

GUILDFORD BOROUGH COUNCIL

Minutes of a meeting of Guildford Borough Council held at Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Tuesday 11 April 2017

* Councillor Gordon Jackson (Mayor)

* Councillor Nigel Manning (Deputy Mayor)

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| * Councillor David Bilbé | * Councillor Nigel Kears |
| * Councillor Richard Billington | * Councillor Sheila Kirkland |
| * Councillor Philip Brooker | * Councillor Julia McShane |
| * Councillor Adrian Chandler | * Councillor Bob McShee |
| * Councillor Alexandra Chesterfield | * Councillor Marsha Moseley |
| Councillor Nils Christiansen | * Councillor Nikki Nelson-Smith |
| * Councillor Colin Cross | * Councillor Susan Parker |
| * Councillor Geoff Davis | * Councillor Mike Parsons |
| * Councillor Graham Ellwood | * Councillor Dennis Paul |
| * Councillor David Elms | * Councillor Tony Phillips |
| * Councillor Matt Furniss | * Councillor Mike Piper |
| * Councillor Andrew Gomm | * Councillor David Quelch |
| * Councillor Angela Goodwin | * Councillor Jo Randall |
| * Councillor David Goodwin | * Councillor David Reeve |
| Councillor Murray Grubb Jnr | * Councillor Caroline Reeves |
| Councillor Angela Gunning | * Councillor Iseult Roche |
| * Councillor Gillian Harwood | * Councillor Tony Rooth |
| * Councillor Liz Hogger | * Councillor Matthew Sarti |
| * Councillor Christian Holliday | * Councillor Pauline Searle |
| Councillor Liz Hooper | * Councillor Paul Spooner |
| * Councillor Mike Hurdle | * Councillor James Walsh |
| * Councillor Michael Illman | * Councillor Jenny Wicks |
| * Councillor Jennifer Jordan | * Councillor David Wright |

*Present

Honorary Aldermen K Childs, Mrs M Lloyd-Jones, N Sutcliffe and M A H M Williamson were also in attendance.

The Mayor reminded the Council of the death of Honorary Alderman R E Blundell on 26 March 2017. Honorary Alderman Blundell was first elected for the former St Nicolas Ward in 1972 and had served as a councillor for the following 33 years. He had been Mayor of the Borough in 1999-2000.

As a mark of respect, the Council stood in silent tribute to the memory of Honorary Alderman R E Blundell.

CO109 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Nils Christiansen, Angela Gunning, and Liz Hooper, and from Honorary Freeman Andrew Hodges and David Watts and Honorary Aldermen Mrs C F Cobley, Mrs C F P Griffin, Mrs J Marks, B Parke, T Patrick, and Mrs L Strudwick.

CO110 DISCLOSURES OF INTEREST

Although there were no disclosable pecuniary interests, Councillor David Elms declared a non-pecuniary interest in respect of Minute No. CO118 below (Lease to Sea Cadets – Woodbridge

Road Sports Ground) on the basis that he was a trustee and member of the unit management committee of the Sea Cadets.

CO111 MINUTES

The Council confirmed, as a correct record, the minutes of the ordinary meeting held on 8 February 2017 and the special meeting held on 6 March 2017. The Mayor signed the minutes.

CO112 MAYOR'S COMMUNICATIONS

Special Awards for service to the Community

The Mayor informed the Council of the forthcoming retirement of Joan O'Byrne and Vicky Payne, the two Bureau Managers at the Guildford and Ash Citizens Advice Bureaux respectively. In recognition of their outstanding contribution to the CAB and support for the residents of the Borough, the Mayor presented both Bureau Managers with a special Mayoral award.

The Mayor's Blue Sky Ball

The Mayor reminded councillors of the forthcoming Mayor's Blue Sky Ball, which would take place at G Live on Saturday 29 April 2017 from 7pm. The evening would include the chance to bid for a 'money-can't-buy' prize in a silent auction to support the Mayor's charities, including the Surrey Hills Trust Fund and the Surrey Cancer Research Institute.

