

## FARNHAM TOWN COUNCIL

### MINUTES OF THE TOWN COUNCIL MEETING HELD ON THURSDAY 26<sup>th</sup> APRIL, 2007, AT 7.00 PM IN THE COUNCIL CHAMBER, SOUTH STREET, FARNHAM

- \* Cllr D J Attfield (Town Mayor)
  - \* Cllr C G Genziani (Deputy Town Mayor)
  - o Cllr P G Burden OBE
  - o Cllr M A Clark
  - \* Cllr C A Cockburn
  - o Cllr S Farrow
  - o Cllr (Mrs) P M Frost
  - o Cllr R D Frost
  - Cllr J M Harris
  - \* Cllr S A G Lang
  - \* Cllr J E Maines
  - o Cllr (Mrs) A E Mansell MBE
  - o Cllr C H Mansell
  - \* Cllr P G Marriott
  - \* Cllr (Mrs) P M Marriott
  - \* Cllr M W Norris (arrived at 7.25pm)
  - o Cllr (Mrs) S Scrivens
  - \* Cllr V K Scrivens
- 
- \* Present
  - o Apologies for absence

Officers Present:

Roland Potter (Town Clerk)

Sheila Rayner (Assistant Town Clerk)

Wendy Coulter (Member Services and Grants Officer)

#### C 277/06 QUESTIONS BY THE PUBLIC

Members of the public present wished to make a statement in relation to Item 6 on the agenda.

#### C 278/06 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P G Burden, M A Clark, S Farrow, (Mrs) P m Frost, R D Frost, (Mrs) A E Mansell, C H Mansell and (Mrs) S Scrivens.

C 279/06 MINUTES

The minutes of the Full Council meeting held on 29<sup>th</sup> March, 2007, were approved and signed by the Town Mayor as a correct record.

C 280/06 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

C 281/06 STATEMENTS BY THE PUBLIC

It was agreed that Statements by the Public referring to Agenda Item 6 would be taken at the start of the agenda.

### **Part 1 – ITEMS FOR DECISION**

C 282/06 TOWN MAYOR'S ANNOUNCEMENTS

The Town Mayor said that he had enjoyed the last couple of weeks and had attended some very interesting meetings and enjoyed wading in the river with the Ducks on Easter Saturday.

C 283/06 DECISION MAKING OF THE PLANS PANEL (PLANNING CONSULTATIVE GROUP)

Statements by the Public

**Mr Ian Walton – Oakdene, Lower Bourne, Farnham.**

Thank you for the opportunity to discuss planning proposal WA 07/0505. This proposal was reviewed by the Plans Panel on 29<sup>th</sup> March, 2007.

For those unfamiliar, application WA 07/0505 proposes and I quote "the demolition of an existing 2 storey building and erection of a building containing 10 2/3 bedroom flats with associated car parking for 18 vehicles".

The site is in an ASEQ and as such any new development is subject to Policy BE3. The proposal involves an estimated 300% increase in ground area. The existing property is currently used as a school in what was previously a single dwelling.

I live next door to the property and my 2 colleagues are also immediate neighbours.

We are all aware that the purpose of the Plans Panel is to provide a 'grass roots or layman's view' on any proposals, and that this decision carries little weight with Waverley Borough Council. We are, however, laymen ourselves and having looked at all the information readily available we are unable to reconcile the Plans Panel decision of 'No objection' with current planning and development policy.

We would like Farnham Town Council to review the decision made by the quorum of only 3 councillors, and if necessary to overturn it, based on consideration of all the information available. We feel that if this proposal goes to appeal the Inspector is more likely to refuse the proposal if it has been rightly rejected at all levels.

We are unaware of the material made available by the Council officers to the Plans panel. However, as the proposed Design and planning Statement and previous Appeals Decisions associated with the site are all held in this building, it is reasonable to assume the Plans Panel had access to them.

Was this information made available to the Panel?

Para 4.04 and Appeal Decision /1144890 both state clearly that when 3 Counties Trust, the present owners of the property, cease to occupy the premises, then it has to revert to its previous use as a single dwelling. Therefore this application means that a single dwelling in an ASEQ and under BE3 policy, within a SPA , would be demolished and replaced by a block of flats some 300% bigger. The Plans Panel passed 'No objection'.

What relevant information did the Council Officers provide to the Plans Panel prior to the March 29<sup>th</sup> meeting?

Did the Plans Panel have the Inspector's conditional change of use and if not, why not?

