



[www.guildford.gov.uk](http://www.guildford.gov.uk)

Contact Officer:

John Armstrong, Democratic Services &  
Elections Manager

16 November 2022

Dear Councillor

Your attendance is requested at a meeting of the **EXECUTIVE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **THURSDAY, 24 NOVEMBER 2022** at 7.00 pm.

Yours faithfully

Tom Horwood  
Joint Chief Executive  
Guildford & Waverley  
Borough Councils

**MEMBERS OF THE EXECUTIVE**

Chairman:

Councillor Julia McShane (Leader of the Council and Lead Councillor for Community and Housing)

Vice-Chairman:

Councillor Joss Bigmore (Deputy Leader of the Council)

Councillor Tim Anderson, (Lead Councillor for Resources)  
Councillor Tom Hunt, (Lead Councillor for Development Management)  
Councillor George Potter, (Lead Councillor for Climate Change)  
Councillor John Redpath, (Lead Councillor for Economy)  
Councillor John Rigg, (Lead Councillor for Regeneration)  
Councillor James Steel, (Lead Councillor for Environment)

**WEBCASTING NOTICE**

This meeting will be recorded for live and/or subsequent broadcast on the Council's website in accordance with the Council's capacity in performing a task in the public interest and in line with the Openness of Local Government Bodies Regulations 2014. The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

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

**QUORUM 3**

## THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

### **Our Vision:**

A green, thriving town and villages where people have the homes they need, access to quality employment, with strong and safe communities that come together to support those needing help.

### **Our Mission:**

A trusted, efficient, innovative, and transparent Council that listens and responds quickly to the needs of our community.

### **Our Values:**

- We will put the interests of our community first.
- We will listen to the views of residents and be open and accountable in our decision-making.
- We will deliver excellent customer service.
- We will spend money carefully and deliver good value for money services.
- We will put the environment at the heart of our actions and decisions to deliver on our commitment to the climate change emergency.
- We will support the most vulnerable members of our community as we believe that every person matters.
- We will support our local economy.
- We will work constructively with other councils, partners, businesses, and communities to achieve the best outcomes for all.
- We will ensure that our councillors and staff uphold the highest standards of conduct.

### **Our strategic priorities:**

#### Homes and Jobs

- Revive Guildford town centre to unlock its full potential
- Provide and facilitate housing that people can afford
- Create employment opportunities through regeneration
- Support high quality development of strategic sites
- Support our business community and attract new inward investment
- Maximise opportunities for digital infrastructure improvements and smart places technology

#### Environment

- Provide leadership in our own operations by reducing carbon emissions, energy consumption and waste
- Engage with residents and businesses to encourage them to act in more environmentally sustainable ways through their waste, travel, and energy choices
- Work with partners to make travel more sustainable and reduce congestion
- Make every effort to protect and enhance our biodiversity and natural environment.

#### Community

- Tackling inequality in our communities
- Work with communities to support those in need
- Support the unemployed back into the workplace and facilitate opportunities for residents to enhance their skills
- Prevent homelessness and rough-sleeping in the borough

## AGENDA

### ITEM NO.

**1 APOLOGIES FOR ABSENCE**

**2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST**

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

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

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

**3 MINUTES (Pages 5 - 12)**

To confirm the minutes of the meeting of the Executive held on 27 October 2022.

**4 LEADER'S ANNOUNCEMENTS**

**5 TO CONSIDER ANY RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE (Pages 13 - 20)**

**6 PARISH COUNCIL'S CONCURRENT FUNCTIONS GRANT AID APPLICATIONS FOR ASSISTANCE 2023-24 (Pages 21 - 34)**

**7 SUPPLEMENTARY ESTIMATE FOR FUNDS IN RESPECT OF PLANNING APPEALS RELATING TO MEMBER OVERTURN DECISIONS (Pages 35 - 40)**

**8 DEVELOPMENT MANAGEMENT ESTABLISHMENT REVIEW (Pages 41 - 62)**

**9 GUILDFORD JOINT COMMITTEE (Pages 63 - 70)**

**10 SELECTION OF MAYOR AND DEPUTY MAYOR 2023-24 (Pages 71 - 74)**

Key Decisions:

Any item on this agenda that is marked with an asterisk is a key decision. The Council's Constitution defines a key decision as an executive decision which is likely to result in expenditure or savings of at least £200,000 or which is likely to have a significant impact on two or more wards within the Borough.

Under Regulation 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, whenever the Executive intends to take a key decision, a document setting out prescribed information about the key decision including:

- the date on which it is to be made,
- details of the decision makers,
- a list of the documents to be submitted to the Executive in relation to the matter,
- how copies of such documents may be obtained

must be available for inspection by the public at the Council offices and on the Council's website at least 28 clear days before the key decision is to be made. The relevant notice in respect of the key decisions to be taken at this meeting was published as part of the Forward Plan on 27 October 2022.

This page is intentionally left blank

## EXECUTIVE

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

\* Councillor Tim Anderson  
\* Councillor Tom Hunt  
\* Councillor John Redpath

\* Councillor John Rigg  
Councillor James Steel  
\* Councillor Cait Taylor

\*Present

Councillor Ramsey Nagaty was in remote attendance.

### EX41 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Joss Bigmore, Deputy Leader of the Council and Councillor James Steel, Lead Councillor for Environment.

### EX42 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no disclosures of interest.

### EX43 MINUTES

The minutes of the meeting held on 22 September 2022 were approved as a correct record. The Chairman signed the minutes.

### EX44 LEADER'S ANNOUNCEMENTS

The Leader of the Council made the following announcements.

Community Services continued to provide borough-wide support to residents. The Community Fridge and Thrive at the Hive provided food, household items and clothing. For those residents unable to reach the Hive there was a 'Bundle and Delivery' service or selected items could be collected on behalf of residents. Pop-up support events were being organised across the borough. Community groups might request a pop-up event for their area by contacting Community Services. There was also assistance available to connect residents with other support agencies and food banks operating across the borough. There would be a 'Cost of Living Crisis' forum in early November involving partner agencies to ensure support was available across the borough. More information regarding services offered by the Council was available on the Council's website and Surrey County Council's website.

[Help with the cost of living - Guildford Borough Council](#)

[Cost of Living financial support available - Surrey County Council \(surreycc.gov.uk\)](#)

Community Services could be contacted directly by telephone 01483 444150 or by email [community.wellbeing@guildford.gov.uk](mailto:community.wellbeing@guildford.gov.uk)

Guildford Fire Station's Veteran's Hub had been open since 2019 as a regular drop-in venue to provide support for ex-service personnel and retired blue-light colleagues. Special dates coming up for the Hub were a Remembrance tea on Saturday 12 November from 4-6pm, to include a one-minute's silence and the Last Post and on Thursday 8 December from 7-9pm there would be a Hub Open Evening including a meal for those unable to attend the daytime sessions.

Following the recent Tillingbourne by-election, the Leader welcomed new member Councillor Richard Morris to the Council.

There were updated proposals for the Guildford Park Road site which would be on display next month at Grace Church, Guildford Park Road, Guildford GU2 7NF on Monday 7 November from 3-7pm and on Tuesday 8 November from 1:30-5:30pm. There would be a webinar presentation on Thursday 3 November from 6-7pm. Registration was available to receive more updates from,

[www.guildfordparkroad.co.uk](http://www.guildfordparkroad.co.uk)

Guildford Park Road would provide a range of much needed housing for local people to rent and buy. The housing would be energy efficient and well located near to the town and public transport.

The Farmers' Market was on Tuesday 1 November and every first Tuesday of the month.

There would be a Firework Fiesta on Saturday 5 November at Stoke Park run by the Guildford Lions Club. The event would open at 6pm with fireworks from 8:30pm. All proceeds would be directed to local charities and the Prostate Project. There would be live music, children's entertainment and food and drink available and free parking. Tickets were available from [www.seetickets.com](http://www.seetickets.com)

Remembrance Sunday was on 13 November and the Council's event would start at 9am on the High Street. More information and a timetable were available from the Civic Secretary. [civicsecretary@guildford.gov.uk](mailto:civicsecretary@guildford.gov.uk)

The Mayor's 'Wine Bluff' would be held on 19 November from 7:45pm at the Royal Grammar School. Tickets were available from the Civic Secretary. Funds raised would be directed to Challengers, the Mayor's chosen charity. Teams were of 8-10 players and tickets were £35 per person.

#### **EX45 TO CONSIDER ANY RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE**

The intention of the report was to collate and track progress of all recommendations made by the Overview and Scrutiny Committee to the Executive throughout the year, and to log the Executive decisions on the submitted matters.

The Executive noted the report and that there had been no updates since the previous meeting.

#### **EX46 CAPITAL AND INVESTMENT OUTTURN REPORT 2021-22**

The annual outturn report included capital expenditure, non-treasury investments and treasury management performance for 2021-22.

