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Contact: Andrea Carr
Committee Services
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1 July 2020

Dear Councillor

Your attendance is requested at a remote meeting of the **JOINT EXECUTIVE ADVISORY BOARD** to be held on **THURSDAY 9 JULY 2020 at 7:00 pm**. The meeting can be accessed remotely via Microsoft Teams in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Yours faithfully

James Whiteman
Managing Director

MEMBERS OF THE EXECUTIVE ADVISORY BOARD

Councillor Paul Abbey
Councillor Jon Askew
Councillor Christopher Barrass
Councillor Dennis Booth
Councillor Ruth Brothwell
Councillor Graham Eyre
Councillor Andrew Gomm
Councillor Angela Goodwin
Councillor Angela Gunning
Councillor Gordon Jackson
Councillor Diana Jones
Councillor Steven Lee

Councillor Ann McShee
Councillor Bob McShee
Councillor Masuk Miah
Councillor Ramsey Nagaty
Councillor George Potter
Councillor Jo Randall
Councillor Maddy Redpath
Councillor Will Salmon
Councillor Pauline Searle
Councillor Fiona White
Councillor Catherine Young

Authorised Substitute Members:

Councillor David Bilbé
Councillor Richard Billington
Councillor Chris Blow
Councillor Colin Cross
Councillor Gillian Harwood
Councillor Liz Hogger
Councillor Tom Hunt

Councillor Nigel Manning
Councillor Ted Mayne
Councillor Marsha Moseley
Councillor Susan Parker
Councillor Tony Rooth
Councillor Paul Spooner
Councillor James Walsh

WEBCASTING NOTICE

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QUORUM: 5

THE COUNCIL'S STRATEGIC FRAMEWORK

Vision – for the borough

For Guildford to be a town and rural borough that is the most desirable place to live, work and visit in South East England. A centre for education, healthcare, innovative cutting-edge businesses, high quality retail and wellbeing. A county town set in a vibrant rural environment, which balances the needs of urban and rural communities alike. Known for our outstanding urban planning and design, and with infrastructure that will properly cope with our needs.

Three fundamental themes and nine strategic priorities that support our vision:

- | | |
|---------------------|--|
| Place-making | Delivering the Guildford Borough Local Plan and providing the range of housing that people need, particularly affordable homes |
| | Making travel in Guildford and across the borough easier |
| | Regenerating and improving Guildford town centre and other urban areas |
| Community | Supporting older, more vulnerable and less advantaged people in our community |
| | Protecting our environment |
| | Enhancing sporting, cultural, community, and recreational facilities |
| Innovation | Encouraging sustainable and proportionate economic growth to help provide the prosperity and employment that people need |
| | Creating smart places infrastructure across Guildford |
| | Using innovation, technology and new ways of working to improve value for money and efficiency in Council services |

Values for our residents

- We will strive to be the best Council.
- We will deliver quality and value for money services.
- We will help the vulnerable members of our community.
- We will be open and accountable.
- We will deliver improvements and enable change across the borough.

“The information contained in the items on this agenda has been allowed into the public arena in a spirit of openness and transparency to gain broad input at an early stage. Some of the ideas and proposals placed before this Executive Advisory Board may be at the very earliest stage of consideration by the democratic decision-making processes of the Council and should not be considered, or commented on, as if they already represent either Council policy or its firm intentions on the issue under discussion.

The Executive Advisory Boards do not have any substantive decision-making powers and, as the name suggests, their purpose is to advise the Executive. The subject matter of the items on this agenda, therefore, is for discussion only at this stage and any recommendations are subject to further consideration or approval by the Executive, and are not necessarily in final form.”

AGENDA

ITEM NO.

1 ELECTION OF CHAIRMAN

2 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

3 LOCAL CODE OF CONDUCT AND NOTIFICATION OF DISCLOSABLE PECUNIARY INTERESTS

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 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.

4 MINUTES (Pages 5 - 12)

To confirm the minutes of the meeting of the Joint Executive Advisory Board held on 9 January 2020.

5 REVIEW OF EXECUTIVE ADVISORY BOARDS (EABs) (Pages 13 - 38)

**Please contact us to request this document in an
alternative format**

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JOINT EXECUTIVE ADVISORY BOARD

9 January 2020

- * Councillor John Redpath (Chairman)
- * Councillor Angela Gunning (Vice-Chairman)

- | | |
|----------------------------------|-------------------------------|
| * Councillor Paul Abbey | Councillor Ted Mayne |
| Councillor Jon Askew | * Councillor Ann McShee |
| * Councillor Christopher Barrass | * Councillor Masuk Miah |
| Councillor Ruth Brothwell | * Councillor Ramsey Nagaty |
| * Councillor Graham Eyre | Councillor George Potter |
| * Councillor Andrew Gomm | Councillor Jo Randall |
| * Councillor Gillian Harwood | * Councillor Maddy Redpath |
| Councillor Liz Hogger | Councillor Will Salmon |
| * Councillor Gordon Jackson | * Councillor Deborah Seabrook |
| * Councillor Diana Jones | * Councillor Patrick Sheard |
| * Councillor Steven Lee | * Councillor Bob McShee |
| Councillor Ted Mayne | Councillor Joss Bigmore |
| | Councillor Caroline Reeves |

* Present

Councillor Joss Bigmore was also in attendance.

7 ELECTION OF CHAIRMAN

The Joint Executive Advisory Board (EAB)

RESOLVED

that Councillor John Redpath be elected as Chairman for this meeting.

8 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Ruth Brothwell, Liz Hogger, Ted Mayne, George Potter, Jo Randall and Will Salmon. Councillor Bob McShee was present as a substitute for Councillor Ruth Brothwell.

9 LOCAL CODE OF CONDUCT AND NOTIFICATION OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of disclosable pecuniary interests or non-pecuniary interests.

10 MINUTES

The minutes of the meeting of the Joint EAB held on 20 November 2020 were confirmed as a correct record, and signed by the Chairman.

11 CAPITAL AND INVESTMENT STRATEGY 2020-21 TO 2024-25 CAPITAL AND INVESTMENT STRATEGY 2020-21 TO 2024-25

The Board considered a report which detailed the Council's Capital and Investment Strategy, including the new capital programme bids, plus the requirements of the Prudential Code and the Investment Strategy covering treasury management investments, commercial

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investments and the requirements of the Treasury Management Code and of the Ministry of Housing, Communities and Local Government Statutory Guidance.

The related presentation of the Lead Specialist (Finance) introduced and provided the context to the Capital and Investment Strategy and invited comments and questions in respect of each capital bid. The introduction stated the requirement to prepare a capital strategy which, in the Council's case, was its Capital and Investment Strategy that linked together the capital programme, asset investment and treasury management. The related process involved reviewing the balance sheet, which was the commencement point, considering the capital programme as this impacted on the balance sheet and then identifying how to fund the capital programme which informed the treasury management function. In terms of context, the capital programme was split into the three areas of business as usual (BAU), development financial and development non-financial. The affordability limit of BAU schemes was linked to increases in the Council Tax each year. The total capital programme was currently £407 million gross expenditure with new bids totalling £49 million. There was an underlying need to borrow £290 million rising to £338 million should the new bids be approved for inclusion in the capital programme.

Having received the notes of the Joint EAB Budget Task Group meeting held on 19 December 2019, the Board considered the new capital bids and commented as follows:

1. Sutherland Memorial Park - Phase 1 Calorifier (Water Heater) Replacement

The Board indicated its support for this bid without further comment.

2. Sutherland Memorial Park Main Pavilion Amenity Club - Refurbishment Works

This bid was accepted by the Board without comment.

3. Sutherland Memorial Park Cricket Pavilion - Internal Alteration and Refurbishment

A member of the Joint EAB Budget Task Group advised that the Group's queries relating to this bid had been answered and a revised bid had been submitted.

