

STATEMENT OF EXECUTIVE DECISIONS

Tuesday, 22nd September, 2020

The decisions summarised below were taken by the Executive at the above-mentioned meeting and, subject to the call-in procedure referred to in Overview and Scrutiny Procedure Rule 17 and to the Notes at the end of this document, shall have effect five working days after the meeting. Details of any recommendations to Council are also included for completeness.

Members of the Executive

Chairman:

Councillor Caroline Reeves (Leader of the Council and Lead Councillor for Housing and Development Control)

Vice-Chairman:

Councillor Joss Bigmore ((Deputy Leader of the Council and Lead Councillor for Service Delivery))

Councillor Tim Anderson, (Lead Councillor for Resources)
Councillor Jan Harwood, (Lead Councillor for Climate Change)
Councillor Julia McShane, (Lead Councillor for Community)
Councillor John Redpath, (Lead Councillor for Economy)
Councillor John Rigg, (Lead Councillor for Regeneration)
Councillor James Steel, (Lead Councillor for Environment)

*Present

Councillors Chris Blow, Angela Goodwin, Ramsey Nagaty, Maddy Redpath, Deborah Seabrook, Paul Spooner, Fiona White and Catherine Young were also in attendance.

Agenda Item No.

Officer(s) to action Item

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

3. MINUTES

The minutes of the meeting held on 25 August 2020 were approved.

4. LEADER'S ANNOUNCEMENTS

Councillor Reeves reminded councillors of the arrangements agreed between the two main political groups in terms of the transfer of

leadership this Autumn. It has been agreed that this process should take place at the 6 October full Council meeting, and so Councillor Reeves stated her intention to formally resign as Leader of the Council at midnight following the meeting of this Executive.

Councillor Reeves explained, for the benefit of residents, that the original agreement was that this should happen a year after the Borough Council elections in May. But given the circumstance of the early stages of the pandemic she felt very strongly that such an action would have been detrimental to the Borough during such a life changing situation.

Councillor Reeves explained that we were still in the midst of the pandemic and she suspected that we could still face a surge in cases, with new guidance changes to try and manage this. Councillor Reeves assured Cllr Bigmore, the Deputy Leader, that the officers at Guildford Borough Council would offer exemplary support. She emphasised that there was a solid team in place to deal with this, the most challenging of circumstances.

Councillor Reeves reflected that the large number of newly elected councillors after the borough elections had to address shielding, self-isolation and lockdown that had not been the best introduction to the vagaries of local government. She observed that the differences between being part of the system and working in the private sector were many and it could be hard to understand at the best of times. More experienced members who have been part of the council for longer were perhaps better placed to appreciate the strength of leadership that our management team had shown throughout the evolution of the strange world in which we had found ourselves. Councillor Reeves appreciated the invaluable support that she had received as Leader and hoped that this teamwork would continue.

Councillor Reeves described the handover as unusual in local government but she had always said that it was clear from the votes cast in May 2019 that the residents of Guildford were looking for a new kind of politics, and the Liberal Democrats were committed to delivering that. She wished Cllr Bigmore all the best as he prepared to take over the leadership and she looked forward to continuing to work with him and R4GV as part of the shared Lib Dem - R4GV Executive.

Finally, Councillor Reeves thanked close friends who had helped her to maintain a semblance of normality and she looked forward to having a better work/life balance in the months ahead.

She said It has been an honour to lead this council and our borough.

5. CLIMATE CHANGE, SUSTAINABLE DESIGN, CONSTRUCTION AND ENERGY SUPPLEMENTARY PLANNING DOCUMENT

RESOLVED:

Dan Knowles

- (1) That the Climate Change, Sustainable Design, Construction and Energy Supplementary Planning Document, as set out in Appendix 3 to the report, be adopted.
- (2) That the Sustainable Design and Construction Supplementary Planning Document (2011) be revoked.
- (3) That the Policy Lead – Planning Policy, in consultation with the Lead Councillor for Climate Change, be authorised to make such

minor alterations to improve the clarity of the Supplementary Planning Document as they may deem necessary prior to adoption.

