

EXECUTIVE

27 September 2020

- * Councillor Caroline Reeves (Chairman)
- * Councillor Joss Bigmore (Vice-Chairman)

- | | |
|----------------------------|---------------------------|
| * Councillor Tim Anderson | * Councillor John Redpath |
| * Councillor Jan Harwood | * Councillor John Rigg |
| * Councillor Julia McShane | * Councillor James Steel |

*Present

Councillors Chris Blow, Angela Goodwin, Ramsey Nagaty, Maddy Redpath, Deborah Seabrook, Paul Spooner, Fiona White and Catherine Young were also in attendance.

EX31 APOLOGIES FOR ABSENCE

No apologies for absence were received.

EX32 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

EX33 MINUTES

The minutes of the meeting held on 25 August 2020 were approved.

EX34 LEADER'S ANNOUNCEMENTS

The Leader reminded councillors of the arrangements agreed between the two main political groups in terms of the transfer of leadership this Autumn. It had been agreed that this process should take place at the 6 October full Council meeting, and so Councillor Reeves stated her intention to formally resign as Leader of the Council at midnight following the meeting of this Executive.

Councillor Reeves explained, for the benefit of residents, that the original agreement was that this should happen a year after the Borough Council elections in May. But given the circumstance of the early stages of the pandemic she felt very strongly that such an action would have been detrimental to the Borough during such a life changing situation. The Leader explained that we were still in the midst of the pandemic and she suspected that we could still face a surge in cases, with new guidance changes to try and manage this. Councillor Reeves assured Cllr Bigmore, the Deputy Leader, that officers would offer exemplary support in dealing with the significant challenges facing the Council.

Councillor Reeves thanked those who had supported her during her time as Leader and wished her successor well.

EX35 CLIMATE CHANGE, SUSTAINABLE DESIGN, CONSTRUCTION AND ENERGY SUPPLEMENTARY PLANNING DOCUMENT

The Executive considered a report recommending the adoption of the Climate Change, Sustainable Design, Construction and Energy Supplementary Planning Document (SPD) and the revocation of the Sustainable Design and Construction SPD (2011).

The SPD provided guidance for existing policy in the Local Plan in relation to climate change adaptation and mitigation, low and zero carbon energy and sustainable development. The SPD would be a material consideration in planning decisions and would help to improve compliance with Local Plan policy. The SPD would provide guidance on the information that should be included in planning applications and how it should be presented so that decision makers were able to judge the extent to which proposals complied with Local Plan policy. It would also provide guidance on sustainable design and construction practice.

The Executive noted that a number of issues had been raised and suggestions made by the Place-Making and Innovation Executive Advisory Board at its meeting on 1 June 2020, which had resulted in changes to the draft SPD, details of which were set out in Appendix 2 to the report.

Having considered the report and the draft SPD, the Executive

RESOLVED:

- (1) That the Climate Change, Sustainable Design, Construction and Energy Supplementary Planning Document, as set out in Appendix 3 to the report, be adopted.
- (2) That the Sustainable Design and Construction Supplementary Planning Document (2011) be revoked.
- (3) That the Policy Lead – Planning Policy, in consultation with the Lead Councillor for Climate Change, be authorised to make such minor alterations to improve the clarity of the Supplementary Planning Document as they may deem necessary prior to adoption.

Reasons:

- (1) Adopting the new SPD would provide detailed guidance for adopted Local Plan policy that addresses climate change and sustainability. This would help to deliver sustainable development.
- (2) The new SPD replaced the 2011 SPD, which was no longer required. Keeping it in place would complicate the planning process unnecessarily.
- (3) To allow for minor modifications to the SPD should they be necessary prior to publication.

EX36 CAPITAL AND INVESTMENT OUTTURN REPORT 2019-20

The Executive considered the annual Capital and Investment outturn report, which included capital expenditure, non-treasury investments and treasury management performance for 2019-20.

The report had been considered by the Corporate Governance and Standards Committee at its meeting on 30 July 2020. The Committee had commended the report to the Executive.

The Executive

RESOLVED:

To recommend to Council (6 October 2020):

- (1) That the treasury management annual report for 2019-20 be noted.