The comments arising from the Corporate Governance and Standards Committee held on 29 September 2022 were set out in the Supplementary Information Sheet.

The Lead Councillor for Resources introduced the report.

There had again been slippage on capital projects and there was a Capital Programme outturn of £40 million compared to the original budget of £148 million and a revised budget of £142 million. Consequently, there was a reduction in the minimum revenue provision of £1.38 million against a budget on £1.5 million. At year end there was £152 million in investments compared to £309 million in borrowing.

Overall, there was a satisfactory performance with some high returns. The lower yield on investments was offset by higher interest accrued by retained cash due to programme slippage.

The Council had taken out its first Public Works Loan Board (PWLB) local infrastructure rate loans for Weyside Urban Village of £22.8 million. The interest rate on those loans would be capitalised so that the borrowing could be repaid from capital receipts from land sales as a part of the scheme.

Some Housing Revenue Account (HRA) reform loans had become payable, and the Council had repaid a £45 million loan from the HRA reserves.

Part of the Council's M&G funds had been redeemed with a gain of £1.4 million which had contributed towards balancing the 2021-22 budget.

Given there had been slippage again on capital projects it was proposed there would be a more pragmatic approach to budget setting in anticipation of what might realistically be achieved alongside a regular monitor of expenditure throughout the next financial year. Consequently, the Executive,

**RESOLVED:**

**(1) To approve the removal of the following schemes from the capital programme:**

- Albury closed burial grounds £57,000 in 2022/23
- Mill Lane Flood Protection works - £16,000 2022/23 and £200,000 2023/24
- Merrow & Burpham surface water study - £15,000 in 2022/23

**(2) To recommend to Council at its meeting to be held on 6 December 2022,**

- That the capital and investment outturn report be noted.
- That the actual prudential indicators reported for 2021/22, as detailed in Appendix 1 to the report, be approved.

Reasons:

- (1) To comply with the Council's treasury management policy statement, the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice

on treasury management and the CIPFA Prudential Code for Capital Finance in Local Authorities.

- (2) As per the treasury management code although the scrutiny of treasury management (and indeed all finance) had been delegated to the Corporate Governance and Standards Committee, ultimate responsibility remained with full Council - this report therefore fulfilled that need.

#### **EX47 HOUSING REVENUE ACCOUNT - REVENUE OUTTURN REPORT 2021-22**

The Housing Revenue Account (HRA) recorded the income and expenditure associated with the provision and management of Council owned residential dwellings in the Borough. The requirement to maintain an HRA was set out in the Local Government and Housing Act 1989 and the requirement to publish final accounts was set out in the Accounts and Audit (England) Regulations 2015.

The Leader of the Council introduced the report that set out the actual level of revenue spending on day-to-day services provided to tenants recorded in the HRA in 2021-22.

The comments arising from the Corporate Governance and Standards Committee meeting on 29 September 2022 along with some financial updates were set out in the Supplementary Information Sheet.

The report set out the income and expenditure on the HRA for the year 2021-22 and it was confirmed that a sustainable budget had been maintained with an £11.2 million operating surplus. The 30-year business plan supported expenditure of £2.5 million of the surplus to maintain and improve the Council's housing stock. The focus of the expenditure was to support the continued wellbeing of tenants and to increase the energy-efficiency of homes. In addition, a further £7.84 million would be added to the new-build budget. Right to Buy (RTB) receipts had been utilised and an additional 21 homes had been purchased for social housing resulting in no repayment penalties. Overall, the report was in line with the 30-year business plan.

The Lead Council for Resources added that the rental income was £29.2 million, there had been a low instance of arrears and few void properties for the period resulting in a strong financial position justifying the investments in the housing stock. Consequently, the Executive,

#### **RESOLVED:**

That the final outturn position on the HRA for 2021-22 be noted, and that the decision taken under delegated authority to transfer £2.5 million to the reserve for future capital, and £7.84 million to the new build reserve from the revenue surplus of £10.339 million in 2021-22, be endorsed.

#### **Reason:**

To allow the Statutory Statement of Accounts to be finalised and subject to external audit prior to approval by the Council.

#### **EX48 GENERAL FUND REVENUE OUTTURN REPORT 2021-22**



The Lead Councillor for Resources introduced the report. Comments arising from the Corporate Governance and Standards Committee meeting held on 29 September were set out in the Supplementary Information Sheet.

It was noted that in the middle of last year the Council identified a significant overspend in the General Fund and the report before the Executive recorded the effects of actions taken to mitigate the situation. The mitigation resulted in a balanced budget and a £138,987 underspend, which had been transferred to the budget pressures reserve.

The net income from interest receipts was £1.5 million more than had been estimated and the minimum revenue provision for debt repayment was £154,414 lower than estimated. Put together, this contributed £1.6 million net additional interest to the General Fund.

The report set out the structure and the use of reserves and it was noted that the reserves available to support the General Fund remained low.

It was noted that the Council was actively encouraging more customers to use online services to free up the telephone lines to residents who did not have access to a computer.

There were no further comments and consequently the Executive,

#### RESOLVED:

That the Council's final outturn position on the General Fund for 2021-22 be noted, and that the decisions taken under delegated authority to transfer the underspend to the Budget Pressures reserve and to make a transfer between the business rates retention reserve and the ICT renewals reserve, be endorsed.

#### Reasons:

To note the final outturn position for 2021-22 and to facilitate the ongoing financial management of the Council.

#### **EX49 HOUSING INVESTMENT PROGRAMME - ACQUISITION OF LAND AND BUILDINGS FOR THE HOUSING REVENUE ACCOUNT**

The Housing Revenue Account (HRA) Capital Programme and the Capital and Investment Strategy, approved by the Council in February 2022 had included a budget programme of £1.8 million for 2022-23 and £1.8 million in 2024-25 for the acquisition of land and buildings for the HRA. A further £3 million had been agreed for a provisional programme for 2022-23 and £4 million for 2024-25 which could be used subject to individual development and acquisition plans.

It was noted that the capital programme included buying back homes that had previously been sold through Right to Buy (RTB) and homes that became available through s.106 agreements. The Council utilised RTB receipts to re-purchase homes where there was a good financial outcome in terms of favourable terms and long-term rental income potential, or to benefit the Council's strategic objectives.

The Leader of the Council introduced the report that proposed the provisional budget be moved to the approved budget as the currently approved funds had been either committed or spent.

The meeting heard that good progress had been made throughout the year and consequently the Executive,

**RESOLVED:**

That the existing Housing Revenue Account Acquisition Provisional Budget of £7 million for 2022-23 and 2024-25 be moved to the HRA Approved Capital Programme.

Reason:

To facilitate the delivery of social housing whilst contributing to the Council's plan to fully utilise Right To Buy receipts.

#### **EX50 FUTURE OF INTERNAL AUDIT**

The Lead Councillor for Resources introduced the report.

The Council's existing contract for the provision of internal audit services was due to expire in March 2023. A process of soft market testing and due diligence had been undertaken to assess the available options and to identify a preferred provider. It was proposed that Southern Internal Audit Partnership (SIAP) could provide the service to the Council from 1 April 2023 for a five-year period.

It was noted that SIAP worked with many other councils including Waverley Borough Council (WBC). There would be no significant cost savings gained by transferring to SIAP, but it would harmonise with the Council's collaboration with WBC. Consequently, the Executive,

**RESOLVED:**

- (1) That, with effect from 1 April 2023, the Council discharges its Internal Audit Function under Section 101 of the Local Government Act 1972 to Hampshire County Council so that Southern Internal Audit Partnership (SIAP) can provide the Internal Audit Service for Guildford Borough Council.
- (2) That the Council's Section 151 and Monitoring Officers be authorised to enter into the Joint Working Agreement by way of a deed of accession with Southern Internal Audit Partnership and undertake all necessary legal arrangements to do so.
- (3) That the Section 151 Officer or nominated officer represents the Council's interests by becoming a voting member of the Southern Internal Audit Partnership Key Stakeholder Board.

Reason(s):

To ensure good governance arrangements and internal control by undertaking an adequate level of internal audit coverage through discharging the Council's functions as permitted by the S101(5) of the Local Government Act 1972.

The meeting finished at 7.35 pm

Signed .....

Date .....

Chairman

This page is intentionally left blank

## Recommendations to the Executive from the Overview and Scrutiny Committee

### Document Purpose

The intention of this document is to collate and track progress of all recommendations made by the Overview and Scrutiny Committee to the Executive throughout the year, and to log the Executive decisions on the submitted matters. The Executive's agreed response to the recommendations will be fed back to the Overview and Scrutiny Committee, and relevant officers.

