

MINUTES of the WAVERLEY
BOROUGH COUNCIL held in
the Caudle Hall, Wilfred Noyce
Community Centre, Crown
Court Car Park, Godalming,
GU7 1DY on 22 September
2021 at 7.08 pm

- * Cllr John Robini (Mayor)
- * Cllr John Ward (Deputy Mayor)

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

*Present

Apologies

Cllr Brian Adams, Cllr Simon Dear, Cllr Brian Edmonds, Cllr Joan Heagin, Cllr Val Henry, Cllr Peter Isherwood, Cllr Penny Marriott, Cllr Peter Marriott, Cllr Mark Merryweather, Cllr Julia Potts, Cllr Penny Rivers, Cllr Michaela Wicks and Cllr George Wilson

CNL35/21 WELCOME AND INTRODUCTIONS

- 35.1 The Mayor, Councillor Robini, welcomed Members and members of the public to the Council meeting, and introduced the Officers present: the Chief Executive, Tom Horwood; Strategic Directors, Graeme Clark and Annie Righton; Head of Policy & Governance, Robin Taylor; and Borough Solicitor, Daniel Bainbridge.
- 35.2 The Mayor confirmed that he was waiving Council Procedure Rule 21.1, the requirement for Members to stand to speak.

CNL36/21 APOLOGIES FOR ABSENCE (Agenda item 1.)

- 36.1 Apologies for absence were received from Cllrs Brian Adams, Simon Dear, Brian Edmonds, Joan Heagin, Val Henry, Peter Isherwood, Penny Marriott, Peter Marriott, Mark Merryweather, Julia Potts, Penny Rivers, Michaela Wicks and George Wilson.

CNL37/21 DECLARATIONS OF INTEREST (Agenda item 2.)

- 37.1 There were no interests declared under this heading.

CNL38/21 RECOMMENDATIONS OF THE SPECIAL EXECUTIVE MEETING, 22 SEPTEMBER 2021 (Agenda item 3.)

- 38.1 The Leader advised that there were no minutes yet written of the special Executive meeting held immediately before the Council meeting and therefore he presented the recommendations of the Executive which had been circulated to all Councillors.

1. Waverley Borough Council Local Plan Part 2 - Site Allocations and Development Management Policies (Minute EXE 26/21)

- 1.1 The Leader introduced the recommendations, and thanked the officers involved for their work in bringing the proposals forward at this time, which would enable submission to the Planning Inspectorate before the new year, subject to the agreement of the Council. He commended the Local Plan Part 2 to the Council, which had been drafted in consultation with residents, borough, town and parish councils, particularly those in Witley and Haslemere as the most affected by the proposals.
- 1.2 With the Mayor's agreement, the Leader invited Councillor MacLeod, Portfolio Holder for Planning Policy, Services and Brightwells to present the report and recommendations which were duly seconded by Councillor Clark. He also thanked the officers involved for their work throughout the long process and outlined some of the issues encountered which had delayed the progress of the draft plan. He referred to the Environment Overview and Scrutiny Committee which had taken place on 20th September to consider the proposals. The focus of the debate had been on the proposed changes to the pre-submission version of the Local Plan Part 2 (LPP2) regarding the housing site allocations in Haslemere and although there had been no unanimity, there had been a suggestion that the Executive look again at the inclusion of the Red Court site. The Executive had not accepted the

recommendation as an application submitted for the site had been refused by the Planning Committee and was not considered to be deliverable at this time.