- (2) That the actual prudential indicators reported for 2019-20, as detailed in Appendix 1 to the report, be approved.

Reason:

To comply with the Council's 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.

EX37 REVENUE OUTTURN REPORT 2019-20

The Executive considered a report setting out the revenue outturn in respect of the General Fund for 2019-20. It was noted that the Executive Summary of the report should have read the outturn on the General Fund was £1.7 million less than had been originally budgeted.

The Executive

RESOLVED: That the Council's final outturn position for 2019-20 be noted and that the decisions taken under delegated authority to transfer the amounts set out in Section 5 of the report to the relevant reserves, be endorsed.

Reasons:

- To note the final outturn position and delegated decisions taken by the Chief Finance Officer which will be included within the statutory accounts the Chief Finance Officer signed at the end of August.
- To facilitate the ongoing financial management of the Council.

EX38 HOUSING REVENUE ACCOUNT: FINAL ACCOUNTS 2019-20

The Housing Revenue Account (HRA) recorded all the income and expenditure associated with the provision and management of Council owned residential dwellings in the Borough. The requirement to maintain a Housing Revenue Account was set out in the Local Government and Housing Act 1989 and the requirement to publish final accounts was set out in the Accounts and Audit Regulations 2003.

The Executive considered a report setting out the actual level of revenue spending on day-to-day services provided to tenants recorded in the HRA in 2019-20.

The Executive

RESOLVED: That the final outturn position on the Housing Revenue Account for 2019-20 be noted and that the decision taken under delegated authority to transfer £2.5 million to the reserve for future capital, and £7.8 million to the new build reserve from the revenue surplus of £10.3 million in 2019-20, be endorsed.

Reason:

To allow the Statutory Statement of Accounts to be finalised and subject to external audit prior to approval by the Council.

EX39 REVIEW OF VARIOUS CORPORATE GOVERNANCE AND STANDARDS RELATED MATTERS: REVISED SOCIAL MEDIA GUIDANCE FOR COUNCILLORS AND MATTERS RELATING TO THE GOVERNANCE OF NORTH DOWNS HOUSING LTD

At its meeting in November 2019, the Corporate Governance and Standards Committee had established a cross-party task group, with a wide remit to consider, review and make recommendations in respect of improving ethical standards, communications, and transparency.

The task group had already reviewed the Councillors' Code of Conduct and the 15 Best Practice Recommendations of the Committee on Standards in Public Life (CSPL) contained within its Report on *Local Government Ethical Standards* and had reported its findings and recommendations to the Corporate Governance and Standards Committee on 30 July 2020.

The Executive considered a report setting out the task group's recommendations with regard to the review of the Social Media Guidance for Councillors, and one of the 15 best practice recommendations relating to the governance of separate bodies set up by local authorities, particularly local authority companies.

The Executive also noted that at its meeting held on 7 July 2020, Overview and Scrutiny Committee had received a presentation outlining the purpose of North Downs Housing Limited (NDH), its relationship with the Council, the objectives of NDH and progress to date, together with its plans for 2020-21. One of the reasons put forward to explain why NDH had not achieved its business plan objective of letting 125 properties by 2020 was a lack of staff support for NDH. Overview and Scrutiny Committee had asked the Executive to explore the provision of increased resources, particularly personnel, to enable NDH to deliver its ambitions more quickly.

In relation to the revised social media guidance, the Executive noted the importance of safeguarding the reputation and integrity of councillors and of the organisation as a whole. With regard to the CSPL Recommendation 14, in response to a request from the Chairman of North Downs Housing Board it was noted that the company already fulfilled required levels of transparency and it would neither be in the interest of the company nor the Council to publish commercially sensitive material.

The Executive also noted that provision of additional officer support to North Downs Housing would be considered through the Future Guildford Phase B process that was currently underway.

The Executive

RESOLVED:

- (1) That the draft revised Social Media Guidance for Councillors, as set out in Appendix 2 to the report, be adopted.
- (2) That the Council's formal response to the CSPL Best Practice Recommendation 14 should be as follows:

“Regular reports are currently submitted to the Executive Shareholder and Trustee Committee which provide updates on finance, operational matters and changes to companies set up and/or owned by the Council. The Council additionally audits the accounts of such companies and reports the outcome of these audits to the Corporate Governance and Standards Committee as part of the approval annually of the Council's audited accounts. It is considered that the agendas and minutes of the company board meetings contain commercially sensitive information and should not be subject to routine publication.”

