

MINUTES of the WAVERLEY
BOROUGH COUNCIL held in
the Council Chamber, Council
Offices, The Burys, Godalming
on 20 February 2024 at 6.00
pm

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

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

*Present

Apologies

Cllr Carole Cockburn, Cllr Jacquie Keen, Cllr Heather McClean and Cllr Michaela Wicks

Prior to the commencement of the meeting, prayers were led by Revered Clive Case from Charterhouse School.

JOINT CHIEF EXECUTIVE

The Mayor welcomed Mr Pedro Wrobel to his first Council meeting as Joint Chief Executive and Head of Paid Service and expressed thanks to Mr Wrobel and Westminster City Council for agreeing to an earlier start date than had been anticipated.

CNL91/23 APOLOGIES FOR ABSENCE (Agenda item 1.)

Apologies for absence were received from Cllrs Cockburn, Keen, Maclean and Wicks.

CNL92/23 MINUTES (Agenda item 2.)

Subject to remarks in paragraphs 68.3 and 68.4 being attributed to Cllr Atkins rather than Cllr Paul Rivers, and revised wording for the Mayors announcements, the Minutes of the Meeting of the Ordinary meeting of the Council held on 12 December were confirmed and signed together with the minutes of the Extraordinary Meetings of Council held on 19 December and 24 January 2024.

CNL93/23 DECLARATIONS OF INTEREST (Agenda item 3.)

Councillor Hyman declared an interest in item 7 as a Waverley Borough Council tenant. Councillor Steiger declared an interest in agenda item 12 as an employee of the Environment Agency.

CNL94/23 MAYOR'S ANNOUNCEMENTS (Agenda item 4.)

The Mayor thanked those that participated in the Mayor's fundraising quiz which had raised over £1800 for the Meath and Skillway charities.

CNL95/23 LEADER'S ANNOUNCEMENTS (Agenda item 5.)

The Leader of the Council welcomed the Joint Chief Executive, Pedro Wrobel to the Council and thanked Westminster City Council for enabling Mr Wrobel to join WBC sooner than anticipated. Thanks were also expressed to the Finance Team for their work in preparing the budget.

CNL96/23 GENERAL FUND BUDGET 2024/25, CAPITAL PROGRAMME 2024/25 AND MEDIUM TERM FINANCIAL PLAN 2024/5 - 2027/8 (Agenda item 6.) (Pages 13 - 16)

The Leader of the Council introduced the General Fund Budget 2024/25 and thanked Cllr Mark Merryweather, Portfolio Holder for Finance, Assets and Property, on the preparation of his fifth budget for the Council. The Leader expressed his concern with the government's approach to the funding of local government which meant that Councils were having to be creative in finding options to balance their budgets due to continued uncertainty. Accordingly, the Leader proposed an alteration to the Motion, with the consent of Cllr Fairclough as seconder, to include an additional recommendation 9, in two parts:

That the Council notes:

(ix) (a) that Waverley Borough Council will explore the creation of a voluntary contribution scheme for Council Tax Band H residents of our Borough.

(ix) (b) that a Temporary Executive Working Group (as per the protocol for Executive Working Groups) will be established to determine this scheme's scope, legal structure, governance, and communication and to bring back to Council for consideration.

The Leader stated that the alteration was modelled on a recent motion to Surrey County Council, and the proposed Executive Working Group would consider its detail together with successful schemes elsewhere. Nine rather than eight recommendations now formed the Motion recommended for approval and the Leader commended the Budget to Council, thanked Officers for their hard work in its preparation, and invited Cllr Merryweather to present the detailed Budget proposals. Cllr Merryweather, Portfolio Holder for Finance, Assets and Property introduced the General Fund Budget 2024/25 and his speech is appended to these minutes.

Councillor Martin, Leader of the Principal Opposition Group, addressed the meeting and proposed an amendment seconded by Councillor Goodridge. The amendment was tabled and read as follows:

Delete the words in iii) b) ~~agree the increase to car parking charges as proposed in Annexe 4.2~~ and add the words *b) to exclude the proposed introduction of evening charges in selected car parks and to reduce the level of increase in parking charges as proposed in Annexe 4.2 to an average of 7% reducing the increased revenue from £447k to £295k in 2024/25.*

Together with adding the words:

ix. To reduce transfers to reserves as follows:

- *Reduce the one off growth in the property maintenance fund from £400k to £324k; and*
- *Reduce the one off contribution to the Invest to Save Reserve from £450k to £374k*

Councillor Martin introduced the amendment and referenced surpluses generated in the previous year and anticipated for the current year, together with a greater than expected government settlement. His view was that the proposed increase in parking charges could be lessened together with not introducing evening charges. A smaller increase instead could stimulate the local economy and lessen the financial strain on residents in light of the charges having been significantly increased three years ago.

