

To: All Members of the EXECUTIVE

When calling please ask for:

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**Policy and Governance**

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Date: 20 July 2020

**Membership of the Executive**

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

Dear Councillors

A meeting of the EXECUTIVE will be held as follows:

DATE: TUESDAY, 28 JULY 2020

TIME: 6.00 PM (or at the conclusion of Informal Questions, if later)

PLACE: ZOOM 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, via the Council's YouTube page.

Yours sincerely

ROBIN TAYLOR  
Head of Policy and Governance

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## **NOTES FOR MEMBERS**

Contact Officers are shown at the end of each report and members are welcome to raise questions, make observations etc. in advance of the meeting with the appropriate officer.

**Prior to the commencement of the meeting, the Leader, Deputy Leader or an appropriate Portfolio Holder to respond to any 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](mailto:committees@waverley.gov.uk) by midday on Tuesday 28 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**

To confirm the Minutes of the Meeting held on 8 July 2020, which have been published on Waverley's website.

2. **APOLOGIES FOR ABSENCE**

To receive apologies for absence.

3. **DECLARATIONS OF INTERESTS**

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. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

The Chairman to respond to any questions received from members of the public for which notice has been given in accordance with Procedure Rule 10.

The deadline for written questions for this meeting is 5pm on Tuesday 21 July

2020.

5. QUESTIONS FROM MEMBERS OF THE COUNCIL

The Chairman to respond to any questions received from Members in accordance with Procedure Rule 11.

The deadline for written questions for this meeting is 5pm on Tuesday 21 July 2020.

6. LEADER'S AND PORTFOLIO HOLDERS' UPDATES

To receive any updates from the Leader or Executive Portfolio Holders.

7. CONTINGENCY REVISED BUDGET 2020/21 (Pages 9 - 26)

[Portfolio Holder: Councillor Mark Merryweather]

[Wards Affected: All Wards]

The COVID-19 emergency continues. This report outlines the latest projections of income and expenditure against budget in 2020/21 and highlights the significant projected net adverse variances from budget which arise as a result of the known impacts of the COVID-19 pandemic on the Council's services and finances. The extent of any further funding from government is currently unknown and therefore this report presents contingency proposals to address the latest projected budget shortfall on an emergency basis. These proposals have been prepared jointly by officers and the Executive and have been considered by the Value for Money Overview and Scrutiny Committee in pre-decision scrutiny ahead of the Executive meeting and the special Council meeting in early August.

Recommendations

**That the Executive recommends to Council:**

- 1.To acknowledge the forecast variations from the 2020/21 general fund budget listed in annexe 1 and approve the mitigation measures set out in annexe 2 including revisions to approved budgets, the cancellation of approved contributions to reserves and the drawing down of earmarked reserves.**
- 2.That in the event of additional government grant being secured and/or the overall projection set out in annexe 1 being more favourable than forecast, the net budget surplus arising from this accrues to the business rate equalisation fund, property investment fund and working balance.**
- 3.That a full revision of the approved Medium Term Financial Plan is undertaken which will assess the adequacy of the contingency budget, consider the other options identified but not included at value at this stage, and the wider economic factors – to be reported to Council no later than its December meeting.**

**4. That in relation to the Leisure Centre issues, the recommendations included in the Exempt annexe be approved.**

8. RECOVERY CHANGE AND TRANSFORMATION (RCT) PROGRAMME

(Pages 27 - 66)

[Portfolio Holder: Councillor John Ward, Councillor Paul Follows]  
[Wards Affected: All Wards]

This Programme seeks to understand the impact of the COVID-19 pandemic on Waverley Borough Council, to acknowledge the change that has been required to respond and to identify the immediate needs of the organisation and community as they move from emergency operations to recovery and planning for the future. The recovery programme involves two main strands of activity, the organisation's recovery and the community and economic recovery of the Waverley area.

In Phase 1, the Contingency Revised Budget deals with the immediate impact upon the organisation from Covid-19, the subsequent 2020/21 budget impact from dealing with the emergency, and the consequences of government legislation upon the Council's services.

The financial impact on the organisation against its agreed operational budget for 2020-21 is already significant. This requires key decisions to be made in-year to nullify this gap, and an contingency budget is one objective of the Finance project of the RCT Programme.

Phase 2, the RCT Programme, looks at the medium to longer term impacts upon the organisation from Covid-19 some of which will define new working practices going forward to solidify the organisation's role within its community. It seeks to harness the learning from the new ways of working experienced during the lockdown period and the impact this has on the longer term structure and priorities of the Council to support the organisation itself so that it can play a pivotal role in the recovery of our economy and community into the medium and longer term. This will include a review of the Medium Term Financial Plan.

Recommendation

**It is recommended that the Executive approves the Recovery, Change and Transformation Programme and the medium and longer term Project Objectives of the 10 projects that form the RCT Programme.**

9. RECOVERY AND DEVOLUTION WHITE PAPER: LOCAL GOVERNMENT IN SURREY (Pages 67 - 74)

[Portfolio Holder: Councillor Paul Follows, Councillor John Ward]  
[Wards Affected: All Wards]

On 21 July 2020, Surrey County Council's Cabinet received a report entitled 'Recovery and Devolution White Paper: Opportunities and Benefits for Surrey'. A letter from Cllr Tim Oliver, Leader of Surrey County Council, to Rt Hon Robert Jenrick MP, Secretary of State for Housing, Communities and Local Government, was included as an annexe to that report. This report recommends that Waverley Borough Council's Executive Committee notes both documents.

Recommendation

**It is recommended that the Executive notes the Surrey County Council Cabinet report and the letter from Surrey County Councillor Tim Oliver to Rt Hon Robert Jenrick MP attached as Annexes 1 and 2 to this report.**

10. LITTER ENFORCEMENT AT FRENESHAM (Pages 75 - 78)

[Portfolio Holder: Councillor Nick Palmer]

[Wards Affected: Frensham Dockenfield and Tilford]

Members are well aware of the issues at Frensham Pond caused by the volumes of people attending and the amount of litter being generated, and have clearly indicated a desire for increased enforcement to mitigate the impact of significantly increased visitor numbers.

Internal enforcement resources are insufficient to provide the level of enforcement required to adequately mitigate the impact on the local environment.

This report seeks authority to procure external enforcement resources to assist with litter and other enforcement activities at Frensham Pond and other locations during peak periods on a cost neutral basis.

Recommendation

**That the Executive:**

**Authorises the Head of Environmental and Regulatory Services to procure additional enforcement resources on a cost neutral basis, from external providers during periods of peak demand as and when required in consultation with the Portfolio holder for Operational and Enforcement Services.**

11. PAVEMENT LICENSING (Pages 79 - 100)

[Portfolio Holder: Councillor Nick Palmer]

[Wards Affected: All Wards]

The Government is rushing through Parliament a new streamlined process to apply for a "Pavement Licence". This temporary authorisation will short-circuit the usual suite of consents required under the Highways Act and planning law. The purpose of the new licence is to help the struggling hospitality sector in a time of social distancing.

It is proposed that this new procedure will be administered by district and borough councils in non-unitary Councils and Waverley will therefore need to adopt a policy, set the fee and delegate to officers the authority to issue, amend and or refuse licences, and deal with enforcement.

This report therefore proposes a policy for Waverley Borough Council attached at Annexe A, a fee level and seeks delegation to officers for the issue, amendment and or refusal of licenses, as well as enforcement of the new arrangements.

This report also advises on changes to the licensing laws which will allow premises with a premises licence for on-sales of alcohol to sell off-sales without the need to apply for a formal variation to their licence in the usual way.

Recommendation

**That the Executive:**

- 1. Adopts the policy set out in Annexe A.**
- 2. Sets the fee for a pavement licence at £100.**
- 3. Delegates authority to the Head of Environmental and Regulatory Services to issue pavement licences and/or authority to refuse or amend pavement licences in consultation with the Portfolio holder for Operational and Enforcement Services.**
- 4. Delegates authority to Head of Environmental and Regulatory Services in relation to enforcement powers under the new proposed legislation (the Business and Planning Act 2020 once enacted).**
- 5. Delegates authority to the Head of Environmental and Regulatory Services to make minor or consequential amendments to the Policy and Licence conditions following the Business and Planning Bill becoming law, and in the event of any amendments/updating statutory instruments and or government guidance in consultation with the Portfolio Holder for Operational and Enforcement Services.**

12. PROPERTY MATTER - THE BURYS DEVELOPMENT - PROJECT INITIATION DOCUMENT (PID) (Pages 101 - 114)

[Portfolio Holder: Councillor Mark Merryweather]  
[Wards Affected: Godalming Central and Ockford]

To seek approval of the Project Initial Document (PID) for The Burys Development Project to enable the Options Appraisal report agreed at Executive on 7 January 2020 to be commissioned.

Recommendation

**It is recommended that the Executive approves the PID for the Burys Development Project.**

13. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman:

Recommendation

That, pursuant to Procedure Rule 20, and in accordance with Section 100A(4)

of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during these items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified at the meeting in the revised Part 1 of Schedule 12A to the Local Government Act 1972.

14. PROPERTY MATTER (Pages 115 - 120)

[Portfolio Holder: Councillor Mark Merryweather]  
[Wards Affected: Farnham Weybourne and Badshot Lea]

To consider the proposal set out in the Exempt report.

Recommendation

That the Executive agrees the recommendation set out in the Exempt report.

15. ANY OTHER ISSUES TO BE CONSIDERED IN EXEMPT SESSION

To consider matters (if any) relating to aspects of any reports on this agenda which, it is felt, may need to be considered in Exempt session.

**For further information or assistance, please telephone  
Fiona Cameron, Democratic Services Manager & Deputy Monitoring  
Officer, on 01483 523226 or by email at  
fiona.cameron@waverley.gov.uk**

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## WAVERLEY BOROUGH COUNCIL

### EXECUTIVE

28 JULY 2020

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Title:

**CONTINGENCY REVISED BUDGET 2020/21**

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**Portfolio Holder:** Cllr Mark Merryweather, Portfolio Holder for Finance, Assets & Commercial Services

**Head of Service:** Peter Vickers, Head of Finance and Property

**Key decision:** Yes

**Access:** Part Exempt

**Note pursuant to Section 100B(5) of the Local Government Act 1972**

An Annexe to this report contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, namely:

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

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**1. Purpose and summary**

1.1 The COVID-19 emergency continues. This report outlines the latest projections of income and expenditure against budget in 2020/21 and highlights the significant projected net adverse variances from budget which arise as a result of the known impacts of the COVID-19 pandemic on the Council's services and finances. The extent of any further funding from government is currently unknown and therefore this report presents contingency proposals to address the latest projected budget shortfall on an emergency basis. These proposals have been prepared jointly by officers and the Executive and have been considered by the Value for Money Overview and Scrutiny Committee in pre-decision scrutiny ahead of the Executive meeting and the special Council meeting in early August.

1.2 This report contains the following Annexes:

Annexe 1 – Schedule of projected variations from general fund budget in 2020/21

Annexe 2 - Proposed mitigation measures to address budget shortfall

Annexe 3 – Options and alternative mitigation

Annexe 4 – Schedule of projected reserves and balances

Annexe 5 (Exempt) – Leisure Centre operator impact and proposals

**2. Recommendations**

That the Executive recommends to Council:

1. To acknowledge the forecast variations from the 2020/21 general fund budget listed in annexe 1 and approve the mitigation measures set out in annexe 2 including revisions to approved budgets, the cancellation of approved contributions to reserves and the drawing down of earmarked reserves.
2. That in the event of additional government grant being secured and/or the overall projection set out in annexe 1 being more favourable than forecast, the net budget surplus arising from this accrues to the business rate equalisation fund, property investment fund and working balance.
3. That a full revision of the approved Medium Term Financial Plan is undertaken which will assess the adequacy of the contingency budget, consider the other options identified but not included at value at this stage, and the wider economic factors – to be reported to Council no later than its December meeting.
4. That in relation to the Leisure Centre issues, the recommendations included in the Exempt annexe be approved.

### **3. Reason for the recommendation(s)**

The annual budget is a major decision for the Council and setting a balanced budget is a statutory requirement. As a result of the sudden and unexpected need to review the 2020/21 budget in the light of the COVID-19 impact, the Council must act quickly to ensure the significant projected net budget shortfall is addressed so that the Council can continue to function. Pre-decision scrutiny of the revised budget proposals, as undertaken by the VFM O&S committee on 13 July, demonstrates democratic transparency and good governance

### **4. Background**

- 4.1 In February 2020 the Council agreed its Medium-Term Financial Plan and set its revenue and capital budget for 2020/21. Councils are required by law to have a balanced budget. There is no set definition in law of 'balanced budget' but the Chief Finance Officer (CFO) must work with the Council to ensure that the budget is robust and sustainable. A prudent definition of a sustainable balanced budget would be a financial plan based on sound assumptions which shows how income will equal spend over the short and medium term. Legislation provides a description to illustrate when a budget is considered not to balance, which is:
  - Where the increased uncertainty leads to budget overspends of a level which reduces reserves to unacceptably low levels, or
  - Where a council demonstrates the characteristics of an insolvent organisation, such as an inability to pay creditors
- 4.2 In the budget-setting report each year, the CFO makes a statutory statement about the adequacy of reserves, robustness of estimates and effectiveness of monitoring arrangements. These statements have been updated later in this report to reflect the revised budget proposals put forward. Whilst the 2020/21 budget included a range of estimates based on assumptions, at the time the budget was set the budget was deemed to be robust and deliverable overall. With regard to monitoring, this is undertaken by officers on a monthly basis and

reported to Councillors with the quarterly reports. Normally, in-year variations to budget can be addressed with management action under the Council's Financial Regulations and the approved scheme of virements. However, the sudden, unexpected and material adverse impact of the COVID-19 pandemic has necessitated a thorough review of the Council's budgets and assumptions which has identified a projected budget deficit of £6.6m. This is explained in detail in this report. There is a risk that the Council may not have yet identified all of the impacts and that the pandemic may not be controlled as currently envisaged.

4.3 In May, the Executive considered a report on the Council's response to the COVID-19 pandemic which included a summary of the emerging financial impact at that time. That report identified a potential range of budget deficit of £3m to £9m in 2020/21 and set out four interim actions to take, including preparing a report setting out options for reinstating the £1m working balance used to temporarily prop up the budget pending a full review into the financial impact. The Council is reporting the impact to government each month.

4.4 This report focuses on the urgent action needed to re-balance the 2020/21 general fund budget. Elsewhere on this agenda is a report which sets out the Council's 'Recovery, Change and Transformation' work programme which includes a comprehensive review of the longer-term effect on the approved Medium-Term Financial Plan and considers the Council's future financial resilience, taking account of the wider economic conditions. This will be reported to Councillors in the Autumn.

### 2020/21 Revised Budget Projections

4.5 Throughout June, the Head of Finance and Property led an exercise with the finance team and all Heads of Service to revisit all budgets and assumptions, identify the budgets impacted and produce a revised forecast for the year based on the best information available. The majority of budget heads were considered to be appropriate and achievable this financial year and the £698k of savings measures approved by council in February are on track. However, a number of budgets are showing a material variance projected. A summary of the main headings is included in the table below and a detailed schedule is at Annexe 1.

	£
Leisure facilities	£2.7m
Car park income	£2.0m
Property income	£0.7m
Planning and land charges income	£0.6m
Other costs and loss of income	£0.6m
<b>Total</b>	<b>£6.6m</b>

The financial impact of the pandemic on the Council's budget can be broadly summarised as follows:

- Direct costs. The Council's staff have been redeployed to its own services and to implement government-mandated schemes. The Council has incurred

overtime costs and has not made use of the furlough scheme. The Council was already implementing budgeted savings of £0.7m.

- Direct income losses. The government enforced facility closures, including leisure centres and museums, through secondary legislation and thereby triggered contract clauses that impose cost burdens directly on the Council.
- Consequential losses (e.g. car park income, and slow recovery following reopening of facilities)

### **Proposed Mitigation for budget deficit in 2020/21**

4.6 In late April 2020 when the full potential impact on the Council's finances became clearer, Management Board took the decision to suspend all non-critical recruitment, review all external staff costs and suspend non-urgent spending where possible. This was an interim measure to help reduce costs. Furlough was considered but was not possible as most functions of the council continued to operate and some areas experienced significantly greater demand. In addition to business as usual, the government and the Surrey Local Resilience Forum required Waverley to implement a range of COVID-19 support measures on the ground, such as business grants and housing rough sleepers, so staff in lower priority service areas were voluntarily redeployed. The government also communicated to councils that the furlough scheme was not intended for public service organisations, except in limited circumstances.

4.7 The government has so far given the Council £1.427m of COVID-19 support grant towards its £6.6m projected budget deficit, leaving a balance of £5.2m to be mitigated. On 2<sup>nd</sup> July the government announced further £500m of financial support to local authorities, plus compensation for lost income from fees and charges. Waverley's share of the £500m is £146k (included in the figure above) and the indication is that the government will also provide grant to cover 75% of 95% of lost income. However, at the time of publishing this report the details of what is in scope and the precise amount that Waverley may receive is not known. It is clear from the Government's announcement that the additional funding, whilst welcome, will not be sufficient to offset the full impact and will probably leave a substantial deficit still to address. Therefore, until clarity is given by the Government, £5.2m of budget mitigation must be identified and put forward to Council for approval.

4.8 The exercise undertaken with Heads of Service has identified a number of revenue and capital cost savings measures and these are included in the table at Annex 2. The Head of Finance and Property has also reviewed the Council's earmarked and non-earmarked reserves and, working with the Portfolio Holder for Finance and the Executive, a package of reserve movements is proposed which is also included at Annexe 2. Clearly the Council did not intend to be in this position and reducing service costs and switching reserves from their intended prudent purpose to meet a one-off need is not a sustainable position. There will be risks and impacts arising from these proposals, which are identified later in the report.

### **Options and potential alternative mitigation**

4.9 The proposals set out in Annexe 1 are considered by officers and the Executive to be the least-worst approach to addressing the budget deficit, taking account of

agreed Corporate Strategy priorities. However, to assist the scrutiny process, a list of other options that were identified but not included in the proposed measures at this stage have been included at Annexe 3. Whilst the options in Annexe 3 are not included in the revised budget put forward, officers are considering them as part of the review of future years' budgets and the MTFP which will be reported to committees in the Autumn. In addition, the ongoing business transformation programme is continuing to examine a range of efficiency and service improvement measures that will benefit future years' budgets.

## **Other matters to consider**

### **Leisure Centres**

- 4.10 In common with most other borough councils, the highest value variation against Waverley's budget this year is the impact of the government's decision in March to require all leisure centres to close. The Council's budget in 2020/21 includes a net management fee paid to the Council of £400k. Places Leisure (PL) (part of Places for People Group Ltd.) wrote to the Council, immediately following the legislation taking effect, setting out the financial and contractual steps that they had to take. This has significant financial implications for the Council. Officers have sought external legal advice and have been in active dialogue with PL to try to reach an acceptable settlement position. As this is not resolved yet and still subject to negotiation and agreement, the financial and legal details that are relevant to the decision that Council will need to take are set out in the Exempt Annexe.
- 4.11 There are two aspects to any agreement. Firstly, the position on the closure period and how PL's loss of income and unmitigated costs compare to the expected management fee payment. Secondly, there is the detail of PL's reopening plan and the financial impact of this. In early July the Government announced that leisure centres can reopen on 25<sup>th</sup> July but with a raft of legally required restrictions. It is clear that it will take many months for the leisure centres to be able to fully open and many more months to restore a full trading position.

### **Cash Flow**

- 4.12 Whilst this report is concerned with the Council's budgets, its cash flow is also being monitored closely. This is different from the council's budgets and funding and, as identified in the medium-term financial plan (MTFP), Waverley BC handles over £200m of cash in a year. The main areas impacted by COVID-19 are council tax and business rate collection and income from fees and charges, such as car parks. At this stage, it is expected that overall cashflow in quarter 1 can be managed without taking drastic action as the Government has deferred some major payments and officers have retained sufficient liquidity in treasury activity but the position may deteriorate in quarter 2 of the financial year as the business grants are finalised and payments to the government resume.

