



**‘PART TWO’ OF THE ANNUAL MEETING OF THE COUNCIL
(SELECTION COUNCIL)**

MONDAY 13 MAY 2024

SUPPLEMENTARY AGENDA PACK

WEBCASTING NOTICE

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

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

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

I would like to welcome everyone to this evening’s meeting of the Council.

I should be grateful if you would ensure that your mobile phones and other hand-held devices are switched to silent during the meeting. If the fire alarm sounds during the course of the meeting - we are not expecting it to go off - please leave the Council Chamber immediately and proceed calmly to the assembly point in Millmead on the paved area adjacent to the river as you exit the site.

This Supplementary Agenda Pack sets out details of those members of the public who have given advance notice of their wish to ask a question or address the Council in respect of any business on tonight’s agenda. It also sets out details of any motions and amendments to be proposed by councillors in respect of the business on the agenda.

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

*Councillor Sallie Barker MBE
The Mayor of Guildford*

Time limits on speeches at full Council meetings:	
Public speaker:	3 minutes
Response to public speaker:	3 minutes
Questions from councillors:	3 minutes
Response to questions from councillors:	3 minutes
Proposer of a motion:	6 minutes
Seconder of a motion:	4 minutes
Other councillors speaking during the debate on a motion:	4 minutes
Proposer of a motion's right of reply at the end of the debate on the motion:	4 minutes
Proposer of an amendment:	4 minutes
Seconder of an amendment:	4 minutes
Other councillors speaking during the debate on an amendment:	4 minutes
Proposer of a motion's right of reply at the end of the debate on an amendment:	4 minutes
Proposer of an amendment's right of reply at the end of the debate on an amendment:	4 minutes

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DISCLOSURES OF INTEREST

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

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

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

3. MINUTES (Pages 7 – 52 of the Council agenda)

To confirm, as a correct record, the minutes of the Budget meeting of the Council held on 7 February, and the extraordinary meetings held on 21 February and 16 April 2024.

4. MAYOR'S COMMUNICATIONS

To receive any communications from the Mayor.

5. ANNOUNCEMENTS FROM THE STATUTORY OFFICERS

To receive any announcements from the Head of Paid Service, Chief Finance Officer and/or Monitoring Officer.

6. PUBLIC PARTICIPATION

The Mayor to ask the Council to agree to suspend Council Procedure Rule 2.2 (Business at the Annual Meeting) in order to receive statements and questions from the public at this meeting.

Statements from the public:

The following persons have given notice of their wish to address the Council this evening in respect of the matters referred to below:

- (a) Monica Lilley: The plant-based councils scheme from the Animal Rising campaign
- (b) Gavin Morgan: Future of the Castle
- (c) Dale Askew: Service failure within Housing and specifically Wodehouse Place

Each public speaker making a statement to the Council shall have a maximum of three minutes to do so. The Leader of the Council, or the appropriate Executive member, will be invited to respond to each of these statements, for which they too will have up to three minutes each.

Questions from the public:

The following questions have been received:

Question 1: from David Allison

To the Lead Councillor for Planning, Councillor Fiona White

“Last July Merrow Downs Residents’ Group launched a legal challenge of the deemed discharge of a number of planning conditions related to the development of the Urnfield Sports Ground by Tormead School planning application reference 20/P/00825. This challenge was subsequently uncontested by both the Council and the School, who acknowledged it had been unlawful. The Judicial Review process centred on the problems created when information that should be in the public domain is not published in a timely manner. Had it been, the legal challenge may not have been necessary because the errors made could have been spotted earlier and remedied.

As part of the resolution to this Judicial Review, the Council in the shape of its Legal Adviser agreed to publish all new application material related to the Urnfield case within three days. This the Council has failed to do to the extent that important

documentation that was available over 12 weeks ago has still not been published. Can the Lead Councillor for Planning please explain why the Planning Department has failed to meet this clear commitment?"

