

# EXECUTIVE

24 August 2021

\* Councillor Joss Bigmore (Chairman)

\* Councillor Jan Harwood (Vice-Chair)

Councillor Tim Anderson  
\* Councillor Tom Hunt  
\* Councillor Julia McShane

Councillor John Redpath  
\* Councillor John Rigg  
\* Councillor James Steel

\*Present

## **EX8 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Tim Anderson and John Redpath.

Councillors Chris Blow, Ramsey Nagaty, Will Salmon and Paul Spooner were also in attendance.

## **EX9 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST**

There were no declarations of interest.

## **EX10 MINUTES**

The minutes of the meeting of the Executive held on 20 July 2021 were agreed as a correct record. The Chairman signed the minutes.

## **EX11 LEADER'S ANNOUNCEMENTS**

The Leader urged residents to get vaccinated and regularly tested as unfortunately, the number of Covid cases were still rising across the borough. It was noted that those who had been 'double-jabbed' no longer had to self-isolate after coming into contact with someone who had received a positive test.

It was announced that the Council was working with the Ministry of Defence and local housing providers to provide housing for refugees from Afghanistan. There had been a great response from private landlords and the work would progress once more guidance was received from Central Government.

The Council's application to the Defence Employer Recognition Scheme for Silver Status award submitted earlier in the year as a part of a commitment to the Armed Forces Covenant had been successful. The Leader expressed gratitude to those officers and councillors involved.

Car-free Day would be held on Sunday 26 September and provide local people with an opportunity to put pedestrians first, consider the climate change emergency and choose sustainable transport options.

There would be a number of Heritage Open days during September and the Farmer's Market would take place on 7 September with over 50 local producers selling a wide range of food and handmade crafts on the High Street.

Council tenants had until 15 September to re-register for the housing list. More details were available on the Council's website.

Finally, the 'Hive' community hub had helped 120 local residents to access food and support last month. Opening hours were Monday to Friday from 10am to 3pm for collection or donations. Items always required were fresh food, dairy and bakery products and other essentials.

## **EX12      AMENDMENTS TO PRIVACY & DATA PROTECTION POLICY**

It had become necessary to update the Council's Privacy & Data Protection Policy so as to promote Payment Card Industry Data Security Standards (PCI-DSS) compliance, to reflect new protocols around ICT usage and security and a number of other minor changes. Should the Council fail to update the Policy and to implement the new changes it would have been open to potential breaches of data protection and possible reputational damage.

Consequently, the Executive,

**RESOLVED:**

That the amendments to the Council's existing Privacy and Data Protection Policy, as set out in Appendix 1 to the report submitted to the Executive, be approved.

### Reason:

To ensure compliance with Payment Card Industry Data Security Standards (PCI DSS), thereby reducing risk of financial and/or reputational damage.

## **EX13      HIGHWAY AND TRANSPORT SCHEMES CRITICAL LOCAL PLAN DELIVERY**

The Executive noted that the report had been submitted to the meeting held on 20 July and at that point in time referred to the Strategy and Resource Executive Advisory Board on 9 August at the request of the Lead Councillor for Regeneration. The EAB was in support of the priorities and the recommendations and the comments arising from the meeting were set out in paragraph 12 of the report. The Lead Councillor's response to those comments was set out in the Supplementary Information Sheet. The Vice Chairman of the Board, Councillor Salmon, was in attendance and was invited to address the meeting to provide a run through of the findings of the Board.

The Lead Councillor for Regeneration explained that the schemes listed in the report were of equal importance to the Council but had been prioritised because of a positive impact on housing delivery and in response to a request from Surrey County Council to agree priorities so that limited county funding could be focused. It was acknowledged that infrastructure interventions required a holistic approach to highways and transport. This required a plan to address the existing problems, accommodate any future growth and to recognise changes in society, travel patterns, congestion, pollution and health. It was not considered necessary to include an additional priority to the list with regard to cycling infrastructure improvements as this would be included in any planning consent and there were modal shift commitments within wider transport policy.

The Lead Councillor reflected that even with the Council's best efforts the pace of progress relating to those strategic sites in the Local Plan was ultimately dependent upon the owners of those sites. In addition, funding opportunities from Government sources to deliver infrastructure projects were currently scarce and potentially housing delivery would not be matched with the required infrastructure. A forthcoming review of the Local Plan would provide the opportunity to revisit those issues.

**RESOLVED:**

That the priority list of highway and transport schemes likely to be critical to Local Plan delivery as described in the report submitted to the Executive, be approved.