### **Council Tax, Business Rates and benefits**

- 4.13 The amount of council tax that will be paid to each of the precepting bodies, including Waverley, Surrey County Council and the parish and town councils, is fixed for the financial year. Any variation in actual compared to estimated

forecasts used in calculating the council tax base and/or the estimated in-year collection rate will impact in the following and subsequent years. For example, if Council Tax Support caseload and value increase above the estimated amount, or if the collection rate was lower than the assumed amount, the collection fund will fall into deficit which will be apportioned in future years. In its recent announcement, the Government has confirmed that it will allow councils flexibility to spread this impact over more than one year but the details are not yet known. Government Covid19 support to business in the form of reliefs and grants will be fully reimbursed and not impact on Waverley's finances. In the 2<sup>nd</sup> July announcement, the Government has stated that it will support councils by allowing them to spread the impact over three years. The details are not available yet but this could be a helpful measure to smooth the pressure on Waverley's budget in future years.

- 4.14 At the end of May, council tax support caseload was 15% up (and rising) and the collection rate was 1.5% down on the same period last year. This impact will be examined in more detail in the review of the Medium-Term Financial Plan and scenarios modelled. Business rates are 4% down on the same period last year. The number of households in Waverley receiving Universal Credit increased from 2,158 in March to 3,264 in April. May's figures are not available from the Department for Work and Pensions yet but this is an early indication of the severe impact on household income.

### **Housing Revenue Account (HRA)**

- 4.15 It is estimated that there will be some impact against the HRA budget in 2020/21, albeit less severe than on the General Fund. Reduced income and additional costs will arise from higher numbers of void properties as contractors are not able to undertake the works necessary to re-let properties quickly when they become vacant. There could be additional pressures on rent collection over the course of the year as some tenants' household income could be affected by the COVID-19 impact. This is being monitored closely by the housing team. The Head of Housing Operations expects the overall net impact on the HRA budget to be met from within existing budgets over the year so no action is required at this stage.

### **Town and Parish Councils**

- 4.16 The government grant received of £1.427m is to help mitigate the costs incurred by the Council in responding to the impact of COVID-19 and further funding could follow as announced on 2<sup>nd</sup> July. The government recently wrote to town and parish councils to acknowledge that their finances may also have been affected but there would be no new funding given to them directly and they should discuss their impact with their higher tier councils. The Council invited parish and town councils to share their financial impacts so they could be included in the government returns. The total budget impacted across all town and parish councils in 2020/21 is currently estimated to be £270k.
- 4.17 The proposal put forward in this report for consideration and decision is that £80k of the government grant be top-sliced to support town and parish councils that can demonstrate a net loss of income due to COVID-19. At the time of writing this is higher as a percentage of impact than WBC is receiving. An assessment process will be worked up by officers in consultation with the Leader, Deputy Leader and Finance Portfolio Holder. In the event that Waverley receives further

non-ringfenced Covid-19 support grant from Government, the amount to be made available to Town and Parish Councils will be reviewed. It is proposed that such a review would follow the broad principle that the percentage of grant for T&P councils, compared to their total loss, will be higher than the equivalent calculation for Waverley BC.

## **Risk and Impact**

- 4.18 There is a risk that, if not monitored adequately, the proposed measures will have an adverse impact on services. Specifically, the prolonged vacancy freeze, reduced capital spend and pared back service costs could put pressure on services, particularly if the Council experiences further pressure as a result of the predicted wider economic downturn.
- 4.19 The impact in future years of Waverley needing to unexpectedly draw down significant value of reserves is difficult to assess but, given the £5.4m budget shortfall pa already projected in the medium term, these measures will put serious pressure on the Council's financial resilience. The proposals aim to maintain the general fund working balance at the prudent £3.2m level but draw down other prudent amounts set aside for specific risks such as property void and business rates equalisation. The imminent review of the MTFP will need a strong focus on ensuring robust approach to reserves in the future. In the light of the Covid-19 impact, the government need to urgently give clarity to councils on business rate funding and address the growing risk of business rate appeals and declining rateable values to local council budgets.

## **S151 Officer Summary**

- 4.20 Officers will need to increase the robustness and frequency of monitoring against budget throughout the rest of the financial year to ensure that there is an early warning of any worsening of the position so that further action can be quickly taken. Similarly if the position improves, action to relax the measures may be appropriate if there is sufficient confidence that this can be achieved. More specifically, if the Government gives Waverley further Covid19 grant in addition to the £1.4m referred to in this report, it is proposed to apply this to reduce the identified draw from reserves. Given the significant budget deficit already forecast in the MTFP of £5.4m and the likely longer term impact of this emergency situation, this would maximise flexibility and partially restore resilience in future years.
- 4.21 If the Council fails to agree quick and effective action to bring the budget into balance, officers will need to consider what urgent action is necessary. Much has been said in national reports about councils needing to issue a Section 114 notice, which is effectively a statutory call for action from the S151 officer, normally in consultation with the council's external auditors. This should only be considered as a last resort and the proposals included in this report, whilst difficult to accept and challenging to deliver, set out an achievable plan for agreeing a contingency revised budget. Robust scrutiny and councillor briefing will be essential leading up to full council decision.

## **5. Relationship to the Corporate Strategy and Service Plan(s)**

5.1 Having a robust, sustainable budget is essential to deliver all aspects of the Corporate Plan.

## **6. Implications of decision(s)**

### **6.1 Resource (Finance, procurement, staffing, IT)**

All decisions made with regard to the budget will impact on Waverley's resources

### **6.2 Risk management – covered above**

### **6.3 Legal**

The Coronavirus Act came into force on 25 March 2020, and since that date the government has introduced a significant amount of secondary legislation (statutory instruments) that has required the Council to change the way in which its services are delivered; required partner organisations and contractors to change their operational pattern, or temporarily cease operations altogether; and placed additional temporary functions within the Council's statutory powers, including additional enforcement powers in relation to businesses and additional homelessness duties.

Throughout this period the Council's Legal Services team has supported the Council's COVID-19 response by providing advice in relation to any and all suspended, additional and revised discretionary and non-discretionary functions, to ensure the Council has continued to operate lawfully in accordance with both existing and COVID-19-related legislation.

Over the coming months as the impacts of the effect of COVID-19 continue to be evaluated, that advice will continue so as to enable the Council to function lawfully in circumstances where the financial resources available to its non-discretionary and discretionary services are under far greater pressure than anticipated when the 2020/21 budget was set. Any and all further legislative changes and statutory guidance will be assessed and the Council's service supported with advice targeted to those changes, including through the Recovery, Change and Transformation programme.

### **6.4 Equality, diversity and inclusion**

There are no direct equality, diversity or inclusion implications in this report, however, an equality impact assessment of the detailed budget proposals will be completed to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

### **6.5 Climate emergency declaration**

There are no direct implications arising from this report but reference is made to the need for the main budget proposals to address the resource requirement for the emerging climate change action plan. The current proposals retain in full the budget for delivering the action plan.

## **7. Consultation and engagement**

7.1 The full budget proposals and options have been considered by the Value for



Money Overview & Scrutiny Committee for discussion and scrutiny. In advance of the O&S meeting, there was an all-member briefing in the subject to enable councillors to receive a presentation on the main issues and ask questions ahead of the Council meeting in August. Officers have been working with the Staff side/Union in the formation of the Recovery, Change and Transformation programme and this work will continue. In parallel to the council's scrutiny and decision making process, officers will discuss the position and proposals with Grant Thornton, Waverley's external auditors.

## **Value for Money Overview & Scrutiny Committee comments**

- 7.2 The Committee had some concerns about reducing the levels of discretionary reserves, and would like a better understanding of the risk assessment of these reserves when the MTPF is reviewed in the Autumn. The Committee agreed that the Government should be lobbied to get as much funding as possible to cover Covid expenses and loss of income, and that the first call on any additional funding should be to reinstate reserves that had been drawn upon to mitigate the impact of Covid.
- 7.3 Committee observed that out of the alternative options presented the most serious and worth consideration were widening the definition of the Council's criteria for Better Care Fund, raising the cost of a green waste subscription for a year by £5 and cutting grass verges to the standard allowed by the funding from SCC as opposed to topping up the funding with funding from Waverley. Committee also recommended reconsideration of the SANG reserve in order to contribute to meeting the short term financial shortfall.
- 7.4 The Committee noted that the cost savings of £699k included in the base budget for 2020/21 had largely been secured, and suggested that this could be made clearer in the report, to provide reassurance that the revenue cost savings proposed as mitigation were not double-counting.
- 7.5 The Committee went into Exempt session to discuss the Exempt annexe on the Leisure Centre Costs. Noting the local competition for some leisure centres, and the community need for leisure centres, accepting the Council's legal position and the costs involved the Committee was keen to see the leisure centres open up as soon as possible but with the least exposure possible to risk for the Council.

## **8. Other options considered**

- 8.1 Options considered are set out in the report and the annexes.

## **9. Governance journey**

- 8.1 The budget proposals included in this report were presented to the Value for Money Overview & Scrutiny Committee on 13 July 2020 for pre-decision scrutiny ahead of consideration by Executive and Council in July/August.

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## **Background Papers**

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

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CONTACT OFFICERS:

Name: Graeme Clark  
Position: Strategic Director and Section 151 Officer  
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Name: Peter Vickers  
Position: Head of Finance and Property  
Telephone: 01483 523539  
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Agreed and signed off by: Graeme Clark and Councillor Merryweather  
Legal Services: Daniel Bainbridge, Borough Solicitor  
Head of Finance:  
Strategic Director:  
Portfolio Holder:

Annexe 1 – Schedule of projected variations from general fund budget in 2020/21

General Fund Forecast variance to budget 2020/21	£ `000	2021/22 impact	
Leisure Facilities	2,744	Possible	Impact on leisure facilities - see exempt annexe for details
Car Parks General	1,994	Not expected	Full year budget is £5m, assumes charging starts beginning of July with 50% of average 3 years monthly income, increasing 10% per month. If capacity in July is 50% add £200k, 40% add £433k and 30% add £860k
Investment Properties Target	500	Possible	Represents £200k 2019/20 and £300k 2020/21, need to invest C.£25m to achieve £500k full year effect.
Development Management	454	Possible	Full year budget is £1.56m, shortfall represents 30% reduction, 10% equates to £156k income. Assumption on forecast is that June and July will be same income levels as May and then start to recover at three year average from August, it is quite an optimistic forecast and likely to get worse. Currently down 20% on 2019/20, could be an additional £260k deficit.
Investment properties	242	Possible	Net adjustment including MRP and Wey Court East is unlikely to be let in 2020/21.
Land Charges	106	Not expected	Full year budget is £405k, assumes property market transactions will resume post lockdown.
Parks and Countryside	59	Not expected	Full year budget is £430k, Events, pitch hire and Frensham car park income not achieved April-July, varying assumptions on speed of recovery.
Borough Hall	57	Not expected	Full year budget is £106k, Site closed for events, assumed no income April-June, 40% July then increasing 10% per month thereafter, no cinema income for the year as unlikely to be able to run with social distancing.
Building Control	46	Not expected	Full year budget is £630k, Service has been operational during lockdown
Memorial Hall	38	Not expected	Full year budget is £129k, Site closed for events, assumed no income April-June, 50% July then increasing 10% per month thereafter
Careline	23	Not expected	Full year budget is £500k, Unable to install new equipment for new customers so income is impacted.
Debt recovery court costs recovery	83	Possible	Council tax and Business rates recovery of court costs, unlikely to be progressing debt recovery via liability orders in light of Covid economic impact
Financial Expenses	(40)	Not expected	Reduced number of card payment fees
Green Waste Recycling	(19)	Will increase	Reflects a significant increase in the number of subscriptions and additional collection costs.
Covid-19 - PPE	9	Possible	Additional office hygiene provision will be expected whilst the virus is not contained
Covid-19 Additional Staffing Revenues and Housing benefits	205	Possible	Increased debt arrears and economic recession impact on peoples income will require more work on income recovery benefit administration
Covid-19 Town and Parish contribution from grant	80		
Covid-19 Additional cleaning staff	40	Possible	Additional office hygiene provision be expected whilst the virus is not contained
Covid-19 - Biffa bring site additional servicing	37	Not expected	
Other small variances	(22)		
<b>Forecast operating deficit</b>	<b>6,636</b>		Sensitivity range on income areas is an additional £1.5m: Car Parking £1m, Development Control £260k, others combined £250k

## Annexe 2 - Budget summary and proposed mitigation measures to address budget shortfall

	£ `000	
<b>General Fund Forecast variance to budget 2020/21</b>	6,636	
<b>Revenue and capital cost savings measures</b>		
Covid-19 Costs Government Grant	1,427	
Covid-19 Government reimbursement of grants/shielding/rough sleepers	80	
Expenditure review	436	See below *
Capitalise Transformation team and fund from capital receipts	175	
Staff travel cost reduction	40	
Staffing conference and training costs	23	
Staff salaries: vacancy saving from a recruitment freeze	600	
Cancelled revenue contributions to reserves	510	See below *
Reduced revenue contribution to capital programme	472	
<b>Total mitigation from 2020/21 revenue budget</b>	<b>3,763</b>	
<b>To be financed from reserves</b>	<b>2,874</b>	
<b><u>Ear Marked Reserves:</u></b>		
		Remaining Bal
Flexible Homelessness Support Grant	474	(500)
Emergency Funding	17	(0)
Brightwells Reserve	296	(16)
Place Shaping	188	(132)
Investment Advisory Board	418	(2,014)
Business Rates Equalisation Reserve	649	(3,201)
SANG Site acquisition	200	(800)
Commercial Property Void provision	425	0
	0	0
Climate change	0	(300)
Local Plan Reserve	0	(236)
Revenue Reserve Fund - Capital Programme funding	0	(197)
Insurance Reserves	0	(566)
Borough Elections Reserve	0	(63)
Insurance Reserve - MMI run off	0	(188)
<b>Total available earmarked Reserves</b>		<b>(8,212)</b>
<b>General Fund working balance: min balance £3.2m</b>	206	<b>(3,200)</b>
<b>Total reserve drawdown</b>	<b>2,874</b>	
<b>* Expenditure review</b>		
	<b>Budget</b>	<b>Adjustment</b>
Operational budget adjustments	1,374	398
Mayors Costs	5	1
Farnham Maltings Museum management fee	71	20
Waverley magazine	32	17
<b>Total expenditure review</b>	<b>1,482</b>	<b>436</b>
<b>* Cancelled revenue contributions to reserves</b>		
New Homes Bonus to Property Investment reserve	260	
Local Plan Part 2 costs	40	
Business Rates Equalisation reserve	210	
<b>Total cancelled revenue contributions</b>	<b>510</b>	

### Annexe 3 – Options and alternative mitigation

Further Items/Options to Explore	£ `000	Action	Impact
Leisure Centres	?	Review detailed options in the light of Government announcements and further negotiation with contractor	?
Green Waste subscription Fee	85	Consider increase in annual fee to £70	Potential drop off in users, so far Waverley has experienced increases in the customers regardless of fee increases.
Better Care Fund	?	Review Better Care Fund guidance to see if allowed to use more flexibly to fund staff support in in administration and management of facilitating people to stay at home longer.	Utilising unused grant balances
Grass verge cutting	95	Reduce the enhanced specification of the grass verge cutting SCC contract to maintain the service within the SCC contract sum.	Safety concerns, Potential improved biodiversity
Grounds maintenance temporary contract reduction	319	Negotiate a 10% reduction in the grounds maintenance contract for 2020/21 and hold back on the one off additional works budget.	May result in redundancies as staffing has been hired for the seasonal work.
Community organisation Service Level Agreements - temporary reductions	126	Some of the organisations ceased to operate during lockdown and have accessed government assistance. Reduce the SLA payments in line with reduced costs.	Should be minimised if they have accessed alternative funding.
<b>Total</b>	<b>625</b>		

Annexe 4 – Schedule of projected reserves and balances

	Forecast balance available	Used in budget review	Planned use in 2020/21	20/21 contribution	2019-2020
<b>General Fund Useable Revenue Reserves</b>	<b>`000</b>	<b>`000</b>	<b>`000</b>	<b>`000</b>	<b>`000</b>
Flexible Homelessness Support Grant	(500)	474	221	(542)	(653)
Commercial Property Void provision	0	425	0	(400)	(25)
Emergency Funding	(0)	17	0	0	(17)
Climate change	(300)	0	0	(300)	0
Brightwells Reserve - licence from dogflud	(16)	296	0	0	(311)
Local Plan Reserve	(236)	0	0	0	(236)
Place shaping	(132)	188	0	0	(320)
Investment Advisory Board	(2,014)	418	95	0	(2,527)
Revenue Reserve Fund - Capital Programme funding	(197)	0	717	(578)	(336)
Insurance Reserve - MMI run off	(188)	0	0	0	(188)
Insurance Reserves	(566)	0	0	0	(566)
Borough Elections Reserve	(63)	0	0	(30)	(33)
Business Rates Equalisation Reserve	(3,201)	649	0	0	(3,850)
SANG Site acquisition	(800)	200	0	0	(1,000)
General Fund working balance: min balance £3.2m	(3,200)	206	119	0	(3,525)
<b>Total General Fund Useable Revenue Reserves</b>	<b>(11,412)</b>	<b>2,874</b>	<b>1,151</b>	<b>(1,850)</b>	<b>(13,587)</b>
<b>Capital Grants Unapplied Account</b>	<b>(862)</b>	<b>0</b>	<b>98</b>	<b>0</b>	<b>(960)</b>
<b>Capital Receipts Unapplied</b>	<b>(1,619)</b>	<b>0</b>	<b>1,967</b>	<b>(52)</b>	<b>(3,534)</b>
<b>Brightwells capital receipt: £2.5m committed</b>	<b>(2,676)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(2,676)</b>

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## WAVERLEY BOROUGH COUNCIL

### EXECUTIVE

28 JULY 2020

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**Title:**

**Recovery, Change & Transformation (RCT) Programme**

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**Portfolio Holder:** Cllr John Ward, Leader; Cllr Paul Follows, Deputy Leader

**Head of Service:** Kelvin Mills, Head of Commercial Services

**Key decision:** Yes

**Access:** Public

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## **1. Purpose and summary**

1.1 This Programme seeks to understand the impact of the COVID-19 pandemic on Waverley Borough Council, to acknowledge the change that has been required to respond and to identify the immediate needs of the organisation and community as they move from emergency operations to recovery and planning for the future. The recovery programme involves two main strands of activity, the organisation's recovery and the community and economic recovery of the Waverley area.

1.2 In Phase 1, the Contingency Revised Budget deals with the immediate impact upon the organisation from Covid-19, the subsequent 2020/21 budget impact from dealing with the emergency, and the consequences of government legislation upon the Council's services.

The financial impact on the organisation against its agreed operational budget for 2020-21 is already significant. This requires key decisions to be made in-year to nullify this gap, and an contingency budget is one objective of the Finance project of the RCT Programme.

1.3 Phase 2, the RCT Programme, looks at the medium to longer term impacts upon the organisation from Covid-19 some of which will define new working practices going forward to solidify the organisation's role within its community. It seeks to harness the learning from the new ways of working experienced during the lockdown period and the impact this has on the longer term structure and priorities of the Council to support the organisation itself so that it can play a pivotal role in the recovery of our economy and community into the medium and longer term. This will include a review of the Medium Term Financial Plan.

## **2. Recommendation**

It is recommended that the Executive approves the Recovery, Change and Transformation Programme and the medium and longer term Project Objectives of the 10 projects that form the RCT Programme.

### **3. Reason for the recommendation**

It is recommended that this Programme be approved so that Officers can move forward with the programme with clear direction from the Executive and to allow the organisation to effectively 'recover' to enable support for its community and economy.

### **4. Background**

4.1 The COVID-19 pandemic has had, and will have a significant affect on the Council, its services, residents, businesses, staff and Councillors. The exceptional situation has resulted in significant operational changes. As the pandemic abates and the organisation starts to recover, an understanding of how it should move forward is essential to ensure a recovery for the organisation and the community it serves.

