

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 4 OCTOBER 2022

SUBMITTED TO THE COUNCIL MEETING – 18 OCTOBER 2022

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

Present

Cllr Paul Follows (Chairman)	Cllr Kika Mirylees
Cllr Peter Clark (Vice Chairman)	Cllr Paul Rivers
Cllr Andy MacLeod	Cllr Liz Townsend
Cllr Penny Marriott	Cllr Steve Williams
Cllr Mark Merryweather	

Apologies

Cllr Nick Palmer

Also Present

Councillor Jerry Hyman

EXE 35/22 MINUTES (Agenda item 2)

The Minutes of the Meeting held on 6 September 2022 were confirmed and signed as a correct record.

EXE 36/22 DECLARATIONS OF INTERESTS (Agenda item 3)

There were no declarations of interest raised under this heading.

EXE 37/22 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4)

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

Received from Gary Struppe of Godalming:

“As a long term resident of Godalming I was horrified to hear of the Council’s plans to build housing on the Crown Court car park, a cornerstone of the central high street, and construct some replacement multi-storey parking on the Burys site. I should like to ask the Executive:

1. Why, given this is a major proposal for our community, the Council initially planned for only a limited consultation during the busy summer holiday period and designed a questionnaire that deliberately excluded those people wanting to object. In particular, why were these people unable to opine they did not want any housing to be built on Crown court nor given the chance to express that view?
2. When and how does the Council intend to analyse and subsequently present to members of the public the feedback received from the questionnaire and will the Executive please give a clear assurance that this analysis will include the

views of the many people I know who have written directly to the designated consultation email address with their views as the questionnaire did not give them a chance to adequately express their opinions?

3. Will the council provide a commitment and undertaking that it will halt its plans for building housing on Crown Court and for constructing a multi storey car park if the majority of questionnaire, email and other respondents disagree with these proposals?"

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

"Can I firstly thank Mr Struppe for a very timely question and recall, especially for our non-Godalming members, that the concept of building some housing on Godalming's Crown Court car park is only one of several possible elements that have been identified and studied over many years, by us and our predecessors, as part of a potential package of measures that's capable of resolving the significant pressures we face with our inefficient, indeed wasteful office building: something that we can't afford to ignore.

It's actually been quite remarkable how many residents are able to remember the cottages that were on the Crown Court car park site for decades up until the 1960s but be that as it may we've started with the assumption that most residents are used to the car park as it is now, and we've worked on that basis.

We're a financially and environmentally responsible Council and the housing we're contemplating would only be for low density, sustainable homes developed by us, and for us to rent at affordable and ethical rates on both the Crown Court and Wharf Road car parks. They would still have to be viable enough to contribute desperately needed recurring revenue income that would not only help pay for the homes themselves but also contribute to a refurbishment of the Council offices that we think could both save hundreds of thousands of pounds in costs that the offices currently waste every year and save tons of carbon that they emit annually.

This is not only a major question for Godalming but a significant issue for every Council taxpayer in Waverley, all of whom are currently footing the bill for the status quo. That is why it has been a regular feature in our public Executive, Council and Overview & Scrutiny meetings since 2019, and some specific public updates I've given myself including for example to the Executive on 3 March 2020 which was considered by the full 9 June 2020 Council.

But, as of now there are still no formal definitive proposals and the current round of preliminary engagement is intended to:

- *remind residents of the specific problems we face around The Burys which would be irresponsible to ignore;*
- *to explain the concepts and options – out of the dozens and dozens we've considered and tested – that have survived preliminary analysis and seem to be the most viable - or not - and why, and*
- *most importantly, to seek residents' feedback so as to inform the next phase of work only after which firm proposals may – or may not – emerge: proposals that can only then be taken forward for formal consultation.*

For where we are, at such a tentative stage, such a preliminary round of engagement like this is unprecedented:

- *not only has all of the work to date involved the elected members of this Council but the most recent phase of work that led up to it involved Godalming Town Council too;*
- *our online publicity campaign has been supplemented not only by a standing exhibition in the lobby of the Council offices but also special in person events for Council staff and the two in-person public drop in events on Godalming High Street, and*
- *this engagement has still not closed, and indeed further events are still planned including – but not limited to - a public webinar on Zoom in just over 2 weeks' time on 19 October.*

The survey questionnaire itself is only one component of the engagement as a whole which was designed to be structured but flexible. So, not only does the questionnaire itself repeatedly and explicitly invite and provide space for individualised responses regardless of whether they are positive or not, we have also – as Mr Struppe notes even in his own question - plainly invited residents to comment outside of the questionnaire directly to us through the in-person or electronic means we've provided. We're also conscious that residents have also wanted to discuss the project on social media, which we've also tried to track, and residents have always been welcome to use the other pathways the Council provides, the most obvious example of course being this very question that I'm responding to now.

