

GUILDFORD BOROUGH COUNCIL

Draft Minutes of a meeting of Guildford Borough Council held at Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Tuesday 5 October, 2021

* The Mayor, Councillor Marsha Moseley (Mayor)

* The Deputy Mayor, Councillor Dennis Booth (Deputy Mayor)

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

*Present

Before proceeding to the principal business of the meeting, the Council observed a minute's silence in memory of former councillor Tom Sharp, who had passed away on 20 August 2021.

CO41 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Paul Abbey, Christopher Barrass, and Liz Hogger and Honorary Freeman Andrew Hodges and Jen Powell, and Honorary Aldermen Catherine Cobley, Jayne Marks, Terence Patrick, and Lynda Strudwick.

CO42 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO43 MINUTES

The Council confirmed, as a correct record, the minutes of the Meeting held on 28 July 2021. The Mayor signed the minutes.

CO44 MAYOR'S COMMUNICATIONS

The Mayor informed the Council that she was hosting a charity fund raiser for Shooting Star Children's Hospices and the Mayor's Local Support Fund on Sunday 31 October 2021.

The Mayor invited councillors to assist with this year's Poppy Appeal collection in Guildford town centre on either Friday 5 November or Saturday 6 November.

The Mayor reported that, in August, she had attended Guildford Chess Club's 125th anniversary event comprising a 125-Board simultaneous display on Guildford High Street, involving nine Masters, who took on all-comers, with each Master facing between 12 to 15 opponents simultaneously.

The Mayor had visited Mrs Ethel Caterham at Abbey Wood Care Home in Ash Vale in August to celebrate her 112th birthday. Mrs Caterham was the second oldest lady in Britain.

The Mayor had recently visited HM Prison Send, which was a closed category women's prison, and had spent the morning with the Chaplaincy to learn about and see the Making Connections Programme which, in conjunction with the charity the Nazareth Way, supported prisoners as they prepared to leave prison.

CO45 LEADER'S COMMUNICATIONS

The Leader reported that Covid cases were currently at around 300 per 100,000 in the borough, which was in line with both Surrey and the south-east, and cases remained highest in the 10 to 19 year old age group. In the previous week, there had been only 30 new hospital admissions at Frimley Park Hospital and 14 at the Royal Surrey County Hospital. Guildford, as a borough, had high vaccination rates but our urban area was amongst the worst in the county despite a more aggressive communication campaign.

The Leader urged those who had not been vaccinated to make an extra effort to before the winter, and noted that the new vaccination centre on Artington Park and Ride was open and ready to receive those requiring vaccination.

The Leader commented on the Car Free Day in Guildford on 23 September 2021, which had been organised to heighten awareness of using modes of transport other than cars, whilst helping residents picture the benefits of further pedestrianisation of our town centre could bring. The Leader had received many messages congratulating the Council on the day and he thanked everyone involved in organising and supporting the event.

The Leader was pleased to report that nearly 11,000 households had signed up to "My Guildford", which was almost double our target for 2021.

Finally, the Leader was pleased to announce that the Council had been awarded a 'Pawprints' award by the RSPCA for the third year running for animal activity licensing, which recognised that we exceeded our requirements in five areas of good practice.

In response to questions from councillors, the Leader confirmed that:

- (1) he would be happy to share the feedback received in respect of the Car Free Day with councillors;
- (2) the annual Christmas Lights switch on event was not supported by Experience Guildford as retailers did not see an uptake in business as a result. In conjunction with Experience Guildford and town centre businesses, the event would be replaced by a programme of smaller events that would bring more people into the town over a longer period to celebrate the Christmas period. It was also felt that holding one large event with a great deal of uncertainty with the Covid pandemic over the winter months, would be inappropriate.

CO46 PUBLIC PARTICIPATION

The following question had been received from Mr Daniel Hill:

"The Truth

You have all been misled by James Whiteman, Joss Bigmore and James Steel. During my allocated time I will elaborate but for now this is a summary and can be fully verified.

- 1. Pirbright residents are very concerned about all contamination and pollution But ESPECIALLY the potential toxic waste leaking from the old dump.*
- 2. Renowned Environmental expert Gareth Simkins is not satisfied with the Environment Agency's "visual" assessment of Stoney Castle. He said water and soil samples need to be taken ASAP.*
- 3. GBC, SCC and EA have had the details of the landowner of the old dump for over 33 years but refused to take legal action.*
- 4. Since 2009 GBC, SCC and EA have had the details of the people occupying Stoney Castle and illegal dumping waste but refused to take legal action.*
- 5. Robin Hill does not own the Old dump at Stoney castle. He owns the land next door which only has about 5% of the waste which has been dumped by the occupiers (who agencies have details of since 09)*
- 6. GBC are aware that the Powers of Attorney ACT 1971 allows me to sign paperwork and make decisions relating to my dad's assets which are in his best interest. It does not make me legally responsible for the land.*

BACKGROUND

The history of illegal waste dumping has been well documented in the Surrey Advertiser and Guildford Dragon. With this question I will be concentrating on the barrels of PCB (toxic waste)

19 June 2021 - Environmental Expert Gareth Simkins - sent email to Environment Agency " I have been aware for some time about the saga of the [Stoney Castle illegal waste site](#), between Farnborough and Woking. I saw a [tweet](#) a moment ago from campaigners seeking to have the site shut down and cleaned up, featuring a picture of chemical drums there. One (if you turn it upside down) appears to say '[INSULATING OIL](#)'. To my mind, that means PCBs - formerly used in electrical transformers but banned for many years. If I am right, and if this was not known already, I think the importance of resolving the matter of Stoney Castle has just leapt up. I look forward to hearing back from you all as soon as possible."

24th June 2021 Daniel Hill email to James Whiteman MD - "Hi James, Can you please tell me what is happening about the toxic waste"

26th June 2021 Daniel Hill email to James Whiteman MD - "I had an email last week from a guy called Gareth Simkins. Who said Toxic waste has been found on the site. Not only that everyone on Twitter is talking about it."

28th June 2021 James Whiteman MD email to Daniel Hill "Thank you for your email. There is nothing further to add I'm afraid."

28th June 2021 Daniel Hill to James Whiteman MD - Hi James, Is this a joke what do you mean there's nothing further to add. You the managing director of Guildford Council. I want to know what you are doing about the toxic waste on my dads land."

4th August 2021 Daniel Hill email to James Whiteman and others " I've been contacted by a number of local residents who are very concerned about the potential toxic waste at Stoney Castle. People keep asking me for updates as they seem to be under the impression my power of Attorney means I have control of the site. Which we both know isn't correct. I have told everyone I don't have any control over the site. And they should be talking to you and GBC for updates. I have told the residents I have spoken to the site isn't safe and they should not be going there taking samples or videos. Can you please ask residents to stop contacting me about the site. It's not my job to keep residents safe that is your job.

5th August 2021 Guildford Borough Council press release

"3,000 litres of unidentified liquids including oils and fuels from Stoney Castle in Pirbright"

"Cllr James Steel, says: We will continue to work with Surrey County Council and the Environment Agency. After listening to residents' concerns about claims of toxic waste, we will be supporting the Environment Agency as they test the nearby canal and stream for any contamination caused by the illegal waste on site, as is their responsibility."

6th August 2021 Daniel Hill email to James Whiteman and others "I was given a very detailed description of the area concerning the local residents. Which are the fields directly next to the site. It wasn't initially obvious but when I moved the grass away with my foot I could see the soil was very oily. The fact residents are now asking me for updates instead of you their elected representative shows how bad the communication has become. Can you please give me some time scales as when we can expect some results."

10th August 2021 Environmental Expert Gareth Simkins tweet "I am increasingly concerned about how the waste was removed from Stoney Castle and what has happened to it - particularly those barrels of insulating oil."

10th August 2021 Environmental expert Gareth Simkins tweet "It is becoming apparent that this was not exactly the best managed of operations. But I must give [@GuildfordBC](#) the benefit of the doubt for the moment"

3rd September 2021 Environmental expert Gareth Simkins tweet " I am on the case about the fate of the suspected barrels of PCBs I identified at the Stoney Castle waste site, after it was cleared a few weeks ago. I am very concerned that it may not have been dealt with properly. "

8th September 2021 Ian Doyle "We emailed the EA on Monday and I also phoned one of the EA team to discuss this issue. It is clear from both email responses and verbal discussion that the EA have no intention of carrying out testing of the watercourse."

"The EA stated they carried out a visual assessment of the site on 28 July 2021. They concluded the site did not present a significant risk to the environment. They have not taken any samples or carried out any analysis, so there is no data to share."

QUESTION

Investigation is required on so many aspects of stoney castle however I am hopeful that now councillors have full information they will begin to scrutinise what has happened.

Q: Can Guildford Borough Council give a FULL DETAILED timeline/report of what happened to the barrels of PCB (toxic waste) removed from Stoney Castle during the recent GBC enforcement action.

Please begin with the date GBC were 1st made aware. To include decision makers and the procedure that identifies why GBC removed Hazardous "WASTE" from stoney castle when they only had enforcement powers to remove NON-WASTE.

Please include legally required copies of the waste transfer notes to confirm the barrels were correctly categorised and correctly disposed of. FYI Included is a screenshot (more evidence held) of said Toxic barrels on July 20th 21 During the clearing which were not present the day cleanup was finished.

The timeline and evidence provided will be assessed by a 3rd party to corroborate if it is the truth."

The Leader of the Council's written response to the question was as follows:

"Before responding to the main question, I would like to clarify a number of issues raised in the introductory material provided.

The Council disagrees with the statement that you have been misled by both Councillors and Council officers.

Whilst the Council works in partnership with both the Environment Agency and Surrey County Council it is not appropriate to respond on matters, such as waste that are their responsibility for enforcement. Any questions should be sent to them directly as previously advised.

Two parcels of land are referenced within the text, one being the site owned by your father, Robin Hill, which was subject to direct action by the Council during the summer of 2021. Please see the Council's statement dated 5 August 2021 in relation to this land (statement attached as Appendix 2 to the Order Paper).

A joint response from the Council, the Environment Agency and Surrey County Council regarding the neighbouring land which has been the subject of a partnership meeting will be issued shortly.