Reason:

The approval of the five priority schemes would enable officers to set up regular discussions with Surrey County Council (SCC) and Highways England (HE) on transport infrastructure priorities so that progress can be made in terms of the delivery of the schemes as well as modelling the impact of the schemes in any future transport review likely to be undertaken by SCC. If SCC and HE agree to these priorities it will also assist in terms of lobbying central Government for funding towards these schemes as well as assuring that S106 contributions are made, when appropriate, as planning applications come forward, or that the Council can justify imposing a Grampian condition restricting the amount of development that can come forward in the absence of a particular scheme.

## **EX14 CAPITAL AND INVESTMENT OUTTURN REPORT 2020-21**

The Executive considered the annual outturn report included capital expenditure, non-treasury investments and treasury management performance for 2020-21. The Leader introduced the report.

Performance was well in excess of budget expectations. It was noted that expenditure on the General Fund capital programme was £29.4 million against the original budget of £171.5 million, and revised budget of £28.8 million. The budget for Minimum Revenue Provision (MRP) was £1.64 million and the outturn was £1.29 million. There was slippage in the capital programme which resulted in a lower Capital Financing Requirement than estimated. There was a need to ensure accurate profiling whilst it was noted that slippage in the capital programme in 2019-20 was also due to Covid. Three capital items were recommended for removal from the programme as the original proposals were no longer relevant having been either surpassed or merged within other evolving projects. The property portfolio continued to perform well. It was noted that the Council's assets were currently subject to review alongside the collaboration initiative with Waverley Borough Council in order to better serve the needs of the community. The Council's investment property portfolio had increased by £5 million and stood at £155 million at the end of the year. Rental income was £8.1 million, and income return 5.8% against the benchmark of 4.6%. Interest paid on debt was lower than budget, due to less long-term borrowing taken out on the general fund because of slippage in the capital programme providing a more positive budget outlook. The Council had complied with prudential indicators and treasury management policy statement and practices for the period. The report been considered by the Corporate Governance and Standards Committee at its meeting on 29 July 2021 and the comments arising were set out in the report. The Leader considered that investments for the period had been restrained demonstrating caution and prudence during a challenging period and commended officers for careful budgetary management.

**RESOLVED:**

That the removal of the following schemes from the General Fund Capital Programme be approved:

- (1) Guildford Gyrotory and Approaches
- (2) Stoke Park office accommodation
- (3) Stoke Park – Home Farm redevelopment

Recommendation to Council (5 October 2021):

- (1) That the Treasury Management Annual Report for 2020-21 be noted.

- (2) That the actual prudential indicators reported for 2020-21, as detailed in Appendix 1 to the report submitted to the Executive, 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.

## **EX15 HOUSING REVENUE ACCOUNT FINAL ACCOUNTS 2020-21**

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 as required by the Local Government and Housing Act 1989, 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 2020-21 with a recommendation to transfer a contribution to the reserve. The Lead Councillor for Community introduced the report.

The HRA recorded a healthy operating surplus for 2020-21 of £345,000 less than the budgeted surplus of £10.999 million. The surplus was slightly lower than expected to the level of maintenance and repairs requirements notably in void properties which was being addressed. Rental collection rates had remained high and arrears low for the period despite the challenges of the Covid pandemic. It was noted that support for tenants was in place should there be financial difficulties for individuals facing arrears.

The outturn allowed a contribution of £2.5million to the reserve for future capital and a contribution of £8.15 million to the New Build reserve. The HRA working balance at year-end remained at £2.5 million which was described as healthy balance to invest in new builds and existing stock. Developing the new build sites was a corporate priority for the Council and the lead councillor confirmed that progress on Council-led projects would be brought to the Executive in the coming months.

The Executive noted that lead times on housing delivery were lengthy and the Council was committed to quality and high standards.

The report had been considered by the Corporate Governance and Standards Committee at its meeting on 29 July 2021.

**RESOLVED:**

That the final outturn position on the Housing Revenue Account be noted and that the decision taken under delegated authority to transfer £2.5 million to the reserve for future capital, and £8.15 million to the new build reserve from the revenue surplus of £10.65 million in 2020-21, be endorsed.

Reason:

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

## **EX16 REVENUE OUTTURN REPORT 2020-21**

The Executive considered a report that set out the current situation of the General Fund (GF) Revenue Account which reflected the Council's continued efforts to deal with the Covid pandemic. The report set out the major reasons for the variances and requested the Executive

noted the report and approve the transfer of relevant reserves. The Leader introduced the report.

Originally, the costs of Covid had been assessed by the Council would be between £10 and £15 million, whilst the actual overspend had been £6.3 million. However, although lower than anticipated the overspend on the GF Revenue account illustrated the severity of the impact that the Covid pandemic had on the Council's finances. The underspend on the capital account and extension of Government support packages had provided a buffer, but it was expected that the effects of the pandemic would continue to be observed on the Council's finances into next year.

