

MINUTES of the WAVERLEY  
BOROUGH COUNCIL held in  
the Council Chamber, Council  
Offices, The Burys, Godalming  
on 11 December 2018 at 7.00  
pm

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- \* Cllr Denise Le Gal (Mayor)
- \* Cllr Mary Forszewska (Deputy Mayor)

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|--------------------------|-------------------------|
| * Cllr Brian Adams       | * Cllr Anna James       |
| * Cllr Mike Band         | * Cllr Carole King      |
| * Cllr David Beaman      | * Cllr Robert Knowles   |
| * Cllr Andrew Bolton     | * Cllr Martin Lear      |
| * Cllr Maurice Byham     | * Cllr Denis Leigh      |
| * Cllr Carole Cockburn   | * Cllr Andy MacLeod     |
| Cllr Kevin Deanus        | Cllr Peter Martin       |
| Cllr Jim Edwards         | * Cllr Tom Martin       |
| * Cllr Patricia Ellis    | * Cllr Kika Mirylees    |
| Cllr David Else          | Cllr Stephen Mulliner   |
| Cllr Jenny Else          | * Cllr Nabeel Nasir     |
| * Cllr Paul Follows      | * Cllr Libby Piper      |
| Cllr John Fraser         | * Cllr Julia Potts      |
| Cllr Pat Frost           | * Cllr Sam Pritchard    |
| Cllr Michael Goodridge   | * Cllr Wyatt Ramsdale   |
| * Cllr Tony Gordon-Smith | * Cllr Stefan Reynolds  |
| Cllr John Gray           | * Cllr David Round      |
| * Cllr Ged Hall          | * Cllr Richard Seaborne |
| * Cllr Jill Hargreaves   | Cllr Jeanette Stennett  |
| * Cllr Val Henry         | Cllr Stewart Stennett   |
| Cllr Christiaan Hesse    | * Cllr Chris Storey     |
| Cllr Stephen Hill        | * Cllr Liz Townsend     |
| Cllr Mike Hodge          | Cllr Bob Upton          |
| * Cllr Nicholas Holder   | * Cllr John Ward        |
| * Cllr David Hunter      | Cllr Ross Welland       |
| * Cllr Jerry Hyman       | * Cllr Liz Wheatley     |
| * Cllr Simon Inchbald    | * Cllr Nick Williams    |
| Cllr Peter Isherwood     |                         |

\*Present

### Apologies

Cllr Kevin Deanus, Cllr Jim Edwards, Cllr David Else, Cllr Jenny Else, Cllr John Fraser, Cllr Pat Frost, Cllr Michael Goodridge, Cllr John Gray, Cllr Christiaan Hesse, Cllr Stephen Hill, Cllr Mike Hodge, Cllr Peter Isherwood, Cllr Peter Martin, Cllr Stephen Mulliner, Cllr Jeanette Stennett, Cllr Stewart Stennett, Cllr Bob Upton and Cllr Ross Welland

Prior to the commencement of the meeting, prayers were led by the  
Reverend David Uffindell

## PRESENTATION BY THE MAYOR

**Prior to the Council meeting, the Mayor presented certificates from the Royal Humane Society to Susan Mooney, James Spring and Robin Amy:**

“In June this year, Susan Mooney, James Spring and Robin Amy were enjoying a day out with their Scouts at Godalming Bowling Club, when they received an urgent call for help from a passing jogger. They immediately rushed over to the location, where they were met with the sight of an unconscious lady on the ground and in desperate need of medical help.

In what must have been a traumatic and challenging situation, they quickly took control and administered CPR. The swift intervention of all four, none of whom are medical professionals, saved a life. It is wonderful to know that we have such brave and outstanding individuals in our community and it gives me great pleasure to present each of them with the well-deserved certificate from the Royal Humane Society.

I would encourage everyone to take some basic life support training – as we saw here it really does make a difference.”

### CNL40/18 MINUTES (Agenda item 1.)

The Minutes of the Meeting of the Council held on 16 October and 31 October 2018 were confirmed and signed.

### CNL41/18 APOLOGIES FOR ABSENCE (Agenda item 2.)

Apologies for absence were received from Cllrs Kevin Deanus, Jim Edwards, David Else, Jenny Else, John Fraser, Pat Frost, Michael Goodridge, John Gray, Christiaan Hesse, Stephen Hill, Mike Hodge, Peter Isherwood, Peter Martin, Stephen Mulliner, Jeannette Stennett, Stewart Stennett, and Bob Upton.