- (3) That consideration of any resources necessary to support North Downs Housing Limited's operations be given as part of the implementation plan for Phase B of the Future Guildford Transformation Programme.

Reasons:

1. To address one of the corporate governance and ethical standards related concerns raised by councillors.
2. To address Recommendation 14 of the 15 Best Practice Recommendations of the Committee on Standards in public Life in their report *Local Government Ethical Standards (January 2019)*
3. To respond to the Overview and Scrutiny Committee's recommendation in respect of support for North Downs Housing Limited.

EX40 REVIEW OF EXECUTIVE ADVISORY BOARDS

The Executive considered a report setting out recommendations arising from the most recent review of the functions and effectiveness of the Executive Advisory Boards (EABs). The Deputy Leader of the Council introduced the report, endorsed the recommendations before Executive and called for a further review in 12 months' time. The Chairman of the meeting of the Joint EAB also spoke in support of the recommendations.

The Executive

RESOLVED:

To recommend to Council (6 October 2020):

- (1) That the concept of retaining two EABs, each meeting on alternate months with the flexibility to have a balanced inter-changeable remit as appropriate to the agenda items, without the risk of losing topic continuity and expertise, and possibly ahead of Executive meetings to offer a pre-decision opportunity to make recommendations, be agreed.
- (2) That the remit of EABs be realigned to reflect the Executive portfolios and Directorates of the Council and that, accordingly, the Place-Making and Innovation EAB be renamed as the Strategy and Resources EAB and the Community EAB be renamed the Service Delivery EAB.
- (3) That the existing Joint EAB arrangement be continued and implemented when significant and wide-ranging agenda items, such as budgetary matters, are under consideration.
- (4) That closer two-way working between the Executive and EABs, including an expectation that relevant Lead Councillors (or other Executive members in the absence of the relevant Lead Councillor) proactively attend EAB meetings and EAB Chairmen and / or Vice-Chairmen attend Executive meetings to elaborate on advice given and to receive feedback, be established and adopted.
- (5) That a clear formalised procedure of reporting EAB advice and views to the Executive and EABs receiving Executive feedback be adopted.
- (6) That, in addition to exploring relevant Forward Plan items and Corporate Plan priorities, the EABs have free range to select their own review topics on which to advise the Executive, including the establishment of task groups where considered necessary (and subject to available resources).

- (7) That the EABs receive items sufficiently in advance of determination by the Executive in order to have the opportunity to advise on, and influence, its decisions from a broader knowledge base.
- (8) That the Democratic Services and Elections Manager be authorised to make appropriate amendments to the Constitution to give effect to the above recommendations.

Reason:

To introduce a more efficient and effective EAB configuration and contribution.

EX41 PROPERTY INVESTMENT STRATEGY

At its budget meeting on 5 February 2020, the Council had approved £40million for a new Property Acquisition Fund. The objective of creating the Fund was to help bridge the funding shortfall with the financial aim of investing in property in order to increase the rental income stream for the Council and to stimulate and encourage business growth and sustainable development by investing in key strategic sites.

A property investment strategy would provide a robust and viable framework for the acquisition of commercial properties.

The Executive, having considered a draft strategy setting out the Council's objectives, investment criteria and the process which would be followed when acquiring, disposing and managing property assets for investment purposes

RESOLVED:

- (1) That the Property Investment Strategy, as set out in Appendix 1 to the report including the "Not for Publication" Annex 3 to the Strategy (set out as Appendix 3 to the report), be approved.
- (2) That the sum of £20,000,000 be transferred from the provisional budget to the approved budget.
- (3) That the Head of Asset Management, in consultation with the Director of Strategic Services, the Chief Finance Officer, and the Lead Councillor for Resources, be authorised to acquire property within the set parameters of the Strategy.

Reason:

To provide a framework and governance that allows acquisition decisions to be delegated to officers within the set parameters of the strategy enabling the timely and decisive decision making that is essential in this type of market to respond to opportunities as they arise.