### Explanatory note:

**Progress Status:** This column indicates individual progress status for each recommendation and will present one of three options:

- Awaiting Executive Consideration
- Accepted or Approved by the Executive
- Rejected by the Executive

**Suggested Response to Recommendation and Reasons:** This column indicates what action, if any, the Executive proposes to take or may already have been taken in response to the recommendation and the reasons) for the action, or no action.

### Approved Recommendations:

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
2 March 2021 Reference OS63	Guildford Crematorium Redevelopment	That the Executive be requested to ensure that:	22 March 2022	Executive approved suggested response.	The Future Guildford Programme implemented the Council's transformation plan.	Abi Lewis/ Directors

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
	Post Project Review	<p>1.Council projects are accurately scoped and well-defined at the outset and any extension of scope is assessed carefully.</p> <p>2.Council projects go beyond legal minimum standards and aspire to be the best possible.</p> <p>3.Senior officers be held accountable for ensuring that resources in place for projects are adequate.</p>			<p>As part of Phase A of the Programme, a new Project and Performance Management (PPM) Governance team was established in 2020 which has undertaken extensive work to implement a new PPM Governance Framework to improve the delivery of all GBC projects and programmes to achieve the strategic objectives set out in the Corporate and Local Plans. Now an Enterprise Portfolio Structure has been defined, work is underway to rationalise boards and clarify decision-making.</p> <p>The following specific processes implemented help to ensure the right project controls are in place from the outset:</p> <ul style="list-style-type: none"> <li>• A start-up process to control the number of projects initiated</li> <li>• A mandate being developed for each project for consideration by service leaders and Councillors helping to develop a common understanding of</li> </ul>	

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
					<p>objectives and anticipated outcomes of projects.</p> <ul style="list-style-type: none"> <li>• The Business Case, developed from the Strategic, through the Outline Business Case and confirmed at Full Business Case is a clear statement of scope and baselines and a robust rationale for proceeding with the project.</li> <li>• Progress through the stages is controlled by gates, these are managed by the Corporate Governance Team.</li> </ul> <p>The project mandate will provide a broad definition of a project’s objectives, scope, constraints, benefits, risks and costs – which are further defined in the development of the business case. Aspirations to exceed minimum standards tends to come at the cost of time and money. The business case should recommend the option that provides best social value or best value for money and responds to any statutory requirements.</p>	

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
					<p>The new PPM Governance Framework provides the opportunity for officers across the organisation to review project mandates and business cases, and to consider the potential impact of the proposals on their service area. This includes consideration of whether the project is achievable within the existing resources (financial and staffing) and whether mitigation is required to deliver the preferred option successfully. This might include highlighting a need to recruit to fill a specialist skillset that is necessary for the project and the required budget to enable this. The internal project governance structures ensure officers provide regular updates on the status of projects and provide the opportunity for risks and issues to be escalated to senior decision makers as necessary. An Enterprise Portfolio Board is being considered to ensure that resource constraints are understood across all GBC service areas before a project is initiated.</p>	



O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
9 November 2021 reference OS46	Guildford Crematorium Air Quality Audit	<p>That the following recommendations within section 3 of the SLR audit at Appendix 1 of the report submitted to the O&amp;S Committee be endorsed:</p> <ul style="list-style-type: none"> <li>• That measures or procedures are reviewed and where necessary improved, to allow Regulatory Services to satisfy themselves that work undertaken on their behalf has been undertaken in a comprehensive and technically robust manner, such as:</li> <li>• requiring evidence of the audit procedure, and documented audit trail; and</li> </ul>	22 March 2022	Executive approved suggested response.	<p>GBC's current Standard Selection Questionnaire (SSQ) - used at the outset of a procurement process to determine compliance of a potential supplier with any mandatory requirements - does not request confirmation of statutory or regulatory certification.</p> <p>However, the subsequent technical evaluation process is tailored according to the specifics of the project and the scope of services being procured. Where appropriate, confirmation and evidence of accreditation will be requested and evaluated. If works are procured via a framework e.g. construction works, the contractors are subject to significant scrutiny and vetting before being accepted onto the framework. If a project is particularly complex or technical, the Council will need to consider what specialist resource is needed to support the drafting of technical evaluation criteria</p>	Abi Lewis/ Directors

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
		<ul style="list-style-type: none"> <li>requiring contractors to have a quality assurance system certified to a recognised standard (e.g., ISO 9001).</li> </ul>			<p>and the evaluation of tender responses. This would be established at the mandate stage.</p> <p>The Corporate Procurement Board acts as a gateway for projects that are above a certain financial threshold, or constitute high risk or sensitivity, providing further scrutiny over the most appropriate route to engage a supplier.</p> <p>The new project management and governance toolset, Verto, has the functionality to capture decisions made to ensure that there is an audit trail throughout the project lifecycle.</p>	
9 November 2021 reference OS47	Update on Project & Programme Management Governance	<ul style="list-style-type: none"> <li>That the Executive be requested to ensure that in relation to the closure and evaluation stages of Council projects the author of both the lessons learned report</li> </ul>	22 March 2022	Executive approved suggested response.	The Council's implemented PPM Governance Framework outlines the project lifecycle and approval gates that projects will ensure all lifecycle stages are undertaken for all projects, including closure, evaluation and lessons learned.	Abi Lewis/ Directors

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
		<p>and the post-project evaluation be someone unconnected to the project.</p> <ul style="list-style-type: none"> <li>• That further training and information on the Council's project and programme management be organised for Councillors.</li> </ul>			<p>Going forward the governance team can provide independent review at project closure stage and report to the Enterprise Portfolio Board if that is established.</p> <p>A series of formal training sessions explaining the reasons for mandates and business cases was delivered in November 2020 to introduce the new PPM governance arrangements. Follow up sessions relating to improving their understanding of programme and project governance in order to streamline governance and improve reporting were held for Councillors in December 2021. These sessions outlined the work done on the development of the governance structure and provided a demonstration of the reporting deck that is presented at Major Projects Portfolio Board. Ongoing training is being provided to induct new</p>	

O&S Meeting Date /O&S Minute No.	O&S Agenda Item	O&S Recommendation	Considered by Executive on	Progress Status	Suggested Response to Recommendation and Reasons	Key Officer responsible for the item
					Councillors and keep all Councillors up to date with developments.	

## Executive Report

Wards affected: Ash South and Tongham, Ash Vale, Ash Wharf, Clandon and Horsley, Effingham, Lovelace, Normandy, Pilgrims, Pirbright, Send, Shalford, Tillingbourne and Worplesdon

Report of Executive Head of Finance

Author: Michele Rogers

Tel: 01483 444842

Email: Michele.Rogers@guildford.gov.uk

Lead Councillor responsible: Tim Anderson

Tel: 07710328560

Email: Tim.Anderson@guildford.gov.uk

Date: 24 November 2022

## **PARISH COUNCILS – CONCURRENT FUNCTIONS GRANT AID APPLICATIONS FOR ASSISTANCE 2023-24**

### **Executive Summary**

The Council's concurrent functions grant aid scheme provides financial assistance to parish councils. Concurrent functions are services which both the Borough Council and the parish councils are empowered to undertake.

The Executive is asked to approve the budget for 2023-24 at this time because the parish councils need to be aware of the level of grant aid available to them so that they can build the sums into their budget calculations for the coming year. They will fix their budgets and precept requirements for 2023-24 in December and early January, enabling this information to be included in the Guildford Borough Council's final budget approval process in February 2023.

Parishes were asked to complete a detailed application form and written estimate for each project and identify how the project meets at least one of the three fundamental themes within the Council's corporate plan. We have received 28 requests from 14 of the 23 active parish councils totalling £93,663. A panel of officers have evaluated the bids. 4 bids were subsequently withdrawn or rejected, the bids brought forward for approval total £67,305, which is £22,695 under the base budget of £90,000. The remaining budget of £22,695 to be transferred to the Parish Council Urgent Schemes Reserves.

### **Recommendation to Executive**

That the Executive approves

- (i) the grant budget for 2023-24 at £90,000, subject to final confirmation at budget council in February 2023.

- (ii) Future years' budget from 2024-25 be reviewed in consultation with Parish Councils.
- (iii) the parish council requests for grant aid for 2023-24, as set out in Appendix 3 to this report.

Reasons for Recommendation:

- (i) to assist parish councils with expenditure on concurrent function schemes in 2023-24.
- (ii) to enable parish councils to take account of financial assistance from Guildford Borough Council when calculating their precept requirements for 2023-24.

## **1. Purpose of Report**

- 1.1 This report gives details of the applications from parish councils for financial assistance through the concurrent functions grant aid scheme in 2023-24. The parish councils will include all grants recommended for approval in their precept calculations for the 2023-24 financial year.

## **2. Strategic Priorities**

- 2.1 As part of the bidding process, we asked parishes to indicate how their project(s) meet one of the three fundamental themes within the Council's corporate plan. In all cases, the projects meet at least one of the three themes.

