



GUILD FORD
B O R O U G H

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Tom Horwood
Joint Chief Executive
Guildford & Waverley
Borough Councils

Contact Officer:

John Armstrong, Democratic Services &
Elections Manager

14 June 2023

Dear Councillor,

Your attendance is requested at a meeting of the **EXECUTIVE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **THURSDAY, 22 JUNE 2023** at 6.00 pm.

Yours faithfully

Tom Horwood
Joint Chief Executive
Guildford & Waverley
Borough Councils

MEMBERS OF THE EXECUTIVE

Chairman:

Councillor Julia McShane (Leader of the Council) & Lead Councillor for
Housing

Vice-Chairman:

Councillor Tom Hunt (Deputy Leader of the Council) & Lead Councillor for
Regeneration

Councillor Angela Goodwin, Lead Councillor for Engagement and Customer
Services

Councillor Catherine Houston, Lead Councillor for Commercial Development

Councillor Richard Lucas, Lead Councillor for Finance and Property

Councillor Carla Morson, Lead Councillor for Community and Organisational
Development

Councillor George Potter, Lead Councillor for Planning, Environment and
Climate Change

Councillor Merel Rehorst-Smith, Lead Councillor for Regulatory and
Democratic Services



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.

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QUORUM 3

THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

Our Vision:

A green, thriving town and villages where people have the homes they need, access to quality employment, with strong and safe communities that come together to support those needing help.

Our Mission:

A trusted, efficient, innovative, and transparent Council that listens and responds quickly to the needs of our community.

Our Values:

- We will put the interests of our community first.
- We will listen to the views of residents and be open and accountable in our decision-making.
- We will deliver excellent customer service.
- We will spend money carefully and deliver good value for money services.
- We will put the environment at the heart of our actions and decisions to deliver on our commitment to the climate change emergency.
- We will support the most vulnerable members of our community as we believe that every person matters.
- We will support our local economy.
- We will work constructively with other councils, partners, businesses, and communities to achieve the best outcomes for all.
- We will ensure that our councillors and staff uphold the highest standards of conduct.

Our strategic priorities:

Homes and Jobs

- Revive Guildford town centre to unlock its full potential
- Provide and facilitate housing that people can afford
- Create employment opportunities through regeneration
- Support high quality development of strategic sites
- Support our business community and attract new inward investment
- Maximise opportunities for digital infrastructure improvements and smart places technology

Environment

- Provide leadership in our own operations by reducing carbon emissions, energy consumption and waste

- Engage with residents and businesses to encourage them to act in more environmentally sustainable ways through their waste, travel, and energy choices
- Work with partners to make travel more sustainable and reduce congestion
- Make every effort to protect and enhance our biodiversity and natural environment.

Community

- Tackling inequality in our communities
- Work with communities to support those in need
- Support the unemployed back into the workplace and facilitate opportunities for residents to enhance their skills
- Prevent homelessness and rough-sleeping in the borough

AGENDA

**ITEM
NO.**

1 APOLOGIES FOR ABSENCE

2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

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 7 - 22)

To confirm the minutes of the meetings of the Executive held on 16 March and 20 March 2023.

4 LEADER'S ANNOUNCEMENTS

5 TO CONSIDER ANY RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE (Pages 23 - 32)

6 GRANTING A LEASE AT LESS THAN BEST CONSIDERATION TO YVONNE ARNAUD MANAGEMENT LIMITED AT OLD TOWN MILL (Pages 33 - 50)

7 TYTING FARM SANG HABITAT BANK AND CHANGES TO SCHEME OF DELEGATION TO ENABLE DELIVERY OF FUTURE HABITAT BANKS (Pages 51 - 118) *

8 SUPPLEMENTARY ESTIMATE FOR FUNDS IN RESPECT OF POTENTIAL APPEAL AGAINST MEMBER OVERTURNED ITEM AND APPEAL AGAINST NON-DETERMINATION (Pages 119 - 124) *

Key Decisions:

Any item on this agenda that is marked with an asterisk is a key decision. The Council's Constitution defines a key decision as an executive decision which is likely to result in expenditure or savings of at least £200,000 or which is likely to have a significant impact on two or more wards within the Borough.

Under Regulation 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, whenever the Executive intends to take a key decision, a document setting out prescribed information about the key decision including:

- the date on which it is to be made,
- details of the decision makers,
- a list of the documents to be submitted to the Executive in relation to the matter,
- how copies of such documents may be obtained

must be available for inspection by the public at the Council offices and on the Council's website at least 28 clear days before the key decision is to be made. The relevant notice in respect of the key decisions to be taken at this meeting was published as part of the Forward Plan on 25 May 2023.

EXECUTIVE

- * Councillor Julia McShane (Chairman)
- * Councillor Joss Bigmore (Vice-Chairman)

- | | |
|----------------------------|---------------------------|
| Councillor Tim Anderson | * Councillor John Redpath |
| * Councillor Tom Hunt | * Councillor John Rigg |
| * Councillor George Potter | Councillor James Steel |

*Present

Councillor Fiona White was also in attendance. Councillors Ramsey Nagaty and Deborah Seabrook were in virtual attendance.

EX94 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Tim Anderson, Lead Councillor for Assets and Property and James Steel, Lead Councillor for Environment and Regulatory Services.

EX95 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

EX96 MINUTES

The minutes of the meeting held on 22 February 2023 were agreed as correct. The Chairman signed the minutes.

EX97 LEADER'S ANNOUNCEMENTS

The Leader deferred her announcements to the meeting of full Council.

EX98 TO CONSIDER ANY RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

There were no new recommendations from the Overview and Scrutiny Committee to consider. The paper was noted.

EX99 GUILDFORD PARK ROAD REDEVELOPMENT - APPROVAL TO PROCEED TO NEXT STAGE

The report sat within the lead councillor portfolios for Communities and Housing and Regeneration. The Leader of the Council began the introduction of the report as she held the Communities and Housing portfolio.

For many years, the Council had aspired to redevelop the surface car park at Guildford Park Road to make better use of the asset. Various schemes had been considered, but in 2021 a new Mandate and Strategic Outline Business Case (SOBC) were considered and approved by the Executive. This enabled the Council to re-initiate the project, to develop a new detailed planning application for the site and develop a wider business case for the post-planning delivery of the scheme.

The Executive considered the report that set out an updated SOBC including a proposed delivery strategy. The report sought Executive authorisation to commence implementation of the recommended delivery strategy and, specifically, to initiate a procurement exercise to select a Development Partner to deliver the scheme on behalf of the Council. The provision of new homes, particularly for those on the housing waiting list, was a priority for the Council.

The Lead Councillor for Regeneration endorsed the Leader's introduction and further explained that the recommendations in the report would reduce the Council's exposure by allowing a commercial private sector partner to undertake the risks involved in the development of the site. This was expected to be an agreeable arrangement for both parties since the majority of the development would be sold on the open market and the Council would buy back its allocation of Affordable stock. It was expected that there would still be a degree of risk with regard to the eventual price of the Affordable stock given the wider prevailing economic uncertainties.

The Executive noted a further risk in that the project may not attract a suitable Development Partner whilst it was in the pre-planning stages, however it was explained that pre-application advice had been received and that a dedicated Planning Officer had been employed. It was expected that a 'pre-app note' would be finalised within the coming two weeks.

It was emphasised that the Council desired 40% of the development to be designated Affordable and that construction and design should exceed the sustainability requirements necessary for Planning approval. In terms of massing and height, it was suggested that the ward councillors for Onslow be actively involved with consultation to be alert to any issues arising well before Planning Committee stage. When appointed, the Development Partner would be contractually obliged to undertake extensive consultation with the local

community and matters of height and massing should be discussed and resolved at this stage.

It was argued that the current design for Guildford Park Road included heights on a par with the North Street application that had recently been refused planning permission. Whilst some members felt that the Planning Committee should be free to judge each application on its merits, others suggested that it was imperative the Council have clear policy guidance on what it considered acceptable in this regard, especially when hoping to attract tenders from potential business partners.

Overall, the Executive was in favour of progressing the development and consequently,

RESOLVED:

1. To approve the Strategic Outline Business Case for the Guildford Park Road Redevelopment, attached as Appendix 1 to the report submitted to the Executive, and to endorse the recommended delivery strategy outlined within.
2. To endorse the revised planning strategy for the project.
3. To approve commencement of the procurement of a development partner to support the delivery of the Guildford Park Road housing project.
4. To approve the spend of up to £700,000, already allocated for the scheme within the Housing Revenue Account approved capital programme, to deliver the procurement activity.
5. To delegate to the Strategic Director of Place, in consultation with the Lead Councillor for Housing and Community and Lead Councillor for Regeneration, authority to enter into such other contracts and legal agreements connected with the Guildford Park Road housing project as may be necessary in compliance with Procurement Procedure Rules and within the approved budget.

Reason(s):

1. The Guildford Park Road redevelopment is a key scheme within the Housing Revenue Account Business Plan that will deliver a significant number of additional homes in the town centre. Officers currently have no authority to initiate the delivery phase of the scheme, and this authority is now sought from the Executive.

2. The recommendation will support the delivery of the Council's Corporate Plan (2021-2025) priorities by providing and facilitating housing that people can afford.

EX100 ASH ROAD BRIDGE SCHEME UPDATE AND BUDGET APPROVAL

The Leader of the Council explained that the report before the Executive contained a significant amount of material that had been designated as exempt. To give full consideration to the matter would necessitate discussion in private. It was proposed that the Lead Councillor for Regeneration introduce the report in general terms, without reference to the exempt content. A public speaker would then address the meeting. Thereafter the Leader would propose the meeting be closed to the public for the duration of the discussion of the exempt material.

The Ash Road Bridge (ARB) 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 Scheme was being delivered in two Stages. Stage 1 was the delivery of the road bridge over the railway line (and closure of the level crossing to motorised vehicles). Stage 2 was the delivery of the footbridge in the vicinity of Ash level crossing enabling the Ash level crossing to be closed permanently to all users.

The approved budget for the Scheme was £38.91 million, being £33.89 million for the road bridge (Stage 1) and £5.02 million for the footbridge (Stage 2) (excluding borrowing costs.) The road bridge budget was slightly higher than that which was approved by the Council in April 2021 (£38.79million) as the budget was subsequently combined with a separate approved budget for land acquisition costs for the Ash Road Bridge Scheme equivalent to £0.12 million.

The revised budget was £44.5 million, being £44.0 million for the road bridge and £0.5 million for the footbridge (excluding borrowing costs.) The increase to the budget was therefore £5.59 million.

The scheme had secured £23.9 million from Homes England (HIF) funding and recently a further £5 million from Surrey County Council (SCC) as set out in the Supplementary Information Sheet. In addition, the scheme had incurred substantial funding from the Council itself in the form of reserves, funds and borrowing. As with the Weyside Urban Village (WUV) scheme, ARB was an inherited commitment from the previous administration and was an integral part of Policy A31 in the adopted Local Plan to mitigate against existing and planned

development to include the delivery of 1,750 new homes. It was argued that the current administration might consider not proceeding with the scheme due to the economic situation and because it was solely infrastructure and not within the Council's duty to provide with little financial return for taxpayers.

The Lead Councillor for Regeneration described both WUV and ARB as worthy schemes and because they were both already underway, needed to be completed. Although the financial commitment and liabilities were significant, the costs to the residents of the borough of not proceeding, it was argued, would also have a significant impact. The loss to the Council of pre-development costs already committed to ARB and not recoverable should also be taken into account, the £23.9 million of HIF, £5 million from SCC would be lost and the Council would have to reimburse s106 contributions with no bridge to mitigate the increasing traffic and congestion issues as described.

The Lead Councillor for Regeneration recommended that the scheme be progressed, and the budget be increased to £44.5 million, despite the future revenue burden on the Council. It was noted there were contingencies built into the budget including optimism bias. There was also optimism that further funding could be available next year, although no allowance for this had been made in the estimates before the Executive. Negotiations continued with Network Rail with regard to contributions to the footbridge. Officers were commended for the detail and levels of scrutiny that had resulted in a robust report.

The Meeting was addressed by Sue Wyeth-Price from Ash Green Residents Association (AGRA). In her address, Ms Wyeth-Price urged the Executive to consider the long term debt to the Council should the recommendations be approved, alongside the uncertainty of increased futures costs as the scheme developed. She went on to challenge the assumptions of the scheme in terms of its benefits and mitigations. She proposed that the new road bridge would not be used by certain of the new developments already built but would support developments that had not yet received planning approval. In addition, she considered there were other congestion points locally that would not be improved by the ARB scheme and poor highway circulation in those areas would remain. She suggested that residents had not consulted over the scheme.

Members of the Executive discussed with Ms Wyeth-Price the concerns she had raised. With regard to consultation with residents, it was noted that Ash borough councillors previous and present and the County councillor for the area were all in favour of the ARB scheme. In addition, there had been public consultations and events run prior to 2019 to gauge local opinion along with a letter for Michael Gove MP written in support of the scheme. The need for the bridge had been tested through Policy A31 in the Local Plan, through the Planning Committee and

through the course of three appeals. In conclusion, the Executive noted that the recommendation to be considered at this meeting was not to retrospect on the merits of the bridge which had been proven, but to consider the budget and future funding of the scheme.

In consequence of the report having a number of appendices that had been designated as containing exempt material by the Monitoring Officer, the Leader of the Council proposed

That under Section 100A (4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for consideration of Appendices 2, 3, 4, and 5 to the report and the Appendix to the Supplementary Information Sheet on the grounds that they involved the likely disclosure of exempt information, as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A to the 1972 Act.

The Executive was agreeable.

The project was substantial and complex. The Executive considered the contents of the entire report including the financial outlook for the project, along with external funding sources. Overall, the costs and benefits were evaluated and the Executive concluded that it was essential to proceed with the project to address and to mitigate against the volume of traffic around the level crossing which was predicted to increase in the future. The Ash Road Bridge would bring substantial improvements to the local community and economy and consequently the Executive,

RESOLVED:

1. To recommend that Full Council (at its extraordinary meeting on 16 March 2023) approve the budget and funding strategy as set out in Exempt Appendices 2 and 3 to the report, subject to the revisions to Appendix 3 as set out in the exempt Appendix 1 to the Supplementary Information Sheet circulated at this meeting.
2. To approve the transfer of the sum referred to in Paragraph 1 (Recommendations (Budget)) of the Exempt Appendix 2 to the report.
3. To delegate to the Strategic Director for Place, in consultation with the Lead Councillor for Regeneration, and Lead Councillor for Finance and Planning Policy, authority to enter into such other contracts and legal agreements connected with the Ash Road Bridge Scheme as may be necessary in compliance with Procurement Procedure Rules and within the approved budget.

Reason(s):

This was 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 formed a requirement of Policy A31 of the Council's Local Plan which allocated land for housing in Ash. Delivery of this scheme would also enable the closure of Ash level crossing to motor vehicles, which would 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.

The meeting finished at 11.08 am

Signed

Date

Chairman

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EXECUTIVE

Councillor Julia McShane (Chairman)

* Councillor Joss Bigmore (Vice-Chairman)

Councillor Tim Anderson

* Councillor John Redpath

Councillor Tom Hunt

* Councillor John Rigg

* Councillor George Potter

* Councillor James Steel

*Present

Councillor Ramsey Nagaty was in remote attendance.

EX101 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Julia McShane, Leader of the Council; Councillor Tim Anderson, Lead Councillor for Assets and Property and Councillor Tom Hunt, Lead Councillor for Planning Development, Legal and Democratic Services.

EX102 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

EX103 MINUTES

The minutes of the meeting held 23 February 2023 were agreed as correct. The Chairman signed the minutes.

EX104 LEADER'S ANNOUNCEMENTS

Leader's announcements were deferred to be delivered at full Council on 22 March 2023.

EX105 REPLACEMENT OF GUILDFORD SPECTRUM

The report was withdrawn prior to the meeting as further work was required.

EX106 COMMUNITY ASSET TRANSFER POLICY

The Council functioned as trustee for the land that it held on behalf of the community and presently had no Community Asset Transfer policy. The purpose of a Community Asset Transfer policy was to set out a transparent and consistent approach to applications and a decision-making process governing the transfer of land to a Voluntary or Community Organisation (VCO). A policy in this regard

would define which VCO's were considered suitable for consideration by the Council for a Community Asset Transfer and the types of land, buildings and circumstances that may be considered when a Community Asset Transfer application was received.

The draft policy was reviewed by the Service Delivery Executive Advisory Board (EAB) on 09 March 2023 and a minor amendment and the comments arising from the meeting were set out in the Supplementary Information Sheet.

In the absence of the Lead Councillor for Assets and Property, the Deputy Leader of the Council introduced the report.

The Executive heard that the draft policy aligned with the policy guidance adopted by Waverley Borough Council. The draft policy had been reviewed by the Lead Councillor for Assets and Property, the Property Review Group, the Council's policy team and EAB ward councillors. The Deputy Leader endorsed the draft policy as sound guidance for communities that set out a consistent framework for the Council.

Members of the Executive welcomed the draft policy but requested there should still be a less formal route for local people to follow when appropriate, for example where a regular request for use of a room in a property was made. Sutherland Memorial Hall was used as an example. This matter had been raised at the EAB meeting and members had been reassured that such circumstances fell outside of the draft policy guidance. In this particular instance the Council was working with Burpham Community Hub to arrive at a mutually satisfactory agreement for use of the building. The draft policy guidance set out in the report was intended for long-term leasehold or freehold arrangements.

It was noted that communities expressing an interest in taking over responsibility for a property would need to attract significant funding which would not be available from the Council itself, but the draft policy did direct interested parties to ward members in the first instance who may wish to familiarise themselves with the specific property and any external funding opportunities.

Thereafter, the Executive,

RESOLVED:

The Executive approved the adoption of the Community Asset Transfer Policy, asset out in Appendix 1 to the report, incorporating the updated wording to page 7. subparagraph 6 as set out in the Supplementary Information Sheet.

Reason(s):

1. The Council did not currently have a policy on the transfer of assets to community groups.
2. To deliver community objectives.

EX107 GUILDFORD'S UK SHARED PROSPERITY FUND AND RURAL ENGLAND PROSPERITY FUND

The Lead Councillor for Lead Councillor for Climate Change and Organisational Development introduced the report in the absence of the Leader.

The Council was fortunate to have been awarded £1 million from the Department of Levelling Up, Housing and Communities' (DLUHC) UK Shared Prosperity Fund (UKSPF) to spend on capital and revenue activities between budget years 2022-23 to 2024-25, with the aim of 'building pride in places and increase life chances' through investment on three investment priorities: Communities, Local Businesses and People and Skills. In addition, a further £400,000 had been awarded to the Council from the Department of Environment, Food and Rural Affairs' (DEFRA) Rural England Prosperity Fund (REPF), and this allocation was to be spent on capital grants to support rural businesses and communities from 2023-24 to 2024-25.

To access its UKSPF and REPF allocation, the Council had submitted an investment plan and addendum, respectively, outlining the opportunities and challenges of the borough, as well as its investment priorities. The DLUHC had confirmed the validation of Guildford's UKSPF Investment Plan and the first year's allocation had been received. It was important that Council planned and divested the funding efficiently as any funds unspent by the 2025 deadline would have to be returned.

The report before the Executive set out detailed plans for the expenditure of both sets of funding. The REPF would target communities and micro/rural businesses particularly to stimulate growth and provide social support. Also included would be decarbonisation loans to support the climate change agenda, in some cases this would be in partnership with Surrey County Council (SCC). The UKSPF would similarly support decarbonisation schemes including support for an e-bike hire scheme for Guildford and Shalford (again in partnership with SCC) which was currently in an advanced project stage, the visitor economy (to include business support and town centre improvements), a ringfenced sum for community and neighbourhood improvements.

The report had been considered and endorsed by the Strategy and Resources Executive Advisory Board meeting on 6 February 2023 and the comments arising from that meeting were set out in the Supplementary Information Sheet.

The Executive was supportive of the recommendations and especially of the e-bike project. It was noted that Guildford's streets were quite narrow and safety for all was emphasised. The project would work in partnership with the University of Surrey.

The Executive,

RESOLVED:

1. Approved the progression of Guildford's UKSPF and REPF plans, as outlined in the report.
2. Delegated to the Strategic Director of Place, in consultation with the Leader, authority to enter into such other contracts and legal agreements connected with the UKSPF and REPF as may be necessary in compliance with Procurement Procedure Rules and within the allocated grant funding budget.

Reason(s):

1. The £1.4 million total funding Guildford Borough Council had been allocated from the UKSPF and REPF was a significant sum of money that could have a positive impact on the borough's local communities and businesses.
2. Grounded on insights from local stakeholders, partners and GBC Councillors and Officers, the projects put forward in Guildford's Investment Plan and REPF Addendum aligned with the borough's local priorities and intent to leverage collaboration with the Council's partners to maximise value for money.

