



Waverley Borough Council
Council Offices, The Burys,
Godalming, Surrey
GU7 1HR
www.waverley.gov.uk

To: All Members of the Council

Ben Bix, Democratic Services Manager

Legal & Democratic Services

E-mail: ben.bix@waverley.gov.uk

Direct line: 01483 523354

Calls may be recorded for training or monitoring

Date: 13 May 2024

Dear Councillor

Annual Council Meeting - Tuesday, 21 May 2024

A MEETING of the WAVERLEY BOROUGH COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS, GODALMING on **TUESDAY, 21 MAY 2024** at **6.00 pm** and you are hereby summoned to attend this meeting.

The Agenda for the Meeting is set out below.

Yours sincerely

Susan Sale

Strategic Director Legal & Democratic Services & Monitoring Officer



Agendas are available to download from Waverley's website (www.waverley.gov.uk/committees), where you can also subscribe to updates to receive information via email regarding arrangements for particular committee meetings.

Alternatively, agendas may be downloaded to a mobile device via the free Modern.Gov app, available for iPad, Android, Windows and Kindle Fire.

Most of our publications can be provided in alternative formats. For an audio version, large print, text only or a translated copy of this publication, please contact committees@waverley.gov.uk or call 01483 523351.

The meeting will be webcast and can be viewed by visiting
www.waverley.gov.uk/committees

Agenda

1. **Elect a Councillor, other than an Executive Member, to be the Mayor**
Declaration of Acceptance of Office by the Mayor
2. **Appoint a Councillor, other than an Executive Member, to be the Deputy Mayor**
Declaration of Acceptance of Office by the Deputy Mayor
3. **Apologies for absence**
The Mayor to report apologies for absence.
4. **Declarations of Interests**
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.
5. **Minutes** (Pages 5 - 32)
To confirm the Minutes of the Council meeting held on 23 April 2024 (herewith).
6. **Receive any announcements from the Mayor, Head of Paid Service, Chief Finance Officer and/or Monitoring Officer**
7. **Vote of thanks to the retiring Mayor**
8. **Establishment of Committees 2024/25** (Pages 33 - 40)
To establish such committees (including their size and terms of reference) as the Council considers appropriate to deal with matters which are neither reserved to full Council nor are Executive functions, including at least one Overview and Scrutiny Committee and a committee to consider standards and ethics.

9. **Appointments to Committees 2024/25** (Pages 41 - 48)

Council are recommended to make the resolutions set out in the report at agenda item 9.

10. **Adopt the Council's Constitution and agree the Scheme Of Officer Delegations, other than those relating to Executive functions**

To discharge Council Procedure Rule 2.2 xiii.

[Constitution of Waverley Borough Council on Friday, 10th May, 2024 - Waverley Borough Council](#)

11. **Joint Legal and Democratic Services structure proposals** (Pages 49 - 64)

Council are recommended to make the resolution set out in the report at agenda item 11.

12. **Any matters deemed urgent by the Mayor**

To consider any matters deemed urgent by the Mayor, after having taken advice from the Monitoring Officer or their representative, in that the matter to be determined has arisen since the publication of the agenda and failure to determine it at this meeting would cause significant adverse impact to the Council.

This page is intentionally left blank

Agenda Item 5.

1

MINUTES of the WAVERLEY
BOROUGH COUNCIL held in
the Council Chamber, Council
Offices, The Burys, Godalming
on 23 April 2024 at 6.00 pm

- * Cllr Penny Rivers (Mayor)
- * Cllr John Ward (Deputy Mayor)

- | | |
|-------------------------|--------------------------|
| * Cllr Lauren Atkins | * Cllr Peter Martin |
| * Cllr Jane Austin | * Cllr Mark Merryweather |
| * Cllr Zoe Barker-Lomax | * Cllr Kika Mirylees |
| * Cllr David Beaman | * Cllr Alan Morrison |
| * Cllr Dave Busby | * Cllr David Munro |
| * Cllr Peter Clark | * Cllr George Murray |
| * Cllr Carole Cockburn | * Cllr Peter Nicholson |
| Cllr Janet Crowe | * Cllr Nick Palmer |
| * Cllr Jerome Davidson | * Cllr Ken Reed |
| * Cllr Kevin Deanus | * Cllr Ruth Reed |
| * Cllr Adam Duce | Cllr Connor Relleen |
| * Cllr Tony Fairclough | * Cllr Paul Rivers |
| * Cllr Paul Follows | * Cllr John Robini |
| * Cllr Maxine Gale | * Cllr Julian Spence |
| Cllr Michael Goodridge | * Cllr James Staunton |
| Cllr George Hesse | * Cllr Richard Steijger |
| * Cllr Michael Higgins | * Cllr Phoebe Sullivan |
| Cllr Jerry Hyman | * Cllr Liz Townsend |
| * Cllr Jacquie Keen | * Cllr Philip Townsend |
| * Cllr Victoria Kiehl | * Cllr Terry Weldon |
| * Cllr Andrew Laughton | * Cllr Graham White |
| * Cllr Gemma Long | Cllr Michaela Wicks |
| * Cllr Andy MacLeod | * Cllr Steve Williams |

*Present

Apologies

Cllr Janet Crowe, Cllr Michael Goodridge, Cllr George Hesse, Cllr Connor Relleen and Cllr Michaela Wicks

Prior to the commencement of the meeting, prayers were led by Rvd James Rattue

CNL104/23 APOLOGIES FOR ABSENCE (Agenda item 1.)

Apologies for absence were received from Cllrs Janet Crowe, Michael Goodridge, George Hesse, Connor Relleen and Michaela Wicks.

CNL105/23 MINUTES (Agenda item 2.)

The Minutes of the Meeting of the Council held on 20 February 2024 were confirmed and signed as a correct record subject to a correction to CNL96/23 General Fund Budget 2024/25, Capital Programme 2024/25 and Medium Term Financial Plan 2024/25 – 2027/28 where Cllr Ken Reed stated that Cllr Hymans name had omitted from the list of those in favour of the substantive motion.

CNL106/23 DECLARATIONS OF INTEREST (Agenda item 3.)

There were no interests declared.

CNL107/23 MAYOR'S ANNOUNCEMENTS (Agenda item 4.)

107.1 Pedro Wobel, Joint Chief Executive Officer, welcomed Cllr Alan Earwaker to the Council following his successful election for Farnham Castle Ward.

107.2 The Mayor thanked everyone who joined her outside The Bury's for the raising of the flag for St George's Day and she looked forward to seeing everybody at Godalming Museum on Friday the 3rd of May at 6:00pm for the private view of the exhibition by the artist from the Meath which she was co-hosting with the Mayor of Godalming.

CNL108/23 LEADER'S ANNOUNCEMENTS (Agenda item 5.)

108.1 The Leader of the Council thanked the Mayor for inviting the students from Broadwater school to speak to Council. As one of the two Ward members he advised he would be very pleased to meet with them to continue their ambitions further.

108.2 He also welcomed Councillor Earwaker and thanked the Electoral Services team and other Staff who supported the byelection and their continued work on the Witley and Milford byelection and the Police and Crime Commissioner elections to be held on 2nd May.

108.3 The Leader advised he had attended a number of Town and Parish meetings in recent weeks as well as a planning committee at Alfold parish and extended the Executives usual offer to other parishes to attend to take questions on any matter relating to the remit of Waverley Borough Council.

108.4 The Leader Councillor Paul Follows then said, "Mayor, with your agreement, I would also like to invite members of the Executive to say a few words under this item.

108.5 Councillor Merryweather advised that the Executive were delighted to announce, that on April 10, Lounges PLC, the owner of Lounges restaurants had signed an agreement for the lease with Waverley Borough Council to occupy the front part of 69 High Street, Godalming. A planning application for the commercial part of the development will be submitted by the end of the month and officers and members hosted drop-in sessions in the Bury's last week for local residents to see plans and give their views on those proposals.

- 108.6 Many businesses from The High Street popped in to give their encouragement. Residents could view and comment on the plans on Waverley's commonplace platform which included frequently asked questions. There had been 550 visits to the site in addition to the residents who came in person. The feedback was positive. The key aim was to ensure that the first element of the development happens quickly so that we could move on to the more important development up to 10 new much needed affordable homes on the larger part of the site to the rear. These New Living Spaces will be energy efficient and designed sympathetically to the surrounding area the homes will reflect the council strategy to create more affordable housing in Godalming as well as protecting the environment by using a previously developed site and optimizing the space.
- 108.7 He advised that a planning application for the housing will be submitted later this year. Cllr Merryweather thanked the officers for their professionalism and thanked Loungers for their confidence in Godalming.
- 108.8 Councillor Paul Rivers thanked Terry Daubney, Chair of the Waverly Tenants Panel for running the tenant open meeting last Thursday. It was a worthwhile meeting with Councillors hearing directly from tenants on how effective and supportive our officers are. He encouraged tenants who wish to join the panel to do so. Cllr Rivers highlighted it is the 30th Anniversary of the tenants panel next year and an opportunity for our tenants to hold us to account.
- 108.9 Councillor Williams advised that Council would be hearing more about air quality issues a little bit later in response to Members questions but that he wanted to take the opportunity to make one observation in relation to air quality which is of concern to all Councillors. He highlighted that it was somewhat ironic, that at a time when it is clear that poor air quality was compromising the health and even the lives of children, the elderly, the vulnerable and others, that DEFRA had announced that the Air Quality Minister, Robbie Moore had used his discretion not to fund the local Air Quality Grant Scheme for the current financial year.
- 108.10 On a more positive note whilst he didn't approve the government's bidding culture to fund essential works in local government, he was at least relieved that the officers in Waverly are very good at it. He took the opportunity to congratulate the sustainability team, the leisure services team and the housing team on their successful bids to secure £1,545,000 from the public sector decarbonization scheme to fund decarbonization energy efficiency measures to supply new air source heat pumps for the Farnham Leisure Centre. He also thanked the team that put together the bid of £279,000 from the social housing decarbonization fund to help Waverly's half a million pounds project to upgrade some of our most energy inefficient homes through a fabric first approach. He highlighted these represent a real success which will provide real benefits to residents and Council tenants as well as dramatically reducing carbon emissions.

CNL109/23 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 6.)

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

1. Question from Daniel Kuszel

Could the Leader explain why the FOI Team is not responding to queries for information within the statutory 20 working day period? Is he aware that the team is still using Covid-19 as a reason for not meeting the statutory deadline? Could he explain why the completion of FOI requests continues to be affected by Covid-19 when it appears all other council services have returned to normal operation?

Response by Cllr Victoria Kiehl, Executive Portfolio Holder for Organisational Development and Governance:

Thank you Madam Mayor. Thank you to Mr Kuszel for his question which I will respond to as co-portfolio holder for Legal Services.

The Council takes its obligations under the Freedom of Information Act 2000 seriously; this includes responding to FOI requests within the statutory timelines of 20 working days. During COVID all public authorities in the UK including Waverley Borough Council were unable to meet the statutory timelines for responding to FOI requests, however post COVID, local authority officers, including Waverley Borough Council Officers, were able to return to their offices and this improved their compliance rate for FOI requests. Waverley Borough Council has stopped using COVID as a reason for non-compliance with FOI statutory timescales; however, it is noted that since the COVID-19 pandemic, the Council has been receiving a large amount of FOI requests, coupled with pressures due to staff absences, sickness, and resources.

To ensure the Council improves its FOI compliance record, the Council has recently increased the number of officers working in the FOI Team from 1 to 3 officers; the Council is also working on upscaling the knowledge of the team and officers by arranging refresher training on the Freedom of Information Act 2000. In the last 2 months, the new team have reduced the number of late responses by 80% and they hope to clear all the backlog within the next couple of months. Every member of the public can of course refer their dissatisfaction with the way the Council has handled their FOI request to the Information Commissioner's Office.

2. Question from Katie Hobson on behalf of CranleighHighStreet.uk team

This question is in relation to the new Cranleigh Leisure Centre and the proposal to build it in the middle of the Village Way car park.

