

# COUNCIL MEETING

## 1 October 2014

### ADDENDUM

Agenda Item 9. **Political Proportionality and Appointments to Committees** (Pages 1 - 2)

#### Minute Book

6. **Planning Applications Committee - 22 September 2014** (Pages 3 - 16)

9. **Performance and Audit Scrutiny Committee (Scrutiny) - 24 September 2014** (Pages 17 - 22)

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11. **External Partnerships Select Committee - 16 September 2014** (Pages 27 - 32)

Agenda Item 14. **Review of Exempt Items** (Pages 33 - 34)

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**Opposition Group October 2014-15**

**Community Services Scrutiny Committee**

Cllr Heather Gerred  
Cllr Alan Whittart

substitutes

Cllr Pat Tedder  
Cllr Judi Trow

**Planning Applications Committee**

Cllr Pat Tedder  
Cllr Judi Trow

substitutes

Cllr Rodney Bates  
Cllr Alan Whittart

**Standards Hearing and Determination Committee**

Cllr Pat Tedder

substitutes

Cllr Alan Whittart

**Camberley Town Centre Strategic Working Group**

Cllr Rodney Bates

substitutes

Cllr Alan Whittart

**External Partnerships Select Committee**

Cllr Heather Gerred  
Cllr Pat Tedder

substitutes

Cllr Judi Trow  
Cllr Alan Whittart

**Licensing Committee**

Cllr Rodney Bates  
Cllr Pat Tedder

substitutes

Cllr Judi Trow  
Cllr Alan Whittart

**Appointments Committee**

Cllr Alan Whittart

substitute

Cllr Rodney Bates

**Performance and Audit Scrutiny Committee**

Cllr Pat Tedder  
Cllr Alan Whittart

substitutes

Cllr Rodney Bates  
Cllr Judi Trow

**Selection Committee**

Cllr Rodney Bates

substitute

Cllr Judi Trow

**Waste Contract Consultative Committee**

Cllr Judi Trow

substitute

Cllr Pat Tedder



**Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House on 22 September 2014**

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+ Cllr Edward Hawkins (Chairman)  
+ Cllr Glyn Carpenter (Vice Chairman)

+ Cllr David Allen	+ Cllr Ken Pedder
+ Cllr Richard Brooks	+ Cllr Audrey Roxburgh
+ Cllr Mrs Vivienne Chapman	+ Cllr Ian Sams
- Cllr Colin Dougan	+ Cllr Pat Tedder
+ Cllr Surinder Gandhum	+ Cllr Judi Trow
+ Cllr David Hamilton	+ Cllr Valerie White
+ Cllr David Mansfield	+ Cllr John Winterton

+ Present  
- Apologies for absence presented

In Attendance: Cllr Paul Deach, Cllr John May and Cllr Charlotte Morley

Officers in attendance: Lee Brewin, Duncan Carty, Michelle Fielder, Jessica Harris-Hooton, Gareth John, Aneta Mantio, Jonathan Partington, Paul Sherman

**42/P Minutes**

The minutes of the meeting held on the 26 August 2014 were confirmed and signed by the Chairman.

**43/P Scheme of Delegation of Functions to Officers - Development Functions**

The Committee received a report on a revised Scheme of Delegation of Functions to Officers in respect of the Development Functions of the Council. It was noted that the current scheme had been in existence for a number of years and required a review to provide a flexible generic and user friendly scheme to meet the needs of a modern local authority.

**Resolved that the Governance Working Group be advised that the amended Scheme of Delegation of Functions to Officers in respect of the Development Functions be recommended to Council.**

**44/P Application Number: 14/0396 1 Heatherdale Road, Camberley Surrey GU15 2LR - Watchetts Ward**

The application was for the erection of additional detached dwelling on land to the rear of 1 Heatherdale Road that would be retained on reduced curtilage. (Additional plan rec'd 07/07/14). (Amended plans rec'd 22/08/2014).

The application would normally be delegated to officers in accordance with the scheme of delegation. A ward member had, however, called it in for determination by the Planning Applications Committee.

Members were advised of the following updates:

*'Following a re-consultation, further 33 letters from 21 households were received, 2 of which are in support of the application and the remainder in objection. The letters raise the same issues as previously, with the view that the amended scheme did not go far enough to overcome their concerns. Material considerations are addressed in the report.'*

Some Members felt that the proposal constituted 'garden grabbing', and would result in an increase in traffic in a wooded hill area. Other Members could see no reason to refuse the proposal as the amendments had satisfied previous reasons for refusal.

**Resolved that application 14/0396 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.**

**Note 1**

As the application triggered the Council's public speaking scheme, Mr Bond and Mr Grundy spoke in objection and Mr Wentworth the applicant spoke in support.

**Note 2**

The recommendation to approve was proposed by Councillor Ken Pedder and seconded by Councillor Richard Brooks.

**Note 3**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve:  
Councillors David Allen, Richard Brooks, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, Ken Pedder, Audrey Roxburgh, Ian Sams and John Winterton.

Voting against the recommendation to approve:  
Councillors Glyn Carpenter, David Mansfield, Pat Tedder, Judi Trow and Valerie White.

**45/P Application Number: 14/0630 22 Windsor Road, Chobham, Surrey GU24 8LA - Chobham Ward**

The application was for the change of use from a dwelling house (C3) to a mixed use comprising a dentist (D1) at ground floor and a residential (C3) flat at first floor level with creation of a rear dormer window and associated alterations (part retrospective).

