

GUILDFORD BOROUGH COUNCIL

Minutes of a meeting of Guildford Borough Council held via remote access using Microsoft Teams. on Tuesday 5 May 2020

- * Councillor Richard Billington (Mayor)
- * Councillor Marsha Moseley (Deputy Mayor)

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| * 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 Chris Blow | * Councillor Susan Parker |
| * Councillor Dennis Booth | * Councillor George Potter |
| * Councillor Ruth Brothwell | * Councillor Jo Randall |
| * Councillor Colin Cross | * Councillor John Redpath |
| * Councillor Graham Eyre | * Councillor Maddy Redpath |
| * Councillor Andrew Gomm | * Councillor Caroline Reeves |
| * Councillor Angela Goodwin | * Councillor John Rigg |
| * Councillor David Goodwin | Councillor Tony Rooth |
| Councillor Angela Gunning | Councillor Will Salmon |
| * Councillor Gillian Harwood | * Councillor Deborah Seabrook |
| * Councillor Jan Harwood | * Councillor Pauline Searle |
| * Councillor Liz Hogger | * Councillor Patrick Sheard |
| * Councillor Tom Hunt | * Councillor Paul Spooner |
| * Councillor Gordon Jackson | * Councillor James Steel |
| * Councillor Diana Jones | * Councillor James Walsh |
| * Councillor Steven Lee | * Councillor Fiona White |
| * Councillor Nigel Manning | * Councillor Catherine Young |

*Present

CO119 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Angela Gunning, Ted Mayne, and Will Salmon.

CO120 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO121 MINUTES

The Council confirmed, as a correct record, the minutes of the budget meeting held on 5 February 2020. The Mayor signed the minutes.

CO122 MAYOR'S COMMUNICATIONS

COVID-19

On behalf of the Council, the Mayor expressed sincere condolences to all those who had been, or were being, affected by COVID-19; especially those who had lost a loved one. The Mayor thanked the NHS and all front-line workers, including borough council staff, who were working hard day after day to ensure that essential services were provided to residents during this difficult time.

As the Coronavirus continued to make an unprecedented impact on our lives, the Mayor had been impressed by the strength and resilience that the people of Guildford had shown during

the lockdown period and was absolutely delighted to see how local communities had come together to help each other.

Victory in Europe Day Commemoration and Celebration

Although, the restrictions, whilst necessary, had been challenging, they had inspired us to find new ways of coming together to enjoy important moments. The Mayor therefore hoped that councillors would take the opportunity to ‘virtually’ commemorate and celebrate the hugely important 75th anniversary of Victory in Europe Day on 8 May and throughout the weekend.

End of Mayoral Year

The Mayor reported that it had been a strange end to his Mayoral year but expressed his gratitude to the huge number of people who had made it such a pleasure and had supported him throughout. The Mayor announced that due to incredible support over £28,000 had been raised for his chosen charities – The Prostate Project, Royal Surrey County Hospital Charity and The Mayor of Guildford’s Local Distress Fund.

New Mayoral Year

The Mayor was looking forward to sharing the mayoral responsibility with the Deputy Mayor, Cllr Marsha Moseley for the 2020-21 municipal year, and once again visiting communities across our borough and thanking them personally for their efforts during the pandemic.

CO123 LEADER'S COMMUNICATIONS

The Leader informed the Council that, following Councillor Fiona White’s decision to stand down as deputy leader on 19 March 2020, she had appointed Councillor Jan Harwood as deputy leader. The Leader announced that, with immediate effect, Councillor Joss Bigmore had been appointed deputy leader of the Council, and that the following changes had been made to the Executive:

Lead Councillor	Portfolio	Responsibilities
Cllr Tim Anderson	Resources	Finance & Asset Management
Cllr Joss Bigmore	Service Delivery	Customer service, execution of corporate plan, governance
Cllr John Redpath	Economy	business development & economic support (also working with the Lead Councillor for Environment on tourism)
Cllr John Rigg	Regeneration	Major projects
Cllr Jan Harwood	Climate Change	Climate Change and planning policy
Cllr James Steel	Environment	Licensing, waste & recycling, street cleaning, allotments, parks and countryside (also working with the Lead Councillor for Economy on tourism)
Cllr Caroline Reeves	Housing and Development Control	all aspects of our council and private housing services including advice and support, and homeless
Cllr Julia McShane	Community	social enterprise, safeguarding, environmental health, emergency planning

The Leader placed on record her personal thanks for the hard work and achievements of the outgoing members of the Executive: Councillors Angela Goodwin, David Goodwin, Pauline Searle, and Fiona White.

