

EXECUTIVE

26 January 2023

- * Councillor Julia McShane (Chairman)
- * Councillor Joss Bigmore (Vice-Chairman)

- | | |
|----------------------------|---------------------------|
| * Councillor Tim Anderson | * Councillor John Redpath |
| * Councillor Tom Hunt | * Councillor John Rigg |
| * Councillor George Potter | * Councillor James Steel |

*Present

Councillor Angela Goodwin was in remote attendance.

EX73 APOLOGIES FOR ABSENCE

There were no apologies for absence.

EX74 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

EX75 MINUTES

The minutes of the meeting held on 5 January were approved as a correct record. The Chairman signed the minutes.

EX76 LEADER'S ANNOUNCEMENTS

The Leader of the Council made the following announcements:

There would be a fresh round of funding available from Crowdfund Guildford and an upcoming workshop would be held on 23 February to learn how to get involved and how to run a campaign. The deadline to apply was 29 March and residents were encouraged to visit the Spacehive website to find out more. Local businesses were also encouraged to pledge or promote the funding opportunity.

[Crowdfund Guildford - Home \(spacehive.com\)](https://www.spacehive.com)

The Council had recycled 7,670 Christmas trees in two weeks. This was a 12.5% increase on last year and good for sustainability.

The deadline for nominations to The Mayor's Award for Service to the Community was Friday 3 February. The award recognised individuals, groups and organisations who have gone above and beyond to serve their local community. Nominations should be submitted via the website.

[Nominations to open for The Mayor's Award for Service to the Community - Guildford Borough Council](#)

On the evening of Thursday 9 February there would be a 'Becoming a Councillor' briefing session. Those interested in becoming an elected member should email electoral services to find out more: electoralservices@guildford.gov.uk

EX77 TO CONSIDER ANY RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

The Executive was asked to note that, at a meeting held on 17 January 2023, the Overview and Scrutiny (O&S) Committee considered a report on the Stray Dog Service. The draft minutes and recommendations were set out in the Supplementary Information Sheet.

The O&S Committee had suggested there was merit in councillor oversight or involvement in the contract preparation process, including consultation about the specification of the contract when it was next put out to tender and in ensuring councillors had a clear understanding of the contract management process and elements of the procurement process, together with information on the costs paid by the Council for the current service.

The Lead Councillor for Environment and Regulatory Services indicated his support for input from councillors as proposed by the O&S Committee. There were no further comments from the Executive.

RESOLVED:

To ensure Councillor involvement in the processes for the procurement, contract preparation, and contract management of the stray dog service.

Reason(s):

To provide oversight of the service.

EX78 CAPITAL AND INVESTMENT STRATEGY (2023-24 TO 2027-28)

The Chairman advised that this report had also been considered by the Corporate Governance and Standards Committee on 19 January 2023 and the Joint Executive Advisory Board on 24 January 2023. The comments arising from those two meetings were set out in the Supplementary Information Sheet.

The Deputy Leader of the Council and Lead Councillor for Finance and Planning Policy introduced the report.

The Executive heard that the Local Government Finance Act 2003 required all councils to have an approved investment strategy that paid regard to the CIPFA Management Code of Practice and the CIPFA Prudential Code.

The Council had an ambitious capital programme supporting investment into services and standalone projects supporting its corporate objectives of regeneration, delivering homes and the infrastructure to enable the local economy to fulfil its potential. There was currently a high risk to the affordability of the Council's capital programme as borrowing would need to increase significantly and external funding sources utilised despite the volatility of interest rates. Those projects set out in the provisional capital programme would require further Executive endorsement before they could be progressed. New project proposals were set out in the report including, significantly for the General Fund, upgrades to the Spectrum Leisure Centre and funding to facilitate the operational move of the depot. Both projects would undergo business case scrutiny, including potentially repositioning the depot cost to the Weyside Urban Village Project.

There would be a further £20 million investment in the Council's housing stock during the period 2023-24 adding to the £24.5 million spent during 2022-23 which would be funded from reserves. There would be £145 million remaining in the Housing Revenue Account Business Plan to spend either on further improvements or acquiring additional stock, potentially from Guildford Park Road or Weyside Urban Village.

The capital programme would have revenue implications for up to fifty years with regard to infrastructure projects. The Chief Finance Officer must be assured that the programme was prudent, affordable and sustainable. Therefore, the report was measured against several prudential indicators as set out in the report.

Although the Council was experiencing financial pressure due to the external economic circumstances, there had been benefits such as the increase in value of the asset base in the last year by around £60 million, whilst debt had reduced by £40 million. The net asset position was over three-quarters of £1 billion, whilst peak borrowing was projected to remain under 30%.

The Executive was asked to consider removing the relocation of the bus station budget as, although there was uncertainty over the future redevelopment of North Street, the Council would not undertake such a project independently.

