

To: All Members of the EXECUTIVE

When calling please ask for:

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**Policy and Governance**

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Date: 21 November 2014

**Membership of the Executive**

Cllr Robert Knowles (Chairman)  
Cllr Julia Potts (Vice Chairman)  
Cllr Brian Adams  
Cllr Carole King  
Cllr Tom Martin

Cllr Donal O'Neill  
Cllr Stefan Reynolds  
Cllr Adam Taylor-Smith  
Cllr Simon Thornton  
Cllr Keith Webster

Dear Councillors

A meeting of the EXECUTIVE will be held as follows:

DATE: TUESDAY, 2 DECEMBER 2014

TIME: 6.45 PM

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

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR  
Head of Policy and Governance

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This meeting will be webcast from the conclusion of Informal Question Time and can be viewed by visiting [www.waverley.gov.uk](http://www.waverley.gov.uk)

## **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.

**Prior to the commencement of the meeting, the Chairman to receive any informal questions from members of the public, for a maximum of 15 minutes.**

### **AGENDA**

1. **MINUTES**

To confirm the Minutes of the Meeting held on 4 November 2014.

2. **APOLOGIES FOR ABSENCE**

To advise the Executive of any apologies for absence.

3. **DECLARATIONS OF INTERESTS**

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

4. **QUESTIONS**

The Chairman to respond to the following question received from Mr Jerry Hyman for which notice has been given in accordance with Procedure Rule 10:-

“The Council has made various claims regarding funding of the East Street scheme over the past decade, though the terms of possible funding and the design of the scheme have never been finalised.

We hear that another such claim is being made, and if the Due Diligence process has been completed and a firm agreement has indeed been reached then as a public project, there should be no honest reason not to publicise the funding institution concerned and the terms of the funding.

If there is a firm, signed commitment of funding, who is supplying that funding?”

5. **EXECUTIVE FORWARD PROGRAMME** (Pages 9 - 14)

To adopt the forward programme of key decisions for Waverley Borough Council for December onwards.

### Recommendation

**It is recommended that the forward programme of key decisions for Waverley Borough Council be adopted.**

6. BUDGET MANAGEMENT REPORT (Pages 15 - 32)  
[Portfolio Holder: Councillor Julia Potts]  
[Wards Affected: All Waverley Wards]

The report provides a projection of the expenditure and income position for the 2014/15 Budget compared with the approved budget for the General Fund and the Housing Revenue Account. The projection is based on the position to date.

### Recommendation

**It is recommended that the Executive notes the report and:**

1. **approves the virement requests from the additional planning income to cover additional legal fees of £20,000 and consultants costs of £10,000 within Development Control appeal costs, as detailed in paragraph 2.4;**
  2. **approves the employment of consultants at an estimated cost of £15,000 to be met from the identified WTS surplus to carry out a review of the service as detailed in paragraph 2.12;**
  3. **agrees to the request to slip the £35,000 capital provision for the Farnham Maltings from 2014-15 to 2015-16 as detailed in paragraph 3.2;**
  4. **recommends to the Council that the addition of £63,000 within the 2014-15 General Fund Capital Programme be approved for the refurbishment of Broadwater Toilets, as detailed in paragraph 3.3;**
  5. **approves the work for the properties in (Exempt ) Annexes 6 and 7;**
  6. **approves the change in accountant post BD04 from 15 to 37 hours within existing budgets, as described in 2.8 and recommends to the Council that the staffing establishment be amended accordingly; and**
  7. **approves the expenditure of £14,200 to be met from the HRA required to separate the two areas of ex-Rowland House/Rowleys accommodation as detailed in paragraph 4.10.**
7. TREASURY MANAGEMENT PERFORMANCE (Pages 33 - 38)  
[Portfolio Holder: Councillor Julia Potts]  
[Wards Affected: All Waverley Wards]

The purpose of the report is to summarise Waverley's investment performance for the for the period 1<sup>st</sup> April 2014 to date, in accordance with Waverley's Treasury Management Policy and the Code of Practice on Treasury

Management in Local Authorities.

Recommendation

**It is recommended that the Executive:**

- 1. notes the Treasury Management Performance for 2014/15 to date; and**
- 2. endorses the approach to Treasury Management activity.**

8. SETTING OF COUNCIL TAX BASE AND BUSINESS RATE BASE FOR 2015/16 (Pages 39 - 48)

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

The purpose of the report is to seek approval for:

1. the 2015/16 council tax base which, under the provisions of the Local Government Finance Act 1992, the Council is required to determine prior to approval of the Council's budget for 2015/16; and
2. the business rate forecast for 2015/16 which, under the provisions of the Local Government Finance Act 2012, forms a major element of Waverley's estimated core funding for its General Fund Budget.

Recommendation

**It is recommended that**

- 1. the council tax base for Waverley be approved for the year 2015/16, as shown in Annexe 1; and**
- 2. the business rate estimates for 2015/16 be approved, as set out in Annexe 2, and that authority be delegated to the Director of Finance and Resources, in conjunction with the Finance Portfolio Holder, to make any final changes necessary before the return is submitted to the Government on the 31 January 2015.**

9. SENIOR MANAGEMENT RESTRUCTURE - ONE YEAR ON (Pages 49 - 50)

[Portfolio Holder: Councillor Robert Knowles]  
[Wards Affected: All Waverley Wards]

On 10 December 2013, Council agreed the restructuring and streamlining of the Senior Management Team and in agreeing to the new structure, asked for a review to be conducted one year on.

This report reviews the effectiveness of the new Senior Management Structure since its implementation on 1 January 2014.

### Recommendation

**It is recommended that the report be noted.**

10. WAVERLEY INITIATIVES LIMITED (Pages 51 - 52)

[Portfolio Holder: Councillor Robert Knowles]  
[Wards Affected: All Waverley Wards]

The report explains that following the background work carried out on the viability of a Local Authority company and the Council's decision in July 2009 to incorporate Waverley Initiatives as a wholly-owned local authority company, the advantages that the Company appeared to offer are no longer relevant and the Company has been dormant since soon after its creation. The Board of the Company has now reviewed the situation and agreed that it is now appropriate to wind the Company up and request Companies House to strike-off the Company as it no longer offers any advantages for the further provision of affordable housing in the Borough.

### Recommendation

**The Executive is recommended to**

1. **recommend to the Council that Waverley Initiatives Limited be wound up; and**
2. **ask officers to make the arrangements to achieve this and apply to Companies House for striking off the Company.**

11. ENFORCEMENT POLICY FOR REGULATORY SERVICES (Pages 53 - 72)

[Portfolio Holder: Councillor Donal O'Neill]  
[Wards Affected: All Waverley Wards]

The report informs the Executive of the progress on the introduction of the proposed Enforcement Policy for Regulatory Services following the consultation process.

The updated Enforcement Policy reflects current legislation, guidance and best practice. It helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens on business and others subject to regulation. The policy sets out the approach to regulation across a wide range of functions and service areas and explains the principles aimed at securing compliance. The emphasis is on advice and guidance, with escalation to formal enforcement sanctions dependant on each individual situation. The policy identifies and explains the sanctions that may be used by the Council.

### Recommendation

**That the Executive recommends to the Council that the draft Waverley Borough Council Enforcement Policy for Regulatory Services, attached at Annexe 1, be approved to come into effect at the earliest opportunity.**

12. WAVERLEY BOROUGH COUNCIL - REVIEW OF STREET TRADING POLICY (Pages 73 - 92)

[Portfolio Holder: Councillor Donal O'Neill]  
[Wards Affected: All Waverley Wards]

The Council's existing Street Trading Policy was introduced in 2009. It should be reviewed if major changes occur or after 5 years, whichever is sooner. There have been no major legislative changes affecting this Policy since it came into effect and requests for only minor changes have been received.

The draft revised and amended Policy was considered by the Licensing & Regulatory Committee at its meeting on 18 September 2014 and is attached to this report for approval. A public consultation process has taken place which concluded on Friday 12 September 2014.

Recommendation

**It is recommended that the Street Trading Policy be recommended to the Council for adoption prior to implementation.**

13. WITLEY AND GODALMING CROWNPITS CONSERVATION AREA APPRAISALS (Pages 93 - 160)

[Portfolio Holder: Councillor Brian Adams]  
[Wards Affected: Godalming Holloway; Witley and Hambledon]

The purpose of the report is to gain authorisation to undertake a formal public consultation on the draft Conservation Area Appraisals (CAA) for the Conservation Areas (CA) of Witley (this document also includes changes to the Conservation Area boundary) and Godalming Crownpits. The long term objective is that the appraisals will be adopted as material considerations and used in the determination of any application for planning permission and listed building consent within the CAs.

Recommendation

**It is recommended that the Executive approves the draft CAAs for Witley and Godalming Crownpits for the purposes of public consultation.**

14. REVIEW OF PARLIAMENTARY POLLING DISTRICTS AND POLLING PLACES 2014 (Pages 161 - 162)

[Portfolio Holder: Councillor Robert Knowles]  
[Wards Affected: All Waverley Wards]

The report addresses outstanding enquiries relating to the Review of Parliamentary Polling Districts and Polling Places 2014. The Council at its meeting on 14 October 2014 agreed a small number of changes and the report puts forward further late requests for changes.

Recommendation

**It is recommended that**

1. **the venue set out in the table at paragraph 4 of the report be agreed as a polling station venue.**
2. **St. Peter's School be advised that it has not been possible to find a suitable alternative polling station and that accordingly the school will have to be used as a polling station.**

15. JOINT PLANNING COMMITTEE - APPOINTMENT OF SUBSTITUTES  
(Pages 163 - 166)

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

The report seeks approval to introduce substitute members onto the Joint Planning Committee with effect from January 2015.

Recommendation

**It is recommended to the Council that substitute members be introduced for the Joint Planning Committee with effect from January 2015, to be arranged as set out in paragraph 6 of the report.**

16. REQUEST FOR OVERVIEW AND SCRUTINY SUB-COMMITTEE

At its meeting on 23 September 2014, the Corporate Overview and Scrutiny Committee agreed to submit a request to the Executive seeking approval to establish a Sub-Committee to look into how the issue of PV Panels on Council houses could be moved forward. The proposed membership of the Sub-Committee is to include Cllrs Pat Frost, Richard Gates, Patricia Ellis and Jane Thomson.

Recommendation

**It is recommended that consideration be given to the establishment of a Sub-Committee of the Corporate Overview and Scrutiny Committee to look into the issue of PV Panels on Council Houses, with the membership as set out above.**

17. EXECUTIVE DIRECTOR'S ACTIONS

To note the following action taken by the Executive Director after consultation with the Chairman and Vice-Chairman since the last meeting. The Register of Decisions will be laid on the table half an hour before the meeting:

- i. Service of Notices under Regulation 18 Private Water Supplies Regulations 2009 in Cases of Urgency

Until amendment of the Scheme of Delegation to include authorisation to serve notices under Regulation 18 Private Water Supplies Regulations 2009, to authorise Environmental Health Officers to exercise the power to serve notices under Regulation 18 Private Water Supplies Regulations 2009 on relevant persons in relation to private water supplies.

ii. Joint Investment Project: Dairy Crest Site, Weydon Lane, Farnham

To authorise officers to progress the proposal, as per the Council decision of 14 October 2014, resulting from detailed negotiations.

18. 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.

19. ANY OTHER ISSUES TO BE CONSIDERED IN EXEMPT SESSION

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

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



## Waverley Borough Council Key Decisions and Forward Programme

This Forward Programme sets out the decisions which the Executive expects to take over forthcoming months and identifies those which are key decisions.

**A key decision** is a decision to be taken by the Executive which (1) is likely to result in the local authority incurring expenditure or making savings of above £20,000 and/or (2) is significant in terms of its effects on communities living or working in an area comprising two or more wards.

Please direct any enquiries about the Forward Programme to the Democratic Services Manager, Emma McQuillan, at the Council Offices on 01483 523351 or email [committees@waverley.gov.uk](mailto:committees@waverley.gov.uk).

### Executive Forward Programme for the period December 2014 onwards

TOPIC	DECISION	DECISION TAKER	KEY	ANTICIPATED EARLIEST (OR NEXT) DATE FOR DECISION	CONTACT OFFICER	O AND S
<b>POLICY AND GOVERNANCE, STRATEGIC HR – CLLR ROBERT KNOWLES (LEADER)</b>						
<b>FINANCE AND PROPERTY, WAVERLEY TRAINING SERVICES – CLLR JULIA POTTS (DEPUTY LEADER)</b>						
1. Budget Management	Potential for seeking approval for budget variations	Executive (and possibly Council)	√	Every Executive meeting	Peter Vickers	CORP/COMM
2. Age Concern Farncombe	To agree new lease arrangements	Executive		February 2015	Kelvin Mills	CORPORATE
3. Performance Management	To receive an exception report for over and under performance in the appropriate Quarter	Executive		February 2015	TBC	CORP/COMM

TOPIC	DECISION	DECISION TAKER	KEY	ANTICIPATED EARLIEST (OR NEXT) DATE FOR DECISION	CONTACT OFFICER	O AND S
4. Property Asset Management Strategy	To agree a strategy for adoption	Executive		March 2015	Roger Standing	CORPORATE
5. Treasury Management Strategy	To approve the policy and strategy for 2015/16	Executive	√	February 2015	Peter Vickers	CORPORATE
6. Budget, Council Tax, Rent Levels, Capital Programme and Fees and Charges	To agree the budget for 2015/16	Executive and Council	√	February 2015	Peter Vickers	BOTH
<b>PLANNING – CLLR BRIAN ADAMS</b>						
1. Crownpits Conservation Area Appraisal	For adoption	Executive and Council		March 2015	Sarah Wells	COMMUNITY
2. Witley Conservation Area Appraisal	For adoption	Executive and Council		March 2015	Sarah Wells	COMMUNITY
3. WBC Local Plan	To agree the draft Local Plan	Executive	√	February 2015	Matthew Evans	COMMUNITY
4. Community Infrastructure Level (CIL)	To seek authority to consult	Executive	√	February 2015	Matthew Evans	COMMUNITY

TOPIC	DECISION	DECISION TAKER	KEY	ANTICIPATED EARLIEST (OR NEXT) DATE FOR DECISION	CONTACT OFFICER	O AND S
<b>HOUSING OPERATIONS, COMMUNITY SAFETY, OLDER PEOPLE, HEALTH AND WELLBEING – CLLR CAROLE KING</b>						
1. Ageing Well Strategy for Waverley	To develop and agree a Strategy	Executive and Council	√	February 2015	Kelvin Mills	COMMUNITY
2. Feasibility for Gostrey Day Centre [E3]	To receive outcome of feasibility study and agree way forward	Executive		January 2015	Kelvin Mills	COMMUNITY
3. Health and Wellbeing Plan	To develop and implement a plan for Waverley	Executive and Council	√	March 2015	Kelvin Mills	COMMUNITY
4. Capital Works and Professional Consultants Fees [E3]	Potential for seeking approval for procurement of services and appointment of contractors	Executive (and possibly Council)	√	March 2015	Hugh Wagstaff	CORPORATE
<b>HOUSING STRATEGY AND DELIVERY – CLLR KEITH WEBSTER</b>						
1. Housing Delivery Board [E3]	Potential to approve and adopt policies and make decisions to assist in the delivery of affordable homes in the Borough	Executive (and possibly Council)	√	December 2014	Jane Abraham	CORPORATE
2. Review of Age-Restricted Properties	To review the policy	Executive		February 2015	Jane Abraham	CORPORATE

TOPIC	DECISION	DECISION TAKER	KEY	ANTICIPATED EARLIEST (OR NEXT) DATE FOR DECISION	CONTACT OFFICER	O AND S
3. Review of Funding Arrangements for Disabled Facilities Grants	To identify any actions necessary in response to changes	Executive (and possibly Council)	√	February 2015	Jane Abraham	CORPORATE
4. Review of Housing Support Services to Vulnerable People across the Borough	To review options	Executive		February 2015	Jane Abraham	CORPORATE
<b>IT AND CUSTOMER SERVICES, CLIMATE CHANGE – CLLR TOM MARTIN</b>						
1. Carbon Management Plan	To adopt a new plan	Executive and Council	√	February 2015	Roger Standing	CORPORATE
2. Superfast Broadband	To review coverage of the Borough following SCC broadband roll-out	Executive		February 2015	Kelvin Mills	CORP/COMM
<b>ENVIRONMENT – CLLR DONAL O'NEILL</b>						
1. Review of Corporate Health and Safety Policies	To review and update current health and safety policies across the Council	Executive and Council		February 2015	Rob Anderton	CORPORATE
2. Scrap Metal Dealers Policy	To consider a draft policy	Executive		March 2015	Rob Anderton	COMMUNITY

TOPIC	DECISION	DECISION TAKER	KEY	ANTICIPATED EARLIEST (OR NEXT) DATE FOR DECISION	CONTACT OFFICER	O AND S
<b>MEMBER SUPPORT AND COMMUNICATIONS, GRANTS - CLLR STEFAN REYNOLDS</b>						
1. Commissioning Pilot Framework	To discuss the provision of health and wellbeing community activities in 2015/16	Executive		February 2015	Kelvin Mills	COMMUNITY
<b>MAJOR PROJECTS AND BRIGHTWELLS, ECONOMIC DEVELOPMENT – CLLR ADAM TAYLOR-SMITH</b>						
1. Brightwells Redevelopment, Farnham [E3]	To receive an update	Executive		February 2015	Kelvin Mills	CORP/COMM
<b>LEISURE AND CULTURE – CLLR SIMON THORNTON</b>						
1. Grounds Maintenance Contract [E3]	Changes to the specification, including SCC highways contract	Executive		February 2015	Matt Lank	COMMUNITY

#### Background Information

The agenda for each Executive meeting will be published at least 5 working days before the meeting and will be available for inspection at the Council Offices and on the Council's Website ([www.waverley.gov.uk](http://www.waverley.gov.uk)). This programme gives at least 28 days notice of items before they are considered at a meeting of the Executive and consultation will be undertaken with relevant interested parties and stakeholders where necessary.

**Exempt Information** - whilst the majority of the Executive's business at the meetings listed in this Plan will be open to the public and press, there will inevitably be some business to be considered which contains confidential, commercially sensitive or personal information which will be discussed in exempt session, i.e. with the press and public excluded. These matters are most commonly human resource decisions relating to individuals such as requests for early or flexible retirements and property matters relating to individual transactions. These may relate to key and non-key decisions. If they are not key decisions, 28 days notice of the likely intention to consider the item in exempt needs to be given.

This is formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that part of any of the Executive meetings listed below may be held in private because the agenda and reports or annexes for that meeting contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), and that the public interest in withholding the information outweighs the public interest in disclosing it. Where this applies, the letter [E] will appear after the name of the topic, along with an indication of which exempt paragraph(s) applies, most commonly:

[E1 – Information relating to any individual; E2 – Information which is likely to reveal the identity of an individual; E3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information); E5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings; E7 – Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime].

## WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 02 DECEMBER 2014

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### Title:

#### **BUDGET MANAGEMENT REPORT**

**[Portfolio Holder: Cllr Julia Potts]**

**[Wards Affected: All]**

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### Summary and purpose:

This report provides a projection of the expenditure and income position for the 2014/15 Budget compared with the approved budget for the General Fund and the Housing Revenue Account. The projection is based on the position to date.

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### How this report relates to the Council's Corporate Priorities:

The monitoring and management of the Council's budgets ensures there is financial control over the services that contribute to the Corporate Priorities. Savings identified can be redirected towards Corporate Priorities or action can be taken to rectify overspends.

### Equality and Diversity Implications:

There are no direct equality and diversity implications relating to this report.

### Financial Implications:

This report shows the budget management position to date for the General Fund and the Housing Revenue Account. It monitors the progress of revenue expenditure and income and projects the potential year-end position, based on activity to date. The Housing Revenue Account position is given in the report.

### Legal Implications:

There are no direct legal implications relating to this report.

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## **1. Introduction**

1.1 Throughout 2014/15 all budgets are being monitored on a monthly basis with budget performance reported after taking into account of the following:

- Spend to date, including commitments
- Last year's outturn
- Variations to the budget based on forecast outturn that includes the effect of management action taken where required
- Consultation with managers and budget holders on service performance
- Virements identified where possible from existing budgets to cover budget pressures and budget approvals actioned as required

- Service managers review and sign off their budget forecasts and explanations

1.2 Financial position reporting will also focus on performance against financial targets such as income, establishment and Star Chamber savings. Financial risk is always inherent in service delivery and service management will be assisted in identification, evaluation and mitigation of significant risks and reporting appropriately.

## 2. General Fund

2.1 The General Fund forecast outturn to the year end against the approved budget is given in the table below. The table presents significant variances by service and compares the current position to that reported to the previous Executive. The latest forecast is an underspend of £468,000, after allowing for all virement request commitments. This is a net £100,000 increase in the underspend from the position reported to the Executive on 4 November 2014.

2.2 Where there are changes identified in this report from the last report explanations are given below on an exception basis. Variances identified in the last report are detailed in the previous Budget Management Report presented to the Executive on 4 November 2014.

2.3 Current forecast outturn variance against budget:

	Variance on budget		
	Last Report £'000	This Report £'000	Change £'000
<b>Service Variations</b>			
<b>Policy and Governance</b>			
Land Charges – projected additional income	(240)	(240)	0
<b>Planning</b>			
Development Control – projected net additional income (see 2.4)	(0)	(70)	(70)
<b>Community</b>			
Waverley Training Services – projected increased surplus	(30)	(30)	0
	Variance on budget		
	Last Report £'000	This Report £'000	Change £'000
<b>Service Variations</b>			
<b>Environment</b>			
Car Parks – net additional income	(68)	(108)	(40)
Christmas Refuse Collections		10	10
<b>Corporate budget</b>			
Inflation provision not required	(30)	(30)	0
<b>Overspend/(underspend) against budget</b>	<b>(368)</b>	<b>(468)</b>	<b>(100)</b>



- 2.4 Development Control – income is still increasing with an additional £100,000 being reported this month. However, it is requested to vire £30,000 of the increase to cover additional legal costs of £20,000 and specialist consultancy costs of £10,000 associated with two recent planning appeals. The net improvement for this month is therefore £70,000.
- 2.5 Environment – Car Park income continues to strengthen as the local economy improves, with a further increase of £40,000 projected this month across all car parks due to increased usage.
- 2.6 Environment – Christmas Refuse Collection this year will be collected during the holiday period, resulting in an additional £10,000 payment to the contractor. This will avoid the need for the usual catch-up arrangements over Christmas and normal collection arrangements will resume by 5 January 2015.
- 2.7 Each year, an establishment vacancy management target is included within the budget to ensure that the establishment complement is scrutinised for efficiency savings and reflects the needs of ongoing service delivery. The current forecast outturn for the end of the year shows that the General Fund element of the target should be achieved.
- 2.8 The finance team has been under review to ensure that the service is resilient. It has a succession risk around key posts due to a number of staff approaching retirement. The recent retirement of a long-serving member of staff (post BD04) on part-time (15 hours) at band 5 has presented an opportunity to recruit a full-time accounting technician on band 8 at 37 hours. Post BD04 will provide technical accounting capacity to complete reconciliation and systems support work currently being covered by more senior accountants. The post can be funded from the existing budget. However, as there is an increase in establishment from 15 to 37 hours the Council is asked to approve this increase.
- 2.9 The 2014/15 General Fund revenue budget was set to self-balance without the need to draw upon the General Fund balance. However, the balance will be increased this year by the forecast underspend and reduced by any supplementary estimate approvals in year and service expenditure carried forward from last year approved at the end of 2013/14. These are illustrated in the table below. The excess of balance beyond £3.2m will be transferred to the Revenue Reserve Fund at the year end in accordance with the Financial Strategy.

<b>Forecast General Fund Balance movement</b>	
	<b>£'000</b>
<b>Balance 1 April 2014</b>	<b>(3,361)</b>
Increased by the forecast outturn variation on budget	(468)
<b><u>Reduced by Approvals:</u></b>	
Revenue carry forward from 2013/14	139
Planning Enforcement - executive 3 June 2014	40
Transfer to Revenue Reserve Fund	(450)
<b>Forecast balance 31 March 2015</b>	<b>(3,200)</b>

2.10 Within the General Fund services there are some potential service changes and financial risks that as yet are not reflected in the forecasts due to their uncertainty, these are:

- Rent allowances and rent rebates represent £32m in income and expenditure for the council. Whilst the majority of this money is recovered from central government, there is a performance element attached to recovery. Any fluctuation can be significant to the overall budget. Therefore performance is closely monitored. At this point there is no concern.
- Council tax and business rates are collected on behalf of Waverley, Surrey County Council, and DCLG. The recovery is usually around 99% for council tax and business rates. Any losses in collection are shared between the preceptors. The overall cash-flow is used as collection performance indicator. There are no concerns to report.

2.12 Following an Ofsted visit earlier this year with a resultant grade of '3 Requires Improvement' (previously 'satisfactory') it is felt that a budget requirement should be made for an external review of the service. This will provide an action plan to achieve an Ofsted Grade 2 (good) at the next inspection which is due in the next 12 – 18 months. The budget sum identified to appoint consultants with the necessary expertise is £15,000. It is felt that this sum can be found from the previously identified surplus from this service.

### 3. General Fund Capital

3.1 General Fund Capital programme is on track with no significant variances on major schemes, although the latest position regarding the Farnham Maltings project bids is detailed in paragraph 3.2. The table below summarises the overall position and more detail is provided at [Annexe1](#).

General Fund Capital and Revenue Projects					
Service	Current Budget £'000	Forecast Outturn £'000	(Saving)/ Overspend £'000	Change from Last report £'000	Comment
Community	5,538	5,543	5	5	Small overspends
Customer, Office & IT	757	687	(70)	(70)	New land charges system will not be bought, Contact Manager reduced.
Environment	383	383	0	0	
Finance	8	2	(6)	(6)	Spend incurred in 2013/14
Housing	498	440	(58)	0	Additional DFG grant received
Planning	19	19	0	0	
Policy & Governance	101	74	(27)	(27)	Intrnet migration project now being carried out in-house
Special Projects	969	969	0	0	
Urgent schemes budget	55	55	0	0	
<b>Total programme</b>	<b>8,330</b>	<b>8,172</b>	<b>(161)</b>	<b>(103)</b>	

- 3.2 The Capital Programme includes a sum of £35,000 in 2014/15 and £40,000 in 2015/16 to enable substantial improvements to be made to the Great Hall at Farnham Maltings as part of a funding bid to the Arts Council England. The bid failed but a new application is underway. If successful, work on the project would commence in the summer of 2015. Farnham Maltings is therefore seeking the Council's approval to move the £35,000 capital budget forward to be added to the 2015/16 £40,000 budget.
- 3.3 Throughout this financial year the toilets at Broadwater have been vandalised on several occasions taking the facilities out of use for the users of Broadwater Park. This park is one of Waverley's most prominent and well visited sites and it is felt that these facilities are needed to serve those visitors. To this end capital needs to be made available from this year's budget to allow for the toilets to be refurbished with vandal proof fittings in time for users of the park next spring, the budget sum identified for these works is £63,000.

#### 4 Housing Revenue Account (HRA)

- 4.1 The HRA overview is given in the table below. The overview is structured to draw attention to the different operational aspects of HRA service delivery in providing a housing landlord service, housing maintenance and development of the housing stock. Where necessary, for clarity, more detail is given in the annexes to this report.
- 4.2 Where there are changes identified in this report from the last report explanations are given below on an exception basis. Variances identified in the last report are detailed in the Budget Management Report and Mid-Year Budget Review presented to the Executive on 4 November 2014.

Housing Revenue Account	Current Budget £'000	Last Report £'000	Forecast Variance on budget to year end		
			This Report £'000	Change £'000	
<b>Repairs and Maintenance</b>					
Responsive repairs and voids	2,272	100	100	0	Virement requested 2.11.14
Cyclical Maintenance	1,705	(100)	(100)	0	Virement requested 2.11.14
Bellwin shortfall of Storm Damage		39	39	0	
<b>Supervision and Management</b>					
General	4,489	40	40	0	Staff & Insurance
Special	545	-	-	-	
<b>Rents rates taxes and other charges</b>					
Waverley Families	95	-	-	-	
'Back-Funded' pension contributions	550	-	-	-	
Interest receivable	(135)	20	20	0	Contribution to Fraud initiative
Rent rebate subsidy	300	(150)	(150)	0	Mid year calculation
Interest on HRA debt	5,877	-	-	-	

<b>Capital charges</b>				-	
Housing capital programme	5,913	(19)	(19)	0	Rescheduled Community room refurbishment due to review
Stock Improvement	3,534	-	-	-	
New Build funding	3,534	-	-	-	
<b>Income</b>					
Gross rents	(28,256)	90	90	-	
Garage rents	(304)	10	10	0	
Other Income	(119)	10	21	11	Solar panel income
<b>(Surplus)/Deficit for the year</b>	<b>0</b>	<b>20</b>	<b>31</b>	<b>11</b>	

- 4.3 Responsive repairs and voids and cyclical repairs budgets cover the day to day and planned maintenance of the housing stock. As the use of the interface between the Orchard system and Mears (the housing contractor) continues to bed in greater control of expenditure will be gained. It is currently projected that day to day repairs will be achieved within the revised budget. Detail of the expenditure to date is given in Annexe 2.
- 4.4 Supervision and management includes the cost of staff salaries and accommodation related costs incurred in running the housing service. There is a vacancy savings target of £50k for the HRA to achieve by the year end, with satisfactory progress made to date.
- 4.5 Rents, rates, taxes and other charges are predominately pre-determined costs, with no variations expected.
- 4.6 Wey Court bungalows are now refurbished following the flooding. It is estimated that compensation of £11,000 will be due to Savills for lost Solar power Feed In Tariff income, as the panels were disconnected for safety reasons. It is anticipated that Savills will net the compensation against the roof rental income paid to Waverley (reduced to £25,000).
- 4.7 HRA Capital Programme detailed monitoring report is attached at Annexe 3. There are five properties requiring approval for major works on (Exempt) Annexe 6. There is currently budget available for the work to be undertaken. (Exempt) Annexe 7 lists additional properties for major works to be undertaken; there is sufficient budget as the previous work has been achieved with a lower unit price than estimated.
- 4.8 The New Affordable Homes Programme detailed approved budget, latest anticipated costs and expenditure to date are shown at Annexe 4. Construction work at Badgers Close and Warren/Perrior Road is going to schedule and a sod-cutting ceremony has now taken place at Station Road. An employer's agent for Phase 1 of the new build at Ockford Ridge has been appointed.

