

EXECUTIVE

20 February 2018

- * Councillor Paul Spooner (Chairman)
- * Councillor Matt Furniss (Vice-Chairman)

- | | |
|---------------------------------|-------------------------------|
| * Councillor David Bilbé | Councillor Graham Ellwood |
| * Councillor Richard Billington | * Councillor Michael Illman |
| * Councillor Philip Brooker | Councillor Nikki Nelson-Smith |
| * Councillor Geoff Davis | * Councillor Iseult Roche |

*Present

Councillor Caroline Reeves was also in attendance.

EX77 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Graham Ellwood and Nikki Nelson-Smith.

EX78 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interests.

In relation to agenda item no. 6, the following councillors declared non pecuniary interests:

Councillor Matt Furniss: trustee of Oakleaf Enterprise; trustee of Yvonne Arnaud Theatre Trust, and director of Yvonne Arnaud Theatre Management Ltd
Councillor Caroline Reeves: trustee of Guildford Action
Councillor Paul Spooner: trustee and director of Ash Citizens Advice; trustee of Yvonne Arnaud Theatre Trust, and director of Yvonne Arnaud Theatre Management Ltd

EX79 MINUTES

The Executive approved the minutes of the meeting held on 23 January 2018. The Chairman signed the minutes.

EX80 EQUALITY SCHEME

The Executive noted that the Council's existing Equality Scheme (formerly named the Single Equality Scheme) and action plan had been developed a number of years ago and, consequently, now required to be updated.

A revised Scheme and action plan had been drafted with the following aims in mind:

- to create simpler and more 'user-friendly' documents
- to restate the Council's legal obligations and how it was intended to meet them
- to enable the Council to take stock of the equality and diversity work already being carried out and to provide direction for the future
- to provide an opportunity to relaunch the Council's work in this area at a manageable and achievable level.

Whilst it was not a legal requirement to have an equality scheme, it enables the Council to summarise in one place its commitment to equality and diversity and to demonstrate how the Council's legal obligations, set out in the Equality Act 2010, would be met.

At its meeting on 18 January 2018, the Corporate Governance and Standards Committee had considered this matter and had recommended that the Executive adopts the Equality Scheme and Action Plan and had agreed to monitor the implementation of the actions in the action plan on an annual basis.

The Executive

RESOLVED

- (1) That the Equality Scheme and action plan shown respectively in Appendices 1 and 2 to the report submitted to the Executive, be adopted.
- (2) That the monitoring of the implementation of the actions in the action plan be undertaken by the Corporate Governance and Standards Committee on an annual basis.

Reasons:

To assist the Council in meeting its obligations under the Equality Act 2010 and provide a way to measure and evidence work undertaken in this area.

EX81 MANAGEMENT OF ON-STREET PARKING

The Executive considered a report on Surrey County Council's proposal for Guildford Borough Council to continue to manage on street parking in Guildford and Waverley boroughs for another five years under an amended agency agreement.

Councillors were reminded that, in 2011, when the current agency was being considered, Waverley Borough Council had decided they did not wish to take part. To assist with ensuring that the county was covered, Guildford Borough Council agreed to manage on street parking in the borough of Waverley.

The County Council reached agreement on new agency agreements with all nine enforcing boroughs and districts in 2013 for five years ending 31 March 2018. In all the agreements other than Guildford's, the borough or district carrying out enforcement was responsible for any losses; and any surplus of income over expenditure was split: 20% to the enforcing borough/district, 60% to the Local Committee for the area and 20% to be retained by the County Council.

Guildford's current agreement specified that 100% of any surplus made from on street parking in Guildford was to be used as agreed by the Guildford Local Committee (GLC) and the Executive. To ensure the costs of park and ride were met, Guildford Borough Council and the County Council signed a Memorandum of Understanding agreeing that the first call on the Guildford surplus would be to pay for park and ride.

The provisions of our agreement covering Waverley stated that any surplus would be split 20% to the Executive, 60% to the Waverley Local Committee, and 20% retained by the County Council.

Early in 2017, the Surrey Chief Executives established a sub group of officers to look at future arrangements. As a result of the sub-group's discussions, SCC decided not to tender for a countywide enforcement contract but encouraged districts and boroughs to group together and form clusters. The clusters were expected to look at savings and efficiencies.