4. Property Acquisition Fund

This bid had been adjusted to reflect the Investment Property Fund Management Group's consideration of the Council's policies in terms of climate change and ethical investments and to address related issues. Additional priority would be given to investments with "green" credentials.

5. Phase 4 Public Realm Scheme

This bid had been withdrawn

6. New House – Refurbishment of Office Space

The Board noted that this project had attracted rental income of £1.1 million.

7. Climate Change & Energy Project Funding – Consolidated Bid

The Board supported this bid which sought a budget to fund Climate Change and Energy related projects. The bid was at an early stage and related priorities and projects and would be developed. Measuring of current emissions was currently taking place to inform future work.

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8. Installation of LED lighting to various community sites

This bid was supported by the Board without comment.

9. Multi-storey Car Park Repairs and Maintenance

The Board was advised that this was a regular car park maintenance bid.

10. Installation of Air Source Heat Pump Heating and Hot Water System to the Citizens Advice Bureau

As there were two Citizens Advice Bureaux (CAB) in the Borough, a councillor requested that this bid identify which CAB it related to. A member of the Joint EAB Budget Task Group requested that the Group receive more detailed information relating to bids at an earlier stage in future years to facilitate consideration.

The following additional points were made in relation to the report:

- The expansion and improvement of the Aldershot Road allotment site involved inclusion of allotments from the Bellfields site in connection with the Weyside Urban Village development.
- Checks would be made to ascertain whether the Mill Lane, Pirbright, Flood Protection Scheme had been abandoned.
- The estimate associated with Pre-SANG costs of bringing forward sites was generic and had been in the budget for a number of years. Officers would be asked if this capital programme item was still required.
- The need for an estimate in respect of the removal of barns and concrete hardstanding from land at Tyting Farm was questioned and would be checked.
- The estimate relating to the replacement of the Spectrum roof was an old bid and the works were in the latter phases and nearing completion.
- The difference between the mid-year and year end Liability Benchmarks was the Council's minimum liquidity requirement of £45 million. The Liability Benchmark was reducing in line with assumed increases in reserves and payments. The mid-year position showed greater liquidity than the year end level.

12 HOUSING REVENUE ACCOUNT BUDGET REPORT 2020-21 HOUSING REVENUE ACCOUNT BUDGET REPORT 2020-21

Councillors were invited to consider a report which outlined the proposed Housing Revenue Account (HRA) budget for 2020-21 and made recommendations to the Executive regarding both the HRA revenue and capital programme budgets. The HRA was ring-fenced from other Council activities.

The 2020-21 estimates were predicated on the assumptions, ambitions and priorities contained in the HRA business plan.

It was proposed to increase Council house rents by 2.7% in line with the Rent Standard 2020 (issued by the Regulator of Social Housing) and the Policy Statement for Rents on Social Housing (Issued by The Ministry of Housing, Communities and Local Government). A 2.7% increase in garage rents was also proposed from April 2020, based on the September 2019 Consumer Price Index plus 1%.

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The report also set out progress with the new build programme, together with the proposed investment programme in tenants' homes.

The Board noted that there were currently 5,200 tenants and that disposals via take up of the Right to Buy option were projected to rise to 15 in 2020-21.

The following points arose from questions and discussion:

- Definitions of social and affordable housing and shared equity etc were provided in the Housing Strategy and would be circulated to the Board.
- Energy savings could be measured and it was thought that the energy bills of tenants in receipt of green energy had reduced by approximately 50%.
- Discussions regarding funding sources for new build housing at the proposed Weyside Urban Village were ongoing.
- The need for resurfacing garage forecourt areas to garage blocks where existing surface was in poor condition as a continuation of a planned maintenance programme was questioned and further details would be provided.
- During the last four years the HRA had invested over £21 million and delivered 128 new homes for local residents.
- A breakdown of the HRA expenditure in 2020-21 would be provided to distinguish between planned and responsive maintenance costs.
- The cost of democracy represented the amount of the cost of Councillors, meetings, and other democratic functions attributed to the HRA.
- The grant relating to supported housing was funded by Surrey County Council.
- There were some delays associated with payment of Universal Credit (UC) and some Council Tax and rent arrears had occurred owing to UC. New benefit claimants would receive UC whereas existing claimants were due to migrate from housing and other benefits to UC from 2018-19 and this process would continue until 2022 when it was anticipated that all working age claimants would have transferred to UC.
- The difference between Sheltered Housing and Supported Housing was that the former consisted of an on-site presence to offer assistance if needed and the latter featured home care.

The Board indicated its agreement with the recommendations to the Executive.

13 NEW CORPORATE PRIORITIES AND CORPORATE PLAN NEW CORPORATE PRIORITIES AND PLAN

The Board considered a report which sought its views in respect of the proposed new draft corporate priorities and the outline timetable for developing a new corporate plan in order to support the Council with the development of new corporate priorities and a corporate plan to provide the strategic framework for managing its business and resources effectively. The Executive would be invited to agree the priorities for public consultation purposes at its meeting on 21 January 2020.

Although the Council approved its current Corporate Plan for the period 2018 to 2023 at its meeting on 15 May 2018, since the Borough Council elections in May 2019, members of the Executive had discussed new corporate priorities and these had been the subject of a workshop for all councillors held on 13 November 2019.

The following points arose from questions, comments and discussion:

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- The Citizens' Panel was a demographically balanced consultative group with a membership of 1,000 people selected by a company to be representative of the local population in terms of age, gender etc and not exclude any group.
- The consultation in respect of the corporate priorities would include an online survey to ensure that all residents and stakeholders had an opportunity to submit views and a telephone survey to provide a representative response to the identified priorities.
- Although the priorities were generally supported and would be further developed with refined and focused outcomes, the following comments were made:
 - the priority "Providing the housing that people need" should be more clearly defined to reflect the need for affordable housing located in the urban areas to protect the greenbelt.
 - the wording of the priority "Regenerating Guildford town centre" should include a reference to producing a town centre masterplan to guide regeneration in order to make Guildford a nicer place for people to live and work.
 - There should be a priority "Making it easier for people to live and work closer together" to reduce commuting and congestion whilst tackling climate change.
 -

14 EXCLUSION OF THE PUBLIC AND PRESS

The Joint EAB

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 (as amended), the public and press be excluded from the meeting for the consideration of Appendices 2 and 3 of the following item of business on the grounds that they involve the likely disclosure of exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

15 BIKE SHARE SCHEME

Following the exclusion of the public and press, the Senior Policy Officer – Planning Policy (Transport) presented a report providing a briefing in respect of the feasibility study and commercial viability of the public bike share scheme for Guildford and an update regarding the commissioning of the project. The Council's project consultant, Mark Strong, was also present.

The report explained that the Place-making and Innovation EAB had considered elements of the feasibility study and progress with progressing the bike share scheme at its meeting held on 21 October 2019. These elements were the Council's revised proposal to deliver Phase A of the scheme, the consultant's recommendations for the scheme and the consultant's draft plans for the Guildford cycle network as identified in the route assessments feasibility study. This further briefing responded to the request from that EAB for an opportunity to consider the commercial viability of the scheme.

The primary aims of the feasibility study were to consider the commercial viability of a bike share scheme in Guildford and allow the Council to make a decision on whether to progress a scheme; to assess compatibility with the existing University of Surrey scheme; and, if a decision was taken to proceed with a bike share scheme, to provide initial information and guidance to instigate the procurement process. The assessment of the commercial viability of a Guildford bike share scheme was set out in Appendix 2 to the report which was exempt from publication. An update in respect of the commissioning of the project was provided in Appendix 3 to the report which was also exempt from publication.

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In order to inform the further development of the project to deliver a bike share scheme in Guildford, which was included in the Council's Corporate Plan 2018-2023, the report recommended that the Board noted and provided comment on the consultant's assessment of the commercial viability of a bike share scheme and on the update regarding the commissioning of the project.

