

To: All Members of the Council

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Date: 13 July 2020

Dear Councillor

COUNCIL MEETING - WEDNESDAY, 22 JULY 2020

A MEETING of the WAVERLEY BOROUGH COUNCIL will be held by ZOOM on **WEDNESDAY, 22 JULY 2020 at 6.00 pm, or at the conclusion of informal questions**, and you are hereby summoned to attend this meeting.

The Agenda for the Meeting is set out below.

The meeting can be viewed remotely in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, via the Council's YouTube page.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

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Informal questions

Prior to the start of the meeting, the Leader, Deputy Leader or an appropriate portfolio holder will respond to informal questions from members of the public, for a maximum of 15 minutes.

Questions will be taken in the order in which questioners register with the Democratic Services Officer on committees@waverley.gov.uk by midday on Wednesday 22 July, to be sent details of how to join the Zoom meeting. 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.

AGENDA

1. **MINUTES** (Pages 5 - 18)

To confirm the Minutes of the Annual Council meeting held on 9 June 2020 (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**

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 Wednesday 15 July 2020.

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 Wednesday 15 July 2020.

8. MOTIONS

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

The deadline for receipt of motions was 5pm on Friday 10 July 2020. No Motions were received.

9. MINUTES OF THE EXECUTIVE (Pages 19 - 32)

To receive the Minutes of the Executive meeting held on 8 July 2020.

There are no Part I matters for Council consideration.

There shall be no debate on any item contained in Part II of the minutes but Members may give notice in writing, email or phone, by noon on the day of the meeting, of a statement or question, and give details of any question. (PR 14.14).

10. MINUTES OF THE LICENSING AND REGULATORY COMMITTEE (Pages 33 - 34)

To receive the Minutes of the Licensing & Regulatory Committee meeting held on 29 June 2020.

There are no Part I matters for Council consideration.

There shall be no debate on any item contained in Part II of the minutes but Members may give notice in writing, email or phone, by noon on the day of the meeting, of a statement or question, and give details of any question. (PR 14.14).

11. 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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MINUTES of the WAVERLEY
BOROUGH COUNCIL held in
the Remote meeting via Zoom
on 9 June 2020 at 6.00 pm

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

- | | |
|---------------------------|---------------------------|
| * Cllr Brian Adams | * Cllr Jerry Hyman |
| * Cllr Christine Baker | * Cllr Peter Isherwood |
| * Cllr David Beaman | * Cllr Jacquie Keen |
| * Cllr Roger Blishen | * Cllr Robert Knowles |
| * Cllr Peter Clark | * Cllr Anna James |
| * 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 Maxine Gale | * Cllr John Robini |
| * Cllr Michael Goodridge | * Cllr Anne-Marie Rosoman |
| * Cllr John Gray | * Cllr Trevor Sadler |
| * Cllr Michaela Gray | * Cllr Richard Seaborne |
| Cllr Joan Heagin | * Cllr Liz Townsend |
| * Cllr Val Henry | * Cllr John Ward |
| * Cllr George Hesse | * Cllr Steve Williams |
| * Cllr Chris Howard | * Cllr George Wilson |
| * Cllr Daniel Hunt | |

*Present

Apologies

Cllr Kevin Deanus and Cllr Joan Heagin

CNL1/20 WELCOME, INTRODUCTIONS AND PROCEDURAL INFORMATION (Agenda item 1.)

- 1.1 The Mayor, Cllr Mary Foryszewski, welcomed Members, guests and members of the public to the Annual Council meeting. These were unprecedented times, with diverse and difficult challenges for everyone. In a short period of

time everyone had had to find new ways of working, to adapt quickly and learn to live and communicated in the a modern digital world.

- 1.2 The Mayor introduced the Officers present: the Chief Executive, Tom Horwood; Strategic Directors, Graeme Clark and Annie Righton; Head of Policy & Governance, Robin Taylor; and Borough Solicitor, Daniel Bainbridge.
- 1.3 The Mayor reminded Members of the protocols for Zoom meetings, and on her recommendation Council RESOLVED to suspend Procedure Rule 21.1, the requirement for Members to stand to speak.

CNL2/20 APOLOGIES FOR ABSENCE (Agenda item 2.)

Apologies for absence had been received from Cllrs Kevin Deanus and Joan Heagin.

CNL3/20 MAYOR'S ANNOUNCEMENTS (Agenda item 3.)

- 3.1 The Mayor began her announcements, by asking her Chaplain Reverend Ian Maslin to lead a 1 minute silence to remember those who had lost their lives to coronavirus, their friends and families; and to think of all the front line and key workers. Rev'd Maslin thanked the Mayor for inviting him to be part of the meeting and then offered prayers for those who had lost their lives or suffered through the pandemic, and for The Queen. This was followed by a minute's silence.
- 3.2 The Mayor thanked Rev'd Maslin for his kind words, and his support throughout her Mayoral year, and advised that she would be arranging for a card and gift to be delivered to him. The Mayor went on to thank others who had supported her during her year as Mayor:
 - Her consort, Stefan Foryszewski, and their sons; family and friends;
 - Mane Chance, her charity for the year;
 - Her Deputy Mayor, Penny Marriott, and other Surrey Mayors; and
 - Waverley officers, Robin Taylor, Alison Burrows, and Henry Ascoli.
- 3.3 The Mayor had filmed a short video in which she had reflected on her year as Mayor, which was available on line, and in concluding her year she wanted to acknowledge and recognise just a few of the many people she had met throughout her year who were doing amazing work in the Borough. The Mayor presented Waverley Borough Council Community Champion certificates of appreciation to:
 - Andrea Bamford
 - Glebelands School, Cranleigh
 - Cranleigh Rotary Club
 - Rod Weale, Royal British Legion Cranleigh
 - Nabeel Nasir, Ahmadiyya Muslim Community
 - Hayley Roberts, Secret Garden Sanctuary
 - Henry Ascoli, Waverley Borough Council
 - Jessica Wicks, Supporting People Week (Mental Health UK)
 - Wendy Gibson, Street Champion

- Janet Wallace, Baptist Church Cranleigh
- Cranleigh Lions
- Smart Cranleigh

There would be a small financial gift for each, as well.

- 3.4 The Mayor continued by highlighting the importance of the role of Mayor as a figurehead to bring communities together and to support those who worked tirelessly for the benefit of others. Her year had not just been about fund-raising, but was also raising awareness of subjects hard to talk about, such as mental health and suicide. Never before had it been so important to be tolerant, patient and gentle with ourselves and each other. Her mental health networking event had been thwarted by the pandemic, but would go ahead at some point in the future.
- 3.5 The Mayor concluded by saying these were difficult times but we would get through it together. Everyone had made sacrifices, but it was time to resume some sort of normality and get on with the business of running the Council, delivering essential services, and supporting our residents. She wishes her successor the very best wishes, and thanked Members for allowing her the honour and privilege to serve them as their Mayor.

CNL4/20 ELECTION OF MAYOR FOR 2020/21 (Agenda item 4.)

- 4.1 The Mayor called for nominations for the role of Waverley Borough Mayor for 2020/21.
- 4.2 Cllr John Ward proposed Cllr Dr Penny Marriott as the next Mayor:

Penny Marriott had been born in England but spent her early years in Swansea before studying physics and mathematics at Manchester University and Imperial College after which she taught in number of schools and colleges, her primary interest being astrophysics.

Penny had lived in Farnham for 45 years and had been active both politically as a town and borough councillor and in the wider community, as chair of the Northwest Farnham Residents Association, a trustee of the Farnham Victoria Gardens, eventually becoming their Chair. She was passionate about international co-operation and town-twinning, and was chair of the Farnham – Andernacht Friendship Association. Penny had a keen interest in youth and became one of the first parent governors St Andrews school.

