

To: All Members of the EXECUTIVE

When calling please ask for:

Emma McQuillan, Democratic Services  
Manager

**Policy and Governance**

E-mail: [emma.mcquillan@waverley.gov.uk](mailto:emma.mcquillan@waverley.gov.uk)

Direct line: 01483 523351

Calls may be recorded for training or monitoring

Date: 24 March 2017

**Membership of the Executive**

Cllr Julia Potts (Chairman)  
Cllr Tom Martin (Vice Chairman)  
Cllr Brian Adams  
Cllr Andrew Bolton  
Cllr Kevin Deanus

Cllr Jim Edwards  
Cllr Jenny Else  
Cllr Carole King  
Cllr Ged Hall

Dear Councillors

A meeting of the EXECUTIVE will be held as follows:

DATE: TUESDAY, 4 APRIL 2017

TIME: 6.45 PM

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

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR  
Head of Policy and Governance

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## **NOTES 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. **MINUTES**

To confirm the Minutes of the Meeting held on 7 March 2017 (to be laid on the table half-an-hour prior to the meeting).

2. **APOLOGIES FOR ABSENCE**

To receive apologies for absence.

3. **DECLARATIONS 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.

4. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

To answer any questions from members of the public, received in accordance with Procedure Rule 10.

The deadline for receipt of questions for this meeting is 5pm on Tuesday 28 March 2017.

5. **FORWARD PROGRAMME** (Pages 11 - 16)

To approve the forward programme of decisions for Waverley Borough Council, attached.

6. **OVERVIEW AND SCRUTINY - CHANGES TO THE CONSTITUTION** (Pages 17 - 68)

[Portfolio Holder: Councillor Julia Potts]  
[Wards Affected: All Waverley Wards]

The Council meeting on 21 February 2017 gave approval to the new Overview

and Scrutiny arrangements which will be coming into effect from the start of the 2017/18 Council year. The Constitution SIG met on 14 March and reviewed the amendments that are required to the Constitution and Procedure Rules to reflect the revised ways of working. These are set out at Annexe 1 (only extracts from the Constitution where changes are proposed have been included).

In addition to the revised wording, there are also two proposed protocol documents which will form additional annexes:-

- i. Terms of Reference of the Co-ordinating Board (Annexe 1A)
- ii. Protocol for Informal Working Groups (Annexe 1B)

Once the amendments to the Constitution have been adopted, the various documents will be formatted and published in accordance with the Council's brand guidelines.

#### Recommendation

**It is recommended to the Council that the amendments to the Constitution, as attached as Annexe 1, be approved, to include the addition of the Terms of Reference of the O and S Co-ordinating Board and the Protocol for Informal Working Groups.**

#### 7. REVIEW OF SCHEME OF DELEGATION (Pages 69 - 100)

[Portfolio Holder: Councillor Julia Potts]  
[Wards Affected: All Waverley Wards]

The purpose of the report is to consider a revised Scheme of Delegation to officers in respect of the functions of the Council.

#### Recommendation

**It is recommended to the Executive and Council that**

- 1. the revised Scheme of Delegation to officers, as set out at Annexe 2, be adopted;**
- 2. the Strategic Director for Finance and Resources be authorised to amend the Financial Regulations and Contract Procedure Rules to bring them into line with the new Scheme of Delegation; and**
- 3. a review of the effectiveness of the new Scheme be undertaken after 12 months of operation, or earlier if required, and any adjustments necessary be recommended to the Council at that time.**

8. AMENDMENT TO THE CONSTITUTION AND SCHEME OF DELEGATION  
(Pages 101 - 104)

[Portfolio Holder: Councillor Brian Adams]  
[Wards Affected: All Waverley Wards]

The purpose of the report is to seek an amendment to the Council's constitution and the current Scheme of Delegation to Officers in respect of planning enforcement related matters.