CO124 PUBLIC PARTICIPATION

There were no questions or requests to make statements from the public.

CO125 QUESTIONS FROM COUNCILLORS

No questions on notice had been received from councillors under Council Procedure Rule 13.

CO126 COVID19 EMERGENCY BUDGET

The Council considered the Chief Finance Officer's report on the need for the Council to approve an emergency budget due to the COVID 19 crisis.

Councillors noted that Guildford Borough Council was a category 1 responder to civil emergencies under the Civil Contingencies Act 2004. This meant that the Council had a vitally important role in responding locally to COVID19, to save lives, protect the NHS, and ensure our residents were protected wherever possible. We also had a duty to ensure that crucial council services continued to operate in these unprecedented times.

The purpose of the report was to set out the Council's response so far to COVID-19, and the impact on services, for which an emergency budget was sought in order to support the response.

The report noted that the Council's response to the pandemic had been intense and wide ranging across a number of critical services. Officers had predicted a range of financial implications for the Council depending on how long the government restrictions were in place. The financial implications could be between £5million and £13.8million (10% to 31% of the Council's Net budget requirement).

Councillors were informed that the Council had received two general non-ringfenced grants totalling £1.523million. Whilst this covered the majority of the costs being incurred, it did not cover the projected loss of income. The availability of further funding from government remained uncertain.

Consequently, officers had recommended that the Council puts in place an emergency budget of up to £13.8million funded from reserves to cover both the costs being incurred and the potential loss of income from the COVID19 Pandemic.

Upon the motion of Councillor Joss Bigmore, seconded by Councillor Caroline Reeves, the Council:

RESOLVED:

- (1) That the Council's duties and response so far in dealing with the COVID19 pandemic be noted.
- (2) That the initial assessment of the impact on Guildford Borough Council's short-term financial position be noted.
- (3) That a revenue supplementary estimate of £13.8million to be funded from general fund reserves, be approved and that such funding be drawn down only if further government support is not forthcoming or is insufficient to cover the financial impact of COVID19 on the Council and sufficient cost savings cannot be found.

- (4) That the advice of the Chief Finance Officer in paragraph 5.18 of her report regarding the level of reserves and the potential need to rebuild reserves to a sufficient level if government grant support falls short, be noted.
- (5) That the changes to Local Authority powers and duties introduced by the Coronavirus Act 2020 be noted and that the Managing Director, in consultation with the Leader of the Council, be authorised to amend service provision in accordance with the Council's statutory duties as these may be varied by the Act, regulations and guidance made thereunder.

Reason:

To enable the Council to continue to respond to the COVID19 emergency.

Under the Remote Meetings Protocol, a roll call was taken to record the vote on this matter, the results of which were 43 councillors voting in favour, none against, and one abstention, as follows:

For the motion	Against the motion	Abstentions
Cllr Paul Abbey		Cllr Richard Billington
Cllr Tim Anderson		
Cllr Jon Askew		
Cllr Christopher Barrass		
Cllr Joss Bigmore		
Cllr David Bilbé		
Cllr Chris Blow		
Cllr Dennis Booth		
Cllr Ruth Brothwell		
Cllr Colin Cross		
Cllr Graham Eyre		
Cllr Andrew Gomm		
Cllr Angela Goodwin		
Cllr David Goodwin		
Cllr Gillian Harwood		
Cllr Jan Harwood		
Cllr Liz Hogger		
Cllr Tom Hunt		
Cllr Gordon Jackson		
Cllr Diana Jones		
Cllr Steven Lee		
Cllr Nigel Manning		
Cllr Julia McShane		
Cllr Ann McShee		
Cllr Bob McShee		
Cllr Masuk Miah		
Cllr Marsha Moseley		
Cllr Ramsey Nagaty		
Cllr Susan Parker		
Cllr George Potter		
Cllr Jo Randall		
Cllr John Redpath		
Cllr Maddy Redpath		
Cllr Caroline Reeves		
Cllr John Rigg		

