

To: All Members of the Council

Emma McQuillan, Democratic Services
Manager

Policy and Governance

E-mail: emma.mcquillan@waverley.gov.uk

Direct line: 01483 523351

Calls may be recorded for training or monitoring

Date: 13 April 2017

Dear Councillor

COUNCIL MEETING - TUESDAY, 25 APRIL 2017

A MEETING of the WAVERLEY BOROUGH COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS, GODALMING on **TUESDAY, 25 APRIL 2017 at 7.00 pm** and you are hereby summoned to attend this meeting.

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

This meeting will be webcast and can be viewed by visiting www.waverley.gov.uk

AGENDA

1. MINUTES (Pages 5 - 14)

To confirm the Minutes of the Council meeting held on 21 February 2017 (herewith).

2. APOLOGIES FOR ABSENCE

The Mayor to report apologies for absence.

3. DECLARATIONS OF INTEREST

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. MAYOR'S ANNOUNCEMENTS

5. 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 is 5pm on 18 April 2017.

6. QUESTION TIME

To answer the following question received in accordance with Procedure Rule 11.2 from Cllr Robert Knowles, Haslemere East and Grayswood Ward:-

“What written response has Waverley Borough Council made to the consultation on Stroke services in West Surrey which proposes two units in north west Surrey and no service in south Surrey, what discussions has the portfolio holder had with the CCG, NHS England, the Secretary of State and SE Coast Ambulance service?”

7. MOTIONS

To receive any motions submitted in accordance with Procedure Rule 12.1.

8. MINUTES OF THE EXECUTIVE

To receive the minutes of the meetings of the Executive (coloured grey), held on:

8.a 7 March 2017 (Pages 15 - 94)

8.b 4 April 2017 (Pages 95 - 188)

9. MINUTES OF THE AUDIT COMMITTEE (Pages 189 - 196)

To receive the minutes of the meeting of the Audit Committee (coloured lilac), held on 21 March 2017.

10. EXCLUSION OF PRESS AND PUBLIC

To consider the following motion, to be moved by the Mayor, where appropriate:-

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 any matter on this agenda 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 the item(s), there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in the appropriate paragraph(s) of the revised Part I of Schedule 12A of the Local Government Act 1972

(to be identified at the meeting).

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Agenda Item 1.

22

MINUTES of the WAVERLEY
BOROUGH COUNCIL held in
the Council Chamber, Council
Offices, The Burys, Godalming
on 21 February 2017 at 7.00
pm

* Cllr Chris Storey (Mayor)

* Cllr Simon Inchbald (Deputy Mayor)

- | | |
|--------------------------|-------------------------|
| * Cllr Brian Adams | * Cllr Robert Knowles |
| * Cllr Mike Band | * Cllr Martin Lear |
| * Cllr Andrew Bolton | * Cllr Denise Le Gal |
| * Cllr Maurice Byham | * Cllr Denis Leigh |
| Cllr Carole Cockburn | * Cllr Andy MacLeod |
| * Cllr Kevin Deanus | * Cllr Peter Martin |
| * Cllr Jim Edwards | * Cllr Tom Martin |
| * Cllr Patricia Ellis | Cllr Kika Mirylees |
| * Cllr David Else | Cllr Stephen Mulliner |
| * Cllr Jenny Else | * Cllr Nabeel Nasir |
| * Cllr Mary Forsyszewski | * Cllr Libby Piper |
| * Cllr John Fraser | * Cllr Julia Potts |
| * Cllr Pat Frost | * Cllr Sam Pritchard |
| * Cllr Michael Goodridge | * Cllr Wyatt Ramsdale |
| * Cllr Tony Gordon-Smith | * Cllr Stefan Reynolds |
| * Cllr John Gray | * Cllr David Round |
| * Cllr Ged Hall | * Cllr Richard Seaborne |
| Cllr Jill Hargreaves | Cllr Jeanette Stennett |
| * Cllr Val Henry | * Cllr Stewart Stennett |
| * Cllr Christiaan Hesse | * Cllr Simon Thornton |
| Cllr Stephen Hill | * Cllr Bob Upton |
| * Cllr Mike Hodge | * Cllr Ross Welland |
| * Cllr Nicholas Holder | * Cllr Liz Wheatley |
| * Cllr David Hunter | * Cllr Nick Williams |
| * Cllr Jerry Hyman | Cllr John Williamson |
| * Cllr Peter Isherwood | * Cllr Liz Townsend |
| * Cllr Anna James | * Cllr John Ward |
| Cllr Carole King | |

*Present

Apologies

Cllr Carole Cockburn, Cllr Jill Hargreaves, Cllr Stephen Hill, Cllr Carole King, Cllr Kika Mirylees, Cllr Stephen Mulliner, Cllr Jeanette Stennett and Cllr John Williamson

Prior to the commencement of the meeting, prayers were led by the
Reverend Alan Crawley.

The Mayor and those present welcomed newly-elected Cllr Liz Townsend to the meeting.

51/16 MINUTES (Agenda item 1.)

The Minutes of the Meeting of the Council held on 13 December 2016 were confirmed and signed.

52/16 APOLOGIES FOR ABSENCE (Agenda item 2.)

Apologies for absence were received from Cllrs Carole Cockburn, Jill Hargreaves, Stephen Hill, Carole King, Kika Mirylees, Stephen Mulliner, Jeanette Stennett and John Williamson.

53/16 DECLARATIONS OF INTEREST (Agenda item 3.)

Cllr Stefan Reynolds declared a non-pecuniary interest in Agenda Item 8a (General Fund budget) as a member of the Godalming and District Chamber of Commerce.

Cllr Mary Forszewski declared a non-pecuniary interest in (Exempt) Minute 146 from the Executive meeting held on 7 February 2017. Had there been any speakers registering to speak on this item, Cllr Forszewski would have withdrawn from the Chamber, but this was not necessary.

54/16 MAYOR'S ANNOUNCEMENTS (Agenda item 4.)

The Mayor informed members that he had the pleasure of cutting the ribbon for 4 new homes built off Middlefield in Farnham, along with 2 new homes in Haslemere. He informed members that there was a very interesting exhibition at the Museum of Farnham of paintings by W. Allen who was a former Headmaster of the Farnham School of Arts who painted copies of the works of Italian Masters.

The Mayor thanked those who had attended his Quiz in January, and thanked Cllr Forszewski who had donated half of the proceeds raised by cutting her hair to his charity. All members were invited to support and attend the Mayor's barn dance on 18 March, for which there were still tickets available.

55/16 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 5.)

The following question was received from Mr Kuszel of Godalming in accordance with Procedure Rule 10:

"Why has Godalming once again received a disproportionately lower allocation of capital spending compared to Haslemere and Farnham in the proposed budget for 2017/18 when Waverley Borough Council seems to spend vast sums in other towns within the borough and ignore the needs of residents and visitors to Godalming?"

Response:

"Thank you for your question Mr Kuszel. Waverley's capital programme has to balance the need to maintain existing assets with the need to spend on invest-to-save opportunities. The Council has to stretch its limited resources across a huge geographical area and receiving the news just before Christmas that we will lose £3.5m of New Homes Bonus over the next 3 years was a major blow to our investment plans. The priorities across the different locations within the Borough

change from year to year and heads of service bid for funding based on need. I don't know how you have arrived at your view about the allocation of the 17/18 capital budget but I can assure you that this Council does not ignore the needs of residents and visitors to Godalming."

56/16 BUDGET 2017/2018 (Agenda item 8.)

The Chairman of the Executive delivered a Budget Statement to the Council, a copy of which is attached as Annexe 1 to these minutes, following which the Portfolio Holder for Finance presented the reports at Agenda Item 8a-8c. Cllr John Ward also delivered a budget speech on behalf of the Leader of the Farnham Residents' Group.

General Fund Budget 2017/18 (Agenda Item 8a)

The Portfolio Holder for Finance made the following corrections to the papers:-

- i. Annexe 4 (page 31) – the garden waste subscription should be increased to £55 and not £60 as specified in the papers;
- ii. Annexe 4 (car parking charges (Page 35)) – Mint Street 4 hours to be £4.40 and not £4.70; Crown Court 5 hours to be £5.00 and not £6.00.

It was then proposed by the Leader, seconded and agreed that, following an open debate on the report, recommendations 1- 11 in the report would be voted upon en bloc.

During the debate, it was moved and seconded that Recommendation 2 relating to the proposed car parking charges be amended to add an additional charge band in one premium site in each settlement, as follows:

50p for 30 minutes at Village Way, Cranleigh; Central, Farnham; Crown Court, Godalming and High Street, Haslemere.

Upon being put to the vote, the amendment was LOST.

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 make it mandatory for Councils to conduct a recorded vote a budget-setting Council meetings. A recorded vote was therefore taken on recommendations 1-11, with the voting as follows:-

Voting for (40)

Cllr Brian Adams, Mike Band, Andrew Bolton, Maurice Byham, Kevin Deanus, Jim Edwards, David Else, Jenny Else, Mary Forszyszewski, Pat Frost, Michael Goodridge, Tony Gordon-Smith, John Gray, Ged Hall, Val Henry, Christiaan Hesse, Mike Hodge, Nicholas Holder, David Hunter, Simon Inchbald, Peter Isherwood, Anna James, Denise Le Gal, Martin Lear, Denis Leigh, Peter Martin, Tom Martin, Nabeel Nasir, Julia Potts, Wyatt Ramsdale, Stefan Reynolds, Richard Seaborne, Stewart Stennett, Chris Storey, Simon Thornton, Liz Townsend, Bob Upton, Ross Welland, Liz Wheatley and Nick Williams.

Voting against (5)

Cllrs John Fraser, Jerry Hyman, Andy MacLeod, David Round and John Ward.

Abstentions (3)

Cllrs Patricia Ellis, Robert Knowles and Libby Piper

It was moved by the Chairman of the Executive, duly seconded and

RESOLVED that the report of the Executive at Agenda Item 8a be approved and recommendations 1-11 contained therein be adopted.

[NB Cllr Pat Frost left the meeting at this point]

Housing Revenue Account Business Plan, Revenue Budget and Capital Programme 2017/18 (Agenda Item 8b)

It was moved by the Chairman of the Executive, duly seconded and

RESOLVED that the report of the Executive at Agenda Item 8b be approved and recommendations 1-8 contained therein adopted.

Council Tax Setting 2017/18 and Pay Award (Agenda Item 8c)

It was moved by the Chairman of the Executive, duly seconded and

RESOLVED that

1.1 The following amounts have been calculated for the Council for 2017/2018 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:

- | | | |
|-----|-------------|---|
| (a) | £76,826,773 | being the aggregate of the amounts that the Council estimates for the items set out in Section 31A 2 (a) to (f) of the Act taking into account all precepts issued to it by Parish Councils; |
| (b) | £64,627,752 | being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) (a) to (d) of the Act; |
| (c) | £12,199,021 | being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its council tax requirement for the year; |
| (d) | £226.18 | being the amount at (c) divided by 53,936.1, calculated by the Council in accordance with Section 31B (1) of the Act and rounded for |

administrative purposes, as the basic amount of its Council Tax for the year;

(e) £2,926,921 being the aggregate amount of all special items referred to in Section 34 (1) of the Act;

(f) £171.91 being the amount at (d) above less the result given by dividing the amount at (e) above by 53,936.1 calculated by the Council in accordance with the Section 34 (2) of the Act and rounded for administrative purposes, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates;

(g) Part of Council's area

	£	
Alfold	223.48	being the amounts given by adding
Bramley	195.31	to the amount at (f) above the
Busbridge	199.14	special item or items relating to
Chiddingfold	259.43	dwellings in those parts of the
Churt	224.24	Council's area mentioned above
Cranleigh	232.67	divided in each case by the amount
Dockenfield	204.88	calculated by the Council, in
Dunsfold	246.87	accordance with Section 34(3) of the
Elstead	204.34	Act, as the basic amounts of its
Ewhurst	234.93	Council Tax for the year for dwellings
Farnham	232.94	in those parts of its area to which one
Frensham	224.49	or more special items relate.
Godalming	234.94	
Hambledon	199.36	
Hascombe	216.61	
Haslemere	206.64	
Peper Harow	176.16	
Thursley	212.52	
Tilford	268.15	
Witley	230.54	
Wonersh	194.29	

(h) Valuation Bands

<u>Part of the Council's Area</u>	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Alfold	148.98	173.81	198.64	223.48	273.14	322.80	372.46	446.96
Bramley Busbridge	130.20 132.75	151.90 154.88	173.60 177.00	195.31 199.14	238.71 243.39	282.11 287.64	325.51 331.89	390.62 398.28
Chiddingfold	172.95	201.77	230.60	259.43	317.08	374.73	432.38	518.86
Churt	149.49	174.40	199.32	224.24	274.07	323.90	373.73	448.48
Cranleigh	155.11	180.96	206.81	232.67	284.37	336.07	387.78	465.34
Dockenfield Dunsfold	136.58 164.57	159.34 192.00	182.11 219.43	204.88 246.87	250.41 301.73	295.93 356.59	341.46 411.44	409.76 493.74
Elstead	136.22	158.92	181.63	204.34	249.75	295.15	340.56	408.68
Ewhurst	156.61	182.72	208.82	234.93	287.13	339.34	391.54	469.86
Farnham	155.29	181.17	207.05	232.94	284.70	336.46	388.23	465.88
Frensham	149.65	174.60	199.54	224.49	274.37	324.26	374.14	448.98
Godalming	156.62	182.72	208.83	234.94	287.15	339.35	391.56	469.88
Hambledon	132.90	155.05	177.20	199.36	243.66	287.96	332.26	398.72
Hascombe	144.40	168.47	192.53	216.61	264.74	312.88	361.01	433.22
Haslemere	137.75	160.71	183.67	206.64	252.56	298.48	344.39	413.28
Peper Harow	117.43	137.01	156.58	176.16	215.30	254.45	293.59	352.32
Thursley	141.67	165.29	188.90	212.52	259.74	306.97	354.19	425.04
Tilford	178.76	208.55	238.35	268.15	327.74	387.32	446.91	536.30
Witley	153.69	179.30	204.92	230.54	281.77	333.00	384.23	461.08
Wonersh	129.52	151.11	172.69	194.29	237.46	280.64	323.81	388.58

being the amounts given by multiplying the individual amounts contained within (g) above by the number which, in the proportion set out in Section 5 (1) of the Local Government Finance Act 1992, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36 (1) of the Local Government Finance Act 1992 as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

Waverley and Parish/Town charges are calculated separately then added together.

- 1.2 that it be noted that for 2017/2018 the Surrey County Council and the Police and Crime Commissioner for Surrey have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below.

Valuation Bands

	A £	B £	C £	D £	E £	F £	G £	H £
Surrey County Council BASIC	846.07	987.08	1,128.10	1,269.11	1,551.14	1,833.16	2,115.19	2,538.22
Surrey County Council ADULT SOCIAL CARE	41.63	48.57	55.50	62.44	76.31	90.19	104.06	124.88
Surrey County Council TOTAL	887.70	1,035.65	1,183.60	1,331.55	1,627.45	1,923.35	2,219.25	2,663.10
Surrey Police and Crime Commissioner	149.71	174.67	199.62	224.57	274.47	324.38	374.28	449.14

- 1.3 that, having calculated the aggregate in each case of the amounts at 1.1 (h) and 1.2 above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the financial year commencing on 1st April 2017 for each of the categories of dwellings shown below:-

Part of the Council's Area (NOT including Adult Social Care)

	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Alfold	1,144.76	1,335.56	1,526.36	1,717.16	2,098.75	2,480.34	2,861.93	3,434.32
Bramley	1,125.98	1,313.65	1,501.32	1,688.99	2,064.32	2,439.65	2,814.98	3,377.98
Busbridge	1,128.53	1,316.63	1,504.72	1,692.82	2,069.00	2,445.18	2,821.36	3,385.64
Chiddingfold	1,168.73	1,363.52	1,558.32	1,753.11	2,142.69	2,532.27	2,921.85	3,506.22

Churt	1,145.27	1,336.15	1,527.04	1,717.92	2,099.68	2,481.44	2,863.20	3,435.84
Cranleigh	1,150.89	1,342.71	1,534.53	1,726.35	2,109.98	2,493.61	2,877.25	3,452.70
Dockenfield	1,132.36	1,321.09	1,509.83	1,698.56	2,076.02	2,453.47	2,830.93	3,397.12
Dunsfold	1,160.35	1,353.75	1,547.15	1,740.55	2,127.34	2,514.13	2,900.91	3,481.10
Elstead	1,132.00	1,320.67	1,509.35	1,698.02	2,075.36	2,452.69	2,830.03	3,396.04
Ewhurst	1,152.39	1,344.47	1,536.54	1,728.61	2,112.74	2,496.88	2,881.01	3,457.22
Farnham	1,151.07	1,342.92	1,534.77	1,726.62	2,110.31	2,494.00	2,877.70	3,453.24
Frensham	1,145.43	1,336.35	1,527.26	1,718.17	2,099.98	2,481.80	2,863.61	3,436.34
Godalming	1,152.40	1,344.47	1,536.55	1,728.62	2,112.76	2,496.89	2,881.03	3,457.24
Hambledon	1,128.68	1,316.80	1,504.92	1,693.04	2,069.27	2,445.50	2,821.73	3,386.08
Hascombe	1,140.18	1,330.22	1,520.25	1,710.29	2,090.35	2,470.42	2,850.48	3,420.58
Haslemere	1,133.53	1,322.46	1,511.39	1,700.32	2,078.17	2,456.02	2,833.86	3,400.64
Peper Harow	1,113.21	1,298.76	1,484.30	1,669.84	2,040.91	2,411.99	2,783.06	3,339.68
Thursley	1,137.45	1,327.04	1,516.62	1,706.20	2,085.35	2,464.51	2,843.66	3,412.40
Tilford	1,174.54	1,370.30	1,566.07	1,761.83	2,153.35	2,544.86	2,936.38	3,523.66
Witley	1,149.47	1,341.05	1,532.64	1,724.22	2,107.38	2,490.54	2,873.70	3,448.44
Wonersh	1,125.30	1,312.86	1,500.41	1,687.97	2,063.07	2,438.18	2,813.28	3,375.94

Part of the Council's Area (including Adult Social Care)

	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Alfold	1,186.39	1,384.13	1,581.86	1,779.60	2,175.06	2,570.53	2,965.99	3,559.20
Bramley	1,167.61	1,362.22	1,556.82	1,751.43	2,140.63	2,529.84	2,919.04	3,502.86
Busbridge	1,170.16	1,365.20	1,560.22	1,755.26	2,145.31	2,535.37	2,925.42	3,510.52
Chiddingfold	1,210.36	1,412.09	1,613.82	1,815.55	2,219.00	2,622.46	3,025.91	3,631.10
Churt	1,186.90	1,384.72	1,582.54	1,780.36	2,175.99	2,571.63	2,967.26	3,560.72
Cranleigh	1,192.52	1,391.28	1,590.03	1,788.79	2,186.29	2,583.80	2,981.31	3,577.58

Dockenfield	1,173.99	1,369.66	1,565.33	1,761.00	2,152.33	2,543.66	2,934.99	3,522.00
Dunstable	1,201.98	1,402.32	1,602.65	1,802.99	2,203.65	2,604.32	3,004.97	3,605.98
Elstead	1,173.63	1,369.24	1,564.85	1,760.46	2,151.67	2,542.88	2,934.09	3,520.92
Ewhurst	1,194.02	1,393.04	1,592.04	1,791.05	2,189.05	2,587.07	2,985.07	3,582.10
Farnham	1,192.70	1,391.49	1,590.27	1,789.06	2,186.62	2,584.19	2,981.76	3,578.12
Frensham	1,187.06	1,384.92	1,582.76	1,780.61	2,176.29	2,571.99	2,967.67	3,561.22
Godalming	1,194.03	1,393.04	1,592.05	1,791.06	2,189.07	2,587.08	2,985.09	3,582.12
Hambledon	1,170.31	1,365.37	1,560.42	1,755.48	2,145.58	2,535.69	2,925.79	3,510.96
Hascombe	1,181.81	1,378.79	1,575.75	1,772.73	2,166.66	2,560.61	2,954.54	3,545.46
Haslemere	1,175.16	1,371.03	1,566.89	1,762.76	2,154.48	2,546.21	2,937.92	3,525.52
Peper Harow	1,154.84	1,347.33	1,539.80	1,732.28	2,117.22	2,502.18	2,887.12	3,464.56
Thursley	1,179.08	1,375.61	1,572.12	1,768.64	2,161.66	2,554.70	2,947.72	3,537.28
Tilford	1,216.17	1,418.87	1,621.57	1,824.27	2,229.66	2,635.05	3,040.44	3,648.54
Witley	1,191.10	1,389.62	1,588.14	1,786.66	2,183.69	2,580.73	2,977.76	3,573.32
Wonersh	1,166.93	1,361.43	1,555.91	1,750.41	2,139.38	2,528.37	2,917.34	3,500.82

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 make it mandatory for Councils to conduct a recorded vote a budget-setting Council meetings. A recorded vote was therefore taken on recommendations 1-8 of Agenda Item 8b and Recommendation 1 of Agenda Item 8c, with the voting as follows:-

Voting for (46)

Cllr Brian Adams, Mike Band, Andrew Bolton, Maurice Byham, Kevin Deanus, Jim Edwards, Patricia Ellis, David Else, Jenny Else, Mary Foryszewski, John Fraser, Michael Goodridge, Tony Gordon-Smith, John Gray, Ged Hall, Val Henry, Christiaan Hesse, Mike Hodge, Nicholas Holder, David Hunter, Jerry Hyman, Simon Inchbald, Peter Isherwood, Anna James, Robert Knowles, Denise Le Gal, Martin Lear, Denis Leigh, Andy MacLeod, Peter Martin, Tom Martin, Libby Piper, Julia Potts, Wyatt Ramsdale, Stefan Reynolds, David Round, Richard Seaborne, Stewart Stennett, Chris Storey, Simon Thornton, Liz Townsend, Bob Upton, John Ward, Ross Welland, Liz Wheatley and Nick Williams.

Voting against (none)

Abstentions (none)

[NB Cllr Nasir had left the Chamber when the recorded vote on Agenda Item 8b was taken].

57/16 MINUTES OF THE EXECUTIVE - 10 JANUARY AND 7 FEBRUARY 2017 (Agenda item 9.)

It was moved by the Chairman of the Committee, duly seconded and

RESOLVED that the Minutes of the Executive meetings held on 10 January and 7 February 2017 be approved and the recommendations contained therein adopted.

58/16 MINUTES OF THE LICENSING AND REGULATORY COMMITTEE (Agenda item 10.)

It was moved by the Chairman of the Committee, duly seconded and

RESOLVED that the Minutes of the Licensing and Regulatory Committee held on 26 January 2017 be approved.

59/16 LOCAL GOVERNMENT AND HOUSING ACT 1989
LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS)
REGULATIONS 1990
(Agenda item 11.)

RESOLVED that

1. the political proportions and allocation of seats to the principal Committees for the remainder of the current Council year be agreed, as set out at in the report; and
2. Cllr Liz Townsend be appointed to the Eastern Area Planning Committee with effect from 22 February 2017.

The meeting concluded at 9.32 pm

Mayor

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 7 MARCH 2017

SUBMITTED TO THE COUNCIL MEETING – 25 APRIL 2017

(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 Andrew Bolton	Cllr Carole King

Apologies

Cllr Brian Adams, Cllr Kevin Deanus and Cllr Ged Hall

149. MINUTES (Agenda item 1)

The Minutes of the Meeting held on 7 February were confirmed and signed as a correct record.

150. APOLOGIES FOR ABSENCE (Agenda item 2)

Apologies for absence were received from Cllrs Brian Adams, Kevin Deanus and Ged Hall.

151. 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.

152. BUDGET MANAGEMENT REPORT (Agenda item 6)

152.1 The Executive considered and noted the report reviewing the 2016/17 budget for the General Fund and Housing Revenue Account against the forecast to 31 March 2017 and

RESOLVED to approve

1. the rescheduling of £40,000 for the Replacement of the Property Terrier Database system into 2017/18;

2. the rescheduling of £20,000 for the Call Management System Technology into 2017/18;
3. a virement of £50,000 from the Void repairs budget, a virement of £60,000 from the Cyclical repairs budget and a virement of £140,000 from the Redecoration budget into the Responsive repairs budget;
4. the rescheduling of £80,000 for Communal & Estate works into 2017/18;
5. the rescheduling of £20,000 of the Professional Fees & Miscellaneous budget into 2017/18;
6. Officers applying for Planning permission to undertake window replacement works at Hillcroft, Shepherds Hill, Haslemere.

152.2 A summary of progress against revenue budget for the HRA is given in the table below. The HRA contains the day to day running cost of managing the Housing Service such as staff costs and repairs, contributions to the capital programmes and financing costs. The forecast outturn on the HRA is £93,000 overspend against budget and represents less than 0.6% of the net HRA budget of £13.6m. This is detailed in the table below.

Estimated variance against 2016/17 budget at outturn			
Service Variations:	Reported previously at 31/12/16 (Underspend)/ Overspend £'000	Current position at 31/1/17 (Underspend)/ Overspend £'000	Changes since 31/12/16 (Decrease)/ Increase £'000
INCOME			
Dwelling Rent			
Gross Dwelling Rent income	178	178	
Voids income loss	(26)	(26)	
Garage Rent			
Gross Garage rents	(47)	(47)	
Voids income loss	70	70	
Other Income			
Family Support service	(32)	(32)	
Interest on Investments – 21		(30)	(30)
COSTS			
Maintenance			
Responsive Repairs – 22 (i)		250	250
Void Repairs – 22 (ii)		(50)	(50)
Cyclical Repairs – 22 (ii)		(60)	(60)
Redecoration – 22 (ii)		(140)	(140)
Other Costs			
EasyMove Service – 23	(10)	(20)	(10)
Overspend/(underspend) against budget	133	93	(40)

152.3 The interest on investments has been positive so far and the expectation is that the budget will be exceeded by at least £30,000.

- i. Responsive Repairs budget continues to come under considerable pressure this year with a potential projected overspend of £250,000. The budget is demand led and the pressure comes from a combination of additional orders from tenants as well as responding to new requests for repairs in a much more timely way. Given this pressure and the need to contain expenditure within overall budgets, officers have been actively refocusing expenditure on the highest priority repair activities while at the same time creating capacity in other non-urgent revenue and capital maintenance budgets during the year to offset this pressure.
- ii. The void, cyclical repairs and redecoration budgets now forecast an underspend of £50,000, £60,000 and £140,000 respectively. This is partially due to reduced void properties in December, and reduced spend due to additional controls on costs being put into place. It is therefore requested that £250,000 from these budgets is vired to the responsive repairs budget to ensure repairs can continue to be carried out where required.

- iii. Executive approval is sought to apply for Planning permission to undertake window replacement and associated works at Nos 5-12 Hillcroft, Shepherds Hill, Haslemere. GU27 2JL

152.4 As previously reported there has been less take up than planned for the EasyMove service. There is an allowance of £40,000 in the budget for EasyMove grant payments to enable residents to move into smaller, more suitable, homes. A saving of £10,000 has been previously forecast and a further £10,000 saving is estimated this financial year.

152.5 The total capital programme approved budget for 2016/17 is made up as follows:

Approved Budget for 2016/17		£'000
Original budget approved by Council in February 2016		8,619
Carry forward from 2015/16 approved during 2015/16		810
Carry forward from 2015/16 approved by Executive in June 2016		800
Virements approved in 2016/17 approved by Executive in November 2016		(535)
Carry forward to 2017/18 approved by Executive in November 2016		(25)
Carry forward to 2017/18 approved by Council in December 2016		(720)
Total		8,949

152.6 The table below summarises current performance to date:

Work Stream	Approved Budget 2016/17	Forecast Outturn as at 31/01/17	Reschedule	(Underspend)/ Overspend	Comment
	£'000	£'000	£'000	£'000	
Kitchens & Bathrooms	3,327	2,937		(390)	See para. 28
Windows & Doors	572	222	290	(60)	See para. 29
Roofing & Associated Work	1,024	604		(420)	
Aids & Adaptions	200	200			
Structural & Damp Work	619	548		(71)	See para. 30
Health & Safety	550	310	205	(35)	See para. 31
Building Services	2,427	1,627	800		See para. 32
Communal & Estate Work	265	130	80	(55)	See para. 33
Professional Fees & Miscellaneous	165	99	20	(46)	See para. 34
Target Savings Core Capital Programme	(200)			200	
Grand Total	8,949	6,677	1,395	(877)	

152.7 Demand pressures on the Responsive Repairs and Voids budgets as outlined above, and the likely impact of the Housing and Planning Act, will bring about significant reductions in funding available to the Council for future capital investment. As a result, officers have sought opportunities to scale back requirements for capital spending in-year in all but the most essential areas. At the same time work has taken place during the year to identify Housing Revenue Account property and land assets that are no longer economic to maintain and have been or are in the process of disposal. The capital receipts from the sale of these assets will provide an additional source of capital funding that can be reinvested back into the housing service in future years.

Kitchens & Bathrooms

- 152.8 The focus on repairing rather than replacing Kitchens & Bathrooms in voids will result in savings estimated to reach £390,000, of which £120,000 is against bathrooms and £270,000 against kitchens.

Windows & Doors

- i. Replacement windows at Hillcroft, Haslemere – It is requested that £70,000 of the Hillcroft windows budget is rescheduled into 2017/18 due to delays in delivering the project this year. Due to the type of property, bespoke designs have been drawn up and Waverley Borough Council have a requirement to gain planning permission before works begin.
- ii. Windows & Door Replacement – Due to contract and mobilisation delays this work will not be complete in 2016/17. It is therefore requested that £220,000 of the windows & doors budget is rescheduled into 2017/18 to enable the planned works to be completed.

Structural & Damp work

- 152.9 Sound Insulation – Access issues to a single property has delayed these works and due to ongoing difficulties gaining access it is expected that these works will not be carried out. Therefore there is a forecast saving of £21,000 on this budget.

Health & Safety

- i. Asbestos Removal – Asbestos removal has been progressing throughout the year as works have been required, however it is forecast that the full budget will not be spent by year end. It is therefore requested that £40,000 is rescheduled into 2017/18 to enable further works to be carried out next year.
- ii. Fire Risk Assessment - Due to access issues being experienced to carry out fire risk assessments it is requested that £153,000 is rescheduled to 2017/18 to enable further assessments to be carried out.
- iii. Fire walls – No further spend is expected on this work stream this financial year therefore it is requested that the remaining £15,000 budget is rescheduled into 2017/18 to enable works to continue.

Building Services

- i. Communal gas heating replacement – Due to the need to retender these works the delivery has been delayed and the contractor is not yet on site. Therefore it is requested that £500,000 of this budget is rescheduled into 2017/18 to enable the works to be completed.
- ii. Domestic heating upgrade – Due to access issues being experienced to upgrade heating to some properties it is requested that £250,000 is rescheduled to 2017/18 to enable completion of the planned upgrades.

- iii. Electrical upgrade - Due to access issues being experienced to carry out electrical upgrades to some properties it is requested that £50,000 is rescheduled to 2017/18 to enable completion of the planned upgrades.

Communal & Estate work

- i. Car Parking schemes – In order to enable the completion of a major parking scheme in 2017/18 it is requested that £50,000 of the car parking budget is rescheduled into the next financial year.
- ii. Community Rooms – Consultation and negotiations are currently underway to enable a number of community rooms to be leased to third parties. Until this is completed works are unable to go ahead, therefore it is requested that £30,000 of this budget is rescheduled into the next financial year when it is hoped required works can be carried out.
- iii. Estate works - In addition to the previously reported saving, a further saving of £20,000 are forecast to be achieved on this budget.

Professional fees & Miscellaneous

- i. Professional fees – To enable delivery of schemes in 2017/18 it is requested that £20,000 of the professional fees budget is rescheduled into the next financial year.
- ii. Renovation of pre-1945 council dwellings – In addition to the previously reported saving, a further £16,000 saving will be achieved this financial year.

152.10 The total stock remodelling capital programme approved budget for 2016/17 is made up as follows:

Work Stream	Approved Budget 2016/17	Forecast Outturn as at 31/01/17	Reschedule	(Underspend)/ Overspend	Comment
	£'000	£'000	£'000	£'000	
Approved Schemes	2,253	2,253			
Potential Schemes	1,319	738		(581)	
Total	3,572	2,991		(581)	

152.11 The New Build capital programme approved budget for 2016/17 is made up as follows:

Work Stream	Approved Budget 2016/17	Forecast Outturn as at 31/01/17	Reschedule	(Underspend)/ Overspend	Comment
	£'000	£'000	£'000	£'000	
Project management	400	400			
Pre-development expenditure	184	184			
Committed schemes	5,831	4,775	700	(356)	See para. 37
Proposed schemes	196	196			
Land and asset purchase	1,182	1,182			
Total	7,793	6,737	700	(356)	

152.12 The Weyhill project is pending decision on delivery method therefore the budget provision will not be spent this financial year. Therefore it is requested that the full £700,000 budget is rescheduled into 2017/18 to ensure sufficient budget is available to enable this scheme in the next financial year.