EX108 ADOPTION OF GUILDFORD BOROUGH LOCAL PLAN: DEVELOPMENT MANAGEMENT POLICIES

The Local Plan: Development Management Policies (hereafter referred to as 'the LPDMP') was the second part of Guildford's Local Plan. If adopted by full Council on 22 March 2023 it would supersede the extant Local Plan 2003 policies and become part of the Council's Development Plan. The LPDMP provided the more detailed policies to be used by Development Management in the determination of planning applications. The Lead Council for Finance and Planning Policy introduced the report.

The intention of the policies was to provide the Council with the tools to secure good development across the borough covering a wide range of environmental, design, heritage and infrastructure matters. The policies would provide robust testing through the application process to obtain sustainable and attractive development. The policies would provide guidance to applicants for what the Council would like to see coming forward or reasons for refusal if applications did not meet the standards. The existing policies were nearly 20 years old and no longer fit for purpose.

The Executive noted the extensive consultation undertaken for the Regulation 18 and 19 process during the previous two years. Much work had been undertaken by councillors and officers to reach the point of submission to the Government appointed Planning Inspectorate in the summer of 2022. A series of public hearings had been held with the inspector arriving at a number of recommendations for the Council concerning both minor and main modifications. The main modifications were subject to further public consultation concluding in early February 2023. The inspectors final report was received at the end of February and was published and circulated to all councillors. The final report found the Council's policies sound, subject to the main modifications being implemented.

The main modification for biodiversity net gain was highlighted to the Executive. The Council's draft policy set out a requirement for 20% across all developments. However, even if adopted by the Council, this could not be implemented until the Government policy of 10% was adopted. It was anticipated that would be in November 2023.

The draft policies were described by the Deputy Leader of the Council as robust having been through strenuous testing by officers, councillors and the public consultation process. It was acknowledged that not every suggestion submitted could have been included in the final drafts but that all suggestions had been considered through the consultation processes. The policies were commended to the Executive to recommend to full Council.

The Executive was also asked to consider and adopt a new Parking Policy Supplementary Planning Document (SPD). Whilst Policy ID10 did consider parking standards, it was considered preferable to retain a separate SPD which could be easily updated and was consequently more flexible and responsive. This had been approved by the inspector who required no main modifications to ID10 and had agreed to the split of guidance and policy. The adoption of the SPD was a matter for the Executive but that adoption remained dependent upon the overall adoption of the LPDMP by full Council because of the link of the guidance to the policy.

The LPDMP and the SPD were welcomed by the Executive, including the split in guidance and policy with regard to parking. It was noted that the biodiversity 20% net gain had been included in the Council's Climate Change SPD which had been previously adopted. Although this was guidance and not policy the Council had been able to signpost its preferences in this matter. It was reported that developers had taken notice and responded positively within planning applications.

The report would be considered by full Council on Wednesday 22 March 2023.
The Executive,

RESOLVED:

1. That subject to the adoption of the Local Plan: Development Management Policies, the Parking Standards for New Development Supplementary Planning Document (SPD) (at Appendix 6) be adopted.
2. That the Lead Councillor with portfolio responsibility for Planning Policy be authorised, in consultation with the Joint Strategic Director of Place, to make such minor alterations to improve the clarity of the Parking Standards for New Development SPD as they may deem necessary.
3. To note that Executive comments will be passed to the full Council meeting on 22 March 2023 via the Order Paper.

Recommendation to Council:

- (1) That the Local Plan: Development Management Policies (Appendix 4), which incorporates the Inspector's Main Modifications (at Appendix 2 to this report) and the Council's Minor Modifications (at Appendix 3 to this report), be adopted.
- (2) That the Secretary of State be requested to exercise his powers to revoke the 'residual' policies of the 2003 Local Plan.
- (3) That updates to the Guildford Borough Policies Map be adopted in line with the Local Plan: Development Management Policies including additions proposed at Appendix A of the Local Plan: Development Management Policies, as amended by the Inspector's main modification 6.
- (4) That the Lead Councillor with portfolio responsibility for Planning Policy be authorised, in consultation with the Joint Strategic Director of Place, to make such minor alterations to improve the clarity of the LPDMP as they may deem necessary.

Reason(s):

1. To enable the adoption of the Parking Standards for New Development SPD to provide further guidance regarding the implementation of LPDMP Policy ID11 [now Policy ID10]: Parking Standards for New Development.
2. To enable minor alterations to be made to the SPD should they be necessary prior to publication
3. To enable the adoption of the LPDMP in line with the Council's Local Development Scheme and for the plan to become part of the Council's development plan, carrying full weight in the determination of planning applications.

- 4. To enable the revocation of the 'residual' Local Plan 2003 policies that are not superseded by policies contained in the LPDMP.
- 5. To ensure that changes are brought about to the policies map in line with the adoption of the LPDMP.
- 6. To enable minor alterations to be made to the LPDMP should they be necessary prior to publication.

The meeting finished at 7.32 pm

Signed

Date

Chairman

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Recommendations to the Executive from the Overview and Scrutiny Committee

Document Purpose

The intention of this document is to collate and track progress of all recommendations made by the Overview and Scrutiny Committee to the Executive throughout the year, and to log the Executive decisions on the submitted matters. The Executive's agreed response to the recommendations will be fed back to the Overview and Scrutiny Committee, and relevant officers.

Explanatory note:

Progress Status: This column indicates individual progress status for each recommendation and will present one of three options:

- Awaiting Executive Consideration
- Accepted or Approved by the Executive
- Rejected by the Executive

Suggested Response to Recommendation and Reasons: This column indicates what action, if any, the Executive proposes to take or may already have been taken in response to the recommendation and the reasons) for the action, or no action.

Approved Recommendations:

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
2 March 2021 Reference OS63	Guildford Crematorium Redevelopment	That the Executive be requested to ensure that:	22 March 2022	Executive approved suggested response.	The Future Guildford Programme implemented the Council's transformation plan.	Abi Lewis/ Directors

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
	Post Project Review	<p>1.Council projects are accurately scoped and well-defined at the outset and any extension of scope is assessed carefully.</p> <p>2.Council projects go beyond legal minimum standards and aspire to be the best possible.</p> <p>3.Senior officers be held accountable for ensuring that resources in place for projects are adequate.</p>			<p>As part of Phase A of the Programme, a new Project and Performance Management (PPM) Governance team was established in 2020 which has undertaken extensive work to implement a new PPM Governance Framework to improve the delivery of all GBC projects and programmes to achieve the strategic objectives set out in the Corporate and Local Plans. Now an Enterprise Portfolio Structure has been defined, work is underway to rationalise boards and clarify decision-making.</p> <p>The following specific processes implemented help to ensure the right project controls are in place from the outset:</p> <ul style="list-style-type: none"> • A start-up process to control the number of projects initiated • A mandate being developed for each project for consideration by service leaders and Councillors helping to develop a common understanding of 	

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
					<p>objectives and anticipated outcomes of projects.</p> <ul style="list-style-type: none"> • The Business Case, developed from the Strategic, through the Outline Business Case and confirmed at Full Business Case is a clear statement of scope and baselines and a robust rationale for proceeding with the project. • Progress through the stages is controlled by gates, these are managed by the Corporate Governance Team. <p>The project mandate will provide a broad definition of a project’s objectives, scope, constraints, benefits, risks and costs – which are further defined in the development of the business case. Aspirations to exceed minimum standards tends to come at the cost of time and money. The business case should recommend the option that provides best social value or best value for money and responds to any statutory requirements.</p>	

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
					<p>The new PPM Governance Framework provides the opportunity for officers across the organisation to review project mandates and business cases, and to consider the potential impact of the proposals on their service area. This includes consideration of whether the project is achievable within the existing resources (financial and staffing) and whether mitigation is required to deliver the preferred option successfully. This might include highlighting a need to recruit to fill a specialist skillset that is necessary for the project and the required budget to enable this. The internal project governance structures ensure officers provide regular updates on the status of projects and provide the opportunity for risks and issues to be escalated to senior decision makers as necessary. An Enterprise Portfolio Board is being considered to ensure that resource constraints are understood across all GBC service areas before a project is initiated.</p>	

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9 November 2021 reference OS46	Guildford Crematorium Air Quality Audit	<p>That the following recommendations within section 3 of the SLR audit at Appendix 1 of the report submitted to the O&S Committee be endorsed:</p> <ul style="list-style-type: none"> • That measures or procedures are reviewed and where necessary improved, to allow Regulatory Services to satisfy themselves that work undertaken on their behalf has been undertaken in a comprehensive and technically robust manner, such as: • requiring evidence of the audit procedure, and documented audit trail; and 	22 March 2022	Executive approved suggested response.	<p>GBC's current Standard Selection Questionnaire (SSQ) - used at the outset of a procurement process to determine compliance of a potential supplier with any mandatory requirements - does not request confirmation of statutory or regulatory certification.</p> <p>However, the subsequent technical evaluation process is tailored according to the specifics of the project and the scope of services being procured. Where appropriate, confirmation and evidence of accreditation will be requested and evaluated. If works are procured via a framework e.g. construction works, the contractors are subject to significant scrutiny and vetting before being accepted onto the framework. If a project is particularly complex or technical, the Council will need to consider what specialist resource is needed to support the drafting of technical evaluation criteria</p>	Abi Lewis/ Directors

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
		<ul style="list-style-type: none"> requiring contractors to have a quality assurance system certified to a recognised standard (e.g., ISO 9001). 			<p>and the evaluation of tender responses. This would be established at the mandate stage.</p> <p>The Corporate Procurement Board acts as a gateway for projects that are above a certain financial threshold, or constitute high risk or sensitivity, providing further scrutiny over the most appropriate route to engage a supplier.</p> <p>The new project management and governance toolset, Verto, has the functionality to capture decisions made to ensure that there is an audit trail throughout the project lifecycle.</p>	
9 November 2021 reference OS47	Update on Project & Programme Management Governance	<ul style="list-style-type: none"> That the Executive be requested to ensure that in relation to the closure and evaluation stages of Council projects the author of both the lessons learned report 	22 March 2022	Executive approved suggested response.	The Council's implemented PPM Governance Framework outlines the project lifecycle and approval gates that projects will ensure all lifecycle stages are undertaken for all projects, including closure, evaluation and lessons learned.	Abi Lewis/ Directors

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
		<p>and the post-project evaluation be someone unconnected to the project.</p> <ul style="list-style-type: none"> • That further training and information on the Council's project and programme management be organised for Councillors. 			<p>Going forward the governance team can provide independent review at project closure stage and report to the Enterprise Portfolio Board if that is established.</p> <p>A series of formal training sessions explaining the reasons for mandates and business cases was delivered in November 2020 to introduce the new PPM governance arrangements. Follow up sessions relating to improving their understanding of programme and project governance in order to streamline governance and improve reporting were held for Councillors in December 2021. These sessions outlined the work done on the development of the governance structure and provided a demonstration of the reporting deck that is presented at Major Projects Portfolio Board. Ongoing training is being provided to induct new</p>	

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					Councillors and keep all Councillors up to date with developments.	
17 January 2023 OS43	Stray Dog Service	A member of the Committee suggested the merit of Councillor oversight or involvement in the contract preparation process, including consultation about the specification of the contract when it was re-tendered, and ensuring Councillors had a clear understanding of the contract management process and elements of the procurement process, together with information on the costs paid by the Council for the current service. The Chairman expressed support for these sentiments and	26 January 2023	Executive approved suggested response.	<ol style="list-style-type: none"> 1. That the Executive be requested to ensure Councillor involvement in the processes for the procurement, contract preparation, and contract management of the stray dog service. 2. That the Lead Councillor for Environment and Regulatory Services ensure details of the cost and fees paid to Dogbusters for provision of the stray dog service be provided to Overview and Scrutiny Committee members. <p>To provide oversight of the service.</p>	Mike Smith

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
		<p>suggested to the Lead Councillor for Environment and Regulatory Services the value in a consultation with councillors with a view to improving the specification of the next contract when put out to tender. In response, the Lead Councillor for Environment and Regulatory Services indicated his support for input from Councillors</p>				

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Guildford Borough Council

Report to: Executive

Date: 22 June 2023

Ward(s) affected: Castle

Report of Director: Joint Strategic Director - Place

Author: Mark Appleton – Asset & Property Manager

Tel: 01483 444364

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Lead Councillor responsible: Richard Lucas

Tel: 07834 020422

Email: Richard.Lucas@guildford.gov.uk

Report Status: Open

Granting a lease at less than best consideration to Yvonne Arnaud Management Limited at Old Town Mill

1. Executive Summary

- 1.1. The Council wishes to grant a new lease to the Yvonne Arnaud Management (YAM) whose financial accounts have been reviewed and their level of affordability exceeds the maximum discount of the estimated annual market rental value that can be approved under officer delegation. Officers are therefore seeking approval from the Executive to grant a new lease to YAM for a term of 5 years at less than best consideration.

2. Recommendation to Executive

- 2.1. That the Executive approves the grant of a new 5-year lease at less than best consideration to Yvonne Arnaud Management at Old Town Mill.

3. Reason(s) for Recommendation:

- 3.1. To support Yvonne Arnaud Management Limited.

4. Exemption from publication

- 4.1. None.

5. Purpose of Report

- 5.1. To seek approval from the Executive to grant a new lease for a term of 5 years at less than best consideration to Yvonne Arnaud Management Limited (YAM).

6. Strategic Priorities

- 6.1. In addition to the theatre offering, the studio space within the Old Town Mill supports the Creative Learning Programme which supports disenfranchised and low social economic groups across the borough. The Programme provides targeted activities that specifically engage with those who have limited opportunities to access the Arts. This includes families, children and young people who have a low household income or low socio-economic status; young carers; the unemployed; and adults who may be at risk of harm or social isolation. YAM prioritise groups from the Bellfields & Slyfield and Westborough wards.
- 6.2. Further to theatre performances and their Creative Learning Programme, YAM supports local artist communities. The studio space has accommodated Guildford Arts Summer Exhibition, The Man In the Moon Youth Theatre, Stop Gap Dance, Rare Youth Theatre Productions, and YMCA 'Downslink' drama group.
- 6.3. If the Council were to grant a lease to YAM, they would be able to continue their cultural and social activities which seek to help vulnerable residents and tackle inequality in Guildford's communities thereby directly supporting the Council's strategic priorities. YAM has

provided additional information appended to this report which sets out the charity's community initiatives and activities.

7. Background

- 7.1. YAM previously benefitted from a 50% subsidy of the annual market rental value, paying a rent of £22,750 per annum under the former lease which expired in December 2022. The tenant has since been in occupation of the subject property under a Tenancy at Will whilst terms for a new lease are agreed. From a legal perspective, the tenant cannot remain in occupation of the property indefinitely on the current Tenancy at Will and would therefore need to either enter a new lease at an agreed rent or vacate the premises.
- 7.2. The Council recently obtained an independent valuation of the Old Town Mill which indicated an estimated market rental value of £65,000 per annum. YAM's previous three years' audited accounts were reviewed together with their business plan and forecast projections which indicate a maximum affordability of £22,750 per annum which remains unchanged since the Council granted the previous lease in 2012. The Council began a phased reduction in grant funding from 2021/22 to 2024/25 and despite efforts to restructure their finances, YAM has been unable to absorb the shortfall due to an increase in costs to operate the building and the lasting impact of Covid-19 on the Performing Arts sector.
- 7.3. As per the terms of the Council's Less Than Best Consideration policy approved by the Executive on 21 January 2020, the Executive is required to approve the terms for a proposed lease where the undervalue (the difference between the market value and the proposed transaction, which includes a calculation of the forgone rent) of the lease is greater than £30,000, or the lease term is greater than 15 years. In this case, the undervalue for the proposed new lease equates to £208,650 over a term of 5 years and a foregone rent of £42,250 per annum. Officers are therefore seeking approval from the Executive to grant a lease to YAM at less than best consideration.

- 7.4. The property currently falls under use class E and has the potential to be redeveloped for alternative uses such as restaurant, hotel, office, or retail where the Council could charge a market rent to an incoming tenant. However, the property is Grade II Listed which will affect the financial viability to convert it and the Council's ability to let it to a commercial occupier. Officers recommend that the Executive grants a new lease to YAM for a term of 5 years to allow the Council time to undertake a detailed options appraisal of the building. This will enable officers to understand whether the building would be suitable for conversion. This will also take YAM's occupation beyond completion of the adjacent redevelopment site, following which, the opportunity to relet the building will be more achievable.

8. Consultations

- 8.1. Consultation will take place with the Lead Councillor and the Ward Councillors will be notified.

9. Key Risks

- 9.1. If the Executive does not approve the grant of a new lease to YAM at less than best consideration, and instead wishes to charge a full market rent, YAM cannot afford £65,000 per annum and would need to vacate the property. The tenant has occupied the property for many years and uses it for theatre performances, office space, storage, workshops, and dressing areas. The loss of the property would have a considerable operational impact on the tenant as the contents would need to be housed elsewhere, without anywhere suitable to relocate them at short notice, which may in turn threaten the viability for them to operate the main theatre.
- 9.2. In the event officers were unable to promptly secure a new tenant and the property was to remain unlet, the Council would incur considerable void costs such as business rates, utility charges and general maintenance until a new tenant was found; these additional revenue costs have not been budgeted for this financial year.

Furthermore, the Council would need to budget significant capital expenditure to prepare the building for reletting.

10. Financial Implications

10.1. If the Executive agrees to grant a lease at a rent of £22,750 per annum, equating to a 65% subsidy of the annual market rent, the opportunity cost to the Council is £208,650 of rental income, over the term of the lease, which equates to £41,730 per annum at today's value. (Values are expressed at today's value meaning that the calculation of value allows for a change in the value of money over time. For example, £42,250 today is not worth the same £42,250 in 5 years' time due to the impact of inflation and interest over the 60-month period). This is calculated below.

10.2. The capital value of the proposed lease at less than best equals the reduced rental income for 5 years plus an assumed market rent from year 5 onwards:

Lease length:	5 years
Market rent:	£65,000 per annum
Rent reduction:	65% for 5 years
Capitalised value (restricted value):	£603,850 at today's value

Compared to the capital value equal to the rental income stream of leasing the property at a market rent into perpetuity:

Lease length:	Perpetuity
Market rent:	£22,750 per annum
Rent reduction:	0%
Capitalised value (unrestricted value):	£812,500 at today's value

The value of forgone income, equivalent to the undervalue:

Unrestricted less Restricted Value £208,650

10.3. The table below illustrates the Council grant to Yvonne Arnaud Management against the rent paid over the last 4 years, as well as the proposed grant for year 24/25.

10.4. The proposed discount will not impact the Assets & Property service

Year	Grant Funding	Rent Paid
19/20	£310,220	£22,750
20/21	£310,220	£22,750
21/22	£310,220	£22,750
22/23	£273,000	£22,750
23/24	£236,000	£TBC
24/25	£200,000	£TBC

budget because the rental income was not adjusted to account for an increase.

11. Legal Implications

- 11.1. The discounted rent is a subsidy under the Subsidy Control Act 2022 and it is recommended that the subsidy is provided under the Minimal Financial Assistance (MFA) exemption provisions. These provisions allow for an enterprise to receive a subsidy of up to £315,000 over a three-year rolling period. There is no need to make an assessment against the Subsidy Control Principles if this exemption is used, but certain notices need to be given (by both the Council and the tenant), and the Council must document how it decided that MFA applies. As the MFA exceeds £100,000, the award will also need to be published on the subsidy database within three months of confirmation of the award.
- 11.2. The value of the proposed discount on rent is £42,250 per annum for a lease term of 5 years. As the MFA is calculated at the time the agreement is entered into, the total value of the subsidy is 5 years X £42,250 = £211,250.
- 11.3. When determining whether the MFA exemption can be relied upon, all other subsidy/aid received by YAM (from any public authority, not just the Council) must be cumulated to ensure the £315,000 threshold over the three-year rolling period is not exceeded. It is important also to understand whether YAM receive other assistance under a 'no aid' exemption or as subsidy.

- 11.4. Officers have received written confirmation from YAM that they do not currently receive any further grants or funding from any other local authority. They therefore qualify for the MFA exemption, allowing the discounted rent to be granted, subject to the decision by the Executive members.
- 11.5. If approved a formal letter will be sent to YAM notifying them that it is intended that the discounted rent will be provided as MFA and asking them to provide a signed declaration that the £315,000 MFA threshold has not been exceeded. Once the award is made a further letter will then be sent and the award will be published.
- 11.6. Officers are aware that YAM receives a rolling grant from the Council to support its programme of cultural engagement activities for the local community. During 2022/23 and 2023/24 this amounted to £273,000 and £236,500 respectively. YAM is due to receive £200,000 in 2024/25. However, this rolling grant was awarded primarily to support YAM's 'non-economic' activities under its current transformation programme which is directed toward infrastructure and other improvements to help maximise learning and outreach activities, and to use by community groups. The rolling grant award will therefore not count toward the MFA threshold.

12. Human Resource Implications

- 12.1. There are no relevant HR implications.

13. Equality and Diversity Implications

- 13.1. This duty has been considered in the context of this report. Officers advise that YAM cannot continue to lease the premises if the discounted rent is not awarded. This will negatively impact the social and cultural engagement work they currently provide within the local community.

