

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 27 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

Councillors Jerry Hyman, Bob Upton and John Williamson

53. MINUTES (Agenda item 1)

The Minutes of the Meeting held on 6 September 2016 were confirmed and signed as a correct record.

54. APOLOGIES FOR ABSENCE (Agenda item 2)

There were no apologies for absence received.

55. DECLARATIONS OF INTERESTS (Agenda item 3)

There were no declarations of interest raised under this heading.

56. QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4)

The Executive received the following question in accordance with Procedure Rule 10 from Mr Michael Hyman of Farnham:

“As you may be aware, implementing consent for Farnham’s Brightwells and Memorial Hall project was confirmed on 9 September by issue of the Decision Notice.

You may also be aware that this is an Environmental Impact Assessment project, the Town and Country Planning Regulations 2011 governing which require, and I quote from Part 1, Paragraph 3(4): “*The relevant planning authority or the Secretary of State or an inspector shall not grant planning permission or subsequent consent pursuant to an application to which this regulation applies unless they have first taken the environmental information into consideration, and they shall state in their decision that they have done so.*”

Also, Schedule 4 of the Regulations details the Information for inclusion in environmental statements, including, and I quote from Part 1 para 6 and Part 2 para 5: “*A non-technical summary of the information provided*”

This is to ensure that not only the planning officers, but also the public and non-technical councillors, can assess the likely consequences of the development on a fully informed basis BEFORE permission is granted.

However, you may not be aware that a Non-Technical Summary for the whole project has NOT been provided, and that the Portfolio Holder for the project has confirmed that further assessment of the Traffic Impacts is required, but that this will not be carried out until AFTER work on the project has commenced.

Will you please confirm that the Implementing Consent for this project is therefore in breach of the Planning Regulations?"

The East Street (Brightwells) project is authorised by the extant planning permission under WA/2016/0268 and prior to that, the permissions under WA/2012/0912 and WA2008/0279. The original Environmental Statement submitted as part of the 2008 Permission and the addendums submitted in 2012 and 2016 were comprehensively assessed and considered to satisfactorily address the environmental impacts of the scheme. The recent decision to grant permission under s73 for minor material amendments under WA/2016/0268 included an EIA addendum that updated the original EIA. Although a "Non Technical Summary" was not submitted with that application, it was provided in summary form.

May I confirm therefore that the extant permission has been lawfully granted and that there is no breach of the EIA Regulations."

The Leader, Cllr Julia Potts, responded:

"The East Street (Brightwells) project is authorised by the extant planning permission under WA/2016/0268 and prior to that, the permissions under WA/2012/0912 and WA2008/0279. The original Environmental Statement submitted as part of the 2008 Permission and the addendums submitted in 2012 and 2016 were comprehensively assessed and considered to satisfactorily address the environmental impacts of the scheme. The recent decision to grant permission under s73 for minor material amendments under WA/2016/0268 included an EIA addendum that updated the original EIA. Although a "Non Technical Summary" was not submitted with that application, it was provided in summary form.

May I confirm therefore that the extant permission has been lawfully granted and that there is no breach of the EIA Regulations."

PART I - RECOMMENDATIONS TO 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.

57. LOCAL GOVERNMENT FUNDING UPDATE AND FOUR YEAR GRANT SETTLEMENT (Agenda item 6)

[NB Cllr Jerry Hyman attended the meeting and spoke on this item].

57.1 The offer made by the Government, as part of the Spending Review, is available to any Council that wishes to take up a four year funding settlement up to 2019/20. The purpose of the offer is to help local authorities prepare for the move to a more self-sufficient resource base by 2020. The multi-year settlements are intended to provide more funding certainty and stability for the sector that would enable more proactive planning of service delivery. The Government expects these multi-year settlements to be used to “strengthen financial management and efficiency, including maximising value in arrangements with suppliers and making strategic use of reserves in the interests of residents”.

57.2 The Executive received a copy of the conditions from the Secretary of State. In theory the offer is fixed, however, this does not mean that other changes may not arise outside of the offer. It is not clear what the impact would be of not accepting this offer and it is unlikely that this would become clear at least until December 2016, at which point the 4 year offer will no longer be available. On balance it is being recommended to accept the offer as it provides an element of certainty and is difficult to see authorities who choose not to accept the offer benefiting as a result. In fact, they could suffer a disproportionately high share of any further reductions.

57.3 The Budget report agreed by Council in February 2016 incorporates the funding provided within the four year settlement offer. If this offer is accepted, it provides greater certainty as the funding received will not be less than outlined in the final settlement and should not be subject to the yearly process determining the local government finance settlement. The following table sets out the Revenue Support Grant (RSG).

	2016/17 £m	2017/18 £m	2018/19 £m	2019/20 £m
RSG	765	61	0	-814*

*Indicative – subject to confirmation from Government pending decision on timing of business rate funding reform.

57.4 In order to take up the four year funding settlement for the period 2016/17 to 2019/20, an Efficiency Plan must be prepared and published by 14 October 2016. The offer relates to the RSG funding incorporated within the MTFs for the 4 year period 2016/17 to 2019/20 and ensures that it will remain uncharged “barring exceptional circumstances and subject to the normal statutory consultation process for the local government finance settlement.

57.5 If the four year offer is not accepted the RSG funding would be subject to the existing yearly process for determining the local government finance settlement. Allocations could be subject to additional reductions dependent on the fiscal climate and the need to make further savings to reduce the deficit.

- 57.6 There are only two options available to the Council. The first option is to approve the Efficiency Plan and accept the Settlement offer and thereby provide a degree of certainty over the level of funding up to an including 2019/20. Alternatively, the Council could decide not to accept the government 4 year offer and wait to find out the financial impact of this decision, accepting that at this point there will be no ability to switch back and accept the 4 year offer.
- 57.7 To accept the four year offer, an Efficiency Plan has been prepared and is included as Annexe 1. No guidance has been issued from Government for the production of these plans but it must cover the full 4 year period and be open and transparent about the benefits accepting the 4-year settlement will bring to both the council and the community. Further, the Government does not expect this document to be a significant burden on councils but rather a drawing together of existing corporate plans and strategies, and this has been the approach adopted to produce this Efficiency Plan.
- 57.8 The Government has announced that it intends to move to a position where all business rates collected will be retained by the local government sector. This does not mean that each local authority will keep all of the business rates it collects and it has been confirmed that the system of tariffs and top ups will continue to enable the Government to redistribute business rates collected between local authorities nationally.
- 57.9 The current position for Waverley is that it collects £35million of business rates each year and retains approximately £2million. The Government is consulting on its detailed proposals which are due to be implemented in 2019/20. Based on early indications, it is estimated that Waverley's position will not improve. Key risks around business rates are:
- How appeals will be treated
 - How much business rates growth will be retained
 - When and how frequently the whole system will be reset.

Officers will report to Members as the Government's review develops.

