

To: All Members of the Council

Emma McQuillan, Democratic Services
Manager

Policy and Governance

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

Direct line: 01483 523351

Calls may be recorded for training or monitoring

Date: 7 July 2017

Dear Councillor

COUNCIL MEETING - TUESDAY, 18 JULY 2017

A MEETING of the WAVERLEY BOROUGH COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS, GODALMING on **TUESDAY, 18 JULY 2017** at **7.00 pm** and you are hereby summoned to attend this meeting.

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

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AGENDA

1. MINUTES (Pages 5 - 10)

To confirm the Minutes of the Annual Council meeting held on 9 May 2017 and of the Extraordinary Council meeting held on 6 June 2017 (herewith).

2. APOLOGIES FOR ABSENCE

The Mayor to report apologies for absence.

3. DECLARATIONS OF INTEREST

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

4. MAYOR'S ANNOUNCEMENTS

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

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

The deadline for receipt of questions is 5pm on 11 July 2017.

6. QUESTION TIME

To answer any questions received in accordance with Procedure Rule 11.2.

7. MOTIONS

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

8. MINUTES OF THE EXECUTIVE

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

8.a 6 June 2017 - attached (Pages 11 - 26)

8.b 11 July 2017 - to follow

8.c 18 July 2017 - special meeting (to be tabled)

9. MINUTES OF THE STANDARDS PANEL (Pages 27 - 30)

To receive the minutes of the Standards Panel meeting held on 6 June 2017 (attached – coloured buff).

10. MINUTES OF THE LICENSING AND REGULATORY COMMITTEE (Pages 31 - 34)

To receive the minutes of the meeting of the Licensing and Regulatory Committee held on 19 June 2017 (attached - coloured bright green).

11. EXCLUSION OF PRESS AND PUBLIC

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

That, pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of any matter on this agenda on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s), there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in the appropriate paragraph(s) of the revised Part I of Schedule 12A of the Local Government Act 1972 (to be identified at the meeting).

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Agenda Item 1.

1

MINUTES of the WAVERLEY
BOROUGH COUNCIL held in
the Council Chamber, Council
Offices, The Burys, Godalming
on 9 May 2017 at 7.00 pm

Present

Cllr Simon Inchbald (Mayor)	Cllr Anna James
Cllr Denise Le Gal (Deputy Mayor)	Cllr Carole King
Cllr Mike Band	Cllr Martin Lear
Cllr Andrew Bolton	Cllr Andy MacLeod
Cllr Carole Cockburn	Cllr Tom Martin
Cllr Jim Edwards	Cllr Stephen Mulliner
Cllr Patricia Ellis	Cllr Nabeel Nasir
Cllr David Else	Cllr Julia Potts
Cllr Jenny Else	Cllr Wyatt Ramsdale
Cllr Mary Forszyszewski	Cllr David Round
Cllr Michael Goodridge	Cllr Jeanette Stennett
Cllr Tony Gordon-Smith	Cllr Stewart Stennett
Cllr John Gray	Cllr Chris Storey
Cllr Ged Hall	Cllr Simon Thornton
Cllr Val Henry	Cllr Liz Townsend
Cllr Stephen Hill	Cllr Bob Upton
Cllr Mike Hodge	Cllr Liz Wheatley
Cllr David Hunter	Cllr Nick Williams
Cllr Peter Isherwood	Cllr John Williamson

Apologies

Cllr Brian Adams, Cllr Maurice Byham, Cllr Kevin Deanus, Cllr John Fraser, Cllr Pat Frost, Cllr Jill Hargreaves, Cllr Christiaan Hesse, Cllr Nicholas Holder, Cllr Jerry Hyman, Cllr Robert Knowles, Cllr Denis Leigh, Cllr Peter Martin, Cllr Kika Mirylees, Cllr Libby Piper, Cllr Sam Pritchard, Cllr Stefan Reynolds, Cllr Richard Seaborne, Cllr John Ward and Cllr Ross Welland

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

1/17 ELECTION OF MAYOR (Agenda item 1.)

The Mayor invited nominations for the election of Mayor for the Council year 2017/2018.

It was proposed by Cllr Carole King and seconded by Cllr Peter Isherwood that Cllr Simon Inchbald be elected Mayor for the ensuing year. There being no other nominations, it was

RESOLVED that Cllr Simon Inchbald be elected Mayor for the year 2017/2018.

2/17 MAYOR TO MAKE DECLARATION OF ACCEPTANCE OF OFFICE (Agenda item 2.)

Having been invested with the Mayoral Robes and Chain of Office, Cllr Simon Inchbald made the Statutory Declaration of Acceptance of Office and took the chair.

The Mayor thanked his proposer and seconder for their kind comments of support and recognised that his role was to provide a service to the whole community.

3/17 APOLOGIES FOR ABSENCE (Agenda item 3.)

Apologies for absence were received from Cllrs Brian Adams, Maurice Byham, Kevin Deanus, John Fraser, Pat Frost, Jill Hargreaves, Christiaan Hesse, Nicholas Holder, Jerry Hyman Robert Knowles, Denis Leigh, Peter Martin, Kika Mirylees, Libby Piper, Sam Pritchard, Richard Seaborne, Stefan Reynolds, John Ward and Ross Welland.

4/17 APPOINTMENT OF DEPUTY MAYOR (Agenda item 4.)

The Mayor invited nominations for the appointment of Deputy Mayor for the year 2017/2018.

It was proposed by Cllr Mike Hodge and seconded by Cllr Tom Martin that Cllr Denise Le Gal be appointed Deputy Mayor for the ensuing year. There being no other nominations, it was

RESOLVED that Cllr Denise Le Gal be appointed Deputy Mayor for the year 2017/2018.

5/17 DEPUTY MAYOR TO MAKE DECLARATION OF ACCEPTANCE OF OFFICE (Agenda item 5.)

Cllr Denise Le Gal made the Statutory Declaration of Acceptance of Office and thanked those who had elected her as Deputy Mayor. She said that she was very pleased and proud to carry out the role.

6/17 VOTE OF THANKS TO RETIRING MAYOR (Agenda item 6.)

Cllr David Hunter proposed a vote of thanks to the retiring Mayor, Cllr Chris Storey. He said that he had attended many events with Cllr Storey as Mayor of Godalming, and commented upon Cllr Storey's ability to always promote Waverley throughout his mayoral year as the best place to live. He commended the retiring Mayor for his ability to chair Council meetings in an unbiased way and that despite some periods of ill health during the year, had carried on with his duties. This was seconded by Cllr Mike Hodge and supported by Cllr Mary Forszewski who had also joined Cllr Storey on a number of occasions in a mayoral capacity, and complemented him on being kind, accommodating, patient and inclusive. A number of members also celebrated the role of the Mayoress who had been unfailingly charming and a great support to the Mayor at all functions.