In Guildford, we undertook to consider:

- introducing bus lane enforcement using our CCTV control room,
- deploying greater enforcement resource particularly in the evenings and on Sundays,
- introducing Sunday restrictions close to the town centre,
- using new technology, on line permits and other changes to improve efficiency,
- changing restrictions to give greater priority to permit holders and reduce limited waiting bays and,
- the potential of enforcing in Waverley's car parks

On 30 January 2018, the County Council's Cabinet considered a recommendation to enter into agency agreements for five years with groups of authorities who had clustered together, including Guildford (as lead authority) and Waverley.

In view of the progress on cluster working, the Cabinet agreed to offer lead authorities, where a cluster was ready to be implemented or already implemented, a five year agency agreement starting on 1 April 2018. The lead authority would be responsible for any deficits, with any surplus split 60:20:20 between the Local Committee, enforcing agent and Surrey County Council.

It was noted that the Guildford Local Committee and Guildford Borough Council had an ongoing commitment that Park and Ride was their local priority and they would be able to use their share of any operational surplus, as they deemed appropriate, subject to compliance with the relevant legislation.

As it was unlikely that the County Council would improve their offer, particularly in view of their financial position and given that alternative options explored by the County Council to provide on street parking management in Guildford all provided a worse financial outcome for the Borough, the Executive was invited to accept the offer of a further five-year agency agreement.

Having considered the proposals, the Executive

RESOLVED:

- (1) That a further five-year agency agreement to permit Guildford Borough Council to manage on street parking in the boroughs of Guildford and Waverley, with the revised financial provisions as explained in paragraphs 3.17 and 3.18 of the report submitted to the Executive, and referred to above, be approved.
- (2) That the Director of Environment, in consultation with the Lead Councillor for Infrastructure and Governance, and on the advice of the Council Solicitor, be authorised to finalise the detail of the agreement.

Reason:

To ensure the continued provision of on street parking management by Guildford Borough Council

EX82 COMMUNITY AND VOLUNTARY GRANTS: RECOMMENDED ALLOCATIONS 2018-19

The Executive considered a report on the grants recommended by the grants panel in respect of applications received from community and voluntary organisations for grant funding for 2018-19.

In relation to the community grants scheme, the Executive noted that charitable, social enterprise, community and voluntary organisations were eligible to apply. The scheme did not provide year-on-year funding for the same project, and support was directed to projects that would become self-sustaining in the future. The community grants budget for 2018-19 was £132,360.

The maximum grant available under the scheme was £15,000 or 50% of the cost of the project, whichever was the lower. In November 2017, applications were assessed by the Grants Panel, which comprised: Councillors Iseult Roche, and Angela Goodwin, together with John Martin (Head of Health and Community Care Services).

Each application was scored against the Council's strategic priorities. The scoring methodology considered factors such as the number of clients served, whether similar services already existed and the support costs and financial viability of the organisation, in order to rank applications.

The Panel had recommended the award of grants to organisations scoring 6 points or more out of a possible 20. This utilised £63,422 of grant funding, leaving a residual balance of £68,938. It was recommended that this balance be vired to the voluntary grant grants budget for 2018-19.

The Executive acknowledged that, following a review of grants provided by the Council, and the removal of grant contribution from Surrey County Council, the Community and Voluntary grants schemes would be subject to change for 2019-20.

Proposals for the new schemes were being drafted and would be the subject of a further report to the Executive.

In relation to voluntary grants, the Executive noted that, whereas previously Surrey County Council provided joint funded, with effect from 2018-19, funding would be provided entirely by this Council.

Subject to approval of proposed changes following the review of grants, it was likely, as with the community grants, that 2018-19 would be the last year that the voluntary grants scheme would operate in its current form. Proposals for a new scheme and transition towards commissioning for larger services were being drafted and would be the subject of a further report to the Executive.

The grants panel recommended the award of grants to voluntary organisations in Guildford for projects that supported adults in the borough, meeting one or more of the following criteria:

- promoting independence and enabling people to live independently and safely
- promoting social inclusion
- supporting vulnerable people
- facilitating and promoting health and well-being for older people in the local community
- helping people to have choice and control over their lives and ensuring that they get support in local and community settings

The voluntary grants scheme currently offered small grants (up to £2,500) and major grants (over £2,500). The Grants Panel had assessed applications for 2018-19 in November 2017.