### CNL42/18 DECLARATIONS OF INTEREST (Agenda item 3.)

In relation to Executive Minute EXE 55/18, Cllr Holder declared a non-pecuniary interest as he is a dog owner. Similar declarations were also made by Cllrs Band, Beaman, Cockburn, Forszowski, Hall, Hargreaves, James, Lear, MacLeod, Mirylees, Piper, Reynolds, Round and Townsend.

### CNL43/18 MAYOR'S ANNOUNCEMENTS (Agenda item 4.)

43.1 The Mayor informed Council that she was enjoying the carol concerts and other Christmas events to which she had been invited. In November, she had attended the Remembrance Day Parade and Service in Farnham which had been a very moving event. The Parade had been included over 400 people, and there had been wonderful support from residents. At the end of October, she had attended a community event in Elstead to commemorate the end of WW1, and that too had been an outstanding occasion.

43.2 The Mayor then showed a selection of photographs from the unveiling of the Memorial to the Canadian soldiers who were based at Milford and Witley Commons in 1915, before being shipped to France.

CNL44/18 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 5.)

- 44.1 The following question had been received from Gill Leslie and Lynda MacDermott, of Cranleigh, in accordance with Procedure Rule 10:

*“We are very much aware of the scourge of Modern Slavery today. We are told by Surrey police that all of us in the county live within 3 miles of a modern day slave.*

*Will Waverley Borough Council sign up and implement the Charter against Modern Slavery, as actively promoted by the Co-operative Group, following the example of Surrey County Council and 50 other councils throughout the country?*

*The Charter is itemised below.*

***The Modern Day Slavery Charter***

*Waverley Borough Council will:*

- 1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply’s (CIPS) online course on Ethical Procurement and Supply.*
- 2. Require its contractors to comply fully with to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.*
- 3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.*
- 4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.*
- 5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.*
- 6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.*
- 7. Review its contractual spending regularly to identify any potential issues with modern slavery.*
- 8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.*
- 9. Refer for investigation via the National Crime Agency’s national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.*
- 10. Report publicly on the implementation of this policy annually.”*

**44.2 Response by the Mayor:**

“Waverley takes the issue of Modern Slavery very seriously.

It is referred to in our adopted Safeguarding Policy and is discussed with our partners within the confidential Community Safety meetings focused on Serious and Organised Crime. In addition the Modern Slavery Act 2015

formed part of our Health Inequalities report created by our Overview & Scrutiny Panel and adopted by Council earlier this year.

The Council has committed to making a clear statement on this subject which will be on our website in the New Year following discussion with councillors. Modern Slavery and all the safeguarding issues relating to it are a high priority for us. Waverley Borough Council and our partners will continue to work together to eradicate this horrific crime.”

CNL45/18 QUESTION TIME (Agenda item 6.)

- 45.1 The following question had been received from Cllr David Beaman, Farnham Castle Ward:

*“WBC's recently adopted Economic Development Strategy includes in its vision the need to provide high quality business and employment support but this will be frustrated if the Post Office in Farnham is closed and replaced by a facility in W H Smith on The Borough. There is limited space in W H Smith and as a consequence it is unlikely that all the services provided in the current Post Office will continue. In addition The Borough where W H Smith is located has limited pavement space and high levels of air pollution are recorded in the area.*

*Farnham's current Post Office is well used both by local residents and businesses and there is significant opposition to the proposal as evidenced by a petition undertaken on three consecutive Saturday mornings on which there are now just over 1,500 signatures (over 2 signatures being collected every minute). Since postal deliveries will continue from the same building closing the Post Office will not allow any potential redevelopment of the existing site.*

*Will, therefore, WBC oppose the closure of Farnham's Post Office and any transfer of services to W H Smith and an invitation sent to the management of Post Office Counters to appear before a meeting of one of WBC's Overview and Scrutiny Committees to answer questions on these proposals?”*

45.2 **Response by the Mayor:**

“The Leader of Waverley Borough Council, Cllr Julia Potts was dismayed to hear that there was to be a consultation concerning the potential closure and proposed move of the much valued Farnham Post Office. The Post Office is a key footfall driver on West Street and often a vital service for small businesses. Cllr Jim Edwards Portfolio Holder for Economic Development will be writing on behalf of Waverley Borough Council to express concerns at this proposal. The Chamber of Commerce have also said that this would be disastrous, not just for small businesses; they added that they use this daily for all special/recorded mail and the Post Office always seems to have a queue therefore it is hardly underutilised

The Council feels very strongly that it is important to retain an efficient and full post office service in the heart of the community in Farnham, which is one of Surrey's largest settlements. Officers have spoken to the Post Office

network and have been informed that a formal 6 week consultation will be launched in the New Year. Farnham Ward Councillors have been contacted and have already expressed strong views about the proposed move. The matter will be considered in the public domain by the Overview and Scrutiny Committee.