For the motion	Against the motion	Abstentions
Cllr Deborah Seabrook		
Cllr Pauline Searle		
Cllr Patrick Sheard		
Cllr Paul Spooner		
Cllr James Steel		
Cllr James Walsh		
Cllr Fiona White		
Cllr Catherine Young		

CO127 REGULATION 18 CONSULTATION ON LOCAL PLAN: DEVELOPMENT MANAGEMENT POLICIES

The Council considered a report on the proposed Regulation 18 Consultation on The Local Plan: Development Management Policies ('the draft Local Plan'), which was the second part of Guildford's Local Plan. Once adopted, it would together with the recently adopted Local Plan: Strategy and Sites document (LPSS), fully supersede the existing Local Plan 2003 as the Council's Development Plan. The draft Local Plan provided the more detailed policies to be used by Development Management in the determination of planning applications. Councillors noted that the LPSS included a small number of development management policies where these were necessary in implementing the strategic policies, for example in relation to Green Belt, employment and retail.

The structure of the draft Local Plan was consistent with that contained in the LPSS. The chapters therefore consisted of: Housing, Protecting, Economy, Design, and Infrastructure and Delivery. A list of all the proposed policies and a brief summary as to their aims and how they sought to achieve those aims was appended to the report.

The Regulation 18 Consultation included both 'issues, options' and goes on to suggest a 'preferred option' for each policy. This approach was designed to generate meaningful comments and concerns that would enable the Council to move straight to a Regulation 19 'proposed submission' document. This, in turn, would increase the possibility of being able to progress the plan to Examination without the need for main modifications and a further round of consultation.

In considering the report, the Council noted that the draft Local Plan had been put before the Place Making and Innovation Executive Advisory Board (EAB) on 17 February 2020. The report had included the comments submitted by the EAB which had been extracted from their draft minutes – due to the COVID-19 pandemic, the EAB had not had the opportunity of confirming the minutes by the time of this Council meeting. Some councillors had disputed the accuracy of some of the comments attributed to the EAB.

It was noted that a further opportunity for the EAB to comment on the draft policies, once developed, would arise during the preparation of the Plan for regulation 19 consultation.

Councillors noted that paragraph 6.4 of the report referred to the current COVID 19 related constraints under which the Council was operating and stated that we would be unable to provide public events as part of the proposed Regulation 18 Consultation, or make available for public inspection hard copies of the consultation documents during the COVID 19 lockdown. The report had set out details of how the Council intended to mitigate the impact of this by enhancing the online consultation with the information that the Council was intending to provide at the public events, together with other measures to assist stakeholders in making formal responses to the consultation.

Having considered this further and with due regard to:

- (i) the intended scope of the consultation being open to all residents in Guildford (amongst a range of other stakeholders);
- (ii) the Local Planning Authority's (LPA's) obligations in terms of the Public Sector Equality Duty (PSED) under s149 of the Equality Act 2010; and
- (iii) the potential issues that may arise in respect of the PSED, specifically the need for the LPA to have due regard to the need to advance equality of opportunity,

officers considered that it would be appropriate to further enhance the Council's consultation process beyond that which was proposed in the report.

