

## STRATEGY AND RESOURCES EXECUTIVE ADVISORY BOARD

9 August 2021

\* Councillor Ruth Brothwell (Chairman)  
Councillor Will Salmon (Vice-Chairman)

* Councillor Jon Askew	* Councillor Angela Gunning
* Councillor Christopher Barrass	Councillor Diana Jones
Councillor Richard Billington	* Councillor Steven Lee
Councillor Colin Cross	* Councillor Masuk Miah
* Councillor Graham Eyre	* Councillor Catherine Young

\* Present

Councillors Julia McShane, Ramsey Nagaty, John Redpath and John Rigg were also in attendance.

### **SR18 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Colin Cross, Diana Jones and Will Salmon. Councillor Tony Rooth was present as a substitute for Councillor Diana Jones.

### **SR19 LOCAL CODE OF CONDUCT AND DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS**

There were no declarations of disclosable pecuniary or non-pecuniary interests.

### **SR20 MINUTES**

The minutes of the meeting of the Executive Advisory Board held on 14 June 2021 were confirmed as a correct record, and would be signed by the Chairman at the earliest opportunity. In this connection, it was confirmed that the request that consideration be given to introducing a Borough wide blanket Tree Preservation Order across the Council's entire wooded estate to protect trees would be brought to the attention of the Tree Officer.

### **SR21 PUBLIC SPACE PROTECTION ORDER (PSPO)**

The EAB considered a report which provided it with the opportunity to examine the process followed in reviewing the current Guildford town centre Public Space Protection Order (PSPO) and invited it to advise and comment on the adherence to, and appropriateness of, the process followed in relation to the statutory guidance and the Council's obligations.

The report set out the context of the Council's existing PSPOs together with the legal framework and the statutory guidance relevant to the review of a PSPO. The Anti-social Behaviour, Crime and Policing Act 2014 had introduced PSPOs as a tool for councils to address anti-social behaviour in their areas. The legislation included statutory requirements for councils to adhere to when reviewing, developing, and implementing PSPOs. The Local Government Association (LGA) had produced guidance for councils based on the legislation and statutory requirements.

The Council had utilised the guidance to inform its approach to reviewing the current town centre PSPO. The report set out how the Council had approached the review and adhered to the statutory guidance and provided a summary of the consultation undertaken in the process to date and concluded by setting out the next steps to be progressed in the review. The key risks associated with this review and the mitigations were also addressed.

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The Policy Officer – Community and Events gave a supporting presentation to summarise the contents of the report and to inform the related discussion. The presentation outlined the background to the review, legal tests, process to date, impact of Covid-19, key risks, next steps, conclusion and a recommendation seeking the EAB's related considerations and comments.

The following points arose from related questions, comments and discussion:

1. The geographical area covered by the current PSPO was confined to Guildford town centre, however, in the event that a new PSPO was adopted or the current one amended, the associated review would consider the area to which it would relate. Data was currently being gathered in order to identify where problem behaviours occurred to inform the area(s) to which a new or amended PSPO would apply.
2. Anti-social behaviour by youths as a result of excess alcohol consumption was regularly experienced at Tongham Recreation Ground and other parts of the Borough. Although Tongham Parish Council had discussed the matter with the police, minimal progress had been achieved to date and the advice received had been to continue reporting such incidents to the police, which was the case. This type of anti-social behaviour and possible related crime appeared to occur in generational cycles. It was confirmed that parish councils had been consulted in respect of the current review of the PSPO, in accordance with the statutory requirement. There was awareness of these issues around the Ash and Tongham areas and the Joint Action Group (JAG) was the appropriate channel for reporting incidents of this nature. The JAG would consider what anti-social behaviour tools were available to tackle the problems in the most appropriate manner. PSPOs had not been suggested by any partners recently as the best tool to tackle related issues. Dispersal Orders were an alternative to PSPOs and although they could be effective in the area where they were applied, they could result in anti-social behaviour being displaced to another location.
3. Fly tipping was raised as an anti-social behaviour issue that was brought to ward councillors' attention on a regular basis.
4. As the enforcement policy relating to the current PSPO had not been reviewed in recent years, it required updating to meet current needs and legal stipulations. However, some remedial action had been taken in 2020 to extend it to ensure that there was sufficient enforcement coverage leading to recognition that a full review was necessary. The enforcement policy regarding any revised or new PSPO would need to include a communications strategy and reflect joint partnership working involving the Safer Guildford Partnership (SGP) and JAG to ensure that every aspect of enforcement was implemented. The success of engagement and joint working with partners was reflected in Guildford's Purple Flag status.
5. In terms of communicating and working with town centre alcohol providers, this was undertaken through Experience Guildford (the local Business Improvement District), Pub Watch and other partners forming the SGP together with operational groups such as the JAG. However, the extent to which this liaison influenced alcohol sales and income, which could not be controlled by the SGP, was unknown.
6. Two consultation surveys had been undertaken in respect of the review of the PSPO. The first survey, of partners, attracted 22 responses from consultees including the police, Experience Guildford, Pub Watch, Street Angels, Riverside and the University of Surrey. The second survey was a public survey which received over 600 responses, 90% of which were from Borough residents.
7. Further to the reference in the report to only 'interested people' being able to challenge the PSPO, it was explained that the definition of interested people was set out in statutory guidance and referred to those who lived in, or regularly worked in or visited, the area. The grounds for challenge were that the Council did not have the power to make / vary the PSPO, or to include particular prohibitions or requirements within it, or that the statutory requirements were not complied with. There had been instances of

