Act 1972.

24. ANY OTHER ISSUES TO BE CONSIDERED IN EXEMPT SESSION

To consider matters (if any) relating to aspects of any reports on this agenda which, it is felt, may need to be considered in Exempt session.

**For further information or assistance, please telephone Emma McQuillan,
Democratic Services Manager, on 01483 523351.**