The prudential indicators, minimum revenue provision policy and the Capital and Investment Strategy remained unchanged. The flexible use of capital receipts policy was updated to cover costs associated with the collaboration with Waverley Borough Council.

There was a provisional capital entry in the report of £1.35 million to spend on North Street by 2030 which was queried. There would be a thorough ongoing review of capital expenditure and an answer to the North Street question would be provided either prior to or at full Council on 8 February.

It was noted that Council had recently been through a restructure at management level whilst experiencing unprecedented external financial pressures and officers were commended for their work. The Executive

RESOLVED:

Subject to Council approving the budget on 8 February 2023:

- 1) That the £500,000 allocated in respect of the Bus Station relocation scheme (Scheme no. P17 (p)) be removed from the provisional capital programme.
- 2) That the new bids, as shown in paragraph 4.13 of this report be approved for inclusion in the capital programme as indicated.

To recommend to Council on 8 February:

- 1) That the General Fund and HRA capital estimates, as shown in appendices 2 and 3, as amended to include such bids as may be approved by the Executive at its meeting on 26 January 2023, be approved
- 2) That the Minimum Revenue Provision policy, referred to in section 5 of this report, be approved.
- 3) That the capital and investment strategy be approved, specifically the investment strategy and Prudential Indicators contained within the report and in Appendix 1.

- 4) That the updated flexible use of capital receipts policy at Appendix 8 be approved.

Reason(s):

- To enable the Council to approve the capital and investment strategy for 2023-24 to 2027-28
- To enable the Council, at its budget meeting on 8 February 2023, to approve the funding required for the new capital schemes propose

EX79 HOUSING REVENUE ACCOUNT BUDGET 2023-24

The Chairman reminded the meeting that the report had been considered by the Joint Executive Advisory Board on 24 January 2023 and the comments arising from that meeting were set out in the Supplementary Information Sheet.

The Chairman, in her capacity as Lead Councillor for Housing and Community, introduced the report.

The Council owned and managed over 5,200 houses that were rented to tenants who qualified for social housing or for which it held the freehold. It was the Council's priority that those properties were well-maintained and safe for tenants.

The Government had set a rent increase cap of up to 7%, but given the cost-of-living crisis, the Council was proposing a lower increase of 5%. The lower increase was due to the Council's careful management of the Housing Revenue Account (HRA). Although those tenants in arrears was low at 1%, the Council was mindful that tenants could find managing finances challenging under the current economic circumstances. Consequently, alongside wider improvements to the properties, the Council would employ two additional officers who would provide benefits and financial advice.

The Council would be providing a programme of improvements to communal areas and landscaping where it held responsibility for the wider estate.

The Council welcomed Government updates and standards with regard to tenants' health and safety. The allocated spending for the forthcoming year would include improvements in fire alarms, new fire doors and smoke detection. In addition, with energy saving in mind, there would be a programme of replacing doors, windows, installing insulation and heating systems.

There were no further comments and the Executive,

RESOLVED:

To recommend to Council (8 February 2023):

- (1) That the proposed HRA revenue budget for 2023-24, as set out in Appendix 1 to the report, be approved.
- (2) That a rent increase of 5%, be implemented.
- (3) That the fees and charges for HRA services for 2023-24, as set out in Appendix 2 to the report, be approved.

- (4) That a 3% increase be applied to garage rents, which is in line with the wider Council policy on fees and charges.

Reason:

To enable the Council to set the rent charges for HRA property and associated fees and charges, along with authorising the necessary expenditure to implement a budget, this is consistent with the objectives outlined in the HRA Business Plan.

EX80 GENERAL FUND BUDGET 2023-24 AND MEDIUM TERM FINANCIAL PLAN 2024-25 TO 2026-27

The Chairman advised that this report had also been considered by the Joint Executive Advisory Board on 24 January 2023. The comments arising from that meeting were set out in the Supplementary Information Sheet.

The Deputy Leader of the Council and Lead Councillor for Finance and Planning Policy introduced the report.

The report proposed to raise the Council Tax levy for the forthcoming year to the maximum, which was 2.99%. This would produce a net income increase for the Council of just over £330,000. Due to real cuts in the Council's spending power and inflationary pressures, although regrettable, this option was necessary. It was noted that the Borough Council retained just 9% of the Council Tax collected which translated to just over £250 on a Band E property for which the average resident received around £500 of services.

The Council Tax Support Scheme would be retained to support residents who found themselves in financial difficulty. Given the Scheme had been previously unsubscribed it was felt existing budget levels should be sufficient, but this would be kept under review.

It was noted that the current economic climate provided a challenging backdrop to setting the General Fund budget. Global and domestic financial pressures sat alongside diminishing Government funding resulted in significant reductions to the Council's spending power. There was also uncertainty on how the cost-of-living crisis would impact on revenue streams. However, the Council had taken financial decisions in previous years resulting in healthy reserves.

There was an increased budgeted spend of £7.7 million in comparison to last years' spending. The major increases were caused by the inflationary pressures on utilities and wages. The increased interest rates meant the Council would gain from its treasury activity; however, this advantage might be short term as the Council developed its capital programme.

Below inflation interest rate increases had been applied to fees and charges, albeit this would see an increase in income of £1 million. There would be no automatic transfer to reserves this year as it was calculated that the reserves were sufficiently funded.

The Council had received £1.3 million in New Homes Bonus (NHB) from the Government, and it was proposed that this income be used to fund wage increases that were currently being discussed with the union. The NHB was scheduled to be withdrawn by Government and could not be written into future budgets.

The General Fund budget was £3.3 million in deficit. This might be funded from the Council's reserves or from additional savings. There was £32 million in reserves able to support the Medium-Term Financial Plan to underwrite the deficit if necessary. This was described as unusual, but due to the economic climate and with no desire to unnecessarily cut essential services, the lead councillor was content.

There needed to be a clear understanding of the structural deficit and the impact of the cyclical effects before more work could be undertaken to reduce the shortfall. The Joint Management Team were tasked with undertaking extensive service reviews and a full assessment of the capital programme with a view to reporting back to full Council in July.

There was criticism of the persistent delays to the Government's Fair Funding Review for Councils and lack of long-term budget information from central sources. Officers were commended for their work on the budget papers.

The Executive agreed there was no appetite to see any reduction in the Council's services and given energy prices were already falling and so greater optimism about inflationary pressures going forward the proposals set out in the report were acceptable. In addition, the structural benefits of the collaboration with Waverley Borough Council were yet to be realised. Consequently, the Executive,

RESOLVED:

To recommend to Council (8 February 2023):

- (1) To approve a 2.99% increase in Guildford's Band D Council Tax Charge for 2023/24 with resultant increases to the other council tax bands.
- (2) To approve the General Fund Budget for 2023/24, as summarised in Appendix 2.
- (3) To continue the Council's existing Council Tax Support Scheme at the current levels.
- (4) To approve the General Fund Fees and Charges for 2023/24 proposed in Appendix 4.
- (5) To utilise the full amount of the New Homes Bonus received for 2023/24 for the purpose of contributing to identified one-off General Fund revenue cost pressures.
- (6) To agree that the Joint Management Team undertakes a comprehensive service challenge and present a revised budget and Medium-Term Financial Plan to Full Council in July 2023 as described in this report.

Reason(s):

To enable the Council to set the Budget and Council Tax for the 2023-24 financial year. The General Fund Budget was a major decision for the Council and setting a balanced budget is a statutory requirement.

The meeting finished at 7.35 pm

Signed

Chairman

Date

EXECUTIVE

22 February 2023

Councillor Julia McShane (Chairman)
* Councillor Joss Bigmore (Vice-Chairman)

* Councillor Tim Anderson
* Councillor Tom Hunt
* Councillor George Potter

* Councillor John Redpath
* Councillor John Rigg
Councillor James Steel

*Present

Councillor Fiona White was also in attendance.
Councillor Ramsey Nagaty was in remote attendance.

EX81 APOLOGIES FOR ABSENCE

Apologies for absence were received from the Leader of the Council, Councillor Julia McShane and the Lead Councillor for Environment and Regulatory Services, Councillor James Steel.

EX82 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interests.

EX83 MINUTES

The minutes of the meeting held on 26 January 2023 were agreed as a correct record. The Chairman signed the minutes.

EX84 LEADER'S ANNOUNCEMENTS

The Deputy Leader of the Council reminded everyone that there was just one month to apply to Crowdfund Guildford. The current funding round deadline was Wednesday 29 March. There would be a lunchtime workshop on Thursday 23 February to provide further information and advice on how to apply. It was noted that, to date, 15 projects had received funding totalling £55,000.

[Crowdfund Guildford - Launch Event Tickets, Thu 23 Feb 2023 at 12:00 | Eventbrite](#)

The Council's Communications Team received praise and gratitude for the recently launched social media campaign featuring #weloveGuildford and #Guildfordlovesyou which had been very successful.

EX85 TO CONSIDER ANY RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

There were no new recommendations from Overview and Scrutiny Committee for the Executive to consider. The paper was noted.

EX86 REVIEW AND IMPLEMENTATION OF THE RECOMMENDATIONS OF THE PLANNING COMMITTEE PEER REVIEW - FINDINGS OF THE WORKING GROUP

The Executive considered the report that set out the findings and recommendations of Planning Review Working Group.

The Council had originally scheduled a Planning Committee Peer Review to be undertaken by the Local Government Association (LGA) with the Planning Advisory Service (PAS) in March 2020, but this was postponed due to the Coronavirus pandemic. The Peer Review was rescheduled and took place in early November 2020, following which the LGA published their final report which included 12 recommendations for the Council to consider. The report was circulated to all councillors.

In January 2021 the Executive responded to the LGA/PAS recommendations by convening a Planning Committee Review Working Group which was to consider and respond to those peer review recommendations along with some other pertinent matters. The Working Group met six times in total and presented its findings to the Corporate Governance and Standards Committee on 19 January and a special meeting of the Planning Committee on 7 February 2023 where a number of amendments were made. The recommendations resulting from that consultation were set out in the Executive's Supplementary Information Sheet

The Executive was asked by the Lead Councillor for Planning Development, Legal and Democratic Services to consider the recommendations of the Working Group and the Planning Committee and, if agreeable, to refer these on to full Council for adoption.

The Chairman of the Planning Committee was in attendance and endorsed the recommendations.

It was explained that recommendation 4 (R4) had not been put forward for adoption as the Council already took account of the materiality of planning policy and neighbourhood plans routinely within the planning reports. It was noted that the recommendations included an alternative and more transparent process to the 'huddle' at Planning Committee which was welcomed. Recommendation 7 (R7) had caused much discussion amongst councillors during consultation but was described as a necessary change in procedure to enable the Council to make progress in processing a backlog of applications and to deliver an improved service going forward. A 12-month review was also welcomed.

Everyone involved in arriving at the final draft of recommendations were thanked for their input by the Chairman and officers were commended for the report.

RESOLVED:

That, taking into account the comments and recommendations made by the Planning Committee Review Working Group and the Planning Committee in response to the recommendations of the Planning Committee Peer Review undertaken by the Local Government Association with the Planning Advisory Service, the Council is recommended to agree the following actions:

- (1) That, in response to the LGA/PAS Recommendation R1: (Provide greater certainty in planning process by ensuring decision making conforms with planning policies

and material planning considerations acting on behalf of the whole Guildford community and ensuring that there is clear separation between ward level responsibilities and decision-making role on Committee), a regular (monthly) planning training programme, be reinstated via MS Teams, subject to the proviso that whilst the planning training programme would be regular, there might not on all occasions be training every month.

- (2) That, in response to the LGA/PAS Recommendation R2: (Explore ways to rebuild trust and confidence between officers and Members. Consider running an independently facilitated workshop to be held between officers and Members, separate to the Planning Committee meeting, to better understand their roles, issues, and concerns), an Officer/Member Workshop be held following the elections in May 2023.
- (3) That, in response to the LGA/PAS Recommendation R3: (Examine ways for Planning Committee and relevant officers to discuss and learn from appeal decisions to ensure that decisions on planning applications are undertaken, on behalf of the whole Guildford borough community, in a fair, impartial, and transparent way. The present system tagged onto the end of often long Planning Committees is not conducive to creating a learning atmosphere), quarterly appeal review sessions be held via MS Teams and facilitated by the Executive Head of Planning Development, noting that details of Appeal Decisions would continue to be included on Planning Committee agendas.
- (4) That, in response to the LGA/PAS Recommendation R4: (Review Planning Committee reports to see if further explanation can be given on the weight to be afforded to the Local and Neighbourhood Plan policies as well as material planning considerations such as the National Planning Policy Framework), appropriate mechanisms were in place already through which councillors could query policy weight afforded to particular proposals, noting that weight to be afforded to Local and Neighbourhood Plans and other material planning considerations would be covered in the training programme.
- (5) That, in response to the LGA/PAS Recommendation R5: (Ensure planning officers and Committee members are more aware of the impact of what a lack of housing delivery has on the weight given to Local Plan policies and kept appropriately updated on the work of the Housing Delivery Board), the topic of housing delivery be addressed as part of the Planning Committee training programme, which should include an overview of the Land Availability Assessment.
- (6) That, in response to the LGA/PAS Recommendation R6: (Review the opportunity for further guidance in the form of a supplementary planning document to help guide new high quality and sustainable development), in view of the current progress being made with SPDs and DPDs, no further action in response to this recommendation is required.
- (7) That, in response to the LGA/PAS Recommendation R7: (Review the Planning Committee referral system focusing particularly on the Member referral process (7-day procedure) and householder referral system to ensure that applications are not unnecessarily delayed and Planning Committee can focus on the strategically more important applications), the proposed process for Councillor Call-up (referral) to Planning Committee as set out in Appendix 3 to the report submitted to the Executive, be approved.

- (8) That, in response to the LGA/PAS Recommendation R8: (Revisit the site visits protocol with particular emphasis on who attends and on ensuring a consistent approach of officers and conduct of members during the site visit), no changes be made to the current site visit protocol on the basis that councillors were aware of the need to ask for a site visit ahead of time rather than at the meeting itself which was noted to be useful for councillors in assessing the planning merits of a scheme.
- (9) That, in response to the LGA/PAS Recommendation R9: (Review the member overturns process so that alternative motions are raised by Members and advice is provided by officers prior to the officer recommendation vote being made), the proposed procedure for councillors overturning officer recommendations at Committee, set out in Appendix 4 to the report submitted to the Executive, be approved.
- (10) That, in response to the LGA/PAS Recommendation R10: (Undertake bespoke probity in planning and appeals training for members with a neutral facilitator, for example, someone who has direct experience of being a Planning Inspector), the Probity in Planning training be incorporated into the annual training programme.
- (11) That, in response to the LGA/PAS Recommendation R11: (Review public speaking opportunities for Parish councils and special interest groups), the current public speaking arrangements be retained, but for the Chairman to retain the existing discretion to allow additional speaking slots for significant applications.
- (12) That paragraphs (1) to (5), and (10) above be implemented following the Borough Council Elections in May 2023, and paragraphs (7) and (9) above be implemented with immediate effect.
- (13) That the Executive Head of Planning Development be requested, in consultation with the relevant lead councillor and Chairman and Vice-Chairman of the Planning Committee, to undertake a review of the processes and practices referred to above after 12 months' operation, or sooner if deemed necessary.

Reasons:

To modernise the operation of the Planning Committee and to review and update all associated processes and procedures.

EX87 ECONOMIC DEVELOPMENT STRATEGY 2023-2040

The Lead Councillor for Customer and Commercial Services introduced the report to the Executive that, in line with the Council's Corporate Plan 2021 - 2025, presented a new Economic Development Strategy and accompanying draft action plan for the period up to 2040, outlining a renewed vision and priorities to support the local economy. If adopted, the strategy would replace those economic strategies that had now reached their expiration.

Guildford was a well located and well connected borough with strong economic foundations, but like elsewhere had experienced major economic shocks from the COVID-19 pandemic, Brexit and the cost-of-living crisis. Now, a reassessment of Guildford's challenges, opportunities and priorities was required. The Council needed to respond and to set out a refreshed strategy and action plan to reinvigorate Guildford's

economy and ensure it is a place where businesses and residents could continue to thrive.

It was noted that Guildford's residents were highly skilled and largely of working age. The borough was home to strong clusters such as the visitor economy and the gaming industry along with an entrepreneurial rural economy. However, to retain its place regionally and nationally the new strategy was required to better adapt to current challenges with an action plan that acknowledged current circumstances. The draft strategy proposed a strong partnership approach seeing the Council working alongside key stakeholders. Consequently, the action plan would be subject to further consultation with these groups and achieve a commitment to co-delivery

The Council had tasked Avison Young consultants to draw up the evidence base and the draft strategy and action plan. There had been extensive research and consultation undertaken to produce a new vision which was to re-establish Guildford at the heart of Surrey's economy.

From the research data it was noted that 70% of Guildford's residents were described as skilled workers. Consequently, there was a lack of non-skilled workers who were needed to support the economy. This was directly linked to the affordability and availability of housing in the borough. The Council was progressing the Weyside Urban Village scheme and 40% of the new housing would be affordable contributing towards this deficit. Scarcity of land to develop in the borough was mentioned as compounding factor. It was noted that Surrey County Council had recently published a strategy aimed at engaging all tiers of local government to work together to address the issue and to release land.

The quality and suitability of commercial space available was highlighted, noting that Government had restricted the capacity for the Council to invest in such stock which was a problem.

Some 40% of the town centre retail units were housing national chains which had been challenged in the strategy as lacking economic diversity. However, it was argued that retail chains could be more financially viable than independents.

The medium to long term issues set out in the report could be addressed the 'Shaping Guildford's Future' programme being progressed by the Council in terms of delivering more affordable homes, employment opportunities and making the town generally more economically attractive. The short issues were acknowledged as being difficult to address for the Council due to budgetary and staffing constraints.

Proposed new stations at Guildford West and Guildford East were mentioned in the draft strategy. Whilst it was noted that there was no budget allocated to Guildford East, the Executive did have a budget allocated to Guildford West. Any progress would be subject to discussion with key partners, Surrey County Council and Network Rail. Although the Council was supportive of sustainable transport options, there was currently no urgency to progress such a discussion for these proposed stations.

Summing up the Chairman acknowledged the key challenges set out in an articulately written strategy and action plan and the hard work required over the coming 10-15 years to achieve the goals. The Executive was content to recommend the Economic Development Strategy 2023-2040 and the supporting evidence base and action plan to full Council for adoption. Executive,

RESOLVED:

- (1) To recommend that the Council adopts the Economic Development Strategy 2023-2040 and the supporting evidence base, attached as Appendices 1 and 3 respectively to the report submitted to the Executive.
- (2) That the draft Economic Development Action Plan, attached as Appendix 2 to the report, which will be subject to further consultation with strategic partners, be noted.

Reasons:

To support the reinvigoration of Guildford's economy, the new Economic Development Strategy and Action Plan:

- Sets out the case for action in light of changes to the international, national and regional economic landscape.
- Gives an updated analysis of Guildford's strengths, weaknesses, opportunities and threats.
- Identifies key strengths and opportunities to for the Council and its partners to harness, such as sector specialisms and economic assets (e.g., commercial spaces).
- Highlights the importance of mitigating the environmental impact of economic activity to reflect climate change and sustainability issues.
- Identifies the levers that the Council can utilise to address priority interventions that can help deliver significant positive impact for our economy.

EX88 THE TUMBLING BAY WEIR

The Tumbling Bay Weir collapsed unexpectedly in November 2019, following which the Council and National Trust agreed to commission a temporary solution to restore water flow along the Navigation, sharing the cost equally. This was despite a lack of clarity of ownership and liability for replacing the Weir, so any structure installed as part of the works passed to the owner of the Weir.

There had been significant public interest in the Weir over the past 18 - 24 months, with the Council and National Trust facing criticism for a lack of activity to resolve the ongoing land ownership matters and perhaps more crucially, for the continued closure of the tow path.

There was a discussion about the confidential appendix to the report which had been restricted on the grounds of legal privilege. It was suggested that as much of the factual content appendix as should possible should be available in the public domain without compromising the Council's legal position. The Deputy Monitoring Officer would review the content again to learn to what extent this would be possible.

The Lead Councillor for Regeneration introduced the report to the Executive stating that the weir had attracted much public interest. The Council had conducted extensive historical research going back hundreds of years to ascertain who owned the site and therefore had responsibility for maintenance and repair. The clear outcome of the research was that the Council did not own the tow path, the weir or the bridge, indeed the tow path was not even a public footpath.

Cost of repair, likely to run to millions of pounds, was not the responsibility of the Council and given the Council's budgetary circumstances there was no available finance to make any further contribution. The Council had previously funded 50% of an emergency fix costing £800,000 shortly after the collapse in order to maintain the water levels in the Navigation for ecological reasons. A further £60,000 would be provided by the Council for a fish pass on the nearby Millmead Weir. Furthermore, the council would continue to engage with the National Trust and other stakeholders to find a long term solution. The flood agencies were the Environment Agency and Surrey County Council, both beneficiaries of the weir, had not offered to contribute. Thames Water undertook extraction for the Wey Navigation had not offered to contribute.

The purpose of the report before the Executive was to consider and to decide the level of involvement the Council intended to have in reaching a permanent solution to the weir. The Lead Councillor for Regeneration recommended that in the absence of a duty to pay for repair and in the absence of a budget to fund a repair the Council could have no further financial obligation.

The Executive heard some criticism from individual councillors, but overall, the Council maintained good relations with the National Trust. Most recently the Trust had proposed a financially collaborative approach with the Council but given budgetary pressures, and the consequent implications for public services should the Council commit to more funding, there was a consensus that Option 1, 'Do nothing as the land and the Tumbling Bay Weir are not owned by the Council' was the only way forward.

The land pocket SY734559 was owned by the Council and maintenance of the land had been challenging without the bridge in place. It was noted that there was a narrow access bridge available from the Shalford Road which was restricted, but when Environment Agency's weir was completed there would be additional access.

The Executive was mindful that the tow path route was important to residents, many of whom had appealed to the Council for a solution. Due to the level of public attention, there should be a comprehensive communications plan to clearly set out the Council's position. This plan would be reviewed by Executive members in advance of publication.

In summary, the Chairman noted that having stepped into an emergency situation following the collapse, the Council had received no gratitude. Indeed, the action appeared to have formed an opinion locally that the council had a duty to the site. Gratitude was expressed to members of the Council's legal team for the research and it was noted that although every available document had been consulted, it was possible that new information may come to light in the future. Should this be the case, the Council would review its position. The Executive,

RESOLVED:

- (1) To note that the legal research undertaken concludes that the Council does not own the tow path, Weir, or bridge, and neither does the Council have any obligations to maintain the assets.
- (2) To progress with "Option 1" as outlined in Section 10 of the report submitted to the Executive.
- (3) To communicate publicly the Council's rationale for progressing with "Option 1".

(4) To continue to be available to engage with the National Trust or other Parties should other currently unknown options become available.

Reason:

The Council was receiving continued public criticism and is facing pressure to provide a permanent solution to the collapsed Tumbling Bay Weir and footbridge. A decision was required from Executive to provide clarity on the level of the Council's ongoing involvement in this matter.

The meeting finished at 10.52 am

Signed

Chairman

Date

EXECUTIVE

23 February 2023

- * Councillor Julia McShane (Chairman)
- * Councillor Joss Bigmore (Vice-Chairman)

- | | |
|----------------------------|---------------------------|
| * Councillor Tim Anderson | * Councillor John Redpath |
| * Councillor Tom Hunt | * Councillor John Rigg |
| * Councillor George Potter | * Councillor James Steel |

*Present

Councillors Deborah Seabrook and Catherine Young were also in remote attendance.

EX89 APOLOGIES FOR ABSENCE

There were no apologies for absence.

EX90 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

Councillor John Redpath declared a non-pecuniary interest as he was a 'Friend of Guildford Museum'.

EX91 LEADER'S ANNOUNCEMENTS

The Leader made no announcements.

EX92 GUILDFORD CLIMATE CHANGE ACTION PLAN

An updated preface to the Action Plan and comments arising from the Joint Executive Advisory Board meeting held on 13 February 2023 were set out in the Supplementary Information Sheet. The lead councillor confirmed the report had been updated in response to those comments. The draft Action Plan had been considered by the Council's Climate Change Board on many occasions. The Climate Change Board was an Executive working group that included external specialist advisers as well as other councillors.

On 23 July 2019, at a meeting of Full Council, Guildford Borough Council formally declared a Climate Emergency that required urgent action. Amongst a number of commitments made by the Council to tackle climate change was to develop a clear action plan and timescale for being net-zero carbon across all Council operations.

The Lead Councillor for Climate Change and Organisational Development introduced the report that proposed a programme of actions to enable the Council to achieve net zero by 2030 in accordance with the Climate Emergency Declaration. The draft Action Plan included the development of programmes to encourage and facilitate a reduction of borough-wide carbon emissions, aiming to achieve net-zero by 2050, in accordance with the Climate Change Act 2019. The draft Action Plan included actions to develop programmes in response to current environmental changes caused by climate change and improve environmental resilience across the borough.

The draft Action Plan was the result of four years of work resulting in a blueprint setting out the scale of the challenge, clear definitions of terminology, and it extended the remit to embrace biodiversity and air quality which were not included in the original declaration. Whilst awaiting the Action Plan, the Council had continued to act simultaneously to reduce its carbon emissions across all portfolios.

The draft Action Plan covered all operational areas of the Council and was described as a 'living document' that would be broken down into SMART¹ targets to be implemented in consideration of the financial capacity of the Council and external funding opportunities. The Action Plan would be reviewed frequently to ensure it remained up to date and relevant.

The Executive was asked to pause and consider the scale of the climate change crisis alongside the disruption, harm and cost that was being incurred that would only worsen if action were not taken. Although the crisis was global, the impacts were being felt locally with increased incidents of flooding and severe heatwaves. The draft Action Plan was ambitious which was necessary and would include hard choices to reach the Council's declared goals. Going forward, as technology improved and funding opportunities came on stream, more of the most challenging objectives could be achieved. The Executive heard that those with the authority to make change should do so in the interest of future generations.

It was estimated that the Council itself through its operations was responsible for just 1% of emissions across the borough. The necessity for extensive partnership working was set out in the draft Action Plan. Leadership and engagement with other councils, key stakeholders, business and residents was vital to reduce emissions borough-wide.

The Council's Climate Change Officer gave a presentation to the Executive that set out the international, national and local picture of the climate change emergency and the long-term trends of the Council's emissions that were reducing over time.

The different types or 'scope' of emissions were described. Scope 1 was the Council's gas usage (44% emissions), Scope 2 was electricity (38% emissions) and vehicle fuel (17%). Scope 3 was emissions resulting from third parties with whom the Council did business (11%). Scopes 1 and 2 emissions were included in the original declaration deadline of 2030. Scope 3 emissions would require an extended deadline as there was not yet a methodology in place for calculating or influencing these emissions.

The greatest source of emissions borough-wide came from transportation and domestic heating. The borough-wide deadline for achieving net-zero was 2050, in line with national standards. The Tyndall Centre² had set a carbon budget for each local authority between 2020-2100 and how those emissions should be reduced. Guildford Borough Council had a maximum cumulative carbon budget of 5.2million tons of CO₂ for that said period. If the Council continued to emit at the 2017 levels the budget would be used up by 2027. To achieve the target, the Council would need to reduce emissions by 13% per year.

It was recognised that many factors were outside of the responsibility of the Council coupled with confronting a challenging budgetary situation; but by acting in a leadership role, providing information and raising awareness the Council could influence borough

¹ **SMART** is an acronym that stands for specific, measurable, achievable, relevant and time-based.

² Homepage -Tyndall Centre for Climate Change Research

wide. An estimated budget of £58.6million was projected for the Council to achieve net-zero by 2030 but the total annual savings achieved could be the equivalent of £962,900 per year. This was a broad based, indicative estimate. Funding for the net-zero programmes had not yet been determined but it was clear that the Council would be unable to fund this independently. It was expected that Government and other funding opportunities would become available in due course. Budgetary requirements and priorities would be explored within each relevant service area.

It was observed that buying an electric car to reduce a personal carbon footprint had implications with regard to sourcing the battery materials which was not a carbon-free process. Rather, it was suggested people might driving less often.

There was a consensus that partnership working would be key to achieving, not only the Council's goals, but also those of neighbouring authorities which had also all declared climate emergencies including the County Council. It would also be essential to get the community behind the programme work so that taxpayers clearly understood the reasons behind the actions of the Council and made supporting lifestyle choices.

The draft Action Plan was described as thorough and comprehensive. Consequently, the Executive,

RESOLVED:

1. To note, as set out in paragraph 6.2 of the report, that the indicative forecast of the cost to achieving net zero across Guildford Borough Council for Scope 1 and 2 emissions (as calculated by consultants APSE Energy in July 2022) is £58.6 million and the total annual savings achieved by 2030 would be the equivalent of £962,900 per year.
2. To ask officers to explore how these costs can be met in the short (0-2.5 Years), medium (2.5-5 Years) and long term (5-7 years) and to bring forward further proposals in this respect as part of GBC Annual Budget processes (for example through direct funding, match funding, invest-to-save proposals or borrowing).
3. To adopt the Climate Change Action Plan attached as Appendix 1 to the report submitted to the Executive as the Council's high level strategic plan for responding to the climate emergency.
4. To note that the delivery of the actions within the plan will be contingent on identifying and securing the requisite funding and resources and on the development of further detailed plans and feasibility studies; and
5. To request annual updates on the plan in terms of progress and any recommended changes to the structure or content of the plan brought forward by officers or the Climate Change Board.

Reason(s):

The action plan enabled the Council to progress the climate change programme in accordance with Council's strategic priorities and the declared climate emergency of 2019.

EX93 HERITAGE SERVICES: VICTORIAN SCHOOLROOM EDUCATION PROVISION AND POTENTIAL SALE OF 39½ CASTLE STREET

The Victorian Schoolroom and Playroom (VSP) provided a key element of the Heritage Service's education provision including outside of the classroom learning experiences

for Key Stage 1 and 2 children. Whilst the VSP generated an income it did not cover its operating costs.

Following the pandemic, provision was reduced. Currently, sessions were available twice a week during term time, but with limited resilience within the casual team to cover staff absence. Dedicated resource had been removed following the Future Guildford restructure. Current provision was not cost effective and limited the wider engagement work that could be delivered by this team. Three members of casual staff would be subject to redundancy if the provision ceased.

An operational asset review had been undertaken which included the property used for the VSP provision (39½ Castle Street). The property had been identified, along with others in the vicinity, as not achieving the Council's investment criteria. The proposal was to include 39½ Castle Street in an auction lot, comprising nearby properties.

The Lead Councillor for Customer and Commercial Services introduced the report and welcomed the public speaker for the item who was Nick Bale, Chairman of the 'Friends of Guildford Museum' group. The decision to close the VSP would not be taken without full consideration and evaluation of the options open to the Council. However, over the past years the Council had seen £4million reduction in Government support, endured a pandemic and was now in the midst of the 'cost of living crisis'. In 2019, the budgetary cost of Heritage Services was £1million, next year the Council faced a budget deficit of £5million. Consequently, it was more important than ever for all service areas to consider how they could operate more efficiently. Savings made from the closure of the VSP would provide an opportunity for the team to refocus and provide an improved heritage offer to residents through the Council's remaining assets. Funding received from the sale of the building would be ringfenced to support the Heritage Team for the future.

The Chairman also welcomed Nick Bale who addressed the meeting. The 'Friends of Guildford Museum' supported the museum in a variety of ways. In 2022, the group had donated £17,000 to support the installation of a new IT system and had also paid for the VSP contents 20 years previously. The VSP was the main connection point for the museum with schools which was vital for the museum's accreditation. The accreditation status did bring with it some viability for the museum, but the meeting heard that most important was the high quality of the experience received by the children through the offer which could not always be thought of in monetary terms. Mr Bale offered to support the Council in seeking to find an alternative venue at which the VSP experience might continue. On behalf of the Executive, the Chairman thanked Mr Bale for addressing the meeting.

There was reflection that this was the latest of a number of difficult decisions that had to be taken by the Executive in order to make savings. It was noted that the Council spent a greater amount on heritage services than any other district or borough in the County given the Guildhall, Guildford House, the Museum and the Castle for which no additional funding was received from Government. In real term, Government funding for the Council had dropped by 50% in the past ten years and savings had to be made. Consequently, the Executive,

RESOLVED:

1. To cease the Victorian schoolroom/ playroom education offer in its current form.

2. To release the asset (39½ Castle Street) for inclusion in an auction of nearby properties.
3. To ringfence the capital receipt from the sale of 39½ Castle Street for future use in finding an alternative location for key Heritage Service activities.

Reason(s):

To release resources which can be dedicated to other key areas of the Heritage Service and to generate a capital receipt which will contribute to developing a sustainable offer for the service in the future, including a new location for museum/gallery activities.

The meeting finished at 7.46 pm

Signed

Date

Chairman