

To: All Members of the Council

Fiona Cameron, Democratic Services Manager
& Deputy Monitoring Officer

Policy and Governance

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Date: 14 October 2019

Dear Councillor

COUNCIL MEETING - TUESDAY, 22 OCTOBER 2019

A MEETING of the WAVERLEY BOROUGH COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS, GODALMING on **TUESDAY, 22 OCTOBER 2019** 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 - 30)

To confirm the Minutes of the Council meetings held on 16 July 2019 and the Special Meeting of Council held on 18 September 2019 (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. LEADER'S ANNOUNCEMENTS

6. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 31 - 32)

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

The deadline for receipt of questions is 5pm on Tuesday 15 October 2019.

Questions have been received from:

1. Mr Daniel Kuszel of Godalming
2. Gill Leslie and Lynda McDermott of Cranleigh

The questions are set out on the attached paper.

7. QUESTIONS FROM MEMBERS OF THE COUNCIL

To respond to any questions received from Members of the Council in accordance with Procedure Rule 11.2.

The deadline for receipt of questions is 5pm on Tuesday 15 October 2019.

8. MOTIONS

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

The deadline for receipt of motions was 5pm on Thursday 10 October 2019.

9. MINUTES OF THE EXECUTIVE (Pages 33 - 44)

To receive the Minutes of the Executive meeting held on 8 October 2019 [attached, coloured *grey*], and to consider the recommendations set out within.

There is one Part I matters recommended for Council decision.

EXE 23/19 Statement of Community Involvement – Review of proposed amendments

The Executive considered a report reviewing the amendments to the Statement of Community Involvement (SCI) that had been proposed by Cllr Hyman at the Full Council meeting on 16 July 2019. The SCI had been adopted on 16 July, but it had been agreed that Cllr Hyman's proposals should be considered with revisions brought back to Full Council.

Having considered the proposed amendments, the Executive RECOMMENDS to Council that no further changes are required to the Statement of Community Involvement, for the reasons set out in the report at Annexe 1, attached.

Members of the Council wishing to speak on any Part II matters of report must give notice to the Democratic Services Team by midday on Tuesday 22 October 2019.

10. MINUTES OF THE STANDARDS COMMITTEE (Pages 45 - 50)

To receive the Minutes of the Standards Committee meeting held on 30 September 2019 [attached – coloured *cream*], and to consider the recommendations set out within.

There is one Part I matter recommended for Council decision:

STD 12/19 Council Procedure Rules

The Standards Committees considered proposals to change a number of Procedure Rules. The Committee agreed that it did not wish to make any recommendations on changes to Procedure Rule 21.1 (Members Standing to Speak) or Procedure Rule 17.4 (Recorded votes).

The Standards Committee agreed in principle to the re-instatement of informal questions before Full Council meetings, on the same basis as they operated previously, and the Chairman and Vice-Chairman subsequently agreed the proposed wording of the revised Procedure Rule 10, which is attached at Annexe 1.

Therefore, the Standards Committee RECOMMENDS to Council that informal questions be re-instated before Full Council meetings, on the same basis as they have operated previously and on a trial basis, and that Procedure Rule 10 be revised as set out in Annexe 1.

Members of the Council wishing to speak on any Part II matters of report must give notice to the Democratic Services Team by midday on Tuesday 22 October 2019.

11. MEMBERS' ALLOWANCES - SPECIAL RESPONSIBILITY ALLOWANCES FOR THE CHAIRMAN AND VICE-CHAIRMAN OF THE STANDARDS COMMITTEE (Pages 51 - 64)

On 17 July 2018, Council agreed to re-designate the Standards Panel, as the Standards Committee. At the re-appointment of the Standards Committee in May 2019, a Vice-Chairman of the committee was appointed. The Head of Policy & Governance was asked to review the Special Responsibility Allowances (SRA) for the positions of Standards Committee Chairman and Vice-Chairman.

This report draws on the findings and recommendations of the report of the Independent Remuneration Panel of February 2018, and recommends the increase of the SRA of the Chairman of the Standards Committee, and the introduction of an SRA for the Vice-Chairman, both at the same level as the SRAs for the Chairmen and Vice-Chairman of the Overview & Scrutiny, Planning, Licensing & Regulatory and Audit Committees.

Recommendation

It is recommended that Council agrees to amend the Schedule of Special Responsibility Allowances within the Scheme of Members Allowances to increase the SRA for the Chairman of the Standards Committee to the same level as for other Committee Chairmen, and to introduce an SRA for the Vice-Chairman of the Standards Committee at the same level as for other Committee Vice-Chairmen, and that these SRAs are backdated to the beginning of the current Council year.

12. MINUTES OF THE LICENSING AND REGULATORY COMMITTEE (Pages 65 - 66)

To receive the Minutes of the Licensing & Regulatory Committee meeting held on 23 September 2019 [attached, coloured *bright green*].

There are no Part I matters recommended for Council decision.

Members of the Council wishing to speak on any Part II matters of report must give notice to the Democratic Services Team by midday on Tuesday 22 October 2019.

13. MINUTES OF THE AUDIT COMMITTEE (Pages 67 - 78)

To receive the Minutes of the Audit Committee meeting held on 22 July 2019 and 24 September 2019 (attached – coloured *lilac*).

There are no Part I matters recommended for Council decision.

Members of the Council wishing to speak on any Part II matters of report must give notice to the Democratic Services Team by midday on Tuesday 22 October 2019.

14. EXCLUSION OF PRESS AND PUBLIC

If necessary, to consider the following motion, to be moved by the Mayor:

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.

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MINUTES of the WAVERLEY
BOROUGH COUNCIL held in
the Council Chamber, Council
Offices, The Burys, Godalming
on 16 July 2019 at 7.00 pm

- * Cllr Mary Forsyszewski (Mayor)
- * Cllr Penny Marriott (Deputy Mayor)

- | | |
|---------------------------|---------------------------|
| * Cllr Brian Adams | * Cllr Peter Isherwood |
| * Cllr Christine Baker | * Cllr Jacquie Keen |
| * Cllr David Beaman | * Cllr Robert Knowles |
| * Cllr Roger Blishen | * Cllr Anna James |
| * Cllr Peter Clark | * Cllr Jack Lee |
| Cllr Carole Cockburn | * Cllr Andy MacLeod |
| Cllr Richard Cole | * Cllr Peter Marriott |
| * Cllr Steve Cosser | * Cllr Michaela Martin |
| * Cllr Martin D'Arcy | * Cllr Peter Martin |
| Cllr Jerome Davidson | * Cllr Mark Merryweather |
| * Cllr Kevin Deanus | * Cllr Kika Mirylees |
| * Cllr Simon Dear | * Cllr Stephen Mulliner |
| * Cllr Sally Dickson | * Cllr John Neale |
| * Cllr Brian Edmonds | * Cllr Peter Nicholson |
| * Cllr Patricia Ellis | * Cllr Nick Palmer |
| * Cllr David Else | * Cllr Julia Potts |
| * Cllr Jenny Else | * Cllr Ruth Reed |
| * Cllr Jan Floyd-Douglass | * Cllr Paul Rivers |
| * Cllr Paul Follows | * Cllr Penny Rivers |
| * Cllr Michael Goodridge | * Cllr John Robini |
| * Cllr John Gray | * Cllr Anne-Marie Rosoman |
| * Cllr Michaela Gray | Cllr Trevor Sadler |
| Cllr Joan Heagin | * Cllr Richard Seaborne |
| Cllr Val Henry | * Cllr Liz Townsend |
| * Cllr George Hesse | * Cllr John Ward |
| * Cllr Chris Howard | * Cllr Steve Williams |
| * Cllr Daniel Hunt | * Cllr George Wilson |
| * Cllr Jerry Hyman | |

*Present

Apologies

Cllr Carole Cockburn, Cllr Richard Cole, Cllr Jerome Davidson, Cllr Joan Heagin,
Cllr Val Henry and Cllr Trevor Sadler

Prior to the commencement of the meeting, prayers were led by
the Reverend Ian Maslin.

CNL10/19 MINUTES (Agenda item 1.)

The Minutes of the Meeting of the Council held on 19 March 2019 were confirmed and signed.

CNL11/19 APOLOGIES FOR ABSENCE (Agenda item 2.)

Apologies for absence were received from Cllrs Carole Cockburn, Richard Cole, Jerome Davidson, Joan Heagin, Val Henry and Trevor Sadler.

CNL12/19 DECLARATIONS OF INTERESTS (Agenda item 3.)

There were no interests declared under this heading.

CNL13/19 MAYOR'S ANNOUNCEMENTS (Agenda item 4.)

The Mayor reminded Councillors of her campaign to raise awareness of male suicides, and the difficulty of providing support for men struggling with their mental health. The Mayor related how earlier in the day she had spent time with the mother of a young man from Witley who had killed himself, which had brought home the tragic loss and lasting impact of this event.

The Mayor encouraged Members to support her charity, the Compton-based *Mane Chance Sanctuary*, by purchasing a 'Rufus the Hound' mug.

The Mayor reported that she continued to be very busy attending a wide range of engagements, and had been thrilled to attend the University of Creative Arts graduation ceremony at the Royal Festival Hall in London which had been a brilliant celebration of the achievements of the university students.

Lastly, the Mayor encouraged Councillors to follow her on Facebook.

CNL14/19 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 5.)

There were no questions from members of the public.

CNL15/19 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 6.)

15.1 The following question has been received from Cllr Richard Seaborne in accordance with Procedure Rule 11.2:

“On 8th June Councillor Deanus sent an email to the Leader, copied to all councillors, requesting details of how the new Executive plans to oversee developments at Dunsfold Park. I followed this up two days later with another open email to the Leader, copied to all councillors, echoing Councillor Deanus’s concern and asking for an explanation of how an Executive drawn exclusively from Farnham and Godalming members will be structured to ensure that issues relating to Cranleigh, Haslemere and the rural wards are fully covered in Executive deliberations.

In response to these two open emails Councillor Deanus has received a personal response and I have heard nothing.

Would the Leader be kind enough to outline to Members, and indeed residents, of wards containing around half of the Borough's population, how the new Executive will ensure that Cranleigh, Haslemere and the Villages get adequate focus in Executive discussions and particularly how the major development at Dunsfold Park will get the attention it deserves as the single largest new housing development in the Borough?

Councillor Richard Seaborne
Bramley, Busbridge & Hascombe”

15.2 The Leader of the Council, Cllr John Ward, responded:

“Thank you for your question. As you rightly say I did answer Cllr Deanus's question and I had thought that my answer had also satisfied your echoing query. However as this is the third time the same question has been asked, possibly for the advantage of the members of the public, the answer will be the same; but with more detail; that the Executive team was chosen on their abilities and not their geographical location. Also it would have been impossible to include all 21 Parishes - but I shall endeavour to put some flesh on the bones of my decision. Before doing so may I correct the impression that the Executive is exclusively from Farnham and Godalming as for instance one member lives in the Frensham, Dockenfield & Tilford Ward which, I know you are well aware, is certainly not in Farnham.

At the last election the public gave a majority of the seats to a combination of the Lib Dems and the *Farnham Residents Parties*, who decided to form a joint administration. I and the Leader of the Lib Dems believe in meritocracy and so, when selecting members of the Executive from the available pool, those whose talents best fitted the various portfolio roles were offered seats on the Executive. It is obvious that *Farnham Residents* come exclusively from Farnham and by a quirk of the election process a large number of Lib Dems and other non-Tories were elected in the Godalming area. Whilst I congratulate the last, very large, administration in managing to create a geographically balanced Executive team, I did not have the luxury of size they enjoyed and my prime concern was, as I have pointed out earlier, the skills and availability of Councillors, not where individuals lived.

I am confident that all those on the Executive will do their utmost to improve the lives of all the residents of the Borough and will not be so parochial as to attempt to favour the residents who live near to them. The members of my Executive are deeply hurt and insulted by the insinuation of bias apparent in continued, politically motivated, questions.

I can also assure you that the concerns you have expressed over Dunsfold are unfounded and we are taking great interest in ensuring that this area is developed in a speedy and constructive manner. In addition to the usual work in progress, I and a number of my Executive have already been down to Dunsfold to have a meeting with the owner, as pictured in this week's *Haslemere Herald*, and the Deputy Leader, the Planning Portfolio Holder and I are scheduled to meet with him again next week. Regular meetings will continue and we are in the late stages of the process of establishing a

Dunsfold Park Garden Village Governance Board which will include both Executive and local members.

Finally, may I gently remind you that no such concerns of geography seemed to trouble you when at the last Election your Party nominated a swarm of candidates from Haslemere, Godalming, Churt and other places to stand for Farnham seats? Also, as we all know, the Haslemere and Cranleigh areas have a number of Conservative Councillors and when choosing the Executive I offered places on it to all the Parties but the Conservative leadership declined the offer. Perhaps these sudden concerns about geographical representation might be better directed elsewhere?"

- 15.3 The Deputy Leader, Cllr Paul Follows, added that he understood that no one from Cranleigh had served on the Executive for the last 11 years of Conservative control; and that all councillors had signed a declaration of acceptance of office as Waverley Members, not just representatives of their Ward.

Secretary's note:

Subsequent to the Council meeting, it was noted that:

Cllr Mike Band (Cons), ward Member for Cranleigh North and Shamley Green, was a member of the Executive from May 2007 to May 2014.

Cllr Stewart Stennett (Cons), ward Member for Cranleigh East, was a member of the Executive from December 2014 to August 2015.

CNL16/19 MOTIONS (Agenda item 7.)

No motions had been received.

CNL17/19 MINUTES OF THE EXECUTIVE (Agenda item 8.)

- 17.1 It was moved by the Leader of the Council, duly seconded by the Deputy Leader, and

RESOLVED that the Minutes of the Executive held on 9 July 2019 be received and noted.

The Leader reported that there was one Part I item recommended to Council, and there had been two requests to speak in relation to Part II of the Minutes.

CNL 17.2 REVISED STATEMENT OF COMMUNITY INVOLVEMENT

- 17.2.1 The Leader introduced the revised Statement of Community Involvement (SCI). This had last been updated in 2014, and there was a need to update it every five years. There had been no changes in circumstances since 2014 in terms of legislation, policy or guidance that warranted more than a 'light touch' review. The proposed amendments reflected changes in legislation, factual updates, and new consultation methods reflecting wider use of social media. The SCI set out the minimum level of consultation the council would

do and was not prescriptive.

17.2.2 Cllr Goodridge welcomed the 'light touch' review, but suggested that it would have been helpful to provide a version of the SCI with 'tracked changes' so that Members could see clearly the proposed amendments. He was pleased that there was no suggestion that Local Plan Part 1 (LPP1) might be re-opened, and asked when the new Executive proposed to bring forward Local Plan Part 2 (LPP2).

17.2.3 A number of Members echoed the sentiments regarding showing tracked changes to documents, and Cllr Adams asked for a response on the issues that were causing a delay, which Development Management policies had not been finalised, which site allocations were still outstanding, and the planned date for adoption of LPP2.

17.2.4 The Leader reported that the Executive was considering the next steps in relation to LPP1, and the work on LPP2 would follow on from that.

17.2.5 Cllr Hyman advised Members that he had checked the proposed changes and confirmed that they were very minor, but there was a departure from the requirement to consult on the SCI itself, and a number of other matters that he had covered in his proposed amendments, as follows:

“That the Revised Statement of Community Involvement 2019 be adopted as an extension to the 2014 document, subject to

- (a) the insertion of “9.16 The Tests of Soundness are:” prior to the relevant text box, and changing the reference in paragraph 9.21 from “9.15” to “9.16” as appropriate, and**
- (b) delegation to the Head of Planning in consultation with the Portfolio Holder and Leader, prior to publication, of**
 - (i) the correction of paragraph 5.2, and**
 - (ii) the reinstatement of consultation upon changes to the SCI in paragraph 8.4, and**
 - (iii) the insertion of a paragraph clearly explaining the Council’s policy regarding the provision of advice and assistance in making and modifying Neighbourhood development Plans, if necessary to ensure compliance with s18 subsection 2 of the Planning & Compulsory Purchase Act 2004,**

and that Members instruct Officers to prepare an assessment of the effectiveness of the SCI as a priority, to inform a public consultation upon the appropriate revision and adoption of an improved SCI as soon as reasonably possible.”

