



COUNCIL MEETING

TUESDAY, 6 OCTOBER 2020

ORDER PAPER

ORDER PAPER (Pages 1 - 14)

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WEBCASTING NOTICE

This meeting will be recorded for live and/or subsequent broadcast on the Council's website in accordance with the Council's capacity in performing a task in the public interest and in line with the Openness of Local Government Bodies Regulations 2014.

The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

If you have any queries regarding webcasting of meetings, please contact Committee Services.

On behalf of all councillors, I would like to welcome you to this evening's meeting, which we are holding remotely as permitted under new Regulations due to the ongoing Covid-19 pandemic and government guidance. The Council has therefore made arrangements, following the change in the law, to hold the meeting virtually via Microsoft Teams, which is being streamed live and recorded and will be available for repeated viewing afterwards for up to 180 days from the date of this meeting.

If members of the public do not have an internet connection or access to a computer, they will be able to dial into the meeting and hear the proceedings but will not be able to participate, unless they have registered to speak. A message has been posted on the website in this regard. For public speakers, by participating virtually in the meeting you are consenting to being filmed and recorded, and the possible use of those images and sound recordings for webcasting and / or training purposes.

I should be grateful if participants in this meeting would ensure that:

- your cameras and microphones are turned off at all times unless you are speaking during the meeting
- your mobile phones and other hand-held devices are switched to silent during the duration of the meeting
- you minimise background distractions

This Order Paper sets out details of those members of the public who have given advance notice of their wish to ask a question or address the Council in respect of any matter on the agenda or any matter relating to the Council's functions, powers or duties. It also sets out details of any questions submitted by councillors on any matter relating to the Council's functions, powers or duties or any matter which affects the Borough, or any motions and amendments to be proposed by councillors in respect of the business on the agenda.

Unless a member of the public has given notice of their wish to ask a question or address the Council under Item 7 (Public Participation), they will not be permitted to speak. Those who have given notice may address the Council for a maximum of three minutes. Speakers may not engage in any further debate once they have finished their speech.

*Councillor Richard Billington
The Mayor of Guildford*

Time limits on speeches at full Council meetings:	
Public speaker:	3 minutes
Response to public speaker:	3 minutes
Questions from councillors:	3 minutes
Response to questions from councillors:	3 minutes
Proposer of a motion:	10 minutes
Seconder of a motion:	5 minutes
Other councillors speaking during the debate on a motion:	5 minutes
Proposer of a motion's right of reply at the end of the debate on the motion:	10 minutes
Proposer of an amendment:	5 minutes
Seconder of an amendment:	5 minutes
Other councillors speaking during the debate on an amendment:	5 minutes
Proposer of a motion's right of reply at the end of the debate on an amendment:	5 minutes
Proposer of an amendment's right of reply at the end of the debate on an amendment:	5 minutes

Note: Where it is necessary to conduct a vote by roll call, the name of each councillor present and eligible to vote will be read out in a random order rather than alphabetically by initial letter of surname.

In the absence of the Mayor and Deputy Mayor, the Council will as the first item of business at the meeting elect a councillor to take the chair and preside over the business at the meeting. Please note that the person elected to preside at the meeting shall not be an Executive member, and any power or duty of the Mayor in relation to the conduct of the meeting may be exercised by the person presiding at the meeting.

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 DISCLOSURES OF INTEREST

To receive and note any disclosable pecuniary interests from councillors. In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, the councillor must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

3 MINUTES (Pages 7 – 22 of the Council agenda)

To confirm the minutes of the meeting of the Council held on 28 July 2020.

4 MAYOR'S COMMUNICATIONS

To receive any communications or announcements from the Mayor.

5 ELECTION OF THE LEADER OF THE COUNCIL

Under Council Procedure Rule 21, the Democratic Services and Elections Manager has received the following nomination in respect of the election of Leader of the Council:

Nominee	Proposer	Second
Councillor Joss Bigmore	Councillor John Rigg	Councillor Maddy Redpath

As there is only one nomination, the Mayor will ask Councillors Rigg and Redpath to formally propose and second the nomination and invite councillors to comment, after which a vote will be taken by a random roll call to determine the election.

