

## GUILDFORD BOROUGH COUNCIL

At a meeting of Guildford Borough Council held at Millmead House, Millmead, Guildford on Tuesday 7 October 2014.

\*The Mayor, Councillor David Elms  
 \*The Deputy Mayor, Nikki Nelson-Smith

- |                                 |                                    |
|---------------------------------|------------------------------------|
| * Councillor Richard Billington | * Councillor Jennifer Jordan       |
| * Councillor Melanie Bright     | * Councillor Monika Juneja         |
| Councillor David Carpenter      | * Councillor Diana Lockyer-Nibbs   |
| Councillor Adrian Chandler      | * Councillor Julia McShane         |
| * Councillor Mark Chapman       | * Councillor Bob McShee            |
| * Councillor Sarah Creedy       | * Councillor Nigel Manning         |
| * Councillor Colin Cross        | * Councillor Stephen Mansbridge    |
| * Councillor Graham Ellwood     | * Councillor Anne Meredith         |
| * Councillor Zöe Franklin       | * Councillor Mrs Marsha Moseley    |
| Councillor Steve Freeman        | * Councillor James Palmer          |
| * Councillor Andrew French      | * Councillor Terence Patrick       |
| * Councillor Matt Furniss       | * Councillor Tony Phillips         |
| * Councillor Christian Gilliam  | * Councillor Mrs Jennifer E Powell |
| * Councillor David Goodwin      | * Councillor Caroline Reeves       |
| * Councillor Lizzie Griffiths   | Councillor Iseult Roche            |
| * Councillor Murray Grubb Jnr.  | * Councillor Tony Rooth            |
| * Councillor Angela Gunning     | * Councillor Pauline Searle        |
| * Councillor Gillian Harwood    | * Councillor Paul Spooner          |
| * Councillor Jayne Hewlett      | Councillor Nick Sutcliffe          |
| * Councillor Liz Hogger         | * Councillor Keith Taylor          |
| * Councillor Christian Holliday | * Councillor Neil Ward             |
| * Councillor Philip Hooper      | * Councillor Jenny Wicks           |
| * Councillor Gordon Jackson     | Councillor David Wright            |

\*Present

Honorary Aldermen Gordon Bridger and Mary-Lloyd-Jones were also in attendance.

The Council stood in silent tribute to the memory of Councillor John Garrett, who passed away on 26 July 2014 after a long period of illness.

### CO41 - APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Adrian Chandler, Iseult Roche, Nick Sutcliffe and David Wright and from Honorary Aldermen Keith Childs, Catherine Cobley, Clare Griffin, Jayne Marks, Bernard Parke and Lynda Strudwick.

### CO42 - LOCAL CODE OF CONDUCT: DISCLOSURES OF INTEREST

Although there were no disclosures of interest under the code of conduct, Councillor Christian Holliday declared that he worked for a planning consultancy, which may have worked on projects in the Send area and may have submitted representations on the draft Local Plan in respect of the Send area. In order to avoid the appearance of bias, Councillor Holliday withdrew from the meeting during the Council's consideration of agenda item 8: E-petition – Reduce Proposals for Housing in Send (see minute no. CO48).

### CO43 - MINUTES

The Council confirmed the minutes of the meeting of the Council held on 8 July 2014 as a correct record. The Mayor signed the minutes.

**CO44 – RETURNING OFFICER’S REPORT**

The Council received and noted the Returning Officer’s report on the outcome of the by-election held on Thursday 25 September 2014 in respect of the vacant seat for the Lovelace ward as follows:

<b>Candidate:</b>	<b>Votes Cast:</b>
CROSS Colin	555 (ELECTED)
PATON Ben	225
SHEPPARD David	63
WOOF Robin Clifford	32

Following his election, Councillor Colin Cross had indicated that he wished to be a member of the Liberal Democrat group on the Council. The political balance on the Council was now:

Conservatives: 33  
 Liberal Democrats: 13  
 Labour: 2

As there had been a small change in the political constitution of the Council following the by-election, the Council also considered the Executive Head of Governance’s report on the review of the numerical allocation of seats on committees to the political groups in accordance with the requirements of Council Procedure Rule 17. The purpose of the report was to show what allocation of seats would best meet the requirements for political balance.

Upon the motion of the Leader of the Council, Councillor Stephen Mansbridge, seconded by Councillor Caroline Reeves, the Council

**RESOLVED:** That the revised allocation of seats on Corporate Improvement Scrutiny Committee and Licensing Committee be agreed as follows:

Corporate Improvement Scrutiny Committee (15 councillors)

Conservatives: 10  
 Liberal Democrats: 4  
 Labour: 1

Licensing Committee (15 councillors)

Conservatives: 10  
 Liberal Democrats: 4  
 Labour: 1

Reason for Decision:

In order to meet the requirements for political balance on committees.