During the course of the Council's direct action and works in default at Stoney Castle a number of containers of unidentified oils and liquids were identified. The Council is not able to confirm if they were PCBs as suggested in the question; however, these were removed and disposed of legally by the Council's contractor under instruction from the Council. Please see the attached waste transfer notices (attached as Appendix 3 to the Order Paper).

Section 111 Local Government Act 1972 allows Local Authorities to take actions that are necessary to facilitate the accomplishment of a duty or power when in exercising duties. In this instance when the Council was exercising its powers by removing 225 tonnes of non-waste materials, 66 cars and caravans, more than 100 tyres and a barn on the land in breach of enforcement notices and environmental health notices, the removal of unidentified oils and liquids was required to facilitate the operation by removing obstructions and so ensure the safety and efficiency of the operation free from obstructions. By this answer no acceptance is made of any unevidenced and unsubstantiated allegations as to the alleged toxicity of the contents of the containers".

Under the arrangements to allow Mr Hill to ask his question without being in physical attendance at the meeting, officers had sent to Mr Hill a copy of the Leader of the Council's

written response, and he was invited to submit a written supplementary question if such question arose from the written response given.

Mr Hill's supplementary question was as follows:

*"Thank you Cllr Joss Bigmore for your response. I'm glad to see that Associated Reclaimed Oil Ltd have correctly categorized the waste as **hazardous** with ref HP7, HP14 and it appears it was correctly disposed of.*

Myself and residents await the joint council response re the neighbouring land at Stoney Castle local known as "the old dump" and look forward to you clearing up the misunderstandings.

The waste transfer note shows that Lantern service removed the 66 vehicles and the hazardous waste oil which as you explained was done under Section 111 Local Government Act 1972 this allowed you, Guildford Borough Council to take necessary action of removing the hazardous waste even though it is the remit of Surrey county council and the Environment agency.

*As mentioned in your response **"the Council works in partnership with both the Environment Agency and Surrey County Council it is not appropriate to respond on matters, such as waste that are their responsibility for enforcement."***

Your enforcement notice from 2013 was to rectify and remove NON-waste materials including the 66 cars and caravans and demolish a barn so my supplementary question is....

Supplementary Question.

Why did Guildford Borough Council instruct Ron Smith Recycling Ltd to remove 17 lorries (40yrd skip) of MIXED WASTE from Stoney Castle when this action was not part of your enforcement powers?"

The Leader of the Council's response to the Supplementary question was as follows:

"The Joint response has now been issued (which was attached as Appendix 4 to the Order Paper). Vehicles including lorries were classed as stored materials so were removed as part of the direct action to achieve compliance with notices served pursuant to S172 of the Town and Country Planning Act 1990. As these items were not claimed by the owner, after assessment it was determined that there was no resale value, so these items were disposed of by the Council's contractor under our instruction."

The Leader also drew attention to a late clarification to his response to Mr Hill's supplementary question, that the initial response had referred to the removal of lorries, when it should have referred to the removal of items stored on the land which were then classed as waste. An email explaining the clarification had been sent to all councillors immediately prior to the meeting.

CO47 QUESTIONS FROM COUNCILLORS

- (a) Councillor Keith Witham asked the Lead Councillor for Development Management, Councillor Tom Hunt, the following question:

"What policies/procedures does the Council have to deal with those who are serial offenders with regard to the use of Retrospective Planning Applications, those motivated by greedy self-interest, who know the planning and enforcement regulations as well as – if not better - than any planning or enforcement officer, and as a result keep on staying one step ahead of the Planning Authority and any enforcement action?"

The Lead Councillor's response was as follows:

"Planning determinations are made in accordance with the Development Plan unless material considerations indicate otherwise and these matters are related to land use matters (s38(6) Planning and Compulsory Purchase Act 2004) not past conduct of the individual applicants which may vary with each individual case.

I think it is important to remember that carrying out works without planning permission is not in breach of any law. However, the developer performs such work entirely at his own risk, as he may be required to comply with a subsequent enforcement notice.

It is also important to note that the vast majority of organisations (individuals and companies) that develop property in Guildford Borough do so reasonably, following the proper processes. Some may choose to build unauthorised developments, but the law does not permit the Council to treat these organisations any differently.

In order to deal with an enforcement notice, one approach to this that you mention is for the developer to apply for retrospective planning permission. Such an application is treated no differently to any "normal" planning application, nor should it be treated differently. Unlike licensing legislation, planning legislation does not generally allow discretion to be applied when dealing with an application. If there is no planning harm caused by the unauthorised development, planning permission will be approved.

Failure to comply with an enforcement notice is illegal, and a developer can be prosecuted for this. In extremis, and only once actual breaches of planning control or clear evidence of apprehended breaches of planning control have been identified, an injunction may be secured, but this is unusual given the high bar the courts set on granting injunctions.

The simple fact of the matter is that planning law does not allow discretion to be exercised to deal with "serial" offenders. Each planning application, retrospective or otherwise, must be dealt with on its own merits".

In his supplementary question Councillor Witham asked whether the Lead Councillor would contact each of the Members of Parliament who represent parts of Guildford Borough to ask them to support a private member's bill on the issue of retrospective planning applications, which included the creation of a national database of planning enforcement cases, and a requirement upon any applicant for a retrospective planning application to declare any previous retrospective applications, with criminal sanctions for persistent offenders. In response, the Lead Councillor did not agree that this private Member's Bill should be supported unequivocally and noted that there were many genuine reasons for retrospective applications, not all of which were nefarious. The Lead Councillor felt that further work needed to be done to consider how retrospective applications could be addressed and how the small minority of applicants could be prevented from misusing the retrospective planning application process to their own ends.

In response to clarification sought as to whether government guidance had changed in relation to retrospective planning applications and the weight that could be applied to them when they were considered, the Lead Councillor indicated that a more comprehensive response could be given to address the very special circumstances in which a retrospective application would be considered negatively. Whilst there was no material difference between a retrospective application and a normal application from a planning policy weighting, it was understood that there was reference in the NPPF to how planning authorities should deal with retrospective applications, and this would be circulated to councillors.

The Lead Councillor also indicated that a written ministerial statement given by Brandon Lewis MP in December 2015 was, in his view, unclear and open to interpretation as to how far the retrospective nature of an application should be considered in giving weight alongside other material considerations when determining a planning application.

- (b) Councillor Susan Parker asked the Deputy Leader and Lead Councillor for Climate Change, Councillor Jan Harwood, the question set out below. (Councillor Harwood's response to each element of the question was as set out in red type below.)

"It was agreed at the joint EAB that the Climate Change Board should review the Draft Regulation 19 Climate Change Policies included within the DMP to ensure that the highest possible standards are applied by Guildford.

- A. *Can the Lead Councillor for Climate Change inform the Council whether such a review has been arranged prior to the next Executive scheduled to review the plan?*

"The Council's Climate Change team was consulted as part of producing the draft Local Plan Development Management Policies (LPDMP). It was not considered necessary to seek the views of other Councillors sitting on the Board as these had already been provided through other forums."

- B. *As a separate matter, can he (and the Climate Change Board) also address the following specific points in relation to Climate Change, given the acknowledged climate crisis, the fact that COP26 is looming and that district authorities are expected (by central government) to be agents on behalf of government delivering significant changes needed to address the climate crisis (I hope that changes to the DMP will take these issues on board in the future but they are not currently adequately addressed so would like these considered):*

1. *Explain the basis of the proposed 31% carbon emissions reduction statistic - What does this mean in practice?*

"Under the Building Regulations, every new building (except some limited exemptions) has a Target Emission Rate (TER) expressed as annual kg of CO2 per sqm. The TER is established through an approved methodology (Standard Assessment Procedure (SAP) for houses, Simplified Building Energy Model (SBEM) for non-residential) based on the building type, size and shape. Once the building is designed, its SAP or SBEM assessment must show that the Dwelling Emission Rate (DER, for homes) or Building Emission Rate (BER, for non-residential) is lower than the TER in order to pass the building regulations process. The extant national standards are the Building Regulations 2010 (as amended). The current emission standards were introduced through an amendment in 2013.

The Local Plan Strategy and Sites (LPSS) 2019 includes a requirement for all new buildings to achieve a DER or BER that is at least 20% better (lower) than the TER against the Building Regulations 2013 standards. The proposal is to increase this standard in the new plan to 31%.

The government has been consulting on the proposed Future Homes and Future Buildings (non-residential) standards. The government intends to improve emission standards in new homes in June 2022 by 31% over the 2013 standards. This is an interim step on the route to the full Future Homes standard, which will include further improvements and a ban on gas heating in 2025 to deliver a carbon reduction in the region of 75%. These new homes would then reach zero carbon when the electricity grid does. The Future Buildings proposals are less advanced, but the government's preferred option is a 27% improvement as an interim step on the route to the full Future Buildings standard.

A standard of 31% has been included within the new plan for both homes and non-residential development. The reason for including it for homes even though it has parity with the proposed national standard is because knowing that the standard is incoming means that we have to build the impact into our viability assessment. It is therefore good practice to put the standard in policy so that in the event the national standard is not introduced, the benefit of lower carbon emissions, which have already been built into the viability testing, is not lost."

- 2. How does Guildford propose to improve its existing building stock compared to national standards in order to promote a Guildford that is recognised as a "green" borough? (Wimbledon requires installation of electric car charging before planning permission is granted for work on existing homes - why don't we? Electric car use replacing petrol/diesel vehicles when associated with existing properties would have a beneficial effect on air quality.) This could be added to our requirements in the DMP for housing extensions - since other boroughs can do this, why don't we?*

"Consequential improvements' policies which require upgrades to existing buildings as a requirement of planning permission for an unrelated matter have been tried in the past with limited success. The Labour and coalition governments both abandoned consequential improvement policies for energy efficiency in 2010 and 2012 (they were dubbed the 'conservatory tax'). Uttlesford District has a limited consequential improvements requirement for residential extensions in a 2007 Supplementary Planning Document. Applicants must submit an EPC report with an application and undertake any 'cost effective' measures it identifies. We are not aware of any current consequential improvement policies in a Local Plan.

