

STATEMENT OF EXECUTIVE DECISIONS

Tuesday, 26th November, 2019

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 Caroline Reeves (Leader of the Council and Lead Councillor for the Environment & Sustainability across the borough, Transformation, Sustainable Transport, Economic Development, and Governance))

Vice-Chairman:

Councillor Fiona White ((Deputy Leader of the Council and Lead Councillor for Personal Health, Safety and Wellbeing))

Councillor Joss Bigmore, (Lead Councillor for Finance and Assets, Customer Service)

Councillor Angela Goodwin, (Lead Councillor for Housing, Access and Disability)

Councillor David Goodwin, (Lead Councillor for Waste, Licensing, and Parking)

Councillor Jan Harwood, (Lead Councillor for Planning, Regeneration and housing delivery)

Councillor Julia McShane, (Lead Councillor for Community Health, Support and Wellbeing)

Councillor John Rigg, (Lead Councillor for Major Projects)

Councillor Pauline Searle, (Lead Councillor for Countryside, Rural Life, and the Arts)

Councillor James Steel, (Lead Councillor for Tourism, Leisure, and Sport)

*Present

**Agenda
Item No.**

**Officer(s) to
action Item**

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor James Steel.

2. LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

Councillors Fiona White and Pauline Searle disclosed a non-pecuniary interest in that they both live in parished areas (Agenda item 6).

3. MINUTES

The minutes of the meeting held on 22 October 2019 were confirmed as a true record.

4. LEADER'S ANNOUNCEMENTS

The Leader of the Council announced that the consultation responses received regarding Chantry Wood campsite would be given full consideration and there would be a further review.

5. REVIEW OF COUNCILLORS' ALLOWANCES

The Executive agreed the following recommendations to Council (3 December 2019)

John
Armstrong

- (1) That the Basic Allowance payable to all members of Guildford Borough Council be £7,405 per annum.
- (2) That no councillor shall be entitled to receive at any given time more than one Special Responsibility Allowance (SRA), except in circumstances where a councillor in receipt of an SRA is also entitled to receive the Group Leader's SRA, and that this 'One SRA Only Rule' be adopted into the Scheme of Allowances.
- (3) That the maximum number of recipients of Special Responsibility Allowances at any one time does not exceed 50% of Council Members (24 Members)
- (4) That the Leader of the Council continues to receive a Special Responsibility Allowance of 200% of the basic allowance, £14,810 per annum.
- (5) That the Deputy Leader receives a Special Responsibility Allowance of 50% of the Leader's Special Responsibility Allowance, £7,405 per annum.
- (6) That the Members of the Executive, the Chair of the Planning Committee, the Chair of Overview and Scrutiny Committee and the Mayor receive a Special Responsibility Allowance of 40% of the Leader's Special Responsibility Allowance, £5,924 per annum.
- (7) That the Shadow Leader's Special Responsibility Allowance be withdrawn.
- (8) That the Chairman of the Licensing Committee, the Deputy Mayor, the Chairman of the Corporate Governance and Standards Committee, the Chairs of the Executive Advisory Boards and the Guildford Joint Committee Chair each receive a Special Responsibility Allowance of 25% of the Leader's Special Responsibility Allowance, £3,703 per annum.
- (9) That the Vice Chair of the Guildford Joint Committee receive a Special Responsibility Allowance of 10% of the Leader's Special Responsibility Allowance, £1,481 per annum.
- (10) That the Chairs of the Licensing Sub-Committees continue to be eligible to receive a Special Responsibility Allowance on a per meeting basis, currently £280 per meeting
- (11) That Political Group Leaders continue to receive a Special Responsibility Allowance of 1% of the Basic Allowance per group member (£74 per councillor per annum).
- (12) That the role of Deputy Lead Councillor should not be awarded a Special Responsibility Allowance.
- (13) That co-optees continue to receive an allowance of 2.5% of the Leader's Special Responsibility Allowance, £370 per annum.
- (14) That Travelling and Subsistence Allowance should continue to be payable to councillors and co-opted members in connection with any approved duties.

