

GUILDFORD BOROUGH COUNCIL

Draft Minutes of a meeting of Guildford Borough Council held via Microsoft Team on Tuesday, 13 April 2021

- * Councillor Richard Billington (Mayor)
- * Councillor Marsha Moseley (Deputy Mayor)

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|----------------------------------|-------------------------------|
| * Councillor Paul Abbey | * Councillor Ted Mayne |
| * Councillor Tim Anderson | * Councillor Julia McShane |
| * Councillor Jon Askew | * Councillor Ann McShee |
| * Councillor Christopher Barrass | * Councillor Bob McShee |
| * Councillor Joss Bigmore | * Councillor Masuk Miah |
| * Councillor David Bilbé | * Councillor Ramsey Nagaty |
| * Councillor Chris Blow | * Councillor Susan Parker |
| * Councillor Dennis Booth | * Councillor George Potter |
| * Councillor Ruth Brothwell | * Councillor Jo Randall |
| * Councillor Colin Cross | * Councillor John Redpath |
| * Councillor Graham Eyre | * Councillor Maddy Redpath |
| * Councillor Andrew Gomm | * Councillor John Rigg |
| * Councillor Angela Goodwin | * Councillor Tony Rooth |
| * Councillor David Goodwin | * Councillor Will Salmon |
| * Councillor Angela Gunning | * Councillor Deborah Seabrook |
| * Councillor Gillian Harwood | * Councillor Pauline Searle |
| * Councillor Jan Harwood | * Councillor Paul Spooner |
| Councillor Liz Hogger | * Councillor James Steel |
| * Councillor Tom Hunt | * Councillor James Walsh |
| * Councillor Diana Jones | * Councillor Fiona White |
| * Councillor Steven Lee | * Councillor Catherine Young |
| * Councillor Nigel Manning | |

*Present

The Council observed two minutes' in memory of His Royal Highness, The Prince Philip, Duke of Edinburgh, who had died on Friday 9 April 2021. The Mayor had written to Her Majesty The Queen on behalf of the people of Guildford to offer sincere condolences to Her Majesty and other members of the Royal Family following the death of His Royal Highness.

CO91 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Liz Hogger.

CO92 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO93 MINUTES

The Council confirmed, as a correct record, the minutes of the Budget meeting held on 10 February and the extraordinary meeting held on 4 March 2021. The Mayor signed the minutes.

CO94 MAYOR'S COMMUNICATIONS

The Mayor reported that the Deputy Mayor, Councillor Marsha Moseley had attended the funeral last week of former councillor and past Mayor of Guildford Jenny Jordan. The Mayor hoped that the Council would be able to honour Jenny Jordan, Gordon Bridger, Tony Page, and Jessica Page, and all those we had lost in this past year, as part of a Civic Service later in the year.

CO95 LEADER'S COMMUNICATIONS

The Leader commented on life gradually returning to normal with non-essential retail, hospitality businesses and our indoor leisure venues opening for the first time in over three months, including Guildford Spectrum and Ash Manor Sports Centre. The Leader was also pleased that the Surrey Ethical Vegan Market would return to Guildford on Sunday 18 April from 10.30am to 3.30pm on the Portsmouth Road car park.

Whilst these were very important steps on the road to recovery, there were still large numbers of people that had not yet been vaccinated, so it was very important that we continued to follow the guidelines on face coverings and social distancing.

The Leader remarked that, in the first quarter of this year, there had been an 85% increase in visitors to our parks and countryside compared to the same period last year. Whilst that had been excellent news for the health and wellbeing of our borough, it had unfortunately been accompanied by a significant increase in litter. Visitors were requested to take their litter home and leave our beautiful green spaces in the same state as they had found them.

The Leader reported that there had been an excellent response to the national census, with the level of returns in every ward meeting or exceeding expectations. Field officers were now visiting households who had not yet completed the census which closed on 4 May 2021.

The Leader had agreed the following changes to the Executive on 12 March 2021:

- the appointment of Councillor Jan Harwood as Deputy Leader of the Council;
- the appointment of Councillor Tom Hunt as the new Lead Councillor for Development Management;
- Councillor Julia McShane's lead councillor portfolio to include Housing and her portfolio title to change to Lead Councillor for Community and Housing;
- the Leader's portfolio of direct responsibilities to include Corporate Strategy and Communications.

CO96 PUBLIC PARTICIPATION

Mr Mark Rostron made a statement in respect of the matter referred to in agenda item 8 (see Minute CO97 below).

Mr Rostron commented that he was objecting to the livery policy for taxis on the basis that there was no public safety evidence reason for it, rather the real reason had been disclosed in the first report made to the Council five years ago and that was to do with the Council branding. At the last Licensing Committee meeting, the Licensing Team Leader had said that (a) the reason was contained in the Government's statutory taxi and private hire licensing standards, but there was no reference to livery in that document, and (b) that the guidance applied to the general public, whereas it only applied to children and vulnerable individuals who were over 18. Mr Rostron therefore contended that the livery policy was ultra vires. Mr Rostron stated that the original choice of livery colour had been agreed at an unauthorised meeting attended by four councillors and four officers, with no minutes kept and e-mails associated with it destroyed.

In response, the Lead Councillor for Environment, Councillor James Steel confirmed that the decision on the livery policy taken in December 2015 had been based on a public safety rationale to improve confidence in the use of the taxi service in Guildford and was consulted upon at the time quite extensively. That decision was not challenged by way of a judicial review at the time and, as such, there was no reason to change the requirements under any updated policy. Removal of the livery requirement would be detrimental to public safety and contrary to the statutory government guidance.