Members were advised of the following updates:

*'There have been a further 24 letters of support (36 in total) and a further 2 objections (5 in total) have been received. No new material planning considerations have been raised.*

*Amended County Highway Authority response:*

*The County Highway Authority now advise that no restoration works to the northern access are required as there is no dropped kerb in this location. The any works on site can be controlled by the landscaping condition and therefore condition 5 can be deleted.*

*The recommendation remains as set out in the report, subject to the removal of condition 5.'*

Some Members sought clarification on the number of parking spaces at the site in relation to the proposed number of treatment rooms and the dwelling. Members were advised that six spaces were allocated to the treatment 4 rooms and one space for the residential unit. This was slightly above the required County Highways Agency standards and there was also a public car park close by.

Some Members were concerned about the existing parking issues and were keen for condition 5 to be retained, particularly with reference to the retention of the gate on the northern access. Members were informed that there would be no access via this entrance and therefore condition 5 was not needed as suggested by the County Highway Authority.

There was also concern about the appearance of a soil pipe on the outside wall where the lounge area was proposed. It was explained that this was put in place when the proposal made previously was for two flats and this would not be used.

**Resolved that application 14/0630 be approved as amended subject to:**

- i) Conditions as set out in the report of the Executive Head – Regulatory;**
- ii) the completion of a suitable planning obligation to secure the following:**
  - a financial contribution of £10,446.06 to mitigate the impact of the development on local infrastructure, in accordance with the Developer Contributions SPD.**

**In the event that a satisfactory planning obligation has not been completed by the 3 October 2014, the Executive Head of Regulatory be authorised to refuse the application for the following reason:**

- 1. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP12 of the Surrey Heath Core Strategy and Development Management Policies 2012 in relation to the provision of**

**infrastructure contributions towards transport, libraries and indoor sports in accordance with the requirements of Surrey Heath Borough Councils Developer Contributions SPD.**

**Note 1**

For the record it was noted that Councillor Pat Tedder declared that she was registered at the applicant's surgery and that the application was discussed at a Chobham Parish Council meeting but she had not been present.

**Note 2**

As the application triggered the Council's public speaking scheme, Mr Young and Mrs Young spoke in objection and Dr Patel the applicant spoke in support.

**Note 3**

The recommendation as amended was proposed by Councillor Glyn Carpenter and seconded by Councillor Pat Tedder.

**Note 4**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve as amended:  
Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Valerie White and John Winterton.

Voting against the recommendation to approve:  
Councillor Judi Trow.

**46/P Application Number: 14/0598 1 Kings Road, West End, Woking GU24 9LN - West End Ward**

The application was for the erection of a pair of semi-detached properties following demolition of the existing dwelling.

Members were advised of the following updates:

*'The legal agreement in terms of the proposal's mitigation towards the TBH SPA and the infrastructure has been received.*

*Further comments from the agent have been received that relate to inaccuracies within the committee report and their disagreement with the conclusions reached. In inaccuracies relate to the dimensions that were not annotated on the submitted drawings and were therefore scaled off the submitted plans. The correct dimensions are:*

- *Para 4.2 – the lower eaves height 4.65m rather than 5.9m stated in the report;*

- *Para 7.3.3 – the maximum separation distance between the proposed dwellings and the front boundary would be approximately 14m rather than 9m stated in the report.'*

**Resolved that application 14/0598 be refused for the reasons as set out in the report of the Executive Head – Regulatory.**

**Note 1**

It was noted for the record that Members of the Committee had received emails from the applicant.

**Note 2**

The recommendation to refuse was proposed by Councillor David Mansfield and seconded by Councillor Judi Trow.

**Note 3**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to refuse:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**47/P Application Number: 14/0567 Land rear of 48-50 Guildford Road, Lightwater GU18 5SD - Lightwater Ward**

The application was for the erection of a pair of semi-detached two storey dwellings on land rear of 48-50 Guildford Road with new access off Broadway Road, car parking and landscaping with associated works.

Members were advised of the following:

*'No legal agreement to mitigate the impact of the proposal in terms of Thames Basin Heath SPA and the infrastructure has been received and therefore the reasons for refusal remain as outlined in the agenda.'*

Some Members felt that the proposal would only result in loss of amenities to the immediate neighbours.

**Resolved that application 14/0567 be refused for the reasons as set out in the report of the Executive Head – Regulatory.**

**Note 1**

The recommendation to refuse was proposed by Councillor Valerie White and seconded by Councillor Vivienne Chapman.

**Note 2**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to refuse:  
Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**48/P Application Number: 14/0608 Larkfield, School Road, Windlesham GU20 6PB - Windlesham Ward**

The application was for the erection of 2 two storey detached dwellings, both with rooms in the roof space with double integral or attached garages following demolition of existing dwelling and outbuildings and erection of two pairs of 2.25m high entrance gates with 1.8m high front fence.

Members were advised of the following updates:

*'No unilateral undertaking to mitigate the impact of the development on Thames Basin Heath SPA or infrastructure has been submitted and therefore these have to be added as additional reasons for refusal:*

- The Planning Authority, following an Appropriate Assessment and in the light of available information and the representations of Natural England, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect, significant concerns remain with regard to adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protection of protected species within the protected areas. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulation 2010 (The Habitats Regulation) applies in this case, it must refuse permission in accordance with Regulation 61 (5) of the Habitats Regulations and Article 6 (3) of Directive 92/43/EE. For the same reasons the proposal conflicts with guidance contained in the NPPF and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012, Policy NRM6 of the South East Plan 2009 (as saved) and Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).*
- In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP12 Infrastructure Delivery and Implementation of the Surrey Heath Core Strategy and Development Management Policies Document 2012 in relation to the provision of infrastructure contributions towards transport, libraries, community facilities and recycling, in accordance with the requirements of the Surrey Heath Borough Council's 'Planning Obligations and Infrastructure Provision Tariff Scheme. The proposal would therefore contribute to unacceptable additional pressure on local infrastructure to the detriment of the locality.'*

**Resolved that application 14/0608 be refused as amended for the reasons as set out in the report of the Executive Head – Regulatory.**

**Note 1**

The recommendation to refuse as amended was proposed by Councillor Glyn Carpenter and seconded by Councillor Valerie White.