The following points arose from related questions and discussion:

- Research concerning a bike share scheme in Guildford had featured two meetings with local stakeholders and learning from experiences of similar schemes in other towns.
- Transport for London, benefiting from a significant scheme development budget, had undertaken market research that other localities had not.
- In addition to students, many people of all ages made every day trips and would gain health benefits from cycling.
- The road safety impact was raised as a possible concern. The Board was advised that bikes in share schemes were well maintained and safe, often more so than private bikes. Wearing of protective clothing was not required by law and there was evidence that cyclists who wore cycle helmets had a more risk-averse approach to cycling than those who did not. Reference was made to the research into the driving behaviour of motorists overtaking cyclists wearing helmets and those who were bareheaded.
- The outputs from the route assessments feasibility study could be used in the evidence base to inform the preparation of a policy on the improvement of the cycle network for the part 2 Local Plan (Development Management Policies), which would also draw on Surrey CC's (the Local Transport Authority) Guildford Local Cycling Plan.
- Experience showed that the provision of a good network of cycle routes was a key factor in how well a bike share scheme was used. The Council bike share scheme did not include improvements to cycle routes.
- A bike share scheme in Guildford may not be attractive to potential users owing to the topography and nature of the town and its population profile. Market research could assist with determining the feasibility and viability of a scheme.
- A bike share scheme may be of interest to the numerous companies located at Guildford Business Park which currently chartered buses to transport their employees.
- The Sustainable Movement Corridor running across the town from east to west could be utilised by cyclists including those using Council bike share scheme. If a Guildford bike share scheme proved to be successful, then this could provide impetus for Surrey County Council to improve cycle routes in Guildford.
- Security issues, such as vandalism or theft of cycles, was known to have been a problem, and in one city this had been gang related. Early liaison with the police would assist with tackling any issues.
- The bikes would be electric and feature GPS tracking devices which would enable an operator to know their location and levy fines for out of area use.
- The Department of Transport appraisal tool had indicated that the scheme would achieve three benefits for every £1 invested which was higher than some other areas.
- The proposed scheme was financially viable and all operational risk could be contractually attributed to the operator. The potential for the Council to seek to arrange a profit share with an operator was welcomed by councillors.
- Although some negative views concerning the proposed scheme had been expressed, some councillors highlighted the positive aspects such as health benefits and reduction in pollution and congestion which would help to tackle climate change. It was felt that issues raised at an earlier stage had now been addressed by the consultant.

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In conclusion, the Board agreed to recommend to the Executive that the University of Surrey be approached with a view to seeking a financial contribution towards the bike share scheme.

The meeting finished at 9.15 pm

Signed

Date

Chairman

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Joint Executive Advisory Board Report

Ward(s) affected: all

Report of Director of Strategic Services

Author: John Armstrong

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Lead Councillor responsible: Joss Bigmore

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Date: 9 July 2020

Executive Advisory Boards (EABs) – Review of Structure and Remit

Executive Summary

Further to an officer review of the effectiveness of EABs which took place in the latter part of 2018/19, recommendations were made in respect of reconfiguring the EABs and introducing measures to strengthen the Forward Plan process. In response to these recommendations, the Council resolved to establish a councillor task and finish group to consider the recommendations and report its findings to the EABs and Council before any related decisions were made.

Having considered the group's subsequent findings, Council made some resolutions concerning work programming, the Forward Plan and the configuration of EABs. The most notable resolutions were that the existing arrangement of the two EABs be retained for the time being whilst the Forward Plan process was strengthened pending review following the Borough Council Elections in May 2019 to ascertain whether changes to the Forward Plan process and/or EAB structure were required. This review was to be carried out within 12 months of the Elections.

As this 12 month period has now elapsed, the EABs are invited to carry out the review of the structure and remit of the EABs. A related questionnaire has been prepared to gather councillors' views to inform this process.

Recommendation to the EABs:

Taking account of the findings of the questionnaire circulated to all councillors, to make such recommendations to Council in respect of the future structure and remit of EABs as they deem appropriate.

Reason for Recommendation:

To introduce a more efficient and effective EAB configuration.

Is the report (or part of it) exempt from publication? No

1. Purpose of Report

- 1.1 The purpose of this report is to invite the EABs to resume consideration of future options for the configuration of EABs as a second stage to the earlier review which took place during the latter part of 2018/19 and in response to previous feedback from the Local Government Association (LGA) corporate peer challenge review of December 2017 and the Council's governance reviews of recent years.

2. Background

- 2.1 The Council report of 9 October 2018, attached at Appendix 1 to this report, explains that, following a review of governance arrangements, on 7 October 2015 the Council agreed a new hybrid approach featuring the addition of two EABs to advise and make recommendations to the Leader and Executive. This system was implemented with effect from 1 January 2016 with the recommendation that the arrangements be reviewed approximately 12 months after implementation. This 12 month review took place in the form of a seminar on 1 March 2017 to which all Councillors were invited. Having concluded that the new arrangements were at an early stage and were beginning to embed, the review reinforced the role of the EABs in advising the Executive at an early stage in respect of the formulation and development of policies and projects that would assist with the delivery of the Council's Corporate Plan priorities.
- 2.2 The LGA subsequently undertook a corporate peer challenge review of the Council and, although its final feedback report (relevant extract included in Appendix 1) contained no specific recommendations relating to organisational governance, it suggested that EABs were work in progress and perhaps required additional time to settle into a more effective grouping whilst valuing the early stage involvement of backbench councillors in the development of decisions aligned to Corporate Plan themes. The LGA suggested that the Council should clarify the role of EABs and review ways to make their work more effective.
- 2.3 Further peer challenge review feedback observed that it was important for the Council to review ways to make the work of EABs more effective. Therefore consideration has been given to achieving this taking account of issues including difficulties with work programming, confusion around the remit of the EABs which can be blurred and overlapping, cancellation of meetings due to apparent insufficient business due to slippage and reluctance to discuss some matters at an early stage of development in a public forum. This consideration has indicated that a robust approach to programming Executive Forward Plan items to build in early opportunities for EAB input is beneficial.
- 2.4 Although the EABs have been structured around and aligned to the key themes in the Corporate Plan, the intended 2019/20 review of the Corporate Plan is likely to be delayed for approximately 18 months owing to attention and resources being diverted to the preparation and implementation of a shorter term action plan directing the response to, and recovery from, the Coronavirus pandemic emergency. Under the circumstances, the EABs may opt to continue to pursue the themes contained within the existing 2018-2023 Corporate Plan in the interim.
- 2.5 The first stage of the review of EABs, outlined in Appendix 1, suggested three possible options for their future structure, which are set out below, and recommended that option

1 be adopted as it offered the greatest flexibility, would solve the issues of insufficient business for two EABs and confusion as to which one to report to, and would also streamline the work programming system. The Corporate Governance and Standards Committee was broadly in agreement with the recommendation to pursue option 1 when it considered the outcome of this stage of the review at its meeting held on 20 September 2018.

Options:

1. To disband the existing EABs and establish one overarching EAB making greater use of existing powers to establish task groups to look at specific issues and projects relating to the delivery of the nine strategic Corporate Plan priorities.
2. To disband the existing EABs and establish topic based advisory boards to be commissioned directly by the Executive as and when required.
3. To make no change to the current arrangements.

2.6 Having considered the options, the Council resolved that, before any decision was taken in respect of the future of the EABs, a cross party task and finish group be established with the following terms of reference:

- a) to review the existing governance arrangements in relation to the Executive Advisory Boards and to discuss available options to improve those arrangements, including the proposal for a single Executive Advisory Board; and following that review
- b) to make recommendations as appropriate to the Council at its meeting in February 2019.

2.7 Accordingly, a cross party task and finish group was established and met on 20 November 2018 to consider the future of the EABs. In conclusion, the Group agreed to report its views to the two EABs and to make recommendations to the Council in February 2019.