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the PSPOs of other councils being challenged on the grounds that they targeted specific groups of people e.g. the homeless.

8. With regard to breaches of PSPOs, penalties were dictated by statute and would be framed in the enforcement policy. Work was currently taking place with partners, particularly the Council's Enforcement Team and the police who were the primary enforcers, to identify the best approach being mindful of the people most likely to be affected. Possible penalties included confiscating alcohol or issuing warnings or Fixed Penalty Notices (fines) which could ultimately lead to court hearings. However, issuing warnings or Fixed Penalty Notices were only two of a number of responses and were seen as a last resort as the PSPO was primarily intended to be an educational tool.

In conclusion, the EAB agreed that officers should:

- Send to the EAB the existing PSPO together with the associated map depicting the geographical area to which it related to enable councillors to suggest any possible expansion of the area covered by the PSPO.
- Circulate to the EAB and to ward and parish councillors a comprehensive e-mail providing information regarding the reporting of anti-social behaviour, support for victims and the role of the JAG (including a referral form) together with directions to the Council's new webpages at [www.guildford.gov.uk/pspo](http://www.guildford.gov.uk/pspo) for further information as part of the communications plan for the SGP.
- Follow up previous notifications to Tongham Parish Council advising of the route to report anti-social behaviour issues and, if deemed appropriate, draw its attention to the possibility of introducing a PSPO in the future to tackle related problems.
- Consider adding fly tipping to the list of anti-social behaviour issues felt to be in need of addressing in the Borough.

## **SR22 HIGHWAY AND TRANSPORT SCHEMES CRITICAL TO LOCAL PLAN DELIVERY**

Having received a report regarding a priority list of highway and transport schemes critical to the delivery of the Guildford Borough Local Plan at its meeting held on 20 July 2021, the Executive deferred consideration of the report to its next meeting, taking place on 24 August 2021, to enable the matter to be considered by the Strategy and Resources Executive Advisory Board (EAB) in the interim.

Accordingly, the EAB considered the report at its meeting held on 9 August 2021. As part of his presentation of the report, the Transport Planner (Consultant) highlighted the following five highway and transport schemes, in no particular order of importance, that were likely to be critical priorities to enable the Local Plan to maintain its housing trajectory and remain up to date. The EAB was invited to support the five priority schemes in principle.

- SRN2 - M25 Junction 10/A3 Wisley Interchange 'Road Investment Strategy' scheme.
- NR2 and NR3 - New railway stations at Guildford West (Park Barn) and Guildford East (Merrow).
- SMC 1-6 - Sustainable Movement Corridor.
- SRN7 and SRN8 - A3 northbound on and off slip roads at A247 Clandon Road (Burnt Common).
- LRN19 – New road bridge and footbridge scheme to enable level crossing closure on A323 Guildford Road adjacent to Ash railway station.