- 4.9 The latest position for Stock Remodelling is shown at Annexe 5. It is now unlikely that stock remodelling will begin at Ockford Ridge during the current financial year. The options for each type of dwelling are being considered by the Housing Delivery Board and costs will be rescheduled as part of the 2015-16 budget process.
- 4.10 Following the decision of Age UK Waverley that it does not want the ex-Rowland House accommodation which is attached to the Rowleys Community Centre, Cranleigh an estimated provision of £14,200 is required to separate the two areas of the building and the services provided. These works will be funded from the HRA.

## **5 Conclusion**

- 5.1 Generally service performance is stable against the budget. For the General Fund the underspend continues in a favourable direction. The Housing Revenue Account continues to be monitored closely. Capital spend is generally on track with no concerns to report at this stage.

## **Recommendation**

It is recommended that the Executive notes the report and:

1. approves the virement requests from the additional planning income to cover additional legal fees of £20,000 and consultants costs of £10,000 within Development Control appeal costs, as detailed in paragraph 2.4;
2. approves the employment of consultants at an estimated cost of £15,000 to be met from the identified WTS surplus to carry out a review of the service as detailed in paragraph 2.12;
3. agrees to the request to slip the £35,000 capital provision for the Farnham Maltings from 2014-15 to 2015-16 as detailed in paragraph 3.2;
4. recommends to the Council that the addition of £63,000 within the 2014-15 General Fund Capital Programme be approved for the refurbishment of Broadwater Toilets, as detailed in paragraph 3.3;
5. approves the work for the properties in (Exempt ) Annexes 6 and 7;
6. approves the change in accountant post BD04 from 15 to 37 hours within existing budgets, as described in 2.8 and recommends to the Council that the staffing establishment be amended accordingly; and
7. approves the expenditure of £14,200 to be met from the HRA required to separate the two areas of ex-Rowland House/Rowleys accommodation as detailed in paragraph 4.10.

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## **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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General Fund Capital and Revenue Projects					
Service	Project	Current Budget	Forecast Outturn	(Saving)/Overspend	Notes
Budget for urgent schemes	Budget for urgent schemes	55,100	55,100		£30k to Museum of Farnham, £27k to Microfiche Scanning, £16.1k to flood risk prevention. £5k earmarked for cemetery memorial safety works, £15k to Museum of Farnham heating, £1,800 to Borough Hall ceiling survey.
Community	Memorial Hall	14,000	14,000		External works have been carried out.
Community	Borough Hall	7,500	7,500		Final works to be carried out end of October.
Community	Borough Hall ceiling survey	1,800	1,800		£1.8k approved 4/11/14.
Community	Farnham Maltings	35,000	35,000		Not received 1st round funding, so planning to resubmit. Outcome will be known in February. £35k requested slippage.
Community	Museum of Farnham	60,000	60,000		£30k from provision for urgent schemes 2/9/14.
Community	Museum of Farnham Heating	15,000	15,000		£15k approved 4/11/14.
Community	Central Communications - Careline	30,000	30,000		
Community	PV's on Cranleigh Leisure Centre	25,000	25,000		Roof maintenance works required before installation.
Community	Energy Audits for Cranleigh & Farnham Leisure	5,000	5,000		Complete.
Community	Village Notice Board , Peper Harow	1,090	1,090		S106 approval 24/7/14.
Community	Kitchen Upgrade, Ewhurst Village Hall	1,010	1,010		S106 approval 24/7/14.
Community	Day Centres	10,000	10,000		
Community	Godalming Leisure Centre	48,699	51,062	2,363	S106 approval 24/7/14. Small overspend. Contribution to Cricket Club included.
Community	Haslemere Leisure Centre	3,669,570	3,669,570		S106 approval 24/7/14. Works underway, scheduled to finish at the end of the year.
Community	Flood Risk Prevention	26,100	26,100		£16.1k from provision for urgent schemes 19/9/14 for emergency dredging works.
Community	Wyphurst Rd, Ditch Bank	20,000	20,000		Environment Agency holding up works.
Community	Ditch Works - improving flood resilience	35,000	35,000		Works underway.
Community	Recreation Ground Improvements	2,368	2,368		
Community	Pavilions-Capital Works	40,000	40,000		
Community	Recreational Facilities for young people	6,251	6,251		
Community	Playground Replacement	209,881	209,881		Designs due back before end of December, will place orders in January.
Community	Parks Signage	21,863	21,863		Have designs, will shortly be placing orders.
Community	Philips Memorial Garden Improvement Program	308,352	308,352		
Community	Parks Infrastructure works and DDA improvements	83,583	83,583		Works at Weybourne car park almost complete.
Community	Badshot Lea Football Club	50,000	50,000		Planning permission approved. Awaiting project plans.
Community	Herons Skatepark	101,005	101,005		S106 approval 24/7/14. Additional £30k funding from SCC due ,awaiting confirmation.
Community	Woodland Work	44,097	44,097		Works underway.
Community	HLS Countryside Works	102,152	102,152		
Community	Countryside Health & Safety works	1,118	3,341	2,223	Overspent.
Community	Frensham Common - Site Facilities Redevelopment	12,323	12,323		Consultant working on scheme.
Community	Farnham Football Pitch Drainage	68,000	68,000		Planned works not allowed to go ahead for archaeological reasons. Looking at other methods.
Community	Farnham Park SPA	2,635	2,635		
Community	Snoxhall Fields MUGA	0	0		Project will not go ahead, S106 funding to be redistributed.
Community	Tennis court resurfacing, Coxcombe rec ground	6,551	6,551		S106 approval 24/7/14.
Community	Lordshill playground	1,073	1,073		S106 approval.
Community	Drainage at Thursley Rd Rec ground	1,184	1,184		S106 approval 26/9/14.
Community	Cricket Pitch at Hascombe Rec ground	811	811		S106 approval 26/9/14.
Community	Godalming Lawn Tennis Club	50,000	50,000		Contribution paid.
Community	Client Rolling Programme	90,000	90,000		Works to be carried out at Cranleigh on roofing.
Community	Client Rolling Programme - Haslemere Leisure	289,000	289,000		Allocated towards main budget.
Community	Client Rolling Programme - Contingency	25,000	25,000		
Community	Godalming LC - teaching platform	1,500	1,500		S106 approval.
Community	Godalming LC - MyZone & Aqua Jog/Circuit equipment	4,065	4,065		S106 approval.
Community	Farnham LC - spin bikes, table tennis, inflatable	10,450	10,450		S106 approval.
Customer, Office & IT	Forward Programme/Legislative Changes	14,393	14,393		Additional funding received from DWP.
Customer, Office & IT	Desktop/Server Upgrades	25,000	25,000		New server and more monitors.
Customer, Office & IT	Car Park - SPUR software	0	0		
Customer, Office & IT	Adelante upgrade	3,162	3,162		New system should go live in November.
Customer, Office & IT	Mobile Working Solutions	52,147	52,147		Food hygiene module installed.
Customer, Office & IT	GIS Environment upgrade	20,000	20,000		Supplier selected.
Customer, Office & IT	Records Scanning	61,281	61,281		Lots of backscanning underway.
Customer, Office & IT	Paper Free Planning	2,550	2,550		
Customer, Office & IT	Local Land Charges	30,250	0	-30,250	Uncertainty on land charges.
Customer, Office & IT	Network Upgrade & Flexible Working	15,000	15,000		Orders out.
Customer, Office & IT	Implement Contact Manager	82,000	42,000	-40,000	
Customer, Office & IT	Orchard Modules	20,000	20,000		
Customer, Office & IT	SharePoint	40,907	40,907		
Customer, Office & IT	MS SQL Server Rationalisation & Licensing	24,000	24,000		
Customer, Office & IT	PSN Compliance & Endpoint Management	45,000	45,000		Made submission early October, no response yet. Possible saving if no further works required.
Customer, Office & IT	Mobile Working Solutions - Housing	30,000	30,000		
Customer, Office & IT	Microfiche Scanning Project	48,000	48,000		Approved Executive 2/9/14, £21k PDG funded, £28k from provision for urgent schemes. Quotes received.
Customer, Office & IT	DDA Compliance Works Provision	0	0		
Customer, Office & IT	Asbestos Removal - the Burys	20,000	20,000		Hope to have survey results by end of December.
Customer, Office & IT	Asbestos Removal - corporate properties	20,000	20,000		

Customer, Office & IT	Inspection of culverted land drainage assets	25,000	25,000		
Customer, Office & IT	Improved Working Environment	100,000	100,000		Ventilation, air conditioning & heating works to be carried out.
Customer, Office & IT	Office Maximisation	72,000	72,000		Around £7k due back from Surrey County Council.
Customer, Office & IT	Office Lighting Replacement - housing	7,000	7,000		Completed.
Environment	Contaminated Land	46,827	46,827		Weydon Lane invoice has come in. Possible works needed at Windrush Close.
Environment	Noise Recording Equipment	13,000	13,000		Equipment in place.
Environment	Air Quality Monitoring	19,830	19,830		£60k DEFRA funding received in 2013/14. Need to decommission the Hindhead monitoring station.
Environment	Demolition of Broadwater Park Conveniences	6,000	5,005	-995	Used to keep in use.
Environment	Replacement of Wheeled Bins	9,000	9,000		Waiting for storage space to clear of green waste bins. Order to be placed in January.
Environment	Garden Waste	117,248	117,248		Additional bins required due to good take up of new service. Currently 9,500 customers.
Environment	Rolling Programme	65,000	65,000		Spend dependant on winter maintenance.
Environment	Cashless Parking/Parking Equipment	10,517	10,517		To go live in December.
Environment	North Street Car Park	0	260	260	Overspent
Environment	Car Park Lighting	3,411	3,832	421	Overspent
Environment	Crown Court Car Park	0	0		
Environment	Central Car Park	0	0		
Environment	Croft Road	0	0		
Environment	Car Park Lining	6,000	6,000		
Environment	High Street Haslemere	86,320	86,320		
Finance	iTrent	4,000	2,000	-2,000	
Finance	E-tendering	4,000	284	-3,716	Spend incurred in 2013/14.
Housing	Disabled Facilities Grants	457,900	400,000	-57,900	Received more grant than expected.
Housing	Warm Homes Project	40,000	40,000		Focusing on park homes.
Planning	Castle Steps	11,209	11,209		Work progressing, interpretation panels on order. Hoping to be completed by end of the year. Extended funding agreement until November.
Planning	Dockenfield Sign	2,000	2,000		S106 approval.
Planning	Wiggins Yard	5,000	5,000		£5k S106 funding approved 4/11/14.
Planning	Fingerpost, Shortfield Common	1,200	1,200		S106 approval.
Policy & Governance	Agenda Management System	16,500	16,500		Procurement process has been carried out. Project on track.
Policy & Governance	Website Upgrade & Redesign	38,500	38,500		Project due to start in September, aiming to launch June 2015.
Policy & Governance	Intranet Migration	46,200	18,720	-27,480	Underspend due as budget was speculative & much of the work will now be carried out in-house.
Special Projects	Riverside	910,188	910,188		Construction at tennis courts and pavillion due to finish in December.
Special Projects	East Street - Development Consultancy	40,000	40,000		
Special Projects	Gostrey Day Centre	18,977	18,977		Feasibility study completed.
	<b>Total</b>	<b>8,329,648</b>	<b>8,172,574</b>	<b>-157,074</b>	



<b>HRA Repairs and Maintenance</b>	<b>Current Budget £'000</b>	<b>Actual to date £'000</b>
<b>Responsive Maintenance</b>		
Boiler Maintenance	30	6
Communal boilers	20	1
General Repair	1,549	802
Stock Survey	20	1
<b>Total Responsive repairs main contract</b>	<b>1,618</b>	<b>810</b>
<b>Void Properties</b>		
Boiler maintenance	36	4
General Repair	-	-
Internal decoration	42	7
Void works	575	355
<b>Total: Voids</b>	<b>654</b>	<b>366</b>
<b>Total: Responsive repairs and voids</b>	<b>2,272</b>	<b>1,176</b>
<b>Cyclical Maintenance</b>		
Boiler maintenance	592	318
Communal Boilers	70	0
Environmental analysis (asbestos)	205	51
External Decoration	497	199
Electrical work	48	15
Fire Safety	124	6
Internal decoration	26	-
Lift Servicing	41	10
Pest Control	25	5
Risk Assessment	77	12
Stock Survey	-	1
<b>Total: Cyclical repairs</b>	<b>1,705</b>	<b>617</b>

HRA Capital programme	Revised budget	Actual to date	Forecast outturn	Variance on budget	Properties	Comments
<b>Decent Homes</b>						
Kitchens	1,124,000	754,174	1,124,000	0	222	
Bathrooms	567,300	311,599	567,300	0	183	
Heating	720,000	288,804	720,000	0	225	
Windows	255,500	181,248	255,500	0	73	Requested change of use for slippage to sheltered lighting - May Exec
Doors	87,600	71,825	87,600	0	73	
Rewiring	343,000	199,506	343,000	0	196	
Roofing	400,000	166,000	400,000	0	50	Asbestos surveys required
Wall Finish	160,000	100,000	160,000	0	40	
	<b>3,657,400</b>	<b>2,073,156</b>	<b>3,657,400</b>	<b>0</b>		
<b>Voids</b>						
Kitchens	425,000	369,338	425,000	0	85	
Bathrooms	263,500	171,947	263,500	0	85	
Heating	208,000	51,273	208,000	0	65	
Windows	77,000	25,000	77,000	0	22	
Doors	26,400	10,000	26,400	0	22	
Rewiring	38,500	5,000	38,500	0	22	
Roofing	8,000	0	8,000	0	1	
Wall Finish	4,000	4,000	4,000	0	1	
	<b>1,050,400</b>	<b>636,558</b>	<b>1,050,400</b>	<b>0</b>		
<b>MRA work</b>						
Fire safety	87,500	91,400	87,500	0		Rolston - see decisions from meeting on 3.6.14
Sheltered Doors	27,500	22,300	27,500	0		£17,500 for Rolston (3.6.14), £4,800 Rolston locks (3.6.14).
Soffit and guttering	88,400	20,265	88,400	0		Finlock Guttering
Asbestos	125,000	98,550	125,000	0		£50,000 Rolston (3.6.14), £51,000 Ridge consultancy to be funded by revenue
Water Supply	10,000	6,412	10,000	0		
Sewerage Plant	100,000	0	100,000	0	3	Tender's being evaluated
Fire walls	50,000	50,000	50,000	0		Rolston (3.6.14)
Storage Heaters	50,000	50,000	50,000	0	20	Work due to start in 6 properties committed
Parking and paths	80,000	0	80,000	0		
Aids and adaptations	300,000	187,515	300,000	0		
Warden system	30,000	0	30,000	0		
Garages	25,000	9,455	25,000	0		
Communal heating and hot water	100,000	100,000	100,000	0		Survey results being analysed - urgent work required
Thermal Insulation	60,000	44,308	60,000	0		
Wash basins	25,000	0	25,000	0		part of bathroom refurb
Layout alterations	200,000	0	200,000	0		part of refurb
Drainage	0	2,531	0	0		
General repair	0	0	0	0		
Structural Work	400,000	373,693	400,000	0	11	List constantly being updated
Damp Proofing	400,000	371,000	400,000	0	20	The Oval £45,000, Cavity wall removal £200,000
Energy Initiatives	100,000	52,867	100,000	0		Includes solar panel income. Bowring House new Meters to separate community facilities from main building
Community Rooms	18,500	0	18,500	0		Programme to be rescheduled into next year
Sound insulation	135,000	26,562	135,000	0	5	2 properties completed, improvement verification under way
Professional Fees	199,340	38,246	199,340	0		
Lifts	29,600	0	29,600	0		
Sheltered Lighting	550,000	500,000	550,000	0		Consultants working on specification
Remodelling	100,000	100,000	100,000	0		Rolston (3.6.14)
Grants / Donations / Compensation						
	<b>3,290,840</b>	<b>2,145,103</b>	<b>3,290,840</b>	<b>0</b>		
Total	<b>7,998,640</b>	<b>4,854,817</b>	<b>7,998,640</b>	<b>0</b>		
<b>Capital programme financing reserve</b>						
Balance 1 April 2014	<b>5,850,787</b>					
Estimated capital receipts in Year	250,000					
Contribution from HRA	5,913,000					
Planned capital expenditure	(7,998,640)					
<b>Balance 31 March 2015</b>	<b>4,015,147</b>					

## NEW AFFORDABLE HOMES PROGRAMME

	Approved Budget 2014/15	Slippage B/Fwd	Revised Position 2014/15	Spend to Date 2014/15	Commitments	Properties
<b>Estimated Costs</b>						
<b>Development Staff Costs</b>	314,370		314,370			
(approved as first call on restructure savings Exec 3 July 2012)						
<b>PRE-DEVELOPMENT EXPENDITURE</b>						
Feasibility appraisals	16,000		16,000	20,158		
Planning-related costs	42,500		42,500	2,475		
Appraisals of market sites, s106 provision	15,000		15,000			
Contingency	10,000		10,000	4,075		
<b>SUB-TOTAL</b>	83,500	40,029	123,529	26,708	47,233	
<b>COMMITTED DEVELOPMENT SCHEMES</b>						
Station Road	1,750,000		1,750,000	39,231	1,710,769	14
Badgers Close, Farncombe	527,000		631,000	142,040	488,960	4
Silo Drive, Farncombe	313,350		383,350	19,518	363,832	2
Warren/Perrior, Farncombe	309,100		385,100	86,165	298,935	3
Ladymead, Wonersh	625,190		879,900	30,189		4
Hullmead, Shamley Green	184,000		302,364	9,645		2
Ockford Ridge Site D						16
<b>SUB-TOTAL</b>	3,708,640	137,767	4,469,481	326,788		
<b>PROPOSED SCHEMES (indicative Costs)</b>						
Ockford Ridge	-		-	35,216		83
Wey Court redevelopment	556,000		276,000	19,969		
Middlefield, Farnham	138,000		138,000			
Land adj 75 Sherrydon	138,000		-			
33 Bridge Road, Haslemere	276,000		276,000			
Nursery Hill, Shamley Green	173,000		73,000			
Wharf Site, Godalming (based on 22 units)	742,000		-			
<b>LAND AND ASSET PURCHASE</b>						
Ockford Ridge Buy-Backs	1,380,000	400,330	1,780,330	284,500	1,510,500	
Specified Borough-wide buy backs			597,500	145,000	452,500	
General Buy-Back provision			2,500,000			
Former Police Houses, Farnham (includes repair)			1,265,850			
<b>SUB-TOTAL</b>	3,403,000		6,906,680	484,685	1,963,000	
<b>TOTAL ESTIMATED COST</b>	<b>7,509,510</b>	<b>578,126</b>	<b>11,814,060</b>	<b>838,181</b>	<b>2,010,233</b>	

## STOCK REMODELLING PROGRAMME

	Approved Budget 2014/15	Slippage B/Fwd	Revised Position 2014/15	Spend to Date 2014/15
<b>Estimated Costs</b>				
<b>Scheme Design and Project Management</b>	66,230		66,230	
<b>Approved Schemes</b>				
Rolston House provision	1,074,100	44,843	1,478,943	910,175
Conversion of Blundon Court Guest Room			5,000	
<b>Potential Schemes</b>				
Conversion of Ladymead provision (now proposed new build scheme)				
Conversion of former staff accommodation	110,000		110,000	
- Faulkner Court (Provisional)	70,000		70,000	
- Bowring House	70,000		70,000	
Ockford Ridge Remodelling	795,000		795,000	1,975
39a Parkhurst Fields		18,270	18,270	
Community Rooms Conversion				
SUB-TOTAL	<u>2,119,100</u>	<u>63,113</u>	<u>2,547,213</u>	<u>912,150</u>
<b>TOTAL ESTIMATED COST</b>	<u>2,185,330</u>	<u>63,113</u>	<u>2,613,443</u>	<u>912,150</u>

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

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**WAVERLEY BOROUGH COUNCIL**  
**EXECUTIVE 2ND DECEMBER 2014**

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**Title:**

**TREASURY MANAGEMENT PERFORMANCE**

**[Portfolio Holder for Finance: Cllr Julia Potts]**

**[Wards Affected: N/A]**

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**Summary and purpose:**

The purpose of this report is to summarise Waverley's investment performance for the for the period 1<sup>st</sup> April 2014 to date, in accordance with Waverley's Treasury Management Policy and the Code of Practice on Treasury Management in Local Authorities.

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**How this report relates to the Council's Corporate Priorities:**

The management of Waverley's finances is a key function that helps ensure sufficient funds are available to provide services and pay the Council's commitments. Regular monitoring reports demonstrate that the Council's financial resources have been properly managed and used in support of the Council's key objective of providing good value for money.

**Equality and Diversity Implications:**

There are no implications arising from this report.

**Resource and legal Implications:**

There are no direct resource implications and any financial areas are covered in the report.

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**Introduction and Background**

1. Waverley's annual Treasury Management Policies are in accordance with the appropriate CIPFA Code of Practice on Treasury Management in the Public Services. The Corporate Overview and Scrutiny Committee is charged with reviewing Treasury Management operations periodically.
2. Members will recall that the refinancing of the HRA in March 2012 required Waverley to make payment to the Government of some £188m largely financed by PWLB borrowing.
3. This report covers the period from 1 April 2014 to date.

**Investment rate of return %**

4. Members have identified a target of achieving a rate of return % of 0.25% above the 3-month Sterling LIBOR rate, published by the Government's National Office of Statistics. A 3-month comparison has traditionally been in line with Waverley's typical activity.

5. The Local Performance Indicator LI8, which relates to investment performance, is shown below. Despite the static base rate, the 3 month LIBOR rate has, for some time, been above the actual market rates for a 3 month term and continues to increase. Given Waverley's preference for 3 month investments, targets above 3 month LIBOR are challenging.

**Average rate of return on external investments compared to target rate**

2013/14 Target	2013/14 Actual	2014/15 Target	2014/15 Actual to date 1/10/14
0.25% above the average 3 month Sterling LIBOR rate	0.15% above the average 3 month Sterling LIBOR rate	0.25% above the average 3 month Sterling LIBOR rate	0.07% below the average 3 month Sterling LIBOR rate

6. The rate of return on the Council's external investments for 2014/2015 to 1/10/14 was 0.61%. The comparable average LIBOR rate (3 months) was 0.68%. Currently the typical market rate offered for a 3 month term by most counterparties on Waverley's lending list is 0.50% or less so Waverley's performance could equally be expressed as 0.11% above the market. The LIBOR rate, however, continues to increase, to 0.71% at 1/10/14, and to an average of 0.68% for the year. Fairly recently instant access/call account investment rates have reduced dramatically from 0.95% in some cases down to 0.25%. As Waverley carries a proportion of its investments in such accounts for security and risk reasons, this has a detrimental effect on the rate of return achieved. Increased cash surpluses, mainly from HRA activity, however, will help to offset reduced rates to some extent and there are some minor indications that rates may start to increase. It would not be wise to rely on anticipated increases in the short term.
7. Because of the current economic conditions Waverley's existing target of LIBOR plus 0.25% is unlikely to be achievable in the market. Officers are therefore researching alternative ways of targeting performance in order to give Members more meaningful information in future, in this respect. It is the intention that the draft TM strategy for 2015/16 submitted to the Executive in February 2015 will include more appropriate targets for consideration.

**Yield**

8. Waverley set a budget of £500,000 for investment income in 2014/15 and current budget monitoring forecasts indicate this is likely to be achieved. As cash surpluses generally increase, as a result of the HRA reform, a greater proportion of investments made are made with HRA cash and, accordingly, a greater % share of the total interest yield will ultimately end up in the HRA. Currently it is anticipated that the HRA share will exceed budget by around £22,000. Officers are targeting a £22,000 increase in total interest receipts to ensure there is no shortfall in the GF.
9. The average daily external investment in 2013/2014 was around £48,600,000 compared with £36,400,000 in 2012/13. To date (24<sup>th</sup> October 2014) in 2014/15 the average is £55,900,000 demonstrating increasing cash surpluses.

## **Security of investment**

10. Waverley's policy and practice is to put security of investment at the highest priority followed by liquidity and finally rate of return/yield. The cornerstones of recent policy/practice are: (1) to restrict lending to only those institutions which fit the Council's policy in terms of financial standing, credit ratings etc (2) generally to opt for short-term investments or lend to cover precept dates and (3) to fix financial limits to each institution depending the quality of their financial ratings. These restrictions inevitably have a negative impact on the rate of return achievable but are necessary to maintain the approved level of security on investment. The relatively small number of financial institutions that meet Waverley's counterparty criteria is still the most significant factor in day-to-day Treasury Management.
11. On 31 March 2014 Waverley had 13 external investments totaling £44,00,000 (compared with £30,000,000 on 31/3/13) and £18,500,000 of that was on instant access/call arrangements. Only 1 investment had a remaining maturity period exceeding 3 months – an investment with another Local Authority. All investments were A rated (or better) counterparties.
12. As at 30th October 2014, Waverley had 17 external investments totaling £51,500,000 all but 1 being specified investments. That non-specified investment is held with RBS - £2m for 2 years (as at deal date) averaging 1.6% return. This contrasts with the position as at 30 June 2008 (just before the start of the credit crunch) when Waverley had 23 external investments 16 of which were non-specified. This demonstrates the changing practice in respect of risk mitigation.

## **Risk**

13. Waverley's approach to management of risk, in respect of investments, is set out most recently in the Treasury Management report to the Executive on 4<sup>th</sup> February 2014. That report sets out 8 identified risk categories and the means of managing those risks. The mitigation of risk is touched on a number of times in this report but the following brief comments relate to the 3 most commonly identified risks.
14. Exposure to interest rate fluctuation risk is minimised by having a realistic but prudent approach to budgeting and by using only fixed term instruments – traditionally a 3 month term being considered the best balance of risk v return.
15. Counterparty and credit risk is managed by a number of processes including having a 'preferred investor' list consisting currently of only 'A' rated institutions, by constant monitoring of credit ratings and by having organisational investment limits (both financial and time) which reflect a prudent approach to the market.
16. Waverley operates investment activity only in GBP Sterling, as a matter of policy, and only in fixed term deposits as a matter of practice. Its policies deliberately avoid the more speculative and complex types of financial instruments which are often associated with exchange rate risk specifically and increased risk generally.

## **General cash management**

17. Waverley's primary objective is to manage daily cash balances to meet cash flow commitments and to minimise investment risk. No temporary borrowing has occurred in 2014/15 to date and whereas it is an attractive option for borrowers, given the low borrowing costs, it is equally unattractive for lenders and, given the low interest rates, lenders usually want long borrowing periods. Borrowing is, therefore, generally not economic for Waverley and is managed out by its Treasury Management practices.
18. In 2013/14 Waverley's turnover on outgoing investments was £123m and £109m for incoming investments. The average daily balance in Waverley's general bank accounts at the close of business was less than £19,000 in 2013/14. In 2014/15 the balance is currently less than £10,000.
19. The table below shows the total transactions during 2014/15 to 30<sup>th</sup> October:

	Balance at 1 April 2014 £	Total lent £	Total repaid (maturities) £	Balance at 30 October 2014 £
Temporary investments	44,000,000	94,200,000	86,700,000	51,500,000

## **Long term borrowing:**

20. Until 2011 Waverley had been debt free for some years. However, a long term borrowing of £3.2m was approved in February 2011 to re-finance, externally, some HRA internal borrowing. In addition, the HRA reform in March 2012 required Waverley to borrow some £189m largely from the PWLB although £5m was met by internal borrowing. This borrowing was profiled to match the repayment capacity within the HRA business plan over 30 years.
21. Interest repayments on these loans are due in March and September each year. Cash flow forecasting ensures that Waverley has the resources to meet these commitments and others as they arise.
22. In the future, cash balances are likely to increase which may necessitate amendments to the Treasury Management Strategy in order to take financial advantage of such balances while maintaining adequate levels of security. The current strategy allows for the Executive to agree changes to the investment limits during the year. If this proves to be necessary a further report will be submitted to the Executive for approval. Waverley's daily investment in 2014/15 has averaged £55.9m per day and is likely to continue to increase. This would, potentially, create the position where Waverley's cash surpluses exceed (in value) the total limits of its approved counterparties active in the market at any time.

## **Recommendation**

It is recommended that the Executive:

1. notes the Treasury Management Performance for 2014/15 to date; and

2. endorses the approach to Treasury Management activity.

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**Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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## WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 2 DECEMBER 2014

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**Title:**

**SETTING OF COUNCIL TAX BASE AND  
BUSINESS RATE BASE FOR 2015/16**

**[Portfolio Holder: Cllr Julia Potts]**

**[Wards Affected: All]**

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**Summary and Purpose**

The purpose of this report is to seek approval for:

1. the 2015/16 council tax base which, under the provisions of the Local Government Finance Act 1992, the Council is required to determine prior to approval of the Council's budget for 2015/16; and
2. the business rate forecast for 2015/16 which, under the provisions of the Local Government Finance Act 2012, forms a major element of Waverley's estimated core funding for its General Fund Budget.