Reasons for Recommendation:

- (1) Adopting the new SPD would provide detailed guidance for adopted Local Plan policy that addresses climate change and sustainability. This would help to deliver sustainable development.
- (2) The new SPD replaced the 2011 SPD, which was no longer required. Keeping it in place would complicate the planning process unnecessarily.
- (3) To allow for minor modifications to the SPD should they be necessary prior to publication.

Alternative options considered and rejected by the Executive:

To reject the SPD or instruct officers to make amendments before returning the document to the Executive for subsequent approval.

Details of any conflict of interest declared by the Leader or lead councillor and any dispensation granted:

None

6. CAPITAL AND INVESTMENT OUTTURN REPORT 2019-20

RESOLVED:

Victoria
Worsfold

To recommend to Council (6 October 2020):

- (1) That the treasury management annual report for 2019-20 be noted.
- (2) That the actual prudential indicators reported for 2019-20, as detailed in **Appendix 1** to the report, be approved.

Reasons for Recommendation:

To comply with the Council's treasury management policy statement, the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on treasury management and the CIPFA Prudential Code for Capital Finance in Local Authorities.

Alternative options considered and rejected by the Executive:

None

Details of any conflict of interest declared by the Leader or lead councillor and any dispensation granted:

None

7. REVENUE OUTTURN REPORT 2019-20

The Executive NOTED the Council's final outturn position for 2019-20 and ENDORSED the decisions taken under delegated authority to transfer the amounts set out in Section 5 of the report to the relevant reserves.

Victoria
Worsfold

Reasons for Recommendation:

1. To note the final outturn position and delegated decisions taken by the Chief Finance Officer which will be included within the statutory accounts the Chief Finance Officer signed at the end of August.
2. To facilitate the ongoing financial management of the Council.

Alternative options considered and rejected by the Executive:

None

Details of any conflict of interest declared by the Leader or lead councillor and any dispensation granted:

None

8. HOUSING REVENUE ACCOUNT: FINAL ACCOUNTS 2019-20

The Executive NOTED the final outturn position on the Housing Revenue Account for 2019-20 and ENDORSED the decision taken under delegated authority to transfer £2.5 million to the reserve for future capital, and £7.8 million to the new build reserve from the revenue surplus of £10.3 million in 2019-20.

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Reasons for Recommendation:

To allow the Statutory Statement of Accounts to be finalised and subject to external audit prior to approval by the Council.

Alternative options considered and rejected by the Executive:

None

Details of any conflict of interest declared by the Leader or lead councillor and any dispensation granted:

None

9. REVIEW OF VARIOUS CORPORATE GOVERNANCE AND STANDARDS RELATED MATTERS (INCLUDING REVISED SOCIAL MEDIA GUIDANCE FOR COUNCILLORS AND MATTERS RELATING

TO THE GOVERNANCE OF NORTH DOWNS HOUSING LTD)

RESOLVED:

John
Armstrong

- (1) That the draft revised Social Media Guidance for Councillors, as set out in **Appendix 2** to the report, be adopted.
- (2) That the Council's formal response to the CSPL Best Practice Recommendation 14 should be as follows:

“Regular reports are currently submitted to the Executive Shareholder and Trustee Committee which provide updates on finance, operational matters and changes to companies set up and/or owned by the Council. The Council additionally audits the accounts of such companies and reports the outcome of these audits to the Corporate Governance and Standards Committee as part of the approval annually of the Council's audited accounts. It is considered that the agendas and minutes of the company board meetings contain commercially sensitive information and should not be subject to routine publication.”

- (3) That consideration of any resources necessary to support North Downs Housing Limited's operations be given as part of the implementation plan for Phase B of the Future Guildford Transformation Programme.

