

EXECUTIVE

- * Councillor Joss Bigmore (Chairman)
- * Councillor Jan Harwood (Vice-Chair)

Councillor Tim Anderson
* Councillor Tom Hunt
* Councillor Julia McShane

* Councillor John Redpath
* Councillor John Rigg
* Councillor James Steel

*Present

Councillors , were also in attendance.

EX18 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Tim Anderson.

Councillors Angela Gunning, Ramsey Nagaty, George Potter, Deborah Seabrook and Paul Spooner were also in attendance.

EX19 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

EX20 LEADER'S ANNOUNCEMENTS

The Leader observed that last weekend had seen the annual Heritage Open Days take place across the borough. Although final visitor numbers were yet to be confirmed the weather and variety of open venues had seen great success. The Leader thanked the Council's new Events Team, all of the volunteers and the venues themselves.

Car Free Day would take place in Guildford on Sunday 26 September. There would be a range of events, live music, stalls and activities going on in the town centre from 10am until 4:30pm to promote sustainable travel and tackling climate change.

Social media videos would be posted on the website setting out for residents what key areas the Council was working on in response to residents' feedback. The first video would look at the new Customer Service Centre. The Leader was pleased to note that over 10,000 Guildford households had signed up to the new 'MyGuildford' accounts that provided a personalised approach to finding out about the Council's services quickly and efficiently.

The new Coronavirus Vaccination Centre had opened at the Artington Park and Ride on the Old Portsmouth Road. It was open from Monday to Saturday. A symptom-free testing unit would also be opening in the rotunda on Friary Street from Wednesday with opening hours of 8am to 5pm.

Finally, Pride in Surrey would be holding its annual event on Sunday and the parade would leave the Burys Field, Godalming at 10:30am.

EX21 APPROVAL OF THE LAND DISPOSALS POLICY AND GUIDANCE DOCUMENT

The report before the Executive was introduced by the Leader in the absence of the Lead Councillor for Resources.

It was explained that local authorities had the freedom to dispose of their land in any manner that they wish subject to certain provisions set out in legislation. The Council owned a range of properties for operational, strategic, and investment purposes. Periodically, reviews of all of the Council's properties were undertaken to ascertain whether they remained relevant to the Council's purposes. Additionally, the Council also received unsolicited applications from existing occupiers of properties and from unrelated third parties enquiring as to the availability of Council land and assets. Consequently, this would lead to decisions as to whether the Council should retain or dispose of certain land or property.

The Local Government & Social Care Ombudsman (LG&SCO) considered it good practice for local authorities to have in place a comprehensive set of guidelines outlining their own approach to land disposals and a draft policy was presented with the report for consideration by the Executive.

It was noted that the policy was an internal document, and if approved would be subject to regular review by the Head of Asset Management (Climate Change Lead) with the aim of seeking continual improvement in the standard of asset disposal across all Council services. Any amendments or updates to the policy would be considered and discussed with the Lead Legal Specialist and, where relevant, the Head of Housing.

Adoption of the policy would ensure the Council's compliance with all statutory obligations.

RESOLVED:

That the Land and Property Disposal Policy and Guidance Document ('the Policy') shown in Appendix 1 to the report submitted to the Executive be approved.

Reason(s):

To adopt a formal policy in respect of the mechanism of land disposal in order to ensure that relevant legislation is complied with and enable the Council to ensure its land disposal procedures are transparent, whilst making the best use of its resources and achieving best value, therefore underpinning the Council's strategic framework and the delivery of the corporate plan.

EX22 COLLECTION OF COUNCIL TAX ARREARS GOOD PRACTICE CITIZENS ADVICE BUREAU (CAB) PROTOCOL

In the absence of the Lead Councillor for Resources, the Leader introduced the report. The Leader took this report in advance of the Debt Recovery Policy report as he considered it a more logical sequence for discussion.