CO97 QUESTIONS FROM COUNCILLORS

There were no questions from councillors.

CO98 REVIEW OF THE TAXI AND PRIVATE HIRE VEHICLE LICENSING POLICY

Councillors noted that that the Council, in its role as the Licensing Authority for the hackney carriage and private hire vehicle trades, had a paramount obligation to ensure the safety of the public. Following the publication of Statutory Taxi and Private Hire Standards in July 2020, a draft updated Policy had been approved by Licensing Committee for full public consultation in September 2020.

The results of that consultation had been presented to the Committee at its meeting on 24 March 2021. Following consideration of the consultation responses, the Committee had recommended that the Council approves the Policy, which was set out as Appendix 1 to the report submitted to the Council.

The Lead Councillor for Environment, Councillor James Steel, proposed and the Chairman of the Licensing Committee, Councillor David Goodwin seconded the motion to approve the updated Hackney Carriage and Private Hire Licensing Policy

It was suggested that, for future reviews, it would be useful if a summary of the changes to the Policy could be provided.

Councillors sought assurance that approval of the Policy would not be ultra vires. The Monitoring Officer confirmed that the new policy would stand up to any legal challenge and the Council would not be acting ultra vires in approving it. Councillors noted that the Policy did not preclude an applicant who may not meet the criteria from making an application and that each case must be considered on its own merits with the decision maker being prepared to make exceptions to the policy in appropriate circumstances.

Accordingly, the Council

RESOLVED: That the updated Hackney Carriage and Private Hire Licensing Policy, attached as Appendix 1 to the report submitted to the Council, be approved.

Reasons:

To ensure that the Council's Licensing Policy is updated to reflect the needs of the Borough and to account for the requirements of the Statutory Guidance issued under section 177 of the Policing and Crime Act 2017.

Under the Remote Meetings Protocol, a roll call was taken to record the vote on the motion in respect of this matter, which was approved, with thirty-seven councillors voting in favour, none voting against and seven abstentions, as follows:

FOR:

Councillor Tim Anderson
Councillor Jon Askew
Councillor Christopher Barrass
Councillor Joss Bigmore
Councillor David Bilbé
Councillor Chris Blow
Councillor Dennis Booth
Councillor Ruth Brothwell
Councillor Graham Eyre
Councillor Andrew Gomm
Councillor Angela Goodwin

AGAINST:

ABSTAIN:

Councillor Paul Abbey
Councillor Richard Billington
Councillor Colin Cross
Councillor Ramsey Nagaty
Councillor Susan Parker
Councillor Tony Rooth
Councillor John Redpath

FOR:

Councillor David Goodwin
Councillor Angela Gunning
Councillor Gillian Harwood
Councillor Jan Harwood
Councillor Tom Hunt
Councillor Diana Jones
Councillor Steven Lee
Councillor Nigel Manning
Councillor Ted Mayne
Councillor Julia McShane
Councillor Ann McShee
Councillor Bob McShee
Councillor Masuk Miah
Councillor Marsha Moseley
Councillor George Potter
Councillor Jo Randall
Councillor Maddy Redpath
Councillor John Rigg
Councillor Will Salmon
Councillor Deborah Seabrook
Councillor Pauline Searle
Councillor Paul Spooner
Councillor James Steel
Councillor James Walsh
Councillor Fiona White
Councillor Catherine Young

AGAINST:**ABSTAIN:****CO99 REVIEW OF ALLOCATION OF SEATS ON COMMITTEES: 2020-21**

The Council received the report of the proper officer (Democratic Services and Elections Manager) on the review of the allocation of seats on committees, following the resignations of Councillors Gordon Jackson and Caroline Reeves from the Council on 11 and 12 March 2021 respectively.

Consequently, the political balance on the Council was now:

Guildford Liberal Democrats: 16
Residents for Guildford and Villages: 16
Conservative Group: 8
Guildford Greenbelt Group: 3
Labour: 2
Vacancies: 3

Under Council Procedure Rule 23, whenever there was a change in the political constitution of the Council, the Council must, as soon as reasonably practicable, review the allocation of seats on committees to political groups.

The report included a suggested numerical allocation of seats on committees to political groups that would best meet, as far as reasonably practicable, the requirements for political balance for the remainder of the 2020-21 Municipal Year.

As an alternative, the report had also suggested, given that:

- (a) there were only four meetings of politically balanced committees remaining in the 2020-21 municipal year; and

- (b) the revised numerical allocation of seats made changes to three committees, two of which were academic as the committees concerned, did not have meetings between now and 18 May 2021 when the Selection Council meeting would be considering the numerical allocation of seats for 2021-22.

the Council could justifiably take the view that making no changes to the allocation of seats was the better option.

Upon the motion of the Leader of the Council, Councillor Joss Bigmore, seconded by the Deputy Leader of the Council, Councillor Jan Harwood, the Council

RESOLVED: That no change be made to the numerical allocation of seats on committees to political groups for the remainder of the 2020-21 municipal year.

Reason:

To enable the Council to comply with Council Procedure Rule 23 in respect of the requirement to review as soon as reasonably practicable the allocation of seats on committees whenever there is a change on the political constitution of the Council.