In the current circumstances, including the lack of access to hard copies of the document, the aim of these further enhancements was to seek to ensure that both the notification of the consultation and relevant consultation documentation were more accessible to proposed consultees who might find online formats a significant challenge (including the elderly who might be unfamiliar with the technology or those with particular disabilities). In this regard, the following additional activities would be undertaken:

- Notification of the consultation in the local press, along with relevant Council contact information;
- Posting letter notifications to all those consultees on the Council's consultation database without an email address and incorporating additional consultation material as part of this which provided a hard copy summary of the policies similar to Appendix 1 to the report, adapted to allow it to be used as a template for an easy written response that could be submitted as part of the consultation process.
- Posting letter notifications (and additional consultation material, as above) as well as sending email notifications to all parish councils with a request to make this available to local people, where it was within their means to do so taking into account current circumstances.
- Including in all notifications, as well as the planned press release, contact information for the Council should consultees have difficulties accessing the online documents and wish to discuss the contents of the consultation document. As part of this discussion it may be considered necessary to provide a hard copy summary of the policies to be posted to them.
- Maintaining the planned 7-week consultation period

Further to the above enhancements, officers had advised that the Council should, as a matter of good governance, update its Statement of Community Involvement (SCI) to accommodate changes to how planning policy documents will be publicised for consultation purposes during circumstances such as this. It would, therefore, be necessary to take a report to the next meeting of the Executive on 26 May 2020 to seek approval of an updated SCI.

Upon the motion of the Lead Councillor for Climate Change, Councillor Jan Harwood, seconded by the Leader of the Council, Councillor Caroline Reeves, the Council

RESOLVED:

- (1) That, subject to approval by the Executive on 26 May 2020 of updates to the Council's adopted Statement of Community Involvement including changes to how we will publicise planning policy documents for consultation purposes during the COVID-19 crisis or similar periods of national or local emergency, the draft Local Plan: Development Management Policies document, be approved for Regulation 18 public consultation for a seven-week period beginning as soon as is practicable.
- (2) That the Planning Policy Manager be authorised to make such minor alterations to improve the clarity of the draft Local Plan: Development Management Policies document as he may determine in consultation with the Lead Councillor.

Reasons:

Undertaking a public consultation on the draft Local Plan is a statutory requirement placed on Local Planning Authorities under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ('Local Planning Regulations') and will enable the Council to move closer to adopting the second part of the Local Plan.

Under the Remote Meetings Protocol, a roll call was taken to record the vote on this matter, the results of which were 39 councillors voting in favour, none against, and five abstentions, as follows:

For the motion	Against the motion	Abstentions
Cllr Paul Abbey		Cllr Richard Billington
Cllr Tim Anderson		Cllr Colin Cross
Cllr Jon Askew		Cllr Andrew Gomm
Cllr Christopher Barrass		Cllr Ramsey Nagaty
Cllr Joss Bigmore		Cllr Patrick Sheard
Cllr David Bilbé		
Cllr Chris Blow		
Cllr Dennis Booth		
Cllr Ruth Brothwell		
Cllr Graham Eyre		
Cllr Angela Goodwin		
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Cllr Gillian Harwood		
Cllr Jan Harwood		
Cllr Liz Hogger		
Cllr Tom Hunt		
Cllr Gordon Jackson		
Cllr Diana Jones		
Cllr Steven Lee		
Cllr Nigel Manning		
Cllr Julia McShane		
Cllr Ann McShee		
Cllr Bob McShee		
Cllr Masuk Miah		
Cllr Marsha Moseley		
Cllr Susan Parker		
Cllr George Potter		
Cllr Jo Randall		
Cllr John Redpath		
Cllr Maddy Redpath		
Cllr Caroline Reeves		
Cllr John Rigg		
Cllr Deborah Seabrook		
Cllr Pauline Searle		
Cllr Paul Spooner		
Cllr James Steel		
Cllr James Walsh		
Cllr Fiona White		
Cllr Catherine Young		

CO128 NON-ATTENDANCE AT MEETINGS: PROPOSED DISPENSATION FROM THE REQUIREMENTS OF SECTION 85 LOCAL GOVERNMENT ACT 1972

Under the provisions of Section 85(1) of the Local Government Act 1972, if a councillor failed throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.

Due to the coronavirus outbreak, the Council was requested to agree that any councillor unable to attend a meeting for a period greater than six months for COVID 19 related reasons, should receive a dispensation from the requirements of section 85 until 9 December 2020 (the day after the date of the scheduled full Council meeting in December). The Council could, if necessary, review the position at its meeting on 8 December.