14. Climate Change/Sustainability Implications

- 14.1. There are no relevant climate change/sustainability implications

15. Summary of Options

The Executive has three options:

- 15.1. Terminate the Tenancy at Will with immediate effect. This option does not give YAM sufficient time to vacate the property and find suitable alternative accommodation to relocate the facility. The Council would acquire a financial liability because the loss of rent would impact the revenue budget and the works required to prepare the building for reletting would impact the capital budget.
- 15.2. Propose a lease to YAM at the full market rent of £65,000 per annum. This option exceeds their maximum affordability and restricts their ability to operate the building. As above, the tenant would have to vacate the property and the Council would acquire a financial liability.
- 15.3. Grant a lease to YAM for a term of 5 years at less than best consideration. This option allows the tenant to continue supporting its community activities for the next 5 years and to prepare securing suitable alternative accommodation to relocate the facility. This option also affords the Council time to undertake a detailed options appraisal of the building whilst continuing to receive a rental income and divest of its operating costs.

16. Conclusion

- 16.1. Officers recommend granting a lease to Yvonne Arnaud Management and are seeking approval from the Executive to grant a lease for a term of 5 years at less than best consideration at a rent of £22,750 per annum which equates to a subsidy of 65%, and a discount of £42,250 per annum.

17. Background Papers

None

18. **Appendices**

Appendix 1: Below Market Rent Application Form setting out the charity's community activities and its reasoning to grant a lease at less than best consideration.

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Below Market Rent Application Form

Details of Organisation

Name of Organisation: The Yvonne Arnaud Theatre Ltd

Address of Organisation: Millbrook Guildford Surrey GU1 3UX

Type of Organisation: * Arts and Educational Charity, Limited by Guarantee and Charitable Trust.

Details of Prospective Property: The Old Mill Millbrook Guildford GU1 3UX

Prospective Property to Let: The Old Mill Millbrook Guildford GU1 3UX

Financial Information ** 3 year audited accounts

Other supporting financial information appended

Forecasts for 20-23/2024 for Management and Group to be forwarded.

Company Information

What does your organisation do for the community and how does your organisation involve the community?

The Theatre serves many different communities across Guildford who engage in cultural and social activities. Pre pandemic, our visitors averaged 128,000 people a year, coming to the venue for activities such as creative learning activities, arts workshops, exhibitions, events, public hires and open days as well as seeing productions in our two auditoriums.

In addition to this, our café is open in the daytime throughout the year, offering free Wi-Fi and a welcoming friendly environment for people to meet friends and work colleagues and hold informal meetings.

Families, young children, and their carers make use of our weekly free Pop Up and Play sessions as well as regular holiday activities in the building and garden, the retired and elderly in our community use the foyer for weekly craft activities and meetings and agencies supporting clients with additional needs use our spaces for learning activities such as IT clubs.

In the last 5 years, we have welcomed approximately 2,007 bookers (equating to 14,421 tickets/people) from local layer super output areas (LSOAs) with the highest rates of deprivation and lowest health outcomes in the county.

Using the definitions of Audience Finder (the UK's leading audience profiling service for arts organisations) we can demonstrate that our audience comprises 51.8% elderly/retired people and that 9% of this group are likely to be living on a household income of less than £20,000 per year. Additionally, Audience Finder data shows that, 33% of our audiences are likely to be families.

Groups using the building include:

- Under-fives and their carers for free activities such as Pop-up Play
- Retired people and over the 65's at Knit and Natter
- Surrey businesses through hosting regular Surrey Chamber Commerce lunches
- Socially isolated people for our "Like a Chat" social group led by our volunteers
- Adult learners for language and drama classes
- Young adults with additional needs for IT classes and other activities working in partnership with Halow and Surrey Choices
- Surrey Children's Services/annual get together of Independent Visitors
- Breast feeding mothers

• Recently the building registered as a " Warm Welcome " venue, providing a refuge from the cold for those in need through the daytime.

We have a community of around 100 volunteers who serve as ushers, gardeners and archivists.

We support local artist communities and other arts engagement beyond theatre. In the past year the Mill Studio has accommodated Guildford Arts Summer Exhibition, Man in the Moon Youth Theatre, Stop Gap Dance, Rare Youth Theatre Productions, YMCA 'Downslink' drama group in addition to our programme of theatre performances and Creative Learning Works.

The theatre reaches underrepresented groups in the community by providing targeted programmes and activities that specifically engage those people who have limited access or opportunities to engage with the arts. This includes families, children and young people who have a low household income or low socioeconomic status; young carers; care experienced children and young people and those who are not in employment, education or training (NEET); adults and older members of the community who may be at risk of harm or social isolation.

This programme is led by the Creative Learning team who are situated in the Mill Studio. The Mill Studio space is the main space for the delivery of this programme. It is the only space in the organisation that has accessible toilets attached to the workshop room and has step free access.

In Guildford we have put a priority on working with clients and groups from the wards of Stoke and Westborough as these wards are identified in the IMD as being two of the most deprived wards of Surrey. Over the past year we have engaged through our Creative Learning Programme with the following groups:

Kings College School (serving Stoke LSOA) on-going partnership which includes access to funded tickets, provided 4 summer workshop bursaries to students from low-income families and planning careers day pilot in autumn 2022 for 25 yr10 students.

The Hive Community Centre (serving Stoke and Westborough wards) ongoing partnership begun with panto project in 2021 and continued supporting Park Barn Youth Café arts project in May 2022.

Via Surrey Children's Services, we provide funded (no cost) tickets for Independent Visitors and the looked after child they support to attend performances.

Young carers and their families from Guildford– via Surrey Young Carers and Guildford Action for families. We provided funded (no cost) tickets to 102 young carers and their family members to attend the opening night of the pantomime,

23 bursary (free) places for young carers from low-income families on our spring/ summer holiday workshop programme which takes place in The Mill Studio

Deaf children –We worked with the Lighthouse Unit at Guildford Grove Primary to deliver a funded (no cost) arts project over 10 weeks for KS2 children culminating in Arts Awards for seven pupils.

Unaccompanied-Asylum Seeking Children – via YMCA 'Downslink'. We provided 11 funded (no cost) tickets to attend performances including panto, provided the use of our studio space a dance space and provided work shadowing opportunities. One member of the group (now an adult) has joined the catering team on a part time basis.

Children based at the Pupil Referral Unit at Wey Valley College –

We delivered theatre workshops as part of their summer enrichment programme. Including 11 Students on pupil premium, 75% of the group from Stoke and Westborough 2 were looked after children.

Young adults with additional needs – working with Surrey Choices and Halow, offering funded (no cost) tickets, provided backstage tours and workshops to 30 young adults, launched the 'Theatre Ambassadors Programme' to support volunteers with additional needs and employ two young adults referred to the theatre by Surrey Choices and Halow in the café on a part time basis.

Children on pupil premium and their families across the county – by offering bursary places on our holiday workshops which take place in The Mill Studio. Service Families – We delivered drama activities for 28 children at ATC Pirbright as part of their summer holiday programme.

. - Collaborating with the Guildford YMCA to pilot weekly drama workshops with their resident UASCs in the theatre's Mill Studio to support language learning, confidence, self-esteem and creativity.

Currently working with Gosden House School as our Discover Drama Partner and Farnham Heath school on Youth Cultural Leadership supported by Culture Box. Both these projects are Arts Award Delivery and take place in the Mill Studio.

We support a range of other users with additional needs to participate in activities and attend performances at the venue through access performances and reduced rate tickets. Each year on average: · 1,300 people use our essential companion and carers free tickets · 1,100 people make use of our accessible seats · 360 attend our relaxed performance of panto which is aimed at those with neurodivergent support needs · 900 people access our captioned, audio described or BSL signed performances · 500 people make regular use of our hearing loop system Additionally, in an average year, 16,000 people take up the ticket reductions and initiatives that are in place to enable those from a low social-economic backgrounds or non-traditional attenders to access our work. These include around: · 3,500 HE students/under 25 (not schools) and the unwaged · 6,600 take advantage of half price or heavily discounted tickets · 3,000 senior citizens access reduced price tickets, (not including seniors who pay full price) · 3,350 attends as part of a larger social group (not educational groups and excluding panto)

The theatre will continue to work with a larger group of users from Stoke, Guildford 007c and Westborough Guildford 0012d that have been identified as high deprivation, or with poor health outcomes. To help us reach beyond our current users, we provide discounted and free tickets throughout the year to the following charities and community groups to distribute to their users: Surrey Choices Guildford Action - for Families, Surrey Children's Services Surrey Action for Carers. The Hive - Stoke and Westborough Royal British Legion NHS and RSC Hospital Pride in Surrey YMCA Guildford 'Downslink' Woking and Sam Beare Hospice Disability Challengers Oakleaf Enterprise Phyllis Tuckwell Hospice

Our programming aims to be inclusive and reflects the diversity of our communities, by including work that sheds a light on discrimination and gives a voice to those overlooked by society.

How does your organisation's aims support the Council's strategic priorities?

- Leisure and cultural activities in walking distance of residents

The theatre provides leisure and cultural activities within walking distance for residents.

The theatre's attendance across both spaces averages 128000 a year. The Mill Studio Programme focuses on work for families and young children and their carers' and work for marginalised and vulnerable voices, it has recently presented about young carers, domestic violence and body image, as well as work by LGBTQ+ artists and for example.

The theatres foyer spaces, provide a refuge for numerous community groups including mums and toddlers' groups, adult learners, and those with special needs.

The Creative Learning Programme, housed in the Mill Studio delivers creative engagement projects to

families, children and young people who have a low household income or low socioeconomic status; young carers; care experienced children and young people and those who are not in employment, education or training (NEET); adults and older members of the community who may be at risk of harm or social isolation.

- Create the economic and social activity essential for supporting our High Street.

The theatre provides social and economic activity that supports the High Street by placemaking and being a destination venue as well as contributing to Guildford's night time economy. The presence of the theatre in the town contributes to the economic success of high street businesses and additional revenue for GBC. Additional economic spend - 87% of our audience would not have come to Guildford if they had not been coming to the theatre. (80% of 130,000 = 113,110 visitors). Those people pay for parking, shop before the theatre, and patronise restaurants and bars in town during their visit to the theatre. Based on conservative research undertaken during the pandemic, over 40% of our audience spend an additional £28 per head locally on every visit directly contributing £1.5 million to local hospitality and commerce.

- Tackle inequalities in Guildford's communities and support vulnerable residents.

The Creative Learning programme of activities, based in the Mill Studio, works with disenfranchised and low social economic groups across the borough and directly supports the Council priority to tackle inequalities in Guildford's communities and support vulnerable residents. We support a range of other users with additional needs to participate in activities and attend performances at the venue through access performances and reduced rate tickets. Each year on average: · 1,300 people use our essential companion and carers free tickets · 1,100 people make use of our accessible seats · 360 attend our relaxed performance of panto which is aimed at those with neurodivergent support needs · 900 people access our captioned, audio described or BSL signed performances · 500 people make regular use of our hearing loop system Additionally, in an average year, 16,000 people take up the ticket reductions and initiatives that are in place to enable those from a low social-economic backgrounds or non-traditional attenders to access our work. These include around: · 3,500 HE students/under 25 (not schools) and the unwaged · 6,600 take advantage of half price or heavily discounted tickets · 3,000 senior citizens access reduced price tickets, (not including seniors who pay full price) · 3,350 attends as part of a larger social group (not educational groups and excluding panto)

The theatre will continue to work with a larger group of users from Stoke, Guildford 007c and Westborough Guildford 0012d that have been identified as high deprivation, or with poor health outcomes. In the last 5 years, we have welcomed approximately 2,007 bookers (equating to 14,421 tickets) from local

layer super output areas (LSOAs) with the highest rates of deprivation and lowest health outcomes in the county. To help us reach beyond our current users, we provide discounted and free tickets throughout the year to the following charities and community groups to distribute to their users: Surrey Choices Guildford Action - for Families, Surrey Children's Services Surrey Action for Carers. The Hive - Stoke and Westborough Royal British Legion NHS and RSC Hospital Pride in Surrey YMCA Guildford 'Downslink' Woking and Sam Beare Hospice Disability Challengers Oakleaf Enterprise Phyllis Tuckwell Hospice Our programming aims to be inclusive and reflects the diversity of our communities, by including work that sheds a light on discrimination and gives a voice to those overlooked by society.

To what degree is your organisation self-sustaining?

The theatre is forecasting a deficit position at the year-end 2023 of -£486k and at the year-end 2024 of -£403k for Management and a group deficit of- £329k.

We anticipate it will be 2025 before audiences have rebuild its audience post pandemic and to return Management to a break even position.

Would you organisation survive without a reduced rent?

The proposed increase in rent would increase the deficit in Management and impede the organisation's financial recovery.

Does your organisation receive other Council funding or financial support?

Grant of £ 236k in 2023/24 reducing to £200k in 2024/25

Does your organisation receive any other external funding?

No.

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Guildford Borough Council

Report to: Executive

Date: 22 June 2023

Ward(s) affected: Castle and Tillingbourne

Report of Director: Community Wellbeing

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Report Status: Open

Tyting Farm SANG habitat bank and changes to scheme of delegation to enable delivery of future habitat banks

1. Executive Summary

- 1.1 Biodiversity Net Gain (BNG) refers to a requirement for developers to ensure that total biodiversity value will be higher following the development than at the outset. BNG is currently a planning requirement for new development due to national and local policy. The Environment Act 2021 and the new Local Plan: Development Management Policies (LPDMP) will set minimum BNG levels for new development of 10% and 20% respectively from November 2023 (major development) and April 2024 (minor development). Developments that are unable to achieve the minimum BNG through bespoke works on or off site will need to purchase biodiversity

credits from habitat banks: areas of land where habitat value has been increased for the express purpose of providing credits.

- 1.2 As a significant landowner, the Council has an opportunity to provide habitat banks funded through the sale of biodiversity credits to developers (and potentially others). Benefits include:
 - helping the Council meet existing and new biodiversity duties set by legislation,
 - significant uplift to the quality of Council owned land,
 - environmental improvements with associated social (e.g. recreation and amenity) and economic (e.g. natural capital) benefits,
 - retention of the benefits of BNG within the borough,
 - avoid costs that impact on delivery of other planning benefits,
 - support for the climate change agenda, and
 - support for the delivery of the LPDMP.
- 1.3 A pilot habitat bank project is proposed on the Council owned Tyting Farm Suitable Alternative Natural Greenspace (SANG). The proposed habitat works would deliver significant biodiversity improvements over and above the proposed SANG works while enhancing the SANG function by making the site more attractive. It would not be necessary to sacrifice any existing or proposed uses so would not result in an opportunity cost. The costs of delivery will be recouped through the sale of biodiversity credits with a potential for profit. The perpetual nature of SANG will mean the habitat improvements are more likely to endure than if hosted on other land. The proposal will therefore deliver a wide range of benefits at zero cost or generate an income (to be set out through a detailed business case once the principle is agreed).
- 1.4 Other Council owned land could be suitable to host habitat banks on the same basis and it is proposed that this should be explored, and further habitat banks brought forward where appropriate and when there is demand.
- 1.5 The Council is not obliged to provide habitat banks and 'do nothing' remains an option. However, in the event that no habitat banks come

forward within the borough, BNG funding would be lost to other providers, potentially in other parts of the country.

2. Recommendation to Executive

That the Executive approves:

- 2.1. The creation of a habitat bank on Tyting Farm Suitable Alternative Natural Greenspace (SANG).
- 2.2. delegated authority to the Joint Executive Head of Environmental Services, in consultation with the Lead Councillor for Environment and relevant ward councillors, to deliver, manage, and operate habitat banks on appropriate council owned land.

3. Reason(s) for Recommendation:

- 3.1. The proposed pilot habitat bank at Tyting Farm SANG will deliver tangible and significant environmental improvements that would not be delivered without the proposal. The project will be cost neutral or provide an income for the Council so can be considered a 'win-win' option.
- 3.2. The provision of habitat banks on Council land will generally provide strong environmental benefits, with wider direct and indirect social and economic benefits, and direct benefits for the Council.
- 3.3. Habitat banks will emerge regardless of Council action but by taking a leading position now the Council can ensure that the public good from BNG is maximised and that other planning benefits are not jeopardised by unreasonably high costs levied by private habitat banks seeking maximum profits.
- 3.4. The proposed pilot habitat bank at Tyting Farm SANG is considered a low-risk option as it would be cost neutral at worst, result in no opportunity cost, entail limited and manageable risks, and would enhance the existing SANG function.

4. Exemption from publication

No.

5. Purpose of Report

- 5.1. To inform Councillors about the emerging Biodiversity Net Gain (BNG) planning obligation and new duties stemming from the Environment Act and to ask the Executive to:
- approve the creation of a habitat bank on Tyting Farm Suitable Alternative Natural Greenspace (SANG), and
 - approve changes the scheme of delegation to authorise the Joint Executive Head of Environmental Services to deliver, manage and operate habitat banks on appropriate Council owned land in consultation with the Lead Councillor for Environment.

6. Strategic Priorities

- 6.1. The creation of habitat banks will deliver significant direct environmental and social benefits while enabling new developments to conform with Local Plan policy and thereby receive planning permission. As a result, the proposal will support the strategic framework vision of “A green, thriving town and villages where people have the homes they need...”.
- 6.2. The creation of habitat banks will directly contribute to delivering the strategic priority to “Make every effort to protect and enhance our biodiversity and natural environment.”
- 6.3. By enabling development to proceed (see ‘Background’ below), habitat banks will also deliver the following strategic priorities:
- revive Guildford town centre to unlock its full potential,
 - provide and facilitate housing that people can afford,
 - create employment opportunities through regeneration, and
 - support high quality development of strategic sites.

7. Background

Biodiversity Net Gain and the need for habitat banks

- 7.1. The National Planning Policy Framework requires new developments to achieve an unspecified level of BNG. The adopted Local Plan strategy and sites includes Policy ID4: Green and Blue Infrastructure

- which requires new development to aim to achieve BNG where appropriate.
- 7.2. The Environment Act 2021 introduces a legal obligation for most major and minor developments (but not household developments) to achieve a BNG of at least 10% (i.e. total post development biodiversity value is at least 10% higher than the pre-development value). The implementation date for this legal requirement is subject to forthcoming regulations, but it is anticipated to be in November 2023 for major development and April 2024 for minor development.
 - 7.3. Under the national approach, BNG will be measured through Defra's Biodiversity Metric which assigns a biodiversity value to a site, expressed as a number of biodiversity 'units', based on the size, distinctiveness, location and condition of habitats.
 - 7.4. The Environment Act allows BNG to be achieved through the provision of new habitat and/or improvement of existing habitats on-site. National and local policy requires developers to apply the mitigation hierarchy and prioritise avoidance of loss in the first instance and then improve biodiversity on-site as far as possible in pursuit of the required gain.
 - 7.5. Where the full gain cannot be achieved on-site, the Environment Act and national methodology allow the use of off-site measures. Biodiversity offsetting is now, therefore, a feature of the statutory planning system.
 - 7.6. The Council has recently adopted the LPDMP which includes a requirement for qualifying developments to achieve a minimum 20% BNG. The Local Plan Inspector amended the policy so that the requirement will commence at the same time as the national 10% requirement. As a result, qualifying developments in the borough will need to achieve a BNG of at least 20% from the national commencement dates.
 - 7.7. Off-site measures may be undertaken by the developer through bespoke works on land it controls but may also take the form of biodiversity units purchased from a habitat bank, referred to as biodiversity 'credits'. National and local evidence shows that many

developments will need offsite biodiversity units and it is likely that in many cases this will involve the purchase of credits.

- 7.8. While officers are aware that a number of landowners and other bodies are looking into providing habitat banks, none are currently available in Guildford borough or in surrounding boroughs. The Council has already received a number of enquiries from developers of sites within and outside the borough seeking to obtain biodiversity credits.
- 7.9. Habitat banks do not need to be in the same borough as the developments they provide credits for. However, officers are of the view that locating habitat banks in the borough could provide a significant benefit to the public good and to the Council through general improvements to the borough's natural environment which help to meet new legal obligations, and the uplift in quality of council-owned land. Consequently, it would not be desirable for developments in Guildford borough to meet BNG requirements by financing habitat banks outside the borough.
- 7.10. Habitat banks can be provided on any land without sacrificing the existing use as long as the existing use is compatible (e.g. there would be no conflict between an existing recreation use and proposed habitat works). Additionally, the BNG works must be truly additional to works delivered under other habitat obligations – forthcoming regulations are expected to clarify this point.
- 7.11. All BNG habitats must be secured for 30 years. The Environment Act 2021 provides a legal mechanism for securing the habitats (Conservation Covenants) and Natural England will operate a mandatory and statutory national register of habitat banks.
- 7.12. The national BNG methodology includes a number of 'trading rules' whereby habitats that are lost or impoverished by a development can only be 'traded' for the same type of habitats or habitats of a higher value. Therefore, it is beneficial to have multiple habitat banks that provide credits across a range of habitat types.