Comments:

Councillor David Bilbe
 Councillor Susan Parker
 Councillor Paul Spooner

6 LEADER'S COMMUNICATIONS

The newly elected Leader to announce the appointment of the Deputy Leader of the Council and Lead Councillors on the Executive and the titles of the portfolios assigned to them.

Councillors shall have the opportunity of asking questions of the Leader in respect of their communications.

7 PUBLIC PARTICIPATION

Question:

Katharine Paulson to ask the Lead Councillor for Climate Change, Councillor Jan Harwood, the following question:

“In light of the recent Local Authority Green Belt: England 2019-20*, stats published on 20 September 2020, where Guildford Borough Council gets a special mention as accounting for 46 % of the changes to the greenbelt across the country and causing a 6 % loss of the country's greenbelt, a figure that does not even take into account reallocations where timely planning enforcement action has not taken to protect unlawful sites from CLUEDs, could the Lead Councillor please confirm at what point will GBC and their planning department decide that green belt and agricultural land is a finite resource? The boroughs adjacent to London have a duty to keep this green space, to increase biodiversity, carbon sequestration, for production of food, and for the benefit of the future generations. Once this land is gone, it is gone forever, do the councillors really want to leave this legacy for future generations?”

*Source : , <https://www.gov.uk/government/news/pm-commits-to-protect-30-of-uk-land-in-boost-for-biodiversity>

The Lead Councillor's response is as follows:

“Guildford Borough is fortunate to be one of the greenest boroughs in the UK and as a council we are committed to protecting the biodiversity. The figures published are somewhat misleading in the absence of context. Firstly, 5.5% of the total greenbelt designation within our Borough (not the entire country, also the 6% figure is a rounding) was revoked. This has to be taken in the context that Guildford Borough was 89% greenbelt designated before the adoption of the Local Plan and is now 83.5%. To help understand the scale of this – it represents a loss of 0.09% of the country's greenbelt. Additionally, of the total, 4% was the insetting of villages previously washed over by the greenbelt policy which was spatially defined in Guildford in the 1987 Local Plan. The only other amendment that has been made to the greenbelt since it was defined in 1987 was the removal of Manor Park at the University of Surrey in the Local Plan 2003 – this removed 63.3ha (or 0.004% of the country's total greenbelt). This adjustment for insetting was made as those built up areas were not considered to contribute to the openness of the greenbelt and therefore no longer met the

requirement for inclusion in the greenbelt as set out by national policy. This 4% was not earmarked for specific development and is subject to the same policies as other urban areas such as extensions and rebuilding. The remaining 1.5% of previous greenbelt land makes up a significant part of the housing supply in the now adopted Local Plan.

In other words, whilst the headline figures and accompanying pie charts may garner attention, the real takeaway from the published figures is a stark indication of just how few Boroughs are able to adopt local plans in a given year. The change (-6%) is still proportionally less than that experienced at a number of other authorities (e.g. Stevenage at -31%; Nuneaton and Bedworth at -10%). Fortunately for Guildford, having a sound Local Plan protects us from precisely the type of development that would endanger the biodiversity and openness we have the privilege of enjoying.

Additionally, I would argue that all Boroughs within the UK have the same duties regardless of proximity to London. We are not and will not be the breadbasket for the capital. Neither will we be the excuse or mitigation for poor development elsewhere.

Finally, I would like to remind everyone that the Greenbelt is absolutely not a finite environmental resource. It is simply a policy designation not an environmental designation. Areas of Outstanding Natural Beauty and Sites of Special Scientific Interest are protected for their environmental quality. Designation of greenbelt can both be made and taken away. The focus should be on the protection and enhancement of our environment precisely for the reason Mrs Paulson states: for the benefit of future generations”.