- 57.10 Earlier in 2016, the Government launched a review and consultation on the future of New Homes Bonus. The outcome of this review was due to be published in July but the Government delayed it to the autumn. Waverley will receive £2.2m of NHB in 2016/17 and with significant house growth projected this is a very important source of funding for the Council. Officers will report to members when the Government's proposals are known and the impact has been assessed.
- 57.11 Whilst the further significant reductions in grant indicated by Government will be extremely challenging, on balance, accepting the 4-year settlement offer has less risk in the next 3-years than not accepting and will give the Council greater certainty in its medium term financial planning. However, the principle of introducing a negative grant, that the Government has indicated may be applied in 2019/20, is not one that the Council accept. This view was also expressed in Waverley's consultation response earlier this year.

57.13 If the proposal to accept the 4-year offer is approved, officers will write to the Secretary of State for Communities and Local Government to accept the 4 year settlement and submit the Council's Efficiency Plan. The Executive now

RECOMMENDS that

- 32. the four year funding settlement for the period 2016/17 to 2019/20 be accepted;**
- 33. officers reinforce to the Government the Council's objection to the principle of negative grant being applied; and**
- 34. the Efficiency Plan as set out at Annexe 1 be agreed and submitted.**

[Reason: In order to accept the four-year funding settlement from the Secretary of State the Council must prepare and publish an efficiency plan]

58. GENERAL FUND PROPERTY INVESTMENT STRATEGY (Agenda item 11)

[NB Cllr Jerry Hyman attended the meeting and spoke on this item].

58.1 Waverley's Medium Term Financial Strategy identifies a significant funding shortfall over the next 3 years, mainly due to reductions in Government grant. In order to address this deficit, as well as looking at existing services and budgets, Waverley must:

- take steps to ensure that the Council maintains its financial resilience and protects its long term financial position; and
- explore and develop alternative sources of funding that reduce its reliance on Government grants in the future.

58.2 Waverley's Treasury Management Strategy already identifies property investments as a priority and the Strategic Asset Plan approved by Council in 2015 sets out the foundation for developing the strategy further.

58.3 This report sets out:

- the Investment Strategy to enhance income to the council in the longer term; and
- the proposed governance framework, including establishment of an Investment Advisory Board to advise the Executive on implementation of the investment strategy.

58.4 The objective of the Investment Strategy is to use the council's resources to invest in income generating assets to help offset the budget deficit over the longer term and to protect service provision while minimising the burden on local council tax payers.

58.5 The Council may fund investments through using its reserves, capital receipts and prudential borrowing, where the council has the powers to do so. Any borrowing required would need to be made in accordance with the

conditions of the Prudential Code, which includes the council approving any changes required to the prudential indicators. The code requires borrowing to be affordable, sustainable and provide value for money. The return on any investment would therefore need to be in excess of the capital financing costs of the borrowing, which consist of the interest payable and the statutory minimum revenue provision (MRP) that sets aside funds for the repayment of the borrowing.

- 58.6 The Investment Strategy is being brought forward under the extended powers created by the Localism Act 2011. The legal advice enables certain investment transactions to be undertaken under these powers but every proposal would need to be individually assessed. Borrowing purely to invest for return is still considered unlawful for local authorities and that the intention of the Localism Act is not to change this restriction. The underlying principles of investment by local government are governed by the priority of security, liquidity and yield-in that order of priority. Whilst the Localism Act could potentially increase the risks taken by local authorities, there is a complex system of checks and balances in place to prevent inappropriate risk taking that would lead to concerns about the use of public funds. These checks include the Prudential Code and the requirement to exercise sound fiduciary duty.
- 58.7 All investments will require a robust business case to ensure that the investment is affordable, sustainable and provides value for money. Some investments will generate a return in the medium to long term but make a loss in the earlier years. It is proposed to establish a property investment fund using an initial £2m of general fund capital receipts. Initially it is proposed to top this fund up each year using a proportion of the New Homes Bonus Funding. For the reasons set out above, borrowing for general fund property acquisition would only be considered if there is a clear and robust business case.
- 58.8 The proposal to create an Investment Strategy is made possible by the “general power of competence” introduced by Section 1 of the Localism Act 2011. Local authorities now have a general power that enables them to do anything that a private individual is entitled to do, subject to certain statutory limitations. The power is designed to give local authorities considerable breadth of operation.
- 58.9 There are, however, some specific restrictions and it would be important that each individual investment proposal is thoroughly examined before proceeding, particularly if the sole purpose is to achieve a commercial gain. The proposed Investment Advisory Board would need to receive detailed legal advice on the Council’s broad boundaries early in its operation and throughout its ongoing decision-making processes.
- 58.10 The expansion of Waverley’s portfolio of investments, covering investment in property and assets, supports the Council’s priority of achieving value for money and its desire to enhance financial resilience in the longer term. The arrangements proposed would also allow for investment in schemes that will support economic growth in the Borough.

58.11 The proposed strategic approach to investment is based upon the following;

- prioritising use of the Council's cash reserves and balances to support income generating investment through an Investment Fund;
- using the Investment Fund to support investments in order to generate additional income for the council that can be used to provide additional financial support for the delivery of functions and services;
- investing in a diversified and balanced portfolio to manage risk and secure an annual overall rate of return to the Council;
- investing in schemes that have the potential to support economic growth in the Borough; and
- retaining assets where appropriate and undertaking effective property and asset management, and if necessary associated investment, to enhance income generation.

58.12 Decisions on taking forward each investment opportunity will be taken by the Executive. However, the development of the Investment Strategy is likely to mean more decisions coming forward for consideration and an Investment Advisory Board will be established to provide advice to the Executive. This will ensure appropriate rigour in advance of the Executive decision: by ensuring only credible options are progressed to the Executive, and providing the forum for strategically managing the overall portfolio of investments consistent with the aims of the Investment Strategy. It is suggested that the Investment Advisory Board will comprise five Members:

- Leader of the Council
- Portfolio Holder for Property (Chairman)
- Portfolio Holder for Finance
- Portfolio Holder for Economic Development
- Non-Executive Member

Officer support will be provided by a range of senior and technical officers including finance, legal and property. All meetings will be serviced by the Democratic Services Team.

58.13 The Investment Advisory Board would consider all proposals that contribute to the delivery of the investment strategy and meet the investment criteria.

58.14 Officers will provide advice on each proposal coming forward to the Board for consideration. This advice will include how each investment proposal could be taken forward, including a consideration of the risks, how it is structured in terms of appropriate delivery mechanisms, and financed.

58.15 This structure will allow the council to respond in a timely manner to market opportunities whilst ensuring that decisions are made in accordance with a process against which independent professional advice will be provided. It is recommended that this arrangement should be reviewed periodically, and at least annually, to ensure that it is providing an efficient and effective governance framework consistent with the objectives of the Investment.

