

EXECUTIVE

16 March 2006

*Councillor Andrew Hodges (Chairman)
 *Councillor Andrew French (Vice-Chairman)

*Councillor John Ades
 *Councillor Vas Kapsalis
 *Councillor Nigel Manning
 *Councillor Terence Patrick

*Councillor Mrs Jennifer Powell
 *Councillor Tony Rooth
 *Councillor Jenny Wicks

*Present

The Deputy Mayor, Councillor Angela Gunning and Councillors Vivienne Johnson, Ted Mayne, Jayne Marks, Tony Phillips, Caroline Reeves, Marilyn Spier, Fiona White and David Wright were also in attendance.

EX213 - LOCAL CODE OF CONDUCT - DISCLOSURE OF INTERESTS

In accordance with the Local Code of Conduct, the following Members disclosed interests as indicated below:

Member	Minute Ref. and (Page No.)	Type and nature of interest
Councillor John Ades	EX216 (5)	Personal: Councillor Ades was a member of Surrey County Council.
	EX225 (10)	Personal: Councillor Ades was a member of the Court of the University of Surrey.
	EX228 (12)	Personal: Councillor Ades was known to one of the individuals detailed in the report to the Executive.
Councillor Andrew French	EX226 (11)	Personal: Councillor French was a member of the Yvonne Arnaud Theatre Trust.
The Deputy Mayor, Councillor Angela Gunning	EX216 (5)	Personal: The Deputy Mayor, Councillor Gunning, was Chair of the Bellfields Youth and Community Centre Management Committee.
Councillor Nigel Manning	EX228 (12)	Personal: Councillor Manning was known to one of the individuals detailed in the report to the Executive.
Councillor Jayne Marks	EX218 (7)	Prejudicial: Councillor Jayne Marks was a member of the Fairlands and Liddington Hall and Gravetts Lane Community Association, which had applied for grant assistance under the Youth and Community Projects Grant Scheme.

Member	Minute Ref. and (Page No.)	Type and nature of interest
		Councillor Marks withdrew from the meeting during consideration of this matter.
Councillor Terence Patrick	EX226 (11)	Personal: Councillor Patrick was a member of the Yvonne Arnaud Theatre Board.
Councillor Tony Phillips	EX225 (10)	Personal: Councillor Phillips was a member of the Court of the University of Surrey.
Councillor Mrs Jennifer Powell	EX226 (11)	Personal: Councillor Powell was a member of the Yvonne Arnaud Theatre Board.
	EX225 (10)	Personal: Councillor Powell was a member of the Court of the University of Surrey.
Councillor Tony Rooth	EX216 (5)	Personal: Councillor Rooth was a member of Surrey County Council.
	EX225 (10)	Personal: Councillor Rooth was a member of the Court of the University of Surrey.
Councillor Fiona White	EX216 (5)	Personal: Councillor White was a member of Surrey County Council.

EX214 - MATTERS REFERRED TO THE EXECUTIVE BY THE ENVIRONMENT SCRUTINY COMMITTEE (6/3/06) FOR DECISION

In respect of the matters referred to the Executive by the Environment Scrutiny Committee (6 March 2006), the Executive

RESOLVED: That the following recommendations be adopted:

a) EN72 – RESULTS OF A PRODUCTIVITY REVIEW OF THE REFUSE COLLECTION SERVICE

That the Head of Recycling, Cleansing and Parking Services be authorised to implement the changes to scheduling that will improve productivity on the refuse collection rounds, as set out in the report to the Scrutiny Committee.

Reason for Decision:

To improve the productivity and reduce the costs of the Refuse Collection Service as a result of the impact of improved recycling rates on residual waste collection services.

b) EN73 – LOCAL DISTRICT HEATING AND OTHER ENERGY EFFICIENCY MEASURES IN NEW DEVELOPMENT: FUNDING OPPORTUNITIES

- (I) That the Head of Environmental Policy and Design Services be authorised at the appropriate time to submit applications to external sources on behalf of this Council to fund a study on the achievement of energy efficiency measures in new developments and within the Council's own activities.
- (II) That the Officers report back to the Environment Scrutiny Committee at its meeting on 3 July 2006 on the outcome of bids submitted for external funding.

