



**STATEMENT OF EXECUTIVE SHAREHOLDER AND TRUSTEE COMMITTEE DECISIONS**

Tuesday 21 January 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 Fiona White

\*Councillor Joss Bigmore

\*Councillor Jan Harwood

\*Councillor Pauline Searle

\*Present

Councillors Angela Goodwin, David Goodwin, and James Steel were also in attendance.

**Agenda  
Item No.**

**Officer(s) to  
action Item**

**1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

There were no apologies for absence.

**2. DISCLOSURE OF INTERESTS**

There were no disclosures of interest.

**3. MINUTES**

The minutes of the meeting of the Committee held on 26 November 2019 were confirmed as a correct record. The Chairman signed the minutes.

**4. ANNUAL RETURNS FOR CHARITIES**

**Decision:**

- (1) That the review and approval of the charitable accounts for the Guildford Sportsground Charity be delegated to the Leader of the Council in consultation with the Lead Councillor responsible for Finance and Assets, Customer Services and the Director of

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Resources and the Parks and Landscape Manager.

(2) That the review and approval of charitable accounts for:

- The Burpham War Memorial Recreational Grounds Charity;
- The Public Walks and Pleasure Grounds Charity;
- The Racks Close Open Spaces Charity
- The Allen House Charity

be delegated to the Leader of the Council in consultation with the Lead Councillor responsible for Finance and Assets, Customer Services and the Director of Resources.

(3) That the Specialist Solicitor (Projects, Corporate and Commercial) be authorised in consultation with the Lead Specialist (Finance) to complete any documentation pursuant to the submission of charitable accounts to the Charity Commission.

(4) That the Parks and Landscape Manager be requested to circulate to the Committee a summary of the background and purpose of the charities referred to in paragraph (2) above, together with guidance issued by the Charity Commission.

Paul Stacey

Reason:

To comply with the legal requirement that the Charity must submit annual accounting returns to the Charity Commission. If the Trustee fails to submit these returns, it could result in the Charity Commission removing the charity from its register and taking further action.

Alternative options considered and rejected by the Executive:

None

Details of any conflict of interest declared by the Leader or lead councillors 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 and Elections 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](mailto: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.