Council owned habitat banks

- 7.13. As a significant landowner that controls and manages a large number of open spaces, the Council is very well placed to become a habitat bank provider. The Council's open spaces are already in active management so provision of compatible habitat bank works is likely to be cost effective because some of the existing management practices, and potentially some of the capital works (such as fencing, dog bins and interpretation boards), may be shared. However, it is important to note that habitat bank works must be additional to other obligations.
- 7.14. Officers recommend the Council seeks to bring forward appropriate habitat banks on land where habitat works will be compatible with the primary use. The reasons for this recommendation are:
- the potential for significant improvement/uplift in quality of council owned land,
 - tangible and significant environmental benefits due to biodiversity restoration,
 - direct public social benefit resulting from improvements in the quality of open spaces (i.e. through improved recreation opportunities and associated health outcomes),
 - indirect economic benefits as a result of strengthened environmental services and growth in natural capital,
 - by appropriately locating habitat banks, the Council can ensure they are coordinated with the biodiversity restoration strategy for Surrey (the Biodiversity Opportunity Areas, the emerging Local Nature Recovery Strategy and other strategies),
 - the Council is subject to a number of legal and policy requirements covering nature recovery – habitat banks can play a significant role in meeting these,
 - by providing an alternative option, a situation where a private provider corners the market in biodiversity credits and sets the cost at a level that impacts delivery of planning benefits, or renders some development unviable, will be avoided,
 - the habitat banks will be fully funded through the sale of credits so will not result in a burden on Council finances, and

- there is potential to generate an income over and above the costs of delivery and maintenance (a matter for the forthcoming business case).

Suitable Alternative Natural Greenspaces (SANGs)

- 7.15. New homes built within 5km of the Thames Basin Heaths Special Protection Area (the 'SPA') are considered to increase recreational pressure on the SPA and consequently have adverse impacts on the populations of its three resident protected bird species. Under the Conservation of Habitats and Species Regulations 2017, adverse impacts must be avoided. An avoidance (mitigation) approach has been established that centres around visitor management and habitat measures on the SPA and the provision of SANGs outside the SPA to divert potential SPA visitors. SANGs must have an attractive, semi-natural character in order to function as an effective alternative to the SPA.
- 7.16. SANG land can be particularly suitable for hosting habitat banks. SANG land is already locked away in a largely compatible use in perpetuity and therefore will not entail an opportunity cost if land is also used for BNG. The longevity of SANGs also means that the new habitats are more likely to endure. Additionally, the provision of appropriate BNG habitats will make the SANGs more attractive, improving their effectiveness in diverting visitors from the SPA. Many SANGs are well located to support the Surrey Biodiversity Opportunity Areas ('BOAs') and emerging statutory Local Nature Recovery Strategies.
- 7.17. At the LPDMP examination, it was necessary to demonstrate that the BNG policy it contains was deliverable by showing that viable habitat banks would be delivered in time for when the policy commences. Planning and parks officers developed a proposal for a pilot habitat bank on the Council's SANG at Tyting Farm (see Appendix 1).
- 7.18. The Council's development at Weyside Urban Village (WUV) is accompanied by a new SANG and habitat bank at Burpham Court Farm. It is expected that this habitat bank will provide excess biodiversity units (over and above the units required by WUV) which can be made available as credits to other developments.

Tyting Farm SANG habitat bank

- 7.19. Officers recommend approval of the proposed pilot habitat bank at Tyting Farm. The proposal would deliver the benefits mentioned previously, and additionally would provide direct community benefits through the creation of an orchard.
- 7.20. The habitat bank works set out in the proposal are additional to the SANG works and represent a demonstrable, tangible and significant biodiversity gain over and above the works set out in the SANG management plan. However, the two sets of works are complementary. This approach accords with Natural England's SANG guidelines which prohibits the double counting of SANG and BNG works.
- 7.21. As a large site located within a BOA, the SANG is a good BNG site as it accords with the objectives of 'bigger, better and more connected ecological networks'.¹
- 7.22. The proposed habitat bank would be created through:
- creation of new hedgerows,
 - improvement to areas of grassland,
 - enhancement of existing woodland and new woodland planting,
 - creation of an orchard,
 - enhancement of existing ponds, and
 - management of bracken and invasive species.
- 7.23. The habitat bank is expected to improve the biodiversity value of Tyting Farm by around 170 biodiversity units. Each newly created unit can be provided as a biodiversity credit.
- 7.24. Developments will have varying needs for credits. The evidence produced for the LPDMP examination suggests that most brownfield sites will achieve the full BNG onsite and will not need credits. The exceptions to this are brownfield sites that have been left undisturbed to develop a high baseline value, likely to be uncommon

¹ Established through the 'Lawton Review' available at <https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today>

in Guildford Borough due to high development pressure. Strategic sites that provide bespoke SANGs are also unlikely to require offsite credits due to the opportunity for biodiversity enhancement on the SANG but may have a limited requirement if the SANG habitats are difficult to enhance. Some greenfield sites will be able to provide the full 20% BNG on-site but most will not.

- 7.25. Based on the above, most of the need for biodiversity credits is likely to come from non-strategic greenfield sites, and there is likely to be a large variation within this development type.
- 7.26. The customers for the Tyting Farm habitat bank would primarily be those bringing forward developments within the borough of Guildford but may also include development in other boroughs and potentially nationally. Environmental offsetting is already an established industry and customers could potentially also be found outside the development industry and possibly internationally.
- 7.27. As a rough estimate, the Tyting Farm habitat bank would be expected to provide enough biodiversity credits to support development in the Local Plan for the next five to ten years. However, this does not take account of demand for credits arising from outside the borough.
- 7.28. The financial arrangements for the habitat bank, including the sale of credits, will be established through a detailed business case once the project is agreed in principle by the Executive.

Proposal to delegate authority to the Joint Executive Head of Environmental Services

- 7.29. To facilitate delivery of habitat banks, officers propose an amendment to the scheme of delegation to authorise the Joint Executive Head of Environmental Services to deliver, manage and operate habitat banks on appropriate council owned land in consultation with the lead councillor for Environment and relevant ward councillors. This will reduce the administrative burden associated with developing proposals and delivering further habitat banks. As a nimbler process, this will help ensure that the supply of BNG credits is maintained at an appropriate level with regard to demand.

- 7.30. The delivery of BNG habitat banks aligns closely with the work currently undertaken by the Parks and Countryside team when carrying out their existing duties for managing open spaces and other Council land. Parks and Countryside officers are part of Environmental Services.

8. Consultations

- 8.1. An internal consultation on the proposals set out in this report was undertaken in November 2022. The consultation included service heads, the Directors of Place and Community Wellbeing, and the Lead Councillor for Finance and Planning Policy, and the proposals were then discussed at Corporate Management Board with support for the proposals offered subject to consultation with ward councillors. The Lead Councillors for Planning and Environment were consulted on the text of this report in February 2023 and agreed with the proposals. The ward councillors for the former Holy Trinity and Tillingbourne wards were consulted on the proposal for the Tyting Farm Habitat Bank in January 2023. Following the change in administration after the May 2023 election, the current Executive was consulted informally on the proposals.
- 8.2. Prior to this, in November 2021, a briefing note was circulated to Councillors to inform them about the (then) emerging BNG planning requirements and to advise them that a landowner was considering a pilot habitat bank on a privately owned SANG (this proposal has now apparently stalled). The note recommended that the principle of BNG on SANGs should be supported. No objections were received.
- 8.3. The Tyting Farm Habitat Bank proposal was published as part of the LPDMP examination process in October 2022 and was then part of a targeted consultation undertaken by the Local Plan Inspector regarding the evidence supporting the BNG policy.

9. Key Risks

- 9.1. There is a risk that funds are spent on habitat bank works but demand for the credits does not arise or is lower than expected. This risk can be minimised by phasing the delivery of habitat banks, and/or works within habitat banks, to ensure the supply of credits is

aligned with demand. Assuming that BNG is now a permanent feature of the planning system, the risk that habitat bank credits will remain unused over the long term appears low.

- 9.2. The national methodology allows for an approach whereby credits can be provided before works are undertaken. This would remove any residual risk of credits remaining unsold, but under the national approach would reduce the value of the credits.
- 9.3. BNG credits are not required to be located within the same borough as the corresponding development (though the forthcoming BNG regulations may set rules around distance). As long as habitat banks are located in the same BOA or National Character Area ('NCA'), the biodiversity units carry their full value when used as credits. Beyond this range, the national methodology considers habitat credits less valuable, meaning developments must purchase more credits to provide the same gain. BOAs and NCAs cover large areas: some NCAs covering Guildford extend as far as Rochester and Newbury. As a result, if habitat banks are not delivered in Guildford borough, development within the borough may finance habitat improvements in other boroughs, potentially a long distance away. Conversely, becoming an early provider of credits could result in development in other boroughs financing environmental improvements in Guildford borough.
- 9.4. Local Authorities across England are currently preparing to implement the minimum 10% BNG standard when it becomes mandatory for major developments in November 2023. Failing to bring forward habitat banks could result in the borough or Council being "locked out" of the market as other habitat banks come online quickly and meet the demand fully in the short to medium term.
- 9.5. Consideration is needed for BNG credits that are sold to development outside the borough and how this is monitored. The forthcoming regulations are expected to implement a national monitoring and enforcement regime that will resolve this issue (potentially by delegating responsibility to the Council). The Council has experience of providing SANG mitigation for developments inside and outside the borough and a similar monitoring process could be implemented for BNG credits.

10. Financial Implications

- 10.1. BNG habitat banks will be self-funding as the price of credits will be set at a level that covers the costs of delivery as a minimum.
- 10.2. The Tyting Net Gain Plan Appendix C: Tyting Farm BNG Costings (see Appendix 1 of this report) sets out the costs associated with delivering and maintaining the proposed habitat bank works. Appendix D: Funding Model Projections then sets out funding projections based on the costs using two different models. The projections indicate that, using a very conservative funding model, the cost of providing biodiversity credits at Tyting Farm habitat bank would be £10,860 per credit. This is in line with estimates produced by Defra in its 2019 'Biodiversity net gain and local nature recovery strategies: impact assessment' and would represent a competitive rate when compared to habitat banks delivered or proposed by other organisations. As a result, it is not expected to be problematic to set the charge at a level that covers all the costs of delivery, management and maintenance as a minimum.
- 10.3. Initial capital works may need to be funded up front, with funds paid back from BNG income. In the case of habitat banks on SANGs, capital works can be funded from the existing SANG funds, again paid back from the sale of credits. This will be a consideration in the forthcoming business plan. Tyting Farm SANG is an extension to the existing SANG at Chantry Woods. Chantry Woods is a mature SANG with a significant funding pot.

11. Legal Implications

- 11.1. The total budget for the habitat bank will exceed £200,000 so the decision to use Tyting Farm as a habitat bank is a Key Decision that can be made by the Executive.
- 11.2. As an executive decision, the Executive is empowered to amend the scheme of delegation in the Council's Constitution.
- 11.3. The proposals in this report respond to changes in planning law as a result of the enactment of the Environment Act 2021. The Act (schedule 14) introduces new obligations for development to achieve

a minimum 10% BNG and provides new legal mechanisms for implementing it.

11.4. The Act (ss102 and 103) also strengthens the biodiversity obligations set out in the Natural Environment and Rural Communities Act 2006 ('NERC Act') by requiring Local Authorities to:

- enhance as well as conserve biodiversity through the exercise of its functions (the NERC Act refers only to 'conserve'),
- within 1 year of implementation of s102, identify actions it can take to conserve and enhance biodiversity,
- set or revise policies and objectives to achieve the above as soon as possible after identifying them,
- complete the identified actions within 5 years,
- produce a report every 5 years detailing the actions taken, and
- have regard to the Local Nature Recovery Strategy and relevant Natural England strategies.

11.5. The Environment Act creates the Office of Environmental Protection to police public bodies and ensure they comply with their environmental obligations.

11.6. The delivery of habitat banks will lead to the enhancement of biodiversity across the borough and so will play a significant role in meeting the requirements of the two Acts. As the Council is in a position to deliver habitat banks on its significant landholding, through its policies, or both, it is arguable that not doing so would fail to meet the requirements of the Environment Act to identify, set and achieve policies and objectives for biodiversity recovery.

11.7. Payments for biodiversity credits can be secured through s106 Agreements. SANG payments are currently collected in this way and the existing process provides a practical model.

12. Human Resource Implications

12.1. Delivery of habitat banks will introduce a new workload that will have human resource implications for Environmental Services. Additional resources will be needed for the planning, implementation and monitoring of BNG habitats. The costings for the proposed pilot habitat bank at Tyting Farm include funding for the required human

resource. It is envisaged that the level of resource will be set at the level needed to cover the pilot project and that the resource will be increased as and when additional habitat banks are brought forward, with further funding coming from the new habitat banks.

- 12.2. There will be an impact on the s106 monitoring officer role as the allocation of BNG credits and associated s106 agreements will need to be monitored. This role sits within Planning and Development. The government proposes that enforcement of the development BNG obligation should fall to Local Planning Authorities (to be confirmed through the forthcoming BNG regulations). This could create a significant burden on whichever team takes on the role. However, it should be noted that this situation will occur regardless of whether the Council operates habitat banks or leaves it to other providers. Monitoring is likely to be easier where a habitat bank is operated by the Council, so delivering Council habitat banks should be considered to result in a lower BNG monitoring burden than would be the case otherwise. The burden of investigation and enforcement is also likely to be lower where the Council operates habitat banks.

13. Equality and Diversity Implications

- 13.1. An Equalities Impact Assessment (EqIA) has been undertaken for the Tyting Farm habitat bank proposal (see Appendix 2). The habitat bank is not expected to have EqIA implications. The existing SANG plan has been designed in accordance with Natural England's SANG guidelines, which take accessibility and safety for vulnerable groups into account. The proposal for a habitat bank will not alter the SANG infrastructure or layout, but the improved habitats will make the site more attractive and provide environmental benefits so will generally increase the public good for all groups. By improving the attractiveness of open spaces, habitat banks will encourage their use thereby fostering good relations between all community groups, including those with protected characteristics.
- 13.2. Further proposals for habitat banks will be subject to EqIA when they are identified.
- 13.3. The proposal to amend the scheme of delegation has been considered in the context of this report and it has been concluded

that there are no equality and diversity implications arising directly from this this proposal as any habitat bank projects that result will be subject to a project specific EqlA.

14. Climate Change/Sustainability Implications

- 14.1. Habitat creation and management plays a key role in mitigating and adapting to climate change. The growth of plants removes carbon from the air and where habitats are subject to cut and collect management, some of the removed carbon is then sequestered in the soil as the removed material mulches. For slower growing habitats, such as woodland, carbon is sequestered for an extended period in the body of the plant. The proposed habitat bank at Tyting Farm includes examples of both of these types of carbon sequestration. The proposed orchard will produce fruit that is free from packaging and low in food-miles for local people.
- 14.2. New habitats can help to adapt to climate change impacts such as severe rainfall and flooding, high heat and increased drought:
 - ground cover plants reduce flooding by slowing surface water and prevent the ground drying out during periods of high heat or low rainfall,
 - wetlands provide natural flood management,
 - trees can absorb large quantities of excess water and provide natural shading to combat high heat, and
 - surface waterbodies help prevent surface flooding and provide water stores for surrounding habitats during dry periods.
- 14.3. Biodiversity recovery is a highly sustainable action as improving the health of the environment improves its ability to endure (sustain). There are direct and indirect benefits for society and the economy through support for recreation, forestry and agriculture and more widely through the strengthening of ecosystem services and natural capital. Habitat banks will therefore have substantial positive impact on sustainability across the economic, social and environmental dimensions.

15. Summary of Options

Do nothing

- 15.1. The government envisages that a market in biodiversity credits will develop, and the Council is under no obligation to create habitat banks. It is therefore possible to leave the provision of habitat banks to other landowners.
- 15.2. However, private providers of credits, at least in the early years, may be able to corner the market and demand high sums which in turn could impact on both development viability and/or the provision of other planning benefits.
- 15.3. In the event that no local habitat banks come forward, developers may seek credits provided by other boroughs or the proposed national habitat banks of last resort, resulting in development in Guildford funding environmental improvements elsewhere in the country.

Bring forward habitat bank(s) on Council land with a pilot project at Tyting Farm

- 15.4. This is the recommended option for the reasons set out in this report.

16. Conclusion

- 16.1. The provision of habitat banks on council land will provide strong environmental benefits, with wider direct and indirect social and economic benefits. Additionally, they could provide a new income stream.
- 16.2. Habitat banks will emerge regardless of Council action but by taking a leading position now the Council can ensure that the public good is maximised while protecting planning benefits.
- 16.3. Financial risks are limited and can be managed.
- 16.4. A plan for a pilot habitat bank at Tyting Farm SANG has been produced. The proposal does not require sacrificing any other objectives and should further the aims of the SANG use. The

proposed habitat bank can be considered a win-win option and should be approved.

- 16.5. The Council has an opportunity to bring forward further habitat banks on its significant landholding. In order to reduce the administrative burden and make the delivery of habitat banks more responsive to market movements, responsibility for this function should be delegated to the Executive Head of Environmental Services.

17. Background Papers

- 17.1. 'Biodiversity net gain and local nature recovery strategies: impact assessment' (Defra, 2019) available at:
<https://www.gov.uk/government/consultations/biodiversity-net-gain-updating-planning-requirements>
- 17.2. Other background documents relating to the proposal for Tyting Farm SANG habitat bank and the need for habitat banks generally are available at: [Examination documents - Guildford Borough Council](#)

18. Appendices

Appendix 1: Tyting Farm Biodiversity Net Gain Plan

Appendix 2: Equalities Impact Assessment for Tyting Farm SANG Habitat Bank



Guildford Borough Council: Tyting Farm

Biodiversity Net Gain Plan

On behalf of **Guildford Borough Council**



Document Control Sheet

Project Name: Tyting Farm

Project Ref: 322511267

Report Title: Biodiversity Net Gain Plan

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Date: October 2022

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For and on behalf of Stantec UK Limited				

Revision	Date	Description	Prepared	Reviewed	Approved
A	Oct 22	Biodiversity Net Gain Plan	HE/KJ	HE	ER

This report has been prepared by Stantec UK Limited ('Stantec') on behalf of its client to whom this report is addressed ('Client') in connection with the project described in this report and takes into account the Client's particular instructions and requirements. This report was prepared in accordance with the professional services appointment under which Stantec was appointed by its Client. This report is not intended for and should not be relied on by any third party (i.e. parties other than the Client). Stantec accepts no duty or responsibility (including in negligence) to any party other than the Client and disclaims all liability of any nature whatsoever to any such party in respect of this report.

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- Appendix B Specific Management, Maintenance and Monitoring Objectives and Prescriptions
- Appendix C Tyting Farm BNG Costings
- Appendix D Funding Model Projections (Provided by GBC)

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1 Introduction

1.1 Background and Proposals

- 1.1.1 In developing Guildford Borough Council's (GBC) Biodiversity Net Gain (BNG) policy, the Council are seeking to examine the ability to deliver Biodiversity Net Gain within GBC landholdings, through the stacking of Environmental benefits. The approach is in accordance with emerging policy set out in the government's recent Biodiversity Net Gain consultation paper (see Section 2 below). The purpose of confirming the capacity for GBC landholdings to deliver Biodiversity Net Gain is to demonstrate that GBC have the potential to provide a "Mitigation Bank" for developers wishing to off-set any BNG requirements which they have not been able to meet within their proposed development site, through the purchase of Biodiversity Units from GBC. GBC wish to run a pilot study, Tyting Farm, to demonstrate the potential BNG uplift value available in GBC landholdings.
- 1.1.2 Tyting Farm is approved Suitable Alternative Natural Greenspace (SANG) land, proposed as mitigation for residential development effects on the Thames Basin Heaths Special Protection Area (SPA) (planning application reference 18/P/00782, approved July 2018). The Landscape and Biodiversity Enhancement Management Plan (LBEMP) for Tyting Farm SANG (Guildford Borough Council, 2019, approved 2020) identifies the potential for additional management for Biodiversity Net Gain above and beyond the habitat creation and management requirements for a SANG.
- 1.1.3 Stantec were asked by GBC to prepare a Study which looked at the feasibility for the Tyting Farm site to achieve a Biodiversity Unit value uplift, through habitat creation and enhancement measures over-and-above those required for the site to meet with requirements for the SANG. That Study is the subject of a separate report which confirms the current baseline conditions within the Tyting Farm site and provides a feasibility study of the capacity of the site for habitat creation and enhancement (Stantec, 2022a). The study also confirms the Biodiversity Units that would be made available through the proposed habitat creation and enhancement measures, using the Biodiversity Metric 3.1 (Panks *et al.*, 2022). A summary of the findings of this report is provided in Section 3, as context to this Biodiversity Net Gain Plan.
- 1.1.4 A management and maintenance plan, providing the details of the works to be undertaken to establish the habitat creation measures, and to set out an ongoing programme of management, maintenance and monitoring is necessarily required to confirm how the habitat creation and management works to achieve Biodiversity Net Gain will be undertaken. This Biodiversity Net Gain Plan for Tyting Farm sets out the required management and maintenance actions and provides an indicative estimate of the costs required for delivery of this Plan to establish the habitat creation measures and to provide for management, maintenance and monitoring over a 30 year period¹.

