



Waverley Borough Council
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To: All Members of the Council

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Legal & Democratic Services

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Calls may be recorded for training or monitoring

Date: 9 October 2023

Dear Councillor

COUNCIL MEETING - TUESDAY, 17 OCTOBER 2023

A MEETING of the WAVERLEY BOROUGH COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS, GODALMING on **TUESDAY, 17 OCTOBER 2023** 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
Executive Head of Legal & Democratic Services & Monitoring Officer



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Agenda

1. **Apologies for absence**

The Mayor to report apologies for absence.

2. **Minutes** (Pages 7 - 38)

To confirm the Minutes of the Ordinary Council meeting held on 18 July 2023, together with the Minutes of the Extraordinary Council meetings held on 29 August 2023.

3. **Declarations of Interest**

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.

4. **Mayor's Announcements**

5. **Leader's Announcements**

6. **Questions from members of the public**

To respond to questions from members of the public, received in accordance with Procedure Rule 10.

The deadline for receipt of questions is 5pm on Tuesday 10 October 2023.

7. **Questions from Members of the Council**

To respond to any questions received from Members of the Council in accordance with Procedure Rule 11.2.

The deadline for receipt of questions is 5pm on Tuesday 10 October 2023.

8. **Cranleigh Leisure Centre New Build** (Pages 39 - 52)

The Executive recommends that Council approves:

- 1. That a revised capital budget of £31,137,252, as shown in the financial viability assessment at Exempt Annexe 1, be agreed and allocated to deliver a new-build Cranleigh Leisure Centre.**

9. **Financial Regulations Update** (Pages 53 - 136)

The Audit and Risk committee recommends that Council adopt the updated Financial Regulations.

10. **Licensing Act 2003 - Approval of the Council's Statement Of Licensing Policy** (Pages 137 - 176)

The Licensing and Regulatory Committee recommend to Council that the Statement of Licensing Policy 2023-2028 be approved.

11. **Quarterly Report on Urgent Decisions**

In accordance with Council Procedure Rule 15.3, the Leader of the Council shall report that one Special Urgency decision was made pursuant to Council Procedure Rule 14.2 in the preceding three month period.

21 September 2023 – Decision of the Leader of the Council to: **Award a Software Contract for Payroll and HR Administration.**

[Leader's decision on Thursday, 21st September, 2023](#)

12. **Motions** (Pages 177 - 178)

To consider one motion submitted in accordance with Procedure Rule 12.1:

Collaboration Arrangements with Guildford Borough Council

The deadline for receipt of motions was 5pm on Thursday 5 October 2023.

Minutes of the Executive and Committees

There shall be no debate on any item contained in the Minutes of the Executive or a Committee, but councillors may give notice in writing or e-mail to the Executive Head of Legal and Democratic Services

- (i) by noon on the working day prior to the day of the meeting, of a question, and give details of any question, or
- (ii) by noon on the day of the meeting of a statement they wish to make.

(PR11.8(a))

13. **Minutes of the Executive** (Pages 179 - 200)

To receive and note the approved Minutes of the Executive meetings held on 1 August 2023 and 5 September 2023.

14. **Exclusion of the press and public**

If necessary, to consider the following motion, to be moved by the Mayor:

That, pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the Council agrees:

- (1) that the public be excluded from the meeting during consideration of the following matter on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in the relevant paragraphs of the revised Part 1 of Schedule 12A to the Local Government Act 1972; and
- (2) that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

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Agenda Item 2.

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MINUTES of the WAVERLEY
BOROUGH COUNCIL held in
the Council Chamber, Council
Offices, The Burys, Godalming
on 18 July 2023 at 6.00 pm

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

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

*Present

Apologies

Cllr Carole Cockburn, Cllr George Hesse, Cllr Andrew Law and Cllr Michaela Wicks

The Mayor reported that the Rev'd Clive Potter had been called away and apologised for being unable to attend the Council meeting.

CNL17/23 APOLOGIES FOR ABSENCE (Agenda item 1.)

17.1 Apologies for absence were received from Cllrs Carole Cockburn, Andrew Law, and Michaela Wicks.

CNL18/23 MINUTES (Agenda item 2.)

- 18.1 The Minutes of the Annual Meeting of the Council held on 23 May 2023 and the Extraordinary Meeting held on 7 June 2023 were confirmed and signed.

CNL19/23 DECLARATIONS OF INTEREST (Agenda item 3.)

- 19.1 There were no interests declared in relation to matters on the meeting agenda.

CNL20/23 MAYOR'S ANNOUNCEMENTS (Agenda item 4.)

- 20.1 The Mayor reported that since the last Council meeting, she had undertaken many engagements including: addressing the Ahmadiyya community; attending the Milford Village Show and Cranleigh Carnival; met Princess Anne; opened the new Godalming Funeral Service premises; and with Mark Foster and Colin Jackson, re-opened all four of Waverley's leisure centres under their new operator. The Pride Flag had flown outside the building for the entire month of June.
- 20.2 Her Civic Service, held on 2 July in St John's Parish Church, Farncombe had been a wonderful occasion. The Mayor thanked her PA, Chloe Mickiewicz, for organising the event and to all others who contributed their time and talents. The Mayor had been disappointed that there had only been fourteen Waverley councillors present, including herself and Cllr Paul Rivers, and a further three councillors had given their apologies. She hoped that more would be able to support her mayoral fundraising events during the remainder of her time in office, the first of which would be on Friday, 6 October 2023.

CNL21/23 LEADER'S ANNOUNCEMENTS (Agenda item 5.)

- 21.1 The Leader noted that he had been honoured to join the Mayor at her Civic Service, and a highlight had been seeing Rev'd Rattue following the Jamaican tradition of blessing the cake.
- 21.2 The Leader, and Executive colleagues, had been following closely the information reported by Guildford Borough Council regarding their financial situation. He had had several meetings with the Guildford leadership over the last couple of weeks, and both Executives had met informally as a group. The Leader reassured Members that Waverley and Guildford were still separate councils, with separate accounts, and whilst the scale of issues at Guildford were larger than expected the issues themselves were not of a surprise and had been factored into Waverley's risk assessments of the collaboration.
- 21.3 Waverley's collaborative work with Guildford continued to save the council hundreds of thousands of pounds per annum and there would be a report on the next steps for the collaboration in September, after the details of Guildford's financial issues had been properly absorbed. The Leader reminded those opposed to the collaboration that while Guildford's issues were not on the scale of Woking's, unless the Government and Chancellor started to address the crisis in local government funding there would be

many more councils issuing Section 114 notices or starting urgent remediation works as Guildford were doing. Net debt for the districts and boroughs in Surrey plus the County Council itself was now more than £5.5bn, with at least £1.5bn of that attributable to Woking. For comparison, Waverley had a debt of £138, almost all of which was contained in the Housing Revenue Account as the remainder of the loan that all councils who wanted to retain their Council housing were forced by government themselves to take out.

- 21.4 The Leader was proud of Waverley's own relative stability and relatively favourable position in this increasingly bleak local government picture and thanked, the council's Finance Team and Portfolio Holder, Cllr Merryweather, for their work in this regard.
- 21.5 The Leader referred to matters at The Edge, which would be raised again under public questions. He noted that the petition being presented had reached the threshold of signatures for the matter to be discussed at Overview and Scrutiny, and he intended to attend and speak on that occasion. The Leader apologised to users of The Edge for the gap in service, which was especially disappointing coming over the summer months. The Leader further noted that there were members of the public present who had been present at a meeting with Sport Haslemere prior to the May elections when he had given good faith assurances based on conversations with Surrey County Council and the school about the future of The Edge.
- 21.6 The current situation was deeply concerning, because discussions had started with Surrey County Council in early 2022 regarding the future of the building that was owned by Surrey County Council and that Waverley had been managing at public cost since 2003. Surrey County Council had stated that they did not run leisure centres, and the Leader emphasised that they were a discretionary service for any council, and Waverley continued to run four leisure centres in the major settlements.
- 21.7 Given the previous comments about the state of local government funding, the Leader found the response of the County Council and the intervention of the local MP quite distressing. He urged Mr Hunt to reply to one of the many letters from the council about local government funding, business rates retention, and a number of other issues material to the survival of local government and the provision of its services. The Leader renewed his invitation to Mr Hunt to meet to discuss The Edge and other issues that impact local government and its funding, and the consequences to services that the lack of funding brings.
- 21.8 Finally, the Leader referred to the recent appeal decision for Waverley Lane that the council had lost. This had been an incredibly disappointing decision and the wording of the Inspector's actual ruling had been quite disturbing in terms of the council's understanding of the Local Plan process and the role of Neighbourhood Plans in that process. The appeal decision had been discussed at length with Farnham Town Council and other councillors, and Waverley would be seeking a legal opinion on the appeal decision and options for a legal challenge.

21.9 With the agreement of the Mayor, the Leader then invited Executive members to give brief updates on matters in their remit not otherwise on the Council's agenda:

- Cllr Peter Clark provided a brief update on the Farnham Infrastructure Programme (FIP) which was launched three years ago. There had been a number of changes of personnel involved, and challenges between those in favour of pedestrianisation of Farnham Town Centre and those against, leading to a change in the leadership at Farnham Town Council. The support of Tim Oliver, Leader of Surrey County Council and Chair of the Farnham Board, had been constant throughout, but there had been a real challenge now to get the funding in place before it was too late. Cllr Clark was therefore delighted to report that on 27 June, the Surrey County Council Cabinet had signed off £14m to support the delivery of the project over the next 2 – 3 years, once the final designs had been approved and the business case and final costings prepared. The next stage was to look at the mitigation to alleviate disruption to Farnham town centre during implementation.
- Cllr Paul Rivers reminded Members that the Landlord Services Advisory Board would be meeting on 20 July, and encouraged Members, tenants and leaseholders to attend.
- Cllr Liz Townsend endorsed the Leader's earlier comments regarding the Waverley Lane appeal decision, and the surprise and disappointment at the Inspector's decision and his interpretation and planning weight attributed to the Farnham Neighbourhood Plan policies and the Surrey Hills AONB review. Cllr Townsend was concerned at some critical inconsistencies between the weight of harm given to the countryside afforded in the Waverley Lane decision compared to the Green Lane Farm and Lower Weybourne Lane appeals, and agreed with the Leader that it was right to obtain a legal opinion to determine whether the council had grounds to challenge the appeal decision.
- Cllr Steve Williams reported that visitors to Frensham Common were being warned not to enter the water at Frensham Great Pond because of the presence of blue-green algae which had been confirmed by the Environment Agency at its regular assessment on 7 July. Blue-green algae was extremely dangerous, especially to dogs and children, and could cause dermatitis, irritation, rashes, blistering, abdominal pain, diarrhoea, and nausea. Warning signs had been put up on site, there were warning messages on social media and Waverley's website, and Waverley's rangers were on site to provide advice to visitors. This was a seasonal occurrence and it was likely that the blue-green algae would persist until well into the autumn before the Environment Agency gave the 'all clear'.

CNL22/23 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 6.)

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

- (i) From Mr Daniel Kuszel, Godalming:

“Could the Portfolio Holder give their assessment of the state of street cleaning in Godalming High Street and the town generally. Also, does the Portfolio Holder believe it is reasonable for residents to take the time to report graffiti on Council owned property but to not see this removed even though 8 weeks have passed since it was reported?”

Cllr Steve Williams, Portfolio Holder for Environment & Sustainability provided the following response:

“In general I believe the cleaning of our towns, including Godalming, is generally very good and our contractor applies significant resources to each town centre every day. That said there will be occasions where something may be overlooked or litter is dropped after we have cleaned in which case we would encourage the public to report any concerns through our website or customer services.

In relation to graffiti we do aim to clean our own property within a few days of reports, but there can be complications which can lead to delays, for example “council owned” does not mean Waverley owned and could be the County Council or a Town or Parish Council. Graffiti is the responsibility of the owner to remove and not Waverley Borough Council by default and whilst we are happy to receive reports and pass these on to the relevant bodies, we are not in a position to remove graffiti from others’ property.”

(ii) From Brian Edmonds, Farnham:

“The question is sustained by statutory guidance issued under the Local Government Act 2003 that allows the public to assess a local authority’s total risk exposure because of its investment decisions.

The losses incurred by Waverley BC Leisure Centres from 2020 until 2022 advised by FOI request A12/4759 were understood to be £3,246,000 million with external support of £754,000 reducing the net impact to £2,492,000. Please advise why business interruption insurance did not mitigate these losses and who approved sustaining these losses by considering them an appropriate burden for council taxpayers?

The Statement of Accounts is the principal means by which the council is accountable to its electorate. However, it is understood that “the latest draft Statement of Accounts for the year ended 31 March 2022 is available on the Council’s website, subject to conclusion of the audit.” Recognising this limitation, what management controls are now in place to either prevent or mitigate similar substantial Waverley BC Leisure Centre losses?”

Cllr Mark Merryweather, Portfolio Holder for Finance and Assets, provide the following response:

“The losses referred to by Mr Edmonds were due almost wholly directly to lost revenue from income from the closures caused by the mandatory Covid lockdown which were not reimbursed from central government. Throughout the period of Covid there were many

decisions that had to be made to maintain and sustain services for residents. The council mitigated lost revenues and controlled costs wherever possible and the whole council approved the budgets and the revised contingency budgets.

Waverley contracts the operation of our leisure centres and for that reason no business continuity insurance was available on the market to us. We are aware however that our operator at the time, Places Leisure, did hold such insurance and like many of its peers continues to chase for a payout to mitigate these losses. To date, insurance companies have refused to do so. As a result of the pandemic any new contractual arrangements recognize and clearly define the financial responsibilities should such a circumstance arise again. All operating and management controls have been updated to reflect the lessons learned throughout the Covid pandemic.”

(iii) from Chris Grimes, Chairman of Sport Haslemere:

“The Council will be aware of the concerns Sport Haslemere has expressed on behalf of the clubs who use The Edge and the lack of certainty about their future use of the Building. To this end we have organised a petition entitled “Protect The Edge” which has over 2,500 signatures and we would like to present this at the meeting. We would also like to ask a question - can the Council give the clubs a categorical assurance that The Edge will re-open for Community Use by no later than 1st October 2023 so that they can plan their future activities?”

NB. At the Council meeting, Mr Grimes read out a slightly different question, reflecting the way in which discussions had moved on since he submitted his original question:

“Regarding The Edge Leisure Centre in Haslemere, this is a facility that was built by public subscription for the benefit of the people of Haslemere, thanks to the sterling work of the late Nick Chilton and the late Eric Thompson who have over many years done so much for the development of sport in Haslemere. Until 1st of July the building was used by a large majority of clubs and for some of these there are simply no alternative permanent locations for them locally. In addition Rachel Morris MBA a double Olympic gold medal winner in disabled sport has also had to suspend her activities which she runs for disadvantaged and disabled children as she is wholly dependent on The Edge to be able to deliver her program.

We are now told by Surrey County Council that for the school and the Weydon Multi-Academy Trust to take over the facilities at The Edge will take a minimum of 12 months. We further understand that Surrey County Council are prepared to let Waverley Borough Council reinstate their lease for two years and this frankly is the only way that community use of The Edge can continue in the next 12 months. We realize that this will be at a cost but would save the council in the short term a lot of money in dilapidation costs. A group of users of the facilities has been set up and those people already have a track record of raising large sums of money for schemes for sport of up to

£1m and we are confident we'll raise the necessary funds in the next two years to enable continued use of The Edge for community purposes. Health and well-being is an essential part of modern life and what the clubs need is an assurance that The Edge will re-open. They need certainty to enable them to plan for the future. If the clubs fold due to that lack of certainty that will do untold harm to many athletes, some disabled, some with huge potential for the future, and some just denied access to be able to continue with their chosen sport.

Hence our petition entitled 'protect The Edge' which has huge local support with over 2,700 signatures which I have formally are presented. The only opportunity now to keep The Edge open for community use is for Waverly Borough Council to take back the lease for two years whilst funding is sorted out. I was also aware of the letter that Jeremy Hunt had sent to the Leader this afternoon asking the council also to take back the lease. This is an opportunity for the Leader of the Council to make good on the promises he gave Sport Haslemere at its meeting on the 17th of April. He told us a that The Edge would not close for community use and that Waverley Borough Council would be prepared to provide financial assistance for a two-year transitional period so I hope that the council will now agree to take back the lease as offered providing the categorical assurance that the club's need for them to be able to move forward.

Thank you very much."

Cllr Kika Mirylees responded to Mr Grimes original submitted question: "We are very sorry that Waverly Borough Council are unable to provide a categorical assurance The Edge will be reopened by 1 October. We are not the owners of the facility, as you know, Surrey County Council are. Where we do have ownership at the site, in the case of the playing pitches including the new 3G pitch, we have ensured that these are still open for community use. Without going into the details of all the things that we have encountered during this handover period we would assure you that we are very committed to supporting sports activities throughout the borough and negotiations and discussions with the multi-academy trust will continue and be aimed at re-opening The Edge facility as soon as possible. We are very much supportive of this, and I think that whatever we can do we will bring it to some happy conclusion."

Responding to Mr Grimes' question, the Leader advised that the petition had met the threshold to be referred to the Overview and Scrutiny Committee. He was unable to give the assurances that Mr Grimes was looking for as there were some contentious issues regarding the amount of money that would be required in dilapidations and these had not been agreed between Waverley and Surrey. The Leader offered to meet with Mr Grimes, and also Tim Oliver, Leader of Surrey County Council, and Jeremy Hunt MP, and officers to discuss this and the local government funding issues that had led the council to this point.

Waverley continued to support Sport and Leisure in Haslemere, primarily through the extant Haslemere Leisure Centre, so whilst he could not give a categorical answer to Mr Grimes' additional question, he was more than happy to extend an invitation for that meeting to take place and would certainly come along and speak to the subject at the Overview and Scrutiny Committee meeting.

CNL23/23 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 7.)

23.1 There were no questions received from Members.

CNL24/23 UPDATE OF THE LOCAL PLAN (Agenda item 8.)

- 24.1 The Mayor invited the Leader to introduce the item. The Leader moved the recommendation from the Executive, which was duly seconded by Cllr Liz Townsend, Portfolio Holder for Planning, Regeneration and Economic Development who introduced the report and recommendations.
- 24.2 Cllr Townsend reminded Members that Local Plan Part 1 was now over five years old and in February, Council had considered the outcome of the statutory review undertaken by officers. Council had agreed that Local Plan Part 1 needed updating and that officers were to explore all options, including updating the plan immediately to make what was referred to as a broadly compliant plan as well as a more comprehensive update of Local Plan Part 1 and Local Plan Part 2 together to produce a single Local Plan whilst acknowledging that the existing Local Plan and Neighbourhood Plans remained the starting point for all decisions on planning applications while the update was brought forward.
- 24.3 The report in front of Council now had been considered by the Services Overview and Scrutiny Committee on 21 June 2023, and their recommendations had been broadly agreed by the Executive on 4 July, along with a recommendation to Council that a comprehensive update of the Local Plan, into a single plan be undertaken. It was critical that an up-to-date assessment of local housing need be carried out to present an appropriate and achievable housing strategy to meet the Government's housing target while acknowledging the constraints across the borough, whether that be Green Belt, Areas of Outstanding Natural Beauty or other landscape designations.
- 24.4 Cllr Townsend advised that the report made it clear that it would be very difficult to convince an inspector that a partial update with an end date of 2032 would meet the requirements in the NPPF which stated that strategic policies should look ahead over a minimum 15-year period. That approach would be contrary to the advice of council officers and also the Planning Advisory Service and their consultants who considered a comprehensive update was likely to be the only feasible approach.
- 24.5 The Executive was also acutely aware of the limitations of local infrastructure, particularly water and sewage infrastructure, which had suffered from a lack of investment and oversight. The intention was to carry out a full water cycle study to ensure that there was understanding of the environmental and infrastructure capacity needed for fresh and wastewater.

Recent experience in Cranleigh showed that there was a duty to residents and future generations to plan properly and use all levers available to make sure residents and the environment could thrive together.

- 24.6 Cllr Townsend stressed that whilst the proposed timescale for a comprehensive update outlined in option A of the report was ambitious it was realistic, and it was unlikely that it could be accelerated although any opportunities to shorten this process would be taken. The existing evidence base and knowledge in relation to Local Plan Parts 1 and 2 would be used where appropriate in producing a single plan for the borough and officers would be working closely with our towns and parishes to achieve this.
- 24.7 The aim was to submit the Local Plan for examination in December 2026. The work would be supported by an Executive Working Group, and the Overview and Scrutiny Committee would be kept updated on progress. There continued to be considerable uncertainty surrounding the adoption or even possible abandonment of the government's planning reforms and therefore a twin-track approach was outlined working initially within the current legislation but with the ability to switch to a more streamlined approach for local plans as has been set out in the government's reforms should that be announced later next year.
- 24.8 To demonstrate that the council was making every effort to meet government targets the housing delivery action plan would also be updated to identify the reasons for under delivery of housing within Waverly and explore the ways to reduce the risk of further under delivery over the forthcoming year, as well as setting up measures for improving the levels of housing delivery across the borough. Cllr Townsend reminded Members that the ultimate responsibility for delivering housing lay with developers although the weakening position for house building added even more pressure on the Council.
- 24.9 The extant local plan continued to provide an up-to-date statutory development plan for Waverly along with the Neighbourhood Plans and these would remain the starting point for decisions on planning applications while an update was brought forward. While the council was doing all it could to comply with government policy, it remained subject to the inflexibility of the government's top-down housing targets. When developers did not deliver, the balance tilted away from local decision-making resulting in over-turned decisions, and there was a threat of the balance tilting even further away from local decision-making as activity in the housing market weakened.
- 24.10 Cllr Peter Martin told Members that he and members of the Conservative opposition took a different view to that put forward by the Portfolio Holder and the Executive. At the Council meeting in February, Cllr Cockburn expressed very strongly the view that the council should undertake a swift update of the existing LPP1, holding to the 15-year period ending in 2032. Members had been advised that this was not possible yet it had been done by other councils, notably Northamptonshire, Woking and Reigate and Banstead. If a swift review was not possible, Cllr Martin felt that Option B was preferable to Option A, being a partial alteration to the adopted LPP1 to address housing supply and related matters. Option A would take longer and was more complex and took the proposed period of the Plan to 2043, which he felt was

too far out and would require more sites to be identified for building, causing considerable angst and difficulty that could be avoided with Option B. Option A would necessitate the comprehensive update of every Neighbourhood Plan to accommodate housing over an extra 10 years, at considerable cost to the towns and parishes.

- 24.11 Cllr Martin was sceptical of the proposed timeline given the uncertainty around government planning reforms. Habitats constraints needed to be considered, which was of great significance to Farnham, and more SANG land would be needed without which brownfield sites in the town centre could not be developed. He believed that a more rapid and limited exercise was what was needed; he would be voting for Option B and urged Members to do the same.
- 24.12 Cllr Martin asked that there be a recorded vote at the end of the debate and this was supported by Cllr Follows.
- 24.13 Cllr Follows went on to speak in support of the recommended approach (Option A) and noted that the circumstances of the councils that Cllr Martin had cited as taking a different approach were all very different to Waverley's. He agreed with Cllr Martin's view that the planning system was flawed, but the proposed approach was optimal given the uncertainty around the government's planning reforms and the need for the Local Plan to meet the requirements of the NPPF.
- 24.14 Cllrs Clark, Merryweather, Williams, Davidson, Beaman, Palmer and Weldon all spoke in support of the recommended approach and highlighted the opportunity to strengthen policies to support sustainability, addressing the climate emergency, and increasing affordable housing provision.
- 24.15 Cllrs Deanus, Hyman, Goodridge, and Austin spoke against the recommendation citing concerns regarding the inadequate infrastructure in rural areas such as Alfold that made them unsuitable for further development; the ambitious timescale for producing the new Local Plan and officer capacity; the constraints of the Habitats Regulations on development; and continued uncertainty for residents over allocation of new sites for housing development.
- 24.16 The Mayor invited Cllr Townsend to sum up and respond to comments raised by Members. Cllr Townsend acknowledged the very valid concerns of Members, but reiterated that the advice of officers and the Planning Advisory Service was that trying to do a quick or partial update would be the wrong approach and would be challenged by developers. Presently there could be no certainty about the government's proposed planning reforms being implemented to enable the council to take a more streamlined approach to plan preparation, and that was why the twin-track approach was proposed, to provide maximum flexibility. In response to Cllr Deanus, Cllr Townsend emphasised that the LPP1 had never said that Alfold was a sustainable location for the volume of development that it had seen, and LPP1 had been successfully used to defend appeals in Farnham. LPP1 was not a 'developers' charter', the NPPF was. Habitats Regulations would be followed in the plan development; the timeline was ambitious but resources had been budgeted and officers were confident that the key milestones could be met.

Cllr Townsend responded to Cllr Davidson, Cllr Austin and Cllr Beaman, and urged Members to support the recommended approach.

24.17 The Mayor noted that Cllrs Martin and Follows had asked for a recorded vote on the recommendation, and confirmed that there was the necessary support for this.

24.18 A recorded vote was taken by roll call, and the outcome was 35 votes in favour of the recommendation, 9 votes against and no abstentions. The recommendation was therefore carried, and **Council RESOLVED that work commences on a comprehensive update of the Local Plan (Option A), meeting the requirements of the existing development plan system but ensuring flexibility to migrate to the new system if implemented.**

Votes for:

Cllrs Beaman, Busby, Clark, Crowe, Davidson, Duce, Fairclough, Follows, Gale, Higgins, Kiehl, Keen, Laughton, Long, MacLeod, McClean, Merryweather, Mirylees, Morrison, Munro, Murray, Palmer, K Reed, R Reed, Paul Rivers, Penny Rivers (The Mayor), Robini, Spence, Steijger, L Townsend, P Townsend, Ward, Weldon, White, Williams

Votes against:

Cllrs Atkins, Austin, Deanus, Goodridge, Hyman, Martin, Relleen, Staunton, Sullivan

Abstentions:

None

CNL25/23 PUBLIC SPACE PROTECTION ORDERS NO 1. AND NO. 2 (Agenda item 9.)

25.1 The Mayor invited the Leader to introduce the report and move the recommendations. The Leader noted the very high level of engagement there had been on the consultation on the proposed PSPOs which showed strong support for renewing these measures which supported responsible dog ownership. He endorsed the recommendations and asked the Portfolio Holder, Cllr Tony Fairclough, to present the detail.

25.2 Cllr Fairclough advised that the PSPOs had to be reviewed every three years and were now due for renewal. The PSPOs addressed issues caused by irresponsible dog owners not the dogs themselves, and it did this by way of controls but also by seeking to educate dog owners about their responsibilities. There had been public consultation which had generated a high level of engagement and there had been a briefing for Members last week to address any outstanding matters. Cllr Fairclough recommended that Member support the proposals before them, and approve the two PSPOs relating to dog control and dog fouling.

25.3 Cllrs Keen, Weldon, Hyman, Beaman, Munro and Murray all spoke in support of the renewal of the PSPOs whilst noting that there were still issues involving dogs that were not addressed by the PSPOs. In response to their questions, Council noted that:

- enforcement resources were limited and would be deployed in response to intelligence provided about problem areas;
- the level of the Fixed Penalty Notice was set by government and was currently under review with the possibility of this being increased to £500;
- the council had no powers over privately owned land, including land owned by the MOD and National Trust;
- there were no requirements for licensing professional dog-walkers but it was possible that some licensing regime would be introduced once the Coroner's report into the incident in Tandridge had been published.

25.4 Cllr Munro particularly thanked the rangers and enforcement officers at Frensham Common, where the situation was much improved, but noted that it would be helpful if a uniform system of controls and enforcement could be adopted across open spaces across the borough, particularly MOD and NT owned land that bordered Waverley owned land. Cllr Fairclough also thanked Frensham Parish Council for their contribution to the PSPO schedules.

25.5 With the agreement of Members, the Mayor put the three recommendations to the vote together, and **Council RESOLVED unanimously that:**

1. **the updated Public Spaces Protection Order No. 1 relating to dog fouling be, approved;**
2. **the updated Public Spaces Protection Order No. 2 relating to dog controls, be approved; and**
3. **the Fixed Penalty Notice level be set at £100 for breach of the Order, where offered as a disposal.**

CNL26/23 APPROVAL OF FUNDING TO MEET THE BUDGETARY REQUIREMENT FOR THE MUSEUM OF FARNHAM MEND PROJECT, WHICH ENABLES BUILDING FABRIC REPAIRS AND CONSERVATION WORK TO GRADE 1 LISTED WILMER HOUSE (Agenda item 10.)

26.1 The Leader moved the recommendation, which was duly seconded by Cllr Kika Mirylees. The Leader noted his great pleasure at being able to bring this matter forward as it was one of the final steps to completing a project that many had told him was impossible. The Leader invited Cllr Mirylees to present the details.

26.2 Cllr Mirylees reminded Members that the council had been awarded a capital MEND grant of £734,335 from the Arts Council to carry out essential brickwork repairs and conservation works to Wilmer House, home of the Museum of Farnham. The estimated cost of the works was £1.03m and after currently identified external funding left a potential budget gap of £275,000. The aim was to raise as much of this as possible from external funders, but to accept the grant it was necessary for the council to agree to meet this funding gap in case there was a shortfall in additional fundraising. Cllr Mirylees urged Members to support this request so that the work to repair Wilmer House could move forward which would be a wonderful outcome for the Museum.

- 26.3 Cllr Hyman noted the long history to this project, and thanked the current and previous administration for their work in achieving this outcome. He thanked Cllr Mirylees, and also former Cllr Sally Dixon and others, who had campaigned relentlessly in support of restoring Wilmer House.
- 26.4 Cllr Higgins advised Members that he had visited the Museum of Farnham for the first time recently with his son and had been hugely impressed by the Grade 1 Listed Building, and the fantastic volunteers who had greeted them. He felt that the museum collection made it an asset for the whole of Waverley and while he supported the recommendation, he also hoped that further external funding could be raised to provide an extra cushion against cost inflation and unexpected expenses.
- 26.5 Cllr Beaman spoke and noted that Farnham Town Council had now pledged a further £10,000 towards the project, bringing the total from the Town Council to £20,000.
- 26.6 Following the Leader's final comments the Mayor put the vote to Members and **Council RESOLVED unanimously that a budget of up to £275 000 be approved from capital receipts or the Property Investment Reserve to fund a potential budget gap in the MEND project if efforts to obtain external funding are unsuccessful or overall project costs increase following the tender for the main build contractor.**

CNL27/23 PROPOSED REVISIONS TO THE SCHEME OF DELEGATION TO OFFICERS, PLANNING COMMITTEE PROCEDURE RULES, AND COUNCILLORS' PLANNING CODE OF GOOD PRACTICE (Agenda item 11.)

- 27.1 Cllr Andy MacLeod introduced the report from the Standards and General Purposes Committee and moved the recommendations, which were duly seconded by Cllr Robini. Cllr MacLeod advised Members that the proposals had been very thoroughly discussed by the Committee and there had been some relatively straightforward amendments made. Officers had brought forward the proposals very quickly following the Council meeting on 7 June 2023 in order to maintain support for the new planning committee arrangements.
- 27.2 Cllr MacLeod briefly outlined each of the recommendations:
- The first recommendation related to the revised Scheme of Delegation to the Executive Head of Planning Development and there were four key points to note: the requirement to put all planning applications for more than 25 dwellings to the Planning Committee had gone as this was a holdover from when there was a Joint Planning Committee; second, the 21 days cut off for members to request that an application be called in to the Planning Committee had gone as it was felt that this put too much pressure on councillors and did not give them enough time to properly consider applications and discuss it with the residents; thirdly the number of objections on householder applications required to trigger an automatic referral to the Planning Committee had been set at 10; and the equivalent threshold for non-householder applications (majors and minors) was 20

objections. These last two provisions did not prevent a councillor calling in an application that had fewer objections.

- The second recommendation related to the Planning Committee Procedure Rules, which had been revised to provide more clarity around when councillors could address the committee, including Ward councillors on applications in their Ward. They also now made better provision for the Planning Committee to propose an alternative recommendation to that put forward by the planning officers.
- The third recommendation was to adopt a revised Councillor's Planning Code of Good Practice, which provided guidance to councillors on how best to engage with the planning process from start to finish, whether or not they were members of the Planning Committee.
- The final recommendation sought agreement for the Executive Head of Planning Development to continue discussions with councillors about how councillors and planning officers engage, with the aim of drawing up a Memorandum of Understanding so that all parties were clear about their roles, responsibilities and expectations.

- 27.3 Cllr Follows spoke to thank officers for bringing these matters forward so quickly, and the Standards and General Purposes Committee for their careful consideration of the proposals. He reiterated that the rights of ward councillors to speak at the Planning Committee were set out in the Council Procedure Rules 23.1 and 23.2, and these had not changed. Also, the right of councillors to call an application to the Planning Committee, provided there were good planning reasons, was separate to the number of letters of objection that had been received. The proposals strengthened the ability of Ward members to properly represent the views of their residents and their Ward on planning matters.
- 27.4 During the course of the debate Cllr Goodridge and Cllr Martin reiterated their objection to the move to one Planning Committee and what they felt to be a reduction in the power of councillors. Cllr Goodridge was broadly supportive of the proposals but did not think it was practical to try and divide the discussion at the Planning Committee between questions and debate. He also objected to the provision whereby a committee member had to be present for the whole of any item in order to take part in the debate and vote. He felt that they should only be barred from voting.
- 27.5 Cllr Gale had reservations about the 10 objections threshold being too high in rural areas. Cllr Robini felt that the first two meetings of the Planning Committee had gone well and welcomed the new arrangements, as did Cllr Merryweather and Cllr Townsend. Cllr Clark welcomed the proposal in the draft Memorandum of Understanding for shared training with Members and officers. Cllr Hyman was concerned about a possible conflict with the Statement of Community Involvement and felt that there should be consultation with residents. Cllr Ward agreed with Cllr Goodridge regarding committee members being able to speak in the debate on an item even if they had missed part of the presentation or public speaking but should not be able to vote on the application.
- 27.6 Following up on this point, Cllr Goodridge proposed an amendment to the wording of paragraph 2.3 of the Planning Committee Procedure Rules, to

delete the words “*take part in the debate and*”; and to the equivalent section of the Planning Code of Good Practice, paragraph 22.4, deleting the words “*take part in the Committee discussion, debate and*”. Cllr Goodridge explained that committee members should be able to take part in the participate in the debate on an application even if they had missed part of the presentation or public speaking. The amendment was seconded by Cllr Ward, and following a short debate was passed by general assent.

27.7 The Mayor invited Cllr MacLeod to sum up after which she put the four recommendations, as amended, to the vote together, which were passed with 32 votes in favour, 10 votes against and two abstentions.

27.8 Therefore, **Council RESOLVED that:**

1. **the proposed revised Scheme of Delegation to the Joint Executive Head of Planning Development, be approved.**
2. **the proposed revised Planning Committee Procedure Rules, as amended, be approved.**
3. **the proposed revised Councillors’ Planning Code of Good Practice, as amended, be approved.**
4. **a consultation with councillors is undertaken to inform the content of a Memorandum of Understanding between planning officers and councillors.**

CNL28/23 APPOINTMENT OF MEMBERS TO COMMITTEES (Agenda item 12.)

28.1 On the recommendation of the Mayor, **Council RESOLVED to note the updated committee memberships that had been completed by the Executive Head of Legal and Democratic Services under delegated authority and in line with Group Leaders’ wishes, following the agreement of the revised committee structure at the Council meeting on 7 June 2023.**

28.2 Council further **RESOLVED to agree the appointment of Cllr David Beaman as Chair of the Planning Committee and Cllr Penny Rivers as Vice-Chair of the Planning Committee for the remainder of 2023/24.**

CNL29/23 MOTIONS (Agenda item 13.)

29.1 There had been no motions submitted for debate.

CNL30/23 MINUTES OF THE EXECUTIVE (Agenda item 14.)

30.1 On the recommendation of the Mayor, Council **RESOLVED to receive and note the Minutes of the Meetings of the Executive held on 4 April, 11 May and 6 June 2023.**

30.2 Cllr Gale had registered to speak in relation to the question she had asked at the Executive meeting on 4 April. She had asked the Leader to consider a

policy requiring all SANG provided in Waverley to be fully funded and maintained for a minimum period of 80 years to avoid undue costs and expense falling on householders in new developments through higher levels of service charge. The Leader had responded that he would add this to the matters for the Executive to consider, subject to the outcome of the elections. Cllr Gale asked the Leader whether this was now being considered.