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**How this report relates to the Council's Corporate Priorities:**

This report is a key part of Waverley's budget setting which underpins the delivery of all of the Council's Corporate Priorities.

**Financial Implications:**

The council tax base is a measure of the taxable capacity within the Borough for council tax setting purposes. This report explains how the tax base is calculated, what estimates are used and how they impact on the budget and council tax charges. From 2013/2014 under the business rate retention scheme, Waverley's forecast of business rate income is critical to the estimated core funding. This report explains the estimated business rate figures put forward for approval.

The incorporation of the council tax reduction scheme into the council tax base calculation from 2013/14 transfers significant risk to all precepting authorities. Increases in the take up for council tax reductions will lead to a shortfall of council tax income which will need to be recovered in the subsequent year's budget-setting process. Also, under the business rates retention scheme, Waverley takes the additional risk of fluctuations in the value of rates payable and amount of rates collected including reductions resulting from successful rating appeals. The position on both issues will be closely monitored in the year.

**Legal Implications:**

Waverley has a statutory duty to determine its council tax base by the 31 January each year as part of the budget process. The Local Government Finance Act 2012 included the requirement for Councils to set and operate a local council tax reduction scheme. The Local Government Finance Act 2012 also introduced the business rate retention scheme which fundamentally changed the way that business rates are used nationally to fund local government.

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**Council Tax Base 2015/16**

- 1. Under the provisions of the Local Government Finance Act 1992 (as amended), the Council must determine the council tax base to be used in setting the council tax in any year before approval of the Council’s Budget for that year. The council tax base is the estimated total net number of properties subject to a council tax charge in the forthcoming year. The tax base figure is expressed in equivalent number of Band D properties using the specified band proportions (see below). The total band D equivalent council tax base is divided into Waverley’s net budget requirement to determine the council tax charge for the year. Each individual town and parish council’s tax base is also used to calculate the share for each authority.

**Calculation of the Council Tax Base**

- a) The starting point for the council tax base calculation is the return (Form CTB (October 2014)) which all billing authorities are required to submit to the Government each October which gives an estimate of the tax base position at that time. The return is based on the Valuation List provided by the District Valuation Officer which details the actual number of dwellings in the Borough broken down over each of the eight valuation bandings. The calculation then takes into account discounts and exemptions in place at that time plus assumptions about potential change in the year ahead (for example changes in uptake of the council tax reduction scheme). The resultant net number of dwellings in each band is then converted to Band D equivalents by applying the following ratios:

Band	Ratio to Band D
A	6/9 ths
B	7/9 ths
C	8/9 ths
D	1
E	11/9 ths
F	13/9 ths
G	15/9 ths
H	18/9 ths

- b) The total of all Band D equivalents is then multiplied by its estimate of the ‘collection rate’ for the year, i.e. the Council’s estimate of the percentage of the net collectable debit for the year it will ultimately collect. In view of the high level of council tax collection in Waverley in recent years it is considered that a ‘collection rate’ of 99.0% remains appropriate in respect of the 2015/16 council tax year. This will be reviewed during the year and adjusted next year if appropriate, particularly as the localised council tax reduction scheme is still in its early stages.
- c) There are twenty one Town/Parish Councils in Waverley and it is necessary for the information shown on Form CTB 2015/16 to be analysed over each of the Town/Parish Council areas in order to determine the number of Band D equivalents for each of those areas. The potential ongoing impact of the council tax reduction scheme is also assessed for each town and parish council.



- d) The estimated council tax base, after taking account of assumptions about discounts, exemptions and council tax support, for each town and parish and for Waverley in total is shown in Annexe 1. The total figure will be used to determine Waverley's council tax charges for 2015/16 and each town and parish council will be notified of their individual council tax base figure to enable them to approve their local council tax charge for the year.
- e) The total net estimated council tax base in 2015/16 is 52,832 band D equivalent properties (52,037 in 2014/2015). The following table summarises the key changes on the overall 2015/16 estimated council tax base compared to 2014/15

Changes from 2014/15	Additional Properties	Band D Equivalent properties
Houses on VO List	+228	+351
Movement in assumptions on discounts, exemptions and the council tax support scheme	+187	+444
<b>Growth in Tax Base</b>	<b>+415</b>	<b>+795</b>

### **Business Rates Estimates 2015/16**

2. The new Business Rates Retention scheme replaced the previous central pooling system from 1<sup>st</sup> April 2013. The Government continues to set the rateable value of all businesses and the rate multiplier and dictates the proportions of rate income that local authorities can keep. In January 2013 the Council delegated authority to the Executive for setting the business rates base.
3. The retained part of business rates (after payments to Government and SCC) forms a key part of Waverley's core General Fund resources and it is, therefore, essential to make robust estimates of net business rate income to feed into the budget calculation. The following table illustrates how business rates links to the Council's funding for 2015/16:

Element	Estimate 2015/16 £'000
Non-domestic Rating Income net yield – as per estimated NNDR1 for 2015/16	36,666
Less – 50% central share paid to Government	-18,333
Less – 10% county share paid to Surrey County Council	-3,667
<b>Waverley's share before tariff and levy deductions</b>	<b>14,666</b>
Less – estimated tariff	-12,638
Less – estimated levy	-482
<b>Total</b>	<b>1,546</b>

Waverley's share of the estimated Business Rates income is brought into the General Fund together with 2013 Autumn statement compensation grants.

The tariff (estimated £12,638,000) and levy (estimated £482,000) are then paid out of these General Fund receipts before a final General Fund position for Business Rates is reached.

4. Waverley has to submit a statutory form NNDR1 by 31 January each year which sets out the Council's estimated business rate position for the coming year. This form will confirm the payments to the Government, Surrey County Council and Waverley that will need to be made out of the collection fund during the year. If the actual position for the year is different from the estimate, adjustments are made through the collection fund and surpluses/deficits are apportioned across the organisations in line with the above proportions. Some of the figures on the NNDR1 form need to be presented as the actual current position but other key figures are subject to estimation.
  
5. The CLG are currently consulting with CIPFA on the format and calculations inherent in the 2015/16 NNDR1 expected to be published in December 2014. It is this form and its resultant calculations which will drive the retained Business Rates for Waverley in 2015/16, the General Fund levy charge and 2013 Autumn statement compensation grants. The following assumptions have been made in order to estimate a Business Rates base for 2015/16 in advance of the publication of this form for 2015/16.

#### Key Estimates in 2015/16 Business Rates projection

Estimate	Approach taken
Small Business rates relief	The 2014/15 temporary doubling has been assumed to continue through 2015/16 and it is assumed there will be general fund compensation grant for this.
Autumn statement 2013 compensation grant	It is assumed that the general fund will continue to receive compensation grant for all 2013 Autumn statement announcements continuing through 2015/16 (i.e. small business rate relief on "first" properties, "new empty" property relief, "long term empty" property relief and retail relief).
Small business rate multiplier, tariff and baseline funding	It is assumed that the 2014/15 small business rate multiplier, tariff and baseline funding will be increased for 2015/16 by the September RPI of 2.3%.
Use of provision for cost of backdated appeals	It is assumed the provision for backdated appeals as at 31 <sup>st</sup> March 2014 will be used up fully in 2014/15 reducing the provision to zero by 31 <sup>st</sup> March 2015.
Cost of mandatory relief	The 2015/16 cost of mandatory relief has been assessed as at November 2014.
Cost of discretionary relief	In December 2012 the Council set the Discretionary rate relief policy. These figures have been used to set the estimate.
Cost of empty property relief	The 2015/16 estimate has been assessed as at November 2014.

Loss in collection (bad debts)	This figure should reflect the amount of business rates that are eventually considered irrecoverable and written off. It does not represent the in-year collection rate (which was 99.4% in 2013/14). For 2015/16, a 1% non-collection rate has been assumed which is consistent with most other authorities in the area. However, it is estimated that around half of this amount will be recovered within the foreseeable future. In 2015/16 an estimate of £187,000 has been included.
Impact of appeals in rates income	Whilst this is difficult to estimate as the Council does not know who will appeal to the Valuation Office for a reduced valuation in respect of the 2015/16 year, and which appeals will be successful, an analysis of current year repayments has informed the estimate for 2015/16 which is an overall reduction of £150,000. The majority of the historical appeals from the 2005 and 2010 valuation lists were allowed for in the 2013/14 estimate.

The above assumptions may need to be amended in the light of the 2014 Autumn Statement expected on 3<sup>rd</sup> December 2014.

6. The NNDR3 for 2014/15 is not expected to be published until March 2015. It is the calculations inherent in this form which drive the actual surplus/deficit on the collection fund for Business rates for 2014/15. In advance of this an estimated surplus/deficit will need to be assessed as at 31st January 2015, brought into Waverley's General Fund budget for 2015/16 and notified to Surrey County Council for precepting purposes.
7. Annexe 2 sets out the key figures estimated to form the business rate base for 2015/16. The figure that determines the payments to the Government and Surrey County Council and Waverley's budget is the 'Non-domestic Rating income' amount. Members are requested to approve the figures proposed for 2015/16 and a delegation is requested to enable officers, in conjunction with the finance portfolio holder, to make final adjustments if necessary before submitting the final form by 31<sup>st</sup> January. Currently estimates show that Waverley will be able to retain rates in excess of the assumed Government's baseline funding level of £1,825k in 2015/16. It is proposed that the Business Rates Equalisation Reserve continues to be used to mitigate the risks of a fluctuating rateable value base going forward. This reserve is also used to balance significant timing differences between years due to statutory requirements. If the budget position requires this approach, approval will be sought for this measure in the budget report to be considered by the Council in February.

## **Collection Fund**

8. Waverley is required by law to operate a 'collection fund' which accounts for all incoming and outgoing transactions relating to council tax and business rates. Surpluses or deficits accruing on the collection fund are inevitable as estimates of a range of factors, including the collection rate, are made some 15 months before the end of the year in question. These amounts are apportioned across all preceptors. It is important to monitor the collection fund throughout the year and review estimates at each budget-setting process to ensure that surpluses or deficits are kept to a minimum.

## **Recommendation**

It is recommended that

1. the council tax base for Waverley be approved for the year 2015/16, as shown in Annexe 1; and
2. the business rate estimates for 2015/16 be approved, as set out in Annexe 2, and that authority be delegated to the Director of Finance and Resources, in conjunction with the Finance Portfolio Holder, to make any final changes necessary before the return is submitted to the Government on 31 January 2015.

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## **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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**COUNCIL TAX BASES 2015/2016**

Town/Parish	Relevant Amounts before application of 'collection rate'									Tax base at Band D after application of 'collection rate' of 99.0%
	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total Bands	
Alfold	21.8	12.4	25.8	89.2	71.4	79.4	119.6	42.8	462.3	457.7
Bramley	9.1	35.5	90.3	255.7	254.6	264.7	548.2	197.0	1,655.1	1,638.5
Busbridge	7.5	4.8	2.7	28.1	27.8	58.9	203.2	100.5	433.5	429.2
Chiddingfold	8.3	7.6	75.0	238.7	189.9	340.8	289.0	230.9	1,380.3	1,366.5
Churt	8.7	9.6	16.3	40.6	35.6	101.7	262.7	161.2	636.4	630.0
Cranleigh	17.0	147.8	645.8	856.8	995.7	1201.0	1061.9	174.2	5,100.3	5,049.3
Dockenfield	3.3	2.9	9.7	23.8	17.9	34.1	105.3	37.3	234.5	232.1
Dunsfold	11.1	6.2	26.7	81.6	62.0	89.8	157.2	99.0	533.7	528.3
Elstead	16.7	14.4	69.8	251.1	256.4	222.2	255.4	81.1	1,167.1	1,155.4
Ewhurst	19.0	5.0	52.1	117.6	218.1	228.8	424.4	115.9	1,181.1	1,169.3
Farnham	90.8	578.7	2042.2	3275.3	4036.3	2621.6	3578.4	631.9	16,855.4	16,686.8
Frensham	11.6	2.1	34.9	100.8	87.9	190.5	271.2	165.7	864.6	856.0
Godalming	39.5	179.0	1643.8	2372.8	1609.2	1317.4	1445.2	134.4	8,741.3	8,653.9
Hambledon	2.5	7.0	7.5	33.4	67.9	72.2	112.9	121.4	424.9	420.6
Hascombe	2.5	1.5	2.1	24.4	44.1	20.5	30.7	39.9	165.8	164.1
Haslemere	77.7	402.9	874.7	1289.9	971.8	1056.6	2301.6	609.1	7,584.2	7,508.4
Peper Harow	2.3	1.5	0.0	2.5	20.7	15.8	37.7	31.3	111.9	110.8
Thursley	31.4	4.1	0.6	23.5	38.9	43.9	129.0	87.6	358.9	355.4
Tilford	5.1	1.4	7.1	29.4	46.8	46.9	101.3	121.9	359.9	356.3
Witley	14.3	85.5	268.5	824.4	641.7	612.2	730.5	200.5	3,377.6	3,343.8
Wonersh	17.2	2.3	48.9	131.8	382.9	317.7	510.6	324.4	1,736.0	1,718.7
Waverley	417.5	1,512.3	5,944.6	10,091.2	10,077.8	8,937.0	12,676.3	3,708.2	53,364.9	52,831.2

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## BUSINESS RATE ESTIMATE 2015/16

		<b>2015/16 Estimate RPI 2.3% £000</b>
<b>Estimated gross rate yield (total RV x multiplier)</b>		<b>45,579</b>
Less	Net cost of small business rate relief	(1,305)
	Other Mandatory rate relief	(4,902)
	Empty premises relief	(813)
	Discretionary rate relief	(564)
	Discretionary reliefs funded through Section 31 grant to General Fund	(811)
<b>Net Rates Payable</b>		<b>37,184</b>
Less	Losses in collection including change in provision for appeals	(337)
<b>Collectable Rates</b>		<b>36,847</b>
Less	Cost of collection and transitional arrangements	(181)
<b>Non-domestic Rating Income</b>		<b>36,666</b>
Less	Central Government (50% of est.)	(18,333)
	Surrey County Council (10% of est.)	(3,667)
<b>Retained by Waverley Borough Council (before tariff, levy and 2013 Autumn statement grants)</b>		<b>14,666</b>
Less	Estimated tariff	(12,638)
	Estimated levy	(482)
<b>Total</b>		<b>1,546</b>

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## WAVERLEY BOROUGH COUNCIL

EXECUTIVE - 2 DECEMBER 2014

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**Title:**

**SENIOR MANAGEMENT RESTRUCTURE – ONE YEAR ON**

**[Portfolio Holders: Cllrs Robert Knowles and Julia Potts]**

**[Wards Affected: All]**

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**Summary and purpose:**

On 10 December 2013, Council agreed the restructuring and streamlining of the Senior Management Team and in agreeing to the new structure, asked for a review to be conducted one year on.

This report reviews the effectiveness of the new Senior Management Structure since its implementation on 1 January 2014.

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**How this report relates to the Council's Corporate Priorities:**

The new Senior Management Team structure has reduced the Council's senior management support costs by £132,000 p.a. whilst enabling the Council to continue to achieve the delivery of high quality front-line services.

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**Background**

1. The Senior Management structure has been in place since 1 January 2014 and has successfully contributed to the financial savings referred to in last year's Budget Review saving £132,000 p.a. and providing a robust Senior Management Team structure to strengthen both the strategic and operational needs of the Council going forward and supporting the Council's commitment of being a leading authority.

**Aims of the Restructure**

2. Performance in its first year is compared against the aims of the restructure:
  - i. To achieve £132,000 of ongoing savings in support costs to help protect front-line services from budget reductions: ACHIEVED
  - ii. To provide a robust and resilient Senior Management Team structure which meets both the strategic and operational needs of the Council going forward and supports the Council's commitment to being a leading authority: ACHIEVED AND ONGOING
  - iii. To achieve a structure that was based on close working between members of the Executive and the Senior Management Team: ACHIEVED AND ONGOING
  - iv. The Senior Management structure fulfils the Council's statutory requirements: ACHIEVED AND ONGOING

- v. To apply the Council's redeployment policy as the preferred option to avoid the redundancy of one deleted post: ACHIEVED.

### **Ongoing improvements**

3. Whilst the Senior Management Restructure has achieved positive results in its first year, officers continue to work with the Executive to implement further improvements to achieve high levels of performance and resilience. For example, during this year, the Council has increased its resilience by successfully transferring payroll administration to Epsom and Ewell Borough Council.
4. As the Council embarks on its budget process for 2015/16, officers will be looking to identify further improvements to performance as well as identifying budget savings to protect front-line services in the light of Government grant reductions.

### **Conclusion**

5. The Senior Management structure has been in place since 1 January 2014 and has successfully contributed to the aims set by Council.

### **Recommendation**

It is recommended that the report be noted.

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## WAVERLEY BOROUGH COUNCIL

### EXECUTIVE - 02/12/2014

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#### **Title:**

#### **WAVERLEY INITIATIVES LIMITED**

**[Portfolio Holder: Cllr Robert Knowles]**

**[Wards Affected: All]**

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#### **Summary and purpose:**

The report explains that following the background work carried out on the viability of a Local Authority company and the Council's decision in July 2009 to incorporate Waverley Initiatives as a wholly-owned local authority company, the advantages that the Company appeared to offer are no longer relevant and the Company has been dormant since soon after its creation. The Board of the Company has now reviewed the situation and agreed that it is now appropriate to wind the Company up and request Companies House to strike-off the Company as it no longer offers any advantages for the further provision of affordable housing in the Borough.

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#### **How this report relates to the Council's Corporate Priorities:**

This report relates directly to the following Corporate Priorities

Subsidised Affordable Housing-Working for more affordable housing to be built and managing housing well

Improving lives-Improving the quality of life for all 'particularly the more vulnerable within our society

Value for Money-Ensuring all our activities are customer focussed and provide good value for money

#### **Financial Implications:**

The Company no longer offers any financial advantages to furthering the Council's objectives. There are minimal savings in no longer having to submit returns to Companies House.

#### **Legal Implications:**

As a wholly owned subsidiary of the Council, the Council has the maximum possible degree of control over the activities of Waverley Initiatives and the Council (as sole shareholder) can resolve to wind up the company. The Company Board has now agreed at a meeting to request its winding up, and the Council can now resolve to dissolve the Company and ask Companies House to strike it off the Register of Companies.

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## **Introduction**

1. Soon after the establishment of Waverley Initiatives the apparent advantages it gave to helping the Council provide social housing failed to materialise as a result of Government changes to regulations on void transfers. The HRA self-financing framework has also enabled Waverley to develop and deliver its own new affordable house building programme.
2. Since then the Company has been maintained as a dormant company and the appropriate returns made to Companies House. There has been no activity or spending under the Company's umbrella.
3. The Board now consists of three Councillors; the Leader and the Portfolio Holder for Housing and the former Portfolio holder for Finance. The Monitoring and Returning Officer is the Company Secretary.

## **Process for winding-up the Company**

4. The Companies Act provides for processes to wind-up the Company through asking Companies House to strike it off. There will be some small amount of staff time spent on the process and a fee of £20. After that the Company is removed from the Companies House Register.

## **Conclusion**

5. The benefits that setting up Waverley Initiatives seemed to offer have not materialised and it is appropriate now to wind up the Company so that the Council is no longer responsible for maintaining it. The Board asked the officers to reassure them that if, in the future, establishing a similar Company could offer some benefits to the Council this could be done quickly and at a small setting-up cost so that the potential benefits could be gained easily. Officers have researched this, and by using the existing company documents as a base this could be achieved within a few months and at a cost of around £5,000 for external legal advice.

## **Recommendation**

The Executive is recommended to

1. recommend to the Council that Waverley Initiatives Limited be wound up; and
2. ask officers to make the arrangements to achieve this and apply to Companies House for striking off the Company.

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## **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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## **CONTACT OFFICER:**

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## WAVERLEY BOROUGH COUNCIL

EXECUTIVE - 2 DECEMBER 2014

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### Title:

#### **DRAFT WAVERLEY BOROUGH COUNCIL ENFORCEMENT POLICY FOR REGULATORY SERVICES**

**[Portfolio Holder: Cllr Donal O'Neill]**

**[Wards Affected: All]**

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### Summary and purpose:

The report informs the Executive of the progress on the introduction of the proposed Enforcement Policy for Regulatory Services following the consultation process.

This updated Enforcement Policy reflects current legislation, guidance and best practice. It helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens on business and others subject to regulation. The policy sets out the approach to regulation across a wide range of functions and service areas and explains the principles aimed at securing compliance. The emphasis is on advice and guidance, with escalation to formal enforcement sanctions dependant on each individual situation. The policy identifies and explains the sanctions that may be used by the Council.

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### How this report relates to the Council's Corporate Priorities:

This Policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens on business and others subject to regulation. This relates to the corporate priorities of Leisure & Lives, and Environment.

### Financial Implications:

There are no finance implications.

### Legal Implications:

It is vital for regulatory services of the Council to ensure that their enforcement policies are brought up-to-date to be compliant with the Regulators' Code which was introduced on 6 April 2014.

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### Introduction

1. To comply with the law and set out how we will enforce legislation, the Council must publish an enforcement policy.

2. A new Regulators' Code came into effect on 6 April 2014 and replaces the previous Regulatory Compliance Code. Regulators whose functions are specified under the Act must have regard to the Code when developing policies and operational procedures that guide their regulatory activities. Regulators must equally have regard to the Code when setting standards or giving guidance which will guide the regulatory activities of other regulators.
3. The areas of the Council's work in which regard must be had to the new Code are:
  - Environmental Protection
  - Food Safety
  - Public Health
  - Licensing
  - Health and Safety
  - Environmental Services (Fly Tipping, Littering, etc.)
  - Private Sector Housing
4. The proposed enforcement policy sets out how the services responsible for ensuring compliance and its officers will conduct themselves and how other parties can expect to be treated as we discharge our key duties. An enforcement policy is required in order to guide those responsible for enforcement, and those who are regulated. Unjustified departure from an enforcement policy's provisions could be the subject of legal challenge.

### **Consultation Undertaken**

5. The draft policy was brought to the Executive on 2 September and the Licensing and Regulatory Committee on 18 September. It received the support of both Committees.
6. The formal public consultation on the policy opened on 3 September and closed on 15 October 2014.
7. The consultation documents were made available on the Council website, on the homepage under 'Have your say/Consultations' with a link to the draft policy inviting response.

### **Matters raised by the consultation**

8. We received no responses from the public as a result of the consultation.

The Licensing and Regulatory Committee requested clarification regarding some wording in respect to the cost of compliance. This has been incorporated into the revised policy document attached at [Annexe 1](#).

Waverley Legal Services suggested the addition of financial penalties as an enforcement action. This enforcement action is included in the current Environmental Health Enforcement Policy. The suggestion has been incorporated into the revised policy document attached at Annexe 1 and the wording reflects the template enforcement policy included within the Toolkit produced by Better Regulation Delivery Office to accompany the Regulators Code.

## **Conclusion**

10. This Policy will help to promote efficient and effective approaches to regulatory inspection and enforcement, which improves regulatory outcomes without imposing unnecessary burdens on business and others subject to regulation.

## **Recommendation**

That the Executive recommends to the Council that the draft Waverley Borough Council Enforcement Policy for Regulatory Services, attached at Annexe 1, be approved to come into effect at the earliest opportunity.

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## **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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## **CONTACT OFFICERS:**

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## **DRAFT - Waverley Borough Council Enforcement Policy for Regulatory Services**

**To be approved by Council 9 December 2014**

### **Contents:**

1. [Introduction](#)
2. [What is this policy for?](#)
3. [When does this policy apply?](#)
4. [Our approach to dealing with non-compliance](#)
5. [Conduct of investigations](#)
6. [Decisions on enforcement action](#)
7. [Review of this policy](#)
8. [Comments and complaints](#)

### **1. Introduction**

Fair and effective enforcement is essential to protect the health, safety and economic interests of the public, businesses and the environment. Decisions about enforcement action and in particular the decision to prosecute have serious implications for all involved. The Policy is applied to ensure that:

- Decisions about enforcement action are fair, proportionate and consistent.
- Officers apply current Government guidance and relevant Codes of Practice.
- Everyone understands the principles that are applied when enforcement action is considered.
- To make best use of resources enforcement is shared where there is complimentary role within the Council and with other agencies e.g. Police, Health and Safety Executive.

This Policy sets out what business and others can expect from Waverley Borough Council's Regulatory Services and its officers. It commits the Council to good enforcement policies and procedures. The Services covered by this policy and the contact details are set out in Appendix A. This policy does not cover Planning Enforcement.

This policy was developed in consultation with stakeholders from the business sector, private individuals and other interested parties. The Policy was available for a period of consultation on the Council's website prior to approval.

### **A Policy Consistent with Best Practice and Statutory Requirement**

This Enforcement Policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens on business and others subject to regulation. This Policy has been developed with due regard to the following:



- **Principles of Good Regulation**

The Legislative and Regulatory Reform Act 2006, Part 2, requires The Council to have regard to the Principles of Good Regulation when exercising a specified regulatory function. For local authorities, the specified functions include those carried out by the Services covered by this Policy.

We will exercise our regulatory activities in a way which is:

- Proportionate – our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence,
- Accountable – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures,
- Consistent – our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar, we will endeavour to act in similar ways to other local authorities,
- Transparent – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return, and
- Targeted – we will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities.

- **Regulators' Code**

The Council has had regard to the Regulators' Code in the preparation of this policy. In certain instances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

- **Human Rights Act 1998**

The Council is a public authority for the purposes of the Human Rights Act 1998. We therefore apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. This Policy and all associated enforcement decisions take account of the provisions of the Human Rights Act 1998. In particular, due regard is had to the right to a fair trial and the right to respect for private and family life, home and correspondence.

- **Data Protection Act 1998**

Where there is a need for The Council to share enforcement information with other agencies, we will follow the provisions of the Data Protection Act 1998.

- **The Code for Crown Prosecutors**

When deciding whether to prosecute The Council has regard to the provisions of The Code for Crown Prosecutors as issued by the Director of Public Prosecutions.

The Code for Crown Prosecutors is a public document that sets out the general principles to follow when decisions are made in respect of prosecuting cases. The Code sets out two tests that must be satisfied commonly referred to as the 'Evidential Test' and the 'Public Interest Test':

- **Evidential Test - is there enough evidence against the defendant?**

When deciding whether there is enough evidence to prosecute, The Council will consider what evidence can be used in court and is reliable. We must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each alleged offender.

- **Public Interest Test - is it in the public interest for the case to be brought to court?**

The Council will balance factors for and against prosecution carefully and fairly, considering each case on its merits. The public interest factors that we will take into account are detailed under the enforcement options available to the Council detailed in Section 6 of this Policy.

- **Regulatory Enforcement and Sanctions Act 2008 ('the RES Act')**

The Regulatory Enforcement and Sanctions Act 2008, as amended, established the Primary Authority scheme. We will comply with the requirements of the Act when we are considering taking enforcement action against any business or organisation that has a Primary Authority, and will have regard to guidance issued by the Secretary of State in relation to Primary Authority.

### **Targeted, Proportionate and Risk-based Enforcement**

We will ensure that any action we require is proportionate to the risks. We will adopt a risk-assessment approach to target resources where most needed. In line with the codes referred to above, we will take account of the circumstances of the case and the response of those subject to regulation when considering action. We will take particular care to work with small businesses and with voluntary and community organisations, to help them meet their legal obligations without unnecessary expense. At the same time we will use intelligence and direct resources to identify those who flout the law or act irresponsibly and take firm action against them, including prosecution where appropriate.

### **Publication**

Following adoption this policy will be made available to all interested parties, including businesses and consumers. It will be published on the Council's website and in printed form.

The Council is committed to avoiding imposing unnecessary regulatory burdens, and to assessing whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Details of the Council's accessibility statement can be found on the Council's website. [www.waverley.gov.uk/accessibility](http://www.waverley.gov.uk/accessibility)

## **2. What is this policy for?**

2.1 The primary function of local government regulatory activity is to protect the public, the environment and groups such as consumers, residents and tenants, workers and businesses. However, it is important that these enforcement functions are carried out in an equitable, practical and consistent manner, and that those subject to regulation and those on whose behalf enforcement is carried out are aware of the Council's policy on enforcement.

This document communicates The Council's policy in respect of its approach to dealing with non-compliance to:

- a) those affected by its activities; and
- b) officers of Regulatory Services covered by this policy (See Annexe A)

All authorised officers will be expected to act in accordance with the policy.

### **3. When does this policy apply?**

3.1 The Council's Regulatory Services comprises of the following Teams:-

- The Environmental Health Service, which comprises of two teams:-
  - The Food, Health & Safety Team; covering food safety, health & safety at work, infectious disease control and special treatment registrations.
  - The Environmental Protection Team; covering statutory nuisances, contaminated land, air quality, water supplies, industrial installation pollution control, street trading consents, scrap metal licences, pest control, animal welfare licensing and control of stray dogs.
- The Private Sector Housing Team; covering housing conditions in private sector housing, illegal evictions and landlord harassment, licensing houses in multiple occupation and caravan site licensing.
- The Licensing Team; covering licences for alcohol, entertainment and late night refreshment, gambling, sex establishments. hackney carriage and private hire licensing.
- The Environmental Services Team, covering waste, fly tipping, dog fouling, litter and graffiti.

Enforcement includes council officers giving advice, carrying out visits and inspections, responding to complaints and service requests, assisting consumers and businesses to comply with statutory duties & licensing requirements and taking formal enforcement action where warranted against those who breach the law.