Councillor Jan Harwood
Led Councillor for Climate Change

8 PETITION AND E-PETITION: CITIZENS' ASSEMBLY ON THE CLIMATE CRISIS (Pages 23 - 30 of the Council Agenda)

Petition:

The petition, containing 503 signatures, asks the Council to:

“implement a binding citizens' assembly to formulate a plan for the council to tackle the climate emergency. This could be instructed as the first meaningful action of the Climate Change Innovation Board which has the mandate to build a borough-wide plan for tackling climate change.”

Petition organiser's statement

The petition organiser, Jessie West, will be invited to make a statement to the Council in support of the petition.

The petition organiser (or a spokesperson appointed by her) will have five minutes in which to make her statement, after which councillors will have the opportunity of asking her any questions. The Council will then debate the petition.

The debate

Proposed motion in response to this petition:

The Lead Councillor for Climate Change, Councillor Jan Harwood to propose, and the Lead Councillor for Housing and Development Control, Councillor Caroline Reeves, to second the following motion in response to the petition:

“This Council recognised the urgency for action on climate change through the declaration of an emergency. However, given the scope and scale of the challenges we face, Guildford Borough Council cannot tackle the climate change crisis alone.

Because climate change is a global issue and requires the cooperation of everyone on the planet, in order to make a meaningful difference we must work as far as possible to develop partnerships and alliances across the county and region.

The Council recognises that we are not only facing great uncertainty over the borough’s recovery from the impact of the coronavirus pandemic, but also imminent discussions on possible unitary local government structures in Surrey, arising from the Government’s Devolution White Paper. Unitary local government in Surrey would bring about significant change to roles and responsibilities for areas and services contributing to carbon emissions. It also has the potential to create and improve strong partnerships and alliances that are better able to tackle climate change.

Therefore, we believe “*implementing a binding citizens’ assembly to formulate a plan for the council to tackle the climate emergency*” is not appropriate or practicable at this time in these circumstances. The Council notes that the Lead Councillor for Climate Change has already held informal discussions, at lead councillor level, with a number of councils in Surrey to explore possible joint working arrangements to address the climate emergency. This work will continue. We believe that we should work proactively with our partners in this regard and ensure we are best placed to meet and adapt to any changes in local government structure in the future and be strongly placed to lead action on climate change locally and across the county. Accordingly, the Council

RESOLVES: That the Managing Director be instructed to open discussions with all Surrey councils:

- (a) to explore possible formal joint working arrangements on climate change;
- (b) to seek formal agreement that the implementation of robust and sustainable policies on climate change should be the leading priority for any new unitary council(s) in Surrey with a recommendation that they explore the benefits of using a citizens’ assembly as a means of engaging with the community and harnessing the power of local activism in the formulation of such policies; and
- (c) to report the outcome of these discussions to the Executive.”

Alteration of Motion:

Under Council Procedure Rule 15 (o), Councillor Jan Harwood, as the mover of the original motion, has indicated that, with the consent of his seconder and of the meeting, he wishes to alter his motion in accordance with the proposed alteration below. The Mayor will put the proposed alteration to a vote without debate. If approved, Councillor Harwood’s motion, as altered, will become the substantive motion for debate to which amendments may subsequently be moved.

Alteration:

- (1) In the first sentence of the fourth paragraph, after “...*climate emergency*”, insert “*for Guildford borough alone*”.
- (2) At the end of the third sentence of the fourth paragraph, after “*This work will continue*”, insert “*and will include consideration of holding a citizens’ assembly conjointly with neighbouring authorities*”.

(3) After that sentence, insert the following new paragraph:

“The Council also notes that Lead Councillor for Climate Change has commenced discussions on a programme of community engagement, education and action with all Guildford stakeholders, including (but not limited to) parish councils, residents’ associations, local businesses and environmental groups, to enable Guildford borough to reach net Carbon Zero.”

(4) In paragraph (c) of the resolution within the motion, substitute “full Council” in place of “the Executive”.

The motion, as altered, would read as follows:

“This Council recognised the urgency for action on climate change through the declaration of an emergency. However, given the scope and scale of the challenges we face, Guildford Borough Council cannot tackle the climate change crisis alone.