The Executive noted that the budget for voluntary grants for 2018-19 was £178,870. Taking into account the recommendation to vire the unallocated balance in the community grants budget of £68,938 to the voluntary grants budget, the budget for voluntary grants in 2018-19 would total £247,808.

Having considered the Panel's recommendations in respect of the applications submitted for grant funding in 2018-19, the Executive

RESOLVED:

- (1) That the allocation of community grants for 2018-19, as set out in Appendix 1 to the report submitted to the Executive, be approved.

- (2) That £68,938 of unallocated funding be vired to the Voluntary Grants budget for 2018-19.
- (3) That the allocation of grant funding to voluntary organisations for 2018-19, as set out in Appendices 3 and 4 to the report, be approved.

Reason:

To enable the 2018-19 grants process to be implemented.

EX83 HOMELESSNESS REDUCTION ACT 2017

The Executive received a report on the key changes introduced by the Homelessness Reduction Act 2017 (HRA17), including the potential implications for the Council and a suggested planned response to the new requirements.

The Government had created a new framework to address the concerns around homelessness with a very clear focus on prevention. The new requirements set out in the HRA17 would come into effect from 3 April 2018. These included a new duty to prevent homelessness by assisting those threatened with homelessness within 56 days. Currently the obligation only extended to within 28 days. The HRA17 placed a new statutory duty on local authorities to take 'reasonable steps' to help all applicants who were threatened with homelessness, unless they are ineligible on the basis of their immigration status. This duty applied irrespective of priority need, local connection and intentional homelessness.

The HRA17 also prescribed in detail the extent of the advice the Council must provide and required the advice to be tailored specifically to vulnerable groups. Generic advice was not permitted and there was now a new obligation to provide applicants with a 'Personalised Housing Plan' (PHP).

A PHP must set out the circumstances that had created the situation and how the Council would work with the applicant to resolve the situation. The PHP needed to last up to 6 months ahead and to set out the reasonable steps the applicant and the Council would take. These steps could include:

- providing a rent deposit bond
- access to mediation
- an obligation for the applicant to work with a support agency such as the Homeless Outreach and Support Team (HOST)

The Council would also have a duty to relieve homelessness in respect of eligible persons. In such cases, there could be a requirement to provide accommodation for 56 days even if the applicant was found not to have a priority need and/or had become homeless intentionally. At this stage, local connection could be considered and the relief duty could be referred to another council if the applicant had no local connection and had a safe connection to another area. As with the duty to prevent homelessness, the duty to relieve at this stage also required a PHP.

Other duties in the HRA17 made provision for Care Leavers and those placed on other public bodies. Care Leavers who had been accommodated in the borough by any Children's Services authority were now considered to have a local connection with any district in the County. Various public bodies such as the police and NHS would be required from October 2018 to tell the Council if they believed a person was homeless, or threatened with homelessness.

The HRA17 also introduced additional requirements to issue written decisions at various points in the process, with rights to have decisions reviewed. Whilst this protection already existed, the HRA17 introduced significantly more decision stages, creating the potential for a corresponding increased number of review hearings.

The report highlighted the key challenges for the Council as it placed an even greater focus on preventing homelessness in an area where access to housing was so difficult for lower income households.

The challenges anticipated included:

- potential increased demand for support and assistance
- availability of short-term /emergency accommodation
- availability of suitable long-term accommodation
- administrative burden

Whilst the HRA17, in part, reflected the approach that the Council had already adopted, it was far from certain what demand would flow from the extension of existing duties. Following a review of current arrangements, the Council was implementing a number of changes, details of which were set out in the report including:

- enhancement to existing services
- a staffing review
- new case management software
- collaborative working across Surrey

The Council's current Homelessness Strategy, adopted in 2013, had been updated annually and fed into the overarching Housing Strategy 2015-2020. The priorities identified in the Homelessness Strategy were:

- tackling single homelessness and rough sleeping
- managing the impact of welfare reform
- improving access to affordable housing
- partnership working

These priorities remained current under the new legislation, although the action plan now required updating to reflect the new and wider responsibilities of the Council. It was therefore suggested that, rather than producing a new five year Homelessness Strategy, the Council refreshes the current strategy to take account of the new legislative framework. In two years' time, the Council would have a much fuller understanding of the impact of the legislation to inform a comprehensive review.

The Executive noted that the Council had received £460,000 to implement the new legislation, and it was intended to use this funding over three years from 2018 to 2020. The report had set out the financial implications arising from the implementation of new legislation, including details of the proposed allocation of funding to date.

