

# EXECUTIVE

24 April 2018

Councillor Paul Spooner (Chairman)

\* Councillor Matt Furniss (Vice-Chairman) – in the chair

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

\*Present

Councillors Adrian Chandler, David Elms, Christian Holliday, Susan Parker, Caroline Reeves, and Tony Rooth were also in attendance.

## **EX92 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Paul Spooner and Nikki Nelson-Smith.

## **EX93 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST**

There were no disclosures of interest.

## **EX94 MINUTES**

The minutes of the meeting of the Executive held on 27 March 2018 were approved. The Chairman signed the minutes.

## **EX95 CORPORATE PLAN 2018-2023**

The Executive noted that one of the key recommendations contained in the final report on the corporate peer challenge undertaken with the Local Government Association in December 2017 had been to prioritise the key projects within the Corporate Plan.

Since the peer challenge, the Council had undertaken consultation with residents, partners and other interested parties to help inform future priorities. We had also held workshops for councillors and senior officers to help shape the content of a new Corporate Plan.

Following this consultation and a review of existing activities and future challenges, the Executive considered a proposed new Corporate Plan for adoption by the Council.

At its meeting on 23 April 2018, the Joint Executive Advisory Board had also considered the proposed new Corporate Plan and had made a number of comments and suggestions for consideration by the Executive, details of which were circulated to councillors on the Supplementary Information sheet.

It was confirmed that the report to Council on 15 May 2018 would include full details of the Joint Executive Advisory Board's comments and suggestions, together with a further revised Corporate Plan showing the extent to which those comments and suggestions have been taken into account.

The Executive therefore

## RECOMMEND:

That the proposed new Corporate Plan 2018-2023, as set out in Appendix 1 to the report submitted to the Executive, be adopted, subject to such further amendments to the Plan as may be agreed by the Managing Director, in consultation with the Leader of the Council, taking into careful consideration the comments and suggestions submitted by the Joint Executive Advisory Board at its meeting on 23 April 2018.

### Reason:

The proposed new Corporate Plan has been prepared to set out the Council's priorities for the period up to 2023.

## **EX96 SAFEGUARDING POLICY AND PROCEDURE: A GUIDE TO SAFEGUARDING CHILDREN AND ADULTS 2018**

The Executive noted that, although the Care Act 2014 had put adult safeguarding on a similar statutory footing to safeguarding children, the Council did not currently have an agreed safeguarding policy for adults. It was also noted that the current Child Protection policy was also in need of updating in the light of new guidance.

The Surrey Borough and District Councils had developed and agreed a combined Child and Adult Safeguarding Policy framework document, which was able to be adapted to reflect local procedures and policies.

The Executive considered a report which contained a proposed new Safeguarding Policy and Procedure, which had been produced to complement the Surrey wide multi-agency safeguarding procedures and guidance, setting out how the Council should address safeguarding in future.

During the debate, councillors emphasised the need to ensure that residents are made aware of the new policy and procedure and, in particular, contact details of persons to whom safeguarding issues may be directed.

Having considered the report, the Executive

## RESOLVED:

- (1) That the new Safeguarding Policy and Procedure, as set out in Appendix 1 to the report submitted to the Executive, be adopted.
- (2) That the Lead Officer for Safeguarding, in consultation with the Lead Councillor with responsibility for safeguarding children and vulnerable adults be authorised to review and amend the Safeguarding Policy in response to changes in legislation, guidance or practice in the future.

### Reason:

To ensure the Council complies with its responsibilities for safeguarding and promoting the welfare of children, young people and vulnerable adults under the Children Acts 1989 and 2004 and Care Act 2014.

## **EX97 REVIEW OF THE COUNCIL'S COVERT SURVEILLANCE POLICY**

Following a series of recommendations set out in an external audit report by the Investigatory Powers Commissioner's Office (IPCO) in August 2017, a number of amendments to the

Council's Covert Surveillance Policy had been proposed and these were set out in a revised policy, which was the subject of a report to the Executive.

The Executive noted that, at its meeting on 29 March 2018, the Corporate Governance and Standards Committee had also considered this report and had commended the adoption of the Policy to the Executive. The Committee had also supported the proposal to appoint the Managing Director as the Senior Responsible Officer and the ICT Manager and Audit & Business Improvement Manager as the Council's official Authorising Officers for covert surveillance operations.

The Executive was also asked to consider an additional recommendation to authorise the Monitoring Officer, in consultation with the appropriate lead councillor and chairman of the Corporate Governance and Standards Committee, to make future amendments to the Covert Surveillance Policy.

Having considered the report and the revised Policy, the Executive

**RESOLVED:**

- (1) That the amended Covert Surveillance Policy, as set out in Appendix 1 to the report submitted to the Executive, be approved.
- (2) That the Managing Director be appointed as the Senior Responsible Officer and the ICT Manager and Audit & Business Improvement Manager as the Council's official Authorising Officers for covert surveillance operations.
- (3) That the Monitoring Officer, in consultation with the appropriate lead councillor and chairman of the Corporate Governance and Standards Committee, be authorised to make future amendments to the Covert Surveillance Policy.