Cllr Storey wished the newly-elected Mayor and Mayoress every success for their Mayoral year and thanked everyone for their kind words. He reported on a number of particularly special occasions that he had attended during the year, and identified the best part of being Mayor as meeting the variety of people across the borough and in different organisations, and recognising the value of their work and contributions. Cllr Storey thanked members and officers for supporting him in various ways throughout the year, and for supporting his charities.

7/17 MINUTES (Agenda item 7.)

The Minutes of the Meeting of the Council held on 25 April 2017 were confirmed and signed.

8/17 MAYOR'S ANNOUNCEMENTS (Agenda item 8.)

The Mayor announced that the chaplain for his mayoral year would be Sarah Brough, Rector of Chiddingfold, who would be leaving the parish in a year's time after 14 years of service. He announced that he would be supporting the Meath Epilepsy Trust as his chosen charity, a charity that helped to support those with complex epilepsy and learning/physical disabilities.

The Mayor echoed the Council's best wishes to Cllr Hyman who had been recently taken unwell.

9/17 APPOINTMENT OF EXECUTIVE (Agenda item 9.)

The Leader of the Council introduced the members of the Executive for 2017/2018 and their portfolio holder responsibilities as set out at Agenda Item 9, and welcomed Cllr Chris Storey who would be joining the Executive to fulfil the portfolio responsibilities relating to Operational Planning and Place Shaping.

10/17 LOCAL GOVERNMENT AND HOUSING ACT 1989. LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS) REGULATIONS 1990. (Agenda item 10.)

An amended Annexe 2 was tabled setting out the revised membership of the Licensing Sub-Committees.

The Leader of the Council moved the adoption of recommendations in Annexe 1 relating to the appointments to Committees for the forthcoming Council year. The Council then

RESOLVED that

1. the principal Committees and the Area Planning Committees, together with the Surrey County Council Local Committee, Standards Panel, Appeals Panel and Emergency Advisory Group for the year 2017/2018 be as indicated in Annexe 1; and
2. the Licensing (General Purposes) and Licensing Act Sub-Committees be constituted as indicated in Revised Annexe 2 to the report [NB. This decision was taken by members of the Licensing and Regulatory Committee only].

The meeting concluded at 8.00 p.m.

Mayor

Present

Cllr Simon Inchbald (Mayor)	Cllr Jerry Hyman
Cllr Denise Le Gal (Deputy Mayor)	Cllr Anna James
Cllr Brian Adams	Cllr Martin Lear
Cllr Mike Band	Cllr Denis Leigh
Cllr Andrew Bolton	Cllr Andy MacLeod
Cllr Maurice Byham	Cllr Peter Martin
Cllr Carole Cockburn	Cllr Tom Martin
Cllr Kevin Deanus	Cllr Kika Mirylees
Cllr Jim Edwards	Cllr Stephen Mulliner
Cllr Patricia Ellis	Cllr Julia Potts
Cllr Jenny Else	Cllr Sam Pritchard
Cllr Mary Forsyszewski	Cllr Wyatt Ramsdale
Cllr Michael Goodridge	Cllr Richard Seaborne
Cllr Tony Gordon-Smith	Cllr Chris Storey
Cllr John Gray	Cllr Liz Townsend
Cllr Ged Hall	Cllr Bob Upton
Cllr Mike Hodge	Cllr John Ward
Cllr Nicholas Holder	Cllr Liz Wheatley
Cllr David Hunter	Cllr Nick Williams

Apologies

Cllr David Else, Cllr John Fraser, Cllr Pat Frost, Cllr Jill Hargreaves, Cllr Stephen Hill, Cllr Peter Isherwood, Cllr Carole King, Cllr Robert Knowles, Cllr David Round, Cllr Jeanette Stennett, Cllr Stewart Stennett, Cllr Simon Thornton and Cllr John Williamson

Prior to the commencement of the meeting, the Mayor led the Council in a minute's silence to mark the recent terror attacks in Manchester and London

11/17 APOLOGIES FOR ABSENCE (Agenda item 1.)

Apologies for absence were received from Cllrs David Else, John Fraser, Pat Frost, Jill Hargreaves, Stephen Hill, Peter Isherwood, Carole King, David Round, Jeanette Stennett, Stewart Stennett, Simon Thornton and John Williamson.

12/17 DECLARATIONS OF INTEREST (Agenda item 2.)

There were no interests declared under this heading.

13/17 EXTRACT OF MINUTES OF THE EXECUTIVE - 6 JUNE 2017 (Agenda item 3.)

It was moved by the Chairman, and duly seconded that part of the minutes of the meeting of the Executive (relating to the Scheme of Delegation Review and Revisions to the Constitution, Property Matters and Staffing Matter items) held on 6 June 2017 be approved and adopted.

During consideration of these minutes, at 8.32 p.m. it was

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

Information relating to an individual (paragraph 1); or

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

1. Property Matter A

During consideration of this item, it was moved and duly seconded that the recommendation be amended to require the final decision with regard to this property to be considered again at a meeting of the Council.

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

RESOLVED that the Extract of the Minutes of the Executive held on 6 June 2017 be approved and the recommendations contained therein be adopted.

The meeting concluded at 9.17 pm

Mayor

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 6 JUNE 2017

SUBMITTED TO THE COUNCIL MEETING – 18 JULY 2017

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

Present

Cllr Julia Potts (Chairman)	Cllr Jim Edwards
Cllr Tom Martin (Vice Chairman)	Cllr Jenny Else
Cllr Brian Adams	Cllr Ged Hall
Cllr Andrew Bolton	Cllr Chris Storey
Cllr Kevin Deanus	

Apologies

Cllr Carole King

Also Present

Councillor John Gray, Councillor Jerry Hyman, Councillor Wyatt Ramsdale and Councillor Richard Seaborne

6. MINUTES (Agenda item 1)

The Minutes of the Meeting held on 4 April 2017 were confirmed and signed as a correct record.

7. APOLOGIES FOR ABSENCE (Agenda item 2)

Apologies for absence were received from Cllr Carole King.

8. DECLARATIONS OF INTERESTS (Agenda item 3)

There were no declarations of interest raised under this heading.

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

Following the decision of the Head of Policy and Governance to extend the deadline for submission of questions from members of the public in relation to the Dunsfold Aerodrome Conservation Area report (Agenda Item 9) as an exception, the following question was submitted by Mr Yoxall of the Dunsfold Airfield History Society. The questioner was not able to be present at the meeting:

“Assuming that officers can provide detailed clarification to the Executive as to exactly what protections the 'Undesignated Heritage Asset' status affords, compared to those afforded by CA status, we put the following question to the Executive:

“Is the Executive satisfied that the protection afforded by 'Undesignated Heritage Asset' status is adequate given the importance of the site, and that it would provide the proper controls needed to manage change, and if not, will the Executive move to send this report back for further consideration to officers?”