152.13 The Executive now

RECOMMENDS that

124. the rescheduling of £290,000 for Windows & Doors into 2017/18 be approved;

125. the rescheduling of £205,000 for Health & Safety into 2017/18 be approved;

126. the rescheduling of £800,000 for Building Services into 2017/18 be approved; and

127. the rescheduling of £700,000 for Weyhill, Haslemere into 2017/18 be approved.

[Reason: To provides a review of the 2016/17 budget for the General Fund and the Housing Revenue Account against the forecast to 31 March 2017]

153. AMENDMENTS TO WAVERLEY'S OFF-STREET PARKING ORDER - CONSULTATION FEEDBACK (Agenda item 8)

153.1 Waverley's Parking Order outlines the regulations for all Off-Street parking places in the Borough. This is a necessary documentation so that customers understand how to use the car parks, and so that any breaches in usage can be penalised fairly and robustly.

153.2 Officers identified that there were several amendments within the Parking Order which were required in order to remove reference to superseded legislation and

to clarify the requirements to avoid ambiguity over interpretation when dealing with appeals etc. This review was solely related to rules of usage in the car parks.

153.3 Annexe 1 sets out the list of significant amendments.

153.4 Having undertaken a period of six weeks of consultation, one objection was received which related to the removal of the Leisure Centres from the Parking Order. This has been responded to, explaining that the leisure centre car parks are actually leased to and controlled by the centre operators, and therefore it is not appropriate for Waverley to specify these in the Order.

153.5 In accordance with the statutory process the Council is required to follow, and with full Council approval, a notice of intention document will be published allowing for 21 days. Based on this timetable, it would be expected that amendments to the Parking Order will come into effect from approximately 22nd May 2017.

153.6 The Executive now

RECOMMENDS that

128. the proposed amendments to the Parking Order, as set out at Annexe 1, be approved and approval given to publish the required notice of intention.

[Reason: to provide feedback following the six week consultation period on proposals to amend Waverley's Off-Street Parking Order.]

154. DUNSFOLD CONSERVATION AREA APPRAISAL (CAA) (Agenda item 9)

154.1 Dunsfold is one of 43 Conservation Areas (CAs) in Waverley. In 2011, the Executive agreed a programme for the commencement of CAAs which has been extended to 2020. Prior to the programme 4, CAAs had been adopted. Since the programme has commenced, 11 CAAs have been adopted, and Dunsfold will be the 12th to be adopted in the programme alongside Dunsfold Church. A copy of the latest version of the CAA, amended following the consultation, is attached as Annexe 2.

154.2 The need to undertake CAAs is set out in the Planning (Listed Building and Conservation Areas) Act 1990 (Section 71) and is supported through saved Policy HE8 of the Waverley Local Plan and Emerging Local Plan Policy HA1.

154.3 CAAs are undertaken to identify and explain the character of the Conservation Area (CA). This document identifies the specific qualities of the Dunsfold CA and thereby help to manage change within the area. The Management Plan section also identifies a variety of projects that should be implemented to preserve and enhance the area.

- 154.4 It is considered pertinent for Waverley to undertake CAAs and this process allows for a review of the boundary and an assessment of adjacent areas to evaluate whether the boundary should be extended.
- 154.5 In the draft CAA prepared for consultation, four extensions were proposed to the existing CA boundary. Additionally three areas were proposed to be removed from the CA and also two areas for part extension and part removal.
- 154.6 A walkabout was conducted with the Local Councillor and representatives from the Parish Council. A public consultation was undertaken to support the development of the CAA and to ask the public's views of the proposed changes to the boundary.
- 154.7 11 responses were received to the consultation and are summarised in a separate Consultation Statement.
- 154.8 Following consultation and consideration of the responses, one area (the properties Gorse View and Pondsides) originally proposed for exclusion, is proposed to be retained in the CA.
- 154.9 Dunsfold CAA has been subject to a robust consultation process to ensure residents and interested stakeholders had the opportunity to comment. Once the document is adopted, it will be fully published to incorporate additional photographs and will be published on the Waverley website.
- 154.10 The Executive now

RECOMMENDS that

129. the Conservation Area Appraisal for Dunsfold attached at Annexe 2 be adopted as a material planning consideration, to include the following amendments to the boundary:

- **Extension: War Memorial and common land between Oak Tree Lane and Mill Lane**
- **Extension: Garden of the Long House**
- **Extension & Removal: Northern tip of CA**
- **Removal: Southern end of Nugent Close**
- **Removal: Gardens of 1-4 Binhams Lea**
- **Extension: Winn Hall**
- **Extension & Removal: Garden of The White House**
- **Extension: Garden of Yonder Lye**

[Reason: To adopt the Dunsfold Conservation Area Appraisal (CAA) (with boundary amendments) as a material consideration and used in the determination of any application for planning permission and listed building consent within the Conservation Area (CA).]

155. DUNSFOLD CHURCH CONSERVATION AREA APPRAISAL (CAA) (Agenda item 10)

- 155.1 Dunsfold Church is one of 43 Conservation Areas (CAs) in Waverley. In 2011, the Executive agreed a programme for the commencement of CAAs which has been extended to 2020. Prior to the programme, 4 CAAs had been adopted. Since the programme has commenced, 11 CAAs have been adopted, Dunsfold Church will be the 13th to be adopted in the programme alongside Dunsfold.
- 155.2 The need to undertake CAAs is set out in the Planning (Listed Building and Conservation Areas) Act 1990 (Section 71) and is supported through saved Policy HE8 of the Waverley Local Plan and Emerging Local Plan Policy HA1.
- 155.3 CAAs are undertaken to identify and explain the character of the Conservation Area (CA). This document will identify the specific qualities of the Dunsfold Church CA and will thereby help to manage change within the area. The Management Plan section also identifies a variety of projects that should be implemented to preserve and enhance the area.
- 155.4 It is considered pertinent for Waverley to undertake CAAs and this process allows for a review of the boundary and an assessment of adjacent areas to evaluate whether the boundary should be extended.
- 155.5 Two extensions are proposed to the existing CA boundary and formed part of the consultation. Additionally one area is proposed to be removed from the CA. These are detailed within the CAA document, which is attached at [Annexe 3](#).
- 155.6 A walkabout was conducted with the Local Councillor and representatives from the Parish Council. A public consultation was undertaken to support the development of the CAA and to ask the public's views of the proposed extensions.
- 155.7 3 responses were received to the consultation and are summarised in a separate Consultation Statements. These did not result in any changes to the CAA document. Dunsfold Church CAA has been subject to a robust consultation process to ensure residents and interested stakeholders had the opportunity to comment. Once the document is adopted, it will be fully published to incorporate additional photographs and be published on the Waverley website.
- 155.8 The Executive now

RECOMMENDS that

130. the Conservation Area Appraisal for Dunsfold Church, attached at Annexe 3, be adopted as a material planning consideration, to include the following amendments to the boundary:

- **Extension: St Mary's Church cemetery**
- **Extension: Land at Church Close Farm**
- **Removal: Field adjacent to The Rectory**

[Reason: To adopt the Dunsfold Church Conservation Area Appraisal (CAA) (with boundary amendments) as a material consideration and used in the

determination of any application for planning permission and listed building consent within the Conservation Area (CA).]

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.

156. FORWARD PROGRAMME (Agenda item 5)

RESOLVED that the Forward Programme be approved.

157. HOUSING SERVICE WATER CHARGE CONSULTATION FEEDBACK (Agenda item 7)

RESOLVED that

1. following the consultation with housing tenants, approval be given to end the arrangement with Thames Water for the Council to collect water charges for council homes with no water meters so that in future tenants can pay their water charges direct;
2. authority be delegated to the Strategic Director of Front Line Services, in consultation with the Portfolio Holder for Housing, to serve notice to end the arrangement with Thames Water on 30 September 2017; and
3. the strategy, as set out in the report, be approved.

[Reason: to provide details of the feedback from Council tenants on the proposal to end the current arrangement with Thames Water for the collection of their water charges.]

158. COMPLAINTS HANDLING IN WAVERLEY IN 2015/16 (Agenda item 11)

RESOLVED that the performance on complaints handling in 2015/16 be noted and that the lessons learned be endorsed.

[Reason: To provide information on complaints handling in Waverley in 2015/16, including the number of complaints received, Waverley's performance in responding to complaints, and lessons learned.]

159. COMPLAINTS ABOUT WAVERLEY'S SERVICES RECEIVED BY THE LOCAL GOVERNMENT OMBUDSMAN AND HOUSING OMBUDSMAN IN 2015/16 (Agenda item 12)

RESOLVED that the information in the report be noted and that the learning outcomes be endorsed.

[Reason: To receive a summary of the complaints made to the Local Government Ombudsman about Waverley's services in 2015/16 and a summary of the complaints made by Waverley's tenants and leaseholders to the Housing Ombudsman Service.]

160. EXECUTIVE DIRECTOR'S ACTIONS (Agenda item 13)

The Executive noted the following action taken by the Executive Director after consultation with the Chairman and Vice-Chairman since its last meeting:

i. Urgent Tree Works

Authority to undertake urgent tree works to the sum of £20,000, to be met from the Urgent Schemes Capital Budget for 2016/17.

ii. Holloway Hill

Authority for urgent works at the Holloway Hill Scout/Guide Hut, to the sum of £8,000, to be met from the Urgent Schemes Capital Budget for 2016/17.

161. SUPPLEMENTARY ESTIMATE - ENFORCEMENT ACTION (Agenda item 15)

[This item contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraphs 2, 3 and 7 of the revised Part I of Schedule 12A to the Local Government Act 1972, namely:-

2 *Information which is likely to reveal the identity of an individual*

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

7 *Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.*

RESOLVED that the recommendation set out in the (Exempt) Annexe to these minutes be approved.

The meeting commenced at 6.45 pm and concluded at 7.18 pm

Chairman

By virtue of paragraph(s) 2, 3, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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List of main amendments to Parking Order

1. Clarified that trailers are allowed in a Parking Place, so long as they are displaying a registration of the towing vehicle.
2. The maximum weight limit of vehicles is out of date- has been replaced with a maximum size to not exceed two parking bays length ways, and requires that two pay and display tickets are purchased.
3. Previous version stated it must be the disabled person's vehicle if a disabled bay is used- amended to state that disabled bays may be used if the vehicle is carrying a disabled person.
4. States that if the phone and pay system is not available, an alternative payment method must be used to purchase a Pay and Display ticket.
5. Removal of 'Power to Immobilise' section.
6. Removal of references to 'Visitor Bays' in Council car parks.
7. Inclusion of times when maximum stay applies at Bramley library.
8. Corrections of maps for Meadow, Godalming, Locality Office Farnham, Dogflud Way, Farnham and Leisure Centre in Farnham.
9. Amendments to include Woolsack Way (The Wharf) car park.
10. Removal of coach parking at Meadow car park, except for evenings and weekends.
11. Traffic Enforcement Centre registration fee updated.
12. Removal of Haslemere and Godalming Leisure Centres from the Order.

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Dunsfold Conservation Area Appraisal and Management Plan

Table of Contents

PART 1: Dunsfold Conservation Area Appraisal

1 Introduction

- 1.1 What is a Conservation Area?
- 1.2 What is a Conservation Area Appraisal (CAA) and Management Plan?
- 1.3 Planning Policy Framework and Sources
- 1.4 Methodology
- 1.5 Community Involvement
- 1.6 Summary of Dunsfold Conservation Area

2 Defining the Special Interest

- 2.1 Summary of the Special Interest

3 Assessing the Special Interest

- 3.1 Location and Setting
 - 3.1.1 Landscape Setting
 - 3.1.2 General Character and Plan Form
 - 3.1.3 Economic Profile and potential forces for change
 - 3.1.4 Vistas
- 3.2 Historic Development
- 3.3 Architectural Quality and Built Form
 - 3.3.1 Period and Style
 - 3.3.2 Scale and Height
 - 3.3.3 Materials
 - 3.3.4 Street form and frontages
 - 3.3.5 Details
- 3.4 Listed Buildings and Heritage Features
 - 3.4.1 Listed Buildings
 - 3.4.2 Buildings of Local Merit (BLMs)
 - 3.4.3 Heritage Features
- 3.5 Heritage at Risk
- 3.6 Buildings which positively contribute to the CA
- 3.7 Open Spaces and Streetscape
 - 3.7.1 Open spaces
 - 3.7.2 Streetscape
- 3.8 Assessing the Condition
- 3.9 Identifying the Boundary

PART 2: Management Plan

4 Management Plan

- 4.1 Managing Change
- 4.2 Designation
 - 4.2.1 Buildings of Local Merit
- 4.3 Heritage at Risk
- 4.4 Celebration
 - 4.4.1 Waverley Design Awards
- 4.5 Enhancement Schemes
 - 4.5.1 Utility Companies
 - 4.5.2 Fingerposts
 - 4.5.3 Access tracks/roads
- 4.6 Taking the CAA forward

Appendices

Appendix 1: Extracts from Waverley BC Local Plan 2002 and Pre-submission version of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (August 2016)

Appendix 2: Glossary of Terms

Appendix 3: Historical Maps

List of Figures:

Figure 1: Dunsfold CA boundary and location plans

Figure 2: Plan of key vistas through CA

Figure 3: Plan of Heritage Assets

Figure 4: Plan of footpaths and common land in and around the CA

Figure 5: Plan of proposed amendments to boundary

List of Tables:

Table 1: Dunsfold CA at a glance

Table 2: Summary of the Special Interest of Dunsfold CA

PART 1 – Dunsfold Conservation Area Appraisal

1. Introduction

1.1 What is a Conservation Area?

A Conservation Area (CA) is defined as “an area of special architectural and historical interest, the character or appearance of which it is desirable to preserve or enhance”. Designation of a CA covers all land within the CA and therefore planning control is directed at maintaining the special interest of the entire area, including the buildings, streetscene, uses and the relationship of these elements with open spaces and landscape.

CA designation gives a degree of protection against demolition of buildings and walls and the removal, or works, to trees, as well as reducing householder permitted development rights. CA designation enables the planning authority to ensure that the historic character and special interest, which attract people to live, work and visit the area, remain intact and that development is of high architectural quality and in keeping with the area’s existing character.

1.2 What is a Conservation Area Appraisal (CAA) and Management Plan?

A CAA sets out to identify and assess the special interest of the CA, such as the notable buildings and open spaces, and the inter-relationship of these together to form a unique character. The management plan will use the information gathered in the CAA to identify and implement enhancement and public realm enhancement schemes to preserve and enhance the CA.

This CAA informs positive management of the CA and is a material consideration to be used in the determination of any application for planning permission and listed building consent within the CA. It should also be used to influence enhancement schemes for the long term management of the CA.

The document should be read in conjunction with Waverley’s Local Plan (both adopted and emerging) and National Planning Policy Framework (NPPF).

1.3 Planning Policy Framework and Sources

The Planning (Listed Building and Conservation Area) Act 1990 Section 71 states:

“It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.”

Policy HE8 in the Local Plan states:

“...the Council will seek to preserve or enhance the character of conservation areas by...(e) carrying out conservation area appraisals”.

The NPPF, Chapter 12 (126) states:

“Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment...”

The CAA helps to identify the significance of heritage assets, and as such enables planners to confidently determine whether an application will devalue the significance of the CA.

It is in accordance with the above legislation and local policy that this CAA has been conducted. This appraisal was compiled with the assistance of Historic England’s guidance “Conservation Area Designation, Appraisal and Management” (February 2016). Historic England has also published guidance called “Knowing Your Place” (March 2011).

1.4 Methodology

To assess the CA comprehensively, a historic study of the area was undertaken, including assessment of historic maps in comparison to modern maps. In conjunction with this, site visits were conducted to establish the character and identify the architectural interest of the CA. A photographic survey was undertaken of the key views and vistas within the CA, and is used throughout this appraisal. The boundary has also been reviewed.

1.5 Community Involvement

A site visit was held on 20th June 2016 with local councillors to identify enhancement schemes and gain feedback on the CAA, with any comments made incorporated.

A six week consultation was undertaken seeking residents’ views. Key stakeholders (including Historic England and the Parish Council) were also included. Responses to the consultation were reviewed and where necessary the document updated. A summary of responses can be found in the accompanying consultation statement.

1.6 Summary of Dunsold Conservation Area

Date of designation	26 March 1974
Location	Easting (x)500,624.36; Northing (y)136,316.34
Current size	12.3ha
Changes to boundary	2017
General Condition	Good, 1 Listed Building on Waverley’s ‘at risk’ list

Heritage Assets	11 Listed Buildings, 1 Building of Local Merit, 6 Heritage Features
Positive factors	Uncluttered streetscene, retention of gaps between buildings so the CA retains its connection with the wider landscape.
Negative factors	Loss of significant chimneys, close- boarded fencing fronting the common, 20 th century development which seeks to follow Surrey vernacular but lacks the sensitivity and details.

2. Defining the Special Interest

Historic England defines special interest as the “special architectural or historic interest” of the area that warrants designation and the “character or appearance of which it is desirable to preserve or enhance”.

2.1 Summary of the Special Interest

The following provides a summary of the special interest of Dunsfold CA:

Table 2: Summary of special interest of Dunsfold CA	
Overview	The CA developed as narrow ribbon along the edge of the elongated common along the western edge. Later development outside the CA on the eastern edge has changed the character to some degree. However, the common still dominates the street scene providing the CA, along with gaps between dwellings, with its feel of open space and connection with the wider landscape.
Heritage	The majority of the listed buildings within the CA are grouped along both ends of the western edge of the common. Many show evidence for previous uses, such as blacksmith.
Form	Linear with the row of houses alongside the elongated common.
Notable buildings	The area’s special character lies in the quality of its domestic scale buildings, many of which are listed buildings. There are none that stand out beyond this apart from Forge Cottage which is one of the earliest known hall houses in Surrey.
Main architectural features	Tall dominant chimneys, tile hanging, brick dentils
Vistas	As a result of its dominance within the streetscene, the vistas which are important to the CA are orientated around the common.

3. Assessing the Special Interest

3.1 Location and Setting

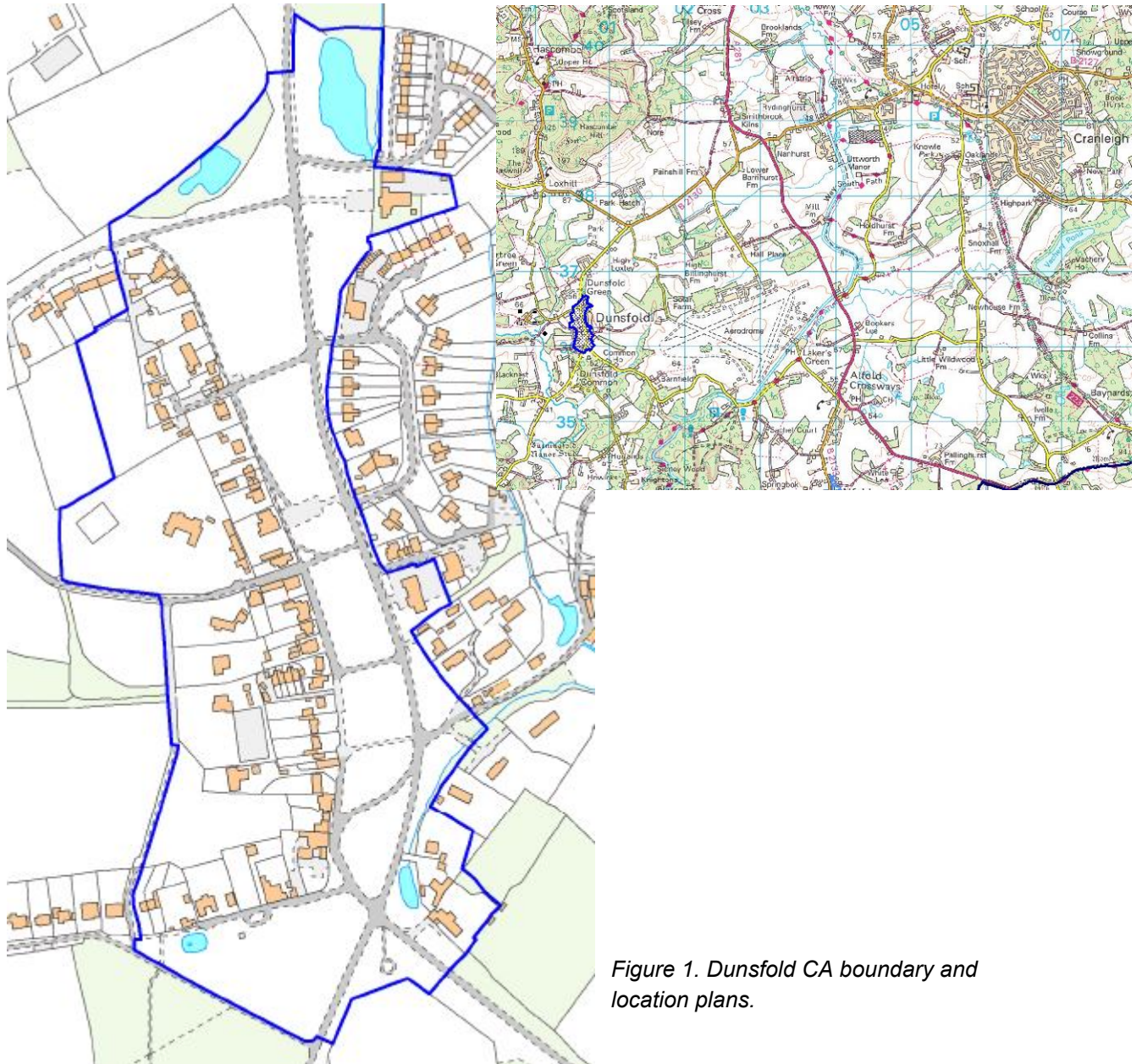


Figure 1. Dunsfold CA boundary and location plans.

Dunsfold CA is located south west of Cranleigh and north east of Chiddingfold. The traffic through the CA is moderate, as Dunsfold Common Road is used as a route between Haslemere and Cranleigh and the A281, the major route between Guildford and Horsham, lies 2 miles to the east, and therefore does not significantly detract from the character and setting of the CA.

3.1.1 Landscape Setting

The CA lies within the Wealden Clay and is relatively flat with areas of marshy land. It sits about 1½ miles south of the greensand ridge of Hascombe Hill and is

elongated north-south on higher land between two tributary streams of the River Arun system.

3.1.2 General Character and Plan Form

The CA is linear in form with, historically, most dwellings to the west and the common land in between them and the road. The CA is very open and the majority of houses are spaced apart. 20th century development has formed on the east side of the common outside of the CA and gradually behind the historic line of houses in what would have been orchards.

3.1.3 Economic profile and potential forces for change

Census data show that within the built up area of Dunsfold, 98% of the economically active population are employed or self-employed and 80% of the population own their own properties.

Dunsfold is predominantly residential with a village shop with post office and one pub and thus it is likely that the majority of residents work either outside the CA or are self-employed.

The main pressure for change on the CA is development on the eastern side of the common just outside the CA. Future development proposals should take into account the character and special interest of the CA as identified within this appraisal to ensure the CA is preserved or enhanced for future generations.

3.1.4 Vistas

Below are a selection of the key vistas experienced by those who live, work and travel through the CA.



Figure 2: Plan of key vistas through CA.



Vista 1: view from behind the war memorial looking into the CA.



Vista 2: view looking west along Oak Tree Lane, with landmark oak tree



Vista 3: view of the south of the common from bench in the middle of the CA



Vista 4: Looking north from public carpark with Hascombe Hill in the background and piece of public art in the foreground.



Vista 5: View looking south along common and historic row of houses from Shoppe Hill

3.2 Historic Development

Dunsfold is not recorded in the Domesday Survey of 1086 and was most likely at that time an area of uninhabited woodland which belonged to the Manor of Bramley. However, the name Dunsfold originates from the Saxon period with 'Duns' originally deriving from a personal name and 'fold' meaning a small enclosure for animals; a small herding settlement or a herdsman's hamlet. Therefore, it may have originally been a clearing used for summer grazing by inhabitants of older settlements to the north. The orientation of the main route north to south and the pattern of development along it aids this theory.

In the 12th Century, discovery of ironstone in the region resulted in settlement in the area beginning to grow and the church, to the north west of the CA, was first mentioned in 1291 in the taxation of Pope Nicholas. However, the area still remained predominantly agricultural although only pastoral as a result of the heavy clay soils.

By the 15th and 16th centuries the industries within Dunsfold thrived and several iron forges and furnaces were noted in the area. The standard of housing surviving from this period, including Burningfold Manor outside of the CA, indicates the wealth and importance of this industry to the area. However, from late 16th onwards the industries reliant on charcoal began to decline due to its excessive use causing a shortage of timber, although references show they were still at work until at least 1758.

Up until the 19th Century, Dunsfold was a dispersed settlement with small groups of houses dotted along the elongated common, including two within the CA on the western side of the common, on the northern and southern corners.

In 1814, the area was connected to London and Littlehampton by the Wey & Arun Canal which linked the River Arun to the Godalming Navigations. After this, the area within the CA began to build up and, in 1839, the National School was built on the eastern side with funds provided by Miss Katherina Woods of Burningfold Manor and supported by voluntary subscriptions.

By 1871, within the CA there were two blacksmiths, a post office, an inn and a school, but the area almost reached a point of stagnation when the introduction of the Guildford to Horsham railway in 1865 caused canal traffic to virtually cease by 1868, followed by an Act of Abandonment in 1871. However, from the end of the 19th Century and throughout the 20th Century, the village grew in popularity with a wealthier middle class attracted by this rural idyll. From the start, the long established local building firm of W.T & W Underwood (builders of several of Lutyens' Arts and Crafts houses in Waverley) were well placed to serve the needs of

the increasingly prosperous village. Their skill in Surrey vernacular techniques still remains much in evidence.

Development on the eastern side of the green, in the 20th Century, gradually increased the size of the village and by mid 20th Century the area had become a busy village centre with several shops and two pubs. The common was also still being used for cattle grazing. However, by the 1980s, the area had become predominantly residential as a result of industry and shops closing. In 2004, the school was closed. However, unlike many villages, the CA has managed to hold onto its pub, post office and village shop.

3.3 Architectural Quality and Built Forms

3.3.1 Period and style

The earliest property within the CA is Forge Cottage. It has been dated using dendrochronology to 1254 (the earliest date recorded in Surrey)¹. Its scissor brace frame is one the earliest forms of a hall house. Its first floor was inserted at a later date.



The other buildings within the CA, which originated as hall houses, were built in the late 16th Century. These typify the traditional Surrey vernacular characterised by exposed timber frame, clay tile hanging and with later brick infill panels.

The gradual infill along the western side of the common has resulted in dwellings of varying style and periods but they still exhibit details from the typical Surrey vernacular. Many of the properties show evidence for earlier uses such as blacksmiths and shops.

As a result of its remoteness, the area was not influenced by classically inspired architectural styles until the 19th century, when access to new materials and an increase in development within the village allowed for it. Thus there are several Victorian and Edwardian dwellings within the CA with slate roofs set at a lower angle and more uniformly positioned fenestration.

However, from the 19th Century onwards, the area was also inspired by the Vernacular Revival movement. The Vernacular Revival and Arts and Crafts

¹ R. Wild & A. Mair, *Key dating features for timber-framed dwellings in Surrey*. Vernacular Architecture, Vol.44 (2013) 46-61

movement were influenced by traditional architectural styles, and thus some of the dwellings from this period are similar in materials and style to the older buildings described above.

Many of the buildings built in the mid 20th Century onwards, as infill, attempt to follow the Surrey vernacular but some lack the sensitivity and detail required with this style.

3.3.2 Scale and height of buildings

The majority of buildings within Dunsfold CA are two storeys in height, with a maximum of two and a half storeys in the middle of the CA. The buildings within the CA are generally domestic in form and are consequently not large in scale, primarily of detached form with a few semi-detached and only one terrace (New Inn Cottages).

3.3.3 Materials

The materials used within the CA are largely from the local area these include:

- clay roof & hanging tiles
- exposed timber framing
- red brick
- ironstone
- bargate stone

together with imported:

- slate roof tiles (19th Century properties)

3.3.4 Details

Key detailing found on buildings within the CA include:

- First floor jetties
- Tall, dominant chimneys
- decorative clay tile hanging
- dog-tooth brick dentils
- brick arched windowheads
- rat trap bond (noted as it is unusual in this area, flemish bond is still the dominant style used)
- gablets
- brick nogging



3.3.5 Street form and frontages

Properties within the CA front onto the common which divides them from the main road and keeps the feel of open space. The majority of properties therefore front onto a small path running along the edge of the common, with a small number of access roads. Boundary treatments mainly consist of low walls, some with hedges behind, and picket fencing. A few properties front directly onto the minor road, track or path with no form of boundary treatment or space between.

3.4 Listed Buildings and Heritage Features

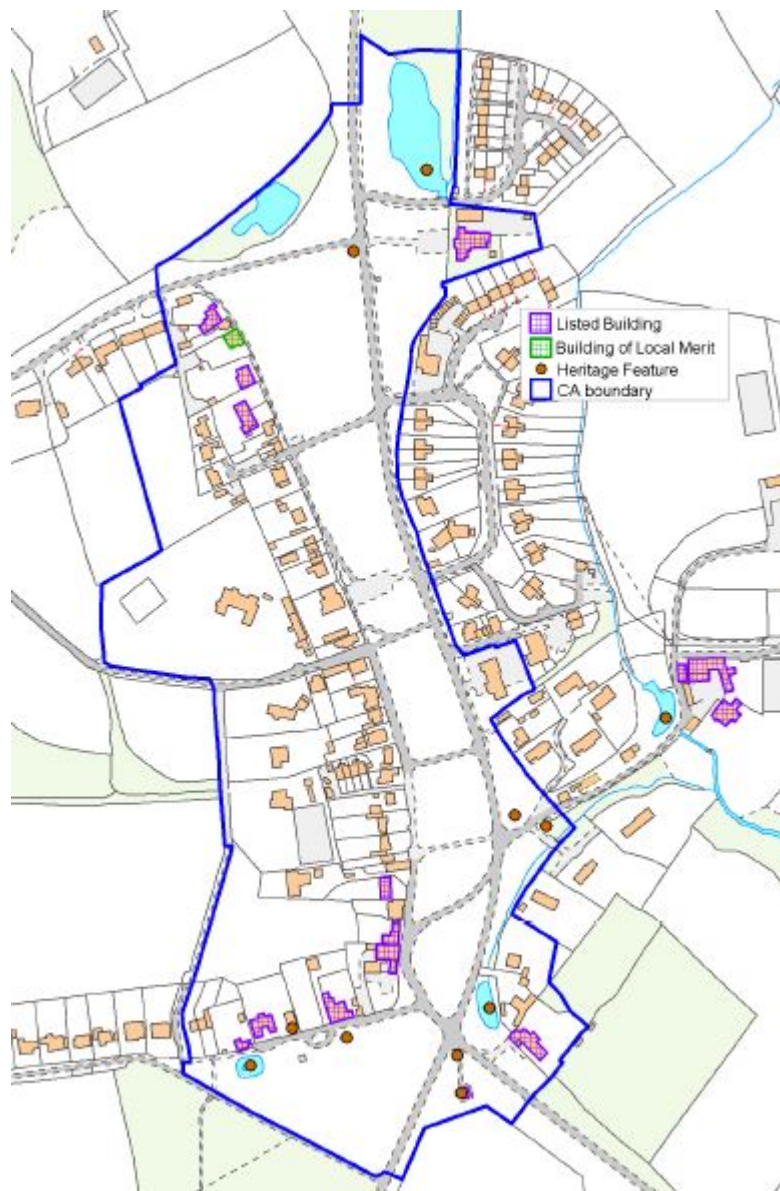


Figure 3: Plan of heritage assets

3.4.1 Listed Buildings

There are 11 statutory listed buildings in the CA:

Grade I - none

*Grade II** - none

- Grade II* - Pond Cottage, Oak Tree Lane
- Oak Tree Cottage, Oak Tree Lane
 - Oak Tree House, Oak Tree Lane
 - The Sun Inn, The Common

- Yonder Lye, The Common
- Hope Cottage, The Common
- The Forge, The Common
- 1,2 & 3 New Inn Cottages, The Common
- Wheelwrights (North End Cottage), The Common
- Gratton Corner (Cottage), The Common
- Dunsfold School & Schoolhouse, Dunsfold Common Road
- Dunsfold War Memorial, junction of Alfold Road and Dunsfold Common Road

All Listed Buildings are available to view in detail on Waverley Borough Council's mapping system as well as on Historic England's website.

3.4.2 Buildings of Local Merit (BLMs)

Buildings of Local Merit (BLMs) are buildings identified by Waverley as being of local historic, architectural or townscape merit. Many local authorities have lists of such buildings, sometimes called the local list and sometimes Buildings of Townscape Merit (BTM).

