

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 17 JANUARY 2023

SUBMITTED TO THE COUNCIL MEETING – 21 MARCH 2023

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

Present

Cllr Paul Follows (Chair)
Cllr Peter Clark (Vice Chair)
Cllr Andy MacLeod
Cllr Penny Marriott

Cllr Nick Palmer
Cllr Paul Rivers
Cllr Liz Townsend
Cllr Steve Williams

Apologies

Cllr Mark Merryweather and Cllr Kika Mirylees

Also Present

Councillor Jenny Else, Councillor Jerry Hyman (virtual attendance)

EXE 64/22 MINUTES (Agenda item 2)

The Minutes of the Meeting held on 29 November 2022 were confirmed and signed as a correct record.

EXE 65/22 DECLARATIONS OF INTERESTS (Agenda item 3)

There were no declarations of interest raised under this heading.

EXE 66/22 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4)

There were no questions from members of the public.

EXE 67/22 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5)

The following question had been received from Cllr Jenny Else, Ward Member for Elstead and Thursley:

“As you are aware, Waverley Borough Council have a duty, as responsible landlords, to ensure that their properties are fit for habitation.

My questions to the Executive are:

- When was the last full condition survey of Waverley’s dwellings in Westhill, Elstead carried out?
- Who carried it out?
- What measures were recommended?
- What works have been programmed to execute any recommendations?
- What progress has been achieved?
- How do these properties rate under the HHSRS and the EPC?

- Why are there properties with roofs still unfelted and poorly insulated in our ownership in 2023?
- How does this correlate to WBC's commitment to carbon neutrality?"

The following response was provided by Cllr Paul Rivers, Portfolio Holder for Housing (Operations):

"The last full condition survey was carried out 4 years ago and it was carried out by internal stock condition surveyors.

Stock surveyors assess the condition of key components of properties but do not make recommendations. From the data collected programmes of work such as cavity wall insulation have been implemented. Properties have been insulated.

From the data held these properties are free of Housing health and safety rating category 1 hazards.

The majority of the EPCs for the properties in West Hill are category D.

From the records the properties at West Hill have both cavity wall and loft insulation. Many of the council's roofs do not have felt underlayment – this does not impact on the EPC rating.

The Council has a "fabric first" policy in relation to our homes and this is reflected in the insulation of the homes programmes."

EXE 68/22 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 Elstead Parish Council for inviting him to meet with them the previous evening. It had been an interesting meeting and the Leader had corresponded with the Parish Clerk to progress matters raised.
- Cllr Clark advised that the Surrey County Council Farnham Board, at its December meeting, had endorsed plans for Farnham Town Centre. More detailed designs were now being developed. The plans aimed to address poor air quality and traffic congestion, and improve the experience for users of the Town Centre. Data showed that pedestrians out-numbered cyclists and motorists, so the pedestrian experience was being prioritised as the work moved forwards.
- Cllr MacLeod advised that the Public Space Protection Orders (PSPOs) for dog fouling and dog control were being reviewed and a public consultation had been launched as part of this process. With regard to the Brightwells development in Farnham, a phased opening had been agreed with Surrey County Council, with completion due on the commercial element in the summer of 2023.
- Cllr Marriott provided an update on the work to develop a Equalities, Diversity and Inclusion (EDI) Policy for Waverley. The Corporate Equalities Group had reviewed councillor safety, and whilst councillors did not have access to the staff safety register, they were encouraged to contact the Council's Emergency Planning, Resilience & Safety Officer if they had any

concerns. In the same vein, the Local Government Association had launched its Debate Not Hate campaign and a toolkit of resources was available on the LGA website.