This was her second time as a Waverley Borough Councillor, and during her time as Farnham Town Councillor she had served as Mayor in 2002 and 2003 and so was well used to representing the town, and controlling a noisy council. Penny had also been a part-time international sporting coach, imparting the elements of velocity and trajectory to a keen student who later became Paralympic, European and World champion in boccia. Cllr Ward concluded by saying that he could think of no one more fitting to be Waverley Mayor, and was proud to propose her.

- 4.3 Cllr Paul Follows seconded the nomination of Cllr Dr Penny Marriott as Mayor, and wholeheartedly endorsed the words of Cllr Ward. He was sure that helping young people, education, compassion, inclusivity and engagement would be central to her style as Mayor. She would have the full support of the new Deputy Mayor, and Waverley would have an excellent new Mayoral team.
- 4.4 There were no other nominations for Mayor, and therefore Cllr Dr Penny Marriott was declared as the Waverley Borough Mayor for 2020/21.
- 4.5 The new Mayor, Cllr Dr Penny Marriott, read and signed the declaration of acceptance of office, witnessed by Cllr Peter Marriott.

CNL5/20 ELECTION OF DEPUTY MAYOR FOR 2020/21 (Agenda item 5.)

- 5.1 The new Mayor, Cllr Dr Penny Marriott, called for nominations for the role of Deputy Mayor for 2020/21.

- 5.2 Cllr Paul Follows proposed Cllr John Robini as Deputy Mayor:

Cllr Robini returned to the Borough Council and to Haslemere Town Council in 2019, but had a long record of service to Waverley and two parishes within the borough, including time as a portfolio holder covering car parks, community safety and youth services. He was the incumbent Mayor of Haslemere. Outside of his work as a councillor, John joined the police in 1972 and served with the force here in Waverly for many years. One of his many initiatives during that time was setting up neighbourhood watch programs across the borough which still existed today.

Integrity, hard work and community service were at the core of everything John did and during Covid-19 he had served his community as Mayor of Haslemere and met the challenge of leading the council and community despite being in isolation throughout. The mayor of Haslemere had been a unifying figure that people needed, visible and hardworking, whether that was stepping into the unknown chairing council sessions online or working alongside volunteers as part of Haslemere Help to deliver the community store and even managing to keep the neighbourhood plan consultations going. John had been at the centre and led from the front, supported by Jacquie who would be sharing in the work to come. John and Jacquie would be an excellent support to Penny and Peter over the coming year, and Waverley would be in good hands.

- 5.3 Cllr Andy MacLeod seconded the nomination of Cllr John Robini as Deputy Mayor, and endorsed Cllr Follows commendation of him as a hard-working councillor and champion of Haslemere.
- 5.4 Cllr Stephen Mulliner and expressed his pleasure to be able to support the nomination of Cllr Robini as Deputy Mayor. He had a long connection to Haslemere and strong interest in the local community, and after being elected to the Town Council in May 2019 he had served as a diligent and well-respected Town Mayor.

- 5.5 There were no other nominations for Deputy Mayor, and therefore Cllr John Robini was declared as the Waverley Borough Deputy Mayor for 2020/21.
- 5.6 The new Deputy Mayor, Cllr John Robini, read and signed the declaration of acceptance of office, witnessed by Cllr Jackie Keen.

CNL6/20 VOTE OF THANKS TO THE RETIRING MAYOR (Agenda item 6.)

- 6.1 The vote of thanks to the Retiring Mayor was moved by Cllr Carole Cockburn, who commended Cllr Forszewski for an outstanding year as Mayor during which she had chaired meetings of Council with patience, humour and fairness, ensuring that all Members were heard and reminding Members to listen with politeness and respect. Mary had carried out every duty as Mayor as though it were her first, punctual and prepared and always interested, and making so many special people in the borough feel special. Mary had worked tirelessly on fundraising for Mane Chance, and supporting charities dealing with male mental health and male suicide. Mary had given everyone a masterclass in service and had been a terrific ambassador for Waverley Borough Council.
- 6.2 Cllr John Ward seconded the vote of thanks and noted that in May 2019 the new administration had unhesitatingly supported Cllr Forszewski's nomination for Mayor, and she had not disappointed. She had clearly exhibited qualities of fairness, impartiality, intelligence, and he was pleased to second the vote of thanks.
- 6.3 The new Mayor concluded by adding her personal thanks to Cllr Forszewski for her help and friendship during their year working together.
- 6.4 RESOLVED that the vote of thanks to the Retiring Mayor be agreed.

CNL7/20 MINUTES (Agenda item 7.)

The Minutes of the Meeting of the Council held on 18 February 2020 were confirmed as a correct record.

CNL8/20 DECLARATIONS OF INTEREST (Agenda item 8.)

There were no interests declared under this heading.

CNL9/20 NEW MAYOR'S ANNOUNCEMENTS (Agenda item 9.)

- 9.1 The Mayor spoke of the challenge of becoming Mayor during a global pandemic, at a time of such huge change in peoples' daily lives and uncertainty about the future causing anxiety and fear about whether things would ever be normal again. Many people were having to change the way they lived and worked, as the council was: Waverley officers had responded magnificently, as had Waverley Members who had changed how they worked in order to take part in remote meetings.
- 9.2 The impacts of the pandemic would surely be felt for years to come, but change was not always a bad thing, and sometimes things needed to

change, as highlighted by the Black Lives Matter movement. The Mayor read out a statement on behalf of Waverley Borough Council to demonstrate that we stand with people in the black community:

As community leaders, we oppose all racism, discrimination and hate and promote equality.

Waverley Borough Council stands alongside those who are appalled and saddened by the loss of George Floyd in Minneapolis, US. His shocking death highlights the injustices endured by black people on a daily basis in America and has also made us face up to the inequalities experienced by black communities here in the UK.

Now is the time to stand with the black community and all those who are racially oppressed - as we always strive to ensure our borough supports and treats everyone fairly, regardless of age, race, gender or sexual orientation.

We are reconfirming our commitment to address inequality and injustice in our own borough. We will consider and reflect on how we can do more to make a difference and will outline what steps we will take towards this shortly. But, in the meantime, let's start this work today: let's start by us all committing to actively seeing, listening and educating ourselves on the injustices faced by our black residents, officers and communities across the UK. Let's be role models in empathy, kindness and standing up for what is right. Let's use our position and privilege to make this borough a fairer, safer and more equal borough for everyone.

- 9.3 The Mayor went on to highlight the impact of the pandemic on children and young people, whose school, college and university studies had been disrupted, and leisure activities curtailed. The three charities she had chosen for her Mayoral year helped young people deal with these challenges:

Home-start Waverley was a charity which supported young mothers and helped them cope with having a baby and dealing with bringing up a baby. **40 Degreez Centre** which was a local charity providing a venue for all young people in the Farnham area, from 10 to 25 years, to meet in a safe and informal environment supporting a variety of leisure, social and advisory activities, including a youth café/drop-in; clubs, groups and youth support organisations; and targeted work with young people at risk of social or educational exclusion.

Sea Cadets and in particular the cadets at TS Swiftsure. They had had a challenging time recently, needing to replace the roof of their hall and then having a break in and theft of equipment and band instruments. The Mayor read the story of Daniel, a young sea cadet, who had developed through his time at Swiftsure, gone on to start a career, and then returned to the cadets as an adult volunteer and helped the unit grow from 50 to 70 cadets.

