

To: All Members of the Council

Fiona Cameron, Democratic Services Manager

**Policy and Governance**

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Date: 6 July 2018

Dear Councillor

COUNCIL MEETING - TUESDAY, 17 JULY 2018

A MEETING of the WAVERLEY BOROUGH COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS, GODALMING on **TUESDAY, 17 JULY 2018** 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 7 - 12)

To confirm the Minutes of the Council meetings held on 15 May 2018 (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 the following questions from members of the public, received in accordance with Procedure Rule 10:

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

8.1 5 June 2018 (Pages 13 - 18)

To receive the Minutes of the Executive held on 5 June 2018 (coloured grey), and approve the following recommendation within:

**Recommendation**

**EXE 5/18     Financial Out-turn Report 2017/18**

**The Executive RECOMMENDS to Council that £200,000 of additional investment property income be transferred to a Commercial Property Income Risk Fund to protect against future income risk.**

8.2 10 July 2018

To receive the Minutes of the Executive held on 10 July 2018 (coloured grey) **[to follow]**, and approve the recommendations within.

9. MINUTES OF THE LICENSING AND REGULATORY COMMITTEE (Pages 19 - 20)

To receive the Minutes of the meeting of the Licensing and Regulatory Committee held on 18 June 2018 (*coloured bright green*).

10. MINUTES OF THE STANDARDS PANEL (Pages 21 - 24)

To receive the Minutes of the Standards Panel held on 11 June 2018 (coloured cream), and approve the following recommendations contained within:

### **Recommendations**

#### **Minute STD 7/18    Membership of the Standards Panel**

**The Standards Panel RECOMMENDS to Council that Article 9 of Waverley’s Constitution be amended to designate the Standards Panel as the Standards Committee, and the membership of 9 Waverley members be allocated on a politically proportional basis.**

*Reason for the recommendation: designating the Panel as a Standards Committee reflects that its role is wider than being just a standing panel of members to determine Code of Conduct investigation.*

#### **Minute STD 8/18    Constitution – Responsibility for Functions – Joint Planning Committee**

**The Standards Panel RECOMMENDS to Council that the wording shown below in bold be added to the Joint Planning Committee Responsibility for Functions in Part 3 of Waverley’s Constitution:**

*The proposed role of the Joint Planning Committee as distinct from the Area Planning Committees would be to consider applications or issues referred to it for the following reasons:*

*a. To make decisions on the administrative and procedural matters affecting the processing of applications. E.g. report formats, information specifications etc.*

*b. To review all housing schemes which propose a net increase of more than 25 dwellings, where the recommendation is for permission to be granted*

*c. To consider applications defined as major, as defined by the Government (10 or more units of residential accommodation, more than 1,000 sqm commercial floorspace and site area of more than 1 hectare) and which, in the judgement of the Chief Executive, after consultation with the Head of Planning and the appropriate Area Planning Committee Chairman, meet the following criteria*

*i. have a significant planning impact beyond the Area in which they are situated, and/or*

*ii. are of strategic importance, and/or*

*iii. involve new planning issues for the borough; and/or*

***iv. is a revised application for parcel of land within a development with an extant planning permission previously determined by Joint Planning Committee that increases the total number of dwellings on the total site;and/or***

***v. is a revision to an extant planning permission that brings the total number of dwellings on a site to 25 or more; or***

*d. Where within three weeks of the application appearing on the Waverley weekly list of planning applications, the Chairman and Vice-Chairman of the relevant Area Planning Committee and the ward member request that it be referred to the Joint Planning Committee and put forward relevant grounds as set out in c (i) to (iii) above, the Chief Executive and Head of Planning will normally submit the application to the Joint Planning Committee.*

*Reason for the recommendation: to address the concerns of Members that planning applications proposing a significant increase in the number of dwellings already permitted on a site may be determined without proper consideration by a Planning Committee.*

11. PROPORTIONALITY ON COMMITTEES AND ALLOCATION OF SEATS  
(Pages 25 - 30)

The Local Government and Housing Act 1989 requires local authorities, where Members are divided into political groups, to review the allocation of seats on the principal committees as soon as practicable after any change the political composition of the Council, to ensure that seats are allocated in the same proportion as that in which the council as a whole is divided.

The by-election for the Farnham Castle Ward was held on 24 May 2018 and Cllr David Beaman has been elected to the Council as a Farnham Resident. In addition, the Standards Panel has recommended that the Council re-designates the Standards Panel as a politically proportional Standards Committee.

Subject to the agreement of Council to the re-designation of the Standards Panel, the calculation of proportionality and proposed allocation of committee seats is set out below

**Recommendation**

**Council is recommended to:**

- 1. NOTE the proportional allocation of seats on the principal Committees and the Western Area Planning Committee following the by-election for the Farnham Castle Ward and the re-designation of the Standards Panel as a politically proportional Standards Committee.**

2. **AGREE the nominations to the Principal Committees and Western Area Planning Committee for the 2018/19 year received from the political groups, as detailed in Annexe 2 [to follow].**

12. 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 15 May 2018 at 7.00 pm

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- \* Cllr Denise Le Gal (Mayor)
- \* Cllr Mary Foryszewski (Deputy Mayor)

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

\*Present

## Apologies

Cllr John Fraser, Cllr Pat Frost, Cllr Jill Hargreaves, Cllr Stephen Hill, Cllr Robert Knowles, Cllr Denis Leigh, Cllr Stefan Reynolds, Cllr Jeanette Stennett and Cllr Stewart Stennett

Prior to the commencement of the meeting, prayers were led by the Reverend Jane Vlach.

