

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE - 7 JULY 2015

SUBMITTED TO THE COUNCIL MEETING – 21 JULY 2015

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

Present

Cllr Robert Knowles (Chairman)
Cllr Julia Potts (Vice-Chairman)
Brian Adams
Cllr Kevin Deanus

Cllr Carole King
Cllr Stefan Reynolds
Cllr Stewart Stennett
Cllr Simon Thornton

Apologies

Cllr Tom Martin and Cllr Wyatt Ramsdale

21. MINUTES (Agenda item 1)

The Minutes of the Meeting held on 9 June 2015 were confirmed and signed as a correct record.

22. APOLOGIES FOR ABSENCE (Agenda item 2)

Apologies for absence were received from Cllrs Tom Martin and Wyatt Ramsdale.

23. DECLARATIONS OF INTERESTS (Agenda item 3)

The following declarations were made in respect of items on the agenda:-

Paul Wenham and Graeme Clark declared pecuniary interests in Agenda Item 16 – New Disciplinary Regulations for Statutory Officer Posts - and left the Chamber during consideration of the item.

Cllr Kevin Deanus declared a pecuniary interest in Agenda Item 29 – Property Matter - and left the meeting during discussion and consideration of the item.

24. QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 4)

The Executive received the following question from Mr Jerry Hyman of Farnham in accordance with Procedure Rule 10:

“Deputy Leader,

Since early 2013, when the decision was made to move the Gostrey Centre to the Memorial Hall, Waverley's website has discouraged weekday hiring of the Hall by stating that it is only available on Saturdays and on Sunday afternoons (despite it having remained available for weekday hire during the past 2 years).

In order that we can gauge the extent to which the Memorial Hall's purpose will remain, please clarify whether the Council intends the hall to be available for hire during weekdays (daytime and evenings) following the proposed redevelopment, and whether the Hall will also host the Sunday lunches currently provided by the Gostrey Centre.”

The Deputy Leader, Cllr Julia Potts, replied as follows:-

“Thank you Mr Hyman for your question and for bringing to our attention the contents of our website. I have asked officers to ensure that the website is clear about the availability of the Memorial Hall.

The Memorial Hall continues to be very popular and the Council sees a great future for the new Centre combined with Brightwells Gostrey. There has been absolutely no discouragement of its use through its website or otherwise. The Memorial Hall is available for regular and casual hire throughout the week and at weekends. It is used by a wide range of clubs and societies.

When the Memorial Hall reopens following the redevelopment, the main hall plus additional space will be available for members of the public and local organisations to use throughout the week and at weekends. I have some outline times at the moment, which are during the week, the main hall will be available to hire from 9am until 11am and again from 2pm until 11pm for regular and casual users, which will allow the Gostrey Centre to serve lunches in the hall between 12 noon and 1.30pm. The Memorial Hall is underutilised during the lunchtime period so this additional use will have minimal impact on existing users.

The Sunday lunches that are served at the Gostrey Centre are provided by Farnham ASSIST, a Christian charity that hires the venue every fourth Sunday. There are no groups currently hiring the Memorial Hall at that time and so if they wanted to, Farnham ASSIST would be able to hire the space at the new facility, if they so wish.”

PART I - RECOMMENDATIONS TO THE COUNCIL

Background Papers

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.

25. MEMORIAL HALL AND GOSTREY CENTRE REDEVELOPMENT (Agenda item 8)

25.1 Following the completion of a feasibility study and discussions with Brightwell Gostrey Centre Trustees, the Council, as part of the 2015/16 Budget, agreed to fund enhanced and refurbished facilities at Farnham Memorial Hall in order to maintain and improve key community facilities in Farnham at an estimated cost of £1.5m. At its meeting of the Executive on 6 January 2015, approval was given to submit a planning application for the scheme. Plans for the scheme are in Annexe 1 – New Scheme Site Plan, Annexe 2 – 3D

Images of New Design for Memorial Hall and Annexe 3 – Internal Floor Plan
(Annexes to follow)

- 25.2 Providing the space required for service delivery by the Gostrey Centre, partner agencies contractually renting space will generate income whilst maintaining the community aspect for the wider community within the Memorial Hall. In addition, the aesthetically pleasing design and flexible layout of the new facilities will mean that the Memorial Hall could become commercially viable as a facility, eventually becoming self-sustaining by being hired for private functions.
- 25.3 Further, the financial benefits of a single, flexible space, the new centre, with its wider usage, will help bring together different groups within the community under one roof. Its location is also beneficial, being close to the centre of town while providing good access and parking in a landscaped environment. This will underline Waverley's commitment to improving leisure and lives of its residents.
- 25.4 Building a new community centre at the Memorial Hall whilst working with the Gostrey Centre trustees, provides an ideal opportunity to secure a viable financial future for both the Gostrey Centre and Memorial Hall. This new and enhanced building will provide the Gostrey Centre with not only the space it requires, but will also ensure that there is the flexibility and versatility needed for a community space in the long term – one where facilities can be used to serve the whole community and provide a means of gaining financial stability and independence for the building.
- 25.5 Ahead of appointing the necessary consultancy support for the accompanying surveys and reports needed for the planning application, due diligence required that the site be thoroughly investigated at a subterranean level to establish if there are any barriers to development. As part of the works, the Council's quantity surveying and engineering consultant advisers arranged two specialist underground mapping and soil surveys.
- 25.6 Their findings indicated key utilities on site that had not been revealed in any property title documents or deed plans reviewed as part of the feasibility study. In light of these findings, officers have worked in conjunction with architects to make the necessary design adjustments to avoid the substantial costs of diverting the five additional utilities that have been discovered. The effect of not making these adjustments would put the project at risk in respect of:
- Time – Re-routing would add substantially to the time-frame in which the project can be delivered given that each utility supplier would need to organise their own specialist labour and legal services.
 - Finance – There would be significant additional costs from re-routing over and above the original estimated costs as well as the extra legal costs for reaching agreement and securing appropriate wayleaves.