The minutes of the Cranleigh Parish Council AGM on 9th March 2023, state that Councillor E Townsend spoke about the proposed new leisure centre, in her role as Portfolio Holder for Planning and Economic Development at Waverley Borough Council.

- When asked 'will there be a consultation on the location of the new leisure centre?', Cllr Townsend answered 'once a consultant has been formerly appointed there will be more information available and a full consultation on its final location.'
- Cllr Townsend also explained that 'there will be disruption to parking to begin with but at the conclusion of the project there will not be any parking lost.'

- When asked about the amount of useable parking available during the construction, Cllr Townsend explained ‘that there would be disruption, but about half of the car park should still be useable.’

The latest designs show that 68 parking spaces will be lost from Village Way car park at the end of the project, (235 spaces vs 303 now), and it appears that there will be very few parking spaces available during construction itself – significantly less than ‘half’.

Please could the Council confirm:

- a) Where in Cranleigh, will the 68 new car parking spaces be located – to ensure no loss of parking?
- b) When the full consultation on the final location of the new leisure (as referred to above) will take place.

Responses by Cllr Liz Townsend, Executive Portfolio Holder for Planning and Economic Development:

Response to Question a:

The Council and the Project team are very aware that parking is a key consideration on the site both during construction and post build. The plans shown during the engagement stage were draft, and highlighted as indicative concept plans that are still emerging.

Due to the importance of the matter and impact on both residents and local businesses, a separate officer work stream has been put in place to review the challenges and to identify possible solutions including alternative transport. Officers will be investigating all village parking options, as well as identifying what changes to space sizes may be required to comply with Surrey County Council’s policies. I would stress that we are committed to providing adequate disabled, family and EV charging point spaces in Village Way car park which are not all available at the moment. We will also be looking to maximise parking options at every stage throughout the project to minimise disruption for the local community.

Response to Question b:

The Council has taken the following consultation and project awareness steps on the New Cranleigh Leisure Centre (CLC):

1. Round table meetings: September and November 2023

With nearest neighbours to discuss initial questions/concerns: Cranleigh Parish Council, Medical Centre, Market, Co-op, Cranleigh Hospital (Cranleigh League of Friends).

2. Leisure Centre User Survey: 11 December 2023 to 19 Jan 2024

Leisure Centre users/membership were asked to give feedback on the facility mix. Survey carried out via MS forms shared with leisure centre users (via Everyone Active) and more widely with residents in the borough via Waverley Borough

Council social media and press contacts. 810 responses received to the survey - feedback recorded and shared with project team.

3. Project email: available since September 2023

Project email clcnewbuild@waverley.gov.uk and Waverley Borough Council website page [Waverley Borough Council - New Cranleigh Leisure Centre](#) have been available since September 2023.

4. CLC Local Ward Councillor Meeting – held at the Council Offices 12 Jan 2024

Update on project to local Cranleigh and Ewhurst Ward Councillors.

5. Commonplace Project Information Hub - Launched 6 March 2024.

Scheme details available at the hub including copies of the information boards shown at the community drop-in sessions, answers to FAQ's and a resident survey. Survey ran from 6.3.24 – 22.3.24 with 1,200 visitors to the hub and over 50 written responses.

Survey was advertised via social media to wider borough, shared with Ward and Parish Cllrs, including neighbouring Parishes, and posters sent out and put up in Cranleigh (village hall and leisure centre). QR code on the poster linked back to the online information hub/survey.

6. Community drop-in sessions

Held Friday 15 and Saturday 16 March 2024 in Cranleigh Village Hall and at Cranleigh Leisure Centre. Over 200 people attended across the 2 days. DPP Planning have produced a written report of all the comments received, which they are using to inform the detailed design and planning application.

We will (in the next few weeks) update our commonplace information hub with answers to the more detailed questions asked, and we are intending to update our key stakeholders with information who live/work very close to the development.

Prior to these steps we have also carried out a full feasibility assessment and location consultation stage for the new build Cranleigh Leisure Centre.

In 2019 the Sport, Leisure and Culture Consultancy ('SLC') were appointed to conduct an Options Appraisal to explore the alternative site options for development of a new leisure facility for Cranleigh. Following Covid-19 a Feasibility Update Report was undertaken by SLC in September 2021, to test the conclusions from the earlier, pre-pandemic Options Appraisal.

SLC's shortlisting of options and subsequent evaluation identified the new build on Village Way car park as the preferred scheme for the following reasons:

- a) It avoids any loss of service to the community as the new centre can be opened before the existing centre closes. This includes public swimming, including the swimming club and lessons (school classes), rehabilitation programmes, dementia and Parkinson's exercise classes as well as standard exercise classes and gym sessions. The Leisure centre attracts on average 3,103 visits per week to the centre all of whom will be kept fully informed of the build stages and parking options.

- b) *It provides the strongest revenue position for the Council and has no negative financial impact upon the remaining term of the existing management contract with Everyone Active.*
- c) *It has an optimal layout with accessibility options including wider corridors, a lift and a pod system for lowering visitors into the pool. It provides an opportunity to contribute strongly to improvements to the wider Village Way site with additional landscaping and adequate pedestrian access.*
- d) *The scheme has received favourable feedback from the Planning Authority which recognises the opportunity to improve the services provided, the impact on the environment and the wider public realm.*

The preferred location maintains all leisure centre services for the community and the employment of CLC staff. It also maximises the opportunities for secondary visitors to the high street during the build phase.

3. Question from Virginia Ray

It is proposed that the new Cranleigh Leisure Centre is to be built in the middle of Village Way car park, resulting in the likelihood of little-to-no public parking being available during the construction period (once parking for leisure centre staff, and users of the medical centre has been allocated). The current designs show that once construction is completed, there will be just 235 parking spaces, a reduction of 22% from the 303 available now - all while the footfall for the new leisure is projected to be greater than it is now, and while new houses continue to be built in Cranleigh.

Has an impact assessment been undertaken to determine the effects on the High Street businesses, of this substantial loss of parking:

1. During the construction (which is expected to be circa two years)
2. Once the whole project has been completed?

If an impact assessment has not been carried out, what are the Council's expectations in respect of the impact on Cranleigh High Street businesses?

Responses by Cllr Liz Townsend, Executive Portfolio Holder for Planning and Economic Development:

Thank you for your question.

The current plans are draft, concept plans showing an indication of the design at this stage. These are currently being developed and will continue to be throughout the remainder of the detailed design phase. Parking is a key consideration both during and post build and as such all possibilities for further parking are currently being explored in the village centre, to maximise parking in the long term and minimise disruption to residents and businesses during the construction phase.

The planning application once submitted will include details of the interim parking arrangements during this construction phase as well as a comprehensive Construction Traffic Management Plan.

Due to the importance of this matter and the potential impact on both residents and local businesses, a separate officer work stream has been put in place to review the challenges, both short and long term, and to identify possible solutions, including access to alternative transport options during the build phase.

I would add that as the portfolio holder I am also in regular contact with representatives of Cranleigh Chamber of Commerce and the Business Improvement District.

Once this work is complete officers will be in a position to present a more detailed overview of the final parking options proposals.

The project team are very aware, as am I, of the complexities of the parking arrangements and particularly of access during construction and moving forward from the concept stage this does form part of the detailed work being undertaken whilst mitigating wherever possible the impact on residents and local businesses.

4 . Question from Daniel Hussein

Would the Leader please provide an update on Broadwater Park Golf Course in Godalming? In particular:

- I understand that the legal negotiations are now complete and that the old golf course land is now wholly in the hands of WBC. What have been the total costs (including all legal costs) since May 2019 and what further costs to the Council are anticipated?
- The Leader has talked of a facility at Broadwater Park to rival the Surrey University Sports Park. What are the current plans of the Administration for this area and when will there be a meaningful consultation with members of the public?
- When will the land recovery and capping commence, how long will it take and what daily lorry movements are anticipated?

Response from Cllr Paul Follows, Leader and Executive Portfolio Holder for Policy, Governance and Communications:

Thank you for your questions. Mr Hussein.

The Council has spent a total of £284,653 on the project so far – which includes all legal costs and the further work to clear, assess and monitor the site and begin the process of specialist work on the site for the next phase.

It was a great shame that despite coming to terms on two occasions that came to council for approval that the opposing party was not able to deliver on those terms – extending the dispute for longer than we had all hoped. This was of course satisfactorily resolved last year.

But – let's compare this to value of the original lease that was proposed, the one that our administration halted. The losses to the council over the almost 100 years that lease was proposed to run - at substantially less than market rate, obviously dwarfs this amount by orders of magnitude. That is also before we get to the

capping of the landfill, a process that generates revenue – I'll cover this in my response to the following question from Mr Benson.

- ***The Leader has talked of a facility at Broadwater Park to rival the Surrey University Sports Park. What are the current plans of the Administration for this area and when will there be a meaningful consultation with members of the public?***

Once we have completed survey work on the site, we will then be in a better position to consider the future use of the site. Meaningful consultation is a subjective term, certainly in my opinion we have already had one round of meaningful consultation, it was actually one of the most responded to engagement exercises in the history of this borough – with very meaningful responses from the community. As I have said many times though, there will be further consultation as the project moves forward with the community at large but also with specific groups. For example, residents around the perimeter of the site but also groups such as Sport Godalming, whose AGM I spoke at a couple of weeks ago to reinforce this very point. It is our ambition that we will produce a formal vision for Broadwater Park by the end of this year, which was also go out to public consultation. It is my hope to involve such as Sport Godalming and our other partners in the development of that vision.

- ***When will the land recovery and capping commence, how long will it take and what daily lorry movements are anticipated?***

It is worth my reminding residents that the previous leaseholder had consent from Surrey to undertake a capping of this landfill. I remind people of this because it was going to happen anyway – at least now it does so for a wider public good. Public good in terms of financial value and in terms of the wider community value the site will bring. The outputs of the survey work will inform what final details of that capping is but also what sport and leisure activities are to be undertaken on the site. For example, you wouldn't make something totally flat if you were going to put a BMX track on it. When we have more specific details I will be reporting to council and to residents on this in greater depth.

5. Question from Richard Benson

The Broadwater Golf Club site

- The site area is approximately 80,000 square metres.
- Based on data from the Environment Agency the cost of capping the site will be approximately £2,400,000.
- The recommended aftercare period is at least 60 years.

Questions:

1. Does the Leader agree that the cost of capping the Broadwater Golf Club site will be at least £2,400,000 ?
2. If the Leader does not agree, what is his estimate of the cost of capping the Broadwater Golf Club site ?
3. Where will the funds come from to pay for the cost of capping ?
4. What is the Leader's estimate for the annual aftercare cost?

Response from Cllr Paul Follows, Leader and Executive Portfolio Holder for Policy, Governance and Communications:

Thank you for your questions. Mr Benson.

As to question one and two and three, I cannot comment on the amount as at present nor can the EA in full. As per my answer at the end of the previous question, it will depend on the way the land is used. I would also note the distinction of who bears any cost. Capping is often undertaken via spoil, i.e. soil and rubble from other development being deposited. This is something developers must pay for to deposit. It is one of the reasons that we have been keen for the capping to benefit the public – such things generate revenue on our side of this equation.

As to long-term running costs and the business cases that surround them – it again depends what exactly we do on the site. As with all Council activities it is essential that we think about the long-term running costs relating to any project – this will also be picked up within the Business Case.

6. Question from Alex Page

Fairground Development Project; on 9 April, the Executive approved a budget for the procurement of services that are required for the purposes of preparation, planning, and implementation of the procurement strategy. As it seems some of the assessments have not been completed, and those that have appear to be less comprehensive than required, remembering the details of the land plan 2, and the full Council meeting means there was only a two-week gap for those assessments, let alone signing contracts for those services, so that the council can provide informed consent to this budget,

What is the rush?

Noting the difference in how this budget was presented to the council compared to the budget for the Godalming high-street budget.

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

Can I thank Alex for this question which of course relates to the matter to be considered under Item 10 of this Agenda.