1.2 Structure of Report

- 1.2.1 This Biodiversity Net Gain Plan for Tyting Farm sets out the following:
- The Legislation and Policy background regarding Biodiversity Net Gain for proposed development and the concept of Mitigation Banking
 - Summary Findings of the Tyting Farm Biodiversity Baseline and Feasibility for Biodiversity Enhancement Study

¹ The costings for a 30 year period of monitoring, management and maintenance are provided in this Plan. This is the anticipated timeframe for delivery of Biodiversity Net Gain off-sets (e.g. see <https://www.local.gov.uk/pas/topics/environment/biodiversity-net-gain-local-authorities>). This Plan does, however, have potential to be extended beyond that 30-year time-frame where appropriate and required.

- The practicalities of the Biodiversity Net Gain Plan for Tyting Farm including management responsibilities, plan period, review schedule and funding mechanisms.
- Confirmation of the initial capital works required to create and enhance habitats within Tyting Farm for Biodiversity Net Gain, with reference to estimated costings.
- Confirmation of the anticipated ongoing management, maintenance and monitoring requirement for Tyting Farm to achieve Biodiversity Net Gain, with reference to estimated costings.

1.2.2 It should be noted that where costings for initial Capital Works and ongoing management maintenance and monitoring are already accounted for (wholly or partially) in the in the Landscape and Biodiversity Enhancement Management Plan (LBEMP) for Tyting Farm SANG (Guildford Borough Council, 2019), this is clearly identified and discounted from the costing for the BNG Plan, to avoid “double-accounting”.

2 Biodiversity Net Gain: Legislation and Policy Framework

2.1 National Legislation and Policy

- 2.1.1 The UK Government's Natural Environment White Paper: 'The Natural Choice: securing the value of nature' (HM Government, 2011) introduced several policies to conserve the environment. One policy included the system of accounting, termed 'biodiversity offsetting.'
- 2.1.2 In England, the National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2021) sets out a broad framework of policies for the planning system in England and how they should be applied. Underpinning the framework is the principal aim of 'Sustainable Development' which is to be pursued through the fulfilment of interdependent economic, social and environmental objectives.
- 2.1.3 Chapter 15 of the NPPF details core policy principles with respect to conserving and enhancing the natural environment. Securing 'net gains' for biodiversity, in accordance with the Government's 'A Green Future; Our 25 Year Plan to Improve the Environment' paper is a key theme running through the Chapter, whereby planning decisions are required to contribute to and enhance the natural environment by "minimising impacts on and providing net gains for biodiversity", and plans should "identify and pursue opportunities for securing measurable net gains for biodiversity". The Chapter also places planning decisions in the context of the mitigation hierarchy where, if impacts on biodiversity cannot be avoided, mitigated, or as a last resort compensated for, then planning permission should be refused.
- 2.1.4 The Environment Act 2021 received Royal Assent on 9th November 2021 and includes provision for a new mandatory requirement for proposed developments (which meet certain requirements) to provide 10% Biodiversity Net Gain. This requirement is not yet mandatory but it is anticipated that the 10% Biodiversity Net Gain (and requirement to measure this using the Biodiversity Metric 3.1, or its successor) will come into force when the Secretary of State makes a Regulation to do so; likely following a two year 'transition period' after the Environment Act came into force, i.e., from November 2023.
- 2.1.5 In addition, Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places duties on public bodies to have regard to the conservation of biodiversity in the exercise of their normal functions. Section 41 of the Act defines Habitats and Species of Principal Importance (HoPI or SoPI) to nature conservation in England which should be considered by all public bodies, including LPAs, when carrying out their Section 40 duties. 'Planning Practice Guidance for the Natural Environment' (Planning Portal 2014) and the British Standard for Biodiversity in Planning (BS 42020:2013) both recommend the system of biodiversity offsetting as an appropriate mechanism of delivering biodiversity compensation.

2.2 Emerging GBC Policy

- 2.2.1 The Guildford Borough Local Plan: Development Management Policies Submission Local Plan (June, 2022) sets out clearly the local biodiversity context, identifying Surrey as a comparatively biodiverse county and Guildford is one of its most biodiverse districts, but also identifying that the decline in local biodiversity is even more pronounced than the national decline. Surrey has historically suffered a high degree of habitat loss and fragmentation; the Surrey Nature Partnership's (SyNP) report, "The State of Surrey's Nature" estimates that 12% of the County's species have been lost, 21% are in decline and heading for local extinction, 15% are rare but stable and only 3% of rare species are recovering (Surrey Nature Partnership, 2019).
- 2.2.2 This information is presented as a context to a new Policy for Guildford Borough Council, as presented in the Guildford Borough Council Local Plan: Development Management Policies

Submission Local Plan (June, 2022): Policy P6/P7: Biodiversity in New Developments. The proposed wording for Policy P6/P7 is provided at Appendix A.

2.3 Biodiversity Offsetting and Mitigation Banking

- 2.3.1 As discussed above, the 'Planning Practice Guidance for the Natural Environment' (Planning Portal 2014) and the British Standard for Biodiversity in Planning (BS 42020:2013) both recommend the system of biodiversity offsetting as an appropriate mechanism of delivering biodiversity compensation. This is a process whereby the compensation, or in the case of Biodiversity Net Gain this would be measured in Biodiversity Units to achieve Biodiversity Net Gain, is provided outside the proposed development Site boundary, secured by a Section 106, or other appropriate measures to link it to the development which is the source of the impact.
- 2.3.2 Guidance provided to Local Authorities by the Local Government Association's Planning Advisory Service² advises that there is scope within the approach set out by the Environment Act, 2021 for Biodiversity Net Gain delivery to be achieved through the development of a local habitat bank (on LPA or other third party land) from which multiple developments could secure their Biodiversity Net Gain offset requirements through the purchase of Biodiversity Units. The habitat bank, however, would need to demonstrate how biodiversity units would be provided by the land, as measured by the Biodiversity Metric, as well as being able to demonstrate how the biodiversity units will be delivered and monitored over a 30 year period through a Biodiversity Net Gain Plan.
- 2.3.3 The recent Department of Environment Food and Rural Affairs (Defra) consultation on Biodiversity Net Gain Regulations and Implementation (Defra, January 2022) discussed the stacking of payments for environmental services. The consultation paper acknowledged that the market for biodiversity units will need to work alongside other environmental markets, such as nature-based carbon and nutrient trading and established markets for provisioning services, such as agricultural and forestry products, as well as UK Government-funded programmes such as the new schemes to reward environmental land management.
- 2.3.4 The consultation paper (Defra, January 2022) stated that the government were minded to allow landowners and managers to combine payments for biodiversity units with other payments for environmental services from the same parcel of land, provided they are paying for distinct, additional outcomes (for example, carbon sequestration and biodiversity benefits). By "services" the consultation paper stated that this meant distinct environmental services (including supporting and regulating services) or benefits such as carbon sequestration, pollution mitigation, biodiversity, or recreation. The paper clarified that separate agreements must be compatible, pay for different or additional outcomes and must not pay for the same outcome twice.

² <https://www.local.gov.uk/pas/topics/environment/biodiversity-net-gain-local-authorities/biodiversity-net-gain-faqs#delivery-of-bng>

3 Biodiversity Net Gain Baseline Report and Feasibility Study

3.1 Overview of Outcomes

- 3.1.1 Stantec have completed a Biodiversity Net Gain Baseline Report and Feasibility Study in parallel with this Biodiversity Net Gain Plan (Stantec, 2022a). The Stantec (2022a) report confirms the baseline ecological context, habitat extents and condition, and relevant physical conditions of the Site. Taking the baseline into account, the Stantec (2022a) report identifies proposed habitat creation and enhancement measures suitable for the Site. The Report goes on to determine the uplift in Biodiversity Units (Habitat Units and Hedgerow Units) realistically available from management and enhancement of the Tyting Farm site over a 30 year period (the duration of this BNG Plan).
- 3.1.2 Through a desk study, soil sampling and analysis and ecological survey, the baselined Biodiversity Unit value for Tyting Farm was calculated using Defra's Biodiversity Metric 3.1 tool (Panks *et al.*, 2022). Feasible options for habitat creation and enhancement were developed and informed by practical management considerations, site conditions including current habitats and soil parameters, and context in relation to linkages to surrounding habitats and sites. The current site management was also taken into account and illustrates the importance of discussions with site managers as an integral part of the development of a BNG Plan, especially where the stacking of environmental services is being proposed.
- 3.1.3 Recommended habitat creation and enhancements at Tyting Farm sought to 'dove-tail' with the wider strategic nature recovery context at the Parish, county and wider levels (Biodiversity Opportunity Area ND02: North Downs Scarp & Dip; Guildford to the Mole Gap, Surrey Nature Partnership, 2019). This includes, in the case of Tyting Farm, consideration of linkages with nearby sites such as St Martha's Hill and Newlands Corner, as well as consideration of the landscape character and heritage of the area.
- 3.1.4 The potential habitat units arising from the proposed habitat creation and enhancement changes were then calculated, again using the Biodiversity Metric 3.1 tool.

3.2 BNG Unit Uplift from Proposed Habitat Creation and Enhancement

- 3.2.1 The proposed initial capital works to set up the habitat creation and enhancement works for Tyting Farm, and the subsequent management, maintenance and monitoring proposals over the 30-year period of the BNG Plan are set out in Sections 5 and 6 below. The anticipated uplift in Biodiversity Units for both habitats and linear features (hedgerows), as a result of implementation of the BNG Plan, is set out in Table 3.1 below.

Table 3.1 Changes in Habitat Units Arising from Proposals for Tyting Farm (Taken from Stantec 2022a)

Habitat type UKHAB	Unit change	% change
Habitats	141.30	47.32%
Linear features (Hedgerows)	29.04	108.56%

4 Biodiversity Net Gain Plan

4.1 Approach

4.1.1 This Biodiversity Net Gain Plan (hereafter BNG Plan) provides detail of initial works to establish the measures proposed for Biodiversity Enhancement within Tyting Farm, along with proposed ongoing prescriptions for long-term management, maintenance and monitoring (see Appendix B), forming an overarching structure for implementation and management of the Biodiversity Net Gain measures. This document defines the areas covered under the plan and sets out the mechanism for management and responsible bodies, and provides specific management prescriptions for the different elements of the BNG Plan. Figures 1-3 show the habitats and linear features present within the Site and their current condition (as of August 2022). Figures 4-6 shows the proposed habitats and linear features within the site and their target condition, with the implementation of the proposed habitat creation and enhancement measures described in this BNG Plan.

4.2 Area Covered by the Biodiversity Net Gain Plan

4.2.1 This management and maintenance plan relates to the GBC landholding known as Tyting Farm, as shown in Figure 1.

4.3 Ownership and Management Responsibility

4.3.1 The entirety of the Tyting Farm site is owned and managed by Guildford Borough Council. Guildford Borough Council will therefore be responsible for the initial habitat establishment works and for the ongoing management, maintenance and monitoring of the Tyting Farm for the 30-year period of the BNG Plan. Contractors may be appointed by GBC to deliver some elements of the works required. Furthermore, GBC may work with some volunteer groups to deliver some elements of the ongoing management/maintenance.

4.4 BNG Plan Period & Review Schedule

4.4.1 The BNG plan provides the overarching approach to implementation and management of the BNG measures over a 30-year period. However, it is recognised that an adaptive approach to management and maintenance will be needed to respond to monitoring results, as the Plan progresses. As such, the BNG Plan will be subject to periodic review, to inform ongoing management activities. Ecological survey and monitoring will take place on completion of the initial establishment works, in years 1, 3, 7, and then every 5 years following, with outputs to include reporting of the results, progress against targets and any adaptation requirements for the Management Plan. Soil sampling and laboratory analysis to track key soil nutrient parameters as the Management Plan is implemented also forms part of the ongoing monitoring (years 3, 7 and every 5 years following). The findings would also be reported with the ecological survey and monitoring results to inform progress against targets and any adaptation requirements for the Management Plan.

4.5 Costings and Mechanism for Funding

4.5.1 **Appendix C** provides estimated costs associated with the establishment and ongoing management and monitoring of a BNG Mitigation Bank at Tyting Farm for thirty years. The final costings **will be confirmed** by GBC and will be determined by the timing of implementation of the plan and confirmed procurement costs. The costings have however been informed by GBC's experience of habitat management within SANGs and current market prices for physical items (seed, plant stock etc). GBC currently manage the area, with the intention of use of the land as a SANG. The costings for the BNG Plan provides for additional costs over and above those already accounted for in the **SANG Management Plan**. Appendix D provides Funding Model Projections produced by GBC which determines an anticipated cost per

Biodiversity Unit, taking account of the estimated costings in Appendix C and GBC's cost projection over the 30-year BNG Plan period, including inflation and anticipated income from investment.

- 4.5.2 It is anticipated that the additional budget to fund the BNG Plan will be funded through monies secured from off-site biodiversity offsetting to meet anticipated Biodiversity Net Gain requirements for future development. This BNG Plan, costings and funding model projections contributes to evidence for the capacity of GBC landholdings to provide cost-effective options for off-set BNG delivery.

5 Initial Capital Works

5.1 Overview

- 5.1.1 The primary objective of the Capital Works is to set up habitat creation works and additional management/maintenance and monitoring, where required, to support the habitat creation and proposed habitat enhancement. It should be noted that the Capital Works set out in this plan do have some overlap with the works described in the Landscape and Biodiversity Enhancement Management Plan (LBEMP) for Tyting Farm SANG (Guildford Borough Council, 2019). Where this is the case, the costings clearly identify where the measures are already partly or wholly covered by the SANG LBEMP. It is important to note, however, that the purpose of GBC including Biodiversity Enhancement measures within the LBEMP for Tyting Farm SANG was to demonstrate the acceptability of such measures for the Site through the Change of Use Application documentation, the Biodiversity Enhancement measures in the LBEMP are over and above the measures required for Tyting Farm to meet the requirements for SANG provision.
- 5.1.2 The proposed infrastructure, habitat creation and enhancement measures proposed for Tyting Farm are set out below. Appendix C provides the details of indicative estimated costings (agreed with GBC) for these measures and the specification on which they are based, along with notes on timing and other considerations relevant for implementation. Appendix D provides GBC's Funding Model Projections based on the costings in Appendix C.

5.2 Infrastructure/Hard Landscaping including street furniture

- 5.2.1 The access and footpaths required for Tyting Farm and street furniture such as dog waste bins and litter bins are entirely a SANG requirement and therefore will be costed and delivered through the SANG.

5.3 Information and Interpretation

- 5.3.1 The signage for Tyting Farm, including information/interpretation boards will be costed and delivered through the SANG. However, a provisional additional sum has been allowed to incorporate additional information and/or QR codes to the information boards relating to the Biodiversity Net Gain aspects.

5.4 Boundary Treatments and Measures to Manage Grazing.

- 5.4.1 Fencing of Tyting Farm for security is again already costed for as part of the SANG Management Plan. The grazing of cattle on the fields is on an adhoc basis for the SANG, rather than a specific "conservation grazing" approach. To facilitate a conservation grazing approach without the need for the provision further new fencing (permanent or temporary electric) which may affect the "semi-natural feel" of the site necessary to meet SANG requirement, it is proposed to invest in GPS collars for livestock. These collars will allow control and focus of the areas in which the cattle graze, with the purpose of directing the grazing effort to areas which most need it (see also management, maintenance and monitoring prescription for grassland at Appendix B).

5.5 Habitat Creation and Management: Initial Works

Hedgerow Creation

- 5.5.1 There are a large number of defunct hedgerows present within the site. Whilst some hedgerow planting is proposed for the SANG, this is largely for the purpose of providing screening between the SANG and adjacent properties. However, the Tyting Farm Biodiversity Net Gain Baseline Report and Feasibility Study (Stantec, 2022a) demonstrates capacity for

additional hedgerow planting which will provide ecological connectivity between woodland and scrub habitats across the site, as well as provide varied habitat structure. Both mixed native species hedgerow planting (whips) is proposed, whilst some other hedgerows are proposed to include trees within the planting mix, to encourage standard trees within some of the hedgerows. This again will provide diversity of structure and opportunities to support a variety of faunal species, with time.

Implementation of Grassland Management

- 5.5.2 The poor calcareous grassland in the north-east of the site is not currently in any active management. The lack of management in these fields has resulted in the development of a dense sward of tussocky grasses. 'Other neutral grassland' is present in the north-western most slopes of the Site but underlying geology would suggest movement towards a more calcareous nature is possible. The biodiversity value uplift potential of these grassland areas is constrained by the existing soil nutrient levels, notably including high levels of phosphorous. However, these excess nutrients with time and conservation management will leach out, especially from the steeper slopes. To encourage this process, restorative management including seasonal cutting and removal of arisings and implementation of a conservation grazing regime is proposed. A rotational approach to the mowing and grazing is proposed so that a long sward will remain in parts of the Site in any given year, in order to maintain a structural diversity to the grassland. This approach will be of benefit to species groups such as invertebrates.
- 5.5.3 Two trial areas of soil stripping using plant are also proposed (5 x 5m) on the steeper chalk slopes to the north of the Site. This will investigate whether the use of plant to strip the topsoil would help to restore the grassland to a diverse and high-quality sward more quickly than would otherwise be the case through more traditional grazing management. If successful, this trial could inform potential future management recommendations.
- 5.5.4 Neutral and modified grassland at the base of the slopes at Tyting Farm also has biodiversity value uplift potential, with improvements in sward structure representing a potential gain for biodiversity enhancement. Due to the position and underlying geology of the grassland, the potential to reduce soil fertility to levels conducive to high species-richness are less likely; as such, a focus on improvements in habitat structure and diversity are proposed, through the same management of combined mowing and grazing. The small area of modified grassland to the south of the existing houses may not be possible to graze due to its position but will instead be managed through mowing alone.

Green Lane Management

- 5.5.5 A narrow strip of lowland calcareous grassland is present in a 'green lane' leading from White Lane to the south of the Site. This grassland is the most diverse and species-rich grassland present on Site. The BNG Plan proposes management of the scrub habitats and removal of dumped garden waste, to avoid this calcareous grassland developing into scrub habitats.

Woodland Parkland Planting

- 5.5.6 Wood pasture/parkland habitat is proposed to be planted in the eastern-most modified grassland field of the Site (see Figure 4). This habitat is intended to provide a habitat linkage between the neutral ancient woodland at the base of the slopes within the Site, to extensive areas of acid-character woodland to the south of the Site, including St Martha's Hill. Habitat enhancement proposals for existing woodland within the site include ongoing control of invasive species including rhododendron which would improve the condition of the woodland habitat, as well as a long-term strategy to maintain and enhance woodland structure and to replace non-native trees

Orchard Creation

- 5.5.7 The proposed habitat creation includes the creation of a Traditional Orchard to the west of the Site. There are remnant apple trees *Malus domestica* embedded in nearby dense scrub suggesting that an orchard was present in the area previously. Photographs and historical maps also suggest the presence of kitchen garden features amongst the previous farm buildings. Therefore the creation of this habitat type contributes to maintenance of the historic management of the Site, in addition to providing the biodiversity value inherent in traditionally-managed orchards, which would also have the potential to provide community value.

Pond Enhancement

- 5.5.8 The existing large and shaded pond in the west of the Site is proposed to be enhanced through clearing back of woodland from around the pond edge to open the pond up and to reprofile the pond edges to provide some variation in bank profile, including some shallow edges. Both measures would encourage macrophyte growth and diversification of the pond.

Bracken Management and other Invasive Species

- 5.5.9 Areas in the west of the site include a 0.52ha area of Bracken (see Figure 1). It is proposed to put in place management measures to control the bracken and encourage the establishment of acid grassland in its place (see Figure 4) through the BNG Plan. Ongoing management and monitoring will be required to contribute to the success of the bracken management and establishment of acid grassland.
- 5.5.10 The treatment of Japanese knotweed within the Site is included and costed as part of the SANG LBEMP.