There is presently 1 BLM within Dunsfold CA:

- The Old Reading House, The Common

3.4.3 Heritage Features

In 1986, Waverley Borough Council produced a list of heritage features in Waverley. The list covers natural landmarks, archaeological sites, historic structures, historic trees, roads, track ways and gardens. The purpose of the list was to identify features that for the most part were not protected by legislation, but were a significant and valuable part of the character and history of the Borough. The intention was that by recording them there would be more awareness of the value of preserving them.

List of heritage features:

- A pond to the north of the school, west of Dunsfold Common Road. This is not historic, an older pond stood on the other side of the road but at the time of recording it had dried up and was then an area of trees and undergrowth and trees. However, it has now been reinstated
- Two old village ponds, one just south of The White House, and the other beside Oak Tree Lane with a small island on which is a Willow.
- A wooden guide post with two arms pointing towards Church & School on the junction of Shoppe Hill and Dunsfold Common Road. In black lettering on white

background, no distances shown. It is likely that the existing post is a replacement.

- The village pound is believed to have stood near the entrance to the drive to Pound Farm. Unfortunately, there is no evidence for this and nothing can be seen.
- A small brick pigsty with a pitched tiled roof, stands against the front garden wall of Oak Tree Cottage.
- A large Oak Tree opposite the west end of Oak Tree House.
- The War Memorial in front of the cricket ground, (1914-18 and 1939-45) in the form of a pillar surmounted by a cross, on a octagonal stepped plinth.

There are two further heritage features identified on figure 3 which either cannot be located or have been replaced by more modern signage.

3.5 Heritage at Risk

The “Heritage at Risk Register ” for Grade I and II* Listed Buildings and other heritage assets held by Historic England identifies sites that are at risk of being lost as a result of neglect, decay or inappropriate development. No Heritage Assets within the CA have been identified within this list.

Waverley BC holds a list of Grade II Listed Buildings which are considered to be ‘at risk’.

Dunsfold School has been identified by the Council as a building which is considered to be ‘at risk’ as result of it standing empty since 2004. The future of the building is currently uncertain.

It is important to ensure that any Listed Buildings that fall into disrepair are identified early, so that the Council can work with the owners to find appropriate solutions and bring the building into a productive use.

3.6 Buildings which positively contribute to the CA

Positive Contributors are buildings which are not listed, or locally listed, but positively contribute to the special interest of the CA.

The following buildings have been identified as positively contributing to the character of the CA:



Roseacre – Built around 1912 this Edwardian house, with its original gates, doors and

windows and fine detailed bargeboards, is a good example of its type.

The Old Store House & Goose Green – These two properties were built by Underwood & Sons and are a good example of their craftsmanship and skills. These were originally shops on the ground floor, of which evidence can still be seen.



Bowbricks – This 1840s Victorian villa is one of several similar examples on the common. However, this is the best example as it still has the original windows. It shows how better links, provided through the canal, were changing the materials used and is a good example of how the use of non local materials do not always significantly compromise the look and feel of a place.

3.7 Open Spaces and Streetscape

3.7.1 Open spaces

The common land stretches along the whole length of the CA encompassing over 50%. It therefore dominates the character of the CA and provides a very open feel to the area. There are three ponds, several benches dotted around providing seating, and a piece of public art to provide added interest. The cricket pitch is to the south of the CA.



Figure 4: Plan of footpaths and common land in and around the CA.

The common is kept as grassland which contrasts with other village greens which are short mown. Pevsner described it as a '*splendidly rough and shaggy big green*'. This helps in retaining the rural character of the area. In the summer months, well worn paths can be seen in the grass, some areas have a path mown to allow ease of access.

There are four main Public Rights of Way within Dunsfold CA. These link the CA with St Mary's Church and the surrounding countryside.

3.7.2 Streetscape

The common land dominates the streetscape with the majority of dwellings within the CA set behind the common and accessed by several tracks. As a result, the streetscape is very rural in character.

Areas of common land have given way to use for parking as a result of the rural area's heavy reliance on cars. Whilst parking is visible and does have some impact upon the character of the CA, it is not so dominant or intrusive so as to undermine the special character, since it effectively limits the amount of parking elsewhere. In any event, use of Common Land for parking purposes is controlled by Common Land legislation



There are two distinct avenues of trees. The first is at the north of the CA along the main road providing drivers with a distinct change in the area as they leave and enter the CA. The other is along one of the access roads in the centre of the CA effectively cutting the common in half.

3.8 Assessment of Condition

Overall: Good Condition

Apart from those already identified in section 3.5, the Listed Buildings, Buildings of Local Merit and other buildings within the CA are in good condition and appear to be well maintained, which reflects on the character of the CA.

However, the following issues have been identified within the CA:

In some areas, tall close-boarded fencing has been used in frontages facing the common. This significantly harms the character of the area through the loss of the open spaces between the dwellings, which are no longer visible. This existing

fencing may now be outside the Council's control by virtue of time or alternatively may have been regarded as "permitted development".

3.9 Identifying the Boundary

Dunsfold CA was designated over 40 years ago. Therefore areas within the boundary may no longer have special interest. Physical boundaries/curtilages may have changed or areas that were previously omitted may now be considered to be of special interest. As part of the appraisal, the boundary of Dunsfold CA has been reviewed using Historic England's guidance (Conservation Area Designation, Appraisal and Management (2016)). The following changes are identified for the boundary, and the reasons for these amendments are discussed below.

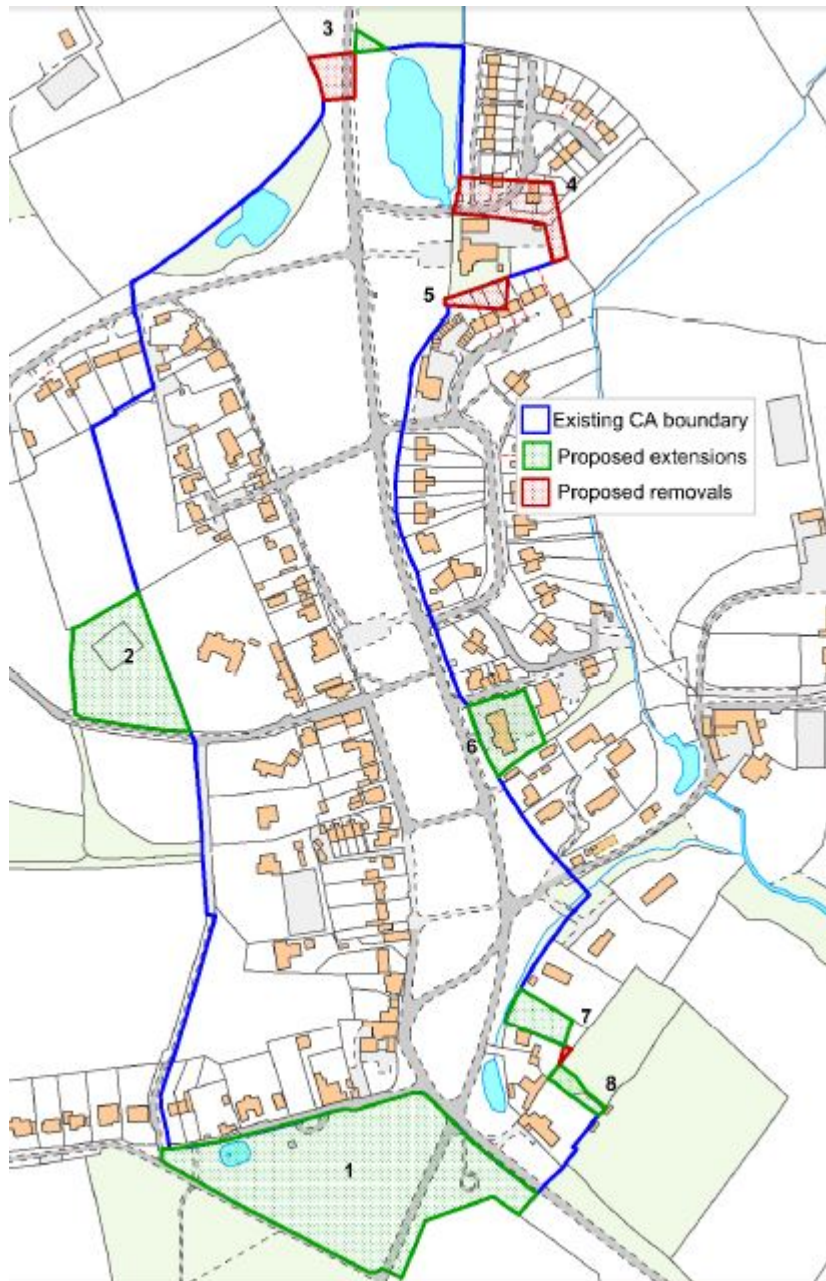


Figure 5: Plan of proposed amendments to boundary

1. Extension: War Memorial and common land between Oak Tree Lane and Mill Lane

The above extension to the CA has been proposed following a review of the boundary against Historic England guidance because it is a green space which is an essential component of a wider historic area. The area of common land to the south of Oak Tree Lane is proposed to be included within the CA because it is an important part of the setting of the row of listed buildings along Oak Tree Lane already within the CA. It includes a pond opposite Pond Cottage and a large oak tree which is over 400 years old, considered to be an important landmark tree. This area is framed by the trees south of Mill Lane which creates a more physical end to the CA.

The War Memorial is an important feature of Dunsfold as it represents the community's focal point for remembrance, which was commissioned after the First World War, as a way to express its emotions at the end of the war. This one is unusual as originally had no names on it. It also provides vistas looking towards the CA and from the CA looking towards the War Memorial. Therefore it is also proposed to become part of the CA.

2. Extension: Garden of the Long House

For unknown reasons, when originally designated the CA boundary dissected the garden of the Long House. To rationalise the boundary it is proposed to extend the boundary to include the whole of the garden.

3. Extension & Removal: Northern tip of CA

It is proposed to tidy up the northern end of the CA, to provide clarity over where the boundary ends, by removing the north west section to create a more definable boundary at the point where the hedge for the adjacent field is closest to the road and adding a section on the east side of the road so the boundary follows the tree line.

4. Removal: Southern end of Nugent Close

Nugent Close was developed in the late 1990s, after the Conservation Area was designated. The current CA boundary dissects 1 & 2 Nugent Close and the gardens of 11 & 12 Nugent Close and does not include the full estate. The road is a modern development, which does not contribute to the special architectural or historical interest of the wider CA, and thus it is proposed for removal from the CA.

5. Removal: Gardens of 1-4 Binhams Lea

The existing boundary of the CA dissects the gardens of 1-4 Binhams Lea. It is proposed to completely remove the gardens from the CA in order to rationalise the boundary.

6. Extension: Winn Hall

The parish hall was built in the early 1900s at the request of the Rector of St Mary's Church by Underwood & Sons. It is in the Arts & Crafts style with typical Surrey vernacular such as clay tile hanging and tall dominant chimneys. It is open to the common unlike most of the other properties on the eastern edge and is of high community value. Therefore it is proposed to extend the CA boundary to include this building.

7. Extension & Removal: Garden of The White House

The boundary of the CA currently dissects the garden of The White House. To rationalise the boundary, and remove any confusion over the protection status of the dwelling, the north section of the garden is proposed to be included within the CA.

A small piece of land behind The White House is under the ownership of a property which is outside the CA. Therefore to avoid confusion it is proposed to remove the area from the CA.

8. Extension: Garden of Yonder Lye

The existing CA boundary dissects a corner of the curtilage of Yonder Lye from the rest of the garden. Therefore it is proposed to extend the boundary to include the whole of the garden so it follows a physical boundary.

PART 2 – Management Plan

4.0 Management Plan

The following sections within the Management Plan set out specific actions/projects aimed at preserving and enhancing the CA in the future.

4.1 Managing Change

The qualities that make CAs appealing can often lead to further pressure for development. However, given the close knit development pattern of the CA, there are few (if any) opportunities for new development (beyond smaller extensions or alterations to existing buildings). It is expected that where consent or planning permission is necessary, the appraisal section of this document should be taken into account when making the decision.

Various small scale enhancement opportunities within the CA have also been identified and form part of this management plan.

4.2 Designation

4.2.1 Buildings of Local Merit

In addition to statutory listing, the NPPF states that Heritage Features and BLMs are non-designated heritage assets. Waverley has set up a project to identify, review and adopt additional BLMs. This is a community led project which includes a consultation process with owners and local amenity societies. The Parish Council takes the lead on the project with support given by Waverley Borough Council.

Recommendation:

That Dunsfold Parish Council is encouraged, with the support of Waverley Borough Council officers to undertake a review of the BLMs to identify potential candidates to be designated as a BLM.

4.3 Heritage at Risk

The character of Dunsfold CA is heavily reliant on the preservation of the heritage assets. These assets should be preserved, and those which are deemed 'at risk' identified.

4.4 Celebration: Waverley Design Awards

The Waverley Design Awards scheme was introduced in 1995 to encourage an interest in the quality of the built and natural environment of the Borough. The

scheme promotes an awareness of the need for high standards in design including planning, architecture, sustainable development and landscaping.

The awards are normally made every two years and the next one is due in 2018. It is important to ensure that outstanding design is identified and promoted especially when it preserves and enhances the CA.

Recommendation:

Dunsfold Parish Council is encouraged to nominate new, outstanding developments to the Waverley Design Awards.

4.5 Enhancement Schemes

4.5.1 Utility companies

Utility companies often carry out works on the highway within the CA (road or pavement). Utility companies (and their contractors) are required to ensure that the surface is made good, to the same standard that was originally there. In addition, it is understood that they can implement a temporary surface for a period of six months before making the area good. Within a CA, unsatisfactory works by utility companies can undermine the character of the area and have a detrimental impact on the appearance of the street.

A Task Group at Surrey County Council (SCC) has produced a report: "Improving the Co-ordination and Quality of Work of Utilities Companies in Surrey", 10 January 2013. This considered the views of residents, councillors, utilities companies and officers. The conclusions were that SCC could undertake a number of actions to work more effectively with utilities companies to improve the quality of street works in Surrey, minimising the disruption caused to residents and road users by:

- Communication
- Monitoring and Reporting
- Utility companies must apply for a permit from the Streetworks team at SCC.
- Improved working in areas with special conditions (*including Conservation Areas*).

Recommendation

Utility Companies should be made aware of the CAA document, and in particular be encouraged to ensure that their work is completed and 'made-good' as soon as practically possible. Where this has not happened (and within the existing guidance) the Streetworks team at SCC should be informed so that they can take appropriate action.



4.5.2 Fingerposts

A review of the finger posts within the CA has been undertaken and several are in a state of poor repair. It is recommended that these are either repaired or replaced. One of these is a heritage feature. However, it is evident that it may have already been repaired or replaced in the past. It is expected that any further repair would follow the existing style and form.

4.5.3 Access tracks/roads

Many of the access tracks/roads along the common are in a poor state of repair, particularly near the shop. It is recommended that the responsibility for maintenance is ascertained by officers and repairs encouraged to be undertaken by the appropriate body responsible.



4.6 Taking the CAA forward

It is recognised that the CAA will be a living document that informs the consideration of planning and Listed Building applications within the area. It also, through the Management Plan, identifies the key environmental enhancements that are a priority for the CA. Whilst Waverley Borough Council has a key role in ensuring that the document is implemented and regularly reviewed, many of the Management Plan actions need to be co-ordinated with partner organisations such as Surrey County Council and Dunsfold Parish Council. Without these partners involvement, many of the projects will neither be viable or achievable.

Appendices

Appendix 1: Extracts from Waverley BC Local Plan 2002 and Pre-submission version of Waverley Borough Local Plan Part 1: Strategic Policies and Sites (August 2016)

Local Plan Policy HE8 – Conservation Areas

The Council will seek to preserve or enhance the character of conservation areas by:

- (a) the retention of those buildings and other features, including trees, which make a significant contribution to the character of the conservation area;
- (b) requiring a high standard for any new development within or adjoining conservation areas, to ensure that the design is in harmony with the characteristic form of the area and surrounding buildings, in terms of scale, height, layout, design, building style and materials;
- (c) in exceptional circumstances, allowing the relaxation of planning policies and building regulations to secure the retention of a significant unlisted building;
- (d) protecting open spaces and views important to the character and setting of the area;
- (e) carrying out conservation area appraisals;
- (f) requiring a high standard and sympathetic design for advertisements. Internally illuminated signs will not be permitted;
- (g) encouraging the retention and restoration of shop fronts where much of the original detailing still remains. Alterations will take into account the upper floors in terms of scale, proportion, vertical alignment, architectural style and materials. Regard shall be paid to the appearance of neighbouring shop fronts, so that the proposal will blend in with the street scene.
- (h) encouraging the Highway Authority to have regard to environmental and conservation considerations in implementing works associated with its statutory duties, including the maintenance, repair and improvement of public highways and the provision of yellow lines, street direction signs and street lighting.

Local Plan Part 1: Strategic Policies and Sites Policy HA1 – Protection of Heritage Assets

The Council will ensure that the significance of the heritage assets within the Borough are conserved and enhanced to ensure the continued protection and enjoyment of the historic environment by:

1. Safeguarding and managing Waverley's rich and diverse heritage. This includes all heritage assets, archaeological sites and historic landscapes, designated and non-designated assets, and their setting in accordance with legislation and national policy.
2. Understanding and respecting the significance of the assets.
3. Undertaking further Conservation Area Appraisals and producing and implementing related Management Plans.

4. Facilitating and supporting the identification and review of heritage assets of local historic, architectural and archaeological significance in accordance with the Council's agreed procedures.
5. Supporting appropriate interpretation and promotion of the heritage assets throughout the Borough.
6. Targeting for improvements, those heritage assets identified at risk or vulnerable to risk.

Appendix 2 - Glossary of terms

IMPORTANT NOTE: This glossary does not provide legal definitions, but acts as a guide to key planning terms.

<u>Building of Local Merit:</u>	BLM stands for Building of Local Merit. It is a building identified by Waverley Borough Council as of local historic, architectural or townscape merit. Many local authorities have lists of such buildings, sometimes called the local list and sometimes Buildings of Townscape Merit (BTM). Waverley Borough Council chooses the designation BLM because it is less likely to be confused with statutory listed buildings and also recognises that not all our valuable buildings are within towns.
<u>Conservation Areas:</u>	Areas designated by the Local Planning Authority under the Planning (Listed Buildings and Conservation Areas) Act 1990 Section 69 as being of special architectural or historic interest, the character of which it is desirable to preserve and enhance.
<u>Designated Heritage Asset:</u>	A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
<u>Development:</u>	Development is defined under the 1990 Town and Country Planning Act as “the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any building or other land.”
<u>Galletting:</u>	Architectural technique of placing pieces of ironstone or flint in the mortar between bricks or stonework.
<u>Heritage Assets:</u>	Parts of the historic environment which have significance because of their historic, archaeological, architectural or artistic interest. This includes designated heritage assets and non-designated heritage assets.
<u>Listed Building:</u>	A building of special architectural or historic interest. Listed buildings are graded I, II* or II. Listing includes the interior as well as the exterior of the building, and any pre 1948 buildings or permanent structures (e.g. walls) within its curtilage. Historic England is responsible for designating buildings for listing in England.
<u>Local Plan:</u>	A development plan prepared by district and other local planning authorities.

Non-designated Heritage Asset:

These are buildings, monuments, sites, places, areas or landscapes that have not previously been formally identified but that have a degree of significance meriting consideration in planning decisions, because of its heritage interest.

National Planning Policy Framework:

Issued by Central Government setting out its planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

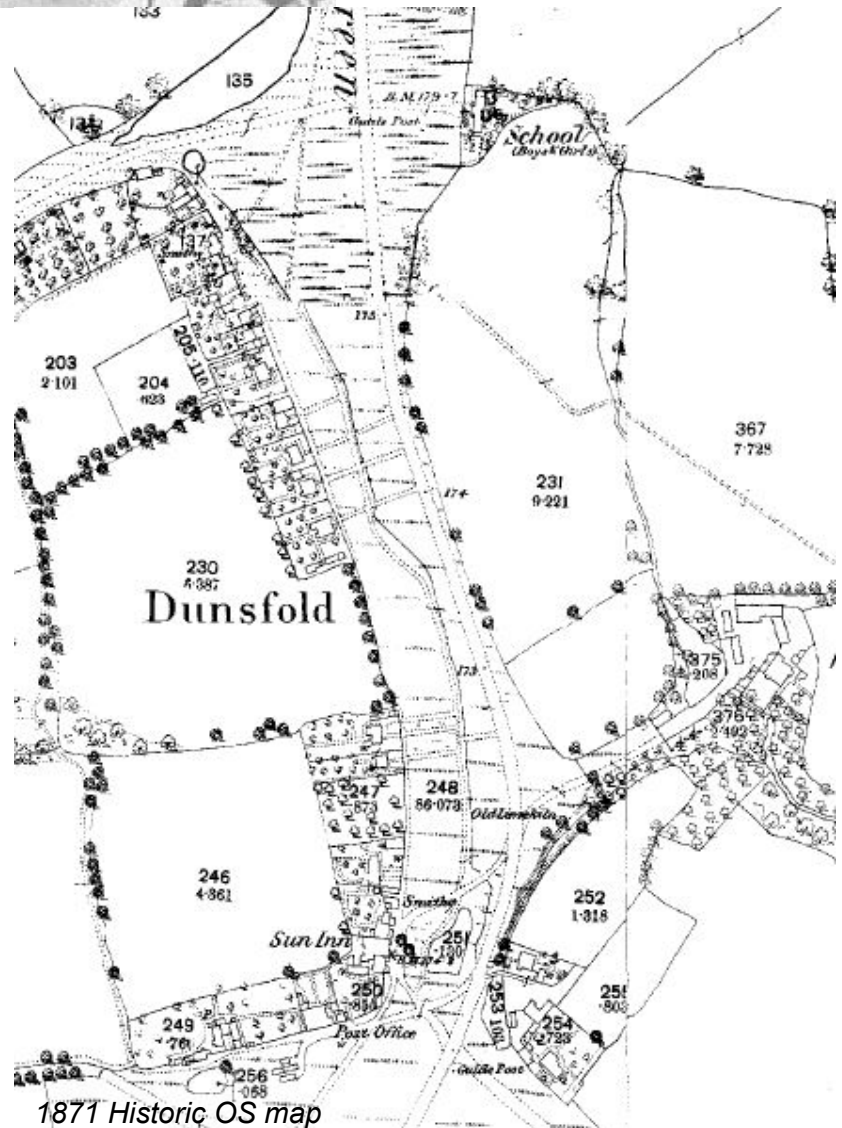
Vernacular:

Traditional architecture using local materials and following well-tried forms and types. For example, the Surrey vernacular is typified by steep tiled roofs, timber frames, brickwork and tile hanging.

Appendix 3: Historical maps



1819 William Mudge map



1871 Historic OS map
Page 61

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Dunsfold Church Conservation Area Appraisal and Management Plan

Table of Contents

PART 1: Dunsfold Church Conservation Area Appraisal

1 Introduction

- 1.1 What is a Conservation Area?
- 1.2 What is a Conservation Area Appraisal (CAA) and Management Plan?
- 1.3 Planning Policy Framework and Sources
- 1.4 Methodology
- 1.5 Community Involvement
- 1.6 Summary of Dunsfold Church Conservation Area

2 Defining the Special Interest

- 2.1 Summary of the Special Interest

3 Assessing the Special Interest

- 3.1 Location and Setting
 - 3.1.1 Landscape Setting
 - 3.1.2 General Character and Plan Form
 - 3.1.3 Economic Profile and potential forces for change
 - 3.1.4 Vistas
- 3.2 Historic Development
- 3.3 Architectural Quality and Built Form
 - 3.3.1 Period and Style
 - 3.3.2 Scale and Height
 - 3.3.3 Materials
 - 3.3.4 Street form and frontages
 - 3.3.5 Details
- 3.4 Listed Buildings and Heritage Features
 - 3.4.1 Listed Buildings
 - 3.4.2 Buildings of Local Merit (BLMs)
 - 3.4.3 Heritage Features
- 3.5 Heritage at Risk
- 3.6 Buildings which positively contribute to the CA
- 3.7 Open Spaces and Streetscape
 - 3.7.1 Open spaces
 - 3.7.2 Streetscape
- 3.8 Assessing the Condition
- 3.9 Identifying the Boundary

PART 2: Management Plan

4 Management Plan

4.1 Managing Change

4.2 Designation

4.2.1 Buildings of Local Merit

4.3 Heritage at Risk

4.4 Celebration

4.4.1 Waverley Design Awards

4.5 Enhancement Schemes

4.5.1 Utility Companies

4.6 Taking the CAA forward

Appendices

Appendix 1: Extracts from Waverley BC Local Plan 2002 and Pre-submission version of Waverley Borough Local Plan Part 1: Strategic Policies and Sites (August 2016)

Appendix 2: Glossary of Terms

Appendix 3: Historical Maps

List of Figures:

Figure 1: Dunsfold church CA boundary and location plans

Figure 2: Plan of key vistas through CA

Figure 3: Plan of Heritage Assets

Figure 4: Plan of footpaths and common land in and around the CA

Figure 5: Plan of proposed amendments to boundary

List of Tables:

Table 1: Dunsfold Church CA at a glance

Table 2: Summary of the Special Interest of Dunsfold Church CA

PART 1 – Dunsfold Church Conservation Area Appraisal

1. Introduction

1.1 What is a Conservation Area?

A Conservation Area (CA) is defined as “an area of special architectural and historical interest, the character or appearance of which it is desirable to preserve or enhance”. Designation of a CA covers all land within the CA and therefore planning control is directed at maintaining the special interest of the entire area, including the buildings, streetscene, uses and the relationship of these elements with open spaces and landscape.

CA designation gives a degree of protection against demolition of buildings and walls and the removal, or works, to trees, as well as reducing householder permitted development rights. CA designation enables the planning authority to ensure that the historic character and special interest, which attracts people to live, work and visit the area, remains intact and that development is of high architectural quality and in keeping with the area’s existing character.

1.2 What is a Conservation Area Appraisal (CAA) and Management Plan?

A CAA sets out to identify and assess the special interest of the CA, such as the notable buildings and open spaces, and the inter-relationship of these together to form a unique character. The management plan will use the information gathered in the CAA to identify and implement enhancement and public realm enhancement schemes to preserve and enhance the CA.

This CAA informs positive management of the CA and is a material consideration to be used in the determination of any application for planning permission and listed building consent within the CA. It should also be used to influence enhancement schemes for the long term management of the CA.

The document should be read in conjunction with Waverley’s Local Plan (both adopted and emerging) and National Planning Policy Framework (NPPF).

1.3 Planning Policy Framework and Sources

The Planning (Listed Building and Conservation Area) Act 1990 Section 71 states:

“It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.”

Policy HE8 in the Local Plan states:

“...the Council will seek to preserve or enhance the character of conservation areas by...(e) carrying out conservation area appraisals”.

The NPPF, Chapter 12 (126) states:

“Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment...”

The CAA helps to identify the significance of heritage assets, and as such enables planners to confidently determine whether an application will devalue the significance of the CA.

It is in accordance with the above legislation and local policy that this CAA has been conducted. This appraisal was compiled with the assistance of Historic England’s guidance “Conservation Area Designation, Appraisal and Management” (February 2016). Historic England has also published guidance called “Knowing Your Place” (March 2011).

1.4 Methodology

To assess the CA comprehensively, a historic study of the area was undertaken, including assessment of historic maps in comparison to modern maps. In conjunction with this, site visits were conducted to establish the character and identify the architectural interest of the CA. A photographic survey was undertaken of the key views and vistas within the CA, and is used throughout this appraisal. The boundary has also been reviewed.

1.5 Community Involvement

A site visit was held on 20th June 2016 with local councillors to identify enhancement schemes and gain feedback on the CAA, with any comments made incorporated.

A six week consultation was undertaken seeking residents’ views. Key stakeholders (including Historic England and the Parish Council) were also included. Responses to the consultation were reviewed and these did not result in any changes to the document. A summary of responses can be found in the accompanying consultation statement.

1.6 Summary of Dunsfold Church Conservation Area

Table 1: Dunsfold Church CA at a glance	
Date of designation	26 March 1974
Location	Easting (x) 499,895.00; Northing (y) 136,382.30
Current size	2.29 hectares

Changes to boundary	2017
General Condition	Good
Designated Buildings	3 Listed Buildings and 2 Heritage Features
Positive factors	Uncluttered streetscene
Negative factors	Parking during events at the church

2. Defining the Special Interest

Historic England defines special interest as the “special architectural or historic interest” of the area that warrants designation and the “character or appearance of which it is desirable to preserve or enhance”.

2.1 Summary of the Special Interest

The following provides a summary of the special interest of Dunsfold Church CA:

Overview	The CA is made up of a small compact grouping of dwellings, surrounding the church, which has had little development and therefore has remained distinctly rural. The main village of Dunsfold developed 1/3 mile to the south east, rather than surrounding the church, resulting in this small grouping.
Heritage	St Mary’s Church, built in the 13 th Century is rare because of its virtually complete original form. The houses surrounding it have developed because of the church.
Form	Small compact grouping surrounding the church
Notable buildings	St Mary’s Church
Main architectural features	Clay tile hanging, dominant chimneys
Vistas	Because of its size and location, the main vistas within the CA are orientated around the small green and the church. However, there is one that includes landscape beyond the CA.

3. Assessing the Special Interest

3.1 Location and Setting

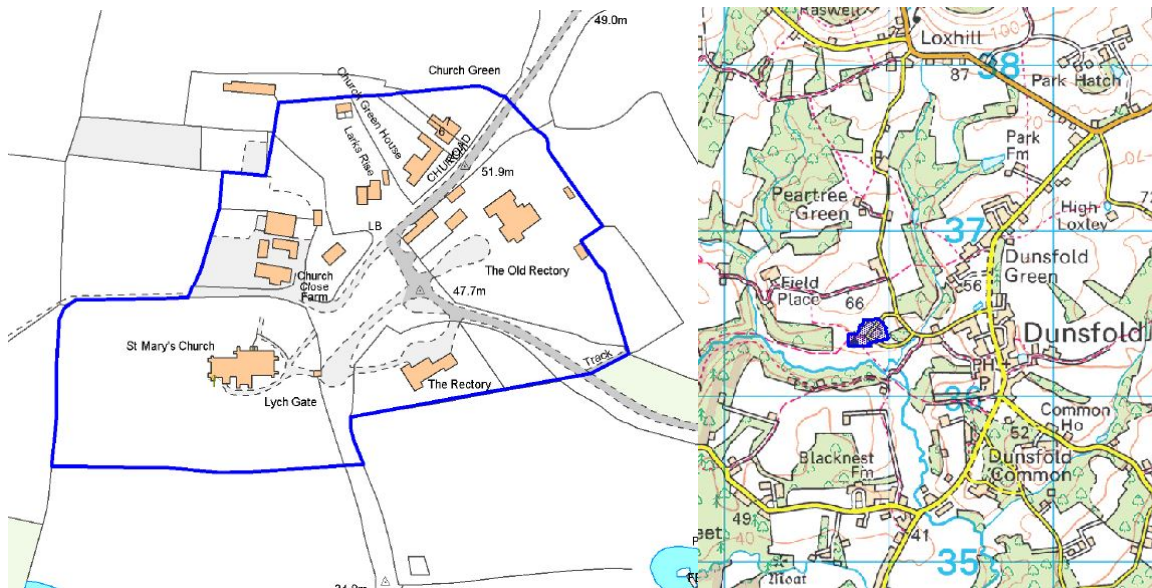


Figure 1. Dunsfold Church CA boundary and location plans.

Dunsfold Church CA is located 1/3 of a mile west of the centre of Dunsfold and south of Loxhitt. The one road through the CA, Church Road, only leads to church and the surrounding dwellings therefore there is little traffic disturbance to detract from the character or setting of the CA.

3.1.1 Landscape Setting

The CA lies on a higher ridge of Wealden Clay above a tributary stream of the River Arun system. However, the CA is hidden from its surroundings behind a belt of trees around the surrounding fields.

3.1.2 General Character and Plan Form

The CA is a small compact grouping of buildings surrounding the church remote from the village. The area is distinctly rural in its character and the properties within it indicate the two separate uses for the area, ecclesiastical and agricultural.