4.2 The full financial impact on both the organisation and community are not yet understood, although it is predicted that the pandemic will cause an economic recession in the country and possibly worldwide.

4.3 To address these challenges the Programme concentrates on the organisation and its community. There are ten projects that have been identified and these can be seen in Annexe 1, which shows the Programme Structure. For clarity they are:

#### Organisational Change projects

- Service Plans assessment and update
- People & Staff
- Corporate Projects
- Finance
- Housing

#### Organisation Transformation Projects

- Agile working and IT
- Governance Decision Making
- Future Office Requirements

#### Community Recovery Projects

- Economic Recovery
- Community Resilience

4.4 The objectives also identify clear timelines of deliverables with the objective of culminating in a report to Council later this year setting the new direction for the Council. Some projects are more urgent than others and we have sought to clarify this on the third page of Annexe 1, Priorities & Timelines.

4.5 Annexe 2 shows the detailed SWOT analyses that were carried out to inform each of the projects' objectives and deliverables as detailed in Annexe 3.

4.6 This is a complex piece of work and requires a governance structure that allows informed decisions to be made to be made quickly to enable the tight project timetable to be achieved and is detailed in Annexe 1.

## **5. Relationship to the Corporate Strategy and Service Plan**

5.1 The current Corporate Strategy (2019-23) was agreed in September 2019. Since March 2020, the Coronavirus Pandemic has resulted in a change of priority in the emergency situation we find ourselves in. Our main objective currently is

*'To arrange our resources to support the immediate health, wellbeing and safety of local residents, particularly the vulnerable'.*

5.2 As the impact and extent of the pandemic is uncovered we realise that our state of normal will need to be revised. And as we move from the initial emergency state to the start of recovery, the first phase of work will be to understand that impact across all services and their service plans.

5.3 This programme of work sets to explore how the council will need to operate as a result of the impact and agree a way forward to the 'new normal' and arrange its priorities and services to reflect that. It is likely that as a result the Corporate Priorities will need to be refreshed in line with the Corporate Vision.

## **6. Implications of decision**

### **6.1 Resource (Finance, procurement, staffing, IT)**

Income to the council has been significantly impacted by the Coronavirus and to continue without a full review of services, alongside the loss of income, would be detrimental to the council's agreed budget 2020-21.

The Council has agreed a temporary re-deployment policy. The programme will look at current service priorities and re-deploy staff to ensure that the new priorities can be met.

Each Project within the Programme must consider the budget impact as a cross-cutting theme, this will feed into the overall Programme through the Working Group and Programme Board.

### **6.2 Risk management**

The corporate risk register will be updated as well as an overall Programme Risk Register – this will be reviewed by the Programme Board and Portfolio Holders on a monthly basis. Should 'red' risks continue for more than 3 months, a full assessment of the on-going mitigation will be made.

One overriding risk that would impact on the deliverables of all the projects is that of a second wave, or localised spread, of Covid-19 resulting in another declaration of an emergency state.

### **6.3 Legal**

The Recovery, Change and Transformation project is provided with legal support at the Programme Working Group level with representation by the Borough Solicitor, and each Project Board work stream is supported by either active participation or

call-on when required support from a specific member of the Legal Services team. This ensures that any legal risks and opportunities are identified within each work stream and coordinated at the overarching Working Group.

#### **6.4 Equality, diversity and inclusion**

There is no Equality & Impact assessment for the programme but each project will have its own assessment.

#### **6.5 Climate emergency declaration**

Sustainability has been identified as a cross-cutting theme across all projects within the programme. Sustainability and the climate emergency will be considered within each project.

### **7. Consultation and engagement**

7.1 Heads of Service have contributed to the overall Programme through Senior Management Briefings and indeed, the majority of Heads of Services are a Project Sponsor for one of the 10 projects.

7.2 The proposals were considered by the Value for Money Overview & Scrutiny Committee on 13 July 2020. The Committee was disappointed at lack of detail on the projects and identified the need for a clearer statement of the goals, deliverables and timetable for each project, along with SMART targets, in order for the Programme to inform the Medium Term Financial Plan. They looked forward to seeing the next iteration of the projects at Overview & Scrutiny when there would be more detail to scrutinise.

### **8. Other options considered**

8.1 To continue without a formal programme that does not address the financial the impact of the pandemic would mean that the Council could not continue to operate its full range of services and would have to take drastic cost cutting measures to balance its budget. It would also bring into question the longer term financial resilience of the Council. Each of the work projects will be identifying options for change and transformation that will be considered by members in due course.

### **9. Governance journey**

9.1 The proposal were considered by the Value for Money & Customer Services Overview and Scrutiny Committee on 13 July 2020.

#### **Annexes:**

Annexe 1 – Programme Structure

Annexe 2 – SWOT analysis from each project

Annexe 3 - Objectives from each project

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#### **Background Papers**

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

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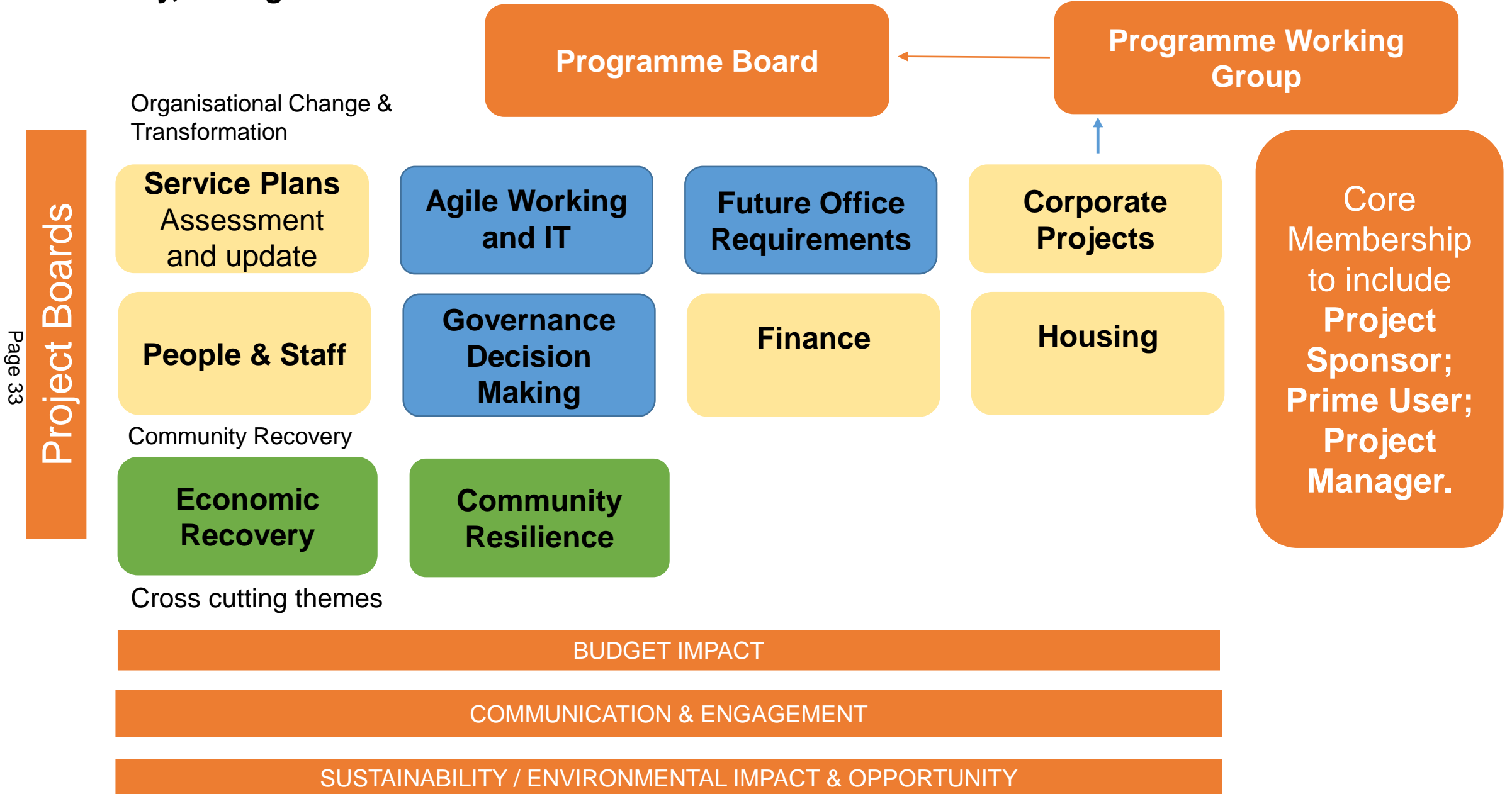
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Agreed and signed off by:  
Legal Services: 15/06/2020  
Head of Finance: 26/06/2020  
Strategic Director: 25/06/2020  
Portfolio Holder: 26/06/2020

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# Recovery, Change and Transformation Structure



# Proposed Project Boards

## Project Sponsor, Prime User and Project Manager

### Service Plans

Robin Taylor  
Louise Norrie  
Yasmine Makin

### Agile Working and IT

David Allum  
Linda Frame  
Wendy Cooper

### Future Office Requirements

David Allum  
Wendy Cooper  
Caroline Wallis

### Corporate Projects

Kelvin Mills  
Candice Keet  
Fotini Vickers  
Adam Holt

### People & Staff

Robin Taylor  
Sally Kipping  
Tamsin McLeod

### Governance Decision Making

Robin Taylor  
Fiona Cameron  
Fotini Vickers

### Finance

Peter Vickers  
Rosie Plaistowe  
Tamsin McLeod

### Housing

Hugh Wagstaff  
Heather Rigg  
Annalisa Howson

### Economic Recovery

Zac Ellwood  
Catherine Knight  
Adam Holt

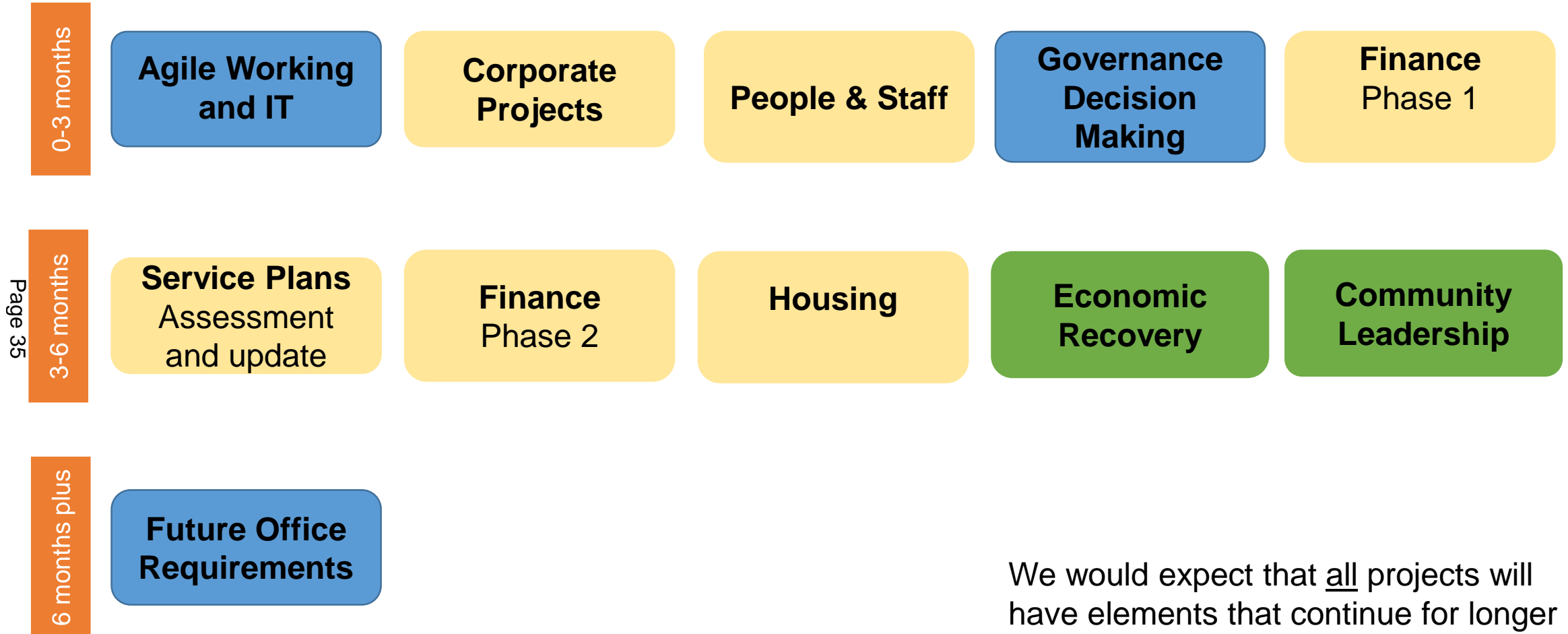
### Community Leadership

Andrew Smith  
Katie Webb  
Adam Holt

A representative from  
Finance, Comms and  
Sustainability will be on  
each group



## Priorities and Timelines – May 2020



We would expect that all projects will have elements that continue for longer than those outlined above. However it is felt that peaks of work will appear within the timeframes identified.

# RCT Programme Board and Programme User Group (26<sup>th</sup> May 2020)

## **Programme Board – to meet every 2 weeks (to be reviewed periodically)**

Tom Horwood  
Annie Righton  
Graeme Clark  
Kelvin Mills  
Robin Taylor  
Peter Vickers  
Debbie Smith  
Kimberley Soane (support)

Project Board members invited as and when required

### **Agenda items**

Approve / reject recommendations by Working Group  
Review RED risks  
Understand high level programme and critical path  
Facilitate decision making and communicate to the Executive and Council as appropriate

## **Programme Working Group – to meet every 2 weeks**

Kelvin Mills  
Robin Taylor  
Peter Vickers  
Harri Robinson  
Dan Bainbridge  
Debbie Smith  
Adam Holt

Invitation made to Project Board members as and when required

### **Agenda items**

Prioritise and keep on track the RCT Programme of work  
Track and review Project objectives  
Ensure cross-cutting themes are monitored – including overall comms plan.  
Make recommendations to the Programme Board  
Ensure no overlap of projects  
Monitor and take action on risks and issues

# RCT Programme Project SWOT Analysis

**Date: 18/06/20**

## Contents

Service Plans Project .....	2
People and Staff Project.....	3
Agile working and IT Project .....	4
Governance & Decision Making Project.....	5
Future Office Requirements Project.....	6
Finance Project .....	7
Corporate Projects Review Project .....	9
Housing Project .....	11
Economic Recovery Project - Internal.....	13
Economic Recovery Project – External.....	14
Community Resilience Project.....	15

## Service Plans Project

Project SWOT Analysis

REPORT DATE: 21/5/20

Project Title: Service Plans

Key People:

Project Sponsor – Robin Taylor

Prime User – Louise Norie

Project Manager – Yasmine Makin

Portfolio Holders – Cllrs John Ward and Paul Follows

### **SECTION A: PROJECT STRENGTHS WEAKNESSES OPPORTUNITIES AND THREATS**

<b>Strengths</b>
Relative political stability of administration + recent period of visible cross-party working
Relatively few existing strategic commitments or 'old promises' to be publicly de-commissioned or backtracked on
Existing review and organisational change programmes to build on: Scrutiny including budget review; customer services review; climate change plan; Business Transformation programme.
<b>Weaknesses</b>
Overcommitting and not clearly prioritising, with the effect of reducing outcome quality, strategic attention, timeliness of delivery or organisational resilience
Uncertainty over pre-covid strategic agenda so starting from a strategically weak position
Residual perception of Waverley as inward-looking
<b>Opportunities</b>
Fundamentally reviewing and as necessary reshaping the Council's strategic position and direction
Meaningful public conversation and engagement – co-production of services?
Close 'reality gap' between budget and corporate strategy to create a costed plan for the Council
<b>Threats</b>
Severe budget situation
Uncertainty about effects of pandemic on local economic and social capital
Forced policy change by central government

## Project SWOT Analysis

**REPORT DATE: 21/5/20**

**Project Title:** People and Staff

**Key People:**

Project Sponsor – Robin Taylor

Prime User – Sally Kipping

Project Manager – Tamsin McLeod

Portfolio Holders – Cllrs John Ward and Paul Follows

### **SECTION A: PROJECT STRENGTHS WEAKNESSES OPPORTUNITIES AND THREATS**

<b>Strengths</b>
Positive feedback on approach taken and guidance issued by HR team over covid situation
Existing programme of wellbeing underway (we plan to expand on this)
Good relationships and lines of communication between unions, staff and members.
A key selling point of the Council's employment offer is flexible working – we are well-placed to build on this
Period of intensive work to enable home working, improve IT capacity and remote meeting attendance via zoom
Well established governance structures, including Joint Consultative Committee, Management Board, SMT and Managers' Group
Emergency staff redeployment in the early weeks of the Council's response to the Covid-19 pandemic demonstrated flexibility / agility amongst many Waverley staff
Integrated, well-resourced and proactive HR team following a relatively up to date and ambitious HR strategy
<b>Weaknesses</b>
Mental health issues amongst existed pre-covid. These will have worsened, despite a focused programme of support.
Uncertainty over Burys project / lack of flexibility within existing building
Short timescales to ensure and enable the safe return of staff to the office
<b>Opportunities</b>
Opportunity to fundamentally review ways of working / modernise
Potential for a smaller footprint of HQ – financial and place-shaping benefits?
Catalyst for accelerating existing change plans: performance management; staff travel; internal talent management; L&D etc
Opportunity to look at alternative models of service delivery and ways of working including collaboration with other local authorities, greater use of technology, outsourcing
<b>Threats</b>
Uncertainty of pace, scale and nature of government relaxation of lockdown restrictions
Lack of PPE
Severity of budget situation / uncertainty of govt funding situation / likely recession.
Staff are resistant to the change in working practices during the recovery phase and post Covid

## Agile working and IT Project

Discussed with Cllr Clark at DA/Portfolio Holder mtg 18/5

### **S.W.O.T Analysis**

Strengths:

- Liberty Create software procured and training underway
- First draft of applications to build (leading towards a CRM-esque product)

Weaknesses:

- Killer question answers required to determine IT infrastructure and staff capability

Opportunities:

- Significant savings to be realised to support existing Business Transformation projects
- Behavioural change of staff due to Covid19 lockdown means new skills and ways of working have been established
- Project could help support Council's Climate Change ambitions

Threats:

- Release of lockdown might encourage old ways of working to be established
- Decisions which significantly support the Climate change ambitions may be more costly than decisions with more limited climate change impacts

## Governance & Decision Making Project

Project SWOT Analysis

REPORT DATE: 21/5/20

Project Title: Governance and Decision-Making

Key People:

Project Sponsor – Robin Taylor

Prime User – Fiona Cameron

Project Manager – Fotini Vickers

Portfolio Holders – Cllrs John Ward and Paul Follows

### **SECTION A: PROJECT STRENGTHS WEAKNESSES OPPORTUNITIES AND THREATS**

<b>Strengths</b>
Existing Governance Review group, waiting in the wings to be reconvened and re-scoped as a vehicle for governance change – no need to start from scratch
Genuine appetite amongst administration for a new approach to governance and decision-making?
Short/Medium term issues of transition to Zoom remote meetings etc substantially if not completely bedded in so can now turn attention to MT / LT governance change
<b>Weaknesses</b>
Starting point is not lean - some governance structures and processes are perhaps unnecessarily complicated (planning, scrutiny, exceptions added to scheme of delegation). Some, if not all, of this process and tradition is held dear.
Too much time spent on running transactional processes, too little time spent on value-adding and checking work. Too many mistakes.
Lack of member trust in officers has led to overly complicated checks, processes and documented exceptions. 'Process load' is high and doesn't achieve the control it is meant to.
A fundamental governance review requires investment of officer time. Is there sufficient resource?
<b>Opportunities</b>
Reset button on Governance?
Remote attendance potentially widens opportunities for democratic participation and public engagement
Increased devolution / partnership working?
Simplified, transparent governance arrangements have the potential to save time for all officers, by streamlining decision-making without reducing member oversight, making clear which decisions go to Members and why, setting the conditions for officers delivering the customer-facing services.
<b>Threats</b>
Forced local government reorganisation?