CO113 LEADER'S COMMUNICATIONS

There were no communications from the Leader of the Council.

CO114 PUBLIC PARTICIPATION

Mr Bob Bromham, on behalf of Holy Trinity Amenity Group, addressed the Council meeting in respect of item 8 on the agenda - Findings of the Planning Committee Review Group (see Minute No. CO116 below).

CO115 QUESTIONS FROM COUNCILLORS

There were no questions from councillors.

CO116 FINDINGS OF THE PLANNING COMMITTEE REVIEW GROUP

The Council noted that a councillor working group had been established in November 2016 to review the size of the current Planning Committee, with the main remit to submit proposals for a smaller Committee. The working group had recommended that there would be real benefit in reducing the size of the Planning Committee from 23 councillors to 12 councillors, with effect from the 2017-18 municipal year. It was also recommended that the maximum number of substitute members per political group be reduced from 7 to 5.

The benefits of a smaller Committee would include:

- A skilled and professional Planning Committee with more focused expert debate;
- More focused and efficient execution of business;
- Ability for ward Councillors who are not Planning Committee members to address the Committee with greater freedom to speak openly and freely;

The working group had also reviewed a number of processes and procedures associated with the business of the Planning Committee and had made a series of recommendations in that regard, which were summarised, for information, in paragraph 3.7 of the report submitted to the Council. At its meeting on 8 March 2017, the Planning Committee had considered a report on

the group's findings and recommendations, including the proposed reduction in the size of the Committee.

In considering the proposed reduction in the size of the Committee, the Planning Committee felt that a reduction to 15, rather than 12, councillors would be appropriate and, accordingly, had recommended this to full Council. The Planning Committee had also adopted the recommendations in respect of the proposed changes to its processes and procedures and these would be implemented with effect from the beginning of the 2017-18 municipal year.

At its meeting held on 30 March 2017, the Corporate Governance and Standards Committee had also considered the report, in the context of its responsibility for considering and advising Council on constitutional matters, the constitutional issue being the proposed reduction in size of the Planning Committee, and reduction in the maximum number of substitute members per political group on that Committee.

The Corporate Governance and Standards Committee had concurred with the Planning Committee's recommendation in respect of the size of the Planning Committee (15 councillors) and had recommended that the maximum number of substitute members per political group on the Planning Committee should reduce from 7 to 5.

It was proposed to implement all the changes described in the report, on a trial basis for 12 months, and thereafter to set up a further task group to undertake a comprehensive process review to establish how the changes were working.

Since the publication of the agenda for the meeting, Artington, Ripley, and Send Parish Councils, supported by Effingham, Normandy, Pirbright, Shalford and West Horsley Parish Councils, had written to the Leader of the Council to express concerns over the proposals, particularly the proposed reduction in the size of the Planning Committee stating the importance of having their ward councillor involved in decisions on planning applications that affect their locality.

The parish councils had asked the Council to defer consideration of any reduction in size of the Planning Committee to enable all parish councils to be consulted and make representations.

In addition, emails expressing similar concerns had been received from the Burpham Community Association and nine other residents, with each stating that the current representation on the Committee was an important part of the democratic process.

All submissions (including the Leader's response to Artington, Ripley and Send Parish Councils) had been circulated to all councillors in advance of the meeting.

At the Planning Committee meeting on 8 March, councillors had asked for benchmarking data with all other Surrey authorities on appeal success rates, and further guidance on bias and pre-determination issues. The benchmarking data was set out in the Order Paper circulated to councillors before the meeting.