Reason:

The recommendations have been advised by IPCO, the regulatory body responsible for covert surveillance.

The meeting finished at 7.20 pm

Signed .....

Chairman

Date .....

# EXECUTIVE

22 May 2018

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

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

\*Present

Councillors Susan Parker, Caroline Reeves, and Tony Rooth were also in attendance.

## **EX1 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **EX2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST**

There were no disclosures of interest.

## **EX3 MINUTES**

The minutes of the meeting of the Executive held on 24 April 2018 were approved. The Chairman signed the minutes.

## **EX4 PROPOSED GUILDFORD COMMUNITY LOTTERY**

The Executive considered a report on a proposal to establish a new Guildford Community Lottery. The Lottery would generate additional revenue to support good causes in the borough, which would allow voluntary organisations caring for some of the most disadvantaged and vulnerable residents and community groups involved in sports, arts, cultural and environmental activities to benefit from this initiative.

Having considered the report, the Executive

RESOLVED:

- (1) That the proposed establishment of a Guildford Community Lottery to benefit good causes in the borough on the basis described in the report submitted to the Executive, be approved.
- (2) That Gatherwell Ltd be appointed as the Council's External Lottery Manager to set up and operate the Guildford Community Lottery.
- (3) That the Director of Community Services and Policy and Partnerships Manager be authorised to act as the responsible officers in relation to the lottery licence with the Gambling Commission.
- (4) That the criteria for voluntary and community organisations wishing to join the Guildford Community Lottery as good causes, as set out in Appendix 1 to the report, be approved.

- (5) That Guildford Philanthropy be selected as the Council's nominated good cause for income generated by the Guildford Community Lottery.
- (6) That the Managing Director be authorised to make all necessary arrangements for launching and administering the Guildford Community Lottery.

Reason:

To raise additional income to support good causes in the borough.

## **EX5           IMPLICATIONS OF CHANGES TO POLICING IN SURREY - REPORT OF THE EXECUTIVE WORKING GROUP**

The Executive considered a report setting out the conclusions of the Executive working group, which had been established in July 2017 to consider and respond to the recommendations of the Overview and Scrutiny Committee following its task and finish group's investigations into concerns about the implications for the borough of policing changes in Surrey.

The Overview and Scrutiny Committee had made four recommendations to the Executive:

1. That the Executive revisit the decision to refocus the Community Safety Wardens, with a view to formally widening the Community Warden role to include community safety elements.
2. That the Overview and Scrutiny Committee establish a task and finish group to further review the possible expansion of the Council's anti-social behaviour service.
3. That the Executive ensure the Council considers adopting a broader range of community safety powers and measures appropriate, including CSAS accreditation, in order to help provide the most responsive and effective enforcement possible.
4. That, with due attention to sustainable costings and budgetary restrictions, the Executive establish a Joint Enforcement Team that includes direct police participation via an agreed Service Level Agreement and is tasked and coordinated by Guildford's Joint Action Group.

In relation to recommendation 1 above, the working group noted that the Executive in 2013 had agreed to refocus the community warden team to have a greater emphasis on community development. More recently, the work of the community warden team had been influential in the delivery of projects that helped less advantaged people within the borough.

The working group agreed the importance of this work but felt the changes in policing had created a risk that vulnerable people within the community could become more isolated as a result of the new policing model with its reduced focus on neighbourhood policing. The group felt it would be helpful if the community warden team

- increased their visibility out and about in communities
- increased their support of individual safeguarding cases
- build on links ward councillors already had with their communities

The Executive noted that the 'support' capacity of the community warden team had been strengthened by the creation of a new role of Neighbourhood Connector. The working group felt that this addressed the concerns of the Overview and Scrutiny Committee in respect of the support available to some of the more vulnerable members of the community. The working group had agreed that, in light of the above changes, the Community Development Team were now better placed to respond to some of the gaps created by the new policing model.

In relation to recommendations 2, 3, and 4 above, the working group had agreed that a further task group was not needed to review a possible expansion of the Council's anti-social behaviour service. The improved coordination of the Safer Guildford Partnership (SGP) and the Joint Action Group (JAG) along with the implementation of the Joint Enforcement Team (JET) and the review of the community warden role had ensured that the Council currently had a strong Anti-Social Behaviour service within the confines of resources and powers available to a local authority.

Councillors noted that the Executive had approved the creation of the JET on 18 April 2017 for a period of two years, after which its effectiveness would be reviewed. The Police and Crime Commissioner for Surrey had contributed £50,000 to the initial set up costs with the balance being funded by this Council.

The JET had been operational since August 2017 and the key areas of focus to date had been:

- litter
- fly tipping
- waste offences
- nuisance parking (i.e. outside schools)
- anti-social behaviour and policing of an existing Public Space Protection Order
- existing dog warden and animal premises management duties

The working group recognised that the JET was still in a 'developmental phase' but felt that there were opportunities for the team to have greater involvement in dealing with a variety of issues ranging from anti- social behaviour in the town centre and aggressive begging to managing unauthorised traveller encampments.