- 58.16 The Investment Advisory Board will additionally be supported by appropriate professional advisors, including, property investment advisors, legal and financial specialists, including taxation advice. Officers will commence the procurement process to put in place appropriate arrangements. The cost of these advisors will be initially met from the Investment Fund and then set against the income delivered as a result of the Investment Strategy.
- 58.17 It is proposed that the Investment Advisory Board considers and agrees appropriate criteria for evaluating investment opportunities. This would determine whether an opportunity can be recommended to the Executive for in-principle agreement or full agreement, or that the opportunity does not meet the decision criteria and therefore proceeds no further. The Board will also need to agree some parameters for the development of a much more detailed business case when proposals advance to this stage. There are a number of examples from other similar sized Councils that are well established and have been compiled with external advice and this could form the starting point for Waverley's consideration.
- 58.18 The adoption of the Investment Strategy and its implementation will have an impact on the council's finances and the council may need to manage risk differently to now in relation to these investment decisions. Decisions made under this strategy and by the Executive will need to take into account the financial stewardship duty that the council holds towards its residents.
- 58.19 It will be essential that the Investment Strategy and the governance arrangements are legally sound and are deemed to be reasonable and robust by the Council's external auditors.
- 58.20 The implementation of the Investment Strategy means the council will be managing different financial risks. Investments will be subject to inherent economic and market risks, and therefore a balanced portfolio of investment may be preferable. Achieving a balanced portfolio will take some time to create and will be dependent upon appropriate opportunities coming to the market.
- 58.21 The governance process recommended is designed to mitigate these risks. All investment opportunities will be based upon a robust business case developed using appropriate technical advisors and which take into account due and proper consideration of the balance between risk and reward and an assessment of the underlying security of the investment to ensure compliance with the fiduciary duty the council holds.
- 58.22 In approving a business case, the Investment Advisory Board will satisfy itself that the investment is within the Council's legal powers, it has properly considered the advice from its advisors (both internal and external) and its structure provides the best value for money taking into account all financial considerations, including taxation.
- 58.23 The adoption of the Investment Strategy and its implementation could have a significant impact on the council's finances. Whilst the Investment Strategy has the potential to generate significant income for the council in the future, there are major risks in this. The governance arrangements outlined, including the requirement for each investment to have a robust business case approved by

the Investment Advisory Board, provide the necessary control of these risks.
The Executive now

RECOMMENDS that

- 35. the Investment Strategy be approved and adopted;**
- 36. the governance arrangements be approved and an Investment Advisory Board be established as set out in paragraph 58.12;**
- 37. a Property Investment Fund be created, initially by transferring £2m of General Fund capital receipts plus, subject to the overall budget process, a further £1m of New Homes Bonus funding in 2017/2018, with further additions being considered as part of the annual review of the medium term financial strategy;**
- 38. officers be instructed to commence the procurement process for the appointment of an Investment Advisor or Advisors to provide advice to the Council on the criteria to adopt and on property investment opportunities to be funded initially from the Property Investment Fund;**
- 39. authority be delegated to the Executive for approval of the investment criteria and performance management arrangements to be proposed by the Investment Advisory Board; and**
- 40. authority be delegated to the Executive to agree property acquisitions or investments that meet the agreed criteria and are endorsed by the Investment Advisory Board up to a value of £1million with higher value proposals requiring full council approval.**

[Reason: To receive proposals for a draft General Fund Property Investment Strategy and the creation of an Investment Advisory Board].

59. WATER CHARGES - WAVERLEY BOROUGH COUNCIL AND THAMES WATER
(Agenda item 10)

[NB Cllr John Williamson attended the meeting and spoke on this item].

- 59.1 For many years, the Council has, in common with a large number of other local authorities and social housing providers, had a contractual arrangement with the local water supplier (in our case Thames Water). This service was for the benefit and convenience of its housing tenants. The arrangement was understood to be one by which the Council was to provide billing and collection services for unmetered Council properties, in return for a void allowance for empty properties and a commission to reflect both the administrative costs attached and the transfer of risk associated with these accounts. Any commission received by the Council has been paid into the Housing Revenue Account to support the housing service to tenants.

59.2 The Council has always regarded itself as acting as an agent for Thames Water and has never sought to vary the billing amount for each tenant, as calculated by Thames Water.

59.3 Following the recent case of *Jones v London Borough of Southwark* [2016] EWHC 457 (Ch), the Council is investigating:

(i) The implications arising from the court judgment;

(ii) What liability there is for Waverley following the case, and whether this can be quantified; and

(iii) What changes may be necessary to the agreement between Waverley and Thames Water Utilities Ltd dated 24 March 2004 and Contract Addendum dated 1 April 2007.

Miss Jones – a tenant of Southwark – was charged by Southwark for water supplied to her property by Thames Water Utilities Ltd (“Thames”). The Court had to determine whether Southwark was an agent or, rather, had bought and re-sold water and sewerage services. In the event that the latter applied, the Court had to determine whether Southwark had charged tenants more than was permissible under the Water Resale Order 2006 (“the 2006 Order”).

The Court held that (i) the agreement in place between Southwark and Thames was one under which Southwark bought water and sewerage services from Thames and re-sold them to tenants, and was not therefore one of agency, and (ii) that Southwark charged tenants more than was permissible under the 2006 Order.

Miss Jones, argued that the level of commission which applied to the charges levied upon Southwark by Thames should be taken into account when determining the amount payable by Southwark to Thames. This argument succeeded and the level of commission was deemed excessive.

59.4 There are effectively 2 options in light of the decision in *Jones*. They are:

a) Terminate the Agreement between Waverley and Thames Water dated 24 March 2004 (6 months’ written notice required) leaving it to tenants to set up and manage individual accounts with Thames. This will affect Waverley’s HRA budget, as it will lose the commission currently receivable; or

b) Redraft the Agreement to make it clear that Waverley is acting as the collection agent on behalf of Thames and reduce the commission charged.

The maximum charge for commission for a water “re-seller” is set by Ofwat (the regulator of water and sewerage providers).

For either option a) or b) Waverley would need to ensure it consulted with its tenants under s105 of the Housing Act 1985 and follow correct procedures.

59.5 In light of the Jones v London Borough of Southwark case, Waverley felt it prudent to review its contractual arrangement with Thames Water and has since found that its agreement is almost identical to the one held by Southwark. Whilst it is still a legitimate service for the Council to provide, this ruling could affect the commission charges made to those tenants that have an unmetered supply.

59.6 The Council is currently investigating

- a) what the implications are for the Council and its tenants in relation to water charges for unmetered properties; what the potential liability is for the Council; and
- b) what the most appropriate method of addressing refunds is; and
- c) what changes may be needed to the agreement between Waverley and Thames Water in relation to the collection of water charges.