In the meantime, Officers are arranging to meet with representatives from the Post Office and Royal Mail to ensure that they are clear on the strength of feeling that this Borough has on the closure and move of a vital community service which is highly valued and used by residents.“

CNL46/18 MOTIONS (Agenda item 7.)

There had been no Motions received from Members.

CNL47/18 MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON 4 DECEMBER 2018  
(Agenda item 8.)

47.1 It was moved by the Leader of the Council, duly seconded, and

RESOLVED that the Minutes of the Executive held on 4 December 2018 be received and noted.

The Leader reported that there were five items under Part I for consideration by the Council, and she had had no requests to speak in relation to Part II of the Minutes.

**CNL 47.1/18 REDEVELOPMENT OF LAND ADJACENT TO 85 AARONS HILL, GODALMING AND 13 RYLE ROAD, FARNHAM (EXE 52/18)**

- 47.2 The Council had previously obtained Government funding to deliver Starter Homes on these sites in Godalming and Farnham. However, there had been a delay in the publication of Starter Homes regulations, and Homes England had allowed the funding to be used by the Council to deliver affordable rented housing on an alternative site.
- 47.3 It was now proposed that the Council would develop the original sites to provide six affordable homes for rent: four one-bedroom flats at Aarons Hill and two one-bedroom flats at Ryle Road, with one being designed for a wheelchair user. A planning application had been submitted for each site and decisions were awaited. The development of these sites for affordable rented accommodation was an excellent use of the land, and the proposals would provide one-bedroom flats for which there was a high demand on the Council's housing register.
- 47.4 In response to a question from Cllr Follows, Cllr King informed the Council that the Government's Starter Homes proposals had not progressed, so the sites were now being developed to provide affordable rented accommodation. The allocation of development funding from the Affordable Housing Reserve would avoid any delay in moving forward with the developments when planning permission was obtained. In the event that planning permission was not granted, the funds would be re-paid to the Reserve for use in due course on an alternative scheme.

It was moved by the Leader, duly seconded, and

**RESOLVED that the allocation of funding from the New Affordable Housing Reserve, as set out in the Exempt Annexe to the report at Appendix 1, for the development of land adjacent to 85 Aarons Hill, Godalming and 13 Ryle Road, Farnham, be approved.**

**CNL 47.2/18 COMMUNITY CENTRE BUILDING AND LAND - TRANSFER FROM THE HOUSING REVENUE ACCOUNT TO THE GENERAL FUND (EXE 53/18)**

- 47.5 The Community Centre Building in Cranleigh from which Rowley's Centre from the Community operated, was no longer being used for the "housing purposes" for which it was originally acquired under the Housing Act 1985. The transfer of the building and land to the General Fund would ensure compliance with accounting best practice.
- 47.6 The General Fund would receive rental income from the property and take on responsibility for managing and maintaining the property, and a budget of £25,000 would be transferred from the Housing Revenue Account to the General Fund to allow for future liabilities.
- 47.7 Cllr Ellis thanked the Council for its longstanding encouragement and support for Rowley's. The Centre for the Community was very important to residents of Cranleigh and the surrounding villages. Whilst it had faced some challenging times in recent years, with the support of Waverley it now had a positive future and users were enjoying the expanded facilities.

It was moved by the Leader, duly seconded, and

RESOLVED that:

1. **Pursuant to section 122 of the Local Government Act 1972, the land outlined in blue on the Plan at Annexe 1 to the agenda report at Rowland Road, Cranleigh, Surrey be transferred from the Housing Revenue Account to the General Fund;**
2. **The Chief Executive be authorised to execute a memorandum confirming the appropriation; and,**
3. **To cover future liabilities, a one off transfer of £25,000 be made from the Housing Revenue Account to the General Fund at the time of the transfer.**

**CNL 47.3/18 COMMUNITY INFRASTRUCTURE LEVY (CIL) GOVERNANCE ARRANGEMENTS (EXE 54/18)**

- 47.8 The Leader introduced the CIL Governance Arrangements, and proposed an amendment to amend the wording of recommendations 4 and 5 as set out in the agenda papers, to that put forward by the Value for Money and Customer Service Overview & Scrutiny Committee. The intention had been that the Executive would agree the revised wording but this was overlooked at the meeting on 4 December.