The working group was keen to ensure that the JET achieved measurable outcomes in the future using relevant intelligence and data to identify developing trends and issues.

The working group had also identified a number of emerging issues including:

- Traveller Incursions: Surrey Police approach to the use of their Section 61 powers under the Criminal Justice and Public Order Act 1994 –
- the lack of a full time PCSO presence in rural communities
- the impact of modern day slavery within the borough
- concern expressed by the Police about their ability to fully resource the current CCTV town centre monitoring arrangements.

The Executive, having noted that all the areas identified above were now being addressed via the Safer Guildford Partnership, led by the Managing Director

**RESOLVED:**

- (1) That the findings of the Executive working group examining implications for the Council of the changes in policing arrangements in Surrey, as set out in the report submitted to the Executive and referred to above, be supported.
- (2) That the Executive working group's findings be referred to the Overview and Scrutiny Committee.

Reason:

To ensure that the Council continues to deliver a commitment to community safety for all residents in the borough.

## **EX6 REVIEW OF COUNCILLOR WORKING GROUPS**

The Executive considered a report asking it to review the work carried out by the current councillor working groups over the previous twelve months and the work they were likely to undertake over the next twelve months. The Executive was asked whether the groups for which it was responsible should continue as presently constituted and, if so, to determine their respective composition.

Among the groups recommended for disbandment, which included the Air Quality Monitoring Working Group, the Executive was asked to consider disbanding the Local Plan Panel given that the Lead Councillor for Housing and Environment had expanded the remit of the Housing Board to include planning policy. It was also proposed that the Housing Services Review Group be disbanded and that the remit for that group be merged into the terms of reference of the new Planning Policy and Housing Delivery Board.

In addition, the Lead Councillor for Special Projects and Social Enterprise had proposed that the Community Grants and Voluntary Grants Panels should be merged into a single working group.

The Executive noted that, although the Air Quality Monitoring Working Group was being proposed for disbandment as it had fulfilled its remit, air quality monitoring was continuing across the Borough and monitoring reports were available to councillors on request.

It was also clarified that, although the Transformation Board had reviewed progress with fundamental service reviews (FSRs) and realisation of benefits, there would be a role for Overview and Scrutiny in managing FSRs in the future.

Having considered the report, the Executive

### **RESOLVED:**

- (1) That the action of the Lead Councillor for Housing and Environment to broaden the remit of the Housing Board, as described in paragraph 3.5 of the report submitted to the Executive, be noted.
- (2) That the following working groups be disbanded:
  - (a) Air Quality Monitoring Working Group
  - (b) Housing Services Review Group
  - (c) Local Plan Panel
- (3) That the terms of reference of the Housing Services Review Group be transferred to the Planning Policy and Housing Delivery Board.
- (4) That the Community Grants Panel and Voluntary Grants Panel be merged into a single Executive working group, to be called "the Grants Panel".
- (5) That the working groups listed in the table below continue with their work, and that the councillors listed be appointed to those working groups for the 2018-19 municipal year:

<b>Working Group</b>	<b>Con</b>	<b>Lib Dem</b>	<b>GGG</b>	<b>Lab</b>
Electric Theatre Working Group (3 councillors)	Cllr Nelson-Smith (C)	Cllr Reeves	Cllr Reeve	-
Grants Panel (4 councillors)	Cllr Davis (C) Cllr Kears Cllr Roche	Cllr A Goodwin	-	-
Guildford Community Covenant Panel (6 councillors)	Cllr Elms (C) Cllr Furniss Cllr Jackson Cllr Parsons	Cllr Reeves	Cllr Reeve	-
Innovation Board (4 councillors)	Cllr Bilbe Cllr Jackson (C) Cllr Nelson-Smith Cllr Spooner	-	-	-
Major Projects Portfolio Board (7 councillors)	Cllr Bilbe Cllr Brooker Cllr Davis Cllr Furniss Cllr Illman Cllr Nelson-Smith Cllr Spooner (C)	-	-	-
Museum Working Group (8 councillors)	Cllr Elms Cllr Jackson Cllr Nelson-Smith (C) Cllr Parsons	Cllr Phillips Cllr Reeves	Cllr Reeve	Cllr Gunning
Planning Policy and Housing Delivery Board (9 councillors)	Cllr Brooker (C) Cllr Christiansen Cllr Davis Cllr Paul Cllr Rooth Cllr Spooner	Cllr Hogger Cllr Reeves	-	Cllr Gunning
Property Review Group (2 councillors)	Cllr Illman	Cllr Reeves	-	-
Slyfield Area Regeneration Project Councillor Forum (7 councillors)	Cllr Brooker Cllr Furniss Cllr Quelch Cllr Spooner (C)	Cllr McShane	-	Cllr Gunning Cllr Walsh
Slyfield Area Regeneration Project Governance Board (5 councillors)	Cllr Brooker Cllr Davis Cllr Furniss Cllr Illman Cllr Spooner (C)	-	-	-
Town Twinning Working Group (8 councillors)	Cllr Furniss (C) Cllr Jackson Cllr Nelson-Smith Cllr Spooner	Cllr D Goodwin Cllr Reeves Cllr Searle	-	Cllr Gunning
Transformation Board (4 councillors)	Cllr Matt Furniss Cllr Murray Grubb Cllr Michael Illman Cllr Paul Spooner	-	-	-

(C – chairman)

- (6) That, subject to paragraphs (1) and (3) above, no further changes be made to the terms of reference of the working groups listed in the table above.