- 25.7 Throughout the process, regular meetings have taken place with key stakeholders, Gostrey Centre Trustees and Farnham Town Football Club, whose changing facilities are located at the Memorial Hall. Their comments and requirements, where possible, have been adopted as part of the design.
- 25.8 The alterations to the design to avoid the utilities have resulted in an increased footprint, with the building now impacting the football changing rooms. This was not originally part of the works, however, following positive discussions with Farnham Town Football Club, and as part of the additional works required, the changing facilities will now be provided on the opposite side of the football pitch adjacent to their clubhouse. The replacement changing rooms will represent a major improvement for Farnham Town Football Club and will assist with its future development.
- 25.9 A revised cost report by quantity surveyors MEA that takes into account these changes has been issued identifying the required uplift in costs.
- 25.10 Following consultation with local residents and pre-planning advice, the planning application for the Memorial Hall was submitted earlier this month with a view to the application being considered by the Planning Authority in August 2015. The objective is to begin works in late-2015 or early-2016. To achieve this, the relevant external expertise to assist with tendering for the works needs to be procured.
- 25.11 The cost of an external specialist to run the tender process for the construction contract is calculated as a percentage of the total build cost, and is anticipated to reach threshold 3 or 4 of Contract Procedure Rules.
- 25.12 In terms of the financial implications, financial support for the Gostrey Day Centre is currently circa £100,000 per annum, which is a combination of grant funding to deliver the day centre service and revenue funding to maintain the building. It is expected for this new facility to result in a significant cost reduction. It is expected that the centre and services will become self-sustaining given the additional income generation potential from rental hire and functions.
- 25.13 The Gostrey Centre, in its current state requires significant capital spend over the next 3 years totalling £214,000. The Memorial Hall also needs building repairs over the next three years of at least £395,000. These works have not been included in the forward budgets and are avoided with this scheme which secures the future of both the Memorial Hall and the Gostrey Centre.
- 25.14 A capital budget of £1.5m has been approved in the 2015/16 budget for the redevelopment, however, substantial ground investigation surveys have required design changes and construction cost inflation has resulted in an additional budget of £700,000 being required. Fortunately external funding of £200,000 has been secured leaving a balance of £500,000 as an additional budget request from the Revenue Reserve Fund. External funding is being sought from agencies with a health and well-being remit that would benefit from the Memorial Hall being redeveloped. This will mitigate the additional reserve request.

25.15 The redevelopment of the Memorial Hall will be a major procurement project and will be tendered in accordance with the Council's Contract Procedure Rules and EU Procurement Regulations (where necessary). The Council will retain the freehold of the new facility and will have lease(s) in place with the operators as appropriate.

25.16 Under the Deed of Gift from October 1947, the Council is required to meet various covenants relating to the hall and associated sports ground. The covenants are numerous and quite detailed. However the covenants specifically affected by the proposed works are that the Council must maintain and preserve the inscribed stone over the entrance door and the two oak memorial panels within the main hall. Also the building is to be known as The Memorial Hall and maintained for the benefit of and for the use and enjoyment by the inhabitants of the Urban District of Farnham. It is the view of officers that the proposed works are in compliance with the covenants.

25.17 The Executive therefore

RECOMMENDS that

- 4. £700,000 of additional funding be approved in 2015/16 in order to proceed with the project, funded from external contributions of £200,000 with the balance being financed from the Revenue Reserve; and**
- 5. authority be given to the Director of Finance and Resources and the Portfolio Holder for Major Projects to initiate the tender process to select a preferred consultant to run the construction tender process for the building works.**

[Reason: to seek agreement to continue to the next stage of the process for the redevelopment of the Memorial Hall and approve additional funding].

26. WAVERLEY ENERGY EFFICIENCY PLAN 2015-2020 (Agenda item 9)

26.1 Waverley adopted a Carbon Management Plan 2010-2015 (CMP) in 2010 and committed to reducing energy consumption and cost through energy efficiency projects. It has proven to be a very useful vehicle to engage with services across the Council. It pulled together many of the activities already taking place across the services and provided the framework for assessing future projects in terms of both their financial savings and carbon dioxide (CO₂).

26.2 During the period of the CMP, between 2008 and 2014, it is estimated that the cost avoidance, from reduced energy bills throughout Council buildings, was approximately £680k. Despite energy price increases and significant enhancement of services we have managed to maintain energy expenditure below 2008 levels.