Response from the Lead Councillor for Planning

"The Merrow Downs Residents Group challenged the Council's decision to discharge conditions attached to the grant of planning permission 20/P/00825 the conditions being:

- Condition 3 (construction transport management plan)
- Condition 4 (landscape and ecology management plan LEMP)
- Condition 6 (surface water drainage scheme)
- Condition 7 (hard and soft landscaping details)

The challenge rested on the fact that the Statutory Procedure for the deemed discharge of planning conditions set out in Part 5 of the Town and Country Planning (Development Management Procedure) Order 2015 ("the 2015 Order") had not been followed. It is specifically required under Article 29 that a deemed discharge notice is given to the local planning authority, which must include the following:

- (a) details of the application submitted under Article 27 and identifying the planning condition to which it relates,
- (b) where the period referred to in Article 27 has elapsed, confirmation that no appeal has been made under Section 78 of the Town and Country Planning 1990 Act, and
- (c) the date on which deemed discharge is to take effect.

In accordance with the 2015 Order, the agent for the applicants wrote to the Council confirming that the letter should be taken as 'formal activation of deemed discharge for discharge of conditions 3, 4 and 7. In accordance with the Article 29 (3) (b), the deemed discharge notice letter must confirm that no appeal has been made. The letter did not state this and therefore the statutory requirement was not met.

It should be noted that whilst information is published on the Planning Portal, there may be a timelapse between receipt and publication; this, in part, is due to the multiple routes that correspondence enters the Council.

Therefore, the Judicial Review process rested on the fact that a statutory requirement under Part 5 of the 2015 Order was not met. The Council agreed that the decisions on conditions 3, 4 and 7 should be quashed but not the decision on condition 6. In agreeing this position, the Council agreed to publish any new applications on the Council's Planning Portal and to allow a 21-day consultation period from the published date. The Council confirmed the publication would take

place within 3 working days of receipt of such application. It was made clear that this is not a statutory requirement and the Council confirmed that it was making an exception only on the basis of the specific circumstances of this case.

The Council did not agree to publish all new application material related to the Urnfield case within three days. Notwithstanding this point, the Council did publish all information received relating to the subsequent discharge of conditions applications for the period, other than sensitive material. However, the volume of correspondence made this unmanageable and material was published at a much slower rate over the past months”.

Question 2: from Katherine Atkinson

To the Lead Councillor for Planning, Councillor Fiona White

“In the middle of February someone posing as a local resident emailed Merrow Downs Residents’ Group (“MDRG”) to suggest that the final outstanding pre-commencement planning condition related to the Urnfield development planning application reference 20/P/00825 had been approved through what is known as a “deemed discharge” process. This planning condition related to the management of wildlife and ecology on the site which lies within the Surrey Hills National Landscape.

We asked Cllr Jo Shaw if she could find out from the Planning Department the current status (at that time) of this pre-commencement condition. Cllr Shaw forwarded to us an email from a senior planning officer dated 29 February in which he explained that a report related to the discharge of condition 4 was about to be prepared by the case officer for consideration by the Head of Planning. The condition was, according to this information, outstanding and still subject to approval by the Council.

On 8 April, MDRG was informed by an Enforcement Officer that in fact a deemed discharge had taken place, and the condition had been discharged without the usual scrutiny or approvals process, on 15 February.

The result of this failed process is that a critical pre-commencement condition that was designed by the Planning Inspector to protect the wildlife and ecology on and around this site has been discharged once again without proper and sufficient scrutiny, and based on earlier plans that the Council did not judge good enough to be given approval. This is having very significant consequences for this part of the Surrey Hills National Landscape and in particular for protected species on and around the site, namely Hazel Dormice and Badgers. Can the Lead Councillor for Planning please explain why Councillor Shaw was misled so spectacularly?