**Note 2**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to refuse as amended:  
Councillors David Allen, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David Mansfield, , Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

Voting against the recommendation to refuse as amended: Councillor Ken Pedder.

Councillor Richard Brooks abstained.

**49/P Application Number: 14/0616 Saddlers Halt, 86 High Street, Chobham, Woking GU24 8LZ - Chobham Ward**

The Committee was advised that the application had been withdrawn by the applicant.

**50/P Application Number: 14/0439 18 Park Street, Camberley Surrey GU15 3PL - St Michaels Ward**

The application was for the erection of a four storey building to provide ground floor retail (Class A1) with 8 serviced (Hotel) apartments (Class C1) and boundary wall to rear following the demolition of existing building.

Members were advised of the following updates:

***'Clarification:***

*Policy TC1 of the Camberley Town Centre Action Area Plan 2014 indicates that: "Contributions will be sought from all developments towards the cost of delivering infrastructure which contributes towards achieving the strategy and objectives for the Town Centre. Contributions will also be sought towards the cost of environmental improvements within the town centre."*

*It is considered that for the scale of the proposed development (which is a minor development), with the amount of floorspace and number of Class C1 units, it is not considered contributions towards environmental improvements in the town*

*centre can be secured. This type of contribution would only be secured for major development.  
The Developer Contributions SPD 2011 requires contributions towards a range of infrastructure.*

*This has been calculated to include:*

*Transport: £3,875*

*Libraries: £151*

*Indoor sports: £537*

*Total: £4,563*

*A unilateral undertaking has been completed to provide infrastructure contributions, as set out above, to meet the requirements of the Developers SPD 2011.*

Members were advised that as a unilateral agreement had been signed the recommendation had been changed to approve.

**Resolved that application 14/0439 be approved as amended subject to the conditions as set out in the report of the Executive Head – Regulatory.**

**Note 1**

The recommendation to approve as amended was proposed by Councillor Richard Brooks and seconded by Councillor Audrey Roxburgh.

**Note 2**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve as amended:  
Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**51/P Application Number: 14/0036 26 Portsmouth Road, Camberley GU15 1JX - St Pauls Ward**

The application was for the erection of a two storey detached dwelling with surgery and associated parking following the demolition of existing dwelling and surgery. (Amended plan rec'd 19/03/14 & amended tree report rec'd 07/04/14). (Amended & additional plans rec'd 27/05/14).

This application would normally be delegated to officers in accordance with the Scheme of Delegation of Functions to Officers. A ward member had called it in for determination by the Planning Applications Committee.

Some Members were concerned about the bulk of the proposal and felt that a condition would be necessary for the retention of the trees and particularly the

Yew. Some Members also felt that informative 4 should be amended to read '*the applicant is required to contact the owner/occupier.....*'.

The Members were advised that the trees were poor and replacements would be required. Condition 5 allowed flexibility in respect of landscaping at the site. Members were also advised that enforcement could not be included in an informative.

**Resolved that application 14/0036 be approved subject to:**

- i) Conditions as set out in the report of the Executive Head – Regulatory;**
- ii) the completion of a suitable obligation to secure the following:**
  - A satisfactory legal obligation to secure contributions in accordance with the Council's Tariff Scheme and Developer Contributions Supplementary Planning Document (2011), by the application expiry date of 22 October 2014 and at no cost to the Council.**

**In the event that a satisfactory legal agreement is not completed to mitigate the impact of the development in line with the Council's Tariff Scheme by the 22 October 2014, the Executive Head of Regulatory Services be authorised to refuse this application for the following reason:**

- In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Developer Contributions SPD (Oct 2011) and Circular 05/2005. The proposal would therefore contribute to unacceptable additional pressure on local infrastructure to the detriment of the locality.**

**Note 1**

The recommendation to approve was proposed by Councillor David Hamilton and seconded by Councillor David Allen.

**Note 2**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**52/P Application Number: 14/0745 Unit 1A Watchmoor Road, Camberley GU15 3AQ - St Michaels Ward**

The application was for the change of use from car sales (Sui Generis) to an Acrobatics Centre (Use class D2).

Members were advised of the following updates:

*'There have now been 2 letters of support received and a further supporting statement has been received from the applicant advising of the benefits of the scheme and identifying other vacant commercial floor space in the area. Officers accept that there are benefits associated with the scheme and these are summarised in the committee report. While the applicant has provided details of other vacant properties there is no information of the circumstance, how long these properties have been vacant or whether any are subject to offers. The applicant has also not considered whether there are other sites, outside the Core Employment Area, which would be suitable for their use.*

*For these reasons the recommendation remains as set out in the report.'*

The officers had recommended that the application be refused on the grounds that it would result in the loss of the existing employment use and would introduce a leisure use which would not support the integrity or the function of the Core Employment Area.

Members were of the opinion that the proposal would increase employment in the area, would bring benefit to the community and promote health and wellbeing. The reasons to approve the application outweighed the reason to refuse under the Policy CP8 of the Council's Core Strategy.

