



**EXTRAORDINARY COUNCIL MEETING**

**TUESDAY, 16 APRIL 2024**

**ORDER PAPER**

**10 ORDER PAPER (Pages 1 - 30)**

This page is intentionally left blank



## EXTRAORDINARY COUNCIL MEETING

TUESDAY 16 APRIL 2024

### ORDER PAPER

#### WEBCASTING NOTICE

This meeting will be recorded for 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 Democratic Services.

I would like to welcome everyone to this evening's extraordinary meeting of the Council.

I should be grateful if you would ensure that your mobile phones and other hand-held devices are switched to silent during the meeting. If the fire alarm sounds during the course of the meeting - we are not expecting it to go off - please leave the Council Chamber immediately and proceed calmly to the assembly point in Millmead on the paved area adjacent to the river as you exit the site.

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 business on tonight's agenda. It also sets out details of any questions submitted by councillors together with 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 5 (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 Masuk Miah*  
*The Mayor of Guildford*

<b>Time limits on speeches at full Council meetings:</b>	
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

### **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. MAYOR'S COMMUNICATIONS**

To receive any communications from the Mayor.

### **4. LEADER'S COMMUNICATIONS**

The Leader to comment on the following matters:

- Making Guildford town centre safer for all
- Guildford Flood Alleviation Scheme
- Active April

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

## **5. PUBLIC PARTICIPATION**

No members of the public have registered to speak or ask a question.

## **6. QUESTIONS FROM COUNCILLORS**

There are no questions from councillors.

## **7. REVIEW OF THE CONSTITUTION – PROPOSED NEW COUNCIL PROCEDURE RULES**

(Pages 7 – 66 of the Council agenda)

Corporate Governance & Standards Committee: 11 April 2024

During its debate on this matter, the following points were raised by the Committee:

- It was noted that the Council's petition scheme was currently included separately in the Public Speaking Procedure Rules. Given that the proposed new Council Procedure Rules included procedures for public participation, concern was expressed as to whether it was intended to continue with a petition scheme. The Joint Strategic Director of Legal & Democratic Services confirmed that the petition scheme would still be included within the Council's Constitution, albeit separate from the Council Procedure Rules. The councils' petition schemes were also scheduled for review by the Joint Constitutions Review Group (JCRG) in due course.
- It was noted that Appendix 1 to the report had indicated that Waverley currently permitted the public to ask "informal questions", and that it was proposed to remove this provision in the proposed new Council Procedure Rules. A committee member suggested that such provision should be retained and re-introduced into the proposed new Council Procedure Rules in order to encourage greater public engagement. In response, the Joint Strategic Director of Legal & Democratic Services noted that there was some difficulty in defining what was meant by informal questions and so the new Council Procedure Rules had clarified the rules by defining the scope of questions and the timescale by which they should be submitted, which should still encourage public engagement. Another committee member argued that current arrangements for the public to give notice of questions worked well and greatly reduced the likelihood of vexatious or defamatory questions, and disruptive behaviour. Furthermore, it was argued that having rules for formal questions alongside rules for informal questions would be inconsistent and impractical. Another committee member noted that maintaining current

rules requiring notice of questions ensured that the questioner receives a more considered, and better quality, answer in response.

- However, the Joint Strategic Director of Legal & Democratic Services confirmed to the meeting that this provision was not currently included in Waverley’s Council Procedure Rules.
- It was noted that it was being proposed that there should be a time limit of 30 minutes for dealing with motions on notice on the Council agenda and that, in the past, the Council had spent considerably longer than 30 minutes debating a single motion. The Joint Strategic Director of Legal & Democratic Services drew the Committee’s attention to the provision within the Council Procedure Rules to move their suspension, which would allow the Council to agree to extend any such time limit for that meeting if it was felt necessary to deal with the motions on the agenda. However, it was suggested that, as there were already provisions elsewhere in the Council Procedure Rules to move closure motions, for example, to take an immediate vote on a motion when it was felt that a motion had been debated fully, there should be no time limit for dealing with motions on notice within the Procedure Rules.
- In response to a query as to the urgency of reviewing Council Procedure Rules, the Joint Strategic Director of Legal & Democratic Services reminded the Committee that both councils had agreed to set up the JCRG, which allowed early engagement of members from both councils in the constitutional review via the Review Group. Furthermore, neither council’s constitution had been reviewed for some time and it had been noted there were significant gaps, omissions and inconsistencies that required urgent action, for example the recent review and adoption by both councils of Officer Employment Procedure Rules. Further reports on the constitutional review arising from the work of the JCRG would be coming to Committee and full Council in the next few months.