## Future Office Requirements Project

Not required as this is a mature project.



## Project SWOT Analysis

**REPORT DATE:** 06.06.20

**Project Title:** Finance

**Project Team:**

Project Sponsor – Peter Vickers

Project Lead – Rosie Plaistowe-Melham

Project Manager – Tamsin Mcleod

Portfolio Holder – Mark Merryweather

### **SECTION A: PROJECT STRENGTHS, WEAKNESSES, OPPORTUNITIES AND THREATS**

<b>Strengths</b>
Officers and Members have a detailed understanding of the council's finances and service costs.
The Finance team has sufficient capacity, experience and capability to financially model covid-19 impact, monitor the finances and support the recovery programme.
The council has a significant level of discretion on what services are delivered, quantity, demographic and method.
The council has a lot of scope to corporately challenge traditional thinking and values to reshape services and break down service silos and duplication.
The council is only just beginning its digital transformation journey to deliver transactional and administrative efficiencies.
Already planned to lose the £2m business rates support within base budget in next 3 years.
The covid-19 pandemic has facilitated a seismic shift in corporate culture away from office based service delivery and tested service capacity and demand.
Diverse political membership has offered opportunities to call on expertise regardless of affiliation, but possibly not under stress going forward.
<b>Weaknesses</b>
There are limited reserves and capital receipts in context of the estimated magnitude of the revenue deficit and financial impact of actions required to restructure to a lower cost base.
Diverse political membership and the democratic process will make service reduction/restructure decisions difficult to achieve a lower cost base.
Strong officer and political leadership will be needed to identify and override service self interest.
There is limited time to achieve financial payback on the cost of making service changes.
Staff demographic makes the cost of head count reduction challenging to achieve financial payback.
Staffing represents half the gross cost and virtually all of the service delivery capacity.
Significant/material contract costs are locked in for long periods, variations will require long payback timescales.
IT infrastructure and property related costs are a significant element in the budget and have limited scalability.
Significant service changes will require public consultation which takes time and resources.
The MTFP has a pre-covid-19 deficit of £5m with a high dependency on transformation and property investment to close the budget gap.
The council is over dependant upon car parking and council tax income which are sensitive to the economic situation.
The BSWG review didn't identify any further opportunities below what is already in the MTFP which are under threat
<b>Opportunities</b>
Lower interest rates will enable the council to capitalise longer term payback restructuring costs and borrow to finance the capitalisation, requiring Central Government permission.

Property investment market will be significantly different post covid-19 with opportunities to purchase viable property being sold under financial distress.
Unique opportunity to reposition the council's role in the wider public service economy and redefine its relationship with the public.
Explore what we can do to underpin the local economy to drive resident & business wealth and underpin our tax & commercial income.
<b>Threats</b>
No idea what the new environment will look like: local economy, government funding, cost demands
Unintended consequences of service reductions will be financially difficult to mitigate.
Cost shunting between agencies will be inevitable and difficult to avoid.
Local Authority partnership working will take time to set up and will not necessarily deliver savings in the medium term, short to medium term objective will have to focus on pooling capacity to provide resilience.
PWLB investment borrowing consultation will restrict the ability to pursue the investment strategy to generate income.
May need the available reserves to invest in property to generate a return due to low yields in a long term economic depression.
Outcome of government finance support and fair funding review may not provide any additional financial support at 2 <sup>nd</sup> tier level.
Government reorganisation, although this will override the recovery if Waverley starts a process to amalgamate into a other form of entity.
HMG may regulate our options on F&Cs and PWLB may be tightened up to stop us investing in residential, which would limit commercial decisions.

## Corporate Projects Review Project

### Project SWOT Analysis

**REPORT DATE: 8 JUNE 2020**

**Project Title:** Corporate Projects

Project Sponsor – Kelvin Mills

Project Manager – Fotini Vickers

Portfolio Holder – Cllr Merryweather

### **SECTION A: PROJECT STRENGTHS WEAKNESSES OPPORTUNITIES AND THREATS**

<b>Strengths</b>
<p><b>Opportunity to save money</b></p> <ul style="list-style-type: none"> <li>• This review of the projects is taking place early in the financial year so we may have the ability to change project priorities without too much impact</li> <li>• Ability to help close the budget deficit for 2020/21</li> <li>• Some projects can still be delivered with no or minimal impact to the General Fund e.g. those that are externally/grant funded or those that are delivered under a development agreement.</li> </ul>
<p><b>People</b></p> <ul style="list-style-type: none"> <li>• Project Managers are fully aware of the challenges now being faced and will understand corporate role</li> <li>• Project will potentially enable resources to be designated to ‘new corporate projects’</li> <li>• Strong motivated project team supported by clear political leadership</li> </ul>
<ul style="list-style-type: none"> <li>• Clear objectives set for project</li> </ul>
<b>Weaknesses</b>
<p><b>Time</b></p> <ul style="list-style-type: none"> <li>• Short timescales to evaluate the projects</li> <li>• A number of projects are already underway and ongoing</li> <li>• May take time to agree the assessment criteria which will slow the delivery of this project</li> </ul>
<p><b>Other processes that may overlap</b></p> <ul style="list-style-type: none"> <li>• Some Corporate projects might be reviewed under different work streams, potentially causing duplication or gaps</li> <li>• Difficulty in assessing corporate priorities of individual projects before the Council Corporate priorities are reviewed and updated post-Covid</li> <li>• Political pressure from wider Council could impact on decisions being made</li> <li>• Some projects will have to continue for contractual / legal reasons although they are not a priority</li> </ul>
<p><b>Money</b></p> <ul style="list-style-type: none"> <li>• Stopping / pausing projects could impact external funding already received</li> <li>• Potential money saved is insufficient to materially affect in-year budget deficit</li> <li>• Stopping/pausing an Invest to save project that may be financially positive in the short term, may impact income generation or capital savings in the medium/longer term</li> </ul>
<p><b>People</b></p> <ul style="list-style-type: none"> <li>• Project managers may be defensive of their own projects</li> </ul>
<b>Opportunities</b>
<p><b>Review processes and council priorities</b></p> <ul style="list-style-type: none"> <li>• Seizing the opportunities of the already implemented responses to the pandemic, particularly in relation to climate change</li> <li>• Re-prioritisation of projects in line with new priorities that emerged as a result of the transition period that Covid19 “imposed” on us</li> <li>• Engage members in the process of prioritising projects generating greater political alignment and awareness</li> </ul>
<b>Threats</b>
<p><b>Covid19 impact sustained for longer than anticipated which could result in:</b></p> <ul style="list-style-type: none"> <li>• Providers requiring additional expenditure or extra time to deliver projects</li> <li>• Further loss of income for the council</li> </ul>

<ul style="list-style-type: none"> <li>• Intended end users/stakeholders may have changing priorities/needs to when a project was initiated</li> </ul>
<b>Political threat</b> <ul style="list-style-type: none"> <li>• Negative public reaction to projects paused or stopped</li> <li>• Reputational risk for the council</li> <li>• Central Government could change</li> </ul>
<b>Human resource and contract implications</b> <ul style="list-style-type: none"> <li>• Pausing a project could require work to be re-commissioned at higher rates</li> <li>• Providers may no longer be operating</li> <li>• Commitments to external providers/funders have already been made that means the project cannot be changed</li> </ul>
<b>Money</b> <ul style="list-style-type: none"> <li>• External funding sources may no longer be available if projects are postponed</li> </ul>

## **SECTION B: SUMMARY**

The reprioritisation of the corporate project list allows the Council to realign itself post-Covid. It gives the potential to not only save money to help close the budget deficit but attribute funds to new priorities that positively impact the Waverley community. It is a core strand of RCT Programme and carries strong political support. It is one that could deliver savings in this budget year helping to close the in-year budget deficit. Councillors and members of the public will see the material benefits of the project in their community.

## Housing Project

Project Title: Housing HRA Recovery

Project Sponsor: Hugh Wagstaff

SWOT Analysis

(in no particular order)

STRENGTHS	WEAKNESS
<ul style="list-style-type: none"> <li>• Financial reserve</li> <li>• Strong leadership and Team management</li> <li>• Top quartile rent collection</li> <li>• Professional and qualified team, reactive to change and challenge</li> <li>• Good relationship with tenants – customer focus</li> <li>• Healthy capital budget</li> <li>• Local knowledge of communities and homes</li> <li>• Contract management</li> <li>• Clear, adhered to processes</li> <li>• Good performance reflected in KPIs monitoring</li> <li>• Positive relationship with Council Members and communities</li> <li>• Positive relationship with Homes England and Chartered Institute of Housing</li> <li>• Continuous staff development</li> <li>• Positive contribution to reduce carbon objective</li> </ul>	<ul style="list-style-type: none"> <li>• Backlog of responsive repairs (contractor change and covid-19 crisis)</li> <li>• Delay in capital spend</li> <li>• Ability to recruit technical staff</li> <li>• Lack of confidence in housing management IT systems</li> <li>• Indications that customer may not always be put first ie complaints</li> </ul>
OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> <li>• New ways to engage with tenants/ deliver services (digitising service eg online forums and videos conferencing)</li> <li>• Efficient “bundle“ of works</li> <li>• Flexible working hours extending service hours</li> <li>• Responsive and adaptable teams</li> <li>• Maximise use of Income Analytics software</li> <li>• To future proof housing management IT systems</li> <li>• Develop current staff for technical roles</li> <li>• Full implementation of new housing management team to be proactive more than reactive (smaller patch sizes)</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing lockdown restricting access to homes</li> <li>• Ongoing pandemic impact on economy</li> <li>• Unable to recovery rent arrears</li> <li>• Unable to deliver H&amp;S works – result in accident, claim</li> <li>• Delay in new homes development</li> <li>• Unable to let homes and applicants unable to move in due covid-19</li> <li>• Unable to take legal action against breaches in tenancy</li> <li>• Housing IT systems company acquired by others</li> <li>• Legal action from tenants for right to repair</li> <li>• Poor customer satisfaction / unmet expectations</li> <li>• Disrepair of homes reduced assets</li> </ul>

<ul style="list-style-type: none"><li>• Relationship with CIH and Homes England</li><li>• New ways for working reduce carbon footprint</li></ul>	<ul style="list-style-type: none"><li>• Uncertainty of central government policies on all aspects of social housing</li><li>• Poor internal and external communication in rapidly changing environment</li></ul>
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**Project SWOT Analysis of Economic Development within Waverley Borough Council**

**REPORT DATE:** 19/06/20

**Project Title:** Economic Recovery Project

**Project Team:** Project Lead – Catherine Knight/Gill Dally, Project Sponsor – Zac Ellwood, Project Manager – Adam Holt, Portfolio Holder – Cllr Townsend

**SECTION A: PROJECT STRENGTHS WEAKNESSES OPPORTUNITIES AND THREATS**

<b>Strengths</b>
Experienced and efficient team with recognised history of effective business support
Strong and long term partnerships with local chambers of commerce, Business South/Enterprise First and EM3 LEP, neighbouring authorities (including town and parish councils)
Executive committed to Economic Development in the borough
Property Investment Board
Effective Comms channels through website & newsletters
Links with Waverley Training Services providing training and apprenticeships throughout Surrey and border areas
<b>Weaknesses</b>
Lack of team capacity and resources for wider economic development projects (1.4 FTE)
Lack of focus on Key Account Management and proactive investment support from SCC
No comprehensive database for communications, project work etc.
No formal channel for cross-service team working internally e.g. business rates, planning, property, parks & countryside, env. health, licensing, culture etc
Limited capacity for investigating funding opportunities, writing bids/expressions of interest
<b>Opportunities</b>
Improved cross-service work streams
Proactively seeking funding and identifying opportunities in new government policies e.g. trade deals.
Working with Property Investment Board and commercial agents
Improved business data and market research
Set priorities and KPIs for Surrey CC key account manager
Expand Comms through business specific Facebook and Twitter accounts
<b>Threats (ED Team – internal practices)</b>
Reduced funding from Government, SCC and other bodies as all face budgetary pressures
Significant contraction in the local economy, business rates and council tax base
Reduced capacity of other service teams to engage with ED team due to capacity/resources
Possibility of future lockdowns and knock-on impact – e.g. family commitments, illness etc
Brexit
UK wide sharp recession

**Project SWOT Analysis of Waverley as a place for business**

**REPORT DATE:** 19/0620

**Project Title:** Economic Recovery Project

**Project Team:** Project Lead – Catherine Knight/Gill Dally, Project Sponsor – Zac Ellwood, Project Manager – Adam Holt, Portfolio Holder – Cllr Townsend

**SECTION A: PROJECT STRENGTHS WEAKNESSES OPPORTUNITIES AND THREATS**

<b>Strengths</b>
Strong recognition from Executive that economic development fundamental to recovery
Adopted Local Plan
Growth of housing and businesses at Dunsfold Aerodrome
Extensive natural capital
Skilled Workforce
Tourism Industry
Well-established Chambers of Commerce
<b>Weaknesses</b>
Membership of Chambers of Commerce limited
High numbers (91%) of small and micro businesses difficult to communicate effectively across all these sectors
High house prices greatly exceeding local salaries
High numbers of outward commuting skilled professionals
High dependency on limited range of key business sectors
Rural Road network and limited public transport
<b>Opportunities</b>
Potential growth of certain key sectors e.g. local green technology companies, land based businesses (including food production), IT sector etc.
More residents working from home – potential benefit to local economy
Potential for more companies to be attracted to relocate from densely populated cities to more rural areas
Increased investment in residential property in terms of home improvements – bigger local spend, planning applications etc.
Increased numbers of staycations
Tap into innovation in identified growth sectors, including upskilling and education
<b>Threats</b>
Sharp recession. Estimated 30% of businesses might not reopen (FSB) – threat to employment, mental health, well-being
Reduced demand/need for larger commercial space through increased working from home
Potential for increase in crime and anti-social behaviour
Potential Mismatch between employee skills and market demand
Uncertainty surrounding Brexit. Increase in tariffs to export, and loss of EU funding programmes, and change in immigration rules following Government policy after EU withdrawal
Interruption in children’s education creating a disadvantaged generation.
Predicted severe % impact on employment sectors in Waverley including retail and service industries



## Community Resilience Project

The SWOTs are to be completed by external partners and collated by WBC during June 2020. The template, developed with the portfolio-holder, which has been distributed is shown here for information. It has been sent to existing organisations and specific C-19 response groups.

### **COVID-19 and Community Resilience**

#### **Questionnaire on the Impact of COVID-19 on Voluntary, Community and Faith Sector Organisations**

The Coronavirus has brought new challenges and opportunities to the voluntary, community and faith sector. The response to the virus has been amazing, and invaluable in helping residents in Waverley get through these difficult times.

The Council would like to find out how the pandemic has been affecting your organisation and what you feel the future may hold. We would be grateful if you could take a few minutes to complete this short questionnaire. This vital information will help the council evaluate the success of the community involvement in the response to COVID-19: what worked well, what hasn't worked so well and how your organisation sees the future as we start to come out of lockdown.

The results will help create the Council's long-term plan for community engagement and partnering that builds on the successful measures implemented during the pandemic. As part of this, we are also working with colleagues at the County Council and in Health.

Please return your completed form to: [communities@waverley.gov.uk](mailto:communities@waverley.gov.uk) by **12 noon on Wednesday 10 June 2020**.

## Questionnaire

### Section A

1. What type of service does your organisation provide (eg COVID specific, older people, mental health)?
2. What geographical area in Waverley does your organisation support (eg village specific, say Milford, or borough-wide)?
3. What size is your organisation? (write yes beside answer)
Income of less than £10,000 - Income of £10,001 to £100,000 - Income of £100,001 and above -

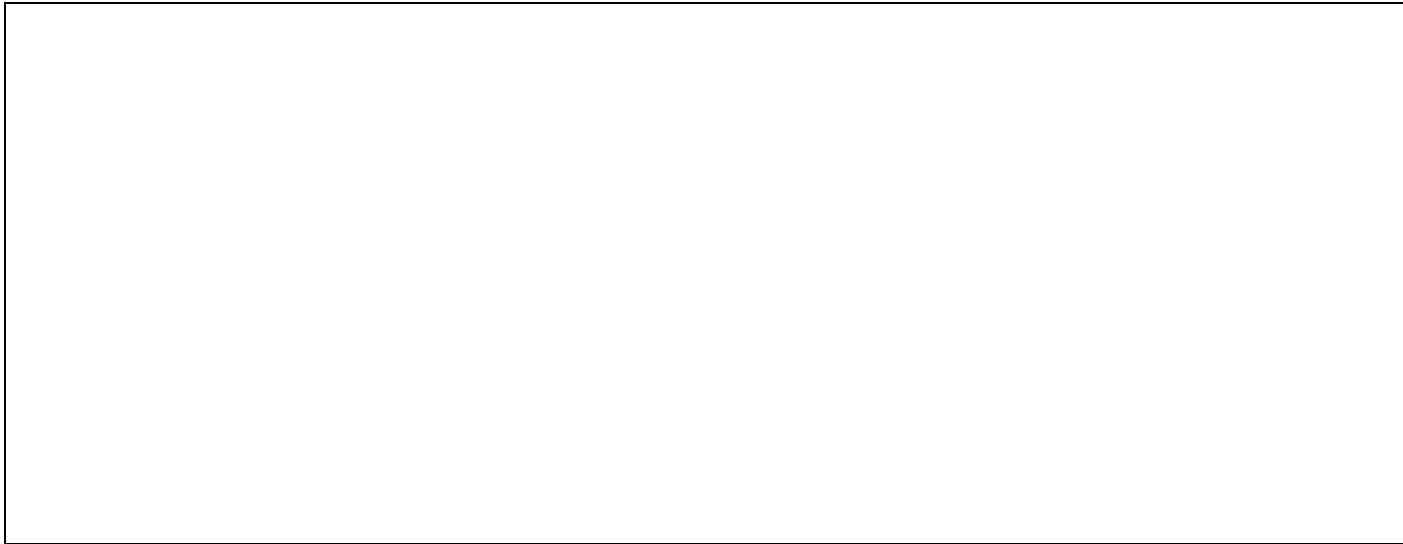
### Section B

Please provide as much detail as possible to the following four points.