Because climate change is a global issue and requires the cooperation of everyone on the planet, in order to make a meaningful difference we must work as far as possible to develop partnerships and alliances across the county and region.

The Council recognises that we are not only facing great uncertainty over the borough’s recovery from the impact of the coronavirus pandemic, but also imminent discussions on possible unitary local government structures in Surrey, arising from the Government’s Devolution White Paper. Unitary local government in Surrey would bring about significant change to roles and responsibilities for areas and services contributing to carbon emissions. It also has the potential to create and improve strong partnerships and alliances that are better able to tackle climate change.

Therefore, we believe “*implementing a binding citizens’ assembly to formulate a plan for the council to tackle the climate emergency*” for Guildford borough alone is not appropriate or practicable at this time in these circumstances.

The Council notes that the Lead Councillor for Climate Change has already held informal discussions, at lead councillor level, with a number of councils in Surrey to explore possible joint working arrangements to address the climate emergency. This work will continue and will include consideration of holding a citizens’ assembly jointly with neighbouring authorities.

The Council also notes that Lead Councillor for Climate Change has commenced discussions on a programme of community engagement, education and action with all Guildford stakeholders, including (but not limited to) parish councils, residents’ associations, local businesses and environmental groups, to enable Guildford borough to reach net Carbon Zero.

We believe that we should work proactively with our partners in this regard and ensure we are best placed to meet and adapt to any changes in local government structure in the future and be strongly placed to lead action on climate change locally and across the county. Accordingly, the Council

RESOLVES: That the Managing Director be instructed to open discussions with all Surrey councils:

- (a) to explore possible formal joint working arrangements on climate change;
- (b) to seek formal agreement that the implementation of robust and sustainable policies on climate change should be the leading priority for any new unitary

council(s) in Surrey with a recommendation that they explore the benefits of using a citizens' assembly as a means of engaging with the community and harnessing the power of local activism in the formulation of such policies; and

- (c) to report the outcome of these discussions to **full Council**."

Comments:

Councillor Susan Parker

Amendment:

Councillor Susan Parker to propose, and Councillor Ramsey Nagaty to second, the following amendment:

- (1) After the second paragraph add the following paragraph:

"We also recognise the need – as expressed by Sir David Attenborough in his recent broadcast – that our response to climate change must not just be global, national, or even regional, but that it is a personal and local responsibility including that of local government and that it must start now."

- (2) In the third paragraph of the motion, after "coronavirus pandemic" delete the comma and "but", and insert a full stop followed by "There are also imminent discussions on possible unitary local government structures in Surrey, arising from the Government's Devolution White Paper."

- (3) At the end of the first sentence of the fourth paragraph, add after "...these circumstances", "particularly due to the impact of Covid".

- (4) At the end of the fourth paragraph, add "This is a good start."

- (5) After the fourth paragraph, add the following paragraphs:

"However, we feel that this is not enough and that we must also support the petition in agreeing to establish a Citizens' Assembly as soon as it will be practicable to hold this due to Covid. We feel that the council should seek to change hearts and minds in the community to encourage residents to make appropriate individual choices.

We also wish to implement policies which will have an immediate impact on reducing climate change now. We recognise that Guildford is a key partner in the drive to reduce carbon emissions, and that our capacity to reduce the local carbon footprint is magnified by the planning policies which we are able to introduce".

- (6) Add the following paragraph to the resolution within the motion:

"(2) That, in addition, the Council itself commits that it will take urgent action in the short term to minimise climate change, such action shall include the development of policies by the Climate Change Board, who will present a progress report to full Council within three months, such policies will include:

- (i) measures to reduce the carbon footprint of:
 - (a) the borough's own activities (moving to a zero-carbon position);
 - (b) the borough's assets;

- (c) buildings within the borough, so that the carbon footprint impact is assessed on all planning applications and given substantial weight in determining those applications; and
- (ii) new building policies, using the Council's planning and policy role including detailed planning requirements to minimise embedded carbon and impose the highest possible standards on all new building within the borough".