As an immediate neighbour the scale of the proposal will also significantly affect loss of light, privacy and will both overshadow and overlook my property Oakdene. Traffic and noise will also increase. Any Council members who wish to view the site from my property are more than welcome.

Please also be aware that there is strong local objection to the proposal with some 30+ letters against it. Natural England and the BRA have expressed their objections. Supporters (Three Counties Parents or Grandparents) of the proposal have also openly expressed their desire to maximise profit in letters to Waverley Borough Council.

In sum I urge you as the full Farnham Town Council to review the decision of 'No objection', as we feel this is not justifiable under the information available and does not reflect well on the Plans Panel decision making process.

**Mr C F Coote – Lower Bourne, Farnham.**

I wish to refer the Council Members to Roland Potter's letter in Appendix B. Specifically...

Point 12 – states that the Council officers review planning applications in order that the Plans panel can focus on major or potentially controversial applications.

Point 14 – states that the Town Council is a consultee in the planning process and is required to provide a layman's comments.

Plans Panel Meeting March 29<sup>th</sup>

Point 4 – Ref WA 07/0505; claims that Plans Panel members considered policy BE3 but make no mention of D1 or D4 or the SPA.

Point 5 – The Town Council has always had a practice of scrutinising rigorously all development proposals where the demolition of a single residential dwelling is to be replaced by flats.

It is further claimed that under this principle, the Plans Panel considered WA 07/0519 and WA 07/0505 with equal rigour.

However, Point 6 argues that there is a significant difference between 0519 and 0505 – 0505 relates to a property whose established previous use was as a school.

This is false. The property was previously a single dwelling and the change of use was to apply solely to Three Counties Trust and the property would revert back to single residence if and when the school move. The transitory change of use was conditional on a 106 agreement.

Furthermore Point 6 states as 0519 includes the demolition of a single dwelling which is currently available as a residential dwelling, members maintained their practice of objecting to the proposed development and qualified their objection with policy references.

Why then was the same practice not applied to 0505, as the existing dwelling would be available as a single residence and was to be demolished?

Minutes of Plans Panel Meeting

The Members objected to 0512 and 0519 on the grounds that "the scale, location and design of the developments would be harmful to the residential amenities of surrounding dwellings".

However, for 0505, where the same loss of amenities certainly apply, as does BE3, D1 and D4 policies, no comment let alone objection applies.

In summary, we believe the Plans Panel decision to offer No Objection to the application is both indefensible and incongruous and should be reviewed by the Town Council against all the available facts and planning policies.

**Mr Clive Jobling – Lower Bourne, Farnham.**

Could the Plans Panel change their 'No objection' to WA 07/0505, in view of our presentation to the Council this evening?

Consideration of the Decision Making of the Plans Panel

Members received a report on decision making by the Plans Panel outlining that objections had been received from members of the public challenging the observations that the Plans panel made with reference to a planning application in Lower Bourne.

Under the Town Council's Standing Order 17, Councillor C A Cockburn requested that the Council CONSIDER the issue of the decision making of the Plans Panel (Planning Consultative Group) and its consequences.

Councillor C A Cockburn reiterated that she was concerned about the process in which the Planning Consultative Group (PCG) arrived at its decisions. She explained that it appeared to the members of the public that the PCG's decisions were inconsistent and unfair. Cllr Cockburn asked if Waverley Borough Council were aware that only three members of Farnham Town Council had made the decisions on behalf of Farnham Town Council.

Cllr Cockburn agreed that Farnham Town Council could have an individual opinion but that it is judged by the 'man on the street' as to whether there is consistence and fairness in the decisions made.

Cllr Cockburn asked that there be a detailed explanation of the decisions made by the PCG on 29<sup>th</sup> March, 2007, in order to quash any suggestion of bias in the decision making.

Cllr Cockburn explained that the fears of the public were that the Town council's comments appear on the reports to Waverley Borough Council and if the application went to appeal then the inspector would also see the comment from Farnham Town Council.

Members noted that the Officer report stated that the Town Council is not the planning authority and can make no decisions with regard to planning other than to make observations. The only statutory power applicable to the Town Council is under Section 1 paragraph 8 of the Town & Country Planning Act 1990 which requires the Town Council to be notified of planning applications only.

Members noted that under Standing Orders No 42 (g) approved by the Council in 2004:

*“Planning applications are to be considered by a standing panel of 9 members with an elected Chairman and Vice Chairman, to consider contentious/significant applications. The panel to have delegated powers to submit observations to Waverley Borough Council. The Panel may refer a planning application to the Environmental Services Committee to consider and make observations”*

Members considered the issues raised by Cllr Cockburn and raised the following points:

The PCG has delegated powers to make decisions. If the PCG considers that an application needs further deliberation it can refer that application to the Environmental Services Committee for consideration.