EX42 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 consideration of information contained in the report submitted to the Executive at Item 13 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 1972 Act.

EX43 NORTH STREET, GUILDFORD, DEVELOPMENT SITE

The Executive considered a report concerning proposals for the future of its property holdings in North Street. The report recommended the necessary authorisation, delegation and virement to enable the process to move forward.

The Executive

RESOLVED:

- (1) That the heads of terms as detailed in the report be agreed.
- (2) That, subject to receiving final valuation advice from the Council's external advisors confirming that the transaction amounts to the best consideration reasonably obtainable, the Managing Director, in consultation with the Chief Finance Officer, Leader and Lead Councillor for Regeneration, Lead Councillor for Resources and Ward Councillors be authorised to negotiate and enter into all associated property/contractual documentation required in order to facilitate the sale of the North Street Development Site.
- (3) That the Managing Director be authorised, in consultation with the Leader and Lead Councillor for Regeneration and Lead Councillor for Resources, to agree any minor variations to the heads of terms as detailed in the report submitted to the Executive to address any specific points arising during the course of contractual negotiations with the Purchaser.
- (4) That the Council's public sector equality duties under section 149(1) of the Equality Act 2010 be noted, and that:
 - (a) further work be undertaken to gain a better understanding of the equality implications on any specific groups or individuals sharing relevant protected characteristics who are likely to be affected by the proposed redevelopment of the North Street Development Site, including the proposed temporary relocation of the bus station; and
 - (b) appropriate steps be taken to seek to mitigate adverse impacts on such groups or individuals.

Reasons:

- To enable the sale of the North Street Redevelopment Site
- To support the Council's Place-Making strategic priority set out in its Corporate Plan 2018-2023, and policies in the adopted 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".

The meeting finished at 8.07 pm

Signed

Chairman

Date

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| * Councillor Tim Anderson | * Councillor John Redpath |
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| * Councillor Julia McShane | * Councillor James Steel |

*Present

Councillors Angela Gunning, Ramsey Nagaty, Paul Spooner and Catherine Young were also in attendance.

EX44 APOLOGIES FOR ABSENCE

There were no apologies for absence.

EX45 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

EX46 MINUTES

The minutes of the meeting held on 22 September 2020 were confirmed as a correct record. The Chairman signed the minutes.

EX47 LEADER'S ANNOUNCEMENTS

The Leader informed the meeting that the Mayor, Councillor Richard Billington had left hospital on Monday, that his operation had gone well and that he was now at home where he would continue his recovery from what had been serious surgery. The Mayor and Mayoress were very grateful for all the messages of support they had received.

The Leader commented that the issue of child hunger during school holidays had rightly dominated the news over the past few days. He noted that in Guildford Borough there would be children who, without support, could go without meals that would be normally provided at schools.

However, the Leader observed that we were fortunate in Guildford because the community had stood up along with local businesses to work with this Council to combat food poverty. The Council had continued to provide food parcels to the most vulnerable even after Central Government funding for this ceased during the summer. The Council would extend this support by coordination with its community services team to ensure that families with children at home continued to receive the support they needed. The Council's efforts had been complimented by its partnership with voluntary organisations, the private sector, and the schools themselves. The Leader thanked everyone that had offered help, including the University, Kings School, Foodwise, Stoke Community Support, The Ash, Ash Vale and Ash Green Coronavirus Support Group as well as Mandira's Kitchen donating 250 meals, Pho Restaurant and Love Brownies in Tunsgate offering packed lunches and the Bench Bar at the Sports Park providing hot meals, together with many others. The Leader was investigating setting up a Civic accreditation such that those that had given selflessly throughout the crisis were recognised officially.

The Leader observed there had been much talk about the amount of financial support that came from Westminster including the tranche of £100,000 that had been announced in the previous week. In consideration, the Leader set out the Council's latest estimates for the impact of COVID to its finances and the support it had received.