- 9.4 The Mayor recognised that her year as Mayor would be unusual, and she would be looking at how the internet could be used to help promote her charities and help them raise funds.

CNL10/20 EXECUTIVE APPOINTMENTS 2020/21 (Agenda item 10.)

10.1 The Leader of the Council, Cllr John Ward confirmed his Executive appointments for 2020/21, with portfolios as shown in the agenda paper:

Cllr Paul Follows, Deputy Leader
 Cllr David Beaman
 Cllr Peter Clark
 Cllr Andy MacLeod
 Cllr Mark Merryweather
 Cllr Nick Palmer
 Cllr Anne- Marie Rosoman
 Cllr Liz Townsend
 Cllr Steve Williams

10.2 RESOLVED to note the Executive appointments for 2020/21.

CNL11/20 REVIEW OF POLITICAL PROPORTIONALITY OF THE COUNCIL AND APPOINTMENT OF MEMBERS TO COMMITTEES (Agenda item 11.)

11.1 The Mayor introduced the report setting out the political proportionality of the Council, the allocation of committee seats to political groups in accordance with political proportionality, and the appointment of Members to committee seats.

11.2 RESOLVED to:

- (i) Note the proportional allocation of seats on the council's committees to political groups in accordance with political proportionality; and
- (ii) Agree the appointment of Members to committee seats in accordance with Group Leaders' nominations.

CNL12/20 MINUTES OF THE EXECUTIVE (Agenda item 12.)

12.1 The Leader of the Council presented the Minutes of the Meetings of the Executive held on 3 March and 12 May 2020.

CNL13/20 MINUTES OF THE EXECUTIVE MEETING, 3 MARCH 2020 (Agenda item 12.1)

13.1 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 meeting held on 3 March 2020 be noted.

13.2 There were no Part I matters, and one Member registered to speak on Part II matters:

- 13.3 Cllr Jerry Hyman asked for an update on the work to develop the Climate Emergency Strategy and Action Plan (EXE 71/19), and whether it would be delayed as a result of the Covid-19 emergency.
- 13.4 Cllr Steve Williams, Portfolio Holder for Environment and Sustainability, responded that the planned work inevitably had been impacted by the Covid-19 emergency. The draft Strategy and Action Plan were on the Council's website and comments from the public or stakeholder groups were welcomed. Some of the actions in the Action Plan would need to be pushed back as a result of Covid-19, but others would be brought forward, taking advantage of opportunities presented by the current situation, such as funding for cycling and walking infrastructure and pedestrianisation of town centres. The Member Group and Overview & Scrutiny would have opportunities to review the Action Plan. It was clear that the country had been ill-prepared to deal with the emergency of Covid-19, and needed to be more resilient to face future pandemics. But, this should not be at the expense of addressing the more serious climate emergency and missing the opportunity to build back better.
- 13.5 Cllr Hyman then referred to the proposals for Leisure Centre improvements (EXE 72/19) and asked whether his suggestions about improvements to the skate park were being progressed, and also if the planned improvements were going to be delayed.
- 13.6 Cllr David Beaman responded that no progress had been made between the Executive meeting and the closure of the leisure centres, and the project was now suspended and would be reviewed in due course.

CNL14/20 MINUTES OF THE EXECUTIVE MEETING, 12 MAY 2020 (Agenda item 12.2)

- 14.1 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 meeting held on 12 May 2020 be noted.

CNL15/20 EXE 79/19 TEMPORARY GOVERNANCE ARRANGEMENTS (Agenda item 12.3)

- 15.1 The Leader introduced the report that proposed temporary changes to the Council's governance arrangements in response to the business imperative to prioritise urgent action to support the Waverley community during the Coronavirus emergency. It summarised key changes in legislation (via the Coronavirus Act 2020) and Regulations (via the Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings (England)) Regulations 2020) ("the Regulations") and made recommendations on temporary arrangements for Council and committee meetings during the 6-month period from April to October 2020.
- 15.2 The Executive had asked the Standards Committee to review the proposals set out in the report for new temporary planning committees to streamline the planning committee arrangements, and recommendations to temporarily amend the Council's Constitution in this regard were brought to Council via the Standards Committee.

- 15.3 The Executive's recommendations in relation to the timing of the Annual Council meeting, appointment of the Mayor and Deputy Mayor, and committee appointments for 2020/21 had been superseded by the scheduling of this meeting, leaving just two remaining recommendations for Council approval.
- 15.4 Cllr Paul Follows seconded the recommendations, and reiterated a point made by the Leader, that a full schedule of Council committee meetings had resumed and thanked officers from the IT and Democratic Services Teams for enabling remote meetings to take place so quickly. It would be very disappointing if the government did not extend the regulations to allow remote attendance at meetings, as it gave a significant boost to democratic access for people who worked full time or had other commitments that might prevent them from attending meetings in person. There was also a substantial environmental benefit from reduced amount of travel. Noone wanted to rush back to the Council Chamber before it was safe to do so, and the current arrangements were proving to work very well.
- 15.5 Cllr Jerry Hyman asked for clarification on what Council was being asked to approve as he was confused by the detail of the report, which appeared to have been overtaken by events.
- 15.6 The Mayor moved the two remaining recommendations, proposed by Cllr Ward and seconded by Cllr Follows and it was

RESOLVED:

- i. That in principle, remote meetings, at least for the time being, be used sparingly, and that only matters considered to be critical to the Council's business be dealt with by way of remote meetings. Non-critical, 'business as usual' items and items that can be delegated to officers (either through existing or new delegations), delayed or cancelled are not dealt with by remote meetings. All time-limited emergency provisions to be reviewed at the July Council meeting and at any further Full Council meetings beyond that as required.
- ii. That the revised schedule of committee meetings outlined for Phases 1, 2 and 3 in paragraph 4.8 below, is agreed; a detailed calendar of meetings will be provided to Members as soon as possible.

CNL16/20 EXE 80/19 SAFEGUARDING POLICY FOR CHILDREN AND ADULTS AT RISK
(Agenda item 12.4)

- 16.1 The Leader introduced the report and recommendation that the Council adopt the Safeguarding Policy for Children and Adults at Risk, and invited the Portfolio Holder, Cllr David Beaman to present.
- 16.2 Cllr Beaman reported that this was a revision to the Safeguarding Policy that reflected changes in Surrey County Council Children's Services following Ofsted inspections. The concerns raised by Cllr Jenny Else and Cllr Hyman at the Executive meeting on 12 May had been resolved off-line.

16.3 Cllr John Robini expressed concerns about the impact of cutbacks in Surrey County Council services for families and young people, including HomeStart and youth clubs such as *A Place to Be* in Haslemere.

16.4 The Mayor moved the recommendation proposed by the Leader and seconded by Cllr Beaman, and it was

RESOLVED that the Safeguarding Policy for Children and Adults at Risk be adopted.

CNL17/20 MINUTES OF THE STANDARDS COMMITTEE, 21 MAY 2020 (Agenda item 13.)

17.1 It was moved by the Chairman of the Standards Committee, Cllr John Robini, duly seconded by the Vice-Chairman, Cllr Michael Goodridge, and

RESOLVED that the Minutes of the Standards Committee meeting held on 21 May 2020 be noted.

17.2 There were three Part I matters for Council consideration.

CNL18/20 STD25/19 WAVERLEY MEMBERS' CODE OF CONDUCT - PROPOSED REVISION (Agenda item 13.1)

18.1 Cllr Robini introduced the minor revision to the Waverley Members' Code of Conduct, that updated the descriptions of the seven Nolan Principles to those now used by the Committee on Standards in Public Life. The changes were recommended to Council for approval.