(The webcast showing the debate on this matter may be viewed [here](#), timed at 00:11:31)

**CO45 - MAYOR’S COMMUNICATIONS**

40<sup>th</sup> anniversary of the Guildford pub bombings

The Mayor reported that, on Sunday 5 October, a short, but poignant service of commemoration was held to mark the 40<sup>th</sup> anniversary of the Guildford pub bombings. The service was held in Quakers’ Acre and wreaths were laid by the plaque, which names the four soldiers and a civilian who died. The Service was attended by Anne Milton MP, the Chief

Constable, the Asst. Chief Fire Officer, members of the Scots Guards' Association and the Women's Royal Army Corps Association, as well as a number of councillors and honoured guests. The Mayor thanked Reverend Brian Roberts for organising the service and those councillors, honorary freemen and honorary aldermen that attended.

#### Royal British Legion Poppy Appeal 2014

The Mayor reported that the Royal British Legion's Poppy Appeal for 2014 would be launched in October and that he would be seeking the support of councillors, honorary freemen and honorary aldermen to put together a rota to sell poppies on Saturday 8 November. The Civic Secretary would be writing to them shortly with details of this and the Annual Service of Remembrance on Sunday 9 November.

(The webcast showing this matter may be viewed [here](#), timed at 00:13:37)

#### **CO46 – CHANGES TO THE EXECUTIVE**

In accordance with Article 6 of the Constitution, the Leader of the Council reported on the following changes to the Executive:

- (a) Councillor Monika Juneja had stood down from the Executive as Lead Councillor for Planning.
- (b) The entire portfolio for Lead Councillor for Planning had been transferred to the Leader's portfolio.
- (c) Councillor James Palmer had stood down from the Executive as Deputy Leader and Lead Councillor for Infrastructure.
- (d) The entire Infrastructure portfolio had been transferred to the Lead Councillor for Environment (Councillor Matt Furniss)
- (e) The Lead Councillor for Environment's portfolio title had changed to Lead Councillor for 'Transport Infrastructure and Environment'.
- (f) Councillor Nigel Manning had been appointed as Deputy Leader of the Council, and would continue in his current role as Lead Councillor for Finance and Asset Management.

The Leader thanked Councillors Juneja and Palmer for their support, hard work and dedicated service during their time on the Executive.

(The webcast showing this matter may be viewed [here](#), timed at 00:15:04)

#### **CO47 – PUBLIC PARTICIPATION**

In accordance with Public Speaking Procedure Rule 1 (b), David Reeve asked the Leader of the Council, Councillor Stephen Mansbridge, the following question:

*"Could the Lead Member for Planning please provide a brief report on the status of the recently closed Local Plan consultation, including in particular:*

- (a) The best current estimate of the volume of responses, broken down by channel if possible.*
- (b) A statement on whether any representations regarding the Local Plan (via any channel) have been discounted. If so please provide:*
  - (i) the best current estimate of the number of such discounted representations;*

(ii) *the reason for their exclusion; and*

(iii) *whether the basis for exclusion was established in advance, or otherwise.”*

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

“May I thank Mr Reeve for his question.

Over the course of the 12½ week consultation; more than 30 events have been held with a variety of seldom heard groups, stakeholders and the general community - speaking to over 1,000 people. The Planning Policy Team have staffed, 25 Swan Lane, 6 days a week and were visited by over 1,200 people and we have received over a minimum of 7,000 comments.

The policy team are still processing the comments received but early estimates are that the number of comments received could be around 15,000.

There have been no representations discounted. Whilst strongly encouraging people not to submit anonymous comments we have considered the content of any representations made in such a form.”

Councillor Stephen Mansbridge  
(Leader of the Council)

In accordance with Public Speaking Procedure Rule 1 (c), the following persons addressed the Council in relation to Item 8 on the Council agenda: E-Petition – Reduce proposals for additional housing in Send (see Minute CO48 below):

- (1) Geoff Cook
- (2) Andrew Procter
- (3) Chris Blamey
- (4) David Burnett
- (5) Linda Parker-Picken

The following person addressed the Council in relation to certain Local Plan related matters:

- (6) David Reeve

The following person addressed the Council in respect of agenda item 11: Review of the Constitution – Phase 2 (see Minute No. CO51 below):

- (7) Peter Shaw

The following person addressed the Council in respect of agenda item 15: Notice of Motion (see Minute No. CO55 below):

- (8) Susan Parker

The following person addressed the Council in respect of agenda item 16: Minutes of the Executive and specifically Minute No. EX46 – Guildford Borough Economic Strategy – Annual Review (see Minute No. CO56 below):

- (9) Gordon Bridger

(The webcast showing the contributions from each of the speakers and the relevant response from the Leader/Lead Councillor may be viewed [here](#), timed at 00:15:53)

**CO48 – E-PETITION – REDUCE PROPOSALS FOR ADDITIONAL HOUSING IN SEND**

In accordance with Public Speaking Procedure Rule 1 (d) and the Council's petition scheme, the e-petition organiser, Councillor Howard Turner (Chairman of Send Parish Council) made a statement to the Council in support of his e-petition and paper petition containing a total of 829 signatures of people who lived, worked or studied in the borough.