Response from the Lead Councillor for Planning

“The landscape and ecology management plan (LEMP) condition was discharged through Deemed Consent. However, it is not the case that this condition was discharged without proper and sufficient scrutiny. The case officer had received extensive correspondence from residents on this matter and, more importantly, had received confirmation from Surrey Wildlife Trust that there was no reason to not discharge the condition acknowledging that badger activity will vary over the course of a year and through the different seasons. It further commented that in the review of badger survey information and mitigation strategies there must be an understanding that badger ecology, and badger territory ecology is not static and is not simple. Surrey Wildlife Trust advised that no work should commence on setts, or that could disturb a sett, or that could breach the Protection of Badgers Act 1992, or start before a badger mitigation licence is granted. The Surrey Wildlife Trust emphasised that it is the responsibility of the applicant to ensure that there is no breach of the Protection of Badgers Act and that any licence works carried out adhere to the badger mitigation licence, if granted by Natural England.

Councillor Shaw was not misled, at the time the information was given the case officer had not been aware that a Deemed Consent Notice had been served on 31 January 2024. It later came to light that this was the case and hence the difference in the dates.”

Question 3: from Keith Meldrum

To the Leader of the Council, Councillor Julia McShane

“We are asking these questions as a last resort, because emails from our residents’ group, and from us as individuals, to senior officers, including the new Chief Executive elicit no response. Can the Leader please explain the lack of response and how this refusal to engage with local residents voicing legitimate concerns about the Planning Department’s performance can be reconciled with the Council’s Corporate Customer Charter, let alone the expectations of common courtesy?”

Response from the Lead Councillor for Planning

“There has been extensive correspondence between the residents’ group and officers within different services across the Council. It may sometimes take time to respond to questions asked given the extensive history and volume of correspondence that has come into the Council and quite correctly officers need to furnish themselves with all the necessary information before responding to correspondence. I am aware that an enormous amount of time has been spent on this matter to ensure that the technical information submitted to discharge conditions is fully understood and scrutinised by officers and external consultees”.

7. APPOINTMENT OF COMMITTEES: 2024-25 AND OTHER APPOINTMENTS

(Pages 53 – 84 of the Council agenda)

Update:

(a) Numerical allocation of seats on Committees

Details of the suggested numerical allocation of seats on the committees to the political groups that best meets, as far as reasonably practicable, the requirements for political balance have been shared with the group leaders. The proposed numerical allocation of seats is set out in Appendix 2 to the report (page 83).

Following discussions with group leaders and in particular between the leaders of the Guildford Greenbelt Group and the Labour Group, the suggested numerical allocation of seats on committees has been modified so as to re-allocate the Labour Group's seat on O&S (Resources) to O&S (Services) and re-allocate the Guildford Greenbelt Group's seat on O&S (Services) to O&S (Resources). The Council will be asked to approve this revised numerical allocation of seats on committees to the political groups, which is shown in red in the table below:

Committee	Liberal Democrats	Conservatives	Residents for Guildford & Villages	Guildford Greenbelt Group	Labour
Total no. of seats on the Council (48)	25	10	7	3	3
% of no. of seats on the Council	52.08%	20.83%	14.58%	6.25%	6.25%
Notional number of seats on committees (Total: 70)	36	15	10	4	4
Corporate Gov & Standards Ctte (7 seats)	4	1	1	0	1
Joint Senior Staff Committee (3 seats)	2	1	0	0	0
Joint Governance Committee (6 seats)	3	1	1	1	0
Licensing Committee (15 seats)	8	3	2	1	1
O&S Committee – Resources (12 seats)	6	3	2	1	0
O&S Committee – Services (12 seats)	6	3	2	0	1
Planning Committee (15 seats)	8	3	2	1	1
Total no. of seats on committees	37	15	10	4	4

(b) Nominations for appointments to Committees and other appointments: 2024-25

Each political group has been invited to submit nominations to fill the seats on committees in accordance with the revised numerical allocation shown in the table above. The schedule of nominations is set out in **Appendix 1** to this Supplementary Agenda Pack, which also includes nominations for appointment of Councillor Champions for 2024-25.

