

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 30 NOVEMBER 2021

SUBMITTED TO THE COUNCIL MEETING – 14 DECEMBER 2021

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

Present

Cllr Paul Follows (Chairman)	Cllr Kika Mirylees
Cllr Peter Clark (Vice Chairman)	Cllr Nick Palmer
Cllr Andy MacLeod	Cllr Liz Townsend
Cllr Mark Merryweather	Cllr Steve Williams

Apologies

Cllr Penny Marriott and Cllr Anne-Marie Rosoman

EXE 52/21 MINUTES (Agenda item 1)

The Minutes of the meeting held on 2nd November and the Special meeting held on 9th November 2021 were confirmed and signed as a correct record.

EXE 53/21 DECLARATIONS OF INTERESTS (Agenda item 3)

Councillors Paul Follows declared a non-pecuniary interest in item 9 (Community Governance Review of Town and Parishes in the Waverley Borough Council area) as the Leader of Godalming Town Council.

Councillor Steve Williams declared a non-pecuniary interest in item 9 (Community Governance Review of Town and Parishes in the Waverley Borough Council area) as the Deputy Leader of Godalming Town Council.

Councillors Andy MacLeod, Mark Merryweather and Kika Mirylees declared a non-pecuniary interest in item 9 (Community Governance Review of Town and Parishes in the Waverley Borough Council area) as members of Farnham Town Council.

Councillor Liz Townsend declared a non-pecuniary interest in item 13 (Cranleigh Leisure Centre Investment) as a member of Cranleigh Parish Council.

EXE 54/21 QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4)

There were no questions submitted from members of the public.

EXE 55/21 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5)

The Executive received the following questions in accordance with Procedure Rule 11:

1) From Councillor David Beaman

"In calculating Waverley's Five Year Housing Land Supply Statement (5YHLS) for the 5-year period commencing April 2022 of 5.2 years could the Executive please formally confirm that the reasons why the Planning Inspectorate did not allow land supply that had been included in the current Five Year Housing Land Supply Statement have not been included in the new statement, including ensuring that there has been no double counting, unless it is now accepted or can be argued without any reasonable doubt that land that had not been allowed by The Planning Inspectorate can now be included and the reasons why such land can now be included in Waverley's proposed 5YHLS Statement for the period commencing April 2022".

Reply from Councillor Andy MacLeod, Portfolio Holder for Planning

"Thank you for your question. The new 5-Year Housing Land Supply Position Statement covers the 5 Years from April 2021 to March 2026. The Statement used in the Lower Weybourne Lane appeal covered the earlier period 2020 to 2025. In producing the new Statement very careful attention was paid to the comments of the Lower Weybourne Lane Inspector. We consider that there is robust evidence to justify the inclusion of the sites in the new Statement."

At the invitation of the Chairman, Councillor Beaman asked a supplementary question relating to two forthcoming planning appeals to which the Leader responded reassuring Councillor Beaman that officers were making every effort to ensure that the appeals were properly defended.

2. From Councillor Brian Edmonds

"Whilst it is accepted that the role of Councillor currently has "uncertainties" as to their health and safety protection it would be helpful to understand why Councillors were not advised of Waverley Borough Council's revised Health and Safety Policy and any changes to the arrangements for carrying out this policy, especially during a pandemic? The 2018 signed Policy placed obligations upon elected members.

Similarly for the Health and Safety (Display Screen Equipment) Regulations 1992 an employer must protect workers from the health risks of working with display screen equipment (DSE), such as PCs, laptops, tablets and smartphones. The Health and Safety (Display Screen Equipment) Regulations apply to workers who use DSE daily, for an hour or more at a time. Why does this protection not apply to Councillors?"