The motion, as amended, would read as follows:

"This Council recognised the urgency for action on climate change through the declaration of an emergency. However, given the scope and scale of the challenges we face, Guildford Borough Council cannot tackle the climate change crisis alone.

Because climate change is a global issue and requires the cooperation of everyone on the planet, in order to make a meaningful difference we must work as far as possible to develop partnerships and alliances across the county and region.

We also recognise the need – as expressed by Sir David Attenborough in his recent broadcast – that our response to climate change must not just be global, national, or even regional, but that it is a personal and local responsibility including that of local government and that it must start now.

The Council recognises that we are not only facing great uncertainty over the borough's recovery from the impact of the coronavirus pandemic. *There are* also imminent discussions on possible unitary local government structures in Surrey, arising from the Government's Devolution White Paper. Unitary local government in Surrey would bring about significant change to roles and responsibilities for areas and services contributing to carbon emissions. It also has the potential to create and improve strong partnerships and alliances that are better able to tackle climate change.

Therefore, we believe "implementing a binding citizens' assembly to formulate a plan for the council to tackle the climate emergency" is not appropriate or practicable at this time in these circumstances, *particularly due to the impact of Covid.*

The Council notes that the Lead Councillor for Climate Change has already held informal discussions, at lead councillor level, with a number of councils in Surrey to explore possible joint working arrangements to address the climate emergency. This work will continue. We believe that we should work proactively with our partners in this regard and ensure we are best placed to meet and adapt to any changes in local government structure in the future and be strongly placed to lead action on climate change locally and across the county. *This is a good start.*

However, we feel that this is not enough and that we must also support the petition in agreeing to establish a Citizens' Assembly as soon as it will be practicable to hold this due to Covid. We feel that the council should seek to change hearts and minds in the community to encourage residents to make appropriate individual choices.

We also wish to implement policies which will have an immediate impact on reducing climate change now. We recognise that Guildford is a key partner in the drive to reduce carbon emissions, and that our capacity to reduce the local carbon footprint is magnified by the planning policies which we are able to introduce.

Accordingly, the Council

RESOLVES:

- (1) That the Managing Director be instructed to open discussions with all Surrey councils:
 - (a) to explore possible formal joint working arrangements on climate change;
 - (b) to seek formal agreement that the implementation of robust and sustainable policies on climate change should be the leading priority for any new unitary council(s) in Surrey with a recommendation that they explore the benefits of using a citizens' assembly as a means of engaging with the community and harnessing the power of local activism in the formulation of such policies; and
 - (c) to report the outcome of these discussions to the full Council.
- (2) That, in addition, the Council itself commits that it will take urgent action in the short term to minimise climate change, such action shall include the development of policies by the Climate Change Board, who will present a progress report to full Council within three months, such policies will include:
 - (i) measures to reduce the carbon footprint of:
 - (a) the borough's own activities (moving to a zero-carbon position);
 - (b) the borough's assets;
 - (c) buildings within the borough, so that the carbon footprint impact is assessed on all planning applications and given substantial weight in determining those applications; and
 - (ii) new building policies, using the Council's planning and policy role including detailed planning requirements to minimise embedded carbon and impose the highest possible standards on all new building within the borough".

NB. If the motion, amended or otherwise, is lost an alternative motion may be proposed.

Councillor James Walsh has proposed an alternative motion in response to the petition, which is set out in the Appendix to this Order Paper.

Petition organiser's right of reply

At the end of the debate and before the Council takes a vote on its response to the petition, Jessie West will be invited to exercise her right of reply for which she will be given a further period of five minutes.

The vote

After the right of reply, the Council will take a vote on its response to the petition, which will be carried out by way of a random roll call.

9 QUESTIONS FROM COUNCILLORS

No questions have been received from councillors.

