



## COUNCIL MEETING

TUESDAY 5 MAY 2020

### ORDER PAPER

#### WEBCASTING NOTICE

This meeting will be recorded for live and/or subsequent broadcast on the Council's website in accordance with the Council's capacity in performing a task in the public interest and in line with the Openness of Local Government Bodies Regulations 2014.

The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

If you have any queries regarding webcasting of meetings, please contact Committee Services.

On behalf of all councillors, I would like to welcome you to this evening's meeting, which is the first ever full Council meeting held remotely as permitted under new Regulations due to the ongoing Covid-19 pandemic and government guidance to stay at home. The Council has therefore made arrangements, following the change in the law, to hold the meeting virtually via Microsoft Teams, which is being streamed live and recorded and will be available for repeated viewing afterwards for up to 180 days from the date of this meeting. The live stream is audio only.

If members of the public do not have an internet connection or access to a computer, they will be able to dial into the meeting and hear the proceedings but will not be able to participate, unless they have registered to speak. A message has been posted on the website in this regard. For public speakers, by participating virtually in the meeting you are consenting to being filmed and recorded, and the possible use of those images and sound recordings for webcasting and / or training purposes.

I should be grateful if participants in this meeting would ensure that:

- your cameras and microphones are turned off at all times unless you are speaking during the meeting
- your mobile phones and other hand-held devices are switched to silent during the duration of the meeting
- you minimise background distractions

This Order Paper sets out details of those members of the public who have given advance notice of their wish to ask a question or address the Council in respect of any matter on the agenda or any matter relating to the Council's functions, powers or duties. It also sets out details of any questions submitted by councillors on any matter relating to the Council's functions, powers or duties or any matter which affects the Borough, or any motions and amendments to be proposed by councillors in respect of the business on the agenda.

Unless a member of the public has given notice of their wish to ask a question or address the Council under Item 6 (Public Participation), they will not be permitted to speak. Those who have given notice may address the Council for a maximum of three minutes. Speakers may not engage in any further debate once they have finished their speech.

*Councillor Richard Billington  
The Mayor of Guildford*

**ORDER PAPER** (Pages 1 - 8)



<b>Time limits on speeches at full Council meetings:</b>	
Public speaker:	3 minutes
Response to public speaker:	3 minutes
Questions from councillors:	3 minutes
Response to questions from councillors:	3 minutes
Proposer of a motion:	10 minutes
Seconder of a motion:	5 minutes
Other councillors speaking during the debate on a motion:	5 minutes
Proposer of a motion's right of reply at the end of the debate on the motion:	10 minutes
Proposer of an amendment:	5 minutes
Seconder of an amendment:	5 minutes
Other councillors speaking during the debate on an amendment:	5 minutes
Proposer of a motion's right of reply at the end of the debate on an amendment:	5 minutes
Proposer of an amendment's right of reply at the end of the debate on an amendment:	5 minutes

## **1 APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

## **2 DISCLOSURES OF INTEREST**

To receive and note any disclosable pecuniary interests from councillors. In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, the councillor must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

## **3 MINUTES** (Pages 5 – 22 of the Council agenda)

To confirm the minutes of the meeting of the Council held on 5 February 2020.

## **4 MAYOR'S COMMUNICATIONS**

To receive any communications or announcements from the Mayor.

## **5 LEADER'S COMMUNICATIONS**

To receive the following communications from the Leader.

### Deputy Leader

On 19 March 2020, Councillor Fiona White stood down as Deputy Leader and I appointed Councillor Jan Harwood as my Deputy.

### Executive

I have today confirmed the following changes to the Executive:

- 1. Resource Directorate:** Corporate Theme – Improved Council

- **Resources** Cllr Tim Anderson
- **Service Delivery** Cllr Joss Bigmore

2. **Strategy Directorate:** Corporate Theme – Economy and Regeneration

- **Economy** Cllr John Redpath
- **Regeneration** Cllr John Rigg

3. **Services Directorate:** Corporate Themes – Climate Change and Environment, Housing and Communities

- **Climate Change** Cllr Jan Harwood
- **Environment** Cllr James Steel
- **Housing and Development Control** Cllr Caroline Reeves
- **Community** Cllr Julia McShane

I would like to place on record my personal thanks for the hard work and achievements of the outgoing members of the Executive: Councillors Angela Goodwin, David Goodwin, Pauline Searle, and Fiona White.