The amendment was seconded by Cllr Potts.

17.2.6 Speaking the amendment, Cllr Follows, Cllr Beaman, Cllr MacLeod and Cllr Ward agreed that a tracked changes version of the revised SCI would have been helpful, but it was hard to follow the proposed amendments at such short notice. Cllr Ward commented that he would not be supporting the amendment, but if Council had concerns, he would ask that the SCI be given

an early review.

- 17.2.7 As a point of personal explanation, Cllr Hyman noted that the SCI had not been scrutinised by Overview & Scrutiny, and the formatting had been amended been Executive and Council. His amendment was fairly simple, but without it in his view the SCI would not be lawful and he would vote against it.
- 17.2.8 The Mayor asked the Borough Solicitor to comment on the amendment. In response the Borough Solicitor, Daniel Bainbridge, commented that the formatting suggestion under (a) was acceptable; and the 'correction' to paragraph 5.2 was unnecessary. He would not comment on the matters in b(ii) and b(iii) without further detail, and questioned whether Council would be happy with the proposed delegation.
- 17.2.9 Cllr Follows was concerned that Council was being 'bounced' into considering a detailed amendment at short notice, and Cllr Palmer suggested that a way forward would be to agree the SCI in front of Council, and to review it as soon as possible. Cllr Cosser agreed that it was disappointing the amendment had been brought forward so late, and he wanted assurance that all the matters raised in it would be considered.
- 17.2.10 Cllr Hyman's amendment, seconded by Cllr Potts, was put to the vote:
For = 24 votes, Against = 25 votes, Abstentions = 2
The amendment was therefore lost.
- 17.2.11 Cllr Follows proposed an amendment, **to delegate temporary powers to the Leader and to the Planning Portfolio Holder in order to make the necessary amendments, to draft those and to bring them to the next available Full Council for ratification by this Chamber.** The amendment was seconded by Cllr Beaman. Cllr Peter Martin reminded Council that the delegation would need to be to the Head of Planning in consultation with the Leader and Planning Portfolio, which Cllr Follows accepted.
- 17.2.12 The Mayor reminded Members that it was important that the SCI was adopted by Council this evening, as there would not be time to bring further revisions back to Council before mid-August.
- 17.2.13 Cllr Follows therefore agreed to amend the wording of his amendment to read, **that the current recommendation to approve this document, with its known and noted inaccuracies, plus the amendment to allow that delegation to rectify that, so this document would be therefore be valid upon passing, and the recommendation to amend would then be brought back to the next Full Council in September or October, whenever it is, so that this Chamber can review it properly then.**
- 17.2.14 The Mayor put the amendment to the vote:
For = 47 votes, Against = 1, Abstentions = 1
The amendment was therefore carried.

17.2.15 The Leader summed up by endorsing the recommendation to adopt the SCI, as amended by Cllr Follows, and it was

RESOLVED that the Statement of Community Involvement be adopted, subject to a delegation to the Head of Planning in consultation with the Leader and the Planning Portfolio Holder to make the necessary amendments, to draft those and to bring them to the next available Full Council for ratification by this Chamber.

CNL 17.3 MATTERS OF REPORT

General Fund Financial Out-turn Report 018/19 (EXE 6/19)

Cllr Hyman noted that the Special Executive on 27 March 2019 had approved a virement from the budget for the Frensham Heathland Hub to settle the contract on the Memorial Hall, which had been justified on the basis that grant-funding had been sought to fund the Frensham Heathland Hub. The grant application had not been successful and there was now a £780, 000 budget gap on the Heathland Hub. Had any consideration been given to using the budget surplus to fund this project?

Funding bid – Alfold Sports and Social Club (EXE 8/19)

Cllr Deanus advised that he had been involved with the Alfold Sports and Social Club and Alfold Village Hall for many years, and the funding granted would enable significant improvements to be made. He thanked officers, and Cllr Beaman and the previous Finance Portfolio Holder, Ged Hall, for their work in bringing this forward, and looked forward to more of this kind of support for community facilities.

Appointments to Outside Bodies (EXE9/19)

Cllr Peter Martin welcomed the appointment of Cllrs Jack Lee and Paul Follows as Armed Forces Champions, but was disappointed to note there were still some appointments outstanding, and asked when it was expected that these would be filled?

The Leader responded that he accepted the comments about outstanding appointments, and he hoped to have appointments completed soon. He would be wanting appointees to report back on their outside bodies in due course.

CNL18/19 MINUTES OF THE LICENSING AND REGULATORY COMMITTEE (Agenda item 9.)

18.1 It was moved by the Chairman of the Committee, Cllr Robert Knowles, duly seconded by the Deputy Chairman, Cllr Peter Clark, and

RESOLVED that the Minutes of the Licensing & Regulatory Committee held on 17 June 2019 be received and noted.

18.2 The Chairman reported that there no matters for Council to consider in Part I, and he had received no requests from Members to speak on the matter in Part II.

CNL19/19 MINUTES OF THE STANDARDS COMMITTEE (Agenda item 10.) (Pages 11 - 14)

19.1 It was moved by the Chairman of the Committee, Cllr John Robini, duly seconded by the Deputy Chairman, Cllr Michael Goodridge, and

RESOLVED that the Minutes of the Licensing & Regulatory Committee held on 1 July 2019 be received and noted.

The Chairman reported that there were four matters in Part I recommended to the Council.

CNL 19.2 DEFINITION OF THE PRINCIPAL OPPOSITION GROUP WITHIN THE COUNCIL

19.2.1 The Standards Committee had reviewed the wording of the Constitution that described the Executive and the position of political groups within the Council, and recommended minor amendments as set out in the Annexe to the Minutes that clearly defined the Principal Opposition Group as the largest group not represented on the Executive.

19.2.2 It was moved by the Chairman, and duly seconded by the Deputy Chairman, and

RESOLVED that the amendments to the Constitution, Part 1 (Summary and Explanation) paragraphs 4.0 and 5.3; and Part 4 (Overview and Scrutiny Procedure Rules) paragraph 1, as set out in the Annexe to the Standards Committee minutes, be approved.

CNL 19.3 REINSTATEMENT OF INFORMAL QUESTIONS BEFORE MEETINGS OF THE EXECUTIVE

19.3.1 The Chairman reported that this proposal had come from the Executive, and it reflected their wish for there to be the opportunity for a greater level of engagement with residents. The proposal allowed for up to 15 minutes of informal questions prior to the start of meetings of the Executive, where members of the public can come to the Council Chamber and ask a question within having given prior notice. The detail of the amendments to the Council Procedure Rule 10, and the Executive Procedure Rule 2.9, were set out in the Annexe to the Minutes.

19.3.2 The Leader and Deputy Leader endorsed the recommendation, which was they saw as the first step of many they wished to take to make the Council more open and transparent.

19.3.3 Cllr Hyman welcomed the move, and looked forward to informal questions also being reinstated before Council meetings. Cllr Reed also welcomed the move, which would open up the opportunity for engagement to those less able to submit written questions.

19.3.4 It was moved by the Chairman, duly seconded by Cllr Follows, and

RESOLVED that informal questions be reinstated before meetings of

the Executive , and the amendments to the Council Procedure Rule 10, and the Executive Procedure Rule 2.9, set out in the Annexe to the Minutes of the Standards Committee be approved.

CNL 19.4 AMENDMENTS TO THE REMITS OF THE OVERVIEW & SCRUTINY COMMITTEES

19.4.1 The Chairman advised that the Committee had considered a proposal to amend the remits of the Environment and Community Wellbeing Overview & Scrutiny Committees. The Chairman reported that since the Standards Committee meeting, he had received feedback from Overview & Scrutiny Members about the proposed amendment. As a result, he wished to propose that the recommendation be withdrawn, and referred to the next meeting of the Overview & Scrutiny Co-ordinating Board.

19.4.2 Cllr Follows seconded the amendment, that the recommendation be withdrawn, and thanked Cllr D'Arcy and Cllr Townsend for their helpful comments following the Standards Committee meeting.

19.4.3 There were no further speakers on the amendment, which was carried without opposition. It was then moved by the Chairman, duly seconded and

RESOLVED that the recommendation be withdrawn, and the matter referred to the next meeting of the Overview & Scrutiny Co-ordinating Board.

CNL 19.4 AMENDMENT TO CALL-IN ARRANGEMENTS WITHIN THE SCHEME OF DELEGATION TO THE HEAD OF PLANNING AND ECONOMIC DEVELOPMENT

19.4.1 The Chairman explained that the proposed amendment was a minor textual change that did not change the way the call-in arrangements operated for Members, but responded to a recommendation made by the Local Government and Social Care Ombudsman in a recent report, to provide clarification about the arrangements in relation to representations received on planning applications.

19.4.2 It was moved, duly seconded by Cllr Goodridge, and

RESOLVED that the minor amendment to the Scheme of Delegation as shown in the agenda paper, be approved.

The meeting concluded at 8.40 pm

Mayor

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Definition of Principal Opposition GroupConstitution, Part 1 (Summary and Explanation)**4.0 How decisions are made**

- The largest political group, or a combination of groups, shall form the administration of the Council (the Executive).
- The largest political group not represented on the Executive shall be the Principal Opposition Group.
- The Executive is the part of the Council which is responsible for delegated decisions.
- The Executive is made up of the Leader and up to nine councillors appointed by the Leader (including the Deputy Leader) with the Executive's responsibilities divided into areas of responsibility (portfolios), each member leading on a specific group of policy issues.
- When major decisions are to be discussed or made, these are published in the Executive's Forward Programme of Key Decisions in so far as they can be anticipated.
- If these major decisions are to be discussed with council officers at a meeting of the Executive, this will generally be open to councillors and the public to attend except where personal or confidential matters are being discussed.
- The Executive has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

5.0 Overview and Scrutiny Committees

- 5.3 ~~In the event of a single party Executive, the Chairmen of the four Overview and Scrutiny Committees shall be elected from nominations put forward by the largest minority political group on the Council (this can include non-members of the largest minority group or members of the majority group).~~ The Chairmen of the four Overview and Scrutiny Committees shall be elected from nominations put forward by the Principal Opposition Group of the Council (this can include non-members of the Principal Opposition Group or members of the administration group(s)) subject to the total number of Opposition members on the Council exceeding 10% of the overall membership (in the current composition of the Council, this would equate to 6 members). The Vice-Chairman of each Overview and Scrutiny Committee

shall usually not be from the same political group as the Chairman. Without consent of the Council, no member can be Chairman or Vice-Chairman of more than one Overview and Scrutiny Committee.

NB. Amended Paragraph 5.3 to replace the equivalent wording in paragraph 1 of the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.

Reinstatement of Informal Questions

Council Procedure Rules

10. QUESTIONS BY THE PUBLIC

10.1 General

Members of the public who have a legitimate interest in the Borough, by way of work or residency, may ask a question at ordinary meetings of the Council, Executive and Committees. Questions by the public will not be included as an agenda item on agendas for Special or Extraordinary meetings. The rules for asking a written question are set out in Procedure Rules 10.2-10.7 below.

Written questions

10.2 Notice of written questions

A written question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Head of Policy and Governance no later than close of business (5.00pm), 4 clear working days before the day of the meeting. Each question must give the name and address of the questioner.

10.3 Order of questions

Questions will be asked in the order notice of them was received, except that the Mayor or Chairman may group together similar questions.

10.4 Number of questions

At any one meeting no person may submit more than 1 written question and no more than 1 such question may be asked on behalf of one organisation.

10.5 Scope of questions

The Chief Executive may reject a question if it:

- is not a matter in relation to which the Council has powers or duties or which affects the Borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months;

- requires the disclosure of confidential or exempt information;
- is not substantially in the form of a question, or the length of the preamble is disproportionate to the question.

10.6 Record of **written** questions

The Chief Executive will immediately send a copy of the question to the Chairman of the Executive and relevant Portfolio Holder. Where the Chief Executive recommends that the question be rejected, reasons for rejection will be stated.

Copies of all questions will be circulated and made available to councillors and the public attending the meeting. All **written** questions submitted will receive a prepared answer.

10.7 Reference of question to the Executive

Unless the Mayor decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Executive or the appropriate named Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

Informal questions at the Executive

10.8 Members of the public may ask informal questions of the Executive before the start of each ordinary meeting of the Executive, in accordance with the arrangements at Executive Procedure Rule 2.9

Petitions

10.9 Presentation of petitions

Members of the public can submit petitions electronically through the Waverley website or in hard copy addressed to the Chief Executive. The petition will be dealt with in accordance with the Waverley Petition Scheme.

Executive Procedure Rules

2.9 Questions by the Public

Written questions

2.9.1 Members of the public may ask **written** questions at ordinary meetings of the Executive in accordance with the provisions in **Council** Procedure Rules **10.2 – 10.7**. The Leader and/or the Deputy Leader or appropriate Portfolio Holder should be invited to respond to the question.

Informal questions

2.9.2 Informal questions may be asked of the Leader, Deputy Leader or an appropriate Portfolio Holder before the start of each ordinary meeting of the Executive for up to 15 minutes, including replies. No prior notice needs to be given. Questions will be taken in the order in which questioners register with the Democratic Services Officer prior to the start of question time. When read out, each question must be concluded within 2 minutes. In the event that it is not possible to give a verbal response, a written response will be provided following the meeting.

MINUTES of the WAVERLEY
BOROUGH COUNCIL held in
the Council Chamber, Council
Offices, The Burys, Godalming
on 18 September 2019 at 7.00
pm

- * Cllr Mary Foryszewski (Mayor)
- * Cllr Penny Marriott (Deputy Mayor)

Cllr Brian Adams	Cllr Peter Isherwood
* Cllr Christine Baker	* Cllr Jacquie Keen
* Cllr David Beaman	* Cllr Robert Knowles
* Cllr Roger Blishen	* Cllr Anna James
* Cllr Peter Clark	Cllr Jack Lee
Cllr Carole Cockburn	* Cllr Andy MacLeod
* Cllr Richard Cole	* Cllr Peter Marriott
* Cllr Steve Cosser	* Cllr Michaela Martin
* Cllr Martin D'Arcy	* Cllr Peter Martin
* Cllr Jerome Davidson	* Cllr Mark Merryweather
* Cllr Kevin Deanus	* Cllr Kika Mirylees
* Cllr Simon Dear	* Cllr Stephen Mulliner
* Cllr Sally Dickson	* Cllr John Neale
* Cllr Brian Edmonds	* Cllr Peter Nicholson
* Cllr Patricia Ellis	* Cllr Nick Palmer
* Cllr David Else	* Cllr Julia Potts
* Cllr Jenny Else	Cllr Ruth Reed
* Cllr Jan Floyd-Douglass	* Cllr Paul Rivers
* Cllr Paul Follows	* Cllr Penny Rivers
Cllr Michael Goodridge	* Cllr John Robini
Cllr John Gray	* Cllr Anne-Marie Rosoman
Cllr Michaela Gray	* Cllr Trevor Sadler
* Cllr Joan Heagin	* Cllr Richard Seaborne
* Cllr Val Henry	* Cllr Liz Townsend
* Cllr George Hesse	* Cllr John Ward
* Cllr Chris Howard	* Cllr Steve Williams
* Cllr Daniel Hunt	* Cllr George Wilson
* Cllr Jerry Hyman	

*Present

Apologies

Cllr Brian Adams, Cllr Carole Cockburn, Cllr Michael Goodridge, Cllr John Gray, Cllr Michaela Gray, Cllr Peter Isherwood, Cllr Jack Lee and Cllr Ruth Reed

Prior to the commencement of the meeting, prayers were led by the Reverend Ian Maslin.

CNL20/19 APOLOGIES FOR ABSENCE (Agenda item 1.)

Apologies for absence were received from Cllrs Brian Adams, Carole Cockburn, Michael Goodridge, John Gray, Michaela Gray, Peter Isherwood, Jack Lee and Ruth Reed.

CNL21/19 DECLARATIONS OF INTEREST (Agenda item 2.)