The Council Tax Protocol was initially developed in 2017 by the Citizens Advice Bureau (CAB) in partnership with the Local Government Association (LGA) and offered practical steps aimed at preventing people from getting into debt and outlined how to ensure enforcement agents acted within the law. By July 2021 the protocol had been adopted by 63 local authorities in England and 251 had not. At a meeting of full Council held on 28 July 2020, it was agreed that the Director of Resources would review the CAB and Local Government Association's LGA "Revised Collection of Council Tax Arrears Good Practice Protocol" and report back to the relevant Executive Advisory Board (EAB) in regard to how the Council's approach differed from the protocol and if those differences should be reconciled by adoption of the protocol by this council. The Council already met the overarching aims of the protocol in regard to partnership working and fairness in the billing process, alongside information of where to get support and advice. Enforcement was the very last option open to the Council, vulnerability and hardship

had been taken into account. The full differences between the CAB protocol and the Council's current approach were set out in the report. It was noted that there would be a cost incurred to meet all of the CAB requirements within the protocol but the benefits of doing so not demonstrably clear.

A means by which the Council could move closer towards meeting all requirements in the CAB protocol would be to adopt a debt policy which would be considered as the next agenda item.

The Service Delivery EAB considered the existing arrangements to be comprehensive and robust but recommended that the matter be revisited as collaboration with Waverley Borough Council progressed. It was considered a review in one year's time would be appropriate. It was noted that, to date, Waverley had not adopted the protocol either. The Vice Chairman of the Service Delivery EAB was in attendance and provided a verbal report of the recommendations made to the Executive.

The Executive commended the service for the support it provided to the borough's more financially vulnerable residents, and

RESOLVED:

To not adopt the CAB Protocol now; but that officers revisit the issues (including cost of compliance) when looking at future working with Waverley to ensure consistency and best practice moving forward.

Reasons:

Having reviewed the protocol the benefits do not currently outweigh the cost of compliance, given that the Council already meets the overarching aims of the protocol and service levels are acknowledged as good. However, reviewing the issues when looking at future working with Waverley will ensure consistency and best practice moving forward.

EX23 POLICY ON DEBT RECOVERY

In the absence of the Lead Councillor for Resources the Leader introduced the report.

The Executive heard that the report was a result of some research by officers in the Council to ensure that residents were being treated fairly and appropriately if they had multiple debts. The Homeless Reduction Act 2017 was a driver for considering the idea of a policy. The Act placed a duty on the council to ensure that advisory services are designed to meet the needs of groups that are at increased risk of becoming homeless. In addition, there had been concerns at officer level that residents with Council Tax arrears could also have difficulties with Council rents and that there should be a joined up approach. The research found no evidence of a problem but concluded that a policy would provide certain benefits such as a consistent approach across the Council for residents with multiple debts, clarity of that approach and a tool to help in the debt collection process.

The draft policy had been considered by the Service Delivery Executive Advisory Board (EAB) and all recommendations from that process were included in the draft before the Executive. A simple, accessible version of the policy would be posted to the Council's website for the assistance of residents. The Vice Chairman of the EAB, Councillor Ramsey Nagaty was in attendance and supported the recommendations to the Executive as set out in the report.

It was noted that Waverley Borough Council did not have a Debt Recovery Policy and it was suggested that this be might considered as a topic during collaboration discussions.

The Executive,

RESOLVED: That the Corporate Debt Recovery Policy, as set out in Appendix 1 to the report submitted by the Executive, be adopted.

Reason:

Adopting a short, clear policy setting out both Council and Debtor responsibilities could deliver the following benefits:

- A consistent approach across the Council, and a way forward for any customers with multiple debts
- Clarity for customers
- A tool to help in the debt collection process

EX24 COUNCILLOR EMAIL SIGNATURE GUIDANCE

The Leader of the Council introduced the report.

Following a councillor misconduct complaint which had been referred for investigation, the investigator identified an issue that needed to be addressed by the Council. The issue was the apparent confusion around the email signatures used by some councillors who tended to list various non-Council roles in their signature, resulting in confusion in respect of the capacity in which a councillor was communicating with a correspondent. The matter had been referred to the Corporate Governance Task Group for consideration.

The guidance arising from the Task Group review was set out in Appendix 1 of the report along with an amendment to allow political affiliation as set out in the Supplementary Information Sheet. Included in the guidance was an instruction that councillors should not use a personal email address for council business for reasons of data security and any Freedom of Information requests. Email etiquette conduct was also included in the guidance advising members on the use of capital letters and 'reply to all' responses.

The Task Group also recommended that it should be a requirement in the Councillors' Code of Conduct that councillors comply with the guidance.

Having considered the report, the Executive

RESOLVED:

That, subject to the amendments set out in the Supplementary Information Sheet, the Councillor Email Signature Guidance, as set out in Appendix 1 to the report submitted to the Executive, be approved.