- 1.3 Councillor Cockburn spoke in objection to the proposals which she felt were unsound and rushed and would have a negative impact on the Farnham Neighbourhood Plan. The Red Court site would have been more appropriate for inclusion and it would protect the green belt and Area of Outstanding Natural Beauty.
- 1.4 Councillor Hyman spoke on the item, seeking clarification whether the appropriate assessments had been carried out in respect of protected habitats and expressed concern that the approach was unlawful and one he did not feel able to support.
- 1.5 In response, the Leader advised that the Council's Planning and Legal officers had confirmed that if a proposed plan was considered likely to have a significant effect on a protected habitats site then an appropriate assessment of the implications for the site, in view of the site's conservation objectives, must be undertaken. An appropriate assessment of the draft LPP2 had been carried out. This should be read in conjunction with the appropriate assessment of LPP1, which was found sound by the Planning inspector. With regard to the effectiveness of SANGs, the Council had received external legal advice from Counsel in which he confirmed its approach was lawful. Counsel confirmed that the provision of SANG had become an orthodox response to forms of development which would otherwise cause an adverse effect on a protected site. It was ultimately the examiner's responsibility to review the draft plan, including the appropriate assessment, and conclude whether it met the criteria for soundness. Alternatively, the examiner could recommend modifications be made in order to make the plan sound and therefore capable of adoption. However, Council officers were satisfied that the appropriate assessment was lawful and were confident that it will be accepted by the examiner.
- 1.6 Councillor Nicholson spoke in support of the proposed submission, the deletion of the Red Court site and the inclusion of the Royal School site. Councillor Mulliner sought clarification that the Council was able to proceed to the Regulation 19 consultation lawfully and that it would then be for the Inspector to determine whether the assessments submitted were sufficient. In response, the Leader advised that the advice given earlier in the meeting and at the Executive meeting, was from the Council's Borough Solicitor.
- 1.7 Councillor Cosser expressed concern over the delay in bringing LPP2 forward and spoke against the substitution of the Red Court site and did not feel that the Royal School site offered any advantage. In response the Leader drew the Council's attention to the consultation responses which he felt explained the course of action taken. Councillor Cockburn raised a point of order and stated that she had read all the responses. Councillor Cosser sought clarification that the Council was considering the report from the Executive and not just the consultation responses. The Leader clarified the process undertaken in the development of the plan. The aim had been to comply

with existing neighbourhood plans and listen to residents and community groups who had submitted responses.

- 1.8 Councillor Goodridge sought clarification on whether the Royal School site would be withdrawn if the Red Court site was granted on appeal. In response the Leader was of the view that cogent arguments had been put forward on why the Council should choose an alternative site and did not feel that they would change their views.
- 1.9 Councillor Beaman sought assurance that the proposals for Dunsfold Park would go forward. In response the Leader advised that the Executive had met with the new owners and felt assured about the commitment to progress of development on the site.
- 1.10 Councillor MacLeod praised Councillor Cockburn's work on the Farnham Neighbourhood Plan however he felt that the aim of getting the right sites to deliver LPP1 was correct and did not agree that the proposals would have a big impact on Farnham. Planning Inspectors were concerned with whether the Council had a 5 year housing supply and not whether LPP2 was yet in place. Many of the issues arose from problems with Government planning policy.
- 1.11 Councillor Peter Martin sought clarification on Councillor Goodridge's question. Councillor Cockburn responded to Councillor MacLeod's comments regarding the impact on Farnham. The Leader advised that the appeal on the Red Court site was not due to be considered until December and may not be known before LPP2 is due to be submitted.
- 1.12 Councillor Hyman raised a point of order that the Council was being asked to determine something without appropriate assessments in place and therefore could not legally go out to consultation. In response, the Borough Solicitor drew the Council's attention to the relevant section of the report relating to the SANG and clarified the legal advice previously given that the Local Plan could go out to consultation.
- 1.13 Councillor James sought clarification on whether the Executive would take into account any objections received on the Royal School site. In response the Leader advised that discussions had taken place with groups in Haslemere and felt that it was unlikely that they would change their minds, unless something material and fundamental was raised in the Regulation 19 consultation. Councillor Cockburn asked whether equal weight would be given to new objections received on the School site. In response the Leader stressed that the content of the objections would be considered and the quality of the observations, rather than just the number received.
- 1.14 Councillor Townsend spoke in support of LPP2 and the inclusion of the School site and welcomed the approach of listening to the towns and parishes. Councillor Gale referred to LPP1 in relation to a site in Milford and reminded the Council that the Red Court site had been refused at the Planning Committee. Councillor Rosoman also spoke in support of the proposals and reminded the Council that LPP2 encompassed much more than the site being debated and that the national planning system was flawed.