ANSWER

“Within the NPPF heritage assets are not generally differentiated and it provides a general level of protection for all heritage assets. Paragraphs 128-131, 136, 140 and 141 cover both designated and non-designated heritage assets and in addition paragraph 135 states:

‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.

The main difference between non designated heritage assets and Conservation Areas is the duty local planning authorities have under sections 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area and to formulate and publish proposals for the preservation and enhancement of any Conservation areas in their area, this usually entails a conservation area appraisal and management plan.

However, in addition to the assessment provided for Executive, the recognition of the need to consider the significance of the heritage assets already forms part of the assessment under planning application WA/2015/2395 by the Council’s Historic Buildings Officer in accordance with the relevant policies of the NPPF. In addition, for a site such as this where the current planning application is for a large development a detailed Masterplan will need to be developed. This would be expected to go through design review along with the detailed phases. This is considered to be the most appropriate method for managing change of the site as it would look at the development of the site as a whole and how heritage assets can be incorporated into the design rather than how the site as it currently exists can be preserved and enhanced.”

PART I - RECOMMENDATIONS TO THE COUNCIL

Background Papers

Unless specified under an individual item, there are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to the reports in Part I of these minutes.

10. DUNSFOLD AERODROME - PROPOSED CONSERVATION AREA (Agenda item 9)
 - 10.1 A Conservation Area (CA) is defined as ‘an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance’. Designation of a CA covers all land within the CA and therefore planning control is directed at maintaining the special interest of the entire area, including the buildings, streetscene, uses and the relationship of these elements with open spaces and landscape.

10.2 Conservation Area designation enables the planning authority to ensure that the historic character and special interest, which attract people to live, work and visit the area, remain intact and that the development is of high architectural quality and in keeping with the area's existing character. The Planning (Listed Buildings and Conservation Areas) Act 1990 Section 69 states:

“Every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which is desirable to preserve, and shall designate those areas conservation areas”.

10.3 The NPPF, Chapter 12 (127) states:

“When considering the designation of Conservation Areas, Local Planning Authorities should ensure that any area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest”.

10.4 There are no set criteria on which proposed areas should be assessed but the different types of special architectural and historic interest which have led to designation include:

- Areas with a high number of nationally designated heritage assets and a variety of architectural styles and historic associations.
- Those linked to a particular industry, or an individual with a particular local interest.
- Where an earlier, historically significant, layout is visible in the modern street pattern.
- Where a particular style of architecture or traditional building materials predominate.
- Areas designated because the quality of the public realm or a spatial element, such as a design, form or settlement pattern, green spaces which are an essential component of a wider historic area, and historic parks and gardens and other designed landscapes, including those included on the Historic England Register of parks and gardens of special historic interest.

10.5 Dunsfold Aerodrome is located to the east of Dunsfold, just to the north of the abandoned Wey and Arun Canal and to the west of the A281. The aerodrome consists of an open airfield with three runways in a triangular pattern with a surrounding perimeter track, a large complex of industrial buildings to the north and a cluster of smaller holding and hardstanding areas to the east. The remainder of the site consists of areas of grass or woodland with occasional buildings and hardstanding.

10.6 Dunsfold Aerodrome was built in 1942 by the First Canadian Army as a temporary airfield for use by the Royal Canadian Air Force during WWII. The site was completed in just 20 weeks.

10.7 Prior to this the area, was pasture and woodland with several farm buildings. During construction the area was cleared. This involved cutting across 2 roads, Benbow Lane and Stovolds Hill. The latter was the main route

between Horsham and Guildford (this now runs to the east of the site). Also involved was the demolition of several buildings. However, one dwelling was retained and another was relocated. The former, Primemeads (now known as Primeads) and was used as a residence for the chief test pilots in the 50s and the 60s. The latter is known as Broadmeads Cottage (but has had several other names since WWII). It was moved from an area at the north west end of the site to the southern boundary. This was at the request of the resident. A cluster of Nissen huts was constructed around it and it served as a squadron flight office for a group of nearby dispersal points. After the War, Broadmeads was used as a residence for test pilot Frank Murphy and, briefly, as a rescue training house by the fire service.

- 10.8 The layout of the airfield consisted of three standard runways (one 2,000 yards and the other two 1,400 yards), laid out in a triangular pattern with a perimeter track surrounding it. Dispersal sites clustered off to the south and east and a main technical area was located to the north.
- 10.9 The airfield was opened on 16 October 1942 by Lieutenant General A.G.L. McNaughton of the First Canadian Army with a commemorative stone placed in front of the control tower. The first arrivals were three Mustang squadrons from the RCAF in December 1942. They mainly carried out reconnaissance as part of the army co-operation.
- 10.10 In June 1943, Army Co-operation command was disbanded and the airfield became a fighter station allocated to the new 2nd Tactical Air Force. Dunsfold was one of five airfields used by No.2 group and was home to three Mitchell II squadrons. These squadrons were part of bombing missions aimed at the Germans' long range weapons sites, and, in the months prior to D-Day, aimed at sites which could reinforce German positions after the invasion.
- 10.11 By the end of October 1944, the Mitchell squadrons had left and Dunsfold was placed on care and maintenance. In January 1945, it became a satellite airfield for Odiham and the No.83 group support unit operated out of it. Apart from this there was little air activity, until after the war when the airfield was used as a landing ground for DC3 Dakotas bringing back over 47,000 prisoners of war.
- 10.12 In August 1946, the Aerodrome was declared inactive and the airfield was leased to Skyways Ltd, a charter airline. Skyways used the airfield to refurbish, test fly and deliver Spitfire and Hurricane aircraft for the Portuguese Air Force, it also played a part in the Berlin Airlift between 1948 and 1949. Following the liquidation of Skyways in 1950, the lease was acquired by the Hawker Siddeley Group. The company used the airfield for final assembly work and flight testing of its Sea Hawks, Hunters, Sea Furies, Gnats, Harriers and Hawks. There have been a number of milestones recorded at the site: in May 1953, test pilot Neville Duke broke the 'world speed record' sound barrier at an average of 727.63 mile per hour in a prototype Hunter Mk3.