Members suggested standard conditions for the approval to include those related to hours of operation, types of materials, restricting the use to gymnastics/acrobatics, built to the approved plans, building to take place within three years and include highway conditions.

**Resolved that application 14/0475 be approved subject to standard conditions, as summarised above, the wording to be finalised by the Executive Head – Regulatory, after consultation with the Chairman, Vice Chairman and Ward Members.**

**Note 1**

It was noted for the record that Members of the Committee had received an email from the applicant.

**Note 2**

The revised recommendation to approve was proposed by Councillor Richard Brooks and seconded by Councillor Vivienne Chapman.

**Note 3**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the revised recommendation to approve:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David

Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**53/P Application Number: 14/0621 21 -25 Tekels Park, Camberley Surrey GU15 2LE - Town Ward**

The application was for the erection of 3 two storey detached dwellings with accommodation in the roof space and a two storey detached building to comprise 4 duplex apartments following the demolition of the existing building. (Amended plans rec'd 12/08/14).

Members were advised of the following updates:

*'One additional letter of objection has been raised; the material considerations are addressed in the committee report.*

*A consultation response has been received from West Surrey Badger Group. This raises an objection to the proposal as detailed below:*

*'The applicant has not considered the impact of the development on badgers which are known to be present in the Tekels Park area and accordingly permission should be refused'*

*Accordingly it is recommended that an additional reason for refusal is included:*

*It has not been demonstrated that the proposed development would not impact on protected species, in particular badgers, which are likely to be present on the application and the surrounding area. The development is therefore contrary to the objectives of Policy CP14 of the Core Strategy and Development Management Policies 2012.*

*The recommendation remains as set out in the report subject to the additional reason for refusal.'*

Some Members sought clarification as to whether Tekels Park was a development area. It was confirmed that it was a settlement area.

**Resolved that application 14/0621 be refused for the reasons as amended as set out in the report of the Executive Head – Regulatory.**

**Note 1**

The recommendation to refuse as amended was proposed by Councillor David Mansfield and seconded by Councillor Valerie White.

**Note 2**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the revised recommendation to approve:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David

Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**54/P Application Number: 14/0757 71a High Street, Chobham, Woking Surrey GU24 8AF - Chobham Ward**

The application was for erection of a part two storey side extension, a detached car port and change of use of site from office to a single dwelling house.

Members were advised of the following update:

*'Report correction - Recommendation 2 should read 9th October not 9th June.'*

Clarification was sought on the use of the workshop and it was confirmed that it would only be for personal use. Planning permission would be required for any commercial usage.

Some Members were concerned about the impact of the loss of office units on the High Street.

**Resolved that application 14/0757 be approved as amended subject to:**

- i) Conditions as set out in the report of the Executive Head – Regulatory;**
- ii) the completion of a suitable planning obligation to secure the following:**
  - a financial contribution of £5,297 to mitigate the impact of the development on the Thames Basin Heath Special Protection Area, in accordance with the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD**

**In the event that a satisfactory planning obligation has not been completed by the 9 October 2014, the Executive Head - Regulatory be authorised to refuse the application for the following reasons:**

- 1. The Planning Authority, following an Appropriate Assessment and in the light of available information and the representations of Natural England, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect, significant concerns remain with regard to adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protection of protected species within the protected areas. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulation 2010 (The Habitats Regulation) applies in this case, it must refuse permission in accordance with Regulation 61 (5) of the Habitats**

**Regulations and Article 6 (3) of Directive 92/43/EE. For the same reasons the proposal conflicts with guidance contained in Planning Policy Statement 9 (Biodiversity and Geological Conservation).**

**Note 1**

The recommendation to approve as amended was proposed by Councillor Glyn carpenter and seconded by Councillor Ken Pedder.

**Note 2**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve as amended:  
Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Valerie White and John Winterton.

Voting against the recommendation to approve as amended: Councillors Pat Tedder and Judi Trow.

**55/P Application Number: 13/0639 25 High Street, Bagshot Surrey GU19 5AF - Bagshot Ward**

The application was for the Listed Building Consent for the replacement of a ground floor wood framed window.

**Resolved that application 14/0639 be approved as set out in the report of the Executive Head – Regulatory.**

**Note 1**

The recommendation to approve was proposed by Councillor Richard Brooks and seconded by Councillor Glyn Carpenter.

**Note 2**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve:  
Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**56/P Application Number: 14/0651 12 Dean Parade, Camberley Surrey GU15 4DQ - Old Dean Ward**

This application was for the change of use of premises from Class B1 (Business) to Class A1 (Barbers Shop).

**Resolved that application 14/0651 be approved as set out in the report of the Executive Head – Regulatory.**

**Note 1**

The recommendation to approve was proposed by Councillor David Allen and seconded by Councillor David Mansfield.

**Note 2**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to approve:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Surinder Gandhum, David Hamilton, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

Chairman

**Minutes of a Scrutiny Meeting of the  
Performance and Audit Scrutiny  
Committee held at Surrey Heath  
House, Camberley on 24 September  
2014**

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+ Cllr John May - Chairman  
+ Cllr David Allen - Vice-Chairman

+ Cllr Tim Dodds	+ Cllr Joanne Potter
- Cllr Alastair Graham	+ Cllr Wynne Price
- Cllr Beverley Harding	+ Cllr Audrey Roxburgh
+ Cllr Edward Hawkins	+ Cllr Pat Tedder
- Cllr Paul Ilnicki	+ Cllr Alan Whittart
- Cllr Lexie Kemp	+ Cllr John Winterton
+ Cllr Chris Pitt	

+ Present

- Apologies for absence presented

Also in attendance: Councillors Liane Gibson (substituting for Councillor Lexie Kemp) and Ian Sams (substituting for Councillor Paul Ilnicki).