- 26.3 The Government has required Local Authorities to monitor and publish greenhouse gas¹ (GHG) emissions from their operations since 2008. This reporting mechanism aims to reduce energy and assist with delivering national legislation. It also recognises the important role of Councils to set an example to local communities.
- 26.4 In the form of an Energy Efficiency Plan 2015-2020 (EEP), attached in Annexe 4, Waverley will continue exploring opportunities to make efficiency savings by reducing energy consumption from our buildings. The EEP will follow the format and process that was adopted for the CMP. It will aim to reduce GHG emissions, resulting from energy consumption, by 3% year on year. This target will lie alongside Waverley's support for invest-to-save projects that aim for any investment to payback in 5 years or less. The target will be reviewed annually to coincide with the Council's responsibility to report on GHG emissions to Government every year.
- 26.5 A number of projects have already been approved for implementation and a number of others are being examined for feasibility and viability, using the experience of successful projects to date. Some of these are outlined within the attached Plan. When opportunities arise, energy efficiency proposals will always be explored.
- 26.6 An Energy Efficiency Board will be formed and will have a strategic role in overseeing the progress of the plan. The relevant Heads of Service and portfolio holders will be responsible for project identification and delivery.
- 26.7 It remains important to encourage energy and cost savings at a time of significant financial strain for the Council. At the same time national legislation requires councils to promote effective management of energy use and carbon emissions. It is therefore prudent to consider a succession strategy in the form of an Energy Efficiency Plan that will maintain emphasis on identifying opportunities to reduce energy cost as well as satisfy Government requirements to reduce GHG emissions.
- 26.8 A report will be presented to the Executive on 1 September 2015 on Waverley's annual GHG emissions for 2014-15 as required by Government. Within that report there will be a summary review of GHG emission reductions at the end of the superseded CMP period from April 2008 to March 2015.
- 26.9 The Executive

RECOMMENDS that

6. the Energy Efficiency Plan 2015-2020 be approved and adopted.

[Reason: to recommend the adoption of an energy efficiency plan to replace the Carbon Management Plan]

¹ This includes carbon dioxide (CO₂), methane (CH₄) and nitrous dioxide (N₂O).

27. OCKFORD ROAD CONSERVATION AREA APPRAISAL (Agenda item 14)

- 27.1 Ockford Road is one of 43 Conservation Areas (CA) in Waverley. Currently nine Conservation Area Appraisals (CAAs) have been completed (Wrecclisham, Bramley, Farnham Town Centre, Wheelerstreet, Godalming Town Centre, Milford, Chiddingfold, Haslemere and Godalming Crownpits).
- 27.2 In 2011, the Executive agreed a programme for the commencement of CAAs which has now been extended to 2020. Ockford Road is the seventh CAA to be completed since the programme commenced. The need to undertake CAAs is set out in the Planning (Listed Building and Conservation Areas) Act 1990 (Section 71) and is supported through saved policy HE8 of the Waverley Local Plan.
- 27.3 CAAs are undertaken to identify and explain the character of the Conservation Area (CA). This document will identify the specific qualities of the Ockford Road CA and thereby help to manage change within the area. The Management Plan section also identifies a variety of projects that should be implemented to preserve and enhance the area. It is considered pertinent for Waverley to undertake CAAs and this process allows for a review of the boundary and an assessment of adjacent areas to evaluate whether the boundary should be extended.
- 27.4 Two extensions were proposed to the existing CA boundary and formed part of the consultation. These are detailed within the CAA document, which is attached at Annexe 5.
- 27.5 As part of the consultation process, a walkabout was conducted with Local Councillors and representatives from the Town Council. A public consultation was undertaken to support the development of the CAA and to ask the public's views of the proposed extensions. 8 responses were received to the consultation which were summarised in the Consultation Statement.
- 27.6 In response to the consultation, Historic England (formerly English Heritage) suggested inclusion of the millpond to the rear of Ockford mill within the CA due to the historic connections and how this aids the understanding of the CAs agricultural past. Officers agree with this recommendation and the Inn on the Lake extension has been revised to include the millpond. This revision of the Inn on the Lake extension has been included in the updated CAA document.
- 27.7 The owner and occupier of the affected land and Godalming Town Council were notified and given 3 weeks to respond to this further boundary change. One response was received regarding the millpond extension, which was also summarised in the Consultation Statement.
- 27.8 Ockford Road CAA has been subject to a robust consultation process to ensure residents and interested stakeholders had the opportunity to comment. The Executive now

RECOMMENDS that

7. the Conservation Area Appraisal for Ockford Road be adopted as a material planning consideration, to include the following amendments to the boundary:

- a) Inclusion of the millpond and Inn on the Lake extension; and**
- b) Inclusion of Ockford Road extension.**

[Reason: to recommend the adoption of the Conservation Area Appraisal as a material planning consideration].

28. ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (Agenda item 15)

28.1 The Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) brings in new provisions and powers relating to anti-social behaviour which aim to focus the response to anti-social behaviour on the needs of victims and empower communities to get involved in tackling anti-social behaviour. The Act aims to ensure professionals have access to fast, effective powers to protect the public, and speed up the eviction of the most anti-social tenants.

28.2 The Act consolidates the nineteen pre-existing anti-social behaviour powers into six more flexible powers. Two of those powers, the ‘community trigger’ and ‘community remedy’, have been introduced in order to focus the response to anti-social behaviour on the needs of victims. The six new powers came into effect on 20 October 2014, and officers need to be able to exercise the powers available to them under the Act in order to best address any anti-social behaviour issues within the Borough.

28.3 **Criminal Behaviour Orders** – The new Criminal Behaviour Order is available on conviction for any criminal offence, whether or not it involves anti-social behaviour. The CBO intended to tackle serious and persistent offenders whose behaviour has brought them before a criminal court. Although CBOs will primarily be applied for by the Crown Prosecution Service, the Council could also apply if it is pursuing a criminal matter through the courts (e.g. criminal breaches of Planning legislation; benefit fraud; environmental crime). The CBO can include both prohibitions and positive requirements.