Reason:

To comply with the requirement on the part of the Executive to periodically review the continuation of the various Working Groups, in accordance with Council Procedure Rule 24 (j).



**EX7 SURREY LEADERS' GROUP - NOMINATIONS FOR APPOINTMENT TO OUTSIDE BODIES 2018-19**

The Executive considered a report on the proposed submission of nominations to the Surrey Leaders' Group (SLG) in respect of the appointment of a district representative to a number of outside bodies for 2018-19.

Having considered the nominations received in respect of the above appointments, the Executive

RESOLVED:

(1) That the following nominations be submitted to the Surrey Leaders' Group in respect of the appointments of district council representatives to the outside bodies indicated below:

- High Sheriff's Award Panel: Councillor Mike Parsons
- SCC Pension Fund Committee: Councillor Geoff Davis
- South East Reserve Forces' & Cadets' Association: Councillor David Elms
- Active Surrey Sports Partner Forum: Councillor Matt Sarti
- Surrey Civilian Military Partnership Board: Councillor David Elms

(2) That the call-in procedure shall not apply in respect of the decision in paragraph (1) above.

Reason:

To ensure that the nominations submitted by this Council are considered by the Surrey Leaders' Group.

Reason for urgency:

A small working group of the SLG will consider all the nominations received in respect of these appointments and make a recommendation to the SLG at its meeting in June. The deadline for receipt of completed nomination forms was Friday 25 May 2018.

**EX8 WALNUT BRIDGE REPLACEMENT PROJECT - LAND ACQUISITION AND ASSEMBLY**

The Executive considered a report which sought approval to assemble the land required for the delivery of the Walnut Bridge Replacement Project. The report outlined the interests affected and recommended approval of a land acquisition and assembly strategy. Due to the project delivery timescales, it was essential that the land was assembled in a timely manner.

The Executive would be asked to agree that the Council uses its compulsory purchase powers to acquire all necessary interests.

The Executive noted that Womble Bond Dickinson had been appointed to advise on the initial legal aspects of the Walnut Bridge Replacement Project and a land assembly strategy had been developed which included advice on CPO. Legally privileged and confidential advice prepared by Womble Bond Dickinson was set out in the "Not for Publication" Item 10 on the agenda for the meeting. Should the Council seek to progress a CPO, it would need to have regard to this advice and the advice set out in the Government Guidance on CPOs.

The Council had allocated and approved the budget for construction of the bridge and acquisition of the land, details of which were set out in the report and in the 'Not for Publication' Item 11 on the agenda for the meeting.

At this stage, however, the report had requested agreement in principle for the Compulsory Purchase Order (CPO), with the Statements of Reasons to be submitted at a later date. The

CPO boundary map (appended to the report) was indicative and, as negotiations with affected landowners progressed, the boundary would be altered to reflect excluded interest and parties that had transacted by agreement. If negotiations were unsuccessful, officers proposed to present the CPO together with the Statement of Reasons and map to a further meeting of the Executive for formal approval to submit to the Secretary of State.

Having given careful consideration to the report, the Executive

RESOLVED:

- (1) That the land acquisition and assembly strategy for the Walnut Bridge Replacement Project proposed in the report submitted to the Executive, be approved.
- (2) That the Director of Environment be authorised, in consultation with the Council Solicitor and Lead Councillor for Infrastructure and Governance, to negotiate and complete acquisitions of legal interests, on the basis of the statutory CPO Compensation Code, in land required for the delivery of the Walnut Bridge Replacement Project.
- (3) That the Director of Environment be authorised to procure and appoint the following specialist advisers:
  - Land referencing
  - Specialist compulsory purchase surveyors
  - Specialist compulsory purchase solicitors
  - Specialist Counsel if required
- (4) That the acquisition of all third party interests in and over the Land required for the Walnut Bridge Replacement Project under Section 227 of the Town and Country Planning Act 1990 and in respect of any new rights required for the development or use of the Land, be approved.
- (5) That the progress of all work necessary to establish a case for compulsory purchase of land required for the Walnut Bridge Replacement Project, be approved.
- (6) That the use of compulsory purchase powers for the acquisition of land to deliver the Walnut Bridge Replacement Project (in respect of the land shown edged in red on the plan attached as Appendix 1 to the report – the Proposed Order Land), be approved in principle, and that the making of any compulsory purchase order be subject to the Executive being satisfied in all respects that the criteria in paragraph 3.16 of the report have been met.
- (7) That the Director of Environment be authorised, in consultation with the Lead Councillor for Infrastructure and Governance, Managing Director and the Council Solicitor, to draft the Order which shall include but not be limited to:
  - the service of requisitions for information on persons identified as being likely to hold an interest in land required for, or to facilitate, the development of the Walnut Bridge;
  - entry on to the Proposed Order Land for the purposes of survey, if necessary by use of warrant, under S172-175 of the Housing and Planning Act 2016
  - taking all steps to acquire the necessary interests in land by agreement including negotiation of headline terms, agreements, undertakings, transfers and any new rights required, with interested parties or by utilising compulsory acquisition powers;
  - preparation of the Order Map;