The Leader of the Council, Councillor Paul Spooner, proposed and the Deputy Leader of the Council, Councillor Matt Furniss, seconded the following motion:

- “(1) That, having taken into consideration the recommendations of the Planning Committee Review Working Group, the Planning Committee and Corporate Governance and Standards Committee in respect of the proposed reduction in the number of councillors appointed to the Planning Committee, the Council agrees that, with effect from the May 2017, the Planning Committee shall comprise 15 councillors.*

- (2) *That, with effect from May 2017, the maximum number of substitute members per political group on the Planning Committee be reduced from 7 to 5.*
- (3) *That the reduced size of the Planning Committee be subject to a 12 month trial, after which a task group be established to undertake a comprehensive process review to establish how the changes (including those approved by the Planning Committee on 8 March 2017) are working."*

Following the debate on the motion, Councillor David Goodwin proposed and Councillor Colin Cross seconded, the following amendment:

Substitute the following in place of paragraphs (1) to (3) of the motion:

"That the Council defers consideration of any reduction in size of the Planning Committee to enable further consultation with parish councils, residents' associations and one Executive Advisory Board."

Following the debate on the amendment, it was put to the vote and was lost.

In considering the original motion, therefore, the Council

RESOLVED:

- (1) That, having taken into consideration the recommendations of the Planning Committee Review Working Group, the Planning Committee and Corporate Governance and Standards Committee in respect of the proposed reduction in the number of councillors appointed to the Planning Committee, the Council agrees that, with effect from the May 2017, the Planning Committee shall comprise 15 councillors.
- (2) That, with effect from May 2017, the maximum number of substitute members per political group on the Planning Committee be reduced from 7 to 5.
- (3) That the reduced size of the Planning Committee be subject to a 12 month trial, after which a task group be established to undertake a comprehensive process review to establish how the changes (including those approved by the Planning Committee on 8 March 2017) are working.

Reason for Decision:

To modernise the Planning Committee and to review and update all associated processes and procedures.

CO117 COUNCILLOR APPOINTMENTS TO EXTERNAL ORGANISATIONS WORKING GROUP: INTERIM REPORT

The Council appointed councillors to a number of local external organisations for which they undertook a range of governance or advisory roles. The Council's constitutional protocol provided guidance to councillors undertaking such appointments. Terms of office varied by organisation and, consequently, there was currently a need to report to Council annually to reappoint or fill vacancies.

On 10 May 2016, the Council had resolved to establish a Working Group with the following terms of reference:

- (a) to engage with those external organisations to which the Council appoints representatives to discover what they look for from such appointments;

- (b) to review the process for making appointments and, in relation to each organisation, whether the Council should continue to make such appointments; and
- (c) to submit a report on their findings to the Corporate Governance and Standards Committee, for final recommendation to Council.

In November 2016, a Working Group was established and a review of the process and engagement with external organisations commenced. The Council considered an interim report setting out the progress of the review to date, together with a number of initial recommendations.

The report, including the working group's initial recommendations, had also been considered by the Corporate Governance and Standards Committee at its meeting held on 30 March 2017. The Committee had recommended that Council adopts all of the initial recommendations.

Upon the motion of the Deputy Leader of the Council, Councillor Matt Furniss, seconded by the Leader of the Council, Councillor Paul Spooner, the Council:

RESOLVED:

- (1) That councillors will normally be appointed to such external organisations that:
 - (i) Support the Council's Corporate priorities, and/or
 - (ii) Assist in delivery of Council services, and/or
 - (iii) Are using Council facilities
- (2) That all appointees to external organisations shall be current borough councillors.
- (3) That, in principle, when an appointment is made there shall be just one councillor appointee and a deputy appointed to each external organisation.
- (4) That the Council shall appoint to external organisations for a four-year term of office following Borough Council elections, and that, should a vacancy arise during a term of office, the deputy appointee (where applicable) will normally assume the role of the appointee for the term of office remaining, and group leaders will be asked to submit nominations for the appointment of a new deputy appointee in accordance with the provisions of these recommendations.
- (5) That the term of office in respect of appointments to external organisations expiring in May 2017 be extended to July 2017.
- (6) That a 'person profile', as set out in Appendix 8, shall be completed by each external organisation to ensure that the appointment is a suitable match to the requirements of the organisation and the capacity of the individual councillor in terms of skills, experience and time commitment.
- (7) That councillors shall not accept an appointment to an external organisation unless there is a full understanding of the commitments and requirements for the role between all parties.
- (8) That political group leaders shall liaise between themselves to ensure that individual councillors' interest in specific nominations are shared between them before the meeting at which any contested appointments are to be determined.