The Corporate Governance & Standards Committee endorsed the following recommendation in respect of this matter:

“That the proposed new Council Procedure Rules, as set out in Appendix 2 to the report, be adopted into the Constitution, subject to:

- (a) the following minor amendments, as suggested by Waverley’s Standards & General Purposes Committee:
- CPR 2.3 - Election of the Mayor and Appointment of the Deputy Mayor (page 32 of the Council agenda): Amend the second paragraph so that it reads as follows:

“The current Mayor will preside over the election of their successor, unless they are unable to do so, in which case the current Deputy Mayor will do so. If the Deputy Mayor is ineligible to do so, due to the principle that a Councillor should not preside over their own election, the Monitoring Officer will **call for a motion that a non-executive Member of the Council take the chair to** preside for the first agenda item of business to Elect the Mayor. In the case of an equality of votes, the person presiding at the meeting, ~~provided they are a councillor,~~ shall give a casting vote in the case of an equality of votes”.

- CPR 4.2 – Business at Extraordinary Meetings (page 37 of the Council agenda): Amend paragraph (vi) so that it reads as follows:

“(vi) consider the items of business for which the extraordinary meeting has been called, **and deal with any business remaining from the last Council meeting.**”

- CPR 15.12 - Motions which may be moved during debate (page 52 of the Council agenda): Amend first paragraph so that it reads as follows:

“When a motion is under debate, no other motion may be moved except the following procedural **or closure** motions, which may be moved by a member, without comment, at the end of a speech by another member.”

- CPR 25.4 – Leader of the Council (page 62 of the Council agenda): Amend the first paragraph so that it reads:

“The Leader of the Council, or Deputy Leader in their absence, may attend any meeting of a Committee and speak **once** on any item under consideration as of right, unless they have a relevant interest in the matter that would preclude them from being present.”

- (b) \*no time limit being included in Council Procedure Rule 13 for dealing with motions on notice at Council meetings”.

\*NB: Post meeting note:

Councillors are asked to note that there is actually no time limit being proposed in respect of Council Procedure Rule 13 (Motions on Notice). There appeared to be a misunderstanding at the Corporate Governance & Standards Committee meeting in that regard. Confusingly, Appendix 1 (see page 17 of the Council agenda) states in

respect of the commentary on Council Procedure Rule 13 that *“There will now be maximum time period for Motions on Notice of 60 minutes...”*. This is **not** correct and should be ignored, as no time limit is being proposed.

It is, however, being proposed that there should be an overall time limit of 30 minutes for dealing with Questions by Members - see Council Procedure Rule 12.1.7 (page 46 of the Council agenda). Such a time limit accords with the existing 30-minute limit for dealing with public questions/statements referred to in Council Procedure Rule 11. Officers apologise for the confusion.

The Motion:

The Lead Councillor for Regulatory & Democratic Services, Councillor Merel Rehorst-Smith to propose, and Councillor James Jones to second the following motion:

“That the proposed new Council Procedure Rules, as set out in Appendix 2 to the report, be adopted into the Constitution, subject to the following minor amendments, as suggested by Waverley’s Standards & General Purposes Committee:

- (a) CPR 2.3 - Election of the Mayor and Appointment of the Deputy Mayor (page 32 of the Council agenda): Amend the second paragraph so that it reads as follows:

“The current Mayor will preside over the election of their successor, unless they are unable to do so, in which case the current Deputy Mayor will do so. If the Deputy Mayor is ineligible to do so, due to the principle that a Councillor should not preside over their own election, the Monitoring Officer will **call for a motion that a non-executive Member of the Council take the chair to** preside for the first agenda item of business to Elect the Mayor. In the case of an equality of votes, the person presiding at the meeting, ~~provided they are a councillor,~~ shall give a casting vote in the case of an equality of votes”.

- (b) CPR 4.2 – Business at Extraordinary Meetings (page 37 of the Council agenda): Amend paragraph (vi) so that it reads as follows:

“(vi) consider the items of business for which the extraordinary meeting has been called, **and deal with any business remaining from the last Council meeting.**”

- (c) CPR 15.12 - Motions which may be moved during debate (page 52 of the Council agenda): Amend first paragraph so that it reads as follows:



“When a motion is under debate, no other motion may be moved except the following procedural **or closure** motions, which may be moved by a member, without comment, at the end of a speech by another member.”

- (d) CPR 25.4 – Leader of the Council (page 62 of the Council agenda): Amend the first paragraph so that it reads:

“The Leader of the Council, or Deputy Leader in their absence, may attend any meeting of a Committee and speak **once** on any item under consideration as of right, unless they have a relevant interest in the matter that would preclude them from being present.”