<b>Strengths</b> – eg commitment of our 5 staff, strong community connections with the Parish Council who helped source PPE.
<b>Weaknesses</b> – eg Poor IT with staff not able to work from home initially and took 2 weeks to set this up, 70% of our volunteers are over 70 so suddenly couldn't help as they were self-isolating.
<b>Opportunities</b> – eg 10 new volunteers have come forward who want to continue to help over the summer, built a new relationship with local printer who will help print flyers at reduced cost in future.
<b>Threats</b> – eg reduced funding, will need to reduce client numbers by half as they won't be able to socially distance in our building, staff worried about returning to work

### Section C

<b>If there is anything else you would like to say about your organisation's experience over the past couple of months and how it feels about the future, please write below.</b>



Email your completed questionnaire to [communities@waverley.gov.uk](mailto:communities@waverley.gov.uk) by 12 noon on **Wednesday 10 June 2020.**

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# RCT Programme Project Objectives

**Date: 16/06/20**

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## Service Plans Project

	<b>Deliverable / Objective</b>	Priority (Low/ Med/ High)	Estimated time to deliver (in months)	Estimated start date (month)
1.	<p>Create a comprehensive list of all services, for discussion by the Recovery, Change &amp; Transformation Programme Board, provided by the Council that identifies:</p> <ul style="list-style-type: none"> <li>(1) The current operational RAG status of each</li> <li>(2) The current level of demand vs pre-covid level of demand</li> <li>(3) Current staffing levels against establishment</li> <li>(4) Can additional staff be offered up for redeployment? Are additional internal redeployees needed?</li> <li>(5) Where services have been decommissioned, is there a business case for recommissioning them? If so, what is it? If not, what needs to be actioned for an orderly wind-up?</li> <li>(6) Where services have not been decommissioned, how will they be different in the future or will they be the same?</li> </ul>	High	1-2	April
2.	Once review of service plans are completed, review and if necessary, revise all recovery projects to check all areas are covered.	High	0-1	May/June
3.	Revised Service Plans	Medium	4	June
4.	A new Corporate Strategy for Waverley	High	4	June

## People and Staff Project

	<b>Deliverable / Objective</b>	Priority (Low/Med/High)	Estimated time to deliver (in months)	Estimated start date (month)
1.	1-page SWOT analysis with Portfolio Holder Engagement.	High	0-1	May
2.	Establish a set of principles and values that will guide both our short term and longer term return to a 'new normal' working environment for staff.	High	0-1	May
3.	<p>Preparing and implementing a healthy, safe and positive return of staff and councillors into the office.</p> <p>The plan will seek to limit the risk of infection, support wellbeing and create a positive workplace culture that sets the scene for our longer term HR recovery strategy.</p>	High	0-1	May
4.	<p>Create a plan for managing the transition to a new normal in the medium and longer term.</p> <p>This work stream will support the shift to a new way of working that ensures we are better prepared for a second coronavirus wave / new pandemic and will also accelerate business transformation.</p>	Medium	4	June
5.	Support organisational change and HR activity required to bridge our new budget gap, in particular: restructures; redeployment; and redundancies.	Medium	4	June
6.	Deliver an expanded wellbeing programme for both staff and councillors.	High	12	May

## Agile working and IT Project

	<b>Deliverable / Objective</b>	Priority (Low/Med/High)	Estimated time to deliver (in months)	Estimated start date (month)	Anticipated Finish date
1.	1-page SWOT analysis with Portfolio Holder engagement	High	1	May	May 2020
2.	Finalise corporate IT Strategy including updates in light of learning from CoVid emergency	Medium	3	Underway	July 2020
3.	Agree digital transformation policy/delivery model with Annie Righton	High	9	June 2020	July 2020
4.	Agree low code development schedule with Annie Righton (?)	High	3	Underway	June 2020
5.	Develop remote working strategy/policy (having synergy with Inspection/Enforcement & Building Control Business Transformation work-stream)	Medium	6	Underway	September 2020
6.	Develop IT infrastructure to support the remote working policy	Medium	3	November 2020	January 2021



## Governance & Decision Making Project

	<b>Deliverable / Objective</b>	Priority (Low/Med/High)	Estimated time to deliver (in months)	Estimated start date (month)
1.	1-page SWOT analysis with Portfolio Holder engagement.	High	1	May
2.	Revise the Executive Forward programme	High	1	May
3.	Implement phase 1 of agreed remote meetings schedule: Exec, Standards, Extraordinary Council, Planning, priority O&S, Audit	High	3	May
4.	Implement phase 2 of agreed remote meetings schedule (widened schedule)	Medium	3	August
5.	Pre sunset clause review – do any of the temporary governance arrangements need to be extended / changed?	Medium	2	September
6.	<p>Implement (if necessary) phase 3 of remote (or partially remote) meetings schedule if normal business has not been resumed.</p> <p>This phase may also include continuing to allow remote attendance for other reasons during the period the regulations allow for (especially if it seems remote attendance will be allowed in future in non-emergency situations)</p>	Medium	6	November
7.	<p>Re-convene and complete the existing Governance review, taking account of how things changed in terms of both governance and culture as a result of the pandemic.</p> <p>This may also take account of governance changes required as a result of other recovery work streams.</p>	Medium	9	August

## Future Office Requirements Project

	<b>Deliverable / Objective</b>	Priority (Low/Med/High)	Estimated time to deliver (in months)	Estimated start date (month)
1	1-page SWOT analysis with Portfolio Holder engagement.	High	1	May
2	Identify and agree options for The Burys and associated sites	High	1-2	May
3	Identify office requirements in terms of work-spaces and other facilities to be part of the new development (or moved off-site)	High	3	July
4	Consult with existing tenants and develop a leasing strategy/policy for the future	Medium	6	September 2020
5	Identify/acquire/develop local remote sites in conjunction with the Inspection//Enforcement Business Transformation work-stream	Medium	6	September 2020
6	Identify the IT and Facilities infrastructure to support the new model	Medium	3	September 2020

## Finance Project

	<b>Deliverable / Objective</b>	Priority (Low/Med/High)	Estimated time to deliver (in months)	Estimated start date (month)
1	Assist all HoS to develop action plans to reinstate all Covid related negatively impacted income streams.	High	1 month for the plans to be agreed	May
2	Develop an emergency budget and options to resolve the 2020/21 projected budget deficit.	High	1 month	June
3	Revise the MTFP assumptions and risk assessment, base budget adjustments and MTFP action plan targets informed by the recovery programme outcomes and objectives 1 and 2.	High	5 months to complete a draft in Sept, pending central gov funding consultation	Started
4	Revised 2020/21 based upon monitoring and 19/20 outturn and develop the 2021/22 budget reflecting objectives 1,2,3.	High	2 months for 2021 revised and 2 months 2021/22 consecutively	July

## Corporate Projects Review Project

	<b>Deliverable / Objective</b>	Priority (Low/Med/High) (High to be completed within the first 3 months)	Estimated time to deliver (in months)	Estimated start date (month)
1	1-page SWOT analysis with Portfolio Holder engagement.	High	0-1 month	May
2	Review and consolidate one consistent Corporate Projects list detailing the allocated financial commitments.	High	0-1 months	May
3	Update from Project Leads on Corporate Projects Register in line with new priorities by working with existing Project Managers	High	0-1 months	May
4	Assessment and prioritisation of projects against corporate priorities / agreed criteria ahead of the corporate priorities being re-agreed : Deliverability Impact of stopping Financial & Resource Implications Political Will	High	1-2 months	June / July
5	Creation of corporate project list with recommendations to either: Commit Pause Cancel	Med	1 month	July / August
6	Project list to be approved / amended by Programme Board, Executive / Council as required – in line with Council / Decision making process.	Med	3-4 months	Oct - Nov
7	Communication plan agreed for each project to update key stakeholders on next steps e.g. Project Teams, Community groups	Med	1 month	Sept

## Housing Project

	<b>Deliverable / Objective</b>	Priority (Low/Med/High)	Estimated time to deliver (in months)	Estimated start date (month)
1	1-page SWOT analysis with Portfolio Holder engagement	High	1 month	May 2020
2	Maximise rental income (support tenants in prioritising rent payments, signpost to benefits, agree repayment plans and consider legal action)	High	11 months annual rent collection until March 2021	April 2020
3	Let homes (complete works on backlog of homes and recommence choice based lettings)	Medium	12 months to clear backlog and return to BAU	May 2020 “essential moves”
4	Reinstate responsive repairs and H&S/compliance works (inc Blunden Court works)	High	12 months to clear legacy works, backlog and return to BAU	Dependent on gov guidelines June 2020
5	Re/commence capital works programme (complete backlog of works, prioritise and programme on hold/ new requests)	Medium	12 months to clear on hold works and return to BAU	Dependent on gov guidelines June 2020
6	Maintain development programme for new homes	Medium	11 months annual development programme	April 2020

## Economic Recovery Project

	<b>Deliverable / Objective</b>	Priority (Low/Med/High)	Estimated time to deliver (in months)	Estimated start date (month)
1	Undertake early SWOT analysis of the Economic Delivery project strand	HIGH	1	MAY/JUNE
2	Develop and adopt interim Covid-recovery focused Action Plan for Economic Development Strategy (to cover next 12 months) –including SMART targets for more immediate task and finish actions	HIGH	2-3	JUNE
3	Temporary restructure of Economic Development Team to re-purpose and resource it to be able to respond more effectively to Covid emergency – including focused administrative support and potentially additional officer(s) in short term	HIGH	1-2	JUNE
4	Develop Collaboration Strategy for building and enhancing links with other authorities and partners (e.g. Inward Investment Coordinator at SCC, Business South EM3 LEP) avoiding duplication of effort and ensure value for money.	MED	3-6	JUNE
5	Develop/purchase CRM system and robust database of Waverley businesses to enable better understanding of our exposure to economic impacts of Covid-19 and enable detailed, in-depth market sector analysis.	MED	2-3	JULY
6	Supporting the local workforce – providing or sourcing retraining and upskilling opportunities, including online training offering and dedicated library of resources.- links to Waverley Training Services, Job Clubs, etc.	MED	6	JULY
7	Revisit content and focus of Waverley for Business website to ensure strategic approach towards local economic recovery	LOW	6-12	AUGUST
8	Develop and publish updated Economic Development Strategy and Action Plan (longer term Strategy)	LOW	12	JAN 2021

## Community Resilience Project

	<b>Deliverable / Objective</b>	Priority (Low/Med/High)	Estimated time to deliver (in months)	Estimated start date (month)
1	1-page SWOT analysis with key stakeholders and Portfolio Holder engagement.	High	1 month	May
2	Create a plan to continue implementing the successful interventions in the short term.	High	1 month	May
3	Carry out a review and evaluation of the successes of the community involvement in the response.	Medium	3-6 months	June
4	Create a long term plan for community engagement and partnering that utilises the successful measures implemented during the pandemic.	Medium	3-6 months	Aug
5	Seek Council approval to update corporate priorities to include the measures developed in this project.	Medium	Side by side	The process will probably start when O&S Working group resumes
6	1-page SWOT analysis with Portfolio Holder engagement	High	TBC	TBC

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**WAVERLEY BOROUGH COUNCIL**

**EXECUTIVE**

**28 JULY 2020**

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**Title:**

**Recovery and Devolution White Paper: Local Government in Surrey**

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**Portfolio Holder:** Cllr John Ward, Council Leader  
Cllr Paul Follows, Deputy Council Leader

**Head of Service:** Robin Taylor, Head of Policy and Governance

**Key decision:** No

**Access:** Public

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**1. Purpose and summary**

- 1.1 On 21 July 2020, Surrey County Council's Cabinet received a report entitled 'Recovery and Devolution White Paper: Opportunities and Benefits for Surrey'. A letter from Cllr Tim Oliver, Leader of Surrey County Council, to Rt Hon Robert Jenrick MP, Secretary of State for Housing, Communities and Local Government, was included as an annexe to that report. This report recommends that Waverley Borough Council's Executive Committee notes both documents.

**2. Recommendation**

It is recommended that the Executive notes the Surrey County Council Cabinet report and the letter from Surrey County Councillor Tim Oliver to Rt Hon Robert Jenrick MP attached as Annexes 1 and 2 to this report.

**3. Reason for the recommendation**

To provide an opportunity for Waverley Borough Council's Executive Committee to note the 21 July 2020 Surrey County Council Executive report and Cllr Oliver's correspondence with the Secretary of State.

**Annexes:**

Annexe 1 – 21 July 2020 Surrey County Council Executive Report entitled 'Recovery and Devolution White Paper: Opportunities and Benefits for Surrey'

Annexe 2 – 10 July 2020 letter from Cllr Tim Oliver, Leader of Surrey County Council, to Rt Hon Robert Jenrick MP, Secretary of State for Housing, Communities and Local Government

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**Background Papers**

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

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**CONTACT OFFICER:**

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**SURREY COUNTY COUNCIL****CABINET****DATE: 21 JULY 2020****REPORT OF: MR TIM OLIVER, LEADER OF THE COUNCIL****LEAD OFFICER: JOANNA KILLIAN, CHIEF EXECUTIVE****SUBJECT: RECOVERY AND DEVOLUTION WHITE PAPER: OPPORTUNITIES AND BENEFITS FOR SURREY****SUMMARY OF ISSUE:**

The Government has recently announced its intention to publish a Recovery and Devolution White Paper in the autumn, setting out its plans for the devolution of powers, freedoms and flexibilities alongside intentions to increase the number of unitary and combined authorities and elected Mayors. Given the new and growing challenges faced by Surrey, even before Covid-19, this presents a significant opportunity to better organise local government and local accountability and engagement with residents in Surrey, in a more effective and financially sustainable manner. Doing so will support the achievement of the 2030 Community Vision for Surrey as a uniquely special place, where enabling long term inclusive growth and tackling the inequalities that continue to exist in the county ensures everyone has a great start to life, people live healthy and fulfilling lives, are enabled to achieve their full potential and no one is left behind.

**RECOMMENDATIONS:**

Cabinet are asked to note the preparations in hand to respond to the Government's anticipated Recovery and Devolution White Paper, due to be published in autumn 2020.

**REASON FOR RECOMMENDATIONS:**

To ensure Cabinet are aware of the preparations being made in readiness for the publication of the anticipated Recovery and Devolution White Paper in the autumn.

**DETAILS****Background**

1. The Government has confirmed its intention to publish a Recovery and Devolution White Paper in autumn 2020, setting out the Government's thinking and proposals on local governance structures and the opportunity to devolve powers, duties, responsibilities and resources to local communities. At the Local Government Association Conference earlier this month<sup>1</sup>, the Minister for Regional Growth and Local Government, Simon Clarke MP said this would mean creating "many more elected mayors and more unitary authorities".

<sup>1</sup> <https://www.gov.uk/government/speeches/local-government-association-annual-conference-2020-minister-for-regional-growth-and-local-governments-speech>

2. This represents a significant opportunity to lead work to shape the future of local government in Surrey and work with residents and partners to develop a new streamlined and more efficient model to better meet the needs of residents.
3. In parallel, as Surrey starts to emerge from the immediate COVID-19 crisis, we are looking ahead to the challenges the county now faces, and the opportunities we have to ensure long term recovery and resilience from future shocks. The pandemic has demonstrated the importance of local services working more effectively as one system to minimise the impact on Surrey's economy and the health, wellbeing and livelihoods of residents.
4. The recession we are now facing is likely to have profound and lasting effects with the inequalities in the county that existed before the pandemic likely to be exacerbated. The magnitude of these challenges urgently requires radical solutions to support our communities and businesses at the same time as ensuring financial sustainability of local government, illustrating the need to act now to avert a local authority crisis as we emerge from the current COVID-19 crisis.
5. The current model of local government in Surrey is complicated, fragmented and inefficient. A new model of local government, combined with increased powers devolved down to a much more local level, will deliver better outcomes and services that present increased value for money for our residents.

### **How we are responding**

6. It is important that Surrey is in a strong position to respond to the upcoming White Paper, so that we are ready to maximise the opportunities and benefits it presents for Surrey residents. Following his statement to Full Council on 7 July, the Leader has written to the Secretary of State for Housing, Communities and Local Government, Robert Jenrick MP, on Friday 10 July to ask him to invite Surrey to submit a business case to set out proposals for a county unitary authority for Surrey (see **Annex 1**).
7. The purpose of the business case is to set out to Government a robust case for change and detailed plans for how that change will be implemented. The business case will demonstrate how the proposal meets Government's three criteria for assessing local government reform proposals, which are that, across the area as a whole, the proposal is likely to:
  - a. improve the area's local government
  - b. command a good deal of local support across the area; and
  - c. cover an area that provides a credible geography for the proposed new structures.
8. In summary, the business case for a unitary authority in Surrey will set out in more detail:
  - The challenges and opportunities faced by Surrey as a community and place
  - The case for change and the opportunities and challenges for local government in Surrey
  - An appraisal of the options for local government reform and recommended approach to deliver the priority outcomes for Surrey in the most efficient and effective way
  - The structure of the proposed new authority and outline operating model for key functions

- The strategic impact and efficiencies that will be delivered through the new model
  - The proposed model of enhanced local accountability to place local communities, including Parish and Town Councils, at the heart of local government
  - An implementation plan including risk management to minimise any negative impact on business as usual service delivery whilst transitioning to the new arrangements.
9. The scale of this work will necessitate the engagement of specialist external support to ensure a robust evidence-based business case is developed for submission to Government. This will be funded through the existing transformation reserve.

### **Stakeholder engagement**

10. Engagement with key stakeholders will build upon the preliminary discussions to date and involve residents, MPs, elected members, district and borough councils, partners and staff. This will ensure we listen and respond to views about the right model for Surrey and provide the opportunity to co-design the most relevant elements of the model with those people who stand to likely to benefit most and/or be most impacted.
11. This engagement will include discussions with our partners to understand the ways of working, operational models and organisational design that will deliver the best outcomes for Surrey and ensure the new model of local government provides the foundation for the most effective and efficient partnership working.
12. We will also engage with residents, including a focus on younger people, to enable them to have their say about their priorities for Surrey and how they can best be secured, as part of a model of stronger local accountability, engagement and delivery.
13. A Surrey County Council Member briefing will be held on 16 July and further briefings and scrutiny sessions are planned as the work progresses, so all Members have the opportunity to contribute to the development of a shared understanding and case for change.

### **Next steps and timeline**

14. Following the engagement as set out above, a draft business case will be brought to Cabinet and Council during September before being submitted to Ministry of Housing, Communities and Local Government (MHCLG) by the end of September.
15. It is important that we act quickly to minimise disruption, capitalise on the opportunity brought by the Recovery and Devolution White Paper and realise the opportunities and benefits that structural reform can bring to Surrey as soon as possible.

### **RISK MANAGEMENT AND IMPLICATIONS:**

16. Risk implications will be considered as part of the development of the business case and reviewed as work progresses.

### **SECTION 151 OFFICER COMMENTARY**

17. Although significant progress has been made over the last twelve months to improve the Council's financial position, the medium-term financial outlook is uncertain. The public health crisis has resulted in increased costs which are not fully funded in the

current year. With uncertainty about the ongoing impact of this and no clarity on the extent to which both central and local funding sources might be affected from next year onward, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.

18. As such, the Section 151 Officer supports the preparations to respond to the Government's anticipated Recovery and Devolution White Paper. The costs referenced in paragraph 9 can be met from the transformation reserve and will be factored into the Medium-Term Financial Strategy.

#### **LEGAL IMPLICATIONS – MONITORING OFFICER**

19. The procedure for the creation of a unitary authority can be found in sections 1-7 of the Local Government and Public Involvement in Health Act 2007. The Secretary of State can 'invite' a proposal from a local authority to make a proposal for a county or district, or group of districts, to become unitary. The Local Government Boundary Commission for England (LGBCE) can be, but need not be, asked for advice on any matter related to the proposal. Regulations may be made covering how local authorities should go about preparing their proposal. The Secretary of State may then make an order implementing the proposal, or s/he may reject the proposal. The regulations must be approved by both Houses of Parliament.

#### **EQUALITIES AND DIVERSITY**

20. There are no direct equality implications arising from this report, although any impact on groups with protected characteristics will be considered through development of the business case.

#### **Contact Officer:**

Michael Coughlin, Executive Director for Transformation, Partnerships and Prosperity

Contact: Michael.Coughlin@surreycc.gov.uk

#### **Consulted:**

Preliminary related discussions have been held with the following:

- Cabinet and Executive Directors
- Surrey MPs
- District and Borough Council Leaders and Chief Executives

#### **Annexes:**

Annex 1: Letter from the Leader of Surrey County Council to the Secretary of State for Housing, Communities and Local Government, Robert Jenrick MP

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The Rt Hon Robert Jenrick MP  
Secretary of State  
Ministry of Housing, Communities and Local Government  
[by email: [robert.jenrick@communities.gov.uk](mailto:robert.jenrick@communities.gov.uk) ]

Friday 10 July 2020

Dear Secretary of State,

Further to your Minister's announcement in his speech to the LGA Annual Conference on 3 July 2020, I am writing to set out our ambition for Surrey and our wish to engage with you on the reforms needed to ensure its achievement. I want Surrey to be a uniquely special place where everyone has a great start to life, people live healthy and fulfilling lives, are enabled to achieve their full potential and contribute to their community, and no one is left behind.

As a nation, we are facing new and growing challenges. The economic shock the country has experienced arising from Covid-19 and the recession we are facing will have profound and lasting effects. Local government faces a huge challenge to support communities and businesses at the same time as finding ever greater efficiencies.