Council resolved to have a PCG of nine members which gives the nine wards of Farnham the opportunity to have a representative on that group.

Descriptions of the applications that come before the PCG are circulated to all Farnham Town Council members before the meeting itself either by email or on paper. Members have the opportunity to look at the Planning Applications before the PCG meeting. If there is anything that a member of a particular Ward feels should be brought to the PCG's attention the ward member can either notify officers or attend the meeting to put across their point of view.

Members also considered the issue raised by Cllr Cockburn about 'dual hatted members' and the fact that the PCG was held in public.

Many members of Farnham Town Council are 'dual hatted', sitting both as Waverley Borough Councillors and Farnham Town Councillors and choose not to sit on the PCG as they believe it could possibly cause difficulty when the Borough Council sits to discuss planning applications already seen at Farnham Town Council.

Although the minutes might not be long and detailed it does not mean that there was no discussion on that particular application. Detailed minutes are not recorded unless there are issues that local Councillors decide should be mentioned.

Members agreed that they were concerned by the apparent discrepancy between applications in the minutes of the PCG of 29<sup>th</sup> March.

Members were concerned that there was a suggestion that the PCG should be held in private which could make it easier for 'dual hatted' members to sit on the PCG. However the Town Clerk reminded members that the Standards Board rules on declaring interests applied to meetings held in public and in private.

Members wished it to be known that although they sympathised with the views of the members of the public but in this instance the Council could not change the observation on the PCG which had a delegated duty from the Council to present the Council's observations based on the information supplied by the Planning Authority.

Cllr Cockburn asked whether it was the responsibility of the Town Council to inform Waverley Borough Council of how the Town Council came to its decisions at the PCG. The Town Clerk responded that a letter had been written to Waverley Borough Council clearly detailing how the PCG worked and requesting that the information be forwarded to all members of Waverley Borough Council and Chairmen of the Planning Committees.

Members noted from the Officers' report that the Town Council's observations are at best described as grass roots/laymen's views and there is no legislation which states that this view should be binding or weighted any differently to a general member of the public by the planning authority. Any other interpretation of this view lies with the Borough Council and can only be addressed by Waverley elected Councillors.

Members agreed that the issue raised was about whether Farnham Town Council's system of dealing with Planning Applications was the right one. Members agreed that it should be recommended to the new incoming Council to review the planning system and how the PCG is run and decide whether to continue in the present system or if a new system should be introduced.

**RESOLVED: That the members of Farnham Town Council sympathise with the views of the members of the public with regard to planning Application WA 07/0505.**

**RECOMMENDED: To the New Council that the process of the Planning Consultative Group be reviewed to determine whether the current system is correct or whether a new system for observation making should be introduced.**

#### C 284/06 RISK MANAGEMENT

Members received a report on the progress of the current work position of the Council's risk management implementation.

The principal areas of work undertaken which have been completed or are in the process of being completed are:

#### **2005/06**

The Council reviewed its Information Technology and has implemented a capital programme for the upgrading and replacement of equipment. A service contract for the support of the system was approved and implemented.

## **2006/07**

### **Allotments**

- ◆ The Council reviewed its allotment strategy and adopted a new 3 year plan which has included bi-annual meetings between the Council and the Allotment representatives, the introduction of a new tenancy agreement to address concerns regarding the operation of allotments by the various tenants.

### **Cemeteries**

- ◆ A survey of all the trees in the cemeteries was undertaken and the appropriate remedial work has been completed.
- ◆ The Council introduced a cemeteries Charter and reviewed its cemeteries regulations in October 2007.
- ◆ A Condition survey of the cemetery buildings has been completed.

### **Bus Shelters and other street furniture**

- ◆ The Council is in the process of updating its asset inventory of all assets and two new members of staff have been recruited whose duties will include the regular inspection and cleaning of the council's assets.

### **Other Policies**

Attached to record minutes is a list of current reviews being undertaken by the Council's Officers which are subject to approval by the Town Council.

### **Insurance**

- ◆ The Council's current insurance liabilities and valuations are being reviewed by the Town Clerk and Zurich Municipal Insurance and will be completed by May 2007.