CO100 MINUTES OF THE EXECUTIVE

The Council received and noted the minutes of the meetings of the Executive held on 26 January and 16 February 2021.

CO101 NOTICE OF MOTION DATED 18 MARCH 2021: UNIVERSAL BASIC INCOME SCHEME

In accordance with Council Procedure Rule 11, Councillor Steven Lee proposed, and Councillor George Potter seconded, the following motion:

“The Council notes that many residents in Guildford are living in precarious circumstances. Furthermore, many who work in either the gig economy or under zero hours contracts lack the job security afforded to previous generations and that even those who may seem to be in traditionally safer employment are at a growing risk of redundancy from the increasing use of Artificial Intelligence and automation.

This Council notes that a Universal Basic Income (UBI) scheme has the potential to provide security for our residents and improve wellbeing thereby increasing financial security for everyone whilst safeguarding our most vulnerable residents.

Other Councils, including Sheffield, Mendip, Bristol, Oxford, Newbury Town, Richmond and Lewes have put themselves forward in support of UBI trials. This Council joins them to call for a trial scheme to be established in Guildford now so that the challenges and benefits of UBI can be properly researched and understood.

Accordingly, this Council

RESOLVES:

- (1) To engage with our local UBI lab in order to get funding for a pilot UBI trial in Guildford.
- (2) To call upon the government to fund UBI trials across the UK and to support trials of UBI in Guildford now and that the findings of these trials be published and used to assess the best way to implement financial security for every family.
- (3) To write a letter signed by the Leader of the Council and all leaders of the Groups on the Council choosing to support this motion and address it to: the Prime Minister;

the Secretary of State for Work and Pensions; the Chancellor of the Exchequer; the leaders of all opposition parties in Parliament; all Surrey MPs and the media.

- (4) To send the aforementioned letter, accompanied by this motion to addressees and ask in it for a trial of Universal Basic Income in Guildford to be urgently established and funded by Government.”

Under Council Procedure Rule 15 (o), Councillor Lee as the mover of the original motion, indicated that, with the consent of his seconder and of the meeting, he wished to alter his motion as follows:

- (a) After “Accordingly, this Council RESOLVES:” add the following:

“That the Executive be requested to consider the following action:”

- (b) Substitute the following in place of paragraph (1) of the resolution:

“(1) To engage with our local UBI lab in order to seek government funding for a pilot UBI trial in Guildford”

The motion, as altered, therefore read as follows:

“The Council notes that many residents in Guildford are living in precarious circumstances. Furthermore, many who work in either the gig economy or under zero hours contracts lack the job security afforded to previous generations and that even those who may seem to be in traditionally safer employment are at a growing risk of redundancy from the increasing use of Artificial Intelligence and automation.

This Council notes that a Universal Basic Income scheme has the potential to provide security for our residents and improve wellbeing thereby increasing financial security for everyone whilst safeguarding our most vulnerable residents.

Other Councils, including Sheffield, Mendip, Bristol, Oxford, Newbury Town, Richmond and Lewes have put themselves forward in support of UBI trials. This Council joins them to call for a trial scheme to be established in Guildford now so that the challenges and benefits of UBI can be properly researched and understood.

Accordingly, this Council

RESOLVES: That the Executive be requested to consider the following action:

- (1) To engage with our local UBI lab in order to seek government funding for a pilot UBI trial in Guildford.
- (2) To call upon the government to fund UBI trials across the UK and to support trials of UBI in Guildford now and that the findings of these trials be published and used to assess the best way to implement financial security for every family.
- (3) To write a letter signed by the Leader of the Council and all leaders of the Groups on the Council choosing to support this motion and address it to: the Prime Minister; the Secretary of State for Work and Pensions; the Chancellor of the Exchequer; the leaders of all opposition parties in Parliament; all Surrey MPs and the media.
- (4) To send the aforementioned letter, accompanied by this motion to addressees and ask in it for a trial of Universal Basic Income in Guildford to be urgently established and funded by Government.”

The Council agreed to accept the alteration to the original motion, as indicated above. The motion, as altered, therefore became the substantive motion for debate.

Having debated the motion, the Council

RESOLVED: That substantive motion, as detailed above, be adopted.

Under the Remote Meetings Protocol, a roll call was taken to record the vote on the substantive motion, which was carried, with thirty-six councillors voting in favour, one voting against and seven abstentions, as follows:

FOR:

Councillor Paul Abbey
Councillor Tim Anderson
Councillor Jon Askew
Councillor Christopher Barrass
Councillor Joss Bigmore
Councillor Chris Blow
Councillor Ruth Brothwell
Councillor Colin Cross
Councillor Andrew Gomm
Councillor Angela Goodwin
Councillor David Goodwin
Councillor Gillian Harwood
Councillor Jan Harwood
Councillor Tom Hunt
Councillor Diana Jones
Councillor Steven Lee
Councillor Nigel Manning
Councillor Ted Mayne
Councillor Julia McShane
Councillor Ann McShee
Councillor Bob McShee
Councillor Masuk Miah
Councillor Ramsey Nagaty
Councillor Susan Parker
Councillor George Potter
Councillor Jo Randall
Councillor John Redpath
Councillor Maddy Redpath
Councillor John Rigg
Councillor Tony Rooth
Councillor Will Salmon
Councillor Deborah Seabrook
Councillor Pauline Searle
Councillor James Steel
Councillor Fiona White
Councillor Catherine Young

AGAINST:

Councillor Angela Gunning

ABSTAIN:

Councillor David Bilbé
Councillor Richard Billington
Councillor Dennis Booth
Councillor Graham Eyre
Councillor Marsha Moseley
Councillor Paul Spooner
Councillor James Walsh

CO102 NOTICE OF MOTION DATED 19 MARCH 2021: LOCAL PLAN

In accordance with Council Procedure Rule 11, Councillor Paul Spooner proposed, and Councillor Nigel Manning seconded, the following motion:

“The Guildford Borough Local Plan was based on Brownfield sites and Infrastructure first. Infrastructure was a key requirement in the Local Plan and if it could not be delivered then housing should not be built. This constraint was a key factor in the adopted local plan.