18.2 Cllr Jerry Hyman spoke in support of the revisions and in particular the definition of *Honesty*, which was now a simple requirement that holders of public office should be truthful. The Standards Committee was now looking forward to reviewing the new Model Code of Conduct being prepared by the Local Government Association.

18.3 The Mayor put the recommendation that had been proposed by Cllr Robini, and duly seconded, and it was

RESOLVED that the revised Waverley Members' Code of Conduct be adopted.

CNL19/20 STD26/19 REMOTE MEETINGS PROTOCOL AND PROCEDURE RULES (Agenda item 13.2)

19.1 Cllr John Robini introduced the report that proposed a set of Virtual Meeting Procedure Rules that would apply in meetings being held with Members attending remotely, via Zoom. The principle of remote attendance, and the requirements that had to be satisfied for Members to be in remote attendance, were set out in Regulations approved by Parliament. These Procedure Rules set out how they would be applied at Waverley where they conflicted with the council's normal procedure rules. The Virtual Meeting Procedure Rules would automatically fall away on 7 May 2021, when the Regulations that allowed remote attendance at meetings expired.

- 19.2 If approve, the Virtual Meeting Procedure Rules would be inserted into Section 4 of the Constitution. There was additional practical guidance for Members and Officers on using Zoom for meetings which would be updated from time to time as required.
- 19.3 Cllr Paul Follows endorsed the new procedure rules, which were a helpful guide and were in effect the procedures that Members had been following in this Council meeting.
- 19.4 Cllr Jerry Hyman noted that VMPR1 had now been overtaken by this meeting, and so was no longer needed. He was also concerned about the wording of VMPR 8 with regard to excluding press and public from a meeting, to avoid disclosure of exempt information, and how this could be assured. Members discussed how best to describe the intention to exclude press and public, as far as was technically possible, and agreed an amendment to the second sentence of VMPR 8.1: “Where the technology is available, the Democratic Services Officer or meeting facilitator will **use best endeavours to** ensure that there no members of the public in remote attendance ...”.
- 19.5 The Mayor moved the recommendation, to approve the Virtual Meeting Procedure Rules, including the above amendment to VMPR 8.1 and it was
- RESOLVED that the Remote Meetings Protocol and Procedure Rules be adopted.

CNL20/20 STD 27/19 NEW PLANNING COMMITTEES - TEMPORARY ARRANGEMENTS FOR 2020/21 (Agenda item 13.3)

- 20.1 Cllr John Robini introduced the report that set out proposals for the establishment, on a temporary basis, of two new planning committees (WESTERN and EASTERN) to replace the Council’s five existing planning committees (Joint Planning Committee, and Southern, Western, Eastern and Central Area Planning Committees), in order to streamline planning committee decision-making arrangements whilst resources are stretched due to the impact of the Covid-19 pandemic. The arrangements had been considered vary carefully by the Standards Committee. The Committee was clear that these were temporary measures and Council would decide when these arrangements should cease to operate.
- 20.2 The Standards Committee recommended that Council reviewed the arrangements at its meeting in December 2020, and the Standards Committee would be carrying out an interim review at its meeting in September 2020.
- 20.3 There was only one change to the Scheme of Delegation recommended as part of the these arrangements, as detailed in the agenda report, which would automatically expire with the temporary planning committee arrangements.

- 20.4 Cllr Follows endorsed the recommendations, which had been discussed at length by the Standards Committee and for which there was general agreement in principle by Members. Cllr Hyman was unhappy with recommendation (iv) on the change to the Scheme of Delegation, which he felt removed an important part of the check and balances, but other councillors felt that this was a reasonable measure to help manage work loads, provided there was committee oversight of decisions made.
- 20.5 A number of Members spoke to support the arrangements as a temporary compromise in the current circumstances, but were keen that the five committee arrangement was resumed as soon as possible.
- 20.6 The Mayor put the recommendations from the Standards Committee, and it was

RESOLVED that

- i. the arrangements set out in Section 4 of the report are adopted as a temporary measure to facilitate decision-making by Planning Committees whilst the work of the Council is impacted by the effects of the Coronavirus pandemic;
- ii. the Terms of Reference of the new temporary WESTERN and EASTERN planning committees as set out in Annexe 1 are incorporated into the Constitution and clearly identified as being temporary measures for a period to be agreed by Full Council;
- iii. the need for the new temporary WESTERN and EASTERN planning committees is kept under review by the Planning Committee Chairmen in consultation with the Head of Planning & Economic Development, and should be reviewed by Full Council in December 2020.
- iv. where an application could be decided under delegated authority were it not for there being a connection with a Member or Officer, then these applications may be delegated to the Head of Planning & Economic Development in consultation with the relevant Planning Committee Chairman and Vice-Chairman, and relevant Ward Member(s) such special delegation expiring with the temporary planning committee arrangements.

(Cllr Jerry Hyman asked that his vote against this recommendation be recorded.)

CNL21/20 MINUTES OF THE AUDIT COMMITTEE, 2 MARCH 2020 (Agenda item 14.)

- 21.1 It was moved by the Chairman of the Committee, duly seconded and

RESOLVED that the Minutes of the Meeting of the Audit Committee held on 2 March 2020 be notes.

- 21.2 Cllr Peter Marriott reported that the accounts for 2018/19 were submitted by 31 July 2019 with no significant issues to report. The 2019/20 accounts were

being reviewed by external auditors Grant Thornton and would ordinarily have been signed off by 31 July, but due to the current circumstances the deadline had been pushed back to 30 November. The impact of Covid-19 on the 2019/20 account was relatively small, with the closure of leisure centres and suspension of car park charges happening only a week or two before the year end. The impact on 2020/21 were much more significant and Grant Thornton were working with the council on updating the view of risk and what was acceptable across the range of investments and operational strategies. The Audit Committee would be addressing this issue in the coming year.

21.3 There were no Part I matters for Council approval. Cllr Hyman had registered to speak on Part II matters:

21.4 Cllr Hyman encouraged Members to read the report on the Air Quality Investigation (AUD 48/19), and expressed his view that there were significant implications for the planning permissions for the East Street development. Cllr Hyman also referred to the External Audit Plan 2019/20 (AUD 49/19) and reiterated the comments he made at the Audit Committee regarding the Sweetman ruling.

The meeting concluded at 8.55 pm

Mayor

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WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 8 JULY 2020

SUBMITTED TO THE COUNCIL MEETING – 22 JULY 2020

(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 Peter Clark
Cllr Andy MacLeod

Cllr Mark Merryweather
Cllr Nick Palmer
Cllr Anne-Marie Rosoman
Cllr Liz Townsend
Cllr Steve Williams

Also Present

Councillor Julia Potts, Councillor Carole Cockburn, Councillor Steve Cosser, Councillor Kevin Deanus, Councillor Simon Dear, Councillor Jenny Else, Councillor Mary Forszewski, Councillor John Gray, Councillor Joan Heagin, Councillor Chris Howard, Councillor Jerry Hyman, Councillor Peter Isherwood, Councillor Anna James, Councillor Robert Knowles, Councillor John Robini and Councillor Richard Seaborne

EXE 1/20 WELCOME (Agenda item)

The Leader welcomed Members and the public to the virtual meeting of the Executive, which was being webcast live on YouTube in compliance with the Regulations covering remote attendance at meetings.

The Leader introduced Officers present at the meeting, and welcomed Mr Crowther and Mr Weller, who had submitted written questions which they would read out later in the meeting.

EXE 2/20 MINUTES (Agenda item 1)

The Minutes of the Meeting held on 12 May 2020 were confirmed as a correct record.