The effect on a variety of service areas was noted including a parking income severely impacted by the Covid restrictions with a reduction in income of £2.2 million across on-street and off-street provision. Refuse collection costs had increased as it had become necessary to employ agency staff to cover, alongside an increase in the amounts collected over the period. Heritage, leisure and tourism were highlighted as areas that had seen a significant income loss and consequently supported financially by the Council's reserves. The gross financial impact for the Council was £18 million compensated to some extent by Government and County Council support arriving at a net impact of £6.3 million. Aside from earmarked funds, there was just £3.5 million remaining in the Council's reserves that could be used to support future budgets.

There was an overall deficit on the Collection fund of £62.394 million. This was because the Council had granted a significant amount of rate relief to business rate payers during the year under the various Covid rate relief schemes from government. The Government had compensated the Council for the loss of income to the collection fund through a Section 31 grant which would be transferred to offset the deficit and would appear in the GF report for 2021-22.

This report was considered by the Corporate Governance and Standards Committee at its meeting on 29 July 2021. The Committee commended the report to the Executive and stressed financial prudence going forward.

The Leader once again commended the work of officers across what was described as a turbulent year financially for the Council.

#### RESOLVED:

That the Council's final revenue outturn position for 2020-21 be noted and that the decisions taken under delegated authority to transfer the amounts set out in Section 5 of the report to or from the relevant reserves be endorsed.

#### Reasons:

- 1) To note the final outturn position and delegated decisions taken by the Chief Financial Officer which will be included within the statutory accounts.
- 2) To facilitate the ongoing financial management of the Council.

## **EX17 G LIVE CONTRACT EXTENSION**

The Executive considered a report submitted under special urgency arrangements. The Leader thanked the Chairman of the Overview and Scrutiny Committee for agreeing the report could be presented under urgency provisions. The Lead Councillor for Environment introduced the report.

The Council had entered into a 10-year G Live Operator Agreement with HQ Theatres Guildford Limited and QDOS Entertainment PLC (HQT) which dealt with the operation and management of G Live on 12 August 2011. The arrangement included an annual management fee to be paid by the Council whilst receiving 20% of operational surplus. There had been an operational surplus in favour of the Council for the two years prior to the pandemic. The contract was due to expire on 30 September 2021.

The Covid pandemic had caused the open procurement process for a new agreement to be suspended in March 2020. The ongoing pandemic and its effect had made it impossible to operate a procurement process which would have secured a suitable replacement offer for the ongoing operation of the venue. There was no automatic provision within the existing contract to extend the agreement unless there were special circumstances. HQT had successfully operated the venue since it opened with a steady increase in business attracting well-known performers to the venue. Income and attendances had improved each year. It was possible to extend the existing contract on the same terms and conditions under Regulation 72(1)(c) of the Public Contracts Regulations 2015, which allowed for a proportional extension of the current contract subject to meeting specific criteria. There is not a practical alternative to extending the existing contract.

HQT had offered an improved management fee which was permissible under the regulations in exchange for a three-year extension to the existing contract. The share of the operational surplus would be retained. There would be a reduction in the management fee of 15% to decrease the base cost by £53,595 per annum.

The Executive agreed that the contract was favourable to the Council under the current market circumstances, and

**RESOLVED:**

- (1) To extend the G Live Contract with HQ Theatres from 1 October 2021 for 3 years until 30 September 2024
- (2) To grant a Lease to HQ Theatres for a term of 3 years from 1 October 2021 until 30 September 2024
- (3) To make provision for the Lease and Contract to be co-terminus.

**Reason:**

A contract extension was the only viable option at this point due to the impact of the pandemic. A three-year extension offered the best extension period for the Council to meet its medium-term objectives in relation to the financial savings strategy.

**Note:** By reason of the special circumstances described below, the Chairman considered that this item should be dealt with at this meeting as a matter of urgency pursuant to Section 100B 4 (b) of the Local Government Act 1972.

**Special Circumstances:** The current G Live management contract would expire on 30 September 2021 and the Council would need to publish an OJEU notice in advance of entering into the extension, which meant that the decision to extend the contract needed to be taken before 31 August 2021.

The meeting finished at 8.02 pm

# EXECUTIVE

21 September 2021

\* Councillor Joss Bigmore (Chairman)

\* Councillor Jan Harwood (Vice-Chair)

Councillor Tim Anderson

\* Councillor Tom Hunt

\* Councillor Julia McShane

\* Councillor John Redpath

\* Councillor John Rigg

\* Councillor James Steel

\*Present

Councillors Angela Gunning, Ramsey Nagaty, George Potter, Deborah Seabrook and Paul Spooner were also in attendance.