Surrey County Council is ready to face this challenge. We have amply demonstrated our creativity and flexibility in leading the local response to Covid-19. We established a new community hospital, NHS Seacole Centre at Headley Court, in just 35 days. We are a good practice area for Local Outbreak Control Plans. We worked at pace with local partners to deliver extra refuge space for victims of domestic abuse, helping to meet urgent local need following the Covid-19 lockdown.

We have made excellent progress, delivering £188m efficiencies in the last two years alone, and turning around the performance of our children's services. This has been achieved by demonstrating strong leadership, innovative thinking and transformative action.

We could do so much more, better and at less cost, if we transform the current system of local government in Surrey (12 sovereign local authorities, in a two-tier structure). It is too fragmented and complicated. I believe that a single unitary council, underpinned with a flourishing new model of local accountability would be more effective, efficient and resilient in addressing the current challenges, better serving our residents and taxpayers. A new model would also maximise the potential of the county going forward.

Surrey's economy has been a significant contributor to the Exchequer, contributing £40.4b to the UK economy every year. This cannot be taken for granted in a post-crisis, post Covid-19 environment. I share the Government's priorities around economic recovery and prosperity, climate change, housing and homes, 'levelling up' and healthy and resilient communities and can see many opportunities to transform our approach in Surrey to deliver against these. Dealing with changes in the fundamentals of the economy, in terms of jobs and the labour market, commercial and residential property, retail, travel and transport (including aviation) and infrastructure, requires singular leadership and a more co-ordinated and local approach between planning, investment, housing, skills and education.

We can build more homes more quickly and develop the high streets and town centres of the future, but to do this we need to streamline decision making on planning and infrastructure with a single clear strategic approach. We can tackle inequality and level up within Surrey to ensure inclusive growth. We can reach net zero carbon emissions and deliver a greener future. Our One Surrey Growth Board is well-placed to provide the place-oriented leadership and strategic co-ordination to deliver this.

Surrey's relative overall wealth, however, masks pockets of deprivation in the county, with widening inequalities. As examples, West Surrey contributed £28.1b GVA (70%) to the Exchequer in 2017, while East Surrey contributed just £12.3b (30%) and linked to this, 70% of the jobs and 67% of businesses are in West Surrey. The inequality of life expectancy is even more marked, with women in two adjacent wards within Surrey varying by up to ten years.

We face growing demands as the population changes. The over 65s population will grow by 18% over the next decade, meaning more people will need care and support. Covid-19 will hit our vulnerable residents hardest, including those experiencing domestic abuse and mental health issues. Our Devolution deal and Surrey Heartlands Integrated Care System has enabled us to embark on ever closer working and integration to address these issues, but again, more can be done with the right structures in place that bring together health and social care with services that impact the wider determinants of health and wellbeing, such as housing and leisure.

This perfect storm of rising demand and falling income means a bleak financial outlook for local government in Surrey which will only worsen and severely affect our ability to deliver high quality services. Prior to Covid-19, Surrey's local authorities already needed to save at least £137m over the next four years, and the health economy is running a forecast £62m deficit. Moving to a county unitary authority will provide immediate savings of £36m per year and unlock the ability to transform our services further, enabling a further £100m savings per year, in return for a one-off cost of £52.7m.

I am therefore writing to ask you to invite me to submit a business case, as soon as possible, so I can set out our proposals for a single county unitary council for Surrey, as a continuing authority. I am committed to ensuring any new model of local government in Surrey is predicated on a strong locality-based model, with communities at its heart. The council is already transforming its relationship with communities, and will co-design a new local accountability model, including a new role for all our town and parish councils, as well as all the other groups with whom we work.

With devolved powers, this would enable a streamlined and more efficient model for transformative change and give us the tools for better outcomes for residents and a sustainable long-term recovery. If we are to genuinely 'level up' within Surrey, then a single unitary is the only viable model for local government reform.

I have discussed my ambitions with the Surrey MPs who agree that change is needed and can see the benefits of a unitary structure in Surrey. I will work with District and Borough Council colleagues as well as the business community, voluntary, community and faith sector, alongside our residents, to develop our plans as part of a more integrated set of public services across the county.

I look forward to starting the conversation with you on the future of Surrey.

Yours sincerely,



Tim Oliver  
**Leader of the Council**



**WAVERLEY BOROUGH COUNCIL**

**EXECUTIVE**

**28 JULY 2020**

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**Title:**

**Litter Enforcement at Frensham**

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**Portfolio Holder: Cllr. Nick Palmer Portfolio Holder for Operational and Enforcement Services**

**Head of Service: Richard Homewood, Head of Environmental & Regulatory Services**

**Key decision: No**

**Access: Public**

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**1. Purpose and summary**

- 1.1 Members are well aware of the issues at Frensham Pond caused by the volumes of people attending and the amount of litter being generated, and have clearly indicated a desire for increased enforcement to mitigate the impact of significantly increased visitor numbers.
- 1.2 Internal enforcement resources are insufficient to provide the level of enforcement required to adequately mitigate the impact on the local environment.
- 1.3 This report seeks authority to procure external enforcement resources to assist with litter and other enforcement activities at Frensham Pond and other locations during peak periods on a cost neutral basis.

**2. Recommendation**

That the Executive:

Authorises the Head of Environmental and Regulatory Services to procure additional enforcement resources on a cost neutral basis, from external providers during periods of peak demand as and when required in consultation with the Portfolio holder for Operational and Enforcement Services

**3. Reason for the recommendation**

- 3.1 To enable the council to provide an effective and speedy response to increased litter and environmental issues during peak periods.

## **4. Background**

- 4.1 The Executive gave approval at its meeting on 6 February 2018 for a one year trial of litter and dog fouling enforcement in partnership with East Hants District Council.
- 4.2 Members will also recall that previously East Hants District Council had been used to assist with litter and other enforcement at Frensham Pond. In July 2019 members received a report on the one year trial of litter enforcement and it was decided to terminate the contract and carry out the enforcement in house.
- 4.3 Our Environmental Enforcement Officers have been able to provide a limited level of litter and dog fouling enforcement across the borough alongside their contract monitoring and fly tipping enforcement. They have also provided some support for the Rangers at Frensham over weekends. This approach had worked reasonably well until the Covid-19 lockdown. Due to the increased level of fly tipping and other activity generated by Covid-19 this enforcement has not been at the level anticipated since then and they are not able to provide this enforcement support during the week or at weekends.
- 4.4 We therefore need to provide additional enforcement resources to support the Rangers at Frensham Pond throughout the week and at weekends. Officers have discussed the possibility of East Hants District Council providing this service at Frensham once again on a short term basis for the peak summer months. The service would be provided, as in the past, on the basis that the cost of the service is recovered by the income from Fixed Penalty Notices issued.

## **5. Relationship to the Corporate Strategy and Service Plan**

- 5.1 The Recommendations of this report will help support the Corporate Strategy's aims to 'provide high quality public services accessible to all' and 'a sense of responsibility for our environment and protecting our planet'.

## **6. Implications of decision**

### **6.1 Resource (Finance, procurement, staffing, IT)**

- 6.1.1 Income from Fixed Penalty Notices will cover the cost of enforcement and generate a small income.

### **6.2 Risk management**

- 6.2.1 Failure to provide adequate resources for litter and other enforcement at Frensham Pond will lead to harm to the natural environment through litter, dog fouling etc.
- 6.2.2 Income from FPNs might not cover the full cost of enforcement if fewer FPNs are issued but experience has shown that this risk is low.

### **6.3 Legal**

6.3.1 A formal contract will need to be entered into.

### **6.4 Equality, diversity and inclusion**

6.4.1 There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out when necessary across the council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

### **6.5 Climate emergency declaration**

6.5.1 Effective litter enforcement will promote behaviour change and promote awareness of the adverse effect litter has on the natural environment.

## **7. Consultation and engagement**

Consultation on the proposed policy, conditions and fees etc. has been undertaken with Licensing Managers at Councils across Surrey, Surrey County Council Highways, Surrey Police, Waverley Borough Council Planning Team and Waverley Borough Council Environmental Health.

## **8. Other options considered**

8.1 Use of internal enforcement officers was considered but was not possible due to existing workloads and pressures created by the Covid-19 crisis.

## **9. Governance journey**

9.1 As the proposal involves entering into a contract the matter must be considered by the Executive for approval.

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### **CONTACT OFFICER:**

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Agreed and signed off by:  
Legal Services: date 8 July 2020  
Head of Finance: date  
Strategic Director: 17 July 2020  
Portfolio Holder: June 2020

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**WAVERLEY BOROUGH COUNCIL**

**EXECUTIVE**

**28 JULY 2020**

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**Title:**

**Pavement Licensing**

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**Portfolio Holder: Cllr. Nick Palmer Portfolio Holder for Operational and Enforcement Services**

**Head of Service: Richard Homewood, Head of Environmental & Regulatory Services**

**Key decision: Yes**

**Access: Public**

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**1. Purpose and summary**

- 1.1 The Government is rushing through Parliament a new streamlined process to apply for a "Pavement Licence". This temporary authorisation will short-circuit the usual suite of consents required under the Highways Act and planning law. The purpose of the new licence is to help the struggling hospitality sector in a time of social distancing.
- 1.2 It is proposed that this new procedure will be administered by district and borough councils in non-unitary Councils and Waverley will therefore need to adopt a policy, set the fee and delegate to officers the authority to issue, amend and or refuse licences, and deal with enforcement.
- 1.3 This report therefore proposes a policy for Waverley Borough Council attached at Annexe A, a fee level and seeks delegation to officers for the issue, amendment and or refusal of licenses, as well as enforcement of the new arrangements.
- 1.4 This report also advises on changes to the licensing laws which will allow premises with a premises licence for on-sales of alcohol to sell off-sales without the need to apply for a formal variation to their licence in the usual way.

**2. Recommendation**

- 2.1 That the Executive:
  1. Adopts the policy set out in Annexe A.
  2. Sets the fee for a pavement licence at £100.
  3. Delegates authority to the Head of Environmental and Regulatory Services to issue pavement licences and/or authority to refuse or amend pavement licences in consultation with the Portfolio holder for Operational and

Enforcement Services.

4. Delegates authority to Head of Environmental and Regulatory Services in relation to enforcement powers under the new proposed legislation (the Business and Planning Act 2020 once enacted).
5. Delegates authority to the Head of Environmental and Regulatory Services to make minor or consequential amendments to the Policy and Licence conditions following the Business and Planning Bill becoming law, and in the event of any amendments/updating statutory instruments and or government guidance in consultation with the Portfolio Holder for Operational and Enforcement Services.

### **3. Reason for the recommendation**

- 3.1 To have a clear policy and standard conditions for pavement licensing and enable the efficient and timely administration of the licensing and enforcement procedures for pavement licensing to support the revitalisation of the hospitality industry.

### **4. Background**

- 4.1 On 25 June 2020, the Government published the Business and Planning Bill which intends to make two significant licensing changes to help businesses recover from the disruption caused by Covid-19 and to support them in implementing safer ways of working, in particular the need for social distancing. The Bill as drafted makes it easier for cafés, bars, restaurants and public houses in England and Wales to seat and serve customers outdoors through temporary changes to licensing law and outdoor seating/furniture. It introduces;
  - a new (temporary) "**pavement licence**" to be issued by district, borough and London borough councils authorising the use of the public highway by pubs, cafes, bars and restaurants; and
  - any premises holding a licence authorising on-sales of alcohol is deemed to also authorise **off-sales**.
- 4.2 The Bill completed all three stages in the House of Commons on 29 June 2020 and is expected to be made law very shortly.,The second reading (the general debate on all aspects of the Bill) – took place on 6 July 2020 with minor proposed amendments and the Committee stage (House of Lords) Is programmed for 13 July.
- 4.3 At the time of preparation of this report, it is understood that the report stage and third reading in the House of Lords will take place on 20 July. It is thought that the House of Lords will send the Bill back on 20 July in the hope that the House of Commons will approve this before summer recesss (on 22 July). Once a bill has completed all the parliamentary stages in both Houses, it is ready to receive Royal Assent – when the Queen will agree to make the bill into an Act of Parliament (law) – a formality.
- 4.4 Details for all stages of the passage of the Bill some of which will occur following

preparation and publishing of this report can be found at

<https://services.parliament.uk/Bills/2019-21/businessandplanning/stages.html>

It is proposed at this stage that subject to the bill proceeding as set out above, a short update can be provided to the Executive. It is hoped that the recommendation that any minor and consequential amendments be made to the policy and procedure – as set out above will be acceptable - to ensure a timely offering and implementation of the anticipated arrangements.

### **Pavement Licences**

- 4.6 On 20 March 2020, the Prime Minister announced that cafés, pubs, bars and restaurants should close. Emma McClarkin, Chief Executive of the British Beer and Pub Association (BBPA), said that the pandemic “has been devastating for the pub sector”. In a Commons statement on 23 June 2020, the Prime Minister announced that pubs and restaurants could re-open from 4 July 2020. Guidance for business re-opening is available on Gov.UK.
- 4.7 The Bill includes temporary measures to support businesses selling food and drink through economic recovery as lockdown restrictions are lifted but social distancing guidelines remain in place.
- 4.8 Once cafés, pubs and restaurants are permitted to open, current social distancing guidelines will have considerable impact on the capacity to accommodate customers.
- 4.9 The measures set out within the Bill are designed to support businesses selling food and drink such as cafés, public houses and restaurants by introducing a temporary fast-track process for these businesses to obtain permission, in the form of a “pavement licence”, from the local council for the placement of furniture such as tables and chairs on the pavement outside their premises.
- 4.10 This will enable them to maximise their capacity whilst adhering to social distancing guidelines. The current process for businesses to obtain these permissions (under the Highways Act and operated by Surrey County Council) can be costly and time-consuming, with a longer consultation period of 28 days.
- 4.11 The Bill as drafted includes temporary measures to place a cap on the application fee for businesses, enforcement and revocation powers so councils can protect public safety and amenity, and introduces a new 14-day determination period, ensuring that businesses can obtain licences in a timely and cost effective manner aiding to their financial recovery. In addition, allowing representations to be made by consultees and the public on the basis of matters such as nuisance and amenity.
- 4.12 Licensing Officers across Surrey have been liaising with Surrey County Council and have developed a draft policy and licence conditions for use by all district and borough councils to ensure consistency of approach. This draft policy is attached at Annexe A and is recommended for adoption by the Executive.
- 4.13 The Bill caps the licence fee at a maximum of £100 to minimise the effect on

businesses whilst recovering some of the cost of setting up and administering the new licences, including an element of enforcement along with other agencies. Most local authorities are setting the fee at £100 and the Executive is recommended to do so for Waverley.

- 4.14 The Bill also introduces reduced timescales for processing and approving applications and delegation of the authority to issue licences to officers is essential otherwise applications will be deemed to be approved if the deadlines are not met. Where it is likely that a licence should be refused it is recommended that this is delegated to officers in consultation with the relevant portfolio holder.

### **Off-sales**

- 4.15 The measures included in the Bill modify provisions in the Licensing Act 2003 to provide automatic extensions to the terms of on-sales alcohol licences to allow for off-sales. It is designed to be a temporary measure to “boost the economy”, with provisions lasting until the end of September 2021, with ‘a sunset clause’.
- 4.16 The measures will make it possible for licensed premises that have only an on-sales licence to sell alcohol for consumption off the premises. This will allow businesses to trade whilst keeping social distancing measures in place.
- 4.17 The provisions in relation to those licensed premises at paragraph 4.12 above remove the need for any application for a variation to the licence to be made, therefore no fee will need to be paid. This is designed to deliver savings to businesses, as well as providing them with certainty about how they are able to trade. It will also reduce the burden on local authorities and the police, who will not need to scrutinize any applications for licence variations from those premises affected by these measures.
- 4.18 Licensees who have had an application for an off-sales permission refused or had their off-sales permission excluded by variation or at review within the last three years, will be excluded from this licence extension. This is a safeguard to ensure that where it has recently been decided that the licensee should not have the permission, they do not receive it through this legislation.
- 4.19 The default hours in which off-sales will be permitted will be the same as those in which on-sales are permitted. Any licensee who wishes to open for longer hours could apply for a licence variation.
- 4.20 The provisions will also apply temporary conditions to licences where there is a pre-existing permission for off-sales.
- 4.21 The conditions will set the hours of off-sales to match those for on-sales, allow off-sales of alcohol in open containers and allow deliveries of alcohol to residential or work buildings. Those conditions will suspend existing conditions that are more restrictive. So, for example, an existing condition that allowed off-sales only in closed containers would be suspended to allow sales in open containers.
- 4.22 If there were problems of crime and disorder, public nuisance, public safety or the protection of children arising from how the premises operated using the new permission, any responsible authority, including the police or environmental health,



could apply for a new off-sales review. The off-sales review process is modelled on the existing summary review process. In the event that an off-sales review is triggered, it will only relate to off-sales authorised by virtue of these provisions, or conditions which have effect by virtue of these provisions: it cannot be used to revoke the existing licence or modify pre-existing licence conditions.

## **5. Relationship to the Corporate Strategy and Service Plan**

5.1 The Recommendations of this report will help support the Strategies aims to support a thriving local economy, supporting local businesses and employment whilst striking a balance with the aim of having a sense of responsibility for our environment .

## **6. Implications of decision**

### **6.1 Resource (Finance, procurement, staffing, IT)**

6.1.1 Income from licence fees will assist in covering the costs of setting up and administering the new licensing regime.

### **6.2 Risk management**

6.2.1 Failure to process and determine applications in a timely manner would lead to a number of deemed approvals with less control over their impact on the environment or the community.

### **6.3 Legal**

6.3.1 Legal commentary is provided throughout the body of the report.

### **6.4 Equality, diversity and inclusion**

6.4.1 A public sector equality duty assessment has been undertaken by the Government in relation to the proposed legislation, and is adopted by the Council in relation to the inspection of document, pavement licensing and alcohol licensing provisions to which this report refers

The document can be found here

<https://publications.parliament.uk/pa/bills/cbill/58-01/0148/PSED%20and%20Family%20Test%20-%20Business%20and%20Planning%20Bill.pdf>

### **6.5 Climate emergency declaration**

6.5.1 The proposed policy and licence conditions take into consideration the need to reduce carbon emissions and the aspirations of the Climate Change and Sustainability Strategy.

## **7. Consultation and engagement**

Consultation on the proposed policy, conditions and fees etc. with Licensing Managers at Councils across Surrey, SCC Highways, Surrey Police, WBC Planning Team, WBC Environmental Health. The proposed application procedure also requires a period of consultation.

## **8. Other options considered**

- 8.1 The council is to be required to implement and administer the proposed new pavement licensing scheme.

## **9. Governance journey**

- 9.1 Report for Executive Briefing  
Report to Executive for approval of policy, fee and delegations to officers.

### **Annexes:**

Annexe A – draft pavement licensing policy and conditions

### **References**

The [Business and Planning Bill](#)

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Agreed and signed off by:

Legal Services: date 09 July2020 GCJ

Head of Finance: date

Strategic Director: date

Portfolio Holder: date

**Draft Pavement Licensing Policy**

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# Draft Pavement Licensing Policy



Effective: (date)  
Version 4 – Policy Draft  
July 2020

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## 1. Introduction

The Covid-19 pandemic has affected businesses across the economy causing many to cease trading for several months while others have had to significantly modify their operations.

As the economy starts to re-open, on 25 June 2020 the Government announced a further and urgent relaxation to planning and licensing laws to help the hospitality industry recover from the coronavirus lockdown by removing short term obstacles that could get in their way.

The Business and Planning Act 2020 makes it easier for premises serving food and drink such as cafes, bars, restaurants and pubs, as lockdown restrictions are lifted but social distancing guidelines remain in place, to seat and serve customers outdoors through temporary changes to planning procedures and alcohol licensing.

The measures included in clauses 1 – 10 of the Act modify provisions in the Licensing Act 2003 to provide automatic extensions to the terms of on-sales alcohol licences to allow for off-sales. It will be a temporary measure to boost the economy, with provisions lasting until the end of September 2021.