Wimbledon is part of the London Borough of Merton and does not have a neighbourhood plan. Planning policy for Wimbledon is provided by the Merton Local Plan and London Plan. Officers have reviewed the Local Plan documents and have been unable to locate the described policy. I should be grateful if Councillor Parker could provide me with further information."

- 3. Can we please have a blanket Tree Preservation Orders (TPOs) on all trees across the borough with trunks > 30cm? (Where there may be permissible exceptions, it is removal of established trees that should require approval, rather than needing a requirement for new TPOs to be approved so that trees are protected). Very few TPOs have been declared this year - please also confirm the number to date. (Established trees are essential carbon sinks and improve our air quality and filter particulates. Saplings often die and have a much smaller impact even as they start to grow, so protecting existing established trees must be a priority - this does not preclude planting in addition.)*

"A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity. Such tree(s) should be a healthy, prominent tree(s), good example of the species, and visible from the public realm.

Local planning authorities can make a Tree Preservation Order if it appears to them to be 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.

Climate change alone is not a factor in supporting the need for a TPO.

'Blanket' – Orders are not viable or expedient. The Government guidance even states with 'Area orders' these should really only be used as short term and

authorities are encouraged to resurvey existing orders (never happens in any LPA as lack of resources)

It is also of note that the number of TPOs does not necessarily equate to the same number of trees, of note is the recent woodland order in Ockham which includes a high number of trees. To date this year six Tree Preservation Orders have been served.

There is also a significant resource issue, the making and confirming of TPOs all require time and officer input, without the arboricultural justification there is significant questions over whether this would be an appropriate use of resources.”

- 4. Explain why demonstrably sustainable transport requirements (e.g. applying real modal shift, use of electric trams, safe cycling etc) are not applied to ALL new major developments included in the Local Plan? While this is supposedly included via the Climate Change, Sustainable Design, Construction and Energy SPD ("Climate Change SPD"), much of the sustainable proposals permitted appear to be greenwashing. (An example of greenwashing is the proposed use of cycling to rail stations for the Garlicks Arch major development, when actually any of the required routes involve cycling along a narrow and unsafe A-road which is not practicable and cannot be widespread). Our major developments are required to produce a "sustainability statement" - but we need actual, verifiable sustainability- real mechanisms to reduce the borough's carbon footprint not a box-ticking exercise to greenwash out-of-town developments. How will this be achieved in practice? We need to make real change, not just the illusion of it, and we should not allow developments which are unsustainable so how will this be achieved?*

“The Climate Change SPD does not cover sustainable transport in detail as it provides guidance primarily for Policy D2: Climate Change, Sustainable Design, Construction and Energy, which does not cover transport. Information covering sustainable transport was included largely at the request of councillors and consultation respondents.

The Chartered Institution of Housing and Transportation's Better planning, better transport, better places (2019) report identified that 'Local authorities are not setting out a vision for development in their Local Plans that includes setting accessibility and mode share targets to which developers and promoters can respond' and recommended that 'Local Plans must include clear accessibility and mode sharing requirements. A clear statement of the minimum quality of accessibility by sustainable modes to offer a credible choice must be made.'

We are not aware of any other LPA/council that has yet introduced specific modal share targets for new major developments in its Development Plan, including the Local Plans for Cambridge and Brighton, cities which have both been recognised for achieving significant progress in realising, at least in part, patterns of more sustainable mobility in the period from the 1990s.

At present, Surrey County Council (SCC), the Local Transport Authority, has not defined specific accessibility or mode share requirements for the county as a whole, or for constituent districts, or for other localities, or for new major developments in the county. SCC's draft Local Transport Plan 4 – presently subject to public consultation – does include unquantified ambitions with respect to the Avoid – Shift – Improve concept, involving reducing the number and length of vehicular trips and traffic volumes, increasing the modal shares of walking, cycling and public transport options, and improving emissions intensity and energy efficiency of vehicles.

In this context, it would introduce risks for Guildford Borough Council to seek to set modal share targets for new major developments in the draft LPDMP, and, in addition, such targets were not consulted upon at the earlier Regulation 18 consultation phase. Furthermore, the major development sites were allocated in the LPSS which was adopted in 2019.

At present, the identification of specific modal share targets for new developments will continue to be progressed through the pre-application and planning application processes for such sites, working with SCC and National Highways as the statutory highway authorities.

- 5. High environmental standards are used by other UK councils on all new buildings. In Paris all new buildings are required to have green roofs or electric solar panels. Camden's planning requirements mandate that new Buildings meet a minimum BREEAM target of "Excellent" (70% certification). Our Climate Change SPD published in September 2020 allows developments to submit a sustainability statement instead. While they are allowed to meet either BREAM Outstanding or Excellent criteria as an alternative to publishing a sustainability statement, this option of publishing a statement appears to be an opportunity not to impose higher standards (p9, Climate Change SPD). Why are our standards not following the highest possible standards, and why are we not pushing at the boundaries of the highest requirements permitted?*

"Note: The Building Research Establishment's Environmental Assessment Method (BREEAM) would only apply to commercial development and some conversions and refurbishments. BREEAM does not apply to new homes.

The Climate Change SPD provides guidance for adopted policy, primarily Policy D2: Climate Change, Sustainable Design, Construction and Energy. Policy D2 contains a number of requirements that drive sustainability in new developments alongside the 20% carbon reduction standard and requires compliance to be proven through submission of Energy Statements and Sustainability Statements containing the relevant evidence.

During the drafting of the SPD, we acknowledged that some developers like to use BREEAM certification. We consulted with the Building Research Establishment (BRE) and decided that the BREEAM levels 'Excellent' and 'Outstanding', while not quite the same as Policy D2, would broadly have parity or would exceed its sustainability requirements, and that we could accept those accreditations instead of Sustainability Statements and Energy Statements. This was done in order to avoid forcing the applicant to duplicate processes.

An SPD cannot mandate a standard that is higher than or different to the standard set out in policy so could not mandate BREEAM accreditation.

The use of BREEAM standards in policy has been considered. During engagement with BRE significant problems regarding the wide-scale use of BREEAM in planning decisions were raised, mainly that the typical timing of certification in the BREEAM process do not line up with the key junctions in the planning process.

The Development Management (DM) process requires the submission of evidence to show that any conditioned standards (such as BREEAM) will be met. The BREEAM process includes both a design stage/interim assessment and a final Completion certification which could be used as proof of compliance. However, both present issues for the DM process.

The design/interim stage assessment is not a formal requirement of the BREEAM New Construction process, and it is possible for projects to go straight to Completion certification. BRE would not support a planning requirement for Interim certification as this would present a barrier to the use of the scheme in general. As a proxy for this on schemes undertaking BREEAM, we can (and do) require evidence in lieu of a design stage assessment that the developer/design team demonstrate that they have achieved the relevant Completion certification previously on other sites (this is BRE's recommended approach). However, this approach means BREEAM cannot be applied to developers who have not previously built to the BREEAM process.

There is often a delay between the completion of a scheme, the final assessment and the final certificate being issued (BRE advise there are often delays at interim stage as well). As a result, if the final certificate is conditioned as the required evidence, the DM process would be extended resulting in resource and cost impacts on the DM team. If all commercial schemes are required to provide final certificates, the impacts could cumulatively be significant.

Alongside the issues of practicality, mandating the BREEAM process introduces new process costs to development, which are likely to be greater for developers who do not usually undertake BREEAM.

As a result of the above, allowing BREEAM to be used voluntarily by developers who have a track record of using it seems to be the most reasonable approach while developers who choose to take the Policy D2 route still have to provide evidence that their schemes achieve a broad range of sustainability outcomes in a way compatible with the development management process. This is the same approach taken by other district level councils with climate change policies (for instance, see Milton Keynes Local Plan policy SC1)."

- 6. Mid-height kerbside urban pavement hedging (up to 1m high) is used in other UK boroughs and in many countries to create a natural and biodiverse boundary between petrol/diesel fumes and pedestrians, protecting the most vulnerable (the elderly or disabled in wheelchairs, small children and babies/toddlers in pushchairs). Such hedging filters particulates, acts as a carbon sink, and assists temperature cooling as well as assisting in absorbing surface water; it is also a safety barrier minimising the risk to pedestrians. Please can we establish this as a formal requirement bordering roadsides for all new developments, and an aspiration for retrofitting existing urban areas where space and heritage design permits? While there is a loose reference to green and blue infrastructure in the Climate Change SPD (para 5.47 and para 5.49), hedges are not a requirement and we have given extensive planning permission for new developments which do not include any such features.*

"The latest revision to the National Planning Policy Framework requires that all new streets are tree lined. If the government had considered that hedges are also appropriate, they would have widened this requirement to include them. Requiring hedges on all new streets would have a significant land take which would impact the amount of developable land – this could either lead to increased densities of development or increase the amount of land necessary to be allocated to meet development needs.

The LPDMP requires 20% biodiversity net gain – this could include the provision of hedges within the development site. The LPDMP also has a policy on air quality to ensure that development proposals must not result in significant adverse impacts on sensitive receptors, including human health, sensitive habitats and any sites designated for their nature conservation value, from any sources of emissions to air.

Without any evidence to support this proposal, it would be unreasonable to require this on all streets. In terms of retrofitting of existing streets, this would be a matter for Surrey County Council as the Highway Authority as it would be on existing highway land.

It is noteworthy that Surrey County Council's draft Healthy Streets for Surrey: creating streets which are safe and green, beautiful and resilient (2021) – which is subject to further work and expected to be published in 2022 – considers safety considerations for streets with high vehicle volumes/speeds and identifies that buffers such as trees and plantings between the pavement and carriageway will be encouraged.”

7. *Why is there not a presumption in terms of retaining and adapting existing buildings rather than demolition, since demolition followed by construction has a very high carbon footprint?”*

“A policy prohibiting demolition would be considered unreasonable and could constrain brownfield redevelopment. However, both the Climate Change SPD and proposed policy D12 support sustainable refurbishment. It is also of note that demolition can be carried out under permitted development rights.

Blanket support for the reuse of buildings in all circumstances would make it difficult to resist poor quality conversions, and consequently could result in poor quality homes and commercial buildings. As a result, proposed Policy D12 states

“4) Development proposals that will improve the energy efficiency and carbon emission rate of existing buildings to a level significantly better than the Council's adopted standards or national standards for new buildings, whichever is most challenging, are encouraged.”