- 10.13 From the 1960s, the company became involved in developing Vertical/Short Take-off and Landing (VSTOL) planes (Harriers). Much of the work was carried out at Dunsfold and some of the engine testing bays still survive. It is around this time that the runways were lengthened/widened to allow for testing.
- 10.14 On 21 October 1960, the first P1127 (the forerunner of the Harrier Jump jet) made its first tethered flight at Dunsfold, which led to its first conventional flight in November of the same year. In 1969, the Harrier was introduced into the RAF Service with the ground training phase taking place at Dunsfold. In 1977, Hawker Siddeley became a founding component of the nationalised British Aerospace (BAe). Until 2000, when BAe Systems ceased activity at the aerodrome, all derivatives of the Harrier family of aircraft evolved from Dunsfold.
- 10.15 The airfield was also used by the Royal Observer Corps (ROC). A monitoring post was constructed in 1961, in the south western corner of the airfield for nuclear reporting during the Cold War. The post was closed in 1991 following the break-up of the Communist Bloc. Following the closure of the aerodrome in 2000, the site was sold to The Rutland Group in 2002, which formed Dunsfold Park Ltd. Today, the aerodrome is a private unlicensed airfield which, in addition to aviation activities, is home to over 100 businesses. It is also used as a motor circuit and for filming by BBC Top Gear and has been the backdrop for a number of films and TV series, including Casino Royale and The Da Vinci Code. Since 2005, an event called Wings and Wheels has been held every summer which celebrates aviation and motorsport.
- 10.16 Consultation upon the request for CA designation was carried out between Friday 17 March and Friday 28 April 2017. A letter was sent to all those who would be affected by the conservation area designation and key stakeholders namely; Alfold and Dunsfold Parish Councils, Surrey County Council Rights of Way Officer, Historic England, Natural England and Environment Agency, and Local Councillors. Whilst the consultation was focused, it did not preclude other interested parties from responding.
- 10.17 Respondents were able to comment on the request in a variety of ways:
- Via the online Innovem (consultation) database accessed via the website (with no need to register)
 - By email to the conservation inbox (conservation@waverley.gov.uk)
 - By letter
- 10.18 Key Stakeholder responses:

	Comment
Historic England	Historic England generally considers the designation of Conservation Areas to be a matter most appropriately determined at a local level, and thinks this is the case here. There is clearly a good deal of historic interest to the site, and some form of local designation could well be appropriate to conserve that interest, or to help inform detailed design proposals for the proposed mixed use development of the site.

	<p>They acknowledge that consent has been granted by Waverley authority for redevelopment of the site, although this has now been called in by the Secretary of State and a final decision is pending. There may be future opportunities to revisit the proposals to enhance the historic landscape and setting of surviving World War Two buildings to better reveal the significance of the site. A Conservation Area Appraisal would certainly assist in setting such parameters.</p> <p><i>Historic England also referred Officers to recent research on temporary airfields and examples of airfields that have Conservation Area Designation to provide a national picture for Officers to understand how Dunsfold compares to levels of survival at other temporary airfields. This information has been used when assessing the site.</i></p>
<p>Natural England</p>	<p>Natural England does not consider that the request for Dunsfold Aerodrome to be designated as a Conservation Area poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.</p>
<p>Dunsfold Parish Council</p>	<p>Dunsfold Parish Council notes the request for Dunsfold Aerodrome to be designated a Conservation Area. We also note that paragraph 127 of the National Planning Policy Framework states:</p> <p>“When considering the designation of conservation areas, the local planning authorities should ensure that an area justifies such status because of its special architecture or (emphasis added) historic interest and that the concept of conservation is not devalued through the designation of areas that lack special interest.”</p> <p>(Note: the criteria in paragraph 127 of the NPPF are alternative and not cumulative as suggested by your letter of 16 March 2017.)</p> <p>Against this background, the key issue is whether the historic interest justifies the proposed status. On this basis the issue seems to be whether Historic England considers that the ten identified structures are appropriate for listing. If, as a result of its review, Historic England verifies that a sufficient number of the buildings in question are of appropriate importance, the Parish Council would support the proposed designation.</p>
<p>Alfold Parish Council</p>	<p>Alfold Parish Council has considered the request for Dunsfold Aerodrome to be designated as a Conservation Area, in such consideration have referred to Historic England's advice note, a presentation made by Dunsfold Airfield History Society and its publication.</p> <p>Dunsfold Aerodrome plays an important part in both the aviation history and the wartime use. It has a number of unique buildings and structures which have to date been preserved.</p>

	<p>Planning permission has been granted for residential development (under review by the Secretary of State) but the majority of planning issues and design have been reserved so this gives an ideal opportunity for all parties to consider how design and implementation of the proposed development can incorporate and enhance those unique buildings and structures, so as to enhance the development and preserve the history and symbolism of the site as a world war airfield and the birthplace of the Hawker Hunter and Harrier.</p> <p>Many of the features do not impinge on the proposed development site, or, if within the development site, could be incorporated into the design to beneficial effect.</p> <p>Whilst preservation of the whole of the runway may be impractical, preservation of part should be feasible and indeed enhance the development.</p> <p>It is accepted that the purpose of a Conservation Area designation should not materially prevent development, it should (and must) be designed so as to enhance the area and retain it as an area of special historic interest (NPPF Paragraph 127).</p> <p>The proposed development is both large and dramatic in a rural area and CA designation will not prevent the development but will conserve and enhance the historic areas, providing not only a sense of continuity and stability but also ensure the area will be attractive for people to work and live.</p> <p>Therefore it follows that Alfold Parish Council supports the application to designate Dunsfold Aerodrome as a Conservation Area so that the buildings and features as identified after the appraisal and the special historic interest can be preserved both for the benefit of the community and the developer.</p> <p>Alfold Parish Council notes the recent Grade II Listing of Primeads and would request that Historic England's decisions on the other structures being considered for listing are taken into account in the Council's decision.</p>
<p>Hascombe Parish Council</p>	<p>Hascombe Parish Council believes that Dunsfold Aerodrome deserves the protection that designation as a Conservation Area would provide.</p> <p>The importance of this site:- Dunsfold Aerodrome played an important role in the defence of Britain and its interests for over half a century. Built in 1942, this includes the Second World War, return of the Prisoners of War, support of the Berlin Airlift, the Cold War, the development of Vertical Take Off and Landing (VTOL) aircraft and in more recent years the BBC programme Top Gear and</p>