I'm afraid it's not entirely clear what assessments Alex is referring to here, but I'm sure we'd be happy to respond more fully if Alex can provide that clarity.

In the meantime though, I would say that the work that has been done to date has really been at the feasibility level and perhaps some of the assessments Alex has in mind are those that that can only follow in the future once we have a development partner and move into the more substantive stages. Further Council approval will be needed to advance into the detailed design, planning and construction stage.

All of this work is anchored in delivering a Local Plan Part 2 commitment for Haslemere which allocates the site for a mixed-use development of residential and commercial use. It is essential that the Council deliver its own Council owned

sites that have been allocated in LPP2 and the recommendations at tonight's Council and last week's Executive seek to move this project into the next phase of that work.

All assessments required for planning purposes will be carried out as necessary following the intended appointment of a development partner. The cost of the work to progress through procurement to appointment is captured within the Business Case.

7. Question from Brian Edmonds

Why has the 2023 review of the Health and Safety Policy not taken place and by what legal authority have the Chief Executive and Leader chosen to redact their signatures. There also appears to be no rational reason for redacting the name of the elected member responsible for Health and Safety matters. Of similar significance how have the significant elected members' obligations for health and safety been brought to their attention?

Response from Cllr Paul Follows, Leader and Executive Portfolio Holder for Policy, Governance and Communications:

The Council remains committed to ensuring it meets its obligations under the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999; and that its health and safety management arrangements fulfil those legal obligations.

The Council has robust Health and Safety Governance arrangements, and these are set out in the Health and Safety Policy. These arrangements seek to embed Health and Safety across the local authority and are not reliant on a single member of staff and the council remains confident that in spite of the current vacancy, there are suitable and sufficient persons in post and that they have sufficient time and resources to fulfil their functions.

Whilst there has been a delay in reviewing the Health and Safety Policy due to staff vacancies, there have been no changes necessary to the policy during the 2022/2023 period. The Council has now engaged a Health and Safety Advisor and one of his priorities is to review the Health and Safety Policy to reflect the arrival of the new Chief Executive and slight changes to the Health and Safety Governance arrangements.

The roles and responsibilities of council officers in respect of health and safety are detailed in the Health and Safety Policy which is published on the Council's website at [WBC Health and Safety Policy November 2022.pdf \(waverley.gov.uk\)](#). This will be replaced by the updated policy in the near future.

The Council retains a signed copy of the Health and Safety Policy within its records. Signatures have been redacted from the copy published on the website to prevent their fraudulent use by third parties. It is agreed that names and dates do not need to be redacted and that will be corrected when the new version of the policy is published.

All elected members are briefed on their health and safety responsibilities during their induction programme and the Leader and Portfolio Holder for Health and

Safety are regularly briefed on any significant health and safety issues as they arise.

8. Question from Peter Goodwin

With the proposed increase in car park charges the Council seems determined to inflict the most damage on Haslemere High Street shoppers, retail businesses and restaurants. Shoppers using the High St car park were already charged more than commuters in the Weydown Rd car park for the whole charging period. Now commuters face a mere 40p increase for staying all day, with High St shoppers having to pay incremental increases every single hour.

1. The High St car park is the main car park for the High St, West St, Lower St and High Pavement - the retail and restaurant hub of Haslemere. Many have already moved to shop out of town and in Petersfield with its wider range of shops. So what is the reasoning behind this Council decision to impose the highest incremental charges on the main Haslemere East car park, used by shoppers and those visiting businesses, solicitors, the Banking Hub, estate agents, etc., as it shows a clear bias to the Haslemere West retailers i.e. Marks & Spencer and Tesco with their free parking?
2. Why have the Council imposed a very unfair £2 evening charge in the High St, which will affect all Town Hall Council and Committee meetings, and those visiting the restaurants and pubs in Haslemere East? This can only be interpreted as a wish to stifle evening business in Haslemere East, in favour of out-of-town pubs and restaurants, so why has this been levied?
3. The Fairground car park proposal will force not only commuters, but all those working in the Wey Hill shops to park on residential roads. I believe that - "A car park capacity study found there are adequate spaces available elsewhere", but where?? The 100 or so spaces on the Fairground site will all be needed by the houses and supermarket, so why has the Council totally ignored the fact that Wey Hill, from the railway bridge to the Tesco traffic lights is almost always a traffic roadblock, which these proposals will make far worse?
4. I also question 1. What will be the cost to the taxpayer of evening traffic wardens?
2. What additional budget has Waverley set aside to monitor Borough car parks up to 10pm?

Response by Cllr Tony Fairclough, Executive Portfolio Holder for Enforcement and Regulatory Services:

I'd like to thank Mr Goodwin for his question

And begin by reassuring him that Waverley is committed to supporting our high streets.

As part of the council's integrated, sustainable transport policy over the next three years, we will be reviewing and investing in our car parking infrastructure to make visiting our high streets as easy, enjoyable and cost effective as possible.

The incremental changes to the High Street car parking tariff equates to a 10p rise per hour. This is the first rise since 2021 and is broadly in line with inflation over the three years.

We are sympathetic to the fact that many people are struggling with the cost-of-living crisis and the last thing we would want to do is increasing the burden on our residents at this time.

However,

Funding from central government continues to fall, while rising costs and increased demand for council services means we face a £15.2 million budget gap over the next four years.

Unfortunately, it falls upon Waverley to make some difficult decisions now if we are to safeguard the long-term future of our services, which are relied on by so many local people.

The income generated through parking charges is used to support the management and maintenance of our car parks, but it is also essential to help fund our environmental services like refuse and recycling collections, street cleaning and maintaining and protecting our wonderful parks and open spaces.

Parking charges throughout the borough are based on 'banding' our car park portfolio. And this is broadly split between the town centre car parks and those further out of town.

Out-of-town car parks, such as Weydown, are aimed at attracting the longer stay users. And here charges are set accordingly to reflect and encourage these longer stays.

Whilst Wey Hill has a shopping area, the High Street car park is Haslemere's busiest. The charging tariff strategy for the High Street car park aims to maximise vehicle turnover. This turnover ensures that car park spaces become regularly available for new shoppers.

Waverley has no influence on the charges in either the M&S or Tesco car parks

Mr Goodwin refers to increased charges in the High Street Car Park,

However, for residents wishing to shop or eat out in the vicinity of Haslemere High Street there are alternative parking options with different charges almost adjacent to it.

With respect to Petersfield the car park charge for one hour is higher than Waverley. Petersfield also charges for parking on a Sunday. A policy that Waverley rejected.

In Haslemere, evening charges are being trialled in one car park only. The evening charge of £2 is a pilot scheme to understand the impact of such an initiative.

As with any pilot scheme, we need a comparison with 'control' car parks with no charges. Evening charges are not uncommon as can be seen with neighbouring authorities.

Car park users in the evening impact the maintenance costs of the car park as much as those during the day. We are merely examining options for an equitable tariff structure.

The existing contract with our parking enforcement team is for a certain number of hours and we can vary times of enforcement between our operating times.

During the pilot, evening patrols will therefore be carried out at no extra cost. Should increased patrols be needed, the costs will be reviewed as part of the new tender.

With respect to the Fairground car park proposal, car park usage and the number of spaces required in the Wey Hill area going forward will be an integral part of the overall project, as required by the Local Plan Part 2

The proposals for the Fairground site will ensure parking for all users in the Wey Hill area, with pricing designed to give priority to local residents and shoppers, rather than commuters who will be encouraged to use the station car park.

It should be noted that this project is (if you'll excuse the pun) at the very start of its journey.

I would like to reassure Mr Goodwin the road traffic issues have been noted via a pre-application meeting with the County Highway Authority where no objections were raised.

And I'd like to encourage the engagement of all residents as the project progresses.

CNL110/23 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 7.)

The following questions were received from members in accordance with Procedure Rule 11:

1. Councillor Hyman

It is a matter of public record that the March 2023 Revised Air Quality Action Plan (AQAP) for Farnham was, as ever, merely a Plan to have a Plan at a future time, specifically stating its reliance upon the awaited details and modelling of the County Highways Authority's 'Farnham Infrastructure Programme' proposals for East Street, Castle Street, West Street and the gyratory system.

Surrey's proposals consist of a mixture of roadspace (capacity) removal and partial contraflow sections in The Borough and Downing Street, with accompanying signalisation. Their aim is to discourage car use significantly by significantly increasing congestion, even though the latter increases journey times and fuel usage, increasing air pollution.

The CHA measures are intended to shift the town centre air pollution problem to less central and more residential roads where current levels are already likely to be, or become, far above the WHO (if not EU) pollution limit levels. The March Farnham Board papers indicated that the detailed plans and Paramics traffic modelling remain to be completed, despite Surrey Highways having supposedly provided a previous (June 2023) Farnham Board meeting with selected results from that modelling. We now find that Surrey and Waverley are already relying on that dubious 'satisfactory modelling' for supposedly meeting our obligations under planning and air quality legislation.

Will Waverley now please agree to meet our obligations (under Schedule 11 Parts 6-8, Sections 83A, s85A(2) and 85B of the Environment Act 2021), and due process, by requesting and ensuring that SCC publicly demonstrate their '2019 Base' and '2025 With-FIP' Paramics models for Farnham on-screen for scrutiny, along with their assumptions and input and output data, before any related decisions are made and before works commence? And if not, why not?

Response from Cllr Tony Fairclough, Deputy Leader and Executive Portfolio Holder for Enforcement and Regulatory Services:

I thank Cllr Hyman for his question.

As Cllr Hyman is aware, although Waverley is, through the allocation of CIL funding, a supporter of the Farnham Infrastructure Programme and, as such a partner of the programme the ultimate authority and the ultimate responsibility for the Farnham Infrastructure Programme, and the resulting air quality, rests with Surrey Highways.

As a result: Whilst Waverley may request information, SCC are not obliged to provide it.

Waverley officers are working with SCC to ensure a full assessment of the air quality impact of all proposed traffic management measures and, to that end, WBC officers are meeting with their SCC counterparts to progress this in the next few weeks.

In the meantime, the SCC Transport Studies Team and Atkins have responded as follows:

The county's strategic transport model, SINTRAM, was used to estimate demand for the 2025 forecasts of the more detailed Paramics microsimulation models of Farnham, as well as the scheme's air quality assessment. It was developed in accordance with the Department for Transport's (DfT) [Transport Appraisal Guidance](#).

The SINTRAM modelling completed in June 2023 is now considered to represent a worst case, high growth scenario, because it is based on outdated DfT forecasts which forecasts higher growth than the latest version, and no covid adjustment has been applied.

Covid adjustment guidance for this only came out recently, and observed count data shows this is relevant for Farnham, with observed traffic flows being on average 9% lower than they were in 2019 during peak times.

The Paramics modelling is being worked on daily as part of the ongoing detailed design.

However :The Farnham town centre improvement scheme reflects other issues for the town such as;

- *A high rate of pedestrian accidents in the town centre.*
- *The dependence on vehicular travel, where it dominates streets, affecting walking and cycling, and leisure activities and reduces public realm quality and sense of place, thereby worsens noise and air quality, especially in The Borough.*
- *Narrow and substandard footways, especially on The Borough and Downing Street, which particularly affect those with mobility, visual impairments, and families with pushchairs.*
- *A lack of crossing facilities*
- *Servicing vehicles blocking carriageways and footways.*
- *Poor public realm with street clutter, inconsistent materials, limited rest areas/outside dining and poor setting of heritage/listed buildings.*
- *Poor, constrained bus waiting areas with a lack of real-time information.*
- *New Brightwells and Woolmead developments shifting focus east of town centre and creating a need to better connect the new and old centres.*
- *Poor drainage.*

The town centre scheme addresses all problems by providing the following solutions:

- *Reduced vehicular traffic in the town centre.*
- *Increased walking and cycling in the town centre.*
- *Improved pedestrian safety by repurposing lanes and adding signalised and raised crossings.*
- *Enhanced bus stops with level boarding, new shelters, and real-time information.*
- *Improved bus infrastructure expected to attract more users and further reduce the reliance on cars.*
- *An improved pedestrian environment with a sense of place, and attractiveness.*
- *Formalised unloading arrangements into designated bays thereby discouraging ad hoc carriageway blocking.*
- *Greening, SUDS and Rain gardens to improve drainage and biodiversity*
- *Widened footways, especially on The Borough and helping to connect with East Street developments, as well as along Downing Street and in the vicinity of bus stops.*

- *Provision of specific loading/parking bays.*
- *Improved public realm, with reduced street clutter, more seating, cycle parking, and consistent and quality materials.*
- *Traffic flow alterations to reduce traffic using the gyratory and The Borough.*
- *Improved air quality and noise in the town centre.*

As with any major scheme, there will be a period of post-scheme monitoring.