The Act also introduces a temporary fast-track process for these businesses to obtain permission, in the form of a “pavement licence”, from Waverley Borough Council for the placement of removable furniture such as tables and chairs on the pavement outside their premises. It will enable them to maximise their capacity and offer an al fresco service to customers whilst adhering to social distancing guidelines.

The Government has published the ‘COVID-19 Secure : safer public places guidance’ which provides owners and operators of public spaces with information and examples of measures that may be undertaken to adapt and manage public spaces in order to help social distancing, and which is available at <https://www.gov.uk/guidance/safer-public-places-urban-centres-and-green-spaces-covid-19> and may be updated from time to time

Currently, tables and chairs permissions are granted by Surrey County Council, the Highways Authority, under Part 7A (section 115E) of the Highways Act 1980. The fee varies between local authorities and there is a time consuming 28 day consultation period.

The new temporary pavement licence measure places a cap on the application fee for businesses, and introduces a new 14-day determination period, involving a period of consultation to ensure protection of public safety and amenity and allow businesses to apply for pavement licences in a timely and cost effective manner aiding to their financial recovery.

## 2. Scope

### 2.1 Definition of pavement licence

A pavement licence is a licence granted by the local authority, or deemed to have been granted, which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes.

### 2.2 Eligible Businesses

A business which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises) can apply for a licence. Businesses that are eligible include: public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlours.

A licence permits the business to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.

### 2.3 Eligible Locations

Licences can only be granted in respect of highways listed in section 115A(1) Highways Act 1980.

Generally, these are footpaths restricted to pedestrians or are roads and places to which vehicle access is restricted or prohibited. Highways maintained by Network Rail or over the Crown land are exempt (so a licence cannot be granted).

### 2.3 Type of furniture permitted

The furniture which may be used is:

- counters or stalls for selling or serving food or drink;
- tables, counters or shelves on which food or drink can be placed;
- chairs, benches or other forms of seating; and
- umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.

This furniture is required to be removable, which in principle this means it is not a permanent fixed structure, and is able to be moved easily, and stored away of an evening.

The Council would also expect the type of furniture to be 'in keeping' with the local area.

### 2.4 Planning Permission

Once a licence is granted, or deemed to be granted, the applicant will also benefit from deemed planning permission to use the land for anything done pursuant to the licence while the licence is valid.

## 3. Application and Determination of Pavement Licences

### 3.1 Submission of the Application

An application for a Pavement Licence must be made to the Council, and the following will be required to be submitted electronically with the application:

- a completed Application Form
- the required fee of £100, paid on-line by credit or debit card
- a site plan showing the location of the premises shown by a red line, so the application site can be clearly identified.
- a detailed plan clearly showing the proposed area covered by the licence in relation to the highway, if not to scale, with measurements clearly shown. The plan must show the positions and number of the proposed tables and chairs, together with any other items that the applicant wishes to place on the highway. The plan shall include clear



measurements of, for example, pathway width/length, building width and any other fixed item in the proposed area.

- a risk assessment demonstrating how the applicant will manage social distancing and the conflict between pedestrians using the footway, those using the tables and those queuing to access the premises,
- the proposed days of the week on which, and the times of day between which, it is proposed to put furniture on the highway,
- the proposed duration of the licence (for e.g. 3 months, 6 months, or a year);
- evidence of the right to occupy the premises (e.g. the lease);
- photos or brochures showing the proposed type of furniture and information on potential siting of it within the area applied;
- (if applicable) reference of existing pavement licence currently under consideration by the local authority;
- evidence that the applicant has met the requirement to give notice of the application (for example photographs of the notice outside the premises and of the notice itself);
- a copy of a current certificate of insurance that covers the activity for third party and public liability risks, to a minimum value of £10 million, and
- any other evidence needed to demonstrate how the Council's local conditions, and any national conditions will be satisfied.

### 3.2 Fees

The fee for applying for a licence under the new process are set locally, but are capped at £100. The Council has determined that the fee for applications will be £100.

Application fees must accompany the application in order for the application to be considered valid and for the consultation period to commence.

The fee is an 'application' fee for the processing of the application. The fee will not be refunded if the application is withdrawn, refused or if a licence is surrendered or revoked before expiration.

### 3.3 Consultation

Applications are consulted upon for 7 days, starting with the day on which a valid application was made to the Council.

The Council will publish details of the application on its website at [www.waverley.gov.uk/pavementlicence](http://www.waverley.gov.uk/pavementlicence)

The Council is required by law to consult with the Highways Authority. In addition, to ensure that there are not detrimental effects to the application the Council will consult with:

- Waverley Borough Council Economic Development
- Waverley Borough Council Environmental Health Service (both Food, Health and Safety and Environmental Protection Teams)
- Waverley Council Estate Management
- Waverley Borough Council Planning
- Waverley Borough Councillors
- Parish and Town Councils
- Chambers of Commerce

- Surrey Fire & Rescue Service
- Surrey Police

Members of the public and others listed above can contact the Council to make representations in writing and preferably by email.

The Council must take into account representations received during the public consultation period and consider these when determining the application.

### 3.4 Site Notice

An applicant for a pavement licence must on the day the application is made, fix a notice of the application to the premises so that the notice is readily visible to, and can be read easily by, members of the public who are not on the premises. The notice must be constructed and secured so that it remains in place until the end of the public consultation period. Evidence of the site notice requirement must be supplied to the Council.

The Site Notice must:

- state that the application has been made and the date on which it was made;
- state the statutory provisions under which the application is made;
- state the address of the premises and name of the business;
- describe the proposed use of the furniture;
- indicate that representations relating to the application may be made to the Council during the public consultation period and when that period comes to an end;
- state the Council's website where the application and any accompanying material can be viewed during the consultation period;
- state the address to which representations should be sent during the consultation period; and
- the end date of the consultation (7 days starting the day after the application is submitted to the authority).

A template Site Notice is shown as Appendix 1.

### 3.5 Site Assessment

The following matters will be used by the Council and consultees in considering the suitability of the proposed application:

- public health and safety – for example, ensuring that uses conform with latest guidance on social distancing and any reasonable crowd management measures needed as a result of a licence being granted and businesses reopening;
- public amenity – will the proposed use create nuisance to neighbouring occupiers by generating anti-social behaviour and litter; and
- accessibility – taking a proportionate approach to considering the nature of the site in relation to which the application for a licence is made, its surroundings and its users, taking account of:
  - any other temporary measures in place that may be relevant to the proposal, for example, the reallocation of road space. This could include pedestrianised streets and any subsequent reallocation of this space to vehicles;
  - whether there are other permanent street furniture or structures in place on the footway that already reduce access;
  - the impact on any neighbouring premises

- the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of [Inclusive Mobility](#), and
- other users of the space, for example if there are high levels of pedestrian or cycle movements.

Applicants are strongly encouraged to talk to neighbouring businesses and occupiers prior to applying to the local authority, and so take any issues around noise, and nuisance into consideration as part of the proposal.

### 3.6 Determination

Once the application is submitted the Council has 14 days from the day after the application is made (excluding public holidays) to consult on, and determine the application. This consists of 7 days for public consultation, and then 7 days to consider and determine the application after the consultation period has ended.

If the local authority determines the application before the end of the determination period the local authority can:

- grant the licence in respect of any or all of the purposes specified in the application,
- grant the licence for some or all of the part of the highway specified in the application, and impose conditions, or
- refuse the application.

If the local authority does not determine the application within the 14 day period, the application will be deemed to have been granted for a period of one year subject to any published local or national conditions.

### 3.7 Approval of Applications

The Council may approve applications meeting the criteria contained within these guidelines.

On approving the application, the Council will issue a Pavement Licence to which conditions will be attached. The licence will also contain specific terms such as days and hours when tables and chairs are permitted and appearance and location of the furniture corresponding to the application.

A copy of the Council's standard conditions, which will be attached to all Pavement Licences are shown at Appendix 2. Additional conditions may be attached if the Council considers it appropriate in the circumstances of any particular case.

The Council generally will only permit Pavement Licences to operate between the hours of 09:00 and 22:00.

Applications outside these hours will be assessed in terms of the criteria detailed above. The Council however retains the right to specify permitted hours of trading that are less than those specified above in appropriate circumstances.

### 3.8 Licence Duration

If the Council determines an application before the end of the determination period (which is 7 days, beginning with the first day after the public consultation period of 7 days, excluding public holidays) it can specify the duration of the licence, subject to a minimum duration of 3 months.

The expectation from the Government is that local authorities will grant licences for 12 months or more unless there are good reasons for granting a licence for a shorter period such as plans for future changes in use of road space. As such, the Council will normally grant applications with no limit on duration which will automatically expire under the Act on 30 September 2021.

If a licence is 'deemed' granted because the authority does not make a decision on an application before the end of the determination period, then the licence will be valid for a year.

A licence granted or deemed to be granted will not be valid beyond 30 September 2021.

### 3.9 Refusal of Applications

If the site is deemed unsuitable for a Pavement Licence, or if relevant representations are made which cannot be mitigated by conditions then the application may be refused.

There is no statutory appeal process against decision to refuse an application.

## 4. Conditions

The Council's standard conditions are set out at Appendix 2. In some cases, extra measures may be required. This will be determined when assessing any application, on a case by case basis.

Where a local authority sets a local condition that covers the same matter as set out in national published conditions, then the locally set condition takes precedence over the national condition where there is reasonable justification to do so.

The national no-obstruction condition applies to all Licences. The National conditions or standard conditions which are deemed attached to all Licences granted under the new regime are shown in Appendix 3.

## 5. Enforcement

The Council aims to work closely with other enforcement authorities to enforce the provisions of all appropriate legislation. The case remains that an obstruction of the Highway is an offence under section 149 of the Highways Act 1980 and will be dealt with by the Highways Authority or the Police and which can also be enforced by the local authority, under clause 7(6) of the new Act.

Obtaining a Licence does not confer the holder immunity in regard to other legislation that may apply, e.g. Public Liability, Health & Safety at Work, Food Hygiene and Safety, Alcohol and Entertainment Licensing, Social distancing controls, and applicants must ensure all such permissions, etc. are in place prior to operating.

If a condition imposed on a Pavement Licence either by the Council (local condition) or via a National Condition is breached the Council will be able to issue a notice requiring the breach to be remedied. If the notice is not complied with, the Council may revoke the licence or take the required steps itself and recover the costs of doing so.

The authority may revoke a Pavement Licence in the following circumstances:

1. For breach of condition, (whether or not a remediation notice has been issued) or,
2. Where:
  - There are risks to public health or safety – for example by encouraging users to breach government guidance on social distancing by placing tables and chairs too close together;
  - the highway is being obstructed (other than by anything permitted by the licence);
  - anti-social behaviour or public nuisance is being caused or risks being caused – for example, the use is increasing the amount of noise generated and litter is not being cleaned up;
  - it comes to light that the applicant provided false or misleading statements in their application – for example they are operating a stall selling hot food and had only applied for tables and chairs on which drinks could be consumed; or,
  - the applicant did not comply with the requirement to affix the notice to notify the public for the relevant period.
3. The Council may also revoke the licence where all or any part of the area of the relevant highway to which the licence relates has become unsuitable for any purpose for which the licence was granted or deemed to be granted. For example, the licensed area (or road adjacent) is no longer to be pedestrianised. The Council will give reasons where these powers are used.

## **6. Review Procedures**

This Policy covers the Temporary Permission for Pavement Licences under the Business and Planning Act 2020 which are scheduled to expire on 30 September 2021.

This Policy will be reviewed from time to time should changes occur in relevant legislation, the nature of Pavement Licences generally, relevant social distancing measures or as a result of local considerations within the Waverley Borough Council area.

Site Notice Template for display by an applicant for a Pavement Licence.

**[Section 2(5)] of the Business and Planning Act 2020.  
NOTICE OF APPLICATION FOR A PAVEMENT LICENCE**

I/We *(name of applicant)*,

do hereby give notice that on *(date of application)* [I/we] have applied to Waverley Borough Council for a 'Pavement Licence' at:

*(postal address of premises)*

known as

*(name premises known by)*

The application is for:

*(brief description of application (e.g outdoor seating to the front of the premises for serving of food and drink))*

Any person wishing to make representations to this application may do so by writing, preferably by email, to:

[Pavementlicence@waverley.gov.uk](mailto:Pavementlicence@waverley.gov.uk)

or

Licensing Team  
Environmental and Regulatory Services  
Waverley Borough Council  
The Burys  
Godalming  
GU7 1HR

by: *(specify the last date for representations being the date 7 days after the date the application is submitted to the local authority (excluding public holidays))*

The application and information submitted with it can be viewed on the Council's website at: [www.waverley.gov.uk/pavementlicence](http://www.waverley.gov.uk/pavementlicence)

Signed .....

Dated *(date the notice was placed which must be the same date as the date of application)*

## Waverley Borough Council local standard pavement licence conditions

1. Permission to operate a Pavement Licence area does not imply an exclusive right to the area of public highway. The licence holder must be aware that Waverley Borough Council and others (e.g. Surrey Police, Highways Authority, statutory undertakers) will need access at various times (including emergencies) for maintenance, installation, special events, improvements etc or any other reasonable cause. This may mean that the pavement licence area will need to cease operating and/or be removed for a period of time. On these occasions there would be no compensation for loss of business.
2. The licence holder must hold Public Liability Insurance for the operation of the Pavement Licence. This must indemnify Waverley Borough Council and Surrey County Council against all claims for injury, damage or loss to users of the public highway, arising from the use of the highway for the permitted purpose. The minimum level of indemnity must be £10 million in respect of any one incident. Evidence of the insurance must be provided to Waverley Borough Council on request.
3. Tables and chairs etc. must not be placed in position outside of permitted times. When the licence is not in use, all tables and chairs and other furniture must be stored securely inside a premises away from the highway.
4. Waverley Borough Council and/or Surrey County Council are empowered to remove and store or dispose of furniture from the highway, at the cost of the licensee, if left there outside the permitted hours, or should any conditions of the licence be ignored. The Council will not be responsible for safekeeping.
5. An unimpeded pedestrian route must be maintained at all times for people wishing to use the footway as per the National Licence Conditions.
6. The method of marking the boundary of the licensed area must be agreed between the licence holder and the Licensing Department. Whatever method is agreed a 2 metre clear walkway must be maintained for the use of pedestrians.
7. Emergency routes to the premises and adjacent buildings must not be obstructed by the Pavement Licence area, which should not, in normal circumstances, extend beyond the width of the premises frontage.
8. Tables and chairs and other items permitted should be kept in a good state of repair. Furniture should be placed so as not to obstruct driver sightlines, or road traffic signs. Placement of tables and chairs must allow pedestrians to use the footway parallel to the frontage of the premises. Care should be taken in the use of hanging baskets, awnings, protruding umbrellas etc. Alternative items may not be used without first seeking the written authority of the Council. Patio heaters must not be used.
9. All potential obstructions must be removed from the public highway when the premises are closed to prevent a safety hazard to pedestrians, particularly during the hours of darkness.
10. The licensee should ensure that the area operates in a safe and orderly manner, thereby ensuring that any safety risk or nuisance to customers, other users of the public highway or any adjacent land or premises, is minimised.

11. The operation of the area must not interfere with highway drainage arrangements.
12. During the hours of darkness suitable and sufficient lighting must be provided to ensure safe use of the area. Any proposals to provide additional lighting to the licensed areas must be agreed with the Highway Authority in writing.
13. No later than 1<sup>st</sup> September 2020, with the exception of pre-packaged confectionary, all food and drink containers and packaging shall be re-useable, recyclable or compostable
14. All detritus (food and drink remnants, spillages, bottles, cans, wrappers etc) be regularly removed from the footway surface to reduce hazards to pedestrians. The licence holder must make arrangements to regularly check for and to remove litter and rubbish on pedestrian walkways, caused by persons using the Facility, for a distance of up to 10 metres from the boundary of the Pavement Licence area. The licence holder must ensure that any tables are cleared in an efficient manner during the hours of operation. The licence holder must ensure the licensed area and surrounding highway is to be washed down at the completion of each day's usage using a method sufficient to remove food debris, grease and other spillages that may occur.
15. The licence holder is not permitted to make any fixtures, or excavations of any kind, to the surface of the highway without prior written approval.
16. The Licensee of a premises not licensed under the Licensing Act 2003 or any modification or re-enactment thereof, must not allow the consumption of alcoholic liquor within licensed area.
17. The Licensee of a premises licensed under the Licensing Act 2003 or any modification or re-enactment thereof, must not allow the consumption of alcoholic liquor within the Facility outside the hours in force for the premises itself.
18. The licence must be displayed on the premises with a plan of the agreed layout of the pavement licence area.
19. The licence holder must remove any tables, chairs and other furniture immediately at the end of the licence period or on revocation of the licence.

#### **NOTES:**

These conditions should be read in conjunction with any mandatory national conditions concerning pavement licences, if the premises is licenced under the Licensing Act 2003, any relevant conditions attached to the premises licence, the latest government requirements concerning coronavirus and social distancing and any other relevant requirement of the Business and Planning Act 2020.

The licence holder is responsible for ensuring that the conditions of the licence and any other necessary permissions and regulations are adhered to. The Licence holder is to use the highway solely for the purpose of the licence in line with the provisions of this licence and for no other purpose whatsoever.

Waverley Borough Council reserves the right to revoke this licence at any time if any of the above conditions are not complied with.



## National Conditions

The Secretary of State publishes this condition in exercise of his powers under [clause 5(6)] of the Business and Planning Act 2020 and may publish conditions for pavement licences in addition to the statutory 'no obstruction condition' referred to below. All and any national conditions must be complied with throughout the duration of the pavement licence period:

Condition relating to clear routes of access:

It is a condition that clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of [Inclusive Mobility](#).

Guidance on the effect of this condition:

1. To the extent that conditions imposed or deemed to be imposed on a pavement licence do not require the licence holder to require clear routes of access to be maintained, taking into account the needs of disabled people and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of [Inclusive Mobility](#), the licence is granted subject to those requirements.
2. To the extent that a licence is granted subject to a condition which imposes requirements to maintain clear routes of access that are inconsistent with the requirements set out in this condition this condition is not imposed on the licence.

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## WAVERLEY BOROUGH COUNCIL

### EXECUTIVE

28 JULY 2020

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**Title:**

**Prpoerty Matter- The Burys Development Project**  
**Project Initiation Document (PID)**

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**Portfolio Holder:** Cllr Mark Merryweather, Portfolio Holder for Finance

**Head of Service:** Peter Vickers, Head of Finance

**Key decision:** No

**Access:** Public

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**1. Purpose and summary**

To seek approval of the Project Initial Document (PID) for The Burys Development Project to enable the Options Appraisal report agreed at Executive on 7 January 2020 to be commissioned.

**2. Recommendation**

It is recommended that the Executive approves the PID for the Burys Development Project.

**3. Reason for the recommendation**

- 3.1. A project for the Burys site was first considered in 2018 when external agents were commissioned to undertake a Strategy and Options Evaluation of office accommodation for the Council. The report concluded that a development on the site was financially viable and a significant return could be generated as well as making major improvements to the customer experience.
- 3.2. The Burys site is a Council owned asset and, as such, the development of the site has been put under the remit of the Property Investment Advisory Board to ensure best use of Council assets. The PID has, therefore, been developed with reference to the Property Investment Strategy adopted by Council in February 2020 reflecting the need to maximise value for money and generate revenue income from Council owned assets.
- 3.3. A report to the Executive on the 7 January 2020 requested approval of up to £40,000 from the Property Investment Reserve for the completion of an options appraisal to assess the investment opportunities of the Waverley owned key sites in Godalming. To progress this options appraisal it is appropriate that a development PID be put to the Executive for approval prior to commissioning the work.