It is now clear that the most significant piece of infrastructure affecting Guildford Town Centre, namely the A3 Capacity Upgrade, can no longer be delivered in this Local Plan period.

Whilst Highways England submitted this capacity upgrade as part of Road Investment Strategy 2 (2020-2025) this has not been taken forward.

Surrey Highways and Transport for South East are pushing for it to be included in Road Investment Strategy 3 (2025-2030). If accepted and designed during this period, buildout of this complex upgrade would follow in 2030 through 2035 which is after the period of this local plan.

Therefore, a review of the Local Plan must now take place as this key constraint is now a reality and the Local Plan should not be delivered as originally set out.

Neither Surrey Highways nor Highways England have been asked by Guildford Borough Council to review the transport and infrastructure evidence base following this clear indication that the A3 Capacity Upgrade will not be delivered within the Local Plan period.

Housing capacity without the A3 upgrade was significantly constrained and affects thousands of houses along its corridor with the Guildford Town Centre and surrounding area.

This Council therefore:

RESOLVES: That a review of the Local Plan be undertaken immediately to reduce the housing numbers as the A3 capacity upgrade cannot be delivered in the plan period.”

During the debate on the motion, Councillor Paul Spooner proposed, and Councillor Nigel Manning seconded, the following procedural motion, on the basis that the continued debate of this matter in a pre-election period would be very difficult without being political:

“That the debate be adjourned to the next meeting of the Council.”

The procedural motion was put to the vote and was lost.

Under the Remote Meetings Protocol, a roll call was taken to record the vote on the procedural motion to adjourn the debate to the next meeting of the Council, which was lost, with seventeen councillors voting in favour, twenty-seven voting against and no abstentions, as follows:

FOR:

Councillor David Bilbé
Councillor Richard Billington
Councillor Graham Eyre
Councillor Andrew Gomm
Councillor Angela Goodwin
Councillor David Goodwin
Councillor Angela Gunning
Councillor Nigel Manning
Councillor Ann McShee
Councillor Bob McShee
Councillor Marsha Moseley
Councillor Ramsey Nagaty
Councillor Susan Parker
Councillor Jo Randall
Councillor Paul Spooner

AGAINST:

Councillor Paul Abbey
Councillor Tim Anderson
Councillor Jon Askew
Councillor Christopher Barrass
Councillor Joss Bigmore
Councillor Chris Blow
Councillor Dennis Booth
Councillor Ruth Brothwell
Councillor Colin Cross
Councillor Gillian Harwood
Councillor Jan Harwood
Councillor Tom Hunt
Councillor Diana Jones
Councillor Steven Lee
Councillor Ted Mayne

ABSTAIN:

FOR:

Councillor James Walsh
Councillor Catherine Young

AGAINST:

Councillor Julia McShane
Councillor Masuk Miah
Councillor George Potter
Councillor John Redpath
Councillor Maddy Redpath
Councillor John Rigg
Councillor Tony Rooth
Councillor Will Salmon
Councillor Deborah Seabrook
Councillor Pauline Searle
Councillor James Steel
Councillor Fiona White

ABSTAIN:

Following the debate on the motion, Councillor Susan Parker proposed, and Councillor Ramsey Nagaty seconded, the following amendment:

Amendment No.1

In the proposed resolution, delete “..as the A3 capacity upgrade cannot be delivered in the plan period”.

The proposed resolution, as amended, would therefore read as follows:

“That a review of the Local Plan be undertaken immediately to reduce the housing numbers.”

Following the debate on Amendment No.1 it was put to a vote and was lost.

Under the Remote Meetings Protocol, a roll call was taken to record the vote on Amendment No1, which was lost, with three councillors voting in favour, thirty-seven voting against and four abstentions, as follows:

FOR:

Councillor Ramsey Nagaty
Councillor Susan Parker
Councillor Catherine Young

AGAINST:

Councillor Paul Abbey
Councillor Tim Anderson
Councillor Jon Askew
Councillor Christopher Barrass
Councillor Joss Bigmore
Councillor David Bilbé
Councillor Chris Blow
Councillor Dennis Booth
Councillor Ruth Brothwell
Councillor Graham Eyre
Councillor Andrew Gomm
Councillor Angela Goodwin
Councillor David Goodwin
Councillor Angela Gunning
Councillor Gillian Harwood
Councillor Jan Harwood
Councillor Tom Hunt
Councillor Nigel Manning
Councillor Ted Mayne
Councillor Julia McShane
Councillor Ann McShee
Councillor Bob McShee
Councillor Masuk Miah

ABSTAIN:

Councillor Richard Billington
Councillor Colin Cross
Councillor Diana Jones
Councillor Steven Lee