CNL 1/18 MOTIONS (Agenda item 1.)

The Mayor, Cllr Simon Inchbald, welcomed Members and guests to the Annual Meeting of the Council.

The Mayor then put forward the following Motion, which had been submitted in accordance with Procedure Rule 12.1:

“It is proposed that Waverley Borough Council welcomes the return of the HMS Hambledon memorial plaque and records its thanks to the Parish Council and British Legion in Hambledon (Hampshire) for facilitating this; and also to Miss Jane Woolley of Hambledon (Surrey) for her part in securing its return.”

The Motion was seconded by Cllr Julia Potts, and agreed unanimously by the Council.

The Mayor further advised that a painting of HMS Hambledon owned by Godalming Museum was currently being restored, and the Museum had agreed that on the return of the painting it would be loaned to the Council so that it could be displayed alongside the memorial plaque.

On behalf of Waverley Borough Council, the Mayor sent congratulations and best wishes to HRH Prince Harry and Miss Meghan Markle on the occasion of their forthcoming wedding.

CNL 2/18 ELECTION OF MAYOR (Agenda item 2.)

The Mayor invited nominations for the election of Mayor for the Council year 2018/19.

It was proposed by Cllr Julia Potts and seconded by Cllr Peter Martin that Cllr Denise Le Gal be elected for the ensuing year. There being no other nominations, it was

RESOLVED that Cllr Denise Le Gal be elected Mayor for the Council year 2018/19.

CNL 3/18 MAYOR TO MAKE DECLARATION OF ACCEPTANCE OF OFFICE (Agenda item 3.)

Having been invested with the Mayoral Robes and Chain of Office, Cllr Denise Le Gal made the Statutory Declaration of Acceptance of Office and took the chair for the remainder of the Council meeting.

The Mayor thanked her proposer and seconder for their kind comments of support and said how honoured she was to have been elected Mayor of Waverley.

CNL 4/18 APOLOGIES FOR ABSENCE (Agenda item 4.)

Apologies for absence were received from Cllrs John Fraser, Pat Frost, Jill Hargreaves, Stephen Hill, Robert Knowles, Denis Leigh, Stefan Reynolds, Jeanette Stennett, and Stewart Stennett.

CNL 5/18 APPOINTMENT OF DEPUTY MAYOR (Agenda item 5.)

The Mayor invited nominations for the appointment of Deputy Mayor for the Council year 2018/19.



It was proposed by Cllr Kevin Deanus and seconded by Cllr David Hunter that Cllr Mary Forszewska be appointed Deputy Mayor for the ensuing year. There being no other nominations, it was

RESOLVED that Cllr Mary Forszewska be appointed Deputy Mayor for the year 2018/19.

CNL 6/18 DEPUTY MAYOR TO MAKE DECLARATION OF ACCEPTANCE OF OFFICE  
(Agenda item 6.)

Cllr Mary Forszewska made the Statutory Declaration of Acceptance of Office and thanked those who had elected her as Deputy Mayor, and her family for their support. It was an honour and a privilege to be Deputy Mayor and she felt very humbled by the experience, but was looking forward to the coming year immensely.

CNL 7/18 VOTE OF THANKS TO RETIRING MAYOR (Agenda item 7.)

Cllr Carole King proposed a vote of thanks to the retiring Mayor, Cllr Simon Inchbald.

Cllr King said that it had been a pleasure to propose Cllr Inchbald as Mayor 12 months ago, and a pleasure to now propose the vote of thanks to him as retiring Mayor. Together with his wife, Rosie, they had done a huge amount over the last year and represented the Borough at many and varied events, and she was sure that they would take away many happy memories of their year in office.

Cllr King concluded that as Mayor, Cllr Inchbald had been an excellent ambassador for Waverley; she commended him for his commitment, versatility and sense of humour, and a job very well done.

Cllr Libby Piper seconded the proposed vote of thanks.

Cllr Hyman passed on the thanks of the Farnham Residents Group to the retiring Mayor, and also congratulations to the new Mayor and Deputy Mayor.

Cllr Inchbald responded by thanking Cllr King for her kind words, and all councillors for choosing him to be their Mayor for the last year. It had been a great honour, thoroughly enjoyable, and sometimes tiring! It had been a good year: the Civic Service had been a highlight (one of the best in Surrey, he thought) and he and Rosie had had a very enjoyable trip to Germany to visit Waverley's twin town. There had been many events – visits to school, care homes, fayres and fetes, receptions and lunches, Christmas carols and lunches, concerts and cadets!