Councillor Goodridge spoke as seconder of the amendment and expressed his view that the increase in parking charges may deter visitors to town centres and was not aligned to the Council's stated aim of investment in high streets. Further, there was insufficient transport alternatives for residents in rural areas to access towns.

Members' statements against the amendment included:

- Business owners in Godalming had identified business rates and rent increases as the reason why they were struggling, not car parking charges. Business rates were not set by the Council but rents in Council controlled properties were sustainable
- The proposal to reduce contributions to the invest to save and property maintenance reserves demonstrated short-termism that would have to be rectified in future years

- Reducing car parking revenue would have a cumulative impact in future years, which would have to be rectified
- Parking revenue was invested in priority services including green spaces, street cleaning and recycling, as well as maintenance of car parks, and no alternative means of funding had been proposed
- The Council should be debating alternatives to car usage in response to the climate crisis, including recently improved local bus services
- That no evidence had been provided that increased charges would deter visitors; rather the most recent consultation showed that the availability of spaces was of greater importance. Those that parked daily for work were able to apply for permits to reduce costs
- Surrey County Council should improve its approach to on street parking enforcement, which would alleviate issues and encourage drivers to park in Council car parks; and
- There was no perception of a negative impact on the local economy from neighbouring Boroughs which had introduced evening and Sunday charging.

Councillor Austin spoke in favour of the amendment and stated that residents and businesses did not want increased car parking charges. The proposed amendment would keep high streets accessible and affordable to visit.

The Mayor called upon Councillor Martin to exercise his right of reply as mover of the amendment. Councillor Martin gave illustrative examples of how parking charges had increased greater than inflation since 2020. Moreover, the amendment to reduce the property maintenance fund would only represent a small percentage of the total fund.

In accordance with Procedure Rule 17.4, the Mayor called for a recorded vote on the amendment.

Vote on the Amendment

For (9)

Councillors Atkins, Austin, Barker-Lomax, Deanus, Goodridge, Martin, Relleen, Staunton, and Sullivan.

Against (36)

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

Abstentions (1)

Councillor Hyman

The amendment was **NOT CARRIED**.

Consequently, the Mayor invited Councillor Martin to speak as Leader of the Principal Opposition Group on the Original Motion, as altered. Councillor Martin stated that inflation was falling and was expected to continue to fall; and Waverley's financial support from the Government had increased from a low in 2020 of £3.1m

to £4.2m for the forthcoming year. With his amendment having been lost, Cllr Martin opposed the budget on the basis of car parking charges and the proposed voluntary contribution scheme.

Members' statements in favour of the Original Motion, as altered included:

- The government settlement did not cover the impact of inflation, and the Council had to compensate for that using its sources of income – car parking charges and council tax
- Welcoming of the consideration of a voluntary council tax contribution scheme as the current arrangements were outdated
- Welcoming the forthcoming review of the Council's approach to using technology in the Council's car parks; and
- Expressing thanks to Councillor Merryweather and the Finance team for producing a balanced budget.

Councillor Hyman was concerned that the staff pay rise had not yet been agreed and had been based on assumption, which when agreed could affect the overall budget.

Councillor Goodridge spoke against the Original Motion, as altered and was concerned that the budget had not referenced the water and sewage issues upon which a State of the Borough Debate had been called in December. The constitution set out that those matters should inform the budget, and there was no evidence that those matters had.

The Leader countered with a point of personal explanation that there was no mechanism within the budget to facilitate the taking of action by Thames Water, and that the Constitution was silent on how a matter dealt with at a State of the Borough debate should be manifested in a future budget.

At the invitation of the Mayor, the Leader summed up as mover of the original motion, as altered. The Leader emphasised the context in which local authorities operated where a survey had shown that 1 in 5 Council Leaders had said that it was 'fairly likely' that a S114 notice would be issued this year. Waverley Borough Council was not one of those Councils and had prepared a prudent, pragmatic budget to continue to deliver its services to residents.

In accordance with Procedure Rule 17.4, the Mayor called for a recorded vote on the Original Motion, as altered, en bloc.