## **EX18 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Tim Anderson.

## **EX19 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST**

There were no declarations of interest.

## **EX20 LEADER'S ANNOUNCEMENTS**

The Leader observed that last weekend had seen the annual Heritage Open Days take place across the borough. Although final visitor numbers were yet to be confirmed the weather and variety of open venues had seen great success. The Leader thanked the Council's new Events Team, all of the volunteers and the venues themselves.

Car Free Day would take place in Guildford on Sunday 26 September. There would be a range of events, live music, stalls and activities going on in the town centre from 10am until 4:30pm to promote sustainable travel and tackling climate change.

Social media videos would be posted on the website setting out for residents what key areas the Council was working on in response to residents' feedback. The first video would look at the new Customer Service Centre. The Leader was pleased to note that over 10,000 Guildford households had signed up to the new 'MyGuildford' accounts that provided a personalised approach to finding out about the Council's services quickly and efficiently.

The new Coronavirus Vaccination Centre had opened at the Artington Park and Ride on the Old Portsmouth Road. It was open from Monday to Saturday. A symptom-free testing unit would also be opening in the rotunda on Friary Street from Wednesday with opening hours of 8am to 5pm.

Finally, Pride in Surrey would be holding its annual event on Sunday and the parade would leave the Bury's Field, Godalming at 10:30am.

## **EX21 APPROVAL OF THE LAND DISPOSALS POLICY AND GUIDANCE DOCUMENT**

The report before the Executive was introduced by the Leader in the absence of the Lead Councillor for Resources.

It was explained that local authorities had the freedom to dispose of their land in any manner that they wish subject to certain provisions set out in legislation. The Council owned a range of properties for operational, strategic, and investment purposes. Periodically, reviews of all of the Council's properties were undertaken to ascertain whether they remained relevant to the Council's purposes. Additionally, the Council also received unsolicited applications from existing occupiers of properties and from unrelated third parties enquiring as to the availability of Council land and assets. Consequently, this would lead to decisions as to whether the Council should retain or dispose of certain land or property.

The Local Government & Social Care Ombudsman (LG&SCO) considered it good practice for local authorities to have in place a comprehensive set of guidelines outlining their own approach to land disposals and a draft policy was presented with the report for consideration by the Executive.

It was noted that the policy was an internal document, and if approved would be subject to regular review by the Head of Asset Management (Climate Change Lead) with the aim of seeking continual improvement in the standard of asset disposal across all Council services. Any amendments or updates to the policy would be considered and discussed with the Lead Legal Specialist and, where relevant, the Head of Housing.

Adoption of the policy would ensure the Council's compliance with all statutory obligations.

#### RESOLVED:

That the Land and Property Disposal Policy and Guidance Document ('the Policy') shown in Appendix 1 to the report submitted to the Executive be approved.

#### Reason(s):

To adopt a formal policy in respect of the mechanism of land disposal in order to ensure that relevant legislation is complied with and enable the Council to ensure its land disposal procedures are transparent, whilst making the best use of its resources and achieving best value, therefore underpinning the Council's strategic framework and the delivery of the corporate plan.

## **EX22      COLLECTION OF COUNCIL TAX ARREARS GOOD PRACTICE CITIZENS ADVICE BUREAU (CAB) PROTOCOL**

In the absence of the Lead Councillor for Resources, the Leader introduced the report. The Leader took this report in advance of the Debt Recovery Policy report as he considered it a more logical sequence for discussion.

The Council Tax Protocol was initially developed in 2017 by the Citizens Advice Bureau (CAB) in partnership with the Local Government Association (LGA) and offered practical steps aimed at preventing people from getting into debt and outlined how to ensure enforcement agents acted within the law. By July 2021 the protocol had been adopted by 63 local authorities in England and 251 had not. At a meeting of full Council held on 28 July 2020, it was agreed that the Director of Resources would review the CAB and Local Government Association's LGA "Revised Collection of Council Tax Arrears Good Practice Protocol" and report back to the relevant Executive Advisory Board (EAB) in regard to how the Council's approach differed from the protocol and if those differences should be reconciled by adoption of the protocol by this council. The Council already met the overarching aims of the protocol in regard to partnership working and fairness in the billing process, alongside information of where to get support and advice. Enforcement was the very last option open to the Council, vulnerability and hardship had been taken into account. The full differences between the CAB protocol and the Council's current approach were set out in the report. It was noted that there would be a cost incurred to



meet all of the CAB requirements within the protocol but the benefits of doing so not demonstrably clear.

