

* Cllr John Ward (Mayor)

* Cllr Penny Rivers (Deputy Mayor)

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

*Present

Apologies

Cllr David Beaman, Cllr Roger Blishen, Cllr Steve Cosser, Cllr Jerome Davidson, Cllr Sally Dickson, Cllr Brian Edmonds, Cllr Maxine Gale, Cllr George Hesse, Cllr Daniel Hunt, Cllr Robert Knowles, Cllr Penny Marriott, Cllr Peter Marriott, Cllr Julia Potts, Cllr Anne-Marie Rosoman and Cllr Michaela Wicks

Prior to the commencement of the meeting, prayers were led by Reverend Simon Taylor, Rector of Busbridge and Hambledon Church.

CNL34/22 APOLOGIES FOR ABSENCE (Agenda item 1.)

- 34.1 Apologies for absence were received from Councillors David Beaman, Roger Blishen, Steve Cosser, Jerome Davidson, Brian Edmonds, Maxine Gale, George Hesse, Daniel Hunt, Robert Knowles, Penny Marriott, Peter Marriott, Julia Potts, Anne-Marie Rosoman and Michaela Wicks.

CNL35/22 MINUTES (Agenda item 2.)

- 35.1 The Minutes of the Meeting of the Council held on 19 July 2022 and the Extraordinary Council meeting on 26 September 2022 were confirmed and signed, subject to the amendment of CNL 33/22 (33.6) as follows:

“...the Council would maintain its right to seek independent financial or legal advice, *either on finance or legal matters*, on a case by case basis.”

CNL36/22 DECLARATIONS OF INTEREST (Agenda item 3.)

- 36.1 There were no interests declared under this heading.

CNL37/22 MAYOR'S ANNOUNCEMENTS (Agenda item 4.)

- 37.1 The Mayor updated on his activities since the last meeting. He had attended the Talk Surrey AGM; Farnham Assist's church service which had been delayed from the summer; and King Edwards School in Witley's admission day with HRH the Duchess of Gloucester.

CNL38/22 LEADER'S ANNOUNCEMENTS (Agenda item 5.)

- 38.1 The Leader congratulated Councillor Julia McShane for being elected as Leader of Guildford Borough Council; and the Rt. Hon. Jeremy Hunt MP for being appointed as Chancellor of the Exchequer and would be writing to him to seek his support for business rate reform, local government finance reform and clarification on his position on fracking. He thanked officers for their work and welcomed the new Executive Heads of Service as part of the collaboration programme with Guildford Borough Council.

The Leader then invited the Executive to make the following announcements:

- 38.2 Councillor Clark updated the Council on the digital integration of the Council's telephony system with the Citizen Hub system in the customer service centre which would improve the customer experience and efficiency of dealing with customer complaints. He thanked the officers involved for their work.
- 38.3 Councillor MacLeod advised that the Council-wide review of enforcement would be resumed by the new Executive Head of Regulatory Services following consultation with the Joint Strategic Director for Place.
- 38.4 Councillor Merryweather reminded the Council of the financial pressures on the Council and the impact on Council projects. The mid-year review of the Medium Term Financial Plan was due to be considered by Overview and

Scrutiny shortly, and it was hoped that by that point there would be some clarity from the government on future funding.

- 38.5 Councillor Mirylees updated on the procurement of the leisure contract. A design team would be appointed shortly for the development of the new Cranleigh Leisure Centre. Although usage had improved post-Covid, the new challenge was rising energy costs and officers were talking to contractors. The outcome of the MEND application for the repairs to Farnham Museum would be known in March 2023.
- 38.6 Councillor Paul Rivers advised that the rebuild of the wall at Vernon Court was progressing well.
- 38.7 Councillor Liz Townsend congratulated the Economic Development team for being shortlisted in the Federation of Small Businesses Local Government awards for the Council's Covid-19 support. The Council continued to provide targeted support for businesses to help them through the current economic climate. She also thanked the Planning Development and Policy teams for their hard work over the recent months. The work on the access road to the new Dunsfold Garden Village had begun. The Climate Change and Sustainability SPD which would be considered later in the agenda and would be another step forward in protecting the environment now and for future generations.
- 38.8 Councillor Williams endorsed Councillor Townsend's comments and hoped that the local MP would remain committed to the opposition to fracking. The Memorial Hall decarbonisation programme was now complete and the Council was working on an ethical and sustainable procurement policy and work was continuing on decarbonising the leisure centres.