Reply from the Leader of the Council

"My role, partly as Leader of the Council and Portfolio Holder for Policy and Governance, is responsibility for its health and safety. The Council's Constitution states that Health and Safety responsibilities of the Council as employer are to be discharged by the Executive. Therefore, the Executive ensures that the appropriate arrangements are made for the interpretation of the policy through all tiers of the

Council, and that there is regular monitoring of health and safety practices. As the Executive member responsible, I have asked that the policy is circulated to all councillors when it is reviewed in March 2022 and that consideration is given to arranging an appropriate all councillor briefing. I have also asked that consideration be given to the incorporation of a reference to Health and Safety as part of the Councillor induction programme in May 2023 onwards.

To the second part of your question, the Health and Safety (Display Screen Equipment) Regulations 1992 place obligations on the Council as an employer in respect of its employees using display screen equipment. The distinction is on employees. Elected Members are not employees and therefore cannot be treated as such. Elected Members have no contract of employment with the Council and there is no obligation under that particular aspect of employment law; and so the Council can only issue advice and guidance to councillors as and when appropriate. I would just stress that if any Councillors who do have issues regarding any Council issued equipment, or the equipment they use to access papers or engage with residents, from an accessibility standpoint, to contact Democratic Services for assistance”

EXE 56/21 LEADER'S AND PORTFOLIO HOLDERS' UPDATES (Agenda item 6)

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

- The Leader advised that the Chief Executive was due to start in his new role as Joint Chief Executive of Guildford and Waverley Borough Councils on 1 December. He also advise that the Council was taking advice from local public health authorities and the Government on the new Omicron variant and reminded those present that the Council was not responsible for setting the rules, only enforcing them. Appropriate updates would be made to guidance and communications.
- Councillor Clark gave an update on the developing Customer Services strategy, to improve the experience of customers and ensure that every part of the Council becomes completely customer-centric. He reminded those present of the three corporate service standards relating to simplifying contact for customers, responding to correspondence within two working days and keeping residents updated which would be key to the success of Waverley as a council.
- Councillor MacLeod gave a brief update on the improvements made in the planning department under the new Business and Performance Manager and the restart of the pre-application process. A positive meeting had been held recently with planning agents. There would be a big focus on Local Plan Part 2 over the coming weeks. Crest Nicholson were hopeful that tenants for the Brightwells development would be signed up before Christmas.
- Councillor Merryweather gave a detailed update on the current financial pressures on the council to protect front line services, in light of the rise in inflation and the cost of the social care levy. The business rates review would not go far enough to address the issues in the system, which had been compounded by the pandemic. The Council had no control over the setting or spending of business rates and the current system was unfair as the Council had no ability to retain those rates for reinvestment in the

borough. Council fees and charges income had been impacted by the pandemic and he urged the Government to consider funding the recovery from the pandemic; and to fully compensate the Council for the removal of fees for garden waste service. The Council was working hard to deliver carbon reduction and he asked the Government to develop a fully funded framework for responding to this national issue. The Council would be writing to the Secretary of State for Levelling Up, Housing and Communities to urge the Government to recognise the above pressures and it was hoped there would be cross-party support.

- Councillor Mirylees advised that 29 organisations had responded with 33 applications for the Thriving Communities Fund and the panel would be holding its first meeting to score those applications on 1 December.
- Councillor Townsend advised that the Dunsfold Park supplementary planning document was currently in the public consultation stage and thanked the officers and Allies & Morrison for their work. There would be a series of consultation events held and there were instructions on how to submit comments on the Council's website. The Tree and Woodland Management Policy had been considered by the Services Overview and Scrutiny Committee and this would eventually sit alongside the Council's Pesticides Policy and Biodiversity Policy which was currently being worked on. The policies would sit under the overarching Greenspaces Strategy.
- Councillor Williams welcomed the work done under Councillor Townsend's portfolio relating to sustainability. The Climate Change supplementary planning document was currently being drafted, due to be completed in the new year with consultation following and adoption in the summer. The Godalming Greenway consultation had completed and responses were being collated and considered. The process for development of a walking and cycling infrastructure plan for the borough had begun and it was recognised that this would be challenging due to the rural nature of the borough. The Climate Emergency Board met on 30 November to discuss a possible ethical and sustainable procurement policy for Waverley and there was a verbal update on the Carbon Neutrality Action Plan, with a formal update coming to the Executive on 8 February 2022.