	<p>Wings & Wheels.</p> <p>Historic England states: “Value of military aviation sites: Military aviation sites have left their mark on the landscape and remind us of the global conflicts and fast-changing technologies developed during the 20th century. They are typically extensive and highly complex sites.”</p> <p>The Historic England guide to Conservation Principles and Practice assesses the term ‘significance’ in terms of four areas of value:</p> <p>Evidential Value – derives from the potential of a place to yield evidence about past human activity.</p> <p>Historic Value – derives from the ways in which past people, events and aspects of life can be connected through a place to the present.</p> <p>Aesthetic Value – derives from the ways in which people draw sensory and intellectual stimulation from place.</p> <p>Communal Value - derives from meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.</p> <p>Evidential Value: The evidence shows this area of land was historically part of the Hascombe estate and ecclesiastically the area north of the main runway is referred to as Hascombe Detached. It was during the Second World War that this airfield was constructed and saw the road diversion. The B2130, the old Turnpike road that runs through Hascombe was diverted to avoid the airfield and the mileage on the cast iron markers changed. All the numbering was altered by one mile to take into account the longer route.</p> <p>Historic Value The value of this currently undesignated heritage asset to this and future generations may be archaeological, architectural, artistic or historic but its ‘Significance derives not only from a heritage asset’s physical presence, but also from its setting.’ [NPPF Framework Guidance]</p> <p>Aesthetic Value The sense of place at the airfield provides a profoundly important foundation for both the individual and community identity. Visible from Hascombe Hill, this airfield is laid out within the countryside below with the distant backdrop of the South Downs beyond.</p>
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	<p>On the airfield stands the Reg Day Museum, and just a look at the visitors' book shows the profound effect this location has impacted on so many lives worldwide.</p> <p>Communal Value Access to this once military airfield for the public has been limited under the Official Secrets Act. There are a number of public Rights of Way that surround the perimeter fence, but it is a gated area with restricted views through the security fencing. This restriction no longer exists for the now unlicensed airfield.</p> <p>The airfield has touched the lives of thousands of people:-</p> <ul style="list-style-type: none"> • In the Second World War, there were those who built the airfield, the pilots from Canada and the Netherlands and well as Britain and all their support staff (including Reg Day after whom the Museum on the airfield is named) • At the end of the conflict, Dunsfold saw 50,000 returning prisoners of war first setting foot here. • Thousands have worked on this airfield for over the seventy-five years and some live or have lived at Hascombe. • 350 million people in over 200 countries with the latest series peaking at 3.1 million viewers • Tourism aspect of Wings and Wheels event attracting up to 25,000 visitors over the two-day event held annually in August <p>Currently, this site is largely undocumented and has no protection for its historic assets. We believe the light touch conservation that designation would provide is appropriate for this area.</p> <p>It is for these reasons Hascombe Parish Council consider Dunsfold Aerodrome should become a Conservation Area.</p>
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No response was received from any other key stakeholders that were consulted. 82 other responses were received, 79 of which supported the request for designation, 1 did not support the request and 2 did not identify either way. 13 unduly made responses were received. Those in support of the designation gave the following reasons:

Reason	Waverley response
<p>Site is of historic importance for the following reasons:</p> <ul style="list-style-type: none"> - Construction and use by the Canadian Air Force during WWII. - Used in the Berlin Airlift - Development of the 'jump jet' P1127 through to the Harrier. World class technology that led to economic and military 	<p>Officers agree that the site has historical interest. However, when assessing an area for its suitability for designation, Officers must also assess whether the area, as it currently exists, is of a character or appearance that is desirable to be preserved or enhanced (see assessment and conclusion below).</p>

<p>success.</p>	
<p>Survival of a large number and variety of buildings and structures including:</p> <ul style="list-style-type: none"> - VTOL engine testing pens - VTOL tethering platform - Cold War/Nuclear Bunker - Broadmeads (Cananda House) - Primemeads - Watch Office (Control Tower) - Runway track and perimeter - 1942 Canadian Memorial - Blister Hangar, T2 Aircraft Hangar and 3 A1 Hangars - Fusing point Nissen Hut - Battle Headquarters 	<p>Although there is some survival of buildings and structures related to the historic interest of the site, Officers consider the majority of them to be in poor condition and scattered throughout the site (see assessment and conclusion below).</p>
<p>Would give the planning authority greater influence over the further development of the site.</p>	<p>If the area were to be designated, the Council would have a duty to produce a Conservation Area appraisal and management plan which would identify the special quality of the Conservation Area and identify any threats and opportunities. In addition, as a designated heritage asset, developers would need to demonstrate that the development would not harm the significance of the asset and comply with Chapter 12 of the NPPF. However, a number of the structures within the site are already considered to be non-designated heritage assets which means that any development affecting these heritage assets would need to comply with paragraph 135 of the NPPF.</p>
<p>At least 10 structures are being considered by Historic England for listing – this should have an important bearing on the designation of the site.</p>	<p>Reasons for Conservation Area designation are not related to the presence of listed buildings in that area. Although many Conservation Areas have listed buildings within them, it is not a reason in itself to designate an area. Indeed, an area could be designated that does not have listed buildings within it. This point is made by Historic England’s guidance ‘Conservation Area Designation, Appraisal and Management’ (2016).</p>
<p>Not a suitable location for housing</p>	<p>The future use of the site is not a consideration when assessing its suitability for designation. However, it is</p>

	important to note that Conservation Area designation does not prevent development.
Should be kept as it is. Some suggested it become a public park open to all, others suggested it should retained as an airfield in case it is required in the future.	Conservation Area designation does not prevent change. The future use of the site is not a consideration when assessing the area for designation and, in addition, as this is a privately owned site the council would not be able to control the aviation use of the site in that manner.
Sits within Surrey Hills AONB	The site is not within Surrey Hills AONB which in fact lies to the north of the site. However, other designations are not a consideration when assessing a site's suitability for designation. Please see Historic England's guidance 'Conservation Area Designation, Appraisal and Management' (2016).
Is home to many varieties of animals including birds and some protected bat species	Conservation Area designation is for the preservation and enhancement of the built environment, it is not a tool related to nature conservation.
Should be returned to farm land	This would defeat the object of conservation area designation. Historic legal judgements have established that it does not need to be returned to farmland.

Those who do not support the designation of the area gave the following reasons:

Reason	Waverley response
Would only support if economically possible.	The economic viability of a Conservation Area is not considered when assessing the suitability for designation.
Previous studies by a number of bodies have not considered the historic interest and significance of the site to be of particular importance.	Officers consider the site to be of historic importance, please see assessment and conclusion below.
The majority of the remaining built form is of low value and in poor condition and is used for a variety of uses that bear little or no relevance to the airfield heritage. Many of the buildings have also been modified	Agree; see assessment and conclusion below.
The runways themselves, whilst largely intact, lack the coherence of association with other structures	Agree; see assessment and conclusion below.

In assessing the suitability of the site for designation, these responses have been taken into account.