The following points arose from related questions, comments and discussion:

1. Although there was a long list of infrastructure projects attached to the Local Plan, many of which would be delivered by developers, the five priority schemes had been

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- selected as they had been identified as requiring intervention at a high level by the Council and its strategic partners to facilitate implementation.
2. In terms of the proposed new railway stations at Guildford West and Guildford East, a councillor expressed the view that the Guildford West station should be prioritised as it would serve more commuters, being in the vicinity of any new development at Blackwell Farm, the Royal Surrey County Hospital and the Guildford Business Park, thereby offering greater viability and value for money than the Guildford East station. In response, the Strategic Services Director advised that both stations were important for different reasons and Guildford East station formed part of planning policy for the related site and the developer was obliged to make land available for the station and contribute towards its cost. Guildford West station was included in the Capital Programme and the Council would shortly be invited to determine whether it wished to release further funding to enable the scheme to progress to the next GRIP stage.
  3. Concerns were expressed in relation to the level of engagement with highway partners and a perceived lack of project modelling, valid cost estimates, availability of funding, other infrastructure to support the schemes and related impacts on local road networks. It was confirmed that the Council was holding discussions with representatives of Surrey County Council (SCC) as the local highway authority, Highways England (HE), the Department of Transport and Network Rail to progress the schemes. The priority schemes had been informally shared with colleagues at SCC who were broadly in agreement with them and favoured initiatives such as the railway stations and the sustainable movement corridor as they would reduce car use. Securing and demonstrating an alignment of priorities between this Council, SCC and other parties offered the best opportunity to access funding from strategic partners. Although all of the priority schemes had been reviewed as part of the Local Plan and benefited from an evidence base, detailed modelling would not be undertaken until the schemes had received final approval to proceed.
  4. The review of the Local Plan was continuing and would not be negated by the five priority schemes.
  5. Following the deletion of the previous A3 road widening scheme from the Government's Road Investment Strategy 2 programme, the Council had recently agreed to participate in a new study with HE and SCC to address the future of the A3 through Guildford, particularly the stretch between the A31 and Stoke Interchange. This study would include the impacts of cumulative growth associated with the Local Plan. Air quality, which was linked to climate change, was an issue related to the A3 which needed addressing.
  6. Discussions were currently taking place regarding modelling of a new transport assessment initiative which would enable proposed public transport schemes to be assessed. Also, SCC was currently developing a new model which would allow exploration of the implications of modal shift and would lead to the preparation of sub-area models to undertake strategic transport assessments, following the agreement of the related model evaluation report and assessment methodology by this Council and HE.
  7. SCC's perceptions around the key highway and transport issues and areas to focus spending were welcomed.
  8. Local Plan infrastructure project AM2, Comprehensive Guildford Borough Cycle Network, should be put forward as an additional priority to reflect the importance of encouraging cycling through strategic sites and across the Borough in the interests of reducing traffic congestion and improving air quality.
  9. The viability of the former Wisley Airfield site could be dependent upon whether the M25 Junction 10 Development Consent Order was endorsed by the Secretary of State, who had twice delayed making a decision in this regard pending additional environmental information. In the event that the scheme was not endorsed, it would be for the developer to fund substantial improvements to the northbound carriageway of the A3 between Ockham and the A3 / M25 junction in addition to improving the A3 /

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M25 roundabout junction. This factor highlighted the possibility of potential delays and difficulties associated with housing delivery owing to infrastructure issues.

In conclusion, it was agreed that the Executive be advised that:

- the EAB supports the five priority highway and transport schemes critical to the delivery of the Local Plan in principle.
- Guildford West station should be prioritised over Guildford East station.
- Local Plan infrastructure project AM2 (Comprehensive Guildford Borough Cycle Network) should be included as an additional priority scheme.

**SR23 EXECUTIVE FORWARD PLAN**

The Executive Forward Plan was noted without comment.

**SR24 EAB WORK PROGRAMME**

In response to a request from a councillor, the Strategic Services Director undertook to ascertain when the responses of the Planning Policy Team to the Regulation 19 consultation in respect of the draft Local Plan: Development Management Policies document would be published and inform the EAB accordingly.

The meeting finished at 9.00 pm

Signed .....

Date .....

Chairman