## **3. Background**

- 3.1 The Council's concurrent functions grant aid scheme provides financial assistance to parish councils. Concurrent functions are services which both the Borough Council and the parish councils are empowered to undertake. The policy relating to the operation of the scheme was last updated in 2019-20 and is summarised in **Appendix 1**.
- 3.2 In 2018-19 the minimum grant request was amended to £500; this was having an adverse effect on smaller Parish Councils who rely on the grant. Therefore, it was agreed by the former Director of Resources, in conjunction with the Lead Councillor for Resources to reduce this amount to £200 with effect from 2019-20 grant applications.
- 3.3 Parish council taxpayers pay more than Guildford town centre taxpayers. They contribute towards facilities and services provided throughout the Borough as well as additional facilities provided by the Parish on their behalf. For example, the Parish pays for the upkeep of their own play areas, as well as those for which the Borough is directly responsible e.g., Sutherland Memorial Park. The purpose of the CFGA scheme is essentially to address this 'double-rating' element.
- 3.4 It is important to note that the Parishes only receive a maximum of 50% in grant aid towards any projects (the % is lower for any schemes over £10,000). The balance must be funded from their precept. Therefore, the Parishes need to carefully consider their priorities and spending needs when submitting bids. The

parishes vary considerably in size, tax base, responsibilities for service provision etc. They are autonomous bodies and each will have its own priorities.

- 3.5 The taxpayers in the Parishes also pay towards the annual provision for concurrent functions grant aid as included in the Borough's budget (the cost is included in the basic Borough council tax levy).
- 3.6 The parish councils need to be aware of the level of grant aid available to them so that they can build the sums into their budget calculations for the coming year. They will fix their budgets and precept requirements for 2023-24 in December and early January, enabling this information to be included in the Borough Council's final budget approval process in February.
- 3.7 Parishes have two years to complete the works. In exceptional circumstances, the Director of Resources, in conjunction with the Lead Councillor for Resources, are authorised to agree a one-year extension. In 2021-22, seven projects totalling £23,704 were authorised for a one-year extension due to COVID delays.
- 3.8 In 2012-13, an amendment to the scheme was made to allow monies to be retained in a reserve and available for applications for urgent schemes during a financial year. In 2021-22, a net amount of £3,423 was transferred from this reserve because of urgent grant amounts £8,719 and grants amounts of (£5,516) that were either not used, as schemes were out of time, or were delivered within the estimated cost. To date, 50 applications have been made for urgent assistance.
- 3.9 The Executive is asked to consider the applications for grant aid for 2023-24. We have received 28 requests from 148 of the 23 active parish councils. A panel of officers namely, the Parks Development Officer, Principal Planning Officer, S106 Officer and Specialist Finance Capital & Assets assessed the bids to ensure compliance with both the scheme criteria and the Council's wider policy objectives, and in the light of the budget available. Four bids were subsequently withdrawn or rejected, the bids brought forward for approval total £67,305, which is £22,695 under the base budget of £90,000.
- 3.10 Concurrent Functions grant is not the only grant the Council provides to the parish councils. The Council also provides a grant called the Local Council Tax Support (LCTS) grant. The grant compensates for the loss of council tax income from those properties in receipt of Local Council Tax Support. The grant was introduced when the LCTS scheme was introduced and originally funded from central government grant, which the Council passed through to Parish Councils. The grant from central government ceased in 2014, as such Guildford Borough Council now funds the LCTS grant to parishes from its own locally raised taxes (e.g., council tax and retained business rates). The total of LCTS grant to parishes for 2023-24 is proposed to be £92,291 (see **Appendix 4**). This is the same as the LCTS grant paid in 2022-23. The LCTS grant scheme will be reviewed in the coming year.

**4. Consultations**

- 4.1 All parish councils were invited to bid for concurrent functions grant aid
- 4.2 All councillors within affected wards have been consulted and all responses have been supportive

**5. Executive Advisory Board comment**

- 5.1 The Executive advisory board has not been consulted about this report.

**6. Equality and Diversity Implications**

- 6.1 There are no equality and diversity implications as a result of this report

**7. Financial Implications**

- 7.1 The financial implications are set out throughout the report.

**8. Legal Implications**

- 8.1 The Local Government Act 1972 (s.136) empowered the Borough Council to contribute towards expenditure on concurrent functions i.e., functions exercisable by both the Parishes and/or the Borough. Although the grant was discretionary when introduced, the provisions of the Local Government Finance Act 1992, required local authorities to consider their treatment of special expenses (section 35(2)(d)). In 1993, following consultation with the Parish Council's, the Council decided its policy of not treating any of the Borough's expenditure as special expenses be continued and that the cost of all services be charged equally to all Council Taxpayers with financial assistance continuing to be offered to the Parishes via the Concurrent Functions Grant Scheme. The Concurrent Functions Grant Aid scheme, which has been operating since 1975, is an appropriate arrangement for dealing with the issues arising from concurrent functions. The scheme is a clear and fair way for grants to be distributed to support parish council activities, based upon pre-determined criteria.
- 8.2 The annual base budget provision for the scheme was fixed at £90,000 by the Executive in November 2017.
- 8.3 The grant award recommendations are based on the current scheme policy set out at Appendix 1. The functions referred to are concurrent.

**9. Human Resource Implications**

- 9.1 There are no human resource implications as a result of this report

**10. Summary of Options**

- 10.1 The Executive is asked to approve the budget for 2023-24 at this time because the parish councils need to be aware of the level of grant aid available to them so



that they can build the sums into their budget calculations for the coming year. Any delay in approving the budget would affect the parish councils' ability to fix their budget and precept requirement for 2023-24 at the appropriate time to be included in Guildford Borough Council's final budget approval process in February 2023.

**11. Conclusion**

- 11.1 The requests from parish councils for concurrent functions grant aid are within the original base budget of £90,000 for the scheme. The report recommends that the remaining balance is transferred to Parish Council Urgent Schemes Reserve. Future years budget for both CFGA and LCTSS be reviewed in consultation with Parish Councils.

**12. Background Papers**

- 12.1 Applications on file (2023-24)

**13. Appendices**

- 13.1 Appendix 1 - Scheme policy  
Appendix 2 - Summary of parish council applications 2023-24  
Appendix 3 - Summary of LCTS Grant 2023-24

This page is intentionally left blank

## CFGA GRANT SCHEME – CRITERIA & OPERATIONAL ARRANGEMENTS

The scheme provides financial assistance to parish councils towards parish expenditure on 'concurrent function' projects of a non-routine nature only. Concurrent functions are services which both Guildford Borough Council and the parish councils are empowered to undertake and include the following areas of activity:

- Allotments
- Commons
- Open spaces
- Playing fields
- Play areas
- Burial grounds & cemeteries
- Closed churchyards
- Parking
- Litter bins
- Seats
- Bus shelters
- Public conveniences
- War memorials
- Public clocks
- Village Halls & Community Centres
- Tourism
- Entertainment & Arts support
- Leisure facilities owned by Parish

In addition, the scheme supports environmental improvement and traffic calming projects undertaken by the parishes, provision of CCTV and street lighting, and the acquisition of IT equipment etc. to assist in the administration of parish duties; all areas of activity also undertaken by the Council.

- 1.2 The current formula for the calculation of grant aid entitlement is as follows:-
- i) for schemes costing up to £10,000, grant aid is calculated at the rate of 50% of expenditure incurred, up to the maximum grant approved;
  - ii) any approved expenditure in excess of £10,000 as in (i) above is assisted at the rate of 20%.

However, the Council may adjust the above formula as necessary if the parish councils' requests exceed the Council's financial provision for the scheme.

- 1.3 Parishes must amalgamate any parish projects, which relate to a particular location in the same year.
- 1.4 We allocate grants on condition that works are completed and the grant claimed within two years, with the proviso that the Director of Resources in conjunction with the Lead Councillor for Resources are authorised to agree an extension request for one year, in exceptional circumstances.
- 1.5 Parish councils must submit relevant invoices for approved works when claiming grant aid.
- 1.6 Parish councils are required to acknowledge **all** contributions towards a project by including some form of notice or branding on the facility, wherever possible
- 1.7 The annual base budget provision for the scheme for 2019-20 onwards was fixed at £90,000 by the Executive in November 2018.