- 10.19 During the Second World War some 450 new service (temporary) airfields were created. Dunsfold Aerodrome is one of 280 hard-runway airfields (as opposed to grass) to be created during this period. It was constructed in the year of peak construction (1942) using standardised models.
- 10.20 Construction of the airfield has removed the historic landscape that preceded it. The access points do connect to the traditional road layout surrounding the site but the internal routes are completely different. Therefore assessment of the site's special interest relates purely from 1942 onwards. However, there are two buildings within the site which pre-date this and are evidence of the preceding road layout.
- 10.21 Historic England has recently produced guidance, regarding historic military sites, which identifies the key pre-1945 military aviation sites in England that retain the best preserved airfield landscapes and/or most historically significant groups of original buildings. Only one temporary airfield is mentioned as significant (Dunkeswell, Devon – given a rating of 6 in the audit mentioned below) and only 9 airfields (this includes pre WWII airfields) have been given Conservation Area status by their local authority.
- 10.22 The most distinctive parts of the Dunsfold airfield that remain are the runways and perimeter tracks. According to an audit, of all the remaining temporary airfields (449 in total) carried out by the Airfield Research Group, 85% of the original runway/taxiway remains. However, because very little of everything else remains the Group gave the airfield a rating of 4 out of 10.
- 10.23 There are roughly 19 structures, built during WWII, remaining, many of which are hidden from sight in unused areas of the airfield. A survey of the site was undertaken by Paul Francis in 2007. As stated by Francis, in the context of what survives at other aviation sites, the majority of remaining structures are not significant. There are better examples and larger groups of original buildings surviving elsewhere.
- 10.24 According to Francis, the most significant building remaining is the WWII Watch Office and commemorative stone located in front of it. This is because, out of the 162 Watch Offices of this type which were built, only 66 remain. The majority, of these are on former airfields where the runway has been removed. However, the Dunsfold example has been extended and all of the window frames replaced with uPVC.
- 10.25 There are two T2 Hangars located in the main technical area, now the main industrial area. However, these have both been extended and are no longer easily recognisable. There are three A1 hangars erected side by side. However, although they appear to be of WWII origin, they were not constructed at Dunsfold. Instead, it is thought, they were originally located at Langley, a Hawker factory, and were relocated by the Hawker Siddeley Group for product assembly

- 10.26 The majority of the remaining buildings within the main technical area are from the 1980s onwards following a period of modernisation which included the demolition of many of the war-time buildings. There are some Nissen huts still around with numerous uses.
- 10.27 There are other structures from WWII dispersed around the site, but a lot have been demolished and those that do remain are in poor condition or hidden from view. This means that their understanding and appreciation are limited. However, it is not only surviving physical features that contribute to the interest of Dunsfold Aerodrome, as demonstrated above, its use as an operation station during WWII means that it is associated with a number of wartime events and personnel who worked or flew from it. In addition, its use by the Hawker Siddeley Group resulted in Dunsfold being associated with several historic events.
- 10.28 There are some structures associated with VSTOL and the Harriers remaining. In particular, the engine test bays and the tethering grids. However, the grids are covered, which means that their understanding and appreciation are limited.
- 10.29 It is acknowledged that Historic England recently listed 1 building within the site, Primeads. In addition, Historic England has also received requests for at least another 9 buildings/structures within the site to be listed. These are still in the process of being assessed. However, importantly, this on-going assessment for listing does not affect the assessment of the suitability of the aerodrome as a Conservation Area. The presence of individual listed buildings within an area does not necessarily give it any more merit for conservation area designation than an area without listed buildings. These are two separate tools for heritage protection.
- 10.30 In conclusion, it is not considered that the aerodrome is a site that has a particular character or appearance that would justify Conservation Area designation.
- 10.31 However, this does not mean that the site should not be considered a non-designated heritage asset, within the meaning of the NPPF. Indeed, as stated above in accordance with local Council's expert advice (Historic Buildings Officer) the Officers' assessment in relation to planning application WA/2015/2395 for the new settlement included a full assessment of the heritage assets upon the site taking this level of heritage protection into account, in accordance with the advice in the NPPF. The Executive accordingly

RECOMMENDS that

- 7. Dunsfold Aerodrome should not be designated as a Conservation Area under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.**

[Reason: to consider whether Dunsfold Aerodrome should be designated as a Conservation Area].

PART II - MATTERS OF REPORT

The background papers relating to the following items are as set out in the reports included in the original agenda papers.

11. FORWARD PROGRAMME - JUNE 2017 (Agenda item 5)

[Cllr Jerry Hyman attended and spoke on this item]

RESOLVED that the forward programme of decisions for the Executive be agreed, subject to the earliest anticipated dates for the Prevent Strategy and Disabled Parking being amended to September 2017.

12. LOCAL PLAN PART II - ISSUES AND OPTIONS (Agenda item 6)

[Cllr Jerry Hyman attended and spoke on this item]

The Executive agreed to make some minor amendments to the issues and options document, as specified at the meeting and

RESOLVED that

1. the Local Plan Part 2 Issues and Options document be approved for consultation; and
2. the Head of Planning Services, in consultation with the Planning Portfolio Holder, be authorised to make any further minor amendments to the Local Plan Part 2 Issues and Options document.

[Reason: to approve the document for the purpose of consultation]

13. COMMUNITY INFRASTRUCTURE LEVY (CIL): PRELIMINARY DRAFT CHARGING SCHEDULE (Agenda item 7)

[Cllr Jerry Hyman attended and spoke on this item]

RESOLVED that the Preliminary Draft Charging Schedule for the Community Infrastructure Levy (CIL), attached as Annexe 1 to the agenda report, be approved for consultation.

[Reason: to approve for the purpose of consultation]

14. 2016 AIR QUALITY ANNUAL STATUS REPORT (Agenda item 8)

[Cllrs Wyatt Ramsdale and Jerry Hyman attended and spoke on this item]

RESOLVED that the 2016 Annual Status Report (ASR) (Annexe 1) for Waverley Borough Council be received, and the terms of reference and membership for the Air Quality Steering Group be agreed.

[Reason: to update councillors and seek approval for the arrangements for the Air Quality Steering Group]

15. SCHEME OF DELEGATION REVIEW AND REVISIONS TO THE CONSTITUTION
(Agenda item 10)

This item was considered at an Extraordinary Council Meeting which took place immediately after the Executive meeting on 6 June 2017 and was reported in a separate minute.

16. APPOINTMENT TO EMPLOYERS' NEGOTIATING TEAM 2017/2018 (Agenda item 11)

RESOLVED that the following appointments to the Employers' Negotiating Team for 2017/18 be agreed:

Cllr Julia Potts (Leader)	Cllr Tom Martin (Deputy Leader)
Cllr Jim Edwards	Cllr Patricia Ellis
Cllr Pat Frost	Cllr Peter Isherwood

17. APPOINTMENTS TO SURREY COUNTY COUNCIL LOCAL COMMITTEE TASK GROUPS 2017/2018 (Agenda item 12)

RESOLVED that the following members be appointed to the Waverley Local Committee Task Groups for 2017/2018:

Farnham Task Group (3 members)
Cllrs Pat Frost , Stephen Hill and Chris Storey

Godalming, Milford and Witley Task Group (2 members)
Cllrs Simon Thornton and Denis Leigh

Haslemere and Western Villages Task Group (2 members)
Cllrs Brian Adams and Stephen Mulliner

Cranleigh and Eastern Villages Task Group (2 members)
Cllrs Simon Inchbald and Mary Foryszewski

Youth Task Group (2 members)
Cllrs Kevin Deanus and Jeanette Stennett

18. APPOINTMENTS TO OUTSIDE BODIES 2017-2019 (Agenda item 13)

[Cllr Jerry Hyman attended and spoke on this item]

RESOLVED that the appointments to outside bodies, as set out in the agenda, for the period 2017-2019 be approved.