**Reasons:**

- Adoption of the new Council Procedure Rules will ensure that both Guildford and Waverley Borough Councils have adequate arrangements in place to deal with the conduct of business at council meetings in an effective and efficient manner that meets statutory requirements.
- Adoption of the new Council Procedure Rules will be a significant milestone in the process of aligning the constitutions of GBC and WBC where it is appropriate to do so.

***Comments:***

None

**8. REVIEW OF EXECUTIVE ADVISORY BOARDS AND OVERVIEW & SCRUTINY**  
(Pages 67 – 94 of the Council agenda)

Corporate Governance & Standards Committee: 11 April 2024

During its debate on this matter, the following points were raised by the Committee:

- The reason for introducing the EABs had been a politically driven decision as there had been a public debate around the time of the 2015 local elections as to whether the Council should move from the Leader and Cabinet Executive arrangements to a committee system, which was followed thereafter by a governance referendum in 2016 as to whether the Council should move to a Directly Elected Mayor and Cabinet Executive arrangements. The present EAB/O&S structure was essentially a hybrid arrangement mixing the Leader and Cabinet Executive arrangements with a committee system. It was suggested that the EABs had been an eight-year experiment which had not worked, and would never work as they undermined the role of overview and

scrutiny. EABs were intended to be forward looking and, by default, overview and scrutiny was retrospective. Furthermore, in practice EABs had been overly reliant on the Executive to provide them with work, and had limited autonomy. The proposed model of two Overview and Scrutiny Committees each of which able to focus on different areas of the Council's operations, would enable them to operate with full autonomy and in accordance with their statutory powers.

- It was also suggested that the Executive Working Groups, which had been established recently, had been performing the EABs' role more effectively than the EABs themselves.
- It was suggested that the operation of the new Overview and Scrutiny Committees should be reviewed after 12 months.
- Concern as to whether all of the "general terms of reference" of the current Overview and Scrutiny Committee referred to in Appendix 2 to the report had been included in the proposed terms of reference for the two new Overview and Scrutiny Committees referred to in Appendix 3. In response, the Democratic Services & Elections Manager would check to ensure that the proposed terms of reference for the two new Overview and Scrutiny Committees include any of the existing general terms of reference that had not been included.
- Query as to whether the various factors referred to in the report that had been attributed to the failure of the EABs would continue with the introduction of the proposed two new Overview and Scrutiny Committees. In response, the Democratic Services & Elections Manager explained that there had to be much improved communication between the Executive and Overview and Scrutiny, and proper engagement with Overview and Scrutiny by the Executive in terms of commissioning work on policy development, and Overview and Scrutiny being actively involved in the scrutiny of finance.
- The proposed change to two Overview & Scrutiny Committees had to be meaningful and properly resourced. There also had to be a cultural change in order to achieve the commitment from both O&S Committee members and the Executive to make the new arrangements work. By getting these arrangements in place should result in better, and more informed decision-making. In response, the Democratic Services & Elections Manager suggested that the first priority should be work programming and starting the formal dialogue between the Executive and Overview & Scrutiny, with the support of senior management, to establish how Overview and Scrutiny can assist in policy development to inform Executive decision-making on the Council's corporate

projects and priorities. The importance of further Overview and Scrutiny training was also emphasised.

- It was noted that, unlike EABs, Overview and Committees had statutory powers which they could use to investigate matters of their choosing, and to make recommendations as appropriate to decision-makers.

The Corporate Governance & Standards Committee endorsed the following recommendation in respect of this matter:

- “(1) That the proposal to disband the two EABs and the single O&S Committee and to replace them with two new Overview and Scrutiny Committees (Option 3 referred to in the report), be adopted and implemented with effect from the 2024-25 municipal year.
- (2) That the draft Terms of Reference of the two proposed new Overview and Scrutiny Committees, as set out in Appendix 3 to the report submitted to the Committee, be adopted, subject to ensuring that the proposed terms of reference include any of the general terms of reference for the existing Overview & Scrutiny Committee that had not been included.
- (3) That the operation of the new Overview and Scrutiny Committees be reviewed after 12 months”.