- 1.8 Parish councils will be required to complete a detailed grant application form, prioritising their bids.
- 1.9 Parish councils will be required to supply written estimates for **all** projects from 2018-19 onwards
- 1.10 The total scheme limit for each parish council is set at £50,000 from 2018-19 onwards
- 1.11 The minimum grant request is £200 from 2019-20 onwards.
- 1.12 A panel of officers will evaluate the bids, against established criteria, prior to going before the Executive Committee.
- 1.13 Grant monies returned by parish councils during any year are retained in a reserve and available for applications for **urgent** schemes during a financial year. Such applications have to justify why they are urgent and cannot wait until the next normal bidding round in addition to meeting the scheme criteria. We will only approve applications if there is sufficient money from returned grants to cover the new grant. Parishes are required to complete a detailed Urgent Schemes Request form, similar to the grant application form. Approval of the urgent in-year grants is delegated to the Head of Resources in consultation with the Lead Councillor for Resources. Please contact Michele Rogers (01483 444842) if you require any further information with regard to the Urgent Schemes process.

## **Guildford Borough Council – Strategic Framework**

### **Our Vision:**

A green, thriving town and villages where people have the homes they need, access to quality employment, with strong and safe communities that come together to support those needing help.

### **Our Mission:**

A trusted, efficient, innovative, and transparent Council that listens and responds quickly to the needs of the community.

### **Our Values:**

- We will put the interests of our community first.
- We will listen to the views of residents and be open and accountable in our decision-making.
- We will deliver excellent customer service.
- We will spend money carefully and deliver good value for money services.

- We will put the environment at the heart of our actions and decisions to deliver on our commitment to the climate change emergency.
- We will support the most vulnerable members of our community as we believe that every person matters.
- We will support our local economy.
- We will work constructively with other councils, partners, businesses, and communities to achieve the best outcomes for all.
- We will ensure that our councillors and staff uphold the highest standards of conduct.

### **Our strategic priorities:**

#### **Homes and Jobs**

- Revive Guildford town centre to inlock its full potential
- Provide and facilitate housing that people can afford
- Create employment opportunities through regeneration
- Support high quality development of strategic sites
- Support out business community and attract new inward investment
- Maximise opportunities for digital infrastructure improvements and smart places technology

#### **Environment**

- Provide leadership in our own operations by reducing carbon emissions, energy consumption and waste
- Engage with residents and businesses to encourage the to act in more environmentally sustainable ways through their waste, travel, and energy choices
- Work with partners to make travel more sustainable and reduce congestion
- Make every effort to protect and enhance our biodiversity and natural environment

#### **Community**

- Tackling inequality in our communities
- Work with communities to support those in need
- Support the unemployed back into the workplace and facilitate opportunities for residents to enhance their skills
- Prevent homelessness and rough-sleeping in the borough

This page is intentionally left blank

		Appendix 2	
<b>CONCURRENT FUNCTIONS GRANT AID 2023-24 - PARISH COUNCIL APPLICATIONS</b>			
<b>Parish Council / Project</b>		<b>Estimated Cost</b>	<b>Grant Aid*</b>
		<b>£</b>	<b>£</b>
<b>ASH</b>			
	Ash Recreation Ground - Roundabout & Seesaw	19,750	6,950
	Dip Tanks/Ball Valves at Shawfield Allotments	9,025	4,513
			<b>11,463</b>
<b>CLANDON EAST</b>			
	Tunmore Field Tree Planting and Hedgerow	1,400	700
			<b>700</b>
<b>EFFINGHAM</b>			
	King George V Playing Fields Multi Play Unit	25,000	8,000
			<b>8,000</b>
<b>EAST HORSLEY</b>			
	Landscaping within Parish - Boundary with Horsley Court	1,800	900
			<b>900</b>
<b>WEST HORSLEY</b>			
	Water Bottle Filling Station at Village Hall	910	455
	Village Signage x 5	1,375	688
	Replacement Bench East Lane	1,172	586
			<b>1,729</b>
<b>OCKHAM</b>			
	Vehicle Activated Sign	3,431	1,716
	Burial Ground - Benches & works to create reflective space	2,050	1,025
			<b>2,741</b>
<b>PIRBRIGHT</b>			
	Replace Surface at Playground around Climbing Unit	4,707	2,353
	New Doors and Fire Resistant Blinds for Village Hall	9,676	4,838
	Pirbright Pond Renovation Works	14,415	5,883
			<b>13,075</b>
<b>PUTTENHAM</b>			
	Renovation and Repair of the Village War Memorial	23,890	7,778
	Replacement Bus Shelter	3,850	1,925
	Relocation of Basketball Post and Net	4,500	2,250
			<b>11,953</b>
<b>ST MARTHA</b>			
	New Noticeboard	2,599	1,299
			<b>1,299</b>
<b>SEALE &amp; SANDS</b>			
	Landscaping within Parish - Forestry Land Wood Lane	970	485
	Play Bark for Seale Recreation Ground	1,020	510
			<b>995</b>
<b>SHERE</b>			
	Vehicle Activated Sign	3,630	1,815
	Replacement Litter Bin	1,165	583
			<b>2,398</b>
<b>TONGHAM</b>			
	New Playground Equipment	9,031	4,500
			<b>4,500</b>
<b>WORPLESDON</b>			
	Replacement Notice Boards	5,109	2,554
	Succession Planting of Trees with watering system and tree guards	10,019	5,000
			<b>7,554</b>
<b>TOTAL OF GRANT REQUESTS</b>			
	re works estimated to cost	160,495	67,305
		Base Budget	90,000
		Over/Under Budget	- 22,695

This page is intentionally left blank



<b>Appendix 3</b>			
<b><u>Local Council Tax Support (LCTS) Grant 2023-24</u></b>			
		£	
	Albury	1,865.00	
	Artington	175.00	
	Ash	44,986.00	
	East Clandon	146.00	
	West Clandon	776.00	
	Compton	1,841.00	
	Effingham	1,561.00	
	East Horsley	1,476.00	
	West Horsley	1,045.00	
	Normandy	7,235.00	
	Ockham	-	
	Pirbright	1,197.00	
	Puttenham	750.00	
	Ripley	3,805.00	
	St Martha	39.00	
	Seale & Sands	352.00	
	Send	1,396.00	
	Shackleford	237.00	
	Shalford	4,223.00	
	Shere	5,303.00	
	Tongham	4,401.00	
	Wanborough	58.00	
	Worplesdon	9,424.00	
		<b><u>92,291.00</u></b>	

This page is intentionally left blank

Executive Report

Report of Strategic Director - Place

Author: Dawn Hudd

Tel: 01483 444 888

Email: dawn.hudd@guildford.gov.uk

Lead Councillor responsible: Tom Hunt

Tel: 07495 040978

Email: tom.hunt@guildford.gov.uk

Date: 24 November 2022 / 6 December 2022

## **Supplementary Estimate for funds in respect of planning appeals relating to Member overturn decisions**

### **Executive Summary**

Appeals against planning decisions are a statutory provision within planning law. An applicant can appeal any decision (or failure to make a decision). Where an appeal is lodged the local planning authority should be prepared to make a robust defence of its decision. For most appeals this is done at officer level. Therefore, whilst there is a time cost to this there is not a cost in terms of appointing consultants to defend the decision on behalf of the Council.

For large scale appeals on complex applications there is a necessity to appoint Counsel and specialist witnesses. However, in these cases there is still the expectation that Council officers will act as the planning witness.

Where an application is refused contrary to the officer's recommendation these tend to be more controversial. Often such overturns will be considered by either a hearing or inquiry, and this necessitates attendance in person to defend the appeals. Due to conflicts in respect of professional integrity Council officers who have recommended approval cannot professionally defend a refusal. Therefore, it is necessary to appoint external consultants to defend such appeals. There is no budget for such appointments and therefore supplementary budgets are required to secure funds to make such appointments.

This report seeks a supplementary budget for three appeals which have already been considered and to agree the funding of those. Going forward a supplementary estimate will be brought forward at the time an appeal is made to secure agreement for monies to defend the appeal.

Given the status of the appeals this report does not present a range of options, however, future reports would include an option not to agree the funding which would necessitate a reconsideration as to whether the appeal should be defended.

### **Recommendation to Executive**

1. That the Executive notes the need for a supplementary estimate for the Development Management service of £535,000 to cover the payments required to defend three significant appeals relating to Member overturn decisions which were subsequently heard at either public inquiry or as a hearing.
2. That the Executive recommends to full Council (6 December 2022) that the report be noted and that the supplementary estimate be approved.

### Reason(s) for Recommendation:

To ensure robust defence of planning appeals resulting from Member overturn decisions.

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

## **1. Purpose of Report**

- 1.1 The purpose of this report is to request a supplementary budget for the costs of defending recent planning appeals resulting from the overturn of a number of officer recommendations to approve. This has resulted in the need to appoint external consultants to handle the appeals as their refusals are against the professional advice of officers meaning those officers are unable to professionally represent the Council's position at the relevant Hearings/Public Inquiries.