This Policy is supplemented where necessary by other documents, which set out in greater detail the specific policies, procedures and standards which apply to particular regulatory services. These include for example the [Licensing Policy](#) , The [Hackney Carriage and Private Hire Licensing Policy](#) , [The Food Sampling Policy](#). Copies of these documents are available on the Council's website [www.waverley.gov.uk](http://www.waverley.gov.uk)

Planning enforcement and benefit fraud enforcement are not covered by this enforcement policy but by the [Benefits Prosecution Policy](#) and the [Local Planning Enforcement Plan](#) which are available on the Council's website [www.waverley.gov.uk](http://www.waverley.gov.uk)

### **4. Our approach to dealing with non-compliance**

A number of factors are considered when determining what enforcement action to take:

#### **4.1 Explanation of the local authority's approach to dealing with non-compliance**

In responding to non-compliance identified, officers shall clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken, and the reasons for these. Officers shall provide an opportunity for dialogue in relation to the advice, requirements or decisions, with a view to ensuring that they are acting in a way that is proportionate.

This paragraph does not apply where the Officer can demonstrate that immediate enforcement action is required to prevent or respond to a serious breach or where providing such an opportunity would be likely to defeat the purpose of the proposed enforcement action.

Where there is a wider regulatory interest, enforcement activities will be co-ordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement.

Where an enforcement matter affects a wider geographical area beyond the Council boundaries, or involves enforcement by one or more local authorities or organisations, where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity co-ordinated with them.

If the matter relates to a business that has a registered Primary Authority Partnership under the Regulatory Reform Act 2006, the Council will, where required, comply with the agreement provisions for enforcement and notify the Primary Authority of the enforcement action that it proposes to take. The Council may also under the Act refer the matter to the relevant enforcement body if appropriate.

The Council will share intelligence relating to wider regulatory matters with other regulatory bodies and enforcement agencies including:

- Government Agencies
- Police Forces
- Fire Authorities
- Statutory Undertakers
- Other Local Authorities

The Council's constitution sets out the Council's [Scheme of Delegation](#). This is available on the Council's website. Delegated authority has been given to authorised officers to act in varying capacity according to their professional background and seniority. Delegated authority is exercised within a decision making process that is managed to ensure that the most appropriate action is taken, based upon professional judgement, legal guidelines, statutory codes of practice and priorities set by the Council and/or Central Government.

The Council will manage enforcement in relation to premises in which it may have an interest to ensure that decisions are free from any conflict of interest. The Council:

- Have arrangements in place to pro-actively identify and resolve potential conflicts of interest. For example, considering whether steps can be taken to manage any conflict of interest whilst remaining the enforcing authority or whether, for example, health and safety responsibilities should be passed to the HSE;
- has plans and contingencies in place for dealing with exceptional circumstances where a conflict of interest comes to light after an incident has occurred;
- Carries out its enforcement policy and practice in exactly the same way that it does for all other premises and duty holders.
- Officers will carry out enforcement responsibilities fairly and objectively. Details of the [Council's Equalities Objectives](#) can be found on our website
- Where appropriate the Council will publicise details of any convictions which could serve to draw attention to the need to comply with the law or deter others. Where relevant the media will also be provided with factual information about convictions by the courts.

#### **4.2 Helping Businesses and Others to Compliance – Supporting Economic Progress**

The effectiveness of legislation in protecting consumers, other businesses and the community depends crucially on the compliance of those regulated. We recognise that most people and most businesses want to comply with the law. We will, therefore, take care to help businesses and others meet their legal obligations without unnecessary expense.

We will strive to ensure that when information is needed from businesses it is assessed to avoid duplication of requests and amended where necessary. We aim to seek feedback on the forms we use to collect information from business.

Whenever practicable we will promote positive incentives for businesses that comply, such as the Food Hygiene Rating Scheme. We will, where practicable and appropriate, provide feedback to business when there are changes in business risk ratings as a result of their performance.

#### **Helpfulness through Clear Accessible Guidance**

We believe that it is in the interests both of regulated businesses and the wider public to get things 'right first time', and that therefore our enforcement role should involve actively working with all those subject to regulation, especially small and medium sized businesses, to guide and assist with compliance.

We will provide a courteous and efficient service and our staff will identify themselves by name and carry a photograph identification card.

We will provide a contact point and telephone number for further dealings with us and we will encourage businesses and others to seek guidance or information from us. Those regulated can request advice on non-compliance without directly triggering enforcement action, where they show a willingness to resolve the non-compliance.

All requests for service, including applications for approval of establishments, licences, registrations, etc., will be dealt with efficiently and promptly within the resources available. We will ensure that, wherever practicable, our enforcement services are effectively co-ordinated to minimise unnecessary overlaps and time delays.

We will:

- Give clear and simple advice and confirm in writing, if requested, explaining what you must do to comply with the law, and the recommended best practice.
- Minimise the cost of compliance wherever possible.
- Give you a reasonable time to comply, unless immediate action is necessary in the interest of health, safety, the environment, or to prevent evidence being lost.
- Maintain confidentiality, except where we have a legal obligation to disclose information.
- We will deal firmly with those that deliberately or persistently fail to comply.

#### **4.3 Explanation of the factors that influence the local authority's response to breaches of the rules:**

To ensure we take proportionate action and targeted at cases requiring action, the following factors will be taken into consideration:

- a. The seriousness of any alleged breach.
- b. Risks to public health.
- c. Risks to the safety of individuals or groups.
- d. Risks to the environment, animals and their habitats, air and water and land contamination.
- e. The previous history of the individual (in accordance with the Rehabilitation of Offenders act 1974), group or business, and where relevant, confidence in management.
- f. Any action taken by the responsible person/organisation, to resolve the situation.
- g. The courses of action that will best serve the community, and protect them or the environment.
- h. Whether the Council has a duty or discretionary power to take action.
- i. Where the business has a Primary Authority Partnership, the Primary Authority may in some circumstances prevent proposed enforcement action.
- j. Consideration will be given to proportionate approaches based on relevant factors such as business size and capacity.

## **5. Conduct of investigations**

### **5.1 Explanation of the processes for investigating alleged breaches**

All investigations will be carried out under the following legislation and in accordance with any associated guidance or codes of practice, in so far as they relate to The Council:

- the Police and Criminal Evidence Act 1984
- the Criminal Procedure and Investigations Act 1996
- the Regulation of Investigatory Powers Act 2000
- the Criminal Justice and Police Act 2001
- the Human Rights Act 1998

These Acts and associated guidance control how evidence is collected and used and give a range of protections to citizens and potential defendants.

Our authorised officers will also comply with the requirements of the particular legislation under which they are acting, and with any associated guidance or codes of practice.

#### **Powers used by authorised officers.**

Authorised officers have powers *including* the power to:

- enter premises (in some circumstances they must first obtain a warrant of entry);
- take samples and photographs, and inspect records
- write informally asking the proprietor to put right any problems they find – where breaches of the law are identified, which must be put right, they may serve an Improvement Notice
- detain or seize equipment
- in serious cases they may decide to recommend a prosecution (if the prosecution is successful, the Court may impose prohibitions on processes and the use of premises and equipment, impose fines and possibly imprisonment for serious offences)
- if there is an imminent risk to the public or employees, inspectors can serve a Prohibition Notice that forbids the use of part or all of a premises or equipment
- Carry out Emergency Remedial Action or serve an Emergency Prohibition Order in situations where a housing hazard presents an imminent risk of serious harm to the occupiers
- Obstruction of an officer in the exercise of his/her powers can amount to an offence. Officers may attend premises accompanied by police officers if there is reason to require their presence. Police officers may exercise powers of arrest, for example if violence is used/threatened against a council officer.

- Issue a Closure Notice - an authorised officer may issue a closure notice under the terms of section 19 of the Criminal Justice and Police Act 2001.

**Seizure of Equipment and Other Items.** Some legislation enables authorised officers to seize equipment or other items including faulty, dangerous items, unwholesome or contaminated or food, equipment responsible for causing a noise nuisance. This is to prevent them causing harm or a nuisance. Some items may be seized for evidential purposes.

**Details of interview procedures.** All formal interviews will match national legal standards, known as 'PACE', (the Police and Criminal Evidence Act). The PACE Code of Practice sets an individuals rights and what the interviewer must and must not do to ensure that interview under caution is fair. If an interview doesn't meet these standards it may be that the interview record can't be used in court.

## **5.2 Progress of investigations**

We will keep those who are the subject of investigation, and witnesses, informed of the progress of investigations, unless to do so would be likely to defeat the purpose of proposed enforcement action or the situation is so serious that immediate action is required to prevent/respond to a serious breach.

## **6. Decisions on enforcement action**

### **6.1 Enforcement Actions available to The Council in Respect of Criminal and Civil breaches**

There are a number of potential enforcement options. The level of the action taken can vary from no action through to proceedings in Court. Examples of main types of action that can be considered are shown below:

- A. Compliance Advice, Guidance and Support
- B. Voluntary Undertakings
- C. Statutory (Legal) Notices
- D. Financial penalties
- E. Injunctive Actions, Enforcement Orders etc.
- F. Simple Caution
- G. Prosecution
- H. Refusal/Suspension/Revocation of Licences

#### **A. Compliance Advice, Guidance and Support**

The Council uses compliance advice, guidance and support as a first response in the case of many breaches of legislation that are identified. Advice is provided, sometimes in the form of a warning letter, to assist individuals and businesses in rectifying breaches as quickly and efficiently as possible, avoiding the need for further enforcement action. A warning letter will set out what should be done to rectify the breach and to prevent re-



occurrence. If a similar breach is identified in the future, this letter will be persuasive in considering the most appropriate enforcement action to take on that occasion. Such a letter cannot be cited in court as a previous conviction but it may be presented in evidence.

The Council recognises that where a business has entered into a partnership with a primary authority, the primary authority will provide compliance advice and support, and The Council will take such advice into account when considering the most appropriate enforcement action for it to take. It may discuss any need for compliance advice and support with the primary authority.

Where more formal enforcement action, such as a simple caution or prosecution, is taken, The Council recognises that there is likely to be an ongoing need for compliance advice and support, to prevent further breaches.

## **B. Voluntary Undertakings**

The Council may accept voluntary undertakings that breaches will be rectified and/or recurrences prevented. The Council will take any failure to honour voluntary undertakings very seriously and enforcement action is likely to result.

## **C. Statutory (Legal) Notices**

In respect of many breaches The Council has powers to issue statutory notices. These include: 'Stop Notices', 'Overcrowding Notices', 'Prohibition Notices', 'Emergency Prohibition Notices', and 'Improvement Notices'. Such notices are legally binding. Failure to comply with a statutory notice can be a criminal offence and may lead to prosecution and/ or, where appropriate, the carrying out of work in default.

A statutory notice will clearly set out actions which must be taken and the timescale within which they must be taken. It is likely to require that any breach is rectified and/or prevented from recurring. It may also prohibit specified activities until the breach has been rectified and/or safeguards have been put in place to prevent future breaches. Where a statutory notice is issued, an explanation of the appeals process will be provided to the recipient.

Some notices issued in respect of premises may be affixed to the premises and/or registered as local land charges.

## **D. Financial penalties**

Waverley Borough Council has powers to issue fixed penalty notices in respect of some breaches. A fixed penalty notice is not a criminal fine, and does not appear on an individual's criminal record. If a fixed penalty is not paid, Waverley Borough Council may commence criminal proceedings or take other enforcement action in respect of the breach.

If a fixed penalty is paid in respect of a breach Waverley Borough Council will not take any further enforcement action in respect of that breach. Payment of a fixed penalty does not provide immunity from prosecution in respect of similar or recurrent breaches.

Waverley Borough Council is only able to issue fixed penalty notices where it has specific powers to do so. If fixed penalty notices are available, their issue is at Waverley Borough Council's discretion. In some circumstances, in particular where breaches are serious or recurrent, it may be that prosecution is more appropriate than the issue of a fixed penalty notice.

#### **E. Injunctive Actions, Enforcement Orders etc.**

In some circumstances The Council may seek a direction from the court (in the form of an order or an injunction) that a breach is rectified and/or prevented from recurring. The court may also direct that specified activities be suspended until the breach has been rectified and/or safeguards have been put in place to prevent future breaches.

Failure to comply with a court order constitutes contempt of court, a serious offence which may lead to imprisonment.

The Council is required to seek enforcement orders after issuing some enforcement notices, providing the court with an opportunity to confirm the restrictions imposed by the notice. Otherwise, The Council will usually only seek a court order if it has serious concerns about compliance with voluntary undertakings or a notice.

In some circumstances, The Council has a duty under the Housing Act 2004 to make a Management Order to take over the management of a House in Multiple Occupation (HMO), for example where it is required to be licensed but where there is no reasonable prospect of its being licensed in the near future or where it is necessary to protect the health and safety of the occupiers or others in the vicinity of the property. In some circumstances the Council has a power to make a Management Order, rather than a duty, including the power to take over the management of other properties in certain circumstances.

The Council has powers to charge for administration and other expenses involved with investigation and serving some notices, for example an enforcement notice under the Housing Act 2004.

#### **F. Simple Caution**

The Council has the power to issue simple cautions (previously known as 'formal cautions') as an alternative to prosecution for some less serious offences, where a person admits an offence and consents to the simple caution. Where a simple caution is offered and declined, The Council is likely to consider prosecution.

A simple caution will appear on the offender's criminal record. It is likely to influence how The Council and others deal with any similar breaches in the future, and may be cited in court if the offender is subsequently prosecuted for a similar offence. If a simple caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment.

Simple cautions will be used in accordance with Home Office Circular 016/2008 and other relevant guidance.

## G. Prosecution

The Council may prosecute in respect of serious or recurrent breaches, or where other enforcement actions, such as voluntary undertakings or statutory notices have failed to secure compliance. When deciding whether to prosecute The Council has regard to the provisions of [The Code for Crown Prosecutors](#) as issued by the Director of Public Prosecutions.

Prosecution will only be considered where The Council is satisfied that it has sufficient evidence to provide a realistic prospect of conviction against the defendant(s).

Before deciding that prosecution is appropriate, The Council will consider all relevant circumstances carefully and will have regard to the following public interest criteria:

- a) the seriousness of the offence;
- b) the risks to public health;
- c) the risks to the safety of individuals or groups;
- d) the risks to the environment, animals and their habitats, air and water and land contamination;
- e) the previous history of the individual, group or business and, where relevant, confidence in management;
- f) the level of culpability of the offender
- g) any action taken by the responsible person/organisation to resolve the situation;
- h) the circumstances of and the harm caused to the victim
- i) the impact on the community
- j) the courses of action that will best serve the community, and protect them or the environment;
- k) whether prosecution is proportionate to the likely outcome;
- l) in the unlikely event of the offender being under 18, the specific youth considerations outlined in the Code for Crown Prosecutors;
- m) Whether sources of information require protecting.

A successful prosecution will result in a criminal record. The court may impose a fine and in respect of particularly serious breaches a prison sentence. The court may order the forfeiture and disposal of non-compliant goods and/or the confiscation of any profits which have resulted from the breach. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors.

## **H. Refusal/Suspension/Revocation of Licences**

The Council issues a number of licences and permits. The Council also has a role to play in ensuring that appropriate standards are met in relation to licences issued by other agencies. Most licences include conditions which require the licence holder to take steps to ensure that, for example, a business is properly run. Breach of these conditions may lead to a review of the licence which may result in its revocation or amendment.

When considering future licence applications, The Council may take previous breaches and enforcement action into account.

### **6.2 Explanation of how decisions are made on enforcement action**

Our aim is to ensure that any necessary enforcement action is in line with the findings of the Macrory Review, enforcement actions will be taken in order to:

- a) aim to change the behaviour of the offender;
- b) aim to eliminate any financial gain or benefit from non-compliance;
- c) be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction;
- d) be proportionate to the nature of the offence and the harm caused;
- e) aim to restore the harm caused by regulatory non-compliance, where appropriate; and,
- f) Aim to deter future non-compliance.

Where appropriate, decisions about enforcement may involve consultation between or approval from:

- Investigating officer(s)
- Service/Team Manager
- Heads of Service
- Corporate Management Team
- Council solicitor(s)

Decision making models may be consulted when making a decision as to the most appropriate action e.g. HSE's Enforcement Management Model. Decision making will include considering risk.

Each case will be kept under review to ensure that the appropriate level of enforcement action is taken. Written records will be kept which explain why a particular course of action has been taken. These records will refer, as necessary, to this policy.

### **6.3 Explanation of how decisions are communicated to those affected**

The Council is committed to provide a timely explanation in writing of any rights to representation or rights to appeal, and practical information on the process involved.

## 7. Review of this policy

This Policy will be reviewed in the light of experience and in light of any relevant legislative changes by the relevant Service Managers. Where changes are required these will be referred through the appropriate management process.

To ensure this policy continues to be suitable for business and community of Waverley, it will be necessary to review its effectiveness periodically.

It is essential to gain feedback from those who have been subject to enforcement action and where appropriate, the business or community affected by an infringement. Ongoing feedback shall be used and complaints data will be collated.

Feedback will be sought from the wider community, and from businesses through the Waverley Business Forum. Awareness of the policy, within the business community, will be assessed as part of this feedback process.

## 8. Comments and Complaints

### Details of processes for complaints and appeals

We want to resolve your complaint as soon as possible. If you have a problem with a Council Service, please talk to the member of staff or contact the Manager of the Service concerned (for contact details please see Appendix A). They may be able to resolve the issue straight away.

If you are unsatisfied with the service from the Council you can make a complaint via [the Council's Complaints Procedure](#) available on the Council Website or on request.

If it is not possible to speak to a member of staff or you prefer to contact us in a different way, you may do so:

**By phone.** See Appendix A for direct contact numbers of services covered by this policy or call 01483 523333.

**In person.** You can call into the office during working hours. Waverley Borough Council, The Burys, Godalming, Surrey, GU7 1HR.

**By email.** See Appendix A for email addresses of Service Managers.

**Online Complaints Form on our website** [on line complaints form](#)  
[www.waverley.gov.uk](http://www.waverley.gov.uk)

**By letter.** You can write to the service concerned at Waverley Borough Council, The Burys, Godalming, Surrey, GU7 1HR.

Where enforcement notices are served, detailed information will be provided to the person concerned regarding their statutory rights of appeal. The information will include, where appropriate, the necessary forms.

If you feel that the Council has failed to act in accordance with the Regulators Code the Council's Complaints Procedure detailed above should be used.

**What do I do if I am still unhappy?**

If you remain unhappy after the final stage of Waverley's complaints procedure, you can take your complaint to an ombudsman.

**Housing complaints**

If your complaint concerns a housing matter, you can make your complaint to the Housing Ombudsman.

Contact details for the Housing Ombudsman are:

Housing Ombudsman Service  
81 The Aldwych  
London  
WC2B 4HN

Tel: 0300 111 3000

Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

**All other complaints**

You can complain to the Local Government Ombudsman.

Contact details for the Local Government Ombudsman:

PO Box 4771  
Coventry  
CV4 0EH

Text 'call back' to: 0762 480 3014

Tel: 0300 061 0614

Please note that before raising your concerns with the Local Government Ombudsman or the Housing Ombudsman, you should give Waverley a chance to resolve your complaint.

**This Enforcement Policy supersedes and replaces  
all earlier enforcement policies relating to  
Waverley Borough Council Regulatory Services.**

## **Appendix A: Teams Responsible for the Council Services Covered by this Enforcement Policy**

### **Environmental Health (Food, Health & Safety, Environmental Protection, Pest Control)**

Victoria Buckroyd, Environmental Health Manager

Telephone 01483 523393

Email [environmentalhealth@waverley.gov.uk](mailto:environmentalhealth@waverley.gov.uk)

### **Environmental Services (Waste & recycling, parking)**

Jennifer Carson, Environmental Services Manager

Telephone 01483 523397

Email [Jennifer.carson@waverley.gov.uk](mailto:Jennifer.carson@waverley.gov.uk)

### **Licensing**

Emma McQuillan, Democratic Services Manager

Telephone 01483 523351

Email [emma.mcquillan@waverley.gov.uk](mailto:emma.mcquillan@waverley.gov.uk)

### **Private Sector Housing**

Simon Brisk, Private Sector Housing Manager

Telephone 01483 523421

Email [simon.brisk@waverley.gov.uk](mailto:simon.brisk@waverley.gov.uk)

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## WAVERLEY BOROUGH COUNCIL

### LICENSING & REGULATORY COMMITTEE

18 SEPTEMBER 2014

### EXECUTIVE – 2 DECEMBER 2014

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#### Title:

**WAVERLEY BOROUGH COUNCIL – REVIEW OF STREET TRADING POLICY**

**[Portfolio Holder: Cllr Donal O’Neill]**

**[Wards Affected: All]**

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#### Summary and purpose:

The Council’s existing Street Trading Policy was introduced in 2009. It should be reviewed if major changes occur or after 5 years, whichever is sooner. There have been no major legislative changes affecting this Policy since it came into effect and requests for only minor changes have been received.

The draft revised and amended Policy was considered by the Licensing & Regulatory Committee at its meeting on 18 September 2014 and is attached to this report for approval. A public consultation process has taken place which concluded on Friday 12 September 2014.

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#### How this report relates to the Council’s Corporate Priorities:

**Environment** - Protecting and enhancing Waverley’s unique mix of rural and urban communities is supported by the proposal, which continues to allow community-run events access to local streets previously prohibited by Street Trading designations.

**Understanding our Residents’ Needs** - Improving the quality of life for all, particularly the more vulnerable within our society. Gains anticipated here are based upon the increased diversity of locally run events and improved access to specialised products not otherwise locally available and therefore otherwise difficult to access by some vulnerable groups.

**Leisure and Lives** – The increased access to community-run events in people’s local areas will improve and support opportunities for all in recreational and cultural activities.

**Value for money** – The tiered fee system, according to event size, helps to cover costs involved in maintaining the Street Trading regime without making a surplus. The Council may opt to set fees at a level lower than cost recovery, as is currently the case in Waverley - minimizing the impact on businesses and encouraging variety for customers.

## **Financial Implications:**

Income from licensing and regulation should not, as a general rule, generate a surplus. It is normal practice for administering authorities to cover the costs of providing a licensing and registration service by means of set fees which are periodically reviewed. The reviewed street trading policy contains a sliding scale for these fees, designed to reflect the burden according to resources required. Costs incurred through consultation and in the publication of legal notices, if any, will be one-off payments met from existing budgets.

## **Legal Implications:**

Any policy needs to be developed taking into account any relevant government guidance, any other relevant Council policies and by ensuring that any restrictions set by the policy are capable of being properly justified, otherwise the Council would be susceptible to legal challenge by way of Judicial Review. Any such challenge would be to the High Court and therefore the cost implications would be high.

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## **Introduction**

1. Street Trading is defined as the selling or exposing or offering for sale of any article (or living thing) in a street. Such activity may cause nuisance and may be controlled by local authorities. In 1991, Waverley Borough Council adopted powers under the Local Government (Miscellaneous Provisions) Act 1982, to control Street Trading by the designation of 'prohibited', 'licensed' and 'consent' streets.
2. In September 2009 the Council published the current "Street Trading In Waverley Policy" which covers general guidelines, applications, decision-making, appeals, fees and conditions. It should be reviewed if there are major changes to the street trading regime or after 5 years, whichever is sooner.
3. A 'Prohibited' street means a street in which street trading is prohibited. A 'Licensed' street means a street in which street trading is prohibited unless a licence has been granted by the Council. A 'Consent' street means a street in which street trading is prohibited unless the Council has given consent.
4. A licensed street designation is appropriate for the more formalised, market type of trading in a street where the strict control of a limited amount of space is required. Currently there are no licensed street designations in Waverley; only Prohibited Streets and Consent Streets.
5. Designation of a street as a consent street covers a more infrequent type of trading. The Council is under no duty to grant consent to trade on a street which has been designated as a consent street. Neither is the Council required to specify grounds for refusal. Similarly, there is no right of appeal against the refusal of consent or the application of conditions attached to a consent. However, current good practice is for Street Trading Policies to include a hearing mechanism and for reasons to be given for any refusal.

6. The 'Consent' designation of a street is appropriate where it is necessary to limit the numbers and types of traders, their location along a street, their hours of operation and the measures they employ to remove their waste. These can all be specified as conditions to the Consent in a location.
7. A number of community-led locally organised events benefit from the existing regime – there are no proposals to alter this. For example, since 2009, Consents have been granted for events in Castle Street, Farnham, in High Street and Church Street, Godalming, in High Street and West Street, Haslemere and on The Common, Cranleigh.
8. Individuals may also apply for Consents, either for specific occasions or on an annual basis. There is currently one consent granted in Waverley to a sole-trader.
9. The main changes proposed in the draft policy document (Annexe 1) were:
  - To introduce a procedure for varying Consents during their life
  - To clarify the Council's approach to ensuring transparency in dealing with applications
10. Public Consultation took place for a six-week period ending on 12 September 2014. Consultees specifically included agencies and partners already involved in the Street Trading regime (for example, Police, Fire and Rescue, Highways, local chambers of commerce) and was published on the Council's website.
11. Consultees and those accessing the webpage were informed:
  - You do not have to do anything unless you wish to comment on the Policy.
  - If you would like to comment, please review the policy and consider the following questions:
    - Do you agree with the current list of Consent and Prohibited Streets?
    - Do you agree with the current standard conditions?
12. Results of the consultation process were presented to the Licensing & Regulatory Committee for final comments before being reviewed by the Executive and submitted to Council for approval. The amended time-table for this is below.

Item	Details	Notes	Date
1	Consultation approved by Licensing and Regulatory Committee	Included feedback gathered to-date	24/7/14
2	Public Consultation	6 week period	4/8/14 – 12/9/14
3	Feedback to L&R Committee*	Summary of consultation outcomes	18/9/14
4	Recommended Policy to Executive for	Policy approval by L&R	2/12/14

	comment		
5	Final Policy to Council for approval	Policy approval by Executive	9/12/14
6	Publication of revised Street Trading Policy	Website / media release	tbc

\*If a council intends to amend its list of Prohibited and Consent Streets a legal procedure entailing publication of Public Notices would be required. This would take a minimum of 3 months.

### **Licensing & Regulatory Committee**

13. The Licensing & Regulatory Committee considered the report and draft policy and the following responses to the consultation:

a) – **response from individual of 11 August 2014**, requesting clarification on procedures for Charitable Street Collections, etc. This topic is not covered by Street Trading legislation – a response was issued on 29 August 2014 detailing the relevant procedures and code of practice. No further action required.

b) – **response from Godalming Town Council of 8 August 2014**, requesting that Bridge Street, Godalming be included in the list of consent streets which for some events would save closing the whole of the High Street as often.

Those received after despatch of the agenda papers.

c) **response from Cranleigh Parish Council of 12 September**, (i) - agreeing that prohibited streets in Cranleigh should be as per Appendix I of the Policy document and (ii) – supporting events that enhance the vibrancy and attractiveness of Cranleigh and therefore that the three consent streets listed should remain.

The Parish Council suggests that for clarity, Horseshoe Lane is included as a prohibited street and that the Bank Buildings and the roadway to the post office frontage are part of the consent designation for High Street.

The Parish Council has received a reply confirming the Old Bank Buildings and Post Office situation (the areas to the front are part of the High Street consent designation) and that Horseshoe Lane is not designated at all, but that parts of it abutting The Common will be part of that designation as consent street.

d) **response from Cranleigh Chamber of Commerce of 12 September**, requesting that the list of consent streets for Cranleigh (High Street, The Common and Rowland Road) be redesignated as prohibited streets.

This was replied to on 16 September, asking if the Chamber of Commerce wanted to submit supporting comments. Further details were received on 17 September and are summarised below:

“The chamber actively supports the businesses in Cranleigh who have permanent places of business and pay their rates and contribute to the life of the village that is uniquely Cranleigh. It has a history and a conservation area that is highly unique and we wish to protect our members from occasional traders who set up in competition on the streets and around the common, subject to agreement we realise, but they do not contribute effectively or financially to the life of Cranleigh- some of them actually contribute noise, pollution, litter and anti social behaviour directly or indirectly from their trading practices so we would recommend the change to prohibition in the remaining streets in Cranleigh to ensure our members have an unencumbered and level playing field to trade within.

Certainly the area around the common actively affects the residents and we are mindful of their opinions of businesses which could again affect our relationship with them.”

14. The Committee considered those responses which related to the designation of streets and noted this had not formed part of the previous policy. The Committee agreed that the designation of streets be kept as a separate issue in order that amendments could be made at any time without the need to go through a policy amendment procedure. Officers were therefore asked to instigate a review of the street trading designations in response to the representations received as part of the consultation. This is underway.
15. The Licensing & Regulatory Committee agreed the recommendation set out below.

### **Recommendation**

It is recommended that the Street Trading Policy be recommended to the Council for adoption prior to implementation.

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### **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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## **STREET TRADING IN WAVERLEY POLICY**

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## **1. General Guidelines**

- 1.1. This Policy will guide the Council when it considers applications under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The Council has adopted this legislation and streets have been determined as either 'consent' or 'prohibited' (Appendix I); also available on the Council's website. This means that anyone who wishes to trade on a consent street (which includes a road, footway or other area to which the public have access without payment) must hold a street trading consent. The definition does not include buildings themselves or commercial premises.
- 1.2. The aim of the Street Trading in Waverley Policy (the Policy) is to prevent obstruction of the streets of the Borough and ensure the safety of persons using them. In doing so, it recognises the importance of local businesses to the local economy and that occasional, community-run events and those of a similar nature, are important factors in the life of Waverley. The Policy also seeks to ensure that activities do not cause nuisance or annoyance to the people of the area.
- 1.3. To help deal with applications quickly and to allow applicants to know at an early stage whether their application is likely to be supported Waverley Borough Council has adopted this policy. The Council aims to provide a clear, consistent service for users.
- 1.4. For clarification:
  - Land adjacent to the street may also be included according to local circumstances
  - There are some exemptions from requiring a consent to trade (for example newspaper vendors and 'Big Issue' sellers)
  - Street Trading is defined as "the selling or exposing or offering for sale of any article (or living thing) in a street", and
  - any queries regarding the above can be dealt with by the Environmental Health service on a case by case basis.
- 1.5. Schedule 1 of the policy deals with applications from individuals. Certain community-run events, charitable events or those of a similar nature are the subject of special provisions in Schedule 2 of the Policy.