Cllr Inchbald thanked members again, and expressed his very best wishes to the Mayor for the year ahead.

CNL 8/18 MINUTES (Agenda item 8.)

The Minutes of the meeting of the Council held on 24 April 2018 were confirmed and signed.

CNL 9/18 MAYOR'S ANNOUNCEMENTS (Agenda item 9.)

The Mayor announced that the date of the Civic Service was Sunday 9 September 2018, at 4pm at St Andrew's Church, Farnham.

The Mayor announced that her official charity would be ABF The Soldier's Charity (formerly the Army Benevolent Fund) and she looked forward to supporting them throughout her Mayoral year and in this centenary of the Great War. The Surrey Branch of the ABF was based in Farnham, and the Regional Fundraiser was Canon Peter Bruinvels who was well known to many Waverley councillors.

Finally, the Mayor drew Councillors' attention to a special event in Milford on Friday 7 September 2018, when a memorial would be unveiled to the Canadian soldiers who were based at the temporary army camp set up on Witley Common during both the First and Second World Wars. Invitations would be sent to Councillors in a month or two.

CNL 10/18 APPOINTMENT OF THE EXECUTIVE (Agenda item 10.)

The Leader of the Council introduced the members of the Executive for 2018/19 and their Portfolio Holder responsibilities as set out at Agenda Item 10.

Council RESOLVED to note the members of the Executive for 2018/19 and their Portfolio Holder responsibilities, as follows:

Cllr Julia Potts (Leader)	Chairman
Cllr Ged Hall (Deputy Leader)	Vice-Chairman – Finance & Communications
Cllr Chris Storey	Planning – Operational & Policy
Cllr Jim Edwards	Economic & Community Development
Cllr Kevin Deanus	Community Services
Cllr Andrew Bolton	Environment
Cllr Jenny Else	Health, Wellbeing & Culture
Cllr Carole King	Housing
Cllr Tom Martin	Customer & Corporate Services

CNL 11/18 PROPORTIONALITY ON COMMITTEES AND ALLOCATION OF SEATS (Agenda item 11.)

The Leader of the Council moved the adoption of the recommendations in the report at Agenda Item 11 relating to the nominations for appointments to Committees for the 2018/19 Council year.

The Deputy Leader seconded the proposal, and Council

RESOLVED to:

1. NOTE the proportional allocation of seats on the principal Committees and the Area Planning Committees;
2. AGREE the nominations to the Principal Committees and Area Planning Committees for the 2018/19 year received from the political groups, as detailed in Annexe 2;

3. NOTE that nominations would be reviewed following the by-election on 24 May 2018 and agreed at the July 2018 Council meeting; and
4. AGREE the nominations to the Standards Panel, Appeals Panel, Emergency Advisory Group, Investment Advisory Board and Surrey County Council Local Committee as detailed in Annexe 2.

Members of the Licensing and Regulatory Committee (as set out in Annexe 2)  
RESOLVED to:

5. AGREE the Licensing (General Purposes) and Licensing Act Sub-Committees be constituted as indicated in Annexe 3.

**CNL 12/18 BRIGHTWELLS REGENERATION: TEMPORARY FACILITATION MEASURES**  
(Agenda item 12.)

The Leader of the Council outlined to the Council the intention to implement the planned closure of Dogflud Car Park in Farnham from 28 May 2018 to enable progress of the Brightwells Regeneration scheme. Alternative parking was available at Riverside 2 and 3 car parks.

An amendment to the charging structure in Riverside 2 and 3 car parks was proposed to maintain customer satisfaction and balance the demand for both short and long stay parking for shoppers, workers and visitors. For each hourly charging period, the new temporary charges for Riverside 2 and 3 car parks had been set at the lower of the current charges in Dogflud and Riverside 2 and 3. No increases were proposed in any of the temporary charges.

The Leader proposed an amendment to the recommendation in the agenda report, to clarify the intention to amend temporarily the tariffs in Riverside 2 and 3 car parks to those proposed in the report, for the duration of the time that Dogflud car park is closed.

The Deputy Leader seconded the proposed amendment to the recommendation, and this was unanimously agreed.

The Council

RESOLVED to amend temporarily the tariffs in Riverside 2 and 3 car parks to those proposed in the report, for the duration of the time that Dogflud car park was closed.

**CNL 13/18 SUPPLEMENTARY ESTIMATE** (Agenda item 13.)

The Leader moved a proposal that the Council agree a further supplementary estimate of £100,000 to cover any costs to the Council in relation to the JR claim submitted by Protect Our Waverley Campaign Ltd on the Secretary of State's decision to grant planning permission to the Dunsfold Park planning application, in which Waverley Borough Council was named as an interested party.

The Deputy Leader seconded the proposal.

In response to questions, the Leader responded that the Council had taken counsel's advice and were confident that Waverley had a good case and could be confident on all aspects of defending the claim. The Council had adopted Local Plan Part 1 including all the Main Modifications, and it was important that the Council defended the Plan in its entirety.