Having considered the report, the Executive

RESOLVED:

- (1) That the planned response to the Homelessness Reduction Act 2017, as set out in section 6 of the report submitted to the Executive, and referred to above, be noted.
- (2) That the current Homelessness Strategy be refreshed to reflect our current understanding of the Homelessness Reduction Act 2017 and to consider a new strategy in 2020 when the implications of the Act are well understood.

Reason:

To inform the Executive of the Council's duties under the Homelessness Reduction Act 2017.

EX84 WEST LODGE, BLACKSMITH LANE, CHILWORTH

Gavin Morgan, on behalf of the Guildford Heritage Forum, and Patricia Allen, on behalf of St Martha Parish Council, addressed the meeting prior to the Executive's formal consideration of this matter. Both speakers requested that the Council should retain West Lodge as an historically important heritage building.

The Executive noted that West Lodge, Blacksmith Lane, Chilworth, was a small vacant residential property (Grade II listed) ("the Property") that now required significant investment to bring it up to modern day standards. The location and size made it more suitable for owner-occupation, and disposal was considered to be the most appropriate solution to bring it back into use, and to realise a capital receipt.

The Property was subject to covenants that restricted the development of the land. Section 104 of the National Parks and Access to the Countryside Act 1949 required that in order to dispose or appropriate land to a different statutory purpose, the Council must first obtain the Secretary of State for Housing, Communities and Local Government's ("the Secretary of State") consent. The land was partly held by the Council as public open space and, by appropriating this part for planning purposes, the restrictive covenants would be overridden.

The Executive considered a report which sought approval to appropriate the Property for planning purposes to enable a subsequent sale, subject to receiving the prior consent of the Secretary of State. To ensure that any parties affected by the appropriation process were aware of the steps being taken, officers would advertise the Council's intention to appropriate the Property for such purposes.

In considering the representations received at the meeting, Executive councillors felt that it would be inappropriate for the Council to retain West Lodge and allow the condition of the property to deteriorate further. In view of the significant financial challenges for the Council in the future, it was considered that, given the Grade II Listed status of the Property, a private owner would be best placed to make the necessary investment to bring it back into use.

Having considered the report and the representations received, the Executive

RESOLVED: That, subject to securing the Secretary of State's consent for the appropriation of West Lodge, Blacksmith Lane, Chilworth ("the Property"), to enable a subsequent sale,

- (1) the Property be appropriated for planning purposes as defined by section 246(1) of the Town and Country Planning Act 1990; and
- (2) the Director of Community Services be authorised:
 - (a) to advertise in a local newspaper the Council's intention to appropriate the Property for planning purposes;
 - (b) in the event that no objections are received following the advertising process, to formalise the appropriation of the Property for such purposes;
 - (c) to make all necessary arrangements to dispose of the Property, and
 - (d) in the event that objections to appropriating the Property for planning purposes are received, to present a further report to the Executive to enable the matter to be determined.

Reason:

To enable the Property to be brought back into use at minimal cost to the Council.

EX85 EXCLUSION OF THE PUBLIC

The Executive

RESOLVED: 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 item of business 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.

EX86 PROPOSED SALE OF INVESTMENT PROPERTY IN ASH VALE

The Executive was informed that the tenant of the property referred to in the report had approached the Council with an offer to purchase the Council’s freehold interest. The property was a 1970s dilapidated industrial building let on a lease with approximately 61 years remaining.

The property did not meet the Council’s investment property criteria and the Council had previously sold sites in this area when the opportunity had arisen.

The Council also had numerous issues with the tenant of the property and a significant amount of resource had been spent trying to resolve the numerous issues relating to the property with little success. Heads of terms had been provisionally agreed with the tenant, details of which were set out in the report.

Having considered the proposal, the Executive

RESOLVED:

- (1) That the sale of the Investment Property referred to in the report submitted to the Executive on the proposed heads of terms dated 3 January 2018, as shown in Appendix 1 to the report, be approved
- (2) That the proceeds of sale be ring-fenced by their inclusion within the provisional capital programme for future re-investment in a better investment property.

Reason:

The Council has committed to increase income by developing commercial operations and maximising the value derived from our property portfolio. By disposing of under-performing investment properties that do not meet the Council’s investment criteria it will enable re-investment of funds in better performing properties.

The meeting finished at 7.52 pm

Signed

Date

Chairman