- agreeing with relevant landowners if appropriate the removal of land from the Order once made;
  - preparing all necessary documentation to secure the Order including the Statement of Reasons
- (8) That the necessary traffic regulation orders required for delivery of the Project be agreed with Surrey County Council, as highway authority.
- (9) That the requirement for Officers to seek a further Executive resolution:
- (a) to authorise the Director of Environment, in consultation with the Council Solicitor, in accordance with section 122 of the Local Government Act 1972, to declare that any land acquired or held and required for the delivery of the Walnut Bridge Replacement Project may, where they conclude that it is no longer needed for its present purpose, appropriate the land for such statutory purpose as may be necessary to deliver the Walnut Bridge Replacement Project;
  - (b) to approve the overriding of such easements, rights, or other adverse matters burdening the land, where that is needed to deliver the project, in accordance with section 203 of the Housing and Planning Act 2016; and
  - (c) to authorise the use by the Council of its powers under sections 203-205 of the Housing and Planning Act 2016 to override third party rights and covenants within the Proposed Order Land
- be noted.
- (10) That a virement from the capital contingency fund (capital scheme FS1) to the Walnut Bridge land acquisition budget (capital scheme P9c) in the sum recommended in the “Not for Publication” agenda item 11 on the agenda for the meeting, be approved.

Reason:

To secure the site in Council ownership to facilitate the Walnut Bridge Replacement Project.

The meeting finished at 7.53 pm

Signed .....

Chairman

Date .....

# EXECUTIVE

19 June 2018

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

- |                             |                                 |
|-----------------------------|---------------------------------|
| * Councillor David Bilbé    | * Councillor Gordon Jackson     |
| * Councillor Philip Brooker | * Councillor Nigel Manning      |
| Councillor Geoff Davis      | * Councillor Nikki Nelson-Smith |
| Councillor Graham Ellwood   | * Councillor Iseult Roche       |

\*Present

Councillors Adrian Chandler, Jo Randall, Caroline Reeves, and Tony Rooth were also in attendance.

## **EX9 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Geoff Davis and Graham Ellwood.

## **EX10 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST**

There were no disclosures of interest.

## **EX11 MINUTES**

The Executive approved the minutes of the meeting held on 22 May 2018. The Chairman signed the minutes.

## **EX12 ANNUAL GOVERNANCE STATEMENT 2017-18**

The Executive was informed that The Accounts and Audit (England) Regulations 2015 required the Council to prepare an Annual Governance Statement detailing the governance framework and procedures that had operated at the Council during the year, a review of their effectiveness, significant governance issues that had occurred and a statement of assurance.

The Executive considered a report on the Annual Governance Statement for 2017-18, including a copy of the Statement itself. The Statement was underpinned by the Annual Opinion Report for the period April 2017 to March 2018 submitted by the Audit and Performance Manager (as Head of Internal Audit), which was attached to the main report.

The Annual Governance Statement would be included in the Council's statement of accounts for 2017-18. The Statement had concluded that the Council was well-run with good governance processes in place. However, the Statement reported on a number of significant governance issues during the year.

In response to a question from a councillor, the Lead Councillor confirmed that, although there had been no new fundamental service reviews (FSRs) commenced during 2017-18, a number had been completed. Details of the FSRs completed over the past three years would be circulated to councillors.

Having noted that the Corporate Governance and Standards Committee had reviewed the Statement at its meeting on 14 June 2018 and had recommended its adoption, the Executive

RESOLVED: That the Council's Annual Governance Statement 2017-18, as set out in the Appendix 1 to the report submitted to the Executive, be approved.

**Reason:**

To comply with Regulation 10 of the Accounts and Audit (England) Regulations 2015, the Executive must approve an Annual Governance Statement.