10 CAPITAL AND INVESTMENT OUTFURN REPORT 2019-20 (Pages 31 – 96 of the Council agenda)

The Lead Councillor for Resources, Councillor Tim Anderson to propose, and the Lead Councillor for Service Delivery, Councillor Joss Bigmore to second, the adoption of the following motion:

- (1) That the treasury management annual report for 2019-20 be noted.
- (2) That the actual prudential indicators reported for 2019-20, as detailed in Appendix 1 to the report submitted to the Council, 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.

Comments:

None

11 REVIEW OF THE COUNCILLORS' CODE OF CONDUCT AND CONSIDERATION OF THE BEST PRACTICE RECOMMENDATIONS OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE (Pages 97 – 144 of the Council agenda)

The Lead Councillor for Service Delivery, Councillor Joss Bigmore to propose, and the Vice-Chairman of the Corporate Governance and Standards Committee, Councillor Deborah Seabrook to second, the adoption of the following motion:

- (1) That the draft revised Councillors' Code of Conduct, as set out in Appendix 3 to the report, submitted to the Council be adopted and implemented with immediate effect (this incorporates CSPL Best Practice Recommendations 1 and 2).
- (2) That parish councils in the borough be invited to consider adopting at the earliest opportunity the revised Code of Conduct set out in Appendix 3 to the report, with such modifications as they deem necessary.
- (3) That the Monitoring Officer be authorised to prepare, maintain and make available for inspection at the Council's offices and online a revised register of councillors' interests to comply with the requirements of the Localism Act 2011 and of the Council's revised code of conduct.
- (4) That the Council agrees that the code of conduct should normally be reviewed every four years during the year following the Borough Council Elections, with any such review involving formal consultation with parish councils within the borough (CSPL Best Practice Recommendation 3 refers).
- (5) That the Council's Arrangements for Dealing with Allegations of Misconduct by Councillors ("the Arrangements") be amended as follows:
 - (a) paragraph 7.3 (g) iii) to read: "Whether the complaint appears to be *trivial*, malicious, vexatious, politically motivated or 'tit-for-tat'"
 - (b) paragraph 7.4 (6) to read: "The complaint appears to be *trivial*, malicious, vexatious, politically motivated or 'tit-for-tat'"
 - (c) paragraph 7.10 to read: "The decision of the Monitoring Officer, or Assessment Sub-Committee (as the case may be) shall be recorded in writing, and a decision notice will be sent to the Complainant and the Subject Member within 10 working days of the decision. *The Independent Person shall be given the option to review and comment on allegations which the Monitoring Officer (or Assessment Sub-Committee) is minded to dismiss as being without merit, vexatious, or trivial.* The decision notice will summarise the allegation, give the decision of the Monitoring Officer or Assessment Sub-Committee, and the reasons for their decision. There is no right of appeal against the decision of the Monitoring Officer or Assessment Sub-Committee."
 - (d) Substitute the following in place of paragraph 31 of Appendix 3 to the Arrangements (Procedure and Powers of the Corporate Governance and Standards Committee and Hearings Sub-Committee): "*The Monitoring Officer will also arrange for a decision notice to be published as soon as possible on the Council's website, including a brief statement of facts, the provisions of the code engaged by the*

allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied..”

(CSPL Best Practice Recommendations 2, 8, and 9 refer).

- (6) That no change be made to the Arrangements in respect of CSPL Best Practice Recommendation 6: that councils should publish a clear and straightforward public interest test against which allegations are filtered.
- (7) That the Council notes that the role of the Monitoring Officer includes providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority, and agrees that the Monitoring Officer should be provided with adequate training, corporate support and resources to undertake this work (CSPL Best Practice Recommendation 12 refers).