This will review a range of factors, such as air quality and accidents, and will include traffic flows to ensure mitigation measures deliver the required benefit.

The final details of the design for the town centre are still being worked on by SCC.

Once the final design and associated traffic modelling is completed ...

Waverley Officers have requested that a full air quality assessment with detailed modelling of the potential air quality impacts is provided by SCC, to also be shared with Councillors.

Waverley officers are currently drafting the annual air quality status report, which is due to go to DEFRA by 30 June 2024. Once approved by DEFRA it will be published on the Waverley website.

CNL111/23 APPOINTMENT OF JOINT STRATEGIC DIRECTOR OF FINANCE / SECTION 151 OFFICER (Agenda item 8.)

The Leader moved the recommendation of the Executive, seconded by Councillor Liz Townsend. There being no debate, the Mayor called upon Members to vote by electronic vote and it was agreed by unanimous vote.

RESOLVED:

That Richard Bates be appointed to the permanent role of Joint Strategic Director of Finance/Section 151 Officer with no objection having been made by either of the two Council Leaders on behalf of their respective Executives.

CNL112/23 NEW ECONOMIC DEVELOPMENT STRATEGY AND ACTION PLAN 2024-32 (Agenda item 9.)

112.1 Cllr Liz Townsend introduced the Economic Development Strategy and thanked the Economic Development Team for their hard work completing the Strategy and Action Plan. She explained that following the Council declaring a climate emergency it was recognised that things needed to be done differently by working within social and ecological thresholds. The strategy aimed to create flourishing, sustainable and equal economy. It was highlighted that all four settlements in Waverley had property vacancy rates well below the national average and this had been further supported by providing funding for Business Improvement Districts in these settlements.

Officers would continue to meet with these groups along with the more established Chambers of Commerce to assist them in achieving their plans.

- 112.2 Waverley were working with the UCA on their trailblazing regional initiative Pixel Rise which aimed to create a thriving ecosystem in gaming and to promote creativity, innovation and inclusive inclusivity. Professor Sophie Smith, Director of the School of Games and Creative Technology would be attending the Guilford and Waverly business question time on Monday June 3 hosted and chaired by Professor Amelia Hadfield, Associate Vice President at the University of Surrey.
- 112.3 The Leader seconded the strategy and asked to reserve his comments till later in the discussion.
- 112.4 Cllr Murray welcomed the section called Creative Waverley focussing on Farnham and encouraging worldclass artists and professionals to use public and retail space. He also welcomed the aspiration to create an additional thousand jobs over the next five years but highlighted the caution that 45.5% of businesses fail within 5 years. He highlighted the lack of affordable accommodation in Waverley and the risk to businesses as staff cannot afford to live nearby.
- 112.5 Cllr Williams welcomed the strategy and highlighted the section of the strategy on a thriving and green economy.
- 112.6 Cllr Martin, Leader of the Principal Opposition Group, felt the section on the donut approach was interesting and highlighted the issues of online shopping and its effects on the high street. He emphasised the increase in coffee shops and the diminishing of pubs and felt the document did not capture the changing face of the high street. He welcomed the areas on retaining key businesses but emphasised that increasing car parking charges were inconsistent with retaining a good economy. He also felt acquiring properties and spending public money on them was not the right approach. He welcomed the focus on rural economy and improving the links with these small businesses.
- 112.7 Cllr Merryweather supported the strategy and emphasised the importance of the document and that it reminded us that as important as the High Street is we must also remember that the health and education sector needed support too.
- 112.8 Cllr Spence welcomed this paper, particularly the emphasis and priority put on the Green Waverley theme. He highlighted that climate change was the biggest existential threat and impacts everything and everyone. He felt that at a time when the government is rowing back on some of its commitments it was vital that this Council stepped up its activities to promote and support green initiatives and emphasised that this strategy sets that out. He welcomed the section on digital connectivity as this was a huge issue in some of the villages where the lack of mobile and broadband connectivity was impacting all.
- 112.9 Cllr Cockburn highlighted that the document didn't reach the Services Overview and Scrutiny Committee until two days ahead of the meeting. She

advised that a document the size of this was impossible to give justice to in such a short time. She wished to thank Catherine Knight who came along and patiently took the committee through the document and they concentrated on the management plan and the aspiration but there was no way that the committee could give full consideration. She asked that, in future, officers ensure documents be given to overview and scrutiny in good time so that those who do want to look at every single word actually get the opportunity to do so.

- 112.10 Cllr Atkins advised she was a huge supporter of economic development but felt that in reality local councils and Chambers of Commerce didn't change the economic success of an area the businesses do. She was concerned to see that the stakeholders consulted didn't involve big businesses, big employers, small businesses landlords, who actually can make change locally and suggested that, as this was a working document, it would be sensible to do that so that a collaborative vision could be created.
- 112.11 Cllr Duce welcomed the document and the fact it is grounded in donut economics. He also welcomed the inclusion of supporting younger people accessing employment and the ability and potential of entrepreneurship. He noted that fewer students were applying directly to University, partly due to the economic situation and the uncertainty. He advised that more and more were investing in their own businesses whilst they were already studying because of the scope of social media. He offered his services to the Executive to help in any way.
- 112.12 The Leader advised it was full circle for him as one of the first sessions he had working with other parties was on donut economics. He recalled working with a number of individuals who are now councillors several years later. He felt it was really excellent to see a strategy come before us that took a broader view of economics and one that had a wider vision of what constitutes value, as a pillar of our refresh of the Wider corporate strategy. He thanked the officers and Cllr Townsend who had put a great deal of effort into this over the last few years. He welcomed the evidence-based strategy and felt it was incredibly informative about the profile of the borough. He advised that high streets did have to change, and they were in the main, but needed a little bit of help because legislation to support that change had actually been quite lacklustre. He agreed with Councillor Murray regarding housing that is affordable because otherwise people can't actually work here. He emphasised that however big those businesses are and however much they want to contribute if nobody can afford to live in the area, to employ them in the first place, they will struggle He was pleased to Second the proposal.
- 112.13 Councillor Townsend summed up emphasising that affordable housing was so important and that Waverley currently had about five and a half thousand homes waiting to be built and it was important developers build those, however, she highlighted that we have no carrot or stick and need the government to step up as the standard method was not working. The economic development team were working in collaboration with Guildford to offer huge opportunities across the areas.

112.14 In response to Cllr Atkins comments she advised that the reason why we were not talking to big businesses was that we have to recognize our sphere of influence. Surrey CC was dealing with the big businesses so Waverley were working closely with Surrey and their Economic Development Team to ensure we were not duplicating their work. What we were doing was concentrating on our core businesses, small micro startup businesses that we could influence and help. She noted Cllr Cockburn's points and apologised for the delay as officers were working to the wire. She emphasised she would much prefer that members had more time to look at important documents. She thanked Cllr Duce for his offer and welcomed a discussion. With regards to Cllr Spence's comments she agreed this was a big issue and she was working with Surrey regarding their dropping of the fibre spine project.

The Council noted the adoption by the Executive of the new Economic Development Strategy and Action Plan 2024 - 2032

CNL113/23 FAIRGROUND DEVELOPMENT PROJECT (Agenda item 10.)

113.1 The Mayor advised that paper copies of the updated report were available on member desks. Cllr Merryweather introduced the report advising that the item flows well from the previous discussion on the Economic Development Strategy. He advised the project was allocated for mixed use development in local plan part two. He explained that the Fairground site was currently used as an informal car park and was popular because parking was free but it was neither a fair or sustainable use of a valuable Council asset.

113.2 Cllr Merryweather was pleased to recommend advancement to the next stage of the project following officers considerable work on viable options. The report presented a case for five options recommending pursuing a mixed use development of a new community hub, retail space, 32 residential homes with a Waverley rent mix of 65% of market rent. The retail element would generate valuable revenue income. Other options included the sale of the residential element to a private developer but this would mean losing control of the design and potentially the affordable housing. He emphasised that the report was the transition from feasibility to design and was not seeking approval to start construction.

113.3 Cllr Fairclough seconded the proposal thanking the team for putting the proposal together. He emphasised this was an exciting and ambitious proposal reflecting many of the council's stated objectives.

113.4 Cllr Weldon highlighted that the report stated the ward affected was Haslemere West and asked that Haslemere East also be included as, although the Fairground site itself was in Haslemere West, the other two parts affected were in Haslemere East. He agreed with Cllr Merryweather that the status quo on the site of leaving it as a unmade free parking was not acceptable.

113.5 Cllr Atkins advised that she was in favour of providing affordable housing and was passionate about improving economic development in the area but she questioned the merits of the investment and development projects because of significant cost overruns, overpaying for sites and unevolved business

cases. She felt there was a lack of vision in maximizing valuable asset bases and asked how we could be considering spending £280,000 let alone committing £21 million when we were not even at the point of procuring a development partner. She had raised a number of questions during the Fairground briefing which she advised had not yet been answered. These questions included “How a proposed scheme, that costs more than it's worth, even before the inclusion of a development partner, who's clearly not going to do this for free, meets our strategic objectives and can be deemed financially viable?”, “How can we attribute just £6,500 value to an important development site?” and “How we can pre-empt a supermarket scheme with historic data and no economic master plan?”. She highlighted that the Economic Development Strategy had suggested that we lack highly flexible lower cost business space and that we knew we were losing businesses and jobs. She suggested some of the reasons for this include no register for land for potential investors to see, an over focus on housing delivery to the detriment of business and a lack of courage to engage with investors. She suggested innovative fresh discussions with potential anchor businesses, that go together with the residential, undertaken by officers and our consultants and subsequently a planning consultant, to work up the right scheme. She was suggesting the right people, to have the right conversations and do this in the right order. She felt this would cost about £50k. Then, when we had a solid scheme and a properly costed plan, it could be brought back to full Council. She highlighted that doing the same thing over and over again and expecting a different result hadn't worked so well for nearly one in 10 councils in England who have warned they may go bust in the next 12 months primarily due to bad investment decisions. She advised that we should stop the ‘tail wagging the dog’ and not approve £21 million of spend based on four-year-old unquantified data and to look at this as a ‘GameChanger’ program site.

- 113.6 Cllr Robini advised this site was in fact common land which had been purchased by the previous Conservative administration. He highlighted it was just sitting there and because there's no charge then the commuters get it for nothing. He commented that commuters bring very little to Haslemere as they come along, park, use the train and then go away again. He advised that, as a Ward Councillor, he could not support the continued use of free support for commuters in the area. He agreed that research was needed on what is required for local Partners but was reassured that we were going to use the space for commercial development and very much needed social and affordable housing. He explained there were only four Brownfield sites in Haslemere and often developers come in with a viability study that doesn't allow housing of an affordable nature. He was pleased to have an opportunity to help local people to have social or affordable housing in the centre of town as well opportunity for a new Youth Centre.
- 113.7 Cllr Cockburn advised she did not like what was proposed. She agreed that free parking should not be allowed and affordable housing was needed but that a supermarket was not necessary and she raised concern that the Youth Hub would only be successful if it was run correctly and reached out to the young people and involved them in the design and implementation of the hub.

