

# EXECUTIVE

25 September 2018

- \* Councillor Paul Spooner (Chairman)
- \* Councillor Matt Furniss (Vice-Chairman)

- |                             |                                 |
|-----------------------------|---------------------------------|
| * Councillor David Bilbé    | * Councillor Gordon Jackson     |
| * Councillor Philip Brooker | Councillor Nigel Manning        |
| * Councillor Geoff Davis    | * Councillor Nikki Nelson-Smith |
| * Councillor Graham Ellwood | Councillor Iseult Roche         |

\*Present

Councillor Caroline Reeves was also in attendance.

## **EX38 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Nigel Manning, Lead Councillor for Finance and Asset Management.

## **EX39 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

## **EX40 MINUTES**

The minutes from the meetings held on 28 August and 4 September 2018 were confirmed.

## **EX41 LEADER'S ANNOUNCEMENTS**

The Leader of the Council announced that any project relating to council investment in student accommodation would be put on hold for the foreseeable future. A confidential briefing would be provided to Full Council on 9 October 2018.

## **EX42 RESIDENTIAL EXTENSIONS AND ALTERATIONS: SUPPLEMENTARY PLANNING DOCUMENT 2018**

The Chairman introduced the report. It was explained that the Residential Extensions and Alterations: Supplementary Planning Document (SPD) 2018 was a key design document that would help to raise the standard and quality of design in householder alterations and applications. The SPD would add further detail to the policies contained in the development plan. If approved it would form a material consideration in making planning decisions, but it would not be a part of the development plan.

The SPD had been subject to wide consultation both internally within the council and publicly. Officers were commended for producing a balanced and helpful guide.

Following some discussion, the Chairman advised that some minor aspects should be revisited. The SPD was not a prescriptive document, but provided principles and guidance. Any planning proposal would be subject to an evaluation of context as well as design guidance and this should be made clear where photographic examples were used.

The Executive

RESOLVED:

- (1) That the draft Residential Extensions and Alterations document be approved and adopted as a Supplementary Planning Document.
- (2) That the Planning Policy Manager be authorised, in consultation with the relevant Lead Councillor, to make any further minor changes to the document that may be required.

Reasons:

Clear design policy can provide a useful tool for Officers and Councillors in planning assessment and decision-making and for providing advice to applicants, to help raise design standards and avoid poor quality planning applications. It is important that any design guidance is clear, current and fit for purpose.

The meeting finished at 7.17 pm

Signed .....

Chairman

Date .....

# EXECUTIVE

30 October 2018

- \* Councillor Paul Spooner (Chairman)
- \* Councillor Matt Furniss (Vice-Chairman)

- |                             |                                 |
|-----------------------------|---------------------------------|
| * Councillor David Bilbé    | * Councillor Gordon Jackson     |
| * Councillor Philip Brooker | * Councillor Nigel Manning      |
| * Councillor Geoff Davis    | * Councillor Nikki Nelson-Smith |
| * Councillor Graham Ellwood | * Councillor Iseult Roche       |

\*Present

Councillors Colin Cross, Angela Gunning, Bob McShee, Jo Randall, David Reeve, Caroline Reeves, Tony Rooth, and David Wright were also in attendance.

## **EX43 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **EX44 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST**

There were no disclosures of interest.

## **EX45 MINUTES**

The Executive approved the minutes of the meeting held on 25 September 2018. The Chairman signed the minutes.

## **EX46 LEADER'S ANNOUNCEMENTS**

The Leader referred to a recent press release on the Local Plan noting that a technical letter from officers to the Local Plan Inspector, a letter from the Leader on behalf of the Executive, and a response from the Inspector had all been uploaded to the website.

## **EX47 LICENSING OF SEX ESTABLISHMENTS: STATEMENT OF LICENSING POLICY 2018-2021**

The Executive noted that The Policing and Crime Act 2009 amended the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. This brought into force for lap dancing, pole dancing and other "relevant entertainment" a new licensing regime.

The legislation enabled local authorities to adopt a policy and standard conditions relating to sexual entertainment venues, sex shops and sex cinemas.

The Council had adopted the provisions of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009, on 7 October 2014 with effect from 17 November 2014. The Council had originally adopted a policy and standard conditions on 14 April 2015 to be applied when determining applications for sex establishment licences in the Borough.