## **2. Schedule 1 – Individual Applicants**

- 2.1 Waverley's Licensing and Regulatory Committee is made up of 12 Members of the Council. Applications for street trading consents that fall within this policy are delegated to the Environmental Health Manager. Applications that fall outside this policy or those which attract relevant objections will be determined by the Licensing & Regulatory Committee. A relevant objection is one made by a person, business or body that is likely to be directly affected by a successful application. In addition, the objection must not be vexatious or frivolous and should concern itself

only with matters likely to be affected by a successful application. The Head of Policy and Governance will determine whether an objection is relevant according to its merit and any benefit of doubt will be given to the objector.

- 2.2 The police, highways authority and fire service are always consulted over any application and a 28 day consultation period will normally be allowed. Wherever possible, local Ward Councillors, Chambers of Commerce and Town or Parish Councils, together with any relevant Portfolio Holder or Committee Chairman, will also be notified of an application – public notification will be achieved through the Council’s webpages.
- 2.3 Where an applicant has not given sufficient notice, consent will not normally be granted unless agreed by the Head of Service, Executive Director and Chairman of the Licensing & Regulatory Committee on receipt of satisfactory responses from the police, fire and highways authorities.
- 2.4 In considering any application for the grant or renewal of a street trading consent the following issues will be taken into account before determination:
  - 2.4.1 *Public order*  
Whether the street trading activity or activities represent, or are likely to represent, a substantial risk to public order
  - 2.4.2 *Public nuisance*  
Whether the street trading activity or activities represent, or are likely to represent, a substantial risk of nuisance to the public from noise or misbehaviour. Particular regard to this will be had in respect of consents in predominantly residential areas and due regard will be had to the character of the neighbourhood.
  - 2.4.3 *Public safety*  
Whether the location of the street trading activity or activities represent, or are likely to represent, a substantial risk to the public from the point of view of obstruction, fire hazards or unhygienic conditions, or danger that may occur when a trader is accessing the site.
  - 2.4.4 *Needs of the area*  
An applicant for the new grant of a Schedule 1 street trading consent shall provide a copy of a map or plan showing all streets and other public areas within a radius of half a mile (800 metres) from the proposed location of the site. The map or plan shall be a proper Ordnance Survey map, or of equivalent or similar standard, to a scale of 1:5000. It shall clearly indicate the position of the proposed site and indicate the locations of other street traders and outlets already trading in similar commodities

to those proposed for sale. The applicant must deliver notices to traders and premises thus identified and to the nearest six premises (being residential, commercial or otherwise) to the proposed site giving details of the application.

- 2.5 In determining an application the sufficiency of other trading outlets to serve the needs of an area will always be considered. A new consent is unlikely to be granted where it is considered that adequate like provision already exists. For special events falling under schedule 2 of this policy the needs test may be exempted where appropriate.

### **3. Schedule 2 - Community and similar events**

- 3.1 At such special events the Council will issue one Consent to the person organising the community or similar event, either on an annual basis for multi-use sites or on an occasional basis for single-use events. This policy is aimed at promoting and supporting such events and encouraging traders to attend. A schedule 2 event can include a street or series of linked streets under one Consent.
- 3.2 The Consent will relate to the duration of the special event and may include specific conditions, in addition to Standard Consent Conditions, according to the individual merits of the event. Where fees are at the discretion of Local Authority, such as for Street Trading Consents, the Council is able to recover the costs associated with the authorisation scheme as long as they are reasonable, proportionate and do not exceed the cost of the procedures. In arriving at fees, the Council may charge a lesser amount – Waverley reduces the charges for Schedule 2 applications in order to promote and support such activities.
- 3.3 Community and similar events will normally be organised by a Town or Parish Council, Waverley Borough Council or by a recognised group or charity with aims of engaging with and providing support to the local community. Each special event application will be judged according to its merit and any applications which fall outside this policy, or those that attract relevant objections (see Schedule 1) will be determined by the relevant Sub-committee.
- 3.4 Special event applications would typically, but not exclusively, include:
- Local Charity events
  - Community fairs and craft events
  - International markets
  - Events celebrating local anniversaries

### **4. General information – in all cases**

#### **4.1 Decisions**

4.11 Following the determination of an application the Council will notify the applicant of the decision. Determinations made at Committee will be confirmed in writing and published on the Council's webpages.

## **4.2 Renewals**

4.2.1 Consents are normally issued for a set date or dates, or a period of up to one year. Applicants who wish to continue trading should submit renewal applications at least one month prior to expiry of any current Consent. Renewals are normally allowed but further consultations may be needed if there are causes for concern or if the Consent operation has been the subject of complaint.

## **4.3 Variations**

4.3.1 Holders of a Consent may wish, from time to time, to vary it - for example by requesting a change of trading hours. Consents will specify the location or area to which they apply – a request to vary this will be treated as a new application for the new location.

## **4.4 Fees**

4.4.1 An annual fee is payable for Street Trading Consents and payment should be made on application. A full refund is given should an application be refused. Fees are reviewed annually and published on the Council's website.

## **4.5 Conditions**

4.5.1 Consents will carry Standard Consent Conditions (Appendix II) in all cases in order to promote public safety and avoid obstructions, nuisance and annoyance. Other conditions may be attached to a Consent and will be relevant to the category of Consent issued and the nature of the local environment. A pool of typical conditions, relating to operating hours, sites, locations, goods offered, safety, refuse collection, etc. is shown at Appendix III. A Consent may also attract conditions in addition to or instead of those found in the pool of conditions according to its individual merit.

## **4.6 Appeals**

4.6.1 The governing legislation does not allow for appeals and grounds for refusal need not be given. However, in order to ensure the process is open, fair and transparent, if an application is refused reasons will be given. Officers will refer applications to the Licensing & Regulatory Committee if not minded to grant the application.

## **4.7 Enforcement**

- a. The Council's Environmental Health Service aims to work closely with other enforcement authorities and agencies
- b. Obtaining a Consent does not confer the holder immunity in regard to other legislation that may apply, e.g. Public Liability, Health & Safety at Work, Food Hygiene and Safety, Alcohol and Entertainment Licensing, Planning controls, and organisers should ensure all such permissions, etc. are in place.
- c. Where street trading activities are conducted without appropriate Consents the Council will look to gather evidence and take appropriate enforcement action in accordance with its Enforcement Policy
- d. If the Council feels there is an issue with public order or threat to public safety in any particular instance it will call for assistance from Surrey police
- e. The Council may call for assistance from appropriate CCTV recordings when dealing with such issues
- f. The Council will enforce the provisions of all appropriate legislation and will ask persons causing a nuisance to cease the activity that they are conducting and leave the area.
- g. Enforcement decisions will be made on a case by case basis in light of the Council's Enforcement Policy.

#### **4.8 Review Procedures**

4.8.1 This Policy will be reviewed from time to time should changes occur in relevant legislation, the nature of street trading generally or as a result of local considerations within Waverley. In any case, this Policy will be reviewed within five years of adoption.

#### NOTES

##### Human Rights

*The Human Rights Act 1998 obliges the Council to comply with the provisions and protections of the European Convention on Human Rights. It is unlawful for a local authority to act in a way which interferes disproportionately with a convention right. The Sub-committee will have regard to the rights protected by the European Convention on Human Rights when exercising its licensing functions.*

List of Prohibited and Consent Streets in Waverley

**PROHIBITED STREETS**

**Farnham**

Victoria Road

Union Road

East Street, from the traffic lights at its junction with South Street up to the east end of Dogflud Way (excluding the area immediately fronting Nos 1 – 6 Woolmead)

Dogflud Way

South Street

Bear Lane, from the traffic lights at its junction with South Street to the junction of Woolmead Road

Park Row

Woolmead Road

West Street, from The Borough to its junction with The Hart

A31 from Willey Mill through the Farnham Bypass to the Shepherd and Flock Roundabout

A31 from the Shepherd and Flock in an easterly direction to the Waverley Borough Council boundary

A325 Wrecclesham Road, from the Coxbridge Roundabout to the Railway Bridge

Odiham Road from the junction with Folly Hill to the county boundary

**Tilford**

Tilford Road between All Saints Church and the River Wey (South Branch)

Tilford Road (East Side of the Green) from its junction with Tilford Road to The Street

The Street between its junction with Tilford Road and Whitmead Lane

**Godalming**

Wharf Street, Godalming from its junction with High Street to its junction with Flambard Way

Woolsack Way

Farncombe Street, from its junction with St Johns Street to the junction of Nightingale Road

St Johns Street

Summers Road

Station Road, Farncombe

**Cranleigh**

Dewlands Lane

Ewhurst Road, from the junction of High Street to the junction of Mead Park Drive

Mead Road, from the junction of Ewhurst Road to the junction of Bridge Road Horsham Road to the Borough boundary

Overford Drive, from its junction with Horsham Road to the junction of Little Manor Gardens

Church Lane  
Knowle Lane, from its junction with the High Street to the access at the rear of Stocklund Square  
Victoria Road  
St James's Place  
Guildford Road from the roundabout junction of the B2128 and B2130 to the entrance to Manfield Park Industrial Estate  
Elmbridge Road from the roundabout junction of the B2128 and B2130 to the entrance to Hewitts Industrial Estate  
Park Drive to the junction with Cranbrook Terrace

### **CONSENT STREETS**

#### **Cranleigh**

High Street  
Rowland Road  
The Common

#### **Farnham**

Castle Street  
The Borough  
Downing Street  
Longbridge  
West Street from its junction with The Hart, westward to its junction with Crondall Lane  
Bear Lane, from its junction with Woolmead Road to its junction with High Park Road

#### **Godalming**

High Street  
Church Street  
Great George Street  
Moss Lane  
The whole of Crown Court  
Queen Street  
The whole of Angel Court

#### **Haslemere**

High Street  
Shepherds Hill  
Petworth Road, from its junction with the High Street to the junction of Swan Barn Road  
Lower Street  
Weyhill  
St Christopher's Road  
St Christopher's Green  
Junction Place; Lion Lane, from its junction with Lion Green to the junction with Underwood Road  
Lion Mead, from the junction of Lion Green to the junction of Mead Way

Kings Road from its junction with Lower Street to the junction with Courtshill  
Road  
Cedar Court  
Tanners Lane from its junction with Lower Street to the junction with Oaklands  
Sandrock  
West Street  
Well Lane  
College Hill  
Hill Road from its junction with Shepherds Hill to the junction with Park Road  
Cobden Lane  
Access road to High Street Car Park



## Conditions

### Standard Consent Conditions

(to be used on all Consents issued)

1. 'Consent Street' means a street in which street trading is prohibited without a Consent from Waverley Borough Council
2. 'Prohibited Street' means a street in which street trading is prohibited at all times
3. 'Street' includes any road, footway, lay-by or other open area to which the public have access without payment
4. 'Street Trading' means (generally) the selling, or exposing or offering for sale, any article in a street
5. The trader shall not cause any obstruction of the street or any danger to any persons or vehicles using the street
6. The trader shall not cause any nuisance or annoyance to any other person, whether that person is using the street or otherwise, or to the occupier of any building in proximity to the consent site
7. The council may at any time vary the conditions of a street trading consent or revoke the consent at any time
8. Public liability insurance providing cover to a minimum amount of 5 million pounds must be in place for the consent site and a certificate of this must be produced on request of an officer of Waverley Borough Council
9. An individual trader shall conspicuously display the council issued Consent at all times whilst trading; for special events, the Consent will be displayed in at least two conspicuous places – typically these shall be attached to the first and last stalls
10. The Consent holder must provide facilities for use by him/herself and customers to collect any waste, refuse or litter. The refuse storage must be of a substantial construction, waterproof and animal-proof. All must be removed from the trading location at the end of each day's trading and properly disposed of, or if the amount of waste and refuse warrants it, when the container is full – whichever is the sooner.
11. The Consent holder shall ensure that all adjacent areas (except the carriageway if open for vehicular use) to a distance of 10 metres be kept free of litter and refuse at all times whilst on site.

12. Authorised vehicles must be roadworthy, have current relevant documentation and internal and external appearance of vehicles &/or stalls shall be maintained in a clean, neat and tidy condition.
13. Any stall or vehicle used for street trading must be immediately removable at all times in the event of an emergency, or at any other time, be removed at the request of any officers of the emergency services or officer of the Council.
14. The name and address of the operator and other address at which the stall or authorised vehicle is normally kept or garaged must be conspicuously and legibly displayed upon it in a place where the public may readily view it.
15. No stall or vehicle shall remain situated for longer than one hour after the authorised trading time(s).
16. No Consent holder shall trade at his / her authorised location on dates when road closure directives are in place for special events otherwise than with the permission of the organisation applying for same.
17. The Consent is non-transferable.
18. Where a structure or vehicle is not removed at the end of trading, no additional permanent or semi-permanent additions or paving shall be erected or constructed adjacent to the structure or vehicle.
19. Failure to comply with any conditions attached to the Consent may result in the revocation of such consent.

**Pool of Conditions**

**Conditions applicable to special Events / Markets, etc**

The Consent holder shall keep records of each stallholder present, to include the stall's site, name (and company name), address, vehicle registration and contact telephone number. This must be produced on the request of an officer from the Council

**Other Conditions**

There shall be no available means of attracting attention for the purposes of trading or any stands or signs away from the consent site

The consent holder must not permit the sale of offensive weapons, including imitation firearms, firearms, airguns, swords and crossbows

The Consent does not imply or give any other permission, consent, licence or authorisation to trade in any other products other than those granted on application or renewal

The trader shall not exhibit on the site any advertising signs, posters or such like except as may be approved by the Council

No animal shall be present on any stall or vehicle

The trader is not permitted to hold any auction or like sale

The trader shall reimburse the Council's costs in repairing all damaged caused by the trader's occupation and use of the consent site

There shall be no discharge of waste water or other liquid waste onto the consent site or surrounding areas

No form of amplified music shall be permitted

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## WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 2 DECEMBER 2014

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### Title:

**WITLEY AND GODALMING CROWNPITS CONSERVATION AREA APPRAISALS**

**[Portfolio Holder: Cllr Brian Adams]**

**[Wards Affected: Witley and Hambledon, Godalming Holloway]**

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### Summary and purpose:

The purpose of this report is to gain authorisation to undertake a formal public consultation on the draft Conservation Area Appraisals (CAA) for the Conservation Areas (CA) of Witley (this document also includes changes to the Conservation Area boundary) and Godalming Crownpits. The long term objective is that the appraisals will be adopted as material considerations and used in the determination of any application for planning permission and listed building consent within the CAs.

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### How this report relates to the Council's Corporate Priorities:

It relates to the Council's environment priority to protect and enhance Waverley's unique mix of rural and urban communities.

The production of the CAAs for Witley and Godalming Crownpits is set out within the Planning Service Plan 2013/14 and follows the programme agreed by Executive in October 2011.

### Resource Implications:

The work will be completed within existing officer resources but will require input from a range of stakeholders. There are no direct financial implications as a result of this report.

### Legal Implications:

The Witley and Godalming Crownpits CAAs will be used as a material consideration when considering planning applications in the two areas.

With regard to the proposed extensions within Witley, these will give an additional degree of protection against the demolition of buildings and walls within the boundary of the CA. It also means that additional tests (as set out in the Local Plan and National Planning Policy Framework) are considered when determining planning applications. Finally, the permitted development rights in these areas are reduced. This means that the extent of building works that can be carried out without the need for planning permission is reduced.

## **Background**

1. Witley and Godalming Crownpits are two of 43 Conservation Areas (CAs) in Waverley. There are eight Conservation Area Appraisals (CAAs) completed for Wrecclesham, Bramley, Farnham Town Centre, Wheelerstreet, Godalming Town Centre, Milford, Chiddingfold and Haslemere.
2. The Wheelerstreet CAA was adopted in 2012 and was used as a pilot project to formulate a methodology in accordance with the latest English Heritage guidelines. The remaining CAAs are being undertaken following a similar methodology to ensure consistency.
3. The Witley and Godalming Crownpits CAs have been surveyed by visiting the sites, noting the features of interest as highlighted by English Heritage guidelines, conducting photographic studies and undertaking a desk top study using the internal mapping system to understand change over time.
4. The Members, Parish and Town Council were consulted, including a walkabout with the Conservation Officers, to influence the development and future implementation of a Management Plan which forms part of the Conservation Area Appraisals. The Members and Parish Councillors have also had the opportunity to consider and comment on the draft appraisal documents.
5. The draft CAAs are attached at Annexe 1 (Witley) and Annex 2 (Godalming Crownpits).
6. Following the consultation, it is proposed that the CAAs, including any amendments, be adopted as material considerations to be used in the determination of applications for planning permission and listed building consent within the conservation areas. They will also be used to drive forward environmental enhancements and improvements identified within the Management Plans.

## **The Consultation Process**

7. Whilst the documents will not be adopted as a Supplementary Planning Document (SPD), it is important that they are subject to a robust consultation process, to ensure that the views of the local community and other stakeholders are taken into account and to increase its weight in planning decisions.
8. The consultation period will run for a period of six weeks and will target all residents and businesses within the CAs and in the proposed extensions to the Witley CA. Godalming Town Council (for Godalming Crownpits CAA), Witley Parish Council (for Witley CAA), local amenity societies and other relevant stakeholders will also be consulted.

9. The consultation will inform any necessary amendments to the documents before they are submitted through the Council's committee process for adoption by the Council.

### **Recommendation**

It is recommended that the Executive approves the draft CAAs for Witley and Godalming Crownpits for the purposes of public consultation.

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### **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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# Witley Conservation Area Appraisal and Management Plan

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# **PART 1 - Witley 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”<sup>1</sup>. Designation of a CA applies to 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-relation of these together to form a unique character. The management plan will use the information gathered in the CAA to identify and implement enhancement schemes to preserve and enhance the CA.

The final document will inform positive management of the CA and will be adopted by the Council as a material consideration to be used in the determination of any application for planning permission and listed building consent within the CA. It will 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 (1) 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.”*

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<sup>1</sup> Planning (Listed Buildings and Conservation Area) Act 1990

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 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 English Heritage’s guidance “Understanding Place: Conservation Area Designation, Appraisal and Management” (March 2011)<sup>2</sup>. English Heritage 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 Waverley’s mapping system. 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 13 October 2014 with Local Councillors and representatives from the Parish Council to identify enhancement schemes and gain feedback on the CAA, with any comments made incorporated.

A 6 week consultation will be undertaken to seek residents’ views. Key stakeholders (including English Heritage and the Parish Council) will also be included. Responses to the consultation will be reviewed and where necessary the document updated.

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<sup>2</sup> <http://www.english-heritage.org.uk/publications/understanding-place-conservation-area>

## **1.6 Summary of Witley Conservation Area**

<b>Table 1: Witley CA at a glance</b>	
Date of designation	24 February 1970
Location	Easting (x) 494,776.89m; Northing (y) 139,617.35m
Current Size	3.27 ha
Changes to Boundary	Proposed
General Condition	Good
Listed Buildings	24 - Grade II; 1 – Grade I
Positive Attributes	Good quality traditional building styles and materials of the Surrey vernacular; strong historic and architectural character to the CA
Negative Features	Heavy traffic; minimal parking; quality of road surfaces; poor landscaping of small areas of public realm.

## 2. Defining the Special Interest

English Heritage 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”<sup>3</sup>.

### 2.1 Summary of the Special Interest

The following table provides a summary of the special interest of Witley CA:

Heritage	25 listed buildings and 5 heritage features
Form	Linear: a result of development along Petworth Road
Notable buildings	All Saints Church: The oldest building and historic centre of the village, built from Bargate stone, with the only remaining Horsham Slate roof in the CA.
Character areas	Two character areas: 1) Witley Manor and grounds (original agricultural holding) and 2) the artisan cottages and central community; Four architectural zones identified.
Main Architectural Features	Tall dominant chimneys; rounded, fishtail or triangular tile hanging; red brick; timber framed and whitewash walls.
Vistas	All Saints Church; war memorial; view along Petworth Road; view across grounds of Witley Manor

<sup>3</sup> <http://www.english-heritage.org.uk/publications/understanding-place-conservation-area/>

### 3. Assessing the Special Interest

#### 3.1 Location and Setting

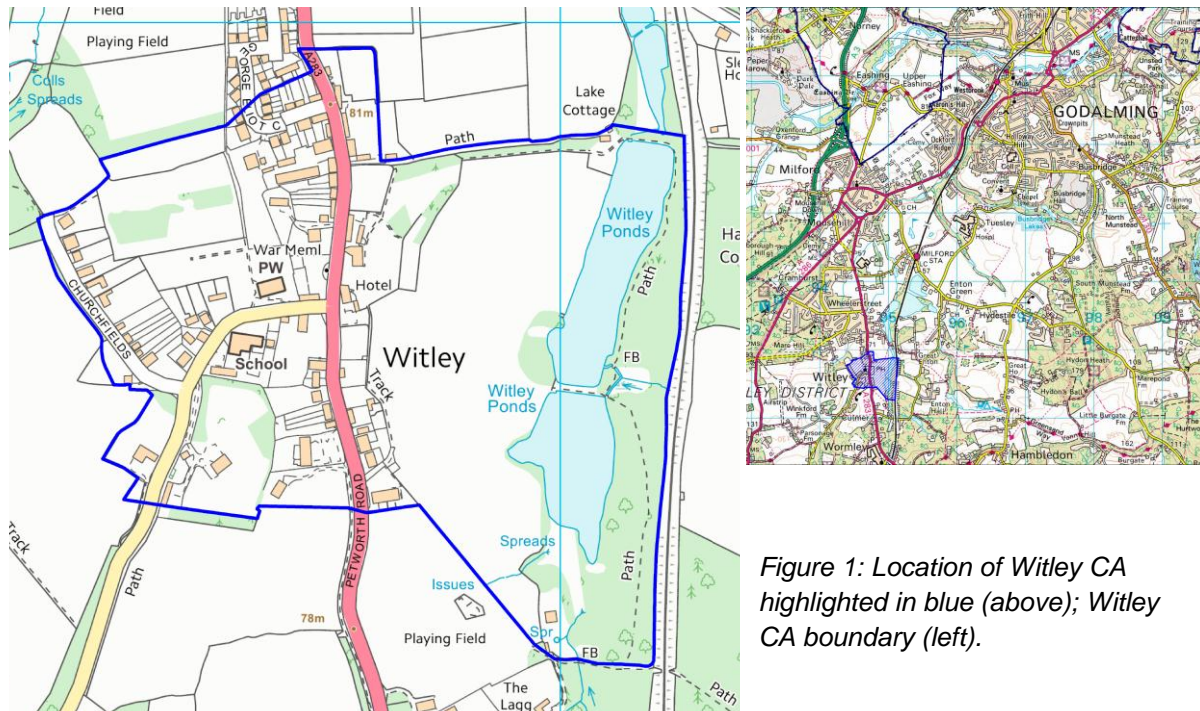


Figure 1: Location of Witley CA highlighted in blue (above); Witley CA boundary (left).

Witley CA is located within the heart of the Waverley Borough to the south-west of Godalming and north of Wormley. The village is set in the beautiful Surrey countryside within the Surrey Hills Area of Outstanding Natural Beauty (AONB) with open countryside extending to the south, west and east.

Witley CA developed along Petworth Road; the main route through from Petworth to Godalming. The core of the CA is at the junction of Petworth Road and Church Lane, where the Grade I listed building All Saints Church stands amongst the local school and Grade II listed building The White Hart Pub. To the north, a cluster of listed buildings lead up to Lashams, a mid-18<sup>th</sup> century dwelling. The enclosed 'Miltons Yard' opposite Lashams comprises the only industrial units in the CA. The eastern half of the CA is characterised by the well-maintained private grounds of Witley Manor, including Witley Ponds.

Petworth Road has a significant volume of traffic, and all properties along the road experience high traffic noise levels throughout the day. When standing at the junction of Church Lane and Churchfields, traffic noise is replaced with the noise of school children during term-time, and church bells. To the east, noise of the traffic reduces significantly towards Witley Ponds, however the train line which runs along the eastern boundary is commonly heard across the countryside.



### **3.1.1 Landscape Setting**

Witley CA is based on a Lower Greensand escarpment which runs east from Brook. To the south of the parish there is a low undulating area of Wealden Clay and to the north the Lower Greensand rises to form a distinctive ridge near Sandhills with spectacular views to the south and east. Between Thursley, Witley and Enton a band of hard sandstone, Bargate Stone, forms high ground, and is a source of local building stone<sup>4</sup>. The CA itself is relatively flat, with a steep rise up Church Lane onto a Greensand Ridge.

### **3.1.2 General Character and Plan Form**

Witley CA has a linear plan form along Petworth Road and branches up Church Lane, which towards the southern extent of the CA is an atmospheric sunken road, and Churchfields. The CA is relatively densely packed, with little public open space. The land use is mainly residential with a school, church, hotel/pub, members club and some industrial units at Miltons Yard. The dwellings along Petworth Road and much of the CA are set close to the road, with the exception of larger houses such as Witley Manor and Church Lane House which are set back and hidden behind either walls or tall trees and hedges.

Historic assessment and site visits identify that there are two main character areas in Witley CA:

1. Witley Manor and the adjacent open space  
This character area is identifiable as isolated from the rest of the CA. Large stone walls separate Witley Manor and its grounds from the rest of the village. The property was originally an agricultural holding, and the stone wall may thus reflect the requirement to keep farm animals in, and wild animals out.
2. Residential properties on, and to the west of, Petworth Road.  
The western section of Witley CA is characterised by residential properties, both on street and set back from the street.

The CA is split into 4 Architectural Character Zones in Section 3.3 which, along with the discussion on Historic Development in Section 3.2, identifies the development of the CA in further detail.

### **3.1.3 Economic profile and potential forces for change**

Waverley is generally an affluent area which has a buoyant local economy and low levels of unemployment. 96.5% of the working age population of Witley CA are economically active, and 75.9% of the population own their own homes<sup>5</sup>. Witley CA itself, as previously identified, is mainly residential. There is a small industrial/office park at Miltons Yard and a pub and members club within the CA, and thus it is likely that the majority of residents work outside of the CA.

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<sup>4</sup> E Forster (1999) 'The History of Witley, Milford and Surrounding Area from prehistoric times to 2000'

<sup>5</sup> NOMIS official labour market statistics: <https://www.nomisweb.co.uk>

Development pressure within Waverley is the main force for change for Witley CA. Two plots of land (Land west of George Eliot Close and Land west of Petworth Road) have been submitted and considered in the Strategic Housing Land Availability Assessment (SHLAA)<sup>6</sup>. 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 for future generations.

### 3.1.4 Vistas

Witley CA has a variety of vistas which are integral to the special interest of the CA. Below is a selection of the main vistas experienced by those that live, work and travel through the CA.

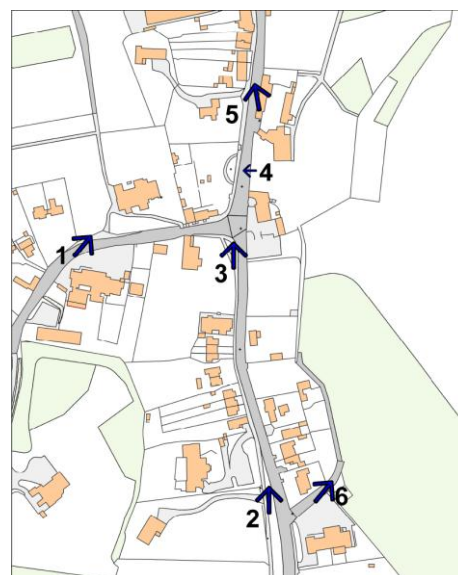


Figure 2: Plan view of vistas in Witley CA

Figure 3: Vista 1 - All Saints Church



Figure 4: Vista 2 - Looking north along Petworth Road

<sup>6</sup> Waverley Borough Council (2014) 'Strategic Housing Land Availability Assessment - 1<sup>st</sup> April 2014'; [http://www.waverley.gov.uk/downloads/download/1793/strategic\\_housing\\_land\\_availability\\_assessment\\_shlaa\\_2014](http://www.waverley.gov.uk/downloads/download/1793/strategic_housing_land_availability_assessment_shlaa_2014)



*Figure 5: Vista 3 (left) - Looking north along Petworth Road from the White Hart Pub, with views of the war memorial (Vista 4 - right), Grade II listed artisan cottages and Grade II listed Lashams*



*Figure 6: Vista 5 – Looking north towards the Artisan Cottages at northern end of Petworth Road*



*Figure 7: Vista 6: The grounds of Witley Manor which are a significant vista when coming from the south of the CA.*



### 3.2 Historic Development

The historic centre of Witley CA lies, as with the majority of settlements, with the church. All Saints Church is recorded in the Domesday Book and dates back to Saxon times. It has been extended and altered multiple times since it was first built, such as the addition of the tower and transepts in the early 13<sup>th</sup> century and the bells which were at the earliest cast in 1604<sup>7</sup>. A striking feature of the church is the beautiful Romanesque wall paintings depicting scenes such as the Last Supper. They were painted in circa 1130AD and discovered in 1889 on the south wall of the Nave, and later the west wall and in the north arcade.



*Figure 8: Wall paintings in All Saints Church, Witley*

The centre of the village subsequently built up around the church, where listed buildings Witley Manor, The White Hart Pub (thought to be a former royal hunting lodge built in the late 15<sup>th</sup> century), Church Step Cottage and Step Cottage (17<sup>th</sup> century) can be found. Opposite the church is the local infant school, which was one of the first schools in the area and has since been extended; a National School founded as a result of the first government grant to the National Society for Promoting the Education of the Poor in 1833.