Note: any conversion, e.g. from commercial to residential, would need to meet building regulations standards for the new use, so it reserves support for those that go beyond minimum standards in order to avoid greenlighting any and every conversion or refurbishment”.

In response to a supplementary question regarding requirements to provide electric vehicle charging points, the Lead Councillor confirmed that the Council's approach was not to mandate specific solutions from developers but rather to provide a range of options for developers to meet our standards. Many developers had found that providing electric vehicle charging points was a good way of meeting our requirements. It was also confirmed that the Council was not likely to insist on the installation of an electric vehicle charging point as a condition to mitigate the environmental impact of a planning application for an extension of a domestic dwelling.

- (c) Councillor Guida Esteves asked the Deputy Leader and Lead Councillor for Climate Change, Councillor Jan Harwood, the question set out below. (Councillor Harwood's response to each element of the question was as set out in **red type** below.)

“The draft schedule for the Community Infrastructure Levy (CIL) was published and consulted on in 2015. Since then, two viability studies in 2016 and 2017, were commissioned and published. Subsequently a number of implementation dates for CIL have been set and delayed. The levy is a non-negotiable developer contribution towards infrastructure in the Borough. New development will nearly always have an impact on infrastructure with different types of development and scales of development having different effects. A single new dwelling may not appear to have an impact but the cumulative impact of twenty or so single dwellings will have. It is therefore fair that all

development pays a share towards the cost of infrastructure, services and amenities that everyone uses and not just large-scale development. Through CIL all but the smallest building projects will make a contribution towards additional infrastructure.

Could the Lead Councillor for Climate Change please provide information on the target delivery date for CIL including:

1. Why this has not yet been implemented?

“The emerging Local Plan Development Management Policies (LPDMP) includes a number of draft policies with cost impacts for development. A viability study is being prepared to support the Plan. This is to ensure that development in the borough is deliverable, accounting for policy and infrastructure costs along with other recent value and cost assumptions. It is considered that this study will provide updated information necessary for any next steps on CIL.”

2. What still needs to be done to implement CIL, given there have already been two viability studies done?

“The Council needs to complete the viability study to inform recommended CIL rates – a draft of the study will be completed later this year. The next steps toward implementing a CIL charge would include developing a draft charging schedule (DCS) and associated policies, consultation, review, submission for examination, examination hearings, and adoption. The Council is aware of Government proposals to replace the existing s106/CIL regimes with a new national ‘Infrastructure Levy.’ We will be monitoring developments in this regard and any implications for the Council’s processes.”

3. Details of what the CIL collection value would have been based on the draft schedule (In total and split between the Borough and the relevant parish councils/Neighbourhood plan areas) since the adoption of the local plan in April 2019, and this compared to the financial S106 contributions for the same (including how much was subsequently reduced/changed/removed).”

“The Council publish an Infrastructure Funding Statement (IFS) on its [website](#) with details of s106 contributions as part of the Section 106 report at appendix 3. Figures are available for 2019-20 in the latest IFS reflecting a total of £12,979,611.20 to be provided under planning obligations during that financial year. This excludes non-monetary contributions to infrastructure such as on-site provision of open space, private SANG, roadworks, etc. Attempting to quantify a CIL collection value (as a comparison) would require extensive speculation including regarding un-adopted CIL rates (whilst there were early indications of what these could have been during the LPSS process – varying between £40/sqm and £300/sqm for residential floorspace, these were prior to Local Plan strategy and sites updates and consideration of LPDMP policies, both of which have cost impacts). These figures are considered to be no longer valid.

Regarding small scale residential development (fewer than 10 homes), the potential for cumulative impacts on infrastructure is acknowledged. In this regard, the Council is seeking to provide a basis for securing open space contributions from this scale of development as part of its emerging LPDMP. An infrastructure levy would hold opportunities in this regard. However, a significant majority of residential development (likely upward of 90%) in the borough will continue to be in the form of major development schemes (10 or more homes) which contribute toward infrastructure via established mechanisms.”

In her supplementary question, Councillor Esteves asked why the Community Infrastructure Levy had not been implemented, and when would the Council be able to quantify the opportunity cost of continued delay in implementing the current community infrastructure levy.

In response, the Lead Councillor stated that there were a range of policies currently being worked on and the CIL was not currently the top priority. In any event, the Lead Councillor was not sure that the national Government's approach to planning had a future for the CIL.

- (d) Councillor Graham Eyre asked the Lead Councillor for Community and Housing the following question:

“After a recent visit to Japonica Court in Ash with my Ward colleague, Councillor Paul Spooner, to meet concerned tenants, we were both shocked to see how run down and neglected the building had become. The communal areas are in darkness and unused, and many residents therefore spend their days in their rooms and rarely venture out. The gardens and outside areas are a disgrace in places with weeds some three or four feet high. Interestingly Surrey County Council have also been allowed to take over two of the Rooms designated for residents’ use with no consultation with tenants. Whilst lifts have been replaced (but no fire safe lifts fitted) and some areas of carpet have been replaced, it is clear that the level of investment is not enabling staff on the ground to provide the service and support that is required, and this is unfair on our tenants and on our hard-working staff. This from a Council that says it cares for, and looks after, the vulnerable and elderly.

Could the Lead Councillor for Community & Housing please confirm how much money the Council has spent on Japonica Court in the past two years, discounting the cost of the lifts and what are the plans to return Japonica Court to being a site we can be proud of and staff can deliver services that enable a fair quality of life for tenants? Ash and Tongham deserve better!”

The Lead Councillor’s response was as follows:

“As a sheltered housing scheme, we encourage residents to live independently and choose where they spend their time; this means that sometimes communal areas will be being used but at others they will not, what is important is they are available, which they are at Japonica Court. Sadly, over the last year or so in line with Government guidance this has not always been possible, and whilst some tenants remain understandably cautious, we are encouraging use of the facilities and we are now seeing these spaces increasingly used.

Councillor Spooner visited on 28 September 2021 during the first residents’ coffee morning held for some time and was able to see how this is working and that particular event was able to raise a considerable amount for Macmillan Cancer Relief. The scheme is also used by a number of other local groups with further events planned later in the month.

In respect of the gardening, we are currently reviewing the arrangements with Oakleaf a local social enterprise organisation who support and work with those with mental health issues and provide gardening services at the scheme. We recognise the positive impact there is from working with organisations such as Oakleaf but also need to ensure the services we receive and the work carried out helps to maintain, improve, and enhance the gardens. The standards have been below those we would normally expect but we will continue to work with Oakleaf to achieve a much better standard and help them support our wider community.

Over the last two years the Council has invested £155,000 in repairs and maintenance at this property which has included decorating external and all internal areas, and whilst not all of the carpet has been replaced, we will continue to review and replace other areas over time. If there are other specific issues that have been identified, we will be happy to work with Councillors and residents to resolve these.

As part of the programme of continued investment we have also recently renewed the lifts to this block, these are fully compliant with the appropriate standards and as required by these standards the lifts are fire rated to 2 hours. Whilst lifts in high rise properties are required to be able to be controlled by the fire service on high floors to help them get to a fire, in a low level block such as this there is no requirement for this type of control and the lifts therefore do not need to meet those standards, as access can be more easily be gained from the stairs.

I can confirm that we will continue to invest in this scheme with further investment planned which should benefit residents, the wider community and also for our staff who have worked so hard over the last year to support the residents of this and other schemes in what we all understand to have been a difficult period.

Lastly, we are not aware of rooms being removed from residents without consultation. In 2016 one room at the back of Japonica Court was converted into a community services office space. Surrey County Council and adult social care do have access to the office suite at the front of the building as part of their role in supporting the most vulnerable residents at Japonica Court and this has been in place for many years.”

Councillor Julia McShane
Lead Councillor for Community and Housing

In response to Councillor Eyre’s supplementary question seeking a breakdown of the £155,000 expenditure on repairs and maintenance, the Lead Councillor indicated that the written response referred to some of the items of expenditure but that a more detailed breakdown would be provided.

In response to a further supplementary questions, the Lead Councillor confirmed that:

- (i) she would be visiting Japonica Court and hopefully all other sheltered housing accommodation, which had not been possible to date due to the Covid pandemic;
- (ii) ward councillors could request to visit council owned properties following repair works by contacting the Head of Housing; and
- (iii) that the Council could improve communications with its tenants and officers were putting together a strategy in order to achieve that, amongst a number of other things, in order to provide improved services for tenants.

- (e) Councillor Graham Eyre asked the Lead Councillor for Community and Housing the following question:

“Councillor Paul Spooner and I recently visited the former Shawfield Day Centre. The Centre looked sad and empty and is obviously not in a state to be reopened. From the recent Public Consultation published by the Council, and its biased questions, GBC plan to close down this Centre permanently and only fund the recently renamed ‘Hive’ in Park Barn. The Shawfield Days Centre is essential for the west of the Borough and it is shameful that other sites except Park Barn are being abandoned. Two points spring to mind. The first is that Park Barn just happens to be in the Lead Member’s Ward, and secondly, once again this is from a Council that says it cares for, and looks after, the vulnerable and elderly.

Could the Lead Councillor for Community & Housing please confirm how much money the Council has spent on Shawfield Day Centre in the past two years, and how much on Park Barn, and can the Lead Councillor share the evidence that supports her position that residents of Ash and Tongham will be able and willing to travel to support the Hive in her ward as a preference to a site within the large residential area of Ash, Tongham and neighbouring villages? Has the Older Persons Champion at GBC been involved in the decision-making process?"

The Lead Councillor's response was as follows:

"As Councillor Eyre will know, given the extremely challenging financial position faced by the Council, the approved Savings Strategy included a project to review community and day centres with a view to consolidating sites. The target was to deliver savings in the region of £300,000 per annum.

In response, we have developed a proposal to reduce the costs of day care services, whilst maintaining or improving the quality of provision. This would involve transporting existing clients of the Shawfield Day Centre to the Hive. With the improved facilities and services available at The Hive and by consolidating staffing, we believe that clients would receive improved support and care. We are now consulting on that proposal.

The consultation is not biased, just a reflection of the options we have in this very difficult circumstance.