FOR:**AGAINST:****ABSTAIN:**

Councillor Marsha Moseley
Councillor George Potter
Councillor Jo Randall
Councillor John Redpath
Councillor Maddy Redpath
Councillor John Rigg
Councillor Tony Rooth
Councillor Will Salmon
Councillor Deborah Seabrook
Councillor Pauline Searle
Councillor Paul Spooner
Councillor James Steel
Councillor James Walsh
Councillor Fiona White

The Lead Councillor for Resources, Councillor Tim Anderson proposed, and the Deputy Leader of the Council, Councillor Jan Harwood seconded the following amendment:

Amendment No.2

(a) Substitute the following in place of the fifth, sixth, and seventh paragraphs of the motion:

“Adopted Local Plan Policy ID2 Paragraph 2 anticipated such an eventuality with respect to the A3 scheme. It specifically states:

‘In the event that there is a material delay in the anticipated completion and or a reduction in scope of the A3 Guildford (A320 Stoke interchange junction to A31 Hog’s Back junction) “Road Investment Strategy” scheme from that assumed in plan-making, or cancellation of the scheme, Guildford Borough Council will review its transport evidence base to investigate the consequent cumulative impacts of approved developments and Local Plan growth including site allocations on the safe operation and the performance of the Local Road Networks and the Strategic Road Network. In the case of material delay in the anticipated completion and or a reduction in scope in the A3 Guildford scheme, the review will consider the period up to the revised date of completion of the scheme. This review will be undertaken with input as appropriate from Surrey County Council and Highways England or any other licenced strategic highway authority appointed by the Secretary of State under the Infrastructure Act 2015.’

This review process commenced in April 2020 when Guildford Borough Council contacted Surrey County Council to request a review of the transport evidence base previously assembled from 2010 onward for the 2019 Local Plan.

However, greater changes than the A3 have occurred of late which call for a review of the Plan. These include the impact of COVID-19 on retailing, employment, transportation, and residential use, as well as changing population forecasts and the progress of the Guildford Regeneration Project (Town Centre Master Plan). Government proposals to amend the local plan process and zoning are also expected.

All these matters could lead to a change in housing numbers and will require a new Local Plan Evidence Base. They also clearly pose complex opportunities and threats for our Borough which require understanding, careful judgements and expertise ahead of completing the decision on the review and then the decision on an update of the Local Plan.”

(b) Substitute the following in place of the proposed resolution:

“To continue to plan the review of the Local Plan and evidence base, to obtain expert independent assessment of the new issues and changed circumstances to advise on the appropriate route to review the Local Plan, update the Plan’s Evidence Base and then update the Local Plan in order to secure the best outcomes for our community and borough.”

The motion, as amended, would therefore read as follows:

“The Guildford Borough Local Plan was based on Brownfield sites and Infrastructure first. Infrastructure was a key requirement in the Local Plan and if it could not be delivered then housing should not be built. This constraint was a key factor in the adopted local plan.

It is now clear that the most significant piece of infrastructure affecting Guildford Town Centre, namely the A3 Capacity Upgrade, can no longer be delivered in this Local Plan period.

Whilst Highways England submitted this capacity upgrade as part of Road Investment Strategy 2 (2020-2025) this has not been taken forward.

Surrey Highways and Transport for South East are pushing for it to be included in Road Investment Strategy 3 (2025-2030). If accepted and designed during this period, buildout of this complex upgrade would follow in 2030 through 2035 which is after the period of this local plan.

Adopted Local Plan Policy ID2 Paragraph 2 anticipated such an eventuality with respect to the A3 scheme. It specifically states:

‘In the event that there is a material delay in the anticipated completion and or a reduction in scope of the A3 Guildford (A320 Stoke interchange junction to A31 Hog’s Back junction) “Road Investment Strategy” scheme from that assumed in plan-making, or cancellation of the scheme, Guildford Borough Council will review its transport evidence base to investigate the consequent cumulative impacts of approved developments and Local Plan growth including site allocations on the safe operation and the performance of the Local Road Networks and the Strategic Road Network. In the case of material delay in the anticipated completion and or a reduction in scope in the A3 Guildford scheme, the review will consider the period up to the revised date of completion of the scheme. This review will be undertaken with input as appropriate from Surrey County Council and Highways England or any other licenced strategic highway authority appointed by the Secretary of State under the Infrastructure Act 2015.’

This review process commenced in April 2020 when Guildford Borough Council contacted Surrey County Council to request a review of the transport evidence base previously assembled from 2010 onward for the 2019 Local Plan.

However, greater changes than the A3 have occurred of late which call for a review of the Plan. These include the impact of COVID-19 on retailing, employment, transportation, and residential use, as well as changing population forecasts and the progress of the Guildford Regeneration Project (Town Centre Master Plan). Government proposals to amend the local plan process and zoning are also expected.

All these matters could lead to a change in housing numbers and will require a new Local Plan Evidence Base. They also clearly pose complex opportunities and threats for our Borough which require understanding, careful judgements and expertise ahead of completing the decision on the review and then the decision on an update of the Local Plan.

This Council therefore:

RESOLVES: To continue to plan the review of the Local Plan and evidence base, to obtain expert independent assessment of the new issues and changed circumstances, to advise on the appropriate route to review the Local Plan, update the Plan's Evidence Base and then update the Local Plan in order to secure the best outcomes for our community and borough."