- (15) That the amounts payable in respect of Travelling and Subsistence Allowance should continue to be the amounts which are payable to officers of the Council for travelling and subsistence undertaken in the course of their duties.
- (16) That Councillors should also be permitted to claim for reimbursement of any reasonable parking charges incurred whilst on approved duties.
- (17) That the Dependants' Carers' Allowance should be based on two rates. Rate one for general care be at a rate of £10.58 per hour, with no monthly maximum claim. Rate two should be for specialist care based at cost upon production of receipts and requiring medical evidence that this type of care is required.
- (18) That no change should be made to the current eligibility conditions for receipt of the Dependants' Carers' Allowance, except that the duties for which this allowance is payable should be in accordance with the list of approved Councillor duties. The Council should also actively promote the allowance to prospective and new councillors both before and following an election.
- (19) That the level of the Mayor's and the Deputy Mayor's allowances payable under Sections 3 and 5 respectively of the Local Government Act 1972 to meet the expenses of their offices should remain unchanged at £8,000 and £2,000 per annum respectively.
- (20) That the recommended duties for which Dependants' Carers' Allowance and Travelling and Subsistence Allowance should be payable should be amended to include councillor ward and constituency activities including attendance at ward surgeries.
- (21) That the Council considers the introduction of a policy to support parental leave for councillors as outlined in the Panel's report.
- (22) That the basic allowance, each of the SRAs, the Co-Optees' Allowance and the Dependants' Carers' Allowance be increased annually in line with the percentage increase in staff salaries until 2023, at which time the Scheme shall be reviewed again by an independent remuneration panel.
- (23) That the new scheme of allowances to be agreed by the Council in December 2019 be implemented with effect from the beginning of the 2020-21 financial year, at which time the current scheme of allowances will be revoked.

Reason for Recommendations:

In order to comply with the requirements of The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).

Options considered:

The Executive may suggest alterations to the recommendations of the IRP report, but the final decision to adopt any IRP recommendations rests with Council.

Conflicts of interest:

None.

6. PARISH COUNCILS - CONCURRENT FUNCTIONS GRANT AID: APPLICATIONS FOR ASSISTANCE 2020-21

The Executive agreed:

Michele
Rogers

- (1) That the grant budget for 2020-21 be approved at £90,000, subject to final confirmation by the Council at its budget meeting in February 2020.
- (2) That the parish council requests for grant aid for 2020-21, as set out in Appendix 2 to the committee report, be approved.
- (3) That the remaining balance of £1,889 be met from the Parish Council Urgent Schemes Reserve.

Reasons for Recommendations:

- (1) To assist parish councils with expenditure on concurrent function schemes in 2020-21.
- (2) To enable parish councils to take account of financial assistance from Guildford Borough Council when calculating their precept requirements for 2020-21.

Options considered:

The Executive was requested to approve the budget for 2020-21 at this time because the parish councils need to be aware of the level of grant aid available to them so that they can build the sums into their budget calculations for the coming year. Any delay in approving the budget would affect the parish councils' ability to fix their budget and precept requirement for 2020-21 at the appropriate time to be included in Guildford Borough Council's final budget approval process in February 2020.

Conflicts of interest:

None.

7. LOCAL COUNCIL TAX SUPPORT SCHEME 2020-21

The Executive agreed to recommend to Council (meeting 3 December 2019):

Belinda
Hayden

- (1) That the current LCTS scheme (a summary of which is on the council website), be amended for 2020-21, as set out in detail in Appendix 2 to the committee report, with effect from 1 April 2020.
- (2) That the Council maintains a discretionary hardship fund of £40,000 in 2020-21.

Reasons for Recommendation:

- (1) To ensure that the Council complies with legislation to implement a LCTS scheme from 1 April 2020.
- (2) To maintain a discretionary fund to help applicants suffering from severe financial hardship.
- (3) To ensure that the Council complies with legislation to implement

a LCTS scheme from 1 April 2020.

- (4) To maintain a discretionary fund to help applicants suffering from severe financial hardship.

Options considered:

- (1) The Council is in the position to implement some relatively small changes to the scheme to:
 - address the impact of increases in the cost of living,
 - reflect changes to HB and Pension Age LCTS regulations with regards to the treatment of income and capital from “the Windrush Compensation Scheme”.

We can make these amendments within the existing revenue budget.

- (2) There is also a statutory requirement for the Council to amend the definition of pension and working age within it's working age scheme in accordance with anticipated changes to the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 from 1 April 2020

- (3) Creating a Local Council Tax Support Scheme is not without risk:

- Officers have concluded that the hardship fund helps minimise the risk by providing help for those facing financial hardship because of our scheme rules.
- An unstable financial outlook post Brexit puts further financial pressure on vulnerable families and leads to an imbalance between a prudent local welfare arrangement and significant hardship for claimants. On this basis, officers are recommending only minor changes to our current scheme.
- The impact of Universal Credit remains uncertain, and therefore a further risk. A more radical review of our scheme is being undertaken to try and mitigate any problems, but due to the complexity of the work involved this is more than a one-year project.

- (4) To continue with the momentum of the past six years, the Executive is asked to recommend to Council that an appropriate hardship fund be maintained in 2020/21, to enable us to continue to support families affected by our local scheme. Officers suggest retaining a £40,000 pot.

Conflicts of interest:

None.

8. BUSINESS PLANNING - GENERAL FUND OUTLINE BUDGET 2020-21

The Executive agreed:

Claire Morris

- (1) That the budget assumptions used in the preparation of the 2020-21 outline budget and three year forward projections, be approved.

