

To: All Members of the Council

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Calls may be recorded for training or monitoring

Date: 9 April 2021

Dear Councillor

COUNCIL MEETING - TUESDAY, 20 APRIL 2021

A MEETING of the WAVERLEY BOROUGH COUNCIL will be held in the ZOOM MEETING - VIRTUAL MEETING on **TUESDAY, 20 APRIL 2021** at **6.00 pm** and you are hereby summoned to attend this meeting.

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

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AGENDA

1. APOLOGIES FOR ABSENCE

The Mayor to report apologies for absence.

2. MINUTES (Pages 9 - 40)

To confirm the Minutes of the Council meeting held on 23 February 2021 and reconvened on 25 February and 22 March.

3. DECLARATIONS OF INTEREST

To receive from Members, declarations of interest in relation to any items included on the agenda for this meeting in accordance with the Waverley Code of Local Government Conduct.

4. MAYOR'S ANNOUNCEMENTS

5. LEADER'S ANNOUNCEMENTS

6. QUESTIONS FROM MEMBERS OF THE PUBLIC

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

The deadline for receipt of questions is 5pm on Tuesday 13 April.

The following question has been received from Charles Collins, Savills, Guildford:

“Noting that the Planning Service Plan timetable highlights the review of LPP1 needs to be completed by February 2023, can the Council confirm that the housing numbers informing the review will be based on the current Standard Method figures of 679 homes per annum, plus any unmet needs, and what overall housing figure/ period the Plan review period will cover?”

7. QUESTIONS FROM MEMBERS OF THE COUNCIL

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

The deadline for receipt of questions is 5pm on Tuesday 13 April 2021.

Questions from Cllr Brian Edmonds:

1. What is the current financial loss due to COVID Leisure Centre closures allocated to Waverley Borough Council taxpayers and how much of this loss will be recovered from Waverley Borough Council's Business Interruption Insurance?
2. When will the 10 year plan to deliver Waverley Borough Council's net

zero carbon status by 2030 be available to the public in either Microsoft Project format or similar?

8. MOTIONS

To consider the following motion submitted in accordance with Procedure Rule 12.1.

This Council is deeply disappointed by the recent Government refusal to allow us to continue with some form of remote meetings which will adversely affect our ability to conduct Council business with efficiency and safely. We urge the government to urgently revisit this decision and continue to allow all levels of local government to continue with the sensible precautions and ability to function safely and democratically during this period.

Proposer: Cllr John Ward
Seconder: Cllr Paul Follows

9. EMERGENCY DELEGATION

Given that the ability for the Council to hold remote meetings ends on 7 May 2021, and there is insufficient room in the Council Chamber to hold a meeting of Full Council with appropriate social distancing measures as currently required, the following delegation is proposed as a contingency arrangement in the event of the need arising for an urgent Council decision.

Recommendation

Council agrees that, in relation to any meeting of Full Council convened for the period 7 May 2021 – 30 September 2021, in the event that the meeting is not quorate, any decisions identified on the meeting agenda as being **Urgent**, will be delegated (as far as the law allows) to the Chief Executive in consultation with the Mayor and the relevant Committee Chairman (including the Leader of the Council as Chairman of the Executive).

10. PUBLIC SPACE PROTECTION ORDER NO. 3 (ANTI-SOCIAL BEHAVIOUR) 2021 (Pages 41 - 102)

This report provides feedback from the consultation in respect of the draft Public Space Protection Order No.3 (Anti-social Behaviour) 2021 (PSPO) which ran from 1 March 2021 until 2 April 2021. Section 9 of the report and **Annexe B** detail and responds on the feedback from the consultation. Changes have been made to the draft Order where appropriate following that consultation feedback and the final draft of the Order is attached at **Annexe C**.

It recommends the Council approve the amended Order to assist in addressing anti-social behaviour issues which are having a significant detrimental impact on the community in some parts of the borough.

Recommendation

That Council approves and makes the Public Space Protection Order No.3 (Anti-social Behaviour) 2021 as set out in **Annexe C** to this report.

11. THE WAVERLEY BOROUGH COUNCIL (OFF-STREET PARKING PLACES) ORDER 2020 (AMENDMENT NO. 1) ORDER 2021 (Pages 103 - 106)

This report requests Council to approve the making of the Waverley Borough Council (Off-Street Parking Places) Order 2020 (Amendment No.1) Order 2021, in order to incorporate the new Brightwells Yard multi-storey car park in the Order.

Recommendation

That Council approve the making of the Waverley Borough Council (Off-Street Parking Places) Order 2020 (Amendment No.1) Order 2021, attached as Annexe A to this report.