Officers in Attendance: Andrew Crawford, Julia Hutley-Savage and Kelvin Menon.

#### **024/P Chairman's Announcements**

The Chairman reported that the Council's External Auditors, KPMG, would not be in attendance, but that the Executive Head of Finance would address any Member questions.

#### **025/P Minutes**

The minutes of the Scrutiny meeting of the Committee, held on 23 July 2014, were agreed and signed by the Chairman.

#### **026/P Matters Arising**

Minute 019/P – Members asked the officers to establish when the reference on the Arena 2016 Working Group would be considered by the Executive.

#### **027/P Scrutiny of Portfolio Holders - Regulatory**

Councillor Keith Bush summarised some of the issues and challenges facing his Portfolio, including the impact of benefit changes in London, leading to an outward migration. He suggested that the Council needed a mix of land use to help promote sustainable communities. There was a clear demand for 2 bedroom properties and residential accommodation within the Town Centre. The newly created Family Support Service, whilst in its infancy was already showing signs of success.

One issue, which would impacted on previously identified potential housing developments was the increase in car ownership per household.

Generally, businesses in the Borough were recovering well from the financial crisis, but, it was also noted that many modern businesses would need to utilise their units 24 hours a day.

In terms of SANGS, Members and Officers continued to work with landowners and members of the public to identify suitable sites.

Drainage regulations had been recently changed, putting much more responsibility on Surrey County Council and reducing the input and the control that this Council had previously exercised.

Members highlighted the need for a balance between housing and industry, particularly for the Villages. It was suggested that, given the scarcity of residential building land and the pressure from the Government to generate new-build, it might be necessary, at some point in the future, to review housing densities.

The Home-swap Day had been considered a success with 91 families attending and up to 40 families potentially finding a match. However, there continued to be a shortage of accommodation in the Borough for young single people.

**Resolved, that the presentation be noted.**

#### **028/P Complaints and Complaints to the Local Government Ombudsman**

The Complaints Officer reported on complaints received in 2013/14, the outcomes, lessons learned and complaints submitted to the Local Government Ombudsman. She drew comparisons to 2012/13 data and emphasised that the report focussed on Stage 2 and 3 complaints. Under Stage 1, complaints were normally dealt with informally by the service area and within a working day.

Of the 17 complaints received at Stages 2 or 3 in 2013/14, 16 were unjustified and one, in relation to a freedom of information request for which no acknowledgment had been received, was partly justified.

The Local Government Ombudsman had received 17 complaints relating to this Council. Of these, 8 were closed after initial investigation, 7 were referred back to this organisation for local resolution and 2 had been upheld.

Members recognised that the low number of Stage 2 or 3 complaints reflected the high quality and efforts of the Complaints Officer and Council staff.

**Resolved, that the report and data on complaints for the period 2013/14 be noted.**

## **029/P Annual Report on the Treasury Management Service and Actual Prudential Indicators**

The Executive Head of Finance presented a report on the performance of the Treasury Management Service, including compliance with the 2013/14 Prudential Indicators.

Returns from investments continued to be low due to the ongoing low bank base rate. Members suggested that the Council's investments were too risk averse and short term. However, following on from advice from the Council's treasury advisors, a paper was being presented to the Executive on 30 September to address these issues, by broadening the range of investments the Council could invest in, thereby improving returns.

Members supported proposals to use treasury funds to aid economic development through peer to peer lending, with a view to increasing returns. The Executive Head of Finance agreed to bring a report to a future meeting on "Funding Circle" peer to peer lending, for members to consider.

### **Resolved, that**

- (i) the report on Treasury Management, including compliance with the 2013/14 Prudential Indicators, be noted;**
- (ii) the Executive be advised to recommend that Council note the report on Treasury Performance for 2013/14 including compliance with the Prudential Indicators; and**
- (iii) a report on peer to peer lending be submitted to a future Committee meeting.**

## **030/P Financial Accounts Sign Off and External Auditor's ISO 260 Report**

The Committee considered a report on the audited financial statements for 2013/14 and the External Auditor's report (ISO260) for 2013/14.

The Chairman reported that, as the external auditors (KPMG) had been unable to attend the meeting, he had held discussions with them prior to the meeting, on the Council's financial performance in terms of procedures and recording.

KPMG had indicated that the Accounts had been well maintained and that they had received all the assistance needed from officers. They had highlighted a number of areas where clear improvements had been achieved, noting only small issues around timing.

The Committee expressed concern at the late arrival of the hard copy of the KPMG report, given that Members were being asked to take decisions based on the opinions contained therein. Members were asked to review the report and to feed back any comments to the Executive Head of Finance as a matter of urgency.

Members emphasised the need for the Council to get the best use out of its assets. It was noted that, following recalculations resulting from revaluation challenges, the localisation of business rates would result in no additional funding.

In respect of pensions, Members noted that the reported underfunding was predicated on the scheme ending and all the pension liabilities crystallising at once. Future liabilities were calculated with reference to the return on Gilts and as these were low, this increased the value of liabilities. Contributions were set by actuaries following a triennial review which took place for the year ended March 2013.