RESOLVED to approve:

1. **A 2.99% increase in Waverley's Band D Council Tax Charge for 2024/25 with resultant increases to the other council tax bands;**
2. **To continue the Council's existing Council Tax Support Scheme at the current levels;**
3. **(a) a general inflationary increase to Fees and Charges for 2024/25 except for car parking charges and some limited other exceptions as proposed in Annexe 4.1, (b) the increase to car parking charges as proposed in Annexe 4.2, and (c) the specific other increases to the fees and charges as proposed in Annexe 4.3;**

4. A general inflationary increase of 4.5% to the weekly charge for all garages from 1 April 2024;
5. The General Fund Budget for 2024/25 as summarised in Annexe 2, incorporating the baseline net service cost variations detailed at Annexe 1 and Annexe 3;
6. The General Fund Capital Programme as detailed in Annexe 5;
7. The reserve movements as set out in Annexe 6 and a delegation to the S151 officer to draw down from the reserves if the use is in line with the approved purpose
8. An increase in inflation provision proposed within the General Fund budget of £111,252 to be funded by the £159,459 increase in funding guarantee grant as confirmed by the Department of Levelling Up, Housing and Communities on 5 February 2024
9. (a) that Waverley Borough Council will explore the creation of a voluntary contribution scheme for Council Tax Band H residents of our Borough. (b) that a Temporary Executive Working Group (as per the protocol for Executive Working Groups) will be established to determine this scheme's scope, legal structure, governance, and communication and to bring back to Council for consideration.

Vote on the Original Motion, as altered, en bloc.

For (37)

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

Against (9)

Councillors Atkins, Austin, Barker-Lomax, Deanus, Goodridge, Martin, Relleen, Staunton, and Sullivan.

Abstentions (0)

CNL97/23 HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN, REVENUE BUDGET, AND CAPITAL PROGRAMME 2024/25 (Agenda item 7.)

The Leader of the Council moved the recommendations, and in so doing emphasised that the hardship fund would be increased to help support tenants on Universal Credit with mitigating the impact of proposed rent increase. Cllr Fairclough seconded the motion and Cllr Merryweather, Portfolio Holder for Finance, Assets and Property introduced the HRA Budget 2024/25 by summarising:

- That the HRA operated in highly a regulated environment which governed how resources could be used
- Inflationary cost pressures were apparent together with growth pressures including the need to invest in maintaining an adequate housing management IT system specific to the HRA
- CPI in September 2023 was 6.7% plus the additional 1% which resulted in a maximum allowable rent increase of 7.7% for 2024/25 as proposed
- Alternative scenarios of 1%, 4% and 6% increases had been tested
- The Hardship Fund would be increased to £200,000 from £30,000, and

- A stepped approach to increasing energy service charges was proposed which would be reviewed annually when further stepped increases would be taken to take the recharges to the level of full recovery.

Councillor Paul Rivers, Co-Portfolio Holder for Housing, spoke to thank the Tenants Panel and Landlord Services Advisory Board for their engagement with the budget setting process. Cllr Rivers said that the Tenants Panel was right to have highlighted the decline in tenant satisfaction from 83% in 2017 to 68% in 2023; and concurred that tenants were not responsible for macro-economic conditions. Cllr Rivers emphasised that the Council was committed to providing an improved housing service and remarked that the recommendation for a 7.7% increase had been proposed with a heavy-heart. Contextually, the 4% rise in the previous year had been to shield residents during an inflationary peak. Councillor Palmer, Co-Portfolio Holder for Housing, urged that communications to tenants be improved to encourage awareness and take-up of available support, including discretionary relief.

Members' statements in favour of the recommendations included:

- The Council was committed to building quality Passivhaus standard energy efficient housing
- Rental income was used to fund housing repairs and maintenance
- A 7.7% increase would protect tenants in the longer term, whereas a smaller increase would have to be recovered in future years, and
- An Executive Working Group would consider tenant satisfaction measures.

Members' spoke against the recommendations as follows:

- That the reasoning for the previous years' 4.4% increase did not appear sound
- The budget strategy indicated that there would be above inflation rent rises for the foreseeable future; and
- In addition to the rent and energy increases, new services charges for cleaning communal areas were being proposed.

The Leader of the Council countered that the proposed increases would be handled sensitively and fairly. The Council was committed to raising tenant satisfaction, delivering more and better contract management for responsive repairs, and the provision of good quality energy efficient housing as set out in the Corporate Strategy.

In accordance with Procedure Rule 17.1, the Mayor called a vote on the recommendations which were taken *en bloc*. The vote was carried, with 36 votes in favour, 9 abstentions and 1 vote against.