EXE 3/20 DECLARATIONS OF INTERESTS (Agenda item 3)

There were no declarations of interest in relation to matters on the agenda.

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

The Executive received the following questions in accordance with Procedure Rule 10:

- i) Question received from Simon Crowther, Chairman, Sport Godalming

“With respect to agenda item 10 - Property Matter – Broadwater Golf Course – would the committee confirm that this area of land would remain solely for the purposes of sport and leisure.”

Response from Cllr Mark Merryweather, Portfolio Holder for Finance, Assets and Commercial:

“The area of land is classed as D2 (Leisure) under the Town and Country Planning (Use Classes) Order 1987. D2 use includes indoor and outdoor sports and associated recreations. The land is also Green Belt land under Waverley Borough Council’s Local Plan Part 1 (policy RE2). There are no plans to change the use of the land from D2 to another use.”

ii) Question from Bruce Weller of Rowledge:

“As a resident of WBC (resident of Rowledge) and somewhat experienced (30 years) in leisure development and golf course development (Weller Designs Ltd, Sports Pitch Design Build, Golf Land Solutions), I have one question:

Is it wise to spend £50k (which I assume is taxpayers money) on a report that is going to tell you what we already know, ie there are limited options on this site for open space leisure and even more limited if you want a tenant that will make a profitable operation.

Clearly there are the options of:

- Extension of Park, woodland nature, sculpture trail etc etc
Laudable and given my qualification as a landscape architect completely understandable in current climate.
- Football (3G) / other sports pitches (possibly profitable) but limited public access. With most sports apart from football not making much or any money.
- Or golf / range / adventure / cafe...Golf is having a serious renaissance following Covid and the success of Adventure Golf putting courses is well known (there are none in the district)

What is wrong with the current approved application which remedies the uncapped landfill at the same time?

As an experienced golf designer and consultant £50k will tell you what we know would be the case and that is a small scale high end Family Golf or 3G football pitch(s) will be profitable. The rest not so. Extension to naturalistic park in whatever manner would be great (that’s my landscape architect hat talking!) but I assume a cost burden to WBC?

I am based in Farnham and indeed set a few thoughts flying about Brambledon Park possibilities and happy to have a chat (at no cost sometime).

I was involved (some 5years!) with the planning application details to SCC for Broadwater Golf Club so clearly have an interest, but at the same time it's a lot of money to perhaps come to an already known conclusion."

Response from Cllr Mark Merryweather, Portfolio Holder for Finance, Assets and Commercial:

"With regard to the process that brought us to this point, we do recognise that the outcome of the process was not what anyone involved, including the Council, aspired to when it was started back in 2018. I'm sure you will understand that the Council has to respect the confidentiality of the plans and the information that the company supplied to us, on which I therefore can't comment now any further.

However, that said, I still hope I can reassure you that the relevant claims you have made in your question regarding the site and the company's plans for it were examined exhaustively in arriving at the conclusion that we did. With regard to the separate process of the company's planning application for this Council-owned site, this was of course without prejudice to the outcome of the lease licence and diligence processes that were still unresolved at the time.

Broadwater Park is an important public asset and so as to the alternatives for it going forward, it is important for the Council to engage in appropriate expert and independent advice for the options appraisal to ensure it is securing Value for Money with regards to the use of the site. The property advisors, Montagu Evans, have been asked to identify all options for the site, some of which may not have been considered by the Council or 3rd parties yet. As per the Executive report, a Council delivered development on this site would support the Corporate Strategy's vision to sustain "high quality public services accessible for all, including sports, leisure, arts, culture and open spaces."

EXE 5/20 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5)

There were no questions received from Members of the Council.

EXE 6/20 LEADER'S AND PORTFOLIO HOLDERS' UPDATES (Agenda item 6)

The Leader and Executive members reported on current issues within their respective Executive portfolios:

6.1 Cllr John Ward, Leader of the Council:

- Following the recent announcement from the Government regarding its White Paper on Devolution to be published in the autumn and subsequent rumours regarding unitary councils, the MJ had reported that Surrey County Council had commissioned a study into how the county council could become a unitary authority. The Government appeared to

be favouring a model of larger authorities with elected mayors, but was also looking for consensus from authorities bringing forward proposals proactively. Waverley's Leadership would be keeping a close watch on the issue as it developed.

6.2 Cllr Mark Merryweather, Portfolio Holder for Finance, Assets and Commercial

- A major focus for the council was the financial impact of the Covid-19 pandemic on the council. A contingency revised budget for 2020/21 had been prepared to address the budget gap of £6.6m in the budget agreed by Council in February 2020, which was equivalent to 60% of the annual Council Tax revenue. The revised budget was detailed in a report for the Value for Money Overview & Scrutiny Committee meeting on 13 July, and Members had received a briefing on 6 July. The Council was still awaiting detail on what further support might be available from the Government, if any, following the announcements of last week. In the meantime, the Contingency Revised Budget for 2020/21 would be considered by the Executive at the end of July, and an Extraordinary Full Council meeting in early August.

6.3 Cllr Steve Williams, Portfolio Holder for Environment and Sustainability:

- Very grateful to Waverley Officers for their work during the lockdown period and beyond, and their relentless focus on keeping essential services going, and protecting the most vulnerable in the community.
- There had been an inevitable pause in the consultation on the Sustainability Strategy and Climate Emergency Action Plan, but this work was now progressing again and comments were welcomed from the general public, organisations concerned about the environment, town and parish councils, and Waverley Members.
- Reducing our carbon footprint was a responsibility of every department and every member of staff in the council, and a culture was being built that put sustainability at the heart of decision-making in each department. The Climate Emergency Action Plan was key to this, and the central core of the Covid-19 recovery strategy was to build back better and not just to return to the way things were but to learn the lessons of lockdown. A green recovery was at the heart of our strategy for moving forward, including investing in greener energy, greener homes, offices and public building, and greener transport, and supporting more sustainable businesses and communities in Waverley.
- In line with that, the Executive was heartened and vindicated in its serious objections to UK Oil & Gas and their plans to drill for fossil fuels in Waverley, when the Surrey County Council planning committee turned down the planning application.

6.4 Cllr Anne- Marie Rosoman, Portfolio Holder for Housing and Community Safety:

- Waverley's Housing Team had responded magnificently to the incredible challenge of supporting the community through the coronavirus pandemic, whether that was tenants, residents who were shielding, or rough sleepers, and making a real difference to individuals.