59.7 The Executive now

RECOMMENDS that

- 41. officers carry out a detailed financial analysis to calculate the exact potential liability;**
- 42. approval of the detailed approach to handling claims from tenants for overpayment by them of water charges be delegated to the Executive;**
- 43. officers formally consult with Waverley's secure tenants who live in unmetered properties in relation to the current arrangements with Thames Water;**
- 44. the decision about the future of the arrangement with Thames Water be delegated to the Executive following a detailed appraisal of the options including termination; and**
- 45. the potential cost of meeting claims be noted and the maximum estimated amount of £400,000 be earmarked from the HRA working balance as a provision for this cost.**

[Reason: The report informs members about a recent court judgment of relating to the collection of water charges for unmetered tenanted properties and the implications of the case on Waverley Borough Council].

60. APPROPRIATION OF LAND AT BOURNE RECREATION GROUND (Agenda item 12)

60.1 The Bourne Recreation pavilion site falls within land registered as village green. A local benefactor would like to donate a significant sum of money to demolish and re-build the Bourne Recreation pavilion and therefore provide enhanced leisure facilities to the local community. The Bourne Asset Community Group Community Interest Group, company number: 09549039,

(“the Community Group”) would be responsible for the building works to the pavilion and would appoint a contractor to carry out the works.

- 60.2 Both the Council and the Community Group agree that the most appropriate mechanism to enable the redevelopment of the pavilion is for Waverley Borough Council to first “appropriate” the pavilion land for planning purposes and then dispose of the land to the Community Group via a long lease to allow the development of the new sports pavilion. The lease arrangements are likely to require the consent of the Secretary of State for Communities and Local Government (“the Secretary of State”).¹ The proposed pavilion land for appropriation at Bourne Recreation Ground is outlined in red on Plan A (“the pavilion land”).
- 60.3 On 19 July 2016, the Council resolved its intention as to “appropriate” the pavilion land and has since advertised its intention in a local newspaper for 2 consecutive weeks. The Council must consider any objections before formally “appropriating” the pavilion land. No objections were received from the public in relation to the proposed appropriation of land.
- 60.4 The Bourne Recreation Ground site is an area of approximately 2.428 hectares of predominantly open land adjoining Old Frensham Road, Lower Bourne, Farnham, Surrey, in the Council’s area. There is a pavilion on part of the site and a gas governor on another part of the site. The existing pavilion is some 130 to 140 square metres in extent.
- 60.5 The freehold of the site is owned by the Council. There is an agreement (of indeterminate legal status) dated 11 January 1974 between the Council’s statutory predecessor, Farnham Urban District Council, and a body known as the Bourne Recreation Ground Committee (“the Committee”) which allows the Committee to use the pavilion building until that arrangement is determined.
- 60.6 The site is a registered village green under the Commons Registration Act 1965 (VG14). The site was added to the register on 4 January 1968 and the registration became final on 1 October 1970.
- 60.7 A local benefactor wishes to donate money to allow the pavilion to be rebuilt (in a larger form) and then used as a community pavilion. It is envisaged that community groups, leisure groups and sports clubs would be able to book the new pavilion for their activities. The Community Group would prefer to be granted a 299 year lease of the area of land occupied by the new pavilion rather than simply continue the existing arrangement under the 1974 agreement.
- 60.8 The proposed pavilion is two storeys in height and would be sited circa 10 metres north of its existing position. The main entrance would be positioned on the northern side and a footpath would link the pavilion to the adjacent existing car park.
- 60.9 The Community Group would manage and maintain the new pavilion. The existing pavilion is in a fairly poor state of repair with considerable

maintenance costs predicted in the future. A new pavilion which is managed and maintained by the Community Group would therefore represent a cost-saving to the Council.

- 60.10 Once land is registered as a village green under the Commons Registration Act 1965 it is subject to the protections given by s. 12 Inclosure Act 1857 and by s. 29 Commons Act 1876.
- 60.11 The Inclosure Act 1857, s 12, makes it a criminal offence to undertake any act which damages the green or interrupts the use or enjoyment of a green as a place of exercise and recreation. Under s. 29 Commons Act 1876, it is a criminal offence to enclose a village green or erect any structure on the green unless this is done “with a view to the better enjoyment of such town or village green.”
- 60.12 Section 122 of the Local Government Act 1972 (“LGA 1972”) authorises councils to appropriate land they hold under a particular power to any other purpose.
- 60.13 There is no mechanism for consent to be given by the Secretary of State for building works to a pavilion on a village green, which potentially contravene the Inclosure Act 1857 or the Commons Act 1876.
- 60.14 It is possible however to overcome the effects of the prohibition of works by the use of the Council’s powers of appropriation. This will involve the use of s. 122 Local Government Act 1972 (provided the area concerned does not exceed 250 square yards, which equates to about 209 square metres) and s. 241 Town and County Planning Act 1990 (“TCPA 1990”).²
- 60.15 Appropriation of land for planning purposes requires the consideration of the following factors:
- a. Whether planning permission is in force;
 - b. That the appropriation will facilitate the carrying out of development, redevelopment or improvements on or in relation to the land, or is required for a purpose which is necessary to achieve the interests of the proper planning of an area in which the land is situated, or it will contribute to the promotion of the economic, social and/or environmental well-being of the area; and
 - c. That the land is no longer required for the purposes it was held for immediately prior to the appropriation.

a. Planning permission

Planning permission was granted for “the demolition of the existing pavilion and erection of a new sports pavilion” at Bourne Recreation Ground on 5 February 2016, (Planning Reference: WA/2015/2045), and the first test has

² This outcome was confirmed by the decision in BDW Trading Ltd v Spooner [2001] EWHC 1486 (QB)

therefore been satisfied. Please see Plan B for the lay-out of both the new pavilion and the existing pavilion.

b. Development, Re-Development of Improvement of the Land

The Council needs to be satisfied that such re-development of the Bourne Recreation pavilion site is likely to contribute to the improvement of the economic, social or environmental well-being of its area. The new pavilion is expected to increase the number of local inhabitants using the Bourne Recreation Ground for community and social purposes and also provide better changing and toilet facilities within the pavilion for the use of the community.

c. Land no longer required for the purposes it was held for immediately prior to appropriation

The site for appropriation currently has the existing pavilion built on it. The Council needs to ensure that releasing the land from the protection given by the Inclosure Act 1857 and the Commons Act 1876 together with the new arrangements that will be put in place to allow the local community to use the new facilities, provides the local community with access to recreational provision that is at least as good as the provision currently enjoyed.³

The Council in considering this question can also have regard to how the land to be lost to "open space" use will be used.⁴ In practice, the site for appropriation has the existing pavilion sited on it and therefore the new facilities will be significantly better than that which is currently provided for the local community.

60.16 Section 122 (1) Local Government Act 1972 does not require the provision of land in exchange as the land which the Council intends to appropriate measures under 209 square metres. There must also be public notices notifying the public of its intention to appropriate land for 2 consecutive weeks in accordance with s. 122 (2) (b) LGA 1972.

60.17 Before making any appropriation of land, the Council needs to be satisfied that there is a reasonable prospect the development can be achieved and that it is desirable that it should be carried out.