Council RESOLVED to agree a further supplementary estimate of £100,000 to cover any costs to the Council in relation to the JR claim submitted by Protect Our Waverley Campaign Ltd on the Secretary of State's decision to grant planning permission to the Dunsfold Park planning application, in which Waverley Borough Council was named as an interested party.

The meeting concluded at 8.15 pm

Mayor

## WAVERLEY BOROUGH COUNCIL

### MINUTES OF THE EXECUTIVE - 5 JUNE 2018

### SUBMITTED TO THE COUNCIL MEETING – 17 JULY 2018

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

#### **Present**

Cllr Julia Potts (Chairman)  
Cllr Ged Hall (Vice Chairman)  
Cllr Andrew Bolton  
Cllr Kevin Deanus

Cllr Jenny Else  
Cllr Carole King  
Cllr Tom Martin  
Cllr Chris Storey

#### **Apologies**

Cllr Jim Edwards

#### **Also Present**

Councillor Mike Band, Councillor David Beaman, Councillor John Gray and Councillor Richard Seaborne

#### EXE 1/18 MINUTES (Agenda item 1)

The Minutes of the Meeting held on 10 April 2018 were confirmed and signed as a correct record.

#### EXE 2/18 APOLOGIES FOR ABSENCE (Agenda item 2)

All Members of the Executive were present.

#### EXE 3/18 DECLARATIONS OF INTERESTS (Agenda item 3)

In respect of Agenda Item 7. Funding request for Alfold Football Club Ground Improvement, Cllr Kevin Deanus declared a non-pecuniary interest. However, he added that he felt that his level of involvement with the football club was sufficient that he should withdraw from the Council Chamber whilst this matter was being discussed.

#### EXE 4/18 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4)

There were no questions from members of the public.

### **PART I - RECOMMENDATIONS TO THE COUNCIL**

#### EXE 5/18 FINANCIAL OUT-TURN REPORT 2017/18 (Agenda item 5)

5.1 The Executive considered a report providing a summary of the 2017/18 Revenue Out-turn against budget for the General Fund and the Housing

Revenue Account. The General Fund out-turn for 2017/18 showed an initial surplus of £246,000 on a net budget of £13.4m.

- 5.2 A large proportion of the surplus was due to the achievement of investment property income. In light of this the Executive recommends to Council that £200,000 is transferred to a Commercial Property Risk Fund to protect against future income risk.
- 5.3 The report provided explanations of major variances to the budgets, and requests to carry forward revenue balances, and reschedule General Fund capital budgets where project were still in progress.
- 5.4 The Housing Revenue Account (HRA) out-turn showed a surplus of £1.5m, mainly achieved in the responsive repairs and voids maintenance budgets. The Housing maintenance service had been through a transformation programme over a number of years, delivering considerable efficiencies and cost savings and well as high customer satisfaction in the service.

The Executive RESOLVED to:

1. NOTE the outturn position on revenue and capital for 2017/18;
2. APPROVE the revenue carry forwards to 2018/19 as detailed in Appendix 2 and paragraph 15 of the agenda report;
3. APPROVE the carry forward to 2018/19 for the WW1 memorial as detailed in paragraph 9 of the agenda report; and
4. APPROVE the capital rescheduling to 2018/19 as detailed in paragraph 18 and Appendix 3, 5 and 6 of the agenda report. .

The Executive also RESOLVED to:

5. **RECOMMEND to Council that £200,000 of additional investment property income be transferred to a Commercial Property Income Risk Fund to protect against future income risk.**

*[Reason: to review the budget out-turn for 2017/18 for the General Fund and Housing Revenue Account and agree budget carry forwards and rescheduling.]*

## **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.

### EXE 6/18 BOOM CREDIT UNION (Agenda item 6)

- 6.1 The Executive was pleased to continue Waverley's support of the credit union, which provided a vital alternative to Payday and other high interest loans for those who may have been denied credit or are financially excluded from High

Street banks. 19% of Boom's lending was within the Borough of Waverley and 14% of loan applications were from Waverley residents, which highlighted the need for inclusive financial services.

The Executive RESOLVED to invest £15,000 from the emergency grants fund in the Boom Credit Union by way of purchasing deferred shares.

*[Reason: to demonstrate the Council's ongoing commitment to Boom Credit Union and to recognise the support it provides to Waverley's residents.]*

EXE 7/18 FUNDING REQUEST - ALFOLD FOOTBALL CLUB GROUND IMPROVEMENT  
(Agenda item 7)

Before consideration of this item, Cllr Kevin Deanus left the Council Chamber.

7.1 The Executive noted the very significant level of community support and commitment to the football club, and position of the club and the recreation ground its facilities at the heart of village life. The club had achieved considerable success in recent years, but extensive ground improvements were needed to enable the club to gain promotion to the next division.

7.2 The Executive wished Alfold Football Club every success in the forthcoming season, and

RESOLVED that, subject to the Club securing Football Foundation funding, up to £20,000 is allocated to the project to improve Alfold Football Club's ground and facilities, funded from the capital receipt that Waverley was paid for an easement on land in Alfold, plus £6,000 of PIC funding.