6 Management, Maintenance and Monitoring

6.1.1 The specific habitat management, maintenance and monitoring prescriptions are provided within **Appendix B**. The habitats are grouped where it is appropriate to do so, primarily on the basis of aligned management objectives and prescriptions. The prescriptions have been defined following consideration of the ecological (habitats and species) baseline information, and capacity for habitat creation and enhancement to generate Biodiversity Units, as described in the Biodiversity Net Gain Baseline Report for Tyting Farm (Stantec 2022a). Habitat management considerations for have influenced the specific prescriptions for each habitat type defined within the Tables in **Appendix B**. The habitat management, maintenance and monitoring includes prescriptions for the following:

- Retained Woodland and Trees
- Proposed Trees including Parkland, Orchard and Hedgerow Trees.
- Retained and Proposed Hedgerows
- Grassland
- Bracken and Scrub
- Pond

7 Summary and Conclusion

- 7.1.1 Stantec, on behalf of Guildford Borough Council have prepared this Biodiversity Net Gain Plan for Tyting Farm, a site owned and managed by Guildford Borough Council. The current use of the site is as a SANG. The purpose of this report is to determine additional habitat creation and management measures, over and above those required for SANG purposes, in order to provide a Biodiversity Offsetting Mitigation Bank at Tyting Farm.
- 7.1.2 This Biodiversity Net Gain Plan for Tyting Farm set out the works to be undertaken to establish the habitat creation measures, and outlines an ongoing programme of management, maintenance and monitoring which will necessarily be required for the habitat creation and management works to deliver Biodiversity Net Gain within the site over 30 years. The plan also sets out an estimate of the costs required for delivery of this Plan - to establish the habitat creation measures and to provide for management, maintenance and monitoring over a 30-year period³. Clarity is provided over the additional measures and costs over-and-above those already provided for through the Tyting Farm SANG Landscape and Biodiversity Enhancement Plan.
- 7.1.3 This Biodiversity Net Gain Plan therefore sets out the requirements and costs to establish a Biodiversity Offsetting Mitigation Bank at Tyting Farm. These costs have been used by GBC to determine the cost per Biodiversity Unit (Habitat Units and Hedgerow Units) for the delivery of the Biodiversity Net Gain at Tyting Farm using a funding model projection which takes account of inflation and anticipated income from investment. This cost can then be used to determine the charge for Biodiversity Units sold to developers requiring biodiversity off-sets for their proposed developments within Guildford Borough.

³ The costings for a 30 year period of monitoring, management and maintenance are provided in this Plan. This is the anticipated timeframe for delivery of Biodiversity Net Gain off-sets (e.g. see <https://www.local.gov.uk/pas/topics/environment/biodiversity-net-gain-local-authorities>). This Plan does, however, have potential to be extended beyond that 30-year time-frame where appropriate and required.

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9 Figures

Figure 1. Baseline Habitats

Figure 2. Baseline Linear Features

Figure 3. Baseline Condition (Habitats and Linear Features)

Figure 4. Proposed Habitats

Figure 5. Proposed Linear Features

Figure 6. Proposed Condition (Habitats and Linear Features)



Legend

Habitats Baseline

- g1d - other lowland acid grassland
- g1c - bracken
- g2 - calcareous grassland, poor
- g2a - lowland calcareous grassland
- g3c - other neutral grassland
- g3c6 - ungrazed, neutral grassland
- g4 - modified grassland
- w1f* - ancient woodland
- w1f - lowland mixed deciduous woodland
- w1g - other woodland-broadleaved
- w1g6 - line of trees
- h3 - dense scrub
- u1a - floristically rich, early successional
- u1b - building
- u1c - tracks, hard standing
- r1a - pond

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Appendix 1

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Legend

Linear features

- Line of Trees (w1g6NE2)
- Native Hedgerow (h2NE5)
- Native Hedgerow with trees (h2NE4)
- Native Species Rich Hedgerow (h2NE2)

	Client	Tyting Farm Baseline Linear Features			1:5000 @ A3	Date: 12/10/2022
	For Guildford Borough Council		<small>[OS Mastermap License Number]</small>		Drawn: KJ	Checked: HE
			Figure 2	Rev B		



Legend

HEDGEROWS
 Proposed Hedgerow Condition
 Good
 Moderate
 Poor

HABITATS
 Proposed Habitat Condition
 Good
 Moderate
 Poor
 N/A

Agenda Item Number: 7
Appendix 1



Client
 For Guildford Borough Council

Tyting Farm Proposed Condition



1:5000 @ A3	Date: 19/10/2022
Drawn: KJ	Checked: HE
Figure 3	Rev B

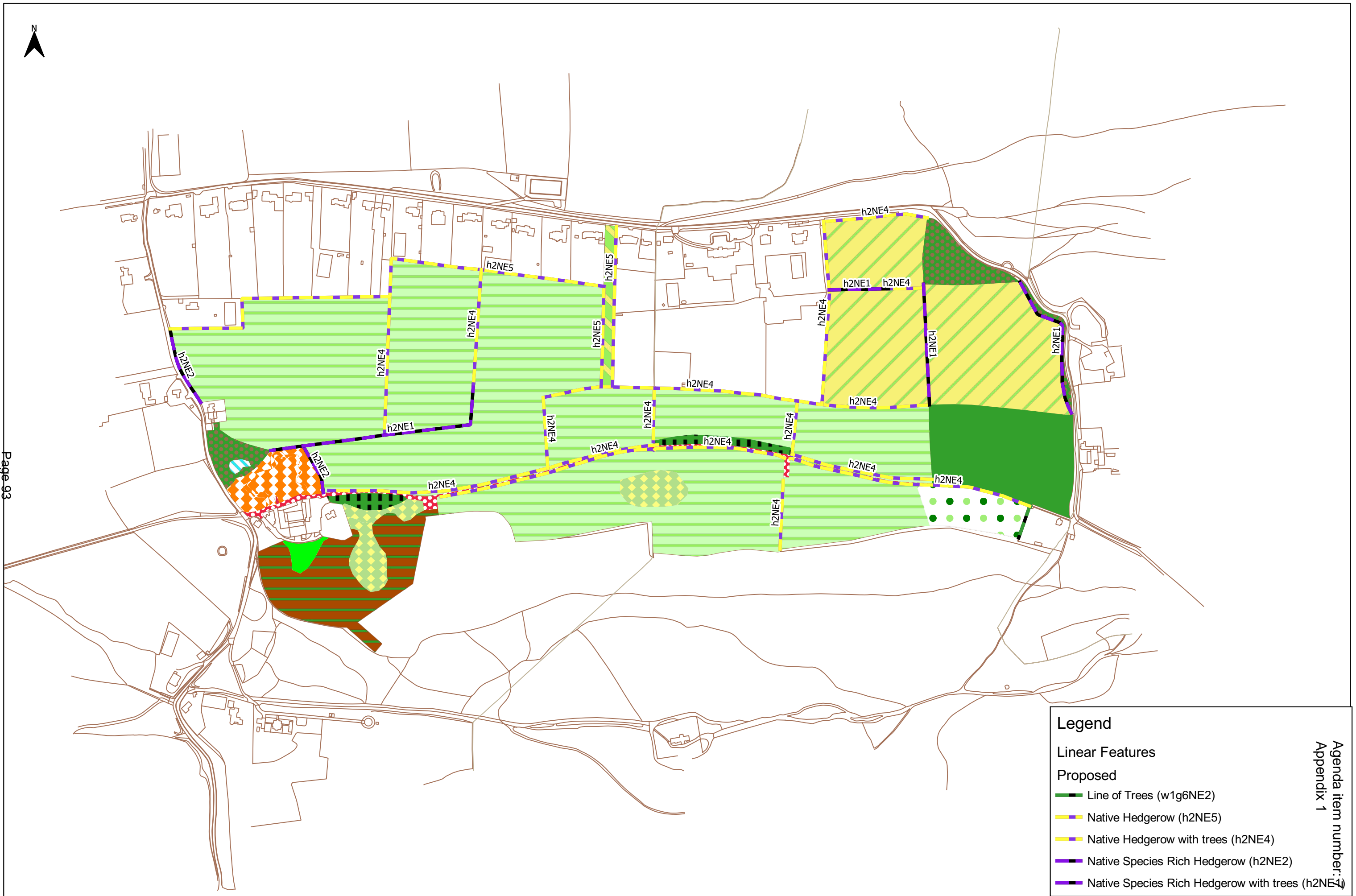


Legend

Habitats Proposed

- g1d - other lowland acid grassland
- g2 - calcareous grassland
- g2a - lowland calcareous grassland
- g3c - other neutral grassland
- g4 - modified grassland
- w1f* - ancient woodland
- w1f - lowland mixed deciduous woodland
- w1g - other woodland-broadleaved
- w1g6 - line of trees
- u1b - building
- u1c - tracks, hard standing
- r1a - pond
- g920 - traditional orchards
- g20 - wood-pasture

	Client	Tyting Farm Proposed Habitats		1:5000 @ A3	Date: 12/10/2022
	For Guildford Borough Council		[OS Mastermap License Number]	Drawn: KJ	Checked: HE
				Figure 4	Rev B



Legend

Linear Features

Proposed

- Line of Trees (w1g6NE2)
- Native Hedgerow (h2NE5)
- Native Hedgerow with trees (h2NE4)
- Native Species Rich Hedgerow (h2NE2)
- Native Species Rich Hedgerow with trees (h2NE2)

Agenda item number:
Appendix 1

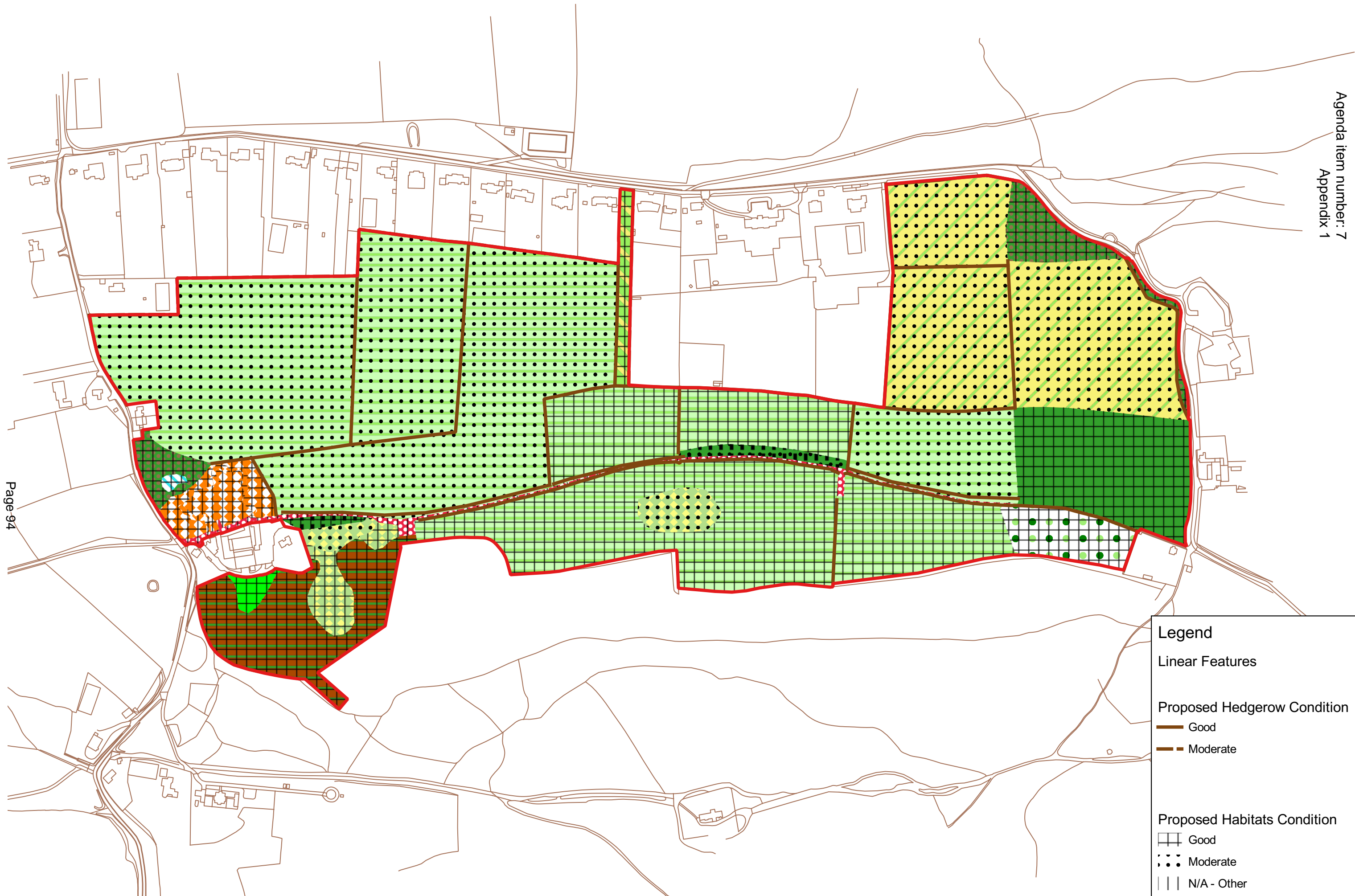


Client
For Guildford Borough
Council

Tyting Farm Proposed Linear Features



1:5000 @ A3	Date: 12/10/2022
Drawn: KJ	Checked: HE
Figure 5	Rev B



Legend

Linear Features

Proposed Hedgerow Condition

- Good
- - Moderate

Proposed Habitats Condition

- ▣ Good
- Moderate
- | | N/A - Other

Appendix A Guildford Borough Council Local Plan: Development Management Policies Submission Local Plan

Policy P6/P7: Biodiversity in New Developments.

General principles

- 1) Development proposals, including those exempt from minimum biodiversity net gain standards, are required to seek maximum biodiversity gain and to follow the mitigation hierarchy.
- 2) Development proposals within or adjacent to a Biodiversity Opportunity Area (BOA) are required to: a) contribute towards the achievement of the objectives of the BOA as set out in the relevant BOA policy statement (and its successor revision documents); b) protect and enhance designated and priority habitats and species within the BOA; and c) improve habitat connectivity across and/or into the BOA.
- 3) In addition to the BOAs, biodiversity measures are required to align with and deliver the Local Nature Recovery Strategy (to be prepared) and take account of other national, regional and local biodiversity strategies.
- 4) Major development proposals are required to set out plans for long term management and maintenance of on-site biodiversity. Planting schemes, landscaping and water management
- 5) Planting and landscaping schemes, open spaces, Sustainable Drainage Systems (SuDS) and Natural Flood Management measures are expected to incorporate species, habitats and management regimes that provide best biodiversity benefit as set out in BOA policy statements and other strategies.
- 6) Tree canopies are expected to be retained and new tree planting is expected to focus on the creation of new connected tree canopies and/or the extension of existing canopies, unless doing so would adversely impact on sensitive species or habitats. Tree planting schemes are expected to provide resilience in terms of climate, disease and ageing, incorporating large species with long lifespans where opportunities arise.
- 7) Planting schemes are expected to use UK sourced, native species, unless imported strains of native species would offer greater resilience and are free from disease. Measures on building structures
- 8) Development proposals are required to include appropriate features in or on building structures that support nature, will last for the lifetime of the development and will cater for appropriate species and habitats.

Site design

9) Development proposals are expected to be designed to create areas of new habitat and provide appropriate links and corridors between new and existing habitats, avoiding and reversing fragmentation and species isolation. Development sites and built features are expected to be permeable for wildlife.

10) In areas where invasive species are present, site design should not facilitate their spread. Where invasive species are present on development sites, they should be eradicated, or controlled where eradication is not possible. Planting schemes must not include invasive plants.

11) Major development proposals are expected, and minor development proposals are encouraged, to deliver measures that promote a sense of community ownership of green spaces and habitats.

Biodiversity Net Gain

12) Qualifying development proposals are required to achieve a biodiversity net gain of at least 20 per cent, or the advised national minimum amount, whichever is greater, measured using the national biodiversity net gain calculation methodology.

13) Biodiversity net gain is not a requirement on previously developed land, unless it supports at least one protected or priority species population or habitat, or an assemblage of species with an otherwise demonstrably high biodiversity value. Where these are present, a measurable net gain for those features is required.

14) Biodiversity gains are required to be delivered in a manner that is consistent with the biodiversity policies in this plan and LPSS 2019 Policy ID4: Green and Blue Infrastructure so that measures are focused on local priorities and will provide the best biodiversity value.

15) New habitats and habitat improvements that contribute towards the achievement of biodiversity net gain are required to be secured and maintained for at least 30 years, or a period of time set out in national policy or legislation if this is greater.

16) Where the applicant is unable to provide the gains on-site, provide the gains off-site or fund gains off-site on third-party sites, a justified and proportionate financial contribution to fund off-site measures will be secured.

17) Development proposals for the creation of biodiversity sites will be supported where these are well located and will be appropriately managed in order to align with local, regional and national strategies and provide best biodiversity value.

Appendix B Specific Management, Maintenance and Monitoring Objectives and Prescriptions

B.1 Retained Woodland and Trees

Note: All tree works should be undertaken by a qualified arboriculturist or tree surgeon. Works are to comply with BS3998 and HSE Forestry and Arboricultural safety leaflets. Trees are to be left with a well-balanced shape and natural appearance. Chainsaw operatives must hold a certificate of competence. Chain or hand saw wounds will be as small as possible, cutting back to sound wood leaving a smooth surface, angled to shed the water and avoiding bark tears.

Management or Monitoring Prescription	Management Objectives or Monitoring Aims	Specific Prescription	First Year and Frequency	Other Considerations
Health and Safety Inspection to define Specific Management Needs	Where trees are retained, promote healthy growth and a natural shape, avoid health and safety concerns, maintain and enhance the value of the site for any roosting bats and nesting and foraging birds. Enhance existing trees to positively contribute to landscape.	<p>Site inspection will include consideration and specification of the following works as required:</p> <ul style="list-style-type: none"> - Major deadwood requiring removal from crowns - Split or damaged branches and open wounds occurring naturally or due to severe weather conditions that require tidying up - Any forks, cavities or major defects that could result in structural failure, along with any bark wounds or fungus; an arboriculturist will be required to determine course of action - Any basal suckers or epicormic growth requiring removal from main trunk - Poor quality trees with any structural defects requiring pruning or felling - Diseases <p>Note: Ivy on tree trunks will be retained, except where it needs to be removed to</p>	Spring in years 1, 3, 7 and every 5 years for the duration of the 30 Year BNG Plan.	Prior to any works carried out on trees, checks should be made to ensure there is no impact on active bird nests or bat roosts (both of which are protected by law). An Ecological Clerk of Works should provide a pre-works check and/or watching brief during works. If works affecting a bat roost are required, a license from Natural England would need to be secured.

Management or Monitoring Prescription	Management Objectives or Monitoring Aims	Specific Prescription	First Year and Frequency	Other Considerations
		facilitate inspection of trees or where it has become extensive and could result in a tree falling in high winds.		
Litter Removal	To maximise the amenity value for users and ensure their safety and security.	Litter and fly-tipping material will be removed	From Year 1 onwards. 4 times a year (minimum).	
Traditional Orchard Management	To maintain function and ecological value of retained orchard trees and proposed new orchard trees	As rows above but in addition, rotational pruning of retained orchard trees, and new orchard trees once established, to encourage and maintain growth and form to be undertaken in the winter.	From Year 1 onwards in winter. Further pruning can be undertaken at other times to maximise fruit yield, if required.	

B.2 Proposed Trees Including Parkland Planting, Orchard and Hedgerow Trees

Note: All tree works should be undertaken by a qualified arboriculturist or tree surgeon. Works are to comply with BS3998 and HSE Forestry and Arboricultural safety leaflets. Trees are to be left with a well-balanced shape and natural appearance. Chainsaw operatives must hold a certificate of competence. Chain or hand saw wounds will be as small as possible, cutting back to sound wood leaving a smooth surface, angled to shed the water and avoiding bark tears.