## **4. Relationship to the Corporate Strategy and Service Plan**

4.1 This project supports many of the Council's aspirations in the Corporate Strategy through:

- promoting a financially sound Waverley, with infrastructure and services fit for the future. A development scheme will support the Medium Term Financial Plan through efficiency savings and income generation.
- making a positive contribution to Godalming by enhancing the key sites as a place for work, leisure and to live
- being sympathetic to the surrounding area, the conservation area and nearby listed buildings supporting the surrounding environment
- delivering housing including social housing
- the potential to deliver a mixed development scheme including leisure facilities

## **5. Implications of decision**

### **5.1 Resource (Finance, procurement, staffing, IT)**

Funding for the further options appraisal has already been agreed by Executive at its meeting on 7 January 2020. This will be met from the Property Investment Reserve.

This will be commissioned in accordance with the Council's Contract Procedure Rules. Staff resource will be spent on drafting tender documents and assessing the returns.

### **5.2 Risk management**

Risk will be assessed in line with the Council's Risk Management Framework and Risk Appetite Statement and in accordance with the Property Investment Strategy's requirements with regard to risk. This includes ensuring comprehensive due diligence is undertaken in all projects and the use of external agents to give expert and independent opinion. The commissioning of a further report is part of the due diligence.

A significant project will result from the option appraisal report. A detailed risk register will be developed as part of phase 2 of the project.

### **5.3 Legal**

Legal advice support will be required throughout the project, as part of the project team, including in respect of the current legal title position of the site and any proposals for its development. However, there are no legal implications arising directly from this report and the PID.

### **5.4 Equality, diversity and inclusion**

There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out when necessary across the council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

## **5.5 Climate emergency declaration**

The project will seek to achieve a development that supports the Climate Change Emergency declared in 2019 as stated in the Project Definition in the PID.

This project is being undertaken under the remit of the Property Investment Advisory Board with reference to the Property Investment Strategy which has a commitment to honouring the Council's Climate Change Emergency.

## **6. Consultation and engagement**

- 6.1 This development project will interface with the office accommodation project under Business Transformation to ensure it incorporates office accommodation requirements identified under that project and maintains an office presence in Godalming.

## **7. Other options considered**

- 7.1 If no action is taken to achieve the outcomes of this project:
- The potential of the key sites is not being fulfilled
  - The council offices will incur increasing costs of maintenance
  - The need for flexible working arrangements will not be achieved
  - Efficiency savings and income generation will not be achieved to support the Medium Term Financial Plan

## **8. Governance journey**

- 8.1 The PID for the Burys development project is brought to the Executive following the recommendation of the Property Investment Advisory Board at its meeting of the 1 July 2020.

### **Annexes:**

Annexe 1 – Project initiation document for the Burys Development Project

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### **Background Papers**

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

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### **CONTACT OFFICER:**

Name: Vicki Basley  
Position: Corporate Asset Manager  
Telephone: 0148 3523250  
Email: victoria.basley@waverley.gov.uk

Agreed and signed off by:  
Legal Services: 15/7/20  
Head of Finance: 07/7/20  
Strategic Director: date  
Portfolio Holder: 01/07/20

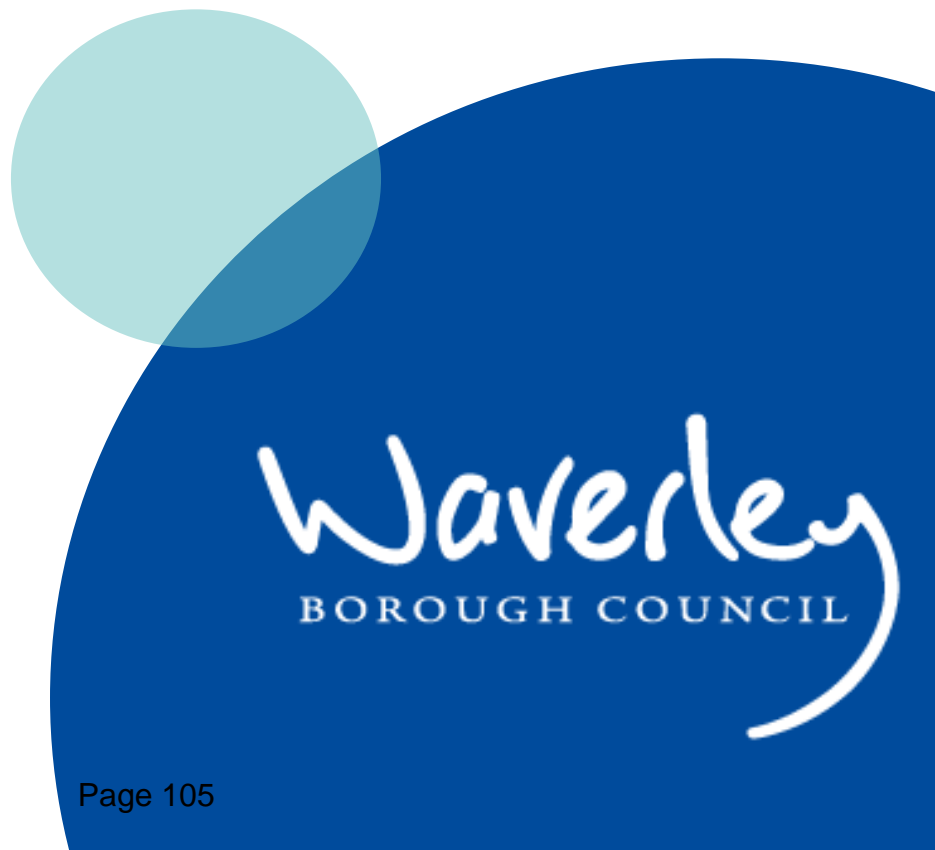
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# **Project Initiation Document**

**(Corporate & Service Projects)**

**Project Title: The Burys Project - Development**

**Date: July 2020**



## Document History

Revision	Date	Originator	Comments	Approved
1.0	July 2020	Vicki Basley and Caroline Wallis	First draft of development project PID following request from Exec Briefing to split project into two	

## About This Document

Project Name: The Burys Project

Project Ref. No: N/A

Project Sponsor: Peter Vickers – Head of Finance and Property

Project Manager: [Vicki Basley]

Project Board: Property Investment Advisory Board

Project Team:

- \*Annie Righton
- \*David Allum
- Debbie Smith
- Vicky Basley
- Beth Howland-Smith
- Caroline Wallis
- Finance lead required
- Legal lead required
- Comms lead required
- HR lead required
- \*Wendy Cooper

\* For Business Transformation (Council Offices element)

Approval Date:

Approval Status:

Start Date: October 2019

Finish Date: tbc

Project Type / Reporting Structure:

Project Priorities:

Priority	C/Q/T	Why?
1	C	Opportunity to maximise value for money from Council owned assets, generate revenue income and obtain savings thus supporting the Corporate Strategy and protecting services.
2	Q	Quality of design and build are considered key to enhance the surrounding area and bring economic development to the town.
3	T	Project is a long term venture with significant cost and stakeholder, tenant and user implications. It is important to manage the timescales but time is not the driving force for the project.



## Project Definition

This project is being undertaken under the Property Investment Strategy which considers property investment through development of Council owned assets to achieve maximisation of the financial benefit to support corporate objectives.

The project is seeking to achieve:

- A residential rental property development scheme on the three key council owned sites in Godalming that makes a positive contribution to the town as a place for work, leisure and to live. The three sites comprise:
  1. The Burys
  2. The Wharf Car Park
  3. Crown Court Car Park (with consideration for increasing parking provision)
- Retention of the Council's office presence in Godalming as part of the development scheme that supports the Office Accommodation Strategy under Business Transformation to offer a positive working environment.
- A scheme that provides mutually agreeable replacement or alternative accommodation for the Council's other existing tenants.
- Neutral impact on car parking and other community amenities in the immediate area.
- A positive contribution to the Medium Term Financial Plan.
- Development that supports the Climate Change Emergency declared in 2019.

## Project Background

The Council owns three adjacent prime sites in Godalming.

The Council offices are no longer fit for purpose and incur high maintenance costs. This, along with the need to adopt new ways of working impacting on office accommodation requirements, makes it an appropriate time to consider the use of the Burys site.

Together with two other adjacent Council owned sites, the Wharf car park and Crown Court car park, there is a prima face opportunity for determining best use of these Council assets whilst also bringing economic development to the town.

In November 2018 Lambert Smith Hampton (LSH) were commissioned to undertake a Strategy and Options Evaluation of office accommodation for the Council which was funded by a Government grant. While this evaluation considered liquidating assets to fund the office redevelopment, LSH concluded that such a development was financially viable and a number of options were presented. These contemplated the development of residential units as part of the outcome.

The first part of this project is to refocus on the residential development potential for the revenue benefit of the Council by commissioning a further report to assess the potential of the key sites for development whilst incorporating office accommodation needs.

## Project Objectives

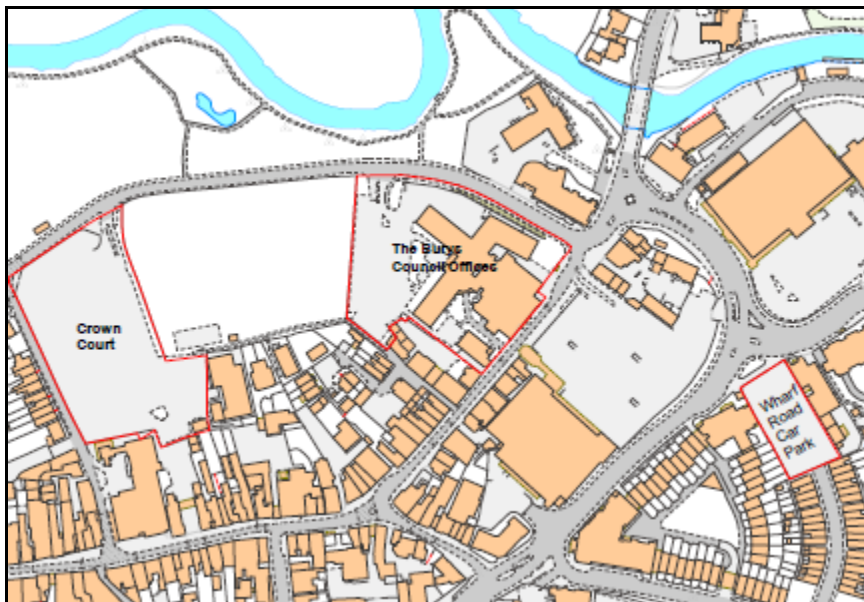
The key deliverables are:

1. Best use of Council owned assets
2. Meeting the requirements of the Office Accommodation Strategy (detailed in a separate project) to include:
  - Office space for Waverley Borough Council (including flexible Council Chamber space, committee rooms, meeting rooms, customer front door space)
  - Cost reduction savings
  - Reduction in Council office carbon emissions
  - Agile ways of working (employment contract and policies, technology and mobility considerations)
3. Financial benefit to support corporate objectives
4. Housing delivery for market rent housing and social housing
5. A zero carbon/carbon neutral development.
6. Support for local economies

The project will also consider:

7. Retention of the Crown Court car park but consideration of increasing capacity.
8. Retention of the Godalming Town Council/Borough Hall façade.

## Project Scope and Exclusions



The following land/property assets are considered in-scope for The Burys Project

1. The Burys complex (including The Burys office block, Borough Hall, community centre for over 55s, Citizens Advice Bureau etc)
2. The Wharf Car park
3. Crown Court car park (with consideration for increasing parking provision)

## Project Deliverables and / or Desired Outcomes

The project will deliver a development scheme that:

- supports the project objectives
- makes a positive contribution to Godalming by enhancing the key sites as a place for work, leisure and to live
- is sympathetic to the surrounding area, the conservation area and nearby listed buildings
- delivers policy compliant social housing

## Constraints and Assumptions

### Constraints:

- Time – the project will impact on the Council's Medium Term Financial Plan. The existing Council office requires significant annual maintenance.
- Budget – funding will be needed to deliver a scheme and this will be achieved through a range of funding including:
  - Reserves
  - Borrowing (expected to be the default source)
  - Government or other publicly accessible funding bodies eg Lottery
- Scope – the project is limited to the three key sites and requires the continued presence of the Council office within Godalming
- Risk – consideration is needed of Council's appetite for risk as documented in the Risk Appetite Statement
- Resources – the use of external expertise will be required to supplement in house resources to bring in experience and skills needed to manage a project of this size
- Organisational processes/structures – the proposals must support the governance requirements of the Council
- Stakeholder satisfaction
- The development will need to meet planning requirements
- There are long term lease arrangements at The Burys site which may impact on development considerations
- The declaration of a Climate Change Emergency by the Council will influence option considerations and decisions
- Consideration of ongoing working space requirement during the lifecycle of this project

### Assumptions:

- The project will be overseen by the Property Investment Advisory Board supported by the Asset Management team. Other in house resources will be consulted as appropriate including, but not limited to, Planning, Housing and Development.
- The use of the external expertise will be commissioned as required to support internal resources
- Funding for the options appraisal for the project will come from the £40k agreed at Executive 7/1/2020
- On agreement of a scheme work will commence on:
  - Tender for a strategic design partner
  - Generating support from stakeholders
  - A detailed project plan
  - A full financial appraisal which will consider funding of the development
  - Communication strategy

- Consideration of development detail options
  - Agreeing a preferred way forward in delivery
  - Tying in Office Accommodation Strategy
  - Logistics of project delivery
- Any procurement will be undertaken in compliance with the Council's Financial Regulations and Contract Procurement Rules
  - A Project Manager will be appointed to undertake the management of the scheme
  - Accessibility for staff, councillors, public and visitors will be provided in line with the equality act
  - An equality impact assessment will be carried out as part of the options appraisal

## **Users and Stakeholders**

The stakeholders comprise the following and are detailed in a separate stakeholder analysis:

- Waverley Borough Council Leader and Deputy Leader
- Portfolio Lead - Finance, Assets and Commercial
- Investment Advisory Board
- Customer Services and Value for Money Overview and Scrutiny Committee
- Waverley Borough Council Management Board (Chief Executive, 2 Strategic Director)
- Senior Management Team
- All staff
- Leaseholders
- Regular Borough Hall activity leaders
- Casual Borough Hall activity leaders
- Borough Hall activity users
- Residents and business of Godalming

## **Interfaces**

This project will interface with the:

- Office Accommodation Strategy under Business Transformation - to ensure the project accommodates the requirements identified
- Housing – to ensure the social housing element of the project meets the Council's standards
- Planning
- Climate change emergency action plan –the project will honour the commitments within the plan as per the Property Investment Strategy

## Project Approach

The Council will work with the Council's external property advisors to deliver the project.

The phases of the project are:

### Phase 1 - base line, buy-in and developing brief for a strategic partner

- Generate overall support for the project from key members
- Communication strategy planned and implemented
- Consider development detail options and agree a preferred way forward
- Tender for a strategic design partner

### Phase 2 - developing design and business case requirements

- Development of design
- Assess the design options (Full Council decision required)
- Develop business case / Investment Advisory Board approval requirements
- Assessment of further project team inputs required
- Soft market testing – market appetite and funding / development options
- Communication strategy revisited
- Detailed consultation with stakeholders and user groups

### Phase 3 - Development

- Detailed design and build of scheme – broken down into RIBA stages
- Management of staff and site users during the build
- Continuation of Comms plan

## Business Case

This project will bring value from maximising the potential of Council owned assets. It will deliver a significant General Fund revenue stream. It will also address the requirements of the Office Accommodation Strategy and deliver cost savings. Together these will support service delivery, the Council's Medium Term Financial Plan and the Council's Corporate Strategy.

The project will benefit:

- The local economy, supporting local businesses and employment
- Those wishing to live in Godalming through delivering housing to rent for all income levels
- Planning and development, supporting place-shaping and local engagement in planning policy
- The surrounding area through sympathetic development
- The Corporate Strategy by supporting the vision to sustain 'a financially sound Waverley, with infrastructure and services fit for the future'
- The environment through the commitment to the Climate Change Emergency

## Options

The options stated below are high level options and will need to be updated once a detailed option appraisal has been considered and a preferred option is recommended.

### Do nothing

If no action is taken to achieve the outcomes of this project:

- The potential of the key sites is not being fulfilled
- The council offices will incur increasing costs of maintenance
- The need for flexible working arrangements as set out in the Office Accommodation Strategy will not be achieved
- Efficiency savings and income generation will not be achieved to support the Medium Term Financial Plan

Therefore, this option is not recommended.

### Alternative option 1 – Consider development of the three key sites separately

- This does not take advantage of the development potential using all three sites to deliver a scheme
- Does not allow the Council to modernise effectively and address new ways of working

Therefore, this option is not recommended.

## Costs and dis-benefits

The financial implications of this project will be fully appraised as part of Phase 2 detailed Design Options Appraisal.

Funding for the commissioning of a report into the development of the key sites was approved at Executive on 7/1/2020.

## Project Governance

The Project Initiation Document and Project Plan will be agreed by the Project Sponsor and the Property Investment Advisory Board.

The project governance will be through the Property Investment Advisory Board and will follow the governance arrangements set out in the Property Investment Strategy.

Key decisions will be proposed to Executive as required.

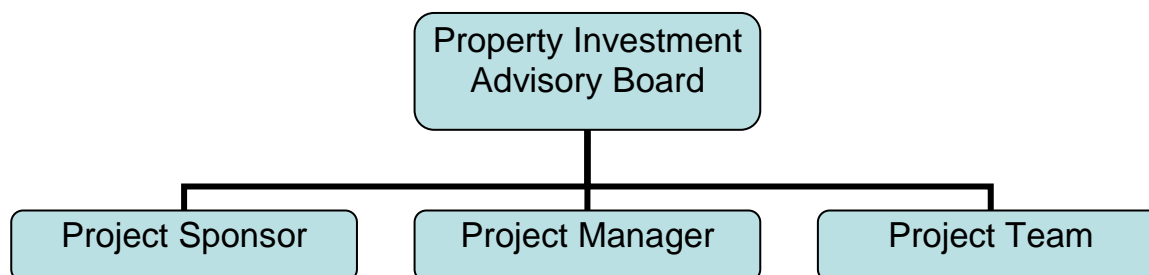
The Project Board will review the project at each Property Investment Advisory Board. Other Board meetings will be called as required.

The Project Team will meet monthly and will provide project updates to the Property Investment Advisory Board, the Executive and Management Board as appropriate.

Project Team:

Role	Name	Position in the organisation
Project Sponsor	Peter Vickers	Head of Finance and Property
Project Manager	Caroline Wallis/ Vicki Basley	Asset Investment Manager/ Corporate Asset Manager

## Team structure



## Project Plan

A high level plan is set out below:

Year	Month	Activity
2020-21		• PID sign off by....
2021-22		•
2022-23		•
2023-24		•
2024-25		•

## Project Reporting

Project reporting schedule:

- Property Investment Advisory Board
- Customer Service and Value for Money Overview and Scrutiny Committee
- Executive

## Quality Management Strategy

### Quality management approach

External expertise will be procured to deliver a scheme that is sympathetic to the surrounding area, enhances the town and complies with planning regulations.

The agreed scheme must deliver efficiencies to the Council's running costs and support the achievement of the Medium Term Financial Plan.

Given the potential income generation and ongoing revenue costs associated with any build, project quality of design and build will be critical to the ongoing project and therefore is identified as being recorded as second out of the cost, quality and time prioritisation.

Quality will be a feature in procurement evaluations, project performance management and payment profiles.

## Configuration Management Strategy

### Configuration Management

Information in relation to this project will be stored in the confidential sharepoint folder of the Corporate Asset Team.

Information will be distributed as appropriate through the Communications Strategy and project monitoring.

The project manager will be responsible for managing the following key documents:

- Project plan
- Change control log
- Action log
- Risk and issue log
- Stakeholder analysis
- Lessons learnt

## Risk Management strategy

### Risk Approach

Risks will be managed in accordance with the Council Risk Management Framework with consideration of the Council's Risk Appetite Statement and the requirements of the Property Investment Strategy.

A Risk Register will be kept of the risks to the achievement of the project.

## Communication Management strategy

### Approach

A Communications Strategy will be developed in phase 1 of the project in collaboration with the Council's Communications Team.

## PID Authorisation by Management Board

Authorised by	
Date	
Signature	



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of the Local Government Act 1972.

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