**Resolved that**

- (i) the Executive Head of Finance and the Chairman of the Committee be authorised to sign the Letter of Representation on behalf of the Council;**
- (ii) the amendment to the Annual Governance Statement, as outlined in the committee report, be agreed;**
- (iii) the audited financial statements for 2013/14 be received and that the Chairman of the Committee approves the financial statements on behalf of the Council; and**
- (iv) the auditor's report including the fact that the Auditors propose to issue an unqualified audit report and value for money conclusion on the Financial Statements for 2013/14 be noted.**

**031/P Committee Work Programme 2014/15**

The Committee noted the work programme for the remainder of 2014/15.

The Principal Solicitor reported that an update on Regulation of Investigatory Powers Act 2000 inspection and surveillance would be submitted to the Audit element of the Committee's January 2015 meeting.

The Chairman urged Members to submit their Fraud returns as part of the Council's compliance requirements.

Members noted the previous decision to receive a report on Peer to Peer Lending.

**RESOLVED, that the Committee Work Programme for 2014/15, attached at Annex A and as amended, be agreed.**

Chairman

**PERFORMANCE AND AUDIT SCRUTINY COMMITTEE  
WORK PROGRAMME 2014/15**

<b>DATE</b>	<b>TOPIC</b>	<b>REPORT AUTHOR</b>
<b>5 November 2014</b>		
<b>P&amp;A (Scrutiny)</b>		
1	Scrutiny of Portfolio Holders	Kelvin Menon
2	Treasury Management Mid-Year Report	Kelvin Menon
3	Professional Advisors	Kelvin Menon
4	Updates from Member Panels	Clrs Allen and Dodds
	(i) Grants	
	(ii) Assets	
5	Committee Work Programme	Kelvin Menon
<b>28 January 2015</b>		
<b>P&amp;A (Audit)</b>		
1	Annual Audit Plan	Alex Middleton
2	Regulation of Investigatory Powers Act 2000 Update	Julia Hutley-Savage
3	Audit Recommendations	Alex Middleton
<b>28 January 2015</b>		
<b>P&amp;A (Scrutiny)</b>		
1	Scrutiny of Portfolio Holders	Kelvin Menon
2	Corporate Risk Register	Kelvin Menon
3	Certification of Claims and Returns	Kelvin Menon
4	Committee Work Programme	Kelvin Menon
<b>25 March 2015</b>		
<b>P&amp;A (Scrutiny)</b>		
1	Scrutiny of Portfolio Holders	Kelvin Menon
2	Third Quarter Finance Report	Kelvin Menon
3	Equalities – End of Year Update	Belinda Tam

DATE	TOPIC	REPORT AUTHOR
<b>25 March 2015 (Continued)</b>		
<b>P&amp;A (Scrutiny)</b>		
4	Committee Work Programme 2014/15	Kelvin Menon
	To be allocated:	
	Peer to Peer Lending/Investment Policy	

## Executive Head – Community (extract)

Licensing

	Authority	After Consultation with	Function
1.	<p>On behalf of the Council, to submit objections and pursue such objections at a public inquiry if needed to:</p> <p>(a) applications for operators licences (including variations) made under the Goods Vehicles (Licensing of Operators) Act 1995; and</p> <p>(b) reviews undertaken of existing licences.</p>	The appropriate ward councillors.	Non-executive
2.	<p>To approve</p> <p>(a) <del>increases in the hackney carriage fare scale, having regard to any objections received; and</del></p> <p>(b) <del>amendments to the scale of charges for hackney carriage and private hire licence fees, having regard to any objections received.</del></p>	<del>The Chairman and Vice-Chairman of the Licensing Committee.</del>	Non-executive
3.	The determination of applications for street collections to provide funding to meet a major local/national/international disaster.	The Chairman and Vice-Chairman of the Licensing Committee.	Non-executive

	Authority	Function
4.	<p>To make all decisions in accordance the Council's adopted policies under the following Acts</p> <p>(i) the Public Health Act 1936</p> <p>(ii) The Pet Animals Act 1951</p> <p>(iii) Caravan Sites and Control of Development Act 1960</p> <p>(iv) Animal Boarding Establishments Act 1963</p> <p>(v) Riding Establishments Acts 1964 and 1970</p> <p>(vi) Dangerous Wild Animals Act 1976</p> <p>(vii) the Local Government (Miscellaneous Provisions) Act 1982,</p> <p>(viii) Breeding and Sale of Dogs (Welfare) Act 1999, Breeding of Dogs Act 1991 and Breeding of Dogs Act 1973</p> <p>(ix) The Regulatory Reform Act 2001</p> <p>(x) Licensing Act 2003,</p>	Non-Executive

## Executive Head – Community (extract)

	<p>(xi) the Gambling Act 2005 (i) the Scrap Metal Dealers Act 2013</p> <p>and any subsequent legislation to take all actions relating to the Council's licensing functions, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>A. <i>Personal, premises, club premises licences and Temporary Event Notices</i></li> <li>B. <i>Hackney carriage vehicles and private hire vehicles</i></li> <li>C. <i>House to house and street collections</i></li> <li>D. <i>Street trading</i></li> <li>E. <i>Club gaming/club machine permits and small society lotteries</i></li> <li>F. <i>Sexual Entertainment Venues</i></li> <li>G. <i>Scrap metal dealers</i></li> <li>H. <i>Animal boarding establishments, riding establishments, dog breeders, pet shops and dangerous wild animals</i></li> <li>I. <i>Caravan, camping sites and gypsy sites</i></li> <li>J. <i>Game dealers</i></li> <li>K. <i>Tattooing, acupuncture, ear piercing, body piercing and electrolysis</i></li> </ul> <p>except for</p> <ul style="list-style-type: none"> <li>(a) approval of and amendments to the Statement of Licensing Policy and the Gambling Policy which are reserved to Council;</li> <li>(b) approval and amendments to policies relating to functions under the Acts set out above which is reserved to the Licensing Committee;</li> <li><b>(c) approval of increases in the hackney carriage fare scale and amendments to the scale of charges for hackney carriage and private hire licence fees, which is reserved to the Licensing Committee;</b></li> <li>(d) the designation of and amendments to hackney carriage vehicle ranks which is reserved to the Licensing Committee;</li> <li>(e) the power to make an Order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption which is reserved to the Licensing Committee;</li> <li>(f) all applications and appeals reserved to the Licensing Sub Committee as set out in its Terms of Reference at Part 3, Section E of the Constitution.</li> </ul>	
5.	On behalf of the Council as the Responsible Authority for Environmental Health, the Responsible Authority for Health and Safety, or the Responsible Authority for Licensing, under the	Non Executive