Reasons for Recommendation:

1. To address one of the corporate governance and ethical standards related concerns raised by councillors.
2. To address Recommendation 14 of the 15 Best Practice Recommendations of the Committee on Standards in public Life in their report *Local Government Ethical Standards (January 2019)*
3. To respond to the Overview and Scrutiny Committee's recommendation in respect of support for North Downs Housing Limited.

Alternative options considered and rejected by the Executive:

- (1) To retain the existing Social Media Guidance for Councillors (Appendix 1)
- (2) To not adopt or amend the recommended response to the Best Practice Recommendation 14 of the Committee on Standards in Public Life

Details of any conflict of interest declared by the Leader or lead councillor and any dispensation granted:

None

10. REVIEW OF EXECUTIVE ADVISORY BOARDS

RESOLVED:

John
Armstrong

- (1) That the concept of retaining two EABs, each meeting on alternate months with the flexibility to have a balanced interchangeable remit as appropriate to the agenda items, without the risk of losing topic continuity and expertise, and possibly ahead of Executive meetings to offer a pre-decision opportunity to make recommendations, be agreed.
- (2) That the remit of EABs be realigned to reflect the Executive portfolios and Directorates of the Council and that, accordingly, the Place-Making and Innovation EAB be renamed as the Strategy and Resources EAB and the Community EAB be renamed the Service Delivery EAB.
- (3) That the existing Joint EAB arrangement be continued and implemented when significant and wide-ranging agenda items, such as budgetary matters, are under consideration.
- (4) That closer two-way working between the Executive and EABs, including an expectation that relevant Lead Councillors (or other Executive members in the absence of the relevant Lead Councillor) proactively attend EAB meetings and EAB Chairmen and / or Vice-Chairmen attend Executive meetings to elaborate on advice given and to receive feedback, be established and adopted.
- (5) That a clear formalised procedure of reporting EAB advice and views to the Executive and EABs receiving Executive feedback be adopted.
- (6) That, in addition to exploring relevant Forward Plan items and Corporate Plan priorities, the EABs have free range to select their own review topics on which to advise the Executive, including the establishment of task groups where considered necessary (and subject to available resources).
- (7) That the EABs receive items sufficiently in advance of determination by the Executive in order to have the opportunity to advise on, and influence, its decisions from a broader knowledge base.
- (8) That the Democratic Services and Elections Manager be authorised to make appropriate amendments to the Constitution to give effect to the above recommendations.

Reason for Recommendation:

To introduce a more efficient and effective EAB configuration and contribution.

Alternative options considered and rejected by the Executive:

To leave the current EAB configuration unchanged, or pursue an alternative option.

Details of any conflict of interest declared by the Leader or lead councillor and any dispensation granted:

None

11. PROPERTY INVESTMENT STRATEGY

RESOLVED:

Melissa
Bromham

- (1) That the Property Investment Strategy, as set out in Appendix 1 to the report including the “Not for Publication” Annex 3 to the Strategy (set out as Appendix 3 to this report), be approved.
- (2) That the sum of £20,000,000 be transferred from the provisional budget to the approved budget.
- (3) That the Head of Asset Management, in consultation with the Director of Strategic Services, the Chief Finance Officer, and the Lead Councillor for Resources, be authorised to acquire property within the set parameters of the Strategy.

Reasons for Recommendation:

Provide a framework and governance that allows acquisition decisions to be delegated to officers within the set parameters of the strategy enabling the timely and decisive decision making that is essential in this type of market to respond to opportunities as they arise.

Alternative options considered and rejected by the Executive:

None

Details of any conflict of interest declared by the Leader or lead councillor and any dispensation granted:

None

12. EXCLUSION OF THE PUBLIC

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 consideration of information contained in the report submitted to the Executive at Item 13 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the 1972 Act.

