

EXECUTIVE

18 July 2017

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

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| 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

Councillors Adrian Chandler, Angela Gunning, Nigel Kearse, Susan Parker, Caroline Reeves, and Tony Rooth were also in attendance.

EX25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors David Bilbé and Nikki Nelson-Smith.

EX26 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no disclosures of interest.

EX27 MINUTES

The Executive approved the minutes of the meeting held on 27 June 2017. The Chairman signed the minutes.

EX28 BUDGET ASSUMPTIONS FOR BUSINESS PLANNING 2018-19 TO 2021-22

The Executive considered a report which set out the suggested parameters that officers would use to prepare the 2018-19 General Fund and Housing Revenue Account (HRA) outline budgets and projections for the following three years to 2021-22. These parameters were the level of:

- (a) general inflation to be assumed in expenditure budgets (excluding any increases of a contractual nature)
- (b) pay award to be assumed in the preparation of the salary budgets
- (c) increase in income to be achieved from fees and charges
- (d) council tax and council tax base increase
- (e) housing rent increase
- (f) business rates increase
- (g) government grant predictions

Setting parameters for the whole of the plan period was beneficial in the calculation of projections over the medium term. Officers therefore proposed working assumptions to use in the preparation of the outline budget for 2018-19 and projections for the following three years.

The Executive noted that the assumptions would result in a deficit between projected income and expenditure of £7.1 million over the period 2018-19 to 2021-22. To address this shortfall, officers would continue to identify savings, efficiencies and additional income as part of the business planning process. In addition, the Council was pursuing a programme of transformation to ensure a financially sustainable future based on:

- (a) Commercial / traded services
- (b) Asset investment
- (c) Fundamental service reviews including possible alternative service delivery models where appropriate.

Over the coming months, officers would identify the specific actions and projects required to deliver their services and address the deficit.

Having considered the report, the Executive

RESOLVED:

That the budget assumptions summarised in the table below and detailed in the report submitted to the Executive be used in the preparation of the 2018-19 outline budget and for medium term financial planning purposes:

	2018-19	2019-20	2020-21	2021-22
General Inflation	2.0%	2.0%	2.0%	2.0%
Payroll	2.0%	2.0%	2.0%	2.0%
Income	3.0%	3.0%	3.0%	3.0%
Council Tax increase	£5 (approx 3.3%)	£5 (approx 3.3%)	1.9%	1.9%
Business Rates Inflation	3%	3%	2%	2%
Revenue Support Grant (RSG)	No RSG	No RSG	No RSG	No RSG
Council Tax Base Increase (New homes)	0.56%	0.73%	0.80%	1.07%
Housing Rents	1% reduction	1% reduction	CPI for planning purposes	CPI for planning purposes
Average Weighted Investment Returns	2.0	2.1	2.1	2.1

Reason for Decision:

To set the budget assumptions that officers will use to prepare the 2018-19 outline budget and medium term financial plan.

EX29 VEHICLE CAPITAL PROGRAMME TO MARCH 2019

The Executive, having considered a report setting out the planned vehicle replacement capital requirement for 2017-18 and 2018-19, including the provision available for unplanned service developments or unplanned vehicle requirements,

RESOLVED:

That, in respect of the vehicle replacement requirement, the Executive approves the transfer of £300,000 from the provisional capital programme to the approved capital programme in 2017-18, and the transfer of £600,000 from the provisional to the approved capital programme for 2018-19.

Reason for Decision:

To allow the programme of replacements to proceed.

EX30 TUNSGATE PUBLIC REALM SCHEME - APPROVAL OF CAPITAL FUNDING

The Executive considered a report on the Council's scheme for public realm enhancements in Tunsgate in Guildford town centre, which involved the pedestrianisation of Tunsgate for most of the day. The scheme would complement the private sector investment in the area, contribute towards regeneration of this part of the town and improve accessibility and the pedestrian environment.

The Executive noted that the project was included in the Council's draft capital programme, with a budget of £2 million for a wider scheme covering Castle Street, Tunsgate and Chapel Street. Tunsgate was phase one of the wider scheme. The current estimated cost for phase one was £835,000. The report had sought approval to transfer £835,000 from the provisional capital programme to the approved capital programme to enable the scheme to proceed.

