



STATEMENT OF EXECUTIVE SHAREHOLDER AND TRUSTEE COMMITTEE DECISIONS

Tuesday, 1st September, 2020

The decisions summarised below were taken by the Executive Shareholder and Trustee Committee at the above-mentioned meeting and, subject to the call-in procedure referred to in Overview and Scrutiny Procedure Rule 17 and to Note (a) 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 Shareholder and Trustee Committee

Chairman:
Councillor Caroline Reeves*

Vice-Chairman:
Councillor Joss Bigmore *

Councillor Jan Harwood *
Councillor Tim Anderson *

*Present

**Agenda
Item No.**

**Officer(s) to
action Item**

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were received from Councillor John Redpath and Councillor Tim Anderson attended as a substitute.

2. DISCLOSURE OF INTERESTS

There were no declarations of interest.

3. EXCLUSION OF THE PUBLIC

The committee agreed 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 Item 4 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the 1972 Act.

4. ARRANGEMENTS TO RUN AND MANAGE ASSETS RELATED TO WOODBRIDGE ROAD SPORTSGROUND CHARITABLE TRUST *

RESOLVED:

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1. To approve the Trust property management strategy;
2. To approve the submission of an application for exemption to the Charity Commission;
3. To authorise the Director for Service Delivery, in consultation with the Leader of the Council, to take all steps necessary to implement the decision of the Charity Commission.

Reason:

To ensure that the Charity continues to operate in a manner which promotes charitable objectives whilst reducing the financial contribution of the Council.

Options considered and rejected by the Executive Shareholder and Trustee Committee:

If the proposal is not put to the Charity Commission for permissions and necessary exemptions, the management of the site would revert to Guildford Borough Council, requiring the Council to repay the financial contributions made by other stakeholders and further requiring that the Council develop its own management structure, without the benefit of external support.

Details of any conflict of interest declared 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 Shareholder and Trustee Committee 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 Shareholder and Trustee Committee 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.