- 30.3 The Leader thanked Cllr Gale for reminding him of his commitment and this would be discussed at an Executive Briefing meeting in September ahead of more formal consideration by the Executive.

CNL31/23 MINUTES OF THE LICENSING AND REGULATORY COMMITTEE (Agenda item 15.)

- 31.1 On the recommendation of the Mayor, Council **RESOLVED to receive and note the Minutes of the Meeting of the Licensing and Regulatory Committee held on 27 February 2023.**

- 31.2 There were no Members registered to speak on matters set out in the Minutes.

CNL32/23 MINUTES OF THE AUDIT COMMITTEE (Agenda item 16.)

- 32.1 On the recommendation of the Mayor, Council **RESOLVED to receive and note the Minutes of the Meeting of the Audit Committee held on 13 March 2023.**

- 32.2 There were no Members registered to speak on matters set out in the Minutes.

CNL33/23 MINUTES OF THE STANDARDS AND GENERAL PURPOSES COMMITTEE (Agenda item 17.)

- 33.1 On the recommendation of the Mayor, Council **RESOLVED to receive and note the Minutes of the Meeting of the Standards and General Purposes Committee held on 30 November 2022 and 7 June 2023.**

- 33.2 There were no Members registered to speak on matters set out in the Minutes.

The meeting concluded at 8.35 pm

Mayor

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

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

*Present

Apologies

Cllr David Beaman, Cllr Andrew Laughton, Cllr Mark Merryweather, Cllr Nick Palmer, Cllr Richard Steijger and Cllr Phoebe Sullivan

CNL34/23 APOLOGIES FOR ABSENCE (Agenda item 1.)

34.1 Apologies for absence were received from Councillors Beaman, Laughton, Merryweather, Palmer, Steijger, Sullivan and Ward.

CNL35/23 DECLARATIONS OF INTEREST (Agenda item 2.)

- 35.1 There were no interests declared in relation to matters on the meeting agenda.

CNL36/23 APPOINTMENT OF S151 OFFICER (Agenda item 3.)

- 36.1 At the invitation of the Mayor, the Leader introduced the report and moved the recommendation from the Joint Appointments Committee, duly seconded by Cllr Clark.
- 36.2 The Leader stated that the Joint Appointments Committee had met on 14 August and had received a technical evaluation of the candidate together with statements from the Portfolio Holders for finance at both Waverley and Guildford Councils. A traditional interview had then followed which focused on the candidates' experience of working as part of joint management arrangements, particularly considering the urgent budgetary position of Guildford Borough Council. The candidate demonstrated a clear understanding of the issues together with experience of the core competencies for the role. The Joint Appointments Committee had been unanimous in its recommendation to both Councils, which had each convened Extraordinary Council meetings.
- 36.3 Councillor Goodridge observed that the interim designation would be the third Section 151 Officer since the decision had been made just over two years ago to form a Joint Management Team with Guildford Borough Council. The daily rate for the role would be a significant budgetary strain on both Councils.
- 36.4 Councillor Hyman was concerned that the financial challenges at Guildford Borough Council would absorb significantly more of the postholders' time and that it was apparent that any saving made by joint arrangements would be absorbed by interim arrangements instead. Councillors Hyman and Reed stressed the financial risk that it was uncertain how long the interim arrangement was intended to last.
- 36.5 At the invitation of the Mayor, the Leader responded to comments raised by Members, and in so doing clarified that Guildford Borough Council would be considering the same recommendation at an extraordinary meeting on 30 August. The candidate would be designated as Section 151 Officer of each Council separately, in accordance with legislation. The postholder would then operate across both Councils as part of the joint management team and the interim arrangement would be kept under review.
- 36.6 The Leader emphasised that the interim designation was not an indication of a merger with Guildford BC but was a pragmatic sharing of resources for the joint benefit of both Councils. It was expected that the postholder would balance their time across both councils equally overall, but would allow for flexibility according to business need.
- 36.7 Upon being put to the vote, **Council RESOLVED unanimously that Richard Bates be designated as the Interim Section 151 Officer for Waverley Borough Council.**

The meeting concluded at 6.17 pm

Mayor

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

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

*Present

Apologies

Cllr David Beaman, Cllr Andrew Laughton, Cllr Mark Merryweather, Cllr Nick Palmer, Cllr Richard Steijger and Cllr Phoebe Sullivan

CNL37/23 APOLOGIES FOR ABSENCE (Agenda item 1.)

37.1 Apologies for absence were received from Councillors Beaman, Laughton, Merryweather, Palmer, Steijger, Sullivan and Ward.

CNL38/23 DECLARATIONS OF INTEREST (Agenda item 2.)

- 38.1 There were no interests declared in relation to matters on the meeting agenda.

CNL39/23 HRA - NEW BUILD HOUSING DELIVERY - CHIDDINGFOLD (Agenda item 3.)

- 39.1 The Leader moved the recommendations of the Executive, duly seconded by Councillor Clark, and invited Co-Portfolio Holder for Housing, Cllr Paul Rivers, to introduce the report on behalf of Councillor Palmer.
- 39.2 Councillor Paul Rivers reminded Members that Council had approved the Business Case for the delivery of 26 new homes at its meeting on 13 December 2022. Following further work in construction design, the receipt of detailed information from the utility companies, and other work to de-risk the project, additional budget was required to ensure that the contingency remained in place prior to entering into contract. The exempt annexe illustrated that the scheme remained financially viable and was consistent with the strategic priority to provide good quality housing for all income levels by delivering twenty-one homes for rent and five shared ownership homes. Members' attention was drawn to the increase over the past year in applicants on the housing register from 1066 to 1180.
- 39.3 Councillor Busby spoke in support of the recommendations and thanked local residents for their patience whilst waiting for the redevelopment. The Council was now in a position to enter into contract with Feltham Construction Ltd after the unfortunate and unforeseen delays caused by the previous contractor going into administration. The Business Case remained sound and the homes would contribute to local housing need in alignment with the Neighbourhood Plan.
- 39.4 Councillors Goodridge and Atkins spoke in support of the recommendations but sought clarification that the development would be funded by the Housing Revenue Account reserve, and whether the revised scheme cost included the cost of the land. Councillor Hyman concurred and cautioned that the Council had to be mindful of the risk of increasing development costs overall and should where possible consult with local residents about developments in their area.
- 39.5 Councillor Spence expressed concern that the original contractor had gone into administration and sought assurance that the Council had mitigation in place, such as a surety bond, with the proposed contractor. At the invitation of the Mayor, Officers clarified that the previous contractor had gone into administration prior to a JCT Contract being in place. The resolution from the Executive on 1 August 2023 authorised a JCT Contract to be entered into with Feltham Construction Ltd.
- 39.6 The Leader echoed Councillor Busby's gratitude to residents for their patience as the national economic challenges caused by the pandemic had led to the failure of the original contractor, and many other similar businesses. Members were assured that the Council would continue to consult and inform residents, and that the resolution would be clear that the development was funded from the Housing Revenue Account Reserve.

- 39.7 In summing up, Councillor Paul Rivers re-emphasised that the project aimed to increase the number of affordable homes available for those that were in housing need and registered on the Council's housing register.
- 39.8 Upon being put to the vote, **Council RESOLVED unanimously that an allocation of an additional £402,332 budget from the Housing Revenue Account reserve be approved to enable the delivery of 26 new homes in Chiddingfold.**

The meeting concluded at 6.33 pm

Mayor

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MINUTES of the Extraordinary meeting of the WAVERLEY BOROUGH COUNCIL held in the Council Chamber, Council Offices, The Burys, Godalming on 29 August 2023 at 6.33 pm

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

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

*Present

Apologies

Cllr David Beaman, Cllr Andrew Laughton, Cllr Mark Merryweather, Cllr Nick Palmer, Cllr Richard Steijger and Cllr Phoebe Sullivan

CNL40/23 APOLOGIES FOR ABSENCE (Agenda item 1.)

40.1 Apologies for absence were received from Councillors Beaman, Laughton, Merryweather, Palmer, Steijger, Sullivan and Ward.

CNL41/23 DECLARATIONS OF INTEREST (Agenda item 2.)

- 41.1 The Leader of the Council declared an Other Registerable Interest as a Godalming Town Councillor, and as a Ward Member.
- 41.2 Councillor Atkins had taken advice from the Monitoring Officer and clarified that she had no interest to declare.

CNL42/23 69 HIGH STREET, GODALMING (Agenda item 3.)

- 42.1 The Leader introduced the report and moved the recommendations from the Executive, duly seconded by Cllr Clark.
- 42.2 The Leader stated that the project represented a first iteration of an approach to intervention in high streets across the Borough that would form part of the new corporate strategy in the winter, and one which had been part of cross-party political manifestos during the election. Intervention in local high streets was fundamental to their ongoing sustainability, rather than awaiting government intervention. Residents incorrectly assumed that the Borough Council chose which businesses operated on the high streets, and that the rent was set by the Borough Council who in turn would set and retain Business Rates. However, only around 5p in each £1 of Business Rates were retained by the Council, and the Council only set rents where it owned the site.
- 42.3 The Leader continued that the Council had wider obligations than private businesses which included providing value for money for its residents together with tackling climate change through more ethical and sustainable actions. He expressed the view that a landlord should be financially sustainable enough to absorb short-term financial pressure, be viable in the long term, and not solely driven by profit but concerned also about sustainability and community values. The project would support Godalming High Street and bring forward sustainable housing in a Council owned development aligned to the Council's corporate strategy. The Leader was of the view the debate on the matter should be held in open session, as much as possible.
- 42.4 Councillor Liz Townsend spoke in favour of the recommendations on behalf of the Portfolio Holder, Councillor Merryweather, and thanked Officers for their hard work on the project. All Councils had to generate additional income to replace core Government funding which had been withdrawn. The project would achieve additional income whilst Councils continued to face financial uncertainty through the government having again postponed the fair funding review. The Council had been prudent in the investments it had made to date working within a clearly defined investment strategy and risk appetite and the proposed tenant was attracted as part of an open market process. Waverley had experienced a weakening economy, and between 2016 and 2021 approximately 3,000 jobs had been lost with a year-on-year decline in the number of businesses being set up. More businesses had failed than had been started. Therefore, the Council should do what it could to attract more businesses into the Borough and also a range of businesses onto high streets. Members were reminded that the site had been purchased in early 2022 by the Council as a general fund mixed use development with the benefit of planning permission and the project was also aligned to the

aspirations set out in the Corporate Strategy to optimise the availability of housing.

- 42.5 Councillor Hyman raised a point of order concerning the exempt classification of the annexes to the report. At the invitation of the Mayor, the Borough Solicitor clarified that Schedule 12A of the Local Government Act 1972 as amended set out seven categories of information which may be classified as exempt if and so long as in all circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information. The exempt annexes before Members concerned the financial aspects of a Council commercial development project. Officers had considered the public interest and had formed the view that the need to keep what they judged to be commercially sensitive information out of the public domain outweighed the public interest in disclosing it. Councillor Hyman continued and spoke against the recommendations regarding the risk to and the financial strain on the Housing Revenue Account.
- 42.6 Councillor Martin spoke against the recommendations. The proposal to spend almost £2m was, in his view, flawed because the decision to purchase the site in May 2022 for £2.634m came with planning consent (which had expired) for eight dwellings but no agreement to lease the retail unit. Time had passed and the value of the property was considered by Cllr Martin to have decreased whilst the Council had continued to pay business rates and utility costs. Cllr Martin was of the view that the agreement in 2022 was a poor one and that Council's total outlay would now increase to over £4m.
- 42.7 Councillors Murray and Goodridge were concerned that the prospective tenant had been offered advantageous terms and that the Council was entering into a speculative commercial development without the necessary in-house expertise.
- 42.8 Councillor Liz Townsend countered that the proposal was not speculative but was a regeneration opportunity at a time when wider economic challenges were affecting businesses nationally. The resolution of Council would secure the proposed tenant, the rent had been negotiated and would be subject to review clauses.
- 42.9 The Leader, Deputy Leader and Councillors Crowe, Duce, Kiehl and Williams spoke in favour of the recommendations. New businesses had recently opened in the town, and successful events such as the Christmas lights switch on, and Staycation Live had been organised by the Town Council and voluntary organisations, which had increased footfall. The current value of the property was only relevant if the Council was intending to sell the property which was not the case. Residents wanted high street rejuvenation, economic development and affordable housing as demonstrated by there being 1180 households on the housing waiting list. The Council would deliver social value that private developers would be likely to overlook, and Councillors could be assured that Officers were able to draw upon expert advice from consultants.
- 42.10 The Borough Solicitor confirmed that the resolution of Council would be authorisation to proceed on the matter as set out in the report. Further, and

in response to Councillor Hyman, it was clarified that in order to move into exempt session a motion, duly seconded was required.

- 42.11 Councillor Martin proposed, duly seconded by Councillor Goodridge that the meeting move into Exempt session, accordingly the Mayor moved the recommendation and it was **RESOLVED that, pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following Property matter on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified Paragraph 3 of the revised Part I of Schedule 12A of the Local Government Act 1972, namely: Information relating to the financial or business affairs of any particular person (including the authority holding that information).**
- 42.12 At 7.30pm the Council moved into Exempt session to consider the matters set out in the Exempt report.
- 42.13 At 8:15pm the Council returned to open session and the Mayor moved the recommendations set out in the report en bloc. Councillor Martin stood to request a recorded vote, supported by five other Members.
- 42.14 A recorded vote was undertaken by roll call whereupon it was **RESOLVED to approve**
- I. **a budget of £230,000 (Exempt Annexe 2), to be met from the Asset Investment Reserve, to progress Phase 1 of the revised project. This will be to deliver the commercial element of the project to RIBA Stage 4 (the detailed design phase) and to enable the submission of a planning application for the commercial unit.**
 - II. **an overall capital budget of £1.96 million (including the £230,000 referred to above), as per the breakdown in Exempt Appendix 4, to cover the anticipated cost of the capital works to the commercial unit, with delegation to Executive to approve the final budget once tender returns for the construction contract have been received.**

For (27)

Councillors Busby, Clark, Crowe, Davidson, Duce, Fairclough, Follows, Gale, Keen, Kiehl, Law, Long, Macleod, Mirylees, Morrison, Munro, Nicholson, K. Reed, R. Reed, Paul Rivers, Penny Rivers, Robini, Spence, L. Townsend, P. Townsend, Weldon and Williams.

Against (10)

Councillors Atkins, Barker-Lomax, Cockburn, Deanus, Goodridge, Hyman, Martin, Relleen, Staunton and Wicks.

Abstentions (2)

Councillors Higgins and Murray.

The meeting concluded at 8.20 pm

Mayor

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Waverley Borough Council

Report to: Council

Date: 17 October 2023

Ward(s) affected: Cranleigh West

Report of Director: Transformation & Governance

Author: Tamsin McLeod, Leisure Services Manager and Kelvin Mills, Joint Executive Head of Commercial Services

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

Email: liz.townsend@waverley.gov.uk

Report Status: Part Exempt

Cranleigh Leisure Centre new build update

1.0 Executive Summary

- 1.1 This report provides the Council with an update on the Cranleigh Leisure Centre new build project, which is progressing on programme, and describes the outcome of stages 1 & 2.
- 1.2 It also seeks approval to move to the next stage of the project where, following stakeholder engagement, the detailed design of the centre can begin.
- 1.3 Cranleigh Leisure Centre accounts for 11% of the Council's carbon footprint, it is intended that the design will follow Passivhaus principles, including certification, which will significantly reduce the energy usage of the centre going forward and reducing the centre's carbon footprint.
- 1.4 The Executive considered the report, and Exempt Annexe 1, on the 3rd of October and agreed to progress the project with the recommendations as specified at point 2.0.

2.0 Recommendation to Council

The Executive recommends that Council approves:

- 2.1. That a revised capital budget of £31,137,252, as shown in the financial viability assessment at Exempt Annexe 1, be agreed and allocated to deliver a new-build Cranleigh Leisure Centre;
- 2.2. That the leisure centre is built to Passivhaus certification standards;
- 2.3 That authority be delegated to the Joint Director for Place, in consultation with the relevant portfolio holder, to submit a planning application in respect of the proposed new build;

- 2.4 That authority be delegated to the Joint Director for Transformation and Governance, in consultation with the relevant portfolio holder, to conduct the procurement of a contractor for the build and all related professional services, including, but not limited to, the Employers Agent and Design team; and
- 2.5 That authority be delegated to the Joint Executive Head of Legal and Democratic Services to complete and execute all necessary contractual documents.

3. Reason(s) for Recommendation:

- 3.1 To deliver a new build low carbon leisure centre in Cranleigh, as per Council approval in December 2021.

4. Exemption from publication

- 4.1 Yes, part of the report.
- 4.2 The main report is not exempt from publication.
- 4.3 Annexe 1 to this report is exempt from publication by virtue of paragraph 3 of Schedule 12A to the Local Government Act 1972 because it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The content of Annexe 1 is restricted to all councillors.

5. Purpose of Report

- 5.1 This report provides an update on the Cranleigh Leisure Centre investment project. Focusing on the outcomes of Stages 1 and 2 and the impact of the current project position and market on the financial viability assessment (Exempt Annexe 1).

6. Strategic Priorities

- 6.1 The delivery of a new build Cranleigh Leisure Centre directly links with Waverley's Corporate Strategy 2020-25 and our strategic priorities:
- Supporting a strong, resilient local economy
 - Taking action on Climate Emergency and protecting the environment
 - Effective strategic planning and development management to meet the needs of our communities
 - Improving the health and wellbeing of our residents and communities.
- 6.2 The provision of quality leisure facilities will directly facilitate the Council's vision to promote:
- high quality public services accessible for all,
 - a financially sound Waverley, with infrastructure and resilient services fit for the future,
 - a strong, resilient local economy, supporting local businesses and employment,
 - effective strategic planning and development management which supports the planning and infrastructure needs of local communities,
 - a sense of responsibility by all for our environment, promoting biodiversity, championing the green economy and protecting our planet,
 - the health and wellbeing of our communities.

- 6.3 The new build Passivhaus leisure centre is the opportunity to directly contribute to the council's commitment to be a carbon neutral council by 2030, in line with Waverley's Climate Emergency declaration adopted in September 2019. The Climate Emergency declaration also commits the council to take a leadership role in working with partners to achieve this and ensure that Waverley is financially sound with infrastructure and services fit for the future.
- 6.4 Cranleigh Leisure Centre currently accounts for 11% (323 tCO₂) of the council's greenhouse gas emissions. The impact of a low-energy Passivhaus building could be substantial and could potentially reduce energy consumption by 50%-60%, significantly reducing carbon emissions.
- 6.5 Future investment in leisure facilities is based on a robust feasibility assessment that offers value for money to the Council. External funding and developer contributions will be sought to support funding of any capital cost.

7. Background

- 7.1 Following Council commitment to a multi-million-pound investment in leisure facilities in Cranleigh, 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.
- 7.2 In March 2020 the Council put all corporate projects on hold due to the Covid-19 pandemic.
- 7.3 In September 2021 a Feasibility Update Report was undertaken by SLC to test conclusions from the earlier, pre-pandemic Options Appraisal.
- 7.4 At full Council on 14 December 2021, it was approved:
- that a capital budget of £19.95m be allocated to deliver a low carbon new-build Cranleigh Leisure Centre, to a minimum of Passivhaus standard;
 - that officers appoint a project manager and specialist energy consultant as part of the professional technical services team, to be supported by an in-house client team and to approve an associated budget of £250,000;
 - to approve a new-build leisure centre on Village Way car park, subject to planning, (Option 1, to the north of the existing centre) as the preferred location, as set out within Annexe 1 of the report; and
 - to ask officers to report back to members when final costs, design, preferred contractor, and precise funding arrangements are known.
- 7.5. A Project Working Group (PWG) was duly formed to deliver a new leisure facility for Cranleigh that will meet the demands of the local community, in terms of facility mix. But also deliver a low carbon building in accordance with Waverley's net zero carbon by 2030 commitment.
- 7.6. Following Executive approval on 7 March 2023, the procurement process for the design team services for CLC new build was completed. GT3 Architects were awarded the contract for the design team and other professional services required.
- 7.7. GT3, and their design team, subsequently completed stage 1 in May 2023 and issued a report to provide a robust and developed brief for all elements of the project. Works in this stage included developing the schedule of accommodation from the bid brief, the proposed building location and

site wide strategy and the proposed sustainability strategy. Stage 1 was approved by Project Board on 19th June.

- 7.8. Following Stage 1 sign-off, Stage 2 commenced to look at the concept design, and completed on 14th August. Items reviewed included the cost plan strategy, co-location requirements, detailed work around the overall site and zones, detailed discussions around the Sustainability strategy, agreeing the wider consultation strategy, conducting and reviewing the Vision Workshop results to inform the design, and outlining additional surveys and information required.
- 7.9. Running in tandem, but as a separate project, the Leisure Management Contract procurement commenced in early 2022. The programme for the new build project is inextricably linked and informed by the Leisure Management Contract and the associated financial viability assessment. Throughout 2022 the PWG worked on the service specification for the contract and completed a comprehensive open competitive tender process.
- 7.10. The Leisure Management Contract has been successfully tendered and awarded to Everyone Active. The new contract commenced on 1st July 2023, securing a positive financial return for the Council for at least 10 years.
- 7.11. Everyone Active will manage the current leisure centre and play a critical role in the detailed development of the new leisure centre design and specification.

7.12. Facility costs

- 7.13. The original project budget of £19.95 million was provided by Castons Chartered Quantity Surveyors in September 2021. This figure reflected the outcomes of the Feasibility Study, the live 2021 market position and a standard leisure centre design.
- 7.14. GT3 and the project QS, Faithful & Gould (F&G), have been working with the design team to review build costs based on current fees, inflation, building material costs and Passivhaus certification. The indicative high level cost for the design brief is now c. £31.1 million. Detailed costings are included in the financial viability assessment (Exempt Annexe 1).
- 7.15. During the next detailed design phase, the design team will consult with stakeholders and explore other options, which could reduce the build cost. However, it is important to note that this would require changes to the original facility mix scope and would impact on the services and facilities currently provided.
- 7.16. Due to the significant difference in the original approved budget and the revised current budget, F&G has conducted a budget estimate review to highlight the key differences between the two cost plans, in terms of scope and scale. These include, but are not limited to;
 - a) Rates - Build rates have significantly increased and reflect live market tested data, updated for inflation and location factors.
 - b) Area - The original concept did not allow for the necessary operational allowances and gross internal wall area.
 - c) External works – An updated schedule, specifically incorporating incoming services, drainage, and surfacing.
 - d) Professional fees – Increased fees, as original bid values are no longer realistic and do not reflect the current position.

- e) Contingencies – The percentage is the same. However, the difference in the total project figures results in an additional cost.
- f) Passivhaus – The build costs now reflect the inclusion of Passivhaus standard construction and certification, to provide a guarantee for achieving low carbon principles.
- g) Client costs – Additional costs not included in the build budget have now been considered, including fees, planning costs, surveys and utility services.

7.17. F&G will further develop the costs throughout the next phases, as the final facility mix is agreed and design refined.

7.18. Low carbon principles and Passivhaus

7.19. The Project Working Group and design team have discussed and compared building a new leisure centre with low carbon principles versus a full Passivhaus design with certification. It has been determined that the Passivhaus methodology is the best long term value and the most logical choice to progress this project, for the reasons outlined below.

7.20. When compared to a leisure centre designed and built to modern standards, such as Part L of the Building Energy Regulations, Cranleigh has potential energy savings as high as 50 to 60%.

7.21. A Passivhaus Certified design for Cranleigh will guarantee the energy and operational carbon performance of the building. There is no other standard with proven evidence that can guarantee this. Other low energy/carbon in use methodologies will not guarantee performance and do not offer independent verification as robust as the Passivhaus Certified standard.

7.22. Cranleigh Leisure Centre, if designed and constructed to meet the Passivhaus standard to certification, has the potential to become an exemplar low carbon and low energy leisure centre.

7.23. Prior to Cranleigh, the appointed design team have worked on the two Leisure Centres in the UK that are at the forefront of Passivhaus design; St Sidwells Point - the world's first multi-zonal Passivhaus Leisure Centre, and Spelthorne Leisure centre – the UK's 1st wet and dry Passivhaus leisure facility. All of this Passivhaus, low energy, learning has helped inform and shape the Cranleigh design to date.

7.24. The Project Working Group have met with both client teams from St Sidwells and Spelthorne to hear first-hand about their projects and discuss learning points. This has provided invaluable information to inform the Cranleigh new build project.

7.25. The initial Passivhaus design parameters included at this stage for Cranleigh are:

- Siting the building to maximise solar gain
- Solar orientation with the hot pool zones facing direct south and cool zone facing north
- Thermal zoning
- Optimising MEP plant strategies to reduce pipe and duct runs
- Reviewing structural strategies to limit thermal bridging

7.26. These are the very first and important Passivhaus steps to set the design for energy optimisation and aim for simplification in design and construction of the centre. Passivhaus Certification can only be achieved by the whole design team, the main contractor and their sub-contractors

rigorously following the Passivhaus Certification methodology at each RIBA design and construction stage.

- 7.27. In addition to the carbon and energy benefits, the cost incurred on the Passivhaus Certification route will provide a financial payback in 9 to 15 years (worst case scenario) and after the payback period the yearly energy savings will still continue throughout the life of the project.
- 7.28. Costs indicated reflect building a Passivhaus certified leisure centre. It is a solution that gives a range of proven approaches to deliver a building that helps to improve the health and wellbeing of users.
- 7.29. The Passivhaus approach will also ensure an enhanced design and construction quality control to the project resulting in a more robust and resilient building in terms of energy use and future climate adaptation. Of all building types, applying the proven and tested low energy Passivhaus Certified standard makes most sense to a leisure centre.
- 7.30. Due to the high energy loads associated with leisure buildings the added investment in fabric and services provides a quicker rate of return than other low energy standard building types. A high performing thermal envelope coupled with airtight construction will mitigate against rising energy costs and will also better protect the building fabric, helping to extend the building’s lifespan.
- 7.31. A detailed Passivhaus report and payback analysis has been conducted by Gale & Snowden, comparing the existing facilities to a new build Passivhaus leisure centre. Initial assessment based on previous energy consumption and an expected energy saving of at least 40% indicate a payback for Passivhaus standard of between 9 & 15 years, depending on the level of energy inflation.

7.32. Programme

- 7.33. The indicative programme has been reviewed by the design team and updated to reflect the latest project information and position.

Design, Planning & Contractor procurement	Construction, Demolition & External works	Completion
Nov 2023 – Dec 2024	Jan 2025 – Dec 2026	2026

- 7.34. It is important to note that the indicative programme is subject to the planning process and also subject to change when the building contractor is procured.

8. Consultations and Stakeholder engagement

- 8.1. A detailed Communications Strategy has been developed by our Communications team, in partnership with GT3 and Everyone Active, to ensure that all necessary elements of the programme are fully considered. The document includes the identification of all stakeholders and a comprehensive proposal for each stage of engagement. It is a living document that will develop and respond throughout the term of the project.
- 8.2. As part of the strategy and Stage 3 we will enter into a detailed stakeholder consultation process. This will inform the review and refinement of the facility mix and ultimately the financial viability assessment that will dictate the facility design.

- 8.3. Next steps will include a survey to gather feedback from key leisure centre users, in addition to initial informal discussions with key external stakeholders including the Parish Council, Co-op, Health Centre and Market.
- 8.4. Following that there will be wider consultation and the formal planning pre-application process, which will be led by the Planning Consultants.
- 8.5. The Portfolio Holder for CLC new build, Cllr Townsend, has been involved in the project from inception throughout every stage, and sits on the Project Board to make decisions accordingly.
- 8.6. The Portfolio Holder for Environment and Sustainability, Cllr Williams, has also been kept informed of progress by the Sustainability Manager and has been involved in the key stakeholder Vision Workshop.
- 8.7. Key stakeholders will continue to be involved at all relevant stages of the project moving forwards.

9. Key Risks

- 9.1 A comprehensive Risk Log is in place, which is monitored by the CLC new build Project Working Group and Project Board.

10. Financial Implications

- 10.1 The total cost of this scheme is estimated to be £31.1m and the proposal is to fund this from £18m of capital receipts, £1.7m of S106 funding, £250k from reserves (which has already been approved), and the remaining from internal borrowing. The details of the ongoing impact of this scheme are detailed in Exempt Annexe 1.
- 10.2 Based on the estimated cost of £31.1m and the assumptions used in the financial viability assessment there would be a 1-year cost to the General Fund of £200k. This can be funded from earmarked reserves which were set up to mitigate inflationary impacts on capital projects.
- 10.3 The borrowing proposed for this scheme of up to £18m has been considered against the impact on our Treasury Management and is within the limits set by the Council in Treasury Management strategy.
- 10.4 Contingencies have been provided within the budget proposal for design and construction, inflation impact and fees/resource costs. These contingencies total around 15% of the build and fee costs. This is a prudent provision given the current uncertainty in build costs and inflation.
- 10.5 Once tenders have been received and final costs of this scheme are known the viability will be updated and all assumptions contained in Annexe 1 will be reviewed.

11. Legal Implications

- 11.1 Any contract awarded under the delegated authority sought in this report must follow a procurement exercise which complies with both public procurement legislation and the Council's own Contract Procurement Rules.

- 11.2 The Council's Legal Services team is supporting this project with legal work on both the contractual aspects and land law issues related to this site.
- 11.3 The Council's Joint Executive Heads of Finance (s.151 officer) and Legal and Democratic Services (Monitoring Officer) should be consulted at all key stages of this project to ensure prudential spending and good governance is maintained.

12. Human Resource Implications

- 12.1 A Project Working Group has been formed incorporating all relevant service areas, including (but not limited to); Leisure, Sustainability, Procurement, Property, Finance, Legal, Assets.
- 12.2 It is imperative that staff resources from all identified teams are allocated accordingly to ensure the success of the project.
- 12.3 Additional staff capacity is required within the Leisure team to manage this project accordingly.

13. Equality and Diversity Implications

- 13.1 An Equality impact assessment will be carried out, as part of the detailed design stage, to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.
- 13.2 The Equality Act requires reasonable adjustments to be made in relation to accessibility, and due regard must be given to any specific needs of likely building users that might reasonably be met.
- 13.3 The new build leisure centre will be designed to meet the needs of the local community with inclusive design being an integral part of the design team and building contractor appointments. The facilities will be flexible in their development to enable programmed usage to maximise accessibility, address future leisure policy and be responsive to customer needs.

14. Climate Change/Sustainability Implications

- 14.1 A new build ultra-low energy Passivhaus leisure centre is the opportunity to make a significant contribution to the council's commitment to become a carbon neutral council by 2030 and ensure that Waverley is financially sound with infrastructure and services fit for the future.
- 14.2 Waverley's Corporate Strategy outlines the council's vision and with regard to the climate emergency declaration adopted in September 2019 the council is committed to "*promote and sustain a sense of responsibility for our environment, promoting biodiversity, championing the green economy and protecting our planet.*" This would also support the following Strategic Priorities:
- Supporting a strong, resilient local economy
 - Taking action on Climate Emergency and protecting the environment
 - Effective strategic planning and development management to meet the needs of our communities
 - Improving the health and wellbeing of our residents and communities
- 14.3 The Climate Emergency declaration also commits the council to take a leadership role in working with partners to achieve this. The council recognises that business as usual is not an option, it is

therefore essential that all opportunities to minimise the carbon impact of any new buildings are explored.

- 14.4 A new build Passivhaus leisure centre offers an exciting opportunity to maximise energy efficiency, showcase innovative technologies and even become a flagship low carbon project. The benefits of a Passivhaus design are that the heat losses of a building are reduced, so that it uses hardly any energy for heating. This would result in a low energy demand and therefore a lower peak energy demand on the National Grid. This would be a clear statement of intent for transition to net zero for Waverley. The leisure centre would also benefit from higher levels of thermal comfort and a lower cooling requirement which would provide a resilient, future proofed building. More effective and healthy ventilation would improve the internal humidity and reduce the risk of air pollutants/infections.
- 14.5 Energy consultants have been engaged as part of the design team to produce an Energy Strategy, exploring all options to minimise the carbon impact of a new Cranleigh Leisure Centre to Passivhaus standard. Renewable energy generation should be at the heart of the strategy, exploring onsite renewables as well as the potential of connecting to a district heating system in the vicinity.
- 14.6 The impact in terms of carbon reduction of a Passivhaus building would be substantial and would not only support the climate emergency agenda but could also result in a significant reduction in energy costs for the new leisure centre contractor. This benefit will be shared with Waverley through the terms of the Leisure Management Contract. The Passivhaus concept focuses on a reduction in energy requirements through passive design, looking at the building orientation, maximising air tightness and fabric efficiency before incorporating the most efficient technologies and renewables to supply heat and energy.
- 14.7 Leisure centres are by nature very energy intensive buildings and in 2022/23 they accounted for 41% of the council's organisational greenhouse gas emissions with Cranleigh Leisure Centre accounting for 10% (323 tCO₂) of those organisational emissions. Cranleigh Leisure Centre is the oldest of our leisure centre portfolio and therefore the majority of the plant equipment will be less efficient.
- 14.8 The trajectory Waverley requested from Association of Public Services Excellence (APSE) in 2021 advised that the biggest impact on the council's carbon emission reduction could be from decarbonizing heat in the larger council assets, including leisure centres.
- 14.9 There are currently only two leisure centres in the UK designed to Passivhaus standards. The first one in Exeter was completed in July 2021 and claims to have achieved 70% efficiency in energy and 50% efficiency in water use. The second one, under construction for Spelthorne Borough Council is due for completion in 2024.
- 14.10 Although it is not possible to calculate the carbon footprint of a new Cranleigh Leisure Centre this early in the process, the Spelthorne Leisure Centre could be used as an example to demonstrate indicative carbon emissions of a new build. The new leisure centre will be fully built to the Passivhaus standard and is expected to use between 50 and 60% less energy than a typical modern leisure centre.

- 14.11 Passivhaus design would only take the building so far in terms of minimising carbon emissions. It is likely there would be a requirement to 'offset' any remaining unavoidable emissions. Carbon offsetting does not reduce carbon emissions at source, but it can be achieved through various options that will be better understood at the detailed design stage of the project. If connection to a renewable energy system cannot be achieved, off-site options could include consideration of carbon sequestration in tree planting for example; or opportunities for financial contributions for carbon off-setting could be investigated. Costs for offsetting will apply but it is not possible to identify the exact cost of reaching net zero carbon this early in the process.
- 14.12 Waverley Borough Council has a crucial role in tackling climate change. Meeting the target of carbon neutrality by 2030 will be challenging, however, it is extremely important that we do everything we can within our power to work towards achieving it.

15. Overview & Scrutiny comments

- 15.1 The Services Overview and Scrutiny Committee noted a report on the project at its meeting on 26 September 2023, prior to consideration by the Executive on 3 October 2023.
- 15.2 Members' discussion included cost escalation, and the benefits of Passivhaus construction. The draft minutes of the meeting are published here [Draft Minutes - Overview and Scrutiny Committee - Services 26/9/23](#)

16. Suggested issues for overview and scrutiny

- 16.1 No issues identified at this time.

17. Summary of Options

- 17.1 All possible options have been considered and have been incorporated into the report above and within the Cranleigh Leisure Centre Investment - Executive report (30 November 2021).

18. Conclusion

- 18.1 The indicative build cost estimate is currently c. £31.1M based on the current facility mix.
- 18.2 Building to Passivhaus certified standard has been fully explored and costed as an integral part of the project, to minimise carbon and energy usage.
- 18.3 As per the original Council approval and specified facility mix the project has been costed on the current facility provision. Following stakeholder consultation, the facility mix will be refined in the next detailed design stage.