Cllr John Ward declared a non-pecuniary interest in relation to the Climate Emergency item in that having worked for over 30 years in the Oil industry, he was in receipt of pensions from his former employers. These were guaranteed by their separate pension funds and in no way affected by the profitability or otherwise of the various companies, and so there was no declarable pecuniary interest.

Cllrs Richard Seaborne, Jerome Davidson, and Brian Edmonds declared non-pecuniary interests in relation to the Climate Emergency item for similar reasons as set out by Cllr Ward.

CNL22/19 MINUTES OF THE EXECUTIVE OF 3 SEPTEMBER 2019 (Agenda item 3.)

22.1 It was moved by the Leader of the Council Cllr John Ward, duly seconded by the Deputy Leader Cllr Paul Follows, and

RESOLVED that the Minutes of the Executive held on 3 September 2019 be received and noted.

There were two Part I matters for Council consideration. There had been no requests to speak on Part II matters.

CNL 22.2/19 CLIMATE EMERGENCY [EXE15/19]

22.2.1 Cllr Ward introduced the report and the proposal that Waverley Borough Council declare a climate emergency. The recommendation was deliberately succinct, that a 'climate emergency' be declared; that a target date of 2030 be set for the Council to become carbon-neutral, this being the IPCC reference date; that the Council calls on the government to provide the powers, funding and other resources to facilitate achieving the 2030 target; and, officers to report back in six months with an action plan to achieve the target, specifying milestones and metrics and additional costs.

22.2.2 Cllr Williams, Portfolio Holder for Environment and Sustainability, began by welcoming children from Broadwater School to the Council Chamber, and emphasised that the actions of the Council tonight were about their future. The Intergovernmental Panel on Climate Change (IPCC) had reported in October 2018 on the subject of 'Global Warming of 1.5°C'. The report stated that to limit warming to 1.5°C it would be necessary to halve global carbon emissions by 2030 and to achieve near-zero net emissions by 2050. The impacts of climate change were already being felt, with unprecedented rates of species extinctions. The prospects of warming of 2°C would be calamitous. The motion recognised the emergency and the need to take account of the climate in every action. Four levels of action were proposed: direct action by the Council, leadership, lobbying of government, and collaboration with other local authorities. Whatever the uncertainties of the

route proposed, the Council could not opt out of the global movement to take this issue seriously.

22.2.3 Cllr Penny Rivers welcomed the pupils from Broadwater School to the meeting, and noted how it was young people who were leading the way on this issue. Whilst Waverley might miss the 2030 target proposed, without such a target we would certainly miss it.

22.2.4 Cllr Follows commended Cllr Williams for his passion and eloquence in making the case for the climate emergency declaration. Waverley's declaration would build on the declaration by Godalming Town Council, and he knew that other local councils would shortly be considering their own declarations. He thanked Members who had already engaged with the climate motion, including those from the Opposition. Cllr Follows endorsed the climate emergency motion on behalf of the Liberal Democrat Group and the rest of the Executive.

22.2.5 Cllr Jenny Else remarked that she hoped that support for voluntary sector organisations would not be at risk in order to meet the costs of going carbon neutral, and sought assurances on this.

22.2.6 Cllr Potts advised that the Conservative Group supported the principle of the climate emergency declaration and recognised the desirability of the council being carbon neutral; however, they felt that setting the target date before carrying out the research and understanding the actions was premature: the study should be the vehicle for selection of the target date, and it may be that an earlier target date could be met.

22.2.7 Cllr Seaborne proposed an amendment, as follows:

“That the Executive recommends to Council that:

- i) Waverley Borough Council declares a ‘Climate Emergency’ requiring urgent action.
- ii) Officers be instructed to provide to the Council’s Executive, within six months of the date of this decision, a report setting out:
 - clearly defined baseline data to demonstrate the scale of the Council’s current carbon footprint and against which progress can be measured;
 - the earliest achievable and realistic date that this Council’s operations can be conducted on a carbon-neutral basis;
 - the actions that the Council can take to approach carbon neutrality, together with an action plan, specifying year on year milestones and metrics to show progress towards achieving the goal; and
 - the costs associated with achieving carbon neutrality and the impact that the plan of action will have on other Council services.
- iii) Subject to the findings of the above report, Waverley Borough

Council aims to become carbon neutral at the earliest achievable and realistic date, taking into account both production and consumption emissions.

- iv) In addition to seeking to achieve carbon neutrality for its own operations, the Council will also take a leadership role in the pursuit of carbon neutrality across the borough, including the promotion of awareness amongst residents and by working with other councils, including town and parish councils within the borough.

Waverley Borough Council recognises that the achievement of the target it agrees to set will require central government to provide the powers, funding and other resources, and therefore calls on the government to provide such powers, funding and other resources as appropriate to facilitate working towards the agreed target.”

The amendment was seconded by Cllr Potts, who reserved her right to speak.

22.2.8 Cllr Seaborne thanked the Executive for the explanatory note circulated after the Executive meeting setting out the intentions with regard to carbon neutrality. He also welcomed the commitment to the action plan containing SMART targets, but he suggested in this case targets needed to be Realistic rather than Relevant. The target date for becoming carbon neutral needed to be the earliest achievable and realistic date and the research and action planning had to come first. The amendment retained the detail of the original motion but prioritised the establishment of baseline data on the Council’s current carbon footprint, an achievable and realistic target date for the Council to conduct its operations on a carbon-neutral basis, and the actions and costs needed to achieve the carbon neutral target.

22.2.9 Cllr Williams did not accept the amendment, although it contained some valid points. However, replacing the 2030 target date with ‘earliest achievable and realistic date’ let down young people, and removed the emergency. The IPCC had made clear 2030 was a critical date and to ignore it was to let down the young people of Waverley.

22.2.10 Cllr Palmer congratulated Cllr Williams in taking the lead on this matter and his commitment to it. On behalf of the Labour Group, he endorsed the original motion and its target of 2030. The proposed amendment would be appropriate for outcomes that were desirable, but this was an emergency and the deadline was key. It would be a challenge, but a firm target was important and the absence of one encourage slippage, and would let down the borough and its residents.

22.2.11 Cllr Peter Martin noted that Surrey County Council and the majority of Surrey district councils had set targets of 2050, or 2030. The Conservative Group’s view was that 2050 showed a lack of ambition. But, each council had to recognise its own circumstances and level of service, such as its own housing stock. If the Council were to rush to set a target of 2030 without an understanding of the impact, this may be neither achievable nor

realistic. He commended the more measured approach set out in the amendment.

22.2.12 Cllr Follows argued that action was needed and Surrey County Council motion had been very sensible until diluted by an amendment. He commended the original motion; this was not the time to take time. Cllr Robini echoed the support for the original motion: Haslemere Town Council would be considering a similar motion next week, and he welcomed the leadership being shown by Waverley in proposing the 2030 target.

22.2.13 Cllr Townsend supported the declaration of a climate emergency, but was concerned at setting a target date before setting out the action plan. This was not opting for business as usual and substantive action needed to follow the declaration. She urged the Executive to progress Local Plan Part 2, and take the opportunity to have policies that protect the countryside and biodiversity, and control development which was a big driver of climate change.

22.2.14 Cllr Hyman, Cllr Rosoman and Cllr Edmonds spoke briefly in support of the original motion, whilst Cllr Mulliner spoke in support of the approach set out in the amendment. Cllr Potts, as seconder of the motion, spoke to emphasise that the intention was not to dilute the motion but have the facts before setting a target date; and indeed, more ambitious targets could be set for some actions.

22.2.15 Cllr Seaborne commended the amended motion, saying that in reality there was little difference between setting the target date now or in 6 months, but in 6 months it would be a more informed decision.

22.2.16 Cllr Ward, summing up emphasised the importance of setting a date to impart urgency on the action planning. The amendment was mealy-mouthed, with the same general end point, but when? Cllr Ward asked for a recorded vote on the amendment, and this was supported by Cllrs Follows, Palmer, Paul Rivers, Penny Rivers, and John Robini.

22.2.17 At 20.02, the Mayor put the amendment as set out at paragraph 22.2.7 above, and asked the Head of Policy & Governance, Robin Taylor, to carry out the recorded vote:

For the amendment: 17

Cllrs Steve Cosser, Kevin Deanus, Simon Dear, Patricia Ellis, David Else, Jenny Else, Jan Floyd-Douglass, Val Henry, Chris Howard, Robert Knowles, Anna James, Peter Martin, Stephen Mulliner, Julia Potts, Trevor Sadler, Richard Seaborne, Liz Townsend.

Against the amendment: 30

Cllrs Christine Baker, David Beaman, Roger Blishen, Peter Clark, Richard Cole, Martin D'Arcy, Jerome Davidson, Sally Dickson, Brian Edmonds, Paul Follows, Joan Heagin, George Hesse, Dan Hunt, Jerry Hyman, Jacquie Keen, Andy MacLeod, Peter Marriott, Michaela Martin, Mark Merryweather, Kika Mirylees, John Neale, Peter Nicholson, Nick Palmer, Paul Rivers, Penny Rivers, John Robini, Anne-Marie Rosoman, John Ward, Steve

Williams, George Wilson.

Abstentions: 2

Cllrs Mary Forszewski, Penny Marriott

The amendment was therefore lost.

22.2.18 Cllr Knowles proposed an amendment, seconded by Cllr Dear, to add a further recommendation to the motion as follows:

“v) Waverley Borough Council recognising the need to lead by example, will with immediate effect list all meetings to be held during the working day, thereby avoiding the need to heat and light the civic building outside normal working hours, and allowing members and staff to utilise public transport avoiding the need for multi car use.”

22.2.19 Cllr Knowles advised that for the Council to achieve carbon neutral operations would require adjustments to everyone’s lifestyle. The amendment forced the issue in relation to council meetings, to save on energy and emissions. Cllr Dear seconded the amendment, advising that these were simple and implementable measures that recognised the need for emergency measures.

22.2.20 Cllrs Williams, Follows, MacLeod, Hyman, Baker, Wilson and Beaman all spoke to point out that the action proposed in the amendment would bar anyone from becoming a councillor who wasn’t retired or self-employed; would prevent working members of the public, or young people, attending meetings of the council; and public transport was not sufficiently reliable even during the day to ensure attendance by councillors. Cllr Townsend pointed out that this demonstrated how difficult the action-planning would be; bold actions would be needed, but it would be important to bring residents along with the council.

22.2.21 Cllr Ward, summing up suggested that actions such as this would be better looked at in the action planning work. Cllr Ward asked for a recorded vote on the amendment, and this was supported by Cllrs Follows, Palmer, Rosoman, Williams, and Merryweather.

22.2.22 At 20.02, the Mayor put the amendment as set out at paragraph 22.2.17 above, and asked the Head of Policy & Governance, Robin Taylor, to carry out the recorded vote:

For the amendment: 10

Cllrs Steve Cosser, Kevin Deanus, Simon Dear, Patricia Ellis, David Else, Jenny Else, Val Henry, Robert Knowles, Anna James, Julia Potts

Against the amendment: 32

Cllrs Mary Forszewski, Penny Marriott, Christine Baker, David Beaman, Roger Blishen, Peter Clark, Richard Cole, Martin D’Arcy, Jerome Davidson, Brian Edmonds, Paul Follows, Joan Heagin, George Hesse, Dan Hunt, Jerry Hyman, Jacquie Keen, Andy MacLeod, Peter Marriott, Michaela Martin, Mark Merryweather, Kika Mirylees, John Neale, Peter Nicholson, Nick Palmer, Paul Rivers, Penny Rivers, John Robini, Anne-Marie Rosoman, Liz Townsend, John Ward, Steve Williams, George Wilson

Abstentions: 7

Cllrs Sally Dickson, Jan Floyd-Douglass, Chris Howard, Peter Martin, Stephen Mulliner, Trevor Sadler, Richard Seaborne,

The amendment was therefore lost.

22.2.23 Returning to the substantive (original) motion, the Mayor invited any further, new comments. Cllr Hesse emphasised the need to require developers to provide the necessary infrastructure for electric vehicle charging, photo voltaic panels and fast fibre broadband, that would all contribute to the enable the lifestyle changes needed to reduce carbon emissions.

22.2.24 Cllr Ward requested a recorded vote on the climate emergency motion, and this was supported by Cllrs Follows, Palmer, Rosoman, Williams, and Merryweather. At the request of Cllr Potts, the Mayor agreed that a vote would be taken on recommendation (i) and then a further vote on recommendations (ii) – (iv) together.

22.2.25 The Head of Policy & Governance, Robin Taylor, carried out the recorded vote on recommendation (i), that Waverley Borough Council declares a Climate Emergency requiring urgent action.

For the motion: 49

Cllrs Mary Foryszewski, Penny Marriott, Christine Baker, David Beaman, Roger Blishen, Peter Clark, Richard Cole, Steve Cosser, Martin D’Arcy, Jerome Davidson, Kevin Deanus, Simon Dear, Sally Dickson, Brian Edmonds, Patricia Ellis, David Else, Jenny Else, Jan Floyd-Douglass, Paul Follows, Joan Heagin, Val Henry, George Hesse, Chris Howard, Dan Hunt, Jerry Hyman, Jacquie Keen, Robert Knowles, Anna James, Andy MacLeod, Peter Marriott, Michaela Martin, Peter Martin, Mark Merryweather, Kika Mirylees, Stephen Mulliner, John Neale, Peter Nicholson, Nick Palmer, Julia Potts, Paul Rivers, Penny Rivers, John Robini, Anne-Marie Rosoman, Trevor Sadler, Richard Seaborne, Liz Townsend, John Ward, Steve Williams, George Wilson

Against the motion: None**Abstentions: None****The motion was carried unanimously.**

22.2.26 The Head of Policy & Governance, Robin Taylor, carried out the recorded vote on recommendations (ii) – (iv) as set out in the agenda paper.

For the motion: 31

Cllrs Christine Baker, David Beaman, Roger Blishen, Peter Clark, Richard Cole, Martin D’Arcy, Jerome Davidson, Sally Dickson, Brian Edmonds, Paul Follows, Joan Heagin, George Hesse, Dan Hunt, Jerry Hyman, Jacquie Keen, Andy MacLeod, Peter Marriott, Michaela Martin, Mark Merryweather, Kika Mirylees, John Neale, Peter Nicholson, Nick Palmer, Paul Rivers,

Penny Rivers, John Robini, Anne-Marie Rosoman, Liz Townsend, John Ward, Steve Williams, George Wilson

Against the motion: None

Abstentions: 18

Cllrs Mary Foryszewski, Penny Marriott, Steve Cosser, Kevin Deanus, Simon Dear, Patricia Ellis, David Else, Jenny Else, Jan Floyd-Douglass, Val Henry, Chris Howard, Robert Knowles, Anna James, Peter Martin, Stephen Mulliner, Julia Potts, Trevor Sadler, Richard Seaborne

The motion was carried.

22.2.27 It was therefore RESOLVED that

- i) Waverley Borough Council declares a ‘Climate Emergency’ requiring urgent action.**
- ii) Waverley Borough Council aims to become carbon neutral by 2030, taking into account both production and consumption emissions, and takes a leadership role to achieve this working with other councils, including town and parish councils with the borough.**
- iii) Waverley Borough Council recognises that the achievement of the target will require central government to provide the powers, funding and other resources to achieve the target and therefore calls on the government to provide such powers, funding and other resources as appropriate to facilitate achieving the 2030 target.**
- iv) Officers be instructed to provide to the Council’s Executive, within six months of the date of this decision, a report on the actions the Council and the local community can take to address these issues together with an action plan, specifying year on year milestones and metrics to show progress towards achieving the goal of carbon neutrality by 2030 noting any additional costs that might be involved.**

CNL 22.3/19 WAVERLEY BOROUGH COUNCIL CORPORATE STRATEGY 2019-23 [EXE 16/19]

22.3.1 The Leader of the Council, Cllr Ward, introduced the new Corporate Strategy for Waverley, 2019-23. The Strategy was deliberately concise, clear, meaningful and valid. It was supported by the four Groups on the Executive, and he commended it to Council for adoption.

22.3.2 Cllr Follows seconded the adoption of the Corporate Strategy. The Executive was more than the sum of its four Groups and the Corporate Strategy reflected the shared understanding of the direction for the next four years. It was clear, concise and ambitious and he commended it to Council.