3.1.3 Economic profile and potential forces for change

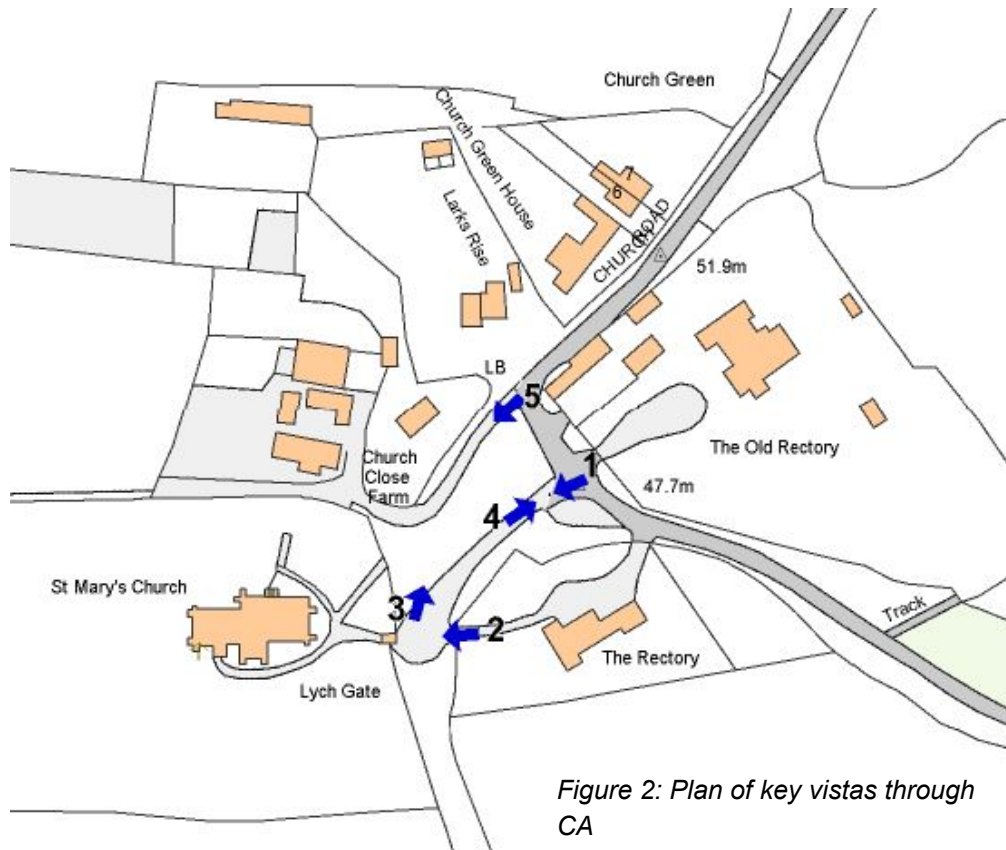
Census data show that within the built up area of Dunsfold, 98% of the economically active population are employed or self-employed and 80% of the population own their own properties.

The CA is predominantly residential with some agricultural use and thus it is likely that the majority of residents work either outside the CA or are self-employed.

As a result of its topography and compact nature, there is very little pressure for change on the CA. However, any future development proposals should take into account the character and special interest of the CA as identified within this appraisal to ensure the CA is preserved or enhanced for future generations.

3.1.4 Vistas

Below are a selection of the key vistas experienced by those who live, work and travel through the CA.



Vista 1: looking towards the church from Church Road with the small area of green in the foreground



Vista 2: view of the church from The Rectory with the lych gate in the foreground



Vista 3: view looking north from the lych gate



Vista 4: view looking towards The Old Rectory



Vista 5: view looking towards the church and landscape beyond the CA.

3.2 Historic Development

The church was built around 1270 - 1290 and is considered to be a rarity due to its completeness despite later alterations. The living (means of support) at that period was in the gift of the Crown and all the visible evidence suggests that Dunsfold Church was built by royal masons. The original patrons were the rectors of Shalford, which was a Crown living.

There are numerous theories on why the church is built away from the present main village, the one thought to be the most probable is that it is the site of an existing chapel which may have been there as the result of it being a sacred pre-Christian site. This theory is based upon the close siting of the Holy Well, which lies down the hill by the stream, which is thought to have pagan origins. It may be that the earliest settlement was around the church, above the dense woodland and marsh below. The village may then have relocated to be nearer the main cart routes.



In 1294, the first rector was listed as Alan de Dollyng, three years after the church was first recorded in the Taxatio Ecclesiastica. In 1305, Edward I granted the right of presentation of Shalford and Dunsfold to the Hospital of St Mary at Spital without Bishopsgate, a priory of Augustinian canons.

In the 15th century, the shingled bell turret was constructed and The Old Rectory was built. The CA may have had other dwellings within it from this period but there is no surviving evidence above ground. Around 1536, the advowson reverted back to the Crown and it remains today in the gift of the Lord Chancellor, following the dissolution of the monasteries.

By 1881, the church was in bad condition so alterations and repairs were commissioned. This included the heightening and widening of the Chancel arch, the filling up of the Priest's door and the exposing of the exterior stones and the joints galleted.



Eleven years later in 1892, further restoration took place. This mainly concentrated on the Nave and the tower was taken down, reconditioned and rebuilt as it was. After completion in 1893, a list of Rectors of Dunsfold was compiled and painted on the north wall.

Throughout the 20th Century the CA remained remote with little development. The last dwelling to be built within the CA was the new Rectory in the 1960s to the south west of the original rectory.

3.3 Architectural Quality and Built Forms

3.3.1 Period and style

Despite its small number of buildings, Dunsfold Church CA exhibits a variety of architectural periods and styles as a result of its slow development and also having been continuously inhabited since the medieval period.

The church was constructed between 1270 to 1291, in a cruciform plan, in walls of Bargate Stone rubble. The roof would have originally been laid with Horsham Stone, but these now only survive on the lower portion with clay tiles laid up to the ridge. In the 19th Century, alterations such as the galleting of the exterior walls with ironstone and repairs were made, but the building has remained in its original style and form.

The dwellings within the CA reflect the agricultural and ecclesiastical use of the area. The oldest dwelling is The Old Rectory, a 15th Century large timber framed house.

There are two sets of semi-detached workers properties. The first is from the 1850s and the second dates to early 20th Century. These reflect the continued need for accommodation for those working on the land, or in industry associated with it, up until mid 20th Century.

3.3.2 Scale and height of buildings

Apart from the church, the buildings within the CA are domestic in scale, mainly two storeys in height with some single storey (including the agricultural barns).

3.3.3 Materials

The materials used within the CA are largely from the local area these include:

- Red brick
- Bargate stone
- Plain clay tiles
- Horsham Stone
- Ironstone
- Exposed timber frame

3.3.4 Details

Key detailing found on buildings within the CA include:

- Galleting
- Tall chimneys
- Clay tile hanging

3.3.5 Street form and frontages

The properties within the CA are set back from the road with tall mature hedges and trees forming boundary treatment to support the rural nature of the area. The Old Rectory's single storey outbuildings back straight onto Church Road creating a more formal boundary on the north side. They are in the traditional Surrey vernacular style.

3.4 Listed Buildings and Heritage Features

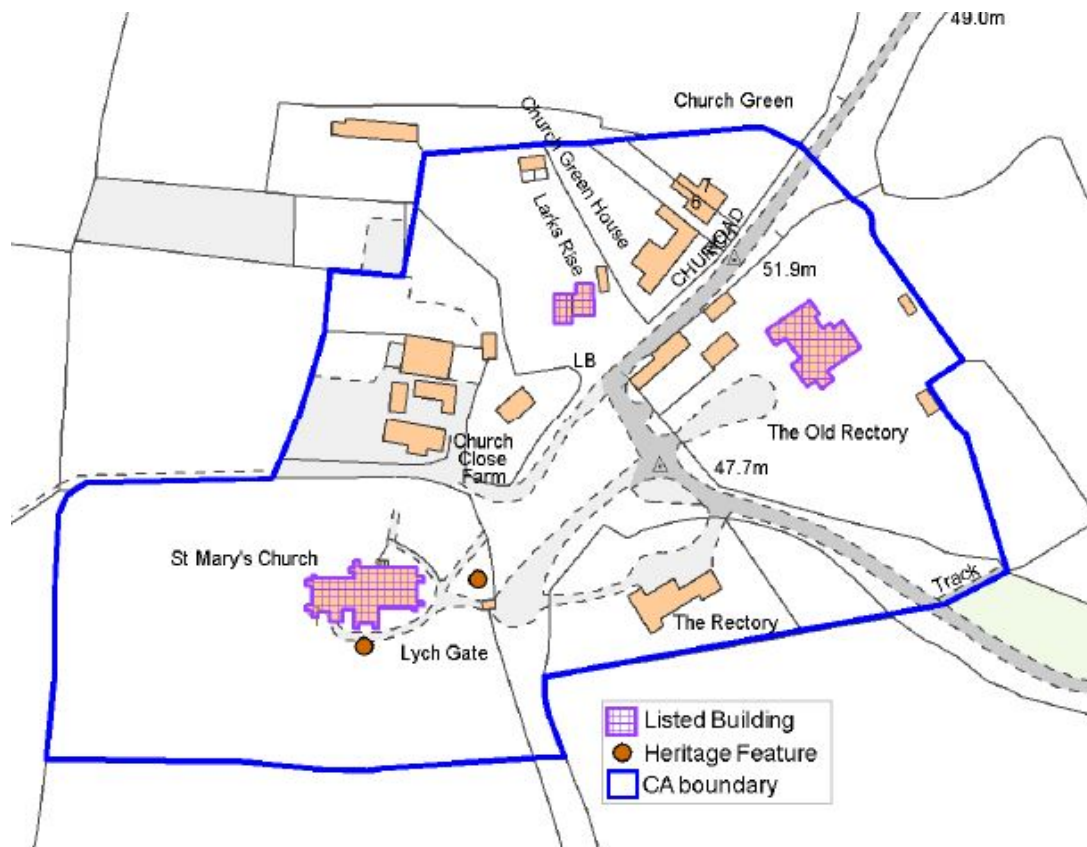


Figure 3: Plan of Heritage Assets

3.4.1 Listed Buildings

There are 3 statutory Listed Buildings in the CA:

Grade I

- St Mary's Church, Church Road

*Grade II**

- none

Grade II

- Lark's Rise, Church Green
- The Old Rectory, Church Road

3.4.2 Buildings of Local Merit (BLMs)

Buildings of Local Merit (BLMs) are buildings identified by Waverley as of local historic, architectural or townscape merit. Many local authorities have lists of such buildings, sometimes called the local list and sometimes Buildings of Townscape Merit (BTM).

There are presently no BLMs within Dunsfold Church CA.

3.4.3 Heritage Features

In 1986, Waverley Borough Council produced a list of heritage features in Waverley. The list covers natural landmarks, archaeological sites, historic structures, historic trees, roads, track ways and gardens. The purpose of the list was to identify features that for the most part were not protected by legislation, but were a significant and valuable part of the character and history of the Borough. The intention was that by recording them there would be more awareness of the value of preserving them.



List of heritage features:

- The lychgate to the churchyard erected as a memorial to Queen Victoria in 1901.
- A large, old yew tree in the churchyard, thought to be one of the oldest in Surrey.

3.5 Heritage at Risk

The “Heritage at Risk Register ” for Grade I and II* Listed Buildings and other heritage assets held by Historic England identifies sites that are at risk of being lost as a result of neglect, decay or inappropriate development. No Heritage Assets within the CA have been identified within this list.

Waverley BC holds a list of Grade II Listed Buildings which are considered to be ‘at risk’. At time of print, there are no identified Grade II properties which are considered to be ‘at risk’.

It is important to ensure that any Listed Buildings that fall into disrepair are identified early, so that Waverley Borough Council can work with the owners to find appropriate solutions and bring the building into a productive use.

3.6 Buildings which positively contribute to the CA

Positive Contributors are buildings which are not listed, or locally listed, but positively contribute to the special interest of the CA.

As a result of the CA consisting of only a small cluster of buildings, of which three have already been identified and designated accordingly, there are currently no additional buildings that need to be identified.

3.7 Open Spaces and Streetscape

3.7.1 Open spaces

In the centre of the CA, there is a small area of green it is on a slope so is unlikely to be used for recreational purposes. However, it does contribute to the open setting of the settlement. In addition, the church has a large churchyard which has an area dedicated as a garden of remembrance.

There are two main Public Rights of Way within Dunsfold Church CA. These link the CA with Dunsfold village, the Holy Well and the surrounding countryside.

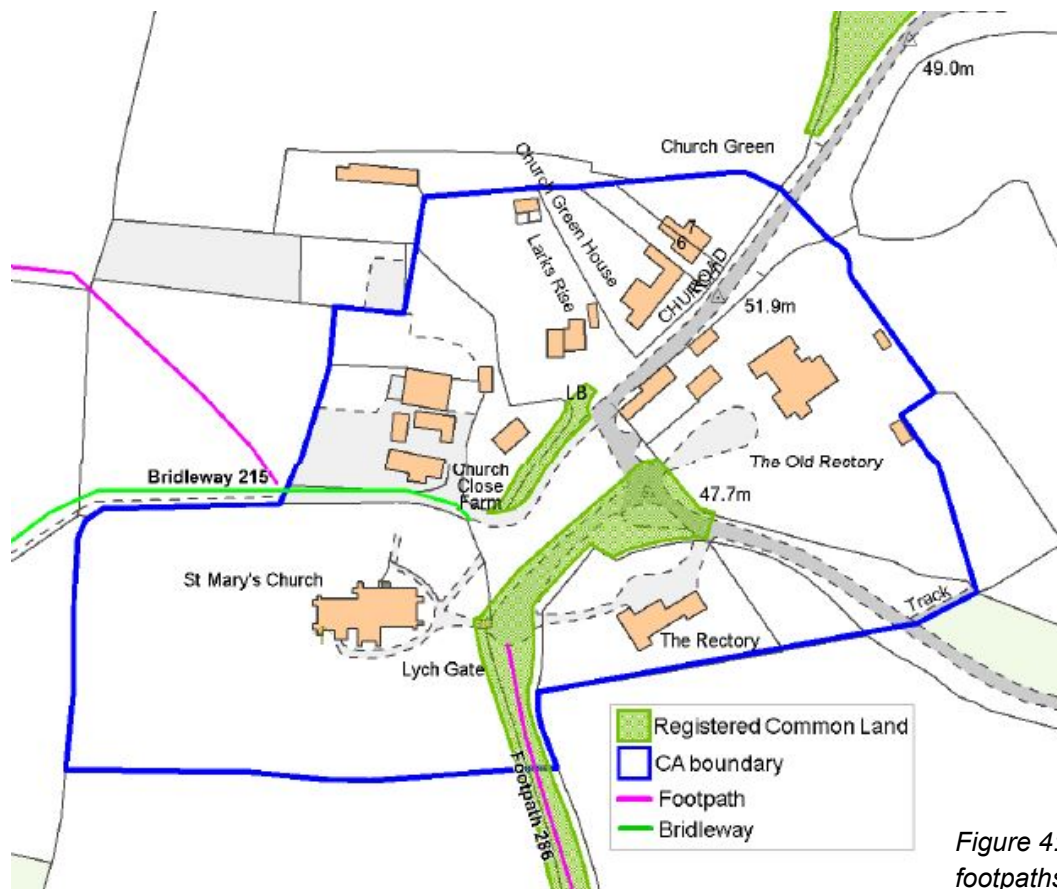


Figure 4: Plan of footpaths and common land in and around the CA

3.7.2 Streetscape

Although on an elevated position, the CAs backdrop of trees outside, helps retain its isolated and rural feel. This rural character is retained until it opens out on entering the CA where boundary treatments consist of tall mature hedged and trees. The most notable tree within the CA is in the church yard, a hollowed yew tree which is believed to be one of the oldest in Surrey.

Notably, the CA has no street furniture which means there is no unnecessary clutter thereby reinforcing the rural character of the area.

Not all the properties within the CA have off-street parking spaces. However the road is too narrow to accommodate on street parking. Therefore some parking occurs just to the side at the north end of Church Road. Whilst this is visible, it does not have an impact on the character of the CA. Generally, the area does not have issues with parking. However, at times, events at the church can cause problems since the church does not have a car park and, due to its location, most attendees travel by car. As this is only on certain days, it does not have a materially detrimental impact upon the CA.

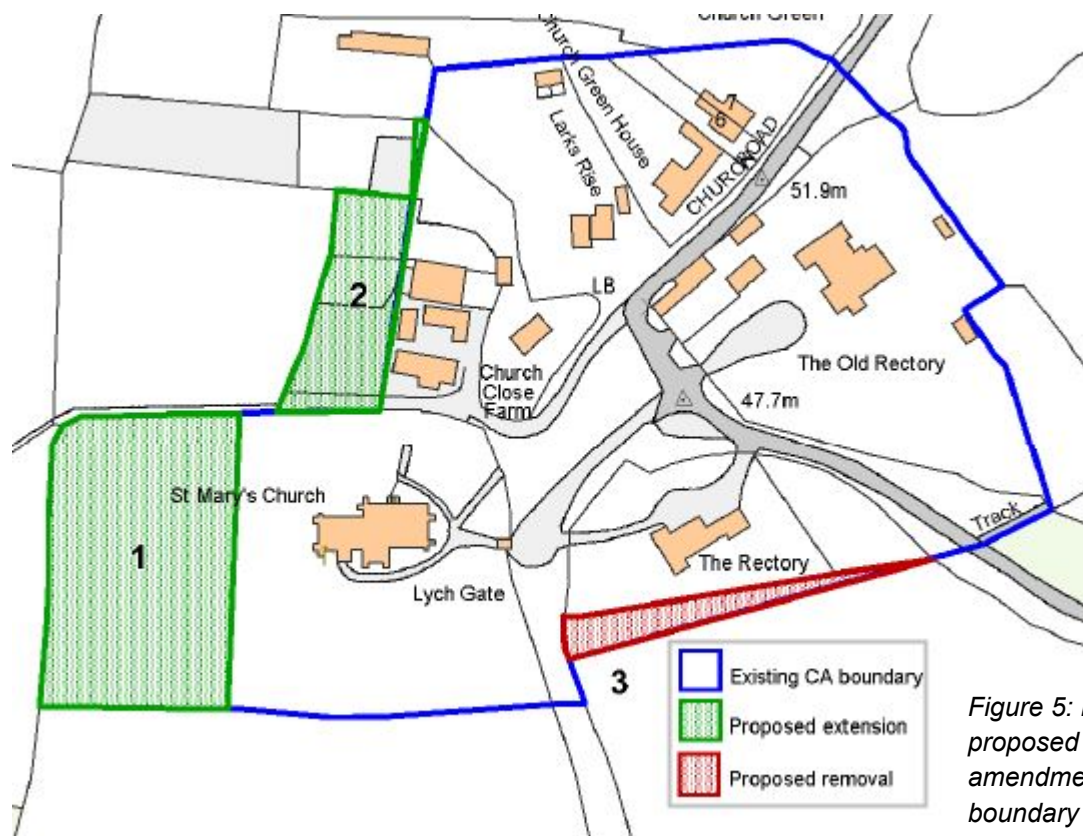
3.8 Assessment of Condition

Overall: Good condition

The Listed Buildings and other buildings within the CA are in good condition and appear to be well maintained, which reflects positively on the character of the CA.

3.9 Identifying the Boundary

Dunsfold Church CA was designated over 40 years ago. Therefore areas within the boundary may no longer have special interest. Physical boundaries/curtilages may have changed or areas that were previously omitted may now be considered to be of special interest. As part of the appraisal the boundary of the CA has been reviewed using Historic England's guidance (Conservation Area Designation, Appraisal and Management (2016)). The following changes are identified for the boundary, and the reasons for these amendments are discussed below.



1. Extension: St Mary's Church cemetery

Since designation, the boundary for St Mary's Church cemetery has been extended. The cemetery as a whole plays an important part in the character of the CA. Therefore, it is proposed to extend the boundary to include the whole of the cemetery in order to rationalise the boundary.

2. Extension: Land at Church Close Farm

Since designation, the physical features at Church Close Farm have altered. Therefore it is proposed to extend the boundary to follow physical features in order to rationalise the boundary.

3. Removal: Field adjacent to The Rectory

The Conservation Area currently includes the corner of a field to the south of The Rectory. This has been recommended for removal from the CA following assessment of the land in accordance with guidance from Historic England. Conservation Areas are defined as 'an area of special architectural and historical interest, the character or appearance of which is desirable to preserve or enhance'. The guidance is clear that CA designation is not generally appropriate for protecting areas of wider landscape, unless the character or appearance of the open area particularly relates to the historic fabric of which the CA designation relates.

The CA currently cuts across the field, as there is no architectural interest on the site, and there is no evidence of any historical links between the field and the wider CA to warrant the protection of an area of wider landscape. Therefore, to avoid future confusion, it is proposed that the whole field be excluded from the CA.

PART 2 – Management Plan

4.0 Management Plan

The following sections within the Management Plan set out specific actions/projects aimed at preserving and enhancing the CA in the future.

4.1 Managing Change

The qualities that make CAs appealing can often lead to further pressure for development. However, given the close knit development pattern of the CA, there are few (if any) opportunities for new development (beyond smaller extensions or alterations to existing buildings). It is expected that where consent or planning permission is necessary, the appraisal section of this document should be taken into account when making the decision.

4.2 Designation

4.2.1 Buildings of Local Merit

In addition to statutory listing, the NPPF states that Heritage Features and BLMs are designated heritage assets. The Council has set up a project to identify, review and adopt additional BLMs. This is a community led project which includes a consultation process with owners and local amenity societies. The Parish Council takes the lead on the project with support given by Waverley Borough Council.

Recommendation:

Dunsfold Parish Council is encouraged, with the support of Waverley Borough Council officers, to undertake a review of the BLMs to identify potential candidates to be designated as a BLM.

4.3 Heritage at Risk

The character of Dunsfold Church CA is heavily reliant on the preservation of the heritage assets. These assets should be preserved, and those which are deemed 'at risk' identified.

4.4 Celebration: Waverley Design Awards

The Waverley Design Awards scheme was introduced in 1995 to encourage an interest in the quality of the built and natural environment of the borough. The scheme promotes an awareness of the need for high standards in design including planning, architecture, sustainable development and landscaping.

The awards are normally made every two years and the next one is due in 2018. It is important to ensure that outstanding design is identified and promoted especially when it preserves and enhances the CA.

Recommendation:

Dunsfold Parish Council is encouraged to nominate new, outstanding developments to the Waverley Design Awards.

4.5 Enhancement Schemes

4.5.1 Utility companies

Utility companies often carry out works on the highway within the CA (road or pavement). Utility companies (and their contractors) are required to ensure that the surface is made good, to the same standard that was originally there. In addition, it is understood that they can implement a temporary surface for a period of six months before making the area good. Within a CA, unsatisfactory works by utility companies can undermine the character of the area and have a detrimental impact on the appearance of the street.

A Task Group at Surrey County Council (SCC) has produced a report: "Improving the Co-ordination and Quality of Work of Utilities Companies in Surrey", 10 January 2013. This considered the views of residents, councillors, utilities companies and officers. The conclusions were that SCC could undertake a number of actions to work more effectively with utilities companies to improve the quality of street works in Surrey, minimising the disruption caused to residents and road users by:

- Communication
- Monitoring and Reporting
- Utility companies must apply for a permit from the Streetworks team at SCC.
- Improved working in areas with special conditions (*including Conservation Areas*).

Recommendation

Utility Companies should be made aware of the CAA document, and in particular be encouraged to ensure that their work is completed and 'made-good' as soon as practically possible. Where this has not happened (and within the existing guidance) the Streetworks team at SCC should be informed so that they can take appropriate action.

4.6 Taking the CAA forward

It is recognised that the CAA will be a living document that informs the consideration of planning and Listed Building applications within the area. Whilst Waverley Borough Council has a key role in ensuring that the Management Plan is implemented and regularly reviewed, many of the Management Plan actions need to be co-ordinated with partner organisations such as Surrey County Council and Dunsfold Parish Council.

Appendices

Appendix 1: Extracts from Waverley BC Local Plan 2002 and Pre-submission version of Waverley Borough Local Plan Part 1: Strategic Policies and Sites (August 2016)

Local Plan Policy HE8 – Conservation Areas

The Council will seek to preserve or enhance the character of conservation areas by:

- (a) the retention of those buildings and other features, including trees, which make a significant contribution to the character of the conservation area;
- (b) requiring a high standard for any new development within or adjoining conservation areas, to ensure that the design is in harmony with the characteristic form of the area and surrounding buildings, in terms of scale, height, layout, design, building style and materials;
- (c) in exceptional circumstances, allowing the relaxation of planning policies and building regulations to secure the retention of a significant unlisted building;
- (d) protecting open spaces and views important to the character and setting of the area;
- (e) carrying out conservation area appraisals;
- (f) requiring a high standard and sympathetic design for advertisements. Internally illuminated signs will not be permitted;
- (g) encouraging the retention and restoration of shop fronts where much of the original detailing still remains. Alterations will take into account the upper floors in terms of scale, proportion, vertical alignment, architectural style and materials. Regard shall be paid to the appearance of neighbouring shop fronts, so that the proposal will blend in with the street scene.
- (h) encouraging the Highway Authority to have regard to environmental and conservation considerations in implementing works associated with its statutory duties, including the maintenance, repair and improvement of public highways and the provision of yellow lines, street direction signs and street lighting.

Local Plan Part 1: Strategic Policies and Sites Policy HA1 – Protection of Heritage Assets

The Council will ensure that the significance of the heritage assets within the Borough are conserved and enhanced to ensure the continued protection and enjoyment of the historic environment by:

1. Safeguarding and managing Waverley's rich and diverse heritage. This includes all heritage assets, archaeological sites and historic landscapes, designated and non-designated assets, and their setting in accordance with legislation and national policy.
2. Understanding and respecting the significance of the assets.
3. Undertaking further Conservation Area Appraisals and producing and implementing related Management Plans.

4. Facilitating and supporting the identification and review of heritage assets of local historic, architectural and archaeological significance in accordance with the Council's agreed procedures.
5. Supporting appropriate interpretation and promotion of the heritage assets throughout the Borough.
6. Targeting for improvements, those heritage assets identified at risk or vulnerable to risk.

Appendix 2 - Glossary of terms

IMPORTANT NOTE: This glossary does not provide legal definitions, but acts as a guide to key planning terms.

Building of Local Merit: BLM stands for Building of Local Merit. It is a building identified by Waverley as of local historic, architectural or townscape merit. Many local authorities have lists of such buildings, sometimes called the local list and sometimes Buildings of Townscape Merit (BTM). In Waverley we chose the designation BLM because it is less likely to be confused with statutory listed buildings and also recognises that not all our valuable buildings are within towns.

Conservation Areas: Areas designated by the Local Planning Authority under the Planning (Listed Buildings and Conservation Areas) Act 1990 Section 69 as being of special architectural or historic interest, the character of which it is desirable to preserve and enhance.

Designated Heritage Asset: A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

Development: Development is defined under the 1990 Town and Country Planning Act as “the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land.”

Galletting: Architectural technique of placing pieces of ironstone or flint in the mortar between bricks or stonework.

Heritage Assets: Parts of the historic environment which have significance because of their historic, archaeological, architectural or artistic interest. This includes designated heritage assets and non-designated heritage assets.

Listed Building: A building of special architectural or historic interest. Listed buildings are graded I, II* or II. Listing includes the interior as well as the exterior of the building, and any pre 1948 buildings or permanent structures (e.g. walls) within its curtilage. Historic England is responsible for designating buildings for listing in England.

Local Plan: A development plan prepared by district and other local planning authorities.

Non-designated Heritage Asset:

These are buildings, monuments, sites, places, areas or landscapes that have not previously been formally identified but that have a degree of significance meriting consideration in planning decisions, because of its heritage interest.

National Planning Policy Framework:

Issued by central government setting out its planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

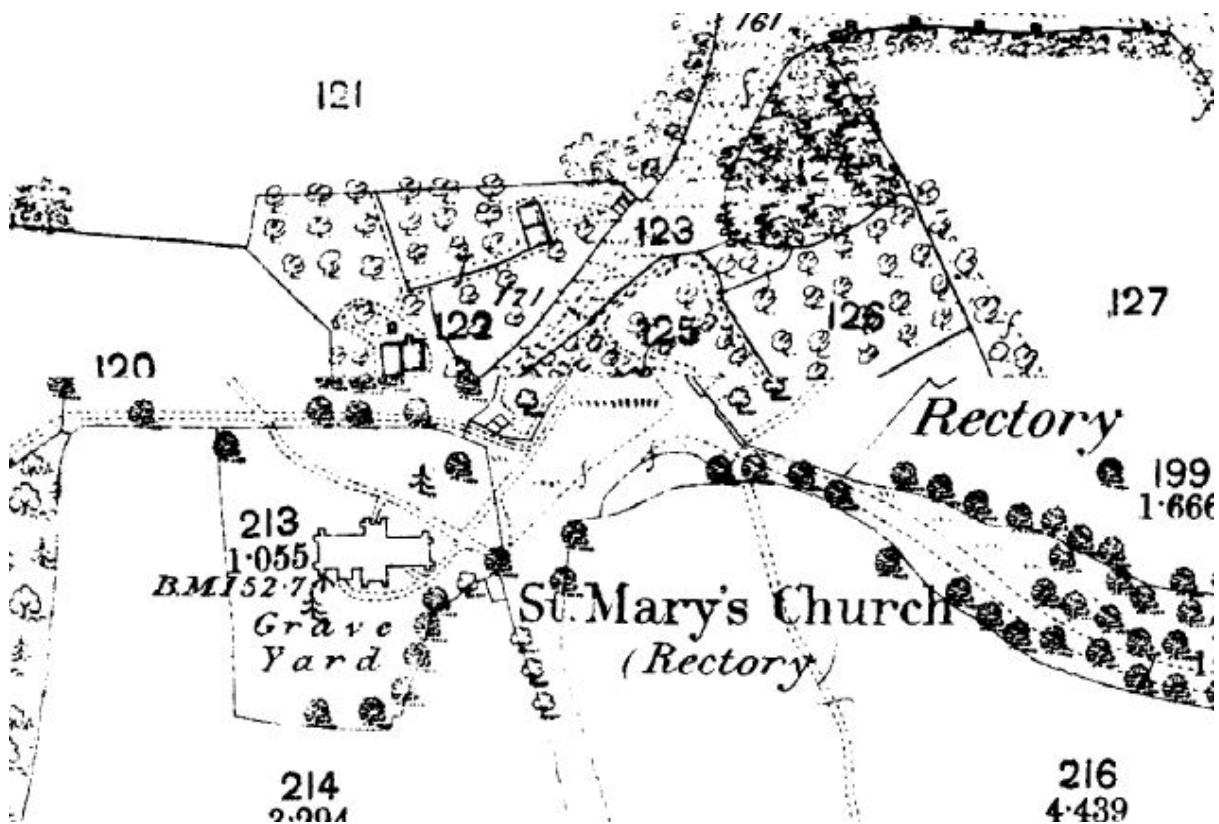
Vernacular:

Traditional architecture using local materials and following well-tried forms and types. For example, the Surrey vernacular is typified by steep tiled roofs, timber frames, brickwork and tile hanging.