The e-petition/petition had asked the Council:

*"to reduce the proposals for additional housing on Green Belt land in the Draft Local Plan for the villages of Send and Send Marsh/Burnt Common."*

The e-petition on the Council's website provided further information as follows:

*"We the undersigned, being residents of the villages described in the Draft Local Plan as Send or Send Marsh/Burnt Common are dismayed by your Council's proposals for major expansion here, which are totally disproportionate and unable to be supported by the capacity of the highways or the provision of shops or schools.*

*We consider that there is no justification for doubling the 2006 assessed need for new housing in the borough to 652p.a., the impact of which would destroy its essentially rural nature, particularly in Send and Send Marsh/Burnt Common which has been targeted for a disproportionate increase with additional populations of 22% and 27% respectively.*

*The existing problems with traffic congestion have not been addressed and seem now to be disregarded.*

*We implore Guildford Borough Council to respect the village identities of Send and Send Marsh/Burnt Common, which the Local Plan proposals would undoubtedly destroy.*

*We recognise the need to respond individually to the Draft Local Plan as part of the consultation process, but consider that your Council should be made aware, by this petition, of the depth of feeling of all local residents on the proposals".*

Before commencement of the formal debate on this e-petition, the Council

RESOLVED: That Council Procedure Rules be suspended to allow the Leader of the Council, Councillor Stephen Mansbridge, to speak for up to ten minutes in moving the motion in response to this petition.

The Leader of the Council, Councillor Stephen Mansbridge proposed and the Lead Councillor for Economic Development seconded the following motion for the purpose of the Council's formal response to the petition:

"The Council RESOLVES:

That its formal response to this petition is as follows:

1. The Council recognises the depth of feeling local residents in and around Send have expressed about the draft Local Plan but does not accept that Send and Send Marsh have been targeted for a disproportionate expansion.
2. The NPPF requires the starting point for the determination of our draft local plan housing target to be set out in a Strategic Market Housing Assessment (SHMA). The analysis of data within the SHMA, such as population and employment statistics provides us with a better understanding of our housing needs in the borough. We use this information plus evidence from other documents to set the housing target. We are required to demonstrate that we can not only deliver sites and therefore new

homes through the plan period, but significantly in the first five years following adoption of the Local Plan. We will also be required to demonstrate that our strategy is deliverable and that if a large site or sites do not become available, we have alternative sites earmarked.

3. There are issues that are matters of conflicting and competing views amongst the local and wider community. The Council has a duty to take all such considerations properly into account, and balance the differing needs and views of people and businesses that make representations in finalising a Local Plan ready for examination for soundness. Representations and development constraints are taken into account and may result in some sites not being taken forward into the submission draft Local Plan.
4. Inevitably, this may mean some people will believe their views and needs have been given a lower priority than they would wish. However, the views expressed by those who have signed this petition will be taken into consideration as part of the recent consultation on the draft Local Plan
5. Issues of traffic congestion have not been ignored and are the subject of further research, which will continue to feed into the Local Plan process. An Infrastructure Delivery Plan that will look to outline the infrastructure necessary to support the level of development prescribed by the Local Plan will accompany the Submission Draft Local Plan. It should also be noted that the Local Plan must be forward looking and whilst acknowledging the existence of current problems deals with the future of the borough. The Council will continue to work in partnership with agencies such as Surrey County Council (as the Highways Authority) and the Highways Agency to deal with issues around highways and transport infrastructure in order to address traffic congestion.
6. The Council does not accept that the draft Local Plan proposals will destroy the identities of Send and Send Marsh/Burnt Common”.

Following the debate on the petition and the proposed response to it, and before the vote was taken thereon, Councillor Turner exercised his right of reply on the debate.

The Council

RESOLVED: That, subject to the deletion of paragraph 6, the motion setting out the Council's formal response to this e-petition, as set out above, be adopted.

Reason for decision:

To provide the Council's formal response to the e-petition in accordance with the adopted Petition Scheme.