As with many Surrey villages, Witley developed along a main road. It was predominantly agricultural (with involvement in the smelting and timber trades and production of woollen cloth<sup>8</sup>) until the 19<sup>th</sup> century, when a period of poor climate and harvests coupled with increasing imports adversely affected the market<sup>9</sup>. Due to the local geology, Waverley has relatively poor agricultural land and consequently, agricultural landowners owned small plots of land. These would be located in the centre of the community, with cottages of the workers nearby. In Witley, this is very much evident as Witley Manor, the original agricultural holding, is central to the village whilst artisan cottages, such as 1 and 2 Sun Cottages (where workers would also have produced woollen cloth), are located directly opposite.

As agricultural land values collapsed in the 19<sup>th</sup> century and public transport improved, development rose sharply in Witley as the newly wealthy took the opportunity to live in the country whilst working in the increasingly popular centre of London. At this time, shops opened within the village, such as a Cordwainer (shoemaker who uses Spanish leather for the Cordoba region of Spain) and the construction industry flourished due to demand for timber and charcoal. The popularity is evident in the late 19th century as artists were drawn to Witley, such as

<sup>7</sup> <http://www.allsaintswitley.org.uk/history.php>

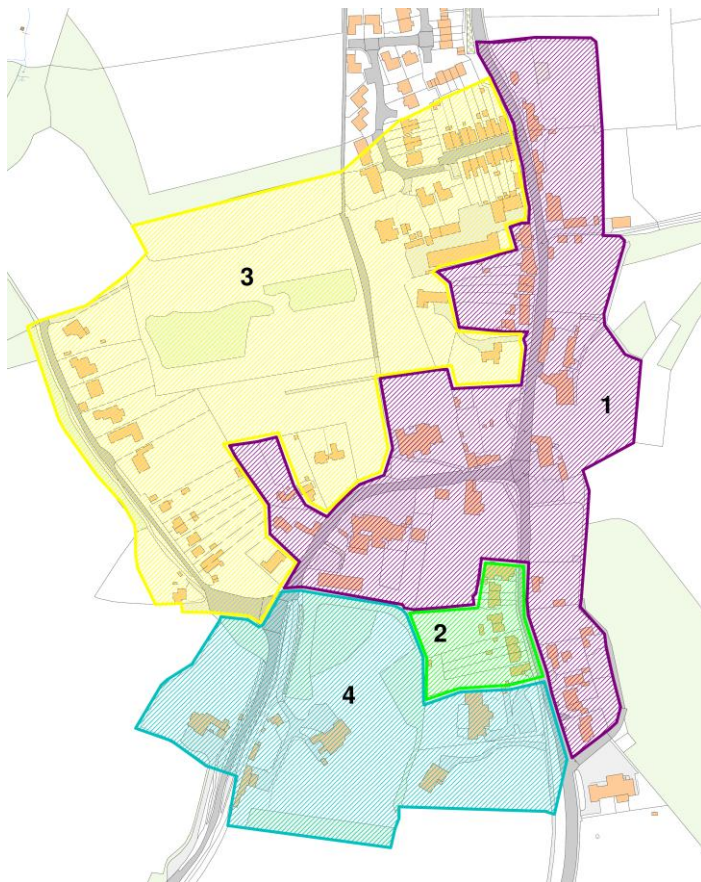
<sup>8</sup> D Pitt & M Shaw (1971) 'Surrey villages'

<sup>9</sup> D Pitt & M Shaw (1971) 'Surrey villages'

John Birket-Foster and Helen Allingham, who painted some of the original old cottages in 1884 which have since been demolished<sup>10</sup>.

During the 1970's the village lost the majority of its shops and services, finally losing its Post Office in 1990 and thus became mainly residential as it is today. Assessment of maps identifies that the development since designation has been on the northern tip of the CA at George Eliot Close and along Churchfields, as well as infill development throughout the CA.

### **3.3 Architectural Quality and Built Forms**



*Figure 9: Plan showing extent of Architectural Character Zones*

Witley CA can be divided into 4 Architectural Character Zones:

1. The historic core dating 15<sup>th</sup> – early 18<sup>th</sup> century;
2. The south-west of Petworth Road, dating late 19<sup>th</sup> century and early 20<sup>th</sup> century
3. Churchfields, Northfields, Miltons Yard and George Eliot Close on the north-west of the CA, dating 20<sup>th</sup> century onwards
4. The larger, less conspicuous properties on the southern tip of the CA.

Some properties are not included within the 'zones' as they are isolated from the main development. Chichester Hall at the south of the CA has been excluded from the Architectural

Character Zones as although it is adjacent to both zones 1 and 4, it is separated by a lane and car park and does not obviously fit in either zone.

Common themes throughout the CA are:

- tall, dominant red brick chimneys
- timber framed vernacular traditional to Surrey
- 2-3 storey dwellings
- Thick, with rounded cappings, stone walls

<sup>10</sup> E Forster (1999) 'The history of Witley, Milford and surrounding area from prehistoric times to 2000'

The materials used throughout the CA can also be identified across all areas, as all development has followed a traditional form:

- Red brick
- Clay roof tiles
- Leaded light windows
- Timber-framed and whitewashed dwellings.
- Tile hanging: fishtail, triangular, straight or rounded styles.

Analysis of the architectural and built form is described in more detail, per area, below.

### 3.3.1 The historic core of Witley CA: 15<sup>th</sup>-18<sup>th</sup> century.

#### *Period and style*



Figure 10: The White Hart Pub (15<sup>th</sup> century); Church Step Cottage and Step Cottage (16<sup>th</sup> century); Lashams (18<sup>th</sup> century)

This Architectural Character Zone is characterised by the oldest buildings within the CA, the majority ranging from 15<sup>th</sup>-18<sup>th</sup> century. All Saints Church, which has stood on site since the 7<sup>th</sup> century, is built of bargate stone and showcases the only remaining Horsham Slate roof tiles in the CA.

The White Hart Pub, built in the 15<sup>th</sup> century, has a tall, steep clay tile roof (a vestige of the original open hall layout of the pub) and, like the 16<sup>th</sup> century cottages Church Step Cottage and Step Cottage, is characterised by timber framing, whitewashed walls, with tile hanging on the first floor – typical of the local vernacular. Leaded light metal casement windows are indicative of the vernacular and the irregularity of their position demonstrates how windows and doors would reflect the needs of the dwelling and internal plan.

As a result of classically inspired architectural styles, fenestration became more uniformly positioned over time and the roofs less steep to reflect a desire to emphasise the symmetry and proportions of the vertical elements of the building. Technological advances in chimney use and design and access to slate as a roofing material supported these aesthetic desires.



Lashams is a provincial reflection of the London fashion in the 18<sup>th</sup> century; the grand appearance of the dwelling represented wealth and worldliness. In contrast to the 15<sup>th</sup> and 16<sup>th</sup> century cottages, the windows are larger and more uniformly distributed and there is a lower roof to wall ratio. The property is therefore distinctive on the streetscene and creates a point of interest.

### *Scale and height of buildings*

The buildings in this area are, with the exception of 1 and 2 Hillbrow, no greater than 2 storeys in height and have relatively low pitched roofs. The irregularity of the eaves and roof height along Petworth Road, in particular from 1 and 2 Hillbrow to Bankside creates an interesting and varied streetscape, adding special interest to the CA.

### *Street form and frontages*

Petworth Road: The dwellings on the north-western side of Petworth Road are set either fronting the street or behind stone walls with small landscaped front gardens, whereas opposite, Witley Manor is located behind a high stone wall. This creates a varied street form and highlights points of interest, such as listed buildings Sun Cottage and Lashams, but also creates a sense of enclosure along the streetscene. In contrast, properties to the south of the White Hart pub on Petworth Road are further set back from the road, with parking areas and landscaped gardens behind stone walls. Therefore, the streetscene is more open.

Church Lane: At the junction with Petworth Road, Church Lane is narrow and has a closed feel as the Vicarage, Step Cottage and Church Step Cottage abut the street. The church and school are set back from the road behind stone walls, and properties further up Church Lane are set behind relatively large landscaped gardens and trees obscure some of the buildings. The street form then opens up and becomes less enclosed towards the south-west.

### *Details*

In addition to the common themes and materials identified earlier, the main details found throughout this Architectural Character Zone are:

- Traditionally detailed roof junctions and features
- Small landscaped gardens in front of the properties
- Varied roof and eaves height; generally 2 storey – no greater than 3 storey.
- Galletting (insertion of small pebbles in the mortar-joints of rubble or brick walls) sporadically identified



*Figure 11: Photograph of the architectural technique 'galletting'*

### 3.3.2 South west of Petworth Road



*Figure 12: The dwellings influenced by the Vernacular revival movement are a strong presence on the streetscene of Petworth Road.*

#### *Period and style*

The properties within this area are inspired by the Vernacular Revival movement, built in the mid-late 19<sup>th</sup> century. The Vernacular Revival and Arts and Crafts movement were influenced by traditional architectural styles, and thus the dwellings are similar in materials and style to the older 'central' area described in zone 1. However, although the materials are similar, these dwellings and the members club are larger and

more dominant than the smaller artisan cottages and listed buildings found further north on Petworth Road.

#### *Scale and height of buildings*

The dwellings in this zone are of greater height and scale than the majority of those found in the other two zones. They are in general two storeys, with a tall, steep roof that, along with dormer windows, allows for habitable accommodation in the roofspace and indicates taller internal ceiling heights. The tall red brick chimneys, characteristic of the CA, increase the impact of these dwellings on the streetscape.

#### *Street form and frontages*

The properties between 'Ivy Cottage' and 'Lavengro' are further set back from the road than in the majority of the CA, particularly along Petworth Road. They are set behind relatively large landscaped gardens and traditional stone walls as seen throughout the CA. There is repetition of the main features on the front of properties in this zone; they are mainly symmetrical, with projecting gables to the front elevation and dormer windows. The members club at the northern end of this zone and the property 'Timbers' to the south create an enclosed feel to these properties as they both face inwards.

#### *Details*

In addition to the common themes and materials identified earlier, the main details found throughout this Architectural Character Zone are:

- The survival of historic metal and timber windows
- Symmetrical projecting gables on the front elevation
- Large landscaped gardens between the street and dwelling set behind round capped stone walls.



### 3.3.3 Churchfields, Northfields, Miltons Yard and George Eliot Close



Figure 13: (from left to right) Miltons Yard, Churchfields, and Northfields

#### *Period and style*

This area is characterised by late 19<sup>th</sup> century and 20<sup>th</sup> century buildings. Northfields was first developed at the turn of the century, whereas Churchfields and Miltons Yard were predominantly built about the time that the CA was designated. George Eliot Close has been added after the area was designated.

#### *Scale and height of buildings*

Miltons Yard, the only industrial/office units within the CA, is comprised of single storey red brick buildings built in the mid-20<sup>th</sup> century. They are unimposing, and are not typical of, or sympathetic to, the special interest of the CA.

Northfields and Churchfields are, in contrast, sympathetic to the special interest of the CA. The dwellings on Northfields are terraced and, with the exception of 15 Northfields, no greater than 2 storey in height, with a slight upward gradient away from Petworth Road. Churchfields, in contrast, has 2 storey red brick detached dwellings.

George Eliot Close is the most modern development, typically 2 storey in height but larger and more imposing semi-detached and detached dwellings than found in the rest of the CA. Only a small portion of the close is within the CA and, as detailed in Section 3.9, it is proposed that the close be taken out of the CA as it does not add to the special interest of the CA.

#### *Street form and frontages*

Churchfields is a narrow lane with dwellings on the eastern side. The properties are set back from the road, with off street parking and landscaped front gardens forming the streetscene.

The terraced properties at Northfield, in contrast, are directly on the street, and the properties towards Petworth Road have steps up from the street level to front doors and stone walls between the properties and street. George Eliot Close forms a more modern streetscene which is open with little formal landscaping, however grass

verges provide some respite to the built form. The streetscene is dominated by parking which is located in front of each property.

### Details

The main details common throughout this Architectural Character Zone are:

- Northfields: red brick walls, slate tile roofs, red brick dominant chimneys, set back white timber windows and doors; stone walls; western half of Northfields characterised by bay windows.
- Churchfields: landscaped front gardens, off street parking, tall roofs, white framed modern windows, tile hanging and red brick walls.
- George Eliot Close: a mix of traditional materials and styles modernised to fit within streetscene of the Close. The Close is inward looking and has little relationship with the wider CA.

### 3.3.4 The southern tip of the CA

The properties identified within this area are all characterised by the following:

- Large properties set within large grounds
- Obscured from the main streetscene by trees and careful landscaping
- Late 19<sup>th</sup> century, early 20<sup>th</sup> century properties.

Although these properties are not directly visible from the streetscene, they are significant within the CA as their presence and landscaping (i.e. heavily sylvan) provides an integral rural backdrop to the CA.

### 3.4 Listed Buildings and Heritage Features



Figure 14: Plan of Witley CA showing location of listed buildings and heritage features.

### 3.4.1 Listed Buildings

There are 25 statutory listed buildings in the CA:

#### *Grade I*

- All Saints Church, Church Lane, Witley

#### *Grade II\* - none*

#### *Grade II*

- Walled Garden to North of Manor House, Petworth Road, Witley
- Lashams, Petworth Road, Witley
- 1 & 2 Sun Cottage, Petworth Road, Witley
- 1 Hillbrow, Petworth Road, Witley
- 4 properties in terrace including The Donkey Door Antique Shop, Petworth Road, Witley
- Bank Cottage, Bankside and Ivy Cottage, Petworth Road, Witley
- Barn on roadside north of Witley Manor, Petworth Road, Witley
- Witley Manor, Petworth Road, Witley
- White Hart Hotel, Petworth Road, Witley
- The Old Cottage & Step Cottage, Church Lane, Witley
- Tomb to John Leech, Church Lane, Witley
- Old Barn Cottage, Church Lane, Witley
- By-The-Way, Petworth Road, Witley
- Old Cottage, Cobbles & April Cottage, Petworth Road, Witley
- Well Cottage, Culmer Lane, Witley

### 3.4.2 Buildings of Local Merit (BLM's)

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 BLM's within Witley CA, though some buildings identified as 'Positive Contributors' may in the future be assessed for local designation.

### 3.4.3 Heritage Features

In 1986, Waverley Borough Council produced a list of heritage features in Waverley<sup>11</sup>. The list covers natural landmarks, archaeological sites, historic structures, historic trees, roads, trackways and gardens. The purpose of the list was to identify features which were a significant and valuable part of the character and history of the Borough, but for the most part were not protected by legislation. The intention was that by recording them there would be more awareness of the value of preserving them.

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<sup>11</sup> Waverley Borough Council (1986) 'Heritage Features in Waverley' (4 volumes)

List of heritage features:

- War Memorial – semi-circular paved area with flower beds on west side of the main road, north of Church Lane junction.
- 1913 OS map shows milestone in Witley Village to south of Church Lane, embedded in front wall of a cottage called Ivyside. Completes the set of milestones on this road, as all others survive from Milford to the Sussex boundary.
- A Jekyll garden designed 1895 at The Vicarage, Church Lane
- Witley Ponds – created as fishponds by John Chandler in the 18<sup>th</sup> century.
- An old pre-turnpike road traced from behind Chichester Hall. Part of an old coach road which continues to Hambleton.



*Figure 15: The milestone embedded in the front wall of Ivyside.*

Additionally, All Saints Church and the surrounding graveyard is a Site of Archaeological Interest.

All listed buildings are available to view in detail on Waverley Borough Council's mapping system as well as the "National Heritage List for England"<sup>12</sup>.

### **3.5 Heritage at Risk**

There are no buildings within the CA on the Waverley BC & English Heritage "Heritage at Risk Register"<sup>13</sup>.

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.

<sup>12</sup> <http://list.english-heritage.org.uk/>

<sup>13</sup> <http://www.english-heritage.org.uk/caring/heritage-at-risk/>



### **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:



*Figure 16: Witley Lodge, Churchfields*

- Properties identified in Architectural Character Zone 2, as influenced by the Vernacular Revival (Figure 6): These buildings positively contribute to the CA due to their grand and dominant style; they are particularly memorable when entering or leaving the CA from the south.
- Witley Lodge, Churchfields: This property is unique within the CA, and is a key feature of Churchfields. The

stone work, parapets and projecting front gable create an interesting plan and focal point on the road.

### **3.7 Open Spaces and Streetscape**

#### **3.7.1 Open spaces**

The two most notable areas of open space within the CA are to the rear of All Saints Cemetery and Churchfields, and the grounds of Witley Manor which encompass Witley Ponds.

- 1) The area of land to the rear of All Saints Church and Churchfields is currently used as a tree nursery and scrubland. This land is privately owned, and is only viewable from the CA along a footpath which is accessed from George Eliot Close at one end, and All Saints Church at the other.
- 2) The grounds of Witley Manor are also privately owned, and comprise almost half the CA. The grounds are accessed by foot from both the south and north and the area offers an attractive walk alongside Witley Ponds (originally fishponds created by John Chandler in the 18<sup>th</sup> century.)

This land would originally have been agricultural, however it is now carefully landscaped and maintained and provides an attractive vista when looking towards Witley CA from the south. The land is otherwise obscured from most viewpoints by trees.

Within the heart of the village, the public space is limited to a small area of grass opposite the White Hart, a plot of land to the south of the White Hart and the memorial on Petworth Road. Surrounding the memorial are carefully planted flower

beds, and to the north there is a public bench servicing the bus stop. This represents the area most likely to be used on a regular basis by local residents and visitors, and it is suggested that public realm enhancement schemes focus on this area.

Thick stone walls attractively, but visibly, separate the public and private realms within the CA. This, importantly, helps to ensure there is a clear distinction and understanding of the difference between public and private space.

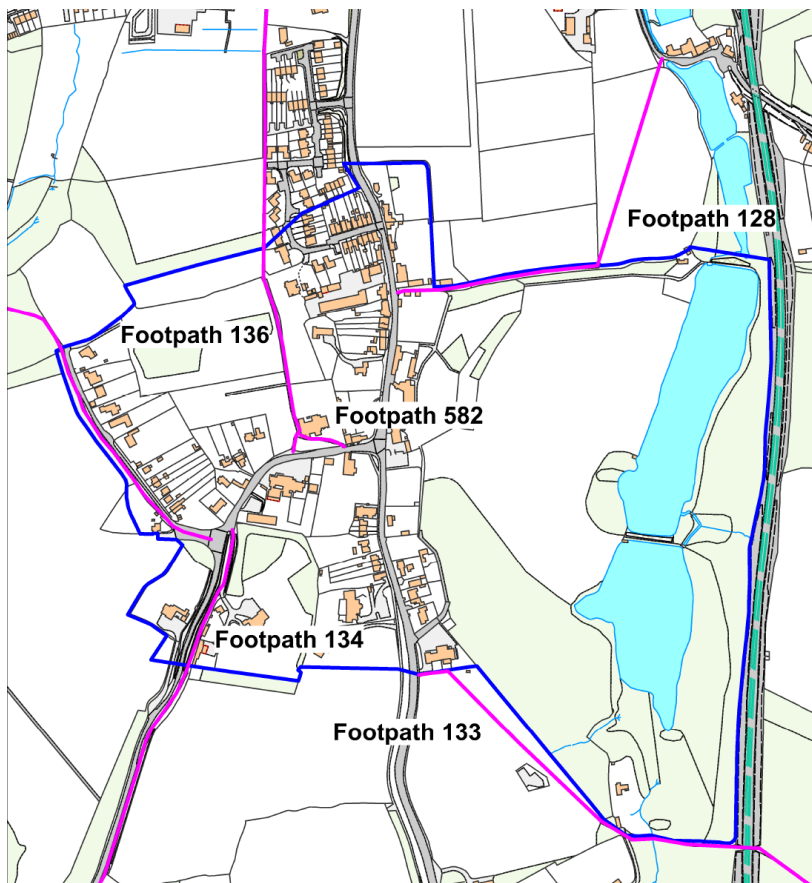


Figure 17: Location of footpaths within Witley CA

There are five main Public Rights of Way within Witley CA, identified on Figure 17. These link the Conservation Area with the surrounding open landscape, providing interesting and scenic walks to residents of the CA and are often used by local walking groups. In addition, Footpath 133 runs along the southern boundary, just to the south of the conservation area. From this footpath there are beautiful views of the open and maintained landscape of Witley Manor.

### 3.7.2 Streetscape

There is no definable commercial area within the CA and the streetscape is mainly residential; properties are either fronting directly onto the street or set back, separated from the pavement by thick round topped stone walls. On the eastern side, the majority of Witley Manor is hidden behind tall stone walls or timber outbuildings. The White Hart Pub uses advertising boards on the land adjacent to and directly opposite it, and the only other noticeable signage through Petworth Road is at the

members club (Fosters 1883 Club). A traditional telephone box is located at the southern end of the CA and it is considered not to be obtrusive to the streetscene.

A notable historic streetlamp remains in the churchyard of All Saints Church, and it should be endeavoured to retain this lamp. In general, however, there is relatively inconspicuous and generic street lighting common to the County, which is consistent throughout CA which has been recently installed and the streetscape is, overall, uncluttered within the CA.

High volumes of traffic is a significant feature of the Petworth Road streetscape, and the fast moving vehicles present danger to pedestrians within the CA looking to cross the Road for facilities or footpaths. Additionally, there is little parking availability within Witley CA, and thus the streetscape of Church Lane can become cluttered with parked vehicles.



*Figure 18: Historic streetlamp found in the cemetery of All Saints Church which should be preserved*

### **3.8 Assessment of Condition**

Overall: Good Condition

The listed buildings, heritage assets and other buildings within the CA are all in good condition and appear to be well maintained, which reflects on the character of the CA. Although Miltons Yard is unsympathetic to the special interest of the CA, because it is set back from Petworth Road it does not have a significant detrimental effect on the character of the CA.

The following issues have been identified within the CA:

- Heavy traffic through Petworth Road loud and a cause of danger to pedestrians
- Minimal parking throughout the CA
- Quality of road surface at entrance to Churchfields and Northfields is poor.
- Improvements to small areas of public realm (land near bus shelter on Petworth Road, and land between George Eliot Close and Northfields) would enhance the streetscape and character of the CA.

### 3.9 Identifying the Boundary

The following changes are identified for the boundary of Witley CA. They, in the main, respond to changes in property boundaries and development since designation of the CA.

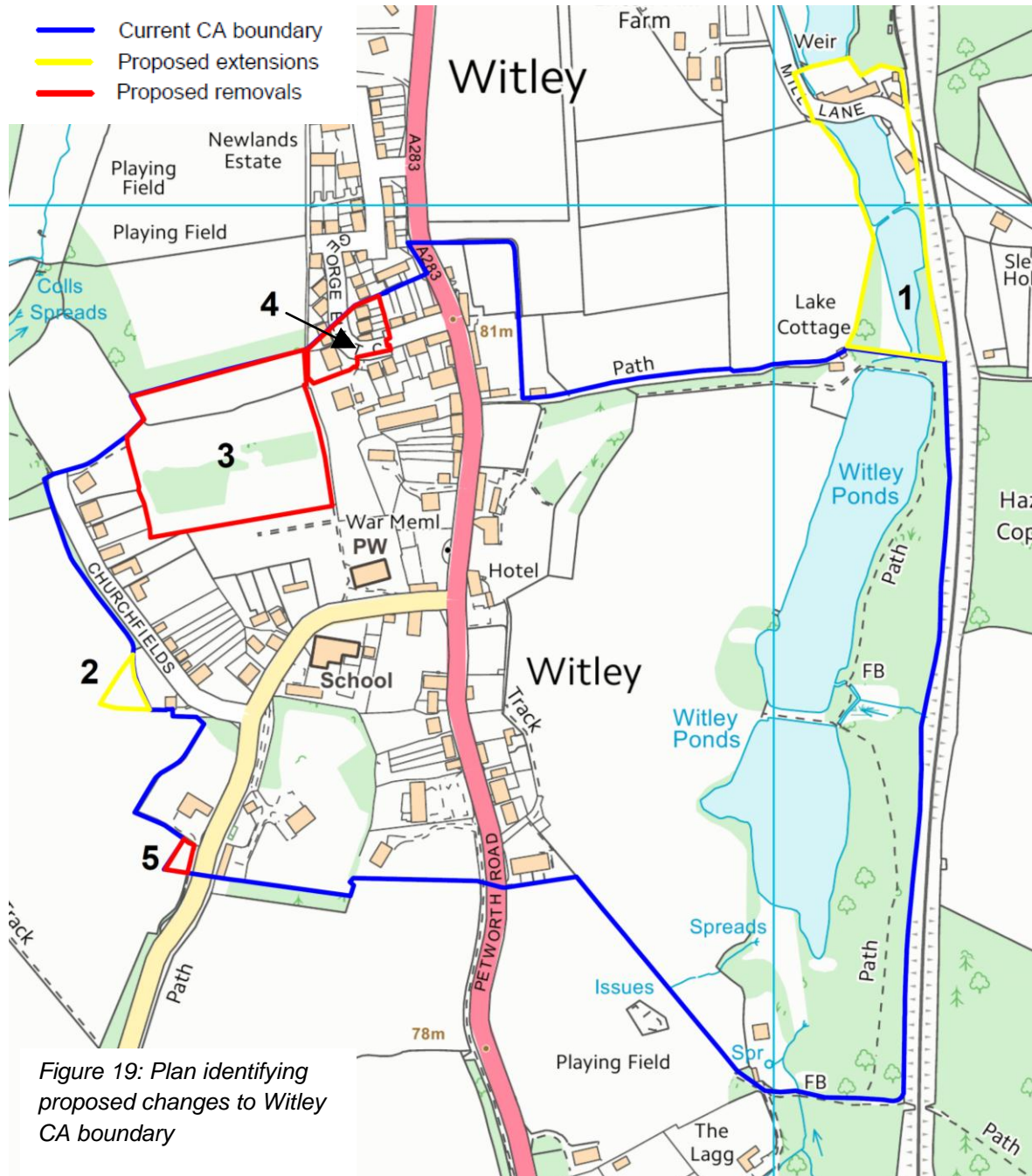


Figure 19: Plan identifying proposed changes to Witley CA boundary

#### 1. Addition: Enton Mill, the surrounding properties and northern Witley Ponds

The land proposed for inclusion at the north-east of the Conservation Area includes two small ponds and the properties Enton Mill and Enton Mill West (Grade II listed buildings), Millers Cottage, Enton Mill Cottage, Cobury Cottage and Enton Mill Lodge. These properties and the ponds have strong links to the main settlement. A



public footpath connects the properties to the northern boundary of the CA, ending at Lashams, and the ponds are fed by Witley Ponds to the south.



*Figure 20: Top left: Enton Mill; Top right: Ponds proposed for inclusion in CA; Bottom left: Cobury Cottage and the disguised railway line behind; Bottom right: example of the architectural significance, eyebrow dormer, timber frames and brick nogging.*

The properties in this area reflect a wide range of architectural detailing styles which are typical of the Surrey vernacular. Traditional tile hanging, timber framing, brick nogging, leaded light windows, tall red brick chimneys and galletting all add to the character of the lane. Additionally, the vestiges of the historical use of the mill found in the materials such as the weather-boarding, and the varied roof heights and detailing, such as an eyebrow dormer on Enton Mill, provide particular interest and beauty to the area.

The group of properties are surrounded by trees and to the south of Enton Mill and west of Enton Mill Lodge are two ponds which create a particularly scenic vista. Traditional wooden fences along the road, which is also a bridleway, add to the attractive character of this group of properties.

The boundary has been defined close to the ponds and the buildings, linking into the existing CA boundary. Consideration was given to extending the boundary towards Petworth Road, however this would take in a significant amount of farmland/fields which has no visible historic connection to the existing CA and could undermine the integrity of the existing CA. Additionally the larger proposal would not follow the guidance recommended by English Heritage<sup>14</sup>.

<sup>14</sup> English Heritage (2011) *Understanding Place: Conservation Area Designation, Appraisal and Management*.

## **2. Addition: Garden of Witley Lodge**

The existing CA boundary dissects the garden of Witley Lodge. Therefore, for consistency and ensure there is no confusion with regards to the protection status of the Lodge, the full garden is proposed to be included within the CA.

## **3. Removal: Tree nursery to rear of Churchfields and All Saints Church**

This piece of land east of Churchfields and west of George Eliot Close is currently used as a tree plantation has been recommended for removal from the CA. The land has no clear historic links to buildings within the CA and is not deemed to significantly contribute to the character of the wider CA. English Heritage guidance<sup>15</sup> is clear that CA designation is not an appropriate means of protecting the wider landscape, and thus land should not be designated to deter development.

## **4. Removal: George Eliot Close**

George Eliot Close was developed shortly after the designation of the Conservation Area, and as such the boundary dissects the close and in particular 22 George Eliot Close. With regards to George Eliot Close, the CAA assesses whether the CA boundary should be fully inclusive or exclusive. The properties on George Eliot Close do not add special historic or architectural interest, as the Close is relatively modern and the detailing is not consistent with that of the CA. additionally, the Close is inward facing and has little relationship with the wider CA. It is thus recommended that George Eliot Close should be removed.

## **5. Removal: South-west corner of CA on Church Lane**

The south-west corner of the CA on Church Lane is identified for removal to tidy the boundary so it is consistent with property boundaries. The land to be removed consists of the corner of a field to the rear of Puck Hill which is not viewable from the sunken lane.

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<sup>15</sup> English Heritage (2011) Understanding Place: Conservation Area Designation, Appraisal and Management.

## **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. Witley has a number of potential residential development sites identified within the Strategic Housing Land Availability Assessment (April 2014, SHLAA). Three sites promoted within the document are either adjacent to the CA boundary or in close proximity. If these sites were to come forward in the future, it would be expected that due regard is paid to this document.