PART I - RECOMMENDATIONS TO COUNCIL

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

EXE 57/21 LGBCE BOUNDARY REVIEW WARDING PATTERN SUBMISSION (Agenda item 8)

The Leader presented the report which set the Council's proposed consultation response to the draft recommendations of the Local Government Boundary Commission for England on future warding patterns for the borough based on their recommendation that the size of the council be reduced to 50 members with effect from the next Borough elections in May 2023, which had previously been agreed by the Council. The council's proposed consultation response reflected the conclusions of the cross-party Boundary Review Member Working Group. The Leader thanked the Working Group and the officers for their work on this issue and it was

RESOLVED

That the Executive recommends to Full Council that

- i. the Council's formal response to the Local Government Boundary Commission's 'Draft recommendations on the new electoral arrangements for Waverley Borough Council' is approved and submitted to the Commission; and**
- ii. the Joint Chief Executive in consultation with the Leader, is delegated to finalise the Council's submission, incorporating points raised in debate at this Council**

EXE 58/21 COMMUNITY GOVERNANCE REVIEW OF TOWNS AND PARISHES IN THE WAVERLEY BOROUGH COUNCIL AREA (Agenda item 9)

The Leader presented the report which set out formal requests from Godalming and Farnham Town Councils for the Boundary Commission to review the boundaries and bring them into line with the new borough ward boundaries. It was noted that there was cross-party support for both requests from the Town Councils and it was

RESOLVED

That the Executive recommends to Full Council that the proposed Terms of Reference for a Community Governance Review of all Towns and Parishes in the Waverley Borough Council area be adopted.

EXE 59/21 CRANLEIGH LEISURE CENTRE INVESTMENT (Agenda item 13)

Councillor Townsend presented the report which set out an update on the Cranleigh Leisure Centre investment project, focusing on the outcomes of the Options Appraisal conducted in 2019 and the Feasibility Update Report completed in September 2021. The proposals had been welcomed by the Services Overview and Scrutiny Committee and the requested all Councillor briefing had been arranged. If any Councillor was unable to attend that briefing and had any questions, answers could be provided separately. The project would deliver on the Council's commitment to maintain a facility for Cranleigh and surrounding villages, deliver on the climate emergency action plan and become carbon neutral by 2030. It was hoped that the new facility would be open in 2025.

The cost of maintaining the current building was increasing with no return on that investment and there was increasing demand on the facility. Cranleigh Parish Council were keen to see the development of a new facility and opportunities were being explored to integrate it with local health and wellbeing services and facilities. Although the project costs had been affected by the pandemic and Brexit, the market had shown resilience with visitor numbers almost returning to pre-pandemic levels with an increased focus on health and wellbeing outcomes.

The current leisure centre was responsible for 11% of Waverley's greenhouse emissions and the proposed leisure centre would see a 60-70% reduction in carbon emissions. While there was an uplift in costs, in part due to higher material costs

and labour shortages in addition to energy efficiencies, this must be viewed in light of the social and environmental benefits and considerable savings in energy costs.

The Executive welcomed the report and the recommendations which would contribute to the Council's climate change agenda and benefit residents across the borough, not just in Cranleigh. The new building would be in line with the most energy efficient and sustainable leisure centres in the country, which would encompass other health and wellbeing benefits and generate revenue. The positive comments made by the Overview and Scrutiny Committee were welcomed and the officers and Portfolio Holder were thanked for their efforts and it was

RESOLVED that the Executive considers the findings of this report and recommends to Council:

- 1. 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;**
- 2. 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;**
- 3. 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**
- 4. to ask officers to report back to members when final costs, design, preferred contractor, and precise funding arrangements are known.**

PART II - MATTERS OF REPORT

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

EXE 60/21 RECOMMENDATIONS OF THE OVERVIEW AND SCRUTINY COMMITTEES (Agenda item 7)

The Leader presented the item and advised that both the new Overview and Scrutiny Committees had held their first meetings, and the Chairmen and Vice-Chairmen had joined the Executive's informal weekly meeting to discuss any issues or concerns from the first round of meetings and talk through their recommendations.