**EX13 CAPITAL AND INVESTMENT OUTFURN REPORT 2017-18**

Prior to consideration of this matter. Mr Gavin Morgan (Guildford Heritage Forum) asked the following question:

*"I wish to understand the Council's policy towards historic sites and structures in its care. In particular, I wish to know which heritage and cultural assets the council intends to always own and which it might dispose of."*

*The Asset Management Framework for 2014 listed 603 assets valued at just over £250,000,000. I have identified 34 sites either where the AMF Category is "Heritage Asset", the Property Type is "Historic" or "Cultural", or (in a few cases like the Castle, Guildhall, Castle Cliff Gardens) the sites are of historic value or part of a recognised heritage site. (NOTE: For sake of completeness, I have included West Lodge, currently under disposal discussions, and 48 Quarry Street, subject to the museum development project)*

*My question is: Which of the assets in the table below is permanently protected from disposal under current policy and of those which are not, which will NOT be subject to any kind of discussion in the next year that could lead to disposal in the next five years?"*

Reference	Asset Name	AMF Category	Property Type
HA11123	Art Memorial - Copleston	Heritage	Historic Structure
CA09105	Artwork - Allen House mosaic	Heritage	None
CA07081	Artwork - Blacksmith, Send	Heritage	Cultural
CA101101	Artwork - G Live	Heritage	Cultural
CA09101	Artwork - Seeboard, Faraday Rd	Heritage	None
HA12131	Bookers Tower, Mount Cemetery	Heritage	Historic Structure
S0403	Castle Arch	Heritage	Historic Structure
S0013/HTR	Castle Cliff Gardens	Community	Recreational
S0014/HTR	Castle Grounds	Community	Recreational
S0012/HTR	Castle Keep	Core Operational	Historic Structure
E9010/FST	Dapdune Wharf Open Space	Community	Open Space
S0022/HTR	Foxenden Quarry Open Space	Community	Open Space
E9012	Foxenden Quarry Playground	Community	Recreational
CA11121	Foxenden Tunnels	Heritage	Historic Structure
HA11124	Furniture - Guildford House / Museum	Heritage	Cultural
S0307/HTR	Guildford House and Brew House	Core Operational	Cultural
S0335/HTR	Guildford Museum	Core Operational	Cultural
S0026/HTR	Guildhall	Core Operational	Municipal Building
S0380/NULL	Gunpowder Mills Land, Chilworth	Community	Open Space
S0011/TIL	Gunpowder Mills Ruins, Chilworth	Heritage	Historic Structure
S0310/HTR	High Street Undercroft (Lease In)	Core Operational	Historic Structure
HA13141	Lakeside Public Art	Heritage	Cultural
HA13143	Moggy Pond Artwork	Heritage	Cultural
S0347/HTR	Quarry St 48	Core Operational	Cultural
HA11122	Sculpture - Martyr Road	Heritage	Historic Structure
HA11125	Silverware - Civic Regalia /museum exhibits	Heritage	Cultural
HA13142	Torch Legacy Sculpture, G Live	Heritage	Cultural

Reference	Asset Name	AMF Category	Property Type
OLB101182	Treadwheel Crane, Riverside Walk	Heritage	Historic Structure
S0097/FSN	Tunsgate Arch	Heritage	Historic Structure
E9028/OTH	Various paintings at Gfd House Gallery	Heritage	Cultural
S0391/PIL	Wanborough Barns, Westwood Lane	Core Operational	Historic Structure
OLB101176	West Lodge, Blacksmith Lane	Core Operational	Residential
HA11121	Woodbridge Meadow Artwork	Heritage	Historic Structure

Response from the Lead Councillor for Finance and Asset Management, Councillor Nigel Manning:

*“In general, the Council’s policy is to protect historic sites and structures within its ownership.*

*However, it also has a duty to protect other assets such as its parks and the countryside, manage its assets and finances appropriately and deliver key front line services. As such, we cannot consider heritage sites in isolation, and this is particularly true given the current financial arrangements for local authorities.*

*We therefore keep our assets under review.*

*At the current time, however, there are no plans to dispose of any of the assets (buildings or artwork) that Mr Morgan has listed apart from West Lodge whose future we are reviewing in the light of discussions at the last meeting of full Council.”*

Arising from the above response, Mr Morgan asked the following supplementary question:

*“Am I correct in assuming that Guildford House, Guildford Museum, Guildford Castle, the Guildhall, the Medieval Undercroft, Wanborough Barn might be subject to disposal discussions over the next year or are you ruling out the possibility for some or all of them?”*

The Chairman indicated that a written response to Mr Morgan’s supplementary question would be sent to him in due course.

In relation to the substantive matter, following the adoption of the new capital and investment strategy for 2018-19, the Executive noted that the annual treasury management report now encompassed capital and non-treasury investments. The amended format met the requirements of the revised Prudential and Treasury Codes of Practice and the Ministry of Housing, Communities, and Local Government (MHCLG) updated Investment Guidance.

The Executive considered the report in its revised format, which had included:

- a summary of the economic factors affecting the approved strategy and counterparty update
- a summary of the approved strategy for 2017-18
- a summary of the treasury management activity for 2017-18
- compliance with the treasury and prudential indicators
- non-treasury investments
- capital programme
- risks and performance
- Minimum Revenue Provision (MRP)
- details of external service providers
- details of training

The Executive was informed that total expenditure on the General Fund capital programme in 2017-18 had been £13.9 million, which was less than the revised budget by £20.2 million. Details of the revised estimate and actual expenditure in the year for each scheme were set out in Appendix 3 to the report. Although the budget for Minimum Revenue Provision (MRP) had

been £1.229 million, the outturn had been £573,852, due to slippage in the capital programme in 2016-17.