During the debate on Amendment No. 2, the Deputy Mayor, Councillor Marsha Moseley proposed, and Councillor Nigel Manning seconded, the following closure motion:

"That an immediate vote be taken on Amendment No. 2."

The closure motion was put to the vote and was carried.

Under the Remote Meetings Protocol, a roll call was taken to record the vote on the closure motion to take an immediate vote on Amendment No.2, which was carried, with twenty-seven councillors voting in favour, fourteen voting against and three abstentions, as follows:

FOR:

Councillor Paul Abbey
Councillor Tim Anderson
Councillor David Bilbé
Councillor Joss Bigmore
Councillor Dennis Booth
Councillor Colin Cross
Councillor Graham Eyre
Councillor Angela Goodwin
Councillor Angela Gunning
Councillor Gillian Harwood
Councillor Jan Harwood
Councillor Tom Hunt
Councillor Diana Jones
Councillor Steven Lee
Councillor Nigel Manning
Councillor Julia McShane
Councillor Masuk Miah
Councillor Marsha Moseley
Councillor Ramsey Nagaty
Councillor Jo Randall
Councillor John Redpath
Councillor Tony Rooth
Councillor Deborah Seabrook
Councillor Pauline Searle
Councillor James Steel
Councillor Fiona White
Councillor James Walsh

AGAINST:

Councillor Jon Askew
Councillor Christopher Barrass
Councillor Chris Blow
Councillor Ruth Brothwell
Councillor David Goodwin
Councillor Ted Mayne
Councillor Ann McShee
Councillor Bob McShee
Councillor Susan Parker
Councillor George Potter
Councillor Maddy Redpath
Councillor John Rigg
Councillor Will Salmon
Councillor Catherine Young

ABSTAIN:

Councillor Richard Billington
Councillor Andrew Gomm
Councillor Paul Spooner

Following the right of reply from the mover of Amendment No.2, the Mayor became unwell and left the meeting. The Deputy Mayor, Councillor Marsha Moseley took the chair for the remainder of the meeting.

Following the right of reply from the mover of the original motion, Amendment No. 2 was put to the vote and was carried. The motion thereby became the substantive motion.

Under the Remote Meetings Protocol, a roll call was taken to record the vote on Amendment No.2, which was carried, with thirty-five councillors voting in favour, five voting against and three abstentions, as follows:

FOR:

Councillor Paul Abbey
Councillor Tim Anderson
Councillor Jon Askew
Councillor Christopher Barrass
Councillor Joss Bigmore
Councillor David Bilbé
Councillor Chris Blow
Councillor Dennis Booth
Councillor Ruth Brothwell
Councillor Colin Cross
Councillor Angela Goodwin
Councillor David Goodwin
Councillor Angela Gunning
Councillor Gillian Harwood
Councillor Jan Harwood
Councillor Tom Hunt
Councillor Diana Jones
Councillor Steven Lee
Councillor Ted Mayne
Councillor Julia McShane
Councillor Ann McShee
Councillor Bob McShee
Councillor Masuk Miah
Councillor Marsha Moseley
Councillor George Potter
Councillor John Redpath
Councillor Maddy Redpath
Councillor John Rigg
Councillor Tony Rooth
Councillor Will Salmon
Councillor Deborah Seabrook
Councillor Pauline Searle
Councillor James Steel
Councillor James Walsh
Councillor Fiona White

AGAINST:

Councillor Andrew Gomm
Councillor Nigel Manning
Councillor Susan Parker
Councillor Jo Randall
Councillor Paul Spooner

ABSTAIN:

Councillor Graham Eyre
Councillor Ramsey Nagaty
Councillor Catherine Young

The Council, having considered the substantive motion,

RESOLVED: That the substantive motion be adopted as follows:

“The Guildford Borough Local Plan was based on Brownfield sites and Infrastructure first. Infrastructure was a key requirement in the Local Plan and if it could not be delivered then housing should not be built. This constraint was a key factor in the adopted local plan.

It is now clear that the most significant piece of infrastructure affecting Guildford Town Centre, namely the A3 Capacity Upgrade, can no longer be delivered in this Local Plan period.

Whilst Highways England submitted this capacity upgrade as part of Road Investment Strategy 2 (2020-2025) this has not been taken forward.

Surrey Highways and Transport for South East are pushing for it to be included in Road Investment Strategy 3 (2025-2030). If accepted and designed during this period, buildout of this complex upgrade would follow in 2030 through 2035 which is after the period of this local plan.

Adopted Local Plan Policy ID2 Paragraph 2 anticipated such an eventuality with respect to the A3 scheme. It specifically states:

'In the event that there is a material delay in the anticipated completion and or a reduction in scope of the A3 Guildford (A320 Stoke interchange junction to A31 Hog's Back junction) "Road Investment Strategy" scheme from that assumed in plan-making, or cancellation of the scheme, Guildford Borough Council will review its transport evidence base to investigate the consequent cumulative impacts of approved developments and Local Plan growth including site allocations on the safe operation and the performance of the Local Road Networks and the Strategic Road Network. In the case of material delay in the anticipated completion and or a reduction in scope in the A3 Guildford scheme, the review will consider the period up to the revised date of completion of the scheme. This review will be undertaken with input as appropriate from Surrey County Council and Highways England or any other licenced strategic highway authority appointed by the Secretary of State under the Infrastructure Act 2015.'

This review process commenced in April 2020 when Guildford Borough Council contacted Surrey County Council to request a review of the transport evidence base previously assembled from 2010 onward for the 2019 Local Plan.