(The webcast debate on this item may be viewed [here](#), timed at 00:56:28)

**CO49 - QUESTIONS FROM COUNCILLORS**

In accordance with Council Procedure Rule 9,

- (1) Councillor Angela Gunning asked the Leader of the Council (Councillor Stephen Mansbridge) the following question:

*Can the Leader of the Council please give the Council up to date information on the recruitment and deployment of the six interns, funding for which was approved as a growth bid by the Council in February 2014 for implementation in 2014-15?*

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

*"Following the Council's decision the Corporate Management Team agreed a structure that will ensure that both the Council and the interns benefit from relatively short-term engagements. We have set up a process for services to bid for the opportunity to employ interns to work on specific projects or programmes. Six positions have been agreed and these are:*

- Engineering Technician – to work on flood prevention projects in support of the Engineering team.*
- Democratic Services Assistant – to support team-based projects including preparation for the 2015 borough elections and the subsequent councillor induction programme thereafter*
- Corporate Development – to support the planning and preparations for events over the next twelve months including National Armed Forces Day, events linked to the commemoration of the First World War, events linked to Guildford Philanthropy and other corporate and civic events.*
- Web Editorial Assistant – to work on specific development projects on the website, support the content review project, investigate the use of open source software for the next iteration of the website and support the development of analytics to understand and improve the customer experience.*
- On-street parking assistant – to work on a specific project to investigate and improve parking around schools.*
- Health and Wellbeing Development – to work on a projects to develop the Council's response to the public health agenda.*

*The Corporate Development intern has been selected and we are going through the approval and recruitment process for the others except for Health and Wellbeing intern. For that role, we will be discussing with the University of Surrey the opportunity to link with an appropriate post-graduate student to carry out a public health project for us as part of their post-graduate studies, with the university providing their ongoing clinical training.*

*Jobs will be advertised internally, on Jobsgopublic (via the Council's website), with the University of Surrey and the Graduate Talent Pool. Our aim is to complete the recruitment of the vacant roles (with the exception of the Health and Wellbeing intern) during October with the successful candidates to start in November.*

*We are also setting up a mentoring scheme for the interns, with managers from different services providing support and guidance to help them develop in the world of work."*

Councillor Stephen Mansbridge  
Leader of the Council

- (2) Councillor Angela Gunning asked the Lead Councillor for Licensing and Governance (Councillor Paul Spooner) the following question:

*"Can the Lead Councillor for Licensing and Governance please update the Council on how individual electoral registration is progressing?"*

The Lead Councillor's response to this question was as follows:

*"Individual Electoral Registration (IER) is progressing well in the Guildford Borough Council area with around 85% of properties and electors already registered under IER.*

*We are just starting the annual canvass and have 4,800 Household Enquiry Forms and 5,500 Invitations to register, which our team of 25 canvassers will be following up on the doorsteps during October.*

*We have a registration system set up for students to register in their university halls of residence accommodation and those in private residences in the borough will be covered by our canvassing team. We are working with the Students Union in the run-up to the Parliamentary and Local Elections next May to ensure everyone who wants to vote is able to do so and we have a full public engagement strategy in place.*

*We have already advertised the write-out (to every elector) about the change to the system on Eagle Radio in conjunction with Woking, Mole Valley and Surrey Heath councils and will be repeating this prior to the elections next year.*

*There have been considerable problems with all electoral software companies relating to the introduction of the new system but the Cabinet Office is fully aware and taking steps with the software companies to rectify the issues. Lynda Murlewski, Electoral Services Manager is acting as County Lead for Surrey and is in regular contact with Cabinet Office.*

*The process of on-line registration has been very well received by the general public with over two million registrations in England and Wales since the new system was introduced on 10 June 2014. Scotland went live on 19 September. We encourage potential electors to register on-line but are happy to receive written forms. We are also able to assist voters by registering their details over the telephone if they have difficulty registering using other channels.*

*Legislation will shortly be coming before Parliament to allow political parties to have a copy of the registers which will indicate which electors have been transported to the new IER system. Anyone who has not done so will not be able to have a postal vote or appoint a proxy at the May 2015 elections although they will not lose their right to vote at a polling station."*

Councillor Paul Spooner  
Lead Councillor for Licensing and Governance

- (3) Councillor Zöe Franklin asked the Leader of the Council (Councillor Stephen Mansbridge) the following question:

*"We have just completed a 12 week consultation on Guildford's draft Local Plan and during that time I have spoken to many residents to encourage them to speak up and give their views on the draft. The initial response I have had from nearly everyone I spoke to was "what is the Local Plan". At a residents' meeting organised in conjunction with the local residents association I and Cllr Gunning were asked why this was the only event taking place on the Plan. We were also asked why residents only received fliers through their doors about the consultation at the start of September, therefore only giving them 3 weeks to respond. These residents were upset and feel they have been ignored.*

*I would therefore like to ask the Council Leader and Lead Member for the Local Plan to please advise me why, despite repeated requests from my ward colleague and I, there were no consultation opportunities led by council officers or consultants in Stoke ward? In particular why no one from the Local Plan team attended the Bellfields Fun Day (which would have been a prime opportunity as over 100 Stoke residents regularly attend) the date of which again had been provided repeatedly. Could he also advise why fliers did not go out to households earlier?"*