22.3.3 Opposition Group members expressed a number of concerns about the Strategy document:

- The impact of the climate emergency should have been more visible in the Strategy, and the climate emergency declaration would make much of the ambition undeliverable.
- There should be more specific commitment to expediting work on delivering Local Plan Part 2; the Green Belt didn't need more planning protection, but countryside beyond the Green Belt needed the protection of policies in Local Plan Part 2, and more clarity was needed on the policies for sites for Gypsies and Travellers.
- There was no mention of Waverley's ageing population and how the Council would be addressing their needs; nor any mention of the Council's important voluntary sector partners.
- The absence of 'religion' in the third bullet point was an omission that should be corrected.
- Devolution of services to Town and Parish Councils was rarely funded adequately funded and passed the burden of taxing residents to Town and Parish Councils who were not subject to a cap on their precept.

22.3.4 Cllr Potts appreciated the desire to put forward a new Corporate Strategy, but was found this to be a disappointingly lacklustre wish list, without any substance in its brevity. She was unable to support it in this format, and suggested that it be deferred to allow time for it to be considered in the light of the climate emergency now passed, and to provide the substance that was needed.

22.3.5 In response Cllr MacLeod emphasised that this was deliberately not a public relations document, but a concise statement about how the Executive was going to run the council and what they were going to do. He assured Members that work was continuing on Local Plan Part 2 and the timetable to bring it forward would be announced shortly. Cllr Williams stated that the Strategy was a product of collaboration and compromise between the four Groups on the Executive. The Conservative Group had been invited to join the Executive but had chosen to decline. He thanked Cllr Townsend for her challenge with regard to the climate emergency being reflected in the Strategy, and assured Members that work on the action-planning was already underway.

22.3.6 Cllr Hyman commented that there was nothing to object to in the new Strategy, but he was concerned at the process by which it had been brought to Council without consultation with the wider Council membership. The previous Corporate Strategy had been the product of a lot of effort and input from Scrutiny. It would be better annexed to the existing Strategy.

22.3.7 Cllr Rosoman clarified the ambition of the Executive to increase the availability of housing that was affordable across all tenures, including traditional 'affordable housing' for social rent. Devolution of services to Town and Parish Councils was a positive opportunity to empower local communities, for those that wanted to collaborate in this way.

22.3.8 In summing up, Cllr Ward reassured Members that this was intended as a high-level document, and it would have more substance beneath it. He thanked Cllr Jenny Else for her comments, and pointed out that following her comments at the Executive 'age' had been added to the bullet point in the vision statement; he was happy to recommend that 'religion' also be included. This amendment was agreed without dissent.

22.3.9 Cllr Ward requested a recorded vote on the Corporate Strategy 2019-23, amended to include 'religion' in the third bullet point, and this was supported by Cllrs Rosoman, Merryweather, Neale, Follows and Palmer.

22.3.10 The Head of Policy & Governance, Robin Taylor, carried out the recorded vote on the recommendations to adopt the Waverley Corporate Plan 2019-23, as amended.

For the motion: 30

Cllrs Penny Marriott, Christine Baker, David Beaman, Roger Blishen, Peter Clark, Richard Cole, Martin D'Arcy, Jerome Davidson, Sally Dickson, Brian Edmonds, Paul Follows, Joan Heagin, George Hesse, Dan Hunt, Jacquie Keen, Andy MacLeod, Peter Marriott, Michaela Martin, Mark Merryweather, Kika Mirylees, John Neale, Peter Nicholson, Nick Palmer, Paul Rivers, Penny Rivers, John Robini, Anne-Marie Rosoman, John Ward, Steve Williams, George Wilson

Against the motion: 17

Cllrs Mary Forszewski, Steve Cosser, Kevin Deanus, Simon Dear, Patricia Ellis, David Else, Jenny Else, Jan Floyd-Douglass, Val Henry, Chris Howard, Robert Knowles, Anna James, Peter Martin, Julia Potts, Trevor Sadler, Richard Seaborne, Liz Townsend

Abstentions: 2

Cllrs Jerry Hyman, Stephen Mulliner

The motion was carried.

22.3.11 **It was therefore RESOLVED that the Waverley Borough Council Corporate Strategy 2019-23, as amended, be approved.**

The meeting concluded at 9.35 pm

Mayor

WAVERLEY BOROUGH COUNCIL

COUNCIL

22 OCTOBER 2019

Questions from Members of the public received in accordance with Procedure Rule 10.

1. Question to the Leader, received from Daniel Kuszel of Godalming:

“Does the Leader of Waverley Borough Council believe it is right that a road located in the centre of Godalming that is busy with cars and football should only be cleaned once every 30 weeks?”

2. Question received from Gill Leslie and Lynda McDermott of Cranleigh:

“In December 2018 we requested Waverley Borough Council to sign and implement the Charter against Modern Slavery. Waverley Borough Council’s written reply was that they have “committed to making a clear statement on this subject which will be on our website in the New Year.” Our research shows that this has not happened - It is not mentioned at all in the 2019 Safer Waverley Partnership (SWP) plan We therefore call on Waverley Borough Council to take this issue seriously by signing the Modern Slavery Charter as supported by Surrey County Council and more than 50 other local authorities and wider organisations such as the Cooperative Group (See www.co-operative.coop/ethics/modern-slavery)

The Charter against Modern Slavery

Waverley Borough commits to:

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply’s (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for noncompliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.

7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

We foresee no disadvantages to Waverley Borough Council in signing this Charter as there is cost free support available through the NGO, TISC REPORT (TISC = Transparency in Supply Chains) See (<https://tiscreport.org/>). On behalf of the borough this NGO will monitor companies supplying Waverley in relation to their compliance with section 54 of the Modern Day Slavery Act 2015

As an example, Rotherham Council used TISC Report to examine their suppliers, and discovered that 17 of their main suppliers were not in compliance.

It is not credible that Waverley Borough Council has no suppliers who are not complying with the Act. We urge the Council to take this step now."

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 8 OCTOBER 2019

SUBMITTED TO THE COUNCIL MEETING – 22 OCTOBER 2019

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

Present

Cllr John Ward (Chairman)
Cllr Paul Follows (Vice Chairman)
Cllr David Beaman
Cllr Andy MacLeod

Cllr Mark Merryweather
Cllr John Neale
Cllr Anne-Marie Rosoman
Cllr Steve Williams

Apologies

Cllr Nick Palmer

Also Present

Councillor Brian Adams, Councillor Jerry Hyman and Councillor Julia Potts

EXE 18/19 MINUTES (Agenda item 1)

- 18.1 The Minutes of the Meeting held on 3 September 2019 were confirmed and signed as a correct record.

EXE 19/19 DECLARATIONS OF INTERESTS (Agenda item 3)

- 19.1 The following declarations were made in respect of Item 11 on the agenda, Property Matters – Asset Transfer to Town and Parish Councils:

Cllrs John Ward, David Beaman, Andy MacLeod, and Mark Merryweather declared a non-pecuniary interest as they were residents of Farnham and members of Farnham Town Council. However they had no position of authority within the Town Council. Therefore they were declaring a non-pecuniary interest which they did not feel would influence their decision making at Waverley Borough Council.

Cllr John Neale declared a non-pecuniary interest would withdraw from the meeting whilst this items was discussed. As Leader of Farnham Town Council, he wished to avoid any perception that he might have a conflict of interests that would prevent him from making an objective decision.

EXE 20/19 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4)

- 20.1 There were no questions from members of the public.

EXE 21/19 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5)

21.1 The following question had been received from Cllr Jerry Hyman:

“Does the Executive accept that the clarification of the April 2018 'POW' and 'Germany' Rulings of the ECJ provided within the 22nd July 2019 'National Planning Practice Guidance on Appropriate Assessment', in respect of the requirement that Authorities "must now assess the robustness of mitigation measures", confirms beyond equivocation that the use of Natural England's strategy of evading detailed assessment of SANG and SAMM measures through the TBHSPA JSPB Delivery Framework and WBC Avoidance Strategies is and always has been an unlawful strategy, such that the moratorium on granting consents to new housing within the visitor catchment zones of the Thames Basin and Wealden Heath SPAs (which was implemented temporarily from May last year) must now be reinstated with immediate effect, until such time as the requisite evidence and appropriate assessments can be produced? And if not, please state the justification in full.”

21.2 Cllr Andy MacLeod, Portfolio Holder for Planning Policy & Services read the following response to the question:

“The Habitat Regulations (Reg. 63) require that a local planning authority may not grant permission for “any plan or project which is likely to have a significant effect on any designated European Site (SPA) without first carrying out an “Appropriate Assessment” of the implications of that plan or project for the site in question to the extent that it is first satisfied to a standard of beyond reasonable scientific doubt, that the plan or project carried no adverse effect for that site.

It was the practice, at application stage, to consider whether proposed mitigation e.g. the securing of Suitable Alternative Natural Greenspace (SANG) by a s106 agreement, would avoid such adverse effect, to enable to “screen out” certain planning applications so that they need not be subject to full Appropriate Assessment, regarding any possible adverse effect and which would be referred to in the Report before Committee, at the stage of consideration of the planning application.

The existing Guidance has now been amended in July to clarify that the People over Wind / Sweetman (“POW”) judgement in April 2018 (European Court of Justice (ECJ)) meant that a planning authority cannot take into account any mitigation measures such as proposed SANG, when initially considering a planning application, in order to “screen it “out of the need for a full Appropriate Assessment. The POW judgement drew on existing rulings such as the Germany case, which has been referred to. Thus as a result, mitigation measures intended to avoid any adverse effect of any “plan or project” can now only be considered as part of a full, end stage “Appropriate Assessment”. The amended Guidance in fact indicates, in terms, (para 006) that off-site SANGS (and by extension related Site Access Management and Monitoring (SAMM)) can be acceptable mitigation following the POW case, subject to an Appropriate Assessment of the plan or project in question, together with any such proposed mitigation.

When this Authority carries out any such Appropriate Assessment, consultation on any proposed plan or project's likely effects, adverse or otherwise, will be undertaken with Natural England (the statutory "appropriate nature conservation body") and other consultees considered appropriate, e.g. Surrey Wildlife, as part of that full Appropriate Assessment process, to ensure full legal compliance with the Regulations. Natural England has access to relevant ecological databases, with the assistance of the statutory adviser to it, the Joint Nature Conservation Committee.

The moratorium which has been referred to in the Question under reply was lifted, when this Council agreed a process for undertaking Appropriate Assessments with Natural England last year and in view of the position set out above the Executive confirms that the Council's current practice accords with the amended Guidance and does not accept that the moratorium be re-imposed .

Please note that a Briefing on the updated Habitat Regulation process will shortly be given (on a date to be notified) to all Elected Members by external legal Counsel."

EXE 22/19 LEADER'S AND PORTFOLIO HOLDERS' UPDATES (Agenda item 6)

22.1 There were no updates reported.

PART I - RECOMMENDATIONS TO THE COUNCIL

EXE 23/19 STATEMENT OF COMMUNITY INVOLVEMENT - REVIEW OF PROPOSED AMENDMENTS (Agenda item 9)

- 23.1 Cllr Andy MacLeod introduced the report that reviewed the amendments to the Statement of Community Involvement (SCI) that had been proposed by Cllr Hyman at the Full Council meeting on 16 July 2019. The SCI had been adopted on 16 July, but it had been agreed that Cllr Hyman's proposals should be considered, with revisions brought back to Full Council.
- 23.2 In addition to some proposed formatting changes which had already been carried out to the published document, the amendments proposed: that the SCI relate to the current adopted local plan period; a need for consultation on the SCI itself; and that the SCI should include text setting out the assistance that the Council would give to neighbourhood plan groups who are modifying their neighbourhood plans.
- 23.3 Cllr MacLeod reported that it was not considered necessary to change the adopted SCI with regard to these requested changes. Firstly, the SCI related to the preparation of local plans in general rather than specifically to the adopted Waverley Local Plan. Secondly, there was not a legal requirement to consult on the SCI itself and given that the SCI was about how the Council engages with its communities on planning issues there was no need to

consult on the document. Finally, the Council gave assistance to those towns and parishes that are preparing neighbourhood plans, and part of that assistance was to support towns and parishes that wished to modify their neighbourhood plans after they had been agreed. An example of this was the support that this Council had given to the review of the Farnham Neighbourhood Plan. The matter of supporting neighbourhood plans was set out in general in the SCI, and there was no need to be explicit in it on the help that will be given to towns and parishes modifying neighbourhood plans.

23.4 Therefore having considered the proposed amendments there was no need to amend the adopted SCI at this stage to incorporate these changes. Cllr MacLeod advised that he proposed to amend the recommendation, to ask the Executive to recommend to Council that no further changes were required to the SCI.

23.5 Cllr Jerry Hyman was disappointed that his points had not been accepted, especially with regard to the requirement for the Council to provide assistance to towns and parishes that wished to modify their neighbourhood plans. Whilst he recognised that Waverley had assisted Farnham with the modification of its Neighbourhood Plan, he still felt that the SCI was required to refer to this explicitly, and the outcome was wholly unsatisfactory.

23.6 The Executive RESOLVED to RECOMMEND to Council that no further changes were required to the Statement of Community Involvement, for the reasons set out in the report.

Reason: To enable Council to make a decision on the need for further revisions to the Statement of Community Involvement.

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 24/19 DUNSFOLD PARK GARDEN VILLAGE - WAVERLEY'S PROJECT GOVERNANCE ARRANGEMENTS (Agenda item 7)

24.1 The Leader introduced the report proposing a governance structure for Waverley to support the development and delivery of Dunsfold Park Garden Village. This new settlement was a Strategic Site in Waverley's Local Plan Part 1, with two policies – Policy SS7 and SS7A – providing a comprehensive framework for the development and delivery. A Planning Performance Agreement was now in place between the Council, Surrey County Council and Dunsfold Airport Ltd, the owners of the site.

24.2 The proposed governance structure, headed by a Strategic Governance Board, reflected recommended good practice established by other local authorities that were progressing large-scale developments.

- 24.3 **The Executive RESOLVED to agree the implementation of the governance structure as set out in the report, and to delegate to the Leader the appointment of Members to the Waverley Strategic Dunsfold Park Garden Village Governance Board and the Dunsfold Park Garden Village Advisory Group.**

Reason: The establishment of strategic governance arrangements within the Council is critical to the support, implementation, and overall success of the Garden Village project.

EXE 25/19 SURREY HILLS AREA OF OUTSTANDING NATURAL BEAUTY (AONB) MANAGEMENT PLAN 2020-2025 (Agenda item 8)

- 25.1 Cllr Andy MacLeod introduced the report and draft Surrey Hills AONB Management Plan 2020-2025, and recommended its adoption by the Council. The revised Management Plan was the result of a 'light touch' review by the Surrey Hills AONB Board on behalf of and in collaboration with the five Surrey Hills AONB districts and boroughs and Surrey County Council. It was a statutory requirement that these local authorities adopted an up-to-date AONB Management Plan.
- 25.2 Cllr Brian Adams noted that it wasn't a Waverley document, but it was an important document that impacted the performance of the AONB. There were a number of areas that Cllr Adams had identified where the draft Management Plan lacked details including the definition of biodiversity net gain, density of development, community transport and improvement of transport infrastructure. Cllr MacLeod thanked Cllr Adams for his thoughtful comments, which Cllr Adams agreed to share the details of for ease of follow-up.
- 25.3 Cllr Jerry Hyman stated that he felt the draft Management Plan was a good document, but lacked strength in certain areas and he seconded the comments made by Cllr Adams. He urged the Executive to give the AONB proper protection.
- 25.4 The Executive RESOLVED to adopt the Surrey Hills AONB Management Plan 2020-2025 as the statutory AONB Management Plan for Waverley Borough Council.**

Reason: To ensure that there is an up to date AONB Management Plan in place, in accordance with statutory requirements.