The Motion:

The Lead Councillor for Regulatory & Democratic Services, Councillor Merel Rehorst-Smith to propose, and Councillor James Walsh to second the following motion:

- “(1) That the proposal to disband the two EABs and the single O&S Committee and to replace them with two new Overview and Scrutiny Committees (Option 3 referred to in the report), be adopted and implemented with effect from the 2024-25 municipal year.
- (2) That the draft Terms of Reference of the two proposed new Overview and Scrutiny Committees, as set out in Appendix 3 to the report submitted to the Council, be adopted, subject to the addition of the following after paragraph 1.4:

**‘1.5 *General terms of reference***

*Each Overview and Scrutiny Committee may:*

- (a) *appoint such formal sub-committees and informal task and finish groups as they consider appropriate to fulfil the Council’s overview and scrutiny functions,*

- (b) *approve an overview and scrutiny work programme so as to ensure that each Committee's time is effectively and efficiently utilised,*
- (c) *undertake investigations into such matters relating to the Council's functions and powers as:*
  - (i) *may be referred by the Leader/Executive, or*
  - (ii) *the Committee may consider appropriate.*
- (d) *consider petitions received under the adopted Petition Scheme that fall into the following categories:*
  - *petitions requiring a senior officer to give evidence to the Committee, and*
  - *a request from a petition organiser, who is not satisfied with the Council's response to a petition, for a review of the adequacy of the steps taken or proposed to be taken in response to the petition.'*

(3) That the operation of the new Overview and Scrutiny Committees be reviewed after 12 months”.

Reason:

To ensure that the Council is able to demonstrate that it discharges its overview and scrutiny function more effectively.

**Comments:**

None

**9. APPOINTMENT OF JOINT STRATEGIC DIRECTOR OF FINANCE /SECTION 151 OFFICER (Pages 95 – 112 of the Council agenda)**

Update:

At its meeting held on Friday 12 April, the Joint Senior Staff Committee (JSSC) held an interview for appointment to the post of Joint Strategic Director of Finance and s151 Officer, and identified their preferred candidate as Richard Bates, and have unanimously recommended his appointment on a permanent basis, on a salary of £127,850 per annum, from a date to be arranged, to each full Council (Guildford's this evening and Waverley's next Tuesday 23 April).

Statutory consultation with the Executives of both councils - see paragraph 1.7 of the report (page 96 of the agenda)

In accordance with the requirements of paragraph 5 of Part II of Schedule 1 to The Local Authorities (Standing Orders) (England) Regulations 2001, the Executive members of both councils have been asked to confirm, with their respective Leaders, whether they have any well-founded objections to the appointment of Richard Bates as Joint Strategic Director of Finance and s151 Officer. No such objections have been received.

The report on this matter was circulated to all councillors, and published on the Council’s website on Friday 12 April, following the JSSC meeting.

A copy of the report is attached to this Order Paper.

The Motion:

The Leader of the Council, Councillor Julia McShane to propose, and the Lead Councillor for Finance and Property, Councillor Richard Lucas to second the following motion:

“That, subject to the agreement of Waverley Borough Council at its full Council meeting on 23 April 2024, confirmation of a formal offer of appointment to the role of Joint Strategic Director of Finance, and designation as Section 151 Officer, for both Guildford and Waverley Borough Councils be made to Richard Bates, subject to a salary of £127,850 per annum.”

Reasons:

- Section 151 of the Local Government Act, 1972 requires that local authorities have in place arrangements for the proper administration of their financial affairs.
- Richard Bates is a qualified Accountant and experienced local authority Chief Financial Officer. He has held the S151 Officer role at Dorset County Council and interim S151 Officer at Mendip District Council (see Exempt Appendix 2 – Richard Bates - Summary Curriculum Vitae)
- Richard Bates has been carrying out the responsibilities of the role of interim Executive Head of Finance/S151 Officer at both authorities since 17 July 2023 and, latterly, the role of Interim Joint Strategic Director of Finance.

**Comments:**

None

\* \* \* \* \*



# **Guildford and Waverley Borough Councils**

Report to: Full Council Guildford / Full Council Waverley

Date: 16 April 2024 / 23 April 2024

Ward(s) affected: N/A

Report of Manager: HR Manager

Author: Jon Formby

Tel: 01483 523499

Email: jon.formby@waverley.gov.uk

Report Status: Open

## **Appointment of Joint Strategic Director of Finance /Section 151 Officer**

### **1. Executive Summary**

- 1.1 Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs and appoint a S151 Officer, also known as a Chief Financial Officer, to have responsibility for those arrangements.
- 1.2 Due to the changes to the Corporate Management Board structure and the advertising of the permanent role of Joint Strategic Director of Finance/Section 151 Officer a permanent appointment is required to ensure that both Councils meet their statutory requirements.
- 1.3 The role of permanent Joint Strategic Director of Finance/Section 151 Officer was advertised internally and externally across the recruitment platforms at Waverley Borough Council and Guildford Borough Council from Monday 18 March to Monday 25 March 2024. The external advertising at Waverley included the role being placed on Jobs Go Public an external recruitment site specialising in public

sector recruitment. Jobs Go Public is also the chosen platform for the Local Government Association. The role is advertised on their main sites and across their social media platforms as well as on the LG Jobs (Local Government site).