In considering the Group's report, the Council noted that its principal finding was that the Forward Plan process was currently insufficiently robust to facilitate and inform EAB or Overview and Scrutiny input as many proposed decisions were entered late which hampered work programming and early involvement. However, officers have sought to strengthen this process and issues with forward planning and updating the Forward Plan were being tackled through educating senior leaders and others to plan ahead and programme their work in a more timely fashion.

It was suggested that resolving issues with the Forward Plan could possibly resolve the issues associated with the perceived lack of effectiveness of the EABs.

After consideration of the report the Council, on 26 February 2019, passed the following resolutions:

- (1) That Option 2: "*To disband the existing EABs and establish topic based advisory boards to be commissioned directly by the Executive as and when required*" be not supported and discounted as a possible future EAB governance structure.

- (2) That the existing arrangement of the two EABs be retained for the time being whilst the Forward Plan process is strengthened pending review following the Borough Council Elections in May 2019 to ascertain whether changes to the Forward Plan process and/or EAB structure are required.
- (3) That the review referred to in paragraph (2) above be carried out within 12 months of the Borough Council Elections.
- (4) That the Forward Plan be included on future EAB agendas as part of the standing item on the Work Programme to facilitate better agenda planning.
- (5) That lead councillors do not play a part in determining the Overview and Scrutiny Committee work programme at work programme meetings.

3. Second Phase of the Review

3.1 The matters referred to in resolutions 1,4 and 5 above have been adhered to and implemented, as appropriate. As the second phase of the review, to be carried out within a 12 month period, referred to in resolutions 2 and 3 above is now due, the EABs are invited to consider the future structure and remit of EABs. In order to inform this review by obtaining councillors' views in respect of the effectiveness and efficiency of EABs currently and to pave the way forward, a brief questionnaire has been prepared and circulated for responses. The questions and summarised responses are attached at Appendix 3 to inform possible future EAB structures and arrangements.

- 1) Effectiveness - Do you feel that the EABs are currently operating effectively? If not, please give reasons and enter suggestions for improvement.
- 2) Structure and Frequency - Do you think that the current structure of the EABs (Community EAB, Place-making & Innovation EAB, typically meeting collectively as the Joint EAB on two occasions per annum to review budgetary matters) is the correct structure and frequency? (Calendar of meetings attached for ease of reference.) If not, please suggest alternatives.

With this in mind, would a single EAB with a Council-wide remit and larger membership meeting on a more frequent basis (i.e. monthly) be a more effective approach?

- 3) Remit – notwithstanding the above, should the remit of EABs continue to align with the fundamental themes within the Corporate Plan (currently awaiting review), or with the directorates of the Council, or with other community / service themes (if the latter, please give examples)?
- 4) Interface with Overview and Scrutiny – Parallels between the role and function of O&S and EABs have been drawn – do you feel that the current balance is correct or should there be a greater emphasis on either one, or both? (The Terms of Reference of EABs and the O&S Committee are attached at Appendix 2 for reference.)

3.2 A summary of the councillor questionnaire responses is attached at Appendix 3 to this report.

4. Legal implications

- 4.1 Section 102 (4) of the Local Government Act 1972 empowers, but does not mandate, the Council to appoint committees to advise the Executive on any matter relating to the discharge of its functions. Executive Advisory Boards are an example of such committees and were appointed, as their name suggests, specifically for this purpose.

5. Financial implications

- 5.1 There are no significant financial implications arising from this report.

6. Human Resource implications

- 6.1 It is envisaged that any changes arising from this review can be accommodated within existing staff resources.

7. Risk Management Implications

- 7.1 There are no significant risk management implications arising from this report.

8. Climate Change/Sustainability Implications

- 8.1 There are no climate change/sustainability implications arising from this report.

9. Summary of Options

- 9.1 The Council could decide to leave the current EAB configuration unchanged or opt for an alternative option.

10. Conclusion

- 10.1 As it is now timely to undertake the second phase of the review of EABs, councillors are being requested to consider the effectiveness and efficiency of EABs giving thought to possible future configurations that may secure improvements and to make appropriate recommendations to the Council. To aid this process, a questionnaire has been prepared.

11. Background Papers

- [LGA Corporate Peer Challenge of Guildford Borough Council dated 5 February 2018](#)
- [Guildford Borough Corporate Plan 2018-2023](#)
- [Review of Governance Arrangements: 12 Month Review – Council report and minutes of 25 July 2017](#)
- [Review of Governance Arrangements – Council report and minutes of 7 October 2015](#)
- [Review of Governance Arrangements – Council report and minutes of 28 July 2015](#)

12. Appendices

Appendix 1: Report to Council on 9 October 2018 - Executive Advisory Boards – Proposed Review of Structure and Remit.

Appendix 2: Terms of Reference of the current Executive Advisory Boards and the Overview and Scrutiny Committee.

Appendix 3: Summary of the councillor questionnaire responses.

Council Report

Ward(s) affected: all

Report of Director of Finance

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Date: 9 October 2018

Executive Advisory Boards – Proposed Review of Structure and Remit

Executive Summary

The remit of each Executive Advisory Board (EAB) is aligned to themes in the Council's Corporate Plan and set out in their Terms of Reference. As reported at the Selection meeting of Council held on 15 May 2018, it was necessary to review the remits of the EABs to reflect the three themes of Place-Making, Community and Innovation, which form the newly adopted Corporate Plan 2018-2023 and differ from those in the previous Corporate Plan. Accordingly, on 24 July 2018, the Council considered a report which suggested changes to the names and remits of the EABs. As a result the Council agreed that the Borough, Economy and Infrastructure EAB be renamed the Place-making and Innovation EAB and the Society, Environment and Council Development EAB be renamed the Community EAB. The Terms of Reference of the EABs were amended to reflect the changes.

The report also advised that officers would be drawing together options, including the merits of a single EAB going forward, for consideration by the Council at this meeting in the light of feedback from the Local Government Association (LGA) corporate peer review in December 2017 and the Council's governance reviews in recent years.

The proposals in this report were considered by the Corporate Governance and Standards Committee at its meeting on 20 September 2018. The Committee was broadly in agreement with the recommendation below.

Recommendation to Council:

That, with immediate effect, the Council agrees:

- (1) to disband the two existing Executive Advisory Boards;
- (2) to establish a single Executive Advisory Board (to be named "Executive Advisory Board"), comprising 15 councillors, with up to seven substitute members per

political group;

- (3) to elect a chairman and vice-chairman of the Executive Advisory Group for the remainder of the 2018-19 municipal year;
- (4) to approve the Terms of Reference of the Executive Advisory Board, as set out in Annex 1 to this report; and
- (5) to adopt the timetable of meetings of the Executive Advisory Board for the remainder of the 2018-19 municipal year, and the 2019-20 municipal year, as shown in Annex 2 to this report.

Reason for Recommendation:

To introduce a more efficient and effective EAB configuration.

1. Purpose of Report

- 1.1 The purpose of this report is to invite the Council to consider future options for the configuration of EABs in response to the feedback from the LGA corporate peer challenge review of December 2017 and to follow on from the Council's governance reviews of recent years.