EXE 26/19 PROPERTY MATTER - PROPERTY INVESTMENT ADVISORY BOARD (Agenda item 10)

- 26.1 Cllr Mark Merryweather introduced the report proposing revised Terms of Reference and Membership of the Investment Advisory Board, which would be renamed as the Property Investment Advisory Board.
- 26.2 The Corporate Strategy made a commitment to a financially sound Council, and to help provide housing to buy and rent for all income levels. The Property Investment Strategy was a key element of the Council's Medium

Term Financial Plan. Up to now it had focused entirely on investing in commercial property, and there had been an understanding that a property company would be needed to invest in residential property. More recent legal advice had countered this, and Members were interested in exploring investment in residential property that would provide an income to the Council and help meet housing needs in the borough.

26.3 The Terms of Reference of the Property Investment Advisory Board had been updated to clarify the purpose of the Council's property investment activity and reflect the updated legal advice. The proposed Membership moved closer to the original membership of the Investment Advisory Board and Members had met informally and had agreed in principle the proposed Terms of Reference.

26.4 **The Executive RESOLVED to approve the revised membership and Terms of Reference of the Property Investment Advisory Board, and confirmed the appointment of the following Members to the Board:**

Cllr Mark Merryweather, Portfolio Holder for Finance, Assets & Commercial (Chairman)

Cllr John Neale, Portfolio Holder for Place Shaping, IT & Customer Services

Cllr Anne-Marie Rosoman, Portfolio Holder for Housing & Community Safety

Cllr Jack Lee

Cllr Peter Martin

Reason: to align the terms of reference of the Property Investment Advisory Board to the new Corporate Strategy.

EXE 27/19 PROPERTY MATTER - ASSET TRANSFER TO TOWN AND PARISH COUNCILS
(Agenda item 11)

27.1 Cllr Mark Merryweather introduced the report proposing the transfer of certain assets from Waverley to Town and Parish Councils, to coincide with the start of the new Grounds Maintenance Contract on 1 November 2019.

27.2 As part of the procurement of the new Grounds Maintenance Contract, the previous administration had engaged with Town and Parish Councils about taking on responsibility for grounds maintenance of sites in their areas. Farnham and Haslemere Town Councils, and Witley and Wonersh Parish Councils had expressed interest, and discussions had progressed on the basis of the leasehold transfer of the assets by Waverley. The new Executive had extended to the offer include the freehold transfer, and Farnham Town Council had confirmed it wished to take the freehold of Gostrey Meadow. Since the Executive agenda had been published, Haslemere Town Council, and Witley and Wonersh Parish Councils had confirmed that they would like to discuss taking on the freehold of some sites, and there was an additional recommendation (3a) to enable these freeholds to be approved under delegated authority to the Head of Finance in consultation with Portfolio Holders, subject to an acceptable valuation and the immediate transfer of annual net running costs.

- 27.3 Cllr Hyman had registered to speak on this item, and expressed some concern that the transfer of the leaseholds, and freeholds, would pass costs for Grounds Maintenance to the Town and Parish Councils: there was no cap on the Council Tax precepts set by the Town and Parish Councils, so there was a risk that residents might end up paying more Council Tax and still not see any improvement in the level of upkeep of the grounds. He was also concerned that no maps showing the areas to be transferred had been provided, and that Overview & Scrutiny had not had the opportunity to comment prior to the Executive decision.
- 27.4 Cllr Merryweather emphasised that it would be up to the individual councils to set service level standards acceptable to their residents. Waverley and to manage the costs of that appropriately. The offer had been made to all Town and Parish Councils, and responded to interest expressed by parishes in taking on this responsibility.
- 27.5 Cllr Follows emphasised that as Godalming Town Council Leader, there had been an open dialogue with Waverley, and all the Town and Parish Councils taking on responsibilities were aware of the cost element. There would be many opportunities for parish councils to work with their local communities to implement grounds maintenance strategies that met local aspirations for their area.

27.6 The Executive RESOLVED:

- 1. To approve the leasehold transfer of assets, as detailed in Annexe 1 to the report.**
- 2. To approve the tapered funding arrangement for the leasehold transfers.**
- 3. To approve the freehold transfer of the Gostrey Meadow, Farnham to Farnham Town Council**
- 3a. To delegate authority to the Head of Finance, in consultation with the relevant Portfolio Holder(s), to agree and complete other transfers from the list in Annexe 1 on a freehold basis, subject to an independent valuation acceptable to the Head of Finance, and an immediate transfer of the annual net running costs.**
- 4. To delegate authority to officers to finalise the heads of terms and complete the necessary legal document(s) with the Town and Parish Councils for the transfer of assets, with detailed terms and conditions to be agreed by the Strategic Director, in consultation with the relevant Portfolio Holder(s).**

Reason: The proposed asset transfers support the Council's ambition to see responsibility for delivering services devolved to Town and Parish Councils where appropriate.

EXE 28/19 PROPERTY MATTER - HOLLOWAY HILL BOWLING CLUB, GODALMING - SURRENDER/GRANT OF A LEASE (Agenda item 12)

28.1 Cllr David Beaman was pleased to support the proposed surrender of the current lease on the Pavilion and grant of a new long lease on the Pavilion and Bowling Green to the Holloway Hill Bowling Club, in an arrangement that would benefit both the Council and the Bowling Club.

28.2 The Executive RESOLVED to approve the surrender of the current lease to Holloway Hill Bowling Club and the simultaneous grant of a new lease on terms and conditions set out in Exempt Annexe 2, with other terms and conditions to be negotiated by the Estates and Valuation Manager.

Reason: to ensure the long-term future of the bowling club facilities by transferring management of them to the Bowling Club.

EXE 29/19 PROPERTY MATTER - GODALMING AND FARNCOMBE BOWLING CLUB, GODALMING - SURRENDER/GRANT OF A LEASE (Agenda item 13)

29.1 Cllr David Beaman was pleased to support the proposed surrender of the current lease on the Pavilion and grant of a new long lease on the Pavilion and Bowling Green to the Godalming and Farncombe Bowling Club, in an arrangement that would benefit both the Council and the Bowling Club.

29.2 The Executive RESOLVED to approve the surrender of the current lease to Godalming and Farncombe Bowling Club and the simultaneous grant of a new lease on terms and conditions set out in Exempt Annexe 2, with other terms and conditions to be negotiated by the Estates and Valuation Manager.

Reason: to ensure the long-term future of the bowling club facilities by transferring management of them to the Bowling Club.

The meeting commenced at 6.00 pm and concluded at 6.45 pm

Chairman

WAVERLEY BOROUGH COUNCIL

COUNCIL

22 OCTOBER 2019

Title:

**STATEMENT OF COMMUNITY INVOLVEMENT – CONSIDERATION OF
AMENDMENTS TABLED AT COUNCIL 16 JULY 2019**

**[Portfolio Holder: Cllr MacLeod]
[Wards Affected: All]**

Summary and purpose:

The Statement of Community Involvement (SCI) was adopted at Council on 16 July 2019. During the debate, some amendments to the document were tabled. It was agreed that officers would consider if the proposed amendments should be made to the newly adopted SCI. This report assesses the proposed amendments and makes recommendations as to whether the adopted SCI should be changed.

The Executive recommends to Council that no further changes are required to the Statement of Community Involvement for the reasons set out in this report.

How this report relates to the Council's Corporate Strategy:

The Statement of Community Involvement accords with the new Corporate Strategy.

Equality and Diversity Implications:

There are no implications with regard to this report.

Financial Implications:

There are no implications with regard to this report.

Legal Implications:

There are no implications with regard to this report.

Climate Change Implications:

There are no implications with regard to this report.

1.0 Background

1.1 The SCI sets out the Council's approach to community engagement on both planning policy matters and for development management applications. The latest SCI was formally adopted by the Council on 16 July 2019. During the debate at the Council meeting, an amendment was tabled, which contained several suggested

changes to the SCI. Officers have assessed the proposed changes and have made recommendations as detailed below.

2.0 Consideration of the tabled amendments

2.1 The proposed amendments to the SCI tabled at the Council meeting are set out in bold followed by the Officers' comments on the proposal and recommendation.

2.2 1) That the Revised Statement of Community Involvement 2019 to be adopted as an extension to the 2014 document, subject to

(a) The insertion of "9.16 The Tests of Soundness are:", prior to the relevant text box, and the changing the reference in paragraph 9.21 from "9.15" to "9.16", as appropriate,

2.3 Officers' comments: These were alterations that would improve the look of the document and were an incorrect reference.

2.4 Officers' recommendations: These amendments have already been incorporated into the adopted 2019 SCI which is now published on the website. Therefore no further change to the SCI is required.

2.5 (b) (i) the correction of para 5.2:

2.6 Officers' comments: Paragraph 5.2 of the recently adopted SCI on the website says:

The Local Plan is central to delivering Waverley's vision for the future. It sets out how the Borough will grow over the next 15 to 20 years. It includes planning policies for how much housing we need to provide as well as broad policies for land uses such as employment, town centres and transport. Details of Waverley's new Local Plan documents are set out in our Local Development Scheme on the website.

2.7 Paragraph 22 of the National Planning Policy Framework (NPPF) states that "*Strategic policies should look ahead over a minimum 15 year period (officer emphasis) from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure*".

2.8 The SCI is not part of the Development Plan (Planning Act 2008 180 (4) (b)) and is a document which is reviewed on a maximum five year cycle which does not necessarily coincide with the timetable of the Local Plan. The statement in the SCI relating to the timescales of a local plan indicate the approximate time limits from the adoption of any plan, not necessarily the plan adopted in February 2018.

2.9 Officers' recommendation: No amendment to the adopted SCI 2019 is required as the time frame of the SCI is explicit that it is not the same as the Local Plan.

2.10 b) (ii) The reinstatement of consultation upon changes to the SCI in para 8.4:

2.11 Officers' comments: Paragraph 8.4 of the previous SCI adopted in 2014 stated:
In addition to Local Plans and Supplementary Planning Documents, you can also comment on:

- *The Statement of Community Involvement*

- *Conservation Area appraisals*

These documents are explained in greater detail at section 9.

- 2.12 Paragraph 8.4 of the recently adopted SCI July 2019 now says:

In addition to Local Plans and Supplementary Planning Documents, you can also comment on Conservation Area appraisals.

These documents are explained in greater detail at section 10.

The progress and success of these documents is monitored annually through the Authority's Monitoring Report.

- 2.13 Para 8.4 of the newly adopted SCI 2019, does not require comment via consultation for the adoption of the SCI. The National Planning Policy Guidance on Plan-making states:

"There is no requirement for local planning authorities to consult when reviewing and updating their Statement of Community Involvement." (Paragraph: 035 Ref: 61-035-20190723)

- 2.14 This was also a light touch review of the existing SCI with very few changes, just those reflecting changes in legislation. There appears to be no significant gain from consulting on documents that set the methods of consultation.

- 2.15 Officers' recommendation: That no changes are required to paragraph 8.4 of the adopted SCI 2019.

- 2.16 **b) (iii) the insertion of a paragraph clearly explaining the Council's Policy regarding the provision of advice and assistance in making and modifying Neighbourhood development Plans, if necessary to ensure compliance with s18 subsection 2 of the Planning & Compulsory Purchase Act 2004,**

- 2.17 Officers' comments: Paragraph 2.5 of the SCI adopted in 2019 states:
The approach taken to engaging and involving local residents, business and other stakeholders is a matter for the Parish or Town Council. As local communities are responsible for the development of these plans, it is up to them to decide how they involve people and undertake any consultation. However, the Council does have some statutory functions regarding the development of Neighbourhood Plans, which are set out in the Neighbourhood Planning (General) Regulations 2012.5 These include publicising the intention to produce a Neighbourhood Plan on its website, undertaking consultations when the NP is submitted, facilitating the examination and publishing the examiner's report.

- 2.18 The Council does not have a specific policy as such to deal with neighbourhood planning. However, we undertake assistance and help as detailed by legislation.

- 2.19 The legislation quoted above relates to modifications of neighbourhood plans. This was outlined in the Neighbourhood Planning Act 2017 which included a new Schedule A2 to The Planning and Compulsory Purchase Act 2004. This schedule details the process of modifications, outlining the scope of the process.

2.20 Although the SCI does not contain a direct reference to modification of neighbourhood plans it is explicit that this is the case. As members are aware assistance would and is provided, as exemplified by the recent Farnham Neighbourhood Plan Review.

2.21 Officers' recommendation: No change to the adopted SCI 2019 is required as it is covered within the current wording.

2.22 2) That Members instruct Officers to prepare an assessment of the effectiveness of the SCI as a priority, to inform a public consultation upon the appropriate revision and adoption of an improved SCI as soon as is reasonably possible.

2.23 Officers' comments: The SCI sets out how the Council will engage with the community on planning matters. Its effectiveness will be gauged by how the public engages with us and gives feedback on policy issues such as the preparation of the local plan and the determination of planning applications. Therefore, there is no need to consult on the SCI to assess its effectiveness at this stage.

2.24 Officers' recommendation: That no further change is required to the adopted SCI.

3.0 Conclusion

3.1 That the proposed amendments to the SCI that were tabled at the Council meeting when it was adopted on 16 July 2019 are not required.

Recommendation

The Executive recommends to Council that no further changes are required to the Statement of Community Involvement for the reasons set out in this report.

Background Papers

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

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WAVERLEY BOROUGH COUNCIL

MINUTES OF THE STANDARDS COMMITTEE - 30 SEPTEMBER 2019

SUBMITTED TO THE COUNCIL MEETING – 22 OCTOBER 2019

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

Present

Cllr John Robini (Chairman)	Cllr Jerry Hyman
Cllr Michael Goodridge (Vice Chairman)	Cllr Robert Knowles
Cllr Brian Adams	Cllr Peter Marriott
Cllr John Gray	

Apologies

Cllr Paul Follows and Cllr Penny Marriott

STD 8/19 MINUTES (Agenda item 1.)

- 8.1 The Minutes of the Meeting held on 1 July 2019 were confirmed as a correct record and signed.

STD 9/19 DISCLOSURES OF INTERESTS (Agenda item 3.)

- 9.1 There were no interests disclosed in relation to the items on the agenda.

STD 10/19 QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 4.)

- 10.1 There were no questions from members of the public.

STD 11/19 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5.)

- 11.1 There were no questions from Members of the Council.

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 12/19 COUNCIL PROCEDURE RULES (Agenda item 6.) (Pages 5 - 6)

- 12.1 The Chairman introduced this item, which invited the Committee to consider, and make recommendations on, proposals from the Deputy Leader to amend certain Council Procedure Rules.

12.2 Removal of the requirement to stand to speak at Full Council (PR 21.1)

12.2.1 Committee Members agreed that any Member who, due to illness or disability, was unable to stand to speak at Council should be given dispensation to remain seated, and the Mayor had discretion to agree this if circumstances required it. It was also noted that a few Councils, including Guildford, had removed the requirement to stand to speak at Full Council meetings following the installation of new microphones and web-casting equipment, to ensure that their Members could use the microphones without stooping.

12.2.2 However, the Committee felt strongly that standing to speak and address the Mayor at Full Council was a mark of respect for the Mayor and their status as Chairman of the Council and the Queen's representative. There were also practical aspects, in that it was clear to everyone in the Council Chamber who was speaking if they stood up; and only one Member was allowed to stand and speak at any time.

12.2.3 The Committee RESOLVED unanimously that it did not wish to make a recommendation to amend Procedure Rule 21.1.

12.3 Questions by members of the Public (PR 10)

12.3.1 Following the re-instatement of Informal Questions before meetings of the Executive, it was proposed that a similar arrangement be re-instated before meetings of Full Council.

12.3.2 The Committee noted that informal questions, lasting 15 minutes, had been introduced originally in 2003 before all committee meetings. It was noted that asking questions without notice carried a risk of not getting a comprehensive response at the meeting. It was also noted that it had been some time since there had been an appreciable number of questions from the public on a regular basis at Council meetings.

12.3.3 The Committee was content to see the re-instatement of informal questions before Full Council, on the same basis as they had operated previously and on a trial basis to see how it works. It was important that the Council meeting still started on time at 7pm, so informal questions would need to start commence at 6.45pm.