28.4 **Civil Injunction** – The Civil Injunction can be applied for where the perpetrator has not been convicted of a criminal offence. It can be used to deal with a wide range of behaviour, and in serious cases to exclude a perpetrator from the home. Injunctions can be applied for ‘without notice,’ being given to the perpetrator in exceptional circumstances to stop serious harm to victims.

28.5 **Community Protection Notice** – This is intended to deal with particular, ongoing problems or nuisances which negatively affect the community’s quality of life by targeting the person responsible. The CPN replaces a number of existing notices (Litter Clearing Notice, Street Litter Control Notice and the Defacement Removal Notice).

- 28.6 **Public Spaces Protection Order** – This is designed to stop individuals or groups committing anti-social behaviour in a public space. It is intended to deal with a particular nuisance in a particular area which negatively affects the community's quality of life. The order is only issued by the Council after consultation with relevant bodies, and the Council must reasonably believe that the behaviour warrants restrictions being implemented. The behaviour must be on-going or persistent (or there must be a reasonable belief that the future behaviour will be on-going or persistent). The restrictions set by the Council can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times.
- 28.7 The Public Spaces Protection Order replaces the Designated Public Place Order, Gating Orders, and Dog Control Orders.
- 28.8 **Closure power** – This replaces the Premises Closure Order, the Crack House Closure Order, the Noisy Premises Closure Order and the Closure Order. The power allows the Council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder.
- 28.9 **New absolute grounds for possession** – This has been introduced to speed up the possession process in cases where crime or anti-social behaviour has already been proven by another court. The existing processes are often lengthy, expensive and prolong the suffering of witnesses and the community. The new absolute grounds for possession are intended for use in the most serious of cases and this power is available to the Council as a social landlord.
- 28.10 **Community Trigger** – This is newly-introduced by the Act and gives victims and communities the right to request a review of their anti-social behaviour complaints to the Council. If a Community Trigger meets the defined threshold, a case review will be undertaken by the Safer Waverley Partnership. Councillors are able to submit a Community Trigger on behalf of individuals or community groups.
- 28.11 The Council's Scheme of Delegation to Officers currently includes delegations in respect of the existing powers that the Act has replaced. As such, the Scheme of Delegation now needs to be updated. Annexe 6 sets out those existing delegations that will need to be either amended or deleted in light of the changes brought about by the Act. An all-encompassing delegation which reflects the new, more flexible, powers under the Act will be required and is set out in the recommendation.
- 28.12 Once a revised set of delegations is in place, Officers will consider which of the powers they might seek to employ in delivering and supporting their services. This will include consideration of any potential financial and resource implications, together with consideration of any policies and internal processes that would be required to support the use of those powers. These will be the subject of future reports to the Executive.
- 28.13 The Executive

RECOMMENDS that

- 8. the Scheme of Delegation be amended, as set out in Annexe 6;**
- 9. the Head of Housing Operations, Head of Environmental Services, Environmental Health Manager and Head of Community Services and Major Projects be authorised to exercise the Council's functions and enforcement powers under the Anti-Social Behaviour, Crime and Policing Act 2014, including:**
 - (i) securing civil injunctions;**
 - (ii) issuing closure notices and securing closure orders;**
 - (iii) issuing community protection notices;**
 - (iv) implementing public space protection orders; and**
 - (v) appointing authorised officers; and**
- 10. the Executive Director be authorised to extend a closure notice to 48 hours.**

[Reason: to provide an overview of the powers contained in the 2014 Act and to amend the Scheme of Delegation to facilitate use of these powers].

29. NEW DISCIPLINARY REGULATIONS FOR STATUTORY OFFICER POSTS
(Agenda item 16)

- 29.1 The procedures in respect of any disciplinary matters which arise in relation to a statutory officer post are covered by the National Conditions of Service for Local Chief Executives.
- 29.2 On 26 March 2015, the Department for Communities and Local Government (CLG) tabled the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 with the requirement that they are to come into force "no later than the first ordinary meeting of the authority falling after 11 May 2015". Therefore the Regulations must be considered at the Council meeting on 21 July 2015.
- 29.3 Following approval from Council, the Council's three Statutory Officers, (Head of Paid Services, Section 151 Chief Finance Officer, Monitoring Officer) will be informed of the new Disciplinary Regulations. However, the change to the employees' contracts of employment will not be implemented until there has been an agreed change to the national collective agreement which will formally amend the National Conditions of Service for Local Chief Executives. It should be noted that the Regulations do not apply to the Deputy Monitoring Officer or Deputy Section 151 Officer, who are deputies appointed by the statutory postholder and not statutory postholders themselves.
- 29.4 In summary, the changes are as follows:
 - Regulation 2 removes the provisions in the 2001 Regulations relating to the statutory "designated independent person" required to be appointed by

a local authority before it could dismiss or discipline its Head of Paid Service, Monitoring Officer or Chief Finance Officer.