The policy had been revised and approved for public consultation by Licensing Committee on 30 May 2018. The Executive considered a report, which had also been considered by the

Licensing Committee on 26 September 2018, on the results of the consultation and approval of the policy, as drafted, was now being sought.

The Executive accordingly

RESOLVED: That the draft Licensing of Sex Establishments Policy 2018-2021, as set out in Appendix 1 to the report submitted to the Executive, be adopted.

Reason:

Adopting an updated Licensing of Sex Establishments Policy will provide guidance to applicants and a framework to enable the Council to make consistent and transparent decisions when determining applications for sex establishments.

**EX48 UNLOCKING GUILDFORD - BLACKWATER VALLEY HOTSPOTS AND GUILDFORD TOWN CENTRE APPROACHES**

The Executive noted that the Unlocking Guildford Package comprised six schemes that the EM3 Local Enterprise Partnership (LEP) had provisionally approved for funding. Two of these schemes had recently been formally approved and the next steps of detailed design and then implementation were due to commence.

Consultants appointed by the Council had completed a feasibility study for the "Blackwater Valley Hotspots" project. A joint consultation exercise, which ran from 22 January to 4 March 2018, had been carried out involving County and Borough officers covering all the Unlocking Guildford package of measures. The scope of the scheme had changed to cover two junctions of interest, the A331 junction with A31 and the A323 junction with A324. Subsequently, a business case had been submitted to the LEP. The project had now been awarded £1.965m from the LEP with match funding of £1.965m from the Council.

A feasibility study for the Town Centre Approaches project had been completed in conjunction with Surrey County Council and a business case submitted to the LEP. This project had been awarded £700,000 from the LEP with match funding of £333,000 from Guildford Borough Council.

As the LEP funds must be spent by the end of March 2021, work on the detailed design and procurement was already underway.

The Executive considered a report which sought approval to transfer the budget required to complete the projects from the provisional capital programme to the approved capital programme. The report had also outlined the current spend, the works completed to date as well as the remaining scope of works to be delivered from 2018-19 to 2020-21.

The Executive

RESOLVED:

- (1) That the sum of £3.93 million required for the Hotspots project (ref. P16(p)), that is currently on the provisional capital programme, be moved to the approved capital programme.
- (2) That the sum of £1.033 million required for the Town Centre Approaches project (ref. P14(p)), that is currently on the provisional capital programme, be moved to the approved capital programme.

Reasons:

- To complete the project in line with the government's timescales for the third iteration of its growth deal funding.

- To enable the continuation and completion of the detailed design and implementation of the works from 2018-19 to 2020-21

#### **EX49 SUBMISSION OF GARDEN VILLAGE BID FOR WISLEY AIRFIELD**

The Executive noted that the Ministry of Housing, Communities, and Local Government (MHCLG) had published a new Prospectus for their Garden Communities Programmes requesting submission of bids by 9 November 2018 for ambitious, locally led garden villages. The emerging Local Plan was in its advanced stages of preparation and now carried considerable weight. The Local Plan included a number of strategic sites, of which a new settlement at the former Wisley Airfield (site allocation policy A35) was one.

Given the stage of the Local Plan and the proposals for the new settlement at Wisley Airfield, which aligned with the garden village principles, officers considered that it would be appropriate to submit a bid as part of this round of garden village bids. Securing Wisley Airfield garden village (WAGV) status would enable increased funding opportunities and set a high benchmark for design quality for any future development.

In introducing this matter, the Leader of the Council drew attention to the Garden Community Qualities, highlighted in the prospectus, which a bid would have to meet. These qualities had been identified as follows:

- Clear identity
- Sustainable scale
- Well-designed places
- Great homes
- Strong local vision and engagement
- Transport
- Healthy Places
- Green Space
- Legacy and Stewardship Arrangements
- Future Proofed

In considering, the proposals, the Executive noted that, although the refusal of a planning application for development of housing at the former Wisley Airfield had been upheld by the Secretary of State, the Local Plan Inspector did not consider the allocation of the Wisley Airfield site (Site A35) in the Plan to be unsound or that it should be removed from the Plan.

It was emphasised that the bid was not a planning application, and the site would need to go through the normal planning process to receive planning permission.

In view of the imminent deadline for submission of bids, this matter had been designated as being urgent and, subject to the formal agreement of the Executive and Councillor Caroline Reeves, as Chairman of the Overview and Scrutiny Committee, would not be subject to the call-in procedure.