We are tracking engagements and based on the data so far, I hope I can reassure Mr Struppe that his concerns about the survey do not seem to have crystallised. The rate of engagement has been steady since July, throughout the summer and since: it's now October and the engagement is still very much ongoing.

I can also reassure all residents that we are recording for analysis all of the feedback that we receive, regardless of the source, or that nature or degree of the opinions expressed. We're extremely grateful for ALL of the constructive feedback we've received, of all flavours, which has been gladly accepted in the spirit in which it's been offered.

I must also caution though that the feedback is not always as binary as might be pre-supposed. For example, consider a resident who, mistakenly, believes we're contemplating doing something to Bury's Field and who's feedback opposes that but is otherwise silent. In fact we and this resident are wholly in agreement and we've said from the outset that for us at least Bury's Field won't be touched. In substance, this resident has actively interacted with the engagement in a way that supports our position on Bury's Field and is neutral on the options actually on the table.

It is also important to consider not only the ratio of feedback of any flavour generated to the volume of interactions that residents have had with the engagement but also the ratio of engagement interactions to not only the residents of Godalming but the residents of Waverley as a whole.

As of last week, and prior to the High Street events, just for example:

- *The actual survey itself had generated 859 responses;*
- *The website providing project information together with the online copy of the survey had 3,788 hits with 3,035 unique visitors;*

- *We'd received 290 direct email responses and online comments outside of the survey, and*
- *Our video, uploaded to the Waverley YouTube Channel and shared on Social Media, has so far been viewed 1,012 times.*

This unprecedented engagement was and is purposed to inform the next more detailed phase of assessment. Should that pathway lead to definitive proposals or plans of any sort which this Executive supports, these would still be subject to formal public consultation, Council scrutiny, and then of course approval at least by this Council acting for itself and as the Planning Authority.

For now, we will continue to study in multi-dimensions the surviving options which could, possibly, resolve some of the clear and present problems in and around the Burys that are only going to get worse. We're doing so because we're a fiscally responsible Council that has sustainability – financial and otherwise - at its core. I've remarked already elsewhere on how the uncertain economic climate may affect our capital projects as well as our revenue budgets but even since this engagement started the conditions have worsened and uncertainty increased dramatically. This is making the pressures on us even more severe while at the same time undermining our ability to take measures deal with them."

The Leader added that he, Cllr Merryweather, and officers, had been talking to people at the recent engagement events, and he had been surprised at the number of people who had misconceptions about the proposals. These had been addressed and it appeared that even if people still did not fully agree with the proposals, there was more understanding about why Waverley was doing what it was doing. The engagement events would be continuing and dates would be announced as arrangements were confirmed. There would continue to be updates at all Executive meetings at Waverley, and also to Godalming Town Council.

EXE 38/22 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5)

There were no questions from councillors.

EXE 39/22 LEADER'S AND PORTFOLIO HOLDERS' UPDATES (Agenda item 6)

The Leader and Portfolio Holders gave brief updates on current issues not reported elsewhere on the agenda:

- The Leader thanked the Officers who were managing the engagement events in Godalming High Street on the Central Godalming Regeneration Project. They had met a lot of residents and answered many questions, and it had been very valuable engagement which would continue through this month.
- The Leader also thanked the team of Officers who were dealing with Ukrainian refugees and guests. He had attended the session in Milford the previous evening for Godalming and villages, which followed on from sessions in Cranleigh, Farnham and Haslemere. There had been around 50-60 refugees and hosts present, and officers had dealt with a variety of questions. The Leader particularly thanked the gentleman who since the Cranleigh meeting had volunteered to do all of the translating and who had attended all the following sessions.
- Cllr Clark provided an update on the new Citizen Hub which marked a major step forward in customer service improvements. The Hub would create a 'golden customer record' and enable the council to link customer records to cases they raise and improve the quality of response that officers are able to provide. Cllr Clark had

also received a demonstration of the new in-house digital customer complaints management database. This would integrate with the Citizen Hub and enable improved record-keeping in managing and resolving complaints.