- Cllr Townsend reported that the Development Management Team had maintained its improved performance on validation of planning applications, and there were none outstanding that were more than five days old. The Council would need to make a formal decision shortly on whether to update Local Plan Part 1. The Ministerial Statement shortly before Christmas had some positive and negative messages and was being reviewed closely. A response to the consultation on the National Planning Policy Framework was also being prepared. The Climate Change & Sustainability SPD had been adopted, and planning applications were now being received which included the Climate Change and Sustainability checklist.
- The Business Development Team continued to provide support to Waverley's business communities, and work was progressing to develop Business Improvement Districts (BIDs) in Cranleigh, Farnham and Godalming. The annual business breakfast meeting would be held on 7 February, jointly with Guildford Borough Council.
- Cllr Williams advised that one way of addressing the carbon footprint of the waste collection service was moving the collection trucks to biofuel. A pilot scheme had been launched and 60,000 litres of biofuel had been purchased.

EXE 69/22 SUSTAINABLE PROCUREMENT POLICY (Agenda item 7)

Cllr Williams introduced the Sustainable Procurement Policy which aimed to ensure that officers were procuring in a way that supported the Council's Climate Change and Sustainability Strategy. The Policy placed a requirement on suppliers, where appropriate and proportionate, to meet various requirements, including mitigating, preventing, and minimising their negative impacts on the environment. The Policy also expanded on officers' obligations under the Public Services (Social Value) Act 2012, to consider the wider societal benefits which can be incorporated into contracts as part of the procurement process.

Cllr Hyman had registered to speak on this item and raised a number of editorial points regarding the document, and also asked about the cost implications of any additional requirements placed on companies bidding for council contracts.

The Executive RESOLVED to endorse and adopt the Sustainable Procurement Policy.

Reason: To adopt a sustainable procurement policy to reflect best practice in the industry and support the Council's corporate objectives.

EXE 70/22 UPDATE TO THE LOCAL PLANNING ENFORCEMENT PLAN (Agenda item 8)

Cllr MacLeod introduced the revised Local Planning Enforcement Plan, which would replace the current plan that had been adopted in 2013. It was good practice to have a Local Planning Enforcement Plan which set out how the Council would respond to individual complaints about breaches of planning control, the process for investigating and recording complaints and the timescales involved. The revised Plan reflected changes to the National Planning Policy Framework, adoption of

Local Plan Part 1, Waverley's Corporate Strategy, and declaration of a climate emergency.

The revised Plan also aimed to provide more detailed information about the Council's enforcement procedures to better manage the public's high expectations of what the planning enforcement function was able to deliver, and the timeframes associated with certain types of enforcement action.

The Executive RESOLVED to adopt the updated Local Planning Enforcement Plan.

Reason: To comply with good practice as set out in Paragraph 59 of the National Planning Policy Framework 2021:

"Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permission, investigate alleged cases of unauthorised development, and take action where appropriate."

EXE 71/22 LEISURE MANAGEMENT CONTRACT TENDER (Agenda item 9)

The Leader introduced the report which provided an update on the Leisure Management Contract procurement and sought approval for the award of the contract at the end of the procurement process. The current 15 year contract to manage Waverley's five leisure centres would expire on 30 June 2023, and the council was working towards the award of a new contract in April 2023 to allow time for a mobilisation period ahead of the start date on 1 July 2023.

Cllr Hyman had registered to speak on this item, and raised concern about the timing of this decision being ahead of completion of the procurement process.

The Executive RESOLVED to:

- 1. approve the award of the proposed contract to the top-ranked bidder following completion of the procurement process; and**
- 2. delegate authority to the Strategic Director for Transformation and Governance to complete all required contractual documentation and approve execution of the contract documentation.**

Reason: The current 15 year leisure management contract for the Council's five leisure centres expires on 30 June 2023 and the Council needs a new contractual arrangement to be in place for 1 July 2023.

EXE 72/22 HOUSING REVENUE ACCOUNT BUDGETARY REQUEST - CARBON MONOXIDE ALARM INSTALLATIONS (Agenda item 10)

Cllr Rivers outlined the background to the programme of works to install carbon monoxide alarms in the Council's housing stock, and the need for a virement between budget lines within the Housing Revenue Account to fund the rest of the 2022/23 programme of works.

The Executive RESOLVED to approve a virement of £125,000 from the Stock Survey budget to fund the installation programme for carbon monoxide alarms in 2022/23.