CNL39/22 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 6.)

- 39.1 The following questions were received from members of the public in accordance with Procedure Rule 10:

Question from Mr Daniel Hussein:

To: Leader of the Council

“Thousands of residents are concerned at the level of expenditure thus far and the future funding being committed to the Central Godalming Regeneration Project. They are concerned that serious amounts of expenditure are being committed to a scheme which is deeply unpopular and is detrimental to residents of Godalming and the surrounding villages and to the business community in Godalming.

Would the Leader please:

- Provide the Expenditure amount to date on the Central Godalming Regeneration project broken down into:
 - External costs with consultants and the like
 - Internal costs of officer time and the like
- Advise how much of the £164,000 approved by Full Council on 18th July 2022 has been spent together with an analysis of that expenditure.

- Advise whether the Administration still expects to seek further funding from Full Council in December as proposed in the Project timeline given to Full Council on 18th July 2022.”

39.2 At the request of the Leader, the Portfolio Holder for Finance, Commercial and Assets responded as follows:

1. “By way of background - and especially for our non-Godalming members and observers - we’re currently engaging with residents on “in-principle” concepts and options for a project that, if it progresses, would see a one-off capital investment by us in our existing offices and some new housing, that would generate significant recurring annual benefits, both financial and otherwise, for us and our residents. This is a project that’s come to us several times as this preparatory work’s progressed, and members will have seen just one element of the current engagement in the public exhibition in the lobby: I also gave a fuller update on that in my response to another public question to the Executive on 4 October which is reproduced on pages 36-38 of this evening’s agenda pack, which I encourage you to study.
2. In the introduction to his question Mr Hussein does make some contextual claims that do invite scrutiny: that the project is “deeply unpopular” with “thousands” of “residents”, who consider it to be detrimental to every resident of Godalming and the surrounding villages and to the town’s entire business community too. I don’t know what evidence Mr Hussein has to support those claims and in the interests of transparency I very much hope he’ll be able to share whatever that evidence is with us so that we can reflect it in the feedback that we’ll be sharing with residents.
3. Some may be surprised that we actually share many of the concerns being expressed, and especially regarding the Crown Court car park, which is precisely why we’ve taken a cautious step-by-step approach and included such unprecedented engagement. But those concerns that we are seeing are neither binary nor consistent either for its individual elements or across the project as a whole, although residents do seem to recognise that the status quo is not a sustainable option and it would be irresponsible of us to do just nothing.
4. The drop-in sessions have been especially valuable as we’ve been able to interact with residents to clarify more exactly what their perceptions of the project are and what - if anything, given the actual facts of the matter – still could be done to address them. At the same time we’ve also been contacted by residents concerned about some of the “unofficial” canvassing and the like regarding the project – and especially residents who believe they’ve been confused and even misled by disinformation that’s been promoted, for example, to manipulate them into signing unofficial petitions. To quote just one example: “I was encouraged to sign a petition against the proposed development, by misleading information. In hindsight I would not have signed.”
5. The Godalming project is self-evidently a significant, sensitive and complex one and so it’s only appropriate that the identification and evaluation of the concepts and options be objective and thorough, even if that takes time. To their credit, it was our Conservative colleagues that started the work on it. But

because they were exploring options that could have seen the Council sell these sites – including the Crown Court car park – to private developers with absolutely no regard to car parking whatsoever, we acted straight away to rule that out.