Recommendation

**That the Executive recommends to the Council that the Constitution and Scheme of Delegation be amended as follows:**

1. To insert into the Constitution at Part 3 and into the table of functions for Joint Planning Committee at the row "*Power to enter into or vary or discharge agreements relating to development or use of land*" the following underlined addition: "*Power to enter into or vary or discharge agreements relating to development or use of land. Including the enforcement of a restriction or requirement imposed by an agreement*"; and
2. To insert into the Scheme of Delegation a new "100A" and the authority as follows: "*Authority to seek injunctions pursuant to section 106(5) of the Town and Country Planning Act 1990 (or as may be amended, modified or re-enacted) in respect of actual or apprehended breaches of a restriction or requirement imposed by an agreement.*"

9. CALL-IN OF DUNSFOLD PARK PLANNING APPLICATION - REQUEST FOR SUPPLEMENTARY ESTIMATE (Pages 105 - 108)

[Wards Affected: All Waverley Wards]

On 14 December 2016, the Joint Planning Committee resolved to approve hybrid planning application WA/2015/2395 from Dunsfold Airport Ltd and Rutland Ltd for a new settlement with residential development comprising 1,800 new homes, space for new businesses, amenity space and supporting infrastructure.

On 8 March 2017, the Secretary of State called in the application for planning permission for his own determination. A Planning Inspector will hold a Local Inquiry and report their recommendation to the Secretary of State. The Planning Inspectorate will decide the date and location of the inquiry.

The purpose of the report is to request approval for a supplementary estimate of up to £200,000 to hold the Inquiry and pay for legal representation, including Counsel and planning and/or technical consultants required in order to defend the Council's resolution to grant planning permission for the scheme.

## Recommendation

**That the Executive recommends to the Council that a supplementary estimate of up to £200,000 be approved from the revenue reserve fund, to meet the costs of the Council defending its resolution to grant planning permission for the proposal at Dunsfold Park following the Secretary of State call-in.**

10. PERFORMANCE MANAGEMENT REPORT - QUARTER 3 - OCTOBER - DECEMBER 2016/17 (Pages 109 - 138)

[Portfolio Holder: Councillor Julia Potts]  
[Wards Affected: All Waverley Wards]

The Council's Performance Management Framework (PMF) contains a number of indicators that assist Members and officers in identifying current improvement priorities and progress against targets. The indicators are reviewed quarterly by the Executive and are aligned to the Council's Corporate Plan priorities.

The report gives an analysis of the Council's performance in the third quarter of 2016/17. Annexe 1 contains the list of indicators used for reporting performance and includes targets, graphs and comments. Annexe 2 provides further 'void progress report' information.

## Recommendation

**It is recommended that the Executive:**

- 1. examines the performance figures for quarter three as set out in Annexe 1;**
- 2. endorses inclusion of the following new statutory planning indicators for the new financial year 2017-2018:**
  - '*Processing of planning applications: Non-major applications - % determined within 8 weeks*' (90% target / new statutory);**
  - '*Non-major appeals allowed as a % of all non-major decisions made (cumulative)*' (10% target / statutory);**
- 3. agrees the inclusion of the following new local planning indicators and targets for the new financial year 2017-2018:**
  - '*Speed of processing for all other applications*' (90% target);**
  - '*All other appeals ( cumulative to date)*' ( 20% target);**
- 4. agrees the discontinuance of the following planning indicators:**
  - '*Processing of planning applications: Minor applications - % determined within 8 weeks*' [NI 157b];**
  - '*Processing of planning applications: Other applications - % determined within 8 weeks*' [NI 157c];**
  - '*Planning appeals allowed (cumulative year to date)*' [P2];**
- 5. approves the following target changes:**
  - a) Amendment of the wording and criteria for the [F3] indicator to**

*'percentage of invoices paid within 30 days or within supplier payment terms'*.

- b) Increasing the target for the responsive repairs overall service rating [H7] from 87% to 93% and to amend the wording of indicators H7, H8 and H9 to clearly specify that these scores reflect tenants' view of the service.
- c) Reduction by 10% to the P3 indicator (*'Major planning appeals allowed as a % of Major Application decisions made (cumulative)'*).
- d) Increase of the target from 92,000 to 105,000 for the number of visits for both Haslemere [CS4] and Godalming [CS6] Leisure Centres; and

6. thanks the Overview and Scrutiny Committees for their observations and recommendations.