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

*"Over the course of the 12½ week consultation; more than 30 events have been held with a variety of seldom heard groups, stakeholders and the general community - speaking to over 1000 people. The Planning Policy Team have staffed, 25 Swan Lane, 6 days a week and were visited by over 1,200 people receiving over 7,000 comments. The policy team*



*are still processing the comments received but early estimates are that the number of comments received could be around 15,000.*

*The Council's PR and Marketing team have been methodical in their publicity of the Local Plan consultation and have used mail outs, social media, local radio, the Council's website and the press consistently, to get the message out. By extending the consultation, twice the normal minimum to over twelve weeks, the Council has taken extensive steps to engage with our residents, members and businesses. It should also be noted that the consultation carried out by the Council is far in excess of its adopted 'Community Engagement in Planning' document, which sets the baseline for consultation commitment.*

*We first became aware of the fun day at Bellfields on 1<sup>st</sup> July when Cllr Franklin visited members of the policy team in Swan Lane who passed on the message. That same day we contacted the external consultation team at URS on the matter and advised them that due to the short notice and other pressures, no one from the policy team was available to attend but asked if it was something they had the availability to do. Due to the short notice of the event and the amount of other GBC consultation work URS were delivering in terms of planning and design work, this was not possible. However, a commitment was made to provide materials for Members attending the event if they thought that would be useful. URS contacted Cllr Franklin on 2<sup>nd</sup> July, via email, advising her that consultation materials had been dispatched. As confirmed by Cllr Franklin in her email, she was unable to respond to URS on the matter ahead of the event on the 5<sup>th</sup>.*

*Unfortunately, it is the nature of consultation that the demand for events cannot be achieved in every situation. Further discussions did take place on additional events and events were distributed throughout the borough as equally as possible within the capacity that was available. There were, in fact, four other wards in addition to Stoke, that did not host such events during the consultation.*

*Finally, publicity material was distributed through social media, printed material, and vehicle advertising, which helped to raise awareness of the consultation. The flyers to households were an added means of communication to help maintain awareness."*

Councillor Stephen Mansbridge  
Leader of the Council

(The webcast debate on this item may be viewed [here](#), timed at 02:02:28)

## **CO50 - POLLING DISTRICT AND POLLING PLACE REVIEW**

The Council considered a report on the statutory review, conducted during 2014, of polling districts and polling places. The consultation period had commenced on 13 January and ended on 4 April 2014. A screening Equality Impact Assessment (EIA) had been carried out but a full EIA was not considered to be appropriate.

Three changes were recommended for polling districts. Firstly, Onslow ward polling districts should be realigned to follow the recent change to the county division boundary. Secondly, the Manor Park student accommodation polling district should be expanded to incorporate the hospital accommodation. Thirdly, a new polling district in the north of Holy Trinity should be established in an attempt to ease the inconvenience for the electorate of a long trek up to the current polling station (The Spike in Warren Road).

Two changes to default polling places were recommended in polling districts C2 (Friary and St Nicolas) and T1 (Ash Wharf), details of which were set out in the report.

Further consideration had been given to possible changes to other default polling places, but the report had recommended no change for the time being.

Upon the motion of the Lead Councillor for Licensing and Governance, Councillor Paul Spooner, seconded by the Leader of the Council, Councillor Stephen Mansbridge, the Council

**RESOLVED:**

- (1) That, with effect from 1 December 2014 and in relation to polling districts within the Onslow Ward:
  - (a) polling districts F2a and F3a be merged with polling districts F3 and F1 respectively;
  - (b) polling district F5 be expanded to incorporate that part of polling district F3 which currently comprises the hospital accommodation in the Rosalind Franklin Close/Gill Road area opposite the Royal Surrey County Hospital
- (2) That, with effect from 1 December 2014, a new polling district - D3 - be established in the Holy Trinity ward.
- (3) That the default polling place in polling district C2 be changed from the Guildford County School to Guildford Park Church and the default polling place for polling district T1 be changed from Shawfield County Primary School to Primrose Hall.
- (4) That no changes be made, for the time being, to the default polling places in the following polling districts:
  - (a) C3 Friary (West): Salvation Army Hall. Subject to further consultation with councillors, C3 electorate will be moved to Sandfield School (for UK Parliamentary elections) and Shaftesbury Hall (for all other elections/ referenda) See (b) below;
  - (b) C4 Friary (East): Sandfield School (for UK Parliamentary elections) and Shaftesbury Hall (for all other elections/referenda). Subject to further consultation with councillors regarding joining with polling district C3;
  - (c) H2 Artington: St Francis' Church, subject to improvements being made to the very uneven path leading up to the church;
  - (d) H4 Shalford (Central): Shalford Infant School, at least for the 2015 UK Parliamentary Election;
  - (e) J3 Stoughton (South): Stoughton Infant School, subject to further investigations into possible alternative polling places for 2016 onwards for use at lower turnout elections;
  - (f) Q1 St Martha: Chilworth Infant School, pending outcome of the trial of using Chilworth Village Hall as a combined polling place for the 2015 UK Parliamentary Election.
  - (g) S1 Ash Vale (North): Holly Lodge Primary School – main hall to be used for the 2015 UK Parliamentary Election and separate school classroom to be used for lower turnout elections.