- 1.4 The statistics on the Jobs Go Public site indicate that the role received 464 views across all platforms and 118 apply clicks which meant potential candidates also then clicked through to find out further information on the role.
- 1.5 Only one application was received, which was from the current interim S151 Officer, Richard Bates.
- 1.6 Richard Bates has been in the role of interim Executive Head of Finance/ S151 Officer since 17 July 2023, and, latterly, the role of Interim Joint Strategic Director of Finance.
- 1.7 At its meeting on 12 April 2024, the Joint Senior Staff Committee (JSSC) conducted an interview of Richard Bates for the permanent role of Joint Strategic Director of Finance/Section 151 Officer and have recommended unanimously to confirm his formal appointment to that role at the full meetings of both Guildford and Waverley Borough Councils to be held respectively on 16 and 23 April 2024. Any formal offer of appointment is subject to no material or well-founded objection being made by either of the two Council Leaders on behalf of their respective Executives in accordance with the provisions of Paragraph 5 of Part II of Schedule 1 to the Local Authorities (Standing Orders) (England) Regulations 2001.

## **2. Recommendation to both councils:**

The Joint Senior Staff Committee recommends:

- 2.1 That Richard Bates be appointed to the permanent role of Joint Strategic Director of Finance / Section 151 Officer for Guildford and Waverley Borough Councils, subject to no material or well-founded objection being made by either of the two Council Leaders on behalf of their respective Executives.



### **3. Reasons for Recommendation:**

- 3.1. Section 151 of the Local Government Act, 1972 requires that local authorities have in place arrangements for the proper administration of their financial affairs.
- 3.2. Richard Bates is a qualified Accountant and experienced local authority Chief Financial Officer. He has held the S151 Officer role at Dorset County Council and interim S151 Officer at Mendip District Council (see Exempt Appendix 2 – Richard Bates - Summary Curriculum Vitae)
- 3.3. Richard Bates has been carrying out the responsibilities of the role of interim Executive Head of Finance/S151 Officer at both authorities since 17 July 2023 and, latterly, the role of Interim Joint Strategic Director of Finance.

### **4. Exemption from publication**

- 4.1 Yes. Appendix 2.

The content of Appendix 2 is to be treated as exempt from the Access to Information publication rules because the process for candidate selection involved the disclosure, or likely disclosure of personal information about the candidate and is therefore exempt from publication by virtue of paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 as follows:

(1) “Information relating to any individual”.

- 4.2 The content is restricted to members of both councils.
- 4.3 It is not anticipated that the exempt information can be expected to be made available for public inspection.
- 4.4 The decision to maintain the exemption may be challenged by any person at the point at which the Council is invited, if necessary, to pass a resolution to exclude the public from the meeting to consider the exempt information.

## **5. Purpose of Report**

5.1 In the light of the decision of Guildford and Waverley Borough Councils to form a Joint Management Team (JMT), both councils are requested to consider the recommendation of the JSSC in respect of the formal appointment of the S151 Officer as per the role profile attached as Appendix 1.

5.2 Every council must appoint an officer to the statutory role of Section 151 Officer (Chief Financial Officer).

5.3 The JSSC's role, as set out in its terms of reference, is:

*“Adopting and exercising such of the functions of Guildford Borough Council and Waverley Borough Council (“the councils”) as can be delegated by those councils in respect of the appointment of the councils’ Joint Chief Executive/Head of Paid Service and any Joint Statutory Officer and Director posts as are covered by the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended) or any successor regulations.”*

5.4 Regarding the statutory office of Section 151 Officer, the JSSC undertakes the appointment process which includes an assessment of Leadership Competency as per the role profile. At its meeting on 12 April 2024, the JSSC considered an application for the permanent position of Joint Strategic Director of Finance, which incorporates the S151 Officer role, submitted by the current interim Richard Bates.

5.5 Following an interview with Mr Bates, the JSSC has recommended unanimously to both Full Council meetings that he be appointed to the permanent role.

5.6 The final appointment will be “subject to no material or well-founded objection to the making of an offer of appointment being received by either Leader on behalf of their respective executives.”

## **6. Strategic Priorities**

6.1 The Joint Strategic Director of Finance plays a pivotal role in the delivery of Guildford and Waverley Borough Councils’ aspirations set

out in the respective Corporate Plan and Corporate Strategy through the assessment of financial risk, and the provision of high-quality financial advice to Councillors and to other members of the JMT.