The fact that the Hive happens to be in Westborough, my ward, is irrelevant to this process. What is relevant is to ensure we deliver what will benefit all our residents in the borough within the constraints we face.

Clearly, clients and their families are most directly affected by the proposal and we are undertaking in-depth consultation with them. This includes one-to-one conversations and drop-in sessions. We also held a drop-in session for councillors last week to discuss the consultation options in more detail.

The consultation questionnaire will also allow us to gather the views of wider stakeholders on the proposal. Both the detailed views of clients and families and the results of the consultation questionnaire will be reported to the Service Delivery EAB to facilitate an informed discussion on the future of day care services.

In answer to the question around budgets, I hope it is helpful to share the budget spend over the last five years. Please note that The Hive spend will usually be higher due to it being a larger site with a much larger footfall. This affects costs around staffing, janitorial services, utilities, and catering. The Hive budget pre Covid also absorbed the Dray Court Lunch club staffing and food expenses. This lunch club has not restarted since the start of the pandemic and is under review.

Budget Year	Shawfield Centre	The Hive
2016-17	£235,989	£345,533
2017-18	£206,061	£355,170
2018-19	£249,403	£406,710
2019-20	£290,403	£490,504
2020-21	£482,625	£346,638

The finance team have confirmed that the higher costs for the Hive in 2018 – 2020 are due to agency costs needed to support the service as well as the IAS10 Superann Adjustment (an accounting procedure). This budget period also reflects the pandemic.

The higher costs for the Shawfield Centre in 2020-21 included £25,000 of overtime cover for the pandemic and IAS19 Superann Adjustment.

Further context to the consultation may also help and reassure councillors around service provision. Prior to the pandemic, the Shawfield Centre had on average 15 people attending older people's services each day, The Hive had on average 40 people attending older people's services. We currently have 25 customers of Ash and Tongham taking our community transport offer to The Hive – so we have several new customers from Ash and Tongham. We also have 17 customers travelling to the Hive from other areas of the borough that are of equivalent distance to The Hive as Ash.

The team have capped all travel journeys to the same amount for everyone in the borough and if people have difficulty with finances we, along with adult social care, look at ways to support so that no one misses out on the care they need.

The older people's champion can participate in the consultation as can all councillors. The decision to consult on our options was taken by myself as Lead Councillor along with the Leader of the Council.

We all acknowledge that difficult decisions will be needed to address our substantial budget shortfall.”

Councillor Julia McShane
Lead Councillor for Community and Housing

In response to a supplementary question seeking a breakdown of the £482,625 expenditure on Shawfield Day Centre in 2020-21, the Lead Councillor confirmed that she would ensure that this information was circulated to all councillors.

In response to a number of further supplementary questions the Lead Councillor confirmed that:

- (i) the consultation related to the provision of older persons' services across the Borough, not to the closure of the Shawfield Centre;
 - (ii) the 1 to 1 conversations would have been held with the older people who used the facility, not with councillors, but did not have any further detailed information in that regard;
 - (iii) she believed that there was a proposal during the previous administration to close Shawfield;
 - (iv) the question as to whether Overview and Scrutiny Committee should review older persons' services would be a matter for the chairman of that Committee;
 - (v) information regarding the Meadow Centre for mental health would be circulated to councillors;
 - (vi) with regard to the recent drop-in session for councillors, an e-mail had been sent to all Councillors in relation to the consultation which included an invitation to, and information about, the event which was held at The Hive.
- (f) Councillor Ramsey Nagaty asked the Deputy Leader and Lead Councillor for Climate Change, Councillor Jan Harwood, the question set out below. (Councillor Harwood's response to each element of the question was as set out in **red type** below.)

“The Council agreed to a Local Plan Review, but the review process lacks transparency.

What is happening and when?

“This is yet to be agreed”.

We are told the transport / infrastructure evidence base is being updated. This is not enough. This is not the only aspect that needs to be updated. With our 2019 Local Plan now being clearly out of date due to climate change, covid, air quality concerns, lack of infrastructure provision, excessive housing need and the OSR / ONS declarations there are exceptional circumstances which need to also be considered for immediate review and action. These should be included in the terms of reference.

“The Council will have regard to all relevant factors when undertaking the review in the context of national policy and guidance on the matter, including as set out by the National Planning Practice Guidance as follows:

‘What can authorities consider when determining whether a plan or policies within a plan should be updated?’

The authority can consider information such as (but not exclusively):

- conformity with national planning policy;*
- changes to local circumstances; such as a change in Local Housing Need;*
- their Housing Delivery Test performance;*
- whether the authority can demonstrate a 5 year supply of deliverable sites for housing;*
- whether issues have arisen that may impact on the deliverability of key site allocations;*
- their appeals performance;*
- success of policies against indicators in the Development Plan as set out in their Authority Monitoring Report;*
- the impact of changes to higher tier plans;*
- plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need;*
- significant economic changes that may impact on viability; and*
- whether any new social, environmental or economic priorities may have arisen.’*

Paragraph: 065 Reference ID: 61-065-20190723”

What are the terms of reference for the review and who is carrying this out internally and externally?

“The Council will have regard to all relevant factors when undertaking the review (see above). At this point there are no external consultants appointed to undertake work associated with the Local Plan review. Internally, planning policy are responsible for the review.”

A formal review or update with a date of 2025 is not acceptable. This would enable developments which are questionable to proceed in the meantime. In any case technically a review should be completed by 2024 as per Government rules on Local Plans.

“The timing in terms of finalising the review has not been agreed. It is accepted this should be by 2024 (5 years from the Local Plan strategy and sites adoption date)”.

The Guildford Greenbelt Group formally request that the Councillors receive an update report prior to each Full Council going forward, if necessary, as pink papers in confidence.”

“We are committed to providing regular updates as and when relevant through the Local Plan Panel which was specifically setup to disseminate this information. We do not wish to commit to providing a report if there is simply nothing to provide an update on. Full

Council will, of course, be provided with detailed reports ahead of any decision-making points in the process ahead.”

In response to supplementary questions, asking when the review of the Local Plan would start, and why an independent planning specialist had not yet been appointed to lead the review, the Lead Councillor responded by explaining:

- (i) that the review had been triggered once it became apparent that the transport infrastructure proposals had been de-prioritised;
 - (ii) the difference between a review and an update of the Local Plan as they were not the same thing. A review looked at the options available and determined whether an update was necessary and, if so, what that update should comprise. The Council was not committed to an update, but that process may or may not be necessary pending the review. The Executive was currently looking at the scope of the review, being mindful of the risks involved.
- (g) Councillor David Bilbé asked the Lead Councillor for Environment, Councillor James Steel the following question:

“The current Executive leadership prides itself on openness and transparency. In that spirit could I ask why I am hearing rumours that the Tourist Information Centre (TIC) is to be closed and many of the current service enjoyed by residents and visitors is to be moved on line with a residual presence at Guildford Museum. If indeed this is true, why has this not been properly articulated and debated by Council? I was the Executive member for tourism previously and I can state that the TIC is a real asset for Guildford.

Further, if the premises are vacated then what is the plan for selling or developing the location and can I receive an assurance that the disposal will be handled transparently and at a fair market value?”

The Lead Councillor’s response was as follows:

“No decision has been made to close the TIC. It is correct that we are currently looking to move the TIC to the Museum to increase visitor awareness of the museum offer and, in these financially challenging times, to maximise the efficiency of the resources deployed. The area the TIC currently occupies in Guildford House Gallery is planned to return to its former use by the Brewhouse Shop, currently operating from the building at the back of the site. This prime retail spot will help the shop reach a wider range of high street customers and will continue to support local craft suppliers.

The museum is perhaps an under-appreciated attraction in the town and will benefit from greater visitor numbers and an increased awareness through the transfer of the TIC. Visitors to Guildford continue to be an important part of the local economy, however it is important to give potential customers the services they need to get the most from their visit to our borough. There is an ongoing channel shift towards customers using virtual data as their primary source of visitor information, driven by the convenience of the smartphone. We will continue to be mindful of the changing expectations of visitors and are looking at developing a long-term plan for the future of tourist information in Guildford.

As you will be aware, the Council is facing challenging financial targets and every aspect of the Council’s non-statutory services must be reviewed to ensure they continue to offer the right service at the right cost. This review includes every aspect of Council spend, including the heritage sites and tourist Information service; we must ensure we provide our community with value for money. All councillors have a responsibility to correct rumour with fact. It is extremely unfair on our officers to allow rumours to destabilise our staff when there is understandable uncertainty about the future.”

Councillor James Steel
Lead Councillor for Environment

In response to supplementary questions, asking when the TIC would move from the High Street to the Museum, clarification as to the opening hours following the move, and what consultations with councillors took place regarding the decision, the Lead Councillor indicated that he would confirm the date of the move and opening times in due course following appropriate consultations.

CO48 CAPITAL AND INVESTMENT OUTTURN REPORT 2020-21

The Council considered the Capital and Investment Outturn report for 2020-21, which had set out:

- a summary of the economic factors affecting the approved strategy and counterparty updated
- a summary of the approved strategy for 2020-21
- a summary of the treasury management activity for 2020-21
- compliance with the treasury and prudential indicators
- non-treasury investments
- capital programme
- risks and performance
- Minimum Revenue Provision (MRP)
- details of external service providers
- details of training

In total, expenditure on the General Fund capital programme had been £29.4 million against the original budget of £171.5 million, and revised budget of £28.8 million. Details of the revised estimate and actual expenditure in the year for each scheme were set out in Appendix 3 to the report. The budget for Minimum Revenue Provision (MRP) had been £1.64 million and the outturn was £1.29 million. This was due to slippage in the capital programme in 2019-20.

The Council noted that one of the strands of the Savings Strategy was to review the projects in the capital programme. At its meeting on 24 August 2021, the Executive had agreed to remove three schemes due to the length of time they had been in the programme, and as such the original proposal was no longer relevant and a new business case would need to be prepared if any of the schemes were to come forward in the future. These were:

- Guildford Gyrotory and Approaches - £10.967 million on the provisional capital programme in 2024-25
- Stoke Park Office Accommodation - £665,000 on the provisional programme in 2024-25
- Stoke Park – Home Farm redevelopment - £4 million on the provisional programme in 2024-25

The Council's investment property portfolio stood at £155 million at the end of the year. Rental income had been £8.1 million, and income return had been 5.8% against the benchmark of 4.6%.