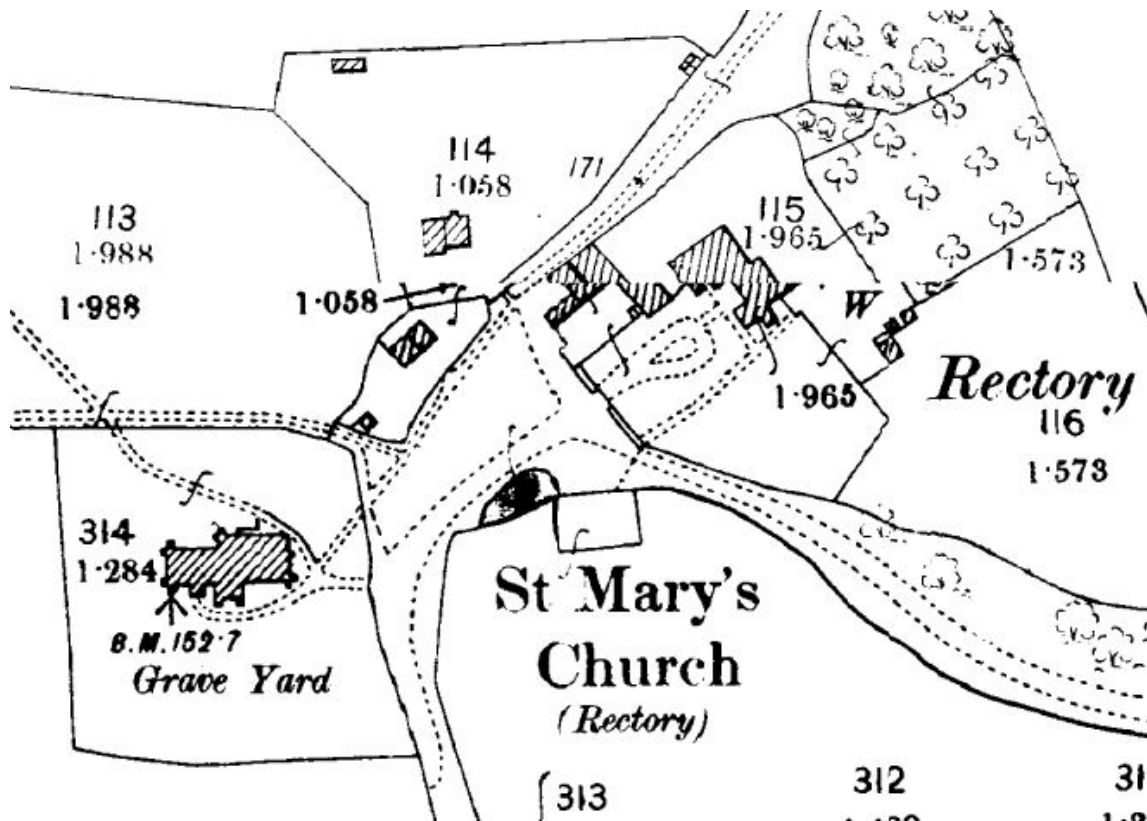
Appendix 3: Historical maps



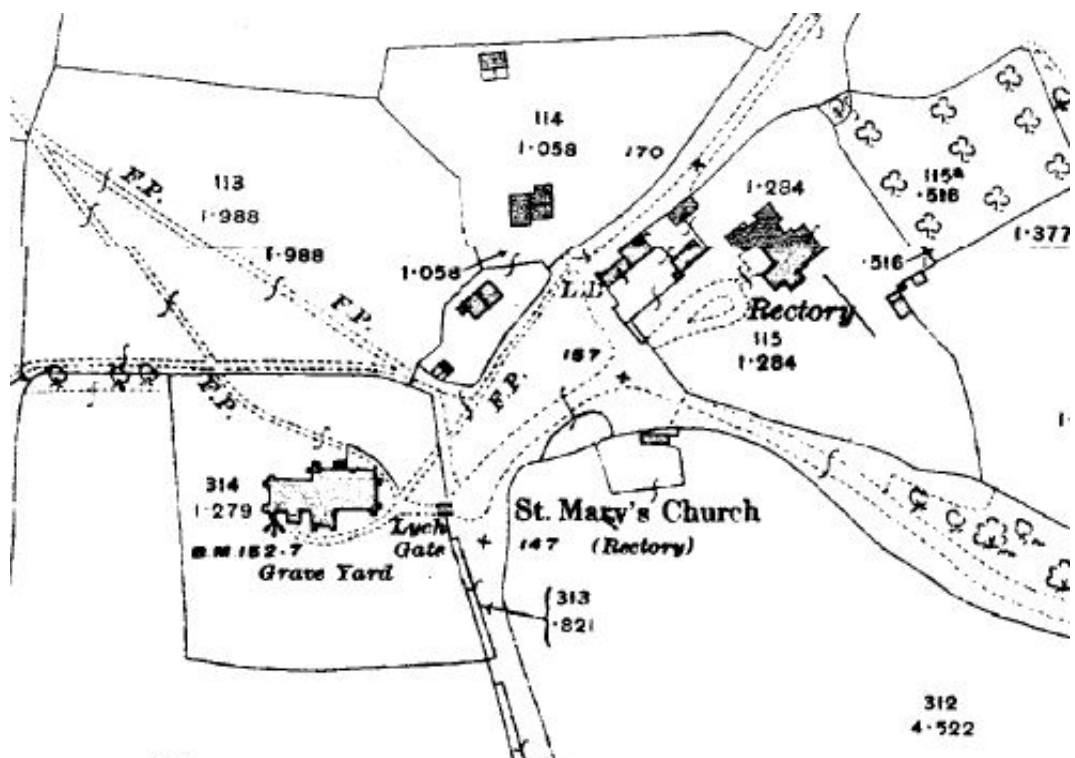
1819 William Mudge map



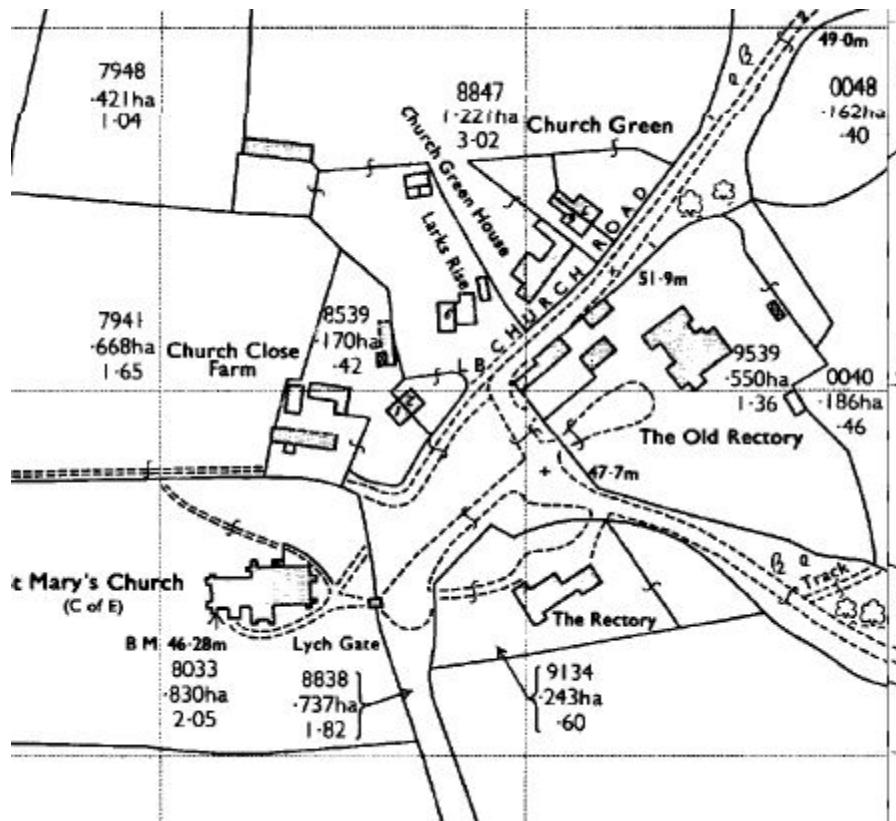
1871 Historic OS map - unfortunately the two sections of the map have not aligned properly and therefore the Rectory can not be seen.



1898 Historic OS map



1914 Historic OS map



c. 1960-82 OS map

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WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 4 APRIL 2017

SUBMITTED TO THE COUNCIL MEETING -25 APRIL 2017

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

Present

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

Apologies

Cllr Ged Hall

Also Present

Councillor Patricia Ellis, Councillor Michael Goodridge MBE, Councillor John Gray, Councillor Jerry Hyman, Councillor Peter Isherwood and Councillor John Williamson

162. MINUTES (Agenda item 1)

The Minutes of the Meeting held on 7 March 2017 were confirmed and signed as a correct record.

163. APOLOGIES FOR ABSENCE (Agenda item 2)

Apologies for absence were received from Councillor Ged Hall.

164. 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.

165. OVERVIEW AND SCRUTINY - CHANGES TO THE CONSTITUTION (Agenda item 6)

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

165.1 The Council meeting on 21 February 2017 gave approval to the new Overview and Scrutiny arrangements which would be coming into effect from the start of the 2017/18 Council year. The Constitution SIG met on 14 March and reviewed the amendments 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)

165.2 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.

165.3 The Executive now

RECOMMENDS that

131. the amendments to the Constitution be approved, to include the addition of the Terms of Reference of the Overview and Scrutiny Co-ordinating Board and the Protocol for Informal Working Groups.

[Reason: To review the amendments that are required to the Constitution and Procedure Rules to reflect the revised ways of working for Overview and Scrutiny Committees.]

166. REVIEW OF SCHEME OF DELEGATION (Agenda item 7)

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

166.1 The Scheme of Delegation to officers has been in existence for many years and has been added to and amended in an ad hoc manner, usually to reflect new or changing legislation. Despite these many revisions, the scheme has never been subject to a complete overhaul.

166.2 The current scheme, because it is detailed and specific, requires constant revision to keep it up to date and inevitably there are gaps in provision where it does not always cover every eventuality.

166.3 With the increasing speed of change, both external and internal, the Strategic Review identified a need for a flexible, generic and user-friendly Scheme of Delegation that can meet the needs of a modern local authority. As a result, the Scheme of Delegation has been re-written with a view to achieving these aims.

166.4 As the approach to the new scheme is very different to the existing scheme, it is not possible to show tracked changes to the original document. However, an audit trail of the migration of the existing delegations into the new scheme will be maintained for members to view.

166.5 Officers took a report to the Executive on 7 February 2017 setting out the principles of the review, recommending that the revised constitution and scheme of delegation should:

- Be shorter
- Be simpler
- Be easier to understand
- Facilitate quicker decision-making
- More easily accommodate future national legislative and local policy changes without always necessitating the addition of further specific points
- At least increase and not at all decrease the quality, integrity, accountability, transparency of the Council's democratic processes.
- Be endorsed by both officers and members.

166.6 In order to identify the best way forward for Waverley, officers undertook research into the format of the Schemes of Delegation at other and neighbouring authorities and whether they had recently undertaken any form of review.

166.7 As a result of the findings, officers all agreed that the scheme recently introduced at Surrey Heath was consistent with the approach that was trying to be achieved at Waverley, and largely the proposed scheme set out at Annexe 2, reflects that of Surrey Heath. Having spoken to their Democratic Services Manager, feedback on the transition to a revised scheme and its operation was positive from both the officer and member perspective, recognising the culture change that was needed. In the two years since it has been operating, the new scheme has been reported to be working much more effectively than the old style scheme, particularly in relation to Planning and Licensing matters.

166.8 The new approach to the Scheme provides for:

- i. the migration of delegations from outdated function area headings, to the Statutory Officers and service areas to make the scheme more accessible;
- ii. many of the delegations will be dealt with on an exceptions basis, with officers authorised to take all actions relating to a function with the exception of certain decisions that are reserved to a specific Committee or the Council;
- iii. the removal of day to day management and administrative actions to include only actual decisions to be taken; and
- iv. the removal of outdated and redundant delegations and where legislation has been superseded.

166.9 There have been some areas identified which have in the past incurred an unnecessary delay in decision-making and it was hoped that the revised Scheme of Delegation would be able to address these. In fact, as a result of checking the constitutional requirements, no specific action is required:-

i. Planning Applications for Council-Owned Property

In the event that a service area of Waverley Borough Council wishes to take action relating to Council-owned land, property or premises that requires planning permission, historically common practice has been that approval to submit a planning application has been sought by a report to the Executive. However, there is no requirement to do this and so in future, officers can proceed with submitting planning applications without the need to seek Executive approval to do so.

ii. Financial Virements

There is often uncertainty about the procedure to be followed when wishing to vire money between budgets. However, the Financial Regulations already set out both the procedure and the financial levels for officers to take action in terms of budget virements, and again officers can operate with more flexibility than they have perhaps been aware of in the past.

In view of the need for the Financial Regulations to be consistent with the provisions of the Scheme of Delegation, it is proposed that the Strategic Director – Finance and Resources, be authorised to review the Financial Regulations and ensure their consistency with new principles agreed by the Council on 21 February 2017 and within this report. Similarly, the Contract Procedure Rules are also in the process of being reviewed and updated, and it is essential that these three constitutional documents are all cross-referenced.

- 166.10 The Constitution SIG met on 14 March 2017 to give consideration to the proposed Scheme of Delegation and was supportive, recognising that it was the right approach to take in order to underpin an efficient system where decisions are taken quickly. It was, however, noted that safeguards for operating such a scheme were important, and officers gave assurances that the scheme still allowed for matters to be referred to the Council, Executive and Committees at the request of officers or councillors, if appropriate. Identifying that the new way of working would bring with it additional responsibility for officers, the need for awareness raising and training was emphasised, in order to ensure the cultural change of the organisation could be driven forward effectively. Improved communication with ward councillors and portfolio holders in advance of decisions being taken would be fundamental to reassure councillors and address any issues of transparency.
- 166.11 The Executive, on 4 April 2017, delegated authority to the Head of Policy and Governance, in consultation with the Leader of the Council and any relevant Portfolio Holder(s) or Head(s) of Service, to make any final amendments necessary to the Scheme in advance of it being presented to the Council for approval. The additional points relating to the Head of Housing Operations and the Head of Strategic Housing and Delivery which were tabled at the Executive, have now been incorporated into Annex 2, as have some final additions.

166.12 The Executive now

RECOMMENDS that

- 132. the revised Scheme of Delegation to officers as set out at Annexe 2, be adopted;**
- 133. 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**
- 134. 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.**

[Reason: To consider a revised Scheme of Delegation to officers in respect of the functions of the Council.]

167. AMENDMENT TO THE CONSTITUTION AND SCHEME OF DELEGATION
(Agenda item 8)

- 167.1 The Constitution and Scheme of Delegation is kept under regular review and this report brings to the attention of the Council that the Constitution and Scheme of Delegation requires amendment. The proposed amendment will provide the addition of a key delegation in the Planning Service, specifically in relation to planning enforcement.
- 167.2 The Scheme of Delegation allows for the Head of Planning, after consultation with the Borough Solicitor, to determine planning applications where there is a requirement for a planning obligation (Section 106 agreement). This delegation only exists when no positive obligations are placed on the Council save for contributions required to offset planning harm to the Thames Basin Heath Special Protection Area (July 2016 version: Delegation 98).
- 167.3 The Scheme also allows for the Head of Planning to vary a legal agreement provided no positive obligations are placed on the Council and to discharge a legal agreement where there is no longer a valid planning purpose for the agreement (July 2016 version: Delegations 99/100).
- 167.4 It has come to the attention of Planning Enforcement and legal officers that no such authority in the Scheme allows for the enforcement of a planning obligation. This is a crucial omission given that the Town and Country Planning Act 1990 (as amended) provides a statutory power for the Council to enforce planning obligations as and when necessary:

“106 Planning obligations.

- (1) Any person interested in land in the area of a local planning authority may, by agreement or otherwise, enter into an obligation (referred to in this section and sections 106A and 106B as “a planning

obligation”), enforceable to the extent mentioned in subsection (3)—

...

- (3) Subject to subsection (4) a planning obligation is enforceable by the authority identified in accordance with subsection (9)(d)—
 - (a) against the person entering into the obligation; and
 - (b) against any person deriving title from that person
- ...
- (5) A restriction or requirement imposed under a planning obligation is enforceable by injunction.

- 167.5 The Scheme of Delegation authorises the Borough Solicitor to seek injunctions upon the request of the Head of Planning but only in very specific situations. These are contained at Delegations 84 and 85 of the July 2016 version. Specifically named are actual and/or apprehended breaches of planning control for unauthorised development; listed building or conservation area control; hazard substances control; and protected trees control. Nowhere is the equivalent authorisation found for enforcing a planning obligation via section 106(5) of the Town and Country Planning Act 1990.
- 167.6 Planning Enforcement and legal officers are mindful, given the volume of planning obligations and the associated requirements contained in such agreements, that, going forward, a delegation is required. This shall allow for sound section 106 management and monitoring and effective and expedient enforcement.
- 167.7 The Scheme of Delegation allows for effective decision-making to be taken by the named officers. However, the delegations must arise from the authorising provisions from within the Council’s Constitution.
- 167.8 Part 3 of the Council’s Constitution “Responsibility for Functions” details what business is reserved to Full Council, the Executive or other committees of the Council. It is here “Joint Planning Committee” (“JPC”) is created with 23 councillors appointed. Its functions are highlighted as being “relevant functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities)(Amendment No2)(England) Regulations.” These Regulations are silent about the enforcement of planning obligations via an injunction. Other powers of JPC are then also listed ranging from powers to determine planning applications, through to powers to issue various notices for enforcement purposes. Here the power to “enter into or vary or discharge agreements relating to development or use of land” is a function of the JPC and exercised via delegations to the four Area Planning Committees (“APC”) and the Scheme of Delegation to officers.
- 167.9 Again, the power to enforce a planning agreement pursuant to the statutory provisions of section 106(5) of the Act is omitted. As such, JPC is devoid of any ability to allow the enforcement of a planning obligation and, by extension, the Council.

167.10 To allow for the effective enforcement of planning obligations, the amendments proposed are required. Should the Council give approval to the new Scheme of Delegation to Officers at Minute No. 166, the second recommendation will fall away because the delegation will no longer be required under the new Scheme.

167.11 The Executive now

RECOMMENDS that

135. To insert into the Constitution at Part 3 and into the table of functions for the 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

136. 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.”

[Reason: To seek an amendment to the Council’s Constitution and the current Scheme of Delegation to officers in respect of planning enforcement related matters]

168. CALL-IN OF DUNSFOLD PARK PLANNING APPLICATION - REQUEST FOR SUPPLEMENTARY ESTIMATE (Agenda item 9)

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

168.1 On 14 December 2016, under WA/2015/2395, the Joint Planning Committee resolved to grant planning permission, in outline, for a new settlement comprising 1,800 dwellings; care accommodation; a local centre for retail, financial and professional, cafes/restaurant/takeaway and/or public house uses; new business uses for offices, research and development industry, light and general industry, storage and distribution and flexible commercial space; health centre; relocation of Jigsaw School; new community centre; two-form entry primary school; open space including water bodies, outdoor sports, recreational facilities, a canal basin and nature conservation areas; public transport routes, footpaths and cycleways; landscaping, removal of three runways; and all related infrastructure.

168.2 Under the same planning application, there was a resolution to grant permission, in full, for the demolition of a certain number of buildings and the retention of others for specified uses and the temporary use of one building as construction headquarters.

- 168.3 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.
- 168.4 Advice received from the Planning Inspectorate so far is that the Secretary of State is particularly interested in matters relating to the location and the sustainability of the proposal. The Council will be informed if further matters are raised as being relevant by the Inspector.
- 168.5 In defending its position at the inquiry, the Council will require Counsel for advice during the preparation of the case and to represent the Council throughout the course of the Inquiry. Clearly, the Council will be in the strongest possible position with the benefit of a highly qualified and experienced planning barrister in place to robustly defend the Council's resolution to grant planning permission. It is likely that the inquiry will last in excess of a week.
- 168.6 As well as requiring a barrister, officers are proposing to employ the services of a private planning consultant to represent the Council throughout the inquiry in order to support the demand on staffing capacity that this major Public Inquiry will cause. In addition, it is considered that securing the services of a consultant with experience of high level and complex planning inquiries will be beneficial and appropriate to defend this important and strategically significant development.
- 168.7 The Executive now

RECOMMENDS that

- 137. 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.**

[Reason: To request approval for a supplementary estimate 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]

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.

169. FORWARD PROGRAMME (Agenda item 5)

[NB Cllrs Jerry Hyman and Peter Isherwood attended the meeting and spoke on this item].

A late item was circulated setting out the conclusions of the Joint Negotiating Committee which had met the day before, recommending that the Executive approved the staff pay award of 1% for 2017. The budget provision for the pay award had already been agreed as part of the budget-setting process for 2017/18.

RESOLVED that

1. the Executive Forward Programme be approved; and
2. the staff pay award of 1% from 1 April 2017 be approved.

170. PERFORMANCE MANAGEMENT REPORT - QUARTER 3 - OCTOBER - DECEMBER 2016/17 (Agenda item 10)

RESOLVED that

1. inclusion of the following new statutory planning indicators for the new financial year 2017-2018 be endorsed:
 - *'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);
2. the inclusion of the following new local planning indicators and targets for the new financial year 2017-2018 be agreed:
 - *'Speed of processing for all other applications'* (90% target);
 - *'All other appeals (cumulative to date)'* (20% target);
3. the discontinuance of the following planning indicators be agreed:
 - *'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];
4. the following target changes be agreed:
 - 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
5. the Overview and Scrutiny Committees be thanked for their observations and recommendations.

[Reason: To analyse the Council's performance in the third quarter of 2016/17 and consider potential changes to some of the indicators.]

171. DEVELOPING AN AIR QUALITY IMPROVEMENT FRAMEWORK FOR WAVERLEY (Agenda item 11)

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

RESOLVED that the following recommendations of the Community Overview and Scrutiny Committee be endorsed:

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; and
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).

[Reason: To consider recommendations from the Community Overview and Scrutiny Committee which were developed in response to the Committee's discussion of air quality issues in Waverley.]

172. HOUSING MAINTENANCE CONTRACTS RENEWAL (Agenda item 12)

[NB Cllrs Michael Goodridge, John Williamson and Jerry Hyman attended the meeting and spoke on this item].

RESOLVED that

1. the recommended approach to the future delivery of Waverley's housing maintenance services, as set out in Section 6 of (Exempt) Annexe 1 to the agenda report, be agreed;
2. 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. the Overview and Scrutiny Co-ordinating Board be asked to add the on-going monitoring of the procurement process to the Overview and Scrutiny work programme.

[Reason: To present 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]

173. EXECUTIVE DIRECTOR'S ACTIONS (Agenda item 13)

There were no Executive Director Actions since the Executive had last met.

174. EXCLUSION OF PRESS AND PUBLIC (Agenda item 14)

At 7.38 pm it was

RESOLVED that, pursuant to Procedure Rule 20, and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during these items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in paragraph 3 of the revised Part 1 of Schedule 12A to the Local Government Act 1972, namely:

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

175. PROPERTY MATTER (Agenda item 15)

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

RESOLVED that the recommendation as set out in the (Exempt) Annexe to these minutes be agreed.

176. ROWLEY'S CENTRE FOR THE COMMUNITY (Agenda item 16)

[NB Cllrs Jerry Hyman and Patricia Ellis attended the meeting and spoke on this item].

RESOLVED that the recommendation as set out in the (Exempt) Annexe to these minutes be agreed.

177. GODALMING MUSEUM (Agenda item 17)

RESOLVED that the recommendation as set out in the (Exempt) Annexe to these minutes be agreed.

The meeting commenced at 6.45 pm and concluded at 8.35 pm

Chairman

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Part 1

Summary and Explanation

PART 1 : Summary and Explanation

The Council's Constitution

Waverley Borough Council has agreed a constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

The Constitution is divided into 16 articles that set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document.

What is in the Constitution?

Article 1 of the Constitution commits the Council to:-

- (i) providing efficient, transparent and accountable decision – making, whilst maximising the involvement of the community to ensure that the Council delivers excellent and effective services, maintained by a commitment to continuous improvement;
- (ii) providing clear, comprehensive and robust guidance on how the constitution works, to ensure that the Council's procedures are effective and that it is clear how to challenge them; and
- (iii) clear criteria providing the opportunity for the review of governance arrangements should the Council wish to revise or reform its constitution in the future.

Articles 2-16 explain the rights of citizens and how the key parts of the Council operate. These are:-

- Members of the Council (Article 2)
- Citizens and the Council (Article 3)
- The Council meeting (Article 4)
- Chairing the Council (Article 5)
- Overview and Scrutiny of decisions (Article 6)
- The Executive (Article 7)
- Regulatory, Quasi-Judicial and Other Committees (Article 8)
- The Standards Panel (Article 9)
- Joint arrangements (Article 11)
- Officers (Article 12)
- Decision-making (Article 13)

- Finance, contracts and legal matters (Article 14)
- Review and revision of the Constitution (Article 15)
- Suspension, interpretation and publication of the Constitution (Article 16).

How the Council operates

The Council is composed of 57 councillors (or members) elected every four years. Councillors are democratically accountable to residents of their ward. Their overriding duty is to the whole Waverley community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have to agree to follow a Code of Conduct to ensure high standards in the way they undertake their duties. The Monitoring Officer trains and advises members on the Code of Conduct.

All councillors meet together as the Council around six times a year. Meetings of the full Council are usually open to the public but may consider certain items in exempt sessions. Here councillors decide the Council's budget and policy framework and set the budget each year.

The role of full Council, comprising all 57 members, is to:-

- elect each year the Mayor and Deputy Mayor;
- elect the Leader for a four year period;
- approve each year the allocation of seats on Committees and Sub-Committees and substitute lists; and
- appoint each year the Council's Regulatory Committees, Overview and Scrutiny Committees, Joint Committees, Standards and Appeals Panels, etc.

The Council is empowered to hold to account the Executive and its Regulatory Committees by the receipt of regular reports and by submitting minutes, from meetings of the Executive and committees, presented in two parts, comprising:-

Part I - matters for decision by the Council, which are subject to debate and discussion concluding with a vote in accordance with the proper procedures on each matter containing a recommendation for decision. Matters for decision will include the policy framework and changes to it, Council Tax levels and budget setting, constitutional issues, rent levels, establishment matters etc.

Part II matters for the information of the Council, and subject to no debate. Members relevant committee may reply, without further debate.

The Council meeting also provides a forum for:-

- formal questions from any member of the Council on a matter of local concern within the Borough;

- the receipt of petitions from any member of the Council or Local Government elector for Waverley on a matter relating to an issue over which the Council has powers or duties, in accordance with the Council's Petition Scheme; and
- special debates of councillors, to address matters in a less formal manner, but comprising all members of the Council.

HOW DECISIONS ARE MADE

- The Executive is the part of the Council which is responsible for delegated decisions.
- The Executive is made up of the Leader and up to nine councillors appointed by the Leader, with the Executive's responsibilities divided into areas of responsibility (portfolios), each member leading on a specific group of policy issues.
- When major decisions are to be discussed or made, these are published in the Executive's Forward Programme of Key Decisions in so far as they can be anticipated.
- If these major decisions are to be discussed with council officers at a meeting of the Executive, this will generally be open to councillors and the public to attend except where personal or confidential matters are being discussed.
- The Executive has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

OVERVIEW AND SCRUTINY COMMITTEES

The Council appoints ~~two~~ four Overview and Scrutiny Committees each of ~~up to 199~~ non-Executive Members^[a1]. The role of the Committees will be to:

- review and scrutinise decisions made by, and the performance of, the Executive, Committees or Council officers;
- review and scrutinise the performance of the Council in relation to its performance objectives, performance targets, or particular service areas;
- review and scrutinise the performance of other public bodies;
- make recommendations to the Executive, Committees or Council arising from the above;
- assist the Council and Executive in the development of its budget and policy framework; and
- conduct research and other consultation on policy issues and possible options, including in-depth review

The Committees will have call-in powers in relation to individual Executive decisions. Call-in can be triggered by a notice signed by any 4 members or substitute members of the Committee. Details are set out in the Overview and Scrutiny ~~Protocol~~ Procedure Rules.

The Overview and Scrutiny Committees will be able to make an annual report, or recommendations to the Executive or in exceptional circumstances where a

[Updated March 2017]

decision by the Executive is outside the Council's budget or policy framework, to the Council.

In the event of a single party Executive and subject to the total number of Opposition members on the Council exceeding 10% of the overall membership (in the current composition of the Council, this would equate to 6 members), the Chairmen of the ~~two~~ Overview and Scrutiny Committees should be nominated ~~from~~ by the largest ~~rst~~ minority group on the Council (this can include non-members of the largest minority group or members of the majority group). The Vice-Chairman of the Overview and Scrutiny Committee shall usually not be from the same political group as the Chairman.

THE COUNCIL'S STAFF

The Council has people working for it as a corporate body (called 'officers') to give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. There is a Member/Officer Protocol governing the relationship between officers and councillors, which is set out in Part 5.

CITIZENS' RIGHTS

Citizens have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council's own processes.

Where members of the public use specific Council services, for example as a Council tenant, they have additional rights. These are not covered in this Constitution.

Citizens have the right to:-

- vote at local elections if they are registered;
- contact their local councillor about any matters of concern to them;
- inspect the Constitution on our website or obtain a copy on payment of a reasonable fee;
- attend meetings of the Council, its Executive, Committees and Sub-Committees, except where, for example, personal or confidential matters are being discussed;
- petition to request a referendum on a mayoral form of Executive;
- in accordance with the Waverley scheme, petition the Council on matters of local concern and ask questions at Overview and Scrutiny and other Committees;
- contribute, by invitation, to matters being considered by the Overview and Scrutiny Committees;
- speak at Area and Joint Planning Committee meetings if the public speaking scheme applies to an application

[Updated March 2017]

- find out, from the Executive's Forward Programme of Key Decisions, what major decisions are to be discussed by the Executive and when;
- attend all formal meetings of the Executive where key decisions are being discussed or decided (except where personal or confidential matters are being discussed);
- see public reports and background papers, and any record of decisions made by the Council and Executive;
- complain to the Council in accordance with its Customer Charter about:-
 - a failure to do something it should have done;
 - something done badly;
 - unfair treatment; or
 - something it should not have done.
- after using the Council's own complaints process, to complain to the Local Government Ombudsman or the Local Government Housing Ombudsman if they think the Council has not followed its procedures properly.
- complain to the Council's Monitoring Officer if they have evidence which they think shows that a councillor has not followed the Council's Code of Conduct; and
- inspect the Council's accounts at the annual audit and make their views known to the external auditor.

The Council welcomes participation by its citizens in its work. For further information on your rights as a citizen, please contact the Executive Director, Waverley Borough Council, The Burys, Godalming, Surrey, GU7 1HR. Telephone: (01483) 523237. E-mail: paul.wenham@waverley.gov.uk.

Article 3 of this Constitution contains a statement of the rights of citizens to inspect agenda and reports and attend meetings.

Article 3 – Citizens and The Council

3.01 Citizens' Rights

Citizens of Waverley Borough are the people registered as electors, together with all other people living or working in the Borough. Citizens have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules in Part 4 of this Constitution.

- (a) **Voting and Petitions.** Citizens on the electoral roll for the Borough have the right to:
- vote at elections;
 - petition to request a referendum for a Mayoral form of Executive; and,
 - petition the Council on matters of local concern.
- (b) **Information.** Citizens have the right to:
- (i) attend meetings of the Council, the Executive and Committees where **key** decisions are being discussed, except where confidential or exempt information is likely to be discussed, and the meeting is therefore held in private;
 - (ii) find out from the Executive's Forward Programme of **Key** Decisions, what **major** decisions are to be discussed by the Executive and when;
 - (iii) see public reports and background papers, and any record of decisions made by the Council, the Executive and its Committees, except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
 - (iv) a copy, on making a written request, of all types of recorded information held by the Council, subject to a range of exemptions under the Freedom of Information Act 2000;
 - (v) on making a written request and upon payment of a fee, a copy of any personal data held about him or her, under the Data Protection Act 1998;
 - (vi) inspect the Council's accounts and make their views known to the external auditor;
 - (vii) upon payment of a fee, obtain a paper copy of the Council's Constitution or access it on our website free of charge; and
 - (viii) contact their local Councillor about any matters of concern to them.
- (c) **Participation.** Citizens have the right to **participate in question time ask formal questions** at Council, **the Executive** and **its some** Committees, subject to the correct procedures being followed as set out in the Council's Constitution. They also have the right to contribute to matters being

[Updated March 2017]

considered by the Overview and Scrutiny Committees. Rights to submit petitions are set out in Council Procedure Rules [number 10.9]

Article 6 – Overview and Scrutiny Committees

OVERVIEW AND SCRUTINY – GENERAL COMMENTS

Since 2000 most Councils have been managed by an Executive of up to ten elected Councillors. These Councillors are able to take most management decisions within the overall policy framework agreed by full Council which consists of all elected Councillors.

Overview and Scrutiny Committees are a key element of executive arrangements. They are the means by which the Executive is held to account for its decisions on the implementation of Council policy and provide an opportunity for a methodical review of performance and the effectiveness of policies. They also act as a check and balance on the powers of the relatively small group of councillors who make up the Executive.

Effective scrutiny is essential to achieve enhanced accountability and transparency of the decision-making process. Overview and Scrutiny Committees also have a key role in the policy development process, in reviewing budgetary and general policies, making recommendations either to the full Council or the Executive on future policy options and providing the framework for accountable, transparent decisions. The Council is committed to establishing a constructive and creative relationship between the Executive and scrutiny roles in Waverley and partner organisations.

The guiding principle of the overview and scrutiny function is that the process should make a positive contribution to the work of the Council.

At Waverley, Overview and Scrutiny Committees are based on ~~particular functions (e.g. housing and community welfare, environment)~~ the Council's Corporate Priorities. The membership is politically proportionate. Each Overview and Scrutiny Committee can carry out investigatory and research work as informal working groups, divide with the approval of the Executive into smaller sub-committees, with appropriate officer support, to study and report back to the main Committee on a particular topic. Currently, a scheduled meeting of each Overview and Scrutiny Committee is held ~~once a cycle, five six~~ six times a year, with additional meetings, if necessary, ~~to discuss called-in matters~~ subject to the agreement of the Chairman and Vice-Chairman.