Councillor Caroline Reeves  
Leader of the Council”

Councillors shall have the opportunity of asking questions of the Leader in respect of her communications.

## 6 PUBLIC PARTICIPATION

No questions or requests to make statements have been received from the public.

## 7 QUESTIONS FROM COUNCILLORS

No questions have been received from councillors under Council Procedure Rule 13.

## 8 COVID 19 EMERGENCY BUDGET (Pages 23 – 34 of the Council Agenda)

### Note:

At its meeting on 21 April 2020, the Executive considered this matter and unanimously endorsed the recommendation contained in the report to Council.

### Update from the Chief Finance Officer

In the Executive Summary (page 23), the financial impact on the Council may be between £5million and £13.8million.

The table in paragraph 5.3 (page 28) to be replaced with the table below:

Service	Actual to date £	Mid £	Worst £
Revenues & Benefits - Software costs for COVID19 grants and reliefs	16,650.00	16,650.00	16,650.00
ICT - Softphones to enable call centre staff to work from home	1,889.00	1,889.00	1,889.00
ICT - Microsoft Teams Licences x 40	1,589.94	1,589.94	1,589.94
Crematorium - additional coffin storage capacity	4,600.00	4,600.00	4,600.00
Project Aspire - food parcels and grants	50,000.00	100,000.00	150,000.00
Spectrum: operator support costs & use as food distribution hub	264,235.00	792,705.00	1,585,410.00
Homelessness - additional accommodation	77,368.33	227,660.00	455,320.00
G Live Theatre - business continuity costs	18,169.00	54,507.00	109,014.00

Recovery action	125,000.00	500,000.00	750,000.00
PPE, Sanitiser, Cleaning materials and other equipment	6,555.45	19,666.35	39,332.70
Corporate Finance - short term borrowing for cash flow purposes	9,342.47	28,027.41	56,054.82
	575,399.19	1,747,294.70	3,169,860.46

In the table in paragraph 5.4 (page 29) final line 'combined costs and loss of income (excl HRA)' to be replaced with:

Service	Estimate to date £	Mid £	Worst £
<b>Total combined costs and loss of income (excl HRA)</b>	<b>4,766,649</b>	<b>8,801,827</b>	<b>15,265,057</b>
% Core spending Power	34%	63%	109%
% Net Budget requirement	10%	18%	31%

In paragraph 5.6 (page 29), the additional costs and income loss represent 10% to 31% of our Net Budget requirement and 34% to 109% of our core spending power.

In paragraph 5.15 (page 31) the Council has now received two general non-ringfenced grants totalling £1.523million. Whilst this covers the majority of the costs being incurred, it does not cover the loss of income we are projecting to incur.

In paragraph 5.20 (page 31), following the most recent allocations announced on 18 April 2020, the availability of further funding from government is uncertain. It is now recommended that the emergency budget should be £13.8million to reflect the additional government funding that has been forthcoming, and this is reflected in the motion below. Councillors should note that it is possible that further funding may not be forthcoming from the government; however, we will continue to lobby the government on this point.

In paragraph 10.2 (page 34) update figures as per above.

The motion:

The Lead Councillor for Finance and Assets, Customer Service, Councillor Joss Bigmore, to propose, and the Leader of the Council, Councillor Caroline Reeves to second, the adoption of the following motion:

"That the Council:

- (1) Notes the Council's duties and response so far in dealing with the COVID19 pandemic
- (2) Notes the initial assessment of the impact on Guildford Borough Council's short-term financial position
- (3) Approves a revenue supplementary estimate of £13.8million to be funded from general fund reserves, such funding to be drawn down only if further government support is not forthcoming or is insufficient to cover the financial impact of COVID19 on the Council and sufficient cost savings cannot be found
- (4) Notes the advice of the Chief Finance Officer in paragraph 5.18 regarding the level of reserves and the potential need to rebuild reserves to a sufficient level if government grant support falls short
- (5) Notes the changes to Local Authority powers and duties introduced by the Coronavirus Act 2020 and delegates to the Managing Director, in consultation with the Leader of the Council, authority to amend service provision in accordance with the Council's statutory duties as these may be varied by the Act, regulations and guidance made thereunder.