Reason for Decision:

To ensure all opportunities for energy efficiency are gained from new development and to progress the Council's Climate Change Strategy.

c) EN74 – PROPOSED NEW CONSERVATION AREA: CHILWORTH GUNPOWDER MILLS

- (I) That a draft Conservation Area Appraisal be prepared by Officers outlining the proposed boundary for the Gunpowder Mills site for its designation as a Conservation Area.
- (II) That Officers report back to the Environment Scrutiny Committee in due course with the document and proposals to designate a Conservation Area.

Reason for Decision:

To ensure the Gunpowder Mills site, as an area of archaeological interest, is protected from any future demolition by its designation as a Conservation Area.

EX215 - MATTERS REFERRED TO THE EXECUTIVE BY THE HOUSING, HEALTH AND SAFETY SCRUTINY COMMITTEE (7/3/06) FOR DECISION

In respect of the following matters which had been referred to the Executive by the Housing, Health and Safety Scrutiny Committee (7 March 2006) for decision, the Executive

RESOLVED: That the following recommendations be adopted:

a) HH52 – WHITE HART COURT, RIPLEY – REDEVELOPMENT PROPOSALS

That the Executive's decision taken on 3 February 2005 in relation to the future of White Hart Court be confirmed and, subject to consideration of the PFI Outline Business Case and any further advice from the Council's consultants and the outcome of negotiations with the successful PFI provider, White Hart Court be decommissioned and the site redeveloped for affordable housing in accordance with Option 4, as set out in the report submitted to the Housing, Health and Safety Scrutiny Committee on 25 January 2005, which would require the provision of replacement housing for residents prior to the demolition of the existing building.

Reason for Decision:

To progress the development of White Hart Court and comply with the wishes of existing residents for replacement housing to be provided prior to demolition of the sheltered housing scheme.

b) HH55 – ENFORCEMENT POLICIES

That the proposed amendments to Part 2 (Food Safety), Part 4 (Environmental Control) and Part 5 (Private Sector Housing) of the Council's Housing and Environmental Enforcement Policies, as set out in the report submitted to the Scrutiny Committee, be approved.

Reason for Decision:

To ensure that the Council complies with its statutory obligations and the Enforcement Concordat.

c) HH56 – HOUSING ACT 2004 – PRIVATE SECTOR HOUSING RENEWAL

That, subject to reconsideration of the level of discounts for registered landlords under the new scheme, the Head of Community Care Services be authorised:

- (a) to implement mandatory licensing of houses in multiple occupation, including all matters relating to the administration of the scheme and setting of the licence fees;
- (b) to take enforcement action under Parts 1, 2, 3 and 4 of the Housing Act 2004;
- (c) to review the existing charges for enforcement action and make any necessary changes to the fees; and
- (d) to make interim and final Empty Dwelling Management Orders, subject to suitable guidelines being agreed in consultation with the Head of Legal & Property Services.

Reason for Decision:

To ensure that the Council complies with its statutory obligations under the Housing Act 2004.

Note: By reason of the Special Circumstances described below, it was considered that the matters referred to in Minute Nos. EX214 and EX215 above, should be considered at this meeting as a matter of urgency pursuant to Section 100B 4 (b) of the Local Government Act 1972.

Special Circumstances: The urgency was due to the need for the Executive to consider and, where appropriate, determine matters upon which the Environment Scrutiny Committee and Housing, Health and Safety Scrutiny Committee had commented, so that such matters may be progressed at the earliest opportunity.

EX216 - BELLFIELDS AND STOUGHTON YOUTH & COMMUNITY CENTRES

Prior to consideration of this matter, the following persons addressed the Executive in accordance with Procedure Rule 32 (a):

- Mr Pete Brayne (Chief Executive of Guildford YMCA); and
- Mrs Julie Ragless (Hazeltons Pre-School Learning Alliance).