## **7. Background**

- 7.1 The role of permanent Joint Strategic Director of Finance/Section 151 Officer was advertised internally and externally across the recruitment platforms at Waverley Borough Council and Guildford Borough Council from Monday 18 March to Monday 25 March 2024. The external advertising at Waverley included the role being placed on Jobs Go Public an external recruitment site specialising in public sector recruitment. Jobs Go Public is also the chosen platform for the Local Government Association. The role is advertised on their main sites and across their social media platforms as well as on the LG Jobs (Local Government site).
- 7.2 The statistics on the Jobs Go Public site indicate that the role received 464 views across all platforms and 118 apply clicks which meant potential candidates also then clicked through to find out further information on the role.
- 7.3 Only one application was received, which was from the current interim S151 Officer, Richard Bates. Mr Bates has been carrying out the responsibilities of the role of interim Executive Head of Finance/S151 Officer at both authorities since 17 July 2023 and, latterly, the role of Interim Joint Strategic Director of Finance.
- 7.4 Mr Bates is a qualified Accountant and experienced local authority Chief Financial Officer. He has previously held the S151 Officer role at Dorset County Council and interim S151 Officer at Mendip District Council (see Exempt Appendix 2 – Richard Bates - Summary Curriculum Vitae)

## **8. Key Risks**

- 8.1 Local authorities are required to have a Section 151 Officer in place so that they can fulfil their statutory financial obligations under Section 151 of the Local Government Act 1972.

## **9. Financial Implications**

- 9.1 Under the collaboration agreement, the cost of employing a Joint Strategic Director of Finance and Section 151 Officer is split equally between the two councils, with Waverley being the employing council. From 1 April 2024, the salary for a Strategic Director is a spot salary of £127,850 p.a.
- 9.2 The candidate is provided by Hays Specialist Recruitment Ltd. At this level of seniority of role, a placement fee of 25% is normally charged based on the annual salary. However, Hays have confirmed that they are happy to reduce this fee from 25% to 16% upon the appointment of Richard Bates to the permanent role. This would equate to a reduction of the fee from £31,963 to £20,456. Again, this would be split equally between the two councils.

## **10. Legal Implications**

- 10.1 Section 2 (6) Local Government & Housing Act 1989 provides that the officer having responsibility, for the purposes of section 151 of the Local Government Act 1972, for the administration of an authority's financial affairs is a Statutory Chief Officer.
- 10.2 Both Councils are required to have a Section 151 Officer to fulfil statutory financial obligations under Section 151 of the 1972 Act.
- 10.3 In accordance with Officer Employment Procedure Rule 3.3, the JSSC is responsible for the recruitment and selection process of the Joint Section 151 Officer, and for making a recommendation to the Council of both Waverley Borough Council and Guildford Borough Council for the designation of the role to their preferred candidate. Approval of the appointment of the Joint Section 151 Officer must be confirmed at Full Council Meetings of both authorities.
- 10.4 Any formal offer of appointment is subject to no material or well-founded objection being made by either of the two Council Leaders on behalf of their respective Executives in accordance with the provisions of Paragraph 5 of Part II of Schedule 1 to the Local Authorities (Standing Orders) (England) Regulations 2001.

## **11. Human Resource Implications**

11.1 The Joint Strategic Director of Finance and Section 151 Officer is a key role and part of Corporate Management Board at Waverley and Guildford Borough Councils.

## **12. Equality and Diversity Implications**

12.1 Equality impact assessments are carried out when necessary to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010. There are no immediate equality, diversity, or inclusion implications in this report's recommendations. Impact assessments may be required as further collaboration proposals are developed and implemented and will be reported as appropriate.

## **13. Climate Change/Sustainability Implications**

13.1 None

## **14. Conclusion**

14.1 To ensure continuity and consistency at challenging financial times it is essential for the Finance Service to have a Joint Strategic Director of Finance / Section 151 Officer.

14.2 Appointment to the role is essential to ensure that both Councils meet the statutory requirements of Section 151 of the Local Government Act 1972.