- 1.15 Councillor Jenny Else spoke in objection and expressed concern that more weight was given to neighbourhood plan groups than to the views of Council Planning officers. In response the Leader advised that those views were given weight because the Government gave them weight as part of a neighbourhood planning process.
- 1.16 Councillor MacLeod responded to Councillor Peter Martin's question regarding the Red Court site being allowed at appeal and advised that would form part of the Council's housing supply. In response Councillor Cockburn spoke on the policies contained in LPP1.
- 1.17 Councillor Forszewski spoke in support and referred to the development in Cranleigh and stressed the need to deliver LPP2 to give weight to the neighbourhood plans and give the borough the protection it needed.
- 1.18 In conclusion, the Leader summed up and addressed the comments made in the debate. He felt that the document provided protection to the areas of the borough where it was needed and was a good compromise between the restrictions imposed on the Council by the current planning system and the wishes of residents. The Royal School site would ideally deliver SANG within the site, had good screening and was close to the A3. The Leader requested a recorded vote, in accordance with Procedure Rule 17.4, supported by five Members and it was

RESOLVED

- 1) That Council agrees the changes to the Pre-submission version of LPP2, set out in the Addendum attached as Annexe 1 to this report concerning the proposed housing site allocations in Haslemere and that the Council undertakes a public consultation on the Addendum for a period of 6 weeks under Regulation 19 of the Local Planning Regulations.**
- 2) The Council agrees that the schedule of other minor changes to the pre-submission version of LPP2 that have not been the subject of public consultation, set out in Annexe 2 to this report, be submitted to the examination of LPP2.**
- 3) The Head of Planning and Economic Development be authorised to formally request that the Local Plan Examination Inspector recommends further main modifications to LPP2, if the Inspector considers that they are necessary to make the plan sound and/or legally compliant.**
- 4) The Head of Planning and Economic Development be authorised to make any other minor modifications to the Pre-Submission version of LPP2 with regard to factual updates and corrections before the Plan is submitted for its examination.**

For (38)

Councillors Baker, Beaman, Blishen, Clark, D'Arcy, Davidson, Deanus, Dickson, Ellis, David Else, Floyd-Douglass, Follows, Forszewski, Gale, Goodridge, Gray,

Hesse, Howard, Hunt, Keen, Knowles, MacLeod, Michaela Martin, Peter Martin, Mirylees, Mulliner, Neale, Nicholson, Palmer, Reed, Paul Rivers, The Mayor, Councillor Robini, Rosoman, Sadler, Seaborne, Townsend, The Deputy Mayor, Councillor Ward and Williams.

Against (4)

Councillors Cockburn, Cosser, Hyman and James

Abstentions (1)

Councillor Jenny Else

The Mayor adjourned the meeting at 8.31pm and resumed at 8.38pm

2. Parking Charging Strategy Review (Minute EXE 27/21)

- 2.1 The Leader introduced the recommendations, which were duly seconded by Councillor Clark. With the Mayor's agreement, the Leader invited Councillor Palmer, Portfolio Holder for Operational and Enforcement Services to present the report and recommendations. Councillor Palmer drew the Council's attention to a typographical error in Annexe C, the correct figure for the 3 hour charge on Saturdays in Weydown Road is £3.20 not £6.00. He addressed the comments made at the Overview and Scrutiny Committee, particularly in relation to Milford and therefore it was proposed to suspend the changes in Milford pending further discussion. It was also proposed to reduce the discount for hybrid cars in recognition of not knowing when those vehicles were using electric or petrol, but still offering an incentive for using more climate friendly vehicles.
- 2.2 Councillor Gray expressed concern over offering a 50% discount to an elite few who could afford electric vehicles and proposed that recommendation 3 be removed. This amendment was seconded by Councillor Mulliner.
- 2.3 The Leader spoke in objection to the proposed amendment and in support of the original recommendations. It was not just very wealthy people who drove electric vehicles and these incentives would be taken into account, particularly by small businesses and this would help to nudge behaviour.
- 2.4 Councillor Goodridge spoke in support of the amendment as there was a need for the Council to increase its income. Councillors James, Floyd-Douglass and Cockburn also spoke in support of the amendment on the grounds of needing to increase income.
- 2.5 Councillors Beaman, Williams, D'Arcy and Townsend spoke against the proposed amendment and in support of the objective of nudging behaviour towards active transport and addressing the climate emergency.
- 2.6 Councillor Gale spoke in support of the amendment as she felt that it discriminated against those who drove petrol and diesel cars. Councillor Palmer responded to the points raised in the debate and stressed that the Council had declared a climate emergency which it had a duty to address and agreed with the comments that it would not have a dramatic effect but would help to reduce use of more polluting vehicles.