6.01 Terms of Reference

Waverley has ~~two~~ four Overview and Scrutiny Committees covering the following areas:

Community	Corporate
<ul style="list-style-type: none">Community welfareOlder people in the community	<ul style="list-style-type: none">Corporate FinanceProvision of Housing Services

[Updated March 2017]

<ul style="list-style-type: none"> • Day centres • Community safety • Town and village liaison • Rural issues and the voluntary sector • Environment • Planning and major developments • Economic development • Land drainage • Business liaison • Cultural and leisure provision and youth 	<ul style="list-style-type: none"> • Any inspection framework in place • Value for Money • Corporate and Community Strategies • Partnership Working • Member Communications • Asset Management • Information Technology, including telecommunications • HR including Waverley Training Services • Corporate Communications and Public Relations • Customer Service • Co-ordinating and publishing information on service performance • Elections and electoral registration • Locality Offices
<p><u>Overview and Scrutiny Committee</u></p>	<p><u>Services and Areas of Responsibility Covered</u></p>
<p><u>1. Customer Service and Value for Money</u></p> <p><u>To provide effective scrutiny of the achievement of the Council's Corporate Priorities 1 and 4</u></p>	<ul style="list-style-type: none"> ➤ <u>Corporate Plan</u> ➤ <u>Customer Services</u> ➤ <u>Communications and Public Relations</u> ➤ <u>Democratic Services</u> ➤ <u>Elections</u> ➤ <u>Complaints</u> ➤ <u>Corporate Finance</u> ➤ <u>Revenues and Benefits</u> ➤ <u>Economic Development</u> ➤ <u>Business Liaison</u> ➤ <u>Property</u> ➤ <u>IT</u> ➤ <u>Procurement and Commissioning</u> ➤ <u>HR and Recruitment</u>
<p><u>2. Community Wellbeing</u></p> <p><u>To provide effective scrutiny of the achievement of the Council's Corporate Priority 2</u></p>	<ul style="list-style-type: none"> ➤ <u>Health and Wellbeing</u> ➤ <u>Leisure and Sport</u> ➤ <u>Arts, Culture and Museums</u> ➤ <u>Youth and Young People</u> ➤ <u>Waverley Training Services</u> ➤ <u>Community Services</u> ➤ <u>Day Centres</u>

[Updated March 2017]

	<ul style="list-style-type: none"> ➤ <u>Provision for Older People in the Community</u> ➤ <u>Community Safety</u> ➤ <u>Grants</u> ➤ <u>Licensing</u> <p><u>This Committee will act as the designated Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act 2006.</u></p>
<p><u>3. Environment</u></p> <p><u>To provide effective scrutiny of the achievement of the Council's Corporate Priority 3</u></p>	<ul style="list-style-type: none"> ➤ <u>Planning and Major Developments</u> ➤ <u>Building Control</u> ➤ <u>Refuse, Recycling, Food Waste Collection</u> ➤ <u>Car Parking</u> ➤ <u>Street Cleaning</u> ➤ <u>Parks, Countryside and Open Spaces</u> ➤ <u>Rural Issues</u> ➤ <u>Land Drainage and Flooding</u> ➤ <u>Sustainability</u> ➤ <u>Environmental Health</u>
<p><u>4. Housing</u></p> <p><u>To provide effective scrutiny of the Council's housing function</u></p>	<ul style="list-style-type: none"> ➤ <u>HRA Business Plan</u> ➤ <u>Housing Development</u> ➤ <u>Provision of Housing Services</u> ➤ <u>HRA Asset Management</u> ➤ <u>Homelessness</u> ➤ <u>Housing Allocation</u> ➤ <u>Sheltered Housing</u> ➤ <u>Tenancy and Estates</u>

The Overview and Scrutiny Committees may meet jointly, in any combination, to consider matters of mutual interest. The appointment of the Chairman and Vice-Chairman of any Joint Committee will be decided by the Co-ordinating Board.

6.02 **General role**

Within their terms of reference, Overview and Scrutiny Committees will:-

- (i) review and/or scrutinise decisions made or actions taken in connection with carrying out any of the Council's or partner organisation's functions;
- (ii) make reports and/or recommendations to the full Council and/or the Executive and/or any Committee in connection with any Council functions and the appropriate partner organisation body;

[Updated March 2017]

- (iii) consider any matter affecting the area or its inhabitants; and
- (iv) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive and/or any policy or area committees.

6.03 **Specific functions**

- (a) **Policy development and review.** Overview and Scrutiny Committees may:-
 - (i) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
 - (ii) conduct research, community and other consultation in the analysis of policy issues and possible options;
 - (iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
 - (iv) question members of the Executive and Directors about their views on issues and proposals affecting the area; and
 - (v) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
- (b) **Scrutiny.** Overview and Scrutiny Committees may carry out their scrutiny role in a variety of modes:-

Select Committee Mode

- (i) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (ii) question members of the Executive and Directors about decisions or matters within their portfolio or area of responsibility, whether generally or in relation to particular decisions, initiatives or projects;
- (iii) make recommendations to the Executive and/or Council arising from the outcome of the scrutiny process;

Call-In Mode

- (iv) review and scrutinise the decisions made by the Executive and council officers in relation to individual decisions;

Broader Community Role

- (v) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance; and
 - (vi) question and gather evidence from any person (with their consent).
 - (vii) Exercise an oversight of the activities of partner organisations including Surrey Police and the Surrey PCT.
- (c) **Community Call for Action.** Exercise the functions relating to Community Calls for Action
- (d) **Finance.** Overview and Scrutiny Committees may exercise overall responsibility for the finances made available to them.
- (e) **Annual report.** Overview and Scrutiny Committees shall report annually to full Council on their workings and make recommendations for future work programmes and amended working methods, if appropriate. This will be discussed at a designated meeting in the year.
- (f) **Officers.** Overview and Scrutiny Committees may exercise overall responsibility for the work programme of the officers allocated to support their work.

6.04 **Proceedings of Overview and Scrutiny Committees**

The guiding principle of the overview and scrutiny function is that the process should make a positive contribution to the work of the Council. Overview and Scrutiny Committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution. Overview and Scrutiny Committees may authorise Waverley media releases on their work, the content of which is to be jointly agreed by the appropriate Overview and Scrutiny Committee Chairman and Vice-Chairman.

6.05 **Co-ordinating Board**

A Co-ordinating Board, which consists of the Chairmen and Vice-Chairmen of the four Overview and Scrutiny Committees, will meet regularly to facilitate work programming and the allocation of in-depth reviews in accordance with the Terms of Reference attached.

Article 7 – The Executive

STRONG LEADER WITH CABINET MODEL

7.01 **Role**

[Updated March 2017]

The Executive will oversee all of the local authority's functions which are within the policy framework and budget set by the Council and are not the responsibility of any other part of the local authority, whether by law or under this Constitution.

7.02 **Form and composition**

(a) **Appointments to the Executive**

The Executive will consist of the Leader together with at least 2, but not more than 9, councillors appointed to the Executive by the Leader.

(b) **Appointment of Deputy Leader**

The Leader will appoint the Deputy Leader, to hold office until the end of the term of his/her office as Leader.

The Leader may, if he/she thinks fit, remove the Deputy Leader from office, but must then appoint another person in his/her place.

(c) **Allocation of Portfolios**

The Leader will determine the scope of portfolios and allocate them to members of the Executive.

7.03 **Leader**

The Leader will be a councillor elected to the position of Leader by the Council.

The term of office of Leader starts on the day of his/her election as Leader. The Leader is elected for a four (4) year period, unless his/her term of office as councillor is shorter, in which case the term of office as Leader will be the same as their term of office as councillor.

The Leader will hold office until:-

- (a) he/she resigns from office or is removed from office; or
- (b) he/she is no longer a councillor; or
- (c) is disqualified from being a councillor;

If the current Leader is re-elected, he/she will remain Leader until the date of the next Annual Council Meeting.

Waverley Borough Council shall have the power to remove the Leader by way of resolution by a simple majority.

7.04 **Other Executive members**

| [\[Updated March 2017\]](#)

Other Executive members shall hold office until:-

- (a) they resign from office; or
- (b) they are no longer councillors; or
- (c) the Leader removes them from their position, either temporarily by suspending them or permanently.

The Mayor and Deputy Mayor of the Council may not be members of the Executive.

7.05 **Proceedings of the Executive**

Proceedings of the Executive shall take place in accordance with the Executive Procedure Rules set out in Part 4 of this Constitution. All decision taking meetings will be generally open to the public in accordance with the Access to Information Procedure Rules.

~~7.06 **Informal Policy Advice – Special Interest Groups (SIGs)**~~

~~The Executive will be supported in its policy development work by Special Interest Groups (see Special Interest Group Protocol in Part 4 of this Constitution).~~

Article 8 – Regulatory and other Committees

8.01 Regulatory Committees

The Council will appoint the Committees set out in the left hand column of the table Responsibility for Council Functions in Part 3 of this Constitution to discharge the functions described in column 3 of that table.

Currently the Regulatory Committees are:

- Joint Planning Committee
- Area Planning Committees (Central, Eastern, Southern and Western)
- Licensing and Regulatory Committee.

8.02 Audit Committee

The Audit Committee is the means of bringing independent, effective assurance into the Council's corporate governance arrangements. This covers:-

- Risk management framework
- Control environment and arrangements
- Financial performance
- Non-financial performance (processes and controls)
- Financial reporting.

An Audit Committee Charter was adopted in September 2013.

8.03 Terms of Reference

The Terms of Reference are as follows:

1. Corporate Governance

- 1.1 To consider the Council's arrangements for corporate governance and recommend necessary actions to ensure compliance with best practice as set out in the current CIPFA/SOLACE Framework "Delivering Good Governance in Local Government" and any revision thereof.
- 1.2 To maintain an overview of the Council's Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.
- 1.3 To consider the Council's compliance with its own and other published regulations, standards and controls.
- 1.4 To monitor Council policies in "Whistleblowing" and the anti-fraud and anti-corruption strategy and the Council's complaints-handling process.
- 1.5 To monitor the effective development and operation of internal control in the Council with particular reference to risk management.
- 1.6 To approve the Council's Annual Governance Statement.
- 1.7 To consider any reports published by bodies, other than the external auditor, charged with inspecting the Council's performance or arrangements for corporate governance.

- 1.8 To review any issue referred to it by the Head of Paid Service or a director or any Council body.
- 1.9 To request a report from any Head of Service relating to an outstanding internal audit recommendation issue.

2. External scrutiny

- 2.1 To consider whether appropriate accounting policies have been followed in the preparation of the annual statement of accounts.
- 2.2 To consider all communications from the external auditor to the Audit Committee, including:
 - 2.2.1 the audit letter;
 - 2.2.2 the report on issues arising from the audit of the accounts; and
 - 2.2.3 any other reports requested by the Audit Committee from the external auditor.
- 2.3 To consider whether there are concerns that need to be brought to the attention of the Council that arise from:
 - 2.3.1 the audit; or
 - 2.3.2 the accounts.
- 2.4 To consider and, if thought fit, approve the annual statement of accounts.
- 2.5 To comment on the scope and depth of external audit work and to ensure that it gives value for money, especially with regard to reports dealing with [risk] management and performance matters.

3. Internal audit

- 3.1 To consider the Annual Review of the system of Internal Audit.
- 3.2 To consider the Internal Audit Client Manager's Annual Report.
- 3.3 To approve the annual Internal Audit Service Plan.
- 3.4 To consider the current Internal Audit Plan and summaries of internal audit activity by department and consider the level of assurance this can give concerning the effectiveness of the Council's corporate governance arrangements.
- 3.5 To consider internal audit reports detailing recommendations not implemented within the specified timescale.
- 3.6 To consider proposed internal audit activity and the range of service areas to be covered and the level of assurance this can give concerning the effectiveness of the Council's corporate governance arrangements.
- 3.7 To commission work from the Internal Audit Service.
- 3.8 To consider any specific internal audit reports requested by the Audit Committee.
- 3.9 To monitor the progress of any specific internal audit projects.
- 3.10 To consider reports dealing with the management and performance of the providers of internal audit services.
- 3.11 To comment on the scope and depth of internal audit work and to ensure that it gives value for money, especially with regard to reports dealing with [risk] management and performance matters.

8.04 Composition of Audit Committee

(a) Membership and Meetings

The Audit Committee will

- be composed of seven councillors, with no members from the Executive;
- meet four times per year, as set out in the Calendar of Meetings, and on an ad hoc basis when necessary.

(b) Quorum

The quorum for meetings will be three Councillors.

Article 9 – The Standards Panel

9.01 Standards Panel

The Council will determine the composition of and the role and function of the Standards Panel.

9.02 Composition

(a) **Membership.** The Standards Panel will be composed of:-

- nine councillors [other than the leader, and with a maximum of one member from the Executive];
- two members of a Town or Parish Council in the Council's area who cannot also be a District Councillor, to be appointed until the next full Town and Parish Council elections.

(b) **Town and Parish members.** At least one Town or Parish member must be present when matters relating to Town or Parish Councils or their members are being considered, except where they have an interest; and

(c) **Chairing the Panel.** The Chairman of the Panel shall be appointed by Council. A member of the Executive may not chair the Panel.

9.03 Role and Function

The Standards Panel will have the following roles and functions:-

(a) promoting and maintaining high standards of conduct by councillors and co-opted members;

- (b) assisting the councillors and co-opted members to observe the Members' Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) monitoring the operation of the Members' Code of Conduct;
- (e) advising on training for councillors and Independent persons on matters relating to the Members' Code of Conduct;
- (f) Where the Monitoring Officer decides a hearing is necessary, complaints received concerning the conduct of Waverley Borough members and determination as appropriate;
- (g) the exercise of (a) to (f) above in relation to the town and parish councils in Waverley Borough and the members of those town and parish councils;
- (h) in the event of a dispute arising from a breach of the Council's Local Protocols, the Standards Panel should use the same processes as breaches of the Code.
- (i) Appointment of a Panel: the Monitoring Officer in consultation with the Chairman of the Standards Panel will appoint Panels of no less than 3 members for the process of hearing and determination of complaints received regarding member conduct that may have breached the Waverley Code of Conduct or that of the relevant Town or Parish Council.—The Panels will have the power to determine complaints where these have been referred by the Monitoring Officer.

(j) Review and propose revisions to the Constitution as set out in Article 15.

Article 9A – The Appeals Panel

The Appeals Panel will consist of 12 members of the Council and will operate as a pool from which 4 members can be drawn when it is necessary to convene the Panel. The membership of the Panel of 12 will be politically proportionate.

The role of the Appeals Panel is to determine an appeal against any decision made by or on behalf of the authority. When selecting 4 members to convene the Panel, this shall exclude any member who was originally involved in the decision which is now being appealed.

Article 9B – Independent Panel (for Disciplinary Matters relating to Statutory Officers only)

In the event that a Panel needs to be convened to advise on matters relating to the dismissal of a statutory officer (namely the Head of Paid Service, Chief Finance Officer or Monitoring Officer), two of the Council's Independent Persons will be called

[Updated March 2017]

upon to sit on the Panel, alongside five elected members from the Council's Appeals Panel.

| [Updated March 2017]

Article 10 – Area Committees and Forums

10.01 Area committees

The Council may appoint area committees as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

The Council has appointed four area based Planning Committees with membership proportional to political group representation within these areas to give Local Members a larger say in planning decisions for their areas.

The Council will consult with relevant parish and town councils and the chairmen of relevant parish meetings when considering whether and how to establish area committees.

Article 11 – Joint Arrangements

The Local Government Act 2000 and regulations enable local authorities to make use of joint arrangements with other authorities and delegate to other local authorities.

Waverley works in partnership with Surrey County Council for the purpose of the Waverley Local Committee to which members of this Council are appointed on an annual basis. There are regular liaison meetings with Town and Parish Councils.

Waverley has agreed to the establishment of a Joint Committee of Surrey authorities to act as the Police and Crime Panel and will appoint one representative to the Panel.

Article 15 – Review and Revision of the Constitution

15.01 Duty to monitor and review the Constitution

The ~~Constitution Special Interest Group~~Standards Panel will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. The appointed Town and Parish Council representatives will not participate in any discussions at the Standards Panel relating to the Waverley constitution.

Protocol for monitoring and review of constitution by monitoring officer

A key role for the ~~Constitution Special Interest Group~~Standards Panel is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in Article 1. In undertaking this task, the Group may:-

1. observe meetings of different parts of the member and officer structure;
2. undertake an audit trail of a sample of decisions;
3. record and analyse issues raised by members, officers, the public and other relevant stakeholders; and
4. compare practices in this authority with those in other comparable authorities, or national examples of best practice.

15.02 Changes to the Constitution

Changes to the constitution will ~~only~~ be approved by the full Council after consideration of the proposal by the ~~Constitution Special Interest Group~~Standards Panel; and Executive, as necessary. ~~and, if necessary, Standards Panel.~~

The Terms of Reference for the Overview and Scrutiny Committees set out in Article 6 shall be kept under regular review by the Overview and Scrutiny Co-ordinating board, with delegated authority to revise the Terms of Reference when necessary, subject to an annual report from each Committee to the Council to endorse any changes and amend the constitution accordingly.

Article 16 – Suspension, Interpretation and Publication of the Constitution

16.01 Suspension of the Constitution

- (a) **Limit to suspension.** The Articles of this Constitution may not be suspended. The Rules specified below may be suspended by the full Council to the extent permitted within those Rules and the law.
- (b) **Procedure to suspend.** A motion to suspend any rules will not be moved without notice unless at least one half of the whole number of councillors are present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1, with a maximum of the duration of that meeting.
- (c) **Rules capable of suspension.** The following Council Procedure Rule may be suspended in accordance with Article 16.01:

14.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed four minutes without the consent of the Mayor, except in the case of movers of a motion or an amendment, or those having a right of reply when they may not exceed six minutes. There shall be no time limit for the Leader of the Council in moving the Budget at the Council Tax Setting meeting.

16.02 Interpretation

The ruling of the Mayor as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

16.03 Publication

- (a) The Head of Policy and Governance will ~~give a printed~~ make available a copy of this Constitution to each member of the authority upon delivery to him/her of that individual's declaration of acceptance of office on the member first being elected to the Council.
- (b) The Head of Policy and Governance will ensure that copies are available for inspection at Council Offices, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee. The Constitution will also be available to view on the Waverley website.
- (c) The Head of Policy and Governance will ensure that the summary of the Constitution is made widely available within the area and is updated as necessary.

[Updated March 2017]

[Part 3 – Responsibility for Functions]

3.1 Portfolio Holders

Each individual member of the Executive will oversee a portfolio of corporate functions, responsibilities and interests in the business of the Executive meetings. Except in cases of urgency, in determining any matter the Executive will consult the relevant Portfolio Holder, and such other bodies or individuals (including members of the Council) proposed by the Portfolio Holder and agreed by the Executive.

The Leader will appoint the Deputy Leader and other Members of the Executive and allocate to them the scope of their portfolios.

The Executive may be required by the Council to reconsider or amend any draft plan or strategy.

The responsibilities for functions and delegations set out in the Constitution are subject to

- The rights of an Overview and Scrutiny Committee to consider a proposal within the policy framework
- The exercise by an Overview and Scrutiny Committee of the power to call in or review Executive functions

3.2 Restrictions

The Executive may not take responsibility for imposing conditions, limitations or other restrictions on any approval, consent, licence, permission or registration granted by the [Joint Planning](#), Area Planning or Licensing and Regulatory Committees.

Where a decision is to be made which would normally relate to an Executive function relating to the budget, or borrowing or capital expenditure, and it is proposed to determine the matter contrary to the budget, or financial management plans, or where the proposed decision is contrary to policy in an adopted plan or strategy, the Executive decision-making process will not apply. The proposal must stand as a recommendation to Council, after consultation with the relevant Overview and Scrutiny Committee.

The responsibilities for functions and delegations set out in this Constitution, in Procedure Rules and in the Scheme of Delegation may only be exercised in accordance with:

- Any statutory restrictions
- The Council's constitution
- The Council's policy framework and any other plans and strategies approved by the Executive
- The in-year budget

- The Waverley Code of Local Government Conduct and the Member/Officer Protocol ~~Code of Conduct for Staff~~
- The Code of Practice on Local Authority Publicity

Adoption of the Constitution

The Council, in adopting this Constitution, delegates the functions referred to in this constitution to be discharged by the bodies or persons and subject to the limitations referred to above at Sections 1 and 2. Any amendment to this Constitution, to the associated Procedure Rules or to the Scheme of Delegation may only be approved by Council.

Part 4

Rules of Procedure

[ADVISORY NOTE: All of the Council Rules of Procedure apply to meetings of full Council. They shall apply, where appropriate and with any necessary modification, to the business of and conduct of meetings of the Executive, Committees, Sub-Committees and Panels, with the exception of Rule 14.5 (when a member may speak again).]

11. QUESTIONS BY MEMBERS

11.1 On reports of the Executive

A member shall not speak more than once on the same motion or amendment, but the mover of any motion may reply to the debate on the motion, or any amendment thereof, and in his reply shall strictly confine himself to answering statements or arguments made in the course of debate and shall not introduce any new matter into the debate.

11.2 Questions on notice at full Council

Subject to Rule 11.4, a member of the Council may ask:-

- the Mayor;
- a member of the Executive;
- the Chairman of any Committee or Sub-Committee

a question on any matter in relation to which the Council has powers or duties or which affects the Borough.

11.3 Questions on notice at Committees and Sub-Committees

Subject to Rule 11.4, ~~a member of a Committee or Sub-Committee~~any member of the Council may ask the Chairman of it a question on any matter in relation to which the Council has powers or duties or which affects the Borough and which falls within the terms of reference of that Committee or Sub-Committee.

Any question put under this rule shall be read out by the member without comment or elaboration and shall be answered without discussion or further

[Updated March 2017]

question, but the person to whom a question has been put, if for any reason he is unable to answer at the meeting, may undertake to send a written answer to the member asking the question and to any other member on request.

11.4 **Notice of questions**

A member may only ask a question under Rule 11.2 or 11.3 if either:-

- (a) they have given at least **74** clear working days notice in writing of the question to the Head of Policy and Governance; or
- (b) the question relates to urgent matters **that are not already included on the agenda**, they have the consent of the Chairman to whom the question is to be put and the content of the question is given to the Head of Policy and Governance by noon on the day of the meeting.

11.5 **Response**

An answer may take the form of:-

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.
- (d) A record of all questions asked and answers given in accordance with this rule shall be included in the minutes of the proceedings of the Council.

Access to Information Procedure Rules

16. REPORT TO COUNCIL

16.1 When an Overview and Scrutiny Committee can require a report

If an Overview and Scrutiny Committee thinks that a key decision has been taken which was not:-

- (a) included in the Forward Programme; or
- (b) the subject of the general exception procedure; or
- (c) the subject of an agreement with a relevant Overview and Scrutiny Committee Chairman, or the Mayor or Deputy Mayor, under Rule 15;

the Committee may require the Executive to submit a report to the Council within such reasonable time as the Committee specifies. The power to require a report rests with the Committee, but is also delegated to the Monitoring Officer, who shall require such a report on behalf of the Committee when so requested by the Overview and Scrutiny Chairman or any 5 members. Alternatively the requirement may be raised by resolution passed at a meeting of the relevant Overview and Scrutiny Committee or by the Co-ordinating Board.

Executive Procedure Rules

LEADER AND EXECUTIVE

1. HOW DOES THE EXECUTIVE OPERATE?

1.1 Who may make Executive decisions?

- (i) the Executive as a whole;
- (ii) an officer with identified delegated powers to act on the Council's behalf;
- (iii) nominated members of the Executive acting under joint arrangements with another local authority.

1.2 The Leader will determine the scope of the portfolios and allocate them to members of the Executive.

1.3 Delegation of Executive Functions

- (a) Where the Executive is responsible for an Executive function, it may delegate further to joint arrangements with another local authority or to an officer of the Council.
- (b) Even where Executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the Executive, should the occasion arise.

1.4 The Council's Scheme of Delegation and Executive Functions

The Council's Scheme of Delegation will be subject to adoption by the Council and may only be amended by the Council. It will contain the details required in Article 7 and set out in Part 3 of this Constitution.

1.5 Conflicts of Interest

- (a) Where the Leader has a conflict of interest this should be dealt with as set out in the Waverley Code of Conduct for Members in Part 5 of this Constitution.
- (b) If any member of the Executive has a conflict of interest this should be dealt with as set out in the Waverley Code of Conduct for Members in Part 5 of this Constitution.
- (c) If the exercise of an Executive function has been delegated and should a conflict of interest arise, the function will be exercised in the first instance by the Executive and otherwise as set out in the Waverley Code of Conduct for Members in Part 5 of this Constitution.

1.6 **Executive Meetings – When and Where?**

The Executive will meet for decision making at least 10 times per year and meetings shall commence at 6.45 p.m., or in special circumstances at such hours as the Executive may fix from time to time. Meetings of the Executive should normally finish by 10.00 p.m. but at a convenient time before then, the Chairman may put to the meeting the options of extending the meeting until 10.30 p.m., continuing until its conclusion or adjourning the meeting. The Executive shall meet at the Council's main offices or another location to be agreed by the Leader. Special meetings may be convened to consider specific matters and will be called by the Head of Policy and Governance.

1.7 **Public or Private meetings of the Executive?**

The Executive will conduct all its decision-making business in compliance with the Local Government Acts and Access to Information legislation and all decisions will be taken by the Executive at meetings open to the public. This means, amongst other things, that the requirements of the Access to Information legislation will apply to its decision-making meetings. Public notice of meetings will be given and the agenda and reports will be on deposit for public inspection at least five clear working days before each meeting. Meetings will be open to the public and press, but they may be excluded when confidential or exempt business, as defined in the legislation, is to be transacted. All decisions will be recorded and published, together with the reasons and relevant background papers.

All meetings of the Executive that take any decisions will be held in public, except for those parts of the agenda which are exempt. The Access to Information rules set out in Part 4 will be followed. Any members of the Council may receive briefings from officers which will not be open to the public and press.

1.8 **Quorum**

The quorum for a meeting of the Executive shall be three members.

1.9 **How are decisions to be taken by the Executive?**

- (a) Executive decisions which have been delegated to the Executive as a whole will be taken at a meeting convened in accordance with the Access to Information Rules in Part 4 of the Constitution and Council Procedure Rules in Part 4.
- (b)
 - (i) Voting at a meeting of the Executive shall be by vocal consent provided that if one or more members shall indicate dissent then the vote shall be retaken on a show of hands.
 - (ii) In the case of an equality of votes at a meeting of the Executive, the Chairman presiding shall have a second or casting vote.

- (iii) If three members of the Executive request it, the names of those voting for, against and abstaining will be recorded.
- (iv) If any member so desires he may request that it be recorded as to how his vote has been given.

1.10 Principles of Decision-Making

The following conditions should apply to decisions taken by or on the Council's behalf, both in the general public interest and in the interests of ensuring that the Council is able to defend its actions against legal challenge:-

- (a) That members are fully and effectively supported and advised by officers in exercising both executive and non-executive functions;
- (b) That decisions are only taken after the proper consideration of written reports which comply with the principles of the Access to Information legislation;
- (c) That relevant matters are fully taken into account in decision making;
- (d) That nothing irrelevant is taken into account;
- (e) That the Council's constitution is fully complied with including in particular:-
 - Procedure Rules
 - Contract Procedure Rules
 - Financial Procedure Rules
 - Scheme of Delegation
 - Waverley Local Code of Conduct and the Members' Planning Code of Good Practice
 - Members should make any appropriate declarations of interests
 - Member/Officer Protocol
- (f) That decisions are recorded by officers and published, together with the reasons and relevant background papers.

This means that a clear audit trail of decision-making must be maintained and kept available for future reference. This applies not only to decisions taken by the full Council, the Executive and Committees or Sub-Committees, but also to those taken by officers acting under delegated powers. The Monitoring Officer will be responsible for ensuring that the Council's decision-making

processes meet the requirements of the law and comply with principles of good governance.

The Council recognises the need to have an inclusive approach to member decision-making. Accordingly, reports relating to the budget or policy framework will normally be considered by the appropriate Overview and Scrutiny Committee before they are submitted to the Executive. In addition, the Overview and Scrutiny Committee may identify any item from the Forward Programme for overview. The comments of the Overview and Scrutiny Committee will be included in the report to the Executive.

1.11 Information before taking decisions

Before taking decisions or making recommendations to the Council, the Executive will receive a written report. This will include:-

- (a) whether the report contains information which is confidential or may be exempt information;
- (b) the issue to be decided together with analysis/relevant data, any relevant national or regional guidance etc;
- (c) the justification for the recommendation and any other options;
- (d) whether the matter complies with the Council's policy framework and budget, or any subordinate strategies previously approved by the Executive; or whether the decision recommended would amount to a material departure from any of these policies, budgets or strategies;
- (e) any consultations undertaken with other public, private, voluntary and community sector agencies;
- (f) any resource, value for money, equality and diversity, climate change, legal or other implications;
- (g) any collective advice from the Management Board;
- (h) any comments and advice received from Overview and Scrutiny Committees;
- (i) the ward(s) affected;
- (j) a list of the background papers.

The majority of reports will be commissioned by the Leader and/or the Portfolio Holder, and the responsibility for the content of reports will rest collectively with the Management Board. In some cases, the Management Board will initiate a report. In all cases, the Portfolio Holder will be briefed and kept fully informed of the progress of reports at all stages.

The Executive will meet according to a published calendar and the Leader of the Council will be responsible for the overall management and conduct of its business. Together with a Forward Programme covering at least a four month period for the forthcoming business of the Executive, there will be an agenda for meetings of the Executive. This will help to inform the scrutiny process and enable all other members of the Council to be kept up to date on current issues.

Minutes will be kept of each meeting of the Executive. They will be published and made available on the Waverley website and to all members of the Council.

As with decisions taken by the Executive, any decisions taken by officers must be properly documented and should generally follow the principles set out in these procedure rules.

~~1.12 Policy Development – Special Interest Groups (SIGs)~~

~~The Executive may, on the recommendation of the Portfolio Holder, appoint Special Interest Groups to assist it in developing policy, examining specific proposals in depth or progressing major projects.~~

~~These bodies are not decision making and have an advisory role only. A detailed protocol is included in Part 4 of the Constitution.~~

2. HOW ARE EXECUTIVE MEETINGS CONDUCTED?

2.1 Who presides?

If the Leader is present he/she will preside. In his/her absence, then the Deputy Leader will preside. In the absence of both, a person appointed to do so by those present shall preside.

2.2 Who may attend?

Details are set out in the Access to Information Rules in Part 4 of this Constitution. All meetings of the Executive shall be open to the press and public although they may be excluded from a meeting of the Executive, according to law, whenever 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, exempt information would be disclosed to them. In the case of the limited category of confidential information, the public must be excluded from the meeting.

2.3 What business?

At each meeting of the Executive the following business will be conducted:-

- (i) consideration of the minutes of the last meeting;
- (ii) declarations of interest, if any;

[Updated March 2017]

- (iii) matters referred to the Executive (whether by ~~a Special Interest Group~~, an Overview and Scrutiny Committee or by the Council) for reconsideration by the Executive in accordance with the provisions contained in the ~~SIG Protocol~~, Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution;
- (iv) consideration of reports from Overview and Scrutiny Committees; and
- (v) matters set out in the agenda for the meeting, and which shall indicate which are key decisions and which are not in accordance with the Access to Information Procedure Rules set out in Part 4 of this Constitution.

Special meetings convened to consider specific matters will not include public questions or the minutes of the last meeting.

2.4 Consultation

All reports to the Executive from any member of the Executive or an officer on proposals relating to the budget and policy framework must contain details of the nature and extent of consultation with stakeholders and relevant Overview and Scrutiny Committees, and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation, as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

2.5 Who can put items on the Executive agenda?

1. The Leader will decide upon the schedule for the meetings of the Executive. He/she may put on the agenda of any Executive meeting any matter which he/she wishes, whether or not authority has been delegated to the Executive or any officer in respect of that matter. The Executive Director will comply with the Leader's requests in this respect.
2. The Monitoring Officer and/or the Head of Policy and Governance may include an item for consideration on the agenda of an Executive meeting and may require the proper officer to call such a meeting in pursuance of their statutory duties. In other circumstances, where any two of the Executive Director, Head of Policy and Governance and Monitoring Officer are of the opinion that a meeting of the Executive needs to be called to consider a matter that requires a decision, they may jointly include an item on the agenda of an Executive meeting. If there is no meeting of the Executive soon enough to deal with the issue in question, then the person(s) entitled to include an item on the agenda may also require that a meeting be convened at which the matter will be considered.

2.6 Who can attend and speak at Executive Meetings?

Any member of the Council who is not a member of the Executive shall be entitled to attend any meeting of the Executive but not to vote, but he shall be entitled to speak on any specific item for up to four minutes. Any member wishing to do this shall give notice to the Head of Policy and Governance by noon on the day of the meeting.

2.7 Dispute Resolution

Any dispute about the jurisdiction of the Executive, for example whether or not a matter is delegated to the Executive or contrary to the policy framework or budget, will be referred to the Monitoring Officer and/or the Head of Policy and Governance for advice as appropriate. If it is resolved not to accept such advice, the final decision as to whether the Executive can take a decision is for the Council to decide.

2.8 Urgent Decisions

Any urgent executive or non-executive decisions may be taken by the Executive Director after consultation with the Leader, Deputy Leader and appropriate portfolio holder under the existing provisions in the Scheme of Delegation. Any such decisions will be reported to the next appropriate Committee or Executive meeting.