## **15. Background Papers**

None

## **16 Appendices**

Appendix 1: Joint Strategic Director of Finance / Section 151 Job Profile

Appendix 2: Richard Bates – Curriculum Vitae (EXEMPT)

This page is intentionally left blank

<b>Role Title</b>	<b>Joint Strategic Director of Finance (Section 151 Officer) Reporting to: Joint Chief Executive</b>
<b>Role Purpose</b>	<p>This role provides leadership, engagement and vision for Council's managers and staff and guidance to the Joint Chief Executive and Councillors of both Councils.</p> <p>Accountable for efficient operational delivery of Guildford and Waverley council services consistent with the strategic aims and values of both councils.</p> <p>This will include working collaboratively across partnerships, services, and Councils, driving the collaboration, harmonised culture and change agendas as set by the Councils.</p> <p>As a key member of the Director Team, this role will make a major contribution to corporation direction and leadership, achieving the aims of the collaboration and driving service efficiency and quality for the residents of Guildford and Waverley.</p>
<b>Senior Leadership Accountabilities</b>	<p>Accountabilities include:</p> <ol style="list-style-type: none"> <li>1. Providing operational leadership for the functions above.</li> <li>2. Giving high quality advice and guidance to elected councillors and staff to enable the Councils' priorities and responsibilities to be progressed.</li> <li>3. To empower your managers to be visibly accountable for the operational outcomes and details of their teams, promoting a positive outward facing culture of high performing, customer focused service and facilitating the drive for collaboration and transformational change.</li> <li>4. Building constructive working relationships with all relevant stakeholders, including staff colleagues, councillors and relevant external parties.</li> <li>5. Horizon scanning to keep abreast of innovations, economic legislative and social development affecting your service areas and developing commercial and business thinking to your services.</li> <li>6. Effectively managing and mitigating risks associated with your services including the Safeguarding Policy for Children and Adults, Health and Safety, business continuity and the risk of fraud and corruption.</li> </ol>

	<p>7. Promoting equality and inclusion at all levels of service delivery and employment.</p> <p>8. Demonstrating the councils leadership competencies and values.</p> <p>9. Building high performing services that continuously improve.</p> <p>10. Proactively identify opportunities for collaboration and change in accordance with agendas set by the Councils, promoting a culture of collaborative leadership through the wider joint management team, fairly and objectively representing the interests of both councils and the effective working of the organisations.</p> <p>11. Leading on key corporate programmes and projects as required.</p> <p>12. Champion and role model the harmonised organisational culture of the Councils ensuring that the Councils' values are lived.</p> <p>13. Leading the engagement with key strategic stakeholders in your service areas, including those from the statutory, business and voluntary sectors at borough, county and national level.</p> <p>14. Attending, as required, meetings of the Councils, Executives, Committees, Special Interest Groups and external meetings.</p> <p>15. Representing the Councils (and/or ensure that the Council is represented) externally and to promote and present a positive image to partners, representative bodies and other organisations, as necessary.</p>
<p><b>Initial Role Specific Accountabilities</b></p>	<p>This role has shared responsibility for Council budgets</p> <p>This role is the Section 151 Officer and is therefore the Chief Financial Officer with responsibility for the development of the medium-term financial strategy and provision of financial leadership to deliver long-term financial sustainability, optimising the efficient use of resources to support Council priorities. The role provides timely and pragmatic financial advice which is solutions-driven and incorporates a thorough understanding and assessment of risk in accordance with the CIPFA guidance: <a href="#">Role-of-CFO-in-LG 2016</a>.</p> <p>The functions that this role leads are:</p> <ul style="list-style-type: none"> <li>• Finance and Accounting (General Fund and HRA)</li> <li>• Internal Audit</li> <li>• Procurement</li> <li>• Revenues and Benefits</li> </ul>



	Please note that this is a statutory officer role and as such appointment must be agreed by Guildford and Waverley full Council.
<b>Role Dimensions</b>	<p><b>Direct Reports</b> <i>(NB Please note that as job titles frequently change, the below represent functions of roles and not job titles)</i></p> <p><b>TBC</b></p> <p><b>Number of staff approximately:</b> Up to 100</p>

### Additional Notes:

1. All work performed and duties undertaken must be carried out in accordance with relevant Council and Service policies and procedures, within legislation and with regard to the needs of our customers and the diverse communities we serve.
2. This document sets out the main dimensions of the job it describes. It does not define all individual tasks, which may be expected to change from time to time to meet operational needs.
3. You will be expected to be flexible in your duties and carry out any other duties commensurate with the grade and falling within the general scope of the job, as request by your line manager.
4. This is a politically restricted post. You cannot be elected as a councillor in any local authority whilst employed in this role.
5. The statutory roles of Monitoring Officer and Section 151 Officer will be held by a member of the Joint Management Team. Deputy roles may be held by other senior managers.

### Health and Safety / Risk Management

1. Ensure that all aspects of the Councils' Health and Safety Policies and Procedures are adhered to.
2. Be responsible for identifying and managing all risks associated with the job role through effective application of internal controls and risk assessments to support the achievement of corporate and service objectives.
3. Be available to assist in Emergency / Disaster Recovery situations.
4. Participate in the Councils' out of hours rota.
5. Adhere to the relevant Councils' constitution.