### **RESOLVED:**

- 1. That the progress on the Risk Management Assessment be noted.**
- 2. That the officers should update the Risk Management Assessment and bring this to the attention of the Council at its first regular meeting after the Annual Meeting in May 2007.**

## **C 285/06 FREEDOM OF INFORMATION ACT**

Members received a report on the model scheme of publication under the Freedom of Information Act.

Under the Freedom of Information Act 2000 the Town Council is required to have an approved Publication Scheme which should be available to all members of the public. The Town Council submitted a Model Publication Scheme for Town and Parish Councils. The scheme was approved however there is no record of this scheme within the Councils documents, which has resulted in this matter being raised by the external auditors.



The registration of the scheme is due to be renewed and members were requested to approve the amended scheme (attached to record minutes) for submission to the Information Commissioner.

The principle change to the scheme is that any papers considered in Part I or II of the Councils or its committees agendas should be made available to the public.

**RESOLVED:**

- 1. That the amended model scheme adopted and submitted to the Information Commissioner for approval.**
- 2. That the Town Clerk be delegated authority to negotiate any amendments to the submitted model if requested by the Information Commissioner.**

C 286/06 THANKS TO OUTGOING COUNCILLORS

In light of the elections about to take place on 3<sup>rd</sup> May, 2007, the Town Mayor expressed his thanks to all eighteen members for their help and support over the past four years.

He also thanked, on behalf of the Town and Villages of Farnham, the three Councillors who would not be standing for re-election. Captain Peter Burden, Joan Harris and Sheila Scrivens. He wished them all the best for the future.

Cllr C A Cockburn wished to thank Peter Burden. He was an energetic Councillor who was always willing to have a chat and a laugh with any town councillor, regardless of political standing. Cllr Cockburn said that it was sad that Peter Burden's illness over the past few months had meant that he had faded out of the process rather than going out with the acclaim that he should have done. He would be sorely missed as he was a great character.

Cllr V K Scrivens wished to thank Joan Harris and Sheila Scrivens for their service to the Council. Joan Harris was one of the longest standing Councillors. She was a splendid mayor, she delivered it well in her own unique style and she would be missed.

Sheila Scrivens was the first woman mayor to be elected twice.

Peter Burden, Joan Harris and Sheila Scrivens had all done a very good job over the years in their own different ways.

Cllr V K Scrivens also thanked Cllr David Attfield for being a 'splendid Mayor'.

Cllr M W Norris wished to echo the comments about Cllrs Burden, Harris and Scrivens and in particular wanted to express his sadness at the loss of the wealth of knowledge that Peter Burden and Joan Harris had brought to the Council, about Farnham and its people.

## **Part 2 – ITEMS NOTED**

### **C 287/06 PLANNING APPLICATIONS**

Cllr V K Scrivens wished to put forward further comments on planning application WA 07/0828 - Erection of a building to provide 13 apartments, together with associated works, following demolition of existing dwelling. Waverley House, 54 Waverley Lane, Farnham.

He explained that the traffic congestion is quite serious in the particular area of the application and the proposal would increase the amount of cars in the area. He also wished to draw members' attention to the fact that more flats in the area would detrimentally affect the community spirit in the area.

It was agreed that Cllr V K Scrivens' comments would be forwarded to the next meeting of the Planning Consultative Group.

**RESOLVED:**                    **That the observations made by the Planning Consultative Group held on 29<sup>th</sup> March and 12<sup>th</sup> April, 2007, and dealt with in accordance with delegated authority, be noted.**

### **C 288/06 REPORTS FORM OUTSIDE BODIES**

Members received verbal reports from Farnham Town Council representatives on the Farnham Voluntary Council and the Farnham Sports Advisory Council.

A verbal report was received from Councillor C A Cockburn that the Volunteer Bureau was about to launch a Waverley and Guildford scheme which will have its own board of trustees. A more able Voluntary Service Council would now be in operation which would give advice on funding and grant applications to the Farnham charities.

A verbal report was received from Cllr Attfield who attended the Farnham Sports Advisory Council presentations. They made a presentation to junior, intermediate and senior members and citations were given about the people nominated and what they had won in the way of medals.

### **C 289/06 INTERNAL AUDIT**

Members noted that the Town Council is subject to an Internal Audit Inspection on 14<sup>th</sup> and 15<sup>th</sup> June, 2007.

C 290/06 ITEMS TABLED

None.

C 291/06 PUBLICITY

Members agreed that no Press Releases would be issued due to the Council being in Purda.

**CONFIDENTIAL ITEMS**

There were no confidential items.

The Town Mayor closed the meeting at 8.10pm.

Date

Chairman