12. EXE74/20 AFFORDABLE HOUSING SPD

Following the deferral of this item at the Council meeting on 22 March, Cllr MacLeod to provide an update on discussions regarding the proposed amendment submitted by Cllr Mulliner.

13. MINUTES OF THE EXECUTIVE

To receive the Minutes of the Executive meeting held on [DATE], and to consider the recommendations set out within.

13.1 Executive Minutes 2 March 2021 (Pages 107 - 108)

To receive the Minutes of the Executive meeting held on 2 March 2021.

There are no Part I matters for Council consideration.

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

13.2 Executive Minutes 30 March 2021 (Pages 109 - 120)

To receive the Minutes of the Executive meeting held on 30 March 2021.

There is one Part I matter for Council consideration:

EXE 88/20 Council Tax exemption for young people leaving care [Annexe A, Page number 117]

Care leavers who are living independently for the first time find managing their own finances extremely challenging, due to issues such as limited family support. This can mean that care leavers may fall into debt and financial difficulty. The Executive recommends to Council a new Council Tax exemption that would ensure that Care Leavers within Waverley do not have to pay

Council Tax up to the age of 25.

Recommendation

The Executive recommends to Council the creation of a new Council Tax exemption for Care Leavers to be applied until the age of 25.

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

13.3 Executive Minutes 6 April 2021 (Pages 121 - 136)

To receive the Minutes of the Executive meeting held on 6 April 2021.

There is one Part I matter for Council consideration.

EXE 99/20 Governance Matters [Annexe A, Page number 127]

The purpose of this report is to propose a number of governance changes that are considered to be in the best interests of the Council in order to fulfil the Corporate Strategy 2020-2025, adopted in October 2020. The proposed governance changes seek to respond to and achieve the Council's vision as set out within that strategy, in particular the need to promote:

- 'Open, democratic and participative governance'; and
- 'An effective strategic planning and development management which supports the planning and infrastructure needs of local communities'.

Recommendation

The Executive:

1. RECOMMENDS TO FULL COUNCIL that
 - the temporary WESTERN and EASTERN planning committee arrangements first incorporated into the Constitution on 22 July 2020 by Full Council and extended on 20 October 2020 by Full Council be made permanent (until such time as Full Council resolves to make any further changes to them) with the current Terms of Reference; and
 - the Head of Policy and Governance be authorised to make the corresponding revisions to the Constitution with the Chairman of the Standards Committee.
2. RECOMMENDS TO FULL COUNCIL that it
 - agrees to the principle of moving to a governance structure whereby Waverley Borough Council no longer operates four overview and scrutiny committees but instead operates *two overview and scrutiny committees*, 'corporate' and 'community', and a new *Housing Landlord Services Board* whilst retaining the existing constitutional ability to establish informal OS working groups (as set out in section 4.2); and

- asks the Standards Committee to develop and recommend to Full Council for adoption the necessary proposed constitutional amendments to achieve this change, including terms of reference for the new committees.

3. RECOMMENDS TO FULL COUNCIL that it

- agrees to the principle of moving to a governance structure whereby Waverley Borough Council expands the remit of the existing Standards Committee to become a '*Standards and General Purposes Committee*' which, as well as dealing with the Standards and Constitutional issues it currently does, would also take responsibility for a range of other functions and pick up issues that arise over the course of time that do not obviously sit elsewhere (as set out in section 4.3); and
- asks the Standards Committee to develop and recommend to Full Council for adoption the necessary proposed constitutional amendments to achieve this change.

4. RECOMMENDS TO FULL COUNCIL that it

- agrees to the principle of reintroducing the capacity for *Executive Working Groups* to be constituted in order to shape and drive policy development across a range of portfolio areas (as set out in section 4.4); and
- asks the Standards Committee to develop and recommend to Full Council for adoption the necessary proposed constitutional amendments to achieve this change.

5. RECOMMENDS TO FULL COUNCIL that it

- Asks the Standards Committee to carry out a general and comprehensive review of the Constitution to ensure it remains fit for purpose and to bring forward to Full Council any proposed constitutional amendments arising from its review (as set out in section 4.5).

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

14. MINUTES OF THE LICENSING AND REGULATORY COMMITTEE (Pages 137 - 140)

To receive the Minutes of the Licensing & Regulatory Committee meeting held on 1 March 2021.

There are no Part I matters for Council consideration.

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

15. MINUTES OF THE AUDIT COMMITTEE (Pages 141 - 146)

To receive the Minutes of the Audit Committee meeting held on 1 March 2021.

There are no Part I matters for Council consideration.

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

16. EXCLUSION OF PRESS AND PUBLIC

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

That, pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of any matter on this agenda on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s), there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in the appropriate paragraph(s) of the revised Part I of Schedule 12A of the Local Government Act 1972 (to be identified at the meeting).