- It makes new provision about the procedure to be followed in such cases, which authorities are required to include in their Procedure Rules.
- In place of the DIP process, the decision should be taken by Full Council who must consider any advice, views or recommendations from an independent panel, the conclusions of any investigation into the proposed dismissal and any representations from the officer concerned.
- The Regulations envisage that the Panel will consist of a minimum of two independent persons, who are appointed under section 102(4) of the Local Government Housing Act 1972. Proportionality rules apply to such committees therefore the Panel will need to consist of at least 5 local authority elected members in addition to the two (or more) 'neutral' independent persons.
- It also requires that the authority, when setting up its panel for the purpose of advising on matters relating to the dismissal of a relevant officer, invite at least two 'independent persons' who have been appointed under section 28(7) of the Localism Act 2011. Waverley, as part of its shared arrangements with Mole Valley, Guildford and Spelthorne Borough Councils, has already appointed two independent persons under this legislation and expects to recruit further independent persons if plans to extend this arrangement to other Surrey Councils go ahead.

29.5 The disciplinary processes that would currently apply to this Council's statutory officers are those agreed through the collective agreement of the Joint Negotiating Committee for Local Authority Chief Executives. These processes are contractual and can only be altered by national collective agreement.

29.6 The current process is, briefly, that the Council appoints a statutory Designated Independent Person to investigate the disciplinary allegation and present a report to the Investigating and Disciplinary Committee, which has delegated powers to receive the report and take a decision on the outcome.

29.7 The 2015 regulations amend the disciplinary framework set out in the Local Authorities (Standing Orders) (England) Regulations 2001 with the intention of streamlining and simplifying the process, rather than changing it in response to any particular legal issues with the current process. However, the changes are currently being disputed by ALACE (Association of Local Authority Chief Executives, the trade union for local authority Chief Executives and Chief Officers).

29.8 The Regulations state that a New Independent Panel process must be followed before a statutory officer can be dismissed, in respect of disciplinary action. If the maximum potential sanction for the disciplinary action in question is likely to fall below dismissal, the Panel process does not have to be followed. Therefore, there is an option to either:

- use the new Independent Panel process for all statutory officer disciplinary matters; or
 - retain the current statutory Designated Independent Person process outlined above for such statutory officer disciplinary matters.
- 29.9 Panel members are appointed for the purposes of the member code of conduct under Section 28 of the Localism Act 2011. The 2015 Regulations envisage that the Panel will consist of a minimum of two independent persons, who are appointed under section 102(4) of the Local Government Housing Act 1972. Proportionality rules apply to such committees therefore the Panel would need to consist of at least 5 local authority elected members in addition to the two (or more) 'neutral' independent persons. The LGA are seeking clarification on this point.
- 29.10 The LGA's initial view is that local authorities will have to invite "relevant independent persons to be considered for appointment to the Panel, with a view to appointing at least two". "Relevant Independent Person" means any independent person who has been appointed by the Council under Section 28 of the Localism Act, or where there are fewer than two, independent persons appointed at other local authorities. The LGA's initial view is that councils will have to invite all their independent persons and then appoint in accordance with the priority order and set out the selection criteria for who will be appointed if more than two local independent persons accept the invitation.
- 29.11 The role descriptions for the existing Independent Persons are currently being revised to incorporate the new responsibilities resulting from these regulations and the current appointees will be advised of them in due course. It is envisaged that the Designated Independent Persons will act as a central resource to be drawn upon by appropriate officers depending on the nature of the issue at hand and whether it falls under Section 28 of the Localism Act or under these new regulations.
- 29.12 The Regulations provide that, in place of the Designated Independent Person (DIP) process, the decision should be taken in a transparent way by Full Council, who must approve any decision to dismiss before notice of dismissal is given to the officer. Whilst some authorities will include the Regulations in their Procedure Rules, the Waverley constitution does not require this level of detail and therefore the suggested references only relate to Articles 4 (The Council), Article 9 (The Standards Panel) and Article 12 (Officers), as well as Part 3 relating to the Responsibility for Functions – as attached as Annexe 7.
- 29.13 In the event that the Panel needs to be convened, it is proposed that the Council uses its Appeals Panel which is already constituted, politically proportionate and acts as a pool from which the required five elected members could be drawn, in addition to the two Independent Persons. The Executive now

RECOMMENDS that

11. **the Council's relevant Procedure Rules be amended in the light of the new Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, as summarised above and set out in detail in Annexe 7; and**
12. **the Council's existing two Independent Persons, namely Tony Allenby and Vivienne Cameron, be reappointed for the purpose of conducting hearings required under these regulations.**

[Reason: to amend the Council's relevant Procedure Rules in light of the new regulations affecting disciplinary procedures for statutory positions].

30. PROPOSED RESTRUCTURE OF WAVERLEY'S CARELINE SERVICE (Agenda item 22)

[This item contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 1 of the revised Part I of Schedule 12A to the Local Government Act 1972, namely:-

Information relating to an individual]

- 30.1 Society is changing. People are living longer and in greater prosperity. Older people are an increasingly diverse group, ranging from those who are in mid-life to those who have reached and exceeded their centenaries. The 2011 census recorded that 25,200 residents within Waverley were aged 65+. This is projected to increase by 14.3%, by 2020. The 85+ population is projected to increase by 28.6% by 2020.
- 30.2 Today, older people are much less likely to go into residential care as they age; remaining instead in their own homes for as long as possible. Not only is this more financially viable for individuals in the current economic climate, it means that older people can, with the right level of support, live independently for longer. As a result, older people are living in the community longer with complex conditions such as dementia and chronic illness.
- 30.3 Waverley's Careline service provides a very popular service to older and vulnerable people living within our communities by installing equipment that provides access to a 24 hour call centre should they need emergency assistance. But if it is going to continue to meet the needs and aspirations of an ageing population, it must continue to adapt and modernise. Waverley Careline has a continued role to play as a vital, preventative service.
- 30.4 The service has been managed by the Sheltered Services Manager on a temporary basis following the departure of the previous Careline and Telecare Manager last year. This arrangement has demonstrated the significant synergy between Sheltered Services and the Careline Service which has proven to be beneficial and successful for both services.