2. Background

- 2.1 Following a review of governance arrangements, on 7 October 2015 the Council agreed a new hybrid approach featuring the addition of two EABs to advise and make recommendations to the Leader and Executive. This system was implemented with effect from 1 January 2016 with the recommendation that the arrangements would be reviewed after a twelve-month period of operation. This twelve-month review took place in the form of a seminar on 1 March 2017 to which all Councillors were invited. Having concluded that the new arrangements were at an early stage and were beginning to embed, the review reinforced the role of the EABs in advising the Executive at an early stage in respect of the formulation and development of policies and projects that would assist with the delivery of Corporate Plan priorities.
- 2.2 From 4 to 6 December 2017, the LGA undertook a corporate peer challenge review of the Council and submitted its final feedback report on 5 February 2018. Although the report contained no specific recommendations relating to organisational governance, there was feedback in this area regarding the Overview and Scrutiny function and the operation of the EABs. The relevant extract from the feedback report concerning the EABs is as follows:

'The recent introduction of Executive Advisory Boards (EABs) is clearly work in progress and perhaps needs more time to settle down into a more effective grouping. The aim of allowing early stage involvement on backbench councillors in the development of decisions aligned to corporate plan themes pre-Executive is laudable. However, we found some confusion among councillors and officers about the role of EABs. It will be important for the Council to review ways to make their work more effective. This is important as the areas covered by the EABs such as innovation and housing are vitally important for the future of the Borough. Given

councillor appetite for smaller task and finish groups, perhaps topic based Advisory Boards may be a way forward.'

- 2.3 A key recommendation of the challenge review was to review the Council's Corporate Plan and identify a deliverable number of priorities. This has now taken place and a revised Corporate Plan 2018-2023 was adopted by the Council on 15 May 2018 when Councillors acknowledged that it would be necessary to review the remits of the EABs to reflect the three fundamental themes of Place-Making, Community and Innovation which underpinned the newly adopted Corporate Plan and differed from those in the previous iteration of the Plan. On 24 July 2018, the Council agreed revised names and remits for the EABs and established the Place-Making and Innovation EAB, in place of the Borough, Economy, and Infrastructure EAB, and the Community EAB, in place of the Society, Environment, and Council Development EAB, following the most logical approach to aligning the remit of the two EABs with the three new fundamental themes in the revised Corporate Plan. The Terms of Reference of the EABs was changed to reflect the amended names and remits.
- 2.4 Further to the peer challenge review feedback that it was important for the Council to review ways to make the work of EABs more effective, consideration has been given to achieving this. This has taken account of issues including difficulties with work programming, confusion around the remit of the EABs which can be blurred and overlapping, cancellation of meetings due to insufficient business and reluctance to discuss some matters at an early stage of development in a public forum.

3. Proposal

- 3.1 Resulting from this review to identify ways to make the work of EABs more effective, options for future EAB configurations have been identified and are set out below for consideration:

Options:

1. To disband the existing EABs and establish one overarching EAB making greater use of existing powers to establish task groups to look at specific issues and projects relating to the delivery of the nine strategic Corporate Plan priorities.
 2. To disband the existing EABs and establish topic based advisory boards to be commissioned directly by the Executive as and when required.
 3. To make no change to the current arrangements.
- 3.2 Option 1 is recommended as it gives the greatest flexibility by offering a formal Board meeting setting, with the capability of establishing informal task groups, which may meet in private, meeting councillor appetite for smaller, discrete, working groups. A single EAB would solve the issues of insufficient business for two EABs and confusion as to which one to report to. This approach would also streamline the work programming system. Reference to key or significant Executive decisions as set out in the Forward Plan, except those that are urgent, would continue to inform work programming. However, it is also suggested that a key element of the EAB work programme should include discussion of selected capital projects between provisional budget approval by

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Appendix 1

full Council and submission of reports to the Executive with a business case for final approval to transfer schemes to the approved capital programme.

- 3.3 The Director of Finance has amended the bid for funding form to include possible referral of schemes to the EAB before final consideration by the Executive as one of the key milestones to securing scheme approval. This should ensure that backbench councillors have a greater say in respect of major project sign-off.
- 3.4 Should Option 1 be supported, consideration will need to be given to the single EAB's Terms of Reference, membership, and frequency and scheduling of meetings. Suggested Terms of Reference are set out at Annex 1, which state that the EAB should have a membership of 15 non-executive councillors and meet on up to 10 occasions per annum.
- 3.5 Details of the proposed calculation of the numerical allocation of seats to political groups on the EAB will be dealt with in a separate report to full Council on 9 October 2018. The nominations for appointment of members (and substitute members) to the EAB in accordance with the wishes of the relevant political groups, in respect of the remainder of the 2018-19 municipal year, will be shown on a schedule to be submitted to the Council for approval on 9 October 2018. The Council will also be invited to elect a Chairman and Vice-Chairman of the EAB for the remainder of the 2018-19 Municipal Year.
- 3.6 A proposed timetable of meetings for the EAB for the remainder of 2018-19 and the whole of 2019-20 is set out in Annex 2 to this report.

4. Corporate Governance and Standards Committee – 20 September 2018

- 4.1 The proposals in this report were considered by the Corporate Governance and Standards Committee at its meeting on 20 September 2018. The Committee was broadly in agreement with the recommendation in this report.

5. Legal implications

- 5.1 There are no significant legal implications arising from this proposal.

6. Financial implications

- 6.1 Reducing the number of EABs from two to one will lead to a corresponding reduction in the number of chairmen resulting in a Tier 4 Special Responsibility Allowance (SRA) saving. This SRA is currently £3,432 per annum.
- 6.2 There are no significant financial implications arising from this report.

7. Human Resource implications

- 7.1 The changes envisaged under these proposals can be accommodated within existing staff resources.

8. Risk Management Implications

- 8.1 There are no significant risk management implications arising from this report.

9. Summary of Options

- 9.1 The Council could decide to leave the current EAB configuration unchanged or opt for an alternative Option. It is recommended, however, that Option 1 be adopted.

10. Conclusion

- 10.1 Pursuing Option 1 to disband the two existing EABs and establish one overarching EAB, making greater use of task groups to assist in the delivery of Corporate Plan priorities will address concerns previously raised as to the efficiency and effectiveness of the operation of the EABs.

11. Background Papers

- LGA Corporate Peer Challenge of Guildford Borough Council dated 5 February 2018
- Guildford Borough Corporate Plan 2018-2023
- Review of Governance Arrangements: 12 Month Review – Council report and minutes of 25 July 2017
- Review of Governance Arrangements – Council report and minutes of 7 October 2015
- Review of Governance Arrangements – Council report and minutes of 28 July 2015

12. Annexes

Annex 1: Proposed terms of Reference of the single EAB.

Annex 2: Timetable of EAB meetings for the remainder of the 2018-19 municipal year and the 2019-20 municipal year.

EXECUTIVE ADVISORY BOARD

TERMS OF REFERENCE

The Executive Advisory Board will consider reports on matters relating to the functions of the Executive. The remit of the Executive Advisory Board shall be aligned to the fundamental themes in the Corporate Plan 2018-2023. These terms of reference will be reviewed and approved at the Council's Selection meeting each year. The Executive Advisory Board will meet in public, be webcast, and be subject to Part C of the Council Procedure Rules, Public Speaking Procedure Rules and Access to Information Procedure Rules in Part 4 of the Constitution.

Membership:

- (a) The Executive Advisory Board shall comprise 15 non-executive councillors, one of whom shall be appointed by the Council as chairman, with normal voting rights.
- (b) The Council shall appoint a vice-chairman for the Executive Advisory Board.
- (c) Political proportionality rules will apply.
- (d) Substitutes will be allowed in respect of the Executive Advisory Board in accordance with the relevant provisions of Council Procedure Rules, and the Council may appoint up to seven substitute members for each political group.

Meetings:

- (a) The Executive Advisory Board shall normally meet up to ten times annually.
- (b) Relevant Executive members will be expected to attend Executive Advisory Board meetings and should normally present matters (with officer support) for discussion at meetings and engage actively in a dialogue with the Executive Advisory Board regarding those matters.
- (c) The quorum of the Executive Advisory Board will be five.

Responsibilities:

The Executive Advisory Board will have the following general responsibilities within its remit:

- (a) To advise the Executive at an early stage, including undertaking research, in respect of the formulation and development of policies and projects that will help to deliver Corporate Plan Priorities.
- (b) To consider and (where necessary) make recommendations to the Executive on the following:
 - (i) selected Key (or other significant) Decisions, and
 - (ii) selected major capital schemes at the point between provisional budget approval by full Council and submission of reports to the Executive with a business case for final approval to transfer schemes to the approved capital programme.
- (c) To assist and advise the Executive in the development of Policy Framework issues.
- (d) To assist and advise the Executive as regards budget preparation.
- (e) To develop and maintain a work programme ensuring that there is efficient use of its time.