- 2.7 Councillors Hyman and Jenny Else spoke in support of the amendment on the grounds that the Council needed the parking revenue and that it felt like virtue signalling. Councillor Deanus spoke, highlighting that the County Council was leading the way on provision of charging points. Councillor Nicholson sought clarification on the cost to the Council and asked whether the Council could consider offering designated spaces for electric vehicles.
- 2.8 Councillor Palmer addressed the points raised in the debate and highlighted the choice of priorities, between taking action on the climate emergency and the income.
- 2.9 Councillor Keen spoke in support of the amendment as she felt that the proposal would be difficult to defend to residents who could not afford electric and hybrid vehicles.
- 2.10 Councillor Williams began to respond and Councillor Cosser called a point of order. The Mayor ruled that it was in order and advised Councillor Williams that he was not able to speak again on the amendment.
- 2.11 Councillor Mulliner spoke and suggested that the Council keep the income raised and use it for other climate change measures.
- 2.12 Councillor Gray used his right of reply and reiterated that the proposal to offer a discount to electric and hybrid vehicle owners was unfair. These vehicles were already subsidised by the Government but prohibitive in cost to many people, even when sold second hand. He felt that the Council should consider other measures such as charging points or parking spaces.
- 2.13 Councillor Palmer requested a recorded vote, in accordance with Procedure Rule 17.4, supported by five Members and the amendment was carried.

For (25)

Councillors Baker, Beaman, Blishen, Cockburn, Cosser, Davidson, Deanus, Ellis, David Else, Jenny Else, Floyd-Douglass, Gale, Goodridge, Gray, Hesse, Howard, Hyman, James, Keen, Michaela Martin, Peter Martin, Mulliner, Neale, Reed and Sadler.

Against (14)

Councillors Clark, D'Arcy, Follows, Hunt, MacLeod, Mirylees, Nicholson, Palmer, Paul Rivers, The Mayor, Councillor Robini, Rosoman, Townsend, The Deputy Mayor, Councillor Ward and Williams.

Abstentions (1)

- 2.14 The Mayor asked for speakers on the substantive motion as amended. Councillors Cosser spoke in broad support of the recommendations and thanked the Portfolio Holder for his engagement with Councillors on this issue and asked if officers could look again at the price of the car park next to Farncombe station and the car parks in Godalming town centre.

- 2.15 Councillor Floyd-Douglass welcomed the deferral of the proposals in Milford and thanked Councillor Gale for her work in this area. Councillor Gale thanked the Executive for taking her comments into account. Councillor Baker echoed those comments. Councillor Hyman reiterated the points he made at the Executive and stressed the need to explain to residents the reason for increasing parking charges. Councillor Hesse spoke about increasing churn in town centres and making them a relaxing place to visit. He also spoke in support of pay on exit.
- 2.16 Councillor Mulliner thanked the Portfolio Holder and the officers for bringing the report forward and encouraged looking at smaller annual rates in future.
- 2.17 Councillor Palmer summed up and addressed the comments made. He suggested that some of the issues would be looked at in the next review and explained the reason for raising parking charges, which had been due to there being no increases for some time and the impact of the pandemic and the Council's financial position had resulted in the review. It was suggested that in future, there should be smaller and more frequent increases. Although it was not known how people would behave when they returned to town centres, but there was hope that the revenue would recover. He spoke in support of the flexibility of RingGo and addressed the misunderstanding over the minimum charge.
- 2.18 The Mayor called for a vote on the substantive motion as amended which was carried: votes in favour 38; votes against 0; abstentions 1 and it was

RESOLVED

- 1. That the proposed strategic tariff structure set out in Annexe C to the Executive report be approved.**
- 2. That in view of further information coming forward the proposed increases in charges at Station Lane Milford car park be deferred pending further discussion with ward and parish councillors and community representatives.**
- 3. Acknowledge the need to review the tariff structure on an annual basis to assess:**
 - a. general patterns of use across car parks to assess whether the charging strategy has achieved its desired objectives and whether the tariff structures need to be modified; and**
 - b. patterns of use in the Brightwell's Yard car park and any changes required to charging regimes, (e.g., Evening and Sunday charges).**

The meeting concluded at 9.38 pm