The Executive

RESOLVED:

- (1) That the sum of £835,000 be transferred from the provisional General Fund Capital Programme to the approved General Fund Capital Programme in respect of the Castle Street/Tunsgate public realm scheme.
- (2) That the Director of Environment be authorised, in consultation with Lead Councillor for Infrastructure and Governance, to make all necessary arrangements and enter into any relevant agreements to deliver the scheme.

Reason for Decision:

To enable the scheme for public realm enhancements in Tunsgate to proceed.

EX31 SAFER GUILDFORD PARTNERSHIP PLAN 2017-2020

The Executive considered a report on the work and strategic priorities of the Safer Guildford Partnership and which recommended the adoption of the Safer Guildford Partnership Plan 2017-2020, which was appended to the report, by full Council.

The Safer Guildford Partnership **was** required to carry out an annual partnership strategic assessment, the purpose of which was to assist in producing the priorities for the annual three-year rolling partnership plan. The data, which formed the basis of this analysis, was drawn from a variety of sources and partner agencies across Guildford and Surrey.

The Partnership's priorities were based on key policy areas and the Surrey County Council strategic assessment, which drew together key data sets and combined these with the knowledge and experience of local partners. In summary, these were:

- To focus on threat, harm, risk and vulnerability, including
 - serious and organised crime
 - child sexual exploitation
 - modern day slavery
 - domestic abuse
 - threat of radicalisation
 - cyber related crime
 - supporting vulnerable victims

- To identify and tackle anti-social behaviour hotspot locations and perpetrators
- To reduce re-offending
- To promote reassurance to the public to help make communities stronger

These priorities were included in the proposed new Safer Guildford Partnership Plan 2017-2020, which had been approved by the Executive of the Safer Guildford Partnership.

A review of the Safer Guildford Partnership had recently been completed, which sought to ensure that:

- current ways of working continued to be effective;
- the partnership was fit for purpose and using evidence to inform its activities
- the membership was appropriate to deliver against its priorities
- the partnership was responding to changing national and local priorities

Arising from the review, a number of governance and reporting changes within the Partnership had been introduced, including:

- new members to address gaps in partner representation, including representatives of mental health and probation;
- a revised delivery structure;
- new terms of reference, meeting schedule, agenda structure and performance management arrangements;
- the introduction of an annual review forum to maintain the effectiveness of the Partnership; and
- through a partnership development event, looking back at what had gone well and learning from what may not have.

The ambition of the Safer Guildford Partnership was to be intelligence led and use resources smartly to deliver its community safety plan. This would ensure effective performance and the delivery of tangible outcomes in the right place at the right time.

To support this approach, the Partnership had agreed to the creation of a Partnership Community Safety Analyst. This new role would produce a local strategic assessment based on partnership intelligence and data, drive the work, and focus resources of the partnership. The role would also develop and implement a new performance management framework to enable the partnership to be accountable and improve and provide evidence of its effectiveness. The role would be a fixed term part-time contract for one year initially and the grading was subject to job evaluation. The post would be funded jointly by a significant contribution from Surrey Police and carry forward monies from the Safer Guildford Partnership allocation and report directly to the Community Safety Manager.

Having noted that the Partnership would maintain operational delivery by addressing matters of local concern through the Community Harm and Risk Management Meeting (CHaRMM) and the Joint Action Group (JAG), the Executive

RECOMMEND:

That the Safer Guildford Partnership Plan 2017-2020, as set out in Appendix 1 to the report submitted to the Executive, be approved.

Reason for Recommendation:

To meet the requirement for the Council to adopt a three-year community safety plan for the borough.

EX32 CONSERVATION AREA APPRAISALS FOR RIPLEY AND HOLMBURY ST MARY

The Executive considered a report which sought approval to adopt the draft conservation area appraisals for Holmbury St Mary and for Ripley and to approve a minor boundary change in respect of the Ripley conservation area.

The report explained that the purpose of a conservation area appraisal was to identify clearly what it is about the character of an area that should be preserved or enhanced and to define an area's special interest. The documents could be used by developers when formulating plans in conservation areas, homeowners when planning alterations to their properties and development management when assessing applications in a conservation area.