- 113.8 Cllr Keen advised she was excited by this proposed scheme.
- 113.9 Cllr Barker-Lomax welcomed the new housing but highlighted that residents had raised concern that the proposal may force commuters onto residential roads. The papers make reference to a car park study! When would we expect to see that?
- 113.10 Cllr Austin welcomed the development of the site and the plans for a youth hub but questioned the evidence for the need of a retail demand as Haslemere had three supermarkets already. The site was originally allocated for 55 units and she suggested 55 social or affordable homes would be more welcome. She reiterated Cllr Atkins comments around using out of date data to evidence these proposals.
- 113.11 Cllr Follows acknowledged the frustrations of Cllr Robini on the subject of viability assessments. He assured members that we were not currently discussing a specific design and the planning decision at the appropriate time was likely to be thorough. It was suggested members visit Ockford Ridge and see the housing that had been built there and considered the whole person. He advised the Haslemere Council had been running a successful youth provision but just needed a more appropriate building to run it from.
- 113.12 Cllr Palmer advised that he was shocked to hear from another member that we gave too much emphasis to new affordable housing as this was a key priority to reduce our housing waiting list. The current site is an embarrassment and needed urgent attention. The criticism of having a small supermarket on the site also seemed to be misplaced. We all pay lip service to the idea that it should be possible for communities to obtain the basic services they need in walking distance and here was an example where we were looking at a new development of homes and basic food shop immediately available to them.
- 113.13 Cllr Williams highlighted this was a site of significant value which in its present form was unsustainable and needs to be used to maximise the benefits to the local community.
- 113.14 Cllr Liz Townsend highlighted that we need to look at the recommendation within the papers which is to just secure a budget estimate and an allocation to move to the next steps. Looking at what something would look like was fruitless as we were nowhere near there. She emphasised we are committed to providing good quality affordable housing.
- 113.15 Cllr Davidson emphasised we were at the beginning of a journey with this site and there would be opportunity, if we follow a reasonable democratic process, to give views on the next steps. He felt the rebuilding and provision of the youth hub was necessary.
- 113.16 Cllr Martin agreed the Fairground site needed to change and that its current use was inappropriate but that he was suspicious of budget estimates as they could take on a life of their own. He raised concern that the business case was poorly thought out using old data. He felt the options analysis was

inadequate and the proposal would not provide value for money. He additionally raised concern as to whether a supermarket would come on board as they tend to dislike having apartments above and like to have their own parking provision.

113.17 Cllr Busby agreed members were jumping the gun to be discussing the design and that many supermarkets had apartments above.

113.18 Cllr Sullivan asked for officers to keep in consideration the traffic flow in the area and parking provision.

113.19 Cllr Atkins raised a point of personal explanation as she felt her comments had been misinterpreted by some members. She explained she was merely trying to use her experience here for the benefit of the community. She also advised she had never said that there was an over focus on housing delivery to the detriment of business this comment had come straight out of the economic development strategy as feedback.

113.20 Cllr Ken Reed commended the administration on the progress they had made on social housing over the last five years.

113.21 Cllr Merryweather then summed up and responded to issues raised by members. He thanked Cllr Weldon for highlighting the site covered Haslemere East as well as West. He raised the issue of the 5,500 planning applications approved which have not been developed as yet and his scepticism that the private sector is capable of delivering on this site. He assured Cllr Atkins that her questions would be responded to.

Cllr Mark Merryweather requested a recorded vote which was supported by Cllrs Follows, Fairclough, Keihl, Robini and Williams.

RESOLVED:

That the Budget estimate of £21,408,334 for the capital works to complete the project including an allocation of £280,410 for the procurement of the required services for the next stage of the project is approved.

For 33

Councillors Beaman, Busby, Clark, Davidson, Duce, Fairclough, Follows, Higgins, Keen, Kiehl, Laughton, Long, Macleod, Merryweather, Mirylees, Morrison, Munro, Murray, Nicholson, Palmer, K. Reed, R. Reed, Paul Rivers, Penny Rivers, Robini, Spence, Steijger, L. Townsend, P. Townsend, Ward, Weldon, White and Williams

Against 7

Councillors Atkins, Austin, Barker-Lomax, Cockburn, Deanus, Martin, Staunton

Abstain 2

Councillors Earwaker and Sullivan

114.1 The Chair of the CIL Board asked Cllr Peter Clark to introduce the item.

114.2 Cllr Clark advised that after four years of consultations on numerous proposals and designs he was pleased to have got to this stage. He explained that the FIP was an unusual project as it was the first time all three tiers of local Authority had worked together in this way. He advised that the recommendation made by the Executive to Council was not to address any technical aspects of the project but to approve the bid to partially fund the Town Centre improvements in Farnham. He explained that last year £14 million of funding was approved but that funding could only be drawn down once match funding had been secured via strategic contributions from both Waverley and Farnham.

114.3 It was explained that the FIP was formed in 2019 to agree the vision which was supported by three objectives for Farnham. These were: to provide well-connected communities across the town and the surrounding area; support the economic vitality of the town; and thirdly to improve the quality of place with clean air and less dominance of traffic. He explained that Farnham, like other towns in the Borough, had seen significant Housing Development both within the town and the surrounding area with no investment in its infrastructure. In Waverly's Local Plan Farnham had a housing target of over 2,000 additional homes and the NPPF stated local planning authorities should work with other authorities to assess the quality and capacity of the infrastructure and transport. This had not happened.

114.4 Members were advised that the Local Plan was supported by the infrastructure delivery plan which identified an infrastructure requirement for Farnham town centre, funded from a mix of funding from CIL and strategic. This had not happened yet. This lack of investment in Farnham, over many years, had left its road network struggling to cope with the increase in traffic. This has resulted in significant congestion and a severe impact on the town's air quality. Waverly had a legal duty to provide an air quality action plan and the latest one has three priorities - two of which specifically relate to the FIP: To work with Surrey County Council to ensure that the Farnham infrastructure project was agreed and delivered and secondly to report on an annual basis the impact the Farnham Infrastructure Project would make on Waverley's clean air strategy.

114.5 Cllr Clark recommended that members give the green light to this recommendation.

114.6 Cllr Beaman welcomed the Executive Working Group's recommendation. He explained that there had been many studies which had put forward proposals to resolve Farnham's traffic problems but to date none had been implemented. He highlighted that the geographical and historical restraints restricted what could be done without materially affecting the character of the town. Whilst the ultimate answer would be a western relief road to allow the town centre to be pedestrianised it was recognized that this would generate even greater traffic and would be unlikely to meet climate change objectives. He emphasised that whilst the proposals that had been identified in the FIP may not be perfect they were realistic and achievable and improved the situation for the Town Centre.

114.7 Cllr Beaman gave credit to the County Council, as the Highway Authority, in particular the leader Cllr Tim Oliver, who had shown that three levels of local government, all under different political control, could work together to achieve real

overall benefits. He hoped that all members would support the group's recommendation.

114.8 Cllr Cockburn advised it was with great relief we had got this far. She gave her full support to the proposals and reiterated Cllr Beamans comments around the work and support of Cllr Tim Oliver.

114.9 Cllr Palmer highlighted the range of projects that had been considered and how some had not evidenced the wider community benefit and wider community support. He welcomed the long term vision on how the costs for the project would be covered in the long term.

114.10 Cllr Macleod highlighted the issues around Farnham having four 'A' roads going through it and the large amount of traffic going through. He recommended Members support this proposal.

114.11 Cllr Murray welcomed the fact the proposal was so straight forward and not controversial. He acknowledged this was a project long in the planning and approaching its final hurdle. He thanked everyone involved for their commitment and urged Members to approve the recommendation.

114.12 Cllr Alan Earwaker expressed his delight, as Mayor of Farnham Town Council, for the unanimity within the Chamber.

The Mayor moved to the vote and Council voted unanimously to approve the recommendation.

RESOLVED:

The Council approves to award £3,253,726.00 CIL funding to Surrey County Council for the Farnham Infrastructure Programme (Town Centre Improvement Scheme) to Council, split equally across the financial year 2023/24 and 2024/25 (£1,626,863.00).

CNL115/23 REVIEW OF THE CONSTITUTION: COUNCIL PROCEDURE RULES (Agenda item 12.)

115.1 The Mayor asked the Chair of the Standards and General Purpose Committee to introduce the recommendation.

115.2 Cllr Macleod proposed that the Council adopt the new Council Procedure Rules set out. It was outlined that the new rules were part of a major work programme carried out by the Strategic Director of Legal and Democratic Services and her team to update the Constitution and procedures and align them where possible with Guildford Borough Council's constitution. He thanked the members of the Guildford and Waverley Joint Constitution Review Group for their hard work and dedication in looking at these matters. Guildford's Council considered these proposals and agreed them.

115.3 The Leader advised that on behalf of the Executive they fully support this and thank everyone involved for the massive amount of work done.

115.4 Cllr Martin advised that in the detailed constitution talks about the annual budget meeting it said the Leader had an unlimited amount of time to propose his budget and the leader of the opposition had 10 minutes. The rules as we have them at the moment sweep that away which raised concern that a time limit would not give time for such a sufficient and important process. With that outlined Cllr Martin advised he was happy to support the motion.

115.5 Cllr Ken Reed commended procedure rule 11.4.

115.6 Cllr Ward advised that he welcomed rule 11 on page 379 as questions often take a large amount of time to read out. He questioned item 9 quorum and the last paragraph stating business deferred from that meeting will be discussed at the next meeting be that ordinary, extraordinary or special. Cllr Ward advised that this was raised at the Standards and General Purpose meeting as business that was not listed as things we could discuss at extraordinary and special meetings.

115.7 The Mayor thanked Cllr Ward for raising the point and advised that paragraph 1.8 of the report did actually highlight the three amendments that were supported by the Standards Committee and the recommendation was that these rules are adopted with those three amendments as proposed in the report.

115.8 Cllr Macleod thanked members for their input.

The Mayor moved to the vote and Council voted unanimously

RESOLVED:

Council approves to adopt the new Council Procedure Rules, as set out in Appendix 2 of the report, into the Constitution.

CNL116/23 QUARTERLY REPORT ON URGENT DECISIONS (Agenda item 13.)

116.1 The Leader advised, that as part of his constitutional obligation, he would report to Council to note that on the 15th of February 2024 he made a special urgency decision pursuant to Council Procedure Rule 142 to purchase a residential property in Farnham. Cllr Martin, as Chair of the Resources Overview and Scrutiny Committee, was duly consulted and agreed as the decision was urgent because further delay may have caused the vendor to withdraw.

CNL117/23 PROCEDURE RULE 14.2 (I) - CHANGES TO THE CONSTITUTION (Agenda item 14.)

117.1 The Mayor invited the Strategic Director of Legal and Democratic Services (Monitoring Officer) to introduce the item.

117.2 She advised that part of her constitutional duty was that article 14.2 provided her with the authority to make minor amendments to the Constitution and ask Council to note them. She advised that, on 7th of February 2024, in consultation with the Executive Head of Regulatory Services, a transcription error had been corrected in section Q1 of the Officer Scheme of Delegation to the Executive Head of Regulatory Services to reinstate Provisions that had not been copied across in July following the joint management restructure of the preceding year. This correctly reinstated the provisions that had been omitted.

The Council duly noted the corrected transcription error in the Offer Scheme of Delegation to the Executive Head of Regulatory Services.

CNL118/23 MOTIONS (Agenda item 15.)

No motions were submitted in accordance with Procedure Rule 12.1 by the deadline.

CNL119/23 MINUTES OF THE EXECUTIVE (Agenda item 16.)

The Mayor moved the recommendation that the minutes of the Executive meeting held on 9 January 2024, 6 February 2024 and 5 March 2024 be received and noted.

RESOLVED to receive and note the Minutes of the of the Executive held on 9 January 2024, 6 February 2024 and 5 March 2024.

CNL120/23 MINUTES OF THE STANDARDS AND GENERAL PURPOSES COMMITTEE (Agenda item 17.)

The Mayor moved the recommendation that the Minutes of the Standards and General-Purpose Committee meetings held on 8 January 2024, be received and noted.