2.9 Questions by the Public

Members of the public can ask questions at the Executive in accordance with the provisions in Procedure Rules. The Chairman/Leader and/or the Vice-Chairman/Deputy Leader or appropriate portfolio holder should be invited to respond to the question.

Overview and Scrutiny Procedure Rules

1. What will be the number and arrangements for Overview and Scrutiny Committees?

The Council will establish the Overview and Scrutiny Committees set out in Article 6 and will appoint to them as it considers appropriate from time to time. ~~Such committees may appoint sub-committees with the agreement of the Executive.~~

Currently Waverley has ~~two~~ four Committees which take the functions of both Overview and Scrutiny.

The Committee membership is politically proportional and each Committee ~~can~~ will consist of up to 9 members. In addition, substitute members are also nominated and a list of substitute members to be called will be lodged with the Democratic Services Team. ~~This includes the Tenants' Panel representatives.~~

The Chairmen and Vice-Chairmen will be nominated annually at the Council's Annual Meeting or at the Council meeting setting them up.

In the event of a single party Executive and subject to the total number of Opposition members on the Council exceeding 10% of the overall membership (in the current composition of the Council, this would equate to 6 members), the Chairmen of the four Overview and Scrutiny Committees should be nominated by the largest minority group on the Council (this can include non-members of the largest minority group or members of the majority group). The Vice-Chairman of the Overview and Scrutiny Committee shall usually not be from the same political group as the Chairman.

2. Who may sit on Overview and Scrutiny Committees?

All councillors except for members of the Executive may be members of an Overview and Scrutiny Committee. The appropriate portfolio holder(s) can attend an Overview and Scrutiny Committee where matters relating to their area are included in the agenda, and shall have a right to address the Committee. A protocol setting out the rights of attendance is attached as an Annexe.

3. Co-optees

External representatives may be co-opted by the Council as non-voting members onto Overview and Scrutiny Committees on an ad hoc basis, up to a maximum of ~~three~~ two per committee. Although they have no voting rights, they can request that matters of concern to them be placed on the agenda and discussed at the relevant Ccommittee. There will be two Tenants' Panel co-optees appointed to the Overview and Scrutiny Committee with Housing within its remit.

[Updated March 2017]

4. Meetings of the Overview and Scrutiny Committees

There shall be at least ~~five~~six ordinary meetings of each Overview and Scrutiny Committee in each year. In addition, extraordinary meetings may be called from time to time as and when appropriate. An Overview and Scrutiny Committee meeting may be called by the Chairman and Vice-Chairman together of the relevant Overview and Scrutiny Committee or by the ~~proper officer~~Co-ordinating Board if they consider it necessary or appropriate.

In addition, meetings to consider called-in items will be held as and when is appropriate, to coincide with the timescale for scrutiny.

All meetings will be held in open session with the press and public able to attend, except for the consideration of exempt or confidential information. Minutes will be taken by officers at each meeting of the Committees and published. Procedure Rules will apply to the procedures at meetings and the existing scheme for substitutes will continue.

Any member who has a personal or prejudicial interest in any matter on the agenda must disclose the interest and may be required to withdraw from the meeting when appropriate, in accordance with the Waverley Local Code of Conduct.

5. Quorum

The quorum for an Overview and Scrutiny Committee shall be as set out for Committees in the Council Procedure Rules in Part 4 of this Constitution.

6. Who chairs Overview and Scrutiny Committee meetings?

In the event of a single party Executive and subject to the total number of Opposition members on the Council exceeding 10% of the overall membership (in the current composition of the Council, this would equate to 6 members), the Chairmen of the Overview and Scrutiny Committees should be nominated by the largest minority group on the Council (this can include non-members of the largest minority group or members of the majority group). The Vice-Chairman of the Overview and Scrutiny Committee shall usually not be from the same political group as the Chairman.

Without the consent of the Council, no member can be Chairman or Vice-Chairman of more than one Overview and Scrutiny Committee.

7. Work programme

The Overview and Scrutiny Committees/~~sub-committees~~ will be responsible for setting their own work programme within the overall framework set by the Council and in doing so they shall take into account wishes of members on that committee who are not members of the largest political group on the Council. ~~Full Council~~The Co-ordinating Board will play a proactive role in

[Updated March 2017]

~~may wish to decide~~ing what policy reviews or key issues should be of priority for a Committee in the coming year.

8. Agenda items

The Chairman or any member of the relevant Overview and Scrutiny Committee shall be entitled to give notice to the Head of Policy and Governance that he/she wishes an item relevant to the functions of the Committee or Sub-Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the proper officer will ensure that it is included on the next available agenda. This does not, however, give any rights to an individual member to commission reports.

If a Chairman, or any other member of an Overview and Scrutiny Committee asks for an item to be included on an agenda, the item will be included as a heading only, and the Committee then has to agree that they would like to see the item added to the work programme. Officers can then proceed with producing a detailed report on the issue for the next appropriate meeting of the Committee or the request can be considered by the Co-ordinating Board.

Any Councillor shall be entitled to give notice to the Head of Policy and Governance of a Councillor Call for Action. The detailed procedures for this are set out in Annexe 3 to the Overview and Scrutiny Procedure rules. The member raising the call for action will have the right to attend the meeting to explain their reasons for the call for action. That item will be the subject of an initial report, if accepted by the Chairman and Vice-Chairman

The Overview and Scrutiny Committees shall also respond, at the earliest occasion consistent with due notice, to requests from the Council and the Executive to review particular areas of Council activity. Where they do so, the Overview and Scrutiny Committee shall report their findings and any recommendations back to the Executive and/or Council. The Council and/or the Executive shall consider the report of the Overview and Scrutiny Committee at the earliest opportunity.

It is intended that Overview and Scrutiny Committees will be involved from an early stage in the decision-making process, examining issues before decisions are taken by the Executive, rather than only after a decision is taken by operating the call-in procedure. Accordingly, matters relating to the budget or policy framework will normally be considered by the appropriate Overview and Scrutiny Committee before they are submitted to the Executive. In addition, the Overview and Scrutiny Committees may identify any item from the rolling programme for overview. The comments of the appropriate Committee will be reported to the Executive.

The Chairmen and Vice-Chairmen will hold a briefing meeting with the appropriate officers to finalise the committee agenda.

Overview and Scrutiny Committees will be serviced by the Democratic Services Team. In-depth review, research and work programming of the

[Updated March 2017]

Committees will be carried out by the Scrutiny Officer in consultation with the Co-ordinating Board.

9. Policy review and development

- (a) The role of the Overview and Scrutiny Committees in relation to the development of the Council's budget and policy framework is set out in detail in the Budget and Policy Framework Procedure Rules.
- (b) In relation to the development of the Council's approach to other matters not forming part of its policy and budget framework, Overview and Scrutiny Committees may make proposals to the Executive for developments in so far as they relate to matters within their terms of reference.
- (c) Overview and Scrutiny Committees may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

~~10. Appointment of Sub-Committees~~

~~Overview and Scrutiny Committees may seek the approval of the Executive to appoint Sub-Committees where they feel a smaller group of members is better suited to carry out a particular task.~~

10. Working Groups

Overview and Scrutiny Committees are able to appoint small informal working groups from within their own membership to research subject areas and report back to the main Committee. These working groups will be supported by a member of the Democratic Services Team and officers from the relevant service area will also be involved to provide information and professional advice/expertise. Attached as an Annexe is a protocol to inform the working practices for informal working groups.

11. Reports from Overview and Scrutiny Committee

- (a) Once it has formed recommendations on proposals for development, the Overview and Scrutiny Committee will prepare a formal report and submit it to the proper officer for consideration by the Executive (if the proposals are consistent with the existing budgetary and policy framework) and to the Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed budget and policy framework).

[Updated March 2017]

- (b) If an Overview and Scrutiny Committee cannot agree on one single final report to the Executive, and if one third of the members present request it, then one minority report may be prepared and submitted for consideration by the Executive with the majority report.
- (c) The Council or Executive shall consider the report of the Overview and Scrutiny Committee as quickly as the rules permit.

12. Making sure that Overview and Scrutiny reports are considered by the Executive

All Overview and Scrutiny reports shall be considered by the Executive as expeditiously as possible and at the very maximum, within two months of the work being completed.

13. Rights of Overview and Scrutiny Committee members to documents

- (a) In addition to their rights as councillors, members of Overview and Scrutiny Committees have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.
- (b) Nothing in this paragraph prevents more detailed liaison between the Executive and Overview and Scrutiny Committee as appropriate depending on the particular matter under consideration.
- (c) Overview and Scrutiny Committees shall have access to all relevant background papers and documents. In the case of any dispute, the Monitoring Officer will adjudicate and if the documents are of a confidential nature, members must respect their confidentiality and use them only in relation to the work of that Committee.
- (d) Co-opted members can have access to papers relevant to the work of their Committee, but excluding any matter relating to an individual, either client or tenant or member of staff.

14. Members and officers giving account – “Select Committee” mode

- (a) Any Overview and Scrutiny Committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, the Chairman and Vice-Chairman acting jointly may require any member of the Executive, the Executive Director and/or any senior officer to appear before it to explain in relation to matters within their remit:-
 - (i) any particular decision or series of decisions;
 - (ii) the extent to which the actions taken implement Council policy; and/or

(iii) their performance

and it is the duty of those persons to attend if so required.

(b) ~~Where any member or officer is required to attend an Overview and Scrutiny Committee under this provision, the chairman of that committee will inform the Head of Policy and Governance. Head of Policy and Governance shall inform the member or officer in writing giving at least 10 working days notice of the meeting at which he/she is required to attend.^[a2] Attendance by a member of the Executive is now set out in the attached protocol.~~

~~The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the committee. Where the account to be given to the committee will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.~~

(c) Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the Overview and Scrutiny Committee shall in consultation with the member or officer, arrange an alternative date for attendance as soon as possible.

15. Attendance by others

An Overview and Scrutiny Committee may invite people other than those people referred to in paragraph 13 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend. Attendance is optional.

16. Call-in

Call-in should only be used as a last resort. This can be where members of the appropriate Overview and Scrutiny Committee have evidence which suggests that the ~~Cabinet Executive~~ did not take the decision in accordance with the principles set out in Article 13 (Decision Making).

- (a) When a decision is made by the Executive, or a key decision is made by an officer with delegated authority from the Executive, the decision shall be published, including by electronic means, and shall be available at the main offices of the Council normally within 1 day of being made. Copies of the decision bulletin will be sent to all members of the Council within the same timescale, by the Head of Policy and Governance.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless four members (including Substitute Members) of an Overview and Scrutiny Committee object to it and call it in.
- (c) During that period, the Head of Policy and Governance shall call-in a decision for scrutiny by the committee if so requested by any ~~four~~ three members (including Substitute Members) of the ~~C~~committee where reasons as stated in the call-in form attached at Annexe 2, are valid in the context of Article 13 of the Constitution. Should any Substitute Member be one of those proposing a call-in, he shall have a right to attend the Committee and speak, but not to vote unless he is substituting at that meeting for another Member. The Head of Policy and Governance shall call a meeting of the relevant Overview and Scrutiny Committee on such date as he/she may determine or as reserved in the calendar of meetings, where possible after consultation with the chair of the committee, and in any case within 5 working days of the decision to call-in.

A call-in can only be withdrawn unanimously by those members who requested it.

- (d) As well as reviewing the report submitted to the Executive in fulfilling the scrutiny role, the Chairman and Vice-Chairman acting jointly may require any member of the Executive, the head of paid service and/or any senior officer to appear before it to explain the particular decision or series of decisions, and it is the duty of those persons to attend if so required. The Chairman will notify the people required to attend immediately after the expiry of the call-in deadline.

- (e) If, having considered the decision, the Overview and Scrutiny Committee is still concerned about it, then it may refer it back to the Executive for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council if outside the policy framework. If referred to the decision maker they shall then amend the decision or not, before adopting a final decision.
- (f) If following an objection to the decision, the Overview and Scrutiny Committee does not refer the matter back to the Executive, the decision shall take effect on the date of the Overview and Scrutiny meeting.
- (g) If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, the Council will refer any decision to which it objects back to the Executive, together with the Council's views on the decision. The Executive shall choose whether to amend the decision or not before reaching a final decision and implementing it and a meeting will be convened to reconsider the Council request.

“Call-In” Process

The process is proposed as follows:-

Step 1 A list of Executive decisions will be published and notice given that the decisions will be implemented after five working days from date of publication unless called-in under this procedure.

Step 2 Within the period of five working days, ~~four~~ three members of the appropriate Overview and Scrutiny Committee (including Substitute Members) may call a meeting of the Committee to review a decision, by notifying the Head of Policy and Governance by telephone, fax, e-mail or letter. The call-in form attached at Annexe 2 must be completed setting out the reason for the Call-in, Members involved and witnesses to be called and sent to the Head of Policy and Governance.

Step 3 The Overview and Scrutiny Committee will then meet and may resolve by majority vote to:-

- a) propose an alternative course of action, or
- b) request that it be considered and debated by the full Council if the Committee is advised by the Monitoring Officer that the decision is contrary to the Council's policy framework or is unlawful.

Step 4 If the matter is referred back to the Executive, it must reconsider the decision in the light of the reference from the Overview and Scrutiny Committee's decision and would decide whether to change it before adopting a final decision. The Chairman (or Vice-Chairman in their

| [Updated March 2017]

absence) of the Overview and Scrutiny Committee is able to attend and address the Executive meeting during discussion of the matter.

Exceptions

- (h) In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:-
 - (i) that four elected members (including substitute members) of an Overview and Scrutiny Committee are needed for a decision to be called in and the protocol and form attached at Annexe 2 must be followed and completed;
 - (ii) An Executive decision may only be called-in by an Overview and Scrutiny Committee once.

Call-in and Urgency

- (i) The call-in procedure set out above shall not apply where the decision being taken by the Executive is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public shall state whether in the opinion of the Executive, the decision is an urgent one, and therefore not subject to call-in. The Mayor, in conjunction with the Monitoring Officer, must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Mayor, the Deputy Mayor's consent shall be required, in conjunction with the Monitoring Officer. In the absence of both, the head of paid service or his/her nominee's consent shall be required, again in conjunction with the Monitoring Officer. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
- (j) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

17. Procedure at Overview and Scrutiny Committee meetings

- (a) Overview and Scrutiny Committees ~~(and sub-committees)~~ shall consider the following business:-
 - (i) minutes of the last meeting;
 - (ii) declarations of interest;
 - (iii) responses of the Executive to reports of the Overview and Scrutiny Committee;

| [Updated March 2017]

- (iv) the business otherwise set out on the agenda for the meeting, with overview items identified and taken first, then select committee mode matters;
 - (v) consideration of any matter referred to the Committee for a decision in relation to call-in of a decision; and
 - (vi) questions by the public.
- (b) Where the Overview and Scrutiny Committee conducts investigations in select committee mode (e.g. with a view to policy development), the Committee may also ask people to attend to give evidence at Committee meetings which are to be conducted in accordance with the following principles:-
- (i) that the investigation be conducted fairly and all members of the Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
 - (ii) that those assisting the Committee by giving evidence be treated with respect and courtesy; and
 - (iii) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.
- (c) Following any investigation or review, the Committee ~~(or Sub-Committee)~~ shall prepare a report, for submission to the Executive and shall make its report and findings public.

18. Questions by the Public

Unless a special meeting of the Overview and Scrutiny Committee is called, Members of the public can ask formal questions at Overview and Scrutiny Committees in accordance with the provisions in the Procedure Rules. The Chairman and/or the Vice-Chairman should be invited to respond to the question.

19. Matters within the remit of more than one Overview and Scrutiny Committee ~~-Invitation of Chairman of other Committee to Participate~~

Where an Overview and Scrutiny Committee wishes to conducts a review or scrutinises a matter which also falls (whether in whole or in part) within the remit of the other Overview and Scrutiny Committee, then the Co-ordinating Board will agree the arrangements in advance of the matter being reviewed. ~~Committee conducting the review shall invite the Chairman and Vice-Chairman of the other committee (or his/her nominee (s)) to attend its meetings when the matter is being reviewed.~~

~~[updated July 2016]~~

[Updated March 2017]

ANNEXES

WAVERLEY'S PETITIONS SCHEME

CALL-IN PROTOCOL FOR OVERVIEW AND SCRUTINY COMMITTEES

[Terms of Reference of Co-ordinating Board](#)

[Protocol for Attendance at the Executive and Overview and Scrutiny Committees.](#)

[Protocol for Informal Working Group Arrangements.](#)

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Overview and Scrutiny Co-ordinating Board Terms of Reference

1. To co-ordinate the overall Overview and Scrutiny work plan to avoid duplication and ensure joint working, or other suitable arrangements where overlaps occur;
2. To consider the overall workload of the Overview and Scrutiny committees and to agree the allocation of resources to each committee according to need on a fair and equal basis;
3. To agree the appointment of a Chairman and Vice Chairman when more than one Overview and Scrutiny Committee meet together as a Joint Committee;
4. To meet on a regular basis with the Executive and Directors to further the development of a productive working relationship;
5. To review arrangements for involving councillors or external parties in the Overview and Scrutiny process, such as by co-option, or setting up Task and Finish groups which include outside representatives and be responsible for agreeing appointments of external parties to relevant groups; and
6. To review the training needs of Overview and Scrutiny committee members, as well as councillors and officers generally, in relation to the Overview and Scrutiny process; and to consider the development of operational styles and techniques to aid the usefulness and effectiveness of the Overview and Scrutiny process.
7. To keep the Terms of Reference of the Overview and Scrutiny Committees under regular review, with delegated authority to revise them when necessary, subject to submitting an annual report to Council to endorse any changes and amend the constitution accordingly.

Membership

The regular membership of the Board will consist of the Chairman and Vice-Chairman of each of the four Overview and Scrutiny Committees (maximum of 8 in total).

The Board will appoint a Chairman at the first meeting of each Council year, and subject to the total number of opposition members on the Council reaching 10%, the Chairman of the Board will be nominated by the Leader of the Principal Opposition Group.

The Board may also meet on a regular basis with the Leader, Deputy Leader or relevant Portfolio Holder and members of the Management Board.

The Chairman and Vice-Chairman of the Audit Committee may be invited to attend the Board on an ad hoc basis when the subject matter is such that their contribution would assist with the allocation of items under the future work programme.

Informal Working Group Protocol

Overview and Scrutiny Committees may appoint smaller informal working groups where they feel a smaller group of members is better suited to carry out a particular task.

Meetings

All meetings will be held in open session with the press and public able to attend, except for the consideration of exempt or confidential information. The Council will make copies of the **agenda** and reports open to the public available for inspection at the Council Offices, at least five clear working days before the meeting, and also on the Waverley website.

Overview and Scrutiny Committees and Sub-Committees will be serviced by the **Democratic Services Team** and supported by the Scrutiny Officer. **Minutes** will be taken by the Democratic Services Officer present at each meeting of the Committee or Sub-Committee, and published.

Membership of the Informal Working Group

The membership of an Informal Working Group will be selected from the members and substitute members of the main Committee, selecting those with the best skills and knowledge of the subject matter to contribute. Other members are able to attend meetings as an observer, or to speak if notice has been given by 12 noon on the day of the meeting (or 5pm on the day before in the event of a morning meeting). There is no provision for substitutes of Informal Working Groups.

The **Chairman** will be appointed at the first meeting from amongst the membership of the Informal Working Group.

External Representatives may be **co-opted** by the Council as non-voting members onto O and S Committees and invited to attend Informal Working Groups.

Business of the Meeting

Where the Overview and Scrutiny Committee (or Informal Working Group) conducts investigations in Select Committee mode (eg with a view to policy development), the Committee may also ask people to attend to give evidence at Committee meetings which are to be conducted in accordance with the following principles:-

- i. that the investigation be conducted fairly and all members of the committee be given the opportunity to ask questions of attendees, and to contribute and speak;
- ii. that those assisting the committee by giving evidence be treated with respect and courtesy; and
- iii. that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

Outcome of Review

Following any investigation or review, the Committee shall prepare a report, for submission to the Executive and shall make its report and findings public. This report will be drafted by the impartial Democratic Services/Scrutiny Officer who has been supporting the review. The Chairman of the Informal Working Group will be invited to prepare a foreword which will preface the final concluding report of the work of the Committee.

Can Informal Working Groups meet flexibly?

Within the overall framework of Waverley's Procedure Rules and Financial Regulations, Informal Working Groups will be able to develop flexible working arrangements best suited to their task. This may mean that published agendas are not required. Such meetings will be supported by a Democratic Services/Scrutiny Officer along with key relevant Officers, and will report back on a regular basis into the formal Sub-Committee process.

SCHEME OF DELEGATION OF FUNCTIONS TO OFFICERS

- 1. General Principles**
- 2. Statutory Officers**
 - 2.1 Head of Paid Service
 - 2.2 Returning Officer and Electoral Registration Officer
 - 2.3 Monitoring Officer
 - 2.4 Chief Finance Officer – ‘Section 151 Officer’
- 3. Executive Director**
- 4. Head of Community Services and Major Projects**
- 5. Head of Customer and Corporate Services**
- 6. Head of Environmental Services**
- 7. Head of Finance**
- 8. Head of Housing Operations**
- 9. Head of Planning Services**
- 10. Head of Policy and Governance**
- 11. Head of Strategic Housing and Delivery**
- 12. Borough Solicitor**

SCHEME OF DELEGATION OF FUNCTIONS TO OFFICERS

General Principles

1. Powers

- 1.1 This Scheme of Delegation is made pursuant to the Local Government Act 1972 Section 101 and by reference to Section 100G and the Local Government Act 2000 Section 15 and The Local Authorities (Functions and Responsibilities) (England) Regulations 2000/2853 (as amended) and all other enabling powers.
- 1.2 The powers in this Scheme of Delegation are only exercisable within the limitations in the Scheme and are subject to the provisions of the Council's Constitution, including Financial Regulations and Contract Procedure Rules.
- 1.3 Where the Council, a Committee, Sub-Committee, the Leader, the Executive, Portfolio Holder or this Scheme of Delegation gives authority for any action, the officer designated shall be entitled to take all necessary steps to do so.
- 1.4 In the event that a Strategic Director or a Head of Service's post ceases to exist or his or her responsibilities are transferred to another officer (as the case may be), temporarily or permanently, then the powers given by this Scheme of Delegation shall be exercisable by the officer in whose area of responsibility the power falls to be exercised.
- 1.5 It is in the nature of any scheme of delegation that those to whom responsibility has been delegated for a particular function, action or decision may require the delegating authority to resume responsibility for that function, action or decision.
- 1.6 Any Head of Service may seek permission to submit a planning application for development to be carried out by the Council (Regulation 4) and for development to be carried out by other parties on land vested in the Council (Regulation 5).

2. Exercise of Functions

- 2.1 All decisions by officers made under this Scheme of Delegation, may only be exercised provided they are within budgetary provision and in accordance with proper authorities, in particular Financial Regulations.
- 2.2 The Executive Director may appoint one or more deputies to exercise his or her functions owing to absence or illness.
- 2.3 The Executive Director may exercise the powers delegated to any Strategic Director or Head of Service except in relation to those functions allocated to the Chief Finance Officer (within the meaning of Section 151 of the Local Government Act 1972 and Section 112-114A of the Local Government

Finance Act 1988) and to the Monitoring Officer (within the meaning of Sections 5, 5A of the Local Government and Housing Act 1989).

3. Sub-Delegation Scheme

- 3.1 Where the Executive Director, Strategic Director or Head of Service are authorised to take decisions, action to implement such decisions will be taken.
- 3.1.1 in the name of (but not necessarily personally by) the Executive Director, Strategic Director or Head of Service; or
- 3.1.2 by any other officer authorised by Executive Director, Strategic Director or Head of Service to take such action in their name or the sub-delegate's own name.
- 3.2 The Executive Director, Strategic Director, each Head of Service and the Borough Solicitor must prepare and maintain a Sub-Delegation Scheme setting out which officers have been authorised to make decisions under their delegated powers and subject to which terms and conditions. Sub-delegation Schemes must be lodged with the Democratic Services Manager.
- 3.3 Where delegations are to be exercised after consultation with the Leader, Portfolio Holder or nominated officers, the authorised officer will carry out the consultation and ensure that a record is made.
- 3.4 Where delegations are to be exercised after consultation with a Portfolio Holder and that Portfolio Holder is unavailable, consultation shall take place with the Leader.
- 3.5 Where delegations are to be exercised after consultation with other officers, if agreement between officers cannot be reached, the matter must be referred to the Executive Director for consideration.

4. Executive Director's Urgent Action

- 4.1 The Executive Director is authorised to determine matters of an urgent nature within the remit of the Executive and which cannot wait for the next meeting of the Executive, which are not key decisions and which do not contravene established policies or budgets, after consultation with the Leader and relevant Portfolio Holder.
- 4.2 Any matters will be reported to the next meeting of the Executive.

5. Schedule of Authorisations

- 5.1 A schedule of authorisations is attached at Appendix 1.

6. Amendments

- 6.1 Amendments to this Scheme will be approved by the Council with the following exceptions

6.1.1 in respect of the officers designated to exercise delegated authorities where changes in the management structure and post titles have resulted from organisational restructures – by the Monitoring Officer.

6.1.2 updates to reflect new legislation where there is no extension to the limit of the existing delegation – the Monitoring Officer.

7. Interpretation

7.1 Any reference to a statute or statutory instrument should be taken to include any subsequent statute or statutory instrument that replaces, amends or extends it, or contains related provisions.

7.2 The terms “officer”, “staff” or “employee” include any person employed by the Council irrespective of the particular terms and conditions under which they are employed.

7.3 Where a delegation is shown as being both an Executive and Non-Executive Function, advice should be sought from the Monitoring Officer regarding the individual circumstances.

Schedule of Authorisations

1. Legal Proceedings

- 1.1 In accordance with Article 14 of the Constitution the Borough Solicitor is authorised to institute, defend or participate in legal proceedings in respect of all functions of the Council.

2. Representing the Council in Legal Proceedings

- 2.1 The Borough Solicitor is authorised to appoint any appropriate officer to appear on behalf of the Council and to conduct legal proceedings or complete formal proof in court or tribunal. A record of those officers so appointed will be kept by the Borough Solicitor in accordance with the Sub-Delegation Scheme.

3. Land, premises, samples, records, articles, equipment or information

- 3.1 The Executive Director, Strategic Director, Head of Service, and any other officer authorised by those officers, are authorised to
- 3.1.1 enter, visit or inspect premises,
 - 3.1.2 procure samples,
 - 3.1.3 inspect, seize, detain or destroy any goods, articles or equipment;
 - 3.1.4 inspect, seize and detain any records, including records held in electronic form;
 - 3.1.5 demand or require information in accordance with and as provided for by any legislation covering any Council function.
- 3.2 The Executive Director, Strategic Director, Head of Service, Borough Solicitor and any other officer authorised by those officers, may apply to the Justices of the Peace to obtain warrants to enter premises as provided for by any legislation covering any Council function.
- 3.3 A record of any other officers authorised as set out above, will be kept by the Executive Director, Strategic Director, Head of Service or Borough Solicitor as appropriate in accordance with the Sub-Delegation Scheme referred to in the General Principles.

4. Instruments of Appointment

- 4.1 The Executive Director is authorised to issue Instruments of Appointment to the Head of Environmental Services as an inspector under the Health & Safety at Work Act 1974 and associated Acts together with all related Regulations and Orders specifying the powers exercisable, having regard to that inspector's qualifications and duties.

4.2 The Head of Environmental Services is authorised to issue Instruments of Appointment to an inspector under the Health & Safety at Work etc Act 1974 and associated Acts together with all related Regulations and Orders specifying the powers exercisable having regard to that inspector's qualifications and duties.

5. Serving of Notices

5.1 The Executive Director, Strategic Director, Head of Service or Borough Solicitor and any other authorised officer employed by the Council are authorised to serve any statutory notices as provided for by any legislation covering any Council function. A record of any other officers so authorised will be kept by the Executive Director, Strategic Director, Head of Service or Borough Solicitor as appropriate in accordance with the Sub-Delegation Scheme referred to in the General Principles.

6. Cautions

6.1 The Executive Director, Strategic Director, Head of Service and any other officer authorised by those officers, are authorised to act as Cautioning Officer in order to issue cautions to persons making a clear and reliable admission of an offence, where it is considered that the use of a formal caution is appropriate. A record of any other officers so authorised will be kept by the Executive Director, Strategic Director or Head of Service as appropriate, in accordance with the Sub-Delegation Scheme referred to in the General Principles.

7. Appeals

7.1 Unless otherwise reserved to the Council, the Executive, a Committee or Sub-Committee, as set out in their Terms of Reference, the Executive Director, Strategic Director, Head of Service and any other officer authorised by those officers, are authorised to hear appeals as provided for by any legislation covering any Council function and in accordance with Council Policies. A record of any other officers so authorised will be kept by the Executive Director, Strategic Director or Head of Service as appropriate in accordance with the Sub-Delegation Scheme referred to in the General Principles.

8. Consultant in Communicable Diseases Control

8.1 The Consultant in Communicable Diseases Control is authorised by the Council to carry out the following actions:

8.1.1 To apply to Justices for orders and certificates with a view to preventing spread of disease.

8.1.2 To apply to Justices for orders and certificates for the removal of aged or infirm persons to hospital, after consultation with the patient's General Practitioner and the Head of Environmental Services.

8.1.3 To serve notices relating to infected food and control of notifiable diseases.

The Council operates an 'Executive and Leader' model. Therefore the majority of the Council's functions (decision-making) lie with the Executive. However, a range of the Council's functions are 'non-Executive' meaning that those matters are determined either by full Council or by another Committee of the Council in accordance with the Council's Constitution. Where a Function is referred to below as 'Non-Executive', that function cannot be determined by the Executive and would, in the absence of delegation to an officer(s), be decided by full Council or the relevant Committee.

This Scheme of Delegation to Officers must therefore be read in conjunction with the Council's Constitution.