(c) Election of Committee chairs and vice-chairs 2024-25

In accordance with Council Procedure Rule 2.4.6, the Council will elect the chairs and vice-chairs of all committees for the ensuing municipal year, and if directed by the Council the chairs of any sub-committees of those committees. Details of nominations received by the Democratic Services and Elections Manager for election of committee and sub-committee chairs and vice-chairs are also set out in **Appendix 1** to this Supplementary Agenda Pack, and are summarised below:

Committee	Nominee(s) for Chairman	Nominee for Vice-Chairman
Corporate Governance & Standards Committee	Cllr Phil Bellamy	Cllr Bob Hughes
Licensing Committee	Cllr Catherine Young	Cllr Keith Witham
Licensing Sub-Committee /Licensing Regulatory Sub-Committee (up to 7 designated sub-committee chairs)	Cllr Amanda Creese Cllr Gillian Harwood Cllr Masuk Miah Cllr Patrick Oven Cllr Cait Taylor Cllr Keith Witham Cllr Catherine Young	
Overview & Scrutiny Committee - Resources	Cllr Philip Brooker	Cllr Dominique Williams
Overview & Scrutiny Committee - Services	Cllr James Walsh	Cllr Bilal Akhtar
Planning Committee	Cllr Vanessa King	Cllr Dominique Williams

(d) Councillor Champions 2024-25: Nominations Received

Champion:	Nominees:
Armed Forces Champion	Cllr Stephen Hives The Mayor, Cllr Sallie Barker MBE (Deputy) Cllr Danielle Newson (Deputy)
Historic Environment & Design Champion	Cllr Richard Mills OBE Cllr Yves de Contades
Older Persons' Champion	Cllr Honor Brooker Cllr Joanne Shaw

(e) Councillor Champions – Summary of Activities 2023-24

Armed Forces Champion - Councillor Stephen Hives

“One of the principal objectives of the Armed Forces Champion is to uphold and further the objectives of the Armed Forces Covenant. The Armed Forces Covenant is a promise to those who serve or have served in the Armed Forces, and their families, that they should be treated with fairness and respect in the communities, economy, and society they serve with their lives.

Its two underlying principles:

- Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services.
- Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

In the past 12 months the GBC Armed Forces Champion and the Deputy Armed Forces Champion have:

- Attended Remembrance Services
- Visited and inspected the local cadet forces
- As representative of GBC, attended training courses associated with upholding the Covenant
- Attended quarterly meetings with the Commanding Officer of the Army Training Centre at Pirbright Barracks
- Holding those organisations with whom GBC engage to account for their role in upholding the principles of the Covenant
- Visited the Veterans’ Hubs in Guildford and Tongham.

There is a specific piece of work that is currently in development to support the mental welfare of the children of service personnel. Discussions are taking place with Surrey County Council to better support children who are in need of CAHMS support. This work will then broaden to Hampshire and, it is hoped, beyond.

Finally, GBC has achieved Silver standard for its commitment to the Covenant. Work has started to achieve Gold Status”.

Historic Environment and Design Champion – Councillor Howard Smith

No summary of activities submitted.

Older Persons' Champion - Councillor Honor Brooker

“Guildford has a growing older population and within my capacity as Older Persons' Champion this year, I have worked with the Council to ensure that our services and partnerships meet the needs of our older people and that the voice of this valued community is heard and respected.

The Council plays an essential part in the wider alliance between Surrey County Council, the NHS and the Voluntary, Charity and Faith Sector to support people to live well and independently for as long as possible. We are a much-respected partner in this alliance and are seen as a key delivery arm of support through our Community Services Team.

As the Older Persons' Champion, it has been very important to me to ensure my role is not blurred by political lines and I have purposefully intended to exercise being a Champion as a way to support the Council and the Executive in our joint desire to care for our residents and our most vulnerable. Despite the challenges we face as a Council, we are all committed to making sure our services are focussed on those most in need.

I have worked closely with the Assistant Director of Community Services and her team to understand the support we provide and offer my insight as a practiced NHS professional – having been a nurse for many years – about community care and ways in which our collaborative working can be enhanced to serve our residents.