60.18 If the appropriation is made and the Council then holds the relevant land for planning purposes, it will fall within the scope of s. 241 TCPA 1990. This allows the land to be used for any purpose authorised by a planning permission, notwithstanding the prohibitions in s. 12 Inclosure Act 1857 and s. 29 Commons Act 1876. This will continue to be the case even if the Council subsequently disposes of the land or of an interest in the land.⁵

³ Section 122 (1) Local Government Act 1972

⁴ R (Maries) v London Borough of Merton [2014] EWHC 2689 (Admin)

⁵ As per BDW Trading Ltd v Spooner [2001] EWHC 1486 (QB)

- 60.19 Under s 122 of the Local Government Act 1972, the Council may not appropriate land consisting or forming part of an “open space” unless they first notify their intention to do so, specifying the land in question, to be advertised for 2 consecutive weeks in a newspaper circulating in the area which the land is situated and consider any objections to the proposed appropriation. The Council advertised its intention to appropriate open space and village green land in the Farnham Herald on 5 and 12 August 2016, with any written objections to be received by 5 pm on Friday 26 August 2016.
- 60.20 Section 122 LGA 1972 does not require the provision of land in exchange so long as the area of land that the Council appropriates measures under 250 square yards (about 209 square metres). Officers have considered whether there is any alternative land in exchange and there is no land suitable adjacent or next to the village green site.
- 60.21 No written objections were received by the Council in relation to the appropriation of land at Bourne Recreation Ground.
- 60.22 If the Council appropriates the pavilion land, the Council would be authorised by Section 233 (1) TCPA 1990 to dispose of the relevant land (including a disposal by way of a long lease) to the Community Group, provided that the Council is satisfied that the disposal would secure the best use of a building erected or to be erected on the land. This is a matter which would be addressed in a later Executive report seeking authority for disposal of land.
- 60.23 The Council would also need to carry out a further publicity process by local newspaper advertisement prior to the disposal of land which forms part of an open space.⁶
- 60.24 The Council does not need to seek consent from the Secretary of State for the appropriation of land⁷, however if the Council later disposes of land to the Community Group by way of a long lease, then approval will need to be obtained from the Secretary of State.⁸
- 60.25 A local benefactor wishes to donate money to allow the existing pavilion to be demolished and rebuilt (in a larger form) and then used as a community pavilion. The existing pavilion is sited on Bourne Recreation Ground which is a village green site (VG14).
- 60.26 Both the Council and the Community Group agree that the most appropriate mechanism to enable the redevelopment of the pavilion is for Waverley Borough Council to first “appropriate” the pavilion land and then dispose of the land to the Community Group via a long lease to allow the development of the new sports pavilion. The Executive now

⁶ Section 233 TCPA 1990

⁷ Section 122 (1) Local Government Act 1972

⁸ Section 233 (2) TCPA 1990

RECOMMENDS that

- 46. consideration be given to the points set out above with regard to appropriation of land at Bourne Recreation Ground; and**
- 47. pursuant to Section 122 of the Local Government Act 1972 and Section 241 Town and Country Planning Act 1990, land be appropriated at Bourne Recreation Ground for planning purposes, as outlined in red (and measuring under 209 square metres) on Plan A (to the Executive report) to enable the development of the new pavilion and the Executive Director be authorised to execute a memorandum confirming this appropriation.**

[Reason: consider any objections to the appropriation of open space and village green land at Bourne Recreation Ground, Farnham and determine whether to approve the appropriation for planning purposes in order to enable the existing pavilion to be redeveloped, which will significantly improve the leisure facilities for local residents].

61. CULTURAL STRATEGY FOR WAVERLEY 2016-2026 (Agenda item 13)

[NB Cllr John Williamson attended the meeting and spoke on this item].

- 61.1 High quality, sustainable and well-located arts and heritage provision is an important component of successful communities. To ensure that our physical buildings and arts organisations can continue to play a central role in the public life of the Borough, a new Cultural Strategy has been developed that will enable Waverley and its partners to plan culture in a more systematic and place based way.
- 61.2 There is substantial evidence to show the many ways in which culture has a positive affect upon people and society. For example, participating in arts activity can increase physical and psychological health and wellbeing and offer meaningful opportunities for social engagement. The link between culture and economic success can be seen in the value of services exported by the creative industries as well as the jobs and spending they generate locally. The heritage and landscape of a place can help in forming character and distinctiveness. While artistic communities, cultural traditions and celebratory events bring a special value that help make places more desirable to live and work. Museums, libraries and the voluntary arts also play an important role in providing access to a wealth of lifelong learning opportunities and their relationship with schools can help to increase educational attainment.
- 61.3 Creating all forms of culture and ensuring that all sections of the community in Waverley have access to the Borough's arts and heritage offer is a fundamental principle that will underpin every aspect of the strategy and its delivery.

- 61.4 The Cultural Strategy is a new ten year plan for arts and cultural services in Waverley. This report introduces an evidence report, attached at Annexe 2, that will inform the creation of a more succinct version of the strategy, that clearly communicates the Council's overall aims and objectives for culture.
- 61.5 The evidence report is based on a detailed assessment of cultural provision in the Borough; demographic area profiles showing the propensity for arts engagement and extensive consultation with key individuals and organisations. The cost of producing the strategy has been met through S106 funding with the aim of linking it to Waverley's Local Plan, so that a stronger case for arts and heritage provision can be made through the planning process.
- 61.6 The evidence report includes a Culture Outcomes Framework, which will form the basis for discussion at the Cultural Strategy Action Planning Workshop. The aim of the workshop is to establish priorities and objectives; to identify the key partners and resources needed to ensure delivery and to make appropriate links with local, regional and national agendas. Recommendations from the workshop will inform the development of the Action Plan, through which the Council and its partners will deliver the objectives of the strategy.
- 61.7 Successful implementation of the Cultural Strategy will critically depend on:
- Signing up key players and securing their active involvement
 - Building on existing strengths and addressing gaps and weaknesses
 - Developing a coherent set of projects in response to the Action Plan
 - Monitoring and reviewing the outcomes of the Action Plan
- 61.8 Waverley's cultural organisations and physical assets are an essential resource in enabling the Council to achieve its cultural ambitions. Fostering a positive relationship with these organisations signifies our approval of the contribution they make to community life and enables them to align their delivery in accordance with the Cultural Strategy.
- 61.9 The timing of the cultural strategy coincides with the recent publication of the first Government white paper for culture in more than 50 years. The white paper sets out the Government's approach to public support for art and culture in the UK and its central notion that 'Every one should enjoy the opportunities culture offers, no matter where they start in life' resonates strongly with the cultural strategy.
- 61.10 The white paper also places a real importance upon strong local leadership, cultural vision and effective partnerships. It also highlights the value of cultural strategies as a means of developing the role of culture in place making and embedding this vision in local authorities' policies and plans.
- 61.11 The launch of a new Great Place Scheme demonstrates this commitment by backing local communities who want to put culture at the heart of their long term vision and plans. The scheme is to be piloted in twelve areas, four of which will be rural.