RESOLVED to approve:

- 1. The weekly rent for Council dwellings to be increased by up to 7.7% from the 2023/24 weekly rent charges, effective from 1 April 2024, within the permitted guidelines contained within the Government's rent setting policy**

2. That service charges and utility charges at non senior living accommodation be increased by 7.7% per week
3. That the heating charges in senior living accommodation be increased by 20% per week from 1 April 2024 to £31.20
4. The Service Charge in senior living accommodation be increased by 15% per week from 1 April 2024 to £24.04
5. The revised HRA Business Plan for 2024/25 to 2053/54 as set out in Annexe 1
6. The approved change to the fees and charges as set out in Annexe 4 is noted;
7. The HRA capital programmes as show in Annexe 5 and 6;
8. The financing of the capital programmes in line with the resources as shown in Annexe 7
9. To deliver the works identified in the maintenance budgets it is recommended that authority is delegated to the Executive Head of Housing, in consultation with the s151 Officer, to procure and enter contracts valued over £100,000 show in Annexe 8, and
10. An increase in inflation provision proposed within the Housing Revenue Account budget of £48,207 to be funded by the £159,459 increase in funding guarantee grant as confirmed by the Department of Levelling Up, Housing and Communities on 5 February 2024.

CNL98/23 CAPITAL STRATEGY 2024/25 (Agenda item 8.)

The Leader of the Council moved the recommendations, Cllr Fairclough seconded the motion and Cllr Merryweather, Portfolio Holder for Finance, Assets and Property introduced the Capital Strategy 2024/25 and summarised:

- That the strategy was a statutory requirement for local authorities
- A contextual map had been developed to illustrate the linkages between treasury and non-treasury matters; and
- Two enhancements on previous years had been made a) Annexe 2 covered the charging of interest on internal borrowing and repayment of HRA internal borrowing; and b) Annexe A3 appended to the Asset Investment Strategy outlined the principles of appraisals and viability assessments that the Council would follow.

Councillors Atkins and Martin spoke against the recommendations and expressed concern that the Strategy stated on page 17 that the Council '*may decide to progress an investment project that does not 'pay for itself' if the non-monetary values are considered worthy enough and the funding shortfall can be covered from other sources.*'

Councillor Merryweather countered that it was clear that financial sustainability was a cross cutting theme across the six priorities of the Council. Investment opportunities were informed by professional valuations, an assessment of capital and revenue impacts, and appraisal of options, as set out in the Strategy.

In accordance with Procedure Rule 17.1, the Mayor called a vote on the recommendations which were taken *en bloc*. The vote was carried, with 36 votes in favour and 10 abstentions.

RESOLVED:

1. That the five-year Capital Strategy for 2024/2029, incorporating the Treasury Management Strategy, Prudential Indicators and Asset Investment Strategy, be approved.
2. That authority be delegated to the Executive for the financial year 2024/25, subject to a positive recommendation from the Asset Investment Advisory Board and agreement from the Chief Executive and Strategic Director:

- a) to bid, negotiate and complete on property acquisitions and investments in land and buildings with a total individual cost of up to £10m, subject to the decision fully satisfying all criteria and process requirements set out in the Strategy; and
- b) to determine a funding strategy for the acquisition or investment in line with the Treasury Management Strategy; and
- c) to appoint advisors and undertake appropriate due diligence for each property acquisition and investment proposal as necessary; and
- d) to complete the legal matters and signing of contracts to execute the transactions referred to above.

CNL99/23 COUNCIL TAX SETTING 2024/25 (Agenda item 9.)

The Leader introduced the Council Tax Setting report. This was a technical report that summarised all of the appropriate budgetary decisions that had been taken to enable the level of Council Tax for 2024/25 to be determined, and specified all of the individual levels of Council Tax for approval by the Council. The Leader moved the recommendation, seconded by Councillor Fairclough, there being no speakers, the Mayor called for a recorded vote in accordance with Procedure Rule 17.4.

RESOLVED:

That the Council Tax Setting resolutions as set out in the report, be approved.

For (45)

Councillors Austin, Barker-Lomax, Beaman, Busby, Clark, Crowe, Davidson, Deanus, Duce, Fairclough, Follows, Gale, Goodridge, Hesse, Higgins, Hyman, Keen, Kiehl, Laughton, Long, Macleod, Martin, Merryweather, Mirylees, Morrison, Munro, Murray, Nicholson, Palmer, K. Reed, R. Reed, Relleen, Paul Rivers, Penny Rivers, Robini, Spence, Staunton, Steiger, Sullivan, L. Townsend, P. Townsend, Ward, Weldon, White, and Williams.

Against (0), Abstentions (0)

CNL100/23 PAY POLICY STATEMENT 2024/25 (Agenda item 10.)