Councillors noted that the Council's investment property portfolio stood at £147.4 million as at 31 March 2018. Rental income had been £9.17 million, and income return was 6.59% against the benchmark of 4.2%.

The Council's cash balances had built up over a number of years, and reflected the strong balance sheet, with considerable revenue and capital reserves. Officers carried out the treasury function within the parameters set by the Council each year in the Capital and Investment Strategy. As at 31 March 2018, the Council held £133.6 million in investments, of which £43.5 million was short term borrowing.

Longer-term borrowing was undertaken in line with the Council's liability benchmark and the capital programme. The Council had £241.6 million borrowing at 31 March 2018, of which £43.5 million was short-term borrowing for cash purposes.

The report had confirmed that the Council had complied with its prudential indicators, treasury management policy statement, and treasury management practices (TMPs) for 2017-18.

The Executive noted that the slippage in the capital programme had resulted in a lower Capital Financing Requirement than estimated. Interest paid on debt had been lower than budget, due to the variable loan rate being reset lower than expected.

The yield returned on investments had been lower than estimated, but the interest received was higher due to more cash being available to invest in the year – a direct result of the capital programme slippage.

The report had also been considered by the Corporate Governance and Standards Committee at its meeting on 14 June 2018. The Committee had commended the recommendation in the report to the Executive, subject to two minor corrections to the Investment Property Fund Portfolio Report attached as Appendix 2 to the report.

Having considered the report, the Executive

**RECOMMEND:**

- (1) That the Treasury Management Annual Report for 2017-18 be noted.
- (2) That the actual prudential indicators reported for 2017-18, as detailed in Appendix 1 to the report submitted to the Executive, be approved.

**Reason:**

To comply with the Councils' treasury management policy statement, the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on treasury management and the CIPFA Prudential Code for Capital Finance in Local Authorities.

**EX14 REVENUE OUTTURN REPORT 2017-18**

The Executive received a report setting out the final position on the General Fund and the Collection Fund revenue accounts, for the 2017-18 financial year.

The Executive was informed that the overall position on the General Fund had shown that net expenditure had been £1.14 million lower than originally budgeted, of which £0.2 million related to net expenditure on services (1.6% of net revenue expenditure), reflecting lower than anticipated expenditure totalling £0.9 million and £0.7 million of additional income.

Net income from interest receipts had been £796,000 more than estimated and the minimum revenue provision (MRP) for debt repayment was £400,000 lower than estimated.

In accordance with the authority delegated to the Chief Finance Officer, in consultation with the Leader of the Council and the Lead Councillor for Finance and Asset Management, the underspent balance had been used to make the following contributions to reserves:

	£
• Transfer to the Capital Programme reserve	1,122,000
• Contribution to the Mayor's Distress Fund	<u>20,000</u>
	<u>1,142,000</u>

Details of the closing balance on all the Council reserves (excluding the transfers referred to above) were set out in the report, together with the ongoing policy for each.

The Executive noted that 2017-18 had been the third year of the Business Rates Retention Scheme (BRRS) and it had continued to cause volatility in the Council's accounts. The Business Rates balance on the Collection Fund was particularly susceptible to movements in the number and value of appeals that businesses had made against their rateable values. The Council had no control over these appeals, and had limited information from the Valuation Office to help assess the potential impact.

The Executive was advised that there was an overall deficit on the Collection Fund of £12.8 million, principally because of the impact of business rate appeals, as detailed in the report.

The outturn position had been included in the Statement of Accounts signed by the Chief Finance Officer on 31 May 2018, which would be subsequently audited by the Council's external auditor, Grant Thornton UK LLP. The Corporate Governance and Standards Committee had reviewed the draft Statement of Accounts at its meeting held on 14 June 2018 and would review the audited accounts on 26 July 2018.

Having considered the report, the Executive

RESOLVED: That the Executive notes the Council's final outturn position on the General Fund for 2017-18 and endorses the decisions, taken under delegated authority, which were:

- (a) to transfer £1,122,000 to the capital programme reserve, and
- (b) to contribute £20,000 to the Mayor's Distress Fund.

Reasons:

- To comply with The Accounts and Audit Regulations 2015, which require the approval of the statutory Statement of Accounts for 2017-18 by 31 July 2018.
- To note the final outturn position and delegated decisions taken by the Chief Finance Officer, which have been, included within the statutory accounts the Chief Finance Officer signed at the end of May.
- To facilitate the on-going financial management of the Council.

## **EX15 HOUSING REVENUE ACCOUNT: DRAFT FINAL ACCOUNTS 2017-18**

The Executive received a report setting out the final position on the Housing Revenue Account (HRA) for the 2017-18 financial year. The HRA recorded all the income and expenditure associated with the provision and management of Council owned dwellings in the Borough.

The actual net cost of revenue services in 2017-18 had been £642,708 lower than budgeted. This variation represented 1.99% of the total turnover of over £32.25 million. The final outturn



(subject to audit) had shown a surplus for the year of £10.06 million compared to a budgeted surplus of £10.73 million. The HRA working balance at year-end remained at £2.5 million.