- 30.5 The Careline service had been offering an additional element funded entirely from external Supporting People funding for the past four years. This provided additional contact to those clients needing a little more support. This additional element of the service was not seen as effective when compared to other approaches to supporting people in the community. As a result funding is being withdrawn by Surrey County Council in 2015/16 and they have working with Waverley to put in place alternative arrangements for those clients who previously received this additional contact.
- 30.6 Moving forward, there is an opportunity to embed the closer working arrangements across the Careline and Sheltered Housing teams under a single manager focused on supporting the needs of older people in Waverley. The new Sheltered Services and Careline Manager role will replace the two current Sheltered Services Manager and the Careline and Telecare Manager roles. The current Sheltered Services Manager has assimilation rights into the redesignated Sheltered Services and Careline Manager role.
- 30.7 The closer working across the two teams under a single manager would necessitate, for operational reasons, the establishment of a new team leader role within the Careline element of the service. Following a selection process, the team leader role will be filled by the development of one of the current posts which would report to the new Sheltered Services and Careline Manager and have responsibility for day to day logistics, including staff supervision, and appraisals, whilst continuing to undertake their current role. The capacity within the team will be managed appropriately to enable them to do this.
- 30.8 The withdrawal of the Supporting People funding impacts directly on two posts which will be deleted. Whilst potential redundancy costs are set out in (Exempt) Annexe 8, the Council has a good track record in helping staff in these circumstances secure alternative employment. Therefore, every attempt will be made to redeploy the members of staff concerned under Waverley's Redeployment and Restructuring policies.
- 30.9 The Executive has given approval to the proposals to remodel the Careline Service and agreed to

RECOMMEND that

- 13. the detailed recommendations set out in (Exempt) Annexe 8 be approved.**

[Reason: to consider proposals to further develop the Careline service]

31. BUDGET APPROVAL AND APPOINTMENT OF BUILD CONTRACTOR FOR SHOW HOMES AT OCKFORD RIDGE; MIDDLEFIELD, FARNHAM AND 33 BRIDGE ROAD, HASLEMERE (Agenda item 24)

[This item contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 3 of the revised Part I 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)]

- 31.1 This item seeks approval to appoint contract administrators and build contractors for the development of the show homes at Ockford Ridge, Godalming; four affordable homes at Middlefield, Farnham and two affordable homes at Bridge Road, Haslemere, along with a budget allocation for these schemes from the 2015/16 New Affordable Homes Reserve.

Ockford Ridge show homes

- 31.2 In March 2015, approval was given for the use of the Homes and Communities Agency Delivery Partner Panel 2 Framework for the Ockford Ridge project phases A-D and approval for a budget allocation for pre-development costs for the 16 new affordable homes at Site D and two show homes on Site C.
- 31.3 Planning permission for two show homes was granted on 11 March 2015 and these will be the first new build homes to be built at Ockford Ridge. The build contract for the show homes is outside the main contract and below the OJEU threshold. A two-stage tender process was used to procure a medium-sized build contractor to build the show homes. Two tender submissions were received at the end of March 2015 and evaluated against the agreed criteria.
- 31.4 The current approved budget position for Ockford Ridge is set out in the table below and the budget estimate for the development of the two show houses is set out in (Exempt) Annexe 9.

	2015/16 Approved budget £	2016/17 Indicative budget £	2017/18 Indicative budget £
Pre-development costs	166,000		
Site D	938,000	1,104,000	
Site A-C	196,000	1,496,000	2,600,000

Middlefield, Farnham

- 31.5 In February 2015, planning permission was granted for the redevelopment of the parking area at Middlefield, Farnham to provide four affordable homes for rent to meet local housing need. The approved layouts of the site and elevation drawings are shown in Annexe 10. Pre-development services have been provided by Lawson Queay in the role of Employers Agent (EA) who has been working at risk on this project.

- 31.6 Progress to appoint a build contractor has been slower than anticipated because the first request for expressions of interest in April 2015 resulted in only two returns. The approach has been reviewed and a tender pack has now been issued on 12 June 2015 in full through the Council's procurement system. Local medium-sized build contractors have been contacted directly to inform them of this opportunity. The deadline for the return of the tender is 17 July 2015.
- 31.7 Lawson Queay has produced cost estimates for the scheme, including indicative build costs and contingency, set out in the (Exempt) Annexe. The anticipated build programme is 10 months, split over the next two years. There is an approved budget of £690,000 in the 2015-16 New Affordable Homes programme.