- 61.12 At a time when local authorities have less money to deliver cultural projects themselves, the value of a clear, long term Cultural Strategy has never been greater. It is a vehicle for establishing shared ambitions and priorities as well as the means of coordinating the delivery of outcomes by a range of partners. To be successful, it is important that the strategy is owned and shared at the highest to signal the Council's intent to partners and potential investors including developers and funding bodies.
- 61.13 The Cultural Strategy evidence report has been created alongside the Local Plan to enable the arts to work more effectively with the planning service. This is designed to ensure that high quality arts and cultural provision, which meets the needs of Waverley communities, is taken into account as part of the planning process. As well as ensuring future generations have the facilities they need to experience and enjoy the fulfilment that participation in the arts and heritage activities can bring.
- 61.14 Buildings are an important part of the Borough's creative environment. But in recent years, there has been a major shift away from creating specialist buildings such as theatres and civic centres, due to the cost of maintaining these facilities in perpetuity. Changes in cultural behaviour and patterns of use highlight a need for more flexible spaces that are adaptable over time and can accommodate a range of users and services.
- 61.15 Non-building based cultural infrastructure plays an equally important role in supporting the quality of life in the Borough. The arts service provides advice and assistance to local artists, so they can develop creative projects which benefit their own communities at a grass roots level. This has led to the production of some incredible work over the years, that has involved many people of all ages and backgrounds.
- 61.16 The brief for the cultural strategy was tendered and awarded to Janet Mein, a freelance consultant and Adrienne Pye of the Audience Agency. The consultants were contracted to deliver the following elements:
- Mapping of Waverley's existing cultural infrastructure and resources
 - The identification of current need and future demand for cultural service provision
 - Synopsis of the current policy landscape for culture and wider funding context
 - Review of Waverley's adopted strategies
 - Extensive consultation including face-to-face meetings with partners and stakeholders; a focus group discussion with young people in Cranleigh; an electronic survey for the Town Councils and voluntary arts groups and an online and postal survey conducted through the Citizens Panel.
 - Development of the Cultural Strategy Evidence Report.
 - Development of a culture outcomes framework to guide the creation of subsequent annual action plans.
- 61.17 The Council is deservedly proud of its long track record of valuing and supporting the arts and museums in Waverley, and has contributed to an environment in which communities can enjoy the benefits of a rich and

fulfilling cultural life. This is clearly demonstrated by the framework of resources and financing arrangements which exist to support cultural activity such as; salaries, revenue budgets, community and rent-related grants, service level agreements, business rate relief and the provision and maintenance of buildings occupied by cultural institutions. The Cultural Strategy builds on this investment and signifies the continuing importance of culture in Waverley to a range of delivery partners and funders.

- 61.18 The strategy shows that the investment made by the Council in our cultural organisations is working effectively to generate additional resources for culture in the Borough. But, there are significant opportunities for organisations to benefit more greatly from funding bodies such as the Heritage Lottery Fund, Arts Council England and larger grant giving trusts and foundations. The presence of a Cultural Strategy is a positive development in building stronger relationships with these agencies and is an approach that is endorsed in the Government's Culture White Paper.
- 61.19 When it comes to culture and creativity, Waverley has a great deal to offer. Within the Borough it is possible to find a world class University for the Creative Arts; National Portfolio Organisations such as the Maltings and Stopgap Dance who are producing and presenting high quality art for local and international audiences; arts venues such as Cranleigh Arts Centre and Haslemere Hall making artistic development programmes accessible to the local community; a growing network of visual arts and craft organisations who are working together to establish Farnham as a destination for craft; and four museums, each offering distinctive collections and educational resources for schools and family learning. The distinctive nature and character of Waverley is fundamentally shaped by its green spaces and historic towns and villages. Further opportunities exist to interpret and celebrate the value of these places and to create stronger links with conservation, preservation and countryside management through a range of culture and heritage-led initiatives.
- 61.20 Section 4.1 to 4.4.6 of the Cultural Strategy provide a more detailed description of Waverley's cultural infrastructure along with a series of maps plotting various forms of cultural provision across the Borough. The area profiles in section 4.3 provide insight into the cultural values and behaviours of audiences in Waverley. Audience segmentation is a valuable tool, which allows cultural organisations to better understand who is attending and where there is a greater need for outreach work, to encourage arts participation in areas of low engagement.
- 61.21 Consultation with our key partners suggests that all tiers of local government recognise the value of culture and are working effectively together to support provision in local areas. The role museums and arts centres play as hubs of social activity and providers of entertainment is especially valued by the town councils alongside their contribution to tourism and economic development. Public consultation carried out through the Citizen's Panel and derived from Neighbourhood Plans, also reveals a strong connection between cultural service provision and making Waverley a desirable place to live and work.

61.22 Waverley is actively engaged in Arts Partnership Surrey a strategic alliance of eight local authorities and the County Council. By working together the partners aim to maximise their capacity and resources and to use the arts to address wider social, economic and environmental agendas. In addition to libraries and adult education services, Waverley also benefits from a range of other Surrey Arts initiatives such as the Surrey Artists Open Studios network, the Surrey Music Hub and the Surrey Hills Cow Parade and Inspiring Views Project.

- The success of Cranleigh Arts Centre means that there is a high demand for cultural activities and spaces within Cranleigh which is placing the arts centre building under increasing pressure.
- Where housing development occurs, heritage and cultural initiatives have the potential to play a key role in developing the identity of places.
- There is potential for greater collaboration between Farnham Library, the Adult Education building and Farnham Museum around adult and family learning. A stronger alliance could also be beneficial for other cultural providers in the town.
- UCA is a major cultural player and an exceptional resource for the Borough. The development of the Cultural Strategy has unlocked the potential to hold more conversations with UCA around common interests and agendas.
- The creative and digital industries are a significant component of Waverley's economy. According to the Enterprise M3 digital technologies report Farnham and Haslemere are hot spots of activity with the Maltings and UCA cited as key players. Positive interventions around affordable workspace for creative businesses would help meet a growing demand.
- There is a need to review the storage facilities for both Godalming and Farnham Museum. Both museums have recently achieved Museum Accreditation.
- There is the potential to benefit more greatly from national funding sources such as the Great Place Scheme and the Arts Council and Heritage Lottery Fund.
- 644 people responded to the cultural strategy via the Citizens Panel. 73% of the responders consider arts and entertainment as important to them with 79% regarding them as a priority for improvement. 70% said heritage and museums are important to them with 73% considering them a priority for improvement.
- Culture is recognised as having a role to play in delivering Corporate Priorities and delivers value for money by supporting and enabling the creative and cultural sectors to align with community agendas.

- The number of Council adopted strategies and plans that either contain cultural actions or the potential to use culture to achieve wider outcomes, suggests that culture is inherent in the Council's strategic thinking.