13. NORTH STREET, GUILDFORD, DEVELOPMENT SITE

RESOLVED:

Andrew
Tyldesley

- (1) That the heads of terms as detailed in the report be agreed.

- (2) That, subject to receiving final valuation advice from the Council's external advisors confirming that the transaction amounts to the best consideration reasonably obtainable, the Managing Director, in consultation with the Chief Finance Officer, Leader and Lead Councillor for Regeneration, Lead Councillor for Resources and Ward Councillors be authorised to negotiate and enter into all associated property/contractual documentation required in order to facilitate the sale of the North Street Development Site.
- (3) That the Managing Director be authorised, in consultation with the Leader and Lead Councillor for Regeneration and Lead Councillor for Resources, to agree any minor variations to the heads of terms as detailed in this report to address any specific points arising during the course of contractual negotiations with the Purchaser.
- (4) That the Council's public sector equality duties under section 149(1) of the Equality Act 2010 be noted, and that:
 - (a) further work be undertaken to gain a better understanding of the equality implications on any specific groups or individuals sharing relevant protected characteristics who are likely to be affected by the proposed redevelopment of the North Street Development Site, including the proposed temporary relocation of the bus station; and
 - (b) appropriate steps be taken to seek to mitigate adverse impacts on such groups or individuals.

Reasons for Recommendation:

1. To enable the sale of the North Street Redevelopment Site
2. To support the Council's Place-Making strategic priority set out in its Corporate Plan 2018-2023, and policies in the adopted Local Plan 2015-2034 and Guildford Town Centre Regeneration Strategy 2017 to "facilitate the delivery of a major new mixed-use development on North Street incorporating a significant number of new homes and public realm improvements".

Alternative options considered and rejected by the Executive:

To not approve the heads of terms: This would cause delay that could lead to the Purchaser withdrawing from the purchase. The Council would need to seek another developer by an open market offer.

Details of any conflict of interest declared by the Leader or lead councillor and any dispensation granted:

None

NOTES:

- (a) Any decision marked "#" means that the item was deemed by the Managing Director and agreed by the Executive and Chairman of the Overview and Scrutiny Committee to be a matter of urgency for the reason indicated and, in accordance with Overview and Scrutiny Procedure Rule 17 (h), such decision takes effect immediately and is therefore *not* subject to the call-in procedure.

(b) The call-in procedure is as follows:

- (i) the Chairman of the Overview and Scrutiny Committee; or
- (ii) a minimum of five members of the Council

may require that a decision be referred to the Overview and Scrutiny Committee for review.

(c) Councillors wishing to exercise their right to call-in a decision taken by the Executive must give notice in writing to the Democratic Services Manager. The reason for a councillor calling-in a decision shall accompany any such request and must meet one of the following criteria:

- (a) that there was insufficient, misleading or inaccurate information available to the decision-maker;
- (b) that all the relevant facts had not been taken into account and/or properly assessed;
- (c) that the decision is contrary to the budget and policy framework and is not covered by urgency provisions; or
- (d) that the decision is not in accordance with the decision-making principles set out in the Constitution.

Such notice should be marked for the attention of John Armstrong who can be contacted by e-mail on john.armstrong@guildford.gov.uk

(d) On receipt of a call-in request, the Monitoring Officer will decide, in consultation with the chairman of the Overview and Scrutiny Committee, whether it is valid and will notify the councillors concerned accordingly.

(e) In the case of a valid call-in, the decision shall be referred to a special Call-in meeting of the Overview and Scrutiny Committee, which shall be held within 21 days of the decision on validity referred to in paragraph (d) above.

(f) A decision marked with an asterisk denotes that the matter is a "Key Decision" which is defined in the Council's Constitution as an executive decision:

- (i) which is likely to result in significant expenditure or savings (of at least £200,000) having regard to the budget for the service or function to which the decision relates; or
- (ii) which is likely to have a significant impact on two or more wards within the Borough.