My work has been particularly focussed on the community meals scheme and the hospital discharge programme. I have been very happy to work with the team to co design the new community meals offer that includes a new vehicle scheme and improved preparation of meals that can build resilience into the service and also offer increased income opportunities.

I am a regular visitor to The Hive and support the care and support initiatives that are there for our older population but also focus on intergenerational support to families, young adults and carers. My discussions with the AD of Community Services have enabled us to look at care activities that bring the arts into the centre for those who may not necessarily have access. The Book Festival and other arts providers are now regular visitors for our older people. I very much would like to continue as Older People's Champion due to the passion and experience I have around the issues faced. My intention will be to

visit our community meals customers, go out on transport rounds for those in need of hospital or critical care appointments and understand more about the needs of our older people within our council homes and for our residents who are using our careline provision to stay well, safe and independent.

The role of the Older People's Champion is a privilege and is a vital role to be undertaken. As we all live longer, the needs, voice and vast experience of our older generation must always be championed and represented in all our council ambitions, decisions, and strategies."

(f) The Motion:

The Council's attention is drawn to the relevant provisions of the new Council Procedure Rules in respect of the Rules of Debate. In particular, before a motion is proposed, the Mayor will invite any questions from councillors in respect of the motion. Such questions must relate directly to the motion being proposed and are restricted to questions relating directly to clarity of what is proposed.

Once a motion has been proposed and seconded, no questions nor answers are permitted, other than in respect of an amendment to the motion prior to such an amendment being moved. Once proposed and seconded, only speeches of debate shall be permitted.

Councillors' attention is also drawn to the revised time limit on speeches during a debate: up to 6 minutes for the proposer of a motion, and up to four minutes for all other speeches (including right of reply on the motion).

(Council Procedure Rule 15.2).

The Leader of the Council, Councillor Julia McShane to propose and the Deputy Leader of the Council, Councillor Tom Hunt to second, the following motion:

- "(1) That, for the 2024-25 municipal year, the Council agrees to appoint the committees referred to in the table set out in paragraph 6.2 of the report submitted to the Council, and agrees their respective size referred to therein and the proposed terms of reference, as indicated in Appendix 1 to the report.
- (2) That the following numerical allocation of seats on committees to each political group on the Council, be approved for the 2024-25 municipal year:

Committee	Liberal Democrats	Conservatives	Residents for Guildford & Villages	Guildford Greenbelt Group	Labour
Corporate Gov & Standards Ctte (7 seats)	4	1	1	0	1
Joint Senior Staff Committee (3 seats)	2	1	0	0	0
Joint Governance Committee (6 seats)	3	1	1	1	0
Licensing Committee (15 seats)	8	3	2	1	1
O&S Committee – Resources (12 seats)	6	3	2	1	0
O&S Committee – Services (12 seats)	6	3	2	0	1
Planning Committee (15 seats)	8	3	2	1	1
Total no. of seats on committees	37	15	10	4	4

- (3) That the nominations for membership of the committees and the joint committees, for the 2024-25 municipal year, as shown in **Appendix 1** to this Supplementary Agenda Pack, be approved in accordance with the wishes of the political groups.
- (4) That the designated chairs of the Licensing Sub-Committee and Licensing Regulatory Sub-Committee continue to be elected annually by the Council, in accordance with Council Procedure Rule 2.4.6.
- (5) That the nominations for election of chairs and vice-chairs of committees and chairs of the Licensing sub-committees for the 2024-25 municipal year, as shown in the table below, be approved:

Committee	Nominee(s) for Chairman	Nominee for Vice-Chairman
Corporate Governance & Standards Committee	Cllr Phil Bellamy	Cllr Bob Hughes
Licensing Committee	Cllr Catherine Young	Cllr Keith Witham
Licensing Sub-Committee /Licensing Regulatory Sub-Committee (up to 7 designated sub-committee chairs)	Cllr Amanda Creese Cllr Gillian Harwood Cllr Masuk Miah Cllr Patrick Oven Cllr Cait Taylor Cllr Keith Witham Cllr Catherine Young	

Committee	Nominee(s) for Chairman	Nominee for Vice-Chairman
Overview & Scrutiny Committee - Resources	Cllr Philip Brooker	Cllr Dominique Williams
Overview & Scrutiny Committee - Services	Cllr James Walsh	Cllr Bilal Akhtar
Planning Committee	Cllr Vanessa King	Cllr Dominique Williams

(6) That the Council appoints Councillor Stephen Hives as Armed Forces Champion for 2024-25.