In respect of the comments from the Policy Overview and Scrutiny Committee, the Leader advised that the budget and MTFP item was currently being addressed through all Councillor briefings before being reported back to Overview and Scrutiny.

In respect of the comments from the Services Overview and Scrutiny Committee, the Leader advised that Cranleigh Leisure Centre would be considered later in the agenda however it was noted that the Committee was broadly in support of the

recommendations. The comments relating to the Tree and Woodland Policy would be addressed when that Policy was considered by the Executive. The Committee's comments relating to the First Homes Approach would be addressed as part of that item later on in the agenda and the comments in relation to Dunsfold Park had already been dealt with at a previous meeting.

EXE 61/21 FIRST HOMES APPROACH POLICY (Agenda item 10)

The Leader presented the report which set out a summary of the Government's First Homes initiative set out in May 2021 Planning Policy Guidance and a Waverley First Homes Approach Policy which the Council was required to have in response. The Leader thanked the officers for their work on the Policy, the comments made by the Overview and Scrutiny Committee in relation to the Policy were noted and it was

RESOLVED that

1. **the report and requirements of the First Homes initiative be noted;**
2. **the national guidance of at least 25% of affordable homes on qualifying schemes to be First Homes be applied;**
3. **the national guidance of 30% discount for First Homes be applied;**
4. **the national guidance of £80k income threshold be applied;**
5. **an additional local eligibility criteria be applied to ensure local residents have access the scheme - as set out in the Housing Allocation Policy (as set out at 4.4.9 of the report); and**
6. **an additional priority for local essential worker criteria is not applied.**

EXE 62/21 TREASURY MANAGEMENT (Agenda item 11)

Councillor Merryweather presented the report which set out a proposal to approve an increase in the treasury management annual investment strategy "Non Specified" limit to enable the movement of cash on short term deposit into longer fixed term deposits (investments) to access higher interest rates. It was noted that the Council was required to manage significant cash flows and balances and was able to use interest income from cash deposits for general fund spending. The current cap of £30million was considered to be too low and therefore the Council was foregoing valuable general fund interest income. The recommendation was to raise the limit to £50million, which would not require or oblige the Council to place larger amounts on long term deposit, only where it was appropriate to do so and it was

RESOLVED that the increase in the Non specified limit from £30 million to £50 million be approved.

EXE 63/21 CORPORATE STRATEGY 2020-25 YEAR 1 PROGRESS REPORT (Agenda item 12)

The Leader presented the report and thanked the officers involved in compiling the report, which provided an update on the progress against the Corporate Strategy objectives in year 1. It was noted that the economic and societal impacts of the pandemic were still unfolding and the threats of central Government cuts and there was uncertainty around the local government funding settlement. The Leader thanked all Portfolio Holders for their work in driving performance in their individual

areas. It was noted that the Council's Business Transformation Programme had been successful, however further business transformation savings would need to be identified including as part of the ongoing collaboration with Guildford Borough Council. The Executive thanked the officers for their work during a difficult period and it was

RESOLVED that

- 1. The report and progress made against the Corporate Strategy over the past twelve months be noted;**
- 2. That the recommendations received from the Overview & Scrutiny Committees in relation to Annexe 1 to the report be noted; and**
- 3. That the areas of focus for the year ahead be noted.**

The meeting commenced at 6.00 pm and concluded at 6.56 pm

Chairman