RESOLVED to receive and note the Minutes of the Standards and General Purposes Committee 8 January 2024.

The meeting concluded at 9.39 pm

Mayor

This page is intentionally left blank

Waverley Borough Council

Report to: Council

Date: 21 May 2024

Ward(s) affected: All

Report of Director: Legal and Democratic Services

Author: Ben Bix, Democratic Services Manager

Tel: 01483 444022

Email: ben.bix@waverley.gov.uk

Report Status: Open

Establishment of Committees 2024/25

1. Recommendation to Council

That the Council RESOLVES that:

- 1.1 the committees as set out in paragraph 4.7 be established for the 2024/25 municipal year with the committee sizes shown

2. Reasons for Recommendation:

- 2.1 To establish the Council's committees for the 2024/25 municipal year and to agree their size, in accordance with Council Procedure Rules.

3. Purpose of Report

- 3.1 This report asks the Council to establish committees to discharge non-executive functions and to agree their respective size.

4. Background

- 4.1 Council Procedure Rule 2.2 requires the Council, at its Annual meeting to establish such committees as it shall determine are necessary to carry out non-executive functions, and to agree their respective size and terms of reference.
- 4.2 Except in relation to the Licensing Committee and its sub-committees where the Council has absolute discretion as to whether they are politically balanced, the membership of each of the Council's committees and sub-committees shall be in accordance with statutory requirements for political balance. As far as possible the number of seats allocated to a political Group on each committee or sub-committee will reflect the size of that Group in proportion to the Council membership.
- 4.3 The Council is required to review the allocation of seats on committees to political Groups at its Annual meeting and as soon as reasonably practicable following any change in the political constitution of the Council. Wherever such a review is required, a report will be submitted to the Council showing what allocation of seats would best meet the requirements for political balance.

Political composition of the council

- 4.4 Following the Borough by-election on 18 April, Cllr Alan Earwaker was elected to represent Farnham Castle Ward; and following the Borough by-election on 2 May 2024, Cllr Laura Cavaliere was elected to the Witley and Milford Ward. The political composition of the Council remains unchanged from the Annual meeting in 2023:

Conservative Party	10
Farnham Residents	13
Green Party	1

Labour Party	2
Liberal Democrats	22
Independent	2

- 4.5 A political Group must consist of at least two councillors and must be formally constituted in accordance with Regulations. The Monitoring Officer has been notified of the constitution of the following Groups:

Group	No. of members	Proportion of total members
Conservative Party	10	20%
Farnham Residents	13	26%
Labour/Green	3	6%
Liberal Democrats	22	44%

- 4.6 There are two Independent Members who are un-grouped, and who each represent 2% of the Membership of the Council.

Establishment of committees

- 4.7 The Council is invited to establish the following committees for the municipal year 2024/25, with size of committee and restrictions on membership as shown in the table below:

Committee	No. of voting members
Audit & Risk Committee	7 councillors
Standards & General Purposes Committee	7 councillors
Licensing & Regulatory Committee	11 councillors
Overview & Scrutiny Committee - Resources	11 councillors

Overview & Scrutiny Committee - Services	11 councillors
Planning Committee	15 councillors
Joint Senior Staff Committee (with Guildford)	3 councillors (including the Leader and the Leader of the Principal Opposition Group)
Joint Governance Committee (with Guildford)	6 councillors (Leader plus 5)

Notes:

1. Members of the Audit Committee must not be Executive members.
 2. The Leader of the Council may not be a member of the Standards & General Purposes Committee, and the membership may include no more that one Executive member.
 3. The Standards & General Purposes Committee will co-opt two Town/Parish councillors from within the Waverley Borough who are not also Waverley Borough Councillors and who will serve until the next Town and Parish elections. At least one Town/Parish co-optee must be present when matters relating to Town and Parish Councils or their members are being considered. Town/Parish co-optees may not participate in matters that do not relate to Town and Parish Councils or their members.
 4. Members of the Executive may not be members of the Overview and Scrutiny Committees.
- 4.8 There are no changes to committee terms of reference, as set out in the Constitution.

Requirement for political balance and numerical allocation of seats on committees

4.9 Section 15 of the Local Government and Housing Act 1989 sets out how committees must be constituted when the Council is divided into one or more political Groups. The Council must give effect, as far as reasonably practicable, to the following four principles in constituting its committees:

- (a) that not all of the seats on any committee are allocated to the same political Group;
- (b) that if a political Group has a majority on the Council, it must have a majority of seats on all committees;
- (c) that, subject to (a) and (b) above, the number of seats allocated to a political Group across all the committees must reflect their proportion of the authority's membership; and
- (d) that, subject to (a) and (c) above, the number of seats allocated to a political Group on each committee is as far as possible in proportion to the Group's membership of the authority.

4.10 Once the allocation of seats to the political Groups has been determined, section 16 of the 1989 Act places a duty on the Council to allocate those seats in accordance with the wishes of the political Groups. Details of the numerical allocation of seats on the committees to the political Groups together with each political Groups nominations to fill those seats are set out in the following agenda report at Item xx.

5. Consultations

5.1 In order that Group Leaders can appoint Group members to the Council's committees, details of the political proportionality of the council and the committees proposed to be established have been shared with Group Leaders.

- 5.4 Details of the numerical allocation of seats on the committees to the political Groups based on 71 available committee seats together with each political Groups' nominations to fill those seats are set out in the following agenda report at Item 9.

6. Financial Implications

- 6.1 Councillors who are elected as Chairs and Vice-Chairs of committees are entitled to receive a Special Responsibility Allowance (SRA) in accordance with the Council's adopted scheme of allowances for councillors, all of which can be contained within existing budgets.
- 6.2 There are no other financial implications arising from consideration of the matters set out in the report.

7. Legal Implications

- 7.1 As the Council's membership is divided into political groups, it is required by sections 15 and 16 of the Local Government and Housing Act 1989 and related regulations to ensure that appointments to fill seats on committees are allocated in the same proportion as that in which the Council as a whole is divided. There is also a duty to review annually the allocation of seats on committees to political Groups or following any change in the political constitution of the Council.
- 7.2 The Council has wide powers in the Local Government Act 1972 to appoint committees and delegate non-executive functions to them. As the Council operates executive arrangements it is required under the Local Government Act 2000 to establish at least one overview and scrutiny committee.
- 7.3 The Council should ensure the separation of roles between the Council as developer and the Council as Local Planning Authority so as to ensure there is no conflict of interests or perception of pre-determination or bias.
- 7.4 It is recognised good practice that the Leader and Executive Portfolio Holders on the Executive do not sit as members of the Planning

Committees given the potential conflict of interest that is likely to exist in respect of planning applications in respect of the Council's own developments, or developments that directly affect the Council's land or property holdings.

8. Human Resource Implications

8.1 There are no human resources implications arising from this report.

9. Equality and Diversity Implications

9.1 There are no equality and diversity implications arising from this report.

10. Climate Change/Sustainability Implications

10.1 There are no climate change or sustainability implications.

11. Summary of Options

11.1 Council may decide to establish the non-executive committees as set out in paragraph 4.7, above.

12. Conclusion

12.1 Council is recommended to establish non-executive committees for the 2024/25 municipal year as set out in paragraph 4.7 above.

13. Background Papers

13.1 None

This page is intentionally left blank

Waverley Borough Council

Report to: Council

Date: 21 May 2024

Ward(s) affected: All

Report of Director: Legal and Democratic Services

Author: Ben Bix, Democratic Services Manager

Tel: 01483 444022

Email: ben.bix@waverley.gov.uk

Report Status: Open

Appointments to Committees 2024/25

1. Recommendation to Council

That the Council RESOLVES that:

- 1.1 Committee seats be allocated to political groups and Independent Members as set out in Appendix 1;
- 1.2 The nominations for membership of the committees and joint committees for the 2024/25 municipal year as shown in Appendix 2 be approved in accordance with the wishes of the political Groups;
- 1.3 The nominations for the election of Chairs and Vice-Chairs of the committees as shown in Appendix 2 be approved.

2. Reasons for Recommendation:

- 2.1 To enable the Council to comply with its obligations under the Local Government and Housing Act 1989 in respect of the political proportionality and the allocation of committee seats to Groups.
- 2.2 To comply with Council Procedure Rules in respect of the appointment of members to committees and the appointment of Chairs and Vice-Chairs.
- 2.3 To enable the Council to comply with its obligations under Section 28(7) of the Localism Act.

3. Exemption from publication

- 3.1 Not exempt

4. Purpose of the report

- 4.1 This report asks the Council to:
 - (a) agree the numerical allocation of committee seats to political Groups in line with the overall political proportionality of the Council.
 - (b) appoint councillors to the committees established under the previous agenda item, in accordance with the statutory requirements for political balance; and
 - (c) to appoint committee Chairs and Vice-Chairs

5. Background

- 5.1 Subsequent to agenda item 8 at which Council has agreed on the committees to be established for the 2024/25 municipal year and their sizes, the allocation of seats to the political Groups has been determined as set out in Appendix 1.

- 5.2 Once the allocation of seats to the political Groups has been determined, section 16 of the 1989 Act places a duty on the Council to allocate those seats in accordance with the wishes of the political Groups. Details of each political Groups' nominations to fill those seats are set out in Appendix 2.
- 5.3 Where adjustments to allocations of seats have been required to accommodate rounding errors in the calculations, as shown in Appendix 1, these were agreed between the Group Leaders and Independent Members and are unchanged from the Annual Meeting in 2023.
- 5.4 Following the appointment of committees, Council Procedure Rules require the Council to elect the Chairs and Vice-Chairs of the committees. Nominations for election of Chairs and Vice-Chairs are advised by Group Leaders and shown on Appendix 2 (to follow).

6. Financial Implications

- 7.1 Councillors who are elected as Chairs and Vice-Chairs of committees are entitled to receive a Special Responsibility Allowance (SRA) in accordance with the Council's adopted scheme of allowances for councillors, all of which can be contained within existing budgets.
- 7.2 There are no other financial implications arising from consideration of the matters set out in the report.

7. Legal Implications

- 8.1 As the Council's membership is divided into political groups, it is required by sections 15 and 16 of the Local Government and Housing Act 1989 and related regulations to ensure that appointments to fill seats on committees are allocated in the same proportion as that in which the Council as a whole is divided. There is also a duty to review annually the allocation of seats on committees to political Groups or following any change in the political constitution of the Council.

- 8.2 The Council has wide powers in the Local Government Act 1972 to appoint committees and delegate non-executive functions to them. As the Council operates executive arrangements it is required under the Local Government Act 2000 to establish at least one overview and scrutiny committee.
- 8.3 The Council should ensure the separation of roles between the Council as developer and the Council as Local Planning Authority so as to ensure there is no conflict of interests or perception of pre-determination or bias.
- 8.4 It is recognised good practice that the Leader and Executive Portfolio Holders on the Executive do not sit as members of the Planning Committees given the potential conflict of interest that is likely to exist in respect of planning applications in respect of the Council's own developments, or developments that directly affect the Council's land or property holdings.

8. Human Resource Implications

- 9.1 There are no human resources implications arising from this report.

9. Equality and Diversity Implications

- 10.1 There are no equality and diversity implications arising from this report.

10. Climate Change/Sustainability Implications

- 11.1 There are no climate change or sustainability implications.

11. Summary of Options

- 12.1 Under section 16 of the Local Government and Housing Act 1989 places a duty on the Council to allocate those seats in accordance with the wishes of the political Groups. Council may elect the Chairs and Vice-Chairs of the committees in accordance with Group Leaders'

nominations, or consider other nominations submitted and duly seconded.

12. Conclusion

- 13.1 Council is recommended to appoint members to established committees in accordance with Groups Leaders' nominations.