Reason for Recommendation:

As a result of this statutory review, revised polling districts in Onslow and Holy Trinity Wards and new default polling places will improve elector polling experience and further reduce the necessity for schools to close on polling days.

(The webcast debate on this item may be viewed [here](#), timed at 02:09:08)

## **CO51 – REVIEW OF THE COUNCIL’S CONSTITUTION – PHASE 2**

The Council considered a report setting out the detailed recommendations arising from the first part of Phase 2 of the review of the Council’s Constitution. Phase 2 comprised proposed changes to Part 4 of the Constitution (procedure rules).

Following a consultation workshop with councillors on 23 September 2014, a number of key changes to procedure rules had been discussed. These, together with several other proposed amendments were outlined in the report and the appendices. The report had already been considered by the Corporate Governance and Standards Committee on 25 September and by the Executive on 30 September and their comments had been incorporated into the report.

Many of the proposed amendments were fairly minor in nature and had been suggested to ensure that the Constitution reflected current law and practice. Other suggested changes were more significant and these were discussed in greater detail in the report.

It was noted that officers had intended to submit draft new Procurement Procedure Rules and Financial Procedure Rules for consideration at this meeting. However, following the consultation workshop with councillors, it was now proposed to defer these to the next Council meeting and to invite the Finance Scrutiny Group to review the draft Financial Procedure Rules beforehand.

The report also dealt with a proposed amendment to the financial threshold of a key decision, which was referred to specifically in Article 14 of the Constitution (Decision Making).

Upon the motion of the Lead Councillor for Licensing and Governance, Councillor Paul Spooner, seconded by the Leader of the Council, Councillor Stephen Mansbridge, the Council debated the recommendations contained in the report.

Councillor Anne Meredith proposed, and Councillor Liz Hogger seconded, the following amendment:

- (I) Substitute the following in place of the text in paragraph of (1) of the recommendation:

“(1) That, subject to the further amendments set out below, the proposed amendments to the various procedure rules referred to in Appendices 1 to 6 to the report submitted to the Council, together with the consequential amendment to the “Rules of Debate” flowchart in the Summary and explanation in Part 1 of the Constitution shown in Appendix 7 to the report, be approved.

### Further Amendments:

- (a) Appendix 1 (Council Procedure Rules):

- (i) To delete from Council Procedure Rules 2.2 and 28 reference to full Council electing committee chairmen and vice-chairmen and to reinstate the requirement for each committee to elect their respective chairmen and vice-chairmen.
- (ii) To reinstate in Council Procedure Rule 15 provision for a right of reply for the mover of an amendment immediately after the reply on the amendment by the mover of the original motion

- (b) Appendix 2 (Public Speaking Procedure Rules):

- (i) To make no change to the current number of signatories required (500) for a petition to be debated at a meeting of full Council.

- (ii) To continue to allow petitions submitted in connection with a prescribed statutory consultation process to be referred for debate at a meeting of the full Council, by deleting the third bullet point in paragraph 3.2 of the Petition Scheme (petitions that are excluded from the petition scheme).

(c) Appendix 5 (Overview and Scrutiny Procedure Rules):

- (i) In accordance with (a) (i) above, to delete from Overview and Scrutiny Procedure Rule 6 reference to full Council electing OSC chairmen and vice-chairmen and to reinstate the requirement for each OSC to elect their respective chairmen and vice-chairmen.

(d) Appendix 7 ("Rules of Debate" flowchart):

- (i) In accordance with (a) (ii) above, to reinstate "Mover of Amendment's Right of Reply".

(II) Delete paragraph (2) of the recommendation and re-number subsequent paragraphs.

Following a debate on the amendment, the proposer and seconder of the motion indicated that they were happy to accept the amendment.

Councillor Angela Gunning proposed, and Councillor Christian Gilliam seconded, the following further amendment:

In Council Procedure Rule 15 (Rules of Debate – Content and length of speeches), substitute the following in place of paragraph (f):

"(f) There shall be no time limit for:

- (i) either the Leader of the Council or the lead councillors with responsibility for General Fund or Housing Revenue Account budgets in moving motions to approve those budgets and council tax; or
- (ii) ~~the leader of the principal~~ *one spokesperson from each* opposition group in commenting on the motions referred to in (i) above or moving an alternative budget."

Following a debate on the further amendment, the proposer and seconder of the motion indicated that they were happy to accept it.