Reasons:

- To comply with Council Procedure Rules 2.4.1 and 2.4.6 in respect of the appointment of committees and election of committee chairs and vice-chairs
- To enable the Council to comply with its obligations under the Local Government and Housing Act 1989 in respect of the political proportionality on its committees.

(g) Councillor Champions - Contested Appointments 2024-25

The contested appointments are shown in the table below:

Champion:	Nominees:
Armed Forces Champion	The Mayor, Cllr Sallie Barker MBE (Deputy) Cllr Danielle Newson (Deputy)
Historic Environment & Design Champion	Cllr Richard Mills OBE Cllr Yves de Contades
Older Persons' Champion	Cllr Honor Brooker Cllr Joanne Shaw

Voting on contested appointments:

Under Council Procedure Rule 17, where two candidates are nominated for any position to be filled, the appointment shall be determined by way of a show of hands, unless a recorded vote is requested.

It is suggested that, in respect of the contested appointments as Historic Environment & Design Champion and Older Person's Champion, the Council appoints as Deputy Champion, the unsuccessful nominee.

Comments:

None

8. WEYSIDE URBAN VILLAGE DEVELOPMENT (Pages 85 – 118 of the Council Agenda)

Update:

At its special meeting held on Thursday 9 May, the Executive considered this report and resolved:

- (1) To note the current financial position of Weyside Urban Village programme at the Spring 2024 Financial Review, as set out in the report.
- (2) To note the current forecasted eventual deficit - outlined in Exempt Appendix 1 - in 2033 (year 10 of the project delivery programme).
- (3) To delegate to the Strategic Director of Place, in consultation with the Lead Councillor for Regeneration and Lead Councillor for Finance and Property, authority to enter into such other contracts and legal agreements connected with the Weyside Urban Village programme as may be necessary in compliance with Procurement Procedure Rules and within the approved budget.

The Executive also endorsed the recommendation to Council as set out on page 87 of the Council agenda (and set out in the motion below)

The motion:

The Deputy Leader of the Council and Lead Councillor for Regeneration, Councillor Tom Hunt to propose, and The Leader of the Council, Councillor Julia McShane to second the adoption of the following motion:

“That the Council approves the transfer of £69.548 million from the provisional capital programme to the approved capital programme for payments which the Council is obliged to make to Thames Water Utilities Limited under the Thames Water Agreement for 2024-25, for costs necessary to meet the milestones set within the Homes England HIF agreement and construction costs of phase 2 Infrastructure, Offsite Highways and the New Council Depot”.

Reasons:

- To ensure that there is sufficient understanding of the projected financial forecast of the programme and outline the work underway to develop mitigation strategies to alleviate the forecast deficit.
- To ensure that there is sufficient funding in the approved programme to cover construction of phase 2 Infrastructure, Offsite Highways and the new Council Depot and the payments which the Council is obliged to make to Thames Water Utilities Limited under the Thames Water Agreement for 2024-25.

- To ensure that statutory service agreements and construction agreements can be entered into for the delivery of services and infrastructure for the development and to ensure that Homes England Housing Infrastructure Fund (HIF) milestones are achieved.
- To support the delivery of the Council's Corporate Plan (2021-2025) priorities, by supporting the high-quality development of a strategic site, creating employment opportunities through regeneration and facilitating affordable housing.

Comments:

None

9. MINUTES OF THE EXECUTIVE (Pages 119 – 140 of the Council agenda)

To receive and note the minutes of the meetings of the Executive held on 25 January, 22 February, and 18 April 2024, which are attached to the Council agenda.

Comments:

None