The report explained in relation to each conservation area appraisal what was special about each area and identified elements that contributed to their significance as a whole. The appraisals provided a greater understanding of an area's character and helped to explain and support the original conservation area designation.

In relation to the Ripley conservation area appraisal, the Executive noted that it was proposed to include within the conservation area the complex of historic buildings to the north side of Ripley Green around Dunsborough House as set out in the draft appraisal statement.

Once adopted, the appraisals would form a material consideration in planning decisions and could be used in the determination of planning appeals and Secretary of State decisions. The Executive

RESOLVED:

- (1) That, subject to the proposed minor boundary change described in this report, the Ripley Conservation Area Appraisal set out in Appendix 3 to the report submitted to the Executive be adopted.
- (2) That the Holmbury St Mary Conservation Area Appraisal, as set out in Appendix 4 to the report, be adopted.

Reason for Decision:

To enable the conservation area appraisals to become material considerations in future planning decisions affecting those areas.

EX33 UPDATE TO THE THAMES BASIN HEATHS SPECIAL PROTECTION AREA AVOIDANCE STRATEGY

Prior to the formal consideration of this matter by the Executive, Gordon Bridger addressed the meeting in accordance with Public Speaking Procedure Rule 3 (a).

The Executive considered a report which sought approval of an update to the current Thames Basin Heaths Special Protection Area (TBHSPA) Avoidance Strategy 2009-2016, which had been adopted in 2010. The Council was obliged to keep planning documents up to date by reviewing them periodically.

Policy NRM6 of the South East Plan required an approach to protecting the Special Protection Area (SPA) from the negative effects of development through the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM). Policy NRM6 formed part of the development plan for the borough.

The Executive noted that work on the Local Plan had advanced and, for it to be found sound, it must demonstrate that development will not harm the SPA, and would need to be supported by an up-to-date strategy.

The proposed updated strategy had been produced at this time for a number of reasons. The basic principles of the approach had been in place since 2006, with the current approach in place since 2010. Experience gained meant that the Council had developed a better understanding of the costs and work involved in delivering, managing and maintaining SANGs. In particular, it was noted that the current tariff underfunded the scheme, and that there would be a shortfall in funding in the longer term (which could potentially have to be met from other budgets). The update recalculated the SANG tariff so that it more accurately reflected the expected occupancy of dwellings (from the 2011 national census), and the true costs of SANG delivery, maintenance and management.

The SAMM tariff had been updated in line with guidance published by Natural England after the adoption of the SAMM tariff. This had reduced the amount charged.

The new tariffs were considered more appropriate and robust because:

- they more accurately reflected the cost of providing SANG and ensured that SANGs would be adequately funded into the future without recourse to other budgets,
- both tariffs were based on expected occupancy so more accurately reflected the impacts that the homes were likely to have on the SPA, and
- it differentiated between four and five bedroom homes, which had significantly different property values.

There had also been changes to national policy and legislation, notably the introduction of the Community Infrastructure Levy (CIL), exemptions from CIL for certain types of development and a restriction on the pooling of section 106 contributions for the provision of infrastructure. The update had stated that the mechanism by which the SANG tariff was secured was under review and the current approach of using s106 agreements might be supplemented (and possibly replaced) by an alternative form of legal agreement or the CIL, or by a combination of measures. This change had been proposed in order to ensure that the SANG tariff could continue to be collected.

New potential SANGs had been identified since 2010 and the situation surrounding existing SANGs had changed. The update had set out this information, identifying proposals for new SANGs and updating the information about available capacity in current SANGs and ongoing work to identify potential SANGs.

There had been a number of proposals for SANGs on land not owned by the Council. This was not covered in any detail by the existing strategy and the lack of guidance had led to long delays in planning decisions. New guidance was therefore needed to smooth the process and inform discussions between the Council and landowners, and also to set out the arrangements required for the long term management and maintenance of the land to ensure the funding measures put in place were secure.

The current strategy made provision for potential SANGs on Broad Street and Backside and Stringers' Commons. During planning consultations, members of the public and public bodies that dealt with public open space had indicated a strong preference for SANGs to be delivered on new open space. The updated strategy had stated this preference.

