

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 6 SEPTEMBER 2016

SUBMITTED TO THE COUNCIL MEETING – 18 OCTOBER 2016

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

Present

Cllr Julia Potts (Chairman)	Cllr Jim Edwards
Cllr Tom Martin (Vice Chairman)	Cllr Jenny Else
Cllr Brian Adams	Cllr Carole King
Cllr Andrew Bolton	Cllr Ged Hall
Cllr Kevin Deanus	

Also Present

Councillor John Gray and Councillor Jerry Hyman
Cllr Hyman spoke on Agenda Item 6 (Budget Management) and Agenda Item 10
(Appointment of Overview and Scrutiny Sub-Committees)

45. MINUTES (Agenda item 1)

The Minutes of the Meeting held on 12 July 2016 were confirmed and signed as a correct record.

46. DECLARATIONS OF INTERESTS (Agenda item 3)

There were no declarations of interest raised under this heading.

PART I - RECOMMENDATIONS TO THE COUNCIL

Background Papers

Unless specified under an individual item, there are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to the reports in Part I of these minutes.

47. BUDGET MANAGEMENT REPORT (Agenda item 6)

47.1 The Executive amended the third principle to be applied to HRA capital spending in paragraph 27(iii) by adding the text in bold and italics, to read as follows:-

- iii. No further capital commitments to new buildings or refurbishment projects are to be made unless a sound financial business case is agreed ***with the Director of Finance and Resources and the Portfolio Holder for Finance.***

47.2 The Executive noted the report and RESOLVED that

1. a supplementary estimate of £20,000 be agreed for external legal costs to defend the Council's position on the Judicial Review brought by the Farnham Interest Group (FIG), as detailed in paragraph 9;
 2. the allocation of £7,500 be approved from the General Fund urgent capital schemes budget for CCTV at Weyhill bring-bank, detailed in paragraph 14, and that the Director of Finance and Resources, in consultation with the Portfolio Holder, utilises funds from the Council's Emergency Funding provision to purchase a second CCTV unit for use elsewhere in the Borough;
 3. supplementary estimates of £10,000 be approved for external legal costs relating to the need to secure the services of a "litigation friend" through the courts as detailed in paragraph 19 of the report and £15,000 for external legal costs associated with addressing an Anti Social Behaviour case in housing, detailed in paragraph 20 of the report, to be funded from the HRA working balance;
 4. the school parking and Saturday garden waste collection budget additional income/savings proposals are not implemented in 2016/17, noting the impact on the budget as set out in paragraph 6(i);
 5. £40,000 be ring-fenced from the Council's Emergency Funding provision for voluntary organisations in anticipation of the required capital expenditure needed to deliver a fresh meals service from the Day Centres, as detailed in paragraph 8; and
 6. the HRA business plan principles as set in paragraph 27, as amended above, be approved.
- 47.3 In May 2016, the Council agreed to proceed with the major scheme to regenerate the Brightwells development site to bring much needed new community facilities, shops, restaurants and affordable housing to central Farnham. The Farnham Interest Group (FIG) has decided to challenge the Council's decision through a Judicial Review process. This will delay the scheme's commencement and is likely to incur significant legal costs. Given that delivering this important scheme is a key corporate priority, the Council will defend the Judicial Review challenge. It is proposed to allocate £250,000 initially to cover external legal costs to represent the Council in defending the claim. Therefore a supplementary estimate is requested to be funded from the Revenue Reserve fund in the first instance, but a review of other capital schemes may be necessary to reinstate the fund, which will be carried out as part of the mid-year budget review.
- 47.4 Given that the Council needs to incur legal costs immediately, the Executive agreed a supplementary estimate of £20,000 (as set out above) and now

RECOMMENDS that

- 32. a further supplementary estimate of £230,000 be approved for external legal costs to defend the Council's position on the Judicial Review brought by the Farnham Interest Group (FIG).**

[Reason: to provide a review against the budget for the General Fund and Housing Revenue Account]

PART II - MATTERS OF REPORT

The background papers relating to the following items are as set out in the reports included in the original agenda papers.

48. **EXECUTIVE FORWARD PROGRAMME** (Agenda item 5)

RESOLVED that the Executive Forward Programme be approved.

49. **APPROVAL TO SUBMIT A PLANNING APPLICATION: SITE A, OCKFORD RIDGE** (Agenda item 7)

RESOLVED that approval be given to the submission of a planning application for the development of the land at Site A, Ockford Ridge, Godalming, to provide up to 40 new homes, to support the redevelopment and refurbishment programme on the estate.

[Reason: to seek approval to submit a planning application]

50. **APPROVAL TO SUBMIT A PLANNING APPLICATION AND COMMONS CONSENT APPLICATION FOR FENCING ON THE LAMMAS LANDS** (Agenda item 8)

RESOLVED that

1. approval be given for a planning application to be submitted for permission to erect a handling pen and access gates on the Hell Ditch Meadow compartment of the Lammas Lands, Godalming; and
2. Officers be authorised to submit a PINS application for commons consent to erect a fenceline on the Hell Ditch Meadow compartment of the Lammas Lands.

[Reason: to seek approval to submit a planning application and commons consent application]

51. **PROPERTY MATTER - RE-GEAR OF LEASE, UNIT C, GUILDFORD ROAD TRADING ESTATE** (Agenda item 9)

RESOLVED that consent be given to the lease term being granted for Unit C, Guildford Road Trading Estate, Farnham, upon the terms and conditions as set out in the (Exempt) Annexe, with other terms and conditions being agreed by the Estates and Valuation Manager.

[Reason: to consider the property lease issue]

52. APPOINTMENT OF OVERVIEW AND SCRUTINY SUB-COMMITTEES (Agenda item 10)

RESOLVED that approval be given for each Overview and Scrutiny Committee to set up no more than two Sub-Committees to undertake in-depth review work in 2016/2017, with no more than one Sub-Committee per Committee to run at the same time.

[Reason: to streamline the process for approving the establishment of Overview and Scrutiny Committees until the review proposals can be implemented]

The meeting commenced at 6.45 pm and concluded at 7.26 pm

Chairman