The Council's cash balances had built up over a number of years, and reflected a strong balance sheet, with considerable revenue and capital reserves. Officers carried out the treasury function within the parameters set by the Council each year in the Capital and Investment Strategy. As at 31 March 2021, the Council held £159.1 million in investments, £310.5 million in long-term borrowing of which £118.5 million was short-term borrowing, and £192 million in respect of long term borrowing related to the HRA, resulting in net debt of £151.4 million.

The Council had borrowed short-term from other local authorities for cash flow purposes and aimed to minimise any cost of carry on this. No additional long-term borrowing was taken out during the year.

The report had confirmed that the Council had complied with its prudential indicators, treasury management policy statement and treasury management practices (TMPs) for 2020-21. The policy statement was included and approved annually as part of the Capital and Investment Strategy, and the TMPs were approved under delegated authority.

Interest paid on debt had been lower than budget, due to less long-term borrowing taken out on the general fund because of slippage in the capital programme. The slippage had resulted in a lower CFR than estimated.

The yield returned on investments had been lower than estimated, but the interest received was higher due to more cash being available to invest in the year – a direct result of the capital programme slippage. Officers had been reporting higher interest receivable and payable and a lower charge for MRP during the year as part of the budget monitoring when reported to councillors during the year.

The report had also been considered by the Corporate Governance and Standards Committee and Executive at their respective meetings held on 29 July and 24 August 2021, and both had endorsed the recommendation in the report.

In view of the concerns over persistent slippage in the capital programme, the Council noted that the Corporate Governance and Standards Committee was putting in place arrangements to regularly monitor progress of major projects on the capital programme.

Upon the motion of the Lead Councillor for Resources, Councillor Tim Anderson, seconded by the Leader of the Council, Councillor Joss Bigmore, the Council

RESOLVED:

- (1) That the Treasury Management Annual Report for 2020-21 be noted.
- (2) That the actual prudential indicators reported for 2020-21, as detailed in Appendix 1 to the report submitted to the Council, be approved.

Reason:

To comply with the Council's treasury management policy statement, the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on treasury management and the CIPFA Prudential Code for Capital Finance in Local Authorities.

CO49 COUNCILLOR EMAIL SIGNATURE GUIDANCE

The Council noted that, following a councillor misconduct complaint which had been referred for investigation, the investigator had identified an issue that needed to be addressed by the Council. The issue was the apparent confusion around the email signatures used by some councillors who tended to list various non-Council roles in their signature, resulting in confusion in respect of the capacity in which a councillor was communicating with a correspondent. The matter had been referred to the Corporate Governance Task Group for consideration.

The Task Group considered the matter initially on 12 April and, more recently, on 16 August 2021 and had drafted the guidance for councillors. The Task Group recommended that the guidance be adopted and that all councillors be advised to apply the template, content, and format as set out so as to provide clear communication when conversing with residents and other correspondents. The draft guidance was subsequently considered by the Corporate Management Team (CMT), and then by the Executive at its meeting held on 21 September

2021. The Executive approved the guidance, incorporating a number of amendments, which were appended to the report submitted to the Council.

The Task Group had also recommended, and the Executive agreed, that it should be a requirement in the Councillors' Code of Conduct that councillors comply with this guidance, in the same way that it was agreed last year that the Code of Conduct should include a requirement for councillors to comply with the adopted Social Media Guidance for Councillors.

Any amendments to the Code of Conduct can only be approved by full Council.

Upon the motion of the Leader of the Council, Councillor Joss Bigmore, and seconded by the Chairman of the Corporate Governance Task Group, Councillor Deborah Seabrook, the Council:

RESOLVED: That the following amendment be made to paragraph 9 of the Councillors' Code of Conduct:

- '9. In addition to compliance with this Code of Conduct, you are also expected to comply with:
- (i) the relevant requirements of the Protocol on Councillor/Officer Relations, the Social Media Guidance for Councillors, **the Councillor Email Signature Guidance**, and the Probity In Planning – Councillors' Handbook, and
 - (ii) any reasonable request by the Council that you complete a related party transaction disclosure.'

Reason:

To ensure clarity for the recipients of emails sent by ward councillors in which capacity they are writing.

CO50 PROTOCOL ON THE APPOINTMENT, ROLE, STATUS, RIGHTS AND OBLIGATIONS OF HONORARY FREEMEN AND HONORARY ALDERMEN

Councillors noted that, in 2014, the Council had adopted a Protocol on the appointment, role, status, rights and obligations of Honorary Freemen and Honorary Aldermen.

At the request of the Leader of the Council and in anticipation of the Council conferring the title of Honorary Alderman upon five former councillors at a meeting to be specially convened for the purpose on 2 December 2021, the Corporate Governance Task Group had been asked to review the Protocol, particularly in relation to the requirement that Honorary Freemen and Aldermen should refrain from making public statements which were critical of the Council.

The Task Group had suggested a number of changes to the Protocol, which were considered by the Corporate Governance & Standards Committee at its meeting on 23 September 2021. The Committee agreed with the Task Group's suggested changes and had recommended that the Council adopts the revised Protocol, a copy of which was appended to the report submitted to the Council.

Upon the motion of the Leader of the Council, Councillor Joss Bigmore, and seconded by the Chairman of the Corporate Governance and Standards Committee, Councillor George Potter, the Council:

RESOLVED: That the revised Protocol on the appointment, role, status, rights and obligations of Honorary Freemen and Honorary Aldermen, as set out in Appendix 2 to the report submitted to the Council, be adopted.

Reason:

To bring the Protocol up to date, including for the purpose of clarifying the rights and obligations placed upon Honorary Freemen and Honorary Aldermen.

CO51 APPOINTMENTS TO EXTERNAL ORGANISATIONS: VACANCY FOR TRUSTEE ON GUILDFORD POYLE CHARITIES

The Mayor informed the Council that that the only nomination received in respect of the appointment of a trustee representative on Guildford Poyle Charities had been submitted by Councillor Ruth Brothwell. Therefore, under the existing delegation to the Democratic Services and Elections Manager, Councillor Brothwell's appointment had been confirmed and this matter was therefore withdrawn from the agenda.

CO52 MINUTES OF THE EXECUTIVE

The Council received and noted the minutes of the meeting of the Executive held on 20 July 2021.

CO53 EXCLUSION OF THE PUBLIC

Upon the motion of the Mayor, Councillor Marsha Moseley, and seconded by the Deputy Mayor, Councillor Dennis Booth, the Council

RESOLVED:

That under Section 100A(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for consideration of the item of urgent business set out in the urgent item of business in Agenda Item 12a on the grounds that it involved the likely disclosure of exempt information, as defined in paragraphs 1 and 4 of Part 1 of Schedule 12A to the Act.

CO54 ITEM OF URGENT BUSINESS - PROPOSED REDUNDANCY TERMINATION PAYMENT

At its extraordinary meeting on 6 July 2021, the Council had considered options for collaborative working with Waverley Borough Council and had resolved to pursue the option of creating a single management team with Waverley Borough Council, comprised of statutory officers (Head of Paid Service; Chief Finance Officer; Monitoring Officer), Directors and Heads of Service. The two councils would share a management structure, which would be responsible for recommending any further collaboration, service-by-service.

At the Council meeting on 28 July 2021, Council had agreed that the redundancy and any settlement costs incurred as a result of the recruitment of a Joint Chief Executive shall be shared equally between the councils and that any pension strain costs would remain the responsibility of the employing authority of the affected officer.

Consultation with both affected employees had taken place between 10 August 2021 and 9 September 2021 and they were aware of the proposed redundancies of their posts. Feedback and representations received during the consultation process had been reviewed by the Joint Appointments Committee at its meeting on 22 September 2021. Following this review, any minor amendments that had been made to the proposals had been confirmed to the employees at their end of consultation meetings held on 28 September 2021.

Expressions of Interest had been invited for the Joint Chief Executive post from both affected employees. The Council's Managing Director had notified the Leader of the Council that he did not wish to be considered for the role and had requested voluntary compulsory redundancy. The report to the Council had sought approval to make a termination payment to James Whiteman in line with the Council's Early Termination of Employment Discretionary Compensation Policy.

The Council had the option of setting a policy where it could use new capital receipts to fund revenue expenditure that would generate ongoing savings. Officers were seeking to use this option to finance the implementation costs of the Guildford and Waverley collaboration project and in particular the redundancy and pension strain costs. A strategy on the Flexible use of Capital Receipts was appended to the report, which the Council was asked to approve.

Whilst suitable receipts were anticipated during 2021-22, there was a risk that the receipts might be delayed. If sufficient capital receipts were not received during the financial year 2021-22, officers had sought approval to finance the redundancy costs from the invest to save reserve.

The Council considered a report on this matter and was invited to consider the proposed redundancy termination payment which exceeded the £95,000 threshold referred to in the Council's adopted Pay Policy Statement for 2021-22.

The report had also been considered by the Employment Committee on 4 October 2021. The Committee had endorsed the proposed redundancy termination payment and had recommended the payment to Council for approval.

The Council noted the correction to paragraph 3.5 of the report in respect of the pay-back period, which should have stated 4.3, rather than 0.9, years.

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

RESOLVED:

- (1) That the Council approves the recommendation of the Employment Committee to make a termination payment associated with the voluntary compulsory redundancy of James Whiteman, Managing Director (post number PO1721) of the sum set out in the table in paragraph 3.1 of the report submitted to the Council.
- (2) That the Council approves the Flexible Use of Capital Receipts Strategy as set out in Appendix 4 to the report so that the implementation costs outlined in paragraph 3.4 of the report can be financed from the flexible use of capital receipts should they be incurred.
- (3) That in the event that sufficient receipts are not received during 2021-22, Council approves the use of the invest to save reserve to finance the implementation costs outlined in paragraph 3.4 of the report should they be incurred.

Reason:

To enable the payment of the full entitlement of termination pay to the employee whose post would be made redundant.