In the period immediately prior to the Executive meeting, officers had been asked a number of questions regarding whether the approach could be considered discretionary, and whether an alternative approach could be developed (specifically, an approach centred around keeping dogs on the SPA on leads). Whilst this was a separate matter to adopting the updated SPA strategy, as the current approach would continue whether the updated strategy was adopted or

not, officers had sought advice from Cornerstone Barristers in order to provide clarity on these matters.

A copy of the full advice was appended to the Supplementary Information Sheet circulated at the meeting. The advice had concluded that adopting the approach in policy NMR6 was not discretionary for the Council in adopting their new SPA Avoidance Strategy. In any event, the evidence base for any alternative strategy (in particular the suggested alternative strategy of requiring owners to keep pets on leads) was wholly insufficient for the Council to base an SPA strategy on it.

Having given careful consideration to the matter, the Executive

RESOLVED:

That the Thames Basin Heaths Special Protection Area (SPA) Avoidance Strategy Supplementary Planning Document 2017, as set out in Appendix 1 to the report submitted to the Executive, be adopted and in particular the following new measures contained within the updated strategy:

- The introduction of new SANG and SAMP tariffs in order to address a shortfall in funding and prevent recourse to public funds.
- The introduction of new guidance for SANGs on land not owned by the Council, which deals with how and whether the Council will take ownership of or responsibility for managing new SANGs, in order to ensure planning decisions are not unnecessarily delayed and reduce the risks to the Council.
- The development and possible use of an alternative method by which developer contributions for Suitable Alternative Natural Greenspace (SANG) are collected, moving away from exclusively securing payments through section 106 agreement subject to Legal approval.
- Making the temporary SANG officer post in the Parks and Leisure Service permanent.
- Adopting a preference for new SANGs on new public open space rather than existing public open space (such as the Surrey Commons).

Reasons for Decision:

- To ensure the scheme is adequately funded and no recourse to public funds is needed
- To ensure the scheme is adequately resourced in terms of officer time
- To ensure continued protection for the SPA by providing guidance on the approach to mitigation and avoidance required by policy NRM6 of the South East Plan.
- To provide guidance that will prevent delays in planning decisions
- To support the emerging Local Plan by setting out options for SANG in the next plan period.
- To meet obligations to keep planning documents up to date and deliver a plan-led planning system.

EX34 NORTH DOWNS HOUSING LIMITED 2017 – 2022 BUSINESS PLAN

North Downs Housing Ltd (NDH) was the wholly owned housing company established last year by the Council. Progress was being made to deliver on the initial Business Plan approved by the Executive on 23 February 2016. The Executive considered a report setting out a new medium-term Business Plan covering the period 2016- 2046, which had been adopted by NDH, with a particular focus on the next four years.

NDH had sought a further investment of around £22 million over the next two years to support their proposed Business Plan. This request was reflected in a bid considered by the Executive at its meeting on 24 January 2017 as part of the General Fund Capital Programme report.

The plan anticipated additional investment in the following subsequent two years; however, NDH would make funding applications to the Council as and when appropriate having regard to the progress made in delivering the plan.

NDH would operate initially in the well-established private sector residential rental and development sectors within the Borough. The property portfolio would be increased over the next four years through a combination of development and acquisition.

NDH had set itself a five-year target to achieve a residential property portfolio of 200 units. To do so, it would require additional funds of approximately £50 million. The company would seek a funding ratio of loan/equity investment of 60:40. The loan facilities would be drawn-down as required.

The Council would fund both the loan investment and cash equity through borrowing. The need and exact timing of any borrowing would be a treasury management decision taken at the time having regard to the Council's cashflow considerations at the time NDH wished to drawdown its financing.

Having considered the report, the Executive

RESOLVED:

- (1) That the North Downs Housing Business Plan, as set out in Appendix 1 to the report submitted to the Executive, be approved.
- (2) That the investment fund of £22 million be transferred from the Provisional General Fund Capital Programme to the approved General Fund Capital Programme to enable the North Downs Housing Ltd Business Plan to be implemented.

Reason for Decision:

To approve a medium-term Business Plan for North Downs Housing Ltd and to provide the necessary funding to facilitate its implementation.