33 Bridge Road, Haslemere

- 31.8 In July 2014, approval to seek planning permission was sought for the development of the site at 33 Bridge Road, Haslemere to built new affordable homes. Since that date, changes have been made to the proposed scheme to better suit the surrounding area and the number of new homes has been reduced from three 2 bedroom flats to two 2 bedroom houses. The proposed site layout and elevation drawings are attached at Annexe 10.
- 31.9 The submission of a planning application was delayed due to the discovery of bats in the building. Bats are protected under the Wildlife and Countryside Act 1981 and surveys can only be undertaken between May and September, this has impacted on our ability to progress this scheme. The bat survey was completed in early June 2015. A habitat survey has been commissioned to support the planning application due for submission in July.
- 31.10 Pre-development services have been provided by WSPA who are currently finalising the planning application submission. A pre-development budget of £12,500 was agreed by Executive on 8 July 2014 to cover the cost of preparing a planning application and the associated survey work ahead of submitting an application.
- 31.11 Local ward members have been consulted on the proposals and consultation took place with local residents in September 2014. Feedback from this consultation has been incorporated into the proposed scheme. Following submission of the planning application, a further newsletter will be sent to local residents to provide an update. A Contract Administrator will be appointed in accordance with the Council's Contract Procedure Rules, as part of the architect's team and following completion of the tender process, the project will be delivered through a JCT Traditional Contract. This route does not involve the appointment of an Employers Agent.
- 31.12 Cost estimates for the scheme have been calculated using existing projects, including indicative build costs and contingency, set out in the (Exempt) Annexe. The anticipated build programme is 10 months, split over the next two years. There is an approved budget of £276,000 in the 2015-16 New Affordable Homes programme.

31.13 The indicative timetable for the three developments is shown in the table below:

Key activities	Indicative Dates		
	Ockford Ridge show homes	Middlefield	33 Bridge Road
Planning Application submitted	Completed	Completed	July 2015
Tenders issued	Completed	June 2015	September 2015
Tenders returned	May 2015	July 2015	November 2015
Lead – in period	6 weeks	9 weeks	9 weeks
Start on site	September 2015	December 2015	March 2016
Completion	December 2015	October 2016	December 2016

31.14 The Executive

RECOMMENDS that

14. the allocation of a budget, as set out in the (Exempt) Annexe, from the 2015/16 New Affordable Homes Reserve for the development of two show homes at Ockford Ridge; four affordable homes at Middlefield, Farnham and two affordable homes at 33 Bridge Road, Haslemere be approved;
15. a build contractor be appointed for the Ockford Ridge show homes in accordance with the Council's Contract Procedure Rules to deliver the development within the agreed budget;
16. Lawson Queay be appointed to act as Employer's Agent for Middlefield in accordance with the Council's Contract Procedure Rules to deliver four new affordable homes within the agreed budget;
17. a build contractor be appointed for Middlefield following the successful completion of the tender process, in accordance with the Council's Contract Procedure Rules, in consultation with the Director of Resources and the Portfolio Holders for Housing and Finance; and
18. an architect for the post-planning period, a Contract Administrator and a build contractor be appointed for 33 Bridge Road following the successful completion of the tender process in accordance with the Council's Contract Procedure Rules, in consultation with the Director of Resources and the Portfolio Holders for Housing and Finance.

[Reason: to seek approval to appoint contract administrators and build contractors, along with budget allocations for the schemes]

32. MEMBERS' ALLOWANCES SCHEME (Agenda item 26)

32.1 As part of a recent audit into members' expenses, it was agreed that the next revision of the Members' Allowances Scheme should be considered in conjunction with the Local Authorities (Members' Allowances) (England) Regulations 2003, as there was an area identified that should be included in the WBC scheme, namely Section 8(2) relating to when a member could be suspended.

32.2 The scheme is only usually updated annually to increase the level of allowances in line with any pay award made to staff and the next full review of the Scheme by the Independent Remuneration Panel is not due until 2017. However, as the amendment to the scheme is for administrative purposes and to be consistent with the regulations, the Executive

RECOMMENDS that

19. the following additional wording be added to the Members' Allowances Scheme for 2015/16, as a new paragraph 8 (7):-

"Where a councillor is suspended or partially suspended from their responsibilities or duties as a member of the authority, any travelling and subsistence allowance payable to the councillor in respect of the responsibilities or duties from which they are suspended or partially suspended may be withheld by the authority".

[Reason: to revise the Members' Allowances Scheme to ensure it is in line with the regulations].

PART II - MATTERS OF REPORT

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

33. FORWARD PROGRAMME - JULY 2015 (Agenda item 5)

RESOLVED that the forward programme of key decisions for Waverley be adopted.

34. BUDGET MANAGEMENT - MAY 2015 (Agenda item 6)

RESOLVED that the budget management report be noted.

[Reason: to provide a review of service delivery of progress against the 2015/16 budget]

35. TREASURY MANAGEMENT ACTIVITY: 2014/15 OUTTURN AND 2015/16 YEAR TO DATE (Agenda item 7)

RESOLVED that the treasury management activity and investment performance in 2014/15 be noted and the treasury management activity and investment performance in 2015/16 be noted and endorsed.

[Reason: to summarise and advise of Waverley's Treasury Management activity]

36. HOUSING DELIVERY BOARD ANNUAL REPORT 2014/2015 (Agenda item 10)

RESOLVED that the work carried out by the Housing Delivery Board in 2014/15 be endorsed.

[Reason: to summarise the work undertaken by the Housing Delivery Board over the last year].

37. APPROVAL TO SUBMIT PLANNING APPLICATIONS: LAND ADJACENT TO 75 SHERRYDON, CRANLEIGH AND GARAGE SITE AT BINHAMS LEA, DUNSFOLD (Agenda item 11)

RESOLVED that

1. planning applications be submitted for the development of the part of parking area at Sherrydon, Cranleigh and the garage area at Binhams Lea, Dunsfold to provide affordable housing to meet local housing need; and
2. a budget allocation of £15,000 for professional fees for the site in Cranleigh and £15,000 for professional fees for the site in Dunsfold be approved, to be brought forward from the indicative 2016-17 budgets for these schemes.