*[Reason: To demonstrate the Council's support for Alfold Football Club and its ongoing development.]*

EXE 8/18 CAPITAL EXPENDITURE PROCESS AND MANAGEMENT REVIEW REPORT  
(Agenda item 8)

8.1 At the invitation of the Portfolio Holder, Cllr Mike Band presented the report of the Value for Money & Customer Service Overview & Scrutiny Committee on the Capital Expenditure Process and Management.

8.2 The review had been initiated after O&S Members had noted the slippage of budgets on the 2016/17 capital expenditure programme at the year-end, most of which had only been identified in the out-turn report. This seemed to indicate that there were issues with how capital budgets were being planned and managed over the life of a project spanning a number of years.

8.3 Cllr Band commended officers for their support of the work of the O&S Members, and drew the Executive's attention to the conclusions and 19 recommendations set out in the report.

8.4 Cllr Seaborne also commended the huge amount of work put in to the review by O&S Members and officers, who had been open and co-operative. Special

credit was due to Yasmine Makin, Scrutiny Policy Officer, who had supported the review and helped to draw the evidence and recommendations into a coherent report. He especially wished to emphasise recommendations 8 and 9, in relation to resourcing of project delivery.

- 8.5 Cllr Hall thanked the O&S Members and officers for an excellent report that highlighted some very important issues in the management and delivery of projects. The Leader echoed the comments and confirmed that discussions were already underway to identify how to implement the recommendations and resource projects to ensure successful delivery.

The RESOLVED to thank O&S Members and officers for the report, and approve the recommendations made within the report.

*[Reason: To improve the Council's approach to capital project initiation, budget management, and project management.]*

EXE 9/18 TREASURY MANAGEMENT ACTIVITY 2017/18 (Agenda item 9)

- 9.1 The Portfolio Holder advised that the Treasury Management activity in 2017/18 had achieved a good return, with a good mix of investment maturities held with good credit-rated counterparties.

The Executive RESOLVED to note and endorse the investment activity and performance in 2017/18.

*[Reason: to review the performance of the Council's Treasury Management function for 2017/18.]*

EXE 10/18 APPOINTMENT TO EMPLOYER'S NEGOTIATING TEAM 2018/2019 (Agenda item 10)

The Executive RESOLVED to agree the membership of the Employer's Negotiating Team for 2018/19 as follows:

Cllr Julia Potts (Leader)	Cllr Ged Hall (Deputy Leader)
Cllr Kevin Deanus	Cllr Jim Edwards
Cllr Michael Goodridge	Cllr Peter Isherwood

EXE 11/18 EXCLUSION OF PRESS AND PUBLIC (Agenda item 11)

At 7.10pm, 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 item on the grounds that it is likely, in view of the nature of the business to be transacted, that if members of the public were present during the item, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in



paragraph 3 of the revised Part I of Schedule 12A to the Local Government Act 1972, namely:

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

EXE 12/18 PROPERTY ACQUISITION OPPORTUNITY (Agenda item 12)

This item was considered in EXEMPT session and all details of the report and decision remain confidential.

The Executive RESOLVED to agree the recommendations set out in the EXEMPT agenda report.

*[Reason: to consider a property acquisition opportunity]*

**The meeting commenced at 6.45 pm and concluded at 7.16 pm**

**Chairman**

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WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING AND REGULATORY COMMITTEE - 18 JUNE 2018

SUBMITTED TO THE COUNCIL MEETING – 17 JULY 2018

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

**Present**

Cllr Maurice Byham  
Cllr Patricia Ellis  
Cllr John Fraser  
Cllr Michael Goodridge

Cllr Tony Gordon-Smith  
Cllr Carole King  
Cllr Robert Knowles  
Cllr Bob Upton

**Apologies**

Cllr Simon Inchbald, Cllr Peter Isherwood, Cllr Anna James and Cllr Libby Piper

LIC 1/18 APPOINTMENT OF CHAIRMAN (Agenda item 1.)

The Committee confirmed Councillor Simon Inchbald as Chairman of the Licensing and Regulatory Committee for the Council Year 2018-19.

LIC 2/18 APPOINTMENT OF VICE-CHAIRMAN (Agenda item 2.)

The Committee confirmed Councillor Bob Upton as Vice-Chairman of the Licensing and Regulatory Committee for the Council Year 2018-19

LIC 3/18 MINUTES (Agenda item 3.)

The minutes of the meeting that took place on 5 March 2018 were confirmed and signed.

LIC 4/18 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 4.)

There were apologies from Councillors John Fraser, Anna James, Simon Inchbald, Peter Isherwood and Libby Piper. There were no substitutes.

LIC 5/18 DECLARATIONS OF INTEREST (Agenda item 5.)

There were no apologies for absence.

LIC 6/18 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 6.)

There were no questions from Members of the Public.

LIC 7/18 QUESTIONS FROM MEMBERS (Agenda item 7.)

There were no questions from other Members.

LIC 8/18 ACTION AUTHORISED (Agenda item 8.)

None.