A means by which the Council could move closer towards meeting all requirements in the CAB protocol would be to adopt a debt policy which would be considered as the next agenda item.

The Service Delivery EAB considered the existing arrangements to be comprehensive and robust but recommended that the matter be revisited as collaboration with Waverley Borough Council progressed. It was considered a review in one year's time would be appropriate. It was noted that, to date, Waverley had not adopted the protocol either. The Vice Chairman of the Service Delivery EAB was in attendance and provided a verbal report of the recommendations made to the Executive.

The Executive commended the service for the support it provided to the borough's more financially vulnerable residents, and

**RESOLVED:**

To not adopt the CAB Protocol now; but that officers revisit the issues (including cost of compliance) when looking at future working with Waverley to ensure consistency and best practice moving forward.

**Reasons:**

Having reviewed the protocol the benefits do not currently outweigh the cost of compliance, given that the Council already meets the overarching aims of the protocol and service levels are acknowledged as good. However, reviewing the issues when looking at future working with Waverley will ensure consistency and best practice moving forward.

## **EX23      POLICY ON DEBT RECOVERY**

In the absence of the Lead Councillor for Resources the Leader introduced the report.

The Executive heard that the report was a result of some research by officers in the Council to ensure that residents were being treated fairly and appropriately if they had multiple debts. The Homeless Reduction Act 2017 was a driver for considering the idea of a policy. The Act placed a duty on the council to ensure that advisory services are designed to meet the needs of groups that are at increased risk of becoming homeless. In addition, there had been concerns at officer level that residents with Council Tax arrears could also have difficulties with Council rents and that there should be a joined up approach. The research found no evidence of a problem but concluded that a policy would provide certain benefits such as a consistent approach across the Council for residents with multiple debts, clarity of that approach and a tool to help in the debt collection process.

The draft policy had been considered by the Service Delivery Executive Advisory Board (EAB) and all recommendations from that process were included in the draft before the Executive. A simple, accessible version of the policy would be posted to the Council's website for the assistance of residents. The Vice Chairman of the EAB, Councillor Ramsey Nagaty was in attendance and supported the recommendations to the Executive as set out in the report.

It was noted that Waverley Borough Council did not have a Debt Recovery Policy and it was suggested that this be might considered as a topic during collaboration discussions.

The Executive,

**RESOLVED:** That the Corporate Debt Recovery Policy, as set out in Appendix 1 to the report submitted by the Executive, be adopted.

Reason:

Adopting a short, clear policy setting out both Council and Debtor responsibilities could deliver the following benefits:

- A consistent approach across the Council, and a way forward for any customers with multiple debts
- Clarity for customers
- A tool to help in the debt collection process

## **EX24 COUNCILLOR EMAIL SIGNATURE GUIDANCE**

The Leader of the Council introduced the report.

Following a councillor misconduct complaint which had been referred for investigation, the investigator identified an issue that needed to be addressed by the Council. The issue was the apparent confusion around the email signatures used by some councillors who tended to list various non-Council roles in their signature, resulting in confusion in respect of the capacity in which a councillor was communicating with a correspondent. The matter had been referred to the Corporate Governance Task Group for consideration.

The guidance arising from the Task Group review was set out in Appendix 1 of the report along with an amendment to allow political affiliation as set out in the Supplementary Information Sheet. Included in the guidance was an instruction that councillors should not use a personal email address for council business for reasons of data security and any Freedom of Information requests. Email etiquette conduct was also included in the guidance advising members on the use of capital letters and 'reply to all' responses.

The Task Group also recommended that it should be a requirement in the Councillors' Code of Conduct that councillors comply with the guidance.

Having considered the report, the Executive

### **RESOLVED:**

That, subject to the amendments set out in the Supplementary Information Sheet, the Councillor Email Signature Guidance, as set out in Appendix 1 to the report submitted to the Executive, be approved.

The Executive further

RECOMMEND to Council (5 October 2021):

That the Council be requested to agree the following amendment to paragraph 9 of the Councillors' Code of Conduct:

"9. In addition to compliance with this Code of Conduct, you are also expected to comply with:

- (i) the relevant requirements of the Protocol on Councillor/Officer Relations, the Social Media Guidance for Councillors, **the Councillor Email Signature Guidance**, and the Probity In Planning – Councillors' Handbook, and
- (ii) any reasonable request by the Council that you complete a related party transaction disclosure."

Reason:

To ensure clarity for the recipients of emails sent by ward councillors in which capacity they are writing.