For the full year it was estimated that the pandemic would have caused £4.5 million in extra expenditure. Principally, this covered looking after the homeless, the cost of providing personal protective equipment (PPE) and subsidising the Council's leisure facilities. The Leader estimated lower incomes of £8.2 million which in the most part was loss of parking income, but also represented reduced income from sports and community facilities. The total impact to the Council's budget was £12.7 million. So far, the Council had received a total of £1.9 million from Central Government, leaving a shortfall of £10.8 million. The Leader explained the Council might expect to receive a further £5 million through the Sales, Fees and Charges scheme whereby the Council was compensated for around 70% of some of its revenues; however, the claims submitted were still being assessed. The best possible scenario for the Council was to have to fund £5.8 million from reserves.

The Leader noted the forecast a gap of nearly £3 million in the Council's budget for next year which would mean further inroads into increasingly scarce reserves, cuts to some of the services or projects to deliver higher revenues. The Council would be starting the formal budget process shortly, which would involve consultation with residents in order to properly inform us as to what the community thinks are priorities, which was important when making difficult decisions about the Council's future service provision.

EX48 TENANCY STRATEGY

The Executive considered a report setting out the requirement for the Council to have a tenancy strategy and appended a revised strategy for adoption. Under the Localism Act 2011 (s.150), the Council had a duty to prepare and publish a tenancy strategy, which should be periodically reviewed. The Council had published a tenancy strategy in 2013 that now required review. The revised strategy had set out how the Council would determine the type and length of tenancies to be offered to social tenants in the Borough. There was a high demand for social housing across the Borough and the Council was the biggest landlord. It was noted that the highest levels of family deprivation in Surrey were to be found in parts of Guildford. Other social landlords (Registered Providers or housing associations) that operated in Guildford would have regard to the Strategy.

The Lead Councillor for Housing and Development Control introduced the report and noted that the landscape of social housing was changing and that it would be necessary to review the Tenancy Strategy more regularly to ensure it was up to date with policy and best practice.

The report included comments from the Community Executive Advisory Board (EAB) arising from the meeting held on 10 September 2020. The Vice Chairman of the EAB endorsed the comments at the meeting.

Having considered the report and the comments of the EAB, the Executive

RESOLVED: That the revised Tenancy Strategy be adopted

Reasons:

1. There is a legal requirement under the Localism Act 2011 for the Council to prepare and publish a tenancy strategy and to review that strategy periodically, which this report addresses. In line with this statutory requirement, all of the social landlords operating in Guildford must consider the Council's over-arching strategy, as set out in the appendices to this report, which has been circulated as a consultation document to each social landlord operating in the Borough, as well as being available online for all stakeholders.

2. Flexible and other tenancies assist as tools in the efficient management of social housing stock in Guildford, which is valued by the Council's social landlord services' function and other social landlords operating in the borough.

EX49 INTRODUCING CHARGES FOR RAT AND MICE TREATMENTS

The Executive considered a report that set out the existing service provision for rodent (mice and rat) pest control treatments provided by the Council. The report proposed a number of options for introducing a charge for the delivery of rodent control treatments which would enable the Executive to make a decision about future service provision.

The Lead Councillor for Environment introduced the report and spoke in support of Option 2. It was noted that the Council provided a high standard of service to residents, but that it was also essential in the current financial climate to consider where savings could be made. It was recommended that a charge should be introduced for rat and mice control treatments but that there should be no charge for those residents in receipt of qualifying benefits. The charge would provide £135,000 saving to the Housing Revenue Account.

Consideration of the report by the Community Executive Advisory Board on 10 September had resulted in an update of the list of qualifying benefits. The EAB's comments and recommendations were set out the report. The Vice Chairman of the EAB attended the Executive meeting and explained that discussion of this topic had raised a number of concerns including the implications of a possible change to the structure of local authorities in the County. Ultimately, the EAB had been most concerned about the implications of the non-reporting of infestations should a charge be levied across the board. The Vice-Chairman, whilst happy to support Option 2, reiterated the EAB's preferred option of continuing the contract for a further 12 months, or Option 1.

Having considered the report and the EAB's comments and recommendations, the Executive

RESOLVED: That Option 2: To continue to offer a contracted-out Pest Control treatment service but introduce charges for rodent treatments with a 100% concession for users in receipt of qualifying benefits, be adopted.

Reason:

In order to ensure the Council had fully considered recommendations for introducing charges for rats and mice treatments for residents.

The meeting finished at 7.37 pm

Signed

Chairman

Date