

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 4 DECEMBER 2018

SUBMITTED TO THE COUNCIL MEETING – 11 DECEMBER 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 Jim Edwards

Cllr Jenny Else  
Cllr Carole King  
Cllr Chris Storey

**Apologies**

Cllr Kevin Deanus

EXE 47/18 MINUTES (Agenda item 1)

The Minutes of the Meeting held on 8 October 2018 and the Special Meeting held on 31 October 2018 were confirmed and signed as a correct record.

EXE 48/18 APOLOGIES FOR ABSENCE (Agenda item 2)

Apologies for absence had been received from Cllr Kevin Deanus.

EXE 49/18 DECLARATIONS OF INTERESTS (Agenda item 3)

There were no declarations of interest raised under this heading.

EXE 50/18 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4)

There were no questions from Members of the public.

EXE 51/18 QUESTIONS FROM MEMBERS (Agenda item 5)

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.

EXE 52/18 REDEVELOPMENT OF LAND ADJACENT TO 85 AARONS HILL, GODALMING AND 13 RYLE ROAD, FARNHAM (Agenda item 6)

52.1 Cllr King, Portfolio Holder for Housing, explained that the Council had previously obtained Government funding to deliver Starter Homes on the sites in Godalming and Farnham. There had been a delay in the publication of Starter Homes regulations, and Homes England had allowed the funding to be used by the Council to delivery affordable rented housing on an alternative site.

52.2 It was now proposed to develop the sites to provide 4 one-bedroom flats at Aarons Hill and two one-bedroom flats at Ryle Road, with one being designed for a wheelchair user. A planning application had been submitted for each site and decisions were awaited.

52.3 The development of these sites was an excellent use of the land and the proposals would provide one-bedroom flats for which there was a high demand on the Council's housing register.

52.4 The Executive RESOLVED to

RECOMMEND to Council that approves the allocation of funding from the New Affordable Housing Reserve, as set out in (Exempt) Annexe 1 of the report, for the development of land adjacent to 85 Aarons Hill, Godalming and 13 Ryle Road, Farnham.

*[Reason: to enable the Council to progress the development of land to provide affordable homes for rent.]*

EXE 53/18 COMMUNITY CENTRE BUILDING AND LAND, CRANLEIGH - TRANSFER FROM HOUSING REVENUE ACCOUNT (HRA) TO GENERAL FUND (Agenda item 7)

53.1 Cllr King introduced the report that proposed the transfer of the Community Centre Building, Cranleigh from the Housing Revenue Account (HRA) to the General Fund. The Community Centre Building was no longer being used for the "housing purposes" for which it was originally acquired under the Housing Act 1985, and the transfer would comply with accounting best practice.

53.2 The General Fund would receive rental income from the property and take on responsibility for managing and maintaining the property. A budget of £25,000 would be transferred from the HRA to the General Fund to allow for any future liabilities.

53.3 The Executive RESOLVED to

RECOMMEND to Council that:

- 1) Pursuant to section 122 of the Local Government Act 1972, the land outlined in blue on the Plan at Annexe 1 to the agenda report at Rowland Road, Cranleigh, Surrey be transferred from the Housing Revenue Account to the General Fund;

- 2) The Chief Executive be authorised to execute a memorandum confirming the appropriation; and,
- 3) To cover future liabilities, a one off transfer of £25,000 be made from the Housing Revenue Account to the General Fund at the time of the transfer.

*[Reason: to comply with legislation and best accounting practice.]*

EXE 54/18 COMMUNITY INFRASTRUCTURE LEVY (CIL) GOVERNANCE ARRANGEMENTS  
(Agenda item 8)

54.1 Cllr Storey advised that following the Council's adoption of the CIL Charging Schedule on 31 October, it was important to start preparing for its implementation from 1 March 2019. Whilst it was not expected that any significant CIL income would be received within the first year of operation, it was important to have in place the arrangements for allocating and spending CIL receipts.

54.2 The proposed CIL Advisory Board would comprise three Executive Members and four non-Executive Members, to ensure wide ownership of the arrangements.