Management or Monitoring Prescription	Management Objectives or Monitoring Aim	Specific Prescription	First Year, and Frequency	Other Considerations
Litter Removal	To maximise the amenity value for users of the SANG.	Litter and fly-tipped material will be removed.	From Year 1 of this BNG Plan onwards. Four times a year (minimum)	-
Replace Failures	Ensure the BNG Plan delivers the proposed tree planting described in the plan.	Replace dead, missing, dying or defective plants. Source replacement trees from local nursery stock and, where possible, use native trees of local provenance	Annually, November / December for first five years of this BNG Plan	Where possible, the cause of failure should be established. This should inform consideration of whether a like for like replacement is

Management or Monitoring Prescription	Management Objectives or Monitoring Aim	Specific Prescription	First Year, and Frequency	Other Considerations
				appropriate, whether an alternative solution is required, or if it is necessary to amend the management prescription accordingly. Once established, follow management and monitoring prescriptions for retained woodland and trees.
Tree Stakes	Enable trees to anchor and support vertical growth form	Adjust/replace/remove all tree stakes, ties and guards as required until anchorage has been achieved and tree has a vertical growth form. Trees planted within hedgerows need to be marked with a fluorescent tag to make them clearly visible to prevent them being topped when the hedges are flailed.	From Year 1 of this BNG Plan onwards as required.	-
Bark Mulch	Suppress weeds, retain moisture, improve soil composition and fertility.	Top up composted woodbark mulch annually for the first 3 years after implementation to suppress weeds and retain moisture;	Annually, first two years of this BNG Plan	
Seep hose for proposed orchard planting	Support successful establishment of tree(s).	Maintenance of seep hose to maintain water supply to establishing new orchard trees.	Annually, up to 10 years	

B.3 Hedgerow Management – Retained and Proposed Hedgerows

Management or Monitoring Prescription	Management Objectives or Monitoring Aim	Specific Prescription	Timing	Other Considerations
Flailing	Promote healthy growth, a natural shape.	Undertake a hedgerow flail to remove leggy growth on retained hedgerows and once new hedgerow planting is established.	Outside the bird nesting season, and dormouse active period preferentially before sap rises within plants (i.e. November to January inclusive).	Care must be taken to avoid flailing standard trees planted within the hedgerow, hedgerow trees will be tagged with fluorescent marker. Assumed rotational management

Management or Monitoring Prescription	Management Objectives or Monitoring Aim	Specific Prescription	Timing	Other Considerations
			Flailing assumed to commence from year 5, after establishment of proposed hedgerows. Rotational flailing to take place every two years with max one quarter of hedgerows flailed in any given year.	
Hedgerow laying	To maintain traditional management techniques for hedgerows within the Site and to encourage hedgerow regeneration and structure	Plan hedgerow laying for sections of established hedgerow every year.	Annually Outside the bird nesting season, and dormouse active period preferentially before sap rises within plants (i.e. November to January inclusive). Assume 100m hedgerow per year managed in this way	Care must be taken to avoid flailing standard trees planted within the hedgerow, hedgerow trees will be tagged with fluorescent marker.
Replace Failures	Facilitate the delivery of the hedgerows and their proposed enhanced connectivity function	Replace dead, missing, dying or defective plants. Source replacement trees from local nursery stock and, where possible, use native trees of local provenance.	Annually, November / December for first five years of this BNG Plan	Where possible, the cause of failure should be established. This should inform consideration of whether a like for like replacement is appropriate, whether an alternative solution is required, or if it is necessary to amend the management prescription accordingly.
Litter Removal	To maximise the amenity value for users of the SANG and ensure their safety and security	Litter and fly-tipped material will be removed.	Four times a year (minimum)	-
Monitoring	To monitor success of hedgerow planting and developing structure of hedgerows	Monitor through observation as part of the Ecological Monitoring programme	Monitoring in years 1, 3, 7 and every 5 years after that.	Monitor to confirm establishment of species diversity and structure – against the BNG Metric Condition Assessment Sheets and with reference to the Hedgerow Survey Handbook (Defra, 2007)

B.4 Grassland Management

Management or Monitoring Prescription	Management Objectives or Monitoring Aim	Specific Prescription	Timing	Other Considerations
All grassland types				
Litter Removal	To maximise the amenity value for users of the SANG and ensure their safety and security	Litter and fly-tipped material will be removed.	Four times a year (minimum), prior to each cut (see below)	-
Mowing of grassland	To encourage a diverse sward and encourage depletion of nutrients from soil.	<p>Mowing of the grassland will be done on an annual basis on hot, dry days and preferentially in late summer, with the arisings removed to the edges of the fields, this is to encourage removal of nutrients from the topsoil and to encourage diversification in the sward.</p> <p>So that longer areas of grassland remain in any one year (for invertebrates and other wildlife), the annual cut will be limited to 30% of the grassland fields within the Site and the fields being cut will rotate each year.</p>	Annually (on rotation)	
Monitoring	Monitoring sward diversity and structure to inform management.	<p>The grassland will be monitored in the summer months when botanical species are readily able to be identified in the sward, the surveys will seek to record changes in the grassland using a combination of the UKHab survey methodology, with a condition assessment using the Defra Metric 3.1 criteria (Panks et al. 2022c) and the Common Standards Monitoring Guidance for Lowland Grassland Habitats (JNCC, 2004).</p> <p>Key parameters will include:</p> <ul style="list-style-type: none"> - Sward composition: (grass:herb ratio) – aiming to achieve more than 40% herbs (for neutral and calcareous grassland). - Sward composition – positive indicator species which indicate development of grassland towards its target habitat type (ref UKHab and NVC) - Sward composition – presence of negative indicator species which can indicate that undesirable effects are 	Monitoring in years 1, 3, 7 and every 5 years after that	To be undertaken in the summer months when botanical species are readily able to be identified in the sward.

Management or Monitoring Prescription	Management Objectives or Monitoring Aim	Specific Prescription	Timing	Other Considerations
		<p>taking place if they increase in cover or frequency and/or non-native or invasive species.</p> <ul style="list-style-type: none"> - Record any indicators of local distinctiveness - Sward structure – height and presence of litter accumulation - Sward Structure – presence of bare ground 		
Monitoring – Soils	Monitoring of key soil parameters relevant to grassland diversity	Following methods employed for the baseline study to allow direct comparison of changes in soil parameters over time, following instigation of the management prescriptions.	<p>To be undertaken in parallel with the botanical monitoring.</p> <p>Monitoring in years 1, 3, 7 and every 5 years after that</p>	
Proposed Other Neutral Grassland and Calcareous Grassland (in addition to items above)				
Grazing	Enhance grassland diversity and structure.	<p>Conservation grazing regime assumed for the purposes of this BNG Plan to provide grazing from mid-summer (following mowing ('aftermath grazing'), or some fields just grazed) to early winter (assumed 5 months) by max 25 cattle per week.</p> <p>The cattle will be focussed on specific areas of the Site where coarse grasses are prevalent in the sward. The grazing areas will be controlled through the use of GPS collars.</p> <p>So that longer areas of grassland remain in any one year (for invertebrates and other wildlife), the grazing will be rotated within the Site.</p>	Mid Summer-Early Winter Annually	Adaptive management, responding to the results of monitoring (described above) will be required after the initiation of the conservation grazing regime to facilitate a positive result. GBC to work with monitoring results and conservation grazier to determine any changes in grazing regime necessary through the BNG Plan period.

B.5 Bracken and Scrub

Management or Monitoring Prescription	Management Objectives or Monitoring Aim	Specific Prescription	Timing	Other Considerations
Bracken control	To limit further bracken encroachment and encourage reversion of bracken area to acid grassland	Annual cutting/rolling or flailing of bracken and subsequent removal of litter. First year includes casting of acid grassland seed mix.	Annually for first 10 years of this BNG Plan. First year two cuts ideally in May/June and again in August/September. Subsequent years single cut/roll/flail each year. Acid grassland seed casting to be completed in autumn of first year.	Note overlap with breeding bird season – pre- treatment ECOW check required. Any adjustments to timing to be agreed with GBC.
Scrub Monitoring and Control – green land	To limit scrub encroachment in “green lane” and to make sure proposed Parkland trees are not swamped by scrub	Rubbish removal and scrub bashing within green lane to maintain open grassland. Monitoring of scrub extent during the ongoing ecological monitoring through the Plan period. Scrub extent not to exceed 20% of grassland area.	Once every five years for scrub removal. Monitoring in years 1, 3, 7 and every 5 years after that for the life of the Plan.	Scrub control/removal should be undertaken outside the bird nesting season, and dormouse active period preferentially before sap rises within plants (i.e. November to January inclusive).
Scrub Monitoring and Control – parkland trees	To enable natural scrub regeneration that doesn’t swamp the planted parkland trees	Clearance of scrub from around parkland trees to enable establishment. Monitoring of scrub extent and diversity during the ongoing ecological monitoring through the Plan period. 1m radius at base of tree to be kept free of scrub. Aiming for variety in scrub rather than dominance by 1 species.	Once every 3 years Monitoring in years 1, 3, 7 and every 5 years after that for the life of the Plan.	Should be undertaken outside the bird nesting season, and dormouse active period preferentially before sap rises within plants (i.e. November to January inclusive).

B.6 Pond

Management or Monitoring Prescription	Management Objectives or Monitoring Aim	Specific Prescription	Timing	Other Considerations
Litter Removal	To maximise the amenity value for users of the SANG and ensure their safety and security	Litter and fly-tipped material will be removed.	Four times a year (minimum), prior to each cut (see below)	-
De-silting works (or other works which require mechanical excavation of the pond base or slopes)	To maintain appropriate range of water depth within the pond to support open water and conditions suitable for macrophyte growth	Monitoring to be included as part of Ecological Monitoring of Habitats.	Monitoring undertaken in years 1, 3, 7 and every 5 years after that.	Any remedial actions required to be discussed and agreed with GBC, also taking account of protected species issues.
Monitoring of over-shading vegetation	Maintain direct sunlight access to the pond	Monitoring to be included as part of Ecological Monitoring of Habitats. Check that direct sunlight access to the pond is maintained	Monitoring undertaken in years 1, 3, 7 and every 5 years after that.	Any remedial actions required to be discussed and agreed with GBC, also taking account of protected species issues.
Monitoring of marginal vegetation	To maintain health mix of open water and marginal planting	Monitoring to be included as part of Ecological Monitoring of Habitats. Marginal and emergent vegetation development to be encouraged through removal of over-shading trees as part of initial works for the BNG Plan (see Section 5). Monitoring to determine emergent vegetation establishment and extent. As a minimum 40% of the water's surface is to remain clear.	Monitoring undertaken in years 1, 3, 7 and every 5 years after that.	Any remedial actions required to be discussed and agreed with GBC, also taking account of protected species issues. To be effective in removing marginal and emergent vegetation, and to prevent rapid regrowth, plant removal must include removal of the roots. Hand digging with spades is advisable in small areas

Appendix C Tyting Farm BNG Costings

(Tabs 1 and 2 of Excel Sheet named: Appendix C&D_Tyting Farm BNG Plan_Costings and GBC Funding Model Projections_Oct22.xls)

Tyting Farm, Guildford Borough Council

Habitat Creation and Enhancement Item - Set-Up/Capital Costs	Unit	Quantity	Cost per unit	Total	Covered by SANG (included to provide comparison for non SANG sites)	Additional BNG Costs	Comment
A. Set-Up of Additional Site Infrastructure/Signage							
A.1 Provision of additional information for BNG elements for Interpretation Boards (SANG has own Interpretation Board Budget)	Nr	1	£3,500	£3,500.00	£2,500.00	£1,000.00	Provisional allowance pending full scope / requirements. Boards themselves covered by SANG costs.
B. Habitat Creation and Initial Habitat Management Set-Up							
B.1 Hedgerow planting two rows of whips at spaced 6 trees/shrubs per metre. Based on 0.13km (130m) of proposed native hedgerow planting (no trees). Whips planted assumed 6 plants per m based on double row planting	m	130	£36	£4,680.00	£1,404.00	£3,276.00	30% needed for SANG screening therefore covered by SANG Costings. 70% covered by BNG £6 per whip, including, rabbit guard and mulch
B.2 Hedgerow planting with trees. Based on 3.63km (3630m) of proposed hedgerows with trees. Whips planted assumed 6 plants per m based on double-row planting. Native bare-rooted tree planted every 30m.	m	3630	£38	£137,940.00	£41,382.00	£96,558.00	30% needed for SANG screening therefore covered by SANG Costings. 70% covered by BNG £6 per whip including rabbit guard and mulch (£36/m) plus assume 121 trees and price for range of sizes 20 x£100, 80 x £50 and 51 x whips at £2 with tree stake, tree guard (where required) and mulch £5/tree (£6102)
B.3 Woodland parkland planting based on low density wood pasture/parkland spacing plant 40 trees per ha (including tree, biodegradable guard, stake, mulching and planting costs) based on 0.89 ha of proposed parkland woodland	nr	1	£698	£698.00	£0.00	£698.00	Tree planting density allows for some failures – aiming for 25 trees per ha after 30 years. 35 trees for 0.89ha price for range of sizes 2x £100, 9x £50 trees and 24 x whips at £2 - £698
B.4 Scrub establishment. Allowing natural regeneration, based on 0.5 ha of proposed native scrub habitat to naturally regenerate around proposed woodland planting (Management accounted for in Management and Monitoring Costs)	nr	0	0	£0.00	£0.00	£0.00	Natural succession likely to result in scrub dominated by blackthorn. Proposal for woodland planting above to provide more diversity than would naturally occur in the short-term through natural succession.
B.5 0.7ha Orchard planting on grassland incl dense scrub removal, ground preparation (Remove rubbish (stones/cement blocks, till and seed with grassland mix), plant fruit trees at 5m spacing (Tree pits with appropriate soil material). Contractor team for 1 x week plus machinery and plant costs.	Nr	1	£6,440	£6,440.00	£4,830.00	£1,610.00	Does not allow for soil import but needs to be kept under review on preparation of orchard area
							Price £50 per tree inc planting based on mix of sizes of heritage stock trees. Allow 80 trees at even spacing (also incorporating remnant trees).
							Include additional labour cost for ground prep, machine and seeding/planting of trees £360/day x 4
							Prices per tree start at £21.95. Increase to average £50 per tree to include planting and range of sizes.
							Bare Root 1-2 year maidens start from £21.95, 3 to 5 year old half standards from £39.95 and 3-6 year plus standards from £49.95. Tap and seep hose costs £1000 Partly covered by SANG Provision - allow 75% SANG and 30% BNG.

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B.6 Pond management/creation (remove sycamore/willow trees on northern side and create slope on northern side). Ecologist/Arboricultural consultant to agree tree removal. Contractor to remove trees and provide machine and operator for 2 no. days.	Days	2	£360	£720.00	£0.00	£720.00	Management of existing pond to provide shallow/sloping sides away from access area (to discourage dog access)
B.7 Bracken management – cutting, rolling or flailing of bracken year 1. Cut/roll/flail bracken at least twice in the first year (in May/June and again in July/August). Machine and operator for 4 days.	Days	4	£360	£1,440.00	£0.00	£1,440.00	Note overlap with breeding bird season – pre treatment ECOW check required
B.8 Overseeding with acid grassland mix bracken-treatment area (autumn) and acid grassland "hillock". 0.52ha	ha	0.52	2000	£1,040.00	£0.00	£1,040.00	To be carried out in autumn. May require breaking up/removal of bracken litter where not already removed following bracken management. Seed suppliers to be reputable wildflower mix suppliers of UK provenance (e.g. Brightseeds or Heritage Seeds) 5200 sqm. Allow £2000 per ha for seed mix.
B.9 Overseeding acid grassland seed mix distribution – staff and machinery hire (where required -probably hand casting only)	Day rate	1	£360	£360.00	£0.00	£360.00	To be carried out in autumn. May require breaking up/removal of bracken litter where not already removed following bracken management.
B10. High cut of grassland and remove arisings to field margins in valley bottom (suitable refuge for reptiles etc). Costs are Contractor Rate based on costs provided by GBC	Nr	1	£6,500	£6,500.00	£0.00	£6,500.00	Costed for contract to be let out for cut-and-collect. Based on costs provided by GBC. This is the highest possible cost for delivery of this element of the management. Alternative option would be to buy and manage machinery using GBC staff. Costs over time of plan would be more than covered by costs allowed for cut-and-collect contract.
B.11 Livestock GPS collars (secure) to support grazing regime (see management costs below). Costs for 25 collars, spares, chargers. (Year 1 cost)	Nr	1	£7,317	£7,317.00	£0.00	£7,317.00	To avoid need for additional fencing (permanent or temporary) incl avoiding need for electric fencing on SANG. Subscription plus collar replacement.
B11a Livestock GPS collar – software subscription year 1 costs for 25 collars	Nr	1	£1,225	£1,225.00	£0.00	£1,225.00	Software needed to programme and control GPS collars
B.12 Additional fencing to make eastern-most grassland fields stock-proof. £15/m including installation £70,000 for site - costs already allowed for SANG	Nr	1	£70,000	£70,000.00	£70,000.00	£0.00	Already allowed for in SANG costs.
B.13 Water troughs/bowser for water provision for stock in grazing areas	Nr	Item	£1,500	£1,500.00	£1,500.00	£0.00	Included in SANG Costs
B14. Grazing stock – conservation grazing – from mid summer through to winter/early spring. 8/9/10/11/12 = 5 months = 20 weeks Assume max 25 animal per week (Surrey Wildlife Trust Grazier Costs)	Nr	20	£300	£6,000.00	£0.00	£6,000.00	It has been assumed on a conservative basis that these costs should be covered by BNG because this is a charge for conservation grazing regimen which is not allowed for in the SANG management plan. This is cost for first year.
B.15 Grassland Topsoil Strip trial area, 2 x (5m x5m) test area set up in calcareous grassland area (NW fields and NE fields). Staff and machinery Hire	Day rate	1	£360	£360.00	£0.00	£360.00	Carry out prep in autumn prior to seeding (below)

B16. Seeding of topsoil strip (2 x) test area. Seed costs and staff costs for hand-distribution (1 day).	Nr	1	£400	£400.00	£0.00	£400.00	Assuming lowest amount of seed to purchase is 0.5kg (enough to cover 100sqm) @£40 plus day's labour for hand-casting in autumn. Seed suppliers to be reputable wildflower mix suppliers of UK provenance (e.g. Brightseeds or Heritage Seeds)
B17. Rhododendron/Cherry Laurel control in Acid woodland	Day	3	£460	£1,380.00	£0.00	£1,380.00	In addition to limited clearance by volunteers for SANG
B18. Japanese knotweed treatment - say rate incl herbicide and staff costs	Day	1	£460	£460.00	£460.00	£0.00	Covered by SANG costs
B19. Lowland calc grassland "green lane" – rubbish removal and scrub bashing from lower quarter; cut back hedgerows. Contractor and machinery hire 6 days	Day	6	£550	£3,300.00	£0.00	£3,300.00	Assume 6 days @£550/day work to take place in winter (outside breeding season and bearing in mind dormouse presence).
B20. Ecological Clerk of Works Support - as required - assume 7 days over first year	Day	7	£750	£5,250.00	£0.00	£5,250.00	
TOTAL				£255,260.00	£122,076.00	£138,434.00	
Total including contingency budget (10%)				£280,786.00	£134,283.60	£152,277.40	

Tyting Farm, Guildford Borough Council

Habitat Creation and Enhancement	Unit	Quantity	Cost per unit	Total per year	Total for 30years	Comment
C. Ongoing Management and Monitoring Costs - 30 years - all assumed to be BNG Costs						All Costs additional to SANG.
C.1 Grassland - High cut of grassland and remove arisings to field margins in valley bottom (suitable refuge for reptiles etc).	Nr	1	£6,500.00	£6,500.00	£195,000.00	Costed for contract to be let out for cut-and-collect c. 30% fields cut each year. Based on costs provided by GBC. This is the highest possible cost for delivery of this element of the management. Alternative option would be to buy and manage machinery using GBC staff. Costs over time of plan would be more than covered by costs allowed for cut-and-collect contract. Yearly allowance provided in this Plan as conservative basis but Adaptive management plan will review Monitoring results to confirm if need to stop mowing and move to grazing only regime.
C.2 Ongoing maintenance of seep hose for Orchard up to first 10 years for orchard establishment (c.£150/yr); costs to replace hedgerow stock failures in first 5 years (assume up to 20% failure over 5 years) 20% of BNG hedgerow costs provided as total cost over 30 years.	Nr	1	£815.56	£815.56	£24,466.80	Costed as total over 30yrs (annual cost provided on that basis) but anticipated that total costs will be over first 5 years whilst orchard trees and hedgerow planting becomes established.
C.2a Ongoing traditional management of orchard						Accounted for in SANG costs.
C.3 Livestock GIS collars x 25, spares and parts replaced every 5 years	Nr	1	£975.60	£975.60	£29,268.00	To avoid need for additional fencing (permanent or temporary) incl avoiding need for electric fencing on SANG. Subscription plus collar replacement. Cost for 25 collars spares and chargers = £7,317. Assume replacement every 5-7 years = 4 sets with total cost divided over 30yrs.
C.4 Livestock GIS collars subscription for 25 collars	Nr	1	£1,225.00	£1,225.00	£36,750.00	Software needed to programme and control GPS collars - annual cost £1225
C.5 Grazing stock – conservation grazing – from mid summer through to winter/early spring.	Nr	1	£6,000.00	£6,000.00	£180,000.00	Grazing stock – conservation grazing – from mid summer through to winter/early spring. 8/9/10/11/12 = 5 months = 20 weeks. Assume max 25 animal per week (Surrey Wildlife Trust Grazier Costs). £6000/yr annual costs. It has been assumed on a conservative basis that these costs should be covered by BNG because this is a charge for conservation grazing regimen which is not allowed for in the SANG management plan.
C.6 Water troughs/bowser for water provision for stock	Nr	1	£1,500.00	£0.00	£0.00	Included in SANG costs
C.7 Signage (entrance and information), 1 number replaced every 8 years – biodiversity input to SANG information.	N/A	N/A	£0.00	£0.00	£0.00	Included in SANG costs
C.8 Selective felling of non-native species - Estimated costs divided over the 30yrs.	Day	1	£500.00	£500.00	£15,000.00	From acid woodland (SW area) and allow natural regen. Long-term approach

C.9 Survey and monitoring costs – ecologist monitoring of woodland, hedges, woodpasture and grassland (Yrs 1, 3, 7, 12, 17, 22, 27). Seven survey and reporting incidences @ £5,500 each	Nr	1	£1,283.00	£1,283.00	£38,500.00	Assessment against Condition Assessment sheets in Metric 3.1 (or as compatible with future versions) and Common Standards Monitoring (JNCC) for relevant habitat types. 2x survey visits (spring for woodland, summer for hedgerows and grassland) followed by reporting drawing together and reporting on results from botanical assessment and soil analysis with regards progress against targets and any adaptation requirements for Management Plan.
C.10 Monitoring costs - Soil parameters (years 3, 7, 12, 17, 22, 27) - 6 sessions.	Nr	6	£3,000.00	£600.00	£18,000.00	Assuming costs for soil sampling and lab costs - precautionary basis assuming will cover costs for site visit, lab costs and reporting, monitoring.
C.11 Bracken control – assume further rolling/flail/cut at least once each year for the next ten years. £360/day for two days for machine operator and driver = £720/year	Nr	1	£240.00	£240.00	£7,200.00	Bracken management – cutting, rolling or flailing of bracken once a year for 10 years. Cut/roll/flail bracken (in May/June). Costs divided over 30 years
C.12 Contractors (scrub management) to clear around parkland trees to enable establishment . Once every 3 years	Nr	1	£460.00	£460.00	£13,800.00	Once every 3 years - 3 days@ £460/day = £1380 x 10 sessions = £13800. Costs divided over 30 years.
C.13 Contractors (dangerous trees) - Nominal annual costs for tree management work	N/A	0	£0.00	£0.00	£0.00	Allowed for in SANG Costs
C.14 Contractors (hedge management- trimming back to encourage dense rather than leggy growth) - rotational hedge management biannual/ 5 yearly cut. Top up woodbark mulch and check tree stakes to planted trees (annually for first 5 years)	m	617.5	£5.00	£3,087.50	£92,625.00	£5/m for flailing, Assume rotational management from year 5 of plan for cut of c. quarter of the 5.67km hedgerows (1482m of hedgerow flailed in winter (whilst dormice in hibernation and to avoid bird breeding season) every 2 years - equates to 741m hedgerow per year from year 5 (over 25 years) equates to 617.5m/year over 30 years). This is generous allowance to allow for mulching and tree stake check given actual flailing requirements may not kick in until later in plan period, depending on growth of hedgerow planting completed in year 1 as part of set-up costs.
C.15 Contractors (hedge laying) – rotational hedge management assume 100 m /year	m	100	£18.00	£1,800.00	£54,000.00	£23/m for very mature £15/m for 15-25 year old £12/m newer hedges; GBC advise to budget £18/m
C.16 Ongoing scrub bashing/rubbish clearance of green lane calcareous grassland – 6 days once every 5 years. (x 6 sessions)	Nr	6	£3,300.00	£660.00	£19,800.00	Lowland calc grassland “green lane” – rubbish removal and scrub bashing from green lane to maintain grassland extent within lane.. Contractor and machinery hire 6 days per session @£550/day once every 5 years. £19,800 total cost over 30 years (6 sessions). Annual costs divided over 30 years.
C.17 Fence maintenance costs (for grazing stock)	N/A	N/A	£0.00	£0.00	£0.00	Covered by SANG Management budget
C.18 ECOW support assume average 5 days per year @£750/day	day	5	£750.00	£3,750.00	£112,500.00	For ad hoc on-site support by ecologist (e.g. for support on bracken clearance etc)
C.19 Staff time (GBC Officer time % of an officer including overheads, NI and pensions).	Nr	1	£15,000.00	£15,000.00	£450,000.00	Includes time for neighbour liaison and management of BNG delivery, including recording/involvement in off-setting discussions. Costs advised by GBC and assumes rest of GBC Officer time is covered by SANG.