Reasons:

- To address various corporate governance and ethical standards related concerns raised by councillors.
- To address the Best Practice Recommendations of the Committee on Standards in public Life in their report *Local Government Ethical Standards (January 2019)*

Comments:

Councillor Susan Parker

12 REVIEW OF THE PROTOCOL ON COUNCILLOR-OFFICER RELATIONS (Pages 145 – 164 of the Council agenda)

The Lead Councillor for Service Delivery, Councillor Joss Bigmore to propose, and the Vice-Chairman of the Corporate Governance and Standards Committee, Councillor Deborah Seabrook to second, the adoption of the following motion:

- (1) That the draft revised Protocol on Councillor/Officer Relations, attached as Appendix 2 to the report submitted to the Council, be adopted.
- (2) That the Protocol be reviewed at least every four years at the same time as the Council reviews its codes of conduct for councillors and staff.

Reasons:

- To ensure that properly reviewed and up to date guidance is made available to councillors and officers.
- To ensure that the Protocol is kept under review at least every four years

Alteration of Motion:

Under Council Procedure Rule 15 (o), Councillor Joss Bigmore as the mover of the original motion, has indicated that, with the consent of his seconder and of the meeting, he wishes to alter his motion in accordance with the proposed alteration below. The Mayor will put the proposed alteration to a vote without debate. If approved, Councillor Bigmore’s motion, as altered, will become the substantive motion for debate to which amendments may subsequently be moved.

Alteration

Change paragraph (1) of the motion so that it reads:

“(1) That the draft revised Protocol on Councillor/Officer Relations, attached as Appendix 2 to the report submitted to the Council, be adopted *subject to the following amendment to paragraph 10.1 of the Protocol*:

“10.1 All confidential information held by the Council, in whatever form, remains confidential to the Council and subject to the requirements of the Data Protection regulations, unless and until such confidentiality is waived by the Monitoring Officer. Any dispute will be determined by the Monitoring Officer *in consultation with the Corporate Governance and Standards Committee*”

Advice of the Monitoring Officer

During discussions on this matter by councillors since the publication of the agenda for this meeting, it was suggested that any disputes should be determined by the Corporate Governance and Standards Committee. The Monitoring Officer has concerns about a committee determining whether information should remain confidential, as this is essentially a legal test. The consequences of releasing information that should remain confidential can be significant and many councils have been issued with large fines for doing so incorrectly.

Even if the Committee were to determine such disputes, this would need to be heavily dependent on the advice of the Monitoring Officer; and in the event that the Committee determined that information which should remain confidential should be released, the Monitoring Officer would, if it appeared to her that such decision would give rise to a contravention of the law, be duty bound under Section 5 Local Government & Housing Act 1989 to prepare a report to full Council with respect to that decision.

Comments:

None

13 EXECUTIVE ADVISORY BOARDS – REVIEW OF STRUCTURE AND REMIT (Pages 165 – 192 of the Council agenda)

The Lead Councillor for Service Delivery, Councillor Joss Bigmore to propose, and the Chairman of the Community EAB, Councillor Angela Goodwin to second, the adoption of the following motion:

- (1) That the concept of retaining two EABs, each meeting on alternate months with the flexibility to have a balanced inter-changeable remit as appropriate to the agenda items, without the risk of losing topic continuity and expertise, and possibly ahead of Executive meetings to offer a pre-decision opportunity to make recommendations, be agreed.
- (2) That the remit of EABs be realigned to reflect the Executive portfolios and Directorates of the Council and that, accordingly, the Place-Making and Innovation EAB be renamed as the Strategy and Resources EAB and the Community EAB be renamed the Service Delivery EAB.
- (3) That the existing Joint EAB arrangement be continued and implemented when significant and wide-ranging agenda items, such as budgetary matters, are under consideration.
- (4) That closer two-way working between the Executive and EABs, including an expectation that relevant Lead Councillors (or other Executive members in the absence of the relevant Lead Councillor) proactively attend EAB meetings and EAB Chairmen and / or Vice-Chairmen attend Executive meetings to elaborate on advice given and to receive feedback, be established and adopted.

- (5) That a clear formalised procedure of reporting EAB advice and views to the Executive and EABs receiving Executive feedback be adopted.
- (6) That, in addition to exploring relevant Forward Plan items and Corporate Plan priorities, the EABs have free range to select their own review topics on which to advise the Executive, including the establishment of task groups where considered necessary (and subject to available resources).
- (7) That the EABs receive items sufficiently in advance of determination by the Executive in order to have the opportunity to advise on, and influence, its decisions from a broader knowledge base.
- (8) That the Democratic Services and Elections Manager be authorised to make appropriate amendments to the Constitution to give effect to the above recommendations.