- The Housing Service had developed a recovery plan to get routine work back on track, to let homes to maximise rental income, to resume responsive repairs and commence the capital works programme.
- 6.5 Cllr Andy MacLeod, Portfolio Holder for Planning Policy & Brightwells
- The Brightwells development had been suspended for about 3 months due to the Covid emergency. Activity on the site had resumed about 3 weeks ago, but with a reduced workforce to meet social distancing and health and safety regulations – work had resumed with around 50 operatives and was now up to around 80, compared with a typical number of 100 pre-Covid. The opening was now likely to be summer 2021, at the earliest.
 - The Brightwells development was likely to be affected by the downturn in the high street, and the town would be looking to the Farnham Infrastructure Project that was recently launched to get local people interested in what is happening.
 - The Woolmead project on East Street had been suspended for about 9 months. Berkeley Homes had submitted a planning application to reduce the car parking in the scheme but this had been unanimously rejected by the council's Planning Committee. We were now waiting to see what they would do with the site.
- 6.6 Cllr Nick Palmer, Portfolio Holder for Operational and Enforcement Services:
- Echoed previous comments about the amazing performance of Waverley officers, and this gave particular urgency to the need to avoid redundancies as the council confronted the Government's failure to provide for the financial losses incurred by the council.
 - A key part of that was restoration of parking fees, whilst adopting a cautious approach so as not to damage the return to the shops. Charges had been resumed from 1 July at previously announced rates and usage would be carefully monitored. Currently car park usage was around 40% of pre-Covid levels.
- 6.7 Cllr Liz Townsend, Portfolio Holder for Economic Development, Leisure, Parks and Countryside:
- Thank you to Officers for the vital role they have played in awarding business rate relief and paying out business support grants of about £23.5m to over 1,800 businesses.
 - She had been meeting every three weeks with local Chambers of Commerce and the town and parish clerks from the four main settlements, and earlier had chaired the inaugural meeting of the Covid Business Task Group, which would meet again in August.
 - Frensham Pond had attracted national press coverage with unprecedented numbers of visitors during the recent hot weather. This had meant hundreds of additional vehicles spilling over onto rural lanes, an explosion of litter and increased fire risk from disposable BBQs, even though these were banned on site. It had been extremely challenging for officers and local residents, and work was ongoing with partners including Surrey Police, the National Trust, Surrey County Council and Guildford parking enforcement, as well as parish and Ward councillors, to alleviate some of the issues with additional highway signage, installation of

wooden posts to protect green spaces, and contact-less charging for car parking. For the longer-term, the County Council was looking to implement double-yellow lines that would help alleviate longstanding problems in the area.

- Waverley's Rangers and Enforcement Officers, and Surrey Police, had all put considerable resources into managing the problems at the site, and at times had experienced unacceptable and confrontational behaviour from visitors.

6.8 Cllr David Beaman, Portfolio Holder for Health, Wellbeing and Culture:

- Recorded great appreciation of the contribution of the voluntary sector during the current crisis.
- The council was actively looking at ways and means of repairing Wilmer House, which housed the Farnham Museum, although there was concern about the Government's lack of attention to the cultural sector, like the Farnham Maltings. Farnham had recently been declared a Craft City, and this needed to be supported.

6.9 Cllr Peter Clark, Portfolio Holder for Business Transformation, IT and Customer Service:

- Waverley's IT team had had to support hundreds of Waverley officers who had suddenly been required to work from home. They had significantly increased the number of incoming phone lines and also the capacity of the broadband connection to cope with the increase traffic. The Support Desk had provided support and advice to many staff who had no experience in setting up their equipment to enable them to work from home.
- The IT team had also responded to the Government announcement allowing committee meetings to be held remotely, and procured video-conferencing equipment to set up Zoom Rooms at The Burys and licences that enabled up to twelve meetings to be held concurrently.
- The IT team had risen to the challenge and allowed council business to carry on and resident services to be maintained.
- Looking forward, a new IT Strategy was being developed and would be considered by the Executive by the end of the year.

6.10 Cllr Paul Follows, Deputy Leader of the Council:

- Thanks to the Communications Team who kept residents and councillors informed about what was going on during the Covid period, despite a challenging communication strategy from central Government. They had extraordinarily well in getting the messages out clearly and concisely, working with almost every council department and with the wider Local Resilience Forum in Surrey.
- Cllr Follows commended the inclusion of this item on the Executive agenda, which allowed Executive Members to engage on matters of importance and policy, beyond the specific agenda items.
- He thanked the Democratic Services Team and the IT Team for enabling virtual committee meetings, and for allowing vital connections with the wider community to keep going throughout the emergency period.
- Finally, work was now starting on the Corporate Strategy, version 2, which would act as a spine for the Covid recovery efforts and ongoing

strategic direction of the council. More details, and the timeline for engaging with the scrutiny process would be available soon.

The Leader thanked Executive Members for their reports, which he hoped had provided an idea of topical issues in addition to those on the rest of the meeting agenda.

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 specified in the reports included in the original agenda papers.

EXE 7/20 **HOUSEHOLD RECYCLING CENTRE ISSUES AND PROPOSALS** (Agenda item 7)

- 7.1 Cllr Steve Williams introduced the report, which proposed the removal of the Household Recycling Sites ('Bring sites') due to mis-use and fly-tipping, which resulted in high levels of contamination of recyclables and additional collection costs. The forthcoming introduction of kerbside collections for textiles and small electrical items would mean that everything currently collected at the Bring Sites would be collected kerb-side.
- 7.2 Whilst the removal of the Bring Sites would release additional space in the car parks, it was not intended to create additional parking spaces for cars, but to use the space to promote sustainability by providing facilities for cyclists that encourage alternative active transport in line with the post-Covid recovery strategy.

Three Members had registered to speak on this item:

- 7.3 Cllr Carole Cockburn, speaking as Chairman of the Environment Overview & Scrutiny Committee and personally, wholeheartedly supported the proposal finally to remove the Bring Sites, after many years of discussing and trying to resolve the issues they caused. She particularly wanted to draw attention to the need to be sensitive to and respect special areas in Waverley towns, notably the Farnham Conservation Area, when considering how to use the space going forward. However, she had some concerns at the proposal to introduce cycle parking facilities, without any consultation, and asked that there be proper engagement locally and consideration of the right proposals for each location that had due regard to special circumstances.
- 7.4 Cllr Mary Forszewski welcomed the proposals. The issues described in the report were apparent to anyone using the car parks and who saw the overflowing bins, heaps of recycling and black bags around the bins, and clear evidence of no personal responsibility. Under the previous administration a SIG had been formed to look at the procurement of a new waste and recycling contract. The SIG had explored all aspects of the service and had encouraged the removal of the Bring Sites. She encouraged

Members to look at the work of the SIG and to take the opportunity to educate residents about taking personal responsibility for the waste they produced and being accountable for it. Cllr Foryszewski paid tribute to the key workers who had continued to collect waste and recycling throughout the Covid emergency and had done a fantastic job. And, she urged consultation and engagement on how the space freed up by removal of the Bring Sites was used in future.

- 7.5 Cllr Peter Isherwood echoed the previous speakers' support for the proposals. He had also been on the SIG in 2018, and the Members had recommended unanimously the removed of the Bring Sites due to their misuse. Only recently, the bins at Beacon Hill had been set on fire and burnt out, but the following day six black bags of rubbish were left on the ground beside them for someone else to clear up. He looked forward to rapidly progressing the actions to end this abuse of council facilities.
- 7.6 The Leader thanked Members for their support for the proposals and assured them there would be wide consultation on the possible future use of the sites.
- 7.7 Cllr Williams welcomed the support, and Members' own experience of the misuse of the Bring Sites confirmed that removing them was the right action. With regard to future use, the intention of the Bring Sites had been to promote recycling, and so he felt that it was appropriate that the future use should be for something that promoted sustainability in the borough and he was open to suggestion about this. With regard to the communications plan, this was an important opportunity to educate the general public about waste and recycling, and about reducing and re-using as well.

7.8 The Executive RESOLVED that:

- 1. The containers for co-mingled recycling at the Household Recycling Centres listed in Annexe A of the agenda report be removed as soon as possible to avoid any ongoing additional payments to Biffa.**
- 2. The banks for textiles and WEEE (waste electrical and electronic equipment) be removed following the introduction of the kerbside textiles and WEEE collections from households (Autumn 2020)**
- 3. An effective communications plan be developed to promote the additional kerbside recycling collection services and the reasons for removing these sites.**

Reason: The household recycling sites had historically suffered widespread abuse and increasingly high levels of contamination with non-recyclable items by residents and businesses. This had resulted in high levels of rejection at the materials recycling facilities. This had now reached a level of contamination where collections from these sites could no longer be made in conjunction with household kerbside collections and an additional vehicle and crew had to be used to service them as additional cost to the council which had not been budgeted for.