LIC 9/18 LICENSING ACT 2003 - PUBLIC CONSULTATION ON REVIEW OF THE COUNCIL'S STATEMENT OF LICENSING POLICY (Agenda item 9.)

The Committee received the Licensing Policy which had gone out to public consultation recently. Officers had received six responses to the consultation, four of which made no comment and two which proposed some slight changes relating to safeguarding and local initiatives and amendments had been made as a result of these.

The Committee noted that only a few minor amendments had been made to the policy following changes in legislation and these were put to the Committee. Members agreed that there should be some clarification of the meaning of an Early Morning Restriction Order and a Late Night Levy, just a sentence that explained what this was. Furthermore, there was a slight replication in the additional tabled annexe of which Officers would ensure was removed. Otherwise, the Committee endorsed the proposed changes to the Policy.

RESOLVED that the proposed changes to the Licensing Policy for Waverley be recommended to the Executive for approval by Council and be in place by August 2018.

LIC 10/18 MINUTES OF THE MEETINGS OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE (Agenda item 10.)

The minutes of the meeting of the Licensing (General Purposes) Sub-Committee that took place on 21 May 2018 were confirmed.

**The meeting commenced at 10.00 am and concluded at 10.13 am**

**Chairman**

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE STANDARDS PANEL - 11 JUNE 2018

SUBMITTED TO THE COUNCIL MEETING – 17 JULY 2018

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

**Present**

Cllr Mike Band  
Cllr Carole Cockburn  
Cllr Kevin Deanus  
Cllr David Else  
Cllr Michael Goodridge

Cllr John Gray  
Cllr David Hunter  
Cllr Robert Knowles  
Cllr John Ward

**Apologies**

Joan Holroyd, Elstead Parish Council

STD 1/18 APPOINTMENT OF CHAIRMAN FOR 2018/19 (Agenda item 1.)

Councillor Michael Goodridge was confirmed as Chairman of the Standards Panel for the Council Year 2018/19.

STD 2/18 MINUTES (Agenda item 2.)

The Minutes of the Meeting held on 29 January 2018 were agreed as a correct record of the meeting.

STD 3/18 APOLOGIES FOR ABSENCE (Agenda item 3.)

There were no apologies for absence.

STD 4/18 DISCLOSURES OF INTERESTS (Agenda item 4.)

There were no disclosures of interests.

STD 5/18 QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 5.)

There were no questions from members of the public.

STD 6/18 QUESTIONS FROM MEMBERS (Agenda item 6.)

There were no questions from Members.

**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.

STD 7/18 MEMBERSHIP OF THE STANDARDS PANEL (Agenda item 7.)

The Standards Panel noted that there had been an enquiry from a Member of the Council why the Standards Panel fell outside of the 'principal committees' to which political proportionality regulations applied. The suggestion had been that, given the remit of the Panel, it would be more equitable for the membership to be allocated in proportion to the political balance of the Council.

The Panel noted that the remit of the Panel had changed in 2017/18 with the addition to the terms of reference the responsibility to keep the Council's Constitution and Scheme of Delegation under review. The Panel was now meeting on a regular basis and had evolved into a more traditional Standards Committee, rather than just a standing group of members from which a panel would be drawn to determine the outcome of an investigation into a Member Code of Conduct complaint.

The Panel noted that the immediate effect of making the membership of the Panel politically proportional would be that the Farnham Residents Group would be allocated a seat by entitlement rather than the *ex officio* Leader of the Waverley Opposition Group.

Having considered the proposal, the Standards Panel agreed that it would be more equitable to all Members of the Council if the Panel was re-designated as Waverley's Standards Committee, with the membership falling within the scope of political proportionality regulations.

**Therefore, the Standards Panel**

**RESOLVED to recommend to Council that Article 9 of Waverley's Constitution be amended to designate the Standards Panel as the Standards Committee, and the membership of 9 Waverley members be allocated on a politically proportional basis.**

STD 8/18 CONSTITUTION - RESPONSIBILITY OF FUNCTIONS - JOINT PLANNING COMMITTEE (Agenda item 9.)

The Standards Panel noted that at a recent meeting of the Joint Planning Committee, Members had been concerned that the application being considered (WA/2017/1362, Amlets, Amlets Lane, Cranleigh) had fallen outside of the criteria for automatic referral to the Joint Planning Committee despite it being a significant amendment to the original Amlets Lane planning application that would increase the total number of dwellings on the site from 125 to 133.

The more recent planning application had been described only in relation to the sub-plot within the overall scheme, and therefore only referred to a net increase of 8 in dwelling numbers from 22 to 33 dwellings. As a result, Members had had to call the application into Joint Planning Committee, and had requested that this situation was addressed within the specification of the remit of the Joint Planning Committee.