## **2. Strategic Priorities**

- 2.1 This proposal supports delivery of the following key aspects of the Council's strategic priorities as follows:
  - Revive Guildford town centre to unlock its full potential
  - Provide and facilitate housing that people can afford
  - Create employment opportunities through regeneration
  - Support high quality development of strategic sites

Approval of the recommendations within this report will enable the funds to be available to appoint appropriate persons to defend the Council's position at appeal. Robust defending of appeal decisions ensures that strategic priorities are met at promoting high quality development.

### **3. Background**

- 3.1 Budget provisions for Development Management include only a very small budget amount for dealing with appeals wrapped up with a 'Consultancy' account code.
- 3.2 Once an appeal is lodged the Council has limited time to submit relevant information to defend the appeal. Where the appeal resulted from an 'officer' level decision this is carried out by the original case officer. There is little additional 'spend' on smaller appeals, although there is a time cost.
- 3.3 For larger appeals considered under Hearing or Inquiry procedures there is likely to be the need to bring in additional support to the main case officer to defend reasons which relate to specialist areas and/or to appoint additional legal support to act on behalf of the Council i.e. Counsel. Where these larger appeals relate to officer level decisions it is still likely that there would be a significant cost impact. However, the recommendation would have been known much earlier in the process meaning there is a greater opportunity to plan for the appeal.
- 3.4 Should an inquiry level appeal be lodged in respect of an application refuse contrary to the officer's recommendation then less time is available. Furthermore, this is considered an unexpected cost due to the overturn and additional cost will be incurred due to the need to appoint a professional planning witness.
- 3.5 Historically these budget deficits have not been reported, however, this does not address the additional spend requirements. They are NOT budgeted for and therefore a supplementary budget is required to secure this.
- 3.6 Going forward individual supplementary requests will be brought forward for each appeal, however, it is noted that there have been three relatively recent appeals of member overturns. Therefore, this report seeks a single supplementary budget to cover the additional spend in respect of the three appeals.
- 3.7 Officers follow procurement procedures in all appointments made to ensure the Council is receiving appropriate value for money.

### **4. Consultations**

- 4.1 Finance team (Emma Parry)

### **5. Key Risks**

- 5.1 Failure to secure appropriate funding to defend a planning decision at appeal will likely leave the Council open to significant risk of either losing the appeal and/or have Costs awarded against the Council. This brings a wider financial risk and significant reputational risk to the Council.

## **6. Financial Implications**

- 6.1 The increase in staffing resources will result in a cost increase to current budget provision. There are three appeals which are the subject of this report which have attracted significant expenditure and those amounts are included here as they relate to the current financial year:

### Land at Ash Manor (Inquiry)

QC: £138,600.00  
Supporting barrister: £75,204.00  
Energy consultant £780.00

£214,584

### Howard of Effingham (Inquiry)

Counsel: £80,000 likely cost given length of inquiry  
Planning and Design Witness: £33,700  
Housing Land Supply: £25,000  
School need & costings witness £107,700  
Viability: £10,630  
Heritage: £12,440

Total: £269,470

Costs above are estimates as final invoices will be sent following conclusion of the inquiry which has increased in length since the outset.

### Urnfield (Hearing)

Planning expert £10,000

- 6.2 These represent the known costs; however, given the increase in length of the Howard of Effingham inquiry costs associated with that appeal could be also increased as original quotes were based on the original length of time. It is therefore prudent to include a buffer within the cost for that inquiry taking the overall estimate to £300,000 for this inquiry. Additionally, the Ash Manor figure is rounded up to £225,000.

- 6.3 These costs are likely NOT to be recovered irrespective of the outcome of the appeal. It is a general principle of planning appeals that each side meets its own costs. A party is only awarded Costs when there is an issue of unreasonable behaviour from another party. The Council should also be cautious of making spurious Costs applications as a matter of course. During the Ash Manor inquiry the Council made a successful partial costs counter claim following a spurious application made by the appellant. However, the scope of these costs is limited purely to the cost associated with defending the applicant's costs claim and is not part of the figures here.
- 6.4 Officers seek to ensure best value for money in appointments to defend appeals whilst ensuring that those appointed are qualified to make a robust case. Choices are also often limited due to the specialist nature of the fields where witness are required and avoiding potential conflicts of interest. It should also be noted that the Ash Manor appeal was ultimately dismissed highlighting the importance of properly defending decisions, however, it should be noted that this was at a high financial cost to the Council. By way of further update the 'Urnfield' appeal referenced in this report has recently been determined with the appeal allowed. The Costs application made by the applicant was successfully defended.
- 6.5 As the total supplementary estimate is in excess of £500,000, full Council approval is required under Financial Procedure Rules.

## **7. Legal Implications**

- 7.1 None

## **8. Human Resource Implications**

- 8.1 None

## **9. Equality and Diversity Implications**

- 9.1 There are no equality and diversity implications as a result of this report.

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

- 10.1 No such implications apply

## **11. Summary of Options**

- 11.1 This report is seeking a supplementary budget for 2022-23 of £535,000 to cover appointments made in respect of these appeals. Given these appeals are already underway there no alternative option in this instance. The

Business Rates Equalisation reserve can be used to fund this supplementary estimate.

- 11.2 It should be noted that alternative options for reports presented in future could include items such as withdrawing reasons for refusal or accepting that the Council will not defend particular matters if funding is not agreed.

**12. Conclusion**

- 12.1 The appeals referenced in this report necessitated the appointment of external consultants to represent the Council and robustly defend the reasons for refusal. The supplementary expenditure is considered essential.

**13. Background Papers**

None

**14. Appendices**

None



Executive Report

Report of Strategic Director - Place

Author: Dawn Hudd

Tel: 01483 444 888

Email: dawn.hudd@guildford.gov.uk

Lead Councillor responsible: Tom Hunt

Tel: 07495 040978

Email: tom.hunt@guildford.gov.uk

Date: 24 November 2022

## **Development Management Establishment Review**

### **Executive Summary**

The Council has seen an unprecedented number of planning applications submitted during the last two years. This, combined with the effects of the pandemic and the loss of several key staff members, left the organisation in a position where a significant backlog of applications had built up affecting performance and customer service.

To address this, it has been necessary to implement a number of short-term measures to bolster performance and output across the Development Management service. This report seeks to ratify a supplementary budget to support these actions and secure longer-term support ensuring performance returns to pre-pandemic levels in line with national guidance. To achieve this there is a requirement to increase the number of establishment roles within the Development Management and Customer Case and Parking services, where key validation tasks are carried out when planning applications are first received.

The measures already implemented are having a positive effect with output in September 2022 increasing considerably and application numbers across planning officer caseloads slowly falling. The additional establishment positions are essential for this to continue and address difficulties at Senior Planning Officer level where vacancies have been difficult to fill, and complex applications are in danger of becoming stuck in the system, which could affect housing delivery.

### **Recommendation to Executive**

That the Executive approves a supplementary budget for this financial year 2022-23 or the Development Management service of £465,400 and £15,800 for the Customer

Case and Parking Service to provide additional resources and support to address the back log of planning applications and ensure a robust service is delivered. That the Executive also approves additional funding for the next financial year 2023-24 for the Development Management service of £387,700 and £100,420 for the Customer Case and Parking Service to provide additional resources and support.

Reason(s) for Recommendation:

To ensure the return to a robust and customer focused Development Management function and to ensure that we can meet Key Performance Indicators and reduce the threat of Designation.

**Is the report (or part of it) exempt from publication? Yes (part)**

(a) The content of Appendices 1 and 2 is to be treated as exempt from the Access to Information publication rules because as it contains proposed salary information about members of staff that could be identified and some of these staff are unlikely to be senior roles where we would publish salary information and is therefore exempt by virtue of paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as follows:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).

(b) The content is restricted to all councillors.

## **1. Purpose of Report**

1.1 The purpose of this report is to review the position within the Development Management function in terms of workloads and performance and identify solutions to address the significant back log in planning applications and seek approval for the supplementary budget required. Given the challenges faced the report provides scope for flexibility, therefore the measures set are kept general, and officers will adapt as circumstances change.

## **2. Strategic Priorities**

2.1 This proposal supports delivery of the following key aspects of the Councils strategic priorities as follows:

- Revive Guildford town centre to unlock its full potential.
- Provide and facilitate housing that people can afford.
- Create employment opportunities through regeneration.
- Support high quality development of strategic sites.

- Support our business community and attract new inward investment.

Formal approval of the recommendations within this report will enable the significant backlog of Planning Applications to be determined and new Applications for development to be processed within statutory timeframes. Development of housing and business sites will support delivery of these important strategic objectives.