In accordance with the authority delegated to the Chief Finance Officer, in consultation with the Lead Councillors with responsibility for Housing and Finance, the surplus had been used to make a transfer of £2.5 million to the reserve for future capital programmes, with the balance of £7.56 million being transferred to the new build reserve.

The Corporate Governance and Standards Committee had considered the report at its meeting on 14 June 2018 and had commended the recommendations to the Executive.

The Executive, having noted the corrections to the tables in paragraphs 3.1 and 5.12 of the report, details of which were set out in the Supplementary Information Sheet circulated at the meeting,

RESOLVED: That the final outturn position on the Housing Revenue Account for 2017-18 be noted that the decision, taken under delegated authority, to transfer £2.5 million to the reserve for future capital programmes, and £7.56 million to the new build reserve from the revenue surplus of £10.06 million in 2017-18, be endorsed.

Reason:

To allow the Statutory Statement of Accounts to be finalised and subject to external audit, prior to approval by the Corporate Governance and Standards Committee, on behalf of the Council.

## **EX16 CLAY LANE LINK ROAD PHASE 1 - INTERNAL ESTATE ROAD**

Councillors noted that the proposed Internal Estate Road would be located within the Slyfield Industrial Estate, and was required to enable development of expansion sites within this area and facilitate the delivery of the Slyfield Area Regeneration Programme (SARP).

The Executive considered a report which sought approval to transfer the budget required to complete the delivery of the Internal Estate Road from the provisional programme to the approved capital programme.

The report outlined the current spend and the works completed to date as well as the remaining scope of works to be delivered during 2018-19 and 2019-20.

Having considered the report, the Executive

RESOLVED:

- (1) That the sum of £10.439 million be transferred from the Provisional to the Approved Capital Programme to enable the continuation and completion of the detailed design and construction of phase 1 of the Clay Lane Link Road: the Internal Estate Road in 2018-19 and 2019-20, as detailed in the report submitted to the Executive.
- (2) That the Lead Councillor for Infrastructure and Governance be authorised to determine which of the construction options described in paragraph 3.15 of the report should be implemented for the Internal Estate Road once discussions with Surrey County Council have progressed and resolved.

Reason:

To complete the construction of the Internal Estate Road.

## **EX17 PROPOSED GUILDFORD JOINT LOCAL COMMITTEE**

The Executive considered a report which set out the relative merits of replacing the current Local Committee (Guildford) with a new Guildford Joint Committee, which would deal not only with the range of County Council functions that the Local Committee currently discharged locally, but also a range of Borough Council functions delegated to it.

The Executive considered that the functions to be delegated to the proposed Joint Committee should be a mix of executive and non-executive functions – in which case the Borough Council membership on the Joint Committee would need to be politically balanced and could comprise a mix of executive and non-executive councillors.

The Executive was also asked to consider the Draft Constitution of the proposed Guildford Joint Committee, which was set out in Appendix 1 to the report, including the standing orders under which it was proposed that the Joint Committee would operate.

Having considered the proposals, the Executive

### **RESOLVED:**

- (1) That a Guildford Joint Committee be established with Surrey County Council to replace the current Local Committee arrangements, to take effect, subject to formal County Council approval, from 19 September 2018.
- (2) That the proposed executive functions of the Council, as set out in the Draft Constitution, be delegated to the Guildford Joint Committee, and that the various advisory functions set out in the Draft Constitution that will come under the Joint Committee's remit be approved.

The Executive further

### **RECOMMEND:**

- (1) That the Council agrees to establish, with Surrey County Council, a Guildford Joint Committee, to replace the current Local Committee arrangements, to take effect, subject to formal County Council approval, from 19 September 2018.
- (2) That, subject to paragraph (3) below, the Draft Constitution, as set out in Appendix 1 to the report submitted to the Executive, including the proposed non executive functions of the Council to be delegated to the Joint Committee, and the standing orders under which the Joint Committee will operate, be approved.
- (3) That the Managing Director be authorised, in consultation with the Leader of the Council and the Lead Councillor for Infrastructure and Governance, to agree any necessary minor changes to the Draft Constitution of the Joint Committee.
- (4) That the Council appoints councillors to the Joint Committee and a Vice-Chairman of the Joint Committee for the 2018-19 Municipal Year.
- (5) That the Council Solicitor and Monitoring Officer be authorised, in consultation with the Lead Councillor for Infrastructure and Governance, to make all necessary consequential amendments to the Council's Constitution.
- (6) That the Council's Independent Remuneration Panel be requested to consider as part of the full review of councillors' allowances scheduled for 2019, whether any Special Responsibility Allowance should be payable to the chairman (or vice-chairman) of the Joint Committee whenever that role is undertaken by a borough councillor.

(7) That the Joint Committee arrangements be reviewed after 12 months' operation.

Reason:

To establish a true partnership between Guildford Borough Council and Surrey County Council, with shared decision making and joined-up working.

The meeting finished at 7.49 pm

Signed .....

Chairman

Date .....