12.3.4 **The Committee RESOLVED to RECOMMEND to Council the re-instatement of informal questions before the start of Council meetings, on the same basis as the had operated previously and on a trial basis; and delegated approval of the revised wording to Procedure Rule 10 to the Chairman and Vice-Chairman.**

At 5.50pm, the Committee agreed to adjourn proceedings in order to take part in a demonstration of the Council Chamber electronic voting system. At 6.05pm, the meeting resumed.

12.4 Electronic voting (PR 17)

- 12.4.1 The Committee noted that the Procedure Rules already allowed for any vote referred to in PR 17 to be conducted using any electronic voting system available in the Council Chamber, and that it had been proposed by the Council Leadership that the electronic voting be used at meetings of Full Council and Planning Committee meetings for 1 October.
- 12.4.2 The Committee had been asked to consider the proposal that where the electronic voting system was used in Full Council or a Planning Committee meeting, the requirement of PR17.4 for a Member to formally request a recorded vote, with the support of five other Members, be waived and the names for and against the motion or amendment or abstaining from voting would be entered into the minutes.
- 12.4.3 The Committee thanked officers for the helpful demonstration of the electronic voting system. The Committee agreed that, in principle, they had no objection to the use of the electronic voting system in Full Council; and they could be persuaded of its benefits in Joint Planning Committee. However, the Committee did not feel that it would be worthwhile in meetings of the Area Planning Committees as it would take longer than voting by show of hands, and it was important that members of the public in the gallery should be able to see how Members had voted.
- 12.4.4 The Committee had some concerns about the way the results were displayed on the screen, and asked officers to explore whether this could be improved, for example by increasing the size of the font so that it was easier to read.
- 12.4.5 With regard to recorded votes by default at Full Council and Planning Committees, the Committee had seen the way that the names of Members and the way they had voted was displayed on the main screen in the Council Chamber, and on the television facing the public gallery. They were concerned that the display of the names was too small and unclear, especially on the screen facing the public gallery, which would make it difficult if not impossible for Members and the public to see how Members had voted until the results were published on-line and in the Minutes.
- 12.4.6 In conclusion, the Committee RESOLVED that the decision on whether electronic recorded voting should be the default in Full Council and Planning Committees should be deferred until Officers had explored with the software provider how the display of recorded votes could be improved to ensure that the display was clear for Members in the Chamber and members of the public in the gallery, as well as viewers of the webcast.

The meeting commenced at 5.00 pm and concluded at 6.25 pm

Chairman

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Council PR 10 (July 2019)

10.0 QUESTIONS BY THE PUBLIC

10.1 General

Members of the public who have a legitimate interest in the Borough, by way of work or residency, may ask a question at ordinary meetings of the Full Council, Executive and Committees. Questions by the public will not be included as an item on agendas for Special or Extraordinary meetings. Questions may be informal or formal.

Informal questions

10.2 Informal questions may be asked of the Executive before the start of ordinary meetings of Full Council and the Executive for up to 15 minutes, including replies. No notice needs to be given.

10.3 Questions will be taken in the order in which questioners register with the Democratic Services Officer prior to the start of question time. When read out, each question must be concluded within 2 minutes. In the event that it is not possible to give a verbal response, a written response will be provided following the meeting.

~~The rules for asking a written question are set out in Procedure Rules 10.2-10.7 below.~~

Written Formal questions

10.4 Notice of **written formal** questions

A **written** formal question may only be submitted if notice has been given by delivering it in writing or by electronic mail to the Head of Policy and Governance no later than close of business (5.00pm), 4 clear working days before the day of the meeting. Each question must give the name and address of the questioner.

10.5 Order of questions

Questions will be listed in the order notice of them was received, except that the Mayor or Chairman may group together similar questions.

10.64 Number of questions

At any one meeting no person may submit more than 1 formal question and no more than 1 such question may be asked on behalf of one organisation.

10.7 Scope of questions

The Chief Executive may reject a question if it:

- is not a matter in relation to which the Council has powers or duties or which affects the Borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- requires the disclosure of confidential or exempt information; or

- is not substantially in the form of a question, or the length of the preamble is disproportionate to the question.

10.8 Record of **written** formal questions

The Chief Executive will immediately send a copy of the question to the Chairman of the Executive and relevant Portfolio Holder. Where the Chief Executive recommends that the question be rejected, reasons for rejection will be stated. Copies of all questions and answers will be circulated and made available to councillors and the public attending the meeting. All **written** formal questions submitted will receive a prepared answer.

10.9 Reference of question to the Executive or Committee

Unless the Mayor decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Executive or the appropriate named Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

~~10.8— Informal questions at the Executive~~

~~Members of the public may ask informal questions of the Executive before the start of each ordinary meeting of the Executive, in accordance with the arrangements at Executive Procedure Rule 2.9.~~

Executive Procedure Rules (July 2019)

2.9 Questions by the Public

Informal questions

2.9.12 Informal questions may be asked of the Leader, Deputy Leader or an appropriate Portfolio Holder before the start of each ordinary meeting of the Executive for up to 15 minutes, including replies. No prior notice needs to be given. Questions will be taken in the order in which questioners register with the Democratic Services Officer prior to the start of question time. When read out, each question must be concluded within 2 minutes. In the event that it is not possible to give a verbal response, a written response will be provided following the meeting.

Written Formal questions

2.9.21 Members of the public may ask **written** formal questions at ordinary meetings of the Executive in accordance with the provisions in Council Procedure Rules 10.4 – 10.9. The Leader and/or the Deputy Leader or appropriate portfolio holder should be invited to respond to the question.

WAVERLEY BOROUGH COUNCIL

COUNCIL

22 OCTOBER 2019

Title:

MEMBERS' ALLOWANCES – SPECIAL RESPONSIBILITY ALLOWANCES FOR THE CHAIRMAN AND VICE-CHAIRMAN OF STANDARDS COMMITTEE

Summary and purpose:

On 17 July 2018, Council agreed to re-designate the Standards Panel, as the Standards Committee. At the re-appointment of the Standards Committee in May 2019, a Vice-Chairman of the committee was appointed. The Head of Policy & Governance was asked to review the Special Responsibility Allowances (SRA) for the positions of Standards Committee Chairman and Vice-Chairman.

This report draws on the findings and recommendations of the report of the Independent Remuneration Panel of February 2018, and recommends the increase of the SRA of the Chairman of the Standards Committee, and the introduction of an SRA for the Vice-Chairman, both at the same level as the SRAs for the Chairmen and Vice-Chairman of the Overview & Scrutiny, Planning, Licensing & Regulatory and Audit Committees.

How this report relates to the Council's Corporate Strategy:

Equality and Diversity Implications:

There are no equality and diversity implications arising from this report.

Financial Implications:

The effect of increasing SRAs for

	<u>Current</u>	<u>Proposed*</u>
Chairman of Standards Committee	£1936.54	£3,299.54
Vice-Chairman	<u>Nil</u>	<u>£1,651.12</u>
	£1,936.54	£4,950.66

*backdated to Annual Council

Total SRAs increase by = £3,014.12

The budget for SRAs is set on the basis of all SRAs being claimed each year, and includes an allowance for up to 8 Executive members in addition to the Leader and Deputy Leader. The Leader currently has only appointed 7 Executive members (besides the Deputy Leader), which generates a saving against the budget of £6,599.37 for the year.

In addition, a member may only claim one SRA, even if they hold more than one qualifying role.

Due to the current arrangements for appointment of the JPC Chairman and Vice-Chairman (also Chairmen of the area planning committees) there is a saving of £4,950.66.

Therefore the increased payment can be accommodated within the current SRA budget of £127,357.36.

Legal Implications:

There is a requirement that local authorities must make any scheme for the following year to commence on 1 April. Schemes can be amended at any time but new schemes can be introduced only from the start of each year commencing on 1 April. The approval of the full Council is necessary to any amendments to existing schemes or the adoption of new schemes.

Climate change implications:

There are no climate change implications arising from this report.

1. Background

- 1.1 On 17 July 2018, Council agreed to re-designate the Standards Panel, as the Standards Committee. This change reflected the way in which the committee operated in practice, which was as a committee meeting quarterly rather than as a standing panel of members to hear code of conduct complaints against councillors as required.
- 1.2 The Standards Panel chairman received a SRA of £1,893 in 2018/19. There was no Vice-Chairman appointed.
- 1.3 At the re-appointment of the Standards Committee in May 2019, a Vice-Chairman of the committee was appointed. The Head of Policy & Governance was asked to review the SRAs for the positions of Standards Committee Chairman and Vice-Chairman.
- 1.4 Full Council decides the scheme of Member Allowances, having regard to the recommendations of its Independent Remuneration Panel (IRP). Council last considered a report and recommendations of the IRP in February 2018 (attached at Annexe 1). The IRP had been convened to review SRAs for the chairmen and vice-chairmen of the O&S committees and to make recommendations, following the increase in the number of O&S committees from 2 to 4.
- 1.5 The IRP also made recommendations on the SRAs for the Chairman and Vice-Chairman of the Audit Committee, with the effect that the SRAs for Chairmen of and Vice-Chairmen of the O&S Committees, the Planning Committees, Licensing & Regulatory Committee and Audit Committee, were all aligned at the following (2019/2020) rates:

Chairmen	£3,299.18
Vice-Chairmen	£1,651.12

- 1.6 In coming to their recommendations on the SRA, the IRP recognised the importance of the vice-chairmen's role, including as a development opportunity for members, and on that basis recommended an increase to the SRA budget to accommodate the level of SRAs for the O&S and Audit Committee chairmen and vice-chairmen.
 - 1.7 There is a requirement that the IRP reviews the Member Scheme of Allowances at least every 4 years, so there is no pressing requirement to review the Scheme. Given the Governance Review now underway, we would not expect to launch a review of the Scheme before the outcome is known, although it may be worth carrying out a review at that point.
 - 1.8 We have consulted with South East Employers, who provide advice to Councils on member allowances, on whether the Council could take account of the report and recommendations of the IRP's 2018 report in agreeing a change to the Scheme to address the issue of the Standards Committee SRAs. They have confirmed this would be an acceptable approach to take.
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Recommendation

It is recommended that Council agrees to amend the Schedule Special Responsibility Allowances within the Scheme of Members Allowances to increase the SRA for the Chairman of the Standards Committee to same level as for other Committee Chairmen, and to introduce an SRA for the Vice-Chairman of the Standards Committee at the same level as for other Committee Vice-Chairmen, and that these SRAs are backdated to the beginning of the current Council year.

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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**The report of the Independent Remuneration Panel
appointed to review the allowances paid to Councillors of
Waverley Borough Council**

January 2018

1. INTRODUCTION

- 1.1 The Local Government Act 2000 requires all local authorities to appoint an Independent Remuneration Panel (IRP) to advise on the terms and conditions of their scheme of Councillors' allowances.
- 1.2 The Council, at its meeting in February 2017, resolved to change the Council's structure around the Overview and Scrutiny arrangement and increased from two Committees to four. One implication from this was the increase within the Scheme of Members' Allowances from paying two Chairmen and Vice-Chairmen of Overview and Scrutiny Committees, to four.
- 1.3 The IRP last completed a full review of Members' Allowances in January 2012 and was due to review the Council's scheme during 2017 in accordance with the requirement to review them every five years. In view of this, and the recent changes to the structure of the Overview and Scrutiny Committees, it was considered timely for the IRP to meet again and as part of their review of members' allowances, discuss how to fund the additional SRAs within an already tight budget.
- 1.4 The composition of the Panel is as follows:-
- Neil McClelland (Chairman)
 - Ken Kent
 - Robert Mattock
- 1.5 The IRP's terms of reference were in accordance with the requirements of The Local Authorities (Members' Allowances) (England) Regulations 2003 ("the 2003 Regulations"), together with "Guidance on Consolidated Regulations for Local Authority Allowances" issued jointly by the Department of Communities and Local Government (formerly the Office of the Deputy Prime Minister (ODPM)) and the Inland Revenue. Those requirements are:-

To make recommendations to the Council as to:-

- (a) the amount of basic allowance;
- (b) the responsibilities or duties in respect of which the following should be available:-
- (i) special responsibility allowance;
 - (ii) travelling and subsistence allowance;
 - (iii) dependents' carers' allowance; and
 - (iv) co-optees' allowance; and
 - (v) the amount of such allowances;
- (c) whether payment of allowances may be backdated, in the event that the scheme is amended at any time, so as to affect an allowance payable for the year in which the amendment is made;

- (d) whether adjustments to the level of allowances may be determined according to an index and, if so, which index and how long that index should apply, subject to a maximum of four years before its application is reviewed;
- (e) which Members are to be entitled, if any, to pensions in accordance with a scheme made under Section 7 of the Superannuation Act 1972, and whether basic allowance or special responsibility allowance, or both, should be treated as amounts in respect of which such pensions are payable in accordance with such a scheme.

Having looked at these areas as part of the review, there are no proposals to change earlier decisions relating to those areas, other than basic allowance and special responsibility allowance.

2. BACKGROUND INFORMATION

- 2.1 Over the last 8 years the IRP has previously completed two full reviews of the Members' Allowances Scheme. At its review in January 2009 the Panel put forward recommendations involving setting a multiplier for each role and no SRA for Vice-Chairmen. These recommendations were not approved by the Council but they did accept the changes proposed for the Carers' Allowance.
- 2.2 In September 2011, the Panel reconvened and looked again in detail at the allowances paid across the South East Region. It was noted then that Waverley's allowances were far less than other Local Authorities so recommendations were put forward to increase both basic and special responsibility allowances to be equal to the average levels paid across the South East over a three year period. The Panel also made recommendations to set an SRA for the Chairmen and Vice Chairmen of Standards and the Audit Committee, as well as maintain the link with the staff annual pay award. The Council approved the recommendations except not to introduce it until 2012/13. Subsequently, in February 2013 the Council then decided to introduce the new allowances immediately rather than over the 3 year life span of the Council.
- 2.3 Since 2013, there had been one further minor change to the allowances, this being a new SRA for the Joint Planning Committee Vice-Chairman in recognition of the amount of work involved with this Committee.
- 2.3.1 The budget for Members' basic and special responsibility allowances in 2017/18 is currently £377,279 and the IRP was made aware of the significant budget pressures on the Council.
- 2.4 The IRP needed to consider how best to pay a SRA to all four of the Overview and Scrutiny Chairmen and Vice-Chairmen resulting from the recent change in structure and whether this was possible through making adjustments to the scheme within the current budget or propose an increase to the overall budget.

3. CURRENT SCHEME

- 3.1 Within the current scheme Waverley Councillors are entitled to a total basic allowance of £4,665 per annum, with the first £500 currently being paid tax-free to reflect the reimbursement of costs necessarily incurred. In addition, some Councillors receive Special Responsibility Allowances for undertaking additional duties, as set out in the Scheme.
- 3.2 Councillors may claim the cost of travel and subsistence expenses incurred on approved duties and Child Care and Dependants' Carers' Allowance up to certain amounts.

4. PRINCIPLES

- 4.1 The following principles, which were established at the time of the IRP's first review in 2002, continue to underpin this review:-

- (i) The work of a Councillor is essentially voluntary in nature. This principle is recognised and supported by all Councillors interviewed during the reviews in 2002, 2003, 2008 and 2012. Government Guidance also recognises that some elements of this work should remain voluntary;
- (ii) Any scheme of allowances should be fair, transparent and logical;
- (iii) Allowances apply to roles within the Council, not individual Councillors;
- (iv) Allowances should represent reasonable *compensation* to Councillors for expenses they incur, and time they commit, in relation to their role, not *remuneration* for their work. Councillors are not paid employees of the Council and their allowances should not be treated as salary;
- (v) Allowances cannot be used to recognise individual performance. The legislation does not provide for "performance related" allowances.
- (vi) Special responsibility allowances are used to recognise the *significant* additional responsibilities which attach to some roles, not just the extra time required.

- 4.2 In making recommendations, the IRP have sought to maintain a balance between:-

- (i) The essentially voluntary nature of a Councillor's role;
- (ii) The need for allowances to provide appropriate financial recognition for the expenses incurred and time spent by Councillors in fulfilling their roles;
- (iii) The need to ensure that the level of allowances is sufficient so as not to discourage anyone considering becoming a Councillor or to deter existing Councillors from fulfilling their role;

- (iv) The need for the allowance system to be as simple as possible, without this consideration becoming an undue constraint on the design of the scheme.