The Standards Panel reviewed a form of words suggested by the Planning Development Manager, and

**RESOLVED to recommend to Council that the wording shown below in bold be added to the Joint Planning Committee Responsibility for Functions in Part 3 of Waverley's Constitution:**

*The proposed role of the Joint Planning Committee as distinct from the Area Planning Committees would be to consider applications or issues referred to it for the following reasons:*

- a. *To make decisions on the administrative and procedural matters affecting the processing of applications. E.g. report formats, information specifications etc.*
- b. *To review all housing schemes which propose a net increase of more than 25 dwellings, where the recommendation is for permission to be granted*
- c. *To consider applications defined as major, as defined by the Government (10 or more units of residential accommodation, more than 1,000 sqm commercial floorspace and site area of more than 1 hectare) and which, in the judgement of the Chief Executive, after consultation with the Head of Planning and the appropriate Area Planning Committee Chairman, meet the following criteria*
  - i. *have a significant planning impact beyond the Area in which they are situated, and/or*
  - ii. *are of strategic importance, and/or*
  - iii. *involve new planning issues for the borough; and/or*
  - iv. ***is a revised application for parcel of land within a development with an extant planning permission previously determined by Joint Planning Committee that increases the total number of dwellings on the total site; and/or***
  - v. ***where a revision to an extant planning permission brings the total number of dwellings on a site to 25 or more; or***
- d. *Where within three weeks of the application appearing on the Waverley weekly list of planning applications, the Chairman and Vice-Chairman of the relevant Area Planning Committee and the ward member request that it be referred to the Joint Planning Committee and put forward relevant grounds as set out in c (i) to (iii) above, the Chief Executive and Head of Planning will normally submit the application to the Joint Planning Committee.*

## **PART II - MATTERS OF REPORT**

STD 9/18 SCHEME OF DELEGATION UPDATE (Agenda item 8.)

### Scheme of Delegation for Planning

The Panel noted that, further to their discussion at the meeting on 29 January 2018, the wording of paragraph 43 of the Scheme of Delegation for Planning had been clarified and was shown on the attached schedule (Item 8, Annexe1).

The Panel RESOLVED to note the revised wording.

Scheme of Delegation for Licensing and Closure of Streets

The Standards Panel RESOLVED to note that in accordance with the Scheme of Delegation to the Monitoring Officer, the Scheme of Delegation for Licensing and Closure of Streets had been transferred from the Head of Policy and Governance to the Head of Environmental Services, reflecting the same organisational transfer of these responsibilities.

STD 10/18 WAVERLEY BOROUGH COUNCIL CONSTITUTION (FEBRUARY 2018) (Agenda item 10.)

Following previous criticisms of the format of the Waverley Constitution, the Panel had received a formatted and branded version for comments.

Whilst noting that this was a work in progress, the Panel agreed that it was a great improvement, and improved navigation through the document. Members had noticed some missing cross-references within the text, and had some specific suggestions for further improvements, including adding a Glossary of technical terms.

The Panel agreed that any specific comments should be passed to the Democratic Services Manager by email so that work could continue on improving the appearance and usability of the document.

The Constitution was an important document, and the Panel felt that its appearance should reflect that, and that in May 2019 all new Councillors should be provided with a hard copy.

STD 11/18 MONITORING OFFICER UPDATE (Agenda item 11.)

The Monitoring Officer advised that following a query raised by Cllrs Stephen Mulliner and John Gray, he was drafting a guidance document on the Access to Information Rules which he would bring to the next meeting of the Panel for consideration.

**The meeting commenced at 5.00 pm and concluded at 6.00 pm**

**Chairman**



## WAVERLEY BOROUGH COUNCIL

### COUNCIL

17 JULY 2018

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**Title:**

**PROPORTIONALITY ON COMMITTEES AND ALLOCATION OF SEATS**

[Portfolio Holder: Cllr Julia Potts]

[Wards affected: All]

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**Summary and purpose:**

The Local Government and Housing Act 1989 requires local authorities, where Members are divided into political groups, to review the allocation of seats on the principal committees as soon as practicable after any change the political composition of the Council, to ensure that seats are allocated in the same proportion as that in which the council as a whole is divided.

The by-election for the Farnham Castle Ward was held on 24 May 2018 and Cllr David Beaman has been elected to the Council as a Farnham Resident. In addition, the Standards Panel has recommended that the Council re-designates the Standards Panel as a politically proportional Standards Committee.

Subject to the agreement of Council to the re-designation of the Standards Panel, the calculation of proportionality and proposed allocation of committee seats is set out below

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

The corporate governance of the Council provides the basis of the Council's work towards achieving all the Corporate Priorities.

**Equality and Diversity Implications:**

The Council is under a statutory duty to ensure that equality and diversity is a key part of the decision making process of the Council. This is fundamental to the Council being able to meet its statutory responsibilities.

**Financial Implications:**

The cost of servicing the Council's Committees will be met through existing budgets.

**Legal Implications:**

The legal implications are set out in the body of the report.

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## Proportionality of the Council

1. Following the resignation of Cllr John Williamson and the resulting by-election for the Farnham Castle Ward on 24 May 2018, Cllr David Beaman has been elected to the Council as a Farnham Resident.
2. The Conservative and Farnham Resident Groups are registered under the provisions of the Local Government and Housing Act 1989 (LG&HA1989). The political breakdown of the Council is now:

	<b>Conservative Group</b>	<b>Farnham Residents</b>	<b>Liberal Democrat</b>	<b>Vacancy</b>	<b>Total</b>
<b>No. of seats on the Council</b>	50	6	1	0	57
<b>Proportionality</b>	87.72%	10.53%	1.75%	0	100.00%

## Allocation of Committee seats

3. The following principles apply to the allocation of seats (LG&HA1989, s15(5)):
  - (a) *Preventing domination by a single group*: That not all the seats on the body to which appointments are being made are allocated to the same political group;
  - (b) *Ensuring a majority group enjoys a majority on all committees*: That the majority of seats on each committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
  - (c) *Aggregating all committee places and allocating fair shares*: That, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
  - (d) *Ensuring as far as practicable fairness on each committee*: Subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
4. The calculation of the proportional allocation of committee seats carried out in May 2018 excluded the Standards Panel, which does not have to be politically proportional. At its meeting on 11 June 2018, the Standards Panel noted that since being established following the introduction of the new Standards Framework in 2012, the Panel had taken into its remit oversight of the Council's Constitution and Scheme of Delegation. The expansion of its role means that it is now operating as a traditional Standards Committee, and therefore the membership should fall within the standard rules for political proportionality.
5. Subject to the Council agreeing the recommendation from the Standards Panel to bring its membership into the proportionality calculation, the revised allocation of seats between the principal committees of the Council is shown on Annexe 1.

6. Compared with the allocation agreed at Council on 15 May 2018:
  - The vacant seat on Joint Planning Committee is allocated to the Conservative Group.
  - The vacant seat on VFM & Customer Service O&S Committee is allocated to the Farnham Residents Group (with the right to nominate the Chairman).
  - The Liberal Democrat 'group' is allocated an additional seat – the Conservative and Liberal Democrat Group Leaders have agreed that this will be on the Housing O&S Committee.
  - The *ex-officio* seat on the Standards Panel for the Leader of the Principal Opposition Group, becomes a proportional allocation of one seat to the Farnham Residents Group.

### **Area Planning Committees**

7. The allocation of seats on the Area Planning Committees is calculated for each area. The election of Cllr Beaman affects the proportionality of the Western Area Planning Committee. The political proportions for Western Area Planning are calculated as follows:

Allocation of seats on Western Area Planning Committee (to be re-calculated following the by-election on 24 May 2018)

12 **Conservative** /18 ward seats =  $0.667\% \times 13 = 8.671 = 9$  (rounded)  
6 **Farnham Resident**/18 ward seats =  $0.333\% \times 13 = 4.333 = 4$  (rounded)

Compared with the allocation agreed at Council on 15 May 2018:

- The vacant seat on Western Area Planning Committee is allocated to the Farnham Residents.

### **Appointments to Committee Places**

8. The Local Government & Housing Act 1989 requires that once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.
9. Consultation has been undertaken in respect of this report with the Leaders of each of the political groups represented on the Council. Their agreement has been obtained to the calculations relating to the allocation of seats on committees and their respective nominations for the positions detailed in paragraphs 6 and 7 are detailed at Annexe 2 [to follow] and recommended to the Council for approval.

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### **Recommendation**

**Council is recommended to:**

1. **NOTE** the proportional allocation of seats on the principal Committees and the Western Area Planning Committee following the by-election for the Farnham Castle Ward and the re-designation of the Standards Panel as a politically proportional Standards Committee.
2. **AGREE** the nominations to the Principal Committees and Western Area Planning Committee for the 2018/19 year received from the political groups, as

detailed in Annexe 2.

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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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## Allocation of Seats and Proportionality

Seats are allocated with the following calculation:

*councillors in political group ÷ total number of councillors × seats on committee = allocation of seats (rounded to nearest whole number)*

Table 1a.

Total number of councillors: 57 (includes vacancies)	Total seats available	Conservative Group allocation @87.72	Farnham Residents allocation @10.53%	Lib Dem allocation @ 1.75%	Vacant seats NIL	Total seats under % allocation
Unadjusted aggregate allocation	88	77.19	9.27	1.54		88
Rounded to nearest whole number	88	77	9	2		88
<b>Adjusted aggregate allocation</b>	<b>88</b>	<b>77</b>	<b>9</b>	<b>2</b>		<b>88</b>

Table 1b.

Committees	Total seats available	Conservative Group allocation @ 87.72%	Farnham Residents allocation @10.53	Lib Dem allocation @ 1.75%	Vacant seats NIL	Total seats under % allocation
VFM & Customer Service O&S*	9	8	1	0		9
Community Wellbeing O&S	9	8	1	0		9
Environment O&S	9	8	1	0		9
Housing O&S*	9	7	1	1		9
Licensing & Regulatory	12	11	1	0		12
Audit Committee	8	7	1	0		8
Joint Planning* Committee	23	20	2	1		23
Standards* Committee	9	8	1	0		9
<b>Total number of seats</b>	<b>88</b>	<b>77</b>	<b>9</b>	<b>2</b>		<b>88</b>

\*committees with changes to proportionality

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