6. Also to their credit, our Conservative colleagues recognised the importance of the kind of preparatory homework that we're doing now, and they established a Property Investment Reserve - which earmarked approximately £2 million - precisely for such one-off costs. Although their plan was to borrow upwards of £100m to fund commercial property investments, our approach is to find better and more sustainable projects that do more than just generate the independent recurring income which we all agree we need to deal with the unavoidable external pressures we face.
7. And so it is from that reserve that this Council approved and spent on this project a total of £65,525 prior to the current phase, and it's also from this reserve that this Council approved the £164,000 for the current phase 3 work, of which only £7,525 has been spent so far in the design and printing of the engagement exhibition boards. In line with the Council's approval, the remainder of that funding is intended for further potential engagement and ultimately the development of the in-principle concepts and options into formal proposals that not only reflect the results of the engagement but also will still be subject to further public consultation, scrutiny and approval.
8. For completeness, the figures I've just quoted are external costs for consultants and the like. Internally, we do not have officers dedicated full time to this project, rather the project team is drawn from officers from across the Council as appropriate with a diverse range of responsibilities that are incompatible with task specific timekeeping.
9. Since phase 3 was only approved in July and the engagement remains open, it would be premature to update further now on our expectations on seeking further funding for post phase 3 work other than to remark on timing. The current engagement has been extended not only because of the mourning for her late Majesty but also to give all those who want to engage that opportunity. But we're also acutely aware that since July this Country's economy has been damaged farther and faster than anyone apparently imagined possible and we cannot rule out that the relevant economic fundamentals may impact this project too."

CNL40/22 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 7.)

- 40.1 The following question was received from Councillor Edmonds in accordance with Procedure Rule 11.

"Now that small and medium companies have recovered their COVID losses from their business interruption insurance, please could the Council and Waverley Borough residents be advised of the amount of Waverley Borough Council Leisure Centre COVID losses that have been recovered on their behalf from Waverley Borough Council's business interruption insurance and if there is any residue loss that has been changed the Borough council resident council taxpayers."

40.2 The Portfolio Holder for Health, Wellbeing, Parks and Leisure gave the following response:

“The net cost to the Council’s budget in 2020/21 was contained within the amount approved by Council in August 2020 and was not passed on to the council tax payer. The estimated cost was agreed in an exempt section of the report to Council due to its commercial sensitivity. External legal advice confirmed that the Council’s contract with its leisure operator requires the Council to compensate for financial impact arising from a change of law and terms were agreed through negotiation. Because the Council is not the operator of the leisure centres, the Council does not have business interruption insurance but the leisure operator does, they continue to push their claim but this is still subject to final clarification from their broker. Waverley has recovered part of the loss from Government Covid compensation scheme.”

CNL41/22 MOTIONS (Agenda item 8.)

41.1 There were no motions received.

CNL42/22 MINUTES OF THE EXECUTIVE (Agenda item 9.)

42.1 It was moved by the Leader, duly seconded and RESOLVED that the Minutes of the Special Executive meeting held on 18 July and the Executive meetings held on 6 September and 4 October 2022 be received and noted.

42.2 There was one Part I matter, for Council consideration, from the meeting on 4 October.

CNL43/22 EXE41/22 CLIMATE CHANGE AND SUSTAINABILITY SUPPLEMENTARY PLANNING DOCUMENT (SPD) ADOPTION (Agenda item 9.1)

43.1 The Leader of the Council moved the recommendations, duly seconded by Councillor Liz Townsend, which set out a draft Climate Change and Sustainability Supplementary Planning Document which would provide further guidance on the implementation of Local Plan Part 1 (LPP1) policies relevant to climate change and sustainability and will form part of the Council’s response to the climate emergency and will become a material planning consideration.