EXE 8/20 PROPERTY MATTER - THE BRITISH RED CROSS SOCIETY SITE WEY COURT FARNCOMBE - PURCHASE (Agenda item 8)

8.1 Cllr Mark Merryweather introduced the report which recommended the purchase of the British Red Cross Society site in Wey Court, Farncombe for the purchase price set out in the Exempt annexe to the report. The investment would be funded from capital receipts, and had been recommended by the Property Investment Advisory Board.

Cllr Jerry Hyman had registered to speak on this item:

8.2 Cllr Hyman expressed his view that there did not appear to be sufficient information on which to make a decision on spending public money; there was no map, no information on yield from the sitting tenant, size or condition of the property, a vision for the area, and a reliance on commercial and residential values and returns holding up in what could be a very deep recession.

8.3 Cllr Paul Follows responded that, as a Godalming councillor, he felt that this was a sensible acquisition, and the council was well aware of the position of the building in relation to neighbouring businesses such as the football.

8.4 In conclusion, Cllr Merryweather confirmed that the Property Investment Advisory Board had satisfied itself that this was a sound recommendation to make to the Executive.

8.5 The Executive RESOLVED that the purchase of the British Red Cross Society site at the value set out in Exempt Annexe 1 to the agenda report be approved, and that the purchase be funded from the Capital Receipts Reserve.

Reason: The Red Cross wished to sell the site and the Council had a right of first refusal. The site had potential for continuing with the existing nursery lease if they wished to stay, or site accumulation for a bigger development project. The purchase proposal was reviewed by the Property Investment Advisory Board which recommended the purchase to the Executive.

EXE 9/20 PROPERTY MATTER - WEY HILL, HASLEMERE - FEASIBILITY STUDY INTO DEVELOPMENT POTENTIAL OF THE SITE (Agenda item 9)

9.1 Cllr Merryweather introduced the report, including the Exempt annexe, and recommendation to approve the use of up to £35,000 to commission a detailed feasibility study for a council-owned and operated open market residential rental development. The site had previously been targeted for site assembly and then capital sale to the private sector for development. However, the results of the preparatory work by the council's Housing team, supplemented by a high-level review by the council's external advisors, had concluded that the council could undertake the development itself and achieve more of the council's strategy goals. The funding now required was for preparation of the detailed development scheme, and would be funded

from the Investment Advisory Board Reserve, which had been established for this purpose.

Two Members had registered to speak on this item:

- 9.2 Cllr Simon Dear expressed his opinion that the proposed budget was an absurd amount for the work being commissioned. Given the recent Member briefing that had set out the extent of the Council's budget pressures, he recommended that it would be better to continue the involvement of the council's in-house housing team. He had dealt with them on a number of occasions and had been profoundly impressed with their level of expertise and practicality. Cllr Dear noted that if the land was sold off it would need to be a price that was 'best consideration'; if it was retained, was there a similar test of 'best exploitation' or getting the best economic use from it?
- 9.3 Cllr Jerry Hyman was critical of the quality of the memorandum in the Exempt Annexe, and agreed with Cllr Dear that the work should be carried out in-house rather than spending residents' money on feasibility studies that assumed that residential and commercial returns would hold up. He was not sure that this was something the council should be doing, and that there was sufficient information to make a decision.
- 9.4 Cllr Merryweather responded by pointing out that the Medium Term Financial Plan currently projects a need to increase property investment returns by £1.2m by 2023-24, and the Investment Advisory Board Reserve was established to fund the exploration of projects for that purpose. The Housing Team had done a tremendous job in assembling and packaging the land and getting outline planning permission so that it could be sold to a private developer. The decision to develop the site directly as part of the council's investment strategy was on the proviso that due diligence would be carried out by external professional advisors.
- 9.5 Cllr Anne-Marie Rosoman also commended the work of the Housing team so far in assembling the site, and assured Cllr Dear and Cllr Hyman that the feasibility study would build on that work, and would not ignore it and start again. The budget sought was for up to £35k and the council would not be making the most of the opportunity for this site if it did not explore it thoroughly.
- 9.6 The Executive RESOLVED that up to £35,000 from the Investment Advisory Board Reserve be used to commission the Council's external property advisers, Montagu Evans, to undertake a detailed feasibility study and due diligence on the development potential of the Wey Hill site in Haslemere.**

Reason: In 2017/2018 the Wey Hill site was targeted for land assembly, packaging and capital sale. The site had since been identified as a potential opportunity for development by the Council under the Property Investment Strategy. The high-level assessment of the development potential of the site concluded that there was more than likely a viable residential scheme for the Site whilst providing the policy compliant level of affordable housing. Therefore, funding was required to engage Montagu Evans to undertake

further due diligence into the development potential and prepare a detailed development scheme for the site.

EXE 10/20 PROPERTY MATTER - BROADWATER GOLF COURSE - OPTIONS APPRAISAL
(Agenda item 10)

10.1 Cllr Mark Merryweather briefly introduced the report which requested a budget of £50,000 to commission and detailed options appraisal from the Council's external advisors for the Broadwater Park golf course, and £20,000 for legal fees to obtain the site back from the lessee. The site had not been operational as a golf course for over 18 months. There were constraints on what could be said publicly about the detailed outcome of the lease renewal process that had led to the current position, although local Members had been briefed as far as was possible. The land use designations had been referred to in the response to the public questions, and the council had a duty to seek value for money from this public asset.

Six Members had registered to speak on this item:

- 10.2 Cllr Julia Potts advised that her concerns were about the process by which the Executive had come to the decision before it this evening. The previous administration had agreed on 4 December 2018, subject to the usual legal caveats to grant a new lease to Broadwater Park Golf Course. Cllr Potts asked why that decision of the Executive, which had been noted by Full Council later in December 2018, had not been implemented; when the current administration decided to overturn that decision; and at what public meeting of the Executive had it been made? There was no evidence of a public decision, no scrutiny by councillors or the public, and no record of the decision. The fact that an Executive decision of 18 months ago could be overturned seemingly behind closed doors raised very serious concerns around transparency in governance, and she looked forward to being provided with some answers.
- 10.3 Cllr Steve Cosser echoed the concerns raised by Cllr Potts regarding transparency around dealings on the site, but in addition he did not believe that the agenda report made a clear and credible case for approval of up to £70,000. It appeared that the council had already spent £20,000 on legal advice to assist in securing the site and was now seeking approval retrospectively, so again there was a very unclear process. There was also a suggestion of the need for further legal advice, and apparently no certainty about securing the site. Against that background and taking account of the unspecified amount paid for the initial assessment, how could the Executive justify the risk of further possible abortive expenditure of up to £50,000 for yet more work on options? Given the council's current financial position, wouldn't this expenditure be better deferred? Cllr Cosser went on to ask when the public might be given a say on the future of this site; and whether Cllr Merryweather could clarify his earlier comments that no change of land use was proposed, yet it was still intended to spend £50,000 to look at options.
- 10.4 Cllr John Gray referred to the apparent retrospective approval sought for £20,000 of legal fees and the process being followed, which was contrary to paragraphs 4.27 to 4.30 of the Finance Regulations on Supplementary

Estimates. These regulations were introduced to improve transparency and to give justification to supplementary estimates on the basis of value for money, including noting and considering other options available to the council including that of taking no action. There was a responsibility on the Section 151 Officer to produce this information either in a separate paper or as part of the report, and this information had not been provided. The Financial Regulations had been updated in March 2019 when Cllr Gray was chairman of the Audit Committee, and the provisions were drawn up by the Section 151 Officer and the Monitoring Officer to address the transparency issue on Supplementary Estimates, and Cllr Gray asked why the process had not been followed before spending the £20,000; and if that money had not yet been spent why the process was not being followed now?