Within the Conservation Area itself, there is limited opportunity for additional development (beyond the extensions and alterations to existing buildings). It is expected that where consent or planning permission is necessary, the CAA 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 designated heritage assets. Waverley has set up a project to identify, review and adopt additional BLM's. This is a community led project which includes a consultation process with owners and local amenity societies. The Parish Council take the lead on the project with support given by Waverley.

#### **Recommendation:**

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

#### **4.3 Heritage at Risk**

The character of Witley 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 made every two years and the next one is due in 2015. It is important to ensure that outstanding design is identified and promoted especially when it preserves and enhances the CA.

**Recommendation:**

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

## **4.5 Enhancement Schemes**

### **4.5.1 Poorly maintained private land**

Poorly maintained private land can significantly undermine the quality of the environment and there are small pockets in the CA where this appears to be a problem.

**Recommendation:**

Work with landowners to come to a suitable solution to improve badly maintained properties. In certain circumstances the Planning Enforcement Team at Waverley BC may take appropriate action for example Section 215 notices.

### **4.5.2 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 which 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 Conservation Area Appraisal 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.

### 4.5.3 Traffic management

Petworth Road, as a main route to and from Godalming, experiences high traffic volume, often at relatively high speed. The speed of vehicles, coupled with the bends in the road, can be dangerous for pedestrians crossing.

Church Lane is a relatively narrow lane which often has cars parked on either side, especially at school pick-up and for church services. Although parked cars help to reduce the speed of vehicles, there is still a danger to school-children and local residents from vehicles travelling up the lane at speed.

## Recommendation

It is recommended that Surrey County Council assess the current situation and consider whether appropriate traffic calming measures are necessary.

### 4.5.4 Improved signage for footpath at Churchfields

The public footpath which runs adjacent to Churchfields, starting at the gravelled driveway to Witley Lodge, is poorly signposted and inconspicuous from the entrance to Churchfields. As such, desire lines have been forged across the verge where pedestrians join the footpath.



*Figure 21: The footpath adjacent to Churchfields is poorly signposted.*

## Recommendation

Improved quality, positioning and visibility of the current footpath sign and placement of a small bollard next to the footpath with a Surrey County Council directional arrow.

### 4.5.5 Improve the road surface at Northfields

The road surface at Northfields is in poor condition, as shown in Figure 22. Once ownership of the road has been determined, Waverley Borough Council will help to support the owner to improve the road surface and thus enhance the character of the CA.



*Figure 22: Road surface at Northfields*



#### **4.5.6 Improve the road surface at the entrance to Churchfields**

The entrance to Churchfields is used as both parking and public highway, and has significantly deteriorated, as seen in Figure 23. Although the road may be seen as rustic in appearance, it is dangerous and aesthetically poor. The aspiration is to improve the area using hard surfaces and appropriate landscaping to give wider benefit to the CA.



*Figure 23: Road surface at Churchfields*

#### **4.5.7 Improve surface of path through cemetery**

The path through the cemetery of All Saints Church is damaged by tree roots and presents a potential hazard to pedestrians using the public footpath. Thus repair and maintenance of the footpath is recommended.

#### **4.5.8 Management of vegetation along Public Rights of Ways**

To encourage use of the footpaths throughout the conservation area, it is recommended that there is management of the footpaths and surrounding vegetation to ensure that they do not become overgrown.

#### **4.5.9 Improve the transition between Northfields and George Eliot Close**

The bollards and hard standing area which separate George Eliot Close to Northfields is unsightly and could be improved. It is thus recommended that landscaping and aesthetic improvements to this public space be considered to sympathise with and enhance the character of the CA.

#### **4.5.10 Re-landscape land near bus shelter on Petworth Road and consider re-location of bus shelter**

The land to the south of the bus shelter on Petworth Road has been identified as an environmental enhancement scheme. There is currently the base of a tree trunk under a mound of untidy earth and a new public bench on the site. This area has been identified for re-landscaping, with further consideration on whether the bus shelter could be relocated into this area, away from the main pavement.

### **4.6 Taking the CAA forward**

It is recognised that the CAA be a living document that informs the consideration of planning 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 Witley 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**

#### **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.

## 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.

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 pebbles 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.

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 buildings or permanent structures (e.g. walls) within its curtilage. English Heritage 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.

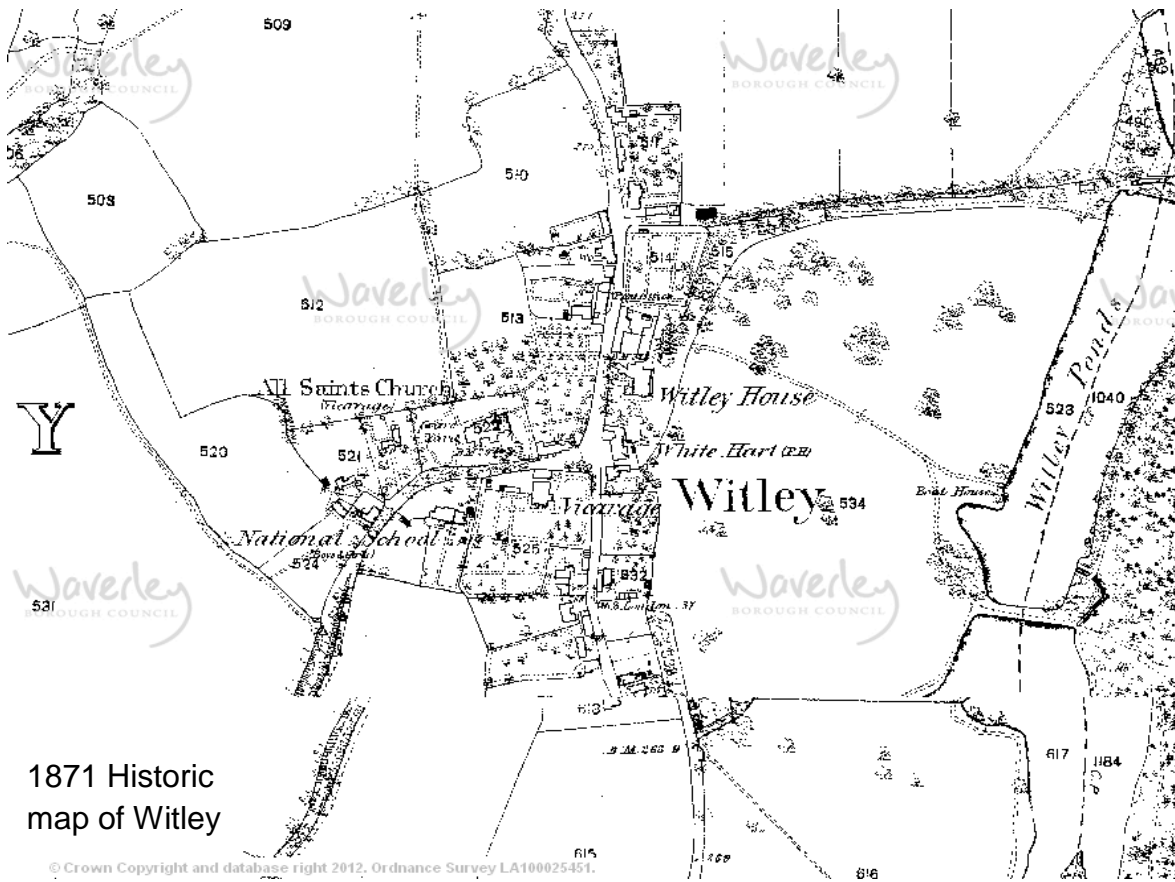
Strategic Housing Land Availability Assessment (SHLAA):

The SHLAA identifies a future supply of land which is suitable, available and achievable for housing uses over the plan period covered by the Local Plan. The SHLAA only identifies sites. It does not allocate sites to be developed (this is the role of the Local Plan). The identification of sites within the SHLAA does not imply that the Council would necessarily grant planning permission for residential (or other) development.

Vernacular:

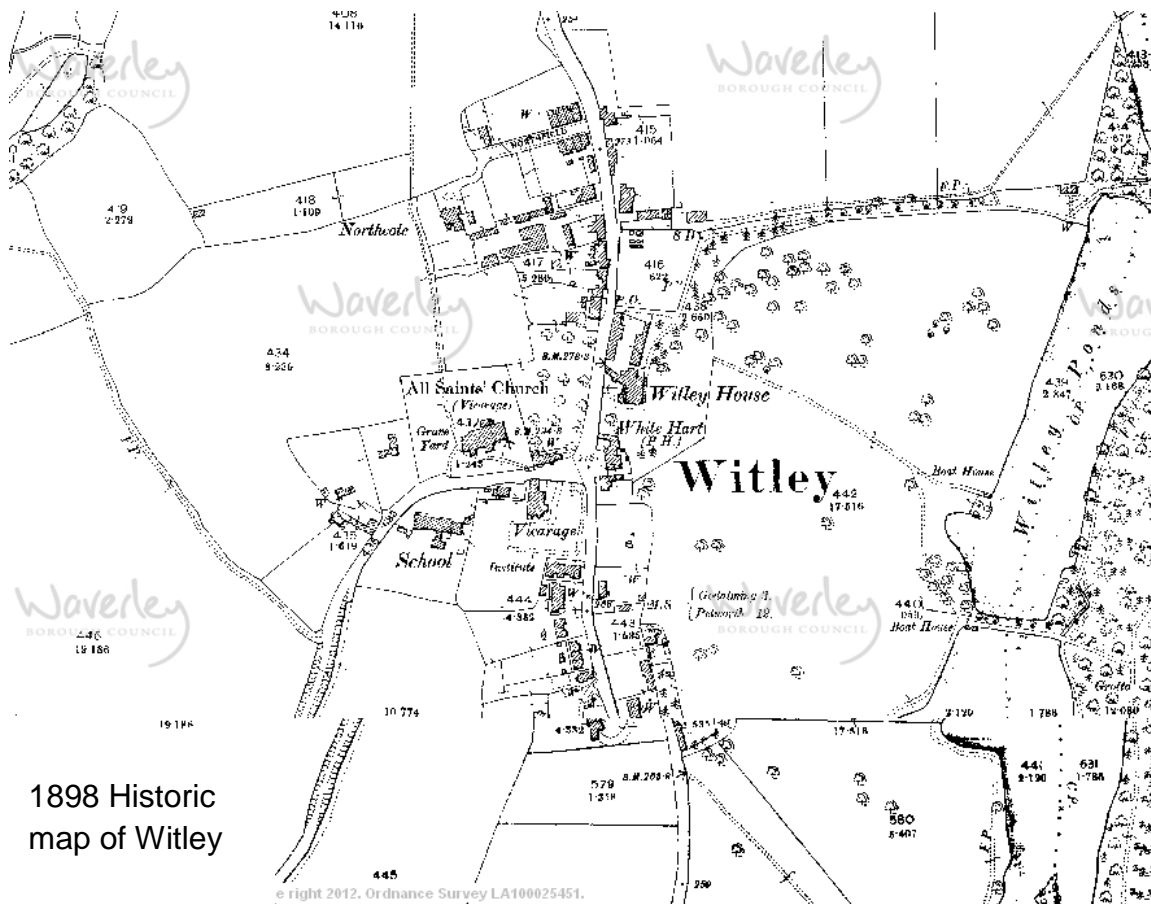
Traditional architecture using local materials and following well-tried forms and types. For example, the Surrey vernacular is typified by timber frames and tile hanging.

### Appendix 3 - Historical Maps



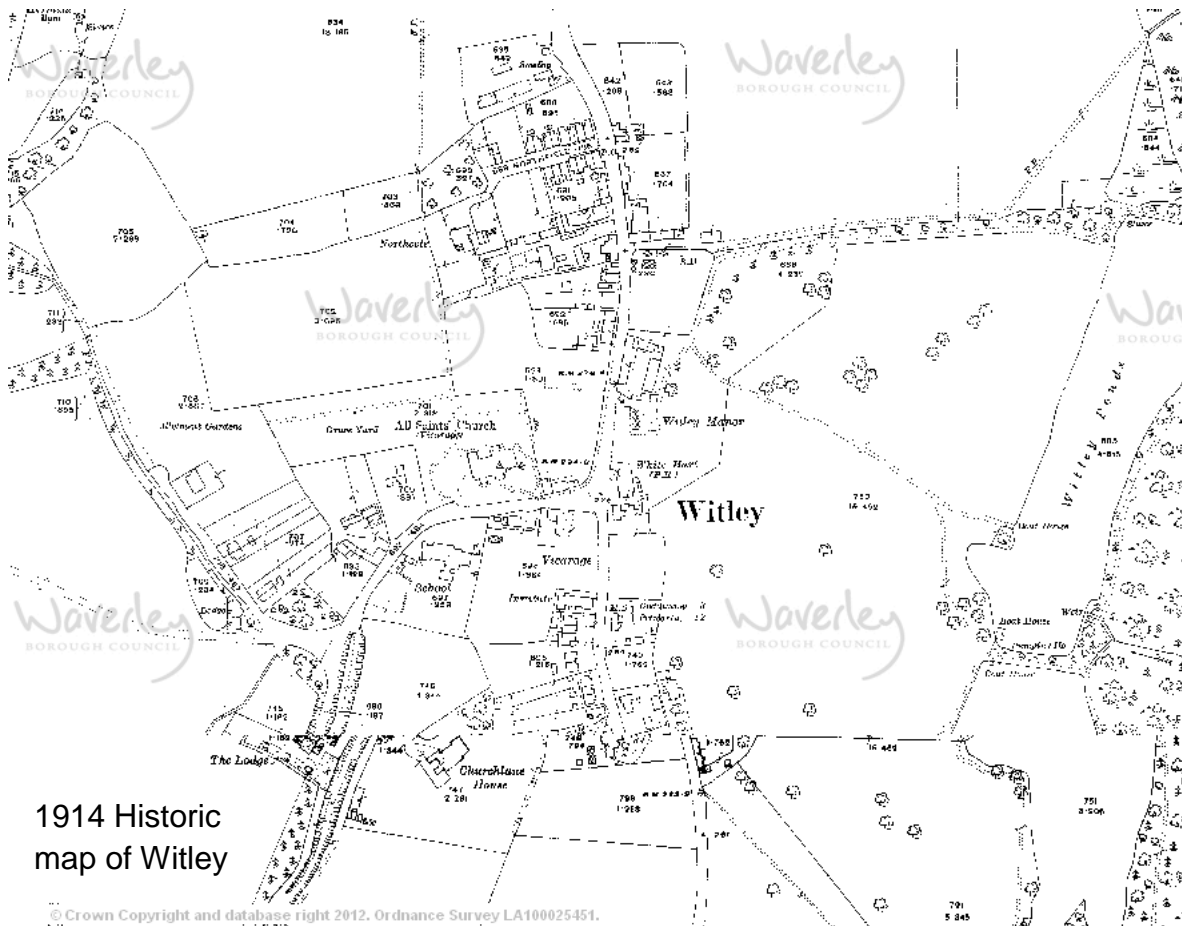
1871 Historic map of Witley

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1898 Historic map of Witley

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1914 Historic map of Witley

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Latest edition of OS map

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# **Godalming Crownpits Conservation Area Appraisal and Management Plan**

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# **PART 1 – Godalming Crownpits 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”<sup>1</sup>. Designation of a CA applies to 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-relation of these together to form a unique character. The management plan will use the information gathered in the CAA to identify and implement enhancement schemes to preserve and enhance the CA.

The final document will inform positive management of the CA and will be adopted by the Council as a material consideration to be used in the determination of any application for planning permission and listed building consent within the CA. It will 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 (1) 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.”*

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<sup>1</sup> Planning (Listed Buildings and Conservation Area) Act 1990



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 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 English Heritage’s guidance “Understanding Place: Conservation Area Designation, Appraisal and Management” (March 2011)<sup>2</sup>. English Heritage 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 Waverley’s mapping system. 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 22 October 2014 with Local Councillors to identify enhancement schemes and gain feedback on the CAA, with any comments made incorporated.

A 6 week consultation will be undertaken to seek residents’ views. Key stakeholders (including English Heritage and the Parish Council) will also be included. Responses to the consultation will be reviewed and where necessary the document updated.

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<sup>2</sup> <http://www.english-heritage.org.uk/publications/understanding-place-conservation-area>

## **1.6 Summary of Godalming Crownpits Conservation Area**

Date of designation	17 April 1984
Location	Easting (x) 497,498.37m; Northing (y) 143,260.66m
Current Size	4.36 ha
Changes to Boundary	No
General Condition	Good
Listed Buildings	12 - Grade II
Positive Factors	Central recreation ground; traditional building materials
Negative Factors	Heavy traffic; minimal parking;

## 2. Defining the Special Interest

English Heritage 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”<sup>3</sup>.

### 2.1 Summary of the Special Interest

The following provides a summary of the special interest of Godalming Crownpits CA:

Heritage	12 listed buildings and 3 heritage features
Form	Linear: a result of development along Brighton Road
Notable buildings	Weavers Cottage & Well Cottage; The Busbridge Institute;
Character areas	Due to linear form and infill development through time, no easily divisible character areas.
Main Architectural Features	Tile hanging; red brick; timber framing and whitewash walls; Bargate stone; creative Victorian stone laying; leaded lights; traditionally detailed roof junctions; stone walls adjacent to street
Vistas	Looking south and north along Brighton Road from the Recreation Ground; the views from the northerly and southerly extent of the CA along Brighton Road.

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<sup>3</sup> <http://www.english-heritage.org.uk/publications/understanding-place-conservation-area/>

### 3. Assessing the Special Interest

#### 3.1 Location and Setting

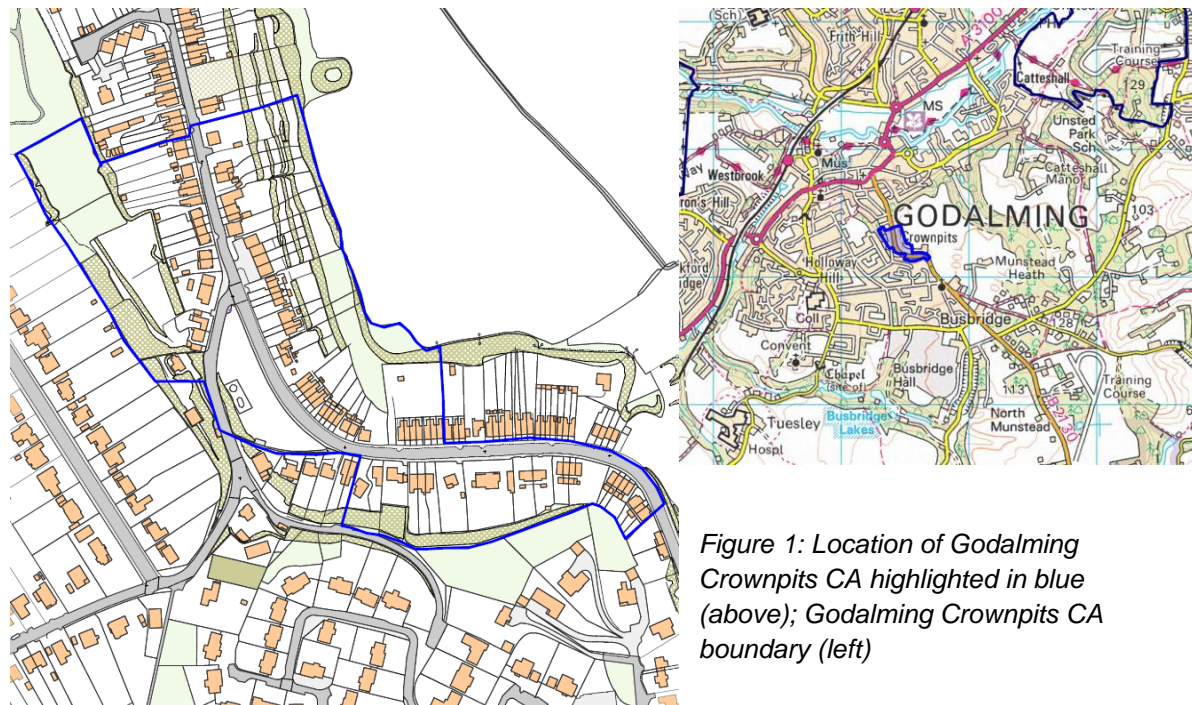


Figure 1: Location of Godalming Crownpits CA highlighted in blue (above); Godalming Crownpits CA boundary (left)

Godalming Crownpits CA is located half a mile south-east of Godalming Town Centre, on the main road from Godalming to Horsham. The CA developed in a linear form along Brighton Road; a triangular green and play area overlooked by listed buildings (The Busbridge Institute and 107-111 Brighton Road) could be identified as a centre of the CA.

The CA is set in a wooded valley, to the east of which is former Bargate stone quarries and sand pits. As one of Godalming's older industries, the quarries would have provided a large proportion of the building materials for the CA, until the transport revolution in the early 19<sup>th</sup> century enabled the delivery and use of 'foreign' materials.

Due to the location of the CA along Brighton Road, all properties experience a high volume of traffic throughout the day; traffic-calming measures have been introduced to reduce traffic speed, however traffic noise remains a noticeable concern to the CA.

##### 3.1.1 Landscape Setting

The geology of Godalming Crownpits CA is Lower Greensand with punctuations of Bargate Stone. The settlement is located above Godalming, and is situated in a valley with steep wooded valley walls to the east and west, up which Crownpits Lane winds.

### 3.1.2 General Character and Plan Form

Godalming Crownpits CA developed linearly along Brighton Road and historically the land use, and thus underlying character of the area, is residential, with the exception of a tailor on Brighton Road. The curve of Brighton Road through the CA, the slope of the green and its setting in the wooded valley all contribute to the charm of the area. This, alongside the listed buildings and the local 19<sup>th</sup> century Bargate stone cottages to the north and east of the triangular green, give the area a distinctive character that is important to preserve.

### 3.1.3 Economic profile and potential forces for change

Within Godalming Crownpits CA, 77% of the population own their own property and 97% of the working age population are employed or self-employed<sup>4</sup>. This reflects the majority of Waverley, which is an affluent area with a buoyant local economy.

The land use is residential and, therefore, there is little income generated within the CA, with the exception of a tailor on Brighton Road. Infill development within the CA is not a primary concern as the CA is relatively densely packed along Brighton Road, and the steep topography does not lend itself to development to the rear of the existing properties.

### 3.1.4 Vistas

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



Figure 2: Plan view of vistas in Godalming Crownpits CA

Figure 3: Vista 1 - View south along Brighton Road from Crownpits Lane; the CA is surrounded by wooded valley walls.

<sup>4</sup> NOMIS official labour market statistics: <https://www.nomisweb.co.uk>





*Figure 4: Vista 2 - Recreation Ground at the centre of Godalming Crownpits CA.*



*Figure 5: Vista 3 - View north across the recreation ground with notable building, the Busbridge Institute.*



*Figure 6: Vista 4 (top left), 5 (top right) and 6 (left): Photographs taken progressively along Brighton Road demonstrates the funnel effect and linear form of the properties through the CA*

### **3.2 Historic Development**

Crownpits, which has historically been referred to as Crompett in 1548 and Crumpotes in 1614<sup>5</sup>, originally developed along Brighton Road in close proximity to, but as an independent hamlet from, Godalming. The CA is directly adjacent to stone pits and quarries, where building materials for the local area would have been sourced. This proximity to the main town and the stone pits and quarries, is most likely the reason that Crownpits developed where it did, due to a high demand for housing locally.

Assessment of historic maps demonstrates that development principally extended from north to south along Brighton Road. Well Cottage and Weavers Cottage are the oldest dwellings within the CA, characterised by the traditional Surrey vernacular, though the majority of development occurred in the 19<sup>th</sup> century after the transport revolution. There are therefore strong influences from the Domestic Revival, Arts and Crafts movement and the move towards more creative architecture in the late 19<sup>th</sup> century (as seen at 105 Brighton Road.)



*Figure 7: 107 & 109 Brighton Road 2014 (left) and in 1984 at the time of designation (right). Comparisons show increasing personalisation and planting of the front gardens which obscures the front of the properties; the loss of the traditional stone wall in front of 107 Brighton Road emphasises the importance of preserving details such as these within the CA.*

The CA is, and has historically been, residential, although records and historic maps show there were two pubs, The Three Crowns and The Queens Head, and a post office until the late 20<sup>th</sup> century; these would have served those travelling south from Godalming. In 1886, the Busbridge Institute was presented to the Parish for use by the Busbridge Cricket Club and Men’s Club “for the promotion of friendly intercourse among its members, to promote Newspapers to inform, games to amuse, and books to interest”<sup>6</sup>. However, The Busbridge Institute, together with The Three Crowns and The Queens Head, has since been converted into housing.

A key feature in the CA is the recreation ground and play park. It was the first land to be owned by the council as a public ground, specifically for the use of the local

<sup>5</sup> University of Surrey (1985) ‘Local History of Godalming’

<sup>6</sup> University of Surrey (1985) ‘Local History of Godalming’



children of Busbridge Parish<sup>7</sup>. The recreation ground was originally unfenced and had basic play equipment, however, over the years it has been modernised; new equipment was installed in 2014, and fences around the play area and along the boundary with Brighton Road, have been erected to provide a safe area of play.

### **3.3 Architectural Quality and Built Forms**

#### **3.3.1 Period and style**

Godalming Crownpits CA developed primarily between the 17<sup>th</sup> and 20<sup>th</sup> century; the majority of development occurred in the 19<sup>th</sup> century. This is evident from the variety of architectural styles seen throughout the CA.



*Figure 8: Creative stonework typical of late Victorian architects.*

The oldest buildings in the CA, Well Cottage and Weavers Cottage, were built in the early 17<sup>th</sup> century, and are typical of the style and character of that time. The irregular timber-framing, with windows and tall, steep roofs are traditional to the Surrey vernacular.

Wisteria Cottage and 66-68 Brighton Road at the northern tip of the CA are examples of early 19<sup>th</sup> century dwellings, which are common throughout the CA.

The regularity and symmetry of the fenestration is demonstrative of the classical influences that remained common at that time. Later in the 19<sup>th</sup> century, Victorian architects desired to be more creative and artistic. This is evident within Godalming Crownpits CA in the form of irregular, creatively placed stone work on the walls of many properties (for example 105 Brighton Road).

Further north, 86-88 and 78-84 Brighton Road are examples of dwellings influenced by the Domestic Revival and Arts and Crafts movements of the late 19<sup>th</sup> century. These properties are larger and more dominant on the streetscene than the 17<sup>th</sup> century cottages. The elevations have greater symmetry, and the materials used and plan form of the properties were influenced by traditional rural dwellings.



*Figure 9: 86-88 Brighton Road; example of properties influenced by the Domestic Revival.*

<sup>7</sup> Notes on Crownpits from Godalming Museum



Towards the south of the CA, on the east side of Brighton Road, the terraced properties are built in a style which is increasingly indistinguishable from buildings in other parts of the country. A building which is in contrast to the character and styles within the CA is 87, 87A, 89 and 89A Brighton Road.

### **3.3.2 Scale and height of buildings**

Throughout Godalming Crownpits CA, the properties are no greater than 2 storeys – with the exception of the 1970s development on the site of the Three Crowns, which is 2 and a half storeys and is unsympathetic to the character of the CA. There is a mix of artisan cottages, terraced properties and detached/semi-detached dwellings throughout the CA, a direct reflection of the continual development through the CA over time.

### **3.3.3 Materials**

Roof tiles: The traditional properties have plain clay tile roofs, which is desirable and is common throughout the borough of Waverley, however, a large proportion of the properties in Godalming Crownpits CA now have slate or concrete roof tiles.

Walls: The CA demonstrates a mix of building materials:

- Timber framing and white wash (early 19<sup>th</sup> century)
- Tile hanging
- Bargate rubblestone
- Red brick

### **3.3.4 Street form and frontages**

The street form is dominated by stone walls with rounded cappings on the boundary of each property and the road. This is important to the character of the CA as it provides a strong sense of place, separating the private from public space. The dwellings are, on the whole, set close to the road, with only small front gardens behind the stone walls. This in addition to the parking bays which are prominent at the northern end of the CA creates a sense of enclosure as public space is limited. The mixed eaves height along Brighton Road, especially at the northern end, creates contrast and interest, adding to the diversity of styles within the CA.

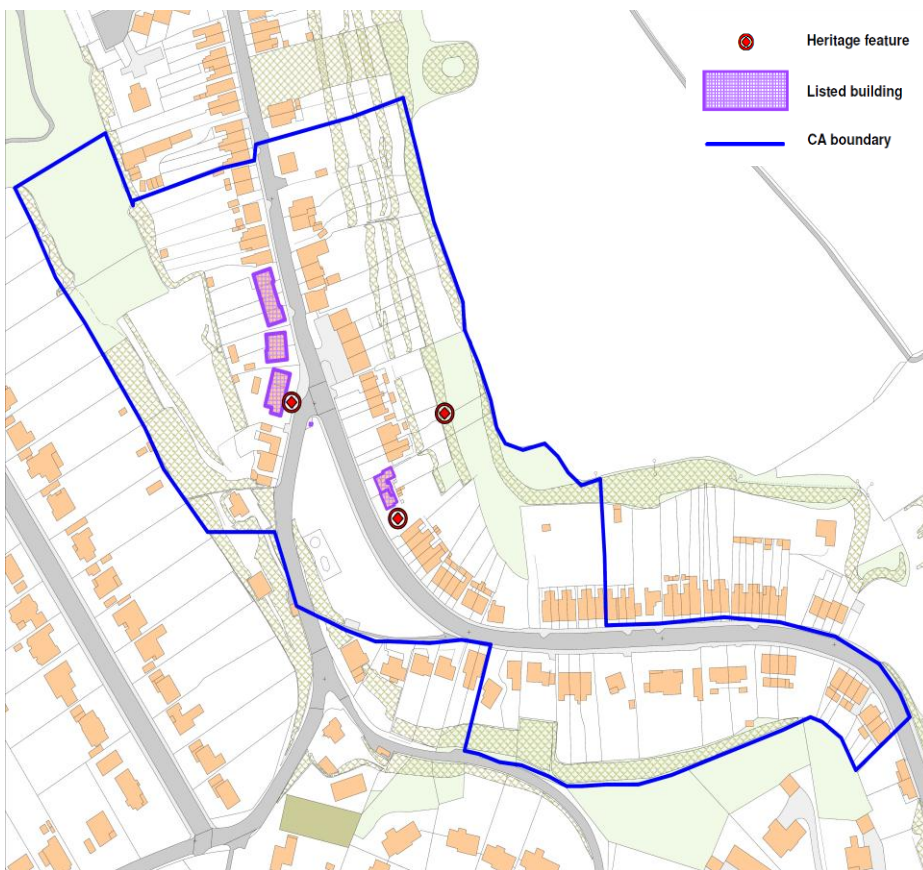
87, 87A, 89 and 89A Brighton Road are prominent on the streetscene as they are inconsistent with the traditional character of the CA in materials, style and design. The properties are set further back from the road, allowing for a large area of parking between the properties and road. The lack of a stone wall, which is evident either side of these properties and aids in legibly identifying private land, emphasises the difference and inconsistencies in style and design of this property to the rest of the CA.