13. Background Papers

- 14.1 None

14. Appendices

Appendix 1 Numerical allocation of committee seats in accordance with political balance

Appendix 2 Group Leaders' nominations for committee appointments and Chairs and Vice-Chairs (to follow)

This page is intentionally left blank

Allocation of Committee seats based on political proportionality of the Council

50 Councillors 71 seats	Liberal Democrat	Farnham Residents	Conservative	Labour/Green	Independent	Total
Councillors	22	13	10	3	2	50
% of total	44%	26%	20%	6%	4%	100%
Total number of seats	31	18	14	4	4	71
Audit & Risk Committee	3	2	1	0	1	7
Standards & General Purposes Committee	3	2	1	1	0	7
Licensing & Regulatory Committee	5	2	2	0	2	11
Overview & Scrutiny - Resources	4	2	3	1	1	11
Overview & Scrutiny - Services	5	3	2	1	0	11
Planning Committee	7	4	3	1	0	15
Joint Senior Staff Committee	1	1	1	0	0	3
Joint Governance Committee	3	2	1	0	0	6

This page is intentionally left blank

Waverley Borough Councils

Report to: Council

Date: 21 May 2024

Ward(s) affected: All

Report of Director: Legal & Democratic Services

Author: Susan Sale, Joint Strategic Director Legal and Democratic Services

Tel: 01483 444022

Email: susan.sale@guildford.gov.uk

Lead Councillor responsible: Cllr Victoria Kiehl

Email: Victoria.kiehl@waverley.gov.uk

Report Status: Open

Key Decision: No

Joint Legal and Democratic Services Structure Proposals

1. Executive Summary

The Council's Joint Corporate Management Board has recently undertaken a review of resources in the area of Legal & Democratic Services. It is acknowledged that as a consequence of a long term failure to invest in these functions and a corporate failure to consistently understand the critical role these teams play in supporting effective decision making and culture, there is a gap in our ability to assure both Councils leadership that legal, democratic and governance functions of the authorities are resilient and robust and the Councils are both meeting their statutory obligations. Such a position presents significant risks for both Councils and it is essential that such functions are appropriately resourced to mitigate risk and enable continuous improvement to reach an adequate position of good assurance in decision making over the long term.

At its meeting on 7 May 2024 the Executive made one recommendation to Council as set out in 2.1 below; and resolved to approve:

- I. The Joint Head of Paid Service's proposal to create a role of Joint Executive Head - Legal as set out in para 15.1 of the report;
- II. The Joint Head of Paid Service's proposal to create a role of Joint Executive Head - Democracy & Governance as set out in para 15.1 of the report;
- III. The Joint Head of Paid Service's proposal to create a Joint Executive Advisory and Support team as set out in para 6.4 of this report to include two new posts of Joint Executive Advisory and Support Manager and Joint Executive Advisor. The Joint Executive Advisory and Support Manager will provide advisory support as well as management of the existing Joint Executive support team;
- IV. The Joint Head of Paid Service's proposal to create a new post of Joint Head of Governance as set out in para 15.2 of the report;
- V. The Joint Head of Paid Service's proposal to amend the existing three Waverley Borough Council posts of Senior Governance Officer, Senior Corporate Governance Lawyer and Monitoring Officer assistant to be joint roles operating across Waverley and Guildford Councils
- VI. The increase to the Waverley Legal & Democratic Services salary budget for 24/25 of £179,329 as set out in para 10.6 of this report and the future growth for subsequent years
- VII. An additional one-off cost of £40,662 to Waverley Council which is a 50% contribution towards the cost of two interim Governance Officers for 6 months and offset against existing salary budget;
- VIII. A supplementary estimate of £220k for Waverley Council to cover the ongoing growth and the short term cost of the interim resource will need to be funded by the repurposing of reserves;
- IX. To delegate authority to the Monitoring Officer to amend the current inter-authority agreement between Guildford Borough Council and Waverley Borough Council to include the new joint roles as set out in this report.
- X. To note that the implications of these proposals have been considered in the context of restructures already concluded in GBC and WBC Legal Services and work about to commence in Waverley Democratic Services.

2. The Executive RECOMMENDS to Council

2.1 To approve the making of all necessary arrangements for the discharge of functions through joint arrangements between Waverley Borough Council and Guildford Borough Council, by officers of Waverley Borough Council, as set out in this report, and for such arrangements to be included in the interauthority agreement in accordance with s113 Local Government Act 1972.

3. Reason(s) for Recommendation:

- 3.1. To respond to the Head of Paid Services' recent changes to his staff structure at Chief Officer level, effective 1st March 2024, which made the previous Joint Executive Head of Legal & Democratic Services the Joint Strategic Director of Legal & Democratic Services and the previous Joint Executive Head of Finance, the Joint Strategic Director of Finance. Whilst this has strengthened the Corporate Management Board and ensured that the governance functions are represented at the most senior level by the three statutory officers, it has also created a gap at the Executive Head of Service level for each of these disciplines. This gap cannot be sustained.
- 3.2. To respond to the concerns raised in recent months by Statutory Officers in relation to the robustness of governance arrangements for both Waverley Borough Council and Guildford Borough Council which has resulted in the need for an improvement plan, and continuous improvement thereafter to ensure good governance, and compliance with the Council's statutory duties relating to best value.
- 3.3. To fund the growth needed to address items 3.1. and 3.2 in the Legal and Democratic Services function.
- 3.4. To deliver the capacity and capability to enable timely, effective, transparent and consistent decision making at all levels of both organisations, including at the most senior leadership levels.
- 3.5. To deliver the capacity and capability needed to embed successes in ongoing collaboration efforts and enhance the pace of future collaboration, transition to shared services and continuous

improvement in service delivery and realisation of cashable and non-cashable savings.

- 3.6. To create the framework for the Legal and Democratic Services function which will reduce dependency on expensive external resources and further implement succession planning and career development which have already seen an increase in internal promotion appointments to vacancies in Waverley Legal Services.

4. Exemption from publication

- 4.1. Not exempt from publication.

5. Purpose of Report

- 5.1. Outline the findings and recommendations of a review of the whole of Legal and Democratic Services undertaken to identify the extent to which sustained underinvestment has impacted our ability to ensure that both Councils have the capacity and capability to support the full range of services needed; thereby ensuring that we are able to deliver a resilient, agile, fit for purpose suite of services; reduce external spending on resources and develop a model which will encourage talented professionals to join our teams and be encouraged to develop their careers here over the longer term.
- 5.2. The review considered a range of options and identified the need to increase capacity and capability by creating new roles and teams, repurposing some existing roles and budgets and to increase staffing budgets for which a growth bid decision is required.

6. Strategic Priorities

- 6.1. Local, open, participative government – the Council is committed to an open, inclusive approach to communications and decision making.

7. Background

- 7.1. Ensuring that a Council's Monitoring Officer has the resources required to fulfil the duty of designated Monitoring Officer is a legal

requirement. Additionally, the provision of Governance Services more broadly is fundamental to Local Authority's (LAs) capacity and ability to undertake effective decision making, ensure public participation in matters of interest to residents and other stakeholders and underpin effective working between Elected Members and Chief and Senior Officers.

- 7.2. There have been a series of high-profile failures in public service organisations across Local Government, NHS and other bodies. They range in scale and scope, but include financial failure (S114 reports), to bullying and harassment but at their heart inadequate and ineffective governance has played a considerable role.
- 7.3. Long term underinvestment in our services presents significant risk to both Councils. Other risks pertain to whether we have the capacity to provide advice and support across the full spectrum of traditional governance related activities across both Councils. In support of our ongoing collaboration work, we have an extensive programme of work underway on the development of a joint constitution and approach to joint committee working. Current lack of capacity and capability is undermining our efforts to address current known risks, be clear sighted on anticipating and mitigating future risks and further progress our efforts on collaboration, improvement and transformation.
- 7.4. The most senior leadership levels across Guildford and Waverley are joint points already. However, it is the case that this approach has not necessarily cascaded throughout the councils as a whole. The completion of the constitutional work and a thorough understanding of decision making in a joint/shared service model is critical if we are to deliver streamlined, appropriately resourced and capable services across the full spectrum of services that are delivered both by Guildford and Waverley employees. These are live concerns for the new Head of Business Improvement post at Guildford and the current Business Transformation Manager post at Waverley, where both posts are responsible for assuring effective cross council working.
- 7.5. Whilst these matters are typically understood in the context of 'governance' matters, the link between organisational culture, good governance and decision making cannot be underestimated. Our

values and behaviours are in many respects based on a sound understanding of how we make decisions in our organisations and what happens when problems occur in leadership and decision making.

- 7.6. Ensuring that we have an effective function providing governance expertise in relation to Local Government decision making, that aligns with work our colleagues in Organisational Design and HR deliver is critical for a range of reasons. Most importantly, providing the foundations for a high performing organisation dedicated to harnessing the knowledge, skills and abilities of its employees (and partners), in the context of robust decision making offers maximum opportunity to deliver inclusive, needs led, value added services to the citizens we serve.
- 7.7. To respond to these risks, work has been undertaken to develop a revised structure for Legal and Democratic Services as a whole which will address these matters in the short term but deliver a sustainable longer-term solution. This has included the creation of new posts, the repurposing of existing posts and salary budgets.

8. Consultations

- 8.1. Human Resources, Finance, and Corporate Management Board were consulted by the Joint Strategic Director.
- 8.2. New role descriptions have been prepared and will be reviewed and agreed by the Job Evaluation Panels in early May 2024.
- 8.3. Staff and consultation with Trade Unions is discussed below.

9. Key Risks

- 9.1. Not properly ensuring that the Joint Strategic Director of Legal and Democratic Services has the resources required to fulfil the duty of the Councils designated Monitoring Officer puts both Councils at risk of breaching their duties in Section 5 (b) of the Local Government & Housing Act 1989.

- 9.2. Not properly resourcing the Legal and Democratic Services function as a whole reduces the assurance that can be provided to both councils, that its statutory obligations are being met.
- 9.3. Not properly ensuring that we have a sufficient level of resources continues financial dependency on expensive external resources and impacts our ability to undertake career development and succession planning. The recommendations made mitigate these key risks.

10. Financial Implications

- 10.1. In the creation of this structure, we have where possible used existing staff budgets in order to alleviate the impact of this additional funding request on our current budgets.
- 10.2. These proposals require growth funding. The impacts are greater for Guildford Borough Council compared to Waverley Borough Council as we have been able to utilise existing budget to partially offset the Waverley contribution.
- 10.3. The proposals also require one off funding to cover urgent steps taken with the approval of CMB, to secure two interim Governance Officers for a period of 6 months. This is necessary to cover critical ongoing work to provide additional capacity on critical joint constitutional review work.
- 10.4. The costs of the interim support for 6 months of these governance officers represents an additional pressure of **£40k** to Waverley Borough Council and a pressure of **£90k** to Guildford Borough Council. The costs are split equally across both Councils, but we have been able to offset existing staffing budget against the Waverley contribution.
- 10.5. The proposals cover the staffing budget for the creation of 8 new posts. The approach taken is exception based but necessary due to the urgent and sensitive need to increase capability and capacity and mitigate current risk to each authority. HR colleagues will undertake a salary benchmarking exercise to confirm proposals.

- 10.6. The ongoing costs of these proposals to Waverley is **£179,329**. The ongoing costs of these proposals to Guildford is **£357,318**. There is no contributory budget within Guildford to offset these costs.
- 10.7. For Waverley, ongoing growth and the short-term cost of the interim resource will need to be funded by the repurposing of reserves. This is a total of £220k. A supplementary estimate will need to be taken to Executive to request this growth in budget.
- 10.8. It should be noted that this additional cost was not considered as part of the Medium-Term Financial Plan when this was taken to Council in February. This growth will be an additional impact to the budget gap going forward.