47.9 The Leader moved the amendment, which was duly seconded, and Council

RESOLVED that the wording of recommendations 4 and 5 be amended (as shown in bold) to read:

4. Delegated authority to be given to the CIL Advisory Board **to draft** the detailed criteria for the spending of Strategic CIL receipts and any proposals for allocating proportions of the Strategic CIL Fund for specific purposes, **which will then be subject to Council approval following the usual scrutiny process.**

5. **Subject to an agreed threshold to be approved by Council,** delegated authority to be given to the Executive to approve Strategic CIL Fund spending, after consideration of the recommendations from the CIL Advisory Board.

47.10 Cllr Storey informed Council that the collection of CIL from developers was intended to address the impact on local infrastructure of new development. It was estimated that approximately £94m would be collected over the life of the Local Plan, and it was important that the governance arrangements for allocating this to specific infrastructure projects were robust. The governance arrangements had to comply with the CIL Regulations, and it was important that CIL was awarded to projects that were identified on the Infrastructure Delivery Plan.

47.11 It was proposed that the final details of the arrangements were drafted by the CIL Advisory Board, and it was important that this was not party political but aimed to do the best for Waverley as a whole. The process would be transparent, and there would be an online web portal for members of the public to see what CIL had been received, and what it had been spent on.

47.12 Cllr Follows expressed his concern that the actual CIL receipts would fall short of estimates, due to the high number of planning permissions already granted, and planning applications submitted ahead of CIL implementation. He asked the Leader to commit to ensuring all developers paid CIL, and to report on why they hadn't if that happened.

47.13 Cllr Adams welcomed the proposed approach, and bringing the arrangements forward at this time. The Section 123 list and Infrastructure Delivery Plan would provide the framework for spending, but the process would be dynamic and responsive to local needs. Cllr Ramsdale echoed the support for the governance arrangements and development of spending criteria that were fair and transparent. Cllr Hall reminded Council that the viability tests used by developers had been standardised, and this would remove a lot of the debate about whether CIL was affordable.

47.14 In summing up, the Leader emphasised the need to begin the detailed process of developing the governance arrangements. As now agreed, these would come back to Council for final agreement following scrutiny by the Overview & Scrutiny Committee, and would be reviewed regularly in the light of experience once the Council started to receive CIL and allocate it to projects. She would be talking to the Opposition about membership of the CIL Advisory Board, with the view of it being cross-party and cross-borough.

It was moved by the Leader, duly seconded, and

**RESOLVED that:**

1. **The governance arrangements for the allocation and spending of Strategic CIL receipts as set out in the report at Appendix 3 are approved.**
2. **A CIL Advisory Board is established, as set out in paragraph 19 of Appendix 3.**
3. **Strategic CIL receipts are to be held in a Strategic CIL Fund, to be allocated to infrastructure identified in the Infrastructure Delivery Plan, in accordance with the Regulation 123 List.**
4. **Delegated authority is given to the CIL Advisory Board to draft the detailed criteria for the spending of Strategic CIL receipts and any proposals for allocating proportions of the Strategic CIL Fund for specific purposes, which will then be subject to Council approval following the usual scrutiny process.**
5. **Subject to an agreed threshold to be approved by Council, delegated authority is given to the Executive to approve Strategic CIL Fund spending, after consideration of the recommendations from the CIL Advisory Board.**

**CNL 47.4/18 PROPOSED PUBLIC SPACE PROTECTION ORDER NO. 1 - DOG FOULING (EXE 55/18)**

- 47.15 The Leader reported that over 1,600 responses had been received to the public consultation on the proposed Public Space Protection Order on Dog Fouling. There was a clear indication from the responses that residents regarded failing to clear up after a dog had fouled was a problem in Waverly, and that dog owners should clean up after their dog. Whilst the majority of dog-owners acted responsibly, there was overwhelming support for the introduction of fixed penalty notices for the small minority of dog-owners who behaved in an antisocial way. As well as being unpleasant, there were direct health risks of contamination from dog faeces that could be especially harmful for young children. The proposed Order also included a requirement to dispose of dog waste appropriately after it had been cleared up.
- 47.16 A number of councillors, including Cllr Holder, Cllr Follows, Cllr Reynolds and Cllr Lear, expressed some reservations about the proposed Order and suggested different 'lighter touch' approaches that might encourage dog owners to be socially responsible. Councillors were concerned about the Council's ability to enforce the Order, given that dog owners typically walked their dogs early in the morning or later in the evening.
- 47.17 In response, the Leader reiterated the health risks to children, and the public support for the Order. The introduction of Fixed Penalty Notices for dog-fouling would be advertised, but the Council had a flexible enforcement team that had the capacity to operate at appropriate times to target problem areas.