**EX25 WEYSIDE URBAN VILLAGE DEVELOPMENT**

The Leader reminded the meeting that all of the appendices attached to the report before the Executive were designated as exempt by the Monitoring Officer. Consequently, if the exempt material were to be discussed the press and public would need to be excluded from the meeting.

The Lead Councillor for Regeneration introduced the report as the latest update on the 41-hectare brownfield regeneration scheme that the Council anticipated could deliver approximately 1,500 homes across a range of tenures as well as 2,000 square metres of community space and 6,500 square metres of employment space. The Council owned 44% of the site. At the full Council meeting on 10 February 2021, a total capital budget of £334.947 million had been approved to enable the infrastructure phase of the project to proceed. The updated cost was £328m.

The Executive was asked to endorse the current financial position of the project at the planning application gateway stage and to agree to transfer £67.185m from the provisional capital programme budget to the approved capital programme budget for payments which the Council was obliged to make for costs necessary under the Thames Water Agreement and to meet the milestones set within the Homes England HIF agreement and design cost necessary to prepare the planning application for the SCC waste transfer facility. The Council had been awarded £52m in grants from Homes England Housing Infrastructure Fund and £7.5m from the M3 Local Enterprise Partnership with a further £500,000 awarded for the relocation of community facilities.

On 15 December 2020 a hybrid planning application had been submitted to the Council seeking outline consent. The 'hybrid' application was so called as part of the application sought outline permission for housing, employment and community space etc. whilst full permission was sought for access roads and associated utilities etc. Heads of terms with Surrey County Council was in the process of being agreed and once agreed the new waste facility could proceed. The budgeted costs were set out in the report.

The Executive agreed that under Section 100A(4) of the Local Government Act 1972 (as amended) and Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for consideration of the exempt Appendices referred to in agenda item 9 on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the 1972 Act.

The meeting discussed the restricted material and returned to public session for the vote on the recommendations.

The Executive

**RESOLVED:**

- (1) That the current financial position of WUV at the planning committee meeting gateway be endorsed.
- (2) That the Director of Strategic Services, in consultation with the Leader of the Council and the Lead Councillor for Regeneration, be authorised to finalise heads of terms in accordance with those attached to the report and thereafter to negotiate, sign and complete the legal agreement with Surrey County Council in accordance with the finalised

heads of terms and to proceed with implementation of the relocation of the Waste Transfer Facility accordingly.

- (3) That the Director of Strategic Services, in consultation with the Lead Councillor for Regeneration, be authorised to enter into such other contracts and legal agreements connected with the Weyfield Urban Village (WUV) project as may be necessary at reasonable costs within the approved budget.
- (4) That the commencement of infrastructure procurement following receipt of a satisfactory planning consent pursuant to Hybrid planning application submitted on 15 December 2020 (Reference No 20/P/02155) be endorsed.
- (5) That the transfer of £67.185m from the provisional capital programme to the approved capital programme for payments which the Council is obliged to make to Thames Water under the TW Agreement for 2021/22 and 2022/23, for costs necessary to meet the milestones set within the Homes England HIF agreement and design cost necessary to prepare the planning application for the SCC waste transfer facility be approved.

Reasons:

- a) It was agreed that the project team would report the financial position of WUV at the planning committee meeting gateway.
- b) To ensure that there is sufficient funding in the approved programme to cover the phase 1 Infrastructure costs, SCC waste transfer design cost and the payments which the Council is obliged to make to TWUL under the TW Agreement for 2021/22 and 2022/23.
- c) To inform the Executive of the Commencement of Infrastructure Procurement following receipt of a satisfactory planning consent.

The meeting finished at 8.15 pm

# EXECUTIVE

26 October 2021

\* Councillor Joss Bigmore (Chairman)  
Councillor Jan Harwood (Vice-Chair)

\* Councillor Tim Anderson  
\* Councillor Tom Hunt  
\* Councillor Julia McShane

\* Councillor John Redpath  
\* Councillor John Rigg  
\* Councillor James Steel

\*Present

Councillors Ruth Brothwell, Angela Goodwin, Ramsey Nagaty, George Potter, Tony Rooth, Fiona White and Catherine Young were also in attendance.

## **EX26 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Jan Harwood.

## **EX27 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS**

There were no disclosures of interest.

## **EX28 MINUTES**

The minutes of the meetings held on 24 August 2021 and 21 September 2021 were confirmed as correct a correct record. The Chairman signed the minutes.

## **EX29 LEADER'S ANNOUNCEMENTS**

There had been a return to the discussion of Covid restrictions in the press whilst the numbers of those requiring hospitalisation were rising. The Leader urged those who had not yet received full vaccination for Covid and flu to do so to protect others and to support the NHS.