- Cllr MacLeod reported that improvements to the South Street car park in Farnham were ongoing. Crest Nicholson were still looking for new anchor tenants for Brightwells to replace M&S. The opening date was now likely to be the middle of 2023. Crest Nicholson had also recently invited the Community Liaison Group on a site visit, which Cllr MacLeod had attended. He was pleased to report that they had been impressed with the quality of the build that they saw.
- Cllr MacLeod had also met this week with the newly appointed Joint Executive Head of Regulatory Services for Guildford and Waverley, Richard Homewood, who would be managing most of the councils' environmental enforcement activities. Mr Homewood had previously been exploring ways to improve the efficiency of environmental enforcement across different service teams within Waverley, and he was now exploring at how to extend this to Guildford in order to maximise the efficiencies across both councils.
- Cllr Marriott reported on work to implement the Equality, Diversity and Inclusion Policy, and noted the input from the Corporate Equalities Group on behalf of Waverley staff. One event had been held for councillors which had produced lively discussion and it was planned to hold more meetings in order to expand the councillor input to the Policy. There was a strong commitment to making Waverley an organisation where the principles of equality, diversity and inclusion were upheld in every part of the system.
- Cllr Merryweather had previously commented on the impacts of government policy on the Council's finances, and on the ability to take steps to respond, but the priority was the impact on Waverley residents. For the vast majority of Waverley residents, any benefits arising from government proposals be vastly offset by the economic consequences of those announcements. The Executive had established a Cost of Living Working Group to assess and act on the deepening cost of living crisis on the community, and there would be further updates in due course.
- Cllr Mirylees reported that the MEND application had been lodged and a decision was expected around March 2023.
- Leisure Centre Operator tenders were expected back next month. This was a difficult period, with energy prices rising and no identified support from the government. However the support that the Leisure Centres had given to Ukrainian guests who had settled in Waverly had been exceptional: free 3-month memberships had been allocated since May – Haslemere 77, Farnham 146, Cranleigh 38 and Godalming 66 – and when they are up for renewal they are being extended for a further 3 months. Farnham Leisure Centre had also donated swimming lessons, squash and badminton courts, personal training vouchers, and a free pool party for Ukrainian children. Haslemere Leisure Centre were providing training and meeting rooms free of charge for volunteers to provide English lessons for Ukrainians in the local area which had been incredibly popular with 30-40 attendees across two days. The Memorial Hall in Farnham had also provided a meeting room as a venue for English lessons.
- Cllr Mirylees reported that Surrey County Council (SCC) had ended Waverley's contract to maintain highways verges from April 23 2023 and the councils were working together to ensure a smooth handover. SCC were planning on doing a lower standard of maintenance ('countryside standard') comprising 4 urban cuts and 2 rural cuts a year as opposed to Waverley's 8 and 12 cuts. Waverley would be talking to them about continuing 'No mow May'. It was expected that there would be an increase in resident complaints about the reduced standard of verge maintenance and the appropriate explanation would be provided in due course.

- Cllr Rivers reported that the last edition of Homes and People was now available. The council had stopped issuing Flexible Tenancies with effect from 5 September 2022, which would provide more security for tenants, and this was explained further in Homes and People. The Tenants Panel AGM would be held on 27 October, and was open to all tenants and councillors to attend.

EXE 40/22 RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEES
(Agenda item 7)

The Leader introduced the recommendations from the Overview and Scrutiny Committees meetings which had been held in September. The Executive had discussed the recommendations at their informal meeting, and thanked the Cllr Deanus and Cllr Peter Marriott for attending and for their contributions.

The Leader addressed the recommendations as follows:

R22-09-27-11	Accepted. The Executive agreed that it was always possible to improve performance on complaint response times, and the Leader hoped that O&S would work with the Executive in suggesting how this might be achieved.
R22-09-27-14	Accepted. The Joint Executive Head of Finance would provide an update to O&S and the Executive on proposals for Wey Court East.
S22-09-20-22(a)	Partially accepted. The priority of items in the action plan was a function of the size of the carbon footprint and the ability of the council to make an impact. Housing was an area where the council wanted to do more and the Leader expected that the priority would change following the review of the HRA Business Plan and it was clearer what there was capacity to do.
S22-09-20-22(b)	Accepted. A checklist was in a final draft form and would be circulated shortly.
S22-09-20-22(c)	Accepted. The Cost of Living Working Group will input to the action plan, but broadly agree.
S22-09-20-22(d)	Accepted. Subsequent versions should be mindful of accessibility and navigation in different formats.
S22-09-20-23	Noted that the recommendations of the Task & Finish Group had been incorporated into the draft contract documents. It was agreed that all members would be updated on the progress of the tender process.