54.3 The Executive RESOLVED to

RECOMMEND to Council that:

1. The governance arrangements for the allocation and spending of Strategic CIL receipts as set out in this report be approved.
2. A CIL Advisory Board is established, as set out in paragraph 19.
3. Strategic CIL receipts are held in a Strategic CIL Fund, to be allocated to infrastructure identified in the Infrastructure Delivery Plan, in accordance with the Regulation 123 List.
4. Delegated authority is given to the CIL Advisory Board to agree the detailed criteria for the spending of Strategic CIL receipts and any proposals for allocating proportions of the Strategic CIL Fund for specific purposes.
5. Delegated authority is given to the Executive to approve Strategic CIL Fund spending, after consideration of the recommendations from the CIL Advisory Board.

*[Reason: to establish arrangements for the allocation and spending of the Community Infrastructure Levy in Waverley.]*

EXE 55/18 PROPOSED PUBLIC SPACE PROTECTION ORDER - DOG FOULING -  
RESPONSE TO PUBLIC CONSULTATION (Agenda item 9)

- 55.1 Cllr Else updated the Executive on the response to the public consultation on the proposed Public Space Protection Order in relation to dog fouling.
- 55.2 Dog fouling had been an issue for residents in Waverley and elsewhere in the country for many years, caused by the irresponsible actions of a minority of dog owners. The Anti-social Behaviour Crime and Policing Act 2014 introduced new powers to deal with a wide range of anti-social behaviour issues using fixed penalty notices as an alternative to court action. The Council had consulted widely with residents, Town, Parish and the County Council and a range of other organisations and received significant numbers of responses. There was a clear indication from the responses that residents regarded failing to clear up after a dog had fouled was a problem in Waverley and that dog owners should clean up after their dog. There was overwhelming support for the introduction of fixed penalty notices for those failing to do so.
- 55.3 It was recognised that there needed to be a balance between the rights of dog owners and other residents and that there should be exemptions for those less able dog owners. Exemptions from the requirement to clean up were therefore included in the report along with a 'reasonable excuse' defence. The Order did however also include a requirement to dispose of dog waste appropriately after it has been cleared up, in response to the problem of bags of dog waste being disposed of indiscriminately.
- 55.4 As with most other civil enforcement legislation, whilst the Order would apply borough wide, enforcement of it would be intelligence led and targeted at areas where the community was reporting that there were problems. Enforcement could be carried out by a range of council officers with an enforcement role and by the Police.
- 55.5 The Executive welcomed the proposals and RESOLVED to note the findings of the public consultation, and

RECOMMEND to Council that the Public Space Protection Order No.1 (Dog Fouling) be approved.

*[Reason: to enable the Council to respond to anti-social and offensive dog-fouling, which impacts on residents' enjoyment of public spaces.]*

EXE 56/18 THE ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS)  
(ENGLAND) REGULATIONS 2018 (Agenda item 10)

- 56.1 Cllr Bolton advised the Executive that the Animal Welfare Act 2006 was introduced to ensure that animals are not mistreated, and is the enabling Act for the updated 2018 Regulations for Licensing of Activities Involving Animals. The Regulations came into effect on 1 October 2018, and replaced a number of previous licensing regimes in relation to animal establishments.
- 56.2 It was anticipated that most operators would be unlikely to have any significant difficulties in complying with the new requirements. Whilst inspections may

initially take longer and in some cases be more frequent, premises of a higher standard would be visited less frequently. Officers would receive further training in order to enforce the new legislation.

56.3 A new fee structure was proposed to that would replace all existing fees and charges for animal licences. The new fee structure was designed to recover the costs of administration, inspection and regulation of the new regime. Officers had worked with colleagues in other Surrey authorities to ensure consistency over the levels of fees charged.

56.4 The Executive RESOLVED to note the new requirements relating to The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, and

RECOMMEND to Council that the proposed fee structure be adopted.

*[Reason: The new fee structure will recover costs of the Council carrying out its responsibilities under the new Regulations.]*

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

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

### EXE 57/18 HR STRATEGY 2018-2023 (Agenda item 11)

57.1 The Leader introduced the HR Strategy for 2018 – 2023, which outlined the Council's approach to recruit, develop and retain staff, and to support them to work in ways to deliver council services in an effective 21<sup>st</sup> century council.

