

To: All Members of the EXECUTIVE
(And all Members of the Council for
information)

When calling please ask for:

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Calls may be recorded for training or monitoring

Date: 16 May 2016

Membership of the Executive

Cllr Brian Adams
Cllr Andrew Bolton
Cllr Kevin Deanus
Cllr Jim Edwards
Cllr Jenny Else

Cllr Carole King
Cllr Ged Hall
Cllr Tom Martin
Cllr Julia Potts

Dear Councillors

A meeting of the EXECUTIVE will be held as follows:

DATE: TUESDAY, 24 MAY 2016

TIME: 5.00 PM

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

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR
Head of Policy and Governance

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NOTES FOR MEMBERS

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

AGENDA

1. **APPOINTMENT OF CHAIRMAN**

To confirm the appointment of Councillor Julia Potts as the Chairman of the Executive for the Council Year 2016/17.

2. **APPOINTMENT OF VICE-CHAIRMAN**

To confirm the appointment of Councillor Tom Martin as Vice-Chairman of the Executive for the Council Year 2016/17.

3. **APOLOGIES FOR ABSENCE**

To receive apologies for absence.

4. **DECLARATIONS OF INTERESTS**

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

5. **BRIGHTWELLS REGENERATION SCHEME** (Pages 7 - 90)
(Portfolio Holder: Cllr Julia Potts)
(Wards Affected: All Farnham Wards)

The purpose of this report is to update Members on the significant progress the Council has made on the Brightwells Farnham Regeneration Scheme, including information on the current financial and planning arrangements and the delivery position relating to this key corporate priority.

The Executive is requested to consider the proposed financial and funding arrangements and the consequential variations to the Development Agreement, have regard to legal and financial advice and make recommendations to Council about how to proceed with this scheme.

Recommendation

That the Executive recommends to Council that it agrees to:

1. Receive the Best Consideration report from GVA and note that the financial proposals represent best consideration;
2. Receive the legal advice from Leading Counsel and the Borough Solicitor regarding the potential for legal challenge and acknowledge the importance of this advice in relation to the decision about proceeding with the amendments to the Development Agreement;
3. In relation to recommendation 2 above, approve recommendation 1 included in the (Exempt) annexe and delegate authority to the Executive Director and Borough Solicitor in consultation with the Leader of the Council and Portfolio Holder for Finance to negotiate with the developer appropriate measures to provide mitigation against the costs of robustly defending any legal challenge on an equal share basis;
4. Approve as Landowner, the change of Affordable Housing accommodation mix within the Scheme to 72 Shared Ownership units;
5. Note Officers' analysis of the financial appraisal and the evaluation of risks included and acknowledge that the financial appraisal is predicated on the approval of the changes to Development Agreement and the Section 106 Agreement as set out in the report;
6. Delegate authority, in line with Counsel's advice at paragraphs 36 and 37, to the Executive Director and Borough Solicitor to execute the Compulsory Purchase Order in respect of the Marlborough Head Pub in Farnham, the remaining CPO Order Lands set out within the CPO, and all other rights of access and oversailing set out within the CPO;
7. Approve the changes to the Development Agreement necessary to enable the Scheme to proceed as summarised in paragraph 72 of this report and detailed in the paragraph 9 of the (Exempt) annexe;
8. Subject to resolution of the issues set out in the (Exempt) Annexe to this report, delegate authority to the Executive Director, Director of Finance and Borough Solicitor in consultation with the Leader of the Council and the Portfolio Holder for Finance to agree the detailed legal terms necessary to achieve an unconditional Development Agreement.
9. Agree the commercially sensitive recommendation 2 regarding Stamp Duty Land Tax set out in the (Exempt) Annexe to this report

6. EXCLUSION OF PRESS AND PUBLIC

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

Recommendation

That, pursuant to Procedure Rule 20, and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item(s) on the grounds that it is

likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during these items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified at the meeting in the revised Part 1 of Schedule 12A to the Local Government Act 1972.

7. ANY OTHER ISSUES TO BE CONSIDERED IN EXEMPT SESSION

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

**For further information or assistance, please telephone
Emma McQuillan, Democratic Services Manager, on 01483 523351 or
by email at emma.mcquillan@waverley.gov.uk**