19. Background Papers

- Cranleigh Leisure Centre new build - Executive report (7 March 2023)
- Cranleigh Leisure Centre Investment - Executive report (30 November 2021)
- Cranleigh Leisure Centre Building Survey - Condition Appraisal (July 2022)
- The Sport, Leisure and Culture Consultancy - Cranleigh Leisure Centre Feasibility Study Update (September 2021)
- Cranleigh Leisure Centre energy efficiency and carbon reduction review (February 2020)

- The Sport, Leisure and Culture Consultancy - Cranleigh Leisure Centre Options Appraisal (July 2019)
- Leisure centre Investment: Farnham Godalming and Cranleigh - Executive report (10 July 2018)
- Indoor Leisure Facilities Strategy (May 2017)

20. Appendices

Annexe 1 - Financial Viability Assessment

Please ensure the following service areas have signed off your report. Please complete this box, and do not delete.

Service	Sign off date
Finance / S.151 Officer	Rosie Plaistowe 06/10/23
Legal / Governance	Jayne La Grua 05/10/23
HR	23/9/23
Equalities	Jayne La Grua 05/10/23
Lead Councillor	Cllr Liz Townsend 05/10/23
CMB	25/9/23
Executive Briefing/Liaison	25/9/23
Committee Services	06/10/23
Sustainability	Delma Bryant 23/9/23

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of the Local Government Act 1972.

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Waverley Borough Council

Report to: Council

Date: 17 October 2023

Ward(s) affected: All

Report of Director: Governance & Transformation

Author: Rosie Plaistowe Financial Services Manager & Deputy Section 151,
and Katie Baldwin Lead Service Accountant

Tel: 01483 523255 & 01483 523356

Email: Rosie.plaistowe@waverley.gov.uk & katie.baldwin@waverley.gov.uk

Audit Committee Chairman: Cllr Spence

Email: Julian.Spence@waverley.gov.uk

Report Status: Open

Financial Regulations Update

1. Executive Summary

- 1.1 The Audit Committee is asked to consider the update to the Financial Regulations and recommend them to the Council, in compliance with the Audit Committee Terms of Reference under Article 8 of the Constitution. Specifically, the Audit Committee is required to maintain an overview of the Council's Constitution in respect of financial regulation

2. Recommendation to Council

- 2.1 The Audit and Risk committee recommends that Council adopt the updated Financial Regulations.

3. Reason(s) for Recommendation:

- 3.1 To ensure Waverley policies are kept up to date and relevant to the environment in which it works, minimising risks to the Council and its funds.

4. Exemption from publication

- 4.1. n/a

5. Purpose of Report

- 5.1 The Financial Regulations directly underpin the financial governance arrangements for the Council and affect the way services deliver on corporate priorities.

6. Strategic Priorities

- 6.1. A financially sound Waverley, with infrastructure and services fit for the future.

7. Background

- 7.1 The Financial Regulations were last updated and published in April 2022. In line with the commitment of continual review within the Annual Governance Statement the Financial Regulations have been reviewed and two changes are proposed in 7.3.
- 7.2 The objective of the update to the Financial Regulations is to enhance the Council's governance arrangements to remain secure in

relation to risk and statutory compliance and to propose changes that lead to improvements in process and efficiency.

7.3 The updates recommended.

- a. Typographical error, Money Laundering Act 2007 should read as 2017 (17.2)
- b. Typographical error in Annexe 2 of the Finance Regulation document, for Scheme of Virement. The penultimate section for Capital virement approval, should read as Executive.
- c. Title changes throughout from Head of Services to Executive Head of Services.
- d. Increase to Supplementary Estimates limit for Executive from £100,000 to £250,000 (3.27)

7.4 Supplementary estimates are requests for additional budget which cannot be found within the approved budget for the financial year. These are usually funded from reserves which are identified as part of the approval. The limit for supplementary estimates has not been increased for many years, and therefore with the impact of inflation has been reducing the relative spending power of the Executive. Officers have reviewed other authorities limits which range from nil to no limit. The increase could be considered to increase risk and reduce transparency. However, this can delay the Council's ability to be flexible and react to issues and opportunities. Therefore, on balance it is proposed to increase this limit to £250,000.

8. Consultations

8.1 The Leader and the lead Councillor for Finance has been consulted informally.

9. Key Risks

9.1. Reviewing the Councils policies will support management and mitigation of financial risk.

10. Financial Implications

- 10.1. No direct financial implication arise from this report however the policy supports the protection of public money.

11. Legal Implications

- 11.1 The Financial Regulations are part of the Council's Constitution and apply to every officer and Councillor acting behalf of the Council.

The Local Government Act 1972 (Section 151) makes the Chief Finance Officer responsible for the proper administration of the Council's financial affairs. The Financial Regulations are issued pursuant to these responsibilities.

12. Human Resource Implications

- 12.1. There are no direct resource implications.

13. Equality and Diversity Implications

- 13.1 There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out when necessary across the council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010

14. Climate Change/Sustainability Implications

- 14.1. n/a

15. Overview & Scrutiny comments

- 15.1. n/a

16. Suggested issues for overview and scrutiny

- 16.1. n/a

17. Summary of Options

17.1. None

18. Conclusion

18.1. The objective of the update to the Financial Regulations is to enhance the Council's governance arrangements to remain secure in relation to risk and statutory compliance and to propose changes that lead to improvements in process and efficiency

20. Background Papers

19.1. There are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

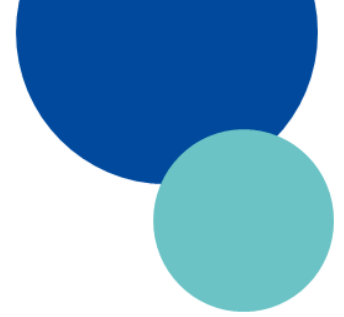
21. Appendices

21.1. Annexe 1 – Draft Financial Regulations Aug 2023 V6.1

21.2. Annexe 2 – Current Financial Regulations V6

Please ensure the following service areas have signed off your report. Please complete this box, and do not delete.

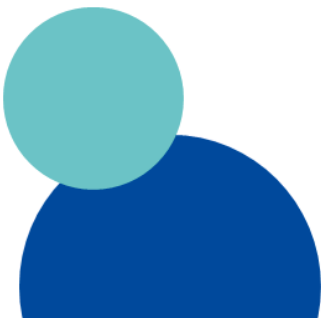
Service	Sign off date
Finance / S.151 Officer	8/8/23
Legal / Governance	31/8/23
HR	n/a
Equalities	n/a
Lead Councillor	TBC
CMB	15/8/23
Executive Briefing/Liaison	TBC
Committee Services	



Waverley Borough Council
Financial Regulations

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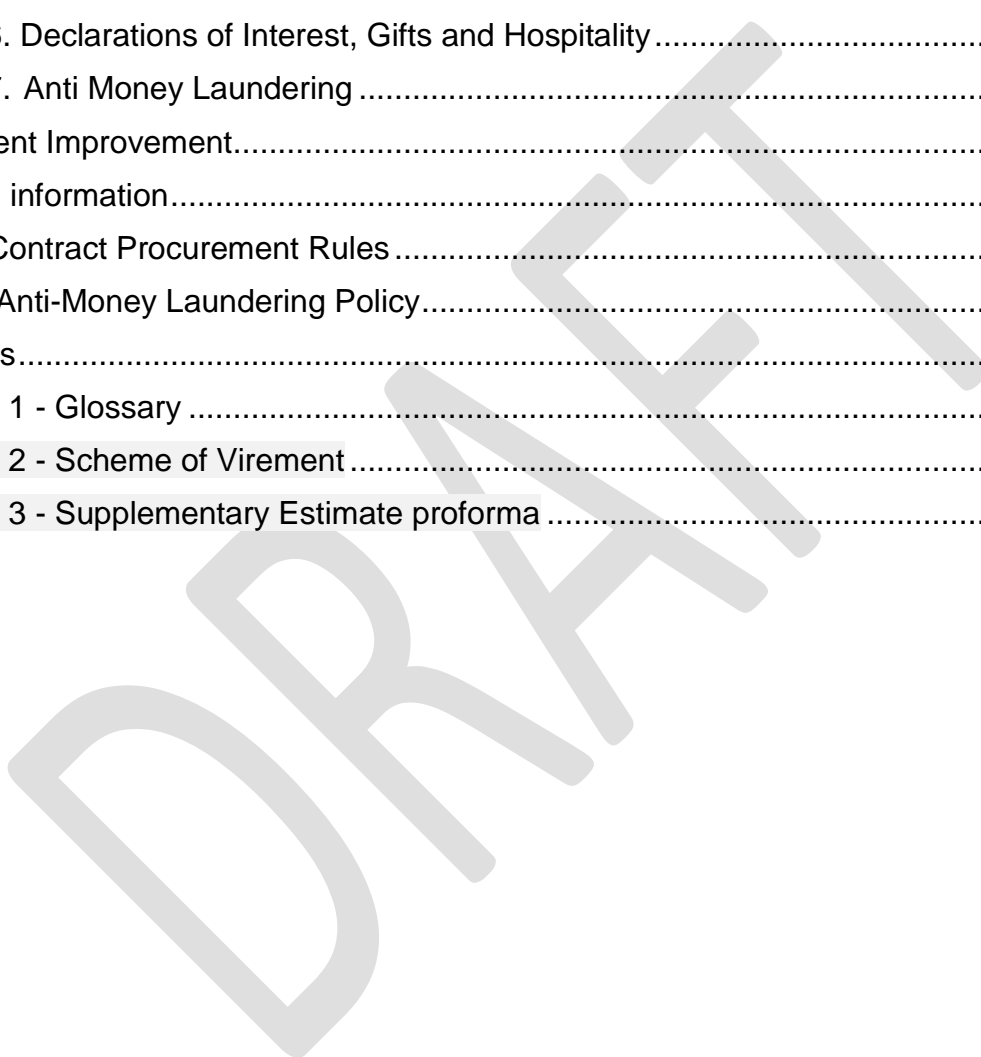
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Document Statement

These Financial Regulations set out the financial policies and a framework of financial management and accountability for the proper administration of Waverley Borough Council's (the Council's) financial affairs. Each of the financial regulations sets out the overarching financial responsibilities of officers. They link with other internal regulatory documents forming part of the Council's Constitution, for example the Scheme of Delegation and Contract Procurement Rules. They also ensure robust procedures are in place to provide the necessary assurance to the Council about the adequacy of the finance and governance arrangements underpinning the Annual Governance Statement. Financial Regulations apply to everyone involved in financial transactions and managing resources for the Council and any organisation over which the Council performs a role of stewardship.

Scope and Purpose

1. Key principles

- The Financial Regulations are approved by Full Council.
- The Financial Regulations comply with all extant laws and statutes.
- All financial business conducted is lawful within the powers of a local authority.
- Rules and procedures should be proportionate and not unnecessarily bureaucratic.
- Due diligence is exercised in all financial transactions.
- Financial Regulations enable the Council to conduct business efficiently.
- Financial governance is always considered.
- All expenditure shall be within an identified budget, there is no authority to spend without or beyond an approved budget.
- Value for Money is considered in all transactions undertaken.
- Only goods, works and services legitimately required by the Council are purchased.
- All income due shall be collected, recorded, held securely and banked promptly.
- All expenditure is properly recorded and accounted for correctly.
- Economical, efficient and effective use of resources.
- Assets are safeguarded.
- Authorisation processes protect against self-certification.
- Officers shall not enter into any credit arrangements, such as leasing agreements, without the prior approval of the Section 151 officer.
- Officers cannot commit the Council to on-going contracts without budget approval.
- Investment/divestment is appropriately scrutinised and supported by a business case.
- Financial records will be kept in accordance with the Council's prevailing documents retention policy.
- Risk management procedures and controls are in place.

2. Statutory Requirements, Compliance and Responsibilities

Statutory Requirements

Section 151 Local Government Act 1972

2.1 Section 151 of the Local Government Act 1972 requires that the Council makes arrangements for the proper administration of its financial affairs. Financial regulations are the means by which the Council meets this requirement by setting out a clear regulatory and accountability framework for the use of its resources.

Section 114 Local Government Act 1988

2.2 Section 114 Local Government Finance Act 1988 requires the Section 151 Officer to report to Full Council and external audit if the Council or one of its officers:

- has made or is about to make a decision which involves the Council incurring expenditure which is unlawful;
- has taken or is about to take unlawful action which has resulted or would result in a loss or deficiency to the Council; or
- is about to make an unlawful entry in the Council's accounts.

2.3 Section 114 of the 1988 Act also requires:

- the Section 151 Officer to nominate a properly qualified member of staff to deputise should he or she be unable to perform the duties under section 114 personally; and
- the authority to provide the Section 151 Officer with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under section 114.

2.4 The Deputy S151 Officer has full authority to act as the S151 Officer for all aspects of the Financial Regulations.

Compliance

2.5 Financial Regulations apply to everyone involved in financial transactions and managing resources for the Council and any organisation over which the Council performs a role of stewardship. The purpose of these Financial Regulations is to ensure transparency and protection of the Council's resources and individual officers.

2.6 Where the regulations are not specific, officers shall refer to the Section 151 Officer for guidance.

2.7 Failure to comply with the Financial Regulations, or the instructions issued under them, may constitute gross misconduct. Breaches of Financial Regulations shall be reported to the Council's Internal Audit Client Manager who will make arrangements for investigation and recommendations for action to be taken.

Responsibilities

- 2.8 The Financial Regulations identify the financial responsibilities of all officers, or anyone acting on their behalf, and Members of the Council. Officers and Members shall comply with the financial regulation relevant to the transaction they are undertaking and have a responsibility for taking reasonable action to provide for the security of the resource or assets under their control.
- 2.9 The responsibilities are sub-delegated out to officers through the Scheme of Delegation. Without delegated authority no officer of the Council shall commit the Council to expenditure.
- 2.10 All officers have a duty to ensure all actions and decisions taken represent value for money.

The Full Council

- 2.11 The responsibilities of the Full Council are set out in the Constitution. In terms of the Financial Regulations the Full Council is responsible for approving and monitoring compliance with the Council's overall framework of accountability and control as set out in the Constitution. The Full Council is also responsible for approving the annual budget and any subsequent changes subject to section 4.

The Executive

- 2.12 The Executive is responsible for proposing the policy framework and budget to the Full Council. In doing so it shall take account of legal and financial implications and risk management issues that may arise from decisions.

Audit Committee

- 2.13 The Audit Committee reports to the Full Council. It brings independent and effective assurance into the Council's corporate governance arrangements. The Audit Committee is responsible for overview of the Financial Regulations and proposing amendment to Full Council.

Section 151 Officer

- 2.14 The Council shall approve an officer post to be the statutory Section 151 Officer. The Strategic Director – Finance and Resources is the statutory Section 151 Officer and is ultimately responsible for the proper administration of the Council's financial affairs. The Section 151 Officer shall ensure the responsibilities, as set out within these Financial Regulations, are met through formal delegation to appropriate officers in accordance with the Scheme of Delegation.
- 2.15 Section 151 Officer General Accountabilities:
- Set appropriate financial management processes for the Council which comply with the Council's policies and proper accounting practices and monitor compliance with

those processes.

- Advise on the corporate financial position and on the key financial controls necessary to secure sound financial management.
- Provide financial information.
- Determine the accounting records, procedures and the retention of financial documents requirements for the Council.
- Ensure proper professional practices are adhered to through communication and training for all officers involved in financial transactions.
- Act as head of profession in relation to the standards, performance and development of finance staff.
- Report, where appropriate, breaches of the Financial Regulations to the Audit Committee.
- Protect against Money Laundering.
- Ensure controls are in place to deter and detect fraud and error.
- Ensure that adequate accounting systems exist and recommend subsequent changes.
- Ensure that adequate systems exist for holding/organising personal data.
- Receive Government circulars, orders, sanctions, approvals and regulations affecting the finances of the Council.
- Maintain an overview of the Financial Regulations and recommend revision as required having regard to the Annual Governance Statement.
- Maintain and promote the Corporate Risk Strategy and Risk Register.

Directors and Heads of Service

2.16 Directors and Heads of Service have delegated responsibility for the management of the financial transactions and use of resources in their service areas. This responsibility can be formally delegated to specific officers under the Scheme of Delegation devised for each Executive Head of Service. They are also responsible for ensuring all their staff are aware of, and comply with, the Financial Regulations and other internal regulatory documents.

2.17 General responsibilities:

- Complying with appropriate budget management and delegation arrangements to maintain budgetary control.
- Effective use of resources, safeguarding of assets and the operation of a system of appropriate internal controls in their service areas.
- Advising members of the Council and the Section 151 Officer of the financial implications of all proposals.
- Complying with the delegated authorised signatory list for signing contracts on behalf of the Council (see also Contract Procurement Rules).
- Seeking approval, in conjunction with the Section 151 Officer, on new proposals or

on any matter liable to have an effect on Waverley's finances, before any commitments are incurred for proposals, that:

- create financial commitments in future years;
 - change existing policies, initiate new policies or cease existing policies; and
 - materially extend or reduce the Council's services.
- Preparing budgets in accordance with the guidance issued by the Section 151 Officer.
 - Maintaining budgetary control in their service area and ensuring all income and expenditure is properly accounted for and recorded.
 - Ensuring spending remains within budget and that individual budget heads are not overspent by monitoring the budget and taking corrective action.
 - Reviewing performance of services in conjunction with budgets to determine if they are operating effectively.
 - Obtaining approval from the Section 151 Officer before making any changes to financial records and procedures.
 - Promoting excellent financial management standards in their service area and to monitor adherence to the standards, ensuring that relevant training is provided to those staff with financial management responsibilities.
 - Contributing to the development of corporate and service targets and objectives and performance information.
 - Ensuring value for money is achieved in every transaction undertaken.
 - Ensuring compliance with the Council's Contract Procurement Rules.
 - With regard to funding awarded by the Council to third parties, including Community Infrastructure Levy (CIL), grants and other contributions, managers must ensure that a funding agreement is in place which clearly sets out the terms of the funding and includes conditions and safeguards as appropriate to protect the Council's interests. All funding agreements, and any subsequent proposed changes, must be agreed by the S151 officer who will assess the risk and impact.

3. Financial Management

3.1 Objective – to ensure that the Council's budgets and accounting are accurate, timely and meet all statutory and corporate requirements.

3.2 Key Controls

- Review and development of a Medium Term Financial Plan.
- Instructions for the development of forward budgets will be issued each year in line with the Medium Term Financial Plan.
- Budget process is planned and communicated.
- Specific budget approval for all income and expenditure – expenditure can only be committed against an approved budget.

- Accurate financial management and forward projections of income and expenditure.
- Corrective action is taken at the earliest opportunity to address deviation from budget.
- A single Budget Manager accountable for each budget and the level of service to be delivered.
- Expenditure is allocated to the correct cost centre and account code and authorised within the scheme of delegation and authorised signatory list.

Authorisation and Delegation

- 3.3 The Section 151 Officer shall make provision for the maintenance of an Authorised Signatory List.
- 3.4 Heads of Service shall approve the inclusion and addition of officers to the Authorised Signatories List in writing, clearly specifying the scope of their delegated authorities and ensure the Authorised Signatory List is up to date. Officers who are given specific financial responsibilities must familiarise themselves and comply with these Financial Regulations.
- 3.5 Heads of Service shall approve appropriate officer access to the finance and information systems.
- 3.6 Authorised officers shall ensure another appropriately authorised officer, within the service at an appropriate level of seniority, can act as a substitute for carrying out financial management and administration duties in the event of absence or a vacancy.

Financial Planning Framework

Medium Term Financial Plan

- 3.7 The Medium Term Financial Plan (MTFP) is the Council's key financial planning document which takes into account various factors and influences that may impact on the Council over a period of years. It shall cover the forecast financial prospects and requirements for a period considered adequate to understand the Council's future financial position and include strategic action plans to ensure the finances remain robust.

Budgets

- 3.8 It is a legal requirement that the Council ring-fence and separately manage the following financial resources and expenditure:
- Housing Revenue Account income and expenditure
 - Capital expenditure and financing
 - The Collection Fund
 - Trusts being managed on behalf of their trustees

- Any other ring-fenced budget coming into effect after the publication of these rules
- 3.9 Revenue budgets cover the day-to-day running costs (expenditure and income) of the Council. Budget Holders shall be responsible for ensuring that they do not exceed the budget approved.
- 3.10 Capital budgets are for the acquisition or enhancement of assets which have a long term value to the Council and are usually of a one-off nature. Capital expenditure shall be accounted for in accordance with the relevant statutory definition. The Finance Team can provide advice on whether an item can be treated as expenditure for capital purposes.
- 3.11 On-going revenue implications of capital projects shall be identified within the capital bid process. Capital bids must be supported by a fully completed business case form for every project.
- 3.12 Budgets shall be consistent with the Council's Corporate Strategy and MTFP and integrated into Service Plans.
- 3.13 The Section 151 Officer shall issue guidance for the preparation of budgets which will detail the form and methods to be adopted.
- 3.14 The guidance shall support the best use of resources and value for money by asking service managers to identify opportunities to improve economy, efficiency and effectiveness, propose savings options and consider financial aspects of service planning.
- 3.15 The detail behind the budgets for income and expenditure shall be adequately documented to enable a clear understanding of the purpose and nature of the budget.
- 3.16 Budget Managers preparing budgets shall have regard to:
- Spending patterns and pressures revealed through the budget monitoring process (see 3.22) and the MTFP.
 - Legal requirements.
 - Policy requirements as defined by the Full Council in the approved policy framework.
 - Initiatives already underway.
 - Capacity to deliver service and projects.
 - Lead-in times for delivery.
- 3.17 The Annual Council Budget shall be taken through the Committee process to be approved at Full Council in the February meeting, before the statutory deadline for council tax setting, for the following financial year.

Budget Management

- 3.18 The Section 151 Officer shall ensure financial monitoring and governance arrangements are in place that are commensurate with the size, risk, complexity and volatility associated with particular revenue budgets and capital schemes.
- 3.19 Budget Holders shall be accountable for revenue and capital programme management within the budget totals allocated to them.
- 3.20 Revenue and capital budget transfers shall comply with the Virement and Budget Realignment Rules set out below.
- 3.21 Any report prepared by officers for consideration by the Executive which has financial implications should be prepared in consultation with the Section 151 Officer.
- 3.22 Budget Management shall consist of:
- Use of the designated Finance System to track and forecast spend against budget.
 - Periodic review of budgets, as determined by the Section 151 Officer, to include income and expenditure forecasting to the financial year end and impact on future years.
 - A Budget Management report submitted to the Management Board and the Executive in a format to be determined by the Section 151 Officer which shows the impact of changes in service spend and the associated risks, mitigations and resolutions.
 - A monitoring process that reviews service delivery and capital projects against budget and, if necessary, reports measures for corrective action.
 - Investigation and reporting by budget managers of significant variances from approved budgets as soon as they become known.
 - Production of a recovery plan for inclusion in the Budget Management report where a service is forecast to overspend.
 - Requests for virements in accordance with the Scheme of Virement.

Scheme of Virement

- 3.23 All expenditure, including expenditure covered by external funding, shall be funded by a budget before an expenditure commitment can be made. A virement is the movement of an uncommitted budget from its intended purpose to another purpose to fund expenditure.
- 3.24 A virement shall not increase the Council's overall budget.
- 3.25 Virements shall not cross a ring-fenced account such as the General Fund, Housing Revenue Account or a Trust.

3.26 The rules and authorities for Virement are listed in the **Scheme of Virement in Annexe 2** to these Financial Regulations.

Supplementary Estimates

3.27 A Supplementary Estimate is a request for additional unfunded budget that will increase the Council's overall budget and be funded from reserves. Supplementary Estimates up to **£250,000** shall be approved by the Executive and, if over **£250,000**, Full Council.

3.28 When the Executive or Full Council are asked to consider agreeing a Supplementary Estimate they need to:

- i) Consider why the need for funds, that were not identified or provided for within the Annual Budget and which cannot be found within existing budgets, has arisen;
- ii) Understand how much money is being requested and how it is proposed to be spent;
- iii) Assess whether or not the proposed supplementary estimate represents value for money, which will include noting and considering:
 - (a) Any other options available to the Council that have been considered, including the control option of not taking any action;
 - (b) The expected benefits of agreeing the supplementary estimate; and
 - (c) The expected risks, if any, of agreeing or refunding supplementary estimate;

3.29 The Council's Section 151 Officer's view on the supplementary estimate, including the above matters, will be set out, either within a stand-alone report or as part of another budget report.

3.30 Any manager wishing to propose a Supplementary Estimate, in the first instance, needs to complete the proforma set out at **Annexe 3** and submit this to the Council's Section 151 Officer, or designate.

Carry forwards of Budget

3.31 The policy for the carry forward of budgets shall be determined by the Section 151 Officer.

- 3.32 Carry forwards shall not be allowed unless there is a robust case for non-delivery in the financial year with a firm expectation for delivery in the following financial year and in exceptional circumstance.
- 3.33 Budget carry forward shall be approved by the Section 151 Officer.
- 3.34 Budget carry forward shall be reported to the Executive.
- 3.35 Where a budget or one-off surplus is carried forward, it shall not be used to commit the Council to new or additional expenditure that is ongoing and requires continued funding in future years.

Accounting Procedures

- 3.36 Maintaining proper accounting records, systems and procedures are essential to an effective framework of accountability and control for stewardship of public resources.
- 3.37 The Council has a statutory responsibility to prepare and publish its Annual Financial Report, which includes the Statement of Accounts and Annual Governance Statement, in accordance with statutory deadlines and to present fairly its operations during the year.
- 3.38 The Statement of Accounts shall be subject to external audit which provides assurance that the accounts are free from material mis-statement and presents fairly the financial position of the Council.
- 3.39 The Audit Committee shall be responsible for approving the Statement of Accounts.
- 3.40 The following requirements shall be followed in preparation of the Statement of Accounts:
- The Council's Statement of Accounts shall be prepared and published in accordance the Code of Practice on Local Authority Accounting in the United Kingdom issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) supported by International Financial Reporting Standards in accordance with the statutory timetable.
 - Accounting policies shall be selected by the Section 151 Officer and applied consistently and appropriately and be subject to annual review by External Audit.
 - Judgements and estimates shall be made that are reasonable and prudent.
 - Year-end guidance shall be issued to Heads of Service and officers, informing them

of timescales and guidelines for the supply of information.

- Year-end guidance shall be complied with.
- A detailed project plan for the completion of the Statement of Accounts shall be agreed with the officers involved in the Statement of Accounts process.
- Proper arrangements shall be made for the audit of the Statement of Accounts in accordance with the Accounts and Audit Regulations.
- Material changes to the Statement of Accounts shall be discussed with External Audit in advance of the year end.

3.41 Reserves

- Reserves shall be maintained in accordance with the CIPFA Code of Practice on Local Authority Accounting and as agreed in the MTFP.
- Reserves shall only be used for the purpose for which they are intended.
- Revenue and capital reserves shall be maintained separately.

3.42 Grants (Revenue or Capital)

- Grants shall be accounted for in compliance with the CIPFA Code of Practice on Local Authority Accounting.
- Grants received towards expenditure shall be applied in the year the expenditure is incurred.
- Any grant funding received but expenditure not incurred within the year shall be carried forward to the financial year in which the expenditure will take place.
- Grants shall be accounted for in accordance with the terms of the agreement with regard to any conditions, restrictions or stipulations attached.
- Budget Holders shall ensure that “exit strategies” are in place to support the winding up of any service provision that is financed from time limited specific grants or third party contributions.

3.43 Reconciliations

- A Reconciliations Checklist shall be maintained for all control accounts within the Finance system that represent activity in other systems.
- Reconciliations shall be completed at least monthly and signed off by the officer completing the reconciliation.
- All reconciliations shall be reviewed and countersigned by the Financial Services Manager or delegated officer.
- All unreconciled items shall be resolved as soon as practically possible and fully investigated and explained.
- Reconciliation of income between the Finance system and external information, Terriers, charging schedules or other databases shall be undertaken monthly by the officers responsible for service delivery.
- All reconciliations shall be undertaken at the latest by the end of the month following

the reconciliation period.

3.44 Government Returns

- All Government returns for grant claims, consultations, statistical information and financial information shall be submitted by the relevant deadline.
- All returns relating to grants and financial statistics shall be completed in consultation with the Section 151 Officer or delegated officer.
- The Section 151 Officer or delegated officer shall be satisfied as to their correctness before they are submitted to any Government Department.
- The Section 151 Officer or delegated officer shall be notified and receive copies of all Government or other circulars, orders, sanctions, approvals and regulations affecting finance which are received by the Council.

4. Purchase orders, goods receipting and payment of invoices

4.1 Key Controls

- All commitments to expenditure undertaken by officers shall comply with the Contract Procurement Rules.
- Any dispute with or claim from a contractor or supplier that may have a financial implication must be brought to the S151 officer's attention immediately. Where appropriate, options and potential actions should be proposed.
- Financial checks shall be undertaken of prospective suppliers in accordance with the Contract Procurement Rules.
- All Council commitments to expenditure should be made using a purchase order unless they fall into the Exemptions Schedule.
- A purchase order shall not be raised without sufficient budget. If necessary, the virement process should be used in accordance with Annexe 2 or a Supplementary Estimate approval should be obtained in advance of creating a commitment to expenditure.
- Only authorised officers on the Authorised Signatory List shall approve purchase orders.
- Officers shall not approve their own purchase orders (no self-certification).
- No officer alone shall be responsible for all stages of the "purchase to pay" process, i.e. ordering, receipting, payment authorisation, including the BACS payment set up and release.
- The authorising of a purchase order signifies:
 - the goods/services are necessary for discharging the functions of the Council; and
 - in all respects the Financial Regulations have been complied with.
- Purchase orders shall be 'goods receipted' to verify that goods or services have been

received at the correct price, quantity and quality standards before payment of invoice.

- All invoices shall be submitted as soon as possible to the Finance Team for inclusion on the accounts ledger.
- Prior to settlement, checks shall be undertaken to safeguard against duplicate payment of invoices.
- New suppliers and changes of details to an existing supplier shall be validated by a positively verified contact for the supplier.
- Officers shall document supporting proof of verification and obtain approval from the Executive Head of Finance or delegated officer.

4.2 Every officer of the Council involved in engaging, supervising or having any other official relationship with contractors or potential contractors shall declare all relationships of a private or domestic capacity with those contractors to their line manager in accordance with Code of Conduct.

4.3 Members shall declare such relationships on the Members Register of Interests.

4.4 Records shall be kept to evidence compliance with the Contract Procurement Rules for all purchase orders raised.

4.5 Records shall not be disposed of other than in accordance with arrangements approved by the Section 151 Officer.

4.6 Payment process:

- Payment of invoices shall be against an original invoice or certified copy invoice only.
- Internal payment requisition forms shall be accompanied by supporting information.
- Payment shall be made in accordance with the agreed payment terms and in compliance with the invoice payment performance indicators.
- Payment should normally be by BACS but in exceptional circumstances cheque or CHAPS.
- New suppliers and changes of details to an existing supplier shall be validated by a verified contact for the supplier.
- Officers shall document supporting proof of verification and obtain approval from the Executive Head of Finance or delegated officer.
- Payments to contractors shall be on the certificate of the appropriate Executive Head of Service, and include details of the value of work, retention money, amounts previously certified and amounts now certified.
- Any outstanding expenditure for work completed but not yet invoiced by the end of the financial year shall be reported to the relevant service accountant to be accrued into the correct financial year in accordance with the year-end closedown instructions.

4.7 Payment without an invoice, (including the transfer of funds to bank imprest accounts, online shopping accounts and prepaid or top-up cards) shall be made using systems and protocols determined by the Section 151 Officer.

4.8 Set up and use of online shopping accounts shall be approved by the Section 151 Officer. Normal purchasing procedures are still required with the exception of raising a purchase order in the Finance System.

4.9 Large contracts

For contracts that fall into threshold 4 in the CPR's (>£100,000) and where stage payments are made due to the length or type of the contract (i.e. construction), officers shall ensure that:

Contracts involving stage payments:

- The contract documentation is prepared with the agreement of the Borough Solicitor.
- The contract is recorded in the Contract Register.
- If it becomes clear that a tender received exceeds the 'contractor' element of an approved capital budget, the S151 must be notified immediately
- A final account is prepared.

Final Payments:

- Supporting documentation is checked to ensure that all the items invoiced have been used on the project and that the figures are correctly calculated throughout each stage of the project payment process.
- Where a retention is held, the retention value and retention period is recorded so that it can be released when the defect liability period has ended.
- The project manager is responsible for collating and checking the final account before the final payment is made.
- The final payment is signed off by the relevant Executive Head of Service to confirm the accuracy and integrity of the final payment.
- The Executive Head of Service approval is emailed to supplierenquiries@waverley.gov.uk to be put with the invoice in the Finance system.

4.10 Value Added Tax (VAT):

- VAT returns shall be made to HMRC with the appropriate payments or claims in accordance with HMRC regulations.
- The Council's partial exemption position shall be regularly assessed.
- The effect on the partial exemption position for all new transactions shall be considered.
- Officers shall ensure that the correct VAT liability is attached to all expenditure paid and income due and that all VAT shown as recoverable on purchases complies with

HMRC regulations.

- The Section 151 Officer shall be consulted for VAT advice prior to implementing changes to service provision, new capital schemes and purchase of any assets.

4.11 Construction Industry Scheme (CIS):

- CIS tax returns shall be made to HMRC with the appropriate payments in compliance with HMRC regulations.
- Spending officers shall be aware of CIS rules and ensure they have sufficient knowledge to collect the relevant information from suppliers.
- Where construction and maintenance works are undertaken, Officers shall request the necessary CIS tax deduction information from the supplier.

4.12 Off-payroll working through an intermediary (HMRC IR35):

- All procurement of agency staffing and consultancy work of any kind shall be tested against the HMRC IR35 rules for off-payroll working by the appointing service officer prior to engagement.
- Detail of the IR35 rules is contained within the Contract Procurement Rules (see section 7.2)
- The Employee Services team shall be informed of all appointments.

4.13 Petty Cash:

Petty cash covers the use of 'cash' from the petty cash imprest to purchase minor items of expenditure not exceeding such sums as determined by the Section 151 Officer.

- Set up of any petty cash imprest account shall be approved by the Section 151 Officer.
- A log of officers responsible for petty cash floats shall be maintained by exchequer services.
- Responsible officers shall comply with petty cash imprest administration guidance notes.
- Officers requesting reimbursement of expense incurred on behalf of the Council, including travelling expenses shall put a request through the payroll system.
- No cheques shall be cashed from money held in petty cash imprests.
- The petty cash imprest holder shall obtain a signature and supporting documentation, including a VAT invoice for all purchases.
- The petty cash imprest holder shall reconcile the imprest and, when requested by the Section 151 Officer, present the imprest account for audit.
- The petty cash imprest account shall be reconciled if the holder leaves or changes.
- If the petty cash imprest account is no longer required it shall be relinquished to the Section 151 Officer.

5. Payment of salaries, wages, pensions, travelling and subsistence allowances and Members Allowances

5.1 Key Controls

- An annual staffing budget shall be prepared.
- An annual Members Allowances budget shall be prepared.
- Monthly monitoring of staff activity and spend shall be reconciled to payroll.
- Approved staffing budget shall not be exceeded, a virement or supplementary estimate must be approved prior to expenditure
- Employee Services team shall be notified of all matters affecting payment of employees and former employees including appointments, resignations, dismissals, suspensions, secondments, transfers and other absences apart from approved leave.
- Appointments shall be made in accordance with the Council's recruitment policy.
- The Job Evaluation process shall be used for determining the remuneration of a job.

Payments to Staff and Members

- 5.2 Payment of salaries, pensions, compensation and other emoluments to staff or former employees shall be through the Council's payroll system.
- 5.3 All adjustments to the payroll shall be supported by documentary evidence and approved by an authorised signatory.
- 5.4 Payments through payroll shall only be made to:
- bona fide employees;
 - with a valid entitlement; and
 - who have a contract of employment.
- 5.5 Income tax, national insurance, pensions and other deductions shall be accurately recorded and accounted for in line with statutory legislation.
- 5.6 All Inland Revenue returns regarding PAYE shall be completed in accordance with HMRC published guidance.
- 5.7 Staff records and pay documents shall be maintained in the payroll system.
- 5.8 Staff bank changes will only be accepted by the member of staff entering them via the self-service system
- 5.9 Payments of Members' Allowances shall be made in accordance with the Members' Allowances scheme.

Travel and Subsistence Claims

- 5.10 Travel and Subsistence Claims shall only be paid for authorised journeys and expenses incurred in the course of Council business.
- 5.11 Employees claims shall be made in accordance with the Employee Handbook and Contracts of Employment.
- 5.12 Members claims shall be made in accordance with the Members Allowance Scheme.
- 5.13 All business expense claims (with receipts attached) shall be submitted, verified and authorised through the payroll system.