11. Legal Implications

- 11.1. Section 5 (b) Local Government & Housing Act 1989 places an obligation on Waverley and Guildford Borough Councils to provide the Monitoring Officer with staff, accommodation and other resources required to fulfil the duty of designated Monitoring Officer. The proposed structure will provide the Monitoring Officer with such staff, mitigating governance risks to the Council.
- 11.2. The Head of Paid Service has delegated authority to make all decisions in relation to Human Resources functions subject to exclusions not applicable to matters raised in this report.
- 11.3. Section 112 Local Government Act 1972 provides a power to appoint staff on such terms and conditions as appropriate.
- 11.4. The inter authority agreement which governs the joint officer arrangements will be varied to reflect inclusion of the new posts referenced, which will share the existing principles that apply to the current Joint Management Team.
- 11.5. The Waverley Borough Council Financial Procedure Rules, as approved in October 2023, provide that the Executive may approve any supplementary budget estimates of up to £250,000.

11.6. Due process in relation to the restructure will be followed including formal consultation with staff and Trade Unions prior to any definitive decision making.

12. Human Resource Implications

12.1. Human Resources have been consulted throughout the development of these proposals and advised on the process. Existing staff will be consulted on the revised structure once funding has been approved, and as guided by HR policies as applicable.

12.2. Of the 8 posts created, some are brand new posts and others are changes to existing posts, which has allowed us to reuse existing salary budget to contribute to costs. Additional work will be undertaken, specifically to include a salary benchmarking exercise to determine the salaries to be applied for joint posts beyond the JMT structure agreed.

12.3. We anticipate that there will be opportunities for internal promotion in the creation of new posts. However, to ensure that we are attracting the best talent we will also look to advertise vacancies externally. We intend to encourage the recent successes in Waverley Legal Services, where we have been able to promote existing staff which has communicated a very positive message about career development and retention to the organisation as a whole.

13. Equality and Diversity Implications

13.1. An EIA will be completed to underpin these proposals.

13.2. In relation to recruitment related activities as a matter of course we set out that we welcome applications from all underrepresented communities.

14. Climate Change/Sustainability Implications

14.1. There are no direct climate change or sustainability implications.

15. Summary of Options

- 15.1. In relation to the need to meet our obligations under Section 5 (b) Local Government & Housing Act 1989 there were no other options considered other than the creation of an Executive Head of Service – Legal post and an Executive Head of Service – Democracy and Governance post.
- 15.2. In relation to creating a Joint Governance Team, three options were considered:
- Option 1 - Do nothing
 - Option 2 - Create separate governance teams in Guildford and Waverley Borough Councils
 - Option 3 - Create a joint team covering both Councils
- 15.3. Option 1 means that Waverley and Borough Councils would continue with unsatisfactory arrangements and sub-optimal provision of Governance support. The reality is that senior officers (particularly those in JMT) are being drawn into the types of activity that is normally undertaken by a Governance team and this is impacting their ability to focus on other critical work. This is a specific risk to strategic work and our having sufficient capacity focused on enabling us to proactively identify upcoming opportunities and risks.
- 15.4. Option 2 is an approach aligned to work underway in Legal Services and Democratic Services in both Waverley and Guildford Councils. Notwithstanding a longer-term desire to deliver a shared service approach to both services, an evidence-based decision was made to focus on ensuring that the provision of services within each Council is based on solid foundations. These efforts will support the delivery of excellent and resilient services for now, but they will also provide a pathway to future sustainable shared services.
- 15.5. Option 3 offers the opportunity to build a joint team serving both Councils. Given there are no legacy teams creating a joint service from scratch is a welcome opportunity and considered to be the most appropriate and cost-effective option to pursue.

15.6. In the light of concerns set out in 3.2 and in relation to creating a Joint Governance Team, for completeness we also reviewed the current level of advisory support provided to Executive. We have specifically considered whether Executives have the capacity needed so that they are fully appraised and supported in the development of strategic priorities and related policy and that joint working with Joint Management Team on such matters is as fully informed, responsive and effective as it can be.

15.7. Two options were considered:

- Option 1 - Do nothing
- Option 2 - Create two additional posts and restructure the Executive Support Team. We propose creating a Joint Executive Advisory and Support Manager and a Joint Executive Advisor post.

15.8. Option 1 would represent no change to decision making and governance capability at the most senior levels across both Councils, thereby not adequately addressing concerns reported by statutory officers.

15.9. Option 2 would provide independent, advisory support to Executives so that they have the capacity needed to be fully appraised and supported in the development of strategic priorities and related policy and that joint working with Joint Management Team on such matters is as fully informed, responsive, frictionless and effective as it can be.

16. Conclusion

16.1. A new Legal and Democratic Services management structure and overall structure is required to deliver coherent, fully resourced services overall and one which addresses the key risks set out in section 9 of this report. The creation of two new Heads of Service posts, a Joint Governance Team and an Executive Advisory and

Support team will complete the current coordinated programme of work being undertaken in the Joint Legal and Democratic Services function. In addition to the contents of this paper, work has been done on restructuring Legal Services in Guildford and Waverley (new structures being implemented from 1st and 8th April 2024 respectively) and a paper on a proposed restructure of Waverley Democratic Services has been presented for approval.

16.2. This work in totality provides the capacity and capability required to meet organisational requirements; and provides a manageable, risk assessed pathway to the development and implementation of a future Shared Service model structure.

16.3. These proposals require growth funding. A supplementary estimate is requested to fund the restructuring of these proposals to new roles and reconfigure responsibilities to enhance capacity, support, resilience and to reduce the financial cost currently incurred in the use of expensive external resource.

17. Background Papers

17.1. Report to Executive Briefings 23rd and 25th April 2024 - Exempt

18. Appendices

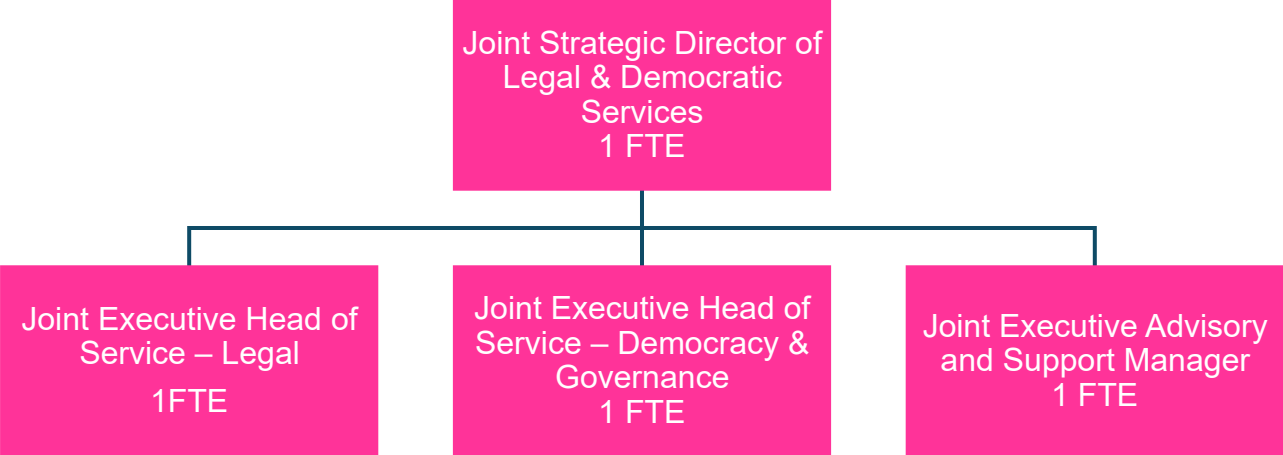
18.1. Organisation chart for Legal and Democratic Services

Service	Sign off date & Initials
Finance / S.151 Officer	As per Briefings 23 rd and 25 th April

Legal / Governance	26 th April
HR	As per Briefings 23 rd and 25 th April
Equalities	As per Briefings 23 rd and 25 th April
Director / CMB	Susan Sale 26 th April
Lead Councillor	23 rd and 25 th April
Executive Liaison/briefing	23 rd and 25 th April
Committee Services	26 th April

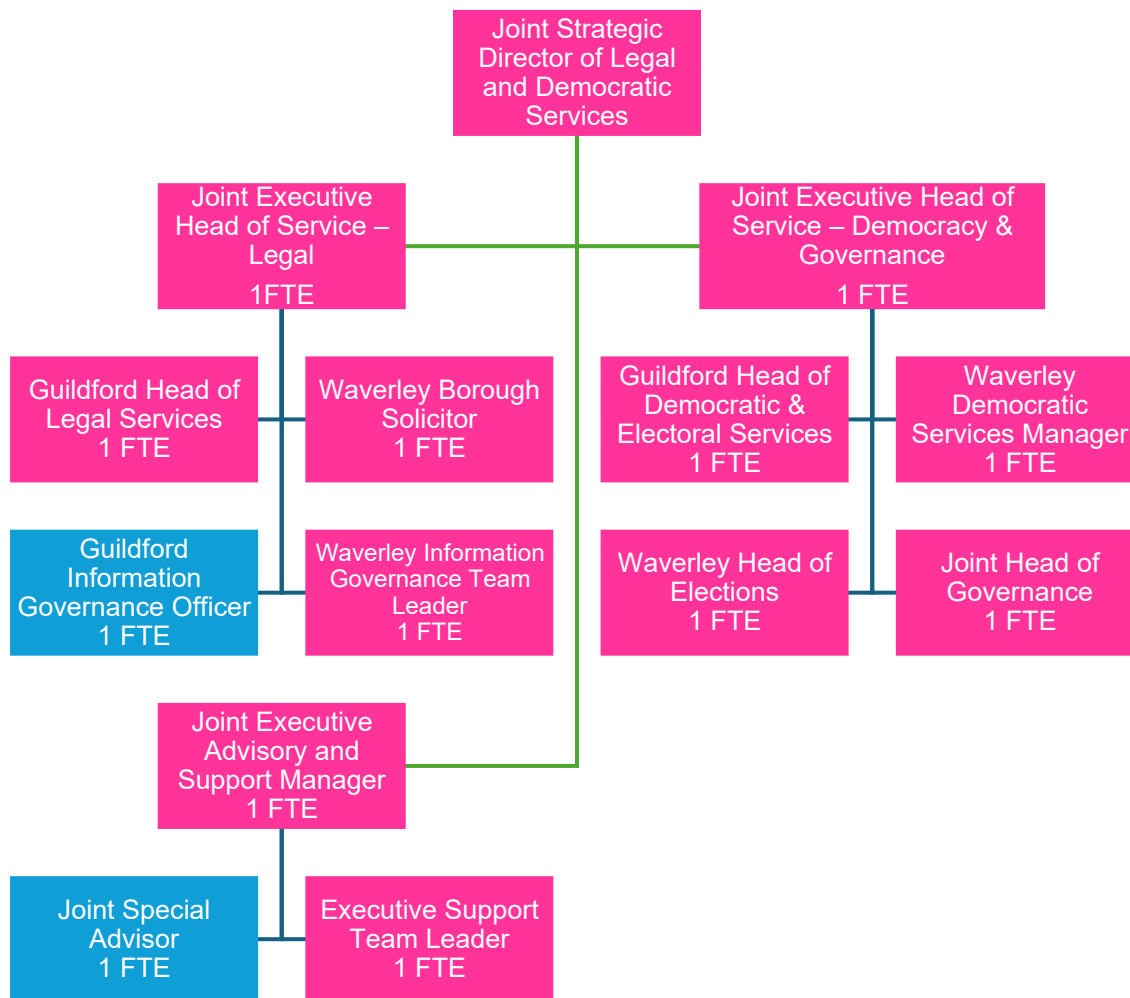
This page is intentionally left blank

Proposed* Legal and Democratic Services Management structure from 1st June 2024



* This is a proposed structure under development as part of a suite of transformation work underway in Legal and Democratic Services. This structure is due to be presented at GBC and WBC Executive meetings over the next fortnight and work will continue following existing HR processes.

Proposed* Legal and Democratic Services Management structure from 1st June 2024



* This is a proposed structure under development as part of a suite of transformation work underway in Legal and Democratic Services. This structure is due to be presented at GBC and WBC Executive meetings over the next fortnight. This structure is due to be presented at GBC and WBC Executive meetings over the next fortnight and work will continue following existing HR processes. Posts in pink are those with line management reports. Those in blue do not.