



STATEMENT OF EXECUTIVE SHAREHOLDER AND TRUSTEE COMMITTEE DECISIONS

Tuesday 23 November 2021

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.

Members of the Executive Shareholder and Trustee Committee

Chairman:

*Councillor Joss Bigmore (Leader of the Council)

*Councillor John Redpath

*Councillor James Steel

*Present

**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 held on 24 August 2021 were confirmed as a correct record. The Chairman signed the minutes.

4. STRUCTURAL REPAIRS TO FOXENDEN TUNNELS

Decision:

That the Foxenden Tunnels be mothballed, subject to undertaking annual inspections to ensure its continuing safety, and that the position be reviewed in three years' time.

Darren
Burgess

Reason:

The decision was based on a financial analysis of the cost of repairs, the likely rental income and potential loss of income from parking to provide safe access to support a commercial letting.

Other options considered and rejected by the Committee

1. Increase the existing budget by a further £190,000 to enable the repair work as originally envisaged to be undertaken.
2. Increase the existing budget by a further £120,000 to enable the

bare minimum repair work to be implemented but without the potential for further use.

3. To make a review of the position in five years' time.

Details of any conflict of interest declared by the Chairman or members of the Committee 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 Councilmay 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

- (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.