### **3. Background**

- 3.1 Prior to the start of the COVID 19 pandemic in March 2020 the Development Management function maintained a period of steady performance. Targets were met with a positive appeal record and a successful pre-application advice service was in place.
- 3.2 The past 24 months have seen extremely high application numbers, not just in Guildford, but nationally. In 2021 GBC received over 2,700 applications, 500 higher than level in recent years. It remains unclear what the medium to long term pattern is likely to be. Early signs are that whilst levels have dropped they have settled at a higher norm than pre-pandemic, indicating a trend for a higher annual number of submissions. Further monitoring of this is required to enable us to design a permanent fit for purpose structure to meet future need.
- 3.3 Future Guildford restructure removed a number of posts from the establishment including the business support function.
- 3.4 Loss of staff/high staff turnover during the pandemic and challenges recruitment in a buoyant market since has affected both the Development Management and Customer Case teams.
- 3.5 We have seen high volumes of complaints/enquiries due to failure demand caused by the backlog.
- 3.6 The result of these factors is that a significant backlog of applications has built up and whilst output has increased this has not achieved a large-scale reduction in the backlog. During the last 12 months the focus has been on output and as a result performance in terms of decisions made 'in time' have significantly reduced.
- 3.7 There is therefore a significant risk on a number of fronts to the Development Management function:
  - **Poor customer service** – with high work levels it has become difficult to manage communication levels and customer

expectations resulting in an increase in complaints to heads of service/directors and Councillors.

- **Reputation** – continuing validation and determination rates are impacting on previous good reputation in terms of GBC performance.
- **Designation** - Poor performance can result in the government placing the service in 'special measures' also known as designation. Where councils are continually failing to meet national performance targets the government can impose special measures, effectively taking control of the service. Our performance over the relevant two-year period is below the threshold at which the process may be triggered, and in response the Council needs to show the measures have been put in place to improve performance.
- **Financial** – as backlogs grow the risks of potential refunds on applications submitted also increase. Application fees vary widely, and this could result in a significant financial effect for the Council
- **Increase in appeals**, applicants can appeal against non-determination if a decision is not made 'within time'. The result being that determination can be taken out of local hands. Although the number of non-determination appeals have increased these have mainly been in respect of cases the Council would likely have refused and therefore overall impact has not been significant. There have been some cases of appeals being submitted and a fresh application submitted to seek to force a decision, known as twin-tracking. However, so far this has been limited.

3.8 It is clear the short-term fixes employed over the last 12 months could not adequately resolve the situation. To assist, officers have engaged the Planning Advisory Service (PAS) to provide peer support. PAS offer free support to Authorities struggling to deliver the service levels required. A copy of this report is attached as an appendix. This review has made some draft recommendations which are incorporated into the action plan attached to this report. Some initial measures have been put in place in critical areas to ensure early improvements can be made, these include:

- **Appointment of interim team leader** (applications) on a six-month contract. This will provide specific support to the Head of Place and allow greater focus on this area.
- **Appointment of interim Major Applications team leader** to assist John Busher who has been performing this role for the past 18 months whilst continuing to carry a high workload of major applications.
- **increase in use of extensions of time** on planning applications – key recommendation of PAS review. With the high number of out of time cases this is the best way of improving performance whilst

increasing output. An increased number of officers have been authorised to agree these (previous team leader sign off was required).

- During the last 12 months officers have used the services of a company to assist with determination of minor level applications on a Planning Performance Agreement (PPA) basis. The company has been reliable and competent in dealing with the work and were engaged on a high-volume work basis. This takes the form of two distinct workstreams:
  - **Minor level applications** – fee structure of £950 per application to deal with initially **33** minor level applications. Output level of average 2.5 applications per week over 10 weeks – **total £31,350**
  - **Householder level applications** – fee structure of £260 per application. To deal with **243** applications over a four-month period. Determination rates to be approximately 50 applications per month – **total £63,300**
  - Appointment of administration support to manage and deal with day-to-day enquiries and handle back-office matters. The caseworker unit does not have the capacity to undertake these roles therefore we engaged two, four-month appointments to undertake these roles. These are set at the bottom of Band two, **£25,560** salary costs.
  - The impact of this arrangement is starting to be felt, operationally this is now running smoothly, and we are tracking output. We have therefore outsourced another batch of applications and will keep this arrangement under review.

Increase to establishment – specialist roles

3.9 Given the higher workload faced across the team and the need to release senior staff to deal with larger scale applications coming forward from allocated sites within the local plan, it is proposed to increase establishment across the team.

- 3.10 This report therefore seeks agreement for the following:
- **One additional senior planning officer** (grade 6)
  - **Three additional assistant planning officers** (grade 4)
  - **Additional principal planning officer positions** (grade 7)

The intention is to recruit to these positions immediately. The senior planning officer would bolster capacity to deal with minor and small-scale major applications freeing up principal planning officer time to focus on strategic requirements. The assistant planning officer positions are specifically identified at dealing with the lowest level applications on a high-volume basis and target graduates seeking initial planning-based

- experience. These appointments would be 12-month contracts to assess longer term suitability. These additional roles would reduce the need to rely on short term agency support which comes at a high cost.
- 3.11 At principal level the appointment of a 2-year fixed term principal to support the major's team whilst the strategic site work would continue. It has been identified that PPA income would adequately cover this, reducing financial impact on the Council and this would be factored into new agreements which are drafted.
- 3.12 There is a lack of resilience in the number of officers available for signing off applications. With the increase in establishment and resulting increase in work output this has a knock-on effect in how many applications need to be signed off. With only two team leaders and the Executive Head of Planning Development able to regularly sign off applications this is clearly insufficient for the numbers of applications being processed. It is suggested that a 12-month principal within the applications team would offer support to the team leader and take on the mentoring of additional planning assistants to provide additional resilience.
- 3.13 We have engaged a specialist recruitment company, Hays, to assist with the recruitment process. They have offered a framework rate and fee structure to advertise and short list applications for the senior and principal roles which are likely to be difficult to attract to, given the demand in the market. Other roles will be advertised through traditional means.

Scanning officers and increase in case worker resources

- 3.14 Consideration must be given to support functions needed to support Development Management. There is a considerable degree of administration work involved in the application process, this is undertaken in the caseworker unit.
- 3.15 Over 90% of Planning Applications, and a similar proportion of Building Control applications, are submitted to the Council electronically. This has led to an increased need for tasks such as downloading applications from the Planning Portal (third party national planning application service), uploading these documents to GBC's planning software, redacting, and indexing files. A small proportion of Planning applications are still submitted as hard copies and these require manually scanning to electronic copies for caseworkers, specialists, and the public to have access to. This process is time-consuming, involving breaking down stapled documents, scanning on a photocopier / scanner along with all other documentation.

- 3.16 The Customer Case team currently has two temporary officer's fulfilling these roles, they have been in place for 10 years but are not in the permanent establishment. Neither the temporary nor permanent roles are currently budgeted for. Costs were covered by the planning budget for the previous 10 years up until around October last year where costs were transferred to the Customer Case team and covered by underspend.
- 3.17 It is recommended to recruit two full time members of staff to carry out the scanning officer tasks within the casework team. Appointing two scanning officer roles will provide sustainability during periods of holiday, sickness and fluctuations of applications received. It will also reduce the need to continually retrain different agency staff as has been the case over the last 10 years.
- 3.18 The costs to recruit two scanning officers in-house would be £30,675 per position per annum- £61,350 including on costs.
- 3.19 Alongside these scanning officer positions it is recommended to increase the caseworker resources dedicated to the Development Management function. Since the implementation of the structure there has been a significant lag on the validation of applications. The support the caseworker function provides is essential to the efficient operation of the Development Management service. If applications are not validated in good time this leads to disruption to customer service and places pressure on specialists who receive applications several weeks already into the application process. The Post is band 3, bottom of this band represents £33,380 per annum including on costs.

#### Short term

- 3.20 There remain a number of vacancies and whilst these are recruited to and additional roles advertised there will be a need for short term cover. It is proposed, in the short term, to use temporary appointments, through agencies for this purpose. As establishment resources come online it is envisaged these arrangements will end. This need is most acutely felt at the senior officer level where recent staffing losses have introduced a high number of complex applications which we are unable to re-allocate. Whilst the recruitment of replacement senior officers is underway support is needed to keep cases moving.
- 3.21 Additionally we will continue using, closely managed overtime arrangements to target additional out of time cases. This was successful previously and further use of this offers proven good/targeted value for money.

### Development Management Leadership and Business Support

- 3.22 The Inter Authority Agreement with Waverley Borough Council has created a new joint management team. Development Management now sits in the Place directorate and a new Executive Head of Planning Development is a joint role across the two councils. This role is currently vacant and whilst we recruit a permanent member of staff an interim has been appointed to the role. The costs of this are already covered within existing budgets.
- 3.23 GBC has lacked a Business Manager in the DM service since the role was removed through Future Guildford. This role is to be reinstated on an interim basis through post sharing with Waverley BC utilising an existing Waverley staff member who has taken the team through an improvement journey. This person will report to the Director of Place and work with the Interim Executive Head of Service to review processes, reporting, communication and structure with a view to developing the business case for further collaboration and a fit for purpose DM service going forward. The cost of this to 31 March 2023 is £20,840 including on costs.