6. Collection of income including External Funding and writing off of debts

6.1 Key Controls

- All income due to the Council shall be identified and charged correctly in accordance with the approved fees and charges.
- The collection and recording of all money due to the Council follows approved procedures for collection and money received by an officer on behalf of the Council shall be passed to the Finance team without delay.
- All income shall be recorded through the Council's income system.
- Fees and charges income shall be reconciled at all times to customer records by the service provider.
- Cash holdings on premises shall be kept to a minimum and securely in accordance with insurance requirements.
- A security firm shall be used to collect money from the Council offices as a minimum once a week to be paid into the Council's general bank account.
- Action shall be taken to pursue non-payment in accordance with the recovery process.
- Debt considered for write-off shall only be that which is uneconomic to collect or which has no prospect of collection or where recovery is legally restricted.
- Formal approval for debt write-off shall be obtained in line with the debt write-off procedures.
- New electronic methods of income collection shall be agreed with the Section 151 Officer.
- Credit notes, for full or partial debt cancellation, shall be adequately documented and approved by an authorised signatory.

- 6.2 The fees and charges shall be:

- reviewed as part of the budget process or, where appropriate, more frequently.
- approved by the Section 151 officer in consultation with the relevant Portfolio Holders unless covered by a delegated authority and reported annually to Full Council for information as part of the budget report.
- Budget Holders shall ensure that up-to-date fees and charges are published.

- 6.3 Income shall only be collected using methods and channels approved by the Section 151 Officer.
- 6.4 Income shall be collected at the point of service wherever possible, by the most cost-effective approved means.
- 6.5 Value Added Tax (VAT) shall be added to charges where statutorily required and be itemised separately on the receipt in line with HMRC requirements. It is the budget holder's responsibility to ensure that the correct VAT is applied.
- 6.6 Officers who process card transactions shall comply with the Council's Payment Card Security Policy and Procedures.
- 6.7 Refunds of debit/credit card payments shall be processed back to the card used to make the payment.
- 6.8 Refunds shall not be made by the officer taking the original payment, unless supervised and checked by an officer independent of the transaction.
- 6.9 Income due for the financial year should be collected or invoiced in advance of year end. Where income is still due but not received or invoiced the income shall be accrued in accordance with the year-end closedown guidance.
- 6.10 Budget Holders shall be responsible for collection of all income due to their service area, inclusive of grants, contributions, commuted sums, sales, fees, charges and rents, in cash or credit form.
- 6.11 Debts originated by the service are the responsibility of that service and shall be pursued in accordance with the Council's debt recovery procedure.

Debt Write-off

- 6.12 Where debt is uneconomic to collect or there is no prospect of collection or is legally restricted the debt will be written off by the Section 151 Officer.

External Funding

- 6.13 External funding shall only be applied for or accepted if it meets the corporate priorities and the Financial Regulations.
- 6.14 The costs, risks and obligations associated with preparing a bid shall be fully identified

and not outweigh the benefits of receiving additional funding.

- 6.15 Matched-funding requirements going into future years shall be considered prior to entering into the agreement to ensure funds are available to meet future obligations.
- 6.16 The Section 151 Officer shall be notified of all external bids and confirmation of funding.
- 6.17 Copies of original documentation confirming funding allocations shall be forwarded to the Section 151 Officer.
- 6.18 In securing external funding officers shall ensure that:
- All costs associated with bidding are financed from the relevant service budget unless the Executive has specifically approved alternative funding arrangements.
 - The matched funding or sponsoring organisation scheme requirements are considered prior to entering into the agreements and that future revenue budgets reflect these requirements.
 - The external funder's audit requirements are fully understood and are achievable to ensure conditions of funding and any statutory requirements are complied with.
 - Funds are received from only appropriate sources and that their purpose is clearly documented.
 - The project to be sponsored by the funding is properly project planned and progress reported in accordance with the project plan.
 - Expenditure is properly incurred in accordance with the funding documentation.
 - Organisations making donations or providing sponsorship are registered with the Head of Policy and Governance for transparency.
 - All claims for funds are made by the due date.
 - All funding notified by external bodies is received and properly recorded in the Council's accounts.
 - The funding is applied in accordance with the agreed criteria and that all expenditure is properly incurred and recorded.
 - Internal Audit Client Manager is consulted before accepting external funds.
- 6.19 Community Infrastructure Levy (CIL)/Section 106 receipts
- All receipts received shall be held and accounted for in accordance to the stipulations, conditions and restrictions in each individual agreement.
 - The collecting service shall notify the Section 151 Officer of the receipt of money and forward the individual agreements to the Finance Team.
 - Receipts shall only be used for the permitted purpose.
 - CIL/Section 106 agreements shall be recorded on a register and regularly reviewed for action.

- CIL/Section 106 receipts shall only be transferred to a third party for qualifying expenditure and with a Terms of Application Agreement signed by the third party and the Council.

7. Security of assets

7.1 Key Controls

- The Estates and Valuation Manager shall maintain a property database for all land and buildings owned or leased by the Council.
- Officers shall be responsible for the care and custody of all buildings, vehicles, equipment, furniture, stock, inventories, cash and information under their control.
- Officers shall record a description and location in an inventory in the form required by the Section 151 Officer.
- Officers shall be responsible for the proper security of all assets and ensuring they are appropriately marked as Council property and included in the Council's insurance schedule.
- Officers shall complete a check and reconciliation of their stock and inventories at year end and, as requested by Section 151 Officer, verify location, condition and reasonableness levels.
- Surpluses or deficiencies shall be dealt with in consultation with the Section 151 Officer.
- No Council owned asset shall be available for personal use by an officer without authority of the Section 151 Officer.

Land and Buildings

- 7.2 Land and Buildings shall be included in the Council's Asset Register where the assets have a value in excess of the Council's de-minimis levels as set out in the Accounting Policies, otherwise registered on the de-minimis register.
- 7.3 Land and Buildings shall be valued in accordance the CIPFA *Code of Practice on Local Authority Accounting in the United Kingdom*.
- 7.4 Land and Buildings assets shall be valued by a Royal Institute of Chartered Surveyors (RICS) qualified valuer.

Leases

- 7.5 Lessees and other prospective occupiers of Council land and buildings shall not be given possession or gain entry without a lease agreement.
- 7.6 A Lease Register shall be maintained and updated on a regular basis and at least annually.

- 7.7 The Lease Register shall identify whether the lease is an operating lease or a finance lease.
- 7.8 Lease terms shall be renegotiated and/or terminated prior to expiry.
- 7.9 Lease income shall be reconciled to the Lease Register at all times.
- 7.10 Contracts entered into shall be reviewed for lease implications.
- 7.11 Any leases within a contract shall be reported to the Finance Team.

Acquisitions and Disposals

- 7.12 Acquisitions and Disposals of Land and Buildings shall be made in accordance with the Section 151 Officer determination with supporting evidence of best value consideration being documented.

8. Risk Management and Insurance

- 8.1 All officers have a role in the identification of risks in the planning and delivery of services.

8.2 Key Controls

- Procedures and controls are in place to identify, assess, prevent or contain material known risks and these procedures are operating effectively throughout the Council.
- A monitoring process is in place to regularly review the effectiveness of risk procedures and controls.
- Managers are responsible for managing relevant risks in accordance with the risk policy.
- Acceptable levels of risk are determined and insured against where appropriate.
- Provision is made where appropriate for losses that might result from unmitigated risks.
- Procedures are in place to investigate claims within required timescales.
- The Council has identified business continuity plans for implementation in the occurrence of an event that results in significant loss or damage to its resources.

- 8.3 Officers Responsibilities:

- To consult the Section 151 Officer and the Borough Solicitor on the terms of any indemnity that the authority is requested to give.
- Not to admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.
- To ensure that all contractors or consultants employed have adequate insurance in place, as defined by the Section 151 Officer and the Borough Solicitor, to cover the risks associated with the contract.

- To take responsibility for risk management within their service area, having regard to advice from the Section 151 Officer and other specialist officers and ensure there are regular reviews of risk.
- To notify the Section 151 Officer of all:
 - new risks, properties or vehicles that require insurance
 - any alterations affecting existing insurances
 - loss, liability or damage that may lead to a claim against the Council.
- To identify, evaluate and report on key risks associated with policy decisions and service developments, and in the preparation of service plans, in accordance with the Council's agreed risk framework within the Risk Management Policy.
- To identify and evaluate risks before entering any form of partnership with organisations or individuals.

Insurance

- 8.4 Insurance cover shall be through the Council appointed external insurance provider.
- 8.5 An annual review and assessment shall be done to ascertain the amount of insurance cover to be maintained, taking specialist advice as necessary.
- 8.6 Heads of Service shall keep suitable records to ensure that inspections of engineering plant under their control are carried out by the Insurance Company within the periods prescribed and shall take any necessary action arising there from.
- 8.7 Any failure by the Council's insurers to carry out such inspections shall be notified to the Section 151 Officer.
- 8.8 Heads of Service shall ensure that employees or anyone covered by the Council's insurance, are aware that they should not admit liability or make an offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

9. Banking arrangements

9.1 Key Controls

- Electronic banking systems administration access shall be independent from system users.
- Access to passwords and controlled stationery shall be secured.
- An approved list shall be maintained of officers authorised to undertake bank transactions and release money by other methods of payment (including BACS runs).
- An authorised list of nominated officers fulfilling the role of bank signatory shall be

maintained.

- Bank accounts shall not be opened or closed without the authorisation of the Section 151 Officer.
- Bank accounts shall be held in the name 'Waverley Borough Council'.
- An audit log of bank authorisations shall be reviewed regularly by the Executive Head of Finance.

9.2 The Section 151 Officer shall:

- Maintain an overview of the banking arrangements and services;
- Approve the opening of all bank accounts;
- Approve signatories and authorisers for all Council operated bank accounts;
- Approve corporate credit cards together with instructions for their use;
- Approve the use of payment cards and online shopping accounts;
- Approve new merchants for cash collection;
- Approve the use of new ways of cash-less transacting; and
- Approve arrangements for the secure transit of cash and cheques.

9.3 Credit Cards:

- The corporate credit cards shall only be used in exceptional circumstances and only up to the limit on the account.
- Supporting documentation, including a VAT invoice where possible, shall be provided to the Section 151 Officer.
- Normal purchasing procedures still apply with the exception of raising a purchase order in the Finance System.

10. Treasury Management (Investments, borrowing and trust funds)

10.1 Key Controls

- Treasury Management Strategy documenting the policies, objectives and approach to risk management of the Council's treasury management activities.
- All treasury management decisions taken in accordance with the Treasury Management Strategy, CIPFA's Standard of Professional Practice on Treasury Management and the Prudential Code.
- Approval of transactions limited to bank authority list.
- Regular treasury management investment reviews.
- Audit log of treasury management investments reviewed regularly by the Executive Head of Finance.

Investments and Borrowing

- 10.2 The Section 151 Officer shall be responsible for:
- all external financing arrangement for borrowing and leasing.
 - maintaining a record of all the Council's borrowing.
 - making arrangements for the registration of any stocks, bonds and mortgages.
- 10.3 Loans to and from third parties as part of treasury management shall comply with the Treasury Management Strategy and Prudential Code.
- 10.4 Loans to third parties shall have the approval of the Executive, after consultation with the Section 151 Officer.
- 10.5 Loans to third parties shall be based on a statement of conditions, if applicable, attaching to the assistance.
- 10.6 Officers shall satisfy themselves that the recipient has received appropriate advice about their obligations.
- 10.7 Officers shall have regard to the ability of the applicant to meet the loan repayments or conditions.
- 10.8 Loans for capital assistance shall comply with 'Local Authorities (Capital Finance and Accounting)(England) Regulations 2003'.
- 10.9 The interest rate, if applicable, shall be determined by the Section 151 Officer.
- 10.10 The Council shall not offer any type of consumer credit which would require specific registration with the Financial Conduct Authority.
- 10.11 Acquisitions in companies, joint ventures, shares or other enterprises shall be in accordance with the approval of Executive and Section 151 Officer.

Trust funds and funds held for third parties

- 10.12 Trust funds, where possible, shall be held in the Council's name.
- 10.13 All Officers acting as trustees by virtue of their official position shall deposit securities etc. relating to the Trust with the Solicitor to the Council, unless the deed otherwise provides.
- 10.14 Funds held on behalf of third parties shall be securely administered as approved by the Section 151 Officer, with records of all transactions maintained.
- 10.15 Trust funds shall be operated within any relevant legislation and the specific

requirements for each trust according to their intended purpose and as set out in the trust deed.

10.16 Where applicable Charity Commission guidance shall be followed in the preparation of Annual Financial Reports and deadlines for the submission of information to the Commission.

11. Partnerships

11.1 Key Controls

- Partnership agreements and arrangements shall support the corporate objectives, provide value for money and not impact adversely on the services provided by the Council.
- Approval of the Section 151 Officer shall be obtained before entering into a partnership working arrangement.
- All agreements and arrangements entered into with external bodies shall be fully documented and entered on the Council's Register of Partnerships maintained by Democratic Services.
- Review and monitoring arrangements shall be in place.

11.2 Prior to the Council committing to enter a service, contractual or financial partnership, the risks involved in the following items shall be considered:

- the responsibilities and commitment of the Council;
- any financial obligations entered into;
- the governance arrangements; and
- any liabilities or insurance requirements.

11.3 The Financial Regulations shall take precedence over any financial regulations of the external body unless specifically sub-ordinated by any explicit regulations in the partnership agreement and the agreement of Full Council.

11.4 The Section 151 Officer shall be consulted on the key elements of funding a partnership project including:

- a scheme appraisal for financial viability in both the current and future years;
- risk appraisal and management;
- resourcing, including taxation issues (especially VAT);
- audit, security and control requirements;
- balance carry-forward arrangements;
- ensuring accounting arrangements are satisfactory; and
- exit strategy and financial implications.

12. Work for Third Parties

12.1 Key Controls

- Proposals shall be costed properly and approved by the Section 151 Officer.
- No work shall be entered into without seeking the advice of the Borough Solicitor to check it is within the Council's legal powers and that there is a clear economic case for doing the work.
- The contract shall be prepared by the Borough Solicitor or, if the other party insists on preparing the contract, the advice of the Borough Solicitor is sought.
- Appropriate insurance cover shall be arranged for any potential liabilities as a result of the agreement.

12.2 The Section 151 Officer shall issue guidance with regard to the financial aspects of third-party contracts.

12.3 Any work done under the third party's contractual terms of engagement rather than the Council's shall be agreed by the Section 151 Officer.

12.4 No contract entered into shall be subsidised by the Council.

13. The powers and duties of Internal Audit

8.1 Internal Audit is an independent and objective appraisal function established by the Council for reviewing the system of internal control. It examines, evaluates and reports on the adequacy of internal control as a contribution to the proper, economic, efficient and effective use of resources.

8.2 Key Controls

- Internal Audit Charter.
- Annual Audit Plan.
- Set of internal controls for systems and processes that are agreed by Internal Audit and reviewed regularly for effectiveness.
- Process for investigating, reporting and subsequent action regarding any suspected irregularity.
- An effective internal audit function that is properly resourced.

8.3 Internal Audit Client Manager shall:

- Prepare the annual Internal Audit Plan which takes account of the characteristics and relative risks of the activities involved.
- Report to Audit Committee on the progress against the annual Internal Audit Plan.
- Review, appraise and report on the extent of compliance with, and effectiveness of, relevant policies, plans and procedures (internal controls).

- Review the adequacy and application of financial and other related management controls.
- Make arrangements for investigation, reporting and subsequent action regarding any suspected irregularity.
- Ensure that all internal audits are documented in a written report.
- Require officers to implement all agreed actions in a timely and efficient manner.
- Report non-compliance with agreed audit recommendations to the Audit Committee.

8.4 Internal Audit has authority to:

- Access all Council premises, records, documents, and correspondence and control systems.
- Require any officer or Member to supply information and explanation considered necessary concerning any matter under consideration in the course of undertaking internal audit investigations.
- Require any officer to account for cash, stores or any other authority asset under their control.
- Access records belonging to third parties, such as contractors, when required.
- Request and receive explanations as necessary concerning any matters under consideration.

8.5 Officer's responsibility:

- All officers have a personal responsibility with regard to the protection and confidentiality of information.
- To ensure that any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.
- To notify the Section 151 Officer immediately of any suspected fraud, theft, bribery, irregularity, improper use or misappropriation of Waverley Borough Council's property or resources. Pending investigation and reporting, the Director and Service Head shall take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration.
- To ensure that new or changes in the form of systems for maintaining financial or personal records, or records of assets are agreed by the Internal Audit Client Manager and Section 151 Officer prior to implementation.
- To ensure they have a clear understanding of the benefits of sound controls and their responsibilities in compliance.

14. Fraud and Corruption

9.1 Key Controls

- Anti-fraud, Bribery and Corruption Policy.
- Process for investigating, reporting and subsequent action regarding any suspected

fraud and corruption.

- 9.2 The Section 151 Officer shall be responsible for maintaining an Anti-fraud, Bribery and Corruption Policy.
- 9.3 Heads of Service shall ensure their staff are aware of, and comply with, the Anti-fraud, Bribery and Corruption Policy.
- 9.4 Officers shall notify the Section 151 Officer immediately of any suspected fraud, theft, bribery, irregularity, improper use or misappropriation of Waverley Borough Council's property or resources.
- 9.5 Pending investigation and reporting, the Director and Service Head shall take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration.
- 9.6 The Section 151 Officer shall notify the Audit Committee chair immediately of any suspected fraud, theft, bribery, irregularity, improper use or misappropriation of Waverley Borough Council's property or resources.

16. Declarations of Interest, Gifts and Hospitality

1.1 Key Controls

- Full requirements and guidance for Members and officers are set out in the relevant Codes of Conduct.
 - Registers of interests are maintained for Members and officers.
 - Registers of gifts and hospitality are maintained for Members and officers.
 - Registers are inspected at least annually by external audit.
- 16.2 Members and officers shall report financial or other inducements, offered or received from an individual or organisation trying to influence the business of the Council to the Section 151 Officer and Internal Audit Client Manager.
 - 16.3 Member and officers shall record any interests or gifts and hospitality received or declined in the Gift register maintained by Democratic Services.
 - 16.4 The Section 151 Officer and Heads of Service shall ensure staff are aware of the requirement and the guidance for registering interests, gifts and hospitality.
 - 16.5 Investigations that indicate improper behavior may result in disciplinary action.

17. Anti Money Laundering

17.1 Key Controls

- Full requirements and guidance for Members and officers are set out in the Anti Money Laundering Policy.
- Executive Head of Finance is the designated Money Laundering Reporting Officer (“MLRO”) to receive disclosures from employees of money laundering activity (their own or anyone else’s).
- There is a procedure in place to enable the reporting of suspicions of money laundering.

17.2 The Council and its employees shall establish internal procedures to prevent the use of their services for money laundering as set out in Proceeds of Crime Act 2002, the Terrorism Act 2000 and the Money Laundering Regulations 2017.

Document Improvement

The Council welcomes comments and feedback on its policies and procedures. Please contact Rosie Plaistowe-Melham and Accountancy if you have any comments.

Related information

- [Contract Procurement Rules](#)
- [Anti-Money Laundering Policy](#)

Annexes

- 1. Glossary
- 2. Scheme of Virement
- 3. Supplementary Estimate Form

Annexe 1 - Glossary

Accounting record	Accounting records are key sources of information and evidence used to prepare, verify and/or audit the financial statements. They also include documentation to prove asset ownership for creation of liabilities and proof of monetary and non-monetary transactions.
Annual Financial Report	A comprehensive report on the Council's activities for the preceding financial year including the Section 151 Officer's commentary, Statement of Accounts, Annual Governance Statement and Audit opinion.
Annual Governance Statement	A statement describing how the Council's corporate governance arrangements have been working over the financial year.
Asset	Any object, tangible or intangible, that is of value to its owner. Tangible assets include land and buildings, plant and machinery, fixtures and fittings & stock. Intangible assets include goodwill, patents, licences, copyrights and trademarks.
Asset Register	A schedule of all Council assets including asset information and values.
Authorised limit	A limit that sets the level up to which an officer has authority to undertake the activity.
Authorised Signatory List	List of officers authorised to make financial transactions. Executive Head of Service approval is required before an officer may be included in the List.
BACS	Bank Automated Credit Service, electronic funds transfer process.
Budget	A sum of money allocated for a particular purpose or an expectation of income for a defined period of time.
Budget monitoring	Periodic review of the budget to ensure that total income and expenditure planned at the budget stage is adhered to as far as possible during the budget period.
Carry forward	The approved transfer of an unspent budget into a future financial year.
CHAPS	Clearing House Automated Payment System (CHAPS) is a method of transferring money between bank accounts electronically.
CIPFA	The Chartered Institute of Public Finance and Accountancy
Contract	This term is used to refer to any procurement transaction or planned procurement transaction.

Contractor	A provider or potential provider of goods, works or services. Once a Contract has been placed with a supplier, that supplier may be more precisely referred to as a Contractor.
Contract Procurement Rules (CPRs)	A set of rules that set out the minimum requirements the Council must follow when procuring and/or entering into Contracts for the supply of goods, works and services including consultants.
Customer	The recipient of a Council service.
Exceptions Schedule	A list of spend for which a purchase order is not required or is not appropriate.
Financial obligation	Money that a person or organisation owes and must pay at a particular time.
Financial Regulations	This refers to the set of rules that govern the way the Council's finances are administered and controlled. They are maintained by the Section 151 Officer.
Financial year	The Council's financial year runs from 1 April to 31 March
Financial viability	The ability to generate sufficient income to meet operating payments, debt commitments and, where applicable, allow for growth.
HMRC	Her Majesties Revenue and Customs, government taxation department.
Governance	The processes by which organisations are directed, controlled, led and held to account.
Job evaluation	A systematic way of determining the value/worth of a job in relation to other jobs in the Council.
Key Financial System	A system which interacts with the main Finance system to collect income due to the Council. Key Financial systems must be reconciled monthly.
Lease	A contractual arrangement calling for the lessee (user) to pay the lessor (owner) for use of an asset.
Material/Materiality	Materiality relates to the significance of transactions, balances and errors. Financial information is material if its omission or misstatement could influence the users of the accounts.
Medium Term Financial Plan (MTFP)	The bringing together of all known factors affecting the Council into one plan covering a period of a few years into the future.
Member	An elected Councillor
Officer	A member of staff
Other systems	In addition to the Finance system there are other systems used by the Council that contain financial information, these include systems for: <ul style="list-style-type: none"> • Housing - to collect tenants rent and manage the

	<ul style="list-style-type: none"> repairs and maintenance of council dwellings • Council Tax • Business Rates • Planning • Payroll • Income • Housing Benefits • Land Charges
Partnership	An arrangement in which the Council enters into with an external individual or organisation to share the benefits and liabilities of the venture.
Prudential Code	CIPFA Code of Compliance for treasury management
Purchase Order	An official order issued by a purchaser to a seller indicating types, quantities and prices for products or services. It is used to control the purchasing from external suppliers.
Reserve	An amount of money kept for a particular purpose or future use.
Scheme of Delegation	This term refers to the council's Scheme of Delegation, which specifies the extent to which the conduct of the council's affairs is delegated to council officers.
Section 151 Officer	The Section 151 officer ultimately responsible for the proper administration of the Council financial affairs. The deputy Section 151 can act on the Section 151 officers behalf on all aspects of the Financial Regulations.
Supplier	A provider or potential provider of goods, works or services. Once a Contract has been placed with a supplier, that supplier may be more precisely referred to as a Contractor.
Terms of Application Agreement	Rules, conditions or stipulations by which the parties involved must abide by to receive funds.
Terrier	Register of properties.
Virement	A virement is the movement of existing uncommitted budget to aid in the management of budgets where there is insufficient available in another area.
Write Off	A cancellation of a debt or worth of an asset.

Annexe 2 - Scheme of Virement

Virements must be:

- Proactive (agreed before spending takes place)
- double-sided
- in year
- with commentary

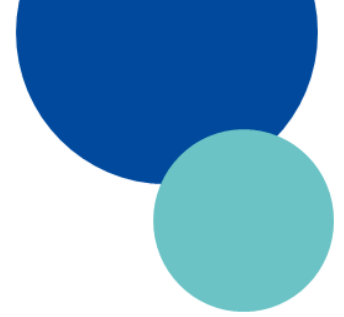
	Budget description	Approval levels
Revenue	<p>Centrally controllable budgets:</p> <ul style="list-style-type: none"> • Recharges • Depreciation • Insurance • Business Rates Income • Council Tax Income • Utilities • Housing Benefits subsidy 	<p>Virements can only be done between cost centres within the budget (account code) heading.</p> <p>Virement restricted to Accountants</p> <ul style="list-style-type: none"> • Up to £5,000 - Accountant • Over £5,000 – Accountant with approval of Financial Services Manager • Not between revenue and capital • Not between HRA and General Fund revenue
Revenue	Non centrally controlled budgets within a Budget Holders remit	<ul style="list-style-type: none"> • Up to £5,000 - Budget Holder • £5,001 to £100,000 – Executive Head of Service and Section 151 Officer • Over £100,000 – Executive
Revenue	Non centrally controlled budgets between Budget Holder remits	<ul style="list-style-type: none"> • Up to £5,000 – agreement of Budget Holders • £5,001 to £100,000 – agreement of affected Executive Heads of Service and Section 151 Officer • Over £100,000 – Executive
Salaries	Establishment Authorisation process must be followed and Revenue virement rules apply	All budget movements to go through the Finance Team
Income	An increase in an expenditure budget can only be met from additional income subject to approval.	<ul style="list-style-type: none"> • Up to £5,000 – Executive Head of Finance • Over £5,000 - Section 151 Officer
Capital	Within project	<ul style="list-style-type: none"> • Up to £100,000 – agreement of Executive Head of Service • Over £100,000 Executive
Capital	Across projects	<ul style="list-style-type: none"> • Up to £100,000 – agreement of Section 151 Officer • Over £100,000 Executive

Annexe 3 - Supplementary Estimate proforma

Your name / team	Date of request
<u>Why</u> has the need for additional funds which cannot be met from existing budgets arisen?	
<u>How much</u> money is being requested and <u>what</u> will it be spent on?	
<u>When</u> will the money be spent by?	
Value for Money Assessment	
What <u>other options</u> have been considered (including doing nothing)?	
What are the expected <u>benefits</u> will the planned expenditure bring?	
What are the <u>risks</u>, if any, of agreeing or refusing the supplementary estimate?	

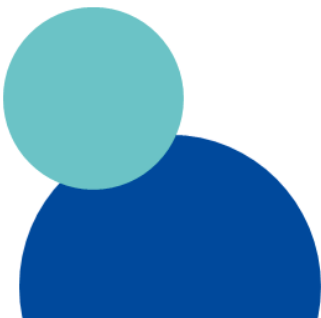
Please complete this form and send it to the Executive Head of Finance and s.151 Officer.

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Waverley Borough Council **Financial Regulations**

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Impact Assessments and Consideration:

Impact Assessment Type	Required / Not Required	Date Completed	Impact Assessments and Considerations Comment	Assessment Owner
Equality Impact Assessment	Not Required	March 2022		
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Climate Change	Not Required	March 2022		

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Document Statement

These Financial Regulations set out the financial policies and a framework of financial management and accountability for the proper administration of Waverley Borough Council's (the Council's) financial affairs. Each of the financial regulations sets out the overarching financial responsibilities of officers. They link with other internal regulatory documents forming part of the Council's Constitution, for example the Scheme of Delegation and Contract Procurement Rules. They also ensure robust procedures are in place to provide the necessary assurance to the Council about the adequacy of the finance and governance arrangements underpinning the Annual Governance Statement. Financial Regulations apply to everyone involved in financial transactions and managing resources for the Council and any organisation over which the Council performs a role of stewardship.

Scope and Purpose

1. Key principles

- The Financial Regulations are approved by Full Council.
- The Financial Regulations comply with all extant laws and statutes.
- All financial business conducted is lawful within the powers of a local authority.
- Rules and procedures should be proportionate and not unnecessarily bureaucratic.
- Due diligence is exercised in all financial transactions.
- Financial Regulations enable the Council to conduct business efficiently.
- Financial governance is always considered.
- All expenditure shall be within an identified budget, there is no authority to spend without or beyond an approved budget.
- Value for Money is considered in all transactions undertaken.
- Only goods, works and services legitimately required by the Council are purchased.
- All income due shall be collected, recorded, held securely and banked promptly.
- All expenditure is properly recorded and accounted for correctly.
- Economical, efficient and effective use of resources.
- Assets are safeguarded.
- Authorisation processes protect against self-certification.
- Officers shall not enter into any credit arrangements, such as leasing agreements, without the prior approval of the Section 151 officer.
- Officers cannot commit the Council to on-going contracts without budget approval.
- Investment/divestment is appropriately scrutinised and supported by a business case.
- Financial records will be kept in accordance with the Council's prevailing documents retention policy.
- Risk management procedures and controls are in place.

2. Statutory Requirements, Compliance and Responsibilities

Statutory Requirements

Section 151 Local Government Act 1972

2.1 Section 151 of the Local Government Act 1972 requires that the Council makes arrangements for the proper administration of its financial affairs. Financial regulations are the means by which the Council meets this requirement by setting out a clear regulatory and accountability framework for the use of its resources.

Section 114 Local Government Act 1988

2.2 Section 114 Local Government Finance Act 1988 requires the Section 151 Officer to report to Full Council and external audit if the Council or one of its officers:

- has made or is about to make a decision which involves the Council incurring expenditure which is unlawful;
- has taken or is about to take unlawful action which has resulted or would result in a loss or deficiency to the Council; or
- is about to make an unlawful entry in the Council's accounts.

2.3 Section 114 of the 1988 Act also requires:

- the Section 151 Officer to nominate a properly qualified member of staff to deputise should he or she be unable to perform the duties under section 114 personally; and
- the authority to provide the Section 151 Officer with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under section 114.

2.4 The Deputy S151 Officer has full authority to act as the S151 Officer for all aspects of the Financial Regulations.

Compliance

2.5 Financial Regulations apply to everyone involved in financial transactions and managing resources for the Council and any organisation over which the Council performs a role of stewardship. The purpose of these Financial Regulations is to ensure transparency and protection of the Council's resources and individual officers.

2.6 Where the regulations are not specific, officers shall refer to the Section 151 Officer for guidance.

2.7 Failure to comply with the Financial Regulations, or the instructions issued under them, may constitute gross misconduct. Breaches of Financial Regulations shall be reported to the Council's Internal Audit Client Manager who will make arrangements for investigation and recommendations for action to be taken.

Responsibilities

- 2.8 The Financial Regulations identify the financial responsibilities of all officers, or anyone acting on their behalf, and Members of the Council. Officers and Members shall comply with the financial regulation relevant to the transaction they are undertaking and have a responsibility for taking reasonable action to provide for the security of the resource or assets under their control.
- 2.9 The responsibilities are sub-delegated out to officers through the Scheme of Delegation. Without delegated authority no officer of the Council shall commit the Council to expenditure.
- 2.10 All officers have a duty to ensure all actions and decisions taken represent value for money.

The Full Council

- 2.11 The responsibilities of the Full Council are set out in the Constitution. In terms of the Financial Regulations the Full Council is responsible for approving and monitoring compliance with the Council's overall framework of accountability and control as set out in the Constitution. The Full Council is also responsible for approving the annual budget and any subsequent changes subject to section 4.

The Executive

- 2.12 The Executive is responsible for proposing the policy framework and budget to the Full Council. In doing so it shall take account of legal and financial implications and risk management issues that may arise from decisions.

Audit Committee

- 2.13 The Audit Committee reports to the Full Council. It brings independent and effective assurance into the Council's corporate governance arrangements. The Audit Committee is responsible for overview of the Financial Regulations and proposing amendment to Full Council.

Section 151 Officer

- 2.14 The Council shall approve an officer post to be the statutory Section 151 Officer. The Strategic Director – Finance and Resources is the statutory Section 151 Officer and is ultimately responsible for the proper administration of the Council's financial affairs. The Section 151 Officer shall ensure the responsibilities, as set out within these Financial Regulations, are met through formal delegation to appropriate officers in accordance with the Scheme of Delegation.
- 2.15 Section 151 Officer General Accountabilities:
- Set appropriate financial management processes for the Council which comply with the Council's policies and proper accounting practices and monitor compliance with

those processes.

- Advise on the corporate financial position and on the key financial controls necessary to secure sound financial management.
- Provide financial information.
- Determine the accounting records, procedures and the retention of financial documents requirements for the Council.
- Ensure proper professional practices are adhered to through communication and training for all officers involved in financial transactions.
- Act as head of profession in relation to the standards, performance and development of finance staff.
- Report, where appropriate, breaches of the Financial Regulations to the Audit Committee.
- Protect against Money Laundering.
- Ensure controls are in place to deter and detect fraud and error.
- Ensure that adequate accounting systems exist and recommend subsequent changes.
- Ensure that adequate systems exist for holding/organising personal data.
- Receive Government circulars, orders, sanctions, approvals and regulations affecting the finances of the Council.
- Maintain an overview of the Financial Regulations and recommend revision as required having regard to the Annual Governance Statement.
- Maintain and promote the Corporate Risk Strategy and Risk Register.

Directors and Heads of Service

2.16 Directors and Heads of Service have delegated responsibility for the management of the financial transactions and use of resources in their service areas. This responsibility can be formally delegated to specific officers under the Scheme of Delegation devised for each Head of Service. They are also responsible for ensuring all their staff are aware of, and comply with, the Financial Regulations and other internal regulatory documents.

2.17 General responsibilities:

- Complying with appropriate budget management and delegation arrangements to maintain budgetary control.
- Effective use of resources, safeguarding of assets and the operation of a system of appropriate internal controls in their service areas.
- Advising members of the Council and the Section 151 Officer of the financial implications of all proposals.
- Complying with the delegated authorised signatory list for signing contracts on behalf of the Council (see also Contract Procurement Rules).
- Seeking approval, in conjunction with the Section 151 Officer, on new proposals or on any matter liable to have an effect on Waverley's finances, before any

commitments are incurred for proposals, that:

- create financial commitments in future years;
 - change existing policies, initiate new policies or cease existing policies; and
 - materially extend or reduce the Council's services.
- Preparing budgets in accordance with the guidance issued by the Section 151 Officer.
 - Maintaining budgetary control in their service area and ensuring all income and expenditure is properly accounted for and recorded.
 - Ensuring spending remains within budget and that individual budget heads are not overspent by monitoring the budget and taking corrective action.
 - Reviewing performance of services in conjunction with budgets to determine if they are operating effectively.
 - Obtaining approval from the Section 151 Officer before making any changes to financial records and procedures.
 - Promoting excellent financial management standards in their service area and to monitor adherence to the standards, ensuring that relevant training is provided to those staff with financial management responsibilities.
 - Contributing to the development of corporate and service targets and objectives and performance information.
 - Ensuring value for money is achieved in every transaction undertaken.
 - Ensuring compliance with the Council's Contract Procurement Rules.
 - With regard to funding awarded by the Council to third parties, including Community Infrastructure Levy (CIL), grants and other contributions, managers must ensure that a funding agreement is in place which clearly sets out the terms of the funding and includes conditions and safeguards as appropriate to protect the Council's interests. All funding agreements, and any subsequent proposed changes, must be agreed by the S151 officer who will assess the risk and impact.

3. Financial Management

- 3.1 Objective – to ensure that the Council's budgets and accounting are accurate, timely and meet all statutory and corporate requirements.

3.2 Key Controls

- Review and development of a Medium Term Financial Plan.
- Instructions for the development of forward budgets will be issued each year in line with the Medium Term Financial Plan.
- Budget process is planned and communicated.
- Specific budget approval for all income and expenditure – expenditure can only be committed against an approved budget.

- Accurate financial management and forward projections of income and expenditure.
- Corrective action is taken at the earliest opportunity to address deviation from budget.
- A single Budget Manager accountable for each budget and the level of service to be delivered.
- Expenditure is allocated to the correct cost centre and account code and authorised within the scheme of delegation and authorised signatory list.