Reason:

To introduce a more efficient and effective EAB configuration and contribution.

Comments:

Councillor Susan Parker

14 NOTICE OF MOTION DATED 18 SEPTEMBER 2020: OPPOSITION TO SINGLE UNITARY AUTHORITY FOR SURREY

In accordance with Council Procedure Rule 15 (p), the proposer of the motion (Councillor Tony Rooth) has indicated that he wishes to withdraw this motion. The Mayor will invite Councillor Rooth to propose the withdrawal of the motion and ask his seconder (Councillor Christopher Barrass) if he consents. The Mayor will then put the withdrawal of the motion to the meeting without further discussion.

No councillor may speak on the motion after the proposer has asked permission for its withdrawal unless permission to withdraw is refused.

15 NOTICE OF MOTION DATED 22 SEPTEMBER 2020: PROPOSAL TO SUPPORT THE LOCAL ELECTRICITY BILL

In accordance with Council Procedure Rule 15 (p), the proposer of the motion (Councillor Deborah Seabrook) has indicated that she wishes to withdraw this motion. The Mayor will invite Councillor Seabrook to propose the withdrawal of the motion and the Mayor will then put the withdrawal of the motion to the meeting without further discussion.

No councillor may speak on the motion after the proposer has asked permission for its withdrawal unless permission to withdraw is refused.

16 MINUTES OF THE EXECUTIVE (Pages 193 – 200 of the Council agenda)

To receive and note the minutes of the meetings of the Executive held on 21 July, and 25 August 2020, which are attached to the Council agenda.

Comments:

None

17. COMMON SEAL

To order the Common Seal.

AGENDA ITEM 8 – PETITION: CITIZENS' ASSEMBLY ON THE CLIMATE CRISIS

If the motion tabled by Councillor Harwood is lost, Councillor James Walsh to propose, and Councillor Angela Gunning to second, the following alternative motion:

“The Council recognised the urgency for action on climate change through the declaration of an emergency and welcomes this petition as an expression of the deep interest in this issue by the general public. However, given the scope and scale of the challenges we face, Guildford Borough Council cannot tackle the climate crisis alone.

Because climate change is a global issue and requires the cooperation of everyone on the planet, in order to make a meaningful difference we must work as far as possible to develop partnerships and alliances across the county and region.

Communications between local authorities at lead councillor and officer level on issues relating to climate change are standard procedure and ongoing. However, this Council also recognises:

- (a) the value and importance of engaging with the public outside formal local government structures in a meaningful way that allows for broad debate and a more direct democratic approach to the formulation of policy;
- (b) the primacy of the democratic mandate afforded members of the Council through the outcome of the electoral process under the representative democratic tradition and that, as such, any consideration and enactment of policy recommendations from any external bodies will be made in strict accordance with the Council’s Constitution; and.
- (c) that Citizens’ Assemblies have had a positive impact elsewhere and have been an excellent vehicle for increased and meaningful engagement by the general public in the policy-making process, especially on climate change issues;

To that end, this Council

RESOLVES:

- (1) That the Managing Director be instructed to open discussions with all Surrey councils to explore possible formal joint working arrangements on climate change and to report the outcome of these discussions to the full Council.
- (2) That the Executive be requested to use evidence from other councils where citizens’ assemblies have been successfully established to develop a plan to set up a Guildford Citizens’ Assembly within six months, with the purpose of engaging the public on the climate emergency in a meaningful way that fosters informed public debate, policy-making ideas and recommendations for consideration by the Council.
- (3) That the Executive be requested to consider and enact any such recommendations made to the Council in accordance with the Council’s constitutional channels and processes and to report back on progress to the Overview and Scrutiny Committee as soon as is practical.”