In considering the substantive motion, the Council

RESOLVED:

- (1) That, subject to the further amendments set out below, the proposed amendments to the various procedure rules referred to in Appendices 1 to 6 to the report submitted to the Council, together with the consequential amendment to the "Rules of Debate" flowchart in the Summary and explanation in Part 1 of the Constitution shown in Appendix 7 to the report, be approved.

Further Amendments:

(a) Appendix 1 (Council Procedure Rules):

- (i) To delete from Council Procedure Rules 2.2 and 28 reference to full Council electing committee chairmen and vice-chairmen and to reinstate

the requirement for each committee to elect their respective chairmen and vice-chairmen.

- (ii) To substitute the following in place of paragraph (f) of Council Procedure Rule 15 (Rules of Debate – Content and length of speeches):

“(f) There shall be no time limit for:

- (i) either the Leader of the Council or the lead councillors with responsibility for General Fund or Housing Revenue Account budgets in moving motions to approve those budgets and council tax; or
  - (ii) one spokesperson from each opposition group in commenting on the motions referred to in (i) above or moving an alternative budget.”
- (iii) To reinstate in Council Procedure Rule 15 provision for a right of reply for the mover of an amendment immediately after the reply on the amendment by the mover of the original motion.

(b) Appendix 2 (Public Speaking Procedure Rules:

- (i) To make no change to the current number of signatories required (500) for a petition to be debated at a meeting of full Council.
- (ii) To continue to allow petitions submitted in connection with a prescribed statutory consultation process to be referred for debate at a meeting of the full Council, by deleting the third bullet point in paragraph 3.2 of the Petition Scheme on page 84 of the Council agenda (petitions that are excluded from the petition scheme).

(c) Appendix 5 (Overview and Scrutiny Procedure Rules):

- (i) In accordance with (a) (i) above, to delete from Overview and Scrutiny Procedure Rule 6 reference to full Council electing OSC chairmen and vice-chairmen and to reinstate the requirement for each OSC to elect their respective chairmen and vice-chairmen (see page 111 of the Council agenda).

(d) Appendix 7 (“Rules of Debate” flowchart):

- (i) In accordance with (a) (ii) above, to reinstate “Mover of Amendment’s Right of Reply”.

(2) That consideration of the proposed new Procurement Procedure Rules be deferred for determination by the Council at its next meeting on 9 December 2014.

(3) That the proposed new Financial Procedure Rules be referred to the Finance Scrutiny Group for consideration before determination by the Council at its next meeting on 9 December 2014.

(4) That paragraph 3 (b) (i) of Article 14 of the Constitution (Decision Making) be amended by the substitution of “£200,000” in place of “£100,000” in the definition of a key decision.”

Reasons for Decision:

- To ensure that the Constitution is up to date and fit for purpose.

- To introduce a more realistic financial limit above which an executive decision becomes a key decision.

(The webcast debate on this item may be viewed [here](#), timed at 02:12:02)

## **CO52 – SEXUAL ENTERTAINMENT VENUES**

Before the formal consideration of this matter, the Council noted the following correction/ omission in respect of the report:

(a) In paragraph 4.1 of the report, the second sentence should read:

“The 2009 Act is not prescriptive about how the consultation should take place but defines ‘local people’ as anyone who lives ~~and~~ or works in the local authority area.”

(b) Appendix 1 to the report (the Consultation Questionnaire) was omitted from the agenda for the meeting, although was included on the Council’s website with the other agenda items. This had been brought to councillors’ attention on Friday 3 October 2014. A copy was attached to the Order Paper for councillors’ information.

The Council was informed that the Policing and Crime Act 2009 (the 2009 Act) had reclassified lap dancing clubs and similar premises as sexual entertainment venues, and had given councils the option to adopt new measures to control the number or type of sexual entertainment venues.

The Council considered a report setting out the results of a public consultation presented to the Licensing Committee on 16 July 2014, which showed that the majority of those consulted were in favour of adopting the new powers. Following the presentation of the report, the Licensing Committee recommended that Council adopt the provisions of the legislation.

There had been a review of the consultation results following a challenge of the categories of respondents included, which had led to the removal of visitor’s responses from the consultation results. However, the recommendation had remained unchanged, as there had been no significant change to the results.

The report had recommended that Council adopts the provisions of the legislation to increase the powers available to control the number and location of sexual entertainment venues in the Borough.

Upon the motion of the Lead Councillor for Licensing and Governance, Councillor Paul Spooner, seconded by Councillor Graham Ellwood, the Council

**RESOLVED:** That the Council,

- (1) adopts the provisions of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009 to come into force in the Guildford area on 17 November 2014;
- (2) authorises the Executive Head of Governance to publish a notice in a local newspaper stating that the resolution in paragraph (1) above has been passed and the general effect of the Schedule, for two consecutive weeks, with the first publication being not later than 28 days before 17 November 2014.

### Reason for Decision:

To allow the Council to better regulate sexual entertainment venues by adopting increased powers to control the number and location of lap dancing clubs and similar venues in its area.