Powers:

The Executive Advisory Board will have the power:

- (a) To require the Leader and/or lead councillors and officers to attend before it to answer questions.
- (b) To question and gather evidence from any person (with their consent).
- (c) To co-opt expert individuals on a non-voting basis to assist their work.
- (d) To set up panels, task groups or breakout groups to look at specific issues relating to the delivery of the Corporate Plan (or other significant priorities) in order to inform decision making by the Executive. For the avoidance of doubt, the membership of such panels and groups shall be open to all councillors.

Protocol for the operation of the Executive Advisory Board:

- (1) The Executive Advisory Board is advisory in nature and does not have any substantive decision-making powers delegated to it. The Executive Advisory Board is to act as a source of advice to the Executive.
- (2) The Executive Advisory Board will enable greater involvement and engagement of councillors and the public in significant Executive decisions.
- (3) The Executive Advisory Board will advise the Executive at an early stage about the formulation and development of policies and projects that will help deliver Corporate Plan priorities. The Executive Advisory Board is intended to enable backbench councillors to be more closely involved with issues of greatest importance to the Council.
- (4) The chairman and vice-chairman of the Executive Advisory Board will meet regularly to identify priorities and prepare a draft work programme for consideration and approval by the Executive Advisory Board and, as part of this process, will take into account the forthcoming key or significant Executive decisions set out in the Forward Plan, Corporate Plan priorities and major capital projects. Subject to paragraph (5) below, those matters identified in the agreed work programme will be considered by the Executive Advisory Board in detail.
- (5) When considering an Executive decision, the Executive Advisory Board will aim to do so at a time when it is still open to influence, that is to say, when there is an expectation that a recommendation or suggestion for improvement could realistically lead to change.
- (6) The Executive Advisory Board will determine their final recommendations to the Executive by consensus if at all possible.
- (7) The advice of the Executive Advisory Board to the Executive, including explanation for any recommendations, will be contained within a report considered by the Executive. The justification for not accepting advice from the Executive Advisory Board is to be made clear in the options considered by the Executive.
- (8) Membership of both the Executive Advisory Board and the Overview and Scrutiny Committee does not inevitably create a conflict of interest. As a rule, councillors should not be involved in scrutinising a decision in which they have been involved directly; yet, the Executive Advisory Board is advisory and it remains the responsibility of the Executive to formally take and implement the decision.

**TIMETABLE OF MEETINGS OF THE EXECUTIVE ADVISORY BOARD FOR
THE REMAINDER OF THE 2018-19 MUNICIPAL YEAR**

MEETING	PROPOSED DAY AND TIME	2018								2019				
		M A Y	J U N	J U L	A U G	S E P	O C T	N O V	D E C	J A N	F E B	M A R	A P R	M A Y
Executive Advisory Board	Monday 7:00 p.m.						15	19		14	18	18	15	

**TIMETABLE OF MEETINGS OF THE EXECUTIVE ADVISORY BOARD FOR
THE 2019-20 MUNICIPAL YEAR**

MEETING	PROPOSED DAY AND TIME	2019								2020				
		M A Y	J U N	J U L	A U G	S E P	O C T	N O V	D E C	J A N	F E B	M A R	A P R	M A Y
Executive Advisory Board	Monday 7:00 p.m.	20	17	8		9	21	18		13	17	16	20	

EXECUTIVE ADVISORY BOARDS TERMS OF REFERENCE

Each Executive Advisory Board will consider reports on matters relating to the functions of the Executive that fall within its remit. The remits of each Executive Advisory Board are shown below and are aligned to themes in the Corporate Plan; they will be reviewed and approved at the Council's Selection meeting each year. The Executive Advisory Boards will meet in public, be webcast, and be subject to Part C of the Council Procedure Rules, Public Speaking Procedure Rules and Access to Information Procedure Rules in Part 4 of the Constitution.

Membership:

- (a) Each Executive Advisory Board shall comprise 12 non-executive councillors, one of whom shall be appointed by the Council as chairman, with normal voting rights.
- (b) The Council shall appoint a vice-chairman for each Executive Advisory Board.
- (c) Proportionality rules will apply.
- (d) Substitutes will be allowed in accordance with the rules and procedures of this Constitution, and in respect of each Executive Advisory Board, the Council may appoint up to seven substitute members for each political group.

Meetings:

- (a) Each Executive Advisory Board shall normally meet eight times annually.
- (b) Relevant Executive members will be expected to attend Executive Advisory Board meetings and should normally present matters (with officer support) for discussion at meetings and engage actively in a dialogue with the Executive Advisory Boards regarding those matters.
- (c) The quorum of each Executive Advisory Board will be 4.

Responsibilities:

Each Executive Advisory Board will have the following general responsibilities within its remit:

- (a) To consider and (where necessary) make recommendations on all Key (or other significant) Decisions, prior to the formal consideration of all such decisions by the Executive.
- (b) To assist and advise the Executive in the development of Policy Framework issues.
- (c) To undertake research and reviews for the purpose of advising the Executive on the delivery of Corporate Plan Priorities.
- (d) To advise the Executive at an early stage in respect of the formulation and development of policies and projects that will help to deliver Corporate Plan Priorities
- (e) To assist in the development of Executive Decisions
- (f) To assist and advise the Executive as regards budget preparation.
- (g) To develop and maintain a work programme ensuring that there is efficient use of its time

Powers:

Each Executive Advisory Board will have the power:

- (a) To require the Leader and/or lead councillors and officers to attend before it to answer questions
- (b) To question and gather evidence from any person (with their consent)
- (c) To co-opt expert individuals on a non-voting basis to assist their work.

- (d) To set up panels, task groups or breakout groups to look at specific issues relating to the delivery of the Corporate Plan (or other significant priorities) in order to inform decision making by the Executive. For the avoidance of doubt, the membership of such panels and groups shall be open to all councillors.

Remits:

The remits of the Executive Advisory Boards will be as follows:

- (a) [The Place Making and Innovation] Executive Advisory Board. [To be aligned to themes in the new Corporate Plan]
- (b) [The Community] Executive Advisory Board [To be aligned to themes in the new Corporate Plan]

Protocol for their operation:

- (1) EABS are advisory in nature and do not have any substantive decision-making powers delegated to them. EABS are to act as a source of advice to the Executive.
- (2) EABS will enable greater involvement and engagement of councillors and the public in significant Executive decisions.
- (3) EABS will advise the Executive at an early stage about the formulation and development of policies and projects that will help deliver Corporate Plan priorities. The EABS are intended to enable backbench councillors to be more closely involved with issues of greatest importance to the Council.
- (4) The chairmen and vice-chairmen of the EABS will meet regularly to identify priorities and prepare draft work programmes for consideration and approval by the EABS and, as part of this process, will take into account the forthcoming key or significant Executive decisions set out in the Forward Plan. Subject to paragraph (5) below, those matters identified in the agreed work programmes will be considered by the EABS in detail.
- (5) When considering an Executive decision, the EABS will aim to do so at a time when it is still open to influence, that is to say, when there is an expectation that a recommendation or suggestion for improvement could realistically lead to change. EAB agendas will list all forthcoming key or significant Executive decisions set out in the Forward Plan, except those that are urgent.
- (6) EABS will determine their final recommendations to the Executive by consensus if at all possible.
- (7) The advice of EABS to the Executive, including explanation for any recommendations, will be contained within a report considered by the Executive. The justification for not accepting advice from an EAB is to be made clear in the options considered by the Executive.
- (8) Membership of both an EAB and the Overview and Scrutiny Committee does not inevitably create a conflict of interest. As a rule, councillors should not be involved in scrutinising a decision in which they have been involved directly; yet, EABS are advisory and it remains the responsibility of the Executive to formally take and implement the decision.