However, greater changes than the A3 have occurred of late which call for a review of the Plan. These include the impact of COVID-19 on retailing, employment, transportation, and residential use, as well as changing population forecasts and the progress of the Guildford Regeneration Project (Town Centre Master Plan). Government proposals to amend the local plan process and zoning are also expected.

All these matters could lead to a change in housing numbers and will require a new Local Plan Evidence Base. They also clearly pose complex opportunities and threats for our Borough which require understanding, careful judgements and expertise ahead of completing the decision on the review and then the decision on an update of the Local Plan.

This Council therefore:

RESOLVES: To continue to plan the review of the Local Plan and evidence base, to obtain expert independent assessment of the new issues and changed circumstances, to advise on the appropriate route to review the Local Plan, update the Plan's Evidence Base and then update the Local Plan in order to secure the best outcomes for our community and borough."

Under the Remote Meetings Protocol, a roll call was taken to record the vote on the substantive motion, the results of which were forty-two councillors voting in favour, none against, and one abstention, as follows:

FOR:

Councillor Paul Abbey
Councillor Tim Anderson
Councillor Jon Askew
Councillor Christopher Barrass
Councillor Joss Bigmore
Councillor David Bilbé

AGAINST:

ABSTAIN:

Councillor Marsha Moseley

FOR:

Councillor Chris Blow
Councillor Dennis Booth
Councillor Ruth Brothwell
Councillor Colin Cross
Councillor Graham Eyre
Councillor Andrew Gomm
Councillor Angela Goodwin
Councillor David Goodwin
Councillor Angela Gunning
Councillor Gillian Harwood
Councillor Jan Harwood
Councillor Tom Hunt
Councillor Diana Jones
Councillor Steven Lee
Councillor Nigel Manning
Councillor Ted Mayne
Councillor Julia McShane
Councillor Ann McShee
Councillor Bob McShee
Councillor Masuk Miah
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Councillor Tony Rooth
Councillor Will Salmon
Councillor Deborah Seabrook
Councillor Pauline Searle
Councillor Paul Spooner
Councillor James Steel
Councillor James Walsh
Councillor Fiona White
Councillor Catherine Young

AGAINST:**ABSTAIN:**

In view of the lateness of the hour, the Council agreed in accordance with Council Procedure Rule 15 (z), to proceed with the business remaining on the agenda.

CO103 REMOTE COUNCIL AND COMMITTEE MEETINGS

The Council was reminded that regulations made under the Coronavirus Act 2020 to provide for the remote attendance and participation of councillors and the public at local authority meetings came into force on 4 April 2020. These arrangements had operated very successfully in Guildford and elsewhere since their introduction.

Apart from the obvious public health benefits of holding meetings remotely during a pandemic, they had brought other benefits, including the removal of the need for travel to meetings, and associated cost savings, increased participation in the democratic process and equality of access to meetings.

However, the Regulations were time limited and were due to expire on 6 May 2021, and there was no certainty that the current arrangements for remotely held meetings would continue after 6 May.

Various organisations including the Local Government Association, the National Association of Local Councils (representing parish councils), Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO) and many councils, including Guildford, had called for the ability of English councils to hold remote meetings to be made permanent.

In February 2021, the Secretary of State ("SoS") had accepted that whilst these arrangements had been successful, there were no plans to extend the ability to hold remote meetings beyond 6 May as it would require primary legislation and there was no vehicle to do that in time for May in terms of Parliamentary time. The SoS had indicated that whilst it was not possible at the moment, if there was an opportunity to make it more permanent, then he would take it.

With the intention of seeking a way to assist the SoS in this regard, LLG and ADSO had asked whether a change in primary legislation was actually required and had sought Counsel's Opinion on the matter, which had been shared with the SoS.

Notwithstanding this, in a letter dated 25 March 2021 to Leaders of principal councils in England, the Minister of State for Regional Growth and Local Government, whilst acknowledging the "considerable investment of time, training and technology to enable these (remote) meetings to take place", nevertheless reiterated the SoS's view that "extending the regulations to meetings beyond May 7 would require primary legislation".

The Minister had also stated that:

"The Government has considered the case for legislation very carefully, including the significant impact it would have on the Government's legislative programme which is already under severe pressure in these unprecedented times. We are also mindful of the excellent progress that has been made on our vaccination programme and the announcement of the Government's roadmap for lifting Covid-19 restrictions. Given this context, the Government has concluded that it is not possible to bring forward emergency legislation on this issue at this time."

LLG, ADSO, and Hertfordshire County Council had made an application to the High Court to seek a declaration from the Court that existing legislation governing local authority meetings under Schedule 12 to the Local Government Act 1972, and meetings of an Executive or a committee of an Executive under the Local Authorities Executive Arrangements (Meetings and Access to Information) (England) Regulations 2012, could continue to be held remotely in the way that had been authorised specifically by the Coronavirus Meetings Regulations.

This application was scheduled to be heard on 21 April 2021. If the Court ruled that the current legislation could be interpreted in such a way that the terms 'place', 'meeting' and 'present' in this context could be construed as being both physical *and* virtual 'places', 'meetings' and 'presence' then the Council could, if it chose, continue to hold meetings wholly remotely, or partly remotely ('hybrid meetings'), or wholly in person.