The Executive received a report on Surrey County Council's consultation as part of their Business Development Review and the implications of the proposal to withdraw support from Bellfields and Stoughton Youth & Community Centres.

In addition to youth provision, the Bellfields Centre provided a venue for a nursery school every weekday morning and other recreational activities. Stoughton Centre accommodated University of the Third Age classes and one-off social bookings. The Executive noted the damaging implications of Surrey County Council's proposal. The young people, in these areas of high need would lose well-liked and supported youth provision and the County's withdrawal of support could put the Centres themselves in jeopardy with the loss of a nursery school, recreational and social activities. The Executive was strongly opposed to the proposal and considered the financial benefit to the County Council of withdrawing support from these two youth and community centres would not justify the impact that the loss of such facilities would have in these areas.

The consultation documentation provided by Surrey County Council to support the proposal had been short on detail and provided little information about how a new system of youth provision would be put in place, by when and how it would be sustained. Whilst the County Council intended to provide youth facilities in central locations, Members noted that young people in Bellfields and Stoughton might find it difficult to access the centralised provision. The Executive therefore agreed that, should the proposals be implemented, the County Council should be urged to delay any changes until satisfactory alternative provision had been made for young people in these areas.

Having considered the implications arising from the possible withdrawal of Surrey County Council's support for Bellfields and Stoughton Youth and Community Centres, including the views of the public speakers and the information circulated to Members on the "Supplementary Information" sheet prior to the meeting, the Executive

RESOLVED: (I) That the following statement be submitted to Surrey County Council as this Council's response to its consultation:

"Guildford Borough Council strongly objects to the County Council's proposal to withdraw its support from the Bellfields and Stoughton Youth & Community Centres. The Council is extremely concerned about the detrimental effects this measure would have on the young people of Guildford in these areas noted as needing a higher level of support and the risk this action would cause to the future viability of the buildings for community use. The Council considers that the financial benefit to the County Council of withdrawing support for these two Youth and Community Centres to be disproportionate to the impact that the loss of such facilities will have in these areas."

(II) In the event that, notwithstanding this objection, a decision is made to withdraw support, the Council will urge the County Council to delay implementation of any changes until satisfactory alternative provision has been made for young people in these areas.

Reason for Decision:

To provide a response from this Council to the County Council's consultation on the Business Development Review and its proposal to withdraw support from the Bellfields and Stoughton Youth & Community Centres.

EX217 - CONSULTATION ON CASINOS

Prior to consideration of this matter, the following persons addressed the Executive in accordance with Procedure Rule 32 (a):

- Mrs Jennifer Hogg (Associate Churchwarden, St Saviour's Church, Guildford);
- Mr Michel Harper (Director of GU1 Communications Ltd);
- Mr Pete Brayne (Chief Executive of Guildford YMCA);
- Mr Graham James (Consultant, The Casino Ltd);
- Mr Michael Limb (Chairman, The Casino Ltd); and
- Mr Raschid Abdullah (Director Designate, The Casino Ltd).

Members were reminded that at its meeting on 29 June 2005, the Executive had considered a report on the implications for the Council of the Gambling Act 2005. The Act would make significant changes to the licensing regime for casinos, by removing the requirement for applicants to show 'unmet demand' to obtain permission.

Initially the Government had intended to limit the number of small, large and regional casinos to 17 (1 regional and up to 8 small and 8 large) in order to assess the impact on problem gambling. The Casino Advisory Panel had been appointed to recommend to the Government the areas for these initial casinos. The Panel had issued a 'Call for Proposals' to Local Authorities, inviting proposals from those authorities that wished to have a new casino in their area and guidance on the criteria to be used to examine each proposal. The Panel would choose areas in need of economic development and regeneration (as measured by employment and other social deprivation factors) and likely to benefit in regeneration terms from a casino.