Upon the motion of the Leader of the Council, Councillor Caroline Reeves, seconded by Councillor Jan Harwood, the Council

RESOLVED: That the Council waives the requirements of Section 85(1) of the Local Government Act 1972 and agrees that any councillor unable to attend a meeting for a period greater than six months for COVID 19 related reasons, receives a dispensation from the requirements of section 85 until 9 December 2020.

Reason:

To avoid triggering Councillor disqualifications due to non-attendance at meetings for COVID 19 related reasons.

Under the Remote Meetings Protocol, a roll call was taken to record the vote on this matter, the results of which were 40 councillors voting in favour, two against, and two abstentions, as follows:

For the motion	Against the motion	Abstentions
Cllr Paul Abbey	Cllr Nigel Manning	Cllr Richard Billington
Cllr Tim Anderson	Cllr Paul Spooner	Cllr Marsha Moseley
Cllr Jon Askew		
Cllr Christopher Barrass		
Cllr Joss Bigmore		
Cllr David Bilbé		
Cllr Chris Blow		
Cllr Dennis Booth		
Cllr Ruth Brothwell		
Cllr Colin Cross		
Cllr Graham Eyre		
Cllr Andrew Gomm		
Cllr Angela Goodwin		
Cllr David Goodwin		
Cllr Gillian Harwood		
Cllr Jan Harwood		
Cllr Liz Hogger		
Cllr Tom Hunt		
Cllr Gordon Jackson		
Cllr Diana Jones		
Cllr Steven Lee		
Cllr Julia McShane		
Cllr Ann McShee		
Cllr Bob McShee		

For the motion	Against the motion	Abstentions
Cllr Masuk Miah		
Cllr Ramsey Nagaty		
Cllr Susan Parker		
Cllr George Potter		
Cllr Jo Randall		
Cllr John Redpath		
Cllr Maddy Redpath		
Cllr Caroline Reeves		
Cllr John Rigg		
Cllr Deborah Seabrook		
Cllr Pauline Searle		
Cllr Patrick Sheard		
Cllr James Steel		
Cllr James Walsh		
Cllr Fiona White		
Cllr Catherine Young		

CO129 DESIGNATION OF THE COUNCIL'S MONITORING OFFICER

The Council was informed that the Resources Specialist Services Manager (formerly the Council Solicitor and Monitoring Officer), Robert Parkin, had left the Council on 20 March 2020 to take up an appointment elsewhere.

The Director of Resources had undertaken and implemented a restructure of the legal specialist team which had been agreed with the Corporate Management Team, details of which were set out in the Order Paper circulated to all councillors prior to the meeting.

Councillors noted that Section 5 of the Local Government and Housing Act 1989 required the Council to designate one of its officers as monitoring officer. Under the restructure, the Council needed to put in place an arrangement that was flexible and provided a development opportunity for the two Senior Specialists – Legal (Sarah White and Diane Owens) both of whom were highly performing and suitably qualified members of staff.

At its meeting on 6 March 2020, the Employment Committee had supported the recommendation that Sarah White (Senior Specialist Legal – (Lawyer - Planning, Regeneration & Litigation)) be designated as the Monitoring Officer for the Council with effect from her return to work in May 2020 on a part-time basis following maternity leave. Diane Owens, who had been acting monitoring officer following Mr Parkin's departure would be the principal Deputy Monitoring Officer in Sarah White's absence.

Upon the motion of the Leader of the Council, Councillor Caroline Reeves, seconded by Councillor Jan Harwood, the Council

RESOLVED: That Sarah White (Senior Specialist - Legal (Lawyer - Planning, Regeneration & Litigation)) be designated as the Monitoring Officer for the Council with effect from her return to work following maternity leave in May 2020.

Reason:

To comply with the requirements of the Local Government and Housing Act 1989 (as amended).

CO130 MINUTES OF THE EXECUTIVE

The Council received and noted the minutes of the meetings of the Executive held on 7 and 21 January and 18 February 2020, together with the list of decisions taken by the Leader of the Council on 24 March 2020.

CO131 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 9.05 pm

Signed
Mayor

Date