

6th September 2012

Ms S Creedy
Mr S Mansbridge
Mr N Manning
Mr J Palmer
Ms. J Powell
Mr N Sutcliffe
Ms. J Wicks
Guildford Borough Council
Millmead House
Millmead
Guildford GU2 4BB

Dear Councillor,

**GUILDFORD INTERIM TOWN CENTRE FRAMEWORK ("ITCF") AND
NORTH STREET GUILDFORD DEVELOPMENT BRIEF ("NSDDB")**

As you are aware, this evening the Council is due to consider the ITCF and NSDDB for adoption.

The Guildford Vision Group, an organisation with more than 300 supporters has been seeking to work with the Council to produce a masterplan for Guildford which is strategic and visionary in its nature and which addresses all of the issues and opportunities which our town will face in the coming decades. Unfortunately, we have found officers and the Lead Councillor to be reluctant to work with us in this way, despite our significant supporter base and the fact that we and the Guildford Society have funded a world-class masterplanning firm to undertake preliminary work to demonstrate what could be achieved in Guildford.

We do not believe that the ITCF and NSDDB which you will be considering this evening are appropriate for Guildford, and we do not believe that the Council has undertaken a proper process, consistent with the requirements of legislation and the spirit of Localism, in order to produce these documents. Accordingly we have taken the unusual step of seeking legal opinion from David Elvin QC, a leading planning barrister, on the content and process behind the two documents. In addition, we have sought a second written Opinion from Gregory Jones QC. We will be placing these two Opinions on our website.

Our Solicitors, Forsters, have this afternoon written to Stephen Gerrard in suitable terms and have also sent him a copy of David Elvin QC's Opinion. A copy of that letter and the Opinion have also been sent by email to the Lead Councillor, The Chief Executive and the Head of Planning.

Both Opinions confirm the ITCF and NSDDB constitute 'local plans' under the recently introduced Town and Country Planning England Regulations 2012. The law prescribes a proper process for the

production of a 'local plan' and the Council has not followed this process in the production of either document. As such it would be unlawful for either the Executive or the full Council to adopt them this evening or at any other time. If they do so proceedings can be instituted within three months thereafter to quash their adoption as well as any planning permission granted or other steps taken to further the policies in these flawed documents.

It is unusual for a voluntary organisation to take advice from Leading Counsel once, yet alone twice, but the approach which the Council has taken over the past six months has left us with no other choice. The 2012 Regulations were introduced in April 2012 to reinforce Government policy in the NPPF, the whole thrust of which was to ensure local planning authorities moved quickly to introduce new local plan policies based on current best evidence scrutinised by independent examination in public. Instead your Council has spent considerable time and a great deal of money promoting planning guidance based on incomplete evidence, inadequate public consultation so avoiding independent scrutiny and has, as confirmed by two Queen's Counsel, breached the 2012 Regulations.

We very much hope that you as a member of the Executive, and mindful of the Councillors Code of Conduct, will not approve the ITCF and NSDDB this evening, and instead engage positively with the Guildford Vision Group and with the wider resident and business communities. All supporting us are committed to Guildford's continued success and to commissioning a masterplan which is evidence based, informed by independent economic and transport consultants and produced by a world class masterplanning team.

Yours sincerely

J D Rigg
Director
Vision for Guildford Ltd

cc. Mr T Rooth – Lead Councillor