- (9) That, in relation to contested appointments, each nominee shall have the opportunity to make either a written or an oral personal statement to the meeting in support of their nomination before the vote is taken, with any oral statement taking no longer than three minutes.
- (10) That the Democratic Services Manager be authorised to determine uncontested appointments to external organisations.
- (11) That it will be the expectation of the Council that an induction and suitable training shall be provided for the councillor appointee by the external organisation which shall include any legal responsibilities, budget and financial issues, information sharing with the council or other bodies and accountability.
- (12) That the process of appointments to external organisations shall be covered in the Council's new councillor induction programme.
- (13) That all councillors appointed to an external organisation shall each year provide written feedback on the work of those organisations over the previous twelve months using the report template at Appendix 9 to the report submitted to the Council.
- (14) That the Monitoring Officer, in consultation with the Lead Councillor for Infrastructure and Governance, be authorised to make such amendments to the Council's Constitution as may be necessary to implement these adopted recommendations.
- (15) That these arrangements be reviewed in three years' time.

Reason for Decision:

To ensure that the Council maintains and develops relationships with key local organisations and partners in the most mutually productive ways and in the best interests of local people.

CO118 LEASE TO SEA CADETS - WOODBRIDGE ROAD SPORTS GROUND

In its capacity as the sole trustee of Woodbridge Road Sports Ground, the Council considered a report on the proposed grant of a new lease to the Guildford Unit of the Sea Cadets Corps of part of the Sports Ground. The proposed new lease would be for a term of 75 years, at an initial rent of £500 per year, subject to five-yearly reviews.

At the meeting, councillors were informed that, following a very recent check of the file, there was correspondence stating that the Sea Cadets had agreed to the inclusion of a mutual break option on the 25th and 50th anniversary of the lease. Unfortunately, this had not been reflected in the report submitted to the Council or the proposed Heads of Terms appended to it. In order to resolve this, it was suggested that paragraph (1) of the recommendation in the report be amended to seek approval in principle at this stage to the grant of a lease and surrender of the current lease and an additional paragraph authorising the Director of Community Services, in consultation with the Lead Councillor, to finalise the Heads of Terms.

Upon the motion of the Lead Councillor for Asset Management, Councillor Geoff Davis, seconded by the Leader of the Council, and Lead Councillor for Planning and Regeneration, Councillor Paul Spooner, the Council

RESOLVED: That the Council, acting in its capacity as the sole trustee of Woodbridge Road Sports Ground:

- (1) approves in principle the grant of a lease to the Guildford Unit of the Sea Cadets Corps and the proposed surrender of their current lease;
- (2) approves the below market letting to Guildford Unit of the Sea Cadets Corps allowable under the exemption in Section 117(3) of the Charities Act (charity to charity) where the Council as trustee can grant the lease at less than best price; and
- (3) authorises the Director of Community Services, in consultation with the Lead Councillor for Asset Management, to finalise the Heads of Terms.

Reason for Decision:

To secure the ongoing use by Guildford Unit of the Sea Cadets Corps in accordance with the vesting deed at Woodbridge Road Sports Ground.