43.2 Councillors Seaborne, Peter Martin and Hyman spoke on the report. Some concerns were raised over the style, presentation and substance of the document and clarification was sought over whether the SPD would apply to new builds and modifications. Councillor Williams and Councillor Liz Townsend responded to the points raised in the debate, noting that this was a supplementary planning document and not policy; and as much had been incorporated as possible in the context of the National Planning Policy Framework and LPP1.

43.3 The Mayor moved to a vote and it was

RESOLVED that the Climate Change and Sustainability Supplementary Planning Document (SPD) be adopted.

- 43.4 Councillor Hyman requested that his vote against the recommendation be recorded.

CNL44/22 MINUTES OF THE EXECUTIVE - PART II MATTERS OF REPORT (Agenda item)

- 44.1 The Mayor invited Councillor Hyman, who had registered to speak on Part II matters, to make his statement:
- 44.2 In respect of EXE 25/22 (Urgent Item – Loxley Well), Councillor Hyman made a statement on the costs of pursuing legal action.
- 44.3 At the invitation of the Mayor, the Leader responded to Councillor Hyman’s statement, clarifying that the exposure to significant costs would be if the legal action progressed to the second stage, at which point a decision would be made to progress to the second stage.
- 44.4 The Mayor invited Councillor Hyman, who had registered to speak on Part II matters, to make his statement.
- 44.5 In respect of EXE 43/22 (Fairground Development Project Progress Update Report), Councillor Hyman made a statement on the use of public money for legal advice in respect of environmental law and asked a question in respect of appropriate assessments.
- 44.6 The Mayor cautioned Councillor Hyman on his use of language when making statements and invited the Leader to respond. The Leader referred to previous Counsel advice and numerous statements made at previous meetings on this subject.
- 44.7 Councillor Hyman made a point of personal explanation and reiterated his question. The Mayor advised that the Leader had already responded.

CNL45/22 USE OF URGENCY PROCEDURE FOR A KEY DECISION (Agenda item 10.)

- 45.1 The Leader of the Council moved the recommendation, which was duly seconded by Councillor Clark.
- 45.2 The Mayor moved to a vote and it was

RESOLVED that the use of the urgency procedure for the taking of a key decision on 18 July 2022 be noted.

CNL46/22 MINUTES OF THE AUDIT COMMITTEE (Agenda item 11.)

- 46.1 It was moved by Councillor Wilson, duly seconded and RESOLVED that the Minutes of the Audit Committee meeting held on 12 September 2022 be received and noted.

CNL47/22 MINUTES OF THE STANDARDS AND GENERAL PURPOSES COMMITTEE (Agenda item 12.)

- 47.1 It was moved by Councillor Robini, duly seconded and RESOLVED that the Minutes of the Standards and General Purposes Committee held on 3 October 2022 be received and noted.
- 47.2 There were two Part I matters, for Council consideration, from the meeting on 3 October 2022.

CNL48/22 STD 05/22 REVIEW OF THE WAVERLEY CONSTITUTION (Agenda item 12.1)