11. DEVELOPING AN AIR QUALITY IMPROVEMENT FRAMEWORK FOR WAVERLEY (Pages 139 - 144)

[Portfolio Holder: Councillor James Edwards]  
[Wards Affected: All Waverley Wards]

The report puts forward recommendations from the Community Overview & Scrutiny Committee to reinvigorate Waverley's work to progress the measures in the Air Quality Action Plan. The recommendations were developed in response to the Committee's discussion of air quality issues in Waverley, and frustration at the lack of real engagement with partners to develop solutions and improve air quality.

The recommendations propose the establishment of a multi-agency stakeholder Air Quality Steering Group and development of an Air Quality Strategy for Waverley, in line with the latest DEFRA Local Air Quality Management Policy and Technical Guidance.

Recommendation

**The Community Overview and Scrutiny Committee therefore recommends to the Portfolio Holder for Environment and the Executive that in order for the Council to proactively and constructively take forward its local Air Quality Management responsibilities:**

1. **Waverley Borough Council establishes a multi-agency/stakeholder Air Quality Steering Group to contribute to the development of an Air Quality Strategy for Waverley and a refreshed Air Quality Action Plan, and to progress the measures in the Air Quality Action Plan thereafter.**
2. **Membership of the Waverley Air Quality Steering Group to follow the recommendations of LAQM.PG16 in terms of seniority of representation, as set out in paragraph 10, above; and to seek to involve Waverley's local Members of Parliament.**

3. **The Waverley Air Quality Steering Group should include scope to establish working groups that can engage with local stakeholders to monitor progress locally and develop practical solutions to address air quality issues.**
4. **The new Environment Overview & Scrutiny Committee to critically review the development of a new Waverley Air Quality Strategy and Air Quality Action Plan, informed by the contribution of the Air Quality Steering Group, and in line with the requirements of LAQM.TG16.**
5. **Waverley's Air Quality webpages to be updated and simplified, so that interested parties are able to find relevant information.**
6. **The new Environment Overview & Scrutiny Committee to include in its rolling work programme the scrutiny of the Council's annual report to DEFRA (in accordance with whatever reporting regime is in place at the time).**

12. HOUSING MAINTENANCE CONTRACTS RENEWAL (Pages 145 - 160)

[Portfolio Holder: Councillor Carole King]

[Wards Affected: All Waverley Wards]

The report presents the findings of the Corporate Overview and Scrutiny Housing Maintenance Contracts Renewal Sub-Committee which has carried out a review into the nine housing maintenance contracts held by Waverley Borough Council and considered whether they either need to be extended or terminated in early 2019. The proposed approach to be taken regarding the procurement and on-going monitoring of the process is set out within the report.

Recommendation

**It is recommended that the Executive, after considering the report and recommendations of the Corporate Overview and Scrutiny Housing Maintenance Contracts Renewal Sub-Committee,**

1. **agrees the recommended approach to the future delivery of Waverley's housing maintenance services, as set out in Section 6 of (Exempt) Annexe 1;**
2. **recommends that authority be delegated to the Head of Housing Operations to**
  - **appoint consultants to provide advice and undertake such work as required to achieve the recommendations set out in the (Exempt) Annexe, within agreed budgets and in accordance with the Council's Contract Procedure Rules;**
  - **procure and appoint contractors for those services identified in the (Exempt) Annexe as requiring re-procurement, within**

**agreed budgets and in accordance with the Council's Contract Procedure Rules and in consultation with the Portfolio Holder for Housing and the Strategic Director for Finance and Resources;**

**•extend the contracts for those services identified in the (Exempt) Annexe as requiring extension; and**

**•take all other reasonable actions in order to facilitate the recommendations identified within the (Exempt) Annexe; and**

**3. asks the Overview and Scrutiny Co-ordinating Board to add the on-going monitoring of the procurement process to the Overview and Scrutiny work programme.**

13. EXECUTIVE DIRECTOR'S ACTIONS

To note any urgent 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.

14. 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.

15. PROPERTY MATTER (Pages 161 - 166)

To consider the (Exempt) report, attached.

16. ROWLEY'S CENTRE FOR THE COMMUNITY (Pages 167 - 174)

To consider the (Exempt) report, attached.

17. GODALMING MUSEUM (Pages 175 - 178)

To consider the (Exempt) report, attached.



18. 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 or  
by email at [emma.mcquillan@waverley.gov.uk](mailto:emma.mcquillan@waverley.gov.uk)**