CO119 NOTICE OF MOTION DATED 2 MARCH 2017

Upon the motion of the Leader of the Council, and Lead Councillor for Planning and Regeneration, Councillor Paul Spooner, seconded by the Deputy Leader of the Council and Lead Councillor for Infrastructure and Governance, Councillor Matt Furniss, the Council

RESOLVED:

- (1) That the Council be reminded of its resolution dated 12 July 2016 condemning racism, xenophobia and hate crimes, as follows:

“We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Guildford Borough Council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable. We are pleased to note the strong stance that Surrey Police have taken against these issues.

Guildford Borough Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent all these anti-social acts, and reassures all people living in Guildford borough that they are valued and welcome members of our community.”

- (2) That, as reflected in our Equality and Diversity Policy Statement, the Council will continue:
 - (a) to ensure that unfair discrimination does not arise by promoting equality of opportunity, valuing diversity and promoting good relations between the diverse members of our community, as well as tolerance and understanding of the needs of others; and
 - (b) to recognise that people need protection from unfair discrimination, in particular, on grounds of:
 - gender/sex
 - race/ethnicity
 - disability
 - religion or belief
 - sexual orientation
 - age
 - gender reassignment
 - marital/civil partnership status

- pregnancy/maternity

(3) That the Council notes:

- that, in December 2016, the Government became the first European Union country to formally adopt the International Holocaust Remembrance Alliance's working definition of Anti-Semitism; and
- the letter from the Secretary of State for Communities and Local Government, dated 30 January 2017, strongly encouraging councils to adopt the definition of Anti-Semitism.

(4) That the Council adopts the International Holocaust Remembrance Alliance's working definition of Anti-Semitism, as set out below:

“Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of Anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

(5) That the definition of Anti-Semitism, together with the accompanying illustrative examples, be used to guide the Council in the delivery of its equalities duties in relevant circumstances.

CO120 MINUTES OF THE EXECUTIVE

The Council received and noted the minutes of the meeting of the Executive held on 21 February 2017.

CO121 EXCLUSION OF THE PUBLIC

Upon the motion of the Mayor, Councillor Gordon Jackson, seconded by the Deputy Mayor, Councillor Nigel Manning, the Council

RESOLVED: That under Section 100A(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

CO122 ACQUISITION OF PROPERTY FOR POSSIBLE ESTABLISHMENT OF SOCIAL ENTERPRISE HUB

The Council considered a report on the current availability of a site for sale, which would be useful for the purposes of providing a social enterprise hub. The proposed use would bring together a number of existing social enterprise projects and support the delivery of the Council's corporate priorities by acting as a catalyst to inspire new ventures.

As there was currently no budget for this purchase, the report had requested a virement of £1.3 million from the capital contingency fund to fund the purchase of the site and acquisition costs.

At this stage of the process, the Council had not completed any surveys or inspections of the site. It was, therefore, not possible to ascertain, whether any additional works would be required prior to leasing it and what the associated costs would be. Officers anticipated that any such works to the property following acquisition would be funded through a further virement from the capital contingency fund.

The report had sought authority for the Managing Director, in consultation with the Leader of the Council, to conduct further negotiations to secure the purchase of the site.

Upon the motion of the Lead Councillor for Asset Management, Councillor Geoff Davis, seconded by the Deputy Leader of the Council, and Lead Councillor for Infrastructure and Governance, Councillor Matt Furniss, the Council

RESOLVED:

- (1) That the acquisition of the site referred to in the report, on the broad terms described therein, be approved in principle and that the Managing Director, in consultation with the Leader of the Council, be authorised to conduct further negotiations to secure its purchase.
- (2) That a virement of £1.3 million from the Capital Contingency Fund be approved to fund the purchase.
- (3) That the Managing Director, in consultation with the Leader, be authorised to negotiate the terms of a lease of the site by voluntary sector partners for the purposes of providing a centre for social enterprise.

Reason for decision:

To secure a site to facilitate the provision of a centre for social enterprise, training, skills and employment in the borough.

CO123 COMMON SEAL

The Council

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

The meeting finished at 8.57 pm

Signed

Mayor

Date