- 48.1 Councillor Robini moved the report, which set out changes to the Council's Constitution. Following feedback from councillors since the Standards and General Purposes Committee, it was proposed that there be an amendment to the recommendations in respect of the membership of the planning committees, to retain the current makeup of those committees so that the membership would reflect the political balance of the wards represented. Councillor Goodridge seconded the amendment, as he had planned to table a similar amendment and spoke in support of the amendment.
- 48.2 Councillors Cockburn, Munro and Hyman spoke in support of the amendment. The Leader clarified that the current wording in the Constitution specified that committee members must come from the geographical area covered by the committee and that the amendment proposed retaining that wording.
- 48.3 The Mayor put the amendment to the vote, which was agreed unanimously.
- 48.4 Councillor Goodridge tabled a further amendment to Council procedure rule 11.8 (a), which was duly seconded by Councillor Mulliner, which proposed that statements on Executive or Committee Minutes be submitted by noon on the day of the meeting, with questions being submitted by noon on the day before the meeting.
- 48.5 The Leader spoke in support of the amendment. Councillor Hyman expressed some concern over the deadline for questions proposed. Councillor Mulliner spoke in support of the amendment.
- 48.6 The Mayor put the amendment to the vote which was agreed unanimously.
- 48.7 Councillor Hyman spoke on the substantive recommendations, as amended. He expressed some concern over the proposal to delegate minor changes to the Monitoring Officer; and the lack of a tracked changed version to consider.
- 48.8 Councillor Mulliner proposed an amendment to Article 14.2 to clarify that the Monitoring Officer updates to the Constitution did not have to be made without prior report, but that should there should be a prompt report of the changes to full Council. The amendment was seconded by the Leader.
- 48.9 The Mayor put the amendment to the vote which was agreed unanimously.
- 48.10 Councillor Seaborne raised some minor amendments to Article 7.2 (b) (iv) to remove the word "Joint" from "Joint Chief Officers" and replacing the word "financial" with the word "corporate" under the functions of the Audit Committee in Table 2. The Mayor advised that these were minor editorial

changes and did not require an amendment to be moved. The Leader advised that changes such as these could be made by the Monitoring Officer under delegated authority. The Leader thanked the officers for their work on updating and improving the Constitution.

48.11 The Mayor then put the recommendation, as amended, and it was

RESOLVED that the revised Waverley Constitution (Parts 1 to 4), as amended, is approved and adopted.

CNL49/221 STD 06/22 AMENDMENTS TO THE SCHEME OF DELEGATION (Agenda item 12.2)

49.1 Councillor Robini moved the report, seconded by Councillor Goodridge, which set out some amendments to the Scheme of Delegation in relation to the Executive Head of Planning Development, to reduce the number of applications being referred to the planning committees.

49.2 Councillor Hyman spoke on the report, raising some concern over the versions of the document and the format of some of the numbering. In response, the Leader advised that the Monitoring Officer had delegated authority to make any updates relating to legislation and encouraged councillors to engage with Democratic Services on any corrections required.

49.3 Councillor Robini thanked the Council for their comments and the Mayor put the recommendations to the vote and it was

RESOLVED that the proposed revisions to the Scheme of Delegation and that Version 7.1 of the Scheme of Delegation be approved.

CNL50/22 DECISION OF THE STANDARDS PANEL, 5 SEPTEMBER 2022 (Agenda item 13.)

50.1 The Mayor moved that the decision notice of the Standards Panel be noted.

RESOLVED that the decision of the Standards Panel held on 5 September 2022 be noted.

CNL51/22 DECISION OF THE STANDARDS PANEL, 6 SEPTEMBER 2022 (Agenda item 14.)

51.1 The Mayor moved that the decision notice of the Standards Panel be noted.

RESOLVED that the decision of the Standards Panel held on 6 September 2022 be noted.

CNL52/22 APPOINTMENT OF JOINT MONITORING OFFICER (Agenda item 15.)

52.1 The Mayor introduced the report which set out a recommendation to appoint a Joint Monitoring Officer. He thanked the outgoing Monitoring Officer, who had been successful in being appointed to another position on the Council's Joint Management Team.

52.2 The Mayor moved the recommendation and it was

RESOLVED that Stephen Rix be designated the Council's Monitoring Officer.

CNL53/22 CONTINUING ABSENCE - COUNCILLORS JAN FLOYD-DOUGLASS AND ANNE MARIE-ROSOMAN (Agenda item 16.)

53.1 The Mayor moved that the continuing absence of Councillors Jan Floyd-Douglass and Anne-Marie Rosoman be approved.

RESOLVED that the extended absences of Councillors Jan Floyd-Douglass and Anne-Marie Rosoman be approved for a further period of six months due to their ongoing ill-health.

The meeting concluded at 7.56 pm

Mayor