### 3.3.5 Details

The following details or features are common, or evident, throughout the CA:

- Leaded lights
- Bay windows
- Traditionally detailed roof junctions and canopies
- Brick nogging
- Galletting
- Creative, irregular stone work
- Brick or stone jambs, quoins and window heads on Victorian properties
- Large red brick chimneys (predominantly on the late-19<sup>th</sup> century dwellings).
- Stone walls with rounded cappings (brick towards the south of the CA).

### 3.4 Listed Buildings and Heritage Features



*Figure 10: Plan of Godalming Crownpits CA showing location of listed buildings and heritage features*

### 3.4.1 Listed Buildings

There are 12 statutory listed buildings in the CA:

*Grade I* - none

*Grade II\** - none

*Grade II*

- 107, 109, 111 Brighton Road, Godalming
- 78-84 (even) Brighton Road
- 86 & 88 Brighton Road, Godalming
- The Busbridge Institute, Brighton Road, at junction with Crownpits Lane
- 1 x Telephone Box, Crownpits Lane, at junction with Brighton Road
- 109 Brighton Road, Godalming

### 3.4.2 Buildings of Local Merit (BLM's)

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 BLM's within Godalming Crownpits CA, though some buildings identified as 'Positive Contributors' may in the future be assessed for local designation.

### 3.4.3 Heritage Features

In 1986, Waverley Borough Council produced a list of heritage features in Waverley<sup>8</sup>. 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 Victorian well house built over the site of a collapsed well on the south side of 109 Brighton Road.
- A plaque on the wall of the former Busbridge Institute, now converted into housing.
- Industrial archaeology – old Bargate stone quarries



Figure 11: The plaque found on the former Busbridge Institute

<sup>8</sup> Waverley Borough Council (1986) 'Heritage Features in Waverley' (4 volumes)

### **3.5 Heritage at Risk**

There are no buildings within the CA on the Waverley BC & English Heritage “Heritage at Risk Register”<sup>9</sup>.

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.

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

- Greystones, located towards the south of the CA on the west side of Brighton Road, positively contributes to the CA due to the use of traditional building materials and detailing. Tile hanging on the first floor is broken up by the Bargate stone front gable, which has tile hanging in the jettied apex of the gable and a large bay window on the ground floor. In addition to these details, the large red brick chimneys and leaded lights are typical of the Surrey vernacular.
- 103 and 105 Brighton Road: These are excellent examples of the late 19<sup>th</sup> century properties within the CA. The irregular and creative stonework with red brick jambs and quoins is of particular note. The properties are set back from the road behind a traditional stone wall.



*Figure 12: Greystones, Brighton Road.*



*Figure 13: 103 and 105 Brighton Road*

<sup>9</sup> <http://www.english-heritage.org.uk/caring/heritage-at-risk/>



## **3.7 Open Spaces and Streetscape**

### **3.7.1 Open spaces**

Godalming Crownpits CA has a limited area of open space as it developed along a



*Figure 14: Play park and recreation ground at centre of Godalming Crownpits CA*

main road, where properties are set close to the road. However, at the junction of Brighton Road and Crownpits Lane there is a large area of grassland called the Recreation Ground, which includes a recently refurbished LEAP (Local Equipped Area of Play). A fence surrounds this area, providing protection from the busy main road and there is provision of seating and bins to preserve the clean and family friendly character of the area.

The CA boundary includes areas of woodland/trees to the rear of the majority of properties on Brighton Road and Crownpits Lane. This land is steep and the trees and wooded sides, which emphasise the depth of the valley, are integral to the character of the CA.

### **3.7.2 Streetscape**

Brighton Road is a busy main road through from Hambledon to Godalming. The northern half of the CA has a closed and busy street scene. A noticeable feature of this section is the parking bays along the length of Brighton road, which, in effect, reduces the road to a single lane. Bins clutter the pavements on the refuse collection day due to lack of space, however they are not excessively noticeable throughout the rest of the week.

## **3.8 Assessment of Condition**

Overall: Good condition

The listed buildings, heritage assets and other buildings within the CA are all in good condition and appear to be well maintained, which reflects on the character of the CA.

The following issues have been identified within the CA:

- Heavy traffic through Brighton Road
- Insufficient parking within the CA

### **3.9 Identifying the Boundary**

Assessment of the boundary of Godalming Crownpits CA has identified no addition or removal of land is necessary. Since designation, there has been minimal development within or surrounding the CA and thus it is concluded that the original boundary captures all buildings and areas that contribute to the special interest and significance of this 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.

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 designated heritage assets. Waverley has set up a project to identify, review and adopt additional BLM's. This is a community led project which includes a consultation process with owners and local amenity societies. The Parish Council take the lead on the project with support given by Waverley.

#### **Recommendation:**

That Godalming Town Council with the support of Waverley Borough Council officers undertake a review of the BLMs to identify potential candidates to be designated as a BLM.

#### **4.3 Heritage at Risk**

The character of Godalming Crownpits 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 made every two years and the next one is due in 2015. It is important to ensure that outstanding design is identified and promoted especially when it preserves and enhances the CA.

**Recommendation:**

Godalming Town Council are encouraged to nominate new, outstanding developments to the Waverley Design Awards.

## **4.5 Enhancement Schemes**

### **4.5.1 Poorly maintained private land**

Poorly maintained private land can significantly undermine the quality of the environment and there are small pockets in the CA where this appears to be a problem.

**Recommendation:**

Work with landowners to come to a suitable solution to improve badly maintained properties. In certain circumstances the Planning Enforcement Team at Waverley BC may take appropriate action for example Section 215 notices.

### **4.5.2 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 which 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.

#### **4.5.3 Traffic management**

High traffic levels on Brighton Road are a defining feature of the CA. Existing parking on-street serves both the residential properties and as an additional traffic calming measure to the existing raised tables.

#### **Recommendation**

There are no immediate changes proposed to the current arrangements, however it is recommended that, in conjunction with Surrey County Council, this is kept under review pending any advances in traffic management techniques.

#### **4.5.4 Relocate and upgrade noticeboard at north entrance to recreation ground**

The existing noticeboard at the north of the recreation ground is in poor condition and is relatively inaccessible. It is therefore recommended that the noticeboard be updated, and possibly relocated to a more suitable location, such as next to the telephone box.

#### **4.5.5 Upgrade the bollards and metal barrier at north entrance to recreation ground**

The bollards and metal barrier to the rear of the telephone box on the recreation ground are not in keeping with the aesthetics of the CA. It is therefore recommended that the bollard be replaced, possibly by a less intrusive wooden post, and the barrier be changed to traditional fencing, following that around the recreation ground.

#### **4.5.6 Interpretation panel**

The designation status, historic and architectural interest of Godalming Crownpits is relatively unknown by the residents of Godalming. Therefore it is proposed that an interpretation panel be positioned within the recreation ground, identifying the history and special interest of the area which has influenced the designation of the CA.

#### **4.5.7 Plant shrubs in front of the substation**

The brick substation situated on the south side of the recreation ground is intrusive to the appearance of the area. Therefore, it is recommended that planting of small shrubbery is used to soften the edges of the substation.

#### **4.5.8 Continued maintenance of trees in the recreation ground**

Continued maintenance of the trees in the recreation ground is recommended to ensure the footpath is accessible all year round and the recreation ground is kept tidy for those that live in the area.

#### **4.5.9 Re-paint and clean the listed telephone box**

The listed telephone box is still in working order, and is a pleasant feature within the CA. It is recommended that the telephone box be restored to its best condition through cleaning and re-painting where necessary.

#### **4.6 Taking the CAA forward**

It is recognised that the CAA be a living document that informs the consideration of planning 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 Godalming Town 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**

#### **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.

## 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.

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 pebbles 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.

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 buildings or permanent structures (e.g. walls) within its curtilage. English Heritage 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.

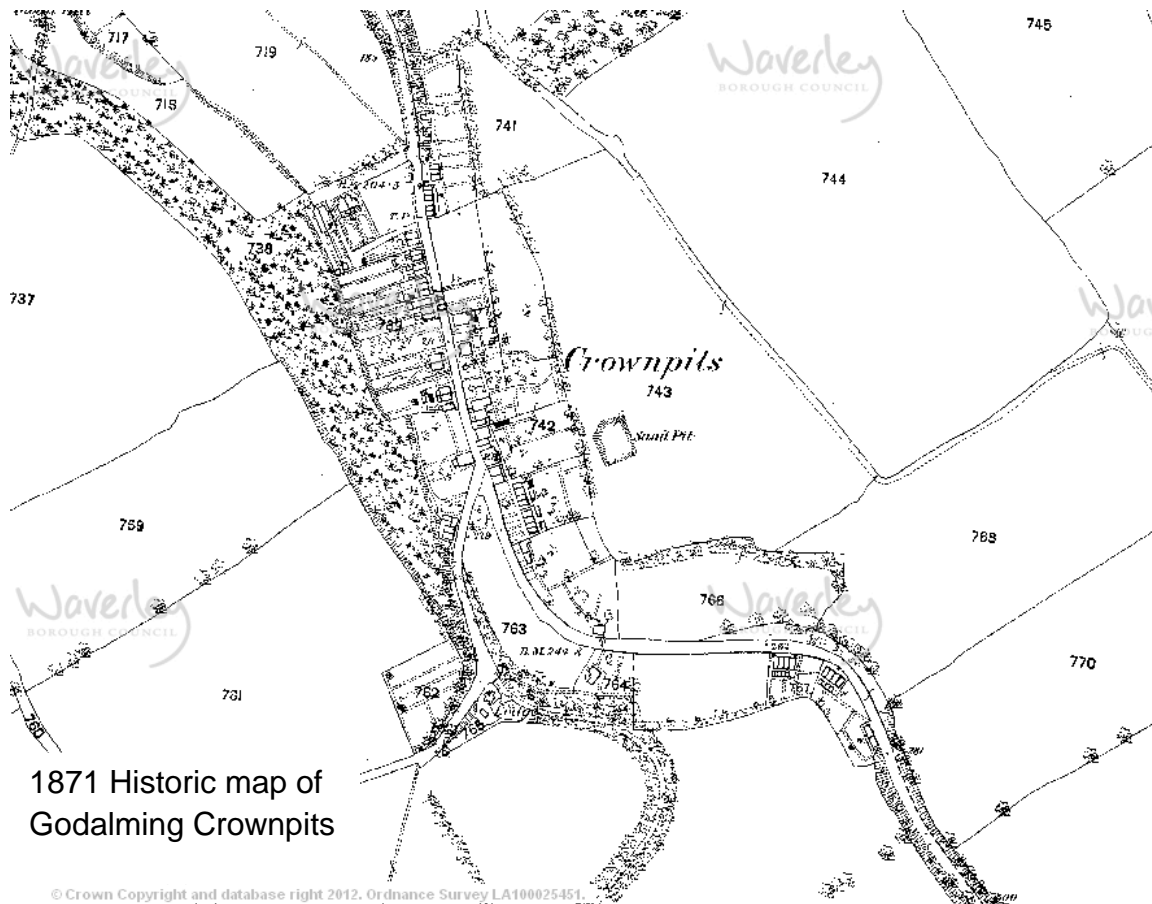
Strategic Housing Land Availability Assessment (SHLAA):

The SHLAA identifies a future supply of land which is suitable, available and achievable for housing uses over the plan period covered by the Local Plan. The SHLAA only identifies sites. It does not allocate sites to be developed (this is the role of the Local Plan). The identification of sites within the SHLAA does not imply that the Council would necessarily grant planning permission for residential (or other) development.

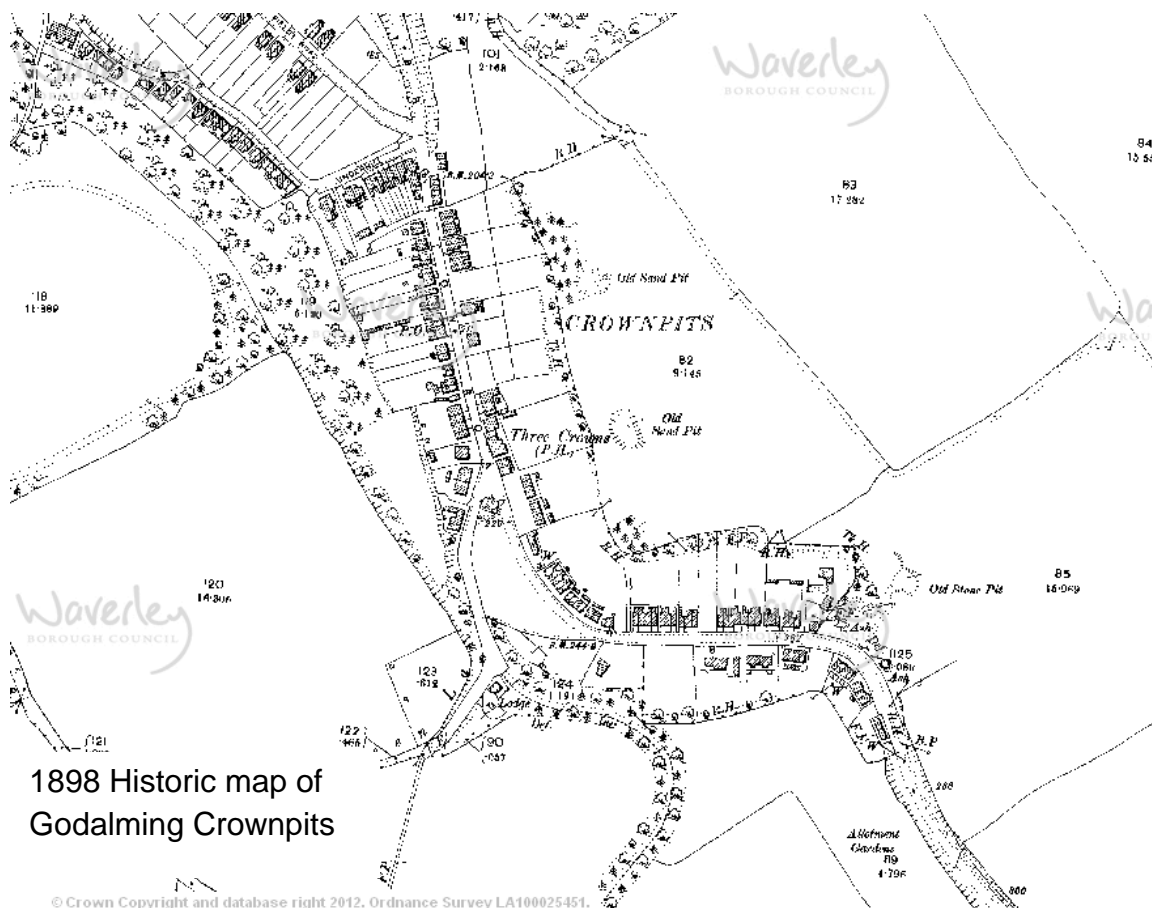
Vernacular:

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

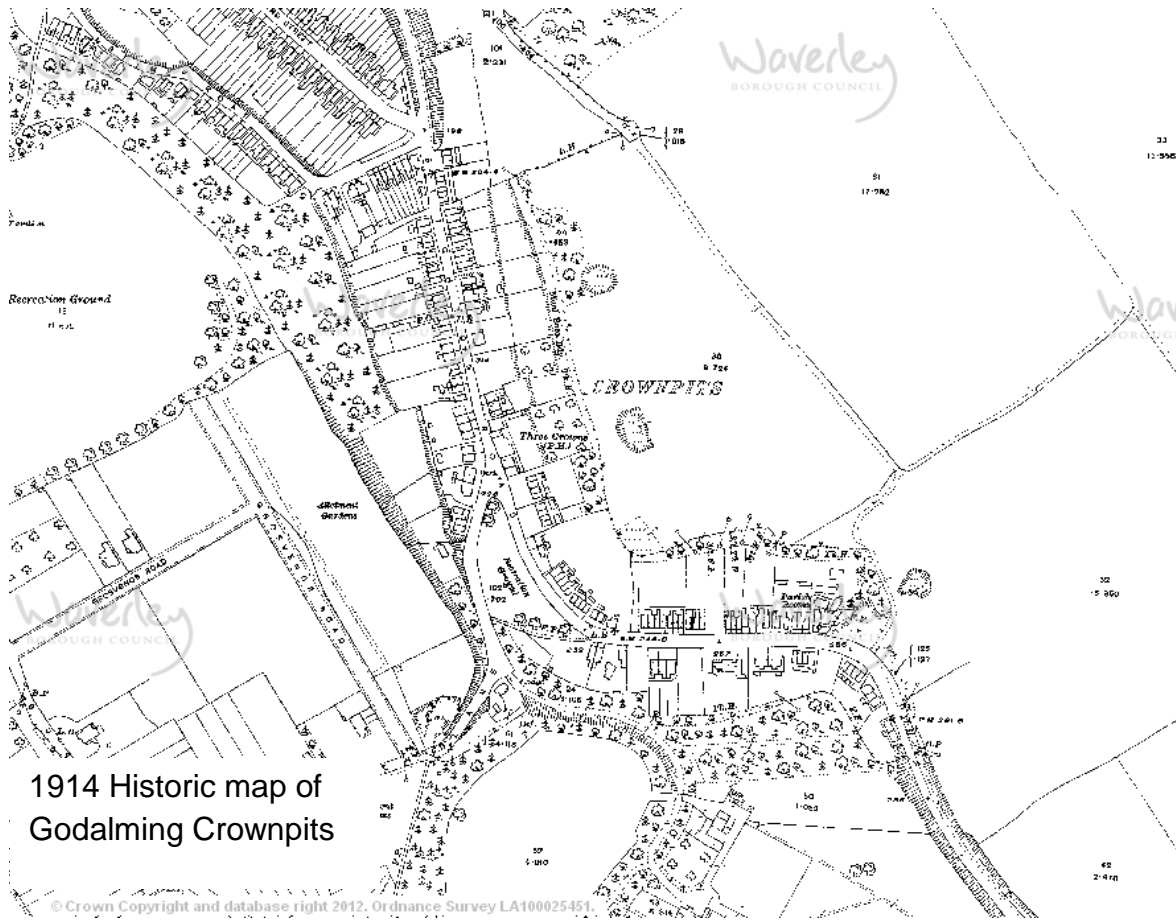
### Appendix 3: Historical maps



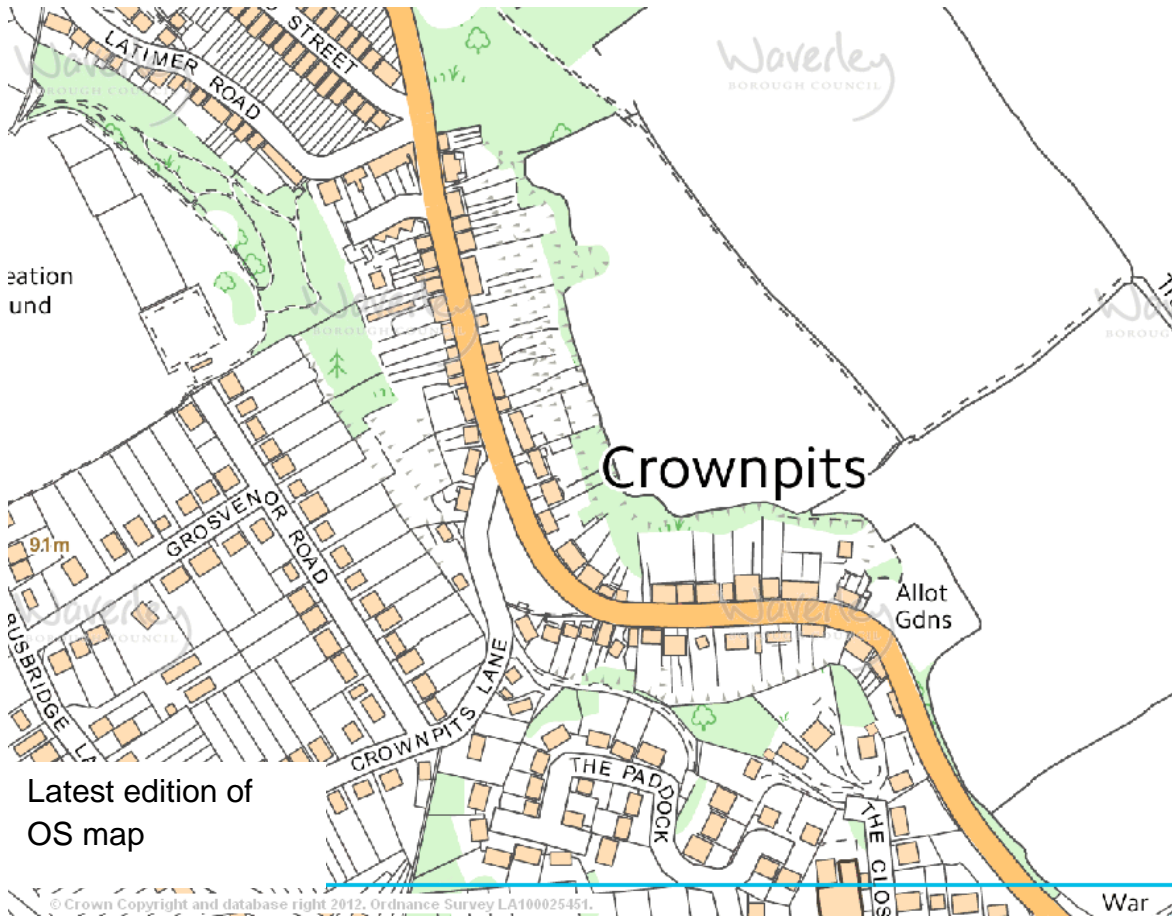
1871 Historic map of Godalming Crownpits



1898 Historic map of Godalming Crownpits



1914 Historic map of Godalming Crownpits



Latest edition of OS map

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## WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 02/12/2014

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### Title:

**Review of Parliamentary Polling Districts and Polling Places 2014 - Update**

**[Portfolio Holder: Cllr Robert Knowles]**

**[Wards Affected: All]**

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### Summary and purpose:

This report addresses outstanding enquiries relating to the Review of Parliamentary Polling Districts and Polling Places 2014. The Council at its meeting on 14 October 2014 agreed a small number of changes and this report puts forward further late requests for changes.

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### How this report relates to the Council's Corporate Priorities:

An active democratic process which involves as many electors as possible is central to supporting all of the Council's corporate priorities.

### Financial Implications:

In the event of any change of polling station use from a school to hall or other community facility, there would be an increase in the cost of venue hire to be met from elections budgets. This is because publicly funded schools may be used as polling places free of a hire charge. The only requirement for schools is to pay running costs including heating and lighting, together with any extra caretaking costs required on polling day.

### Legal Implications:

The Electoral Registration and Administration Act 2013 requires the conduct of a compulsory review of UK Parliamentary polling districts and polling stations by the 31<sup>st</sup> January 2015.

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### Introduction

1. The Headteacher of **Grayswood C of E Infant School, Lower Road** has advised that the School is undergoing expansion and building work in 2015 which will reduce the school hall in size by half. Officers have made enquiries as to the availability and suitability of any other suitable venues.
2. Grayswood Village Hall, Grayswood Road, Grayswood, GU27 2DJ has been visited and the ground floor hall has been assessed as a suitable polling station. The hall is situated on the village green, adjacent to Grayswood Road. The venue has 22 parking spaces and the lower floor of the hall is completely accessible to wheelchair users. There are good facilities and the venue is in a good accessible location within the polling district. The Hall is however used by a nursery on weekdays. The nursery has been approached and has agreed to vacate the premises on polling day by having an away day. There is a longstanding booking each Thursday evening by a bridge club – the booking is made years in advance. The Village Hall's Committee has been asked if the bridge club could vacate the premises for polling day or use the upstairs room only and the Committee has agreed.

3. Representations have also been received regarding **St. Peter's Primary School, Little Green Lane, Farnham** and the school has asked if Waverley could find an alternative polling station. St. Peter's Primary School is currently used as a triple polling station. Wrecclesham Community Centre, Greenfield Lane, Farnham is situated just round the corner from St Peter's Primary School and is already a designated polling station. This venue already has 2192 BP Wrecclesham electors allocated to it and it would not be possible for the venue to accommodate the additional 1132 BK Boundstone and 2137 Shortheath electors from St. Peter's Primary School in addition.
4. The Leverton Hall is situated behind the Church in Beales Lane, Wrecclesham but is unsuitable. The hall provides a small room with disabled access through double doors and kitchen facilities. Parking is limited. This venue does not provide sufficient space to accommodate either a triple or a double polling station. Officers have been unable to identify any other suitable venues in the area.

### Conclusion

5. An alternative polling station venue has been identified as set out in the table below.

<b>Polling District</b>	<b>Existing Polling Place</b>	<b>Proposed Polling Place</b>
CD Grayswood	Grayswood C of E Infant School, Lower Road	Grayswood Village Hall, The Mount, Haslemere, GU27 2EB which has been visited and assessed as suitable

### Recommendation

It is recommended that

1. The venue set out in the table at paragraph 4 above be agreed as a polling station venue.
2. St. Peter's School be advised that it has not been possible to find a suitable alternative polling station and that accordingly the school will have to be used as a polling station.

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### Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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## WAVERLEY BOROUGH COUNCIL

### EXECUTIVE – 02/12/2014

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#### Title:

#### **JOINT PLANNING COMMITTEE – APPOINTMENT OF SUBSTITUTES**

**[Portfolio Holders: Cllrs Brian Adams and Robert Knowles]**

**[Wards Affected: All]**

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#### Summary and purpose:

This report seeks approval to introduce substitute members onto the Joint Planning Committee with effect from January 2015.

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#### How this report relates to the Council's Corporate Priorities:

The proposed changes can contribute to more effective and decisive decision-making which is relevant to all corporate priorities.

#### Financial Implications:

There are no financial implications arising from this report.

#### Legal Implications:

Due to the requirement for all members of the Area Planning and Joint Planning Committees to undertake mandatory training before being able to participate in decision-making meetings, it is important that the substitutes have already received this training.

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#### Introduction

1. In December 2007 the Council reviewed the structure of its Planning Committees and introduced the current arrangements of a Joint Planning Committee and four Area Planning Committees.
2. When the new structure was implemented in January 2008, the membership of the Joint Planning Committee consisted of the combined membership of the four Area Planning Committees, creating a total of 48 members. After a period of operation, and in the interest of improved efficiency in decision-making, the size of the Committee was subsequently reviewed in March 2011 when it was agreed to halve the representation from each Area Planning Committee to create a Joint Planning Committee of 23 members.
3. The Joint Planning Committee historically met on an ad hoc basis, but more recently has been scheduled into the calendar of meetings. However, following an amendment to the Council's constitution in February 2014 requiring planning applications that propose housing schemes with a net increase of more than 25 dwellings to be determined by the Joint Planning

Committee and not the Area Planning Committee, the Joint Planning Committee has now been required to meet much more frequently.

4. Since the beginning of the current Council year, the Joint Planning Committee has met on 6 occasions, with a further 4 dates in the diary before the end of the calendar year. This is having an impact on the attendance levels at meetings, as set out below:-

<b>Date of Meeting</b>	<b>Possible Attendance</b>	<b>Actual Attendance</b>
28 May 2014	23	14
27 August 2014	23	14
22 September 2014	23	14
24 September 2014	23	15
28 October 2014	23	15
12 November 2014	23	17
17 November 2014	23	14

### **Proposal to Introduce Substitute Members**

5. It is proposed that substitute members be introduced onto the Joint Planning Committee to ensure that the Committee is well represented by members from across the Borough when dealing with large-scale planning applications, particularly when a number of apologies have been received. It is envisaged that the arrangements will maintain the political balance and the geographical spread on the Joint Planning Committee.
6. The suggested arrangements to be followed for the appointment of substitutes is set out below:-
  1. all members of the Area Planning Committees who are not already members will be listed as substitutes of the Joint Planning Committee;
  2. upon receipt of any apology from a member of the Joint Planning Committee by 12 noon on the day of the meeting, substitute members will continue to be arranged by the Democratic Services Team;
  3. a substitute will be called from the same Area Planning Committee as the member giving their apology from the Joint Planning Committee; and
  4. the substitute member must be from the same political group as the member giving the apology and in the event that no substitute is available, no substitution will be made for that member.

### **Recommendation**

It is recommended to the Council that substitute members be introduced for the Joint Planning Committee with effect from January 2015, to be arranged as set out in paragraph 6 above.

### Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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