Reason:

To enable the Council to continue to respond to the COVID19 emergency.”

**Comments:**

Councillor Susan Parker

## **9 REGULATION 18 CONSULTATION ON LOCAL PLAN: DEVELOPMENT MANAGEMENT POLICIES** (Pages 35 – 394 of the Council Agenda)

### Further Consultation Enhancements and Statement of Community Involvement

Paragraph 6.4 of the report (page 38) refers to the current COVID 19 related constraints under which we are operating and states that we will be unable to provide public events as part of the proposed Regulation 18 consultation and we will also be unable to make available for public inspection hard copies of the consultation documents during the COVID 19 lockdown. The report sets out details of how we intend to mitigate the impact of this by enhancing our online consultation with the information we were intending to provide at the public events, together with other measures to assist stakeholders in making formal responses to the consultation.

Having considered this further and with due regard to

- (i) the intended scope of the consultation being open to all residents in Guildford (amongst a range of other stakeholders);
- (ii) the Local Planning Authority's (LPA's) obligations in terms of the Public Sector Equality Duty (PSED) under s149 of the Equality Act 2010; and
- (iii) the potential issues that may arise in respect of the PSED, specifically the need for the LPA to have due regard to the need to advance equality of opportunity,

officers consider that it would be appropriate to further enhance the Council's consultation process beyond that which is proposed in paragraph 6.4 of the report.

In the current circumstances, including the lack of access to hard copies of the document, the aim of these further enhancements is to seek to ensure that both the notification of the consultation and relevant consultation documentation are more accessible to proposed consultees who may find online formats a significant challenge (these may include certain older persons who may be unfamiliar with the technology or persons with particular disabilities). In this regard, the following additional activities will be undertaken:

- Notification of the consultation in the local press, along with relevant Council contact information;
- Posting letter notifications to all those consultees on our consultation database that do not have an email address and incorporating additional consultation material as part of this which provides a hard copy summary of the policies similar to Appendix 1 to the report, adapted to allow it to be used as a template for an easy written response that can be submitted as part of the consultation process.
- Posting letter notifications (and additional consultation material, as above) as well as sending email notifications to all parish councils with a request to make this available to local people, where it is within their means to do so taking into account current circumstances.
- Including in all notifications, as well as the planned press release, contact information for the Council should consultees have difficulties accessing the online documents and wish to discuss the contents of the consultation document. As part of this discussion it may be considered necessary to provide a hard copy summary of the policies to be posted to them.
- Maintaining the planned 7-week consultation period (rather than the required 6 weeks) despite the original rationale for extending the period due to it being intended to run

over the May half-term now falling away. This is to take into account any delays in postal notifications and generally to allow more time to access material and to respond.

Further to the above enhancements, officers advise that we should, as a matter of good governance, update our Statement of Community Involvement (SCI) to accommodate changes to how we will publicise planning policy documents for consultation purposes during circumstances such as this. It will, therefore, be necessary to take a report to the next meeting of the Executive on 26 May 2020 to seek approval of an updated SCI.

**Motion to be considered by the Council:**

The Lead Councillor for Planning, Regeneration and Housing Delivery, Councillor Jan Harwood to propose, and the Leader of the Council, Councillor Caroline Reeves to second, the adoption of the following motion:

- “(1) That, subject to approval by the Executive on 26 May 2020 of updates to the Council’s adopted Statement of Community Involvement including changes to how we will publicise planning policy documents for consultation purposes during the COVID-19 crisis or similar periods of national or local emergency, the draft Local Plan: Development Management Policies document, be approved for Regulation 18 public consultation for a seven-week period beginning as soon as is practicable.
- (2) That the Planning Policy Manager be authorised to make such minor alterations to improve the clarity of the draft Local Plan: Development Management Policies document as he may determine in consultation with the Lead Councillor.

**Reasons:**

Undertaking a public consultation on the draft Local Plan is a statutory requirement placed on Local Planning Authorities under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (‘Local Planning Regulations’) and will enable the Council to move closer to adopting the second part of the Local Plan.”