5. Evidence Gathering

5.1 The IRP recognised that individual councillors undertook different duties and responsibilities and that those differences covered a wide spectrum. Certain consultations and investigations were required to assist the Panel in reaching a conclusion.

5.1 The Panel's investigations involved the following:

- Eight face-to-face interviews with a representative selection of Councillors;
- A questionnaire (and its results) to all Councillors to obtain an estimate of time spent on Council duties and additional costs associated in being a councillor. Twenty responses were received;
- A comparative study of the payments made in other similar Councils (attached at Annexe 1); and
- Information about the budget situation across the Council from the Head of Finance.

6 Councillors' views on the level of allowances

6.1 Eight councillors were interviewed as part of the review; the Leader of the Council, a working Member, Portfolio Holder for Finance, Portfolio Holder for Economic Development, Planning Chairman, two Councillors involved in Licensing and the Chairman of the Overview and Scrutiny Review and now Vice-Chairman of the new Housing Overview and Scrutiny Committee.

6.2 All Councillors interviewed accepted that much of their work was voluntary in nature and this was reflected in the written returns all councillors made to the IRP. All accepted that the level of sacrifices made to be a Councillor was an individual decision albeit because of the number of meetings, it was difficult to maintain a good balance. The majority agreed that whilst loss of earnings should not be made good through the Members' Allowance, there should be a reasonable basic allowance to recognise the time commitment in normal backbench work, and to ensure that essential out of pocket expenses were reimbursed.

6.3 All Councillors interviewed recognised that Members of the Executive took on significant responsibilities over and above those of backbenchers, especially over the last 6 months and the increasing demands that will be placed on them over the coming year.

6.4 Councillors interviewed were asked about whether or not an allowance should be paid as a general rule to Vice-Chairmen, a suggestion raised by a couple of members as a way of balancing the budget. This also was a recommendation put forward before by the IRP in 2008. Similarly to then, the

other Members interviewed rejected the suggestion as it was recognised the important position that the Vice-Chairman played and they also wanted to encourage it as a shadowing opportunity and good experience for progression planning.

7. Compensation for time and responsibility

7.1 Responses to the Panel's questionnaire showed that Councillors spent widely varying amounts of time on their councillor activities and responses were similar to those received in the 2008 questionnaire. It was noted that the basic allowance didn't cover the time commitment for the role, however, information obtained from these and the interviews highlighted that a majority of councillors were happy with the level of basic allowance and felt that it covered out of pocket expenses.

7.2 The responses and interviews showed that the Leader and the Members of the Executive had significant responsibilities and committed a considerable number of hours each month to the Council. There was also additional significant responsibility in the work of the Chairmen of Committees. For the Executive, in particular, they had an even more difficult role coming up with the changes arising from the Strategic Review undertaken by the Council which they would be taking decisions on and implementing.

8. Travelling and Subsistence Allowance & Dependants' Carers' Allowance

8.1 The 2003 Regulations provide that a scheme of allowances may also include the payment of:-

(a) a travelling and subsistence allowance to its Members and co-opted members (which may include provision for the payment of an allowance for those members who travel by bicycle or other non-motorised transport); and

(b) a dependants' carers' allowance to those councillors who incur expenditure for the care of children or other dependants

8.2 No specific questions were asked on these allowances, nor raised by Members, with the exception of the comment that the payment to cover travelling expenses was welcomed especially when additional meetings were being called more frequently.

9. **CONCLUSION**

9.1 **Special Responsibility Allowances (SRAs)**

9.1.1 Guidance advises that SRAs may be paid to those members of the Council who have significant additional responsibilities, over and above the generally accepted duties of a councillor.

9.1.2 The IRP carefully considered the evidence gathered from the interviews and questionnaires from Councillors and, in particular, information obtained from viewing other local authorities in the Surrey area.

9.1.3 The IRP looked at a number of options to balance the budget whilst still managing to pay an SRA to the two new Overview and Scrutiny Chairmen. This included:

- a) withdrawing all Vice-Chairmen's SRAs;
- b) paying the new Chairmen a $\frac{1}{4}$ of £9,488 which is the total amount paid currently if the Overview and Scrutiny structure had not changed;
- c) reducing the basic allowance by a certain percentage, to be agreed; and
- d) reducing the basic allowance and SRA allowance for all councillors by a certain percentage, to be agreed.

The IRP looked at each option in turn with the conclusions noted below:

- a) The IRP concluded that the Vice-Chairmen's SRA should continue as they played an important role, and also a progressive role to gain experience in becoming a chairman in future years.
- b) The IRP concluded that they should not divide the O&S Chairmen's and Vice-Chairmen's current allowance, recognising the significant contribution and responsibility they had, especially this year as the new Committees were establishing themselves.
- c) The IRP concluded that it did not want to reduce the current SRAs by a certain percentage (in addition to the basic allowance) as all postholders put in a significant amount of time and effort, and reducing it would not be reasonable.
- d) Consequently, as a result of these conclusions the IRP moved onto looking at a recommendation to reduce the basic allowance, or, proposing a budget increase of £9,488 which would cover the four new SRAs. The IRP considered the evidence before them and, although noting the budget pressures, felt that the basic allowance should not be reduced, and that the increase proposed for the new SRAs was only small.

9.1.4 The comparative data was useful but, unless a sophisticated analysis was undertaken into the committee structures of all neighbouring authorities, it was almost impossible to determine exactly a midpoint base for an SRA.

9.2 Basic Allowance

- 9.2.1 As stated earlier in this report, the Panel recognised that many Councillors devote significant amounts of time to their duties. The questionnaires indicated that Councillors spend a large number of hours a month on their duties, of which half was spent on “constituency business”. Councillors with additional responsibilities worked substantially longer than this, predominantly, in attending meetings with officers outside of formal meetings and information obtained in this review confirms this.
- 9.2.2 There are 57 Councillors at Waverley, more per head of population than any other Surrey District. This inevitably makes the total cost of Waverley Councillor allowances relatively high compared with equivalent Boroughs.
- 9.2.3 Having considered all the options for the SRA, the Panel discussed whether or not a small reduction be made to the basic allowance which would cover the £9,488 amount required to pay the additional O&S Chairmen and Vice-Chairmen.
- 9.2.4 The IRP felt that the basic allowance should not be reduced considering the time commitment councillors gave to their roles. Furthermore, the current basic allowance was mid-point to those paid by other Local Authorities and so no decrease or increase was proposed.

9.3 Audit Committee Chairman and Vice-Chairman

- 9.3.1 The IRP also considered the SRA paid to the Chairman and Vice-Chairman of the Audit Committee, particularly noting the similarities to the roles carried out by the Chairmen and Vice-Chairmen of the Overview and Scrutiny Committees. It was noted that the Audit Committee had a high level of responsibility considering items such as reviewing and approving the annual accounts. Therefore, the Chairman and Vice-Chairman took on a large amount of responsibility in their roles. In view of this, and having reviewed the amount paid by other Surrey Councils, it was agreed that they should be paid more to reflect the additional responsibility they had. It was agreed that their SRA should be in line with that offered to the Overview and Scrutiny Chairmen and Vice-Chairmen of £3,162 and £1,582 respectively.
- 9.3.2 The proposed Scheme is, therefore, attached at [Annexe 2](#).

9.4 Pensions

- 9.4.1 The IRP did not consider or make any recommendations in relation to pensions for Councillors.

9.5 Travelling and Subsistence Allowance and Broadband

- 9.5.1 The IRP propose that no changes be made to the existing arrangements for travelling, subsistence and broadband allowances.

9.6 **Dependants' Carers' Allowance**

9.6.1 The IRP propose that no changes be made to the existing arrangements for co-optees or appointed Members of the Standards Panel allowances.

9.7 **Co-Optees' Allowance**

9.7.1 The IRP propose that no changes be made to the existing arrangements for co-optees or appointed Members of the Standards Panel allowances.

9.8 **Town/Parish Allowances**

9.8.1 The IRP do not propose to make any recommendations in relation to allowances for Town or Parish Councillors.

9.8.2 The IRP agreed that any changes to the scheme should be backdated to the start of the current Council year 2017/2018.

10. RECOMMENDATIONS

The IRP, therefore, **RECOMMENDS** that

1. The Members' Allowance budget for 2017/18 be increased by £10,682 in order to pay for the additional SRAs for the Chairmen and Vice-Chairmen of the two additional Overview and Scrutiny Committees as well as for the increase to the SRA to the Chairman and Vice-Chairman of the Audit Committee.

The IRP further **RECOMMENDS** that the following is also agreed

2. a Special Responsibility Allowance be paid to all four Chairmen and Vice-Chairmen of the Overview and Scrutiny Committees;
3. the Special Responsibility Allowance paid to the Chair and Vice-Chairman of the Audit Committee be increased to £3,162 and £1,582 respectively;
4. only one Special Responsibility Allowance will be payable to a single councillor at one time, in line with current policy;
5. the basic allowance, and each of the SRAs, continue to be increased annually in line with the percentage increase in Waverley's Staff salaries; and
6. any changes to the scheme should be backdated to the start of the current Council year 2017/2018.

Signed:
Neil McClelland (Chairman)

Signed:
Ken Kent

Signed:
Bob Mattock

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING AND REGULATORY COMMITTEE -
23 SEPTEMBER 2019

SUBMITTED TO THE COUNCIL MEETING – 22 OCTOBER 2019

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

Present

Cllr Robert Knowles (Chairman)	Cllr Patricia Ellis
Cllr Peter Clark (Vice Chairman)	Cllr Michael Goodridge
Cllr Martin D'Arcy	Cllr Anna James
Cllr Jerome Davidson	Cllr Jacquie Keen

Cllr Joan Heagin (Substitute)

Apologies

Cllr Jack Lee, Cllr Michaela Martin and Cllr Ruth Reed

LIC14/19 MINUTES (Agenda item 1.)

The minutes of the meeting of the Licensing and Regulatory Committee held on 17th June 2019 were agreed as a correct record and signed by the Chairman.

LIC15/19 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 2.)

Apologies were received from Cllrs Jack Lee, Michaela Martin and Ruth Reed. Cllr Joan Heagin attended as substitute.

LIC16/19 DECLARATIONS OF INTEREST (Agenda item 3.)

There were no declarations of interest made prior to or at the meeting.

LIC17/19 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4.)

No questions from members of the public were received.

LIC18/19 QUESTIONS FROM MEMBERS (Agenda item 5.)

No questions from members were received.

LIC19/19 ACTION AUTHORISED (Agenda item 6.)

No actions taken by the Chief Executive had been received.

PART II - MATTERS OF REPORT

LIC20/19 TAXI AND PRIVATE HIRE TARIFF CARD AND FEES (Agenda item 7.)

Paul Hughes, Licensing and Environmental Enforcement Manager, outlined the report that had been circulated to members with the agenda.

The recommendations set out for the members consideration were:

1. Accept any of the licensees proposals to the Hackney Carriage Fare Scale (with or without amendments) for officers to advertise in accordance with Section 65 Local Government (Miscellaneous Provisions) Act 1976 or;
2. Propose their own proposal to the Hackney Carriage Fare Scale for officers to advertise in accordance with Section 65 Local Government (Miscellaneous Provisions) Act 1976 or;
3. Request that officers provide a further report providing specific options utilising the Guildford Borough Council methodology template. or;
4. Make no recommendation of change to Hackney Carriage fares.

Members questioned why the fares were not reviewed annually as then a slight increase per year would not be such a shock to the public as a larger increase after 5 years.

After consideration and discussion members supported looking at the Guildford methodology and to bring back a report as soon as possible outlining the proposed fares from this approach.

Action: Paul Hughes to draw up a new fare proposal using the Guildford methodology and bring back to the next possible meeting.

LIC21/19 MINUTES OF THE LICENSING (GENERAL PURPOSE) COMMITTEE (1) (Agenda item 8.)

The minutes of the Licensing (General Purpose) Committee held on 17 June 2019 were agreed as a correct record.

LIC22/19 MINUTES OF THE LICENSING (GENERAL PURPOSE) COMMITTEE (2) (Agenda item 9.)

The minutes of the Licensing (General Purpose) Committee held on 1 July 2019 were agreed as a correct record.

LIC23/19 FORWARD PROGRAMME (Agenda item 10.)

It was noted that Taxi Policy Review was scheduled for the next meeting in November as well as the Taxi and Private Hire Tariff Card and Fares to be brought back following this meeting.

The meeting commenced at 10.00 am and concluded at 10.13 am

Chairman

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE AUDIT COMMITTEE - 22 JULY 2019

SUBMITTED TO THE COUNCIL MEETING - 22 OCTOBER 2019

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

Present

Cllr Richard Cole
Cllr Jerome Davidson
Cllr Simon Dear
Cllr Jan Floyd-Douglass

Cllr Michaela Gray
Cllr Peter Marriott
Cllr Richard Seaborne
Cllr George Wilson

Also Present

Laurelin Griffiths – Grant Thornton Audit Manager
Graeme Clark – Strategic Director (s151 Officer)
Peter Vickers – Head of Finance
Gail Beaton – Internal Audit Manager
Vicki Basley – Senior Accountant
Amy McNulty – Democratic Services Officer

AUD 1/19 APPOINTMENT OF CHAIRMAN (Agenda item 1.)

Cllr Peter Marriott was confirmed as Chairman of the Audit Committee for the 2019/20 Council year.

AUD 2/19 APPOINTMENT OF VICE CHAIRMAN (Agenda item 2.)

Cllr Jerome Davidson was confirmed as Vice Chairman of the Audit Committee for the 2019/20 Council year.

AUD 3/19 MINUTES (Agenda item 3.)

The minutes of the meeting held on 4 March 2019 were confirmed as a correct record and signed.

AUD 4/19 APOLOGIES FOR ABSENCE (Agenda item 4.)

There were no apologies for absence.

AUD 5/19 DISCLOSURE OF INTERESTS (Agenda item 5.)

There were no declarations of interest in connection with items on the agenda.

AUD 6/19 QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 6.)

There were none.

AUD 7/19 QUESTIONS FROM MEMBERS (Agenda item 7.)

There were none.

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.

AUD 8/19 EXTERNAL AUDIT FINDINGS REPORT (Agenda item 8.)

Laurelin Griffiths, Grant Thornton Audit Manager, presented the External Audit Findings Report to the Committee. She explained that the audit work had started later in the year than anticipated due to a change in the audit team that had been necessary in order to ensure the independence and integrity of the audit. She thanked staff in the Council's finance team for their hard work and assistance in meeting the tighter than usual timeframes.

Almost all of the audit work was complete, with testing on property valuations being the only major piece of work now outstanding. There had been no changes required to the audit plan which had been revived by the Committee at its March meeting. Laurelin also advised the Committee that Grant Thornton was proposing to issue an unqualified Value for Money conclusion.

The Committee was disappointed not to have a final report, but acknowledged the challenges that had arisen due to the late change of audit team. Laurelin confirmed that there had been no other issues which would have affected the team achieving the 31 July deadline. The Chairman asked when the work on property valuation was likely to be completed. Laurelin responded that she hoped this would be finalised by the end of the week (26 July).

One adjustment to the accounts had been required in relation to net pension liability, however Laurelin clarified that this was as a result of a national issue, not specific to Waverley. As a result of this matter, the Council had requested that its actuary carry out further work and officers had reviewed the findings to ensure that there was no impact on the integrity of the accounts.

In relation to the follow up on recommendations for the previous year's audit, Cllr Cole sought confirmation that the auditors were now content with the measures that were in place regarding sundry debtors. Laurelin advised the Committee that she was satisfied that management had remedied any issues from the previous year.

Graeme Clark, Strategic Director, thanked Laurelin and her team at Grant Thornton for all their efforts at short notice.

The Committee RESOLVED to note the External Audit Findings Report.

AUD 9/19 ANNUAL INTERNAL AUDIT REPORT (Agenda item 9.)

Gail Beaton, Internal Audit Manager, presented the Annual Internal Audit Report to the Committee. She explained that an internal audit opinion was required as part of the Annual Governance Statement process. The report provided assurance on the internal controls that were in place at the Council, as well as an analysis of the audit reviews that had been carried out during the year. Additionally, the report presented a summary of the anti-fraud and corruption work that the Council took part in as part of the National Fraud Initiative and Surrey Counter-Fraud Partnership.