It was moved by the Leader, duly seconded, and

**RESOLVED** that the Public Space Protection Order No.1 (Dog Fouling) be approved.

**CNL 47.5/18 THE ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018 (EXE 56/18)**

It was moved by the Leader, duly seconded, and

**RESOLVED** that the proposed fee structure for Licensing of Activities Involving Animals be adopted.

**CNL48/18 MINUTES OF THE MEETING OF THE LICENSING AND REGULATORY COMMITTEE HELD ON 12 NOVEMBER 2018** (Agenda item 9.)

48.1 It was moved by the Chairman of the Committee, duly seconded and

**RESOLVED** that the Minutes of the Licensing and Regulatory Committee held on 12 November be received and noted.

The Chairman advised that that there was one recommendation from the Committee in Part I for Council consideration, and he had had no requests to speak in relation to Part II of the Minutes.

**CNL 48.1/18 STATEMENT OF GAMBLING POLICY (GAMBLING ACT 2005) (LIC 17/18)**

48.2 Cllr Inchbald informed Council that Waverley had first adopted a Statement of Gambling Policy in December 2006. The Council was required to carry out a full review of the Gambling Policy every 3 years, including a consultation with statutory consultees and the public.

48.3 The current Policy came into effect on 31 January 2016, and had worked well for the Council as Licensing Authority. The updated Policy incorporated updated Gambling Commission Guidance and minor clarification of abbreviations, and there had been no adverse comments received through the consultation.

It was moved by Cllr Inchbald, duly seconded, and

**RESOLVED** that the revised Statement of Gambling Policy be approved, to come into effect from 31 January 2019.

**CNL49/18 MINUTES OF THE MEETING OF THE AUDIT COMMITTEE HELD ON 5 NOVEMBER 2018** (Agenda item 10.)

49.1 It was moved by the Vice-Chairman of the Committee, duly seconded and

**RESOLVED** that the Minutes of the Meeting of the Audit Committee held on 5 November 2018 be received and noted.

Cllr Seaborne reported that there were no items for Council consideration in Part I, and he had received no requests to speak in relation to matters in Part II of the Minutes.

- 49.2 Cllr Seaborne advised that Officers had been asked to review the Terms of Reference of the Committee to ensure that there was no overlap with those of the scrutiny committees.

CNL50/18 OVERVIEW AND SCRUTINY ANNUAL REPORT (Agenda item 11.)

- 50.1 On behalf of the Chairmen and Vice-Chairmen of the Overview and Scrutiny committees, Cllr John Ward presented the Overview & Scrutiny Report Annual Report for 2017/18.
- 50.2 This was the first annual report since adopting the new Overview & Scrutiny structure of four committees. Moving to four committees of nine members had been a very positive step forward in engaging the interest of committee members. Some very good work had been achieved, especially in the Task and Finish Groups, and he hoped that this had been helpful to the Executive.
- 50.3 The results of the Member survey indicated that councillors now had a more positive view of the contribution that Overview & Scrutiny was making to the work of the Council than they had 3 years ago. From his own perspective, he used not to be a fan of overview and scrutiny, but since the launch of the new approach he could see the value of a well planned and supported scrutiny function.
- 50.4 Cllr Wheatley echoed Cllr Ward's comments, and drew particular attention to the Community Wellbeing Overview & Scrutiny Committee's report on health inequalities in Waverley which public health colleagues at Surrey County Council had welcomed and endorsed.
- 50.5 Cllr Mike Band added his support to the new scrutiny arrangements at Waverley, and commended the support from officers, especially Yasmine Makin as the dedicated Scrutiny Officer. Without this support, it would have been very difficult for the overview and scrutiny committee to achieve as much as they had done. All the committees had busy forward programmes and early in the new year would be scrutinising the budget, and service plans.
- 50.6 The Mayor welcomed the positive comments about the Overview and Scrutiny committees, and moved that the Annual Report for 2017/18 be formally received and noted.

It was duly seconded, and

**RESOLVED that the Overview and Scrutiny Committee Annual Report for 2017/18 be received and noted.**

The meeting concluded at 8.15 pm

Mayor