NB Bins, gates and other physical item costs including litter management					£0.00	Covered by SANG Management.
TOTAL				£42,896.66	£1,286,909.80	
Contingency Budget (10%)				£47,186.33	£1,415,600.78	
Inflation Allowance						Guildford Borough Council's cost projection, taking account of inflation and anticipated income from investment is presented at Appendix D (Third and Fourth Tabs of this Excel Spreadsheet).

Appendix D Funding Model Projections (Provided by GBC)

(Tabs 3 and 4 of Excel Sheet named: Appendix C&D_Tyting Farm BNG Plan_ Costings and GBC Funding Model Projections_Oct22.xls)

GBC Funding Model Projections
GREEN BOOK MODEL:

Biodiversity Units (BU's) total available	170.34						
Minimum price per BU to cover costs	£ 7,435.90	Year	Interest	Endowment	Budget	Inflation	
Endowment	£ 1,266,631.21	2	3.5% interest	£ 1,153,356.19	£ 49,813.06	2%	
Initial Year 1 cost: set up and maintenance	£ 152,277.40	3	3.5% interest	£ 1,142,167.14	£ 50,809.32	2%	
Total 30 year costs no inflation	£ 1,415,600.78	4	3.5% interest	£ 1,129,555.35	£ 51,825.50	2%	
Average annual budget based on costs	£ 48,836.33	5	3.5% interest	£ 1,115,450.39	£ 52,862.01	2%	
Average annual year 2 with inflation	£ 49,813.06	6	3.5% interest	£ 1,099,778.97	£ 53,919.25	2%	
Inflation (Green Book)	2%	7	3.5% interest	£ 1,082,464.80	£ 54,997.64	2%	
Interest (Green Book)	3.50%	8	3.5% interest	£ 1,063,428.51	£ 56,097.59	2%	
		9	3.5% interest	£ 1,042,587.50	£ 57,219.54	2%	
		10	3.5% interest	£ 1,019,855.84	£ 58,363.94	2%	
		11	3.5% interest	£ 995,144.12	£ 59,531.21	2%	
		12	3.5% interest	£ 968,359.36	£ 60,721.84	2%	
		13	3.5% interest	£ 939,404.83	£ 61,936.27	2%	
		14	3.5% interest	£ 908,179.96	£ 63,175.00	2%	
		15	3.5% interest	£ 874,580.13	£ 64,438.50	2%	
		16	3.5% interest	£ 838,496.59	£ 65,727.27	2%	
		17	3.5% interest	£ 799,816.24	£ 67,041.82	2%	
		18	3.5% interest	£ 758,421.53	£ 68,382.65	2%	
		19	3.5% interest	£ 714,190.24	£ 69,750.31	2%	
		20	3.5% interest	£ 666,995.34	£ 71,145.31	2%	
		21	3.5% interest	£ 616,704.77	£ 72,568.22	2%	
		22	3.5% interest	£ 563,181.34	£ 74,019.58	2%	
		23	3.5% interest	£ 506,282.42	£ 75,499.97	2%	
		24	3.5% interest	£ 445,859.83	£ 77,009.97	2%	
		25	3.5% interest	£ 381,759.60	£ 78,550.17	2%	
		26	3.5% interest	£ 313,821.76	£ 80,121.18	2%	
		27	3.5% interest	£ 241,880.10	£ 81,723.60	2%	
		28	3.5% interest	£ 165,761.98	£ 83,358.07	2%	
		29	3.5% interest	£ 85,288.05	£ 85,025.23	2%	
		30	3.5% interest	£ 272.01	£ 86,725.74	2%	
		Total cost including inflation			£ 2,084,637.17		

GBC Funding Model Projections
CONSERVATIVE MODEL:

Biodiversity Units (BU's) total available	170.34						
Minimum price per BU to cover costs	£ 10,860.00	Year	Interest	Endowment	Budget	Inflation	
Endowment	£ 1,849,892.40	2	2.5% interest	£ 1,740,055.38	£ 53,719.96	10%	
Initial Year 1 cost: set up and maintenance	£ 152,277.40	3	2.5% interest	£ 1,728,493.80	£ 59,091.96	10%	
Average annual budget based on costs	£ 48,836.33	4	2.5% interest	£ 1,711,136.88	£ 65,001.16	10%	
Average annual year 2 with inflation	£ 53,719.96	5	2.5% interest	£ 1,687,289.12	£ 71,501.27	10%	
Inflation 10% initially	2%	6	2.5% interest	£ 1,656,182.55	£ 72,931.30	2%	
Inflation (Green Book 2% and 10% initially)	2%	7	2.5% interest	£ 1,622,832.53	£ 74,389.92	2%	
Interest (Green Book)	2.50%	8	2.5% interest	£ 1,587,153.68	£ 75,877.72	2%	
Total 30 year costs no inflation	£ 1,415,600.78	9	2.5% interest	£ 1,549,057.85	£ 77,395.27	2%	
		10	2.5% interest	£ 1,508,454.14	£ 78,943.18	2%	
		11	2.5% interest	£ 1,465,248.74	£ 80,522.04	2%	
		12	2.5% interest	£ 1,419,344.86	£ 82,132.48	2%	
		13	2.5% interest	£ 1,370,642.69	£ 83,775.13	2%	
		14	2.5% interest	£ 1,319,039.24	£ 85,450.64	2%	
		15	2.5% interest	£ 1,264,428.32	£ 87,159.65	2%	
		16	2.5% interest	£ 1,206,700.38	£ 88,902.84	2%	
		17	2.5% interest	£ 1,145,742.48	£ 90,680.90	2%	
		18	2.5% interest	£ 1,081,438.12	£ 92,494.52	2%	
		19	2.5% interest	£ 1,013,667.19	£ 94,344.41	2%	
		20	2.5% interest	£ 942,305.85	£ 96,231.30	2%	
		21	2.5% interest	£ 867,226.42	£ 98,155.92	2%	
		22	2.5% interest	£ 788,297.26	£ 100,119.04	2%	
		23	2.5% interest	£ 705,382.67	£ 102,121.42	2%	
		24	2.5% interest	£ 618,342.78	£ 104,163.85	2%	
		25	2.5% interest	£ 527,033.41	£ 106,247.13	2%	
		26	2.5% interest	£ 431,305.94	£ 108,372.07	2%	
		27	2.5% interest	£ 331,007.21	£ 110,539.51	2%	
		28	2.5% interest	£ 225,979.40	£ 112,750.30	2%	
		29	2.5% interest	£ 116,059.82	£ 115,005.31	2%	
		30	2.5% interest	£ 1,080.88	£ 117,305.41	2%	
		Total cost including inflation			£ 2,737,603.02		

Equality Impact Assessment

The purpose of an assessment is to understand the impact of the Council's activities* on people from protected groups and to assess whether unlawful discrimination may occur. It also helps to identify key equality issues and highlight opportunities to promote equality across the Council and the community. The assessment should be carried out during the initial stages of the planning process so that any findings can be incorporated into the final proposals and, where appropriate, have a bearing on the outcome.

(*Activity can mean strategy, practice, function, policy, procedure, decision, project or service)

Name of person completing the assessment	Dan Knowles	Date of assessment	02/11/2022
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Name of the proposed activity being assessed	Habitat bank, Tyting Farm SANG	Is this a new or existing activity?	New
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Who will implement the activity and who will be responsible for it?	Parks and Leisure Service
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1. Determining the relevance to equality

What are the aims, objectives and purpose of the activity?	To increase the habitat value of Tyting Farm SANG (public open space) in order to provide habitat credits that developments can purchase to achieve a biodiversity net gain (BNG).
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Is this a major activity that significantly affects how services or functions are delivered?	No	Who will benefit from this activity and how?	The public will have access to a more attractive open space. General public benefit from environmental improvements. Developers will benefit from access to credits.
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Does it relate to a function that has been identified as being important to people with particular protected characteristics?	No	Who are the stakeholders? Does the activity affect employees, service users or the wider community?	The public, developers. The scheme will provide benefits for the wider community and users of the SANG.
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Based on the above information, is the activity relevant to equality?

Yes – continue to section 2	No.
No – please record your reasons why the activity is not relevant to equality	The land is already set aside as SANG. SANGs are subject to accessibility criteria (e.g. accessible footpaths). The proposed habitat bank does not alter the SANG infrastructure (e.g. parking, paths) but instead simply improves the biodiversity on site.

2. Is the proposed activity accessible for all the protected groups listed below? <i>(Consider in what ways the activity might create difficulties or barriers to parts of the workforce, community or protected groups. How might one or more groups be excluded because of the activity?)</i>			
Protected groups	Yes	No	Evidence
Disability		X	
Race		X	
Gender		X	
Sexual orientation		X	
Age		X	
Religion or belief		X	
Transgender or transsexual		X	
Marriage and civil partnership		X	
Pregnancy or maternity		X	

3. Is it likely the proposed activity will have a negative impact on one or more protected groups?			
Protected groups	Yes	No	Evidence
Disability		X	
Race		X	
Gender		X	
Sexual orientation		X	
Age		X	
Religion or belief		X	
Transgender or transsexual		X	

Marriage and civil partnership		X	
Pregnancy or maternity		X	

4. What action can be taken to address any negative impact? What measures could be included to promote a positive impact? (*Consider whether it is possible to amend or change the activity due to the likely adverse impact whilst still delivering the objective. Is it possible to consider a different activity which still achieves the aims but avoids an adverse impact? Is an action plan required to reduce any actual or potential adverse impact?*)

None required.

5. What are the main sources of evidence that have been used to identify the likely impacts on the different protected groups? (*Use relevant quantitative and qualitative information that is available from sources such as previous EIA's, engagement with staff and service users, equality monitoring, complaints, comments, customer equality profiles, feedback, issues raised at previous consultations and known inequalities*).

Open spaces are already designed in accordance with accessibility guidance. As a SANG, the SANG plan accords with Natural England's SANG guidelines which ensure that SANGs are accessible and safe for vulnerable users. The delivery of a habitat bank will not undermine the SANG plan but will enhance the attractiveness of the site for users.

6. Has any consultation been carried out (e.g. with employees, service users or the wider community)? Please provide details

The land is already a SANG and it is considered that the proposal for a habitat bank will not affect (and in fact will enhance) that role. Councillors and directors have been consulted on the specific proposal for Tyting.

7. Is further consultation required as a result of any negative impact identified? If so, what groups do you intend to engage with and how?

No

8. Conclusion of Equality Impact Assessment - please summarise your findings

The proposal will provide a net public benefit for all groups due to the enhancement to the SANG (public open space) and general environmental benefits.

Name of person completing assessment:

Date: 02/11/2022

Job title: Dan Knowles

Signature: Dan Knowles

Senior manager name: Laura Howard

Date: 03/11/2022

Signature: Laura Howard

Guildford Borough Council

Report to: Executive

Date: 22 June 2023

Ward(s) affected: Stoke; Send & Lovelace

Report of Director: Executive Head of Planning Development

Author: Claire Upton-Brown

Tel: 01483 444316

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Lead Councillor responsible: George Potter

Tel: 07411 005115

Email: George.Potter@guildford.gov.uk

Report Status: Open

Supplementary Estimate for funds in respect of potential appeal against Member overturned item and appeal against non-determination

1. Executive Summary

- 1.1 Applicants can appeal against a refusal of planning permission, non-determination of a planning application, planning conditions and Enforcement Notices. Where appeals are lodged there is an expectation that the Council will robustly defend its decision. In cases of non-determination, the Council must set out what decision it would have made including reasons for refusal. Non determination appeals must be reported to Planning Committee to seek its views on the decision it would have made had it been able to determine an application.
- 1.2 Appeals can be considered by written representation, Hearings or Public Inquiry. Matters of complexity will normally be dealt with at Public Inquiry. In the case where an officer recommendation has

been overturned, the decision may be made to appoint an external planning expert to present the Council's case. For Public Inquiries Counsel will be appointed there may also be a need for expert witnesses to be appointed.

- 1.3 The Council currently has an appeal by Taylor Wimpey against the non-determination of the planning application relating to the redevelopment of Wisley Airfield. The Council has also been advised that an appeal will be lodged against the refusal of the North Street application. It is understood that the appeal will be lodged at the end of June and will be dealt with by Public Inquiry with a likely date in early 2024. A revised planning application will be submitted at the end of June. If permission is forthcoming for the revised scheme, the applicants have suggested that the appeal would be withdrawn. Work will need to start on the appeal as soon as the start date is confirmed by the Planning Inspectorate. Therefore, there is a need to fund elements of this work, for example Counsel will need to be appointed to advise the Council as it progresses.
- 1.4 This report seeks supplementary budget for the Wisley appeal and for the North Street appeal. As the Planning Committee is yet to consider the appeal application and there are still some outstanding consultation responses it cannot be confirmed the case the Council will be defending or the expert witnesses that may need to be appointed. There is also a suggestion on the North Street refusal that the appellants will seek to substitute some of the submitted plans which will address some of the reasons for refusal. However, at this stage there is no certainty around this matter.

2. Recommendation to Executive

- 2.1 That the Executive approves an initial supplementary budget of £350,000 to the Wisley Appeal and for the initial work to prepare for the North Street appeal.

3. Reason for Recommendation:

- 3.1. To enable a robust defence of the appeal against non-determination of the Wisley appeal and to do the initial work to prepare for the North Street appeal.

4. Exemption from publication

- 4.1. None.

5. Purpose of Report

- 5.1 The purpose of the report is to seek supplementary budget for the cost of defending the Wisley appeal against non-determination and the North Street appeal. This will result in the appointment of Counsel in both cases together with the appointment of some external consultants. In the case of Wisley, officers will represent the Council as expert planning witnesses. It is likely that an external planning witness will be needed for North Street as there is insufficient internal capacity to deal with the revised application and prepare for the appeal.

6. Strategic Priorities

- 6.1 This proposal supports delivery of the following key aspects of the Council's strategic priorities as follows:
 - Revive Guildford town centre to unlock its full potential
 - Provide and facilitate housing that people can afford
 - Create employment opportunities through regeneration
 - Support high quality development of strategic sites

Approval of the recommendations within this report will enable the funds to be available to appoint appropriate persons to defend the Council's position at appeal. Robust defending of appeal decisions ensures that strategic priorities are met at promoting high quality development.

7. Background

- 7.1 Budget provisions for Development Management include only a very small budget amount for dealing with appeals wrapped up with a 'Consultancy' account code.
- 7.2 The dates for a 24-day Public Inquiry in respect of the Wisley appeal have now been set. Officers have been able to secure an extension of time for the submission of the Statement of Common Ground until 17 July 2023. This will enable a Special Planning Committee to take place on 10 July 2023 to confirm the decision it would have made, if that is one of refusal the Committee will also confirm the grounds on which officers will defer the appeal.
- 7.3 Officers are concerned about the way the applicants have behaved in lodging the appeal. A significant amount of additional information was submitted to the Council days before the appeal was lodged. A number of statutory consultees were reconsulted on the additional information and consultation response are currently being finalised.
- 7.4 Until all the consultation responses are received and the matter has been considered by the Planning Committee it is not possible to confirm the number of expert witnesses needed to present the Council's case at appeal.

8. Consultation

- 8.1 The Planning Committee will be asked to confirm the decision it would have made on the Wisley application had the applicant not appealed against non-determination. It is important to advise that there are matters that would have been discussed and potentially resolved through negotiation between officers and the applicants' team. The appeal against non-determination has truncated this negotiation.
- 8.2 There are currently a number of reasons for refusal relating to the North Street application. As an appeal is yet to be lodged it is unclear at this stage how the applicants will try to address some of the reasons for refusals through the appeal process. The Planning

Committee will be advised of process as the Council's case is prepared. It is common practice in a situation where there is no evidence that can be presented to defend a reason for refusal for the Planning Committee to be advised of this, in closed session.

- 8.3 Officers will follow a procurement procedure for all appointments to ensure that the Council is receiving appropriate value for money.

9. Key Risks

- 9.1. Failure to appropriately resource appeals could be perceived by interested parties as the Council failing in its duty to defend its decisions.
- 9.2. Failure to resource either appeals with the appropriate professional support could lead to the appeal being allowed or the award of costs against the Council for unreasonable behaviour. This is particularly relevant for the North Street appeal where the Planning Committee has gone against expert Professional advice on matters such as viability with no contrary professional evidence.

10. Financial Implications

- 10.1 The cost of defending both appeals will result in cost increase outside existing budget. Officers need to carefully manage each stage of both appeals to ensure that the Council puts the most robust case forward and ensure that it has a robust case to respond to any award of costs application from appellants. Officers also need to ensure that if there is a case to be made for the Council seeking an award of costs against the appellants it has a clear strategy as it moves through the appeal milestones.

11. Legal Implications

- 11.1. There will be a need to secure senior Counsel to support the Council in both appeals.

12. Human Resource Implications

- 12.1 Preparing the case for both appeals together with the length of time already set out for the Wisley appeal will require a considerable commitment from various officers across the Council. This will take a number of officers away from other work over the coming months which will put additional pressures on other parts of the Service.

13. Equality and Diversity Implications

- 13.1. There are no equality and diversity implications as a result of this report.

14. Climate Change/Sustainability Implications

- 14.1 Delivering development that is not sustainable will have implications for the Borough. Defending these appeals in a robust manner will ensure that sustainable development is delivered in the Borough in a way that addresses the Climate Change emergency.

15. Summary of Options

- 15.1 The Council could decide not to defend either appeal. The implications for doing so would potentially result in inappropriate development being delivered in the area or development that is not supported by appropriate infrastructure. This would also give the appellant strong grounds for an award of costs against the Council on the grounds of unreasonable behaviour.
- 15.2 This report is seeking a supplementary budget for £350,000 to cover the appointment of external support to support the Council in defending its position at both appeal Inquiries.

16. Conclusion

- 16.1 The appeals referenced in this report necessitated the appointment of external consultants to represent the Council and robustly defend the reasons for refusal. The supplementary expenditure is considered essential.