**Comments:**

Councillor Ruth Brothwell  
Councillor John Redpath  
Councillor Susan Parker

**10 NON-ATTENDANCE AT MEETINGS: PROPOSED DISPENSATION FROM THE REQUIREMENTS OF SECTION 85 LOCAL GOVERNMENT ACT 1972 (Pages 395 – 398 of the Council agenda)**

The Leader of the Council, Councillor Caroline Reeves to propose, and the Deputy Leader Councillor Jan Harwood to second, the adoption of the following motion:

“That the Council waives the requirements of Section 85(1) of the Local Government Act 1972 and agrees that any councillor unable to attend a meeting for a period greater than six months for Covid 19 related reasons, receives a dispensation from the requirements of section 85 until 9 December 2020.

**Reason:**

To avoid triggering Councillor disqualifications due to non-attendance at meetings for Covid 19 related reasons.”

**Comments:**

None

## 11 DESIGNATION OF THE COUNCIL'S MONITORING OFFICER (Pages 399 – 400 of the Council agenda)

### Update:

Following the resignation of Robert Parkin, the Director of Resources has undertaken a restructure of the legal specialist team which has been agreed with the Officer Corporate Management Team. The new structure was developed by negotiation with Sarah White and Diane Owens - the two Senior Legal specialists who reported to Mr Parkin and was the subject of a short consultation period with staff from which there were no comments or objections. The restructure has now been implemented. Mr Parkin's former post of Specialist Services Manager has been deleted and the Full Time Equivalent (FTE) number of staff allocated to the previously vacant post of Lead Legal Specialist has been increased from 1 FTE to 1.6FTE. Diane and Sarah were both appointed into this expanded post as an internal promotion/ recruitment. The vacant post was not advertised externally as the Council is required to designate one of its officers as the monitoring officer. The internal promotion was undertaken in order to reward two high performing members of staff. In addition, there has been a further increase in the number of posts at lower levels of the team which have now been recruited to from external sources. The restructure has created a small saving in addition to the savings already achieved through Future Guildford.

The Council needed to put in place an arrangement that was flexible and provided a development opportunity for two highly performing and suitably qualified members of staff. As part of the process, the Director requested comments or feedback on the proposal from Councillors. Responses received from group leaders were positive towards the proposed appointments. It was recognised that R4GV, being a new political group to the Council in May 2019, had not had much of an opportunity to meet the proposed Monitoring Officer before her maternity leave and so a specific meeting was held between the Leader of the Group and the Director to discuss the appointment. The appointment was recommended for approval by the Employment Committee at its meeting in March.

Section 5 of the Local Government and Housing Act 1989 only makes reference to a local authority's duty to designate one of its officers as monitoring officer, and to the nomination by the monitoring officer of such other person (or persons) as their deputy. It is implicit that a person may act as monitoring officer in a temporary capacity pending the designation by the Council of a monitoring officer. Paragraph (2) of the recommendation in the report is not therefore necessary and should be deleted. However, it is worth noting that whilst the Constitution states that Sarah White and Joan Poole are the nominated deputies, Robert Parkin had previously designated Diane Owens as Deputy Monitoring Officer when Sarah White went on maternity leave last year. Therefore, pursuant to the 1989 Act and as appointed DMO, Diane has the capacity to act in the absence or illness of the monitoring officer.

### The motion:

The Leader of the Council, Councillor Caroline Reeves to propose, and the Deputy Leader Councillor Jan Harwood to second, the adoption of the following motion:

“That Sarah White (Senior Specialist - Legal (Lawyer - Planning, Regeneration & Litigation)) be designated as the Monitoring Officer for the Council with effect from her return to work following maternity leave in May 2020.

### Reason:

To comply with the requirements of the Local Government and Housing Act 1989 (as amended).”



**Comments:**

Councillor Deborah Seabrook

**12 MINUTES OF THE EXECUTIVE** (Pages 401 – 436 of the Council agenda)

To receive and note the minutes of the meetings of the Executive held on 7 and 21 January and 18 February 2020, and the list of decisions taken by the Leader of the Council on 24 March 2020, which are attached to the Council agenda.

**Comments:**

*None*

**13 COMMON SEAL**

To order the Common Seal.

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