The Leader of the Council moved the recommendations set out in the Annual Pay Policy Statement report, seconded by Councillor Fairclough. Councillor Hyman sought clarification of the status of the pay claim for staff. The Leader responded that the budget reflected the pay proposal that had been put to the unions, and the Council was awaiting a response.

There being no further speakers, the Mayor moved to the vote and Council unanimously

RESOLVED:

That the Pay Policy Statement for the 2024/25 financial year be approved.

CNL101/23 RENEWAL OF ANTI-SOCIAL BEHAVIOUR PUBLIC SPACES PROTECTION ORDER (PSPO) (Agenda item 11.)

The Leader moved the recommendations, seconded by Councillor Fairclough. The Mayor invited Councillor Mirylees, Portfolio Holder for Community Services, Leisure and EDI, to introduce the report. Cllr Mirylees advised that the PSPO was due to expire on 20 April 2024, before the next ordinary meeting of Council. Engagement and consultation would be undertaken during March with key stakeholders and be reported to meetings of the Overview and Scrutiny – Services Committee and the Executive. At any point before the expiry date, the council could extend the PSPO by up to 3 years if considered necessary. An Officer delegation was therefore sought to do so. It was confirmed that the recommendations had been prepared according to legal advice.

The Mayor moved to the vote and Council unanimously

RESOLVED:

- 1. To delegate authority to the Executive Head of Community Services to extend PSPO (No 3) Waverley Borough Council 2021; and**
- 2. That the Executive Head of Community Services be delegated authority to decide the period of extension.**

CNL102/23 MOTION - OPPOSITION TO THE EXPANSION OF FARNBOROUGH AIRPORT (Agenda item 12.)

A Motion on Notice regarding opposition to the expansion of Farnborough Airport was moved by Councillor Follows and seconded by Councillor Williams. Councillor Follows introduced the Motion and summarised that:

- Farnborough Airport was proposing to expand its operations significantly
- The expansion would increase the maximum number of annual aircraft movements from 50,000 to 70,000 per annum, including an increase in non-weekday aircraft movements from 8,900 to 18,900 per annum
- Rural areas surrounding the airport could see up to 18 flights per hour over them, and a significant amount of the flight management for the increase would occur in the aerospace above Farnham and the villages of Western Waverley
- The review of new flight paths (implemented in 2020) was yet to conclude and the airport had not yet measured aircraft noise despite a commitment to the CAA and MPs to do so
- The average number of passengers per flight was 2.5 per plane, and approximately 40% of the flights from the airport flew empty, and
- The UK Climate Change Committee has stated that there should be no further expansion of airports without mitigation for aircraft emissions.

Members' statements in favour of the Motion included:

- Under the current legislative regime the airport was able to state that its target was to be a net zero operation by 2030, however the airport was not the owner of the aircraft, which were not included within the target
- The increase in flights would consequentially increase the impact of harmful emissions
- Sustainable aviation fuel was in its infancy and could not be relied upon as a mitigation
- The Council, having declared a climate emergency, was committed to reducing carbon emissions across the Borough and beyond
- Residents had complained of the effects that aircraft noise and disturbance had on their health
- Weekend flights would double which would be detrimental to residents living under the flight path
- Private jet travel would increase
- Objections could reasonably be made on planning, climate and noise monitoring grounds.

Councillor Follows summed up; whereupon the Mayor moved to the vote and Council unanimously

RESOLVED to:

- 1. Oppose the expansion of Farnborough Airport**
- 2. Write to the Secretary of State for Energy Security and Net Zero, the Secretary of State for the Environment Food and Rural Affairs, and the Secretary of State for Transport requesting an immediate halt to the expansion proposals.**
- 3. Write to the two relevant MPs (the MP for East Hampshire and the MP for South West Surrey), asking them for their comments and seeking their support in opposing this expansion.**
- 4. Write to Rushmoor Borough Council with formal comments to the planning application submitted to that council by Farnborough Airport Ltd. (which must be submitted before March 2024)**
- 5. Communicate the Council's opposition and rationale for that opposition to the public and to the towns and parishes within Waverley.**

CNL103/23 MOTION - FUNDING FOR THE ENVIRONMENT AGENCY (Agenda item)

Councillor Austin raised a Point of Order that Council Procedure Rule 12.6 had not been satisfied insofar as the Motion was the second one put by the same Councillor to the meeting. The Monitoring Officer concurred and advised that rule 12.6 stated that no Councillor may have more than one motion on notice included on the same agenda; and therefore the Motion could not be moved and would be treated as withdrawn.

The meeting concluded at 9.50 pm