## Executive Head – Community (extract)

	<p>Licensing Act 2003, subsequent amendments and all relevant legislation and regulations:</p> <p>(a) to make a relevant representation</p> <p>(b) to apply for a review of a premises licence</p> <p>(c) to apply for a review of a club premises certificate</p>	
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### Food

	<b>Authority</b>	<b>Function</b>
1.	<p>To make all decisions in accordance the Council's adopted policies under the following Acts</p> <p>(i) the European Communities Act 1972</p> <p>(ii) the Food and Environmental Protection Act 1985</p> <p>(iii) the Food Acts</p> <p>(iv) the Food Safety Act 1990,</p> <p>and any associated regulations and any subsequent legislation, to take all actions relating to the Council's functions in respect of food and food safety and pesticides, except the following which are reserved to the Executive after consultation with the Licensing Committee</p> <p style="margin-left: 40px;">(a) Food Safety Service Plan</p> <p style="margin-left: 40px;">(b) Food Hygiene Rating Scheme</p>	Non Executive/ Executive

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**Minutes of a Meeting of the External Partnerships Select Committee held at Surrey Heath House, Camberley on 16 September 2014**

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- + Cllr Josephine Hawkins - Chairman
- + Cllr Paul Deach – Vice-Chairman

- |                       |                       |
|-----------------------|-----------------------|
| - Cllr Glyn Carpenter | + Cllr Ken Pedder     |
| + Cllr Ian Cullen     | + Cllr Chris Pitt     |
| + Cllr Tim Dodds      | + Cllr Ian Sams       |
| + Cllr Liane Gibson   | + Cllr Pat Tedder     |
| + Cllr David Hamilton | + Cllr Alan Whittart  |
| - Cllr Lexie Kemp     | + Cllr John Winterton |
| + Cllr Adrian Page    |                       |

+ Present

- Apologies for absence presented

Substitutes: Councillor Bill Chapman, substitute for Councillor Lexie Kemp

Also Present: Councillors Rodney Bates, Mrs Vivienne Chapman and Heather Gerred

#### **07/EP Minutes**

The minutes of the meeting of the Committee held on 24 June 2014 were confirmed and signed by the Chairman.

#### **08/EP Chairman's Announcements**

The Chairman welcomed Ian Tomes and Justine Glynn of the Environment Agency and Seamus Kearns from the Surrey Search and Rescue Service. She also welcomed Councillor Heather Gerred to her first meeting of this Committee.

#### **PART I** **(public)**

#### **09/EP Surrey Search and Rescue**

Seamus Kearns, the Operations Manager from Surrey Search and Rescue, explained that the organisation, a charity with no funding other than by donations, and operating with volunteers, was formed in 2010 along the lines of a similar team in Sussex, to support the emergency service in a search and rescue role, across Surrey.

The Team, consisting of 60 volunteer operators, 10 support officers and 6 operational dogs, had been called to assist the emergency services on 70 occasions already in 2014. All tasks came from the emergency services, which filtered all calls for assistance. The team had an off-road ambulance and an incident command vehicle, as well as water-borne transport.

The biggest demand on the team was to search for missing persons, such as people with Alzheimer's or dementia, vulnerable adults, people threatening self-harm, and young people.

In the UK, search and rescue is split into Mountain Rescue, Lowland Rescue and Air Sea Rescue. The Surrey Team was part of a national lowland rescue arrangement. In addition to rescuing many individuals, it was estimated that the team had saved Surrey Police in excess of £500,000 over the previous 2 years.

Each volunteer received a minimum of 6 months training and the Team had recently participated in training provided by Surrey Fire and Rescue on wildfires. They were required to reach set standards on navigation, medical qualifications (such as CPR, using defibrillators and safely transferring people onto spinal boards) but could also be called on to operate road blocks or rest centres. The 6 rescue dogs were also volunteers and had to undergo extensive training.

The Committee congratulated Seamus Kearns and the Surrey Search and Rescue Team for their valuable service to Surrey residents, noting that the Team and individual members had already been the recipients of a number of awards.

Despite having excellent social media arrangements, Surrey Search and Rescue had an ongoing need to recruit new volunteers and raise funds. The off-road ambulance, whilst carrying up to date equipment, was 18 years old and would, in due course, need replacing. Members suggested that the Council should promote the service through a Heathscene article and suggested a presence at the Surrey Heath Show.