6. Champion Safeguarding policy and practice.

### **Contacts and Relationships**

In this post, you will have significant contact with Councillors and senior officers of the Council. The Councils' Code of Conduct will apply.

## **Joint Strategic Director of Finance Person Specification**

**(please note the below are all essential requirements)**

### **Qualifications**

1. Educated to at least degree level or equivalent experience
2. Professional qualification in business management (e.g. MBA) or clear evidence of commitment to developing as a senior leader
3. Evidence of commitment to professional development (CPD)
4. As this role is the Section 151 Officer, the post-holder must hold appropriate accountancy qualifications and supporting experience to be able to fulfil the role of Chief Financial Officer in accordance with CIPFA guidance.

### **Experience**

1. Significant post-qualification experience of strategic financial management, accounting and governance, preferably in a local government setting
2. In depth knowledge of local government financial management and accounting including the legal and regulatory framework
3. Experience leading across different specialisms with staff leadership and budgetary responsibility.
4. Experience of procurement, contract management and service commissioning.
5. Experience of developing business cases and projects to work collaboratively, overseeing implementation and evaluating success.

6. Experience of achieving positive outcomes when handling complex employment relationships issues including change programmes, culture development and case management
7. Proven track record of working successfully in a public sector environment with experience in their Service area.

### Knowledge

1. Highly numerate and commercially aware, recognising the importance of value for money in all Council activity
2. Detailed understanding of strategic operational delivery including specific operational knowledge in Service area.
3. Knowledge of leadership models, styles and behaviours including an ability to engage, motivate and coach/mentor others to deliver.
4. Knowledge of facilitating business transformation based on systems thinking and use of technology.
5. An understanding of, and a commitment to, addressing equality and inclusion issues.

### Skills and Abilities

1. Able to maintain effective relationships with Councillors.
2. A strong corporate player, able to align with the Councils' values, work collaboratively and develop shared approaches with colleagues across both councils, representing the interests of both Councils fairly and objectively.
3. An enabler, with the ability to manage a wide range of complex issues and agendas at the same time and drive change through influence and diplomacy.
4. Creative and imaginative. Able to see new approaches with an ability to communicate the vision, overcoming obstacles and showing that ambitious goals can be achieved.
5. Able to provide a clear and articulate overview of complex issues and provide sound professional and reliable advice in an accessible and non-technical manner.
6. Commercially aware, recognising the importance of value for money in all Council activity.

7. Able to demonstrate the leadership competencies including being able to lead, motivate and inspire diverse teams of staff, build capacity and promote a highly engaged, high performing staff team who can adapt to change.
8. Able to work collaboratively with other service areas and external organisations and build alliances and long and short-term partnerships.
9. Excellent communication skills and ability to positively enhance the reputation of the Councils.
10. Ability to work at pace, while managing a complex workload and maintaining your own resilience.

## Leadership Competencies

### Strategic Thinking:

- Sees the bigger picture
- Predicts future risks and opportunities
- Communicates overall direction
- Adapts to changing circumstances
- Maintains positivity in difficult times
- Supports organisational decisions
- Is comfortable with ambiguity
- Drives innovation and transformation
- Turns vision into tangible plans
- Brings the outside in to the organisation
- Takes time for own professional development
- Works with uncertainty

### Delivery Through People

- Engages and motivates people
- Listens and responds appropriately
- Builds relationships with key stakeholders
- Works in partnership within and across Councils
- Builds effective working relationships
- Encourages creativity
- Communicates clearly and appropriately
- Is a positive role model
- Coaches and supports
- Celebrates, encourages and learns from different views and experiences
- Is politically astute
- Negotiates and influences

### **Excellence for Customers**

- Provides good value for money
- Achieves high quality outcomes / results
- Is personally effective
- Focuses on customer service
- Manages conflicting priorities
- Embraces technology
- Manages risk
- Manages peaks and troughs of demand
- Focuses on community and local economy
- Takes a 'digital first' approach
- Takes a learning approach to continuously improve
- Champions collaboration

### **Governance**

- Follows policies, processes, procedures and standards
- Is open, honest, and transparent
- Acts with integrity
- Has strong ethical compass
- Ensures fairness in all dealings
- Builds trust
- Takes accountability and ownership of issues
- Bases decisions on evidence and research
- Is consistent with decision making
- Understands the community and environmental impact of decisions
- Demonstrates financial responsibility

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank