

STATEMENT OF EXECUTIVE DECISIONS

Tuesday, 18th February, 2020

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 & Disability, Homelessness)

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

Councillors were also in attendance.

**Agenda
Item No.**

**Officer(s) to
action Item**

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Jan Harwood.

2. LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interests.

Councillors McShane, Reeves, Searle and White declared non-pecuniary interests in regard to Item 6 on the agenda in that:

Councillor McShane was a member of the management committee for

CHIPS and was the Council appointee to the board of Guildford Action acting as trustee.

Councillor Reeves was a trustee of Guildford Action

Councillor Searle was a trustee of Reskilled and a patron of Homestart

Councillor White was a member of the management committee for CHIPS and was the Council appointee to the board of Guildford Citizens Advice acting as trustee.

3. MINUTES

The minutes of the meetings held on 7 and 21 January 2020 were confirmed as a true record.

4. LEADER'S ANNOUNCEMENTS

Following the implementation of Phase A of the Future Guildford Transformation Programme, which included the introduction of a new structure for the Corporate Management Team, the Leader intended to conduct a review of the Executive portfolios to ensure that there was a closer alignment with the new directorate responsibilities.

The Leader expressed concern about the safety of the brick-built bridge at Millmead Lock, following the recent flooding. This bridge was closed whilst a full structural investigation was being undertaken.

5. WALNUT BRIDGE, GUILDFORD - CALL IN OF EXECUTIVE DECISION TAKEN ON 7 JANUARY 2020 *

Decision:

John
Armstrong

That, having noted:

- (a) the comments and advice submitted by the Overview and Scrutiny Committee following its special meeting on 4 February 2020;
- (b) the outcome of the meeting with the LEP on 11 February 2020 in which it was made clear that the LEP would not extend the delivery deadline in respect of this project;
- (c) that there is no scope to undertake the suggestions put forward by the O&S Committee without refunding the LEP monies; and
- (d) the considerations, advantages, and risks of each of the four options set out in the Supplementary Information Sheet circulated at the meeting

the Executive confirmed its decision taken in respect of this matter on 7 January 2020.

Reason:

To ensure compliance with Overview and Scrutiny Procedure Rule 16.

Alternative options considered and rejected by the Executive:
To modify the decision taken on 7 January 2020.

Details of any conflict of interest declared by a lead councillor or lead councillors and any dispensation granted:
None.

6. ALLOCATION OF COMMUNITY AND VOLUNTARY GRANTS 2020-21 *

Decision:

Stephen
Benbough

- (1) That the allocation of community grants for 2020-21, as set out in Appendix 1 to the report submitted to the Executive, be approved.
- (2) That the sum of £50,495 be transferred from the community grants budget to the budget for grants to voluntary organisations for 2020-21.
- (3) That the allocation of grant funding to voluntary organisations for 2020-21, as set out in Appendix 2 to the report, be approved.

Reason:

To enable the grants process for 2020-21 to be implemented.

Alternative options considered and rejected by the Executive:
A recommendation received from the Community Executive Advisory Board to reconsider the award to South West Surrey Association for Mental Health, by increasing the allocation from £20,000 to £22,500.

Details of any conflict of interest declared by a lead councillor or lead councillors and any dispensation granted:
None

7. TOWN CENTRE CCTV EQUIPMENT UPGRADE *

Decision:

That the Town Centre CCTV Equipment Upgrade project be moved from the provisional to the approved list of the General Fund Capital Programme.

Reasons:

- To improve public safety and improve protection from and detection of crime.
- To approve to move the Town Centre CCTV Equipment Upgrade project from the provisional to the approved list of the General Fund Capital Programme.

Alternative options considered and rejected by the Executive:
To do nothing.

Details of any conflict of interest declared by a lead councillor or lead councillors and any dispensation granted:

None.

8. PAPERLESS MEETINGS

Decision:

- (1) That, subject to paragraph (3) below and with effect from 7 April 2020,
 - (a) the Council will no longer provide to councillors, officers, Honorary Freemen, Honorary Aldermen, or the public, any printed copy agendas, minutes, order papers, supplementary information sheets (Late Sheets) for Council, Executive, Committee, Sub-Committee, Board, Working Group or Task Group meetings; and
 - (b) all officer level meetings shall be paperless.
- (2) That officers continue to support councillors in the understanding and operation of their new devices and the Modern.Gov app, including arranging a repeater session of the training given to councillors on 16 December.
- (3) That the Council shall provide in respect of each meeting to which the public would be entitled to attend referred to in paragraph (1) (a) above:
 - (a) one hard copy agenda for viewing by the public at the main reception of the Council offices following publication of the agenda, and
 - (b) six hard copy agendas for viewing by the public at any such meeting.
- (4) That the measures referred to above be introduced on a trial basis for six months and reviewed thereafter.

Recommendation to Council (7 April 2020):

That the following amendment be made to paragraph 1 (Scope) of the Access to Information Procedure Rules in Part 4 of the Constitution:

“Reference in these procedure rules to the making available or supply of copies of any agenda and reports, or any other written material submitted to the Council, Executive, Board, Committee or Sub-Committee shall include the provision of such copies by electronic means.”

Reasons:

To deliver on the Council's commitments to secure ongoing savings in its revenue budget and to assist in achieving the Council's corporate aspirations to reduce its carbon footprint, whilst still complying with legislation requiring the provision of copy agendas for inspection by the

public.

Alternative options considered and rejected by the Executive:

Option 1

To adopt a paperless approach to all meetings as described above, but without the trial and review.

Option 3

To adopt a “paper-light” approach to meetings, which would have paperless meetings as an aspiration, but recognise that councillors should still have a choice between using their devices and the functionality of the Modern.Gov app or continuing to receive paper copy agendas.

Option 4

To make no change to our current arrangements.

Details of any conflict of interest declared by a lead councillor or lead councillors and any dispensation granted:

None

9. EXCLUSION OF THE PUBLIC

Decision:

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 item 10 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

10. NORTH STREET DEVELOPMENT GUILDFORD *

Decision:

Andrew
Tyldesley

- (1) That the Managing Director be authorised, in consultation with the Leader of the Council and the Lead Councillor for Finance and Assets, Customer Service to agree terms for the sale of the Council’s freehold interests in sites within the North Street Development area described in the report submitted to the Executive, subject to:
 - (a) the commercial agreement being conditional upon St Edward achieving planning consent for an acceptable scheme: a substantial residential-led mixed-use scheme with ground floor retail, leisure, and community uses;
 - (b) the Managing Director, Chief Finance Officer, Council Solicitor and Monitoring Officer, Leader of the Council, and the Lead Councillor being satisfied with the advice received

from the property, cost, and legal advisers as to the financial viability of the proposed scheme and all other terms; and

- (c) the Managing Director and Leader of the Council, being satisfied with:
 - (i) the advice of the Council Solicitor in respect of the proposed contractual arrangements; and
 - (ii) other due diligence undertaken in respect of the St Edward's proposal.
- (2) That the sum of £500,000 be transferred from the provisional to the approved capital programme to enable a legal agreement to be reached with the developer for the sale of the Council's interests in the site.

Reasons:

To support the Council's policies set out in its Corporate Plan 2018-2023, The Local Plan 2015-2034 and Guildford Town Centre Regeneration Strategy 2017 to "facilitate the delivery of a major new mixed-use development on North Street incorporating a significant number of new homes and public realm improvements.

Alternative options considered and rejected by the Executive:

To not approve the delegation of authority for the sale to St Edward.

Details of any conflict of interest declared by a lead councillor 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.