Authorisation and Delegation

- 3.3 The Section 151 Officer shall make provision for the maintenance of an Authorised Signatory List.
- 3.4 Heads of Service shall approve the inclusion and addition of officers to the Authorised Signatories List in writing, clearly specifying the scope of their delegated authorities and ensure the Authorised Signatory List is up to date. Officers who are given specific financial responsibilities must familiarise themselves and comply with these Financial Regulations.
- 3.5 Heads of Service shall approve appropriate officer access to the finance and information systems.
- 3.6 Authorised officers shall ensure another appropriately authorised officer, within the service at an appropriate level of seniority, can act as a substitute for carrying out financial management and administration duties in the event of absence or a vacancy.

Financial Planning Framework

Medium Term Financial Plan

- 3.7 The Medium Term Financial Plan (MTFP) is the Council's key financial planning document which takes into account various factors and influences that may impact on the Council over a period of years. It shall cover the forecast financial prospects and requirements for a period considered adequate to understand the Council's future financial position and include strategic action plans to ensure the finances remain robust.

Budgets

- 3.8 It is a legal requirement that the Council ring-fence and separately manage the following financial resources and expenditure:
- Housing Revenue Account income and expenditure
 - Capital expenditure and financing
 - The Collection Fund
 - Trusts being managed on behalf of their trustees

- Any other ring-fenced budget coming into effect after the publication of these rules
- 3.9 Revenue budgets cover the day-to-day running costs (expenditure and income) of the Council. Budget Holders shall be responsible for ensuring that they do not exceed the budget approved.
- 3.10 Capital budgets are for the acquisition or enhancement of assets which have a long term value to the Council and are usually of a one-off nature. Capital expenditure shall be accounted for in accordance with the relevant statutory definition. The Finance Team can provide advice on whether an item can be treated as expenditure for capital purposes.
- 3.11 On-going revenue implications of capital projects shall be identified within the capital bid process. Capital bids must be supported by a fully completed business case form for every project.
- 3.12 Budgets shall be consistent with the Council's Corporate Strategy and MTFP and integrated into Service Plans.
- 3.13 The Section 151 Officer shall issue guidance for the preparation of budgets which will detail the form and methods to be adopted.
- 3.14 The guidance shall support the best use of resources and value for money by asking service managers to identify opportunities to improve economy, efficiency and effectiveness, propose savings options and consider financial aspects of service planning.
- 3.15 The detail behind the budgets for income and expenditure shall be adequately documented to enable a clear understanding of the purpose and nature of the budget.
- 3.16 Budget Managers preparing budgets shall have regard to:
- Spending patterns and pressures revealed through the budget monitoring process (see 3.22) and the MTFP.
 - Legal requirements.
 - Policy requirements as defined by the Full Council in the approved policy framework.
 - Initiatives already underway.
 - Capacity to deliver service and projects.
 - Lead-in times for delivery.
- 3.17 The Annual Council Budget shall be taken through the Committee process to be approved at Full Council in the February meeting, before the statutory deadline for council tax setting, for the following financial year.

Budget Management

- 3.18 The Section 151 Officer shall ensure financial monitoring and governance arrangements are in place that are commensurate with the size, risk, complexity and volatility associated with particular revenue budgets and capital schemes.
- 3.19 Budget Holders shall be accountable for revenue and capital programme management within the budget totals allocated to them.
- 3.20 Revenue and capital budget transfers shall comply with the Virement and Budget Realignment Rules set out below.
- 3.21 Any report prepared by officers for consideration by the Executive which has financial implications should be prepared in consultation with the Section 151 Officer.
- 3.22 Budget Management shall consist of:
- Use of the designated Finance System to track and forecast spend against budget.
 - Periodic review of budgets, as determined by the Section 151 Officer, to include income and expenditure forecasting to the financial year end and impact on future years.
 - A Budget Management report submitted to the Management Board and the Executive in a format to be determined by the Section 151 Officer which shows the impact of changes in service spend and the associated risks, mitigations and resolutions.
 - A monitoring process that reviews service delivery and capital projects against budget and, if necessary, reports measures for corrective action.
 - Investigation and reporting by budget managers of significant variances from approved budgets as soon as they become known.
 - Production of a recovery plan for inclusion in the Budget Management report where a service is forecast to overspend.
 - Requests for virements in accordance with the Scheme of Virement.

Scheme of Virement

- 3.23 All expenditure, including expenditure covered by external funding, shall be funded by a budget before an expenditure commitment can be made. A virement is the movement of an uncommitted budget from its intended purpose to another purpose to fund expenditure.
- 3.24 A virement shall not increase the Council's overall budget.
- 3.25 Virements shall not cross a ring-fenced account such as the General Fund, Housing Revenue Account or a Trust.

3.26 The rules and authorities for Virement are listed in the **Scheme of Virement in Annexe 2** to these Financial Regulations.

Supplementary Estimates

3.27 A Supplementary Estimate is a request for additional unfunded budget that will increase the Council's overall budget and be funded from reserves. Supplementary Estimates up to £100,000 shall be approved by the Executive and, if over £100,000, Full Council.

3.28 When the Executive or Full Council are asked to consider agreeing a Supplementary Estimate they need to:

- i) Consider why the need for funds, that were not identified or provided for within the Annual Budget and which cannot be found within existing budgets, has arisen;
- ii) Understand how much money is being requested and how it is proposed to be spent;
- iii) Assess whether or not the proposed supplementary estimate represents value for money, which will include noting and considering:
 - (a) Any other options available to the Council that have been considered, including the control option of not taking any action;
 - (b) The expected benefits of agreeing the supplementary estimate; and
 - (c) The expected risks, if any, of agreeing or refunding supplementary estimate;

3.29 The Council's Section 151 Officer's view on the supplementary estimate, including the above matters, will be set out, either within a stand-alone report or as part of another budget report.

3.30 Any manager wishing to propose a Supplementary Estimate, in the first instance, needs to complete the proforma set out at **Annexe 3** and submit this to the Council's Section 151 Officer, or designate.

Carry forwards of Budget

3.31 The policy for the carry forward of budgets shall be determined by the Section 151 Officer.

- 3.32 Carry forwards shall not be allowed unless there is a robust case for non-delivery in the financial year with a firm expectation for delivery in the following financial year and in exceptional circumstance.
- 3.33 Budget carry forward shall be approved by the Section 151 Officer.
- 3.34 Budget carry forward shall be reported to the Executive.
- 3.35 Where a budget or one-off surplus is carried forward, it shall not be used to commit the Council to new or additional expenditure that is ongoing and requires continued funding in future years.

Accounting Procedures

- 3.36 Maintaining proper accounting records, systems and procedures are essential to an effective framework of accountability and control for stewardship of public resources.
- 3.37 The Council has a statutory responsibility to prepare and publish its Annual Financial Report, which includes the Statement of Accounts and Annual Governance Statement, in accordance with statutory deadlines and to present fairly its operations during the year.
- 3.38 The Statement of Accounts shall be subject to external audit which provides assurance that the accounts are free from material mis-statement and presents fairly the financial position of the Council.
- 3.39 The Audit Committee shall be responsible for approving the Statement of Accounts.
- 3.40 The following requirements shall be followed in preparation of the Statement of Accounts:
- The Council's Statement of Accounts shall be prepared and published in accordance the Code of Practice on Local Authority Accounting in the United Kingdom issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) supported by International Financial Reporting Standards in accordance with the statutory timetable.
 - Accounting policies shall be selected by the Section 151 Officer and applied consistently and appropriately and be subject to annual review by External Audit.
 - Judgements and estimates shall be made that are reasonable and prudent.
 - Year-end guidance shall be issued to Heads of Service and officers, informing them

of timescales and guidelines for the supply of information.

- Year-end guidance shall be complied with.
- A detailed project plan for the completion of the Statement of Accounts shall be agreed with the officers involved in the Statement of Accounts process.
- Proper arrangements shall be made for the audit of the Statement of Accounts in accordance with the Accounts and Audit Regulations.
- Material changes to the Statement of Accounts shall be discussed with External Audit in advance of the year end.

3.41 Reserves

- Reserves shall be maintained in accordance with the CIPFA Code of Practice on Local Authority Accounting and as agreed in the MTFP.
- Reserves shall only be used for the purpose for which they are intended.
- Revenue and capital reserves shall be maintained separately.

3.42 Grants (Revenue or Capital)

- Grants shall be accounted for in compliance with the CIPFA Code of Practice on Local Authority Accounting.
- Grants received towards expenditure shall be applied in the year the expenditure is incurred.
- Any grant funding received but expenditure not incurred within the year shall be carried forward to the financial year in which the expenditure will take place.
- Grants shall be accounted for in accordance with the terms of the agreement with regard to any conditions, restrictions or stipulations attached.
- Budget Holders shall ensure that “exit strategies” are in place to support the winding up of any service provision that is financed from time limited specific grants or third party contributions.

3.43 Reconciliations

- A Reconciliations Checklist shall be maintained for all control accounts within the Finance system that represent activity in other systems.
- Reconciliations shall be completed at least monthly and signed off by the officer completing the reconciliation.
- All reconciliations shall be reviewed and countersigned by the Financial Services Manager or delegated officer.
- All unreconciled items shall be resolved as soon as practically possible and fully investigated and explained.
- Reconciliation of income between the Finance system and external information, Terriers, charging schedules or other databases shall be undertaken monthly by the officers responsible for service delivery.
- All reconciliations shall be undertaken at the latest by the end of the month following

the reconciliation period.

3.44 Government Returns

- All Government returns for grant claims, consultations, statistical information and financial information shall be submitted by the relevant deadline.
- All returns relating to grants and financial statistics shall be completed in consultation with the Section 151 Officer or delegated officer.
- The Section 151 Officer or delegated officer shall be satisfied as to their correctness before they are submitted to any Government Department.
- The Section 151 Officer or delegated officer shall be notified and receive copies of all Government or other circulars, orders, sanctions, approvals and regulations affecting finance which are received by the Council.

4. Purchase orders, goods receipting and payment of invoices

4.1 Key Controls

- All commitments to expenditure undertaken by officers shall comply with the Contract Procurement Rules.
- Any dispute with or claim from a contractor or supplier that may have a financial implication must be brought to the S151 officer's attention immediately. Where appropriate, options and potential actions should be proposed.
- Financial checks shall be undertaken of prospective suppliers in accordance with the Contract Procurement Rules.
- All Council commitments to expenditure should be made using a purchase order unless they fall into the Exemptions Schedule.
- A purchase order shall not be raised without sufficient budget. If necessary, the virement process should be used in accordance with Annexe 2 or a Supplementary Estimate approval should be obtained in advance of creating a commitment to expenditure.
- Only authorised officers on the Authorised Signatory List shall approve purchase orders.
- Officers shall not approve their own purchase orders (no self-certification).
- No officer alone shall be responsible for all stages of the "purchase to pay" process, i.e. ordering, receipting, payment authorisation, including the BACS payment set up and release.
- The authorising of a purchase order signifies:
 - the goods/services are necessary for discharging the functions of the Council; and
 - in all respects the Financial Regulations have been complied with.
- Purchase orders shall be 'goods receipted' to verify that goods or services have been

received at the correct price, quantity and quality standards before payment of invoice.

- All invoices shall be submitted as soon as possible to the Finance Team for inclusion on the accounts ledger.
- Prior to settlement, checks shall be undertaken to safeguard against duplicate payment of invoices.
- New suppliers and changes of details to an existing supplier shall be validated by a positively verified contact for the supplier.
- Officers shall document supporting proof of verification and obtain approval from the Head of Finance or delegated officer.

4.2 Every officer of the Council involved in engaging, supervising or having any other official relationship with contractors or potential contractors shall declare all relationships of a private or domestic capacity with those contractors to their line manager in accordance with Code of Conduct.

4.3 Members shall declare such relationships on the Members Register of Interests.

4.4 Records shall be kept to evidence compliance with the Contract Procurement Rules for all purchase orders raised.

4.5 Records shall not be disposed of other than in accordance with arrangements approved by the Section 151 Officer.

4.6 Payment process:

- Payment of invoices shall be against an original invoice or certified copy invoice only.
- Internal payment requisition forms shall be accompanied by supporting information.
- Payment shall be made in accordance with the agreed payment terms and in compliance with the invoice payment performance indicators.
- Payment should normally be by BACS but in exceptional circumstances cheque or CHAPS.
- New suppliers and changes of details to an existing supplier shall be validated by a verified contact for the supplier.
- Officers shall document supporting proof of verification and obtain approval from the Head of Finance or delegated officer.
- Payments to contractors shall be on the certificate of the appropriate Head of Service, and include details of the value of work, retention money, amounts previously certified and amounts now certified.
- Any outstanding expenditure for work completed but not yet invoiced by the end of the financial year shall be reported to the relevant service accountant to be accrued into the correct financial year in accordance with the year-end closedown instructions.

4.7 Payment without an invoice, (including the transfer of funds to bank imprest accounts, online shopping accounts and prepaid or top-up cards) shall be made using systems and protocols determined by the Section 151 Officer.

4.8 Set up and use of online shopping accounts shall be approved by the Section 151 Officer. Normal purchasing procedures are still required with the exception of raising a purchase order in the Finance System.

4.9 Large contracts

For contracts that fall into threshold 4 in the CPR's (>£100,000) and where stage payments are made due to the length or type of the contract (i.e. construction), officers shall ensure that:

Contracts involving stage payments:

- The contract documentation is prepared with the agreement of the Borough Solicitor.
- The contract is recorded in the Contract Register.
- If it becomes clear that a tender received exceeds the 'contractor' element of an approved capital budget, the S151 must be notified immediately
- A final account is prepared.

Final Payments:

- Supporting documentation is checked to ensure that all the items invoiced have been used on the project and that the figures are correctly calculated throughout each stage of the project payment process.
- Where a retention is held, the retention value and retention period is recorded so that it can be released when the defect liability period has ended.
- The project manager is responsible for collating and checking the final account before the final payment is made.
- The final payment is signed off by the relevant Head of Service to confirm the accuracy and integrity of the final payment.
- The Head of Service approval is emailed to supplierenquiries@waverley.gov.uk to be put with the invoice in the Finance system.

4.10 Value Added Tax (VAT):

- VAT returns shall be made to HMRC with the appropriate payments or claims in accordance with HMRC regulations.
- The Council's partial exemption position shall be regularly assessed.
- The effect on the partial exemption position for all new transactions shall be considered.
- Officers shall ensure that the correct VAT liability is attached to all expenditure paid and income due and that all VAT shown as recoverable on purchases complies with

HMRC regulations.

- The Section 151 Officer shall be consulted for VAT advice prior to implementing changes to service provision, new capital schemes and purchase of any assets.

4.11 Construction Industry Scheme (CIS):

- CIS tax returns shall be made to HMRC with the appropriate payments in compliance with HMRC regulations.
- Spending officers shall be aware of CIS rules and ensure they have sufficient knowledge to collect the relevant information from suppliers.
- Where construction and maintenance works are undertaken, Officers shall request the necessary CIS tax deduction information from the supplier.

4.12 Off-payroll working through an intermediary (HMRC IR35):

- All procurement of agency staffing and consultancy work of any kind shall be tested against the HMRC IR35 rules for off-payroll working by the appointing service officer prior to engagement.
- Detail of the IR35 rules is contained within the Contract Procurement Rules (see section 7.2)
- The Employee Services team shall be informed of all appointments.

4.13 Petty Cash:

Petty cash covers the use of 'cash' from the petty cash imprest to purchase minor items of expenditure not exceeding such sums as determined by the Section 151 Officer.

- Set up of any petty cash imprest account shall be approved by the Section 151 Officer.
- A log of officers responsible for petty cash floats shall be maintained by exchequer services.
- Responsible officers shall comply with petty cash imprest administration guidance notes.
- Officers requesting reimbursement of expense incurred on behalf of the Council, including travelling expenses shall put a request through the payroll system.
- No cheques shall be cashed from money held in petty cash imprests.
- The petty cash imprest holder shall obtain a signature and supporting documentation, including a VAT invoice for all purchases.
- The petty cash imprest holder shall reconcile the imprest and, when requested by the Section 151 Officer, present the imprest account for audit.
- The petty cash imprest account shall be reconciled if the holder leaves or changes.
- If the petty cash imprest account is no longer required it shall be relinquished to the Section 151 Officer.

5. Payment of salaries, wages, pensions, travelling and subsistence allowances and Members Allowances

5.1 Key Controls

- An annual staffing budget shall be prepared.
- An annual Members Allowances budget shall be prepared.
- Monthly monitoring of staff activity and spend shall be reconciled to payroll.
- Approved staffing budget shall not be exceeded, a virement or supplementary estimate must be approved prior to expenditure
- Employee Services team shall be notified of all matters affecting payment of employees and former employees including appointments, resignations, dismissals, suspensions, secondments, transfers and other absences apart from approved leave.
- Appointments shall be made in accordance with the Council's recruitment policy.
- The Job Evaluation process shall be used for determining the remuneration of a job.

Payments to Staff and Members

- 5.2 Payment of salaries, pensions, compensation and other emoluments to staff or former employees shall be through the Council's payroll system.
- 5.3 All adjustments to the payroll shall be supported by documentary evidence and approved by an authorised signatory.
- 5.4 Payments through payroll shall only be made to:
- bona fide employees;
 - with a valid entitlement; and
 - who have a contract of employment.
- 5.5 Income tax, national insurance, pensions and other deductions shall be accurately recorded and accounted for in line with statutory legislation.
- 5.6 All Inland Revenue returns regarding PAYE shall be completed in accordance with HMRC published guidance.
- 5.7 Staff records and pay documents shall be maintained in the payroll system.
- 5.8 Staff bank changes will only be accepted by the member of staff entering them via the self-service system
- 5.9 Payments of Members' Allowances shall be made in accordance with the Members' Allowances scheme.

Travel and Subsistence Claims

- 5.10 Travel and Subsistence Claims shall only be paid for authorised journeys and expenses incurred in the course of Council business.
- 5.11 Employees claims shall be made in accordance with the Employee Handbook and Contracts of Employment.
- 5.12 Members claims shall be made in accordance with the Members Allowance Scheme.
- 5.13 All business expense claims (with receipts attached) shall be submitted, verified and authorised through the payroll system.

6. Collection of income including External Funding and writing off of debts

6.1 Key Controls

- All income due to the Council shall be identified and charged correctly in accordance with the approved fees and charges.
- The collection and recording of all money due to the Council follows approved procedures for collection and money received by an officer on behalf of the Council shall be passed to the Finance team without delay.
- All income shall be recorded through the Council's income system.
- Fees and charges income shall be reconciled at all times to customer records by the service provider.
- Cash holdings on premises shall be kept to a minimum and securely in accordance with insurance requirements.
- A security firm shall be used to collect money from the Council offices as a minimum once a week to be paid into the Council's general bank account.
- Action shall be taken to pursue non-payment in accordance with the recovery process.
- Debt considered for write-off shall only be that which is uneconomic to collect or which has no prospect of collection or where recovery is legally restricted.
- Formal approval for debt write-off shall be obtained in line with the debt write-off procedures.
- New electronic methods of income collection shall be agreed with the Section 151 Officer.
- Credit notes, for full or partial debt cancellation, shall be adequately documented and approved by an authorised signatory.

- 6.2 The fees and charges shall be:

- reviewed as part of the budget process or, where appropriate, more frequently.
- approved by the Section 151 officer in consultation with the relevant Portfolio Holders unless covered by a delegated authority and reported annually to Full Council for information as part of the budget report.
- Budget Holders shall ensure that up-to-date fees and charges are published.

- 6.3 Income shall only be collected using methods and channels approved by the Section 151 Officer.
- 6.4 Income shall be collected at the point of service wherever possible, by the most cost-effective approved means.
- 6.5 Value Added Tax (VAT) shall be added to charges where statutorily required and be itemised separately on the receipt in line with HMRC requirements. It is the budget holder's responsibility to ensure that the correct VAT is applied.
- 6.6 Officers who process card transactions shall comply with the Council's Payment Card Security Policy and Procedures.
- 6.7 Refunds of debit/credit card payments shall be processed back to the card used to make the payment.
- 6.8 Refunds shall not be made by the officer taking the original payment, unless supervised and checked by an officer independent of the transaction.
- 6.9 Income due for the financial year should be collected or invoiced in advance of year end. Where income is still due but not received or invoiced the income shall be accrued in accordance with the year-end closedown guidance.
- 6.10 Budget Holders shall be responsible for collection of all income due to their service area, inclusive of grants, contributions, commuted sums, sales, fees, charges and rents, in cash or credit form.
- 6.11 Debts originated by the service are the responsibility of that service and shall be pursued in accordance with the Council's debt recovery procedure.

Debt Write-off

- 6.12 Where debt is uneconomic to collect or there is no prospect of collection or is legally restricted the debt will be written off by the Section 151 Officer.

External Funding

- 6.13 External funding shall only be applied for or accepted if it meets the corporate priorities and the Financial Regulations.
- 6.14 The costs, risks and obligations associated with preparing a bid shall be fully identified

and not outweigh the benefits of receiving additional funding.

- 6.15 Matched-funding requirements going into future years shall be considered prior to entering into the agreement to ensure funds are available to meet future obligations.
- 6.16 The Section 151 Officer shall be notified of all external bids and confirmation of funding.
- 6.17 Copies of original documentation confirming funding allocations shall be forwarded to the Section 151 Officer.
- 6.18 In securing external funding officers shall ensure that:
- All costs associated with bidding are financed from the relevant service budget unless the Executive has specifically approved alternative funding arrangements.
 - The matched funding or sponsoring organisation scheme requirements are considered prior to entering into the agreements and that future revenue budgets reflect these requirements.
 - The external funder's audit requirements are fully understood and are achievable to ensure conditions of funding and any statutory requirements are complied with.
 - Funds are received from only appropriate sources and that their purpose is clearly documented.
 - The project to be sponsored by the funding is properly project planned and progress reported in accordance with the project plan.
 - Expenditure is properly incurred in accordance with the funding documentation.
 - Organisations making donations or providing sponsorship are registered with the Head of Policy and Governance for transparency.
 - All claims for funds are made by the due date.
 - All funding notified by external bodies is received and properly recorded in the Council's accounts.
 - The funding is applied in accordance with the agreed criteria and that all expenditure is properly incurred and recorded.
 - Internal Audit Client Manager is consulted before accepting external funds.
- 6.19 Community Infrastructure Levy (CIL)/Section 106 receipts
- All receipts received shall be held and accounted for in accordance to the stipulations, conditions and restrictions in each individual agreement.
 - The collecting service shall notify the Section 151 Officer of the receipt of money and forward the individual agreements to the Finance Team.
 - Receipts shall only be used for the permitted purpose.
 - CIL/Section 106 agreements shall be recorded on a register and regularly reviewed for action.

- CIL/Section 106 receipts shall only be transferred to a third party for qualifying expenditure and with a Terms of Application Agreement signed by the third party and the Council.

7. Security of assets

7.1 Key Controls

- The Estates and Valuation Manager shall maintain a property database for all land and buildings owned or leased by the Council.
- Officers shall be responsible for the care and custody of all buildings, vehicles, equipment, furniture, stock, inventories, cash and information under their control.
- Officers shall record a description and location in an inventory in the form required by the Section 151 Officer.
- Officers shall be responsible for the proper security of all assets and ensuring they are appropriately marked as Council property and included in the Council's insurance schedule.
- Officers shall complete a check and reconciliation of their stock and inventories at year end and, as requested by Section 151 Officer, verify location, condition and reasonableness levels.
- Surpluses or deficiencies shall be dealt with in consultation with the Section 151 Officer.
- No Council owned asset shall be available for personal use by an officer without authority of the Section 151 Officer.

Land and Buildings

- 7.2 Land and Buildings shall be included in the Council's Asset Register where the assets have a value in excess of the Council's de-minimis levels as set out in the Accounting Policies, otherwise registered on the de-minimis register.
- 7.3 Land and Buildings shall be valued in accordance the CIPFA *Code of Practice on Local Authority Accounting in the United Kingdom*.
- 7.4 Land and Buildings assets shall be valued by a Royal Institute of Chartered Surveyors (RICS) qualified valuer.

Leases

- 7.5 Lessees and other prospective occupiers of Council land and buildings shall not be given possession or gain entry without a lease agreement.
- 7.6 A Lease Register shall be maintained and updated on a regular basis and at least annually.

- 7.7 The Lease Register shall identify whether the lease is an operating lease or a finance lease.
- 7.8 Lease terms shall be renegotiated and/or terminated prior to expiry.
- 7.9 Lease income shall be reconciled to the Lease Register at all times.
- 7.10 Contracts entered into shall be reviewed for lease implications.
- 7.11 Any leases within a contract shall be reported to the Finance Team.

Acquisitions and Disposals

- 7.12 Acquisitions and Disposals of Land and Buildings shall be made in accordance with the Section 151 Officer determination with supporting evidence of best value consideration being documented.

8. Risk Management and Insurance

- 8.1 All officers have a role in the identification of risks in the planning and delivery of services.

8.2 Key Controls

- Procedures and controls are in place to identify, assess, prevent or contain material known risks and these procedures are operating effectively throughout the Council.
- A monitoring process is in place to regularly review the effectiveness of risk procedures and controls.
- Managers are responsible for managing relevant risks in accordance with the risk policy.
- Acceptable levels of risk are determined and insured against where appropriate.
- Provision is made where appropriate for losses that might result from unmitigated risks.
- Procedures are in place to investigate claims within required timescales.
- The Council has identified business continuity plans for implementation in the occurrence of an event that results in significant loss or damage to its resources.

8.3 Officers Responsibilities:

- To consult the Section 151 Officer and the Borough Solicitor on the terms of any indemnity that the authority is requested to give.
- Not to admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.
- To ensure that all contractors or consultants employed have adequate insurance in place, as defined by the Section 151 Officer and the Borough Solicitor, to cover the risks associated with the contract.

- To take responsibility for risk management within their service area, having regard to advice from the Section 151 Officer and other specialist officers and ensure there are regular reviews of risk.
- To notify the Section 151 Officer of all:
 - new risks, properties or vehicles that require insurance
 - any alterations affecting existing insurances
 - loss, liability or damage that may lead to a claim against the Council.
- To identify, evaluate and report on key risks associated with policy decisions and service developments, and in the preparation of service plans, in accordance with the Council's agreed risk framework within the Risk Management Policy.
- To identify and evaluate risks before entering any form of partnership with organisations or individuals.

Insurance

- 8.4 Insurance cover shall be through the Council appointed external insurance provider.
- 8.5 An annual review and assessment shall be done to ascertain the amount of insurance cover to be maintained, taking specialist advice as necessary.
- 8.6 Heads of Service shall keep suitable records to ensure that inspections of engineering plant under their control are carried out by the Insurance Company within the periods prescribed and shall take any necessary action arising there from.
- 8.7 Any failure by the Council's insurers to carry out such inspections shall be notified to the Section 151 Officer.
- 8.8 Heads of Service shall ensure that employees or anyone covered by the Council's insurance, are aware that they should not admit liability or make an offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

9. Banking arrangements

9.1 Key Controls

- Electronic banking systems administration access shall be independent from system users.
- Access to passwords and controlled stationery shall be secured.
- An approved list shall be maintained of officers authorised to undertake bank transactions and release money by other methods of payment (including BACS runs).
- An authorised list of nominated officers fulfilling the role of bank signatory shall be

maintained.

- Bank accounts shall not be opened or closed without the authorisation of the Section 151 Officer.
- Bank accounts shall be held in the name 'Waverley Borough Council'.
- An audit log of bank authorisations shall be reviewed regularly by the Head of Finance.

9.2 The Section 151 Officer shall:

- Maintain an overview of the banking arrangements and services;
- Approve the opening of all bank accounts;
- Approve signatories and authorisers for all Council operated bank accounts;
- Approve corporate credit cards together with instructions for their use;
- Approve the use of payment cards and online shopping accounts;
- Approve new merchants for cash collection;
- Approve the use of new ways of cash-less transacting; and
- Approve arrangements for the secure transit of cash and cheques.

9.3 Credit Cards:

- The corporate credit cards shall only be used in exceptional circumstances and only up to the limit on the account.
- Supporting documentation, including a VAT invoice where possible, shall be provided to the Section 151 Officer.
- Normal purchasing procedures still apply with the exception of raising a purchase order in the Finance System.

10. Treasury Management (Investments, borrowing and trust funds)

10.1 Key Controls

- Treasury Management Strategy documenting the policies, objectives and approach to risk management of the Council's treasury management activities.
- All treasury management decisions taken in accordance with the Treasury Management Strategy, CIPFA's Standard of Professional Practice on Treasury Management and the Prudential Code.
- Approval of transactions limited to bank authority list.
- Regular treasury management investment reviews.
- Audit log of treasury management investments reviewed regularly by the Head of Finance.

Investments and Borrowing

10.2 The Section 151 Officer shall be responsible for:

- all external financing arrangement for borrowing and leasing.
- maintaining a record of all the Council's borrowing.
- making arrangements for the registration of any stocks, bonds and mortgages.

- 10.3 Loans to and from third parties as part of treasury management shall comply with the Treasury Management Strategy and Prudential Code.
- 10.4 Loans to third parties shall have the approval of the Executive, after consultation with the Section 151 Officer.
- 10.5 Loans to third parties shall be based on a statement of conditions, if applicable, attaching to the assistance.
- 10.6 Officers shall satisfy themselves that the recipient has received appropriate advice about their obligations.
- 10.7 Officers shall have regard to the ability of the applicant to meet the loan repayments or conditions.
- 10.8 Loans for capital assistance shall comply with 'Local Authorities (Capital Finance and Accounting)(England) Regulations 2003'.
- 10.9 The interest rate, if applicable, shall be determined by the Section 151 Officer.
- 10.10 The Council shall not offer any type of consumer credit which would require specific registration with the Financial Conduct Authority.
- 10.11 Acquisitions in companies, joint ventures, shares or other enterprises shall be in accordance with the approval of Executive and Section 151 Officer.

Trust funds and funds held for third parties

- 10.12 Trust funds, where possible, shall be held in the Council's name.
- 10.13 All Officers acting as trustees by virtue of their official position shall deposit securities etc. relating to the Trust with the Solicitor to the Council, unless the deed otherwise provides.
- 10.14 Funds held on behalf of third parties shall be securely administered as approved by the Section 151 Officer, with records of all transactions maintained.
- 10.15 Trust funds shall be operated within any relevant legislation and the specific requirements for each trust according to their intended purpose and as set out in the

trust deed.

10.16 Where applicable Charity Commission guidance shall be followed in the preparation of Annual Financial Reports and deadlines for the submission of information to the Commission.

11. Partnerships

11.1 Key Controls

- Partnership agreements and arrangements shall support the corporate objectives, provide value for money and not impact adversely on the services provided by the Council.
- Approval of the Section 151 Officer shall be obtained before entering into a partnership working arrangement.
- All agreements and arrangements entered into with external bodies shall be fully documented and entered on the Council's Register of Partnerships maintained by Democratic Services.
- Review and monitoring arrangements shall be in place.

11.2 Prior to the Council committing to enter a service, contractual or financial partnership, the risks involved in the following items shall be considered:

- the responsibilities and commitment of the Council;
- any financial obligations entered into;
- the governance arrangements; and
- any liabilities or insurance requirements.

11.3 The Financial Regulations shall take precedence over any financial regulations of the external body unless specifically sub-ordinated by any explicit regulations in the partnership agreement and the agreement of Full Council.

11.4 The Section 151 Officer shall be consulted on the key elements of funding a partnership project including:

- a scheme appraisal for financial viability in both the current and future years;
- risk appraisal and management;
- resourcing, including taxation issues (especially VAT);
- audit, security and control requirements;
- balance carry-forward arrangements;
- ensuring accounting arrangements are satisfactory; and
- exit strategy and financial implications.

12. Work for Third Parties

12.1 Key Controls

- Proposals shall be costed properly and approved by the Section 151 Officer.
- No work shall be entered into without seeking the advice of the Borough Solicitor to check it is within the Council's legal powers and that there is a clear economic case for doing the work.
- The contract shall be prepared by the Borough Solicitor or, if the other party insists on preparing the contract, the advice of the Borough Solicitor is sought.
- Appropriate insurance cover shall be arranged for any potential liabilities as a result of the agreement.

12.2 The Section 151 Officer shall issue guidance with regard to the financial aspects of third-party contracts.

12.3 Any work done under the third party's contractual terms of engagement rather than the Council's shall be agreed by the Section 151 Officer.

12.4 No contract entered into shall be subsidised by the Council.

13. The powers and duties of Internal Audit

13.1 Internal Audit is an independent and objective appraisal function established by the Council for reviewing the system of internal control. It examines, evaluates and reports on the adequacy of internal control as a contribution to the proper, economic, efficient and effective use of resources.

13.2 Key Controls

- Internal Audit Charter.
- Annual Audit Plan.
- Set of internal controls for systems and processes that are agreed by Internal Audit and reviewed regularly for effectiveness.
- Process for investigating, reporting and subsequent action regarding any suspected irregularity.
- An effective internal audit function that is properly resourced.

13.3 Internal Audit Client Manager shall:

- Prepare the annual Internal Audit Plan which takes account of the characteristics and relative risks of the activities involved.
- Report to Audit Committee on the progress against the annual Internal Audit Plan.
- Review, appraise and report on the extent of compliance with, and effectiveness of, relevant policies, plans and procedures (internal controls).
- Review the adequacy and application of financial and other related management controls.

- Make arrangements for investigation, reporting and subsequent action regarding any suspected irregularity.
- Ensure that all internal audits are documented in a written report.
- Require officers to implement all agreed actions in a timely and efficient manner.
- Report non-compliance with agreed audit recommendations to the Audit Committee.

13.4 Internal Audit has authority to:

- Access all Council premises, records, documents, and correspondence and control systems.
- Require any officer or Member to supply information and explanation considered necessary concerning any matter under consideration in the course of undertaking internal audit investigations.
- Require any officer to account for cash, stores or any other authority asset under their control.
- Access records belonging to third parties, such as contractors, when required.
- Request and receive explanations as necessary concerning any matters under consideration.

13.5 Officer's responsibility:

- All officers have a personal responsibility with regard to the protection and confidentiality of information.
- To ensure that any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.
- To notify the Section 151 Officer immediately of any suspected fraud, theft, bribery, irregularity, improper use or misappropriation of Waverley Borough Council's property or resources. Pending investigation and reporting, the Director and Service Head shall take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration.
- To ensure that new or changes in the form of systems for maintaining financial or personal records, or records of assets are agreed by the Internal Audit Client Manager and Section 151 Officer prior to implementation.
- To ensure they have a clear understanding of the benefits of sound controls and their responsibilities in compliance.

14. Fraud and Corruption

14.1 Key Controls

- Anti-fraud, Bribery and Corruption Policy.
- Process for investigating, reporting and subsequent action regarding any suspected fraud and corruption.

- 14.2 The Section 151 Officer shall be responsible for maintaining an Anti-fraud, Bribery and Corruption Policy.
- 14.3 Heads of Service shall ensure their staff are aware of, and comply with, the Anti-fraud, Bribery and Corruption Policy.
- 14.4 Officers shall notify the Section 151 Officer immediately of any suspected fraud, theft, bribery, irregularity, improper use or misappropriation of Waverley Borough Council's property or resources.
- 14.5 Pending investigation and reporting, the Director and Service Head shall take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration.
- 14.6 The Section 151 Officer shall notify the Audit Committee chair immediately of any suspected fraud, theft, bribery, irregularity, improper use or misappropriation of Waverley Borough Council's property or resources.

16. Declarations of Interest, Gifts and Hospitality

16.1 Key Controls

- Full requirements and guidance for Members and officers are set out in the relevant Codes of Conduct.
 - Registers of interests are maintained for Members and officers.
 - Registers of gifts and hospitality are maintained for Members and officers.
 - Registers are inspected at least annually by external audit.
- 16.2 Members and officers shall report financial or other inducements, offered or received from an individual or organisation trying to influence the business of the Council to the Section 151 Officer and Internal Audit Client Manager.
 - 16.3 Member and officers shall record any interests or gifts and hospitality received or declined in the Gift register maintained by Democratic Services.
 - 16.4 The Section 151 Officer and Heads of Service shall ensure staff are aware of the requirement and the guidance for registering interests, gifts and hospitality.
 - 16.5 Investigations that indicate improper behavior may result in disciplinary action.

17. Anti Money Laundering

17.1 Key Controls

- Full requirements and guidance for Members and officers are set out in the Anti Money

Laundering Policy.

- Head of Finance is the designated Money Laundering Reporting Officer (“MLRO”) to receive disclosures from employees of money laundering activity (their own or anyone else’s).
- There is a procedure in place to enable the reporting of suspicions of money laundering.

17.2 The Council and its employees shall establish internal procedures to prevent the use of their services for money laundering as set out in Proceeds of Crime Act 2002, the Terrorism Act 2000 and the Money Laundering Regulations 2007.

Document Improvement

The Council welcomes comments and feedback on its policies and procedures. Please contact Rosie Plaistowe-Melham and Accountancy if you have any comments.

Related information

- [Contract Procurement Rules](#)
- [Anti-Money Laundering Policy](#)

Annexes

- 1. Glossary
- 2. Scheme of Virement
- 3. Supplementary Estimate Form

Annexe 1 - Glossary

Accounting record	Accounting records are key sources of information and evidence used to prepare, verify and/or audit the financial statements. They also include documentation to prove asset ownership for creation of liabilities and proof of monetary and non-monetary transactions.
Annual Financial Report	A comprehensive report on the Council's activities for the preceding financial year including the Section 151 Officer's commentary, Statement of Accounts, Annual Governance Statement and Audit opinion.
Annual Governance Statement	A statement describing how the Council's corporate governance arrangements have been working over the financial year.
Asset	Any object, tangible or intangible, that is of value to its owner. Tangible assets include land and buildings, plant and machinery, fixtures and fittings & stock. Intangible assets include goodwill, patents, licences, copyrights and trademarks.
Asset Register	A schedule of all Council assets including asset information and values.
Authorised limit	A limit that sets the level up to which an officer has authority to undertake the activity.
Authorised Signatory List	List of officers authorised to make financial transactions. Head of Service approval is required before an officer may be included in the List.
BACS	Bank Automated Credit Service, electronic funds transfer process.
Budget	A sum of money allocated for a particular purpose or an expectation of income for a defined period of time.
Budget monitoring	Periodic review of the budget to ensure that total income and expenditure planned at the budget stage is adhered to as far as possible during the budget period.
Carry forward	The approved transfer of an unspent budget into a future financial year.
CHAPS	Clearing House Automated Payment System (CHAPS) is a method of transferring money between bank accounts electronically.
CIPFA	The Chartered Institute of Public Finance and Accountancy
Contract	This term is used to refer to any procurement transaction or planned procurement transaction.

Contractor	A provider or potential provider of goods, works or services. Once a Contract has been placed with a supplier, that supplier may be more precisely referred to as a Contractor.
Contract Procurement Rules (CPRs)	A set of rules that set out the minimum requirements the Council must follow when procuring and/or entering into Contracts for the supply of goods, works and services including consultants.
Customer	The recipient of a Council service.
Exceptions Schedule	A list of spend for which a purchase order is not required or is not appropriate.
Financial obligation	Money that a person or organisation owes and must pay at a particular time.
Financial Regulations	This refers to the set of rules that govern the way the Council's finances are administered and controlled. They are maintained by the Section 151 Officer.
Financial year	The Council's financial year runs from 1 April to 31 March
Financial viability	The ability to generate sufficient income to meet operating payments, debt commitments and, where applicable, allow for growth.
HMRC	Her Majesties Revenue and Customs, government taxation department.
Governance	The processes by which organisations are directed, controlled, led and held to account.
Job evaluation	A systematic way of determining the value/worth of a job in relation to other jobs in the Council.
Key Financial System	A system which interacts with the main Finance system to collect income due to the Council. Key Financial systems must be reconciled monthly.
Lease	A contractual arrangement calling for the lessee (user) to pay the lessor (owner) for use of an asset.
Material/Materiality	Materiality relates to the significance of transactions, balances and errors. Financial information is material if its omission or misstatement could influence the users of the accounts.
Medium Term Financial Plan (MTFP)	The bringing together of all known factors affecting the Council into one plan covering a period of a few years into the future.
Member	An elected Councillor
Officer	A member of staff
Other systems	In addition to the Finance system there are other systems used by the Council that contain financial information, these include systems for: <ul style="list-style-type: none"> • Housing - to collect tenants rent and manage the

	<p>repairs and maintenance of council dwellings</p> <ul style="list-style-type: none"> • Council Tax • Business Rates • Planning • Payroll • Income • Housing Benefits • Land Charges
Partnership	An arrangement in which the Council enters into with an external individual or organisation to share the benefits and liabilities of the venture.
Prudential Code	CIPFA Code of Compliance for treasury management
Purchase Order	An official order issued by a purchaser to a seller indicating types, quantities and prices for products or services. It is used to control the purchasing from external suppliers.
Reserve	An amount of money kept for a particular purpose or future use.
Scheme of Delegation	This term refers to the council's Scheme of Delegation, which specifies the extent to which the conduct of the council's affairs is delegated to council officers.
Section 151 Officer	The Section 151 officer ultimately responsible for the proper administration of the Council financial affairs. The deputy Section 151 can act on the Section 151 officers behalf on all aspects of the Financial Regulations.
Supplier	A provider or potential provider of goods, works or services. Once a Contract has been placed with a supplier, that supplier may be more precisely referred to as a Contractor.
Terms of Application Agreement	Rules, conditions or stipulations by which the parties involved must abide by to receive funds.
Terrier	Register of properties.
Virement	A virement is the movement of existing uncommitted budget to aid in the management of budgets where there is insufficient available in another area.
Write Off	A cancellation of a debt or worth of an asset.

Annexe 2 - Scheme of Virement

Virements must be:

- Proactive (agreed before spending takes place)
- double-sided
- in year
- with commentary

	Budget description	Approval levels
Revenue	<p>Centrally controllable budgets:</p> <ul style="list-style-type: none"> • Recharges • Depreciation • Insurance • Business Rates Income • Council Tax Income • Utilities • Housing Benefits subsidy 	<p>Virements can only be done between cost centres within the budget (account code) heading.</p> <p>Virement restricted to Accountants</p> <ul style="list-style-type: none"> • Up to £5,000 - Accountant • Over £5,000 – Accountant with approval of Financial Services Manager • Not between revenue and capital • Not between HRA and General Fund revenue
Revenue	Non centrally controlled budgets within a Budget Holders remit	<ul style="list-style-type: none"> • Up to £5,000 - Budget Holder • £5,001 to £100,000 – Head of Service and Section 151 Officer • Over £100,000 – Executive
Revenue	Non centrally controlled budgets between Budget Holder remits	<ul style="list-style-type: none"> • Up to £5,000 – agreement of Budget Holders • £5,001 to £100,000 – agreement of affected Heads of Service and Section 151 Officer • Over £100,000 – Executive
Salaries	Establishment Authorisation process must be followed and Revenue virement rules apply	All budget movements to go through the Finance Team
Income	An increase in an expenditure budget can only be met from additional income subject to approval.	<ul style="list-style-type: none"> • Up to £5,000 – Head of Finance • Over £5,000 - Section 151 Officer
Capital	Within project	<ul style="list-style-type: none"> • Up to £100,000 – agreement of Head of Service • Over £100,000 Executive
Capital	Across projects	<ul style="list-style-type: none"> • Up to £100,000 – agreement of Section 151 Officer • Over £100,000 Executive

Annexe 3 - Supplementary Estimate proforma

Your name / team	Date of request
<u>Why</u> has the need for additional funds which cannot be met from existing budgets arisen?	
<u>How much</u> money is being requested and <u>what</u> will it be spent on?	
<u>When</u> will the money be spent by?	
Value for Money Assessment	
What <u>other options</u> have been considered (including doing nothing)?	
What are the expected <u>benefits</u> will the planned expenditure bring?	
What are the <u>risks</u>, if any, of agreeing or refusing the supplementary estimate?	

Please complete this form and send it to the Head of Finance and s.151 Officer.

Waverley Borough Council

Report to: Council

Date: 17 October 2023

Ward(s) affected: All Wards

Report of Director: Community Wellbeing/Place/Transformation & Governance

Author: Paul Hughes

Licensing and Environmental Enforcement Manager

Tel: 01483 523189

Email: paul.hughes@waverley.gov.uk

Executive Portfolio Holder/ Lead Councillor responsible: Cllr Tony Fairclough

Report Status: Open

Licensing Act 2003 – Review of the Council’s Statement of Licensing Policy

1. Executive Summary

- 1.1 The purpose of this report is to enable the Council to consider comments, following public consultation, on the five-year review of the Statement of Licensing Policy 2023-2028 for Waverley, against which applications for licences under the 2003 Licensing Act (the Act) are considered.

- 1.2 The Council is asked to consider the report, details of the public consultation process undertaken, details of the comments received during the consultation period on the Statement of Licensing Policy.
- 1.3 The Licensing and Regulatory Committee considered the report on the 5th June 2023.

2. Recommendation

- 2.1. That Council approve the revised Statement of Licensing Policy for adoption.

3. Reason(s) for Recommendation:

- 3.1. It is recommended that the Council formally adopt the revised Statement of Licensing Policy in order to have the new Policy in place at the earliest opportunity.

4. Exemption from publication

- 4.1. No

5. Purpose of Report

- 5.1. To review feedback from the public consultation

6. Strategic Priorities

- 6.1. The Statement of Licensing Policy and Principles under the Licensing Act 2003 whilst being a statutory duty of the Council helps to deliver the Council's strategic outcomes in promoting a thriving local economy, supporting business and employment, encouraging small businesses and promoting the health and wellbeing of our communities, helping to ensure that licensing activity is safe and controlled.

7. Background

7.1. The Licensing Act 2003 came into effect on 25 November 2005. The Act introduced a new regime for the licensing of alcohol, regulated entertainment and late night refreshment, to be administered by the local licensing authority (within Waverley, this Council.) Section 5(1) of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the licensing objectives are being met.

7.2. The Statement of Licensing Policy ('the Policy') is expected to set out, for the benefit of applicants, responsible authorities and members of the community how the Licensing Authority intends to exercise its powers under the Act, including:

- How the Licensing Authority will use its regulatory powers in relation to applications and reviews of licensed activities, to the extent that it is allowed by statute
- The Authority's approach to regulation
- A Scheme of Delegation.

The Policy must also comply with the statutory guidance issued under section 182 of the Act.

7.3. In determining the Policy, the Authority must conduct a statutory consultation as set out in the Act and which includes the following consultees:

- The Chief Officer of Police for the Licensing Authority area
- The Fire and Rescue Authority for the area
- Such persons as the Licensing Authority consider to be representative of the holders of existing premise and personal licences

- Such persons as the Licensing Authority consider to be representative of the holders of existing club premises certificates issued by the Authority
 - Such persons as the Licensing Authority consider to be representative of businesses and residents in the Authority's area
 - Director of Public Health.
- 7.4. The Council's current Policy has been in place since 01 August 2018 and will expire on 1 August 2023. The policy deals with the sale of alcohol, the supply of alcohol by or on behalf of a club, the provision of regulated entertainment and the provision of late night refreshment. The policy covers all types of applications that can be made under the Act, outlines other licensing functions which are linked with these applications and details other associated strategies which support the wider Council ambitions and visions.
- 7.5. The policy will also guide the Licensing Sub Committee when determining applications and assists the Licensing Authority in administering and enforcing the Licensing Act systems in accordance with the four core licensing objectives.
- 7.6. Whilst reviewing its policy the Licensing Authority has gone through a strict consultation process in line with the process carried out for the last policy review, as well as what is stipulated in legislation.
- 7.7. The Statement of Licensing Policy was initially reviewed and updated by officers to propose:
- Updated information regarding Waverley's population following the 2021 Census
 - Reference to the revised (Dec 2022) statutory guidance
 - Updates to the Council's vision/policies/partnerships/and weblinks/email addresses
 - Addition of measures in line with updated Home Office strategy and other guidance to prevent spiking sexual harassment, together with the promotion of Pubwatch and the campaign 'Ask for Angela'

- Updating 'sources of information' organisations, websites and contact details
 - General formatting/grammatical changes
- 7.8. A draft proposed Statement of Licensing Policy, incorporating the suggested amendments from the existing Statement of Licensing, was approved for consultation by members at the 27 February 2023 Licensing & Regulatory Committee.
A copy of the policy approved for consultation is attached at **Annexe 2.**

8. Consultation

- 8.1. The consultation was conducted through a written process to all Responsible Authorities, local Pub Watch Schemes, Citizens Advice Centres, Chambers of Commerce, Town and Parish Councils and via the Council's website.
- 8.2. The timetable for the review and implementation of the Statement of Licensing Policy 2023-2028 was/is as follows:
- 03 March 2023 the review commenced, this was a written process by email/letter to consultees, and consultation information was placed on the Council's website.
 - Consultation period ended 19 May 2023 (11 weeks) - followed by:
 - Licensing and Regulatory Committee to consider the outcome of the consultation and determined whether the draft policy is recommended to Full Council for adoption 05 June 2023
 - Full Council 18 July 2023
 - Publication on Council's website 01 August 2023
 - Policy comes into effect at the earliest opportunity.
- 8.3. There have been two responses in total to the consultation, both of which suggest changes to the job titles in Annexe 1 of the policy on;
- (page 32 (e)) Head of Planning needs to be replaced with Executive Head of Planning

- (page 32 (d) and (f)) Head of Environment needs to be replaced by Executive Head of Regulatory Services

There was also a note as to whether reference to 'Martyn's Law' should be included in the policy. Martyn's law is proposed legislation to better protect the public from terrorism in any place or space to which they have access.

9. Key Risks

- 9.1. The Statement of Licensing Policy is in place to ensure public safety when using these services and to ensure the appropriate balances and mitigations are in place to minimise risk to public safety whilst enabling businesses to trade effectively, efficiently and legally.

The Statement of Licensing Policy is required to comply with the legislation. Failure to do so would invite legal challenge to decisions on applications and reviews subsequently made under the Act.

10. Financial Implications

- 10.1. There are no immediate resource implications in this report; resources required to fulfil the Council's duties in respect of the licensing process are met from the existing budget.

11. Legal Implications

- 11.1. Section 5(1) of the Licensing Act 2003 requires the Licensing Authority to prepare and publish a Statement of Licensing Policy every 5 years. When determining its policy, the Council is exercising a licensing function and as such must have regard to the Guidance issued by the Secretary of State under section 182 of the Act. It must also give appropriate weight to the views of those persons/bodies listed in section 5(3) of the Act which it is required to consult before determining its policy.

12. Human Resource Implications

12.1. There are no additional human resource implications

13. Equality and Diversity Implications

13.1. The Licensing Policy sets out the framework within which decisions are made that impact crime and disorder, public safety, public nuisance and the protection of children from harm. There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out when necessary across the Council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

14. Climate Change/Sustainability Implications

14.1. There are no implications arising from the recommendations contained within this report in terms of meeting the Council's climate change obligations.

15. Summary of Options

15.1 To approve the contents of the report; the attachments and the consultation that has taken place

15.2 To refer the Statement of Licensing Policy to full Council for approval

16. Conclusion

16.1 The Committee is asked to consider the comments and proposed changes on the Statement of Licensing Policy and make its recommendations for amending the Policy to the Council. The Policy

is ultimately set by the Council as part of the Policy Framework, on the recommendation of the Licensing Regulatory Committee, and the activity under the Policy is the remit of this Committee and its Licensing Act Sub-Committees.

17. Background Papers

- 17.1 Licensing Act 2003 and revised Licensing Act Guidance (December 2022)

18. Appendices

- 18.1 Annexe 1 – The two comments received following the public consultation.
- 18.2 Annexe 2 – A draft revised Statement of Licensing Policy approved for consultation is attached at Annexe 2.

Response 1

From: Victoria Choularton <Victoria.Choularton@waverley.gov.uk>
Sent: Wednesday, March 8, 2023 12:13 PM
To: Paul Hughes <Paul.Hughes@waverley.gov.uk>
Subject: RE: Waverley Borough Council Licensing Policy 2023 Review

Hi Paul,

I've cant see any comment to make - I've also sent to Beth to if she has any comments.

The only thing I would say that 'Head of Planning' in Annexe 1 needs to be changed to ' Executive Head of Planning Development'

Vicky

Victoria Choularton
Planning Enforcement Team Leader
Waverley Borough Council
Tel: 01483 523008
www.waverley.gov.uk/planning

Response 2

From: Jeanette Guy <Jeanette.Guy@waverley.gov.uk>
Sent: Friday, May 5, 2023 7:01 PM
To: Paul Hughes <Paul.Hughes@waverley.gov.uk>
Cc: Gillian Carson-Jones <Gillian.Carson-Jones@waverley.gov.uk>
Subject: FW: Waverley Borough Council Licensing Policy 2023 Review

Hi Paul

Just briefly scanned. Just a couple of thoughts:

Annexe 1 – Should the Head of Environment now say, 'Head of Regulation'.

Public Safety – Operating Schedule – Should you put something in there re potential impending requirements re Martyn's Law.

Hope that helps

J

Jeanette Guy

Environmental Health Manager (Environmental Protection)
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STATEMENT OF LICENSING POLICY

**Effective Period:
01 August 2023 to 31 July 2028**

Approved by the Council at its meeting on (To Be Confirmed)

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STATEMENT OF LICENSING POLICY

1. INTRODUCTION

- 1.1 Waverley Borough covers an area of 345 square kilometres in southwest Surrey and is the largest district by geographic area in Surrey. The Borough is predominantly rural; three-quarters of the area is agricultural land and woodland, 61 per cent is Green Belt and 80 per cent is covered by environmental protection policies including the Surrey Hills Area of Outstanding Natural Beauty. Waverley is 35 miles from central London and is served by good strategic road and rail links but has a predominantly rural road network and limited public transport.
- 1.2 According to the 2021 Census, Waverley has a population of 128,200, of whom three-quarters live in the Borough's four main settlements; Farnham, Godalming, Haslemere and Cranleigh. In Waverley 17.9% of the population is under 15, 60.4% are 15-64 and 21.8% are over 65.
- 1.3 The Council's decision making and work plans are underpinned by a set of policies, strategies and plans. A list of these policies is available on the Council's website ([Link to Waverley Borough Council Corporate Strategy 2020-25](#)). In particular the Council's vision sets the high level priorities for the council and *is that Waverley will be environmentally, economically and financially sustainable with healthy, inclusive communities and housing available for all who need it.*
- 1.4 The Council recognises that the entertainment and leisure industry, and shopping, contribute to Waverley's urban and rural economies. These have a part to play in attracting tourists and visitors and are major employers.
- 1.5 Rural pubs and restaurants are an important part of village life, and pubs, bistros and restaurants contribute to the vitality of Waverley's towns, together with the arts and entertainment venues throughout the Borough.
- 1.6 Licensed premises can cause nuisance to residents, either from noise or from behaviour of customers. Waverley wants to encourage all licensees to operate premises in a way that minimises the impact on neighbouring residents.
- 1.7 Waverley will also take into account wider issues of crime, disorder and nuisance including noise, littering and fouling of streets, together with the capacity of public transport and police to cope with concentrations of customers, particularly at night time.
- 1.8 This Statement of Licensing Policy ("this Policy") will both guide the Council in exercising its licensing functions as Licensing Authority for the Borough, and provide clarity for applicants for licensing and for residents.
- 1.9 When submitting an application, applicants should consider how proposals in their operating schedules will meet this Policy, and the Government's stated Licensing Objectives.
- 1.10 The Council is the "Licensing Authority" for the purposes of the Licensing Act 2003 ("the Act") and is responsible for granting licences, certificates and notices in the Borough of Waverley for the activities described by the Act as "Licensable Activities". These activities include:-

- (a) Retail sale of alcohol, including pubs, nightclubs and shops
- (b) Supply of alcohol to club members
- (c) Provision of “regulated entertainment” (listed below) – to the public, to club members or with a view to profit
 - (1) A performance of a play (more than 500 persons and/or between 2300 and 0800 hours)
 - (2) A showing of a film
 - (3) An indoor sporting event (more than 1000 persons and/or between 2300 and 0800 hours)
 - (4) Boxing or wrestling entertainment (whether indoor or outdoor for more than 1000 persons and/or between 2300 and 0800 hours))
 - (5) A performance of live music (but note the changes brought in by the Live Music Act 2012-see ‘NOTE’ below;
 - (6) Any playing of recorded music (but note the changes brought in by the Live Music Act 2012-see ‘NOTE’ below;
 - (7) A performance of dance (more than 500 persons and/or between 2300 and 0800 hours)
 - (8) Entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance, and including karaoke

NOTE

The Live Music Act 2012 and Deregulation Act 2015 amended the Licensing Act 2003 by deregulating aspects of the performance of live and recorded music so that, in certain circumstances, it is not a licensable activity. However, live and recorded music remains licensable:

- Where a performance of live (amplified or unamplified) and/or recorded music– whether amplified or unamplified – takes place before 0800 and after 2300 on any day
- Where a performance of amplified live and/or recorded music does not take place either on relevant licensed premises, or at a workplace that is not licensed other than for the provision of late night refreshment
- Where a performance of amplified live and/or recorded music takes place at relevant licensed premises, at a time when those premises are not open for the purposes of being used for the supply of alcohol for consumption on the premises
- Where a performance of amplified live and/or recorded music takes place at relevant licensed premises, or workplaces, in the presence of an audience of more than 500 people or
- Where a licensing authority intentionally removes the effect of the deregulation provided for by the 2003 Act when imposing a condition on a premises licence or certificate as a result of a licence review

NOTE The Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013 deregulates aspects of the performance of a play, performance of dance and indoor sporting events.

- It deregulates performance of plays / dance for audiences of up to 500 people, between the hours of 08:00 and 23:00 (with the exception of dancing for which a Sexual Entertainment Venue Licence is required);
- It deregulates indoor sporting events for audiences of up to 1000 people, between the hours of 08:00 and 23:00; and
- It clarifies that Combined Fighting Sports (Mixed Martial Arts etc) are a form of Boxing and Wrestling and will continue to be regulated.

(d) The supply of hot food and/or drink from any premises between 11.00 pm and 5.00 am – the provision of “Late Night Refreshment”.

2. THE STATEMENT OF LICENSING POLICY (*Section 5(1) of Act*)

- 2.1 The Act requires that the Licensing Authority publishes a “Statement of Licensing Policy” that sets out the policies the Licensing Authority will apply in the exercise of its licensing functions under the Act. The Licensing Authority is obliged by the Act to review this Policy every five years.
- 2.2 This Policy has been prepared in accordance with the provisions of the Act and having regard to the statutory guidance issued under Section 182 of the Act (“the Guidance” amended December 2022). This Policy will take effect on 1st August 2023 and will remain in force for a period of not more than 5 years, during which time it will be kept under review as circumstances require/dictate.

3. CONSULTATION

- 3.1 This Policy has been prepared in consultation with the “Responsible Authorities” listed in Annex 1 to this Policy, bodies representing existing licence holders, representatives of registered clubs and businesses, residents in the Borough and advertised on Waverley’s website. The views of all these bodies, and evidence presented, have been given due weight in the determination of this Policy.

4. ADMINISTRATION, EXERCISE & DELEGATION OF FUNCTIONS

- 4.1 The powers of the Licensing Authority under the Act may be carried out by the Council’s Licensing and Regulatory Committee, by its Licensing Sub-Committees or by one or more officers acting under delegated authority.
- 4.2 In the interests of speed, efficiency and cost-effectiveness to all parties involved in the licensing process, the Council has established a scheme of delegation to deal with applications received under the Act.

- 4.3 This form of delegation is without prejudice to the Officers referring an application to a Sub-Committee, or a Sub-Committee to the Licensing and Regulatory Committee, if considered appropriate in the circumstances of any particular case, and only in accordance with the Act.
- 4.4 Any applications dealt with by Officers will be reported weekly via email to the Licensing Chairman and Vice Chairman for the purposes of information and comment only.
- 4.5 The Council's approved table of delegation, showing the decision-making process for applications under the Licensing Act 2003, is attached at Annex 3 to this Policy document.

5. FUNDAMENTAL PRINCIPLES

- 5.1 The Act requires that the Licensing Authority carry out its various licensing functions so as to promote the following four licensing objectives:-
- **the prevention of crime and disorder**
 - **public safety**
 - **the prevention of public nuisance**
 - **the protection of children from harm.**
- 5.2 Each objective is of equal importance. It is important to note that there are no other licensing objectives, and therefore these four objectives are paramount considerations at all times. These four licensing objectives are considered in more detail in sections 6 to 9.
- 5.3 Due to the similarity between the application processes for both premises licences and club premises certificates, a reference to a premises licence in this section will also be a reference to a club premises certificate.
- 5.4 All applications for new premises licences and variations need to be supported by an operating schedule. The schedule must specify (amongst other things) the steps which the applicant proposes to promote each of the four licensing objectives.
- 5.5 If no Responsible Authority or 'other person' lodges an objection (known as a 'relevant representation') to the application, the Licensing Authority must grant the application as set out in the operating schedule, subject only to mandatory conditions under the Act. The steps proposed by the applicant will become licence conditions. The Licensing Authority will have no discretion to refuse the application or to alter or add to the conditions arising from the operating schedule.
- 5.6 Where, however, there are relevant representations, then a hearing of the opposed application before a Licensing Sub-Committee will normally follow. At the hearing the Sub-Committee must, having regard to the representations, take such steps as it considers appropriate to promote the four licensing objectives. These may include refusing the application or adding to or modifying the conditions proposed in the operating schedule.

- 5.7 In exercising its discretion, the Licensing Sub-Committee will have regard (amongst other things) to this Policy. Therefore, in drawing up their operating schedule, applicants would be well advised to read this Policy carefully. Where an operating schedule complies with this Policy, it is generally less likely that any 'other person' or responsible authority will object to it, or that an objection will succeed. Therefore, compliance with this Policy is likely to assist the applicant to avoid the delay and expense of a contested licensing hearing, and the risk of a refusal or the addition of unwanted conditions.
- 5.8 This is not to say that an opposed application which complies with this Policy will necessarily be granted or that an opposed application which does not comply with it will necessarily be refused. Where there have been relevant representations, the Licensing Authority will always consider the merits of the case, and interfere with the operating schedule only when, and to the extent, appropriate to promote the four licensing objectives. Nor will blanket or standard conditions be applied without regard to the merits of the individual case. So, for example, the Licensing Authority will not interfere with an operating schedule which does not comply with this Policy where the steps proposed are sufficient to meet the four licensing objectives in the individual circumstances of the case.
- 5.9 However, this Policy represents the Licensing Authority's view of the best means of securing the four licensing objectives in most normal cases. It has been drawn up in consultation with other expert bodies and Responsible Authorities, together with community stakeholders. While the contents of the operating schedule are a matter for the applicant, where there is objection to a schedule which departs from this Policy, the Licensing Sub-Committee hearing an opposed application will normally expect to be given a good reason for the departure if it is asked to make an exception to this Policy.
- 5.10 In this Policy, there are a number of references to the Licensing Authority's expectation of applicants. As explained above, this Policy is only engaged where the Licensing Authority has discretion following the receipt of a relevant representation. In such cases, the Licensing Authority will not apply this Policy rigidly, but will always have regard to the merits of the case with a view to promoting the four licensing objectives.
- 5.11 Further, the Licensing Authority may use this Policy when exercising other licensing functions. For example, when considering an application for review of a licence, the Licensing Authority is likely to view with concern premises which are being operated in clear breach of the terms of this Policy.
- 5.12 Nothing in this Policy will:-
- undermine the rights of any person to apply under the Act for a variety of permissions and have each such application considered on its individual merits, and/or
 - override the right of any person to make representations on any application or seek a review of a licence or certificate where provision has been made for them to do so under the Act.
- 5.13 The Licensing Authority's purpose in licensing activities in premises is to work with the business community to maintain the level of business activity in towns and villages in a manner that has due regard for public enjoyment, health and safety in the area.

- 5.14 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs or at temporary events within the terms of the Act, and the conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity. Whether or not incidents can be regarded as being “in the vicinity” of licensed premises is a question of fact and will depend on the particular circumstances of the case.
- 5.15 In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the vicinity concerned.
- 5.16 The Licensing Authority acknowledges that licensing law is not the primary mechanism for the general control of nuisance or anti-social behaviour by individuals once they are away from the premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy.
- 5.17 The Act requires applicants to consider carefully this Policy when drafting their applications. Applicants will show that they have considered the practical effects of managing their business to accord with this Policy.
- 5.18 Waverley expects holders of a Premises Licence, Club Premises Certificate and Temporary Event Notice to make every effort to minimise the impact of their activities and any nuisance or anti-social behaviour by their patrons within the vicinity of their premises.
- 5.19 The Human Rights Act 1998, incorporating the European Convention on Human Rights, makes it unlawful for a local authority to act in a way which is incompatible with a Convention right. The Licensing Authority will have regard to the Human Rights Act when exercising its licensing functions, with particular reference to the following relevant provisions of the European Convention on Human Rights:-
- Article 6 – In the determination of civil rights and obligations every person is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law
 - Article 8 – Every person has the right to respect for his home and private and family life.
 - Article 1 of the First Protocol – Every person is entitled to the peaceful enjoyment of his or her possessions.

THE FOUR LICENSING OBJECTIVES

6. PREVENTION OF CRIME AND DISORDER (LO 1)

For how this Policy is to apply, please see section 5 (“Fundamental Principles”).

- 6.1 The essential purpose of the premises licence or club premises certificate in the context of this licensing objective is to regulate the behaviour of people while on, or in the immediate vicinity of the premises as they seek to enter or leave.

Best Practice in crime prevention

- 6.2 The Licensing Authority strongly encourages the implementation of best practice in licensed premises in the Borough in order to promote the crime prevention objective. Types of premises vary throughout the Borough, as do the types of licensable activities carried on at those premises, and therefore the steps appropriate to promote this objective will vary by premises.

Operating Schedules

- 6.3 When preparing their operating schedules, applicants are encouraged to carry out a risk assessment of their premises by reference to the following items of best practice:-
- 6.3.1 Training given to staff in crime prevention measures appropriate to the premises;
 - 6.3.2 The physical security features installed in the premises. This may include matters such as the position of cash registers; the place where alcohol is stored in "off-licences"; the standard of CCTV that is installed; the use of plastic, toughened or similar safety drinking glasses in pubs and clubs; and the secure storage of waste which could potentially be used as weapons;
 - 6.3.3 The avoidance of irresponsible pricing or other promotions that contravene the four licensing objectives. The Act imposes a mandatory condition on all premises licences and club premises certificates requiring the responsible person to take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises (the only exception being where a licence or certificate only authorises the sale or supply of alcohol for consumption off the premises);
 - 6.3.4 Measures to prevent the supply and consumption of illegal drugs, including any search procedures and entry policies. The Act imposes a mandatory condition on all premises licences and club premises certificates requiring the responsible person to ensure that free tap water is provided on request to customers where it is reasonably available (the only exception being where a licence or certificate only authorises the sale or supply of alcohol for consumption off the premises);
 - 6.3.5 To have a zero tolerance of and Measures to raise staff awareness of use of drugs on the premises and staff training which deals with issues of drug use;
 - 6.3.6 Arrangements to provide appropriate facilities to store seized drugs in a secure place. Where drugs have been seized, records should be kept and all entries in the log witnessed. This log should be made available to any Police Constable or authorised officer of the Licensing Authority. The Police should be advised immediately of any confiscated item;
 - 6.3.7 Variations in staffing levels or music style or volume before the premises closes;
 - 6.3.8 Where premises are subject to age restrictions, procedures to conduct age verification checks, e.g. adoption and use of secure proof of age scheme, for example, driving licence or passport;

- 6.3.9 Measures to prevent spiking and sexual harassment through training of staff, and effective CCTV. Applicants and licence holders are encouraged to engage in national and local schemes that promote customer safety, such as joining Pubwatch, promoting 'ask for Angela' in venues. Applicants and licence holders are encouraged to make sure that staff are trained to identify and report issues including awareness and safety of lone customers leaving the venue; and unwanted contact (touching) between customers. Applicants should ensure that the correct staff are in place, make sure that staff are aware of the closest taxi rank and bus stops that offer an evening / late night service and have contact details available for taxi and private hire schemes, booking a vehicle for customers if needed; have a safe place to take customers if required; and have signage in place at entrances and within the venue with regard to customer welfare and safety. The Act imposes a mandatory condition on all premises licences and club premises certificates requiring the premises licence holder or club premises certificate holder to ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark;
- 6.3.10 The likelihood of any violence, public order or policing problem if the licence or certificate is granted;
- 6.3.11 Whether the applicant is a member of one of the four Pubwatch schemes in the Borough.
- 6.4 Applicants are expected to include the above items of best practice in their operating schedules, where relevant to the premises. Where they elect not to do so, they are strongly advised to include information explaining the omission. This might be because a risk assessment has shown that the step is unnecessary or because the item is already the subject of another consent, e.g. a planning permission or statutory obligation. If such information is not included, it is more likely that a relevant representation will be made, leading to the cost and delay of a hearing before a licensing sub-committee.
- 6.5 The steps volunteered in the operating schedule will become conditions of the licence or certificate, and therefore applicants should consider carefully the steps appropriate for the promotion of the four licensing objectives at their particular premises.

Opposed Applications

- 6.6 If a relevant representation is made, the Licensing Authority will have discretion to take such steps as are appropriate to promote the four licensing objectives. In exercising its discretion, it may where relevant take into account whether the applicant proposes to follow the best practice set out above.
- 6.7 The Council, and therefore the Licensing Authority, also has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of the exercise of those functions on, and to do all it reasonably can to prevent, crime and disorder in the Borough.
- 6.8 As set out in section 18 of this Policy, the Licensing Authority recognises the need to avoid duplication with other regulatory regimes as far as possible, including avoiding replicating offences set out in the Act and other legislation. The Licensing Authority

will, when considering an application following receipt of relevant representation, consider attaching conditions to licences and certificates intended to prevent and deter crime and disorder, and these should reflect the general principles regarding licence conditions set out in Chapter 1 of the guidance.

- 6.9 Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected/permitted/licensed to take place there.
- 6.10 The Licensing Authority will work in partnership with the local Pubwatch Schemes in supporting licence holders to actively promote best practice and combat crime disorder and anti-social behaviour to form strategies to reduce current levels by meeting as necessary with members of the Scheme. The strategies seek to address matters such as under-age sales, problems associated with drunken individuals, prevention of use of drugs, violent and anti-social behaviour. Further information on Pubwatch can be found on the National Pubwatch site [\(Link to pubwatch website\)](#)

Early Morning Restriction Orders (EMRO)

- 6.11 The power conferred to licensing authorities (full Council) to make vary or revoke an Early Morning Alcohol Restriction Order (EMRO) is set out in the Act. This power enables licensing authorities to prohibit the sale of alcohol for a specified period between the hours of midnight and 6 am in the whole or part of its area, if they consider this appropriate for the promotion of the licensing objectives.

EMROs are designed to address recurring problems such as high levels of alcohol related crime and disorder at specific areas at specific times, serious public nuisance and other instances of alcohol related anti-social behaviour which is not directly attributed to specific premises.

Following consultation with Surrey Police and Environmental Health the Licensing Authority has decided it is not appropriate for any area of the Borough to be covered by an EMRO at present. Waverley would consider an EMRO at any time if circumstances changed and evidence supported this course of action.

If an EMRO is not in place the Licensing Authority will review the need for an EMRO at least every five years as part of the review of this policy to see if circumstances have changed. If an EMRO is in place it will be reviewed every 3 years in line with legislation.

Late Night Levy

- 6.12 The late night levy ('the levy') enables licensing authorities to raise a contribution from late-opening alcohol suppliers towards policing the night-time economy. It is a local power that licensing authorities can choose whether or not to exercise. It must cover the whole of the licensing authority's area. However, the licensing authority will also choose the period during which the levy applies every night, between midnight and 6am, and decide what exemptions and reductions should apply from a list set out in regulations.

Following consultation with Surrey Police the Licensing Authority has decided it is not appropriate for the Borough to be covered by a Late Night Levy at present.

The Licensing Authority will review the need for a Late Night Levy at least every five years as part of the review of this policy to see if circumstances have changed and one is needed, however Waverley would consider a Late Night Levy at any time if circumstances changed and evidence supported this course of action.

Cumulative Impact (or saturation) zone/area

- 6.13 The Licensing Authority has decided that, at present, it is not appropriate for any area of the Borough to be covered by a special policy on cumulative impact. There is therefore no special policy creating a rebuttable presumption that applications within a particular area of the Borough for new premises licences or club premises certificates or material variations thereto will normally be refused, if relevant representations are received about the cumulative impact on the four licensing objectives. The views of Surrey Police were taken into account when the Licensing Authority made this judgement.
- 6.14 The Licensing Authority will review the need for a special policy on cumulative impact at least every five years as part of the review of this policy to see if circumstances have changed and one is needed. If a cumulative impact zone/area is in place it will be reviewed every 3 years in line with legislation.
- 6.15 The Licensing Authority would not use such a special policy solely:-
- as grounds for revoking a licence when representations are received about problems with an existing licensed premises, or,
 - to refuse applications to vary an existing licence, except where the modifications are directly relevant to this Policy. For example, where the application is for a significant increase in the capacity limits of a premises, and are appropriate for the promotion of the four licensing objectives.
- 6.16 The Licensing Authority will not take “need” (i.e. the commercial demand for premises offering a particular type of licensable activity) into account when considering an application that has attracted relevant representations, as this is a matter for planning control and the market. However, the impact of the number, type and density of licensed premises in a given area may lead to serious problems of nuisance and disorder outside and some distance from the premises. This is described as the “cumulative impact”, and is a proper matter for consideration by the Licensing Authority in the future.
- 6.17 The absence of a special policy does not prevent any responsible authority or any ‘other person’ making representations on a new application for the grant, or variation, of a premises licence or club premises certificate on the grounds that the premises will give rise to a negative cumulative impact on one or more of the four licensing objectives.
- 6.18 However, there will be no quota imposed by the Licensing Authority to restrict the number of premises or licences in the area as a whole.
- 6.19 The Licensing Authority will consider representations based upon the impact on the four licensing objectives if a particular application were to be granted. However, the onus would be on the individual or organisation making the objection to provide evidence to support their assertion that the addition of the premises in question would produce the cumulative impact on the objectives claimed, taking into account that the impact will be different for premises with different styles and characteristics.
- 6.20 The Licensing Authority will only consider restrictions relating to any cumulative effect regarding a particular application where relevant representations have been made on the grounds that the premises will give rise to a negative cumulative impact on one or

more of the four licensing objectives, and then only where such restrictions are considered appropriate for the promotion of the four licensing objectives.

6.21 The Licensing Authority recognises that there are a number of other mechanisms, both within and outside the licensing regime, for addressing unlawful or anti-social behaviour which occurs away from licensed premises. These include:-

- planning controls;
- positive measures to provide a safe and clean town or village centre environment in partnership with local businesses, transport operators and other departments of the Licensing Authority;
- the provision of CCTV surveillance in town centres, (see Licensing Act guidance version December 2022 paragraphs 2.3, 2.8, 10.10, 12.16 and 14.47);
- powers to designate parts of the Borough as places where alcohol may not be consumed publicly;
- police enforcement of the law with regard to disorder and anti-social behaviour, including the issue of fixed penalty notices;
- prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
- confiscation of alcohol from adults and others in designated areas;
- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises or temporary event on the grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises;
- the powers of police, other responsible authority or a local resident or business to seek a review of the licence or certificate in question
- Early Morning Alcohol Restriction Orders (EMROs)
- Late Night Levy

6.22 The Licensing Authority will address a number of these issues in line with the strategic objectives for crime and disorder reduction within the Borough.

7. PUBLIC SAFETY (LO 2)

For how this Policy is to apply, please see section 5 (“Fundamental Principles”).

7.1 The public safety objective is concerned with the physical safety of the people, including any performers appearing at the premises, attending licensable activities at the relevant premises.

7.2 The Licensing Authority is committed to ensuring public safety across the Borough by working in close partnership, in particular with Surrey Police, Surrey Fire and Rescue, and licensees, and with any other relevant bodies.

Best Practice in public safety

- 7.3 The Licensing Authority strongly encourages the implementation of best practice in licensed premises in the Borough in order to promote the public safety objective. All licensed premises should be safe, well managed and maintained. Types of premises vary throughout the Borough, as do the types of licensable activities carried on at those premises, and therefore the steps appropriate to promote this objective will vary by premises.

Night Time safety

- 7.4 Resident and visitor safety, especially the safety of those using the night-time economy, is an important factor that the Council, applicants and licence holders have to take into consideration, especially as national reports of violence against women and girls (the Home Office published the national strategy on tackling this matter on 21 July 2021), and the spiking of drinks and spiking by injection are on the increase.

Operating Schedules

- 7.5 When preparing their operating schedules, applicants are reminded that it is a requirement of legislation that any licensed premises carry out a Fire Risk Assessment and to record the significant findings in writing (Regulatory Reform (Fire Safety) Order 2005 Article 9 paragraph 6).

When preparing their operating schedules, risk assessments of the premises should make reference to the following items of best practice:-

- 7.5.1 Occupancy Limits – The authority will not generally impose conditions as to occupancy levels where these are adequately addressed by other controls but may do so in any other case where relevant representations are made. Capacities should be addressed in the fire risk assessment.

Fire Safety – The fire risk assessment completed in relation to the use of the premises, should assist applicants in satisfying the Fire and Rescue Authority that the Public Safety objective will be met.

- 7.5.2 Levels of door supervision adequate to control access to and egress from premises in order to ensure the public safety;

- 7.5.3 Training for current and future staff in matters relating to public safety, where not already required by other legislation;

- 7.5.4 Prevention of injury – Where there is evidence of a current or past problem in relation to particular premises or a particular locality, or in all circumstances it is considered likely that such a problem might occur, and/or premises are to be used primarily for the sale or supply and consumption of alcohol on premises (particularly if those premises have little seating for patrons relative to their size/capacity), applicants should give consideration to a policy of using plastic, polycarbonate or toughened glass, and a policy not to pass glass bottles over the bar, either throughout the period of operation or at certain times or on certain occasions.

- 7.5.5 Measures to reduce the impact of noise both in terms of staff safety and protection of hearing of the public and staff at the premises, where such measures are not already required by other legislation;

7.5.6 Measures to ensure that litter does not cause a nuisance, health hazard to the public or a fire hazard to the vicinity, as generated by the activity at or near to the premises.

7.6 Applicants are expected to include the above items of best practice in their operating schedules, where relevant to the premises. Where they elect not to do so, they are strongly advised to include information explaining the omission. This might be because a risk assessment has shown that the step is unnecessary or because the item is already the subject of another consent, e.g. a planning permission or statutory obligation. If such information is not included, it is more likely that a relevant representation will be made, leading to the cost and delay of a hearing before a licensing sub-committee.

7.7 The steps volunteered in the operating schedule will become conditions of the licence or certificate, and therefore applicants should consider carefully the steps appropriate for the promotion of the four licensing objectives at their particular premises.

Opposed Applications

7.8 If a relevant representation is made, the Licensing Authority will have discretion to take such steps as are appropriate to promote the four licensing objectives. In exercising its discretion, it may where relevant take into account whether the applicant proposes to follow the best practice set out above.

7.9 As set out in section 18 of this Policy, the Licensing Authority recognises the need to avoid duplication with other regulatory regimes as far as possible, including avoiding replicating offences set out in the Act and other legislation. The Licensing Authority will, when considering an application following receipt of relevant representation, consider attaching conditions to licences and certificates intended to prevent public nuisance, and these should reflect the general principles regarding licence conditions set out in Chapter 1 of the guidance.

7.10 Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected/permitted/licensed to take place there.

7.11 When exercising its functions regarding premises licences and club premises certificates, the Licensing Authority will take into account (where relevant) applicants' requests for terminal hours in the light of the four licensing objectives and this Policy, and in view of:-

- environmental quality;
- residential amenity;
- character or function of a particular area; and
- nature of the proposed activities to be provided at the premises.

7.12 The terminal hours will normally be approved where it is shown that the proposal would not adversely affect the issues listed in 7.10 above. The Licensing Authority may set an earlier terminal hour where it considers this is appropriate to the nature of the activities and the amenity of the area having regard to the four licensing objectives and representations from responsible authorities or any 'other person'.

8. PREVENTION OF PUBLIC NUISANCE (LO 3)

For how this Policy is to apply, please see section 5 (“Fundamental Principles”).

- 8.1 In considering the promotion of this licensing objective, the Licensing Authority will focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate or unreasonable.
- 8.2 The Licensing Authority will mainly be concerned with noise nuisance, light pollution, noxious smells and litter.
- 8.3 Under the Act, “public nuisance” is not narrowly defined and could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include, in appropriate circumstances, the reduction of the living and working amenity and environment of any other person.

Best practice in the prevention of public nuisance

- 8.4 The Licensing Authority strongly encourages the implementation of best practice in licensed premises in the Borough in order to promote the prevention of public nuisance objective. Types of premises vary throughout the Borough, as do the types of licensable activities carried on at those premises, and therefore the steps appropriate to promote this objective will vary by premises.

Operating Schedules

- 8.5 When preparing their operating schedules, applicants are encouraged to carry out a risk assessment of their premises by reference to the following items of best practice:-
 - 8.5.1 Hours of operations – the tolerance to disturbance is likely to be reduced at certain times and days. The later into the night the operation continues the greater the likelihood of public nuisance being caused. Particular consideration should be given to minimise disturbance during the night-time hours of between 11:00pm and 7:00am.
 - 8.5.2 Measures to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning (though these may add to the problem, especially if left on overnight), acoustic lobbies and sound limitation devices;
 - 8.5.3 Measures to prevent disturbance by patrons/customers arriving at or leaving the premises, particularly between the hours of 10.00 pm and 7.00 am;
 - 8.5.4 Measures to prevent queuing or, if queuing is inevitable, to divert queues away from neighbouring premises, or otherwise to manage the queue to prevent disturbance or obstruction;
 - 8.5.5 Measures to ensure that customers/patrons and staff leave the premises quietly;

- 8.5.6 Arrangements for parking by patrons/customers, and minimisation of the effect that parking will have on local residents and businesses;
 - 8.5.7 Measures to reduce the impact that the use of gardens or other open-air areas will have on local residents and businesses;
 - 8.5.8 The siting of external lighting, including security lighting that is installed appropriately;
 - 8.5.9 Accessibility to local public transport services, including taxis and private hire vehicles;
 - 8.5.10 Measures to minimise the impact of refuse storage or disposal (including noise associated with bottle delivery and disposal), or additional litter (including fly posters and unauthorised placards) in the vicinity of the premises.
- 8.6 Applicants are expected to include the above items of best practice in their operating schedules, where relevant to the premises. Where they elect not to do so, they are strongly advised to include information explaining the omission. This might be because a risk assessment has shown that the step is unnecessary or because the item is already the subject of another consent, e.g. a planning permission or statutory obligation. If such information is not included, it is more likely that a relevant representation will be made, leading to the cost and delay of a hearing before a licensing sub-committee.
- 8.7 The steps volunteered in the operating schedule will become conditions of the licence or certificate, and therefore applicants should consider carefully the steps appropriate for the promotion of the four licensing objectives at their particular premises.

Opposed Applications

- 8.8 If a relevant representation is made, the Licensing Authority will have discretion to take such steps as are appropriate to promote the four licensing objectives. In exercising its discretion, it may where relevant take into account whether the applicant proposes to follow the best practice set out above.
- 8.9 As set out in section 18 of this Policy, the Licensing Authority recognises the need to avoid duplication with other regulatory regimes as far as possible, including avoiding replicating offences set out in the Act and other legislation. The Licensing Authority will, when considering an application following receipt of relevant representation, consider attaching conditions to licences and certificates intended to prevent public nuisance, and these should reflect the general principles regarding licence conditions set out in Chapter 1 of the guidance.
- 8.10 Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected/permitted/licensed to take place there.
- 8.11 If the applicant has previously held a licence within the Borough, the history of any enforcement or any relevant action arising from the previously licensed premises (e.g. a noise abatement notice) may be requested by the Licensing Authority, where relevant, should relevant representations be received in respect of the application.
- 8.12 Similarly, the enforcement history of the premises the subject of the application may also be requested from the appropriate responsible authority where considered relevant, but only where relevant representations are received in respect of the application.

9. PROTECTION OF CHILDREN FROM HARM (LO 4)

For how this Policy is to apply, please see section 5 (“Fundamental Principles”).

- 9.1 The Act provides specific protection for children from the sale or provision of alcohol and regulated entertainment. Protection of children from harm includes the protection of children from moral, psychological and physical harm, and this would include the protection of children from too early an exposure to strong language and sexual expletives, for example, in the context of film exhibitions or where adult entertainment is provided. Surrey County Council Children Services in particular are the relevant authority competent to advise on the protection of children from harm.
- 9.2 However, in the context of many licensed premises such as pubs, restaurants, café bars and hotels, the Licensing Authority recognises that the development of family-friendly environments should not be frustrated by overly restrictive measures in relation to children.
- 9.3 The Licensing Authority recognises that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions unless the Act itself imposes such a restriction or there are good reasons to restrict entry or to exclude children completely. The Licensing Authority will focus on enforcing the law concerning the consumption of alcohol by minors.

Access to Licensed Premises

- 9.4 The Act prohibits unaccompanied children from entering certain premises and between certain hours. It is an offence under the Act to:-
- (a) permit children under the age of 16 who are not accompanied by an adult (aged 18 or over) to be present on premises being used exclusively or primarily for the supply of alcohol for consumption on those premises under the authority of a premises licence, club premises certificate or temporary event notice, and
 - (b) permit the presence of children under the age of 16 who are not accompanied by an adult between midnight and 5.00 am at other premises supplying alcohol for consumption on the premises under the authority of a premises licence, club premises certificate or temporary event notice

Other than set out above, and subject to the licensee’s discretion, the Act does not prevent unaccompanied children from having free access to any licensed premises where the consumption of alcohol is not the exclusive or primary activity.

- 9.5 The Licensing Authority will consider the individual merits of each application, and then only when an application attracts relevant representations, before deciding whether it is appropriate to limit the access of children to any given premises. The following are examples of premises that will raise particular concern:-
- where there have been convictions for serving alcohol to minors or with a reputation for under-age drinking;
 - where there is a known association with drug taking or drug dealing;
 - where there is a strong element of gambling on the premises;

- where entertainment of an adult or sexual nature is provided;
- where films with age-restricted classifications are to be shown.

9.6 Where relevant representations are received in respect of an application, the Licensing Authority may consider the following additional measures (which may be adopted in combination) for limiting the access of children to licensed premises in order to prevent harm:-

- Limitations on the hours when children may be present;
- Limitations on ages below 18;
- Limitations or exclusion when certain activities are taking place;
- Restrictions or exclusions in respect of parts of premises;
- Requirements for an accompanying adult;
- Full exclusion of people who are under 18 years of age from the premises when any licensable activities are taking place.

9.7 No conditions will be imposed requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee or club or person who has served a temporary event notice on the Licensing Authority.

9.8 Applicants for premises licences and club premises certificates must send copies of their applications to the Surrey County Council Children Services (see list at Annex 1) on any application that indicates that there may be concern over access for children.

Illegal sales of restricted goods

9.9 The Licensing Authority and the Police take a serious view of the sale to minors of age-restricted goods. Trading Standards in Surrey will continue to seek to ensure that there is no illegal sale of age-restricted goods. The work of the Trading Standards Department in setting up systems to avoid sales to minors taking place is acknowledged and welcomed by the Licensing Authority. This work will continue and the Licensing Authority will welcome reports from the Trading Standards Department on any licensing matter. The Licensing Authority has particular regard to addressing problems caused by the link between alcohol sales to minors and crime and disorder issues.

Best practice in the protection of children from harm

9.10 The Licensing Authority strongly encourages the implementation of best practice in licensed premises in the Borough in order to promote the protection of children from harm objective. Types of premises vary throughout the Borough, as do the types of licensable activities carried on at those premises, and therefore the steps appropriate to promote this objective will vary by premises.

Operating Schedules

9.11 When preparing their operating schedules, applicants are encouraged to carry out a risk assessment of their premises by reference to the following items of best practice:-

- 9.11.1 Staff training on the law with regard to restricted sales;
- 9.11.2 Training records and documentation to be kept available for inspection;
- 9.11.3 Staff training to include checking identification (ID) for proof of age through a secure system. As of 1 October 2010, the Act imposed a mandatory condition on all premises licences and club premises certificates requiring the premises licence holder or club premises certificate holder to ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark;
- 9.11.4 A responsible person (as identified by Section 153 (4) of the Act) who is present and responsible for transactions made through staff that may be under 18 years of age;
- 9.11.5 Procedures in place to train and remind staff that all age-restricted products may only be sold in accordance with the Act (and other legislation) so that proof of age may be sought where needed;
- 9.11.6 Procedures in place to record refusals of sales, with such records kept available for inspection;
- 9.11.7 Vending machines dispensing age-restricted goods to be positioned to allow for proper supervision at all times;
- 9.11.8 Arrangements for restricting children from viewing age-restricted films, classified according to the recommendations of the British Board of Film Classification (BBFC) or the Licensing Authority.
- 9.11.9 Where the majority of the intended audience at regulated entertainment is expected to be children or the entertainment offered is of a nature likely to be of interest to children (e.g. theatre productions or film shows), the following are considered best practice arrangements in order to control their access and egress and to assure their safety:-
- Each event/facility to assess requirements has undertaken specific risk assessments to identify ratios/regulations required for applicant may be asked to provide proof of risk assessment.
 - A “Lost Child” policy which identifies arrangements for the safe care of lost children until they are reunited with the parent/guardian.
 - A staff-to-children ratio which will ensure adequate supervision.
- 9.12 Applicants are expected to include the above items of best practice in their operating schedules, where relevant to the premises. Where they elect not to do so, they are strongly advised to include information explaining the omission. This might be because a risk assessment has shown that the step is unnecessary or because the item is already the subject of another consent, e.g. a planning permission or statutory obligation. If such information is not included, it is more likely that a relevant

representation will be made, leading to the cost and delay of a hearing before a licensing sub-committee.

- 9.13 The steps volunteered in the operating schedule will become conditions of the licence or certificate, and therefore applicants should consider carefully the steps appropriate for the promotion of the four licensing objectives at their particular premises.

Opposed Applications

- 9.14 If a relevant representation is made, the Licensing Authority will have discretion to take such steps as are appropriate to promote the four licensing objectives. In exercising its discretion, it may where relevant take into account whether the applicant proposes to follow the best practice set out above.
- 9.15 As set out in section 18 of this Policy, the Licensing Authority recognises the need to avoid duplication with other regulatory regimes as far as possible, including avoiding replicating offences set out in the Act and other legislation. The Licensing Authority will, when considering an application following receipt of relevant representation, consider attaching conditions to licences and certificates intended to protect children from harm, and these should reflect the general principles regarding licence conditions set out in Chapter 1 of the guidance.
- 9.16 Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected/permitted/licensed to take place there.

10. LICENSING HOURS

- 10.1 The Act does not promote or prohibit longer licensing hours. However, the Licensing Authority recognises that the Guidance emphasises that the aim through the promotion of the four licensing objectives should be to reduce the potential for concentrations of, and a slower dispersal of, people from licensed premises through flexible opening times. This may be important to ensure that large concentrations of people do not leave premises at the same time and it may reduce the friction at late night hot food outlets, taxi ranks (hackney carriage stands), taxi or private hire operators' offices and other sources of transport that can lead to disorder and disturbance.
- 10.2 The Licensing Authority will not set fixed opening hours within certain areas, as this may lead at particular times to the movement of significant numbers of people seeking premises opening later, resulting in concentrations of disturbance and noise.
- 10.3 The Licensing Authority may consider imposing stricter conditions in respect of noise control where premises are situated in areas that have dense residential accommodation and/or are close to sensitive areas, for example hospitals, schools, places of worship, nursing homes. However, regard will be given to the individual merits of any application, and the Licensing Authority would only have discretion to consider attaching such conditions where a relevant representation is received in respect of an application, and then only where considered appropriate for the promotion of the four licensing objectives.

11. TRANSFER OF LICENCES

When considering an application for the transfer of a premises licence, the authority will only have regard to the exceptional circumstances of the case as set out in any objection raised by the police on the grounds that the transfer will undermine the crime

prevention objective. The effect on the crime prevention objective will be considered against the background of the policies contained in this document.

12. VARIATION OF LICENCES

- 12.1 When considering an application for the variation of a licence, the authority will consider the impact of the variation in terms of the policies in this document and the four licensing objectives. It will not use such an application as a means to review the licence terms and conditions already granted.
- 12.2 Minor Variations - A premises licence/club premises certificate holder may apply under the minor variation procedure for small variations that will not impact adversely on the four licensing objectives. There is no right to a hearing if the minor variation application is rejected. In its place a full variation application may be made.
- 12.3 Disapplication of Designated Premises Supervisor – Where community premises hold a premises licence allowing the sale/supply of alcohol, the licence holder can apply to have the mandatory condition requiring a Designated Premises Supervisor to be appointed, to be removed. This passes the responsibility for the sale/supply of alcohol to the premises Management Committee.

13. PROVISIONAL STATEMENTS

An application for a provisional statement will be considered in the same way as would an application for a premises licence or club premises certificate, on the assumption that the works are completed as per the schedule of works submitted by the applicant.

14. SEXUAL ENTERTAINMENT VENUES

- 14.1 Where premises are to be used on twelve or more occasions within a 12-month period for relevant sexual entertainment, the premises must also be licensed as a Sexual Entertainment Venue. Relevant sexual entertainment includes lap dancing, pole dancing, table dancing, strip shows, peep shows and live sex shows. This activity is the subject of a separate Council policy.
- 14.2 This licence only applies in areas where Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009) has been adopted.

15. COMPLAINTS / REVIEW OF LICENCES

- 15.1 The Licensing Authority will investigate complaints relevant to the four licensing objectives in relation to licensed premises. In the first instance, complainants will be encouraged to raise the complaint directly with the licensee or business concerned. Where a Responsible Authority or any 'other person' has made:
 - (a) valid representations about licensed premises; or
 - (b) a valid application for a licence to be reviewed

then the Licensing Authority may initially arrange a mediation meeting to address, clarify and try to resolve the issues of concern.

- 15.2 This process will not override the right of any Responsible Authority or any 'other person' to ask that the Licensing Authority consider an application for a review of the

premises licence or club premises certificate, or for any licence holder to decline to participate in a mediation meeting.

16. PERMITTED TEMPORARY ACTIVITIES

- 16.1 Where a person wishes to use premises for one or more licensable activities for a period not exceeding 168 hours, that person can serve a;
- Standard Temporary Event Notice (TEN) on the Licensing Authority in notifying it of the event. The TEN must be served on the Licensing Authority and a copy served on the Police and Environmental Health, as Responsible Authorities no later than ten clear working days before the event is to begin. To avoid confusion, the ten working days does not include weekends, public holidays, the day of receipt of the TEN and the day of the event itself.
 - Late Temporary Event Notice (LATE TEN) on the Licensing Authority in notifying it of the event. The TEN must be served on the Licensing Authority and a copy served on the Police and Environmental Health, as Responsible Authorities no later than 5 working days before the first day of the event and no earlier than 9 working days before the first day of the event.
- 16.2 The maximum number of persons allowed on the premises at the same time during the temporary event is 499.
- 16.3 If alcohol is to be supplied, all supplies must be carried out by or under the authority of the person serving the TEN, and that person need not hold a personal licence.
- 16.4 Only the Police and Environmental Health may object to the staging of a temporary event. If they believe that any of the of the four licensing objectives will be undermined by the event they will issue an 'Objection Notice'.
- 16.5 Where an Objection Notice is received in relation to a standard TEN, a licensing Panel will be held to determine the notice within seven working days of the Objection Notice being issued. The Licensing Authority will notify all relevant parties of the time and venue for the hearing. A hearing will not always be necessary if an agreed modification can be made beforehand. Where an Objection Notice is received in relation to a Late TEN, the event will automatically be refused authorisation. There is no right of appeal in this instance.
- 16.6 There are limitations on the number of TENs that individuals can give and which can be given in relation to particular premises.
- 16.7 A Licensing Authority may impose conditions on a TEN if it considers that this promotes the licensing objectives. A Licensing Authority can only impose such conditions if an objection has been made by Environmental Health or the Surrey Police (and the licensing authority considers that permitting the event to proceed would promote the licensing objectives), and at least a part of the premises in relation to which the TEN is given is already subject to a premises licence or club premises certificate. Any such conditions must be consistent with the activity authorised by the TEN and existing conditions attaching to the subsisting licence or certificate.
- 16.8 Where the limitations on a temporary event cannot be fulfilled, for example due to the large numbers attending, a premises licence will be required. The Licensing Authority would expect early notice of such a major event to allow Responsible Authorities to discuss and agree operating schedules.

17. SHOPS, STORES AND SUPERMARKETS

- 17.1 The Licensing Authority will consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises at any times they are open for shopping.
- 17.2 The Licensing Authority may consider whether there are very good reasons for restricting those hours. For example, a limitation of opening hours may be appropriate following relevant representations from the Police in the case of shops known to be the focus of disorder and disturbance because people gather there and engage in nuisance and/or anti-social behaviour.

18. INTEGRATING STRATEGIES AND AVOIDING DUPLICATION

- 18.1 The Licensing Authority recognises the need to avoid duplication with other regulatory regimes as far as possible. This Policy is not intended to duplicate existing legislation and regulatory regimes that place duties upon employers and operators. In the event that conduct of activity related to the business has been found to be in contravention of other regulatory regimes the Licensing Authority will have regard to such conduct in considering licensing applications.
- 18.2 Some regulations do not cover the particular circumstances that arise in connection with entertainment. The Licensing Authority may, for example, attach conditions to premises licences and club premises certificates where these are considered appropriate for the promotion of the four licensing objectives and are not already provided for in any other legislation.
- 18.3 The Council is a statutory member of the Safer Waverley Partnership (SWP). There are a number of mechanisms in place to ensure proper integration of crime prevention and carrying out enforcement action against anti-social behaviour. These are set out in the Safer Waverley Partnership Plan 2022-25.
[Waverley Borough Council - Safer Waverley Partnership](#)
The Council has also set up a Joint Enforcement Initiative (JEI) to protect the borough's environment by combating environmental crime, and to work more cohesively and effectively to enforce against anti-social behaviour so that it is a safe place for all to live, work and visit. Waverley is committed to support Safeguarding Children and Vulnerable People. The Council takes the view that safeguarding is everyone's responsibility and everybody has a role to play in protecting children from harm and keeping them safe as well as safeguarding and promoting the welfare of adults at risk. Waverley's Safeguarding Policy can be found at;

[Waverley Borough Council - Safeguarding](#)

Planning

- 18.4 The Licensing Authority recognises that there should be a proper separation of the planning and licensing regimes to avoid duplication and inefficiency. Licensing applications should not be a re-run of planning applications and should not cut across decisions taken by the Council's Area and Joint Planning Committees (or their successor committees) or following appeals against decisions taken by those Committees. Similarly, applicants for premises licences are responsible for making sure that they have the appropriate planning permission to reflect the proposals in their operating schedule and to enable them to comply with the commitments to service provision detailed in their operating schedule. Applicants should not propose in their operating schedule management measures affecting health and safety that conflict with planning or listed building control.

- 18.5 The Council's planning policies are set out in the Waverley Borough Local Plan Part 1: Strategic Policies and Sites, which was adopted by the Council in February 2018, Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies which was adopted by the Council in March 2023, made Neighbourhood Plans and supplementary planning guidance.
- 18.6 Both Local Plan Part 1 and Local Plan Part 2 that restaurants, public houses and other such uses are important elements in the mix of uses found in town centres and to the evening economy. Policy TCS1 in Local Plan Part 1 says that within town centres a variety of town centre uses will be encouraged, including food and drink, leisure and cultural uses that add to the liveliness, attractiveness and vitality and viability of the centre. Policy TD1 of Local Plan Part 1 is an overarching policy on townscape and design. One of its requirements is that new development is designed so that creates safe and attractive environments that meet the needs of users and incorporates the principles of sustainable development. Policy ST1 of Local Plan Part 1 says that new development should make appropriate provision for car parking, having regard to the type of development and its location, in accordance with local standards. Policy DM27 of Local Plan Part 2 supports proposals within town centre that will encourage investment and increase the viability and vitality of the area through a mix of town centre uses including markets and food and drink uses. Planning cannot take into account/regulate the possible behaviour or public order issues resulting from new development or changes of use, as these are not land-use issues. It does, however, recognise that such uses can cause disturbance to neighbours and can have an adverse effect on the character of an area. It seeks to eliminate or limit such adverse impacts in various ways, by imposing reasonable planning conditions restricting hours of operation, and ensuring that parking activities are controlled, particularly at unsocial hours.
- 18.7 Where relevant representations are received, any decision on a licence application will not consider whether any decision to grant or refuse planning permission or building control consent was lawful and correct. It will take into account what the impact of granting a licence will be on the licensing objectives.

Crime Prevention

- 18.8 Conditions attached to premises licences and club premises certificates will, so far as possible, reflect local crime prevention and crime and disorder strategies and applicants will be expected to address these in their operating schedules.

Cultural Strategies

- 18.9 The Licensing Authority will monitor the impact of licensing on regulated entertainment particularly live music, dance and theatre. The Licensing Authority aims to support the development of Cultural Services.
[Cultural Strategy](#)

18.10 Specific reference is made within Waverley's Cultural Strategy to support for the development of arts centres, including provision of live music, dance and theatre. The Strategy also seeks to continue to promote the use of parks in the Borough as a venue for seasonal live theatre events.

18.11 As part of implementing the Cultural Strategy, the Licensing Authority recognises the need to encourage and promote live music, dance and theatre for the wider cultural benefit of the community, particularly for young people. It is also keen to promote new and to continue existing cinema provision in the Borough.

Sports

18.12 The Council encourages local sporting organisations, through its Cultural Strategy, to generate revenue by making best use of their pavilions and any other facilities they may have.

Transport

18.13 Where appropriate, the Licensing Authority will arrange for protocols with the Surrey Police to provide for reports to the Local Authority Committee responsible for transport matters on the need for the swift and safe dispersal of people from the town centres to avoid concentrations, which can produce disorder and disturbance.

Tourism & Employment

18.14 Arrangements will be made for the Licensing & Regulatory Committee to receive reports on the following relevant matters to ensure these are reflected in their considerations:-

- the needs of the local tourist economy and cultural strategy for the Borough, and,
- the employment situation in the Borough and the need for investment and employment where appropriate.

18.15 The Licensing Authority will seek to discharge its licensing responsibilities with due regard to other Government strategies that impact upon the four licensing objectives e.g.

- Safer Clubbing
- National alcohol harm reduction strategy
- Home Office Action Plan for tackling alcohol-related crime, nuisance and disorder
- LACORS/TSI Code of Best Practice on test purchasing
- HSE Events Guide (particularly, but not exclusively, for temporary events and Temporary Events Notices)

19. ENFORCEMENT

- 19.1 The Licensing Authority has established a protocol with the Responsible Authorities on the enforcement of the Act. This provides for the efficient deployment of Authority Officers engaged in enforcing the Act and inspecting licensed premises, in order to ensure that resources are targeted at problem and high-risk premises. The Council's Licensing Enforcement Protocol is available at Waverley Borough Council's website.
- 19.2 The Licensing Authority is also subject to a corporate Enforcement Policy and Concordat, based on the principles of consistency, transparency and proportionality as set out in the Department of Trade and Industry's Enforcement Concordat and the Regulator's Code 2014. This ensures that any enforcement action taken is proportionate and reflects the risk posed to the promotion of the four licensing objectives, and that it is carried out in a fair and consistent manner, including prosecution where appropriate.
- 19.3 Waverley will continue to support and participate in the Surrey county-wide licensing forum – a local forum which aims to:-
- help develop consistency between the statutory agencies responsible for licensed premises;
 - develop potential for a joint approach to implementation and administration;
 - act as a strategic forum for licensing in Surrey;
 - develop liaison with agencies and other relevant organisations;
 - promote best practice;
 - enhance the potential for sharing resources.

20. APPEALS

Applicants and those making representations in respect of applications and reviews to the Licensing Authority have a right of appeal to the Magistrates' Court against the Authority's decisions. Further information on how to appeal can be obtained by contacting the Guildford Magistrates' Court, The Law Courts, Mary Road, Guildford, Surrey GU1 4PS. Tel: 01483 405300.

21. FEES (Non Payment of)

The Licensing Act 2003 requires a Licensing Authority to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due.

22. FURTHER INFORMATION

If you need more details about the licensing process or making an application please contact the Licensing Section, Waverley Borough Council, The Burys, Godalming, Surrey, GU7 1HR. Tel: 01483 523033 or licensing.policy@waverley.gov.uk

ANNEXE 1 RESPONSIBLE AUTHORITIES

- (a) **Police Authority**
Chief Officer of Police, c/o Waverley Licensing Officer, Surrey Police, P O Box 101, GU1 9PE
Tel: 01483 639512
- (b) **Fire Authority**
Surrey Fire and Rescue Service, Headquarters, Croydon Road, Reigate, Surrey, RH2 0EJ.
Tel: 01483 517277
- (c) **Trading Standards**
Buckinghamshire & Surrey Trading Standards, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey, RH2 8EF
Tel: 0300 123 2329
- (d) **Health and Safety at Work**
Executive Head of Regulatory Services, Waverley Borough Council, The Burys, Godalming, Surrey, GU7 1HR.
Tel: 01483 523333
- (e) **Local Planning Authority**
Executive Head of Planning Development, Waverley Borough Council, The Burys, Godalming, Surrey, GU7 1HR.
Tel: 014873 523333
- (f) **Local Authority – Prevention of Pollution (to environment or harm to human health)**
Executive Head of Regulatory Services, Waverley Borough Council, The Burys, Godalming, Surrey, GU7 1HR.
Tel: 01483 523333
- (g) **Surrey County Council Children Services**
County Child Employment and Strategy Manager, Quadrant Court, 35 Guildford Road, Woking, Surrey, GU22 7QQ
Tel: 01483 517838 cspa@surreycc.gov.uk
- (h) **Licensing Authority (Other than the relevant licensing authority) in whose area part of the premises is situated**
- (i) **Public Health**
Room G55, County Hall, Penrhyn Road, Kingston Upon Thames, KT1 2DN
Tel: 01737 733746
- (j) **Home Office (Immigration Enforcement)**
Alcohol Licensing Team, Lunar House, 40 Wellesley Road, Croydon, Surrey, CR9 2BY
(alcohol@homeoffice.gsi.gov.uk)
- To be advised on individual cases:
- (j) **In relation to a vessel - Navigation Authority**
Navigation Manager, National Trust, River Wey Navigations, Dapdune Wharf, Wharf Road, Guildford, Surrey, GU1 4RR.
Tel: 01483 561389

ANNEXE 2 OTHER USEFUL SOURCES OF INFORMATION

- A. The Licensing Act 2003 can be viewed on the [GOV.UK](#) website: [\(Link to Licensing Act 2003\)](#).
- B. The latest revised Guidance for the Licensing Act 2003 (December 2022) can be viewed on the [GOV.UK](#) website: [\(Link to Government publication 'Explanatory memorandum revised guidance issued under section 182 of the Licensing Act 2003'\)](#)
- C. The Home Office has issued its Modern Crime Prevention Strategy (March 2016) which potentially impacts on licensing, including the encouragement of partnership working schemes, improved local intelligence systems for use as evidence in licensing hearings, and support to local authorities in efforts to diversify late night economy away from alcohol-led premises, and which is available on the Home Office website: [\(Link to policy paper 'Modern crime prevention strategy'\)](#).
- D. The Government's Alcohol Harm Reduction Strategy can be viewed on the [GOV.UK](#) website: [\(Link to Government policy paper 'Alcohol strategy'\)](#).
- E. The Licensing Authority's latest licensing information can be found on Waverley Borough Council's website: [\(Link to Waverley Borough Council's Licensing web pages\)](#).
- F. The website of the Institute of Alcohol Studies can be accessed via the following link: [\(Link to Institute of Alcohol Studies website\)](#) .
- G. Registration and training of door staff is the responsibility of the Security Industry Authority. Information can be obtained from the Home Office website [\(Link to a policy paper on 'Modern crime prevention strategy'\)](#).
- H. The British Institute of Innkeeping (BII) is a trainer and an awarding body for the appropriate qualifications. It can be contacted via the following link: [\(Link to British Institute of Innkeeping website\)](#) / or 01276 684 449, email enquiries@bii.org.
- I. Surrey Safeguarding Children Board - information can be obtained via the following link: [\(Link to Surrey Safeguarding Children Board website\)](#) or 01372 833330 or email; sscb@surreycc.gov.uk.
- J. Surrey Alcohol and Drug Advisory Service. Information can be found via the following link: [\(Link to catalyst support website\)](#) or 01483 590150 or email; info@catalystsupport.org.uk.
- K. Tackling violence against women and girls strategy published by the Home Office can be found on the [GOV.UK](#) website: [\(Link to Government strategy on tackling violence against women and girls\)](#).
- L. Drinkaware is an independent charity funded by the alcohol industry which works to reduce alcohol misuse and harm in the UK. Information can be found on the drinkaware [website:\(Link to drinkaware website\)](#).