ARTICLE 8 – THE OVERVIEW AND SCRUTINY COMMITTEE

8.1 Terms of Reference

The Council will appoint an Overview and Scrutiny Committee to discharge the functions conferred by Sections 21 and 21A of the Local Government Act 2000 or regulations made under Section 32 of the Local Government Act 2000. This Committee is also the Council's designated crime and disorder committee under Section 19 of the Police and Justice Act 2006.

The work of the Overview and Scrutiny Committee should focus on the Council's principles, practice, procedures and performance (rather than politics and personalities); the work will be informed by the following principles:

- (i) Constructive "critical friend" challenge
- (ii) Amplifies the voices and concerns of the Public
- (iii) Led by independent people who take responsibility for their role; and
- (iv) Drives improvement in public services

The provisions of this Constitution are subject always, and without prejudice, to Section 9F of the Local Government 2000.

The general terms of reference of the Overview and Scrutiny Committee are set out below:

- (a) to perform all overview and scrutiny functions on behalf of the Council;
- (b) to appoint such formal sub-committees and informal task and finish groups as it considers appropriate to fulfil those overview and scrutiny functions;
- (c) to approve the overview and scrutiny work programme so as to ensure that the Committee's time is effectively and efficiently utilised;
- (d) to 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; or
 - (iii) have been referred to the Committee pursuant to the "call-in" procedure set out in the Overview and Scrutiny Procedure Rules in Part 4 of this Constitution;

(In respect of (iii) above, the Committee may review the decision or, if it so wishes, refer the matter to the full Council for review.)

- (e) to review and advise on all existing policies of the Council, including making recommendations for future options to the Leader/Executive;

- (f) to review arrangements to secure continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness;
- (g) to monitor and review the Council's performance against relevant national and local performance indicators and adopted plans and strategies;
- (h) to consider any matter affecting the area or its inhabitants;
- (i) to discuss initiatives put forward for consideration by individual members of the Committee
- (j) to deal with any relevant councillor call-for-action in accordance with the protocol attached as Appendix 1 to the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution; and
- (k) to 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.

8.2 **Specific Functions**

(a) **Policy Development and Review**

The Overview and Scrutiny Committee may:

- (i) assist the Council and the Leader/Executive in the development of the budget and policy framework by in-depth analysis of policy issues; and the Overview and Scrutiny Committee may obtain evidence from members of the public or expert witnesses to inform its response
- (ii) conduct research, community and other consultation in the analysis of policy issues and possible options;
- (iii) question the Leader, lead councillors, Managing Director and Directors about their views on issues and proposals affecting the area; and
- (iv) liaise with, and scrutinise, other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; any such organisation that is working in partnership with the Council will be expected to have regard to the reports and recommendations of the Committee

(b) Scrutiny

The Overview and Scrutiny Committee may:

- (i) review and scrutinise the performance of and the decisions made by the Leader, lead councillors individually or the Executive collectively and Council officers both in relation to individual decisions and over time;
- (ii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (iii) question the Leader, lead councillors, Managing Director and Directors about their decisions and performance, whether generally in comparison with service plans and targets over a period of time; in relation to particular decisions, initiatives or projects; or in relation to the portfolios of the Leader or of Lead Councillors (or any parts thereof). As part of this process, the Committee may facilitate the asking of questions submitted in advance by members of the public;
- (iv) make recommendations as appropriate to the Leader/Executive and/or the Council arising from the outcome of the scrutiny process;
- (v) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Committee and local people about their activities and performance;
- (vi) question and gather evidence from any person (with their consent) and require information from partner organisations; and
- (vii) use innovative ways to scrutinise matters of concern such as select committees, public hearings, mystery shopping and workshops; the issue being investigated should be matched to the most appropriate process.

(c) Finance

- (i) The Overview and Scrutiny Committee may exercise overall responsibility for the finances made available to them.
- (ii) The Committee may request that a budget be made available to it for the purposes of research, the costs of expert witnesses, site visits, non-meeting based activities and matters similar thereto.

(d) Annual Report

The Overview and Scrutiny Committee must report annually to the full Council on its work undertaken during the year, its future work programme and amended working methods if appropriate.

8.3 Proceedings of the Overview and Scrutiny Committee

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Appendix 2

The Overview and Scrutiny Committee will conduct its proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

**Review of Executive Advisory Boards (EABs) – Councillor Questionnaire 2020
Summary of Responses**

Although there were 19 separate responses to the Councillor Questionnaire, two of them expressed the views of more than one councillor and the responses are therefore representative of 21 councillors. A summary of the responses is set out below.

	Question	Responses
1.	<p><u>Effectiveness</u> - Do you feel that the EABs are currently operating effectively? If not, please give reasons and enter suggestions for improvement.</p>	<p>Two respondents expressed the view that the EABs were broadly operating effectively and allowing back benchers to be involved in the Council’s decision-making process. However, this was dependent on the EABs receiving topics in sufficient time to discuss and debate them effectively before they were submitted to the Executive for determination, on having a balanced workload and on the appropriate timing and amount of meetings. Careful planning with officers and discussing the Forward Plan were felt to be key to their success.</p> <p>Eight councillors felt that the EABs could operate more effectively whilst a further seven councillors thought EABs were not operating effectively. The reasons for lack of effectiveness included:</p> <ul style="list-style-type: none"> (a) Cancellation of meetings, particularly the Community EAB, owing to a ‘lack of business’; (b) An imbalance in the level of business between the two Boards; (c) EABs were seen to lack authority; (d) As the EABs were only advisory they had limited weight to affect decision-making, and it often felt that the decision had been made before the matter was reported to the EAB; (e) The primary purpose of the EABs to provide an opportunity for lead members to take soundings from a broad spectrum of councillors before bringing policies forward had been forgotten; (f) There was little scope for immediacy; there was too much control and emphasis on the content of the EAB agendas based on the Forward Plan; (g) Difficulties were experienced owing to a lack of clear outcomes and clarity on how advice from EABs consisting of many varied comments was presented to, and received by, the Executive, and the role the minutes played in this. However, some steps had been taken in the latest Place-Making and Innovation EAB meeting to make clearer the specific views and advice of the