The Executive further

RECOMMEND to Council (5 October 2021):

That the Council be requested to agree the following amendment to paragraph 9 of the Councillors' Code of Conduct:

"9. In addition to compliance with this Code of Conduct, you are also expected to comply with:

- (i) the relevant requirements of the Protocol on Councillor/Officer Relations, the Social Media Guidance for Councillors, **the Councillor Email Signature Guidance**, and the Probity In Planning – Councillors' Handbook, and

- (ii) any reasonable request by the Council that you complete a related party transaction disclosure.”

Reason:

To ensure clarity for the recipients of emails sent by ward councillors in which capacity they are writing.

EX25 WEYSIDE URBAN VILLAGE DEVELOPMENT

The Leader reminded the meeting that all of the appendices attached to the report before the Executive were designated as exempt by the Monitoring Officer. Consequently, if the exempt material were to be discussed the press and public would need to be excluded from the meeting.

The Lead Councillor for Regeneration introduced the report as the latest update on the 41-hectare brownfield regeneration scheme that the Council anticipated could deliver approximately 1,500 homes across a range of tenures as well as 2,000 square metres of community space and 6,500 square metres of employment space. The Council owned 44% of the site. At the full Council meeting on 10 February 2021, a total capital budget of £334.947 million had been approved to enable the infrastructure phase of the project to proceed. The updated cost was £328m.

The Executive was asked to endorse the current financial position of the project at the planning application gateway stage and to agree to transfer £67.185m from the provisional capital programme budget to the approved capital programme budget for payments which the Council was obliged to make for costs necessary under the Thames Water Agreement and to meet the milestones set within the Homes England HIF agreement and design cost necessary to prepare the planning application for the SCC waste transfer facility. The Council had been awarded £52m in grants from Homes England Housing Infrastructure Fund and £7.5m from the M3 Local Enterprise Partnership with a further £500,000 awarded for the relocation of community facilities.

On 15 December 2020 a hybrid planning application had been submitted to the Council seeking outline consent. The ‘hybrid’ application was so called as part of the application sought outline permission for housing, employment and community space etc. whilst full permission was sought for access roads and associated utilities etc. Heads of terms with Surrey County Council was in the process of being agreed and once agreed the new waste facility could proceed. The budgeted costs were set out in the report.

The Executive 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 consideration of the exempt Appendices referred to in agenda item 9 on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the 1972 Act.

The meeting discussed the restricted material and returned to public session for the vote on the recommendations.

The Executive

RESOLVED:

- (1) That the current financial position of WUV at the planning committee meeting gateway be endorsed.
- (2) That the Director of Strategic Services, in consultation with the Leader of the Council and the Lead Councillor for Regeneration, be authorised to finalise heads of terms in accordance with those attached to the report and thereafter to negotiate, sign and complete the legal agreement with Surrey County Council in accordance with the finalised heads of terms and to proceed with implementation of the relocation of the Waste Transfer Facility accordingly.
- (3) That the Director of Strategic Services, in consultation with the Lead Councillor for Regeneration, be authorised to enter into such other contracts and legal agreements connected with the Weyfield Urban Village (WUV) project as may be necessary at reasonable costs within the approved budget.
- (4) That the commencement of infrastructure procurement following receipt of a satisfactory planning consent pursuant to Hybrid planning application submitted on 15 December 2020 (Reference No 20/P/02155) be endorsed.
- (5) That the transfer of £67.185m from the provisional capital programme to the approved capital programme for payments which the Council is obliged to make to Thames Water under the TW Agreement for 2021/22 and 2022/23, for costs necessary to meet the milestones set within the Homes England HIF agreement and design cost necessary to prepare the planning application for the SCC waste transfer facility be approved.

Reasons:

- a) It was agreed that the project team would report the financial position of WUV at the planning committee meeting gateway.
- b) To ensure that there is sufficient funding in the approved programme to cover the phase 1 Infrastructure costs, SCC waste transfer design cost and the payments which the Council is obliged to make to TWUL under the TW Agreement for 2021/22 and 2022/23.
- c) To inform the Executive of the Commencement of Infrastructure Procurement following receipt of a satisfactory planning consent.

The meeting finished at 8.15 pm

Signed

Chairman

Date