- (2) That a supplementary estimate of £125,000 to cover the forecasted budget shortfall in respect of planning appeal fees, be approved.
- (3) That a supplementary estimate of £120,000 to cover enforcement costs at Stoney Castle in Pirbright, be approved.
- (4) That the current position on the outline budget for 2020-21 be noted.
- (5) That the proposal to use the Council's various earmarked reserves for specific projects, as set out in section 10 of the report, be approved.
- (6) That the pilot 100% council tax reduction for Surrey County Council care leavers for 2020-21 only, be approved.

Reason for Recommendation:

To assist the Executive in the preparation of the General Fund estimates for 2020-21.

Options considered:

None.

Conflicts of interest:

None

9. PUBLIC REALM IMPROVEMENTS TO CHAPEL LANE, CASTLE STREET AND SWAN LANE, GUILDFORD

The Executive agreed:

Paul Bassi

- (1) That Option 2 be approved and that the project be progressed to detailed design and construction.
- (2) That the Director of Environment be authorised to proceed with the detailed designs in respect of the preferred option, and the Director of Finance be authorised to approve a virement from the Capital Contingency Fund up to £367,000 for this purpose.
- (3) That the full capital cost of the preferred option be funded from the Council's New Homes Bonus Reserve
- (4) To give further consideration to road layout and design at the junction of South Hill, Sydenham Road and Castle Street to reduce traffic speeds and ease crossing by pedestrians.

Reason for recommendation:

To support the Council's strategic priority of increasing Guildford town centre's economic success, increasing accessibility and improving links between the High Street and Cultural Quarter.

Options considered:

Options 1 and 2 as set out in the committee report

Conflicts of interests

None.

10. MIDLETON INDUSTRIAL ESTATE REDEVELOPMENT

The Executive agreed:

Melissa
Bromham

- (1) That the sum of £5.5 million be transferred from the provisional capital programme to the approved capital programme to enable the continuation and completion of the design and construction of phase two and three of the Midleton Industrial Estate redevelopment, as detailed in the committee report.
- (2) That the Corporate Property Manager, in consultation with the Lead Councillor for Finance and Assets, be authorised to progress the design and construction of phase two and three.

Reason for Recommendation:

To progress the next phases of redevelopment of Midleton Industrial Estate to enhance both the capital value and rental income of the Council's property holding.

Options considered:

- (1) There is the option to do nothing in which case the existing units continue to deteriorate costing the Council further money to comply with lease terms and statutory requirements. The units are reaching the end of their economic life and will require significant investment if the Council wishes to re-let the vacant properties. The current outdated units are not attractive to prospective tenants and should the Council wish to re-let them, the level of rent to be expected will be very low.
- (2) The only other option is to demolish the existing buildings and simply sell off the sites. This would provide a capital receipt for the Council rather than much needed income. It is also unlikely to attract a better return than developing the site internally.
- (3) A sale would also mean a loss of control of the site. A private developer may not choose to provide much needed small industrial units. In addition, their design may not be as sustainable/energy efficient as the Council has planned.

Conflicts of interest:

None.

11. CLIMATE CHANGE AND ENERGY MANAGEMENT - SUPPLEMENTARY ESTIMATE

The Executive agreed:

Helen Buck

- (1) That a supplementary estimate of £25,000 (including on-costs) be approved in addition to the existing budget to cover the staff resource.
- (2) That a contribution of £217,000 be made from the Council's

invest to save reserve into the Salix reserve in 2019-20 to be matched funded by Salix.

Reasons for Recommendation:

To provide the essential staff resources and funding to deliver and support the Council's Corporate Climate Change strategy and targets.

Options considered:

- (1) If the current funding remains at £20,000 the existing staff resource is not sustainable, and the Council will be unable to deliver its current Climate Change and Energy Management targets. We may not be able to accept the match funding from Salix which would impact the ability to invest in energy saving measures.
- (2) Provide supplementary funding and agree Salix match funding
An additional amount of £25,000 to supplement the current salary budget will ensure that the current resource is retained to deliver the Council's Climate Change and Energy mandates. The additional match funding into the Salix fund will allow the Council to maximise energy saving opportunities.

Conflicts of interest:

None.

12. SELECTION OF THE MAYOR AND DEPUTY MAYOR 2020-21

The Executive agreed the following recommendation to Council (3 December 2019):

John
Armstrong

That the Deputy Mayor, Councillor Marsha Moseley be nominated for the Mayoralty of the Borough for the municipal year 2020-21.

There were no nominations for Deputy Mayor for the Mayoralty of the Borough for the municipal year 2020-21.

13. EXCLUSION OF THE PUBLIC

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 the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act."

14. PROPOSED DISPOSAL OF COUNCIL-OWNED PROPERTY IN GUILDFORD

The Executive agreed with the recommendations of the committee report.

Melissa
Bromham

15. LEASE OF PROPERTY IN TOWN CENTRE

The Executive agreed with the recommendations of the committee report.

Mark
Appleton

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 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 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.