61.23 The Waverley Culture Outcomes Framework identifies the following priorities to inform cultural delivery in the short to mid term:

1. *We aim to deliver excellent, accessible services which meet the needs of our residents* – we will work with delivery partners to enable more people to experience and participate in cultural activities throughout their lives
2. *We will support the wellbeing and vitality of our communities* – we will work with delivery partners to facilitate arts and cultural activity that makes a positive contribution to health and wellbeing and living and ageing well.
3. *We will strive to protect and enhance the environment of Waverley* – We will work with partners to enable creative placemaking approaches that heighten quality of life and contribute to the economic vitality of places. We will use our influence and partnerships to build support and backing for local vision.
4. *Cultural vision shaped at a local level is achieved through effective leadership and partnership working* – we will use the Cultural Strategy to bring local leaders, cultural organisations and communities together and cultivate relationships with a range of national partners and funding bodies.
5. *Culture is supported and thrives, playing a key part in delivering Borough Priorities* – Waverley's cultural infrastructure is good but sustaining our assets in the long-term is a challenge. We will support our cultural institutions in developing mixed funding models and stronger governance to achieve financial sustainability and resilience.

61.24 The Cultural Strategy evidence report provides a rich body of information about the Borough's cultural infrastructure and through consultation with residents and key partners, demonstrates the value of and substantial support for culture in Waverley's communities. The strategy accentuates opportunities for further cultural-led initiatives and policies, as well as highlighting the synergies between culture and a wider range of Council strategies.

61.25 Importantly, the strategy will enable officers to develop a more effective relationship with the planning service. By for example, referencing the Cultural Strategy in the Local Plan, contributing to the infrastructure delivery plan and making the case for arts and heritage through the planning process.

61.26 The Community Overview & Scrutiny Committee considered the Cultural Strategy on 12 September 2016. In general, the Committee was somewhat ambivalent about the Strategy – there were some individual concerns expressed that it did not relate to the previous Strategy (what lessons had been learned from that, what had been achieved); contradictory views on

whether sport and physical activities should be part of the ‘cultural’ offer; was the Strategy too in-depth to be of use – what purpose did the ‘cultural profiles’ really serve? Insufficient priority given to the value of the ‘creative economy’ and how this can be developed to the benefit of the community and local economy; lack of clarity about the purpose of the ‘Outcomes Framework’ in relation to the Action Plan which will follow. There were also comments relating to having clear outcomes and the importance of taking a more programme management approach to the development of the action plan to enable continual monitoring).

61.27 The Overview and Scrutiny Committee noted that it would be consulted on an action plan for the first 18 months of implementation of the Strategy at its January meeting. The Executive now

RECOMMENDS that

- 48. Phase one of the Cultural Strategy, which incorporates the Evidence Report and Outcomes Framework produced by the consultants be adopted;**
- 49. the Cultural Strategy Action Planning Workshop in the Autumn goes ahead to identify priorities for action and investment; and**
- 50. officers produce a summary version of the Cultural Strategy, which includes an Action Plan to be reviewed by the Community Overview and Scrutiny Committee at its meeting in January 2017.**

[Reason: To approve phase one of the Cultural Strategy and the creation of a summary version of it and Action Plan be reviewed by the Overview and Scrutiny Committee in January]

62. LOCAL PLAN - PART 2 - RESOURCING (Agenda item 15)

62.1 Members will be aware that in addition to approval of the Local Plan for publication, the Council agreed an update to the Local Development Scheme on 19 July 2016. This included the timeline for Part 2 of the Local Plan. This represents an acceleration of the production of the Plan to achieve adoption by March 2019.

62.2 The table below sets out the estimated staffing resource requirements for each key stage of Part 2 of the Plan.

<u>Stage</u>	<u>Time Period</u>	<u>Resources</u>
Scoping the Plan and Sustainability Appraisal	Present to October 2016	Existing Team resources (including agency cover for current Planning Officer vacancy)

Identifying and assessing options and producing preferred options	November 2016 – July 2017	Four additional Planners required could include two Principal Planners, one Senior Planner and a graduate trainee.
Consultation on preferred options and draft policies (Regulation 18)	August – September 2017	As above although following completion of Local Part 1 work existing staff resources will become available to concentrate on Part 2 the need for additional posts will lessen.
Analysis of representations of pre-submission Plan	October 2017 – March 2018	
Publication of Local Plan Part 2 Consultation on Presubmission Regulation 19	April 2018	
Submission to Secretary of State	July 2018	
Examination Adoption	Date dependent on PINS March 2019	Ditto

62.3 It is anticipated that Stage 1 of Part 2 (Scoping and Sustainability Appraisal) can be accommodated within the existing Team resources in addition to its Part 1 work. The subsequent stage (Options) and possibly part of the next (Consultation) are likely to run partly in parallel with Local Plan examination timescale (date of examination depends on PINS). Therefore, additional resources will be required in order to progress Part 2 in parallel with Part 1 during 2016 and 2017.

62.4 It is estimated that additional resources equivalent to four additional Planning Officers, at least three at a senior level, (total up to £200,000), would be required to deliver Part 2 in accordance with the Council's approved Local Development Scheme timetable. It should be noted that readjustment of the timetable to the position where Part 2 follows the completion of Part 1 could mean that Part 2 could be delivered within the current resource base. It should also be noted that the options for acquiring the required resources are currently being evaluated. The options include direct employment, external procurement or a mix of the two. A delegation is sought to progress the most cost effective option following evaluation. The Executive now

RECOMMENDS that

- 51. a supplementary estimate of £200,000 be approved to cover additional resources to deliver Part 2 of the Local Plan;**
- 52. the supplementary estimate be funded from the Revenue Reserve in the first instance and to be subject to a review of available resources within the Local Plan reserve in the Autumn; and**
- 53. authority be delegated to the Executive Director, in consultation with the Portfolio Holders for Planning and Finance, to proceed with the most cost effective option for securing the necessary resources.**

[Reason: to seek agreement for a supplementary estimate to fund the additional resources necessary to support the acceleration of the production of Part 2 of the Local Plan to achieve adoption by March 2019].

63. PROPOSAL TO STRENGTHEN FINANCE SYSTEM SUPPORT CAPACITY
(Agenda item 16)

[NB Cllr John Williamson attended the meeting and spoke on this item].

- 63.1 This report proposes to create a dedicated Business Finance Systems technical post (several finance based IT systems and financial administration support processes). The objective of the post is to foster and facilitate closer working between the Finance team, the IT team and the services to increase financial administration process competency within the services. The outcome being improved officer confidence to self serve increasing finance administration independence and reduce bureaucracy. Also, this post will provide capacity and expertise to develop systems to improve customer self-service to access information and pay bills.
- 63.2 The finance system (Agresso) administration and technical expertise has been resourced historically entirely from within the Finance team.
- 63.3 This technical capacity has gradually reduced within the team due to turnover, resulting in no dedicated expertise and an increasing reliance on buying in expertise as required from systems suppliers.
- 63.4 The Council's finance system is an important financial management tool and has recently been upgraded with a development plan in place to enhance the systems functionality.
- 63.5 The development of the finance systems is important to enable efficiencies to be realised across all services through increased automation of financial administration such as purchase ordering and invoice payment, eliminating double handling and manual processes. Efficiencies in budget management and reporting can also be realised.