PART I - RECOMMENDATIONS TO THE COUNCIL

Background Papers

Unless specified under an individual item, there are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to the reports in Part I of these minutes.

EXE 41/22 CLIMATE CHANGE AND SUSTAINABILITY SUPPLEMENTARY PLANNING DOCUMENT ADOPTION (Agenda item 8)

Cllr Townsend introduced the report which presented the new Climate Change and Sustainability supplementary Planning Document (SPD) and recommended that it be submitted to Council for adoption.

Cllr Hyman was in remote attendance, having registered to speak in accordance with Procedure Rule 23. He noted that the document contained a number of typographical errors which needed to be corrected, and outlined his objections to the SPD on the basis that, in his opinion, the Council was not in compliance with the Habitats Regulations. The Leader and Cllr Townsend noted Cllr Hyman's objections but reminded him that the Council had obtained multiple legal opinions over the years that confirmed that the Council's approach was legal and correct.

RESOLVED that

- 1) the Joint Strategic Director for Place in consultation with the Portfolio Holder for Planning and Economic Development review and amend any typographical errors and other non-substantive elements of the document that need correcting; and**
- 2) the Executive recommends to Council that the Climate Change and Sustainability Supplementary Planning Document (SPD) be approved, and adopted as a material planning consideration.**

Reason: The SPD provides 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. It will enable the Council to influence new development across the Borough so that it is sustainable and responds to the challenges of, and mitigates against, climate change.

This recommendation follows a statutory public consultation on the SPD undertaken in accordance with Regulation 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ("the Regulations"). The final SPD has been amended in response to comments raised through the public consultation.

PART II - MATTERS OF REPORT

The background papers relating to the following items are as set out in the reports included in the original agenda papers.

EXE 42/22 CARBON NEUTRALITY ACTION PLAN ANNUAL REPORT (Agenda item 9)

Cllr Williams introduced the second annual update of the Carbon Neutrality Action Plan (CNAP) since its adoption in 2020. The report outlined progress on actions, and it was noted that the Action Plan had been revised to reflect progress and new actions identified to enable the Council to achieve its target of becoming a net zero carbon authority by 2030.

The report also detailed Waverley's organisational Greenhouse Gas emissions in 2021/22, which at 3,500 tonnes CO₂ which was a 34% reduction compared to the baseline year of 2015/16.

RESOLVED that:

- 1) **progress made on the CNAP during 2022, as shown in Annexe 1 to the agenda report, is noted;**
- 2) **the GHG report attached at Annexe 2 to the agenda report, is noted, and the report is published on the Waverley Borough Council website;**
- 3) **the updated content of version 3 of the CNAP, as presented in Annexe 3 to the agenda report, is endorsed; and,**
- 4) **the observations and recommendations of the Services Overview and Scrutiny Committee meeting on 20 September 2022 in relation to the CNAP are noted.**

Reason: To ensure that the Executive is up to date with the council's progress on its response to the Climate Emergency and to request support on the direction of travel over the next year.

EXE 43/22 FAIRGROUND CAR PARK DEVELOPMENT PROJECT PROGRESS UPDATE REPORT (Agenda item 10)

Cllr Merryweather presented the report which set out progress on the project to date, and requested a budget to move to the next stages of procuring a development partner.

Cllr Hyman was in remote attendance, having registered to speak in accordance with Procedure Rule 23. Cllr Hyman outlined his objection to spending more money on this project without having first resolved the issue that, in his opinion, the Council was not in compliance with the Habitats Regulations. The Leader referred Cllr Hyman to his comments earlier in the meeting regarding the legal assurances the Council has received regarding its approach to the Habitats Regulations.

RESOLVED to approve a budget of £125,000 to be met from the Property Investment Reserve, to put funds in place to see the project through stages 3 and 4 as detailed in the revised timeline and to allow the feasibility work detailed in Exempt Annexe 1 to the agenda report.

		£
Stage 3	Procurement - prepare tender documents and go out to procurement	50,000
Stage 4	Tender returns, dialog with interest parties and contract negotiations	50,000
Incidental Work	Feasibility work to free up site and aid project delivery – as detailed in exempt annexe	25,000

		125,000
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Reason: Following the Executive approval in March 2022, officers have been working with external property advisers, Montagu Evans, on progressing the project with the focus on a mixed-use housing and supermarket provision in support of the Local Plan Part 2.

The meeting commenced at 6.00 pm and concluded at 6.58 pm

Chairman