STATUTORY OFFICERS

HEAD OF PAID SERVICE

	Authority	Function
1.	<p>To make all decisions in relation to Human Resources functions in accordance with the Council's Policies and within budgetary provision, except (a), (b), (c), (d), and (e) below which are reserved to Full Council:</p> <p>(a) the appointment of the Executive Director or Strategic Directors and the statutory posts;</p> <p>(b) amendments to Terms and Conditions of Employment for Staff and Human Resources Policies where there are additional budget implications;</p> <p>(c) the adoption of the annual Pay Policy Statement;</p> <p>(d) the approval of and amendments to the Pension Policy Statement;</p> <p>(e) the settlement of any staff pay award.</p>	Non-executive

THE RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

	Authority	After Consultation with	Function
1.	Within the approved budget, to approve scales of remuneration of persons employed on Borough and Parish Council elections.	Other local authorities in Surrey.	Non-executive

2.	To amend the designation of a Polling Place, where within six months of an election, (a) a designated polling place unexpectedly becomes unavailable; and (b) it is impractical to report to Council.	Ward councillors, local party agents and, if applicable, official candidates	Non-executive
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THE MONITORING OFFICER

	Authority	Function
1.	The general delegations and authorisations for the Monitoring Officer are as set out in the Constitution at Article 12, the Members' Code of Conduct Part 5 Section A, and the Monitoring Officer Protocol at Part 5, Section J.	Non-executive
2.	To appoint members to the Hearing Sub-Committee from the membership of the Standards Panel.	Non-executive

THE SECTION 151 OFFICER

	Authority	Function
1.	The delegations and authorisations for the Section 151 Officer are as set out in the Constitution at Article 12, and Financial Regulations at Part 4, Section H.	Executive

EXECUTIVE DIRECTOR

Meetings, Members and the Constitution

	Authority	After Consultation with	Function
1.	To appoint members to the Independent Remuneration Panel.	Party Group Leaders. All decisions to be reported to all Members by email.	Non-executive
2.	In respect of ad hoc appointments during the year, to appoint or nominate members and representatives on outside bodies; to appoint trustees; and to identify the meetings of outside bodies which are an approved duty for paying allowances.	The party group leaders. All decisions to be reported to all Members by email.	Non-executive
3.	To make changes to the membership of any of the Council's Committees as necessary during the Council year in accordance with the wishes of the respective group leaders. Any changes made to be reported to the next meeting of the Council.	The party group leaders.	Non-executive

	Authority	Function
4.	To include properties in the List of Assets of Community Value, and make decisions in relation to claims for compensation.	Executive

HEAD OF COMMUNITY SERVICES AND MAJOR PROJECTS

1.	To make all day to day management decisions relating to the Council's Leisure and Green Space functions.	Executive
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Community Safety

	Authority	Function
1.	To carry out the Council's functions and any actions authorised by the Community Incident Action Group, relating to anti-social behaviour, in accordance with the Anti-Social Behaviour Crime and Policing Act or subsequent legislation	Executive

Voluntary Organisations and Community Grants

	Authority	After Consultation with	Function
1.	To agree Service Level Agreements with voluntary organisations	The relevant Portfolio Holder	Executive

HEAD OF CUSTOMER AND CORPORATE SERVICES

	Authority	Function
1.	To make all day to day management decisions relating to the Council's functions as they relate to customer services.	Executive

Estate Management

	Authority	After Consultation with	Function
1.	To agree, with Laser, or any other supplier as agreed by the Council, changes to the cost of supplying gas and electricity services at different times within the contract period in accordance with the terms of the contract	The relevant Portfolio Holder	Executive
2.	To approve expenditure from the Repairs and Maintenance Fund on individual or related items up to £20,000.	The Leader or the appropriate Portfolio Holder	Non-executive or Executive as appropriate to the function being exercised

	Authority	Function
1.	To undertake all actions in relation to the administration of the Council's estate and property portfolio, and its interests in land or property, except the following matters which are reserved to the Executive: (a) Acquisitions or disposal of land or property, and interests in land or property, with a value in excess of £100,000; (b) the grant or renewal of all leases in excess of 15 years; (c) the renewal of existing leases not subject to the provisions of the Landlord and Tenant Act 1954.	Executive

HEAD OF ENVIRONMENTAL SERVICES

Licensing

	Authority	After Consultation with	Function
1.	On behalf of the Council, to submit objections, and pursue such objections at a public inquiry if needed, to: (a) applications for operators licences (including variations) made under the Goods Vehicles (Licensing of Operators) Act 1995; and (b) reviews undertaken of existing licences.	The appropriate ward councillors.	Non-executive

	Authority	Function
3.	To make all decisions in accordance the Council's adopted policies under the following Acts (i) the Public Health Act 1936 and 1961 (ii) The Pet Animals Act 1951 (iii) Caravan Sites and Control of Development Act 1960 (iv) Animal Boarding Establishments Act 1963 (v) Riding Establishments Acts 1964 and 1970 (vi) Dangerous Wild Animals Act 1976 (vii) the Local Government (Miscellaneous Provisions) Act 1982, (viii) Breeding and Sale of Dogs (Welfare) Act 1999, Breeding of Dogs Act 1991 and Breeding of Dogs Act 1973 (i) the Scrap Metal Dealers Act 2013 and any subsequent legislation to take all actions relating to the Council's licensing functions, including but not limited to the following: <i>A. Street trading</i> <i>B. Scrap metal dealers</i> <i>C. Animal boarding establishments, riding establishments, dog breeders, pet shops and dangerous wild animals</i> <i>D. Caravan, camping sites and gypsy sites</i> <i>E. Game dealers</i> <i>F. Tattooing, acupuncture, ear piercing, body piercing and electrolysis</i> except for	Non-executive

	(b) approval and amendments to policies relating to functions under the Acts set out above which is reserved to the Licensing Committee;	
4.	On behalf of the Council as the Responsible Authority for Environmental Health, the Responsible Authority for Health and Safety, under the Licensing Act 2003, subsequent amendments and all relevant legislation and regulations: (a) to make a relevant representation (b) to apply for a review of a premises licence (c) to apply for a review of a club premises certificate	Non-executive
5.	On behalf of the Council as the Responsible Authority for Licensing under the Licensing Act 2003, subsequent amendments and all relevant legislation and regulations: (a) to make a relevant representation (b) to apply for a review of a premises licence (c) to apply for a review of a club premises certificate	Non-executive

Environmental Protection

	Authority	Function
1.	To make all decisions in accordance the Council's adopted policies under the following Acts (i) the Control of Pollution Act 1974 (ii) the Environmental Protection Act 1990 (iii) Dangerous Dogs Act 1991 (iv) Noise & Statutory Nuisance Act 1993 (v) the Environment Act 1995 (vi) the Noise Act 1996 (vii) the Dog (Fouling of Land) Act 1996 (viii) The Anti-Social Behaviour Crime and Policing Act 2014 Clean Neighbourhoods and Environment Act 2005 (ix) the Health Act 2006 (x) the Refuse Disposal (Amenity) Act 1978 and any subsequent legislation to take all actions relating to the Council's functions, including but not limited to the following: <i>A. Pollution control</i> <i>B. air pollution control and clean air;</i> <i>C. smoke free premises</i> <i>D. Waste collection</i> <i>E. Recycling</i> <i>F. Controlled waste</i> <i>G. Contaminated land</i>	Executive

	<p><i>H. Statutory nuisance</i></p> <p><i>I. Litter</i></p> <p><i>J. Dangerous and Out of Control dogs</i></p> <p><i>K. Dog fouling</i></p> <p><i>L. Authorisations in relation to controlled processes</i></p> <p><i>M. High Hedges complaint</i></p> <p><i>N. graffiti removal</i></p> <p><i>O. noise nuisance</i></p> <p><i>P. abandoned vehicles and other refuse</i></p> <p><i>Q. prevention of crime and disorder</i></p> <p><i>R. Drug and alcohol abuse/misuse of substances</i></p> <p>except for the award of the Waste Collection and Recycling Contract which is reserved to the Executive.</p>	
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Environmental Health

	Authority	Function
1.	<p>To make all decisions in accordance the Council's adopted policies under the following Acts</p> <p>(i) the Local Government Act 1972</p> <p>(ii) the Local Government (Miscellaneous Provisions) Act 1976</p> <p>(iii) the Public Health Act 1961</p> <p>(iv) the Clean Neighbourhoods</p> <p>(v) the Environment Act 2005</p> <p>and any subsequent legislation to take all actions relating to the Council's functions, including but not limited to the following:</p> <p><i>(a) drains, private sewers, water closets or soil pipes</i></p> <p><i>(b) a satisfactory supply of wholesome water</i></p> <p><i>(c) the control rats and mice</i></p> <p><i>(d) filthy or verminous premises, articles or persons</i></p> <p><i>(e) the prevention and suppression of nuisances</i></p> <p><i>(f) emergency situations arising outside normal working hours.</i></p>	Executive

Food and Safety

	Authority	Function
1.	<p>To make all decisions in accordance the Council's adopted policies under the following Acts</p> <p>(i) the European Communities Act 1972</p> <p>(ii) the Food and Environmental Protection Act 1985</p> <p>(iii) the Food Safety Act 1990,</p>	Non-executive/Executive

	(iv) the Health & Safety at Work etc Act 1974 and any associated regulations and any subsequent legislation, to take all actions relating to the Council's functions in respect of food and health & safety and pesticides.	
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Land Drainage

	Authority	Function
1.	To take all actions to alleviate flooding under the Water Management Acts relating to the Council's land drainage functions, except the following which are reserved to the Executive: (i) approval of the annual Drainage Works Programme; (ii) authority to submit funding bids for projects requiring external funding for drainage works on third party land where this would require the Council to part fund from the Drainage Reserve	Executive

Car Parks

	Authority	Function
1.	To make all day to day management decisions relating to the management and use of the Council's car parks, except for the following which are reserved to the Council: (a) The adoption of and amendments to the Council's Car Parking Strategy; (b) The setting of off-street car parking charges.	Non-executive

HEAD OF FINANCE

Financial Management

	Authority	After Consultation with	Function
1.	To set the Council Tax Base.	The relevant Portfolio Holder	Executive
2.	To monitor and manage the revenue reserves and provisions of the Council, including the release of such funds within agreed policy guidelines.	The Executive Director and the relevant Portfolio Holder.	Executive

	Authority	Function
1.	To determine areas and levels of cover for insurance.	Executive
2.	To approve spending from the Insurance Fund in individual projects or a group of related projects or a group of related items up to a maximum of £20,000.	Executive
3.	To determine rates of interest payable under: (a) Public Health Acts and Housing Acts (rechargeable works executed by the Council) (b) Local Government (Miscellaneous Provisions) Act 1976 (dangerous trees and restoration of supplies).	Non-executive

Council Tax and NNDR

	Authority	Function
1.	To apportion rates under Section 44A of the Local Government Finance Act 1988, and any subsequent legislation, on premises partially unoccupied for short periods.	Executive
2.	To grant applications for discretionary rate relief which meet the adopted criteria and can be funded within the approved budget	Executive
3.	To execute warrants of arrest for Council Tax and Non-Domestic Rate debts	Executive

HEAD OF HOUSING OPERATIONS

Housing and Homelessness

	Authority	Function
1.	<p>To make all decisions, take all actions and exercise all powers in accordance the Council's adopted policies under the following Acts</p> <ul style="list-style-type: none"> (i) Housing Act 1985 (ii) Local Government and Housing Act 1985 (iii) Housing Act 1996 (iv) Children Act 1989 (v) Regulation 3 of the Town and Country Planning (General) Regulations 1992 – except for the determination of planning applications which is reserved to the relevant Area or Joint Planning Committee (vi) Housing Act 2004 (vii) Anti-Social Behaviour, Crime and Policing Act 2014 (viii) Clean Neighbourhoods and Environment Act 2005 (ix) Leasehold Reform, Housing and Urban Development Act 1993 (x) Leasehold Reform Act 1967 (xi) Housing and Planning Act 2016 (xii) Homelessness Act 2002 (xiii) Housing, Grants, Construction and Regeneration Act 1996 (xiv) Prevention of Damage by Pests Act 1949 (xv) Public Health Acts 1936 and 1961 (xvi) Caravan Sites and Control of Development Act 1960 (xvii) Environmental Health Act 1990 	Non-Executive/Executive

	Authority	After Consultation with	Function
1.	<p>To review decisions taken under the Personal Files (Housing) Regulations Act 1989 concerning access to, or correction or erasure of information held in housing records of which a tenant (or member of his family) is aggrieved.</p>	The relevant Portfolio Holder	Executive

	Authority	Function
1.	To make decisions under Access to Personal Files (Housing) Regulations 1989.	Executive
2.	To make decisions under the Rent Deposit Guarantee Scheme.	Executive

HEAD OF PLANNING

Development Control

	Authority	After Consultation with	Function
1.	To determine major planning applications where these are resubmitted applications previously refused only for SPA reasons which are now resolved and where: (a) the application is not materially different from the original application; (b) the material considerations affecting the decision have not changed; (c) there is no request from a councillor to call in the application for determination by the Committee as set out in 3(b) below.	The Chairman of the Joint Planning Committee and Ward Councillors	Non-executive
2.	To agree variations to Section 106 legal agreements under the Town and Country Planning Act 1990 which relate to planning applications determined by the Area Planning Committees and Joint Planning Committee	The Chairman of the Joint Planning Committee and Ward Councillors	Non-executive

	Authority	Function
3.	(A) to determine planning applications, applications for advertisement consent, non-material and minor material amendments applications, details to comply with conditions, variation/removal of condition applications, prior notifications/prior approval notices and certificates of lawfulness; (B) to determine applications for listed building consent and to take action in relation to listed buildings and Conservation Areas; and (C) to respond to consultations and notifications from other local authorities, public bodies etc; (D) to determine the need for an environmental impact assessment; (E) to take direct action/seek injunctions in relation to breaches of planning control, remove unauthorised signage/advertisements and remedying the condition of land; (F) to serve notices (including enforcement notices, breaches of condition notices, temporary stop notices, stop notices planning contravention	Non-executive

<p>notices); under the Town and Country Planning Acts and any Regulations made in relation to this legislation or any amendments, except:</p> <p>(a) planning applications that must be referred to the Joint Planning Committee in accordance with Part 3 of the Constitution;</p> <p>(b) any planning application, where within three weeks of the publication of the weekly list of planning applications, any councillor from the relevant Area Committee (for the Committee including all or part of the planning application site concerned) makes a requests to the Head of Planning (or an officer(s) nominated by them), supported in writing by the relevant Town or Parish Council, putting forward matters that are relevant planning grounds, to refer an application to the next appropriate meeting of the Area or Joint Planning Committee for determination.</p> <p>(c) any planning application, where within three weeks of the publication of the weekly list of planning applications, any councillor from the relevant Area Committee (for the Committee including all or part of the planning application site concerned) makes a requests to the Head of Planning (or an officer(s) nominated by them), putting forward matters that are relevant planning grounds, to refer an application to the next appropriate meeting of the Area or Joint Planning Committee for determination.</p> <p>(For (b) and (c)) Where the three-week call-in period has expired, but the Head of Planning is satisfied that the circumstances are so exceptional and the application has not been determined, they may, after consultation with the Chairman of the relevant Committee, arrange for that application to be referred to the Committee;</p> <p>(d) any planning application submitted by or on behalf of a serving Councillor or employee of the Council, or the spouse or partner of any of the above persons;</p> <p>(e) any planning application where an objection from a statutory consultee remains unresolved and the officer's recommendation is to approve the application;</p>	
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	(f) any planning application where the Council is the applicant; (g) any planning application which is required to be referred to the Secretary of State.	
4.	To take action, make decisions, serve notices and carry out works relating to trees pursuant to the Town and Country Planning Act 1990, the Hedgerow Regulations 1997 and Section 23 of the Local Government (Miscellaneous Provisions) Act 1976, and any Regulations made in relation to this legislation or any amendments, except the confirmation or revocation of a tree preservation order where objections have been received which is reserved for decision by the Area Planning Committee.	Non-executive
5.	To agree the terms of, and variations to, Section 106 Legal Agreements under the Town and Country Planning Act 1990 in connection with the grant of planning permission under delegated powers and Section 106 agreements following a refusal on appeal	Non-executive

Licensing

	Authority	Function
1.	Under the Licensing Act 2003 (a) to respond to the licensing authority in connection with consultations on applications on behalf of the local planning authority; (b) to apply for a review of a premises licence or a club premises certificate.	Non-executive

Street Naming and Numbering

	Authority	After Consultation with	Function
1.	To determine the names of highways under the Public Health Act 1925.	The appropriate Portfolio Holder and appropriate ward councillors	Executive

	Authority	Function
1.	To exercise the street numbering function under the Public Health Act 1925	Executive

Building Control

	Authority	After Consultation with	Function
1.	To adjust Building Control charges appropriately to ensure income will cover the cost of the chargeable service	The relevant Portfolio Holder	Executive

	Authority	Function
1.	To exercise the Council's powers in relation to Building Control legislation, including, but without prejudice to the generality of the foregoing, the determination of applications for the approval of plans and specifications, applications for relaxations, the issue and service of all Notices, the making of requirements and the decision to carry out works in default.	Executive
2.	To exercise the powers and duties of the Council, including the recovery of costs, relating to dangerous, dilapidated or defective buildings or structures, hoardings, scaffolding and the demolition of buildings	Executive

HEAD OF POLICY AND GOVERNANCE

Members Meetings and the Constitution

	Authority	After Consultation with	Function
1.	To approve the annual timetable of meetings of the Council and Standing Committees.	The Leader	Non-executive
2.	The determination of applications for street collections to provide funding to meet a major local/national/international disaster.	The Chairman of the Licensing and Regulatory Committee.	Non-executive

	Authority	Function
1.	<p>To make all decisions in accordance with the Council's adopted policies under the following Acts</p> <p>(i) the Local Government (Miscellaneous Provisions) Act 1976</p> <p>(ii) the Town Police Clauses Act 1847</p> <p>(iii) the Local Government (Miscellaneous Provisions) Act 1982</p> <p>(iv) The Regulatory Reform Act 2001</p> <p>(v) Licensing Act 2003,</p> <p>(vi) the Gambling Act 2005</p> <p>and any subsequent legislation to take all actions relating to the Council's licensing functions, including but not limited to the following:</p> <p><i>A. Personal, premises, club premises licences and Temporary Event Notices</i></p> <p><i>B. Hackney carriage drivers and vehicles, and private hire drivers, vehicles and operators (except any applications that reveal convictions for offences that might affect the suitability of a person to hold a licence)</i></p> <p><i>C. House to house and street collections</i></p> <p><i>D. Club gaming/club machine permits and small society lotteries</i></p> <p><i>E. Sexual Entertainment Venues</i></p> <p>except for</p> <p>(a) approval of and amendments to the Statement of Licensing Policy and the Gambling Policy which are reserved to Council;</p> <p>(b) approval and amendments to policies relating to functions under the Acts set out above which is reserved to the Licensing Committee;</p> <p>(c) approval of increases in the hackney carriage fare scale and amendments to the scale of charges for hackney carriage and private hire licence fees,</p>	Non-Executive

	<p>which is reserved to the Licensing and Regulatory Committee;</p> <p>(d) the designation of and amendments to hackney carriage vehicle ranks which is reserved to the Licensing and Regulatory Committee;</p> <p>(e) the power to make an Order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption which is reserved to the Licensing and Regulatory Committee;</p> <p>(f) all applications and appeals reserved to the Licensing Sub Committee as set out in its Terms of Reference at Part 3, Section E of the Constitution.</p>	
2.	To make all day to day management decisions relating to the Council's functions as they relate to communications and public relations.	Executive

Closure of Streets (suggest reallocation)

	Authority	Function
1.	To make and issue temporary street closures orders in connection with special events in accordance with Section 21 of the Town Police Clauses Act 1847.	Executive

HEAD OF STRATEGIC HOUSING AND DELIVERY

	Authority	Function
1.	<p>To make all decisions, take all actions and exercise all powers in accordance the Council's adopted policies under the following Acts</p> <ul style="list-style-type: none"> (i) Housing Act 1985 (ii) Local Government and Housing Act 1985 (iii) Housing Act 1996 (iv) Children Act 1989 (v) Regulation 3 of the Town and Country Planning (General) Regulations 1992 – except for the determination of planning applications which is reserved to the relevant Area or Joint Planning Committee (vi) Housing Act 2004 (vii) Anti-Social Behaviour, Crime and Policing Act 2014 (viii) Clean Neighbourhoods and Environment Act 2005 (ix) Leasehold Reform, Housing and Urban Development Act 1993 (x) Leasehold Reform Act 1967 (xi) Housing and Planning Act 2016 (xii) Homelessness Act 2002 (xiii) Housing, Grants, Construction and Regeneration Act 1996 (xiv) Prevention of Damage by Pests Act 1949 (xv) Public Health Acts 1936 and 1961 (xvi) Caravan Sites and Control of Development Act 1960 (xvii) Environmental Health Act 1990 	Non-Executive/Executive

Private Sector Housing

	Authority	After Consultation with	Function
1.	To determine the charges for default works undertaken pursuant to the Public Health and Housing Acts and the clearance of private drains and private sewers, all in respect of Environmental Protection legislation.	The relevant Portfolio Holder	Executive

Authority	Function
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1.	To undertake all actions relating to the Council's functions under the Housing Grants, Regeneration and Construction Act 1996 and any subsequent legislation, including but not limited to the following: (a) Disabled facilities grants (b) Renovation grants (c) common parts grants, (d) house in multiple occupation grants (e) major repair grants	Executive
2.	To undertake all actions relating to the Council's functions under the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 for the securing of loans given for the improvement or repair of dwellings as a formal Land Charge.	Executive
3	To undertake all actions relating to the Council's functions under the Housing Acts and any subsequent legislation regard to unfit housing and houses in multiple occupation.	Executive
4.	To administer and approve loans under the Flexible Improvement Loans Scheme.	Executive

Housing and Homelessness

	Authority	Function
1.	To make decisions to depart from the Council's Allocations Policy in special needs circumstances.	Executive
2.	To review decisions under the Allocation of Housing and Homelessness (Review Procedures) Regulations 1999.	Executive

Burial or Cremation

	Authority	Function
1.	To arrange the burial or cremation of persons for whom no other suitable arrangements for the disposal of their remains have been made (under Section 46 of the Public Health (Control of Disease) Act 1984) and any necessary administration of the deceased's estate in liaison with the Treasury Solicitor.	Executive

BOROUGH SOLICITOR

Data Protection Act 1998

	Authority	Function
1.	To waive in cases of hardship the subject access fee allowed for under the Data Protection Act 1998.	Executive

Regulation of Investigatory Powers Act 2000

	Authority	After Consultation with	Function
1.	To amend the Council's Regulation of Investigatory Powers Act 2000 Policy and Procedure, to reflect changes to the legislation or for better performance of the Policy	The relevant Portfolio Holder and the Leader	Executive
2.	To add to, or delete from, the list of authorised officers in the Council's Policy and Procedure pursuant to the Regulation of Investigatory Powers Act 2000.	The relevant Portfolio Holder and the Leader	Executive

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They explained that they were required to certify certain claims and returns submitted by Waverley. The only claim requiring auditor certification for 2015/16 was the Council's claim for housing benefit subsidy, and the report summarised the outcomes of this work.

As part of their work, Grant Thornton had identified a small number of low value individual errors regarding claimants' Housing Benefit calculations including incorrect entry of earned income values, incorrect entry of rent values and incorrect application of Local Housing Authority rates.

These errors triggered a requirement for Grant Thornton to undertake further testing before determining whether they were able to adjust and/or issue a qualification. The outcome was that the 2015/16 claim was amended prior to certification, with the impact of the amendments being to reduce the total subsidy claimed by a net £119. The number of errors was similar to previous years, and there was nothing of significance or cause for concern.

Iain Murray explained that the nature of this certification work was heavily prescribed by the Department of Work & Pensions (DWP), and there was no threshold of materiality; therefore a qualification letter had been sent to the DWP.

The Committee asked about the possible causes of the errors. The Strategic Director of Finance & Resources, responded that these related to the classification of data, and there was a subjective element to the interpretation of guidance that could lead to data entry errors. Regular quality checks were conducted within the department, and the total value of the errors were relatively small in the context of the overall claim of £29.6m.

Iain Murray explained that the additional sampling work undertaken would have an impact on the final fee, and this had been agreed with the Head of Finance.

RESOLVED that the Certification report for 2015/16 be noted.

45. EXTERNAL AUDIT PLAN 2016/17 (Agenda item 5.)

The Committee was presented with the latest draft version of the Grant Thornton External Audit Plan for the Council for 2016/17 which gave an overview of the planned scope and timing of the audit.

Iain Murray drew the Committee's attention to the business context for the audit plan (developments, key challenges and financial reporting changes); materiality thresholds, which remained the same as for 2015/16; significant risks, as defined by professional standards; other financial risks (key areas of outgoings, valuation of fixed assets and pension liability, changes to the presentation of the accounts); Value for Money considerations; and the independence check.

In completing his summary of the Plan, Iain Murray advised the Committee that a family member of a Waverley councillor was employed by Grant Thornton; however,

that employee had not, and would not, work on the Waverley Audit, and had no access to the Waverly audit files.

Cllr Hyman expressed a concern that the risk identified in relation to development and regeneration and the response, on pages 4 and 14 of the External Audit Plan, relied on information provided by the Council, and he felt that there were additional issues that Grant Thornton should be aware of including the validity of the planning consent for the Brightwells development.

Iain Murray responded that the role of the External Auditors was to assess how the Council identified and managed risks in relation to policy decisions, and they were not qualified to assess if the planning consent was valid.

The Chairman pointed out that Cllr Hyman's views were different to those of the Council, and suggested that he could forward a letter to the External Auditors if Cllr Hyman wrote to him setting out his concerns.

With regards to the Local Plan, Iain Murray explained that in contrast to the previous two years, significant progress had been made with the submission of the Draft Local Plan for examination. It was felt that the key issue now was the decision in relation to the Dunsfold Park planning application, which had been called-in. The statement of risks in relation to the Local Plan and Dunsfold Park could be re-visited if circumstances changed during the course of the audit process, but the Audit Plan represented the view as at the time of writing.

In response to questions from the Committee, Iain Murray confirmed that the External Audit Plan was in line with the requirements of the Local Audit and Accountability Act 2014 and in accordance with the National Audit Office Code of Practice 2015. The Value for Money conclusion was based on criteria set out in National Audit Office guidance for 2016/17 issued in November 2016.

Cllr Hyman advised that Waverley's Opposition Group had concerns in relation to performance against the sub-criteria detailed on page 12 of the Audit Plan.

With regard to the audit timeline, the Chairman noted that it was very tight, and it was important that the Committee had the report on the final accounts in time to review them thoroughly before the Audit Committee meeting on 24 July. Iain Murray agreed that the timetable was ambitious, but he was confident that they could meet it. The aim was to provide the audited accounts two weeks before the Committee meeting, and a meeting had been scheduled for the Committee to review the unaudited accounts on 9 June.

In conclusion, the Committee RESOLVED to note the External Audit Plan for 2016/17.

46. PROGRESS ON THE INTERNAL AUDIT PLAN 2016-17 (Agenda item 6.)

The Internal Audit Client Manager presented an update on the current status of the reviews scheduled in the Internal Audit Plan for 2016/17. A number of audits were due to start imminently, and these would be concluded in 2017/18. Two projects – Approval of Invoices on Agresso, and Data Protection – totalling 16 audit days,

would not commence in the current year and it was proposed that these be deferred to 2017/18.

The audit review in relation to the approval of invoices between Orchard and Agresso had been delayed due to the implementation of the Agresso upgrade having been delayed as a result of the departure of the system administrator. This post had now been filled.

The Committee RESOLVED to note the progress of the Internal Audit Plan for 2016/17, and endorsed the deferral to 2017/18 of the audit reviews on the Approval of Invoices on Agresso, and Data Protection.

47. PROGRESS ON THE IMPLEMENTATION OF INTERNAL AUDIT RECOMMENDATIONS (Agenda item 7.)

The Committee received the report outlining the progress that had been made on the implementation of internal audit recommendations. The Internal Audit Client Manager advised the Committee that since the agenda was issued there had been some further progress on implementation:

- IA16/17.003 (Job Description) – the Head of Finance had confirmed that the action to update the job description would be complete by 31 March 2017.
- IA17/11.008 (DBS clearance) – this recommendation had been issued in connection with Management of Contractors by Housing, and action had been taken in Housing to ensure that staffing updates were covered at all contractor monitoring meetings. However, this was also a corporate issue and the Property Services Manager had recommended that additional contract requirements for appropriate safeguarding provisions to Waverley's requirements be included in the current revision of the Council's Contract Procurement Rules. Accordingly, the deadline for this action had been extended to 30 April 2017.
- IA17/12.003 and IA17/12.008 – these recommendations had now been implemented.

The Head of Policy & Governance had asked that due date for five recommendations from the Information Security Governance audit review be extended to 1 July 2017, as resource constraints and competing urgent legal instructions had prevented the work to be completed.

The Committee was very disappointed that these recommendations had not been progressed further, and that the Council was potentially exposed to risk through the lack of up to date policies and procedures. The Committee was particularly unhappy about agreeing to extend the deadline for the Information Security Group to meet (IA16/22.007), as this should have been relatively simple to achieve.

The Committee RESOLVED to extend the deadline for recommendations IA16/22.001, 002, 003, and 004 to 1 July 2017. However, the Committee agreed to extend the deadline for IA16/22.007 only until 30 April 2017.

The Committee asked the Strategic Director of Finance & Resources to impress on the Head of Policy & Governance the strength of the Audit Committee's concern that this action had not been completed, and that he and the Borough Solicitor would be asked to attend the next meeting of the Audit Committee if the actions remained outstanding at that time.

48. PROPOSED AUDIT PLAN FOR 2017-2018 (Agenda item 8.)

The Internal Audit Client Manager introduced the draft Internal Audit Plan for 2017/18, which had been prepared with reference to the Internal Audit Risk Assessment, as well as assessing the current control environment, operational risk register and through consultation with Heads of Service.

The Plan proposed to allocate 230 days to the contractor RSM for 2017/18, the same as currently. This gave coverage to the key known issues facing Waverley in the coming 12 months, with a 21-day contingency to address issues that might arise during the year.

The Chairman reminded the Committee that they had explored the wider audit universe previously, and made suggestions for risk areas to be included in the Plan.

With regard to the proposed audit of Tree Management, the Committee asked that this include lease conditions where the Council has leased land to third parties.

The Committee RESOLVED to approve the draft Internal Audit Plan for 2017/18.

49. REVISED ANTI-FRAUD AND CORRUPTION POLICY (Agenda item 9.)

The Committee received the revised Anti-Fraud and Corruption Policy, and the subsidiary policies, which had been reviewed in the light of the Committee's comments at the November 2016 meeting.

Cllr Hyman expressed concern that complaints involving Members could be relayed verbally and did not have to be put in writing. Cllr Hyman also asked how the external auditors might be called upon to carry out an independent investigation into fraud, corruption or bribery.

The Chairman advised that the procedures in relation to complaints involving Members were set out in the Code of Conduct, and the Anti-Fraud and Corruption Policy merely reflected the Code. And, anyone could make representations to the external auditors if they felt that there was something that needed to be investigated.

The Chairman thanked the Internal Audit Client Manager for her work to bring together the Committee's comments on the various policies following the November Committee meeting.

The Committee RESOLVED to endorse the revised policies and asked that these be published on Waverley's website and cascaded to staff, Members and Council suppliers to reinforce Waverley's stance of zero tolerance to fraud and corruption.

50. FRAUD INVESTIGATION SUMMARY (Agenda item 10.)

The Committee received an update on the fraud investigations being undertaken in relation to Housing Tenancy Fraud.

In the 9 months to 31 December 2016, 10 council properties had been relinquished and made available to be re-let to tenants on the waiting list. Based on Audit Commission notional figures this represented a nominal financial saving of £591,745, although the value to Waverley of retaining 10 council properties was much higher.

The Committee discussed the progress summary of data matches identified through the National Fraud Initiative (NFI), shown in Annexe 2 of the report, and the Strategic Director of Finance & Resources explained how the data was used to investigate possible incidences of fraud.

The Committee RESOLVED to note the success of the fraud investigation activity and the outcomes achieved, and encouraged officers to publicise this positive news widely.

51. AUDIT COMMITTEE RECURRENT ANNUAL WORK PROGRAMME (Agenda item 11.)

The Committee reviewed the Work Programme that set out the items of business scheduled for meetings in 2017/18, and which took account of the accelerated financial close arrangements required under the Local Audit and Accountability Act 2014.

The Committee noted that the meeting scheduled for 4 July 2017 would be too early to receive the final statement of accounts from the External Auditors, and it was proposed to move this committee meeting back to 24 July 2017.

Noting that the July committee meeting would need to focus on reviewing the final accounts and supporting reports, it was agreed that items that were not time-critical (Review of Audit Committee's Terms of Reference, Internal Audit Charter, Annual Internal Audit Report) should be held over to the September meeting.

The Committee RESOLVED to note the revised date for the July meeting, and the changes agreed to the forward work programme.

52. EXCLUSION OF PRESS AND PUBLIC (Agenda item 12.)

At 8.53pm, the Committee 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 proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information (as defined by Section 100I of the Act) as specified in Paragraph 3 of the revised Part 1 of Schedule 12A to the Local Government Act 1972, namely:

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

53. RISK MANAGEMENT POLICY UPDATE (Agenda item 13.)

The Chairman reminded the Committee that they had considered the Risk Management Policy and Corporate Risk Register at the meeting in November 2016, and had agreed to revisit this matter at the March meeting following an informal risk workshop with Zurich Municipal in January 2017.

The Committee had met with Zurich to understand the methodology for producing the corporate risk register, and had heard from the Strategic Director of Finance & Resources and the Risk & Insurance Officer about how the register was updated.

Cllr Hyman advised that from a residents' perspective there was a perception that risks were not assessed at a practical level. However, as a member of the Audit Committee he could now see that there was no substantive problem, but he did have concerns about policy gaps in key areas leading to risk exposure for the Council.

The Committee discussed the specific role of the Audit Committee in reviewing the risk register, and agreed that their purpose was to seek assurance that there were arrangements in place to identify and assess risks, and that these were working effectively. It was not the Audit Committee's role to make a quantitative or qualitative assessment of risks, or to question the quality of decision-making; the Overview and Scrutiny Committees had the remit to do this.

The Committee discussed whether there was a strong risk management culture across all levels of staff. The Strategic Director of Finance & Resources advised that whilst the external auditors did not form a specific view on the risk culture in the organisation, the Strategic Review undertaken by Cratus had looked at the risk culture: they had concluded that the officer team was too risk averse, and too focussed on keeping Waverley safe.

Cllr Hesse referred to his work on the Overview & Scrutiny review of the Leisure Centre contract management: conversations with Places for People managers at Waverley's leisure centres led him to understand that they had a strong understanding of their risk management system. In contrast, he had not got the same sense of understanding from Waverley officers working on the contract client management.

The Strategic Director of Finance & Resources and the Internal Audit Client Manager advised that they felt that colleagues did have good risk awareness, although they might not articulate that understanding in risk management terms.

The Chairman agreed that there was not one 'right' approach to risk management, and Waverley's arrangements could still be adequate whilst being different to those that members were familiar with in a different context. His perception was that this was the case.

Cllr Band agreed that his experience as Finance Portfolio Holder was that risk had been discussed in project management meetings, and he was confident that this was still happening, although it might not be in the way that Cllr Hesse would expect it to be discussed.

The Committee concluded that Waverley had the essential elements of a risk management system, and that Members might have to accept that it looked different to other arrangements with which they were familiar. The Committee did feel that it might be helpful to work through the risk management process for a specific area of the Council's work in a pre-meeting. The Committee also asked for a briefing on the LEAN systems work being undertaken in Benefits.

The meeting commenced at 7.00 pm and concluded at 9.23 pm

Chairman