

STATEMENT OF EXECUTIVE DECISIONS

Thursday, 24th August, 2023

The decisions summarised below were taken by the Executive at the above-mentioned meeting and, subject to the call-in procedure referred to in Overview and Scrutiny Procedure Rule 16 and to Note (a) at the end of this document, shall have effect 96 hours after the meeting. Details of any recommendations to Council are also included for completeness.

Members of the Executive

Chairman:

*Councillor Julia McShane (Leader of the Council & Lead Councillor for Housing)

Vice-Chairman:

*Councillor Tom Hunt (Deputy Leader of the Council & Lead Councillor for Regeneration)

*Councillor Angela Goodwin, Lead Councillor for Engagement and Customer Services

*Councillor Catherine Houston, Lead Councillor for Commercial Services

*Councillor Richard Lucas, Lead Councillor for Finance and Property

Councillor Carla Morson, Lead Councillor for Community and Organisational Development

*Councillor George Potter, Lead Councillor for Planning, Environment and Climate Change

*Councillor Merel Rehorst-Smith, Lead Councillor for Regulatory and Democratic Services

*Present

Councillor Yves De Contades was in remote attendance.

Agenda Item No.		Officer(s) to action Item
1.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received from Councillor Carla Morson.</p>	
2.	<p>LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST</p> <p>There were no declarations of interest.</p>	
3.	<p>MINUTES</p> <p>The minutes of the meeting held on 20 July 2023 were confirmed as a correct record. The Chairman signed the minutes.</p>	
4.	<p>LEADER'S ANNOUNCEMENTS</p> <p>The Leader announced that the annual Heritage Open Days would take place between Friday 8 and Sunday 10 September which would allow free access to heritage assets that would, in some cases, be closed to the public.</p>	
5.	<p>* VEHICLE REPLACEMENT PROGRAMME FOR 2024/25</p> <p><u>Decision:</u></p> <ol style="list-style-type: none"> <li data-bbox="343 1254 1276 1377">1. That the programme of replacement vehicles for 2024-25 be approved, and that the sum of £2.15m be moved from the provisional capital programme to the approved capital programme. <li data-bbox="343 1411 1276 1612">2. That authority be delegated to the Executive Head of Environmental Services to carry out a compliant procurement process, award the contracts to the successful tenderers, and, in consultation with the Executive Head of Legal & Democratic Services and the Lead Councillor, enter into the relevant contracts. <p><u>Reason:</u></p> <p>To allow for the replacement of the waste and garden waste vehicles in 2024.</p> <p><u>Other options considered and rejected by the Executive:</u></p> <p>To further delay replacement or further investigate viable alternative propulsion, such as EV or hydrogen; however, this would result in</p>	<p>Chris Wheeler</p>

delays and increased service reliability risks.

Any conflicts of interest declared:

None.

6. REVIEW OF GUILDFORD BOROUGH COUNCIL'S COVERT INVESTIGATIVE POWERS POLICY AND ALIGNMENT WITH THE POLICY OF WAVERLEY BOROUGH COUNCIL

Decision:

That the draft Covert Investigative Powers Policy, as set out in Appendix 1 to the report submitted to the Executive be adopted, subject to the same policy being adopted by Waverley Borough Council.

Kate
Gillman

Reasons:

1. To align the policies of Guildford and Waverley and to improve consistency in reporting, monitoring and approval of covert surveillance and acquisition of communications data.
2. To ensure the integrity of the processes in place for the use of directed surveillance, covert human intelligence sources (CHIS) and acquiring communications data.
3. To maintain compliance with the Legislation and Codes of Practice that govern Investigatory powers and Human Rights
4. To ensure collaborative engagement with the IPCO and their inspectors
5. To ensure staff are fully trained and aware of their powers, duties and the authorisation process.

Other options considered and rejected by the Executive:

1. To adopt the new aligned policy with such amendments as the Executive saw fit. However, the Executive was mindful that any such amendments might not be adopted by Waverley Borough Council which would negate the benefits of having an aligned and identical policy.
2. To not adopt the new policy and retain a separate and different policy framework for each council. Along with not aligning to two authorities, there was also a risk that the policies would not be compliant with the current guidance.

Details of any conflict of interest declared by the Leader or lead councillors and any dispensation granted:

None.

7. EXECUTIVE WORKING GROUPS 2023

Decision:

1. That the working groups recommended to continue as specified in Appendix 1 and listed in paragraph 2.1 of the report submitted to the Executive, be retained and that those working groups continue to operate under the terms of reference and membership as set out in Appendices 2 to 9.
2. That, where membership of those working groups listed to continue do not have full membership, the appropriate lead councillor shall liaise with group leaders to fill those vacancies.
3. That the Community Board be disbanded.
4. That the draft terms of reference for the new Financial Recovery Executive Working Group, as set out in Appendix 9, be approved.

Carrie
Anderson

Reasons:

1. To assist the Executive to select or set up appropriate, properly resourced groups to provide support or undertake work on its behalf.
2. To comply with the requirement on the part of the Executive to periodically review the continuation of the various Working Groups in accordance with Council Procedure Rule 24 (k).
3. The Community Board, this group has not met since being created and has made no contribution.
4. To comply with the recommendations of the Council meeting on 25 July 2023.

Other options considered and rejected by the Executive:

None.

Details of any conflict of interest declared by the Leader or lead councillors and any dispensation granted:

None.

NOTES:

(a) Any decision marked “#” means that the item was deemed by the Chief Executive and agreed by the Executive and Chairman of the Overview and Scrutiny Committee to be a matter of urgency for the reason indicated and, in accordance with Overview and Scrutiny Procedure Rule 16 (h), such decision takes effect immediately and is therefore *not* subject to the call-in procedure.

(b) The call-in procedure is as follows:

(i) the Chairman of the Overview and Scrutiny Committee; or

(ii) a minimum of five members of the Council

may require that a decision be referred to the Overview and Scrutiny Committee for review.

(c) Councillors wishing to exercise their right to call-in a decision taken by the Executive must give notice in writing to the Democratic Services and Elections Manager. The reason for a councillor calling-in a decision shall accompany any such request and must meet one of the following criteria:

(a) that there was insufficient, misleading or inaccurate information available to the decision-maker;

(b) that all the relevant facts had not been taken into account and/or properly assessed;

(c) that the decision is contrary to the budget and policy framework and is not covered by urgency provisions; or

(d) that the decision is not in accordance with the decision-making principles set out in the Constitution.

Such notice should be marked for the attention of John Armstrong who can be contacted by e-mail on john.armstrong@guildford.gov.uk

(d) On receipt of a call-in request, the Monitoring Officer will decide, in consultation with the chairman of the Overview and Scrutiny

Committee, whether it is valid and will notify the councillors concerned accordingly.

- (e) In the case of a valid call-in, the decision shall be referred to a special Call-in meeting of the Overview and Scrutiny Committee, which shall be held within 21 days of the decision on validity referred to in paragraph (d) above.
- (f) A decision marked with an asterisk denotes that the matter is a “Key Decision” which is defined in the Council’s Constitution as an executive decision:
 - (i) which is likely to result in significant expenditure or savings (of at least £200,000) having regard to the budget for the service or function to which the decision relates; or
 - (ii) which is likely to have a significant impact on two or more wards within the Borough.