The new waste collection calendar would shortly be delivered to each household in the borough. The calendar would set out delivery dates and guidance on sorting rubbish and what to correctly place in each bin.

Crowdfund Guildford would help support community-led ideas that would make Guildford more vibrant, resilient, and connected. An online launch event would be held on 10 November. Registration and more details could be found at [www.guildford.gov.uk/crowdfundGuildford](http://www.guildford.gov.uk/crowdfundGuildford)

In recognition of Remembrance Day and 100 years of the symbol of the poppy in remembrance, a special exhibition of the 'Infantry Collection' would run at Guildford House Gallery from 6 to 14 November. The curators had welcomed contributions from volunteers and stories submitted by the public. Opening times for the exhibition were 10:30am to 3:30pm.

## **EX30 UPDATE TO FOI PUBLICATION SCHEME**

The Executive considered a report seeking the approval of an updated version of the Council's Freedom of Information Publication Scheme. The Freedom of Information Act 2000 awarded a general right of access to all types of recorded information held by public authorities. Section 19 of the Act required every public authority to produce a publication scheme setting out the information made routinely available to the public. The Council's Publication Scheme needed to

be updated from time to time to reflect organisational and legislative changes and the most recent guidance available from the Information Commissioner's Office.

The Leader of the Council introduced the report. The Executive unanimously supported the update and consequently,

RESOLVED that the revised Publication Scheme, as set out in Appendix 1 to the report submitted to the Executive, be approved.

Reason:

For an improved up to date, more comprehensive and more user-friendly Publication Scheme in line with the Information Commissioner's recommendations and with other local authorities

### **EX31 LICENSING OF SEX ESTABLISHMENTS: STATEMENT OF LICENSING POLICY 2022-2025**

Under the Policing and Crime Act 2009 local authorities became able to adopt a policy and standard conditions relating to sexual entertainment venues, sex shops and sex cinemas. There were no such venues in the Borough but it was good practice for the Council to hold an up to date policy should the situation change. The Executive had last agreed and adopted a policy with standard conditions on 30 October 2018. That policy was due to expire and an updated policy, reflecting best practice but with no policy changes was presented to the Executive for approval. The revised policy had been subject to public consultation and was recommended to the Executive by the Licensing Committee on 29 September 2021.

The Lead Councillor for Environment introduced the report. The Executive considered the updated policy and consequently,

RESOLVED, that the draft Licensing of Sex Establishments Statement of Licensing Policy 2022-2025, as set out in Appendix 1 to the report be approved.

Reason:

Adopting an updated Licensing of Sex Establishments Policy would provide guidance to applicants and a framework to enable the Council to make consistent and transparent decisions when determining applications for sex establishments.

### **EX32 CORPORATE PLAN 2021-2025**

The Council's draft Corporate Plan set out the strategic framework and priorities for the next four years. The priorities and associated projects were fundamental to ensuring that the Council managed its business and resources effectively and that the Council's activities continued to be aligned to the issues that mattered most to local people.

The Leader of the Council introduced the report. It was explained that a new plan had been under development since 2019 prioritising four key themes; Climate Change and Environment, Housing and Community, Economy and Regeneration, and Improved Council. Consultation with all councillors had been undertaken through a workshop process in November 2019 and the outcomes put out to public consultation in early 2020. The results of the public consultation were set out in the report. The onset of the Coronavirus pandemic put the process on hold and when recommenced one year later it was felt that a new public consultation should be undertaken to reflect any shift in the public's priorities during such an unprecedented period. The results of the second public consultation were also set out in the report. Following the incorporation of the public priorities the revised Plan was presented to the Council's Joint Executive Advisory Board (JEAB) in March 2021 for further consultation with councillors. The

JEAB's comments were set out in the report. The resulting document embracing all consultation was the version presented to the Executive for endorsement. The Chairman of the JEAB was not in attendance, the Vice Chairman had no further comments to those set out in the report.

A 'printer-light' version without extensive colours photographs would be available to download from the Council's website. It was noted that it was important to ensure that the document was accessible to all. Subject to the Leader of the Council consulting with the lead Councillor for Climate Change, it was proposed that the version of the Corporate Plan to be submitted to the Council for adoption would include some minor modifications with regard to environmental matters and specifically biodiversity. The Executive

**RECOMMEND (to Council: 1 November 2021):**

That the proposed new Corporate Plan 2021-2025, as set out in Appendix 1 to the report submitted to the Executive, with some minor modifications, be adopted.

**Reason:**

The proposed new Corporate Plan had been prepared to set out the Council's priorities for the period up to 2025.