Although Councillor Reeves had already given her formal agreement on the day before this meeting, she indicated at the meeting that she had felt that she had been put in an invidious position bearing in mind that the Prospectus had been published by MHCLG on 15 August 2018 and this matter had been only been published as an item of urgent business on the day before the meeting.

Councillor Reeves indicated that she had a number of questions in respect of the circumstances surrounding the consideration of this matter which, in the interests of openness and transparency, ought to be considered at the next meeting of the Corporate Governance and Standards Committee.

Having considered the report, the Executive

RESOLVED:

- (1) That the preparation and submission of a Garden Village Bid for Wisley Airfield to the Ministry of Housing, Communities and Local Government be endorsed.
- (2) That the Director of Planning and Regeneration be authorised to finalise and submit the bid following consultation with the Leader of the Council and the Director of Finance.
- (3) That, in accordance with Overview and Scrutiny Procedure Rule 16 (h), the call-in procedure in respect of this decision, be waived.

Reasons:

- A successful bid could secure important capacity funding and cross government support allowing the delivery of the Wisley Airfield allocation and wider Council infrastructure and sustainable transport proposals.
- The waiving of the call-in procedure will enable the decision to be implemented immediately to ensure that any bid may be submitted by the 9 November 2018 deadline

**Note:** By reason of the special circumstances described below, the chairman 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:** This matter required a decision by the Executive to enable a bid to be submitted by the deadline of 9 November 2018.

## **EX50 ASH ROAD BRIDGE - LAND ASSEMBLY REPORT**

The Executive considered a report which sought authorisation for officers to progress acquisition of land by agreement for the Ash Road Bridge scheme.

Councillors noted that Draft Policy A29 of the Submission Draft Local Plan had identified land to the south and east of Ash and Tongham as a strategic location for the provision of approximately 1,750 new homes.

One of the requirements associated with this allocation was the provision of a new road bridge which would form part of the A323 Guildford Road, with an associated footbridge suitable for all users, to enable the closure of the level crossing on the A323 Guildford Road, adjacent to Ash railway station.

This infrastructure would enable new housing to be delivered more quickly in line with draft Policy A29. The current level crossing had been categorised as medium-high risk by Network Rail, had significant periods of closure leading to congestion, and had a negative impact on the local and wider economy.

It was anticipated that a planning application for the new road and road bridge would be submitted in the first quarter of 2019 and that works on site could begin a year later. The process for assembling land and rights for the scheme therefore needed to commence as soon as possible.

The indicative plan attached to the report showed the extent of the land likely to be required to implement the Ash Road Bridge scheme, both permanently and temporarily during construction. The land required for the scheme traversed three of the sites identified for housing development in draft Policy A29 and was currently in a number of separate ownerships. The precise extent of the land required was to be finalised following discussions with affected parties for the

acquisition of the required land and/or rights and/or satisfactory agreements with third parties to deliver the scheme on third party land and ensure adoption.

The Executive noted that Savills had been appointed to advise the Council on property, planning and compulsory purchase matters in respect of the Ash Road Bridge scheme. It was proposed that they should now be instructed to open negotiations for the acquisition of the required land and rights from third parties.

If efforts to acquire all the land by agreement were unsuccessful, or if it was unlikely to achieve this within a reasonable timescale, a further report would be brought to the Executive to consider authorising the making of a Compulsory Purchase Order to facilitate the Ash Road Bridge scheme.

In the meantime, the report sought authority to appoint specialist land referencing agents to carry out detailed investigations into the ownership of the relevant land and to prepare a schedule of the owners, lessees and occupiers.

The Executive was reminded that the concept of the road bridge had been subject to two rounds of public consultation through the Local Plan preparation. Officers had held quarterly public forums since January 2018 and this was proposed to continue for the duration of the project. Officers had recently held a specific session with local councillors, Surrey County Council and representatives from local residents groups on highways questions associated with the scheme.