EX35 CREATION OF A NEW EXECUTIVE SHAREHOLDER AND TRUSTEE COMMITTEE

Councillors noted that the Executive last year established North Downs Housing Limited and its parent company Guildford Borough Council Holdings Limited, with the Council as the sole shareholder. The Council was also sole trustee for five charitable trusts: Arundel House (Hamilton Fellows), The Allen House Public Walks and Pleasure Grounds (Allen House), Burpham War Memorial Recreation Ground (part of Sutherland Memorial Park), The Racks Close Open Space Charity and Guildford Sports Ground (Woodbridge Road Sports Ground).

In order to promote good governance and to demonstrate a clear separation between the Council's role as the Municipal Authority and its separate role as shareholder and sole trustee; officers had recommended the creation of an Executive Shareholder and Trustee Committee. This new Committee of the Executive would fulfil the Council's role as sole shareholder in current and future Local Authority Trading Companies and the role of trustee in several charitable trusts where the Council is the sole trustee.

The Executive therefore

RESOLVED:

- (1) That, in accordance with Executive Procedure Rule 1.2 (a), the Executive approves the creation of a committee of the Executive to be called the Executive Shareholder and Trustee Committee.

- (2) That the terms of reference of the Executive Shareholder and Trustee Committee, as shown in Appendix 1 to the report submitted to the Executive, be approved subject to paragraph (3) below and to the correction of the "Shareholder duties" by the deletion of "*including Business Plans*" from the first bullet point and deletion of "*and trustees*" from the second bullet point.
- (3) That the Monitoring Officer be authorised, in consultation with the Leader, Deputy Leader, and the Democratic Services Manager, to take all necessary action to finalise the terms of reference to be included in the Council's Constitution and to make such other consequential amendments to the Constitution as the Monitoring Officer deems appropriate.

Reason for Decision:

To create a committee of the Executive that will review the activities of the Council's Companies and Charities, including monitoring their performance, which will enable the Council to administer more effectively its responsibilities as the sole shareholder of Companies and sole trustee of Charities.

EX36 IMPLICATIONS OF CHANGES TO POLICING IN SURREY - RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY COMMITTEE

The Executive considered a report which set out a proposal to address recommendations made by the Overview and Scrutiny Committee (OSC) in respect of the implications of the changes to policing in Surrey.

In 2016, the OSC established a task and finish group to investigate the implications of policing changes, with particular reference to the impact on Guildford Borough Council services.

The Executive received a brief outline of the task and finish group's work, including the rationale for the group's recommendations, which were considered by the OSC on 6 June 2017. The OSC made four recommendations as follows (three of which were directed to the Executive):

- R1: 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.
- R2: That the Overview and Scrutiny Committee establish a task and finish group to further review the possible reorganisation or expansion of the Council's anti-social behaviour service.
- R3: 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.
- R4: 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 co-ordinated by Guildford's Joint Action Group.

Following discussions between officers and the Chairman of the OSC, the Lead Councillor for Licensing and Community Safety suggested that all four recommendations are taken forward collectively by a single group.

Rather than Overview and Scrutiny and the Executive separately progressing the matters raised in the task group's report in two different groups, a single group was proposed. Continuing the work in this manner would avoid duplication, ensure a co-ordinated approach, and deliver an effective response to the issues and proposals discussed in the Overview and Scrutiny report.

On balance, the Lead Councillor for Licensing and Community Safety felt that the best approach would be to establish an Executive working group chaired by himself and including interested members of the task and finish group.

The Executive therefore

RESOLVED:

- (1) That all four recommendations of the Overview and Scrutiny task and finish group be taken forward collectively by a single group, which shall be an Executive working group, to be chaired by the Lead Councillor for Licensing and Community Safety.
- (2) That the working group referred to in paragraph (1) above shall include the members of the Overview and Scrutiny task and finish group, namely:

Cllr Nigel Kearse
Cllr Marsha Moseley
Cllr Jo Randall
Cllr Caroline Reeves
Cllr Pauline Searle

and such other councillors, and other persons, as the Lead Councillor deems appropriate.

- (3) That the working group's terms of reference be approved at its first meeting.

Reasons for Decision:

- To comply with Overview and Scrutiny Procedure Rule 12 (c).
- To avoid duplication and ensure a co-ordinated approach, and deliver an effective response to the issues and proposals discussed in the Overview and Scrutiny report.

The meeting finished at 9.32 pm

Signed

Chairman

Date