57.2 As well as drawing on the ambitions of the new Corporate Strategy, the HR Strategy directly addressed areas for development that had been identified in the recent Investors in People report and the LGA planning peer review.

57.3 The Leader thanked the Value for Money & Customer Service Overview and Scrutiny Committee for their contributions to the HR Strategy and commended the new Strategy to the Executive.

57.4 The Executive RESOLVED that the HR strategy 2018-2023 be approved.

*[Reason: to support the recruitment, development and retention of the Council's workforce.]*

### EXE 58/18 REVIEW OF PARTICULAR POLLING PLACES (Agenda item 12)

58.1 The Leader advised that representations had been received in relation to the continued use of particular polling places. The polling places had been reviewed and where possible alternative sites had been identified and site visits undertaken to assess their suitability as polling stations. The Council was keen to avoid using schools as polling places if at all possible due to the disruption this caused, and it was pleasing the two of the proposals would see polling moved away from school locations.

58.2 The Executive RESOLVED to approve the alternative arrangements for particular polling places as set out below:

1. to the use of Leverton Hall, St. Peter's Church, Beale Lane, Farnham as a polling place instead of St. Peter's Primary School;
2. to the use of Godalming Unitarian Chapel, Meadow, Godalming as a polling place instead of the Red Cross Centre, Wey Court, Godalming;
3. that in the event no part of the United Reformed Church site is available for polling use Farnham Town Council offices, South Street, Farnham be designated as a temporary alternative venue;
4. to the use of Snoxhall Fields Youth Centre, Knowle Lane, Cranleigh as a polling place instead of Cranleigh Band Room, Village Way, Cranleigh
5. that use of Potters Gate School as a temporary polling venue for the Farnham Castle ward cease and that use of Farnham Memorial Hall as the previously designated polling station re-commence.

*[Reason: to agree alternative arrangements for particular polling places.]*

EXE 59/18 PROPERTY MATTER - BROADWATER PARK GOLF CLUB (Agenda item 13)

59.1 Cllr Hall commended to the Executive the proposal to grant a new lease to Broadwater Park Golf Club, which would enable the Club to invest in the golf course and address health and safety concerns relating to the site and provide a long-term solution to underlying contamination issues.

59.2 The Executive RESOLVED that Officers be authorised to proceed with due legal process to grant a new lease to the Broadwater Park Golf Club on the terms proposed in Exempt Annexe 1 to the report.

*[Reason: to grant a new lease to the golf club, which will enable investment in the golf course and mitigate health and safety concerns about the site.]*

EXE 60/18 PROPERTY MATTER - EASEMENT OF ACCESS TO RUMBEAMS, HORSHAM ROAD, EWHURST (Agenda item 14)

60.1 The Executive RESOLVED to grant an easement of access to Rumbeams on terms and conditions set out in (Exempt) Annexe 2 to the report, and subject to the owners obtaining Commons consent; other terms and conditions to be agreed with the Estates and Valuation Manager.

*[Reason: to provide access for the owners to their property.]*

EXE 61/18 EXCLUSION OF PRESS AND PUBLIC (Agenda item 15)

The Executive agreed that it would not be necessary to go into Exempt session to consider the following agenda items.

EXE 62/18 PLANNING MATTER - REQUEST FOR SUPPLEMENTARY ESTIMATE (Agenda item 16)

62.1 The Executive RESOLVED to agree a Supplementary Estimate, of the amount and for the purpose set out in the Exempt report.

*[Reason: to agree a Supplementary Estimate in connection with a Planning Matter]*

EXE 63/18 PROPERTY MATTER - LEASE EXTENSION (Agenda item 17)

63.1 The Executive RESOLVED that to agree a request for a lease extension in response to a section 42 Notice under the Leasehold Reform, Housing and Urban Development Act (1993) (as amended), as detailed in the Exempt report.

*[Reason: to agree a section 42 Notice request for a lease extension, under the Leasehold Reform, Housing and Urban Development Act (1993) (as amended).]*

**The meeting commenced at 6.45 pm and concluded at 7.05 pm**

**Chairman**