The Chairman noted that two reviews had not culminated in an audit opinion as these had been 'advisory reviews', and he queried what these entailed. Gail responded that this type of review involved carrying out a walkthrough of a new system in order to ensure that it was operating effectively.

In relation to the counter-fraud activities, Members queried whether the Council was frequently the subject of fraud attempts. Gail responded that the Council could be subject to attempts of fraud via a number of different routes, however it had good controls in place to prevent this. These controls covered the IT systems as well as policies and procedures to minimise the risk of human error. Additionally, service areas such as Housing could be the subject of fraudulent applications, for example in relation to Right to Buy. A Fraud Investigation Officer was employed to identify and prevent fraudulent applications.

Cllr Seaborne commented that the Council had recently appointed a new internal audit contractor as well as strengthening the in-house audit team. This had not been mentioned in the report, but he felt that the new arrangements would provide a strong and resilient internal audit service going forward.

The Committee also commented that it was good practice for all documents to have a unique reference number, as well as version history, and recommended that a document numbering scheme be adopted for all key documents, such as the internal audit plan. It was agreed that document control should be added to the list of bullet points under the 'Quality Control' heading in order to enhance internal processes.

Subject to the comments above, the Committee RESOLVED to note the annual internal audit report and audit opinion for 2018/2019.

AUD 10/19 ANNUAL GOVERNANCE STATEMENT 2018/2019 (Agenda item 10.)

Peter Vickers, Head of Finance, presented the Annual Governance Statement (AGS) to the Committee. The AGS was published alongside the accounts and set out how the Council's corporate governance arrangements had been working over the last year. It was produced in accordance with CIPFA/SOLACE guidance, and provided a wider context for the financial statements.

During the past year, the Audit Committee had been invited to raise any matters that it thought should be included as governance issues in the AGS. Peter added that this collaborative approach throughout the year had been very helpful in shaping the 2018/19 AGS.

The Committee noted that the adoption of a Capital Strategy had been reported as a significant operational event in 2018/19 and it was queried what measures had been taken through the Strategy to ensure cost effectiveness. Officers responded that a Value for Money O&S working group had looked into the delivery of capital projects to ensure that they provided the best value for money. The Procurement Officer also worked to ensure that the best value for money was achieved in new contracts.

In relation to the air quality recording and reporting process, which had come under scrutiny in 2017/18, the Committee heard that the lessons learnt exercise had been undertaken, but that this couldn't be fully completed as the police investigation was still ongoing.

Cllr Floyd-Douglass commented that it would be useful to include links to other documents referred to in the AGS, such as the Planning Peer Review Report. Officers agreed that this was a good suggestion and agreed to circulate the Planning Peer Review Report following the meeting.

In relation to the approval of the AGS, Members queried whether this should be signed by the Leader and Chief Executive before being approved by the Audit Committee. From her experience of other Councils, Laurelin Griffiths advised that typically the Audit Committee would receive a version of the AGS that the Leader and Chief Executive were satisfied with, and once approved at Committee it would then be signed. Graeme Clark confirmed that both the Leader and Chief Executive had seen the AGS and were content with its content. Officers agreed to amend the wording of the covering report in future to make the approval process clearer.

The Committee RESOLVED to approve the Annual Governance Statement for 2018/2019.

AUD 11/19 STATEMENT OF ACCOUNTS 2018/2019 (Agenda item 11.)

Graeme Clark, Strategic Director, introduced the Statement of Accounts to the Committee. A briefing session had been held earlier in the month, and had provided an opportunity for members of the Committee to ask any detailed questions on the accounts. He was pleased to hear from Laurelin that the majority of the audit work was now complete. A number of pages within the accounts had been revised as a result of the net pensions liability issue.

The Committee had some concerns about approving the accounts before the audit was fully completed. Cllr Seaborne also highlighted that last year, a re-valuation of property had resulted in a change of £4m. Graeme Clark stated that he hoped there would not be any significant changes arising from the remaining work, but in order to make any minor amendments that may be required, he proposed a revised recommendation to give delegated authority to make changes subject to there being no fundamental misstatements.

The Committee agreed with this approach, and requested that it be informed of any changes made to the statement of accounts under this delegation. Additionally, the

Committee requested that Grant Thornton circulate a final Audit Findings Report once all the audit work had been completed.

In view of the ongoing audit work in relation to property valuations, the Committee RESOLVED that delegated authority be given to the Strategic Director (s151 Officer) in consultation with the Chairman of the Audit Committee to consider any changes to the External Audit Findings Report and, if satisfied with the report to make any necessary amendments to the accounts and/or Letter of Representation, and subject to this:

1. Approved the Statement of Accounts for the financial year ended 31 March 2019;
2. Approved the Letter of Representation for 2018/2019; and
3. Confirmed that the accounts had been prepared on a going concern basis.

AUD 12/19 RISK MANAGEMENT (Agenda item 12.)

Peter Vickers informed the Committee that he intended to bring an item on risk management to the next meeting. He proposed arranging an informal seminar to in advance of this to enable the Committee to familiarise itself in more detail with the Council's risk management framework.

The Committee agreed with this approach and welcomed an informal seminar being arranged.

AUD 13/19 AUDIT COMMITTEE RECURRENT WORK PROGRAMME (Agenda item 13.)

The Committee reviewed its recurrent annual work programme and noted that additional items could be scheduled if required.

The meeting commenced at 7.00 pm and concluded at 8.02 pm

Chairman

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WAVERLEY BOROUGH COUNCIL

MINUTES OF THE AUDIT COMMITTEE - 24 SEPTEMBER 2019

SUBMITTED TO THE COUNCIL MEETING - 22 OCTOBER 2019

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

Present

Cllr Peter Marriott (Chairman)	Cllr Jan Floyd-Douglass
Cllr Jerome Davidson (Vice Chairman)	Cllr Richard Seaborne
Cllr Richard Cole	Cllr George Wilson
Cllr Simon Dear	

Apologies

Cllr Michaela Gray

AUD 14/19 MINUTES (Agenda item 1.)

The minutes of the meeting held on 22 July 2019 were confirmed as a correct record and signed.

AUD 15/19 APOLOGIES FOR ABSENCE (Agenda item 2.)

Apologies for absence were received from Cllr Michaela Gray.

AUD 16/19 DISCLOSURE OF INTERESTS (Agenda item 3.)

There were no declarations of interest in connection with items on the agenda.

AUD 17/19 QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 4.)

There were none.

AUD 18/19 QUESTIONS FROM MEMBERS (Agenda item 5.)

There were none.

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.

AUD 19/19 ANNUAL AUDIT LETTER (Agenda item 6.)

Jon Roberts from Grant Thornton presented the Annual Audit Letter to the Committee. This report, which followed on from the External Audit Findings report

received at the last meeting, provided a more accessible summary of the audit work carried out in 2018/19. Jon reported that it had been a very successful audit, with an unqualified opinion being issued. He added that it was very positive that the target date of 31 July had been achieved, as this had been challenging for the whole sector this year.

A small number of issues had arisen during the course of the audit, and these had been efficiently resolved thanks to the good working relationship between the external auditors and Waverley's accountants. The first issue related to the McCloud judgement, which had implications for the entire local government pension scheme and required an amendment to the council's accounts. The other two issues were technical matters relating to the valuation of Plant, Property and Equipment.

In relation to the fees, Jon explained that within the audit world there had been an increased focus on certain areas, and this had resulted in the fee being higher than initially anticipated, but still lower than the previous year. The PSAA, who appointed the council's auditors would review the fees to determine whether this change was reasonable. Graeme Clark, Strategic Director, informed the Committee that he had written to the PSAA to ask for confirmation that they were aware of the situation, and to express disappointment that they had not highlighted the emerging issues in the audit world sooner. A number of other councils would be in a similar position so it was likely that they would also raise these issues and it would be interesting to hear the response from the PSAA.

Cllr Floyd-Douglass sought some additional information in relation to the pensions issue, and the longer term impacts of the judgement. Graeme responded that Waverley, as a member of the Surrey pension fund, had asked the actuary to re-issue a set of assumptions based on the outcome of the court ruling. The timing for this had been unfortunate, but the issue was now resolved and should not reoccur.

In response to further questions from the Committee, Jon confirmed that this audit team would remain with the council for the coming year, so it would be far less rushed next time. He also advised that in terms of comparison with other councils, Waverley's performance was towards the top end of the scale.

With reference to the External Audit Findings report considered at the last meeting, the Chairman noted that a further draft of this report had been issued on 31 July, after the meeting, and had been signed off under delegation. He queried whether this had been formally recorded. Graeme assured the Committee that this had been correctly recorded, and that the latest version of the report had been published on the website.

Overall, the Committee was very pleased with the work of both the council's finance team and the external auditors, particularly given the short time frame.

The Committee therefore RESOLVED to note the Annual Audit Letter.

AUD 20/19 AUDIT COMMITTEE ANNUAL ACTIVITY REPORT (Agenda item 7.)

The Committee received the report which summarised the work of the Committee in 2018/19. Members noted that over the course last year, the Committee had considered some items where work was ongoing, or where the Committee had recommended further action. It was felt that in order to provide closure on these matters, the report should include some conclusions on these outstanding items.

The Chairman noted that last year, the Committee had reviewed the Council's Tax Strategy, which was an annual document, and therefore requested that this be added to the Committee's work programme for the current year.

The Committee RESOLVED to note the work carried out by the Audit Committee in 2018/19.

AUD 21/19 INTERNAL AUDIT CHARTER (Agenda item 8.)

Gail Beaton, Internal Audit Manager, presented the Internal Audit Charter to the Committee. She explained that the purpose of the charter was to define the purpose, authority and responsibilities of the internal audit service. Only minor changes had been made to the since the last version had been published, and these were highlighted in the document.

The Committee had concerns about the content of one section, relating to the Chief Executive reviewing and countersigning the performance reviews of the Internal Audit Manager, which Members felt did not secure the independence of the internal audit service. It was suggested that it might be more appropriate for the Head of Policy and Governance to fulfil this role instead. Officers agreed to review the wording of this section to make it clearer.

The Committee therefore RESOLVED to approve the Internal Audit Charter subject to a delegation to the Section 151 Officer, in consultation with the Chairman of the Audit Committee, to finalise the wording of the final paragraph under heading 9. Independence and Objectivity.

AUD 22/19 PROGRESS ON THE INTERNAL AUDIT PLAN FOR 2019/20 (Agenda item 9.)

Gail Beaton presented the report setting out the current status of the reviews contained within the 2019/20 Internal Audit Plan. She explained that the reviews in relation to CIL, Property Investment and Management of Major Projects had all been carried forward from the 2018/19 Audit Plan, which had otherwise been fully completed.

Four reviews had been completed so far in 2019/20, with one, relating to asbestos, only providing limited assurance. The report included more detail about the management response to these recommendations.

The contractor was performing well, however a member of staff from the internal team had recently left the council so there was a shortfall in resource. Gail advised that she would be advertising shortly to fill this post. Members queried whether all the planned reviews could still be completed given the resource shortage. Gail responded that the plan was to fill the post as soon as possible, but otherwise it

would be possible to buy more hours from the contractor in order to fill the gap. The Committee heard that there was no statutory minimum level of internal audit service, but it felt that this was very important work, and agreed to monitor the situation closely.

Cllr Seaborne also noted that while the new format of the report included helpful milestones, it omitted other details that had been included in previous reports. The Committee agreed that future reports should also include details of which quarter each review was scheduled for, the number of days required as well as a priority RAG rating.

Subject to the comments above, the Committee RESOLVED to note the contents of the Internal Audit progress report.

AUD 23/19 PROGRESS ON IMPLEMENTATION OF INTERNAL AUDIT RECOMMENDATIONS (Agenda item 10.)

The Committee received the report setting out details of internal audit recommendations that were overdue or likely to be implemented later than the target date. The report also included requests from two Heads of Service for extensions to due dates.

Several of the requests for extensions to implementation dates related to staff flexi time procedures. The Committee heard that the delay in implementing this action was due to a requirement to review the policy alongside the implementation of the audit recommendations. Members felt that the operation of flexi time should be a straightforward management process, and were concerned by the delay. The Committee agreed to approve the requested time extension on these recommendations, but asked that in the event they had not been implemented by the date of the Committee's next meeting, the Head of Service be asked to attend to provide further assurance on the matter. Members were also keen to better understand the operation of flexi time procedures, and Graeme Clark agreed to circulate the Flexi Time Policy to the Committee for information.

In relation to the recommendation regarding WTS subcontractors, the Committee was satisfied with the justification set out in the report, but was keen to have some assurance that the same issue would not occur in future years. The Committee therefore requested an email update from the Head of Service on this matter.

Subject to the comments above, the Committee RESOLVED to approve the requests for extensions to implementation dates as set out in Annexe 2 to the report.

AUD 24/19 FRAUD INVESTIGATION SUMMARY (Agenda item 11.)

Gail Beaton presented the report setting out the progress made over the last quarter in investigating fraud, primarily focusing on housing tenancy fraud. The report also included the figures from previous years for comparison.

Additionally, a data matching exercise had been carried out through the National Fraud Initiative (NFI). This had helped to ensure that the council had the most up to date information, and therefore could remove people from the housing register who were no longer eligible.

The Committee was very pleased with the success of the anti-fraud work, which meant that more properties were available for residents who were in genuine need of a home. Additionally, the notional financial returns more than justified the dedicated post, which also had added benefits as a deterrent value.

Cllr Cole queried whether any of the investigations resulted in prosecutions. Gail explained that in some cases, the council did pursue civil prosecutions in the Magistrates Court; this year four cases had been taken to court so far. The Committee acknowledged that there needed to be balance between weighing the costs of court proceedings against the value of getting the properties back, although did feel that this was also a matter of principle.

The Committee noted that the high financial value for Quarter 1 was predominantly due to the NFI exercise. Additionally, the Cabinet Office had made some changes to the financial values, so it was difficult to provide an accurate comparison with previous years.

Members recalled that debt recovery had been an issue in the past, and asked how this was currently performing. Graeme responded that the council had strengthened its position following the adoption of a new Debt Policy, and he agreed to ask Peter Vickers, Head of Finance, to provide an update to the Committee on this.

The Committee RESOLVED to note the success of the fraud investigation activity.

AUD 25/19 RISK MANAGEMENT (Agenda item 12.)

Graeme Clark, Strategic Director, advised the Committee that the Corporate Risk Registers were being reviewed in light of the new Corporate Strategy and a report on this would be brought to the Committee's November meeting. In the meantime, risk appetite workshops had been arranged for all councillors, and a further session would be arranged for Audit Committee Members to go through the risk registers in more detail.

AUD 26/19 ANNUAL GOVERNANCE STATEMENT - CONSIDERATION OF POTENTIAL GOVERNANCE ISSUES (Agenda item 13.)

Graeme Clark advised the Committee that this was their opportunity to raise any potential governance issues that may need to be addressed in the Annual Governance Statement for 2019/20. A document setting out the classification for significant issues was provided to help the Committee determine whether something was or was not a governance issue.

The Committee discussed whether the overspend on the Memorial Hall project was a governance issue. Officers clarified that spend against budget was an Executive/O&S function, however the management of projects could be considered a governance issue. Members emphasised the importance of having good control of contractors, with a proper project management regime in place. Graeme

highlighted there was already an item on the audit plan in relation to review management control of projects and lessons learned from key projects such as Brightwells and the Memorial Hall. The Committee therefore requested that this review be prioritised so that it could determine whether any further work was required from a governance perspective.

Cllr Seaborne also noted that Air Quality had been an issue raised in previous Annual Governance Statements, and this matter was now reaching its conclusion. He expected that there would be some further lessons to be learnt in due course.

AUD 27/19 AUDIT COMMITTEE RECURRENT ANNUAL WORK PROGRAMME (Agenda item 14.)

The Committee noted its recurrent annual work programme, with the addition of the Tax Strategy to be reviewed at the next meeting.

The meeting commenced at 7.00 pm and concluded at 8.44 pm

Chairman