**EX33 CITY STATUS**

As part of the Queen's Platinum Jubilee celebrations, there was a civic honours competition for city status. Any local authority that considered that its town ought to be granted city status was able to enter. The Executive considered a report that sought approval for Guildford to submit a bid. In the past there had been three previous bids for city status that had been unsuccessful.

The Leader of the Council introduced the report and explained that city status would support local businesses and tourism and attract investment which were corporate priorities. It was noted that the county of Surrey had no cities within its borders and that Guildford, considered to be the 'County Town' had significant and worthy merit to be awarded the status including a rich history and cultural heritage, successful cutting-edge technologies and businesses and excellent educational opportunities including a world-class university. A 'Back the Bid' campaign had been launched to canvass support in the local community and an updated list of supporters was included on the Supplementary Information Sheet. There was wide-ranging support from a variety of individuals and institutions and cross-party support from within the Council itself.

The Leader observed that those not in support of the bid had expressed concerns about the cost of the bid, potential urban growth, and a change of character for the town. It was confirmed that costs had been sourced from existing budgets and that the Government had specifically requested 'slimline' bids in reflection of the financial challenges faced by local authorities. The Leader believed that the small investment made to submit a bid would be an investment in the longer term. There had been voluntary support from other organisations who were supportive of the bid such as the University of Surrey. It was observed that economic growth was inevitable for the future irrespective if Guildford were a city or a town in terms of status. The Leader observed that should the outcome of the bid be unsuccessful the process of gathering support had been a positive experience for all involved and he would share some of those sentiments about Guildford that he had received.

The significant advantages with regard to future investment potential should city status be awarded were acknowledged. Accordingly, the Executive

**RESOLVED:** That the Director of Strategic Services, in consultation with the Leader of the Council, be authorised to submit a bid for city status for the borough of Guildford as part of the Queen's Platinum Jubilee celebrations.

Reason:

To authorise the submission of a bid for city status.

**EX34 REGULATION 19 CONSULTATION ON LOCAL PLAN: DEVELOPMENT MANAGEMENT POLICIES**

Item 9 was withdrawn from the agenda for this meeting due to the need for additional time to enable Executive Members to give full consideration to the feedback given by members of the Joint Executive Advisory Board at their meeting on 20 September 2021. The item would be considered at the next earliest opportunity.

**EX35 LOCAL DEVELOPMENT SCHEME 2021**

As item 10 was linked to item 9, it too was withdrawn from the agenda for this meeting.

**EX36 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 consideration of agenda item 12 on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A to the 1972 Act.

**EX37 NORTH STREET DEVELOPMENT SITE, GUILDFORD**

The Executive considered a report that updated on the progress of the Council's interests in the site, explained the proposed changes to the developer's proposals for the redevelopment of the site and discussed how those various proposals were set out, including engagement with relevant stakeholders and interested groups. The Lead Councillor for Regeneration introduced the report.

The Executive was content with progress and consequently,

RESOLVED:

(1) To agree the Heads of Terms, which included:

- The sale of the majority of the Council's interest in the Site.
- The grant of a long leasehold of the area to the south of the refurbished bus station for the creation of new public realm.
- Provision of a refurbished bus facility.
- Pedestrianisation of North Street.
- Leapale Road widening.
- New North Street / Leapale Road junction.

(2) To undertake further work to establish a clear understanding of the scope, extent and estimated costs of any public works and services included in the proposed development and, subject to obtaining this information, to consider options for procuring the delivery of any public works and services to ensure compliance with the Find a Tender rules and the Council's procurement policies.



- (3) To authorise the Strategic Services Director, in consultation with the Lead Councillor for Regeneration, to agree any minor variations to the heads of terms to address any specific points arising during the course of contractual negotiations with the Purchaser.
- (4) To authorise the Strategic Services Director, in consultation with the Lead Councillor for Regeneration and the Director of Resources, to negotiate and enter into all associated property/contractual documentation required in order to facilitate the sale of the Council's interests in the Site, subject to receiving final valuation advice from the Council's external advisors confirming that the transaction amounts to the best consideration reasonably obtainable.
- (5) To authorise the Strategic Services Director, in consultation with the Lead Councillor for Regeneration, to establish a working group consisting of stakeholders, councillors and officers to make recommendations to the Executive in respect of the design of the refurbished bus interchange (including the associated access and public realm improvements) and the proposed pedestrianisation of North Street.
- (6) To authorise the Strategic Services Director, in consultation with the Lead Councillor for Regeneration to develop and take forward a plan for engagement with market traders, taxi operators and any other parties that are impacted by the development.
- (7) To note the Council's public sector equality duties under section 149(1) of the Equality Act 2010.

Reason:

To progress the proposals for redeveloping the site.

The meeting finished at 8.00 pm