ANNEXE 3 TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	SUB-COMMITTEE (3 MEMBERS) ** FULL COMMITTEE	AUTHORISED OFFICERS
Application for personal licence *	If an objection made	If no objection made
Application for personal licence with unspent convictions *	All Cases	
Application for premises licence/club premises Certificate *	If a representation made	If no representation made
Application for provisional statement *	If a representation made	If no representation made
Application for Minor Variation to vary premises licence/club registration certificate *		All Cases
Application to vary premises licence/club registration certificate *	If a representation made	If no representation made
Application to vary designated personal licence holder *	If a police objection	All other cases
Request to be removed as designated personal licence holder		All cases
Application for transfer of premises licence *	If a police objection	All other cases
Application for Interim Authorities *	If a police objection	All other cases
Application to review premises licence/club premises Registration *	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.		All cases
Decision to object when local authority is a consultee and not the lead authority	All cases	
Determination of a police and/or Environmental health representation to Standard temporary event notices	All cases	
Determination of a police and/or Environmental health representation to 'Late' temporary event notices		Officers to reject application in all cases

*For applications and guidance please see **Waverley Borough Council's website** ([link to Waverley Borough Council licensing pages](#)) or call 01483 523219.

Notice of Motion (Procedure Rule 12.1) – Council 17 October 2023

Cllrs Martin, Goodridge and Cockburn

This Council resolves to review the collaboration arrangements with Guildford Borough Council with an intention to seek an orderly termination of those arrangements. Council requests that within 90 days a full review of the costs, benefits and disadvantages of these arrangements to date be undertaken by Officers together with a full review of the costs, benefits and disadvantages of and a reasonable timetable for that termination.

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WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 1 AUGUST 2023

SUBMITTED TO THE COUNCIL MEETING – 17 OCTOBER 2023

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

Present

Cllr Peter Clark (Vice Chair, in the Chair)	Cllr Nick Palmer
Cllr Tony Fairclough	Cllr Paul Rivers
Cllr Victoria Kiehl	Cllr Liz Townsend
Cllr Mark Merryweather	Cllr Steve Williams
Cllr Kika Mirylees	

Apologies

Cllr Paul Follows

Also Present

Councillor Michael Higgins, Cllr Jerry Hyman, Cllr Andy MacLeod

EXE 27/23 MINUTES (Agenda item 2)

27.1 The Minutes of the Meeting held on 4 July 2023 were confirmed as a correct record.

EXE 28/23 DECLARATIONS OF INTERESTS (Agenda item 3)

28.1 Cllr Paul Rivers, Co-Portfolio Holder for Housing (Operations and Services) declared a non-pecuniary interest in relation to Item 10 (Housing Delivery – Local Authority Housing Fund). This report recommended that the Council purchase properties for rent, ring-fenced for allocation to Ukrainian or Afghan refugees on the Government’s re-settlement and relocation schemes. Cllr Rivers and the Mayor, Cllr Penny Rivers, had been hosting a Ukrainian family since before this Government scheme was announced.

28.2 Cllr Rivers wished to avoid any perception that the family he and the Mayor were hosting might receive preferential treatment because they were being hosted by two Members of the Council, one of whom (as Co-Portfolio Holder for Housing (Operations and Services)) may be in a position to review and comment on processes associated with exercising related allocations.

28.3 Cllr Liz Townsend, Portfolio Holder for Planning, Regeneration and Economic Development declared a non-pecuniary interest in relation to Item 9 (New Build Housing Delivery, Ewhurst) as she was the Surrey County Councillor for the Cranleigh and Ewhurst division.

EXE 29/23 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4)

29.1 There were no questions from members of the public.

EXE 30/23 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5)

30.1 The following question had been received from Cllr Michael Higgins:

"Downhurst Road in Ewhurst is made up of a number of young families that enjoy using play areas. A number of residents have expressed support for replacing the houses (to be discussed at item 9 on the Agenda) with further Social Housing but they are concerned that the play area will be lost in the process. Could the Executive provide reassurance that they remain committed to retaining and refurbishing play areas including the one in Downhurst Road?"

30.2 Cllr Nick Palmer, Co-Portfolio Holder for Housing (Delivery) provided the following response:

"The Council is in the process of developing the plans for the site at Downhurst Road which includes six existing properties and the current grassed play area to the rear of their gardens.

Pre-application advice has been obtained on the current plans which include the relocation and reprovision of a new play area as part of the new development proposals.

When the design for the new build scheme has been developed further and ahead of submission of a planning application, the Development Team will arrange an informal consultation 'drop in' event in the village. At this event residents will have an opportunity to see the proposals for the new homes, play area and share with their comments on them with officers and some members of the design team."

EXE 31/23 LEADER'S AND PORTFOLIO HOLDERS' UPDATES (Agenda item 6)

31.1 The Deputy Leader advised that the Executive was considering its response to the Planning Inspector's decision in the Waverley Lane appeal, and Cllr Townsend as the relevant Portfolio Holder would have more to say on this.

31.2 Cllr Clark went on to report that 60% of councillors were now using the new Samsung tablets, which was good progress on the journey to reducing the use of paper within the council. However, Cllr Clark stressed that no councillor would be forced to give up paper copies of agendas if they had valid reasons.

31.3 Cllr Victoria Kiehl advised that work had begun on reviewing the arrangements for executive decision-making which was currently very centralised. This could lead to the need for additional meetings to meet decision deadlines which was not a good use of council time. Cllr Kiehl and officers would be engaging with the Chairs of the Overview and Scrutiny Committees and the Standards and General Purposes Committee as proposals developed.

31.4 Cllr Merryweather, as Ward Member for Farnham Moor Park, noted that the Waverley Lane appeal decision had caused a huge amount of confusion and

distress to residents and he thanked the Portfolio Holder for Planning, Cllr Townsend, other Executive members, and officers who were working very hard to identify how this might be remedied.

- 31.5 Cllr Kika Mirylees reported that talks were continuing between the council, Woolmer Hill School and Surrey County Council regarding the future of The Edge. However, the outdoor sports pitches continued to be used by the community. The council was in discussion with the disability sports group about their requirements to see how they might be temporarily re-located, and the other groups and clubs that used the Edge were encouraged to contact the council to discuss their requirements.
- 31.6 The gym upgrades at the Farnham, Godalming and Haslemere Leisure Centres would be taking place in the current financial year, including replacement of all gym equipment and décor. The new contractor, Everyone Active, had started well and officers were discussing with them the refurbishment of the Farnham Leisure Centre.
- 31.7 The first project meeting for the Museum of Farnham project would take place later in the week, following which there would be a clear timeline for delivery of the scheme.
- 31.8 Cllr Nick Palmer reported that the Community Infrastructure Levy (CIL) bidding round for this year had now opened and he encouraged Members to engage with local community groups to alert them to the opportunity to bid for funds.
- 31.9 Cllr Liz Townsend echoed Cllr Mirylees' frustration with the slow progress on finding a resolution to the issues at The Edge. Cllr Townsend also confirmed that the council was working alongside Farnham Town Council to look for grounds on which to challenge the Inspector's decision in the Waverley Lane appeal and she would provide a further update in due course.
- 31.10 Cllr Townsend reminded Members that a High Court judge had decided that a legal challenge to the adoption of the Waverly Borough Local Plan Part 2 (LPP2) should be heard as a court hearing. The Planning Policy team were preparing papers to submit to the court. At this stage the claimants had only had to convince the judge that there was an arguable case and the hearing would take place over a couple of days in the Autumn. The grounds of the challenge related to the way that the Planning Inspector who examined LPP2 considered its relationship with Local Plan Part 1, and to his conclusions regarding the developability of a site in Milford. The Secretary of State for Levelling Up, Housing and Communities had appointed an Inspector and was a defendant in the case alongside the council. The adoption of LPP2 had been a really positive step for the borough and a considerable achievement for this council and the planning arguments were fully scrutinized at the public examination. Although it was not unusual for a plan to be challenged it was nonetheless very frustrating and would undoubtedly divert resources away from other important planning matters. The council would be robustly defending the adoption of LPP2 and would continue to give the adopted LPP2 full weight in planning decisions until such time as the High Court ruled otherwise.

31.11 Further to the Public Space Protection Orders recently approved by Council, Cllr Tony Fairclough advised that under the Prime Minister's Anti-Social Behaviour Action Plan the government would be consulting on increasing the maximum fixed penalty fine to up to £500 for a number of offences including littering, graffiti, fly posting and fly-tipping, but there was no mention of breaches of dog controls. There was also no timetable for the proposed consultation.

31.12 Cllr Steve Williams reported on the deep disappointment on hearing the High Court ruling in favour of the Secretary of State and against the objections of Waverly Borough Council to the proposal of UK Oil and Gas (UKOG) to drill for fossil fuels in Dunsfold. He further advised that the council was seriously considering the legal options available and was working closely with Protect Dunsfold, who were co-defendants in the case.

EXE 32/23 RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEES
(Agenda item 7)

32.1 The Deputy Leader advised that there were no recommendations to the Executive from the meeting of the Resources Overview and Scrutiny Committee on 10 July 2023.

EXE 33/23 NEW BUILD HOUSING DELIVERY - CHIDDINGFOLD (Agenda item 8)

33.1 Cllr Palmer, Co-Portfolio Holder for Housing (Delivery) presented the report which proposed demolition of a number of existing properties to enable the delivery of 26 new homes across five sites in Chiddingfold. The project had been approved by Council on 13 December 2022 and work had progressed since in full consultation with tenants affected. The scheme remained financially viable and approval was now sought to move to the next stage of the project.

33.2 Cllr Liz Townsend spoke in support of the project and emphasised the importance of the council building houses for social rent that would be affordable for residents on the housing list.

33.3 The Executive RESOLVED to:

- i. enter into a contract with the preferred contractor Feltham Construction Limited for the delivery of the works.**
- ii. give delegated authority to the Executive Head of Legal and Democratic Services to approve the final form of any legal agreements and to Strategic Director (Place) to enter into the JCT Contract.**
- iii. give delegated authority to the Strategic Director (Place) to approve pre contract agreements with the preferred contractor to enable the development of the project and authorise spend in accordance with the budget.**

- iv. **give delegated authority to the Strategic Director (Place) to enter into any related contractual documentation (including collateral warranties or agreements) relating to the project.**
- v. **give delegated authority to the Strategic Director (Place) to enter into any ancillary agreements related to the project provided that these are within the project budget.**
- vi. **approve the sale of five shared ownership homes to be delivered on the Chiddingfold sites with the Executive Head of Housing Services in consultation with Co-Portfolio Holders for Housing (Delivery, and Operations) authorised to approve the final terms of such sales having regard to market value; and the Executive Head of Legal and Democratic Services authorised to approve the final form of the sale agreements and any ancillary related legal agreements.**
- vii. **give delegated authority to the Executive Head of Housing Services in consultation with the Co-Portfolio Holders for Housing (Delivery, and Operations) to approve the future sale of percentage shares.**

33.4 The Executive further RESOLVED to recommend to Council that an allocation of an additional £402,332 budget from reserves be approved.

EXE 34/23 NEW BUILD HOUSING DELIVERY, EWHURST (Agenda item 9)

- 34.1 Cllr Palmer introduced the report that proposed to progress an affordable housing development by the council in Ewhurst through the acquisition of a former council-owned flat which would enable the demolition of 6 properties which were currently unoccupied and not habitable, and which had been deemed as dangerous buildings. The intention was to then develop the site to deliver twelve affordable homes for rent.
- 34.2 Cllr Michael Higgins, Ward Member for Ewhurst and Ellens Green, thanked officers for keeping him updated on the development of the site. Residents were concerned about the future of the site, which had been cordoned off for some time, and also about the play area that was used by a number of young families living nearby. Cllr Higgins had been reassured by Cllr Palmer's response to his earlier question regarding the play area, and he fully supported the recommendation to demolish the properties in question and to progress the delivery of new affordable homes for Ewhurst. This first step would show real intent on the part of the council to fulfil its ambitions to increase the provision of affordable and social housing.

34.3 The Executive RESOLVED that:

- i. **the buyback of one leasehold maisonette on best terms, legally required and reasonably obtainable and the use of the buyback reserve for this, together with any related professional costs and Stamp Duty Land Tax be approved**
- ii. **the demolition of existing properties in advance of submission of a full planning application, to mitigate the risk associated with**

properties with significant movement due to subsidence be approved.

- iii. delegated authority be given to the Executive Head of Housing in consultation with Executive Head of Finance (S151 Officer) to approve the final terms of the purchase.**
- iv. delegated authority be given to the Executive Head of Legal and Democratic Services to approve the final form of any legal agreements relating to purchase.**
- v. a £100k budget be allocated from reserves to commission consultant services and demolition contractor to demolish the existing properties and associated works. This budget allocation to be included within the financial viability appraisal that will accompany the business case for the new build scheme when it is bought forward later in the year.**
- vi. delegated authority be given to the Strategic Director (Place) to enter into any related contractual documentation relating to this demolition stage of this project.**
- vii. delegated authority be given to the Strategic Director (Place) to enter into any ancillary agreements related to the project provided that these are within the allocated budget.**

EXE 35/23 HOUSING DELIVERY - LOCAL AUTHORITY HOUSING FUND (Agenda item 10)

- 35.1** Cllr Paul Rivers, Co-Portfolio Holder for Housing (Operations and Services) introduced the report setting out how the council proposed to use capital funding from the Department for Levelling Up, Housing and Communities (DLUHC) to obtain additional housing for families with housing needs who had arrived in the UK via the Ukrainian and Afghan resettlement and relocation schemes.
- 35.2** Cllr Rivers drew attention to the EDI impacts, as the properties acquired with LAHF capital would be let in the first instance to households of specific nationalities. However, at the end of the fixed term, these homes would be brought into general need housing stock and let to qualifying households on Waverley's housing register. Financial modelling showed a positive net revenue impact over the life of the assets, for both the new builds and homes acquired on the open market.
- 35.3 The Executive RESOLVED to:**
 - i. approve the principles of the Council using the Local Authority Housing Funding Scheme, and forward financing the acquisition or allocation of property under this scheme.**
 - ii. approve the principle of purchasing properties on the terms set out in the report and Exempt Annexe 1 and to delegate authority**

to the Executive Head of Housing in consultation with the Co-Portfolio Holders of Housing (Delivery and Operations) to approve the purchase of properties to deliver this project.

- iii. **approve the principle of allocation of the 11 homes as set out in 'Allocations' (Section 10) of this report, with the additional wording for the Allocation scheme to be approved by Executive Head of Housing and Housing Portfolio Holder (Operations) in line with Waverley's Allocations Scheme for housing applicants.**
- iv. **delegate to the Executive Head of Housing the authority to tender and enter into any contract to repair or bring up to standard any property purchased under this project in accordance with the principles set out in the Exempt Annexe 1**
- v. **grant delegated authority to the Executive Head of Legal and Democratic Services to approve the final form of wording of any legal agreement related to the project.**
- vi. **approve the reallocation of 4 two bed shared ownership homes at Ockford Ridge, Site C to allocation as homes for affordable rent for use within this scheme.**

EXE 36/23 69 HIGH STREET, GODALMING (Agenda item 11)

- 36.1 Cllr Mark Merryweather, Portfolio Holder for Finance and Assets, introduced the report which recommended the preferred option for developing the property asset at 69 High Street, Godalming.
- 36.2 Cllr Merryweather explained that much of the reporting relating to this matter had to be restricted to Exempt papers for good reason including commercial confidentiality, and it would be necessary to move into Exempt session, but there were a few points of principle that he wished to draw out from the public part of the report:
1. When the council acquired this site nearly 18 months ago, the objective was – and it still was - to provide much needed genuinely affordable housing and to re-invigorate the one empty High Street unit that we could.
 2. The council had not been immune to the macro-economic climate which had made this project so much more difficult, but there were still options to deliver the intended outcome that were financially viable and demonstrated value for money. The macro-economic climate meant that these and other options had weakened from where they were 18 months ago, while others had even had to be all but ruled out, but the recommended option was still expected to achieve the original outcome and pay for itself.
 3. Indeed, beyond the base case version of recommended Option 3 presented in the Exempt Annexes, the council also had funding reserve

capacity to improve on that base case should it chose to do so, plus the flexibility to progress the residential element through either the General Fund or the Housing Revenue Account – decisions that did not have to be taken now.

4. While the council had to assess the project's value for money, it was not allowed to undertake the project primarily to make a profit, a yield, either in income or capital terms. In contrast though, and precisely because of the exact same macro-economic factors, it would not be in the council's strategic or financial interests to abandon the project and exit now into the open market.
- 36.3 Cllr Merryweather thanked council officers and the council's team of independent professional expert advisers who had worked so hard to update all of the analyses in this period of exceptional economic turmoil.
- 36.4 Before moving into exempt session, the Deputy Leader asked the Executive Head of Legal and Democratic Services and Monitoring Officer to respond to a point raised by Cllr Jerry Hyman prior to the meeting regarding whether the Executive was able to make a decision in Exempt session, referring to Paragraph 9 of revised Part 1 of Schedule 12A of the Local Government Act 1972. The Executive Head of Legal and Democratic Services confirmed that she was satisfied that the report did contain exempt information in accordance with paragraph 3 of Schedule 12A to the Local Government Act 1972 which provided that information that related to the financial or business affairs of any particular person including the authority holding that information could be deemed to be exempt. There was financial information within the report relating to the council's position which she considered did render it exempt. The Executive did also need to consider the public interest test when looking at exempt information and balance whether the public interest in a matter outweighed the need to keep the information exempt, and in this case she advised that it did not because the information was commercially sensitive.
- 36.5 At 6.30pm, on the recommendation of Cllr Merryweather, the Deputy Leader put the recommendation and the Executive **RESOLVED that, pursuant to Procedure Rule 20, and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during detailed consideration of the report and recommendations on the grounds that it was likely that if members of the public were present during these items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in Paragraph 3 of the revised Part 1 of Schedule 12A to the Local Government Act 1972, namely Information relating to the financial or business affairs of any particular person (including the authority holding that information).**
- 36.6 During the course of the discussion in Exempt session, Cllr Jerry Hyman spoke and expressed concerns about the assumptions and unknowns, and uncertainty about the housing element of the project.

36.7 At 7.03pm, the Executive meeting resumed in open session and the Executive **RESOLVED** to:

1. **approve the phasing of the project.**
2. **approve the Outline Business Case and project timeline for the Phase 1 of the revised project (Exempt Annexe 1).**
3. **recommend to Full Council the approval of a budget of £230,000 (Exempt Annexe 2), to be met from the Asset Investment Reserve, to progress Phase 1 of the revised project. This will be to deliver the commercial element of the project to RIBA Stage 4 (the detailed design phase) and to enable the submission of a planning application for the commercial unit.**
4. **delegate authority to the Strategic Director of Place, in consultation with the Lead Portfolio Holder, to submit a new planning application for the commercial unit, including demolition to facilitate delivery and preparation for the prospective housing.**
5. **recommend to Full Council the approval of an overall capital budget of £1.96 million (including the £230,000 referred to above), as per the breakdown in Exempt Appendix 4, to cover the anticipated cost of the capital works to the commercial unit, with delegation to Executive to approve the final budget once tender returns for the construction contract have been received.**
6. **delegate authority to the Executive Head of Assets and Property to enter into a long-term (15 years) commercial lease for 69 High Street.**
7. **delegate authority to the Strategic Director of Place to:**
 - i. **Approve the commencement of tender process for construction contracts, including those of the professional team.**
 - ii. **Approve the appointment of contractors following appropriate procurement subject to the appointment being within the identified budget.**
 - iii. **Approve the entering into any related contractual documentation (including collateral warranties and novation agreements) related to the development of the project.**
 - iv. **Approve the entering into any agreement (including paying any necessary sums provided they are within the project budget) with any utility or related provider to ensure the connection, moving or management of any services to facilitate the project.**

The meeting commenced at 6.00 pm and concluded at 7.04 pm

Chairman

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 5 SEPTEMBER 2023

SUBMITTED TO THE COUNCIL MEETING – 17 OCTOBER 2023

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

Present

Cllr Paul Follows (Chair)	Cllr Nick Palmer
Cllr Peter Clark (Vice Chair)	Cllr Paul Rivers
Cllr Tony Fairclough	Cllr Liz Townsend
Cllr Victoria Kiehl	Cllr Steve Williams
Cllr Kika Mirylees	

Apologies

Cllr Mark Merryweather

Also Present

Councillor Jerry Hyman

EXE 37/23
MINUTES (Agenda item 2)

37.1 The Minutes of the Meeting held on 1 August 2023 were confirmed and signed as a correct record.

EXE 38/23
DECLARATIONS OF INTERESTS (Agenda item 3)

38.1 There were no declarations of interest raised under this heading.

EXE 39/23
QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4)

39.1 There were no questions from members of the public.

EXE 40/23
QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5)

40.1 The Leader advised the Executive that a question had been raised by Councillor Weldon under part 5. He added that the question had since been withdrawn and Councillor Weldon had met with the portfolio holder prior to the meeting where the question had been addressed.

EXE 41/23

LEADER'S AND PORTFOLIO HOLDERS' UPDATES (Agenda item 6)

- 41.1 The Deputy Leader advised that he was pleased to receive a briefing on the Farnham infrastructure programme from Surrey County Council and looked forward to its future progress.
- 41.2 Cllr Mirylees advised that the Museum was on track. Cllr Mirylees noted that with regard to the Edge, she had been asked to organise a meeting and the work was still ongoing.
- 41.3 Cllr Rivers advised that he had requested the Housing Team prepare a letter to be sent to the Senior Living Accommodation residents about the RAAC position so that those residents receive the appropriate degree of comfort.
- 41.4 Cllr Townsend advised that the council had received confirmation that the hearing for the legal challenge of the adopted Local Plan Part 2, would take place in person at the Royal Courts of Justice on the 7&8 November 2023. She noted that she would be attending with officers.
- 41.5 Cllr Townsend informed the Executive and officers that she was delighted to see that the Business Improvement Districts are progressing for Godalming and Farnham and that she hoped that the ballot for Godalming would be going out soon. She also noted that the council had funded a programme with IncuHive from January to June of this year which had helped to support 78 local businesses and contributed to creating 22 new jobs in the borough.
- 41.6 Cllr Williams advised that preparation for the annual update of the Carbon Neutrality Plan was complete and the 2023 plan was being reviewed by the Executive and would go to Overview and Scrutiny on the 19 February 2024.
- 41.7 Cllr Williams informed the Executive that there was a 39% reduction on the baseline year which was a good achievement, however two thirds of the boroughs historic carbon emissions needed to be reduced to net 0 over the remaining 7 years.
- 41.8 Cllr Williams advised that the administration would act on sustainable transport and was delighted that Waverley would be one of the first boroughs to introduce the new on-demand electric bus and the scheme had gone live in Farnham and Cranleigh and would be rolled out to Godalming in the next 12 months.
- 41.9 Cllr Williams advised that with regard to Green Spaces, following a consultation, design briefs were being prepared for a tendering process for three playgrounds. He noted that CIL bids were being prepared for the refurbishment of three more playgrounds.

- 41.10 Cllr Williams advised that the refurbishment of the internal areas of the Broadwater Park changing rooms had started and would be completed in three months.
- 41.11 The Leader advised that with regard to the Edge, he was currently seeking a meeting between Waverly Borough Council, Surrey County Council and the Weydon MAT to start looking forward and working as one unit in terms of the future use of the Edge. The Leader also noted that he had met with Sport Haslemere and the Herald to discuss the council plans for the Edge.
- 41.12 The Leader noted that the building was owned by Surrey County Council and he wanted to ensure that it was run for the leisure of Haslemere. The Leader advised that he had requested the meeting be chaired by the Mayor of Haslemere as an independent party and that Sport Haslemere attends as an observer with Cllr Mirylees and Cllr Natalie Bramall from Surrey County Council.
- 41.13. The Leader also noted that he requested that one single communication come out of the meeting from all three parties which clearly states what is happening next so that residents and the sports clubs have some certainty before the end of September.
- 41.14 The Leader thanked those involved the 69 Highstreet matters last week, he advised that was great to see it finally in place and would not be too much longer before the council could announce the new tenant.
- 41.15 The Leader informed the Executive that there was not a wider Broadwater matter on the agenda, but it would be scheduled very soon and he would be hosting a briefing for Waverley and Godalming Town Councillors to discuss the current status and the next steps.

EXE 42/23

RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEES (Agenda item 7)

- 42.1 The Leader advised that there were no recommendations from Overview and Scrutiny as there had been no meetings during the summer. He noted that the first meetings for the 2023/24 municipal year would take place in late September.

EXE 43/23

TEMPORARY SHARED STAFFING ARRANGEMENTS (Agenda item 8)

- 43.1 Cllr Kiehl welcomed the opportunity to introduce the paper and answer any questions. Cllr Kiehl also thanked officers for their work on the report.

- 43.2 Cllr Kiehl advised that the report sought the approval of the principle of shared staffing on a temporary basis between Waverly Borough Council and Guildford Borough Council to support the collaboration and ensure opportunities to do so between the two authorities were not missed. She noted that the temporary arrangement did not bind either council to anything permanent or effect any future decision regarding the collaboration programme.
- 43.3 Cllr Kiehl noted, that by agreeing the report, the Executive would authorise the governance to be set up and be in place to allow both authorities to have interim shared staffing arrangements. Cllr Kiehl also highlighted that this was made clear in paragraph 5.1 of the report.
- 43.4 Cllr Kiehl advised that the Executive was also being asked to delegate decision on temporary shared staffing to the Joint Chief Executive as the Head of Paid Services. She advised that it was an appropriate delegation and one that should be in place to make routine decisions about staff resources in an efficient manner. She noted that Guildford Borough Council had agreed a similar decision at a meeting of their Executive in July and the report in front of the Executive mirrored GBC report and the recommendations had the same effect.
- 43.5 Cllr Hyman queried whether the arrangement was a plan to help Guildford Borough Council out of its current crisis, and he felt that there was not a great deal of information within the report. He noted that he had a number of questions that were not answered in the report. He advised that the report had been brought to the Executive without Scrutiny having prior knowledge. Cllr Hyman asked if GBC had imposed a recruitment freeze? and if WBC was assisting GBC, at what cost?
- 43.6 Cllr Hyman referred to page 21 paragraph 6.1 and noted that the agreement was supported by both Executive's, and it seemed to him that WBC had agreed to something before it had reviewed the vision. He noted that he had not seen a plan as to how the WBC would assist GBC and how it would benefit WBC. He sought further explanation that WBC was doing the right thing for its residents. Cllr Hyman queried the speed in which the decision was brought to the Executive. Cllr Hayman queried whether WBC would receive good quality support and advice, or would it be going where it was needed most?
- 43.7 Cllr Hyman sought a commitment from the Leader for immediate affirmation that council staff from both councils would be accountable for providing all relevant information and answers necessary questions on request and in good time.
- 43.8 The Leader advised that there were no codifying rules to force someone be honest if they were intent on being dishonest. He advised that his approach was to consider everyone to be open, reasonable, and honest, until someone gave him evidence that they were not. The Leader advised that the

agreement was a mechanism to effectively enable staff sharing between GBC and WBC.

- 43.9 The Leader noted that GBC had already agreed the equivalent arrangements and there had been a number of instances where WBC had used staff from GBC to fill gaps and referred to Private Sector Housing as an example. The Leader stressed that it was not a one-way deal and WBC had already benefited from the support of GBC staff.
- 43.10 The Leader confirmed that GBC did have a recruitment freeze, however they were recruiting by exception, he advised that it was a question for GBC. The Leader advised that the initial vision for sharing of resources, both material and people was set out in the July 2021 meeting and that this was the first step towards joint working arrangements. He noted that another report (under Local Government Act section 113) detailing post locations and staff reporting lines, would be subject to scrutiny later in the calendar year.
- 43.11 Cllr Kiehl thanked Cllr Hyman for his comments, she advised that the report was a technical paper to enable WBC to share staff on an interim basis and as the report stated, it would be when it was in the best interest for both councils to do so.
- 43.12 Cllr Liz Townsend spoke in support of the report and emphasised the importance of improving services to WBC residents by working in partnership with GBC. She noted that the council had identified opportunities where it could use the expertise from staff across both councils to improve services and to become more agile.

The Executive RESOLVED to:

- I. Approve the principle of sharing staff between Guildford Borough Council and Waverley Borough Council, on a temporary basis, where appropriate to support the collaboration programme;**
- II. Delegate authority to the Joint Chief Executive, to approve, subject to a business case, future temporary staff sharing arrangements between Guildford Borough Council and Waverley Borough Council, to support the collaboration and transformation programme;**
- III. Delegate authority to the Joint Executive Head of Legal and Democratic Services to enter into an agreement between Guildford Borough Council and Waverley Borough Council for the sharing of their staff on a temporary basis.**

Reasons

1. To ensure that officers have sufficient agility in operational decision making to embrace opportunities that may arise regarding temporary staffing arrangements, that are likely to be beneficial to both councils in terms of cost, efficiency and skills, whilst retaining flexibility for any future longer-term arrangements brought about through the Transformation and Collaboration Programme.

2. To ensure that there is a robust governance process around the sharing of staff on an interim basis, including arrangements for the sharing of costs, terminating any such agreements and resolving any disputes in a fair and transparent manner.
3. To ensure that officers have sufficient agility in operational decision making to embrace opportunities that may arise regarding temporary staffing arrangements, that are likely to be beneficial to both councils in terms of cost, efficiency and skills, whilst retaining flexibility for any future longer-term arrangements brought about through the Transformation and Collaboration Programme.
4. To ensure that there is a robust governance process around the sharing of staff on an interim basis, including arrangements for the sharing of costs, terminating any such agreements and resolving any disputes in a fair and transparent manner.

EXE 44/23

NEW BUILD HOUSING DELIVERY - AARONS HILL, GODALMING (Agenda item 9)

- 44.1 Cllr Palmer introduced the report, he advised that it was a project that had been ongoing for some time and was moving to the next stage. He advised that the project had already been approved by Executive and Full Council, however the impact of inflation meant that it needed to be reviewed again. Cllr Palmer noted that the background for the report would be heard in the exempt part of the meeting.
- 44.2 Cllr Palmer confirmed that the four homes were very much in keeping with the Council's priorities, two of which were directly dealing with cases of homelessness and all four were in line with the Council's Strategy. He noted that the overall impact of the proposal remained financially viable and very satisfactory.
- 44.3 Cllr Hyman raised a query regarding the £23 million investment on the development at Upper Aaron's Hill. Cllr Hyman sought further information on the return value and how many homes the Council would gain from its investment. He also sought an update on the total investment value in writing after the meeting.
- 44.4 The Leader advised Cllr Hyman that he was referring to the redevelopment at Ockford Ridge, he noted that Cllr Hyman was fortunate that the Project Manager, Louisa Blundell, and both the ward councillors for Central Ockford were in attendance and may be able to respond to his questions.

- 44.5 The Leader asked Louisa Blundell if she recalled the net gain on homes for Ockford Ridge. Louisa Blundell advised that she was unable to recall the figure but would respond to Cllr Hyman in writing after the meeting.
- 44.6 Cllr Townsend spoke of her support for the report, she advised that it met with the Council's Corporate Strategy to build more, build better and build for life affordable housing. She noted that she was not surprised that the costs had increased due to inflation.
- 44.7 Cllr Rivers also spoke in support of the report and congratulated the Housing Team for their success in gaining partial grant funding for the two homeless one-bedroom flats.
- 44.8 Cllr Palmer advised that if the council did not receive the research, then it would have lost its grants from Homes England and it would have been unable to provide the homeless accommodation.
- 44.9 Cllr Williams echoed his support for the proposal and commended the work of the Housing Team. He welcomed and endorsed the notion of sustainable homes and was delighted to see the gradual improvement of the quality sustainable homes being built in Waverley.
- 44.10 The Leader thanked Louisa Blundell for all her hard work and her engagement work with local residents and all the stakeholder groups.

The Executive RESOLVED to:

- I. Give delegated authority to the Executive Head of Legal and Democratic Services to approve the final form of any legal agreements and to Strategic Director (Place) to enter into the JCT Contract with the preferred contractor.**
- II. Give delegated authority to the Strategic Director (Place) to approve pre contract agreements with the preferred contractor to enable the development of the project and authorise spend in accordance with the budget.**
- III. Give delegated authority to the Strategic Director (Place) to enter into any related contractual documentation (including collateral warranties or agreements) relating to the project.**
- IV. Give delegated authority to the Strategic Director (Place) to enter into any ancillary agreements related to the project provided that these are within the project budget.**
- V. Give delegated authority to the Executive Head of Legal and Democratic Services to approve and enter into a Grant Agreement with Homes England for the provision of Rough Sleeper Accommodation and delegated authority to the Strategic Director of Place to administer the grant.**
- VI. Approve of the allocation of an additional £80k budget to be met through a combination of capital receipts and borrowing.**

Reasons

1. The Executive and Full Council have previously approved the Business Case for this site and the recommended authority is required to enter into the contract with a build contractor and approve additional budget to facilitate delivery of the new homes on this site through a JCT Design and Build Contract. Through delivery of the project there may be a requirement to enter into project related contractual documents or ancillary agreements.
2. The Waverley Corporate Strategy 2020-2025 sets out the Vision and Strategic Priorities for the Council. One of the strategic priorities is to 'provide good quality housing for all income levels.'
3. Build More, Build Better, Build for Life Affordable Homes Delivery Strategy 2022 – 2025 sets out the Council's commitment to build homes to buy or rent for households from all income levels. The strategy has been supported by evidence studies including the Waverley Housing Affordability Study 2021.
4. Delivery of 4 homes at Godalming including two to provide rough sleeper accommodation which will be grant funded in part by Homes England.
5. The Executive and Full Council have previously approved the Business Case for this site and the recommended authority is required to enter into the contract with a build contractor and approve additional budget to facilitate delivery of the new homes on this site through a JCT Design and Build Contract. Through delivery of the project there may be a requirement to enter into project related contractual documents or ancillary agreements.
6. The Waverley Corporate Strategy 2020-2025 sets out the Vision and Strategic Priorities for the Council. One of the strategic priorities is to 'provide good quality housing for all income levels.'
7. Build More, Build Better, Build for Life Affordable Homes Delivery Strategy 2022 – 2025 sets out the Council's commitment to build homes to buy or rent for households from all income levels. The strategy has been supported by evidence studies including the Waverley Housing Affordability Study 2021.
8. Delivery of 4 homes at Godalming including two to provide rough sleeper accommodation which will be grant funded in part by Homes England.

EXE 45/23

EXCLUSION OF PRESS AND PUBLIC (Agenda item 10)

EXE 46/23

SUPPLEMENTARY BUDGET ESTIMATE FOR THE ROLE OF PROJECT OFFICER (Agenda item 11)

The Executive RESOLVED to approve the recommendations set out in the Exempt report, and detailed in the Exempt Minutes.

EXE 47/23

RECRUITMENT - TENANT INVOLVEMENT OFFICER GROWTH BID (Agenda item 12)

The Executive RESOLVED to approve the recommendations set out in the Exempt report and detailed in the Exempt Minutes.

EXE 48/23

ANY OTHER ISSUES TO BE CONSIDERED IN EXEMPT SESSION (Agenda item 13)

48.1 There were no other issues to be considered in the exempt session.

The meeting commenced at 6.00 pm and concluded at 6.43 pm

Chairman

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of the Local Government Act 1972.

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