Reason: to comply with revised regulations that now require social landlords to fit smoke and carbon monoxide alarms in rental properties where there is any fitted combustion appliance other than a gas cooker.

EXE 73/22 HRA AFFORDABLE HOUSING - OCKFORD RIDGE - SALE OF 3 SHARED OWNERSHIP HOMES (Agenda item 11)

Cllr Palmer reported that Laurel Close, Ockford Ridge comprised Site B of the Council's masterplan for the redevelopment of Ockford Ridge. Two sites had already been delivered, and Laurel Close was the latest phase of homes to be completed. The new development delivered 17 new affordable homes, comprising 14 for rent and three for shared ownership. Purchasers had been identified for all three shared ownership following marketing to those on the Council's Shared Ownership register. Solicitors have been appointed to act on behalf of the Council to prepare the sale and lease documents and were in a position to progress subject to approval.

Cllr Hyman had registered to speak on this matter, and queried why this decision had been brought to the Executive. The Leader advised that there was no delegation to officers in place to permit the sales to proceed, therefore an Executive decision was needed.

The Executive RESOLVED to:

- 1. approve the sale of the three shared ownership homes at Laurel Close, Ockford Ridge, Godalming and give the Executive Head of Legal and Democratic Services authority to approve the final form of the agreements; and**
- 2. delegate authority to the Executive Head of Housing Services in consultation with the Co-Portfolio Holders for Housing Delivery and Operations to approve the future sale of percentage shares.**

Reason: the delivery and sale of the shared ownership homes at Laurel Close meets the corporate priority to provide good quality housing for all income levels, and the commitment within the Affordable Homes Delivery Strategy 2022-2025, to build homes to buy or rent for households from all income levels.

EXE 74/22 PRIVATE SECTOR HOUSING ENFORCEMENT POLICY (Agenda item 12)

Cllr MacLeod introduce the revised enforcement policy for private sector housing, which replaced the policy adopted in 2007. The revised Private Sector Housing Enforcement Policy incorporated new legislative powers to improve conditions in the private rented sector and drive out 'rogue landlords', including a charging structure to determine the level of financial penalty to be applied under the Housing Act 2004; a Statement of Principles for the penalty under the Smoke and Carbon Monoxide Regulations 2015; and the penalty levels under the Minimum Energy Efficiency Standard.

The Executive RESOLVED to adopt the new Private Sector Housing Enforcement Policy.

Reason: to ensure the Council has the necessary tools to improve conditions for tenants in the private rented sector.

EXE 75/22 REVIEW OF EXECUTIVE WORKING GROUPS - CIL ADVISORY BOARD AND LANDLORD SERVICES ADVISORY BOARD (Agenda item 13)

The Leader introduced minor changes to the terms of reference of the CIL Advisory Board and the Landlord Services Advisory Board, which would address a number of practical matters in the way that these two Executive Working Groups operated.

The Executive RESOLVED to:

- 1. revise the quorum of the CIL Advisory Board to two Executive Members and two non-Executive Members.**
- 2. approve the proposed changes to the membership and terms of reference of the Landlord Services Advisory Board, as set out in Annexe 1 of the agenda report.**

Reason:

1. To better ensure the scheduled CIL Advisory Board meetings may proceed.
2. To update the Landlord Services Advisory Board terms of reference following the 12-month review.

EXE 76/22 USE OF SPECIAL URGENCY PROCEDURES (Agenda item 14)

The Executive RESOLVED to note the use of the urgency procedure for taking key decisions on 1, 29 and 30 November 2022.

Reason: The Council's Constitution makes provision for taking an urgent decision at Paragraph 11.4 of Part 4.5 (Overview and Scrutiny Procedure Rules). Paragraph 11.4 requires that any decisions taken under the urgency procedure will be reported to the next available Council meeting together with the reasons for urgency. This was done at the Council meeting on 13 December. In addition, the Leader requested that the decisions also be reported to the next available Executive meeting.

The meeting commenced at 6.00 pm and concluded at 6.50 pm

Chairman