The Executive therefore

RESOLVED: That the Director of Planning and Regeneration be authorised, in consultation with the Lead Councillor for Infrastructure and Governance:

- (1) to open negotiations with third parties for the acquisition of land by agreement for the Ash Road Bridge Scheme to be conducted on the Council's behalf by Savills;
- (2) to appoint land referencing agents to make detailed investigations of land ownership and to prepare a schedule of interests;
- (3) to serve notices under section 16 Local Government (Miscellaneous Provisions) Act 1976 to obtain particulars of parties with an interest in the land; and
- (4) to enter into agreements for the acquisition of land required for the scheme from third parties and to take all other necessary action to progress the proposals outlined in this report.

Reason:

To progress the Ash Road Bridge scheme in order to facilitate the delivery of new housing development on land to the south and east of Ash and Tongham.

## **EX51 EXCLUSION OF THE PUBLIC**

The Executive

RESOLVED: That under Section 100A(4) of the Local Government Act 1972 (as amended) and Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

## **EX52 ASH ROAD BRIDGE SCHEME**

The Executive considered a report on proposals to deliver a new road bridge and footbridge over the railway line at Ash to allow the level crossing to be permanently closed. This infrastructure scheme was essential to address existing highway congestion and safety issues and mitigate those arising from the proposed strategic Local Plan housing allocation of approximately 1,750 new homes for the Ash and Tongham area in the plan period up to 2034.

The scheme would enable quicker delivery of new housing in line with the Guildford Borough Council Submission Local Plan (Policy A29). The current level crossing was categorised as medium-high risk by Network Rail (NR), and also had significant periods of closure leading to congestion, which had a negative impact on the local and wider economy.

Having considered the report, the Executive

RESOLVED:

- (1) That the funding to enable the Ash Road Bridge scheme (Option 3), as outlined in the report submitted to the Executive, to proceed as a project to planning permission stage, be approved.
- (2) That the sum referred to in paragraph 11.16 of the report be transferred from the provisional to the approved capital programme to enable the project to proceed to planning permission stage.
- (3) That the Director of Planning and Regeneration be authorised, in consultation with the Lead Councillor for Infrastructure and Governance, to progress this scheme to planning permission stage as outlined in the report

### Reason:

The scheme is in line with the Submission Local Plan, Policy A29, and follows the strategic priorities of the Council's Corporate Plan 2018-2023, specifically:

- creating infrastructure
- making travel easier by reducing congestion now and in the future
- improving safety on the road and rail network
- supporting communities
- enabling growth by supporting and unlocking land for quicker delivery of housing

## **EX53 SLYFIELD AREA REGENERATION PROJECT**

The Executive was reminded that the Slyfield Area Regeneration Project (SARP) had been designated as a Strategic Site in the Local Plan. The project incorporated the relocation and replacement of the sewage treatment works, which would facilitate the delivery of two new industrial units, 1,500 new homes, and associated infrastructure.

It was proposed that the new sewage treatment works facility, to be built on the former Slyfield Landfill site, would meet modern day standards improving the environment for local people, providing extra sewage treatment capacity to meet the demand from the Local Plan Strategic Sites.

The project would have a consequential effect on the surrounding area providing more job opportunities within an enhanced Slyfield Industrial Estate. The project would also enable the relocation of the waste operations and the Council depot away from residential areas, opening up the riverside for the wider community.

The Council had been successful in an application to Homes England (formerly HCA) for Housing Zone designation of the SARP housing site, with access to a Public Works Loans Board (PWLB) loan at preferential rates. In addition, the Council had secured a grant from the HCA to assist with the review of the financial assumptions for the project and a grant from the Local Enterprise Partnership M3 to assist with ground investigations. The project had applied for a funding grant from the Housing Infrastructure Fund (HIF) and had proceeded to the co-development phase.

SARP had progressed and consolidated and required further architectural and technical design and ground/environmental survey work to facilitate preparation of the planning applications. The Project had now reached the stage that required a legal agreement with Thames Water to enable the delivery of the new sewage treatment works.

The Executive therefore

RESOLVED:

- (1) That the sum referred to in paragraph 3.4 of the report submitted to the Executive be transferred from the provisional capital programme to the approved capital programme for the purpose described in that paragraph.
- (2) That the sum referred to in paragraph 3.9 of the report submitted to the Executive be transferred from the provisional capital programme to the approved capital programme to facilitate the further architectural and technical design and ground / environmental survey work to facilitate the preparation of the planning applications.

Reason:

To progress further architectural and technical design and ground / environmental survey work to enable the submission of planning applications and grant funding applications.

The meeting finished at 8.15 pm

Signed .....

Chairman

Date .....