(The webcast debate on this item may be viewed [here](#), timed at 02:39:47)

**CO53 – ASH BRIDGE GYPSY AND TRAVELLER SITE EXTENSION**

The Council considered a report on progress with the project to extend the Ash Bridge gypsy and traveller site, including details of a decision made by the Leader of the Council to incur additional capital expenditure on it.

The award of an increased grant by the Homes and Communities Agency (HCA) had allowed the Council to achieve a saving against the net expenditure originally planned for the extension works. Unfortunately, ground conditions on the site had been worse than expected and this, coupled with the need to remove Japanese Knotweed and a requirement for additional infrastructure, meant that the Council would no longer achieve the anticipated savings.

To avoid incurring additional standing time charges and to mitigate the risk of losing the HCA grant, a request for a capital supplementary estimate of £130,000 had been made to the Leader in accordance with the urgency provisions of Financial Procedure Rule B.8.2 (d) with the approval of the Chairman of the Corporate Improvement Scrutiny Committee.

The Executive had also considered this matter at its meeting on 30 September 2014 and had recommended that the Council endorses the Leader's decision.

Upon the motion of the Lead Councillor for Finance and Asset Management, Councillor Nigel Manning, seconded by the Lead Councillor for Housing and Social Care, Councillor Sarah Creedy, the Council

**RESOLVED:** That the decision taken by the Leader in accordance with Financial Procedure Rule B.8.2 (d), as described in the report submitted to the Council, be endorsed.

Reason for Decision:

To comply with the decision making process as set out in the Council's Constitution.

**CO54 - DRAFT TIMETABLE OF COUNCIL AND COMMITTEE MEETINGS: 2015-16**

The Council considered a report on the proposed timetable of Council and Committee meetings for the 2015-16 municipal year.

Upon the motion of the Lead Councillor for Licensing and Governance, Councillor Paul Spooner, seconded by the Leader of the Council, Councillor Stephen Mansbridge, the Council

**RESOLVED:** That the proposed timetable of Council and Committee meetings for the 2015-16 municipal year, as set out in Appendix 1 to these minutes, be approved.

Reason for Decision:

To assist with the preparation of individual committee work programmes and the new councillors' induction programme.

**CO55 – NOTICE OF MOTION DATED 24 SEPTEMBER 2014**

In accordance with Procedure Rule 7, Councillor David Goodwin proposed and Councillor Caroline Reeves seconded the following motion:

"We the Liberal Democrat Group recognise there is increasing concern that the current executive system used to govern this Council is no longer fit for purpose and believe that it is time for this Council to move to an alternative governance model.

It was a Conservative and Liberal Democrat manifesto commitment in 2010 that led to the Localism Act 2011 giving local authorities the freedom to determine for themselves whether to operate an executive system, a committee system or other agreed governance arrangements.

We therefore propose that this Council takes steps to prepare for a move towards a modernised committee structure, creating a more democratic council with the opportunity for all Councillors to be involved in making real decisions on matters that affect their residents and being held accountable for them.

Therefore Council instructs the Executive Head of Governance and appropriate officers to prepare a report on options, in liaison with political group leaders, for changing Guildford's existing governance arrangements to be received and discussed at the Full Council meeting on 11 February 2015, with a view to implementing any new governance structure from May 2016."

Councillor Terence Patrick proposed, and Councillor Tony Rooth seconded, the following amendment:

1. Delete the first, third and fourth paragraphs of the motion.
2. Add the following paragraph:

*"This Council requests the Joint Scrutiny Committee to review all available decision making models and to make recommendations to scrutiny, Executive and full Council on improvements to the governance arrangements."*

The motion, as amended, would read as follows:

"It was a Conservative and Liberal Democrat manifesto commitment in 2010 that led to the Localism Act 2011 giving local authorities the freedom to determine for themselves whether to operate an executive system, a committee system or other agreed governance arrangements.

This Council requests the Joint Scrutiny Committee to review all available decision making models and to make recommendations to scrutiny, Executive and full Council on improvements to the governance arrangements."

After a debate on the amendment, it was put to the vote and was carried. In considering the substantive motion, the Council

RESOLVED: That the motion, as amended above, be adopted.

#### **CO56 - MINUTES OF THE EXECUTIVE**

The Council

RESOLVED: That the minutes of the meetings of the Executive held on 22 July, 2 September and 30 September 2014 be received and noted.

(The webcast debate on this item may be viewed [here](#), timed at 03:39:53)

#### **CO57 - COMMON SEAL**

The Council

RESOLVED: That the Common Seal of the Council be affixed to, or the Executive Head of Governance or in his absence the Managing Director, to sign on behalf of the Council any documents to give effect to any decisions taken by the Council at this meeting on 7 October 2014.

Meeting closed at 11pm.