However, as there was no certainty over this, the Council had to consider its options as to how meetings beyond 6 May 2021 would be held until such time as the current restrictions were fully lifted which, under the current "roadmap", was expected no earlier than 21 June 2021.

Upon the motion of the Leader of the Council, Councillor Joss Bigmore, seconded by the Deputy Leader of the Council, Councillor Jan Harwood, the Council:

RESOLVED:

- (1) That, subject to paragraph (2) below, the following arrangements be put in place for the holding of face-to-face meetings during the period between 6 May and the date on which Covid restrictions are fully lifted:

- (a) That in respect of determining the business scheduled for the Executive on 25 May 2021, the Leader be requested to consider repeating the arrangements introduced following the cancellation of the Executive meeting scheduled for 24 March 2020 (before the Coronavirus Meetings Regulations were in force) in which the then Leader of the Council took certain Executive decisions after inviting written representations from all councillors and the public to be submitted to the Leader in advance of the decisions being taken. As decisions taken by the Leader or individual Executive councillors are not required to be made at a formally constituted meeting, such decisions be taken by the Leader, via Microsoft Teams, inviting all councillors in the usual way with those in attendance able to comment in the same way as if it were a formal meeting of the Executive, the only difference being that the Leader (rather than the Executive collectively) would make the decisions. Call-in provisions would be unaffected.
 - (b) That EAB, Overview & Scrutiny Committee, Licensing Sub-Committee and working group meetings continue to be held remotely.
 - (c) That, subject to a satisfactory risk assessment, Planning, Licensing, Corporate Governance and Standards, and (where necessary) Employment Committee and Licensing Regulatory Sub-Committee meetings be held in the Council Chamber/Committee Room 1, and that remote attendance by non-committee members, certain officers, and the public be encouraged, whilst still providing limited, socially distanced seating for the public.
 - (d) That, for 2021 only, the Annual Meeting and Selection Meeting be combined into one meeting and held, subject to a satisfactory risk assessment, on Wednesday 19 May 2021 at 7pm at the Guildford Baptist Church, Millmead, Guildford, noting that it will not be possible to webcast the meeting.
 - (e) That the Planning Committee meeting scheduled for Wednesday 19 May 2021 be put back to Thursday 20 May 2021 at 7pm.
 - (f) That the Service Delivery EAB scheduled for Thursday 20 May 2021 be put back to Monday 24 May 2021 at 7pm.
- (2) That should the High Court declare that existing legislation governing local authority meetings permits councils to continue to hold remote meetings after 6 May 2021, the Council agrees that such meetings should continue as scheduled via Microsoft Teams at least until Covid restrictions are lifted completely.
 - (3) That, should it not be possible to hold remote meetings lawfully, the Council agrees that any councillor who, for medical reasons, is unable to be vaccinated against Covid-19 shall receive a dispensation from the requirements of Section 85 of the Local Government Act 1972 until 6 October 2021.

Reason:

To make arrangements, if necessary, for a return to face-to-face meetings after 6 May 2021 when the Coronavirus Meetings Regulations expire.

CO104 ASH ROAD BRIDGE UPDATE

Before the Council considered this item, the Deputy Mayor drew attention to the two reports on Ash Road Bridge on the agenda, the first of which was Item no. 14 which would be considered in public. The second report, which was Item no. 16, was essentially the same report as Item 14 except that Item 16 included the “not for publication” commercially sensitive detail of the

budget and funding strategy and more detailed legal advice in respect of the Ash Road Bridge project. As no councillor wished to discuss, or seek clarification on, any information contained in Item 16, the Deputy Mayor indicated that the Council would deal with this matter wholly in public by considering Item 14.

The Council noted that the Ash Road Bridge Scheme comprised a long-term infrastructure solution to the current and future issues posed by the Ash level crossing, including increased usage associated with housing growth in the Ash and Tongham area and greater barrier downtime resulting from enhanced rail use of the North Downs Line.

The Council was asked to approve the new budget for the Ash Road Bridge Scheme, which had been revised to £33.77 million for Stage 1 (road bridge) and £5.02 million for Stage 2 (footbridge) and the funding strategy for both Stages, to ensure that the scheme was satisfactorily funded. The funding strategy included further Homes England funding of £13.9 million, in addition to the £10 million agreed previously, which was being secured through a Deed of Amendment to the original funding agreement. An update on progress with the Deed of Amendment was included on the Order Paper.

Upon the motion of the Lead Councillor for Regeneration, Councillor John Rigg, seconded by the Leader of the Council, Councillor Joss Bigmore, the Council:

RESOLVED: That the Council approves the budget and funding strategy as set out in the budget and funding sections of the exempt (Part 2) report published as Item 16 with the agenda for this meeting.

Reasons:

This is a unique opportunity to utilise £23.9 million of central government funding towards the Ash Road Bridge Scheme to deliver an alternative road crossing of the North Downs railway line in close proximity to the Ash level crossing. The Ash Road Bridge Scheme forms a requirement of Policy A31 of the Council's Local Plan which allocates land for housing in Ash. Delivery of this scheme will also enable the closure of Ash level crossing, which will improve safety for highway and rail users and significantly reduce traffic congestion on the A323 and the use of alternative local roads to avoid the Ash level crossing in Ash.

CO105 COMMON SEAL

The Council

RESOLVED: That the Common Seal of the Council be affixed to any documents to give effect to any decisions taken by the Council at this meeting.

The meeting finished at 10.52 pm

Signed

Mayor

Date