



The Local Authorities (Executive Arrangements) (Meetings and Access to Information)
(England) Regulations 2012

Decision of the Leader of the Council - 9 August 2023

Appeal against Secretary of State decision in UKOG Exploration Consent Statutory Review Application

Record of Decision: To pursue the option referred to as OPTION 3 in the exempt report, subject to appeal proceedings being issued.

Decision made by: Councillor Paul Follows, Leader of the Council and Portfolio Holder for Policy, Governance and Communications.

Summary: Matters set out in the report are exempt from publication by virtue of paragraph(s) 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

This decision is consistent with the general approach adopted by the council in accordance with its declaration of a climate emergency and the specific approach regarding the Dunsfold/UKOG matter. OPTION 3 is a reasonable and balanced response following due consideration of the risks.

The matter is supported by the majority of Executive members and following further consultation with relevant internal and external legal advisors. I am therefore content to make this decision and have sufficient information to do so.

This decision record is made and published in accordance with Access to Information Procedure Rule 20.3.

Declaration of Disclosable Pecuniary Interests:

None

Key Decision: No

Reason For Decision:

To act in accordance with the nature, content and extent of external legal advice received.

Alternative Options Considered:

Four options were presented for consideration by the Leader of the Council as set out in the exempt report.

Consultation

Notice of a decision to be made by the Leader of the Council was published on the Council's website and circulated to all Members on 1 August 2023 in accordance with Access to Information Procedure Rule 20 [Notice of forthcoming decision](#)

In reaching this decision I have consulted with the following individuals and groups:

1. Executive members of the council including the relevant portfolio holder. All replied.
2. Executive Head of Legal and Democratic Services (Susan Sale)
3. Interim Borough Solicitor (Mark Watkins)
4. External Legal Counsel (meeting held with WBC legal team and external KC)
5. Chair and Vice-Chair of O&S. No replies received.
6. Protect Dunsfold (Community pressure group referred to in the report).

Other Matters Considered:			
Legal Implications	X	Financial Implications	x
Climate Change /Sustainability Implications	X	Equality and Diversity Implications	x
Community Safety Issues	X	Human Resource Implications	x
Key Risks	X		
Background Papers:			
<ul style="list-style-type: none"> • Report to Special Executive Meeting 23 May 2023 • Judgment of 20 July 2023 			
Contact Officer: Susan Sale, Joint Executive Head of Legal & Democratic Services Susan.sale@guildford.gov.uk			
This is not a key decision, and therefore is not subject to call-in			

Signed:



Date: 9 August 2023

Name: Councillor Paul Follows

Role: Leader of the Council and Portfolio Holder for Policy, Governance and Communications.

If you have any questions about this decision please email committees@waverley.gov.uk