19. EXCLUSION OF PRESS AND PUBLIC (Agenda item 15)

At 19.06 pm it was

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

Minutes 20 and 21

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

Minute 22

Information relating to an individual (paragraph 1).

20. PROPERTY MATTER A (Agenda item 16)

This item was considered at an Extraordinary Council Meeting which took place immediately after the Executive meeting on 6 June 2017 and was reported in a separate minute.

21. PROPERTY MATTER B (Agenda item 17)

This item was considered at an Extraordinary Council Meeting which took place immediately after the Executive meeting on 6 June 2017 and was reported in a separate minute.

22. STAFFING MATTER (Agenda item 18)

This item was considered at an Extraordinary Council Meeting which took place immediately after the Executive meeting on 6 June 2017 and was reported in a separate minute.

The meeting commenced at 6.00 pm and concluded at 7.25 pm

Chairman

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE STANDARDS PANEL - 6 JUNE 2017

SUBMITTED TO THE COUNCIL MEETING – 18 JULY 2017

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

Present

Cllr Michael Goodridge (Chairman)

Cllr Mike Band

Cllr Kevin Deanus

Cllr David Else

Cllr Pat Frost

Cllr David Hunter

Apologies

Cllr Carole Cockburn, Cllr Stephen Hill, Cllr John Williamson

1. APPOINTMENT OF CHAIRMAN (Agenda item 1.)

Councillor Michael Goodridge was confirmed as Chairman of the Standards Panel for the Council Year 2017/18

2. APOLOGIES FOR ABSENCE (Agenda item 2.)

Apologies for absence were received from Councillors John Williamson, Carole Cockburn and Stephen Hill.

3. DISCLOSURE OF INTERESTS (Agenda item 3.)

There were no disclosures of interest.

PART I – RECOMMENDATIONS TO THE COUNCIL

There are no matters for consideration in this section.

PART II - MATTERS OF REPORT

4. SCHEME OF DELEGATION REVIEW AND REVISIONS TO THE CONSTITUTION (Agenda item 5.)

4.1 The Council, at its meeting on 25 April 2017, adopted a new Scheme of Delegation to Officers based on a new approach of operating as an 'exception' scheme, wherein all powers and functions are delegated down to officers with the exception of any powers and functions that either must remain with a specific Committee (or with the Council), or which the Council has previously decided must rest with members. This approach has been adopted by local authorities across the Country, and as a starting point, the Council used the scheme in operation at Surrey Heath Borough Council.

4.2 At the point of adopting the scheme, members were mindful that with such a significant change in approach and ways of working, the scheme would need to be kept under regular review and any proposed adjustments reported back to members at the appropriate time.

4.3 The Panel was informed of one particular anomaly regarding the making of a Neighbourhood Plan under delegated authority because the legislation relating to the Council's powers in relation to neighbourhood plans stems from the Localism Act rather, than the Town and Country Planning Acts to which the scheme specifically referred. For this reason, officers advised that it would be prudent, as part of this early review of the scheme of delegation, to include additional wording within the scheme to ensure that the Council's process was beyond any potential challenge on this point.

4.4 Alongside this proposal, a number of additional amendments were proposed. In particular, the opportunity was taken to ensure that the optimum balance was achieved between the delegation of specific powers and of general wide-ranging authority (whenever the stated exceptions do not apply). The aim in doing so was to provide a scheme which is transparent and which enables officers to achieve service outcomes more quickly and efficiently.

4.5 In December 2014, the Council agreed to the introduction of a scheme that allowed for substitute members to be appointed at meetings of the Joint Planning Committee with effect from January 2015. The resulting textual amendments required were not at that time incorporated into the constitution, and the Standards Panel reviewed the proposed wording to be included in the constitution going forward.

4.6 The Standards Panel considered the proposed revisions to the Scheme of Delegation and the Constitution and made the following comments.

4.7 Scheme of Delegation

The Panel reviewed and endorsed all the proposed changes to the Scheme of Delegation, as set out at Annexe 1.

The Panel also agreed that it should review the Scheme on a regular basis with the first review taking place in January 2018 and annually from then onwards.

4.8 Constitution

The Panel reviewed and endorsed the proposed changes to the Constitution (which replicated the changes agreed by Council in December 2014), set out at Annexe 2. The Panel also agreed to consider, at a future meeting:

- the deadlines for giving apologies for meetings and calling substitutes;
- the application of political proportionality rules for committee members and substitutes at quasi-judicial meetings; and
- formatting/numbering of substitution rules in the Constitution.

4.9 The Standards Panel considered and endorsed the recommendations in the report and agreed to advise the Executive and Council accordingly at the meetings which would be considering the documents later on 6 June 2017.

RESOLVED that

1. the Executive be advised that the Standards Panel endorsed the revised elements of the Scheme of Delegation and Constitution, as set out in Annexes 1 and 2; and
2. the issues identified above be added to the work programme and considered at a future meeting of the Standards Panel.

The meeting commenced at 10.00 am and concluded at 10.40 am

Chairman

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WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING AND REGULATORY COMMITTEE - 19 JUNE 2017

SUBMITTED TO THE COUNCIL MEETING – 18 JULY 2017

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

Present

Cllr Patricia Ellis (Chairman)	Cllr Tony Gordon-Smith
Cllr Bob Upton (Vice Chairman)	Cllr Carole King
Cllr Maurice Byham	Cllr Libby Piper
Cllr Michael Goodridge	

Apologies

Cllr John Fraser, Cllr Simon Inchbald, Cllr Peter Isherwood, Cllr Anna James and Cllr Robert Knowles

1. APPOINTMENT OF CHAIRMAN (Agenda item 1.)

Councillor Patricia Ellis was confirmed as the Chairman of the Licensing and Regulatory Committee for the Council Year 2017/18.

2. APPOINTMENT OF VICE-CHAIRMAN (Agenda item 2.)

Councillor Bob Upton was confirmed as Vice-Chairman of the Licensing and Regulatory Committee for the Council Year 2017/18.

3. MINUTES (Agenda item 3.)

The minutes of the meeting which took place on 26 January 2017 were confirmed and signed.

4. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 4.)

Apologies for absence were received from Councillors John Fraser, Simon Inchbald, Peter Isherwood, Anna James and Robert Knowles.

5. DECLARATIONS OF INTEREST (Agenda item 5.)

Councillor Patricia Ellis declared a non-pecuniary interest on Item 9 "Street Trading Application" as a Member of Cranleigh Parish Council. She informed the Committee that she had not been involved in any discussions or consideration of the application at the Parish Council.

LICENSING ACT 2003 ITEMS

There were no items to report under this heading.

OTHER LICENSING ITEMS

PART I - RECOMMENDATIONS TO THE COUNCIL

There were no matters falling within this category.

PART II - MATTERS OF REPORT

The background papers relating to the following items are as set out in the reports included in the original agenda papers.

6. **THE EQUALITY ACT 2010 - LIST OF DESIGNATED WHEELCHAIR ACCESSIBLE VEHICLES AND EXEMPTION CERTIFICATES** (Agenda item 8.)

The Committee received a report seeking approval for the Council to maintain a list of designated wheelchair accessible vehicles for the purpose of the Equality Act 2010 and the formalisation of the criteria/process that the Council and the Waverley Hackney Carriage and Private Hire licensed trades would have to follow in order to lawfully comply with Sections 165 and 167 of the Act.

The Committee noted from the report that the Equality Act 2010 introduced new provisions in respect of disabled persons and transport. There were several sections within the Act which applied specifically to hackney carriages and private hire vehicles and drivers. Section 165 of the Act, placed the following duties on drivers of designated wheelchair accessible hackney carriages and private hire vehicles;

- To carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in the passenger seat to carry the wheelchair;
- To take such steps as were necessary to ensure that the passenger is carried in safety and reasonable comfort;
- To give the passenger such mobility assistance as was reasonably required

The requirements of section 165 did not apply to drivers who had a valid exemption certificate and were displaying a valid exemption notice in the prescribed manner. The Committee was surprised to hear that the Council was currently dealing with one such exemption but based on the lack of historic requests and small amount of wheelchair accessible vehicles (made by choice rather than requirement), officers did not envisage that many if any exemption requests will be made

The Committee was advised that Section 167 of the Act stated that a licensing authority may maintain a list of hackney carriage and private hire vehicles which are wheelchair accessible that it considers to be wheelchair accessible; e.g. as a minimum, the vehicle is designed for and is able to carry, a passenger seated in a standard "reference wheelchair" and also publish a list of those vehicles. The Committee noted that Waverley currently had 8 wheelchair accessible licensed vehicles.

Following discussion, the Committee considered the recommendations in the report and RESOLVED that

1. Implementing Sections 165 and 167 of the Equality Act 2010 as laid out in the main body of the report be agreed and looks to implement within a period of six months from the date of the Committee meeting if it is possible to do so;
2. The final setting of this future date be delegated to the Head of Policy & Governance and/or the Licensing Manager; and
3. The suggestion made by the Department for Transport (DfT) and the Government that applications and decisions on medical or physical exemptions for drivers will be fairer and more objective if medical assessments are carried out by an appropriately qualified medical professional who is independent of the driver and this will be achieved by referring the driver/applicant to the Council's Occupational Health provider/assessor who is independent of the Council and such a request and referral for an exemption will be entirely at the applicant's own expense, be adopted.

7. STREET TRADING APPLICATION (Agenda item 9.)

The Committee considered an application from Mr Andrey Andreev, who was present at the meeting, to trade as a 'Kebab Burger Van'. The applicant wanted to operate in Cranleigh High Street (outside 41 High Street- The Post Office) with trading 7 days a week between 1730hrs and 2200hrs at this location. This was a new application.

The Committee was advised that officers had consulted Cranleigh Parish Council, Cranleigh Councillors, Cranleigh Chamber of Commerce, Waverley Borough Council's Planning Department, Surrey Police, Surrey Fire and Rescue Service, Surrey County Council Highways Authority and other relevant consultees. 7 objections had been received to the application. These were received from Cranleigh Chamber of Commerce, two local residents, three local businesses and a representative from Cranleigh in Bloom.

The Committee noted that matters which had been highlighted as concerns included increased littering, concerns of anti-social behaviour and noise nuisance (Public Order and Public Nuisance), potential for damage to local residential and commercial property, obstruction to the Post Office (which had recently increased its opening hours) and that there was sufficient current provision within the local area already.

The Committee had some concerns regarding this application and questioned the applicant on car parking outside the post office and the possibility that access to the building could be made difficult along with traffic, litter and the impact on local residents who lived in the vicinity. Having considered the report and asking questions of the applicant, specifically in relation to the operating hours and distance from the post office, the Sub-Committee withdrew to consider the application at 10.45am.

Whilst the Committee withdrew, the Members were informed that the applicant was willing to change his operating hours to start from 7pm during the week and 5.30pm at the weekends so as to minimise any issues created by working in close proximity to the entrance to the Post Office when it was still open.

Following the Sub-Committee's deliberation the meeting resumed at 11.34am

During the deliberations, the Council's legal advisor was asked to advise the Sub-Committee on legislation regarding Street Trading and application of Conditions.

The Sub-Committee RESOLVED that a street trading consent be issued that permitted the applicant to trade from a stationary van for a period of 6 months and that this would be carefully monitored. The Consent would also be subject to Standard Consent Conditions. The full decision is noted below:

The Sub-Committee considered the application from Mr Andreev to trade on The High Street, Cranleigh and took into consideration the representations received against the application and the information in support from the applicant at the meeting.

Mr Andreev had answered the Sub-Committee's questions and although he did not have complaints against him it was noted that at this location there had been noise, litter and other complaints received previously. The location also had residential properties in close proximity and the Committee felt that operating from this location was not a suitable location. However, the applicant did not have any complaints against his previous work and standard conditions could address concerns.

The Committee welcomed Mr Andreev's proposal to change his operating hours that would address the concerns raised by the Post Office regarding access to its entrance. There are also standard conditions on the licence which addressed public safety and environmental concerns with which Mr Andreev would have to comply. Therefore, the Committee granted the application for a period of 6months, and the consent would be carefully monitored for any issues before any further application was considered.

8. MINUTES OF THE MEETINGS OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE (Agenda item 10.)

The minutes of the meetings of the Licensing (General Purposes) Sub-Committee which took place on 26 January and 16 March 2017 were noted.

9. MINUTES OF THE MEETINGS OF THE LICENSING ACT 2003 SUB-COMMITTEES (Agenda item 11.)

The minutes of the meeting of the Licensing Sub-Committee A which took place on 2 May 2017 were noted.

The meeting commenced at 10.10 am and concluded at 11.39 am

Chairman