- 10.5 Cllr Jenny Else reported that she had received a number of communications from residents asking what had happened to the decision taken by the previous Executive which now appeared to have been rescinded. She was particularly concerned at an email from a resident who felt that the directors of Broadwater Golf Club had been treated disgracefully and dishonourably, and that reflected on the ethics of all Members of the council; and another who felt that the directors had been misled into spending on planning and consultants fees to redesign and recap the course. She asked what the reason was for the change in direction, after there had been no objection to the planning application to Surrey County Council from Waverley's Parks and Countryside Team, and County Councillor Penny Rivers had commented on the golf course being a much loved community space.
- 10.6 Cllr Jerry Hyman noted that this recommendation was for £50,000 and the breakdown of this sum was shown in the Exempt report. He was not against exploring options, but was not impressed by the quality of the consultants' work based on the reports provided.
- 10.7 Cllr Robert Knowles agreed with Cllr Hyman that the quality of the reports was poor and did not acknowledge the change in circumstances caused by the coronavirus pandemic, and were out of date in their analysis of the economic prospects. He was concerned that decisions were being taken on incomplete information, and it was a reckless use of public funds. He was also unhappy to hear the comments relayed by Cllr Else, and that councillors' ethics were being questioned when they had had no knowledge of what was happening.
- 10.8 Cllr Ward noted that the decision was clearly not popular with Opposition Members, but the underlying objection seemed to relate to process: the decision taken by the Executive in December 2018 had a number of caveats on it and these had not been fulfilled, therefore the decision had fallen away. There had now been time to look at it properly and make a different decision. He did not accept that an Executive could not change a previous decision.
- 10.9 Cllr Follows noted that the Leader of the Opposition Group had stated that the decision was subject to the usual legal caveats, and that highlighted the real lack of a process issue; yet there was still a focus on process over substance. There was a responsibility on councillors to ensure residents were told as much as possible while maintaining a legal duty on

confidentiality, and responsible councillors had been clear on social media about what could and couldn't be said. And, far from speaking for residents *en masse*, it appeared that Cllr Else had lifted her comments from social media.

- 10.10 In summing up, Cllr Merryweather referred to the notes from the Executive of 4 December 2018, and noted that the original decision had been “to authorise officers to proceed with due legal process to grant a new lease”, so the decision was start a process, not to sign a lease under any circumstances. The current situation was the outcome of the due legal process during which the assumptions and claims of that time had been tested. It was a shame that the anticipated outcome had not been achieved, not least for the company which took the risk knowingly to pursue the negotiations and the entirely separate planning process.
- 10.11 Cllr Merryweather also noted that the only reason the matter had come to the Executive in December 2018 was because the grant of a lease over 25 years was outside the Scheme of Delegation to Officers. Following the Executive's decision Officers had proceeded with the due legal process as authorised, which included detailed negotiations and due diligence. That process did not produce an outcome that was acceptable to the Council and was discontinued by the Head of Finance and Property in consultation with the Portfolio Holder, thereby triggering the termination of the tenancy. Whilst not strictly required, Members of the Executive had been briefed and they concurred with the action taken. There was no reversal of a decision; there had been a conclusion of a process authorised in 2018.
- 10.12 Cllr Merryweather agreed with the points made by Cllr Cosser and Cllr Hyman regarding a duty of care in respect of public money; but the council also had a duty of care in respect of public assets, and it was the council's policy to consult external advisors to get appropriate and relevant advice when needed.
- 10.13 Finally, Cllr Merryweather apologised and corrected the report, in that the £20,000 requested for legal fees had not been spent and was a contingency in the event that court action was required to terminate the lease.
- 10.14 The Executive RESOLVED the use of the Investment Advisory Board Reserve to fund the options appraisal on the Broadwater Golf Club site of £50,000 and the legal fees incurred of £20,000.**

Reason: The council's Property Investment Strategy recorded the Council's proposals in relation to Value for Money, the need for the Council to maximise the financial benefit from its assets, and to consider the development opportunities for those assets where appropriate. In furtherance of this the Council had written to Broadwater Golf Club Ltd to inform the company of the Council's decision not to renew its lease. In order to demonstrate the Council was actively pursuing the development opportunity of the site, work needed to continue to the next phase of the options appraisal.

Executive 14
08.07.20

The meeting commenced at 6.00 pm and concluded at 7.52 pm

Chairman

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING AND REGULATORY COMMITTEE - 29 JUNE 2020

SUBMITTED TO THE COUNCIL MEETING – 22 JULY 2020

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

Present

Cllr Robert Knowles (Chairman)	Cllr Michael Goodridge
Cllr Martin D'Arcy	Cllr Anna James
Cllr Jerome Davidson	Cllr Jacquie Keen
Cllr Patricia Ellis	Cllr Michaela Martin
Cllr Maxine Gale	Cllr Ruth Reed

Apologies

Cllr Peter Clark

Also Present

Councillor Peter Isherwood and Councillor Jerry Hyman

LIC1/20 MINUTES (Agenda item 1.)

The Minutes of the last meeting had already been agreed by Full Council but were noted by the Committee.

LIC2/20 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 2.)

Apologies for absence were received from Councillor Peter Clarke who had been called away at the last minute, therefore no substitute had been appointed.

LIC3/20 DECLARATIONS OF INTEREST (Agenda item 3.)

No Declarations of Interest had been submitted for the items in the meeting.

LIC4/20 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4.)

No questions from members of the public had been received for this meeting.

LIC5/20 QUESTIONS FROM MEMBERS (Agenda item 5.)

No questions from members had been received for this meeting.

LIC6/20 ACTION AUTHORISED (Agenda item 6.)

No actions had been authorised that required noting.

LIC7/20 HACKNEY CARRIAGE/ PRIVATE HIRE POLICY/FARE REVIEW & LICENCE FEES (Agenda item 7.)

Paul Hughes outlined the proposal set out in the agenda.

The committee **AGREED** that it would be pragmatic and flexible to delay the following review processes as result of uncertainty and issues arising from the Covid 19 pandemic and to continue to review and progress this work once a level of normality has returned.

- Hackney carriage/Private Hire Policy review – continue to pause and review again in 6 months
- Hackney carriage/Private Hire Policy Fare Review – pause the review with fares to remain as they are currently and with a further review in six months' time.
- Hackney Carriage/Private Hire Licence Fees – cancel the proposed Hackney carriage/Private Hire increase to Licence Fees (as businesses are likely to be disrupted as a result of the impact of Covid-19)

LIC8/20 STREET TRADING REVIEW (Agenda item 8.)

Richard Homewood, Head of Environmental & Regulatory Services presented the agenda report and the request for the committee to authorise the start of a public consultation on the review of the Street Trading Policy.

There had been a rise in complaints about street trading and it was therefore proposed to make all streets that were not already prohibited for street trading as consent for trading streets. This would mean traders would only be able to trade there if they had applied for and received consent.

The committee was advised that when an application for consent was submitted, notifications would go out to the ward councillors and the town or parish as well as to residents in the immediate area for comments to be submitted. Conditions could then be imposed on the consent if necessary.

The committee was also advised for information that the Business and Planning Bill was scheduled to go through the Commons shortly on Pavement Licensing. This related to different legislation than for Street Trading.

The Committee **AGREED** to the proposal to go out to consultation on the revised Street Trading Policy.

The meeting commenced at 10.00 am and concluded at 10.37 am

Chairman