A recorded vote on this matter was requested by Councillor Keith Witham, supported by four other councillors. The motion was carried with forty-one councillors voting in favour, one against, and three abstentions, as follows:

For	Against	Abstain
Councillor Tim Anderson Councillor Jon Askew Councillor Joss Bigmore Councillor David Bilbé Councillor Richard Billington Councillor Chris Blow The Deputy Mayor, Councillor Dennis Booth	Councillor Keith Witham	Councillor Guida Esteves The Mayor, Councillor Marsha Moseley Councillor Susan Parker

For	Against	Abstain
Councillor Ruth Brothwell Councillor Colin Cross Councillor Graham Eyre Councillor Andrew Gomm Councillor Angela Goodwin Councillor David Goodwin Councillor Angela Gunning Councillor Gillian Harwood Councillor Jan Harwood Councillor Tom Hunt Councillor Diana Jones Councillor Steven Lee Councillor Nigel Manning Councillor Ted Mayne Councillor Julia McShane Councillor Ann McShee Councillor Bob McShee Councillor Masuk Miah Councillor Ramsey Nagaty Councillor George Potter Councillor Jo Randall Councillor John Redpath Councillor Maddy Redpath Councillor John Rigg Councillor Tony Rooth Councillor Will Salmon Councillor Deborah Seabrook Councillor Pauline Searle Councillor Paul Spooner Councillor James Steel Councillor Cait Taylor Councillor James Walsh Councillor Fiona White Councillor Catherine Young		

The Council also considered an urgent related matter that had arisen in respect of the Council's membership on the Joint Appointments Committee (JAC) which was overseeing the recruitment process for the appointment by this Council and Waverley Borough Council of a Joint Chief Executive.

Councillor Paul Spooner had withdrawn from membership of the JAC, which left a vacancy that would otherwise fall to the Conservative group to fill. However, Councillor Spooner had also indicated that no other member of his group wished to be considered for appointment to the JAC to replace him.

As there was now a vacancy, it was up to full Council to appoint another councillor to the JAC.

Upon the motion of the Leader of the Council, Councillor Joss Bigmore, seconded by Councillor Catherine Young, the Council

RESOLVED: That Councillor Ramsey Nagaty be appointed to the Joint Appointments Committee for the remainder of the 2021-22 municipal year.

Reason:

To ensure that Guildford continued to be represented by three members on the JAC

Note: By reason of the special circumstances described below, the Mayor considered that this item should be dealt with at this meeting as a matter of urgency pursuant to Section 100B 4 (b) of the Local Government Act 1972.

Special Circumstances: The agenda for this Council meeting had to be published on 27 September 2021, which was before the deadline for receipt of formal expressions of interest from affected employees in respect of the new Joint Chief Executive role, which was 29 September 2021.

CO55 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 9.20 pm

Signed
Mayor

Date

GUILDFORD BOROUGH COUNCIL

Draft Minutes of an extraordinary meeting of Guildford Borough Council held at the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Monday 1 November 2021

* The Mayor, Councillor Marsha Moseley (Mayor)

* The Deputy Mayor, Councillor Dennis Booth (Deputy Mayor)

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

*Present

CO56 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Chris Blow, Angela Goodwin, David Goodwin, Tony Rooth, and Will Salmon and Honorary Freeman Andrew Hodges, Jen Powell, and David Watts, and Honorary Aldermen Catherine Cobley, Sarah Creedy, Jayne Marks, and Lynda Strudwick.

CO57 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO58 MAYOR'S COMMUNICATIONS

The Mayor thanked everyone who came along to Weybourne House to support the Halloween Charity lunch in aid of Shooting Star Children's Hospices and the Mayor's Support Fund, in particular to the Civic Secretary and those who generously donated raffle prizes. The Mayor was delighted to announce that the event raised over £1,000.

On Friday 22 October, the Mayor attended on behalf of the Borough Council, the launch of the Surrey Royal British Legion's Poppy Appeal at the ATC in Pirbright. The Mayor reminded Councillors that they had already received invitations to attend the Armistice Day 2 minutes' silence at 11 o'clock on Thursday 11 November and the Remembrance Day Church Service

and Parade on Sunday 14 November 2021. The Mayor asked Councillors who had not already done so, to confirm whether they can attend as soon as possible.

The Mayor expressed thanks to those Councillors who had already volunteered to sell poppies on behalf of the Royal British Legion this coming weekend. Any further volunteers were asked to contact the Civic Secretary.

Finally, on behalf of the Council, the Mayor wished Councillor Chris Blow a full and speedy recovery from his recent fall. The Mayor was pleased to announce that although Councillor Blow was still in hospital, he was making good progress and was very grateful for all the messages of support he had received.

CO59 LEADER'S COMMUNICATIONS

The Leader congratulated the Mayor for hosting the Halloween Charity lunch in aid of Shooting Star Children's Hospices and the Mayor's Support Fund, and thanked her for her commitment to the Mayoralty.

The Leader announced that residents should have received a bin collection calendar by the end of this week, with details of collection dates including our Christmas timetable and reminder of which item goes into which bin to ensure maximisation of what we re-use and recycle.

The Leader informed councillors that the Council would be launching Crowdfund Guildford on 10 November. The launch event would be online at guildford.gov.uk/crowdfundguildford and it was going to be a new way for local people and groups to raise funds and support Guildford.

The Leader drew the Council's attention to a special exhibit of the Surrey Infantry Collection at Guildford House Gallery to commemorate the period of Remembrance and to celebrate 100 years since the Poppy was adopted as a symbol of Remembrance. The exhibit is open from 6 to 14 November between 10 30am and 3.30 pm.

Finally, the Leader apologised that the feedback from the recent car free day was still being reviewed and had not yet been published. The Leader was able to report early positive headlines such as 90% of those who responded would like Guildford to be more pedestrianised, 80% were satisfied with the event, and 90% would like to see a similar event again. However, areas for improvement were highlighted such as the need for better links with available public transport and more cycle friendly options. The Leader would circulate the feedback to councillors upon completion of the review.

In response to a question in which it was noted that disabled parking bays in the town centre had been suspended during Car Free Day, the Leader confirmed that for future Car Free Days, he would take into account the needs of disabled drivers, many of whom have no alternative to travelling by car.

CO60 PUBLIC PARTICIPATION

No members of the public had given notice of their wish to ask a question or make a statement.

CO61 QUESTIONS FROM COUNCILLORS

Councillor Paul Spooner asked the Lead Councillor for Climate Change, Councillor Jan Harwood, the following question:

"The published agendas for the Executive on 26 October 2021 and Full Council on 1 November 2021 included Regulation 19 Consultation on Local Plan: Development Management Policies and the Local Development Scheme 2021.

Shortly prior to the Executive the items were removed from the agenda on the basis that more time was needed to consider comments. Can the Lead Councillor explain why, after two and a half years since the change of administration in May 2019, this important part of the Local Plan has been 'pulled' at the last minute and advise the Council on the repercussions of this delay for the community across the Borough in not having up to date Development Management Policies and can the Lead Councillor provide a new timeline for progressing the Local Plan to Regulation 19 and through to adoption with an updated Local Development Scheme 2021".

The Lead Councillor's response was as follows:

"The Development Management Policies item expected at Executive last week has been delayed in order to consider a number of minor amendments as requested by the Joint EAB. We expect this item to be brought back to the Executive at its next meeting on 23 November, with a view to submission to full council at its meeting on 7 December. This short delay is unlikely to affect the consultation timetable.

Given the strength of feeling amongst all councillors on the topic of development management and planning, we are hoping to achieve wide apolitical support for these important policies. We believe a small procedural delay is worth it to make sure these last-minute amendments do not have unintended consequences"

Councillor Jan Harwood
Lead Councillor for Climate Change

In response to a supplementary question, the Lead Councillor confirmed that the report and papers on the agenda for this meeting would not be reissued for subsequent consideration of this matter. Councillors who had received a hard copy of the papers were requested to retain them. It was anticipated that any changes would be of a fairly minor nature.

In response to another supplementary question in which the lead councillor was asked to confirm whether the 71 amendments proposed by the Joint EAB to 26 policies would be robustly considered and brought back to the Executive as mentioned, the Lead Councillor confirmed that this had been the reason for the delay, as the Executive was not comfortable in recommending the policies to Council and were currently working through attempts to reach a broader consensus.

In response to a further supplementary question, in which the Lead Councillor was asked to consider referring the proposed amendments to the DMPs to the Climate Change Board to enable it to review their impact on climate change, the Lead Councillor responded by stating that every member of the Climate Change Board was already represented on the Joint EAB. The Lead Councillor felt that as these issues had been robustly and extensively covered by the Joint EAB, it was not necessary for the Climate Change Board to repeat the process.

In response to the final supplementary question regarding anticipated timescales, the Lead Councillor confirmed that he hoped reaching a broad consensus on the DMP document would be worth the small delay of approximately two months in respect of the commencement of the Regulation 19 consultation.

CO62 REGULATION 19 CONSULTATION ON LOCAL PLAN: DEVELOPMENT MANAGEMENT POLICIES

Prior to the Executive meeting on 26 October 2021, councillors were informed that this matter had been withdrawn from the agenda due to the need for additional time to enable Executive Members to give full consideration to the feedback given by Members of the Joint Executive Advisory Board at their meeting on 20 September 2021, and that this matter, together with the Local Development Scheme, would be considered at the next earliest opportunity.

As the Local Plan was part of the policy framework of the Council, and it was a requirement that proposals contained within policy framework documents that were presented to the Council were approved by the Executive, this item had therefore been withdrawn from the agenda for this extraordinary meeting of the Council.

CO63 CORPORATE PLAN 2021 - 2025

Following two public consultation exercises on the Council's revised corporate priorities and consideration by the Joint Executive Advisory Board on 15 March 2021, the Council considered a report on the adoption of a new Corporate Plan for the period 2021-2025.

At its meeting on 26 October 2021, the Executive considered this matter and a modification to the draft Corporate Plan was suggested to include reference to the importance of biodiversity. The Leader indicated that he would confer with the Lead Councillor for Climate Change to see if this could be included. Subject to such modification, the Executive had endorsed the recommendation to the Council to adopt the Corporate Plan.

The Leader of the Council, Councillor Joss Bigmore proposed, and the Deputy Leader of the Council, Councillor Jan Harwood seconded the following motion:

“That the proposed new Corporate Plan 2021-2025, as set out in Appendix 1 to the report submitted to the Council, be adopted.