- 63.6 In addition to the finance system responsibility, the Finance team is also in the process of adopting the responsibility for the Councils BACS (money transfer process) and Adelante cash receipting system from the IT team, due to recent retirements. This is an opportunity to align administration responsibility and expertise for all three systems into the Finance team to build up knowledge and increase resilience.
- 63.7 The recent retirement of a Finance Officer (band 6 0.65 FTE) and the resignation of a Senior Accountant (band 5 0.53 FTE) will enable both of these posts to be deleted with the duties of both posts to be absorbed into the existing team and enable the creation of a full time systems analyst role.
- 63.8 The creation of a dedicated full-time Business Finance Systems role responsible for the administration of all three systems, including developing the accountancy team's technical knowledge of the systems, will improve resilience.
- 63.9 This proposal will result in a reduction in FTE and Finance team budget as shown in the table below.

	FTE	Budget	
Finance Officer	0.65	26,352	Delete
Senior Accountant	0.53	31,032	Delete
Sub Total:	1.18	57,384	
Business Systems Analyst	1.0	41,219	New
Budget Saving	0.2	16,165	

- 63.10 The new role will report to the Senior Accountant responsible for the ledgers, reconciliations and finance systems integrity.
- 63.11 Creation of the Business Finance Systems role will provide the required resource to secure the finance systems resilience as well as the capacity to continue to develop the finance administration systems to deliver administration efficiencies within the services. The Executive now

RECOMMENDS that

54. the posts of Senior Accountant BD09 (band 5 0.53 FTE) and Finance Officer BB05 (band 6 0.65 FTE) be deleted; and

55. a Business Finance Systems post (band 6 1.0 FTE) be created.

[Reason: seeks approval to take the opportunity to strengthen the Council's finance system technical capacity within the Finance team arising from a recent retirement and vacant senior accountant post].

64. EXCLUSION OF PRESS AND PUBLIC (Agenda item)

At 8.03 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 this item, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description set out in Paragraph 1 of the revised Part 1 of Schedule 12A to the Local Government Act 1972, namely:-

Information relating to any individual.

65. DEMOCRATIC SERVICES STAFFING (Agenda item 23)

[NB Cllr Jerry Hyman attended the meeting and spoke on this item].

The Executive has considered a report on this matter, as set out in (Exempt) Annexe 3 and now

RECOMMENDS that

56. the recommendations set out in (Exempt) Annexe 3 be approved.

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.

66. EXECUTIVE FORWARD PROGRAMME (Agenda item 5)

RESOLVED that the Executive Forward Programme be adopted.

67. TREASURY MANAGEMENT ACTIVITY 2016/17 (Agenda item 7)

RESOLVED that the investment activity and performance to date in 2016/17 be noted and the current investment approach be endorsed.

[Reason: To receive a summary of Waverley's Treasury Management activities]

68. FUNDING SCHEMES FOR VOLUNTARY SECTOR ORGANISATIONS - PROPOSED CHANGES FROM 2017/18 (Agenda item 8)

[NB Cllr Jerry Hyman attended the meeting and spoke on this item].

RESOLVED that

1. approval be given for discussions to take place with the nominated organisations namely Rowleys Centre for the Community, Gostrey Centre, Farnham Assist, Age UK Surrey and Voluntary Action South West Surrey, with

a view to signing one year Service Level Agreements starting on 1 April 2017, extending to a further three years from 1 April 2018 to 31 March 2021;

2. following the successful pilot, the establishment of the Waverley Voluntary Commissioning Partnership be agreed;
3. the option that £18,050 could be identified as a possible saving be noted, which will be considered as part of the budget setting process for 2017/18; and
4. the opening of the 2017/18 funding round of the Waverley Voluntary Commissioning Partnership be approved.

[Reason: To consolidate the way the Council funds voluntary organisations by focussing on Service Level Agreements and commissioning, to offer a more robust approach and achieve improved outcomes]

69. OUTSTANDING DEBTS WRITE-OFF FOR DECISION (Agenda item 9)

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

[Reason: to obtain approval for irrecoverable bad debts of more than a £7,500 individual value to be written off in accordance with the Council's Financial Regulations].

70. DUNSFOLD AND DUNSFOLD CHURCH CONSERVATION AREA APPRAISALS (Agenda item 14)

[NB Cllr John Williamson attended the meeting and spoke on this item].

RESOLVED that the draft Conservation Area Appraisals for Dunsfold and Dunsfold Church be approved for the purposes of public consultation.

[Reason: To gain authorisation to undertake a formal public consultation on the draft Conservation Area Appraisals (CAAs) for the Conservation Areas (CAs) of Dunsfold and Dunsfold Church].

71. LOWER CHURCH LANE - REPLACEMENT WINDOWS AND DOORS (Agenda item 17)

[NB Cllr John Williamson attended the meeting and spoke on this item].

RESOLVED that the submission of planning applications for listed building consent for the installation of replacement doors and windows to 25 and 28 Lower Church Lane, Farnham be approved.

[Reason: To seek approval for the submission of planning applications for listed building consent for the proposed replacement of windows and doors at two Waverley-owned housing properties, so that the alterations to these properties comply with the appropriate listed building regulations].

72. SUBMISSION OF A PLANNING APPLICATION FOR FARNHAM TOWN FOOTBALL CLUB CHANGING ROOMS (Agenda item 18)

[NB Cllr Jerry Hyman attended the meeting and spoke on this item].

RESOLVED that officers be authorised to submit a planning application seeking to retain the changing room facilities at Farnham Town Football Club.

[Reason: to seek authority to submit a planning application seeking to retain the recently constructed changing room facility at Farnham Town Football Club].

73. PERFORMANCE MANAGEMENT REPORT - Q1 2016/17 (APRIL - JUNE 2016) (Agenda item 19)

RESOLVED that the performance figures for quarter 1 be agreed, as set out in the annexe to the agenda report; and thanks be forwarded to the Overview and Scrutiny Committees for its review of the figures.

[Reason: To analyse the Council's performance in the first quarter of 2016/17].

74. APPOINTMENT TO SUSTAINABILITY AND TRANSFORMATION PLAN STAKEHOLDER REFERENCE GROUP (Agenda item 20)

RESOLVED that Cllr Jenny Else be appointed as the Waverley representative on the Sustainability and Transformation Plan Stakeholder Reference Group.

The meeting commenced at 6.45pm and concluded at 8.05pm.

Chairman