[Reason: to seek approval to submit planning applications]

38. REDEVELOPMENT OF 8 ELMBRIDGE COTTAGES: APPROVAL TO SUBMIT PLANNING APPLICATION (Agenda item 12)

RESOLVED that

1. a planning application be submitted for the redevelopment 8 Elmbridge Cottages, Cranleigh to provide 2 x 2 bedroom affordable homes to meet housing need; and
2. an additional budget allocation of £15,000 for pre-development costs be approved.

[Reason: to seek approval to submit a planning application]

39. DRAFT SHOPFRONT DESIGN GUIDE: SUPPLEMENTARY PLANNING DOCUMENT (Agenda item 13)

RESOLVED that the draft Shopfront Design Guide Supplementary Planning Document (SPD) be approved for the purposes of public consultation.

[Reason: to gain authorisation to undertake a formal consultation on the draft SPD]

40. HEALTH AND SAFETY POLICY (Agenda item 17)

RESOLVED that the new Health and Safety Policy be approved.

[Reason: to seek approval for the revised Health and Safety Policy]

41. NEW HR POLICIES: SOCIAL MEDIA AND POLITICALLY RESTRICTED POSTS
(Agenda item 18)

RESOLVED that the Social Media and Politically Restricted Posts policies be approved.

[Reason: to seek approval for the new HR policies].

42. APPOINTMENT OF SPECIAL INTEREST GROUPS 2015/16 (INCLUDING WEYDON LANE) (Agenda item 19)

RESOLVED that the proposed Terms of Reference for the Weydon Lane SIG be endorsed and the membership of the SIG be decided by the Portfolio Holder for the Environment in liaison with the Chairman of the Corporate Overview and Scrutiny Committee.

[Reason: to agree the Terms of Reference and Membership of Special Interest Groups].

43. COMMUNITY COVENANT (Agenda item 20)

RESOLVED that

1. the observations and endorsements of the Corporate Overview & Scrutiny Committee be noted and Cllr Maurice Byham be appointed as the 'Waverley Champion' for the Armed Forces; and
2. the Corporate Policy Manager be asked to pursue the actions recommended in Table 2 of the report, and to report back to the Corporate Overview and Scrutiny Committee in 12 months.

[Reason: to receive a report from the Overview and Scrutiny Committee and give consideration to its recommendations]

44. RESPONSIVE REPAIRS IN-DEPTH REVIEW: FINAL REPORT (Agenda item 21)

The Executive received the final report of the in-depth review into responsive repairs and thanked the Corporate Overview and Scrutiny Committee for its work on the review. It was then

RESOLVED that

1. the Joint Action Plan, as set out at Annexe 2 to the report, be approved; and
2. officers be asked to monitor progress of the action plan and report back to the Corporate Overview and Scrutiny Committee in six months time.

[Reason: to receive the report of the Overview and Scrutiny Committee and consider its recommendations]

45. PROPOSALS FOR THE DEVELOPMENT OF SERVICES AND ACCOMMODATION FOR OLDER PEOPLE (Agenda item 23)

[This item contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 3 of the revised Part I 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).]

RESOLVED that officers commence a formal consultation process with staff and tenants in the sheltered housing service, based on the proposals contained in the report, and report back to the next meeting of the Executive with final recommendations.

[Reason: to consider proposals to carry out a comprehensive consultation with staff and tenants regarding the sheltered housing service].

46. PROPERTY MATTERS (Agenda item 25)

[This item contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 3 of the revised Part I 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)]

RESOLVED that

1. with regard to the surrender and renewal of the lease to Farnham Cricket Club, Farnham Park:
 - Waverley grants a lease of the land shown outlined on the plan at Annexe 1 to Farnham Cricket Club for 50 years, on terms and conditions set out in the (Exempt) Annexe, and with other terms and conditions to be agreed by the Estates and Valuation Manager; and
 - the virement proposed in the (Exempt) Annexe be agreed; and
2. Waverley accepts the early surrender of the lease of 4 Hillcroft, Shepherds Hill, Haslemere and enters into a 10 year lease of 3 and 4 Hillcroft, Shepherds Hill, Haslemere, with terms and conditions to be negotiated by the Estates and Valuation Manager.

[Reason: to consider a number of property-related issues in the Borough]

47. EXECUTIVE DIRECTOR'S ACTIONS (Agenda item 27)

The Executive noted the following action taken by the Executive Director after consultation with the Chairman and Vice-Chairman since its last meeting:

i. Windows 2003

To authorise the use of £10,000 from the unallocated capital fund for the additional work involved in the Windows 2003 Server replacement.

ii. Extension of Free Parking Trial

To authorise an extension of the 'free Wednesday' parking trial until the end of July 2015, on the same basis as previously agreed, at a cost of approximately £6,000 to be met from additional income to the car parking budget.

48. EXCLUSION OF PRESS AND PUBLIC (Agenda item 28)

At 7.30 pm 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 item 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 Paragraph 3 of Part I 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).

Having declared an interest, Cllr Kevin Deanus withdrew from the meeting at this point, prior to consideration of the following item.

49. PROPERTY MATTER (Agenda item 29)

RESOLVED that

1. a planning application be submitted for the development of the land at Chilton Close, Alfold to provide affordable housing to meet housing need; and
2. a budget allocation of £20,000 be agreed for pre-development costs, to be met from the new affordable homes capital programme budget.

The meeting commenced at 6.45 pm and concluded at 7.33 pm

Chairman