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

“That the proposed new Corporate Plan 2021-2025, as set out in Appendix 1 to the report submitted to the Council, be adopted *subject to the following minor modifications*:

(1) *Amend the first paragraph of the second page of the Foreword (page 963 of the agenda) as follows:*

*“Sustainable transport systems, cycle ways and footpaths and improved public transport routes are vital. New housing developments will be required to have lower carbon emissions. High energy efficiency standards, electric vehicle charging points and renewable energy sources will all be features. **By using land more sustainably, we can also protect and create new habitats to enhance biodiversity**”.*

(2) *In the second sentence of the third paragraph of the second page of the Foreword (page 963 of the agenda), substitute “I am immensely proud of the way in which our staff responded to the crisis” with “**We are** immensely proud of the way in which our staff responded to the crisis”.*

(3) *In the third sentence of the fifth paragraph of the second page of the Foreword (page 963 of the agenda), omit “As I write,”.*

(4) *In the third sentence of the sixth paragraph of the second page of the Foreword (page 963 of the agenda), substitute “I’m confident we will become a greener borough with a renewed, thriving economy, coming together to support our communities and most vulnerable residents.” with “**We are confident** we will become a greener borough with a renewed, thriving economy, coming together to support our communities and most vulnerable residents.”*

(5) *Under the Homes and Jobs theme (page 969 of the agenda), amend the fourth corporate priority as follows:*

- *Facilitate Support high quality development of strategic sites*
- (6) *Under the Environment Theme (page 971 of the agenda), insert a fourth corporate priority as follows:*
- *Make every effort to protect and enhance our biodiversity and natural environment.*
- (The symbols to the side of the text to then include a Bumble Bee icon to reflect this additional priority.)*
- (7) *Under the 'How We Will Measure our Success' (page 976 of the agenda), add an 8th measure, by inserting directly underneath air quality at monitoring sites, “net gains in biodiversity and natural habitats”.*

The proposed alteration to the motion was put to the vote and was carried. The motion, as altered, therefore became the substantive motion for debate.

During the debate, the following points were raised:

- The alterations to include reference to the importance of biodiversity were welcomed
- Lack of specific detail and measurable goals to be able to identify the extent to which the Council delivers on its priorities
- No reference to support for urban areas other than Guildford
- No reference to support for older more vulnerable and less advantaged people in the community
- No reference to enhancing sporting cultural community and recreational facilities
- The draft plan provides some clear strategic goals for what kind of place we would like our borough to be and what kind of things we would like to achieve
- The purpose of the Corporate Plan was to set out the Council’s high-level vision for how we move forward on a very broad range of topics, which would be underpinned by a series of more specific detailed, measurable strategies; for example, a Savings Strategy, a Housing Strategy, and regeneration policies, in respect of which the administration could be held to account.
- Performance would be measured using the Council’s rigorous new performance management indicator framework, which was reported regularly to the Corporate Governance and Standards Committee

Following the debate, the Council

RESOLVED: That the proposed new Corporate Plan 2021-2025, as set out in Appendix 1 to the report submitted to the Council, be adopted subject to the following minor modifications:

- (1) Amend the first paragraph of the second page of the Foreword (page 963 of the agenda) as follows:
- “Sustainable transport systems, cycle ways and footpaths and improved public transport routes are vital. New housing developments will be required to have lower carbon emissions. High energy efficiency standards, electric vehicle charging points and renewable energy sources will all be features. *By using land more sustainably, we can also protect and create new habitats to enhance biodiversity”.*
- (2) In the second sentence of the third paragraph of the second page of the Foreword (page 963 of the agenda), substitute “I am immensely proud of the way in which our staff responded to the crisis” with “*We are* immensely proud of the way in which our staff responded to the crisis”.

- (3) In the third sentence of the fifth paragraph of the second page of the Foreword (page 963 of the agenda), omit “As I write,”.
- (4) In the third sentence of the sixth paragraph of the second page of the Foreword (page 963 of the agenda), substitute “I’m confident we will become a greener borough with a renewed, thriving economy, coming together to support our communities and most vulnerable residents.” with “**We are confident** we will become a greener borough with a renewed, thriving economy, coming together to support our communities and most vulnerable residents.”
- (5) Under the Homes and Jobs theme (page 969 of the agenda), amend the fourth corporate priority as follows:
- **Facilitate Support** high quality development of strategic sites
- (6) Under the Environment Theme (page 971 of the agenda), insert a fourth corporate priority as follows:
- **Make every effort to protect and enhance our biodiversity and natural environment.**
- (The symbols to the side of the text to then include a Bumble Bee icon to reflect this additional priority.)
- (7) Under the 'How We Will Measure our Success' (page 976 of the agenda), add an 8th measure, by inserting directly underneath air quality at monitoring sites, “**net gains in biodiversity and natural habitats**”.

Reason:

The proposed new Corporate Plan has been prepared to set out the Council’s priorities for the period up to 2025.

A recorded vote on this matter was requested by Councillor Keith Witham, supported by four other councillors. The motion, as altered, was carried with thirty-two councillors voting in favour, eight against, and three abstentions, as follows:

For	Against	Abstain
Councillor Paul Abbey Councillor Tim Anderson Councillor Jon Askew Councillor Christopher Barrass Councillor Joss Bigmore The Deputy Mayor, Councillor Dennis Booth Councillor Ruth Brothwell Councillor Colin Cross Councillor Guida Esteves Councillor Gillian Harwood Councillor Jan Harwood Councillor Liz Hogger Councillor Tom Hunt Councillor Diana Jones Councillor Steven Lee Councillor Ted Mayne Councillor Julia McShane Councillor Ann McShee Councillor Bob McShee Councillor Masuk Miah	Councillor David Bilbé Councillor Richard Billington Councillor Graham Eyre Councillor Andrew Gomm Councillor Nigel Manning Councillor Jo Randall Councillor Paul Spooner Councillor Keith Witham	Councillor Angela Gunning The Mayor, Councillor Marsha Moseley Councillor James Walsh

For	Against	Abstain
Councillor Ramsey Nagaty Councillor Susan Parker Councillor George Potter Councillor John Redpath Councillor Maddy Redpath Councillor John Rigg Councillor Deborah Seabrook Councillor Pauline Searle Councillor James Steel Councillor Cait Taylor Councillor Fiona White Councillor Catherine Young		

CO64 APPOINTMENT TO THE POST OF JOINT CHIEF EXECUTIVE

Councillors were reminded that, at its extraordinary meeting held on 6 July 2021, the Council had agreed to pursue options for collaboration with Waverley Borough Council, namely the appointment of a single management team. At its meeting on 28 July 2021, the Council had agreed the job description, person specification and the appointment of a Joint Appointments Committee to carry out the recruitment and make recommendations to both Councils for approval.

Following a rigorous two-day process, which included an external stakeholder panel, and with the advice and support of South East Employers, the Joint Appointments Committee had recommended the appointment of Tom Horwood as the Joint Chief Executive of Guildford and Waverley Borough Councils.

The full Council may only make or approve the appointment where no well-founded objection has been made by the Leader on behalf of the Executive in accordance with the provisions of Part II of Schedule 1 of the Local Authorities (Standing Orders) (England) Regulations 2001. The Council noted that this provision had been complied with and no well-founded objection had been made by the Leader of the Council on behalf of the Executive.

It was also noted that Waverley Borough Council had also confirmed that no such objection has been made by their Leader on behalf of the Waverley Executive.

The Leader of the Council, Councillor Joss Bigmore proposed, and the Deputy Leader of the Council, Councillor Jan Harwood, seconded a motion to appoint Mr Horwood to the post of Joint Chief Executive.

During the debate, the following points were raised:

- Concern over the process in respect of the appointment, which was perceived as being rushed, and yielded only one candidate
- Concern over the collaboration process, with insufficiently robust financial information
- The appointments process followed the very detailed legal and HR advice given to both councils

Following the debate, the Council

RESOLVED:

- (1) That Tom Horwood be appointed to the post of Joint Chief Executive of Guildford and Waverley Borough Councils, and to the statutory roles of Head of Paid Service, Returning Officer and Electoral Registration Officer for both Councils.

- (2) That the above appointments be confirmed once contract negotiations have been finalised.

Reason:

To ensure the Council complies with the requirements of:

- (1) Section 4 of the Local Government and Housing Act 1989 in respect of the appointment of a (Joint) Head of Paid Service.
- (2) Sections 8 and 35 of the Representation of People Act 1983 in respect of the appointment of Electoral Registration Officer and Returning Officer respectively.

A recorded vote on this matter was requested by Councillor Keith Witham, supported by four other councillors. The motion was carried with thirty-two councillors voting in favour, eight against, and three abstentions, as follows:

For	Against	Abstain
Councillor Paul Abbey	Councillor David Bilbé	Councillor Guida Esteves
Councillor Tim Anderson	Councillor Richard Billington	The Mayor, Councillor
Councillor Jon Askew	Councillor Graham Eyre	Marsha Moseley
Councillor Christopher Barrass	Councillor Andrew Gomm	Councillor Susan Parker
Councillor Joss Bigmore	Councillor Nigel Manning	
The Deputy Mayor, Councillor	Councillor Jo Randall	
Dennis Booth	Councillor Paul Spooner	
Councillor Ruth Brothwell	Councillor Keith Witham	
Councillor Colin Cross		
Councillor Angela Gunning		
Councillor Gillian Harwood		
Councillor Jan Harwood		
Councillor Liz Hogger		
Councillor Tom Hunt		
Councillor Diana Jones		
Councillor Steven Lee		
Councillor Ted Mayne		
Councillor Julia McShane		
Councillor Ann McShee		
Councillor Bob McShee		
Councillor Masuk Miah		
Councillor Ramsey Nagaty		
Councillor George Potter		
Councillor John Redpath		
Councillor Maddy Redpath		
Councillor John Rigg		
Councillor Deborah Seabrook		
Councillor Pauline Searle		
Councillor James Steel		
Councillor Cait Taylor		
Councillor James Walsh		
Councillor Fiona White		
Councillor Catherine Young		

CO65 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 8.12 pm