	<p>EAB. There was a lack of feedback from the Executive.</p> <p>(h) The concept behind the EABs was for them to consider subjects far in advance of their consideration by the Executive. The idea was for them to make a broad conceptual review of an item. However, gradually the time between EABs meeting and their thoughts going to the Executive shrank so that now they considered subjects at the last minute and in insufficient detail being seen as more of a tick box exercise than a proper board to inform decision-making.</p> <p>(i) The quality of chairing could often be poor and most of the time the EABs seemed to function in a retrospective scrutiny role rather than in a proactive advisory role. There also seemed to be poor understanding of the advisory role of the EABs amongst councillors.</p> <p>(j) Task groups called for in minutes of a meeting were not set up or operated as required, working with officers on SPDs was an example. An EAB considered SPDs as prepared documents already sent out for public consultation in disregard to EAB minutes and contrary to protocol 5. A recent issue showed that the wishes of the EAB (Placemaking) were disregarded and overruled by officers.</p> <p>Areas for suggested improvement were:</p> <ol style="list-style-type: none"> (1) Early consideration of items at a draft stage would enable EABs to be involved in shaping policy before a full report was drafted. (2) As agendas could be lengthy containing large documents and items at the end may get insufficient attention, the amount of business should be managed and extra meetings scheduled as appropriate. (3) The minutes should be sent to the chair and officers first, then the EAB members (via email) for approval and then to the Executive meeting. (4) The EABs could take on more in terms of working on specific projects. (5) In the case of planning documents, it would be beneficial for EABs to be briefed by the Local Plan Panel at an early stage of policy development. (6) 'Advisory' should be dropped from the Boards' titles and replaced by 'Consultative'. (7) EABs needed to be more proactive, working with the Executive to identify areas of policy where they could provide in-depth research to make sure that there was a strong evidence base for either new policies or expansion of existing policies. (8) When deciding views to go forward to the Executive, after a brief statement, the Chair should ask for a seconder then have a vote on whether the comment was valid or not. This vote should be recorded so the Executive knew how popular the comment was. If a councillor did not follow the above process, then what they said would not necessarily be minuted.
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		<p>(9) The EABs would be effective when driven productively by the Chair. Chairmen should undertake training / refresh training on managing meetings in an orderly fashion and summarising at regular intervals.</p> <p>(10) Members need to understand the remit as well as the limitations of their brief and the chairs must support the members in keeping to this. If that happened then there would be Boards that could take some of the weight off of the Executive and contribute meaningfully to the activities of the Council.</p> <p>(11) All decisions made by EABs, shown through approved minutes, should be taken on board by officers and relayed to the Executive as advice to them from that EAB. Therefore time was needed for meetings to occur and minutes to be approved prior to advice being conveyed to the Executive. Draft minutes should not be used for this purpose and if more urgent advice was required, this must be made clear to EABs and arrangements made to send a key point summary to officers and the Executive prior to full minutes being ready.</p> <p>(12) In terms of EABs receiving feedback from the Executive in respect of the views they had put forward, this could be achieved by the presence of an Executive member at EAB meetings to explain the response to EAB advice when the minutes of the last meeting were signed off.</p> <p>(13) Officers and the Executive should give their reasons for agreeing or not agreeing advice from the EABs.</p>
<p>2.</p>	<p><u>Structure and Frequency</u> - Do you think that the current structure of the EABs (Community EAB, Place-making & Innovation EAB, typically meeting collectively as the Joint EAB on two occasions per annum to review budgetary matters) is the correct structure and frequency? (Timetable of meetings attached for ease of reference.) If not, please suggest alternatives.</p> <p>With this in mind, would a single EAB with a Council-wide remit and larger membership meeting</p>	<p><u>Structure</u></p> <p>(a) The majority of respondents supported the current structure of two separate EABs meeting collectively as the Joint EAB when necessary to discuss the budget and other significant or Council-wide topics.</p> <p>(b) It was broadly felt that a single EAB with a larger membership would be unwieldy with lengthy agendas whereas two EABs would enable members to develop expertise in a particular area of Council activity and to use that expertise in policy development.</p> <p>(c) There was some support for establishing EAB task groups when required to allow members to delve deeper into specific topics.</p> <p>(d) As an alternative to the existing EABs, two Council-wide EABs were proposed as they would ensure a regular equal workload covering all areas of Council activity. The possibility of interchangeable membership between such EABs would enable councillors to follow their interests and expertise.</p>

	<p>on a more frequent basis (i.e. monthly) be a more effective approach?</p>	<p><u>Frequency and timing of meetings</u></p> <ol style="list-style-type: none"> (1) Several respondents indicated a wish for flexibility to meet demand, enable topics to be considered in a timely fashion and maintain a balanced workload. (2) It was felt that EAB meetings should be more closely linked to, and precede, the Executive's meetings to give an opportunity for the EABs to discuss Executive agenda items and for the Executive to receive the EABs' views. (3) In order to have early input into policy and act as sounding boards, the EABs would need to consider Executive items several months in advance of determination. (4) As the two Joint EAB meetings created a gap between regular EAB meetings, it was suggested that the Joint EAB should meet in addition to the other EABs. <p><u>Membership</u></p> <p>The number of EAB members was considered to be appropriate. Two respondents felt that there were too many substitutes and that one substitute per EAB member was adequate.</p>
<p>3.</p>	<p><u>Remit</u> – notwithstanding the above, should the remit of EABs continue to align with the fundamental themes within the Corporate Plan (currently awaiting review), or with the directorates of the Council, or with other community / service themes (if the latter, please give examples)?</p>	<p>The views expressed by respondents in respect of the remit of EABs were varied.</p> <ol style="list-style-type: none"> (a) Five respondents favoured alignment with the Corporate Plan themes, one of whom stated that this should be a focus but not to the exclusion of other topics, at least for the interim period whilst the Council's new administration became established and the authority responded to the impact of the Coronavirus threat. (b) A remit aligned purely to the Council's new Directorates was sought by four respondents as it was felt that the Directorates were less likely to change than the Corporate Plan, which was frequently reviewed, and because this would give a greater opportunity for EABs to act in an advisory role to the relevant Executive portfolios. (c) Two respondents felt that the remit should jointly reflect the Corporate Plan themes and the Directorates of the Council. (d) A further two respondents favoured remit alignment with the Council's service delivery areas. (e) Two more respondents felt that the EABs' remit should mirror the Executive portfolios.

		<p>(f) The EABs having a free hand in setting their agendas was welcomed by two respondents.</p> <p>(g) A focus on the Forward Plan, on the Corporate Plan and the Forward Plan, and on a Council-wide basis, were each favoured by one respondent.</p> <p>(h) One further respondent felt that alignment with the Corporate Plan could lead to a workload imbalance affecting the efficiency of the EABs and suggested that the number of meetings and workload be divided equally between two Boards with interchangeable Council-wide remits enabling them collectively to meet as frequently as the Executive.</p> <p>(i) Related comments were that the Place-Making and Innovation EAB should focus on the planning and climate change agenda and that it was likely that the Corporate Plan would be reviewed again following the implementation of the next phase of the Future Guildford programme, the reorganisation of the Executive and post-COVID 19 outcomes leading to a further review of the remit of the EABs.</p>
<p>4.</p>	<p><u>Interface with Overview and Scrutiny</u> – Parallels between the role and function of O&S and EABs have been drawn – do you feel that the current balance is correct or should there be a greater emphasis on either one, or both?</p>	<p>(a) The responses to this question indicated that the differing roles and functions of O&S and EABs were largely appreciated by respondents who were generally of the view that EABs were intended to be the vehicle for influencing and shaping decisions before they were made, and possibly reviewing policy as it developed where appropriate, whilst the main purpose of O&S was to undertake post-decision overview and scrutiny in order to hold the Executive to account. However, some councillors felt that more emphasis should be placed on clearer demarcation between the roles of O&S and the EABs as there sometimes appeared to be some misunderstanding by members of the roles and powers of the O&S Committee and EABs.</p> <p>(b) Whilst some respondents felt that the roles of both O&S and EABs were very important and there was no reason to place greater emphasis on one or the other, another stated that O&S was a more effective body and should remain a priority. However, it was thought that attaching greater weight to EABs and clarifying their role may raise their profile and increase members' confidence that EABs' recommendations to the Executive were given appropriate attention and priority.</p> <p>(c) As EABs were felt to be under-utilised at times by comparison to O&S, it was suggested that their roles, apart from the scrutiny aspect, could be linked to increase capacity and coverage.</p>

		<p>As the Chairmen and Vice-Chairmen of the O&S Committee and EABs met to discuss their work programmes, it was felt that the work balance could be adjusted as required. However, one respondent thought that, at present, the balance was weighted too much towards scrutiny and insufficiently towards offering advice to the Executive, with the latter being the main role of the EABs. Another view was that if EABs were more consultative in nature, they would have a better interface with O&S than at present. A further view was that both EABs and O&S could only operate successfully if councillors committed to making them work through means including examination of robust evidence in an effort to increase the Council's effectiveness without seeking political gain.</p> <p>(d) Suggestions for improving the EAB process were the Executive anticipating the need for, and inviting, advice from EABs at the agenda setting stage. It was felt that the early provision of complex and lengthy information in advance of EAB meetings would facilitate consideration of issues and formulation of advice.</p>
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