In response to the 'Call for Proposals' the Council had carried out public consultation on the question of whether casinos should be permitted in the Borough. The consultation took the following form and was conducted between 16 January and 24 February 2006:

- The Citizens' Panel had been asked for its views by way of a questionnaire;
- Copies of the questionnaire had also been sent to individuals and groups under the following headings; Religious Groups; Churches and meeting places; Residents Associations; Community Groups; Chairmen and Clerks of Parish Councils; Town Centre Management Group; Retail Group; Tourism Group; Attractions Group; Conference Group; Police and the Leisure Industry.
- An advertisement had been placed in the Surrey Advertiser on 13 January 2006;
- The question 'Would you support the issuing of casino licences in Guildford' had been posted for discussion on the Guildford Borough Online Forum; and
- Copies of questionnaires and supporting information had been placed on the Council website.

The Executive received the responses from the consultation and noted that 83% of the Citizens' Panel, 94.4% of individuals and 90.5% of organisations had responded 'No' to the question "Do you want a casino in Guildford?"

Members concluded that the public consultation had clearly demonstrated that there was no demand or support for a casino in Guildford. In addition, Guildford did not fulfil the criteria for selection in terms of an area in need of economic development and regeneration as set out by the Casino Advisory Panel.

The Executive, accordingly

RESOLVED: That no response be sent on behalf of this Council to the Casino Advisory Panel's 'Call for Proposals'.

Reason for Decision:

The outcome of the Council's public consultation exercise had demonstrated clearly that there was no demand for a casino in Guildford.

EX218 - COMMUNITY AND YOUTH PROJECTS – GRANT APPLICATIONS 2006/07

The Executive received a report outlining the applications received for grant aid towards community and youth projects in 2006/07.

Members noted that the total sum available for allocation in 2006/07 was £33,413, including £273 carried forward from 2005/06.

Having considered the applications, the Executive

RESOLVED (I) That the proposed Grant totaling £1,600 to Jellyworks be deferred pending further investigation of the viability of the proposed project.

(II) That, subject to (I) above, the Grants totalling £23,562 towards the 8 Community and Youth Projects for 2006/07, as set out in Appendix 1 to the report submitted to the Executive and the "Supplementary Information" sheet circulated to Members prior to the meeting, be approved and that the unallocated sum of £9,851 be made available for such other initiatives during the 2006/07 financial year as may be deemed appropriate.

Reason for Decision:

To enable the Council to provide financial assistance to local community and youth organisations through its grant scheme in 2006/07.

EX219 – SUB REGIONAL CHOICE BASED HOUSING LETTINGS SCHEME

Members received a report outlining the proposal for a Sub Regional Choice Based Lettings Scheme in partnership with Waverley, Rushmoor and Hart Councils. The scheme would allow cross authority mobility for housing applicants and tenants and enable people to move more easily for employment or social and family reasons. To facilitate this, the partner authorities had proposed that a percentage of lettings and nominations would be available on a reciprocal basis to housing applicants from other local authorities in the partnership. The mobility between areas would be monitored and there would be a 'balance' maintained between partners in terms of 'inward' and 'outward' migration.

The Executive

RESOLVED: (I) That the Head of Housing Advice Services be authorised, in consultation with the Lead Member for Housing, to amend the allocation scheme to permit a percentage of annual lettings to be open on a reciprocal basis to housing

applicants from the other authorities, following any formal consultation required with RSLs and housing applicants.

(II) That the Head of Legal & Property Services be authorised, in consultation with the Head of Housing Advice Services, to enter into the necessary contractual agreements with the partner authorities and Abrisas, the Council's software supplier.

Reason for Decision:

To enable the Council to proceed with the introduction of the Sub Regional Choice Based Lettings Scheme in accordance with the timetable proposed.

EX220 - BELLERBY THEATRE REDEVELOPMENT SITE

The Executive considered the possible acquisition of two additional pieces of land for inclusion in the potential redevelopment site at the Bellerby Theatre.

Members recognised that the site had been included in the Council's affordable housing PFI Programme and the acquisition of these two landholdings would facilitate a comprehensive and strategic approach to the future use and development of the site, which would enhance and preserve the character of the town centre.

The Executive

RESOLVED: That the Head of Property be authorised:

- (i) to negotiate the acquisition of the metal works site (Plot "A" on the Plan attached to the report submitted to the Executive), on such terms as may be agreed with the Head of Legal & Property Services, in consultation with the Head of Housing Advice Services and Lead Member for Housing; and
- (ii) in the event that the opportunity arises, to negotiate the acquisition of the GSA building (Plot "B" on the Plan attached to the report) on such terms as may be agreed with the Head of Legal & Property Services, in consultation with the Head of Housing Advice Services and Lead Member for Housing.

Reason for Decision:

To further the Council's programme for the provision of affordable housing and facilitate a comprehensive approach to development of part of the town centre.

EX221 - DAY CENTRE AND CARE SERVICES

Members received details of a review carried out to assess the structure for the delivery of day care services. As a result of the Council's approach to core services and legislative changes, service provision had moved towards maintaining independence through the promotion of better health and mobility rather than direct intervention.

The Executive noted that the proposed changes to the structure and service provision would respond to changing needs and provide cost effective facilities.

The Executive

RESOLVED: (I) That the revised staffing structure for Day Care Services, as set out in the report submitted to the Executive, be approved.

(II) That the Head of Community Care Services be authorised to consult staff and implement the revised structure.

(III) That a vote of thanks be recorded to the Manager and staff at White Hart Court for their dedication and hard work, given the closure of the facility scheduled for 1 April 2006.

Reason for Decision:

To ensure that the current staffing structure is fit for purpose in order to support the future delivery of Day Care Services.

EX222 – STATEMENT OF COMMUNITY INVOLVEMENT - SUBMISSION DOCUMENT

The Executive received the Statement of Community Involvement, which set out the standards to be achieved by the Borough Council in involving the community in the preparation, alteration and continuing review of all Local Development Documents and planning applications.

The pre-submission draft Statement had been subjected to public consultation for six weeks in October and November 2005. The comments and a summary of the main issues arising from consultation had been incorporated into the Statement.

Having noted the additional information on the “Supplementary Information” sheet circulated to Members prior to the meeting, the Executive

RESOLVED: (I) That the Statement of Community Involvement Submission Document be approved for submission to the Secretary of State, subject to the amendments set out on the “Supplementary Information” sheet circulated to Members prior to the meeting.

(III) That a further public consultation exercise be undertaken for a period of six weeks commencing on the date on which the Submission Document is submitted to the Secretary of State.

Reason for Decision:

To comply with requirements of The Town & Country Planning (Local Development) (England) Regulations 2004.

EX223 - BEST VALUE PERFORMANCE PLAN 2006

The Executive considered the current approach to Best Value Performance Planning undertaken by the Council. Whilst there was no longer a statutory requirement to provide a Summary Best Value Performance Plan, the Council had continued to do so and had received positive feedback from both the Audit Commission and the public on this approach.

The Executive therefore

RECOMMEND: That the Chief Executive be authorised, following consultation with the Leader of the Council and Group Leaders, to approve the final format of the Council's Summary Best Value Performance Plan, based upon the outline structure and the draft document circulated to Members prior to the meeting of the Executive.

Reason for Recommendation:

To ensure that the Council is able to publish its Best Value Performance Plan in accordance with statutory and local requirements, given the tight timescale and the various elements still to be completed.

EX224 - SPONSORSHIP OF COUNCIL SERVICES AND FACILITIES

Members received a report outlining the progress to date of the Sponsorship Strategy agreed by the Executive in January 2005. Implementation of the Strategy had highlighted issues specific to local authorities in terms of the reputation of potential sponsors and the standards to be followed.

The Executive considered the resource implications of attracting sponsorship revenue and the possible use of a sponsorship agency to complement the work already being undertaken by Officers. Members noted that the feasibility of appointing a sponsorship agency in future, would be investigated by the agency appointed by the Council and its partners to raise funding for "Promoting Guildford" as a Key Delivery Target.

The Executive

RESOLVED: (I) That the draft Sponsorship Policy, as set out in Appendix I to the report submitted to the Executive, be adopted.

(II) That the operation of option (a) as outlined under paragraph 4.5 of the report to the Executive be continued in order to address the issue of sponsorship resources.

(III) That the feasibility for sponsorship be investigated by the agency appointed by the Council and its partners in the course of raising funding for the "Promoting Guildford" Key Delivery Target.

(IV) That Officers be authorised make such amendments to the existing Procurement Policy and associated Procedure Rules as may be necessary to ensure that the Council's sponsorship activity complies with them.

Reasons for Decision:

- To maximise the potential for sponsorship in compliance with clear policy guidelines.
- The outcome of such investigation would facilitate consideration of the use of a suitable agency to attract sponsorship revenue in future.

EX225 - PROGRESS WITH THE PARK & RIDE STRATEGY

The Executive received a report updating Members on the progress of the Park and Ride strategy. The report had focused specifically on the University of Surrey Manor Farm site, sites on the northern corridor and had set out the estimated capital costings for an extension of the Artington Park and Ride site.

Having noted the progress with all the identified sites, the Executive

RESOLVED: (I) That an updated Park & Ride Strategy be prepared and reported to the Executive and to the Guildford Local Committee for adoption.

(II) That, following confirmation of the demand survey results and receipt of the off-site requirements report for the Manor Farm site, the Officers report back to the Executive with proposals for progressing the development, including initial cost estimates.

(III) That, following receipt of the demand survey results for the Northern Corridor, the Officers report back to the Executive with site-specific proposals, including initial cost estimates.

(IV) That the Officers be authorised to work with Surrey County Council on the preparation and submission of the planning application for the Artington Park & Ride Extension and seek tenders for the works.

(V) That the Officers work with County Council Officers to clarify and agree the future funding arrangements, both capital and revenue, for the further development of Park & Ride in Guildford.

(VI) That the Artington Park & Ride Extension be included within the Major Schemes Capital Programme "Wish List", with a budget guide of £1m.

Reason for Decision:

To progress the development of the Guildford Park & Ride Strategy.

EX226 - YVONNE ARNAUD THEATRE – GOVERNANCE

The Executive considered the proposals by the Yvonne Arnaud Theatre to rationalise their governance arrangements. The Theatre had decided that a new body of 12 individuals would assume the role of both Trustees and Directors.

The Yvonne Arnaud Trust Deed currently required the Council to nominate three representatives. However, in due course the Theatre intended to obtain Charity Commission approval to a number of amendments to the Trust documentation including a reduction in the number of Council representatives to two.

Having considered the proposed revisions, the Executive

RECOMMEND: (I) That the proposals put forward by the Yvonne Arnaud Theatre to rationalise governance arrangements be supported.

(II) That the current Council representatives on the Yvonne Arnaud Theatre Trust and Board of Management be withdrawn, and the following representatives be nominated to serve on both the Theatre Trust and Board of Management until the end of office term in 2007:

- Councillor Andrew French; and
- Councillor Lynda Strudwick.

(III) That Councillor Jennifer Powell be nominated to serve on both the Theatre Trust and Board of Management until the end of her office term in 2007; or until such time as the relevant changes are approved by the Charity Commission to reduce the number of Council representatives from three to two, whichever is the sooner.

Reason for Recommendation:

In order to fulfil the request from the Yvonne Arnaud Theatre to rationalise its governance arrangements.

EX227 - EXCLUSION OF PUBLIC AND PRESS

That, in relation to Minute 228 below, the public and press be excluded from the meeting on the grounds of the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) referred to in the heading to that item.

EX228 - NON-DOMESTIC RATES (BUSINESS RATES) – IRRECOVERABLE DEBTS (PARAGRAPH 1)

The Executive, having considered a report on a number of outstanding non-domestic rate debts which were considered to be irrecoverable,

RESOLVED: That the outstanding Business Rate debts totalling £229,686.40, as set out in the report submitted to the Executive, be written off as irrecoverable.

Reason for Decision:

To comply with the Council's Financial Procedure Rules for dealing with irrecoverable debts.