**Resolved that**

- (i) The presentation be noted and Surrey Search and Rescue be invited to provide an update to a later meeting;**
- (ii) Officers be asked to explore the possibility of a related article in Heathscene; and**
- (iii) Surrey Search and Rescue be advised to attend the Surrey Heath Show for publicity purposes.**

Note: Councillor Paul Deach noted, for the record, that he had previously published content for Surrey Search and Rescue on the Residents Network

**10/EP Environment Agency**

Ian Tomes and Justine Glynn from the Environment Agency's Flood and Coastal Risk Management Team for West Thames (covering Oxfordshire, Berkshire, South Buckinghamshire, North East Hampshire and West Surrey) gave a presentation on the work of the Environment Agency (EA), both in the Borough and on projects that impacted on Borough residents.

Mr Tomes noted that, under recent regulations, responsibility for risk management had been more clearly defined, with strategic flood risk management of rivers lying with the EA, whilst Surrey County Council was the Lead Local Flood Authority for the County.

Thames Water was responsible for operating foul and surface water sewerage systems and Borough/District Councils having permissive powers to maintain and improve ordinary watercourses.

In the previous year, the EA had cleared vegetation and some shoals (sandbanks) at 46 locations in Surrey and expected to achieve a similar number of operations in the forthcoming year.

Justine Glynn reported on mapping that the EA undertook on the risk of inundation from coastal water, reservoirs, lakes and rivers. This allowed management of these systems and assisted in planning for a large number of organisations, including Councils, insurers and developers.

The EA was a statutory consultee on planning applications and provided pre-planning advice on floods, pollution control and other areas. It carried responsibility for water resources and quality control, river basin management plans, pollution control, fisheries licenses, waste, conservation and ecology.

Inevitably, decisions had to be based on the likelihood of flooding. The flood events in the previous winter had resulted from 6 months rain falling in only 66 days, with some areas experiencing 80% of their annual rainfall in 2 months.

The EA provided a flood warning to thousands of properties in the area, issuing flood alerts, flood warnings and severe flood warnings depending on the level of the risk.

The EA received grant in aid from the Government for flood attenuation projects. However, funding did not cover 100% of necessary work and a local levy was raised, through the Council Tax precept, to bridge potential funding gaps.

In terms of Surrey Heath, The EA had commenced the Bagshot and Windlesham Initial Assessments, Surrey Heath Borough Council Flood Defence Grant in Aid schemes and was working with the Chobham Community Flood Action Group.

169 properties had been identified in Bagshot as being at risk of fluvial and surface water flooding. The Council had been successful in funding for the Chobham and Lightwater flood alleviation schemes.

Members voiced support for the work with the Chobham Community Flood Action Group and sought advice on how more communities could engage with the EA on flooding issues.

Justine Glynn reminded Members that flood plans were a requirement for neighbourhood plans and that those plans had to comply with the Council's Local Plan and national policies. The EA would welcome the opportunity to assist further community resilience groups and she and Doug Hill, the EA Team Leader for Surrey Heath, would be the first points of contact.

As well as working to avoid or mitigate flood risks, community flood plans would assist communities in knowing exactly what to do in the event of a flood, including assistance to elderly and vulnerable residents.

In terms of lessons which could be learned from the recent periods of heavy rainfall, Mr Tomes emphasised the role that partnerships forged in advance had assisted in the way flooding events were tackled.

The mutual support, notably provided by Surrey Heath, to Boroughs experiencing serious inundation should be built upon and awareness built across community groups.

In the previous severe flooding, agencies in Surrey had been heavily dependent on military support. Mr Tomes emphasised the need in the future for greater community resilience.

Members, in welcoming the comprehensive presentation, emphasised the need for continued support for the Environment Agency and in particular for the Surrey Flood Partnership.

**RESOLVED, that the presentation be noted and that Officers be encouraged to continue to be fully engaged with the Surrey Flood Partnership.**

#### **12/EP Committee Work Programme**

The Committee considered a report on the work programme for the remainder of the 2013/14 municipal year.

Members noted that Thames Water had agreed to attend the Committee's November 2014 meeting. It was hoped that Affinity Water would also attend.

All other organisations invited to speak in this municipal year had confirmed their agreement.

**RESOLVED, that the Work Programme for 2014/15, as attached at Annex A to these minutes, be agreed.**

**CHAIRMAN**

## External Partnerships Select Committee Work Programme – 2014/15

Date		Topic	Presenter/ Author
<b>25 November 2014</b>	1.	<b>Affinity Water</b>	Emma Grigson, Head of Corporate Affairs – Affinity Water
	2.	<b>Thames Water</b>	
<b>20 January 2015</b>	1.	<b>Crime and Disorder Update</b>	Inspector John Davies
	2.	<b>Police and Crime Panel</b>	Cllr Charlotte Morley
	3.	<b>Street Angels</b>	Karen Kendall
	4.	<b>Your Sanctuary</b>	Fiamma Pather
<b>3 March 2015</b>	1.	<b>Surrey Heath Health and Wellbeing Board</b>	Tim Pashen
	2.	<b>Frimley Park Hospital</b>	TBC

**To be allocated:**

Collectively Camberley BID  
EM3 Local Enterprise Partnership  
Taxi Marshals

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**Council  
1 October 2014**

**Agenda Item 14 - Review of Exempt Items**

Item	Heading	Recommendation
22/C	Frimley Lodge Park 3G Pitch	To remain exempt until after the completion of the negotiations but a press release to be issued.
43/E	Depot Warehouse, Doman Road, Camberley	The decisions to be made public but the minutes and reports to remain exempt until completion of the negotiations.
44/E	Retail Premises at 25 Princess Way, Camberley	
45/E	Retail Premises, 179a London Road, Camberley	
46/E	Car Wash at Main Square Multi Storey Car Park, Camberley	
47/E	Land at Wilton Road, Camberley	
54/E	Acquisition of 29c High Street, Camberley	

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