



STATEMENT OF EXECUTIVE DECISIONS

Thursday, 22nd June, 2023

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 Julia McShane (Leader of the Council & Lead Councillor for Housing)*

Vice-Chairman:

Councillor Tom Hunt (Deputy Leader of the Council & Lead Councillor for Regeneration)*

Councillor Angela Goodwin, Lead Councillor for Engagement and Customer Services*

Councillor Catherine Houston, Lead Councillor for Commercial Development*

Councillor Richard Lucas, Lead Councillor for Finance and Property*

Councillor Carla Morson, Lead Councillor for Community and Organisational Development*

Councillor George Potter, Lead Councillor for Planning, Environment and Climate Change*

Councillor Merel Rehorst-Smith, Lead Councillor for Regulatory and Democratic Services*

*Present

Councillors Bilal Akhtar and Catherine Young were in attendance. Councillor Ruth Brothwell was in remote attendance.

Agenda Item No.

Officer(s) to action Item

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

3. MINUTES

The minutes of the meeting held on 16 March and 20 March 2023 were confirmed as correct. The Chairman signed the minutes.

4. LEADER'S ANNOUNCEMENTS

The Leader of the Council made the following announcements.

The Council was seeking a development partner for the Guildford Park Road housing scheme. The successful applicant would share the Council's commitment to producing high quality, sustainable homes and creating a strong sense of community on the site. Interested parties were invited to submit an initial questionnaire with a submission deadline of 20 July 2023.

There was a new digital magazine available for Guildford residents. 'About Guildford' was a quarterly e-newsletter featuring council and community stories, news items and updates. The stories would cover local events, activities, announcements and highlight the Council's priorities of community, climate change and the transformation of the borough. Residents could subscribe through the Council's website.

Congratulations were passed to colleagues in Planning Services following the Council's success in receiving a National Planning Award for the Weyside Urban Village (WUV) project. The award was for the best use of publicly owned land or property, Placemaking. The WUV project made excellent use of the brownfield site. The project had been praised for its inclusivity. Once completed, the site would provide over 1,500 new homes, many of these would be affordable and low carbon. New green spaces would be created and over 1,200 new trees would be planted supporting wildlife.

The Council was seeking to improve its play areas in Westborough. A six-week consultation was up and running

and the Leader urged residents to contribute. The consultation would close on 23 July 2023. More information was available on the Council's consultations webpage.

[Westborough play areas consultations - Guildford Borough Council](#)

Surrey Greener Futures had relaunched the solar panel group-buying scheme, 'Solar Together'. The scheme aimed to support residents to cut carbon and reduce their energy bills. More information was available from the website. [Group-buying for solar | Solar Together Surrey](#)

It was noted that Guild Lido was celebrating its 90th birthday. In addition, there had been a makeover of the changing rooms. The Leader looked forward to seeing everyone enjoy the new facilities and thanked those involved in the makeover work and to residents for their patience.

5. TO CONSIDER ANY RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

There were no new recommendations from the Overview and Scrutiny Committee to consider. The paper was noted.

6. GRANTING A LEASE AT LESS THAN BEST CONSIDERATION TO YVONNE ARNAUD MANAGEMENT LIMITED AT OLD TOWN MILL

Decision:

The Executive approved the grant of a new 5-year lease at less than best consideration to Yvonne Arnaud Management Limited at Old Town Mill.

Reason(s):

To support Yvonne Arnaud Management Limited.

Other options considered and rejected by the Executive:

1. Terminate the Tenancy at Will with immediate effect. This option did not give YAM Ltd. sufficient time to vacate the property and find suitable alternative accommodation to relocate the facility. The Council would acquire a financial liability because the loss of rent would impact the revenue

Mark
Appleton

budget and the works required to prepare the building for reletting would impact the capital budget.

2. Propose a lease to YAM Ltd.at the full market rent of £65,000 per annum. This option exceeded their maximum affordability and restricted their ability to operate the building. As above, the tenant would have to vacate the property and the Council would acquire a financial liability.

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

None.

7. **TYTING FARM SANG HABITAT BANK AND CHANGES TO SCHEME OF DELEGATION TO ENABLE DELIVERY OF FUTURE HABITAT BANKS**

Decision:

Dan Knowles

1. Approved the creation of a habitat bank on Tyting Farm Suitable Alternative Natural Greenspace (SANG).
2. Authorised the Joint Executive Head of Environmental Services, in consultation with the Lead Councillor for Environment and relevant ward councillors, to deliver, manage, and operate habitat banks on appropriate council owned land.

Reason(s):

1. The proposed pilot habitat bank at Tyting Farm SANG would deliver tangible and significant environmental improvements that would not be delivered without the proposal. The project would be cost neutral or provide an income for the Council so can be considered a 'win-win' option.
2. The provision of habitat banks on Council land will generally provide strong environmental benefits, with wider direct and indirect social and economic benefits, and direct benefits for the Council.

3. Habitat banks would emerge regardless of Council action but by taking a leading position now the Council could ensure that the public good from BNG was maximised and that other planning benefits were not jeopardised by unreasonably high costs levied by private habitat banks seeking maximum profits.
4. The proposed pilot habitat bank at Tyting Farm SANG was considered a low-risk option as it would be cost neutral at worst, result in no opportunity cost, entail limited and manageable risks, and would enhance the existing SANG function.

Other options considered and rejected by the Executive:

To do nothing

The government envisaged that a market in biodiversity credits would develop, and the Council was under no obligation to create habitat banks. It was therefore possible to leave the provision of habitat banks to other landowners.

However, private providers of credits, at least in the early years, may be able to corner the market and demand high sums which in turn could impact on both development viability and/or the provision of other planning benefits.

In the event that no local habitat banks come forward, developers may seek credits provided by other boroughs or the proposed national habitat banks of last resort, resulting in development in Guildford funding environmental improvements elsewhere in the country.

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

None.

8. SUPPLEMENTARY ESTIMATE FOR FUNDS IN RESPECT OF POTENTIAL APPEAL AGAINST MEMBER OVERTURNED ITEM AND APPEAL AGAINST NON-DETERMINATION

Decision:

The Executive approved an initial supplementary budget of £350,000 to the Wisley Appeal and for the initial work to prepare for the North Street appeal.

Claire
Upton-
Brown

Reason(s):

To enable a robust defence of the appeal against non-determination of the Wisley appeal and to do the initial work to prepare for the North Street appeal.

Other options considered and rejected by the Executive:

The Council could decide not to defend either appeal. The implications for doing so would potentially result in inappropriate development being delivered in the area or development that was not supported by appropriate infrastructure. This would also give the appellant strong grounds for an award of costs against the Council on the grounds of unreasonable behaviour.

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 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 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.