## **4. Consultations**

- 4.1 Finance team (Emma Parry)  
Figures for a supplementary budget for 2022/23 provided and attached as an appendix and costs etc confirmed for the report. This will be funded from the Business Rates Equalisation Reserve, this report also includes a request for funding for 2023-24, from the same reserve. Please note that the three roles required in the caseworker team are requests for permanent members of staff. All other are fixed term contracts for either one or two years.

## **5. Key Risks**

- 5.1 Key risks are continuing to service current workloads without additional resource. There is already a considerable backlog in place, although this is now reducing due to the measures already implemented that this report is seeking to ratify. This has raised the threat of designation as set out earlier in the report and below. This brings a significant cost risk to the Council for potential refunds to application fees if applications are not determined. So far whilst there have been some small-scale refunds this has not been to a significant level in relation to total backlog cases. If not addressed this will not continue. The resulting costs could be substantial and would be an increasing cost as more applications go out of time.
- 5.2 Non-determination appeals. If decisions are not made within statutory time limits an applicant can appeal against non-determination. This



increases both cost risk and reputational risk as decision making powers are taken away from the Council. To date there has been limited impact with most applicants willing to wait for a local decision. Most non-determination appeals have been limited to situations where officers have advised refusal is likely, therefore unnecessary cost is limited as an appeal would have been likely to take place anyway. However, there have been some instances of appeals being lodged alongside a fresh application, a tactic known as 'twin-tracking' used to put pressure on the Council to make a timely decision on the second application. This practice will increase if delays are not reduced.

- 5.3 There is a substantial risk of potential 'designation' by Government if delays in decision making results in significantly poor performance. The result of this can see decision making powers being taken away from the Council. This would represent a severe effect on the Council's reputation. Recently officers have made good progress in seeing the immediate threat of this recede through the use of extensions of time. However, this can only be a short-term measure. Long term workloads must be reduced to ensure an efficient service can be maintained long term.
- 5.4 Impact on staffing is a further risk. Across the service there have already been staff losses and the personal effect of a difficult period during COVID and the implementation of the Future Guildford model has played a part. We have done well to ensure we have recruited to vacancies; however, a negative reputational effect will hinder this long term and could well see further impacts on staff retention at Guildford.
- 5.5 Without a strong Development Management function the Council will be unable to continue its proactive work with developers in delivering key sites across the borough and securing infrastructure alongside these sites. We have used PPAs to good effect and our interaction at this larger development level is to be seen as a strong positive of the service in recent time. We have been able to use these positions to steer developments positively and secure infrastructure alongside it. Without an effective service we will not be able to resource this work and developers will recede from engagement. This will result in a significant loss of PPA income and poorer quality development with a likely knock-on effect to a reduction in infrastructure contributions alongside it.

## **6. Financial Implications**

- 6.1 The increase in staffing resources has resulted in a cost increase to current budget provision. This report is seeking to ratify and agree additional spending on the Development Management function and Customer Case team to ensure the Council can meet its statutory functions in respect of dealing and determining planning applications and

appeals. The interim appointment of team leader positions is envisaged to cost a total of around £ £169,650 in 2022-23. However, this is off set by the existing vacancies in the major's team leader role which equates to around £193,830 (including on costs) which also includes a saving for the vacant Head of Place post.

6.2 The project to outsource a high volume of applications originally for a four-month period included the following costs:

- £31,350 for minor applications
- £63,180 for householder applications
- £25,560 for administration support

We have extended this for a further two months to the end of 2022 which has seen a further 80 backlog applications at householder level being passed over. Given the set-up work already in place this represent good value for money.

6.3 Additional Senior Planning Officer (Grade 6 Specialist) £53,000 pa (including on costs) and 3 x Assistant Planning Officer positions (Grade 4) – approximately £38,400 pa per post (including on costs). These are fixed term posts for one year only.

6.4 Additional Principal Planning Officer (Grade 7 Specialist) £61,730 pa (including on costs), fixed for one year and additional Principal Planning Officer (Grade 7 Specialist) £61,730 pa (including on costs) fixed for two years, costs to be recovered from PPA income.

#### Caseworker unit

6.5 Two scanning officer roles appointed at the bottom of Grade 2, including on costs would total £61,350 pa.

6.6 An additional caseworker at Grade 3 appointments made at the bottom of Grade 3 (£25,242) including on costs approximately £33,380 pa.

#### Business Support Manager

6.7 50% cost of Business Support Manager to 31 March 2023 £20,840.

6.8 A table is included as an appendix setting out the supplementary budget requirements for 2022-23 and costs for the next financial year. This assumes that the caseworker posts will be permanent but all other posts are fixed term contracts. One principal planner post is fixed for two years so there will be a cost in 2024-25 of approximately £52,000. However, costs will be recovered from PPA income.,.

## **7. Legal Implications**

7.1 None

## **8. Human Resource Implications**

8.1 The proposal to introduce additional team members will have some staffing impact in terms of reporting lines. However, there would be no changes to terms and conditions and therefore no significant HR implications are envisaged.

## **9. Equality and Diversity Implications**

9.1 There are no equality and diversity implications as a result of this report.

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

10.1 No such implications apply.

## **11. Summary of Options**

11.1 This report is seeking a supplementary budget for 2022–2023 of £481,200 to cover measures already put in place and likely measures required for the remainder of the financial year to enable the Development Management function to address the backlog of applications and move away from the threat of designation, and back to meeting statutory requirements for determining planning applications.

11.2 It is officers view that not doing so would prolong the existing backlog and negative impact on performance well beyond the end of 2023.

11.3 This report is also seeking a supplementary budget for 2023-24 for £488,100 to enable the Development Management Team function to meet statutory requirements for determining planning applications. This figure includes assumption for agency staff of £85,000 and casuals of £34,000.

## **12. Conclusion**

12.1 The measures set out in this report were considered essential to address the significant negative factors that have impacted the service over the last two years and to positively improve performance and efficiency.

12.3 The scale of applications to be determined are significant and even with the additional resources taken up under this report it will take some time

for the service to return to business as usual. We do not anticipate this being before the end of Quarter 1 2023. Furthermore, alongside these arrangements there must be attention and priority given to the wider inputs into the planning process' It is proposed that delegation arrangements need reviewing to allow a more efficient process. The funding sought covers the short-term measures which have been used during the last six months including temporary appointments, outsourcing and overtime. Further, it provides scope to appoint the appropriate establishment roles moving forward retaining the short-term staff until this is carried out, whilst transitioning away from this reliance.

**13. Background Papers**

None

**14. Appendices**

Appendix 1 – Planning Advisory Service Report - Exempt  
Appendix 2 – Finance spreadsheet - Exempt

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Agenda item number: 8  
Appendix 2

Document is Restricted

This page is intentionally left blank



Executive and Council Report

Ward(s) affected: All

Report of Joint Strategic Director: Transformation and Governance

Author: John Armstrong, Democratic Services & Elections Manager

Tel: 01483 444102

Email: john.armstrong@guildford.gov.uk

Lead Councillor responsible: Joss Bigmore

Tel: 07974 979369

Email: joss.bigmore@guildford.gov.uk

Date: 24 November 2022 / 6 December 2022

## **Guildford Joint Committee**

### **Executive Summary**

In 2018, this Council and Surrey County Council agreed to replace the former Local Committee (Guildford) with a new Guildford Joint Committee, which would deal not only with the range of executive and non-executive County Council functions that the Local Committee discharged locally, but also a range of executive and non-executive Borough Council functions delegated to it.

Both councils also adopted a Constitution for the Guildford Joint Committee, which set out, amongst other things, the various functions delegated to it and standing orders under which it was proposed that the Joint Committee would operate. The Joint Committee Constitution currently sits in Part 3 of the Council's own Constitution under Responsibility for Functions.

The Joint Committee comprises the ten County Councillors representing the ten County Divisions within the Borough, plus ten Borough Councillors appointed on a politically proportionate basis.

The first Joint Committee meeting was held in September 2018. The last meeting of the Joint Committee was held on 26 October 2022.

The Council will be aware that Surrey County Council's Cabinet decided in February 2022 to transfer all executive highway functions (including on-street parking) from the Guildford Joint Committee, and other Joint Committees and Local Committees in Surrey, to County Officers, in consultation with relevant Divisional Members. These changes took effect from 1 April 2022 and sit alongside the development of new engagement methods and tools to enable members and officers to reach out more effectively to residents.

The County Council had also agreed at its Annual Meeting on 24 May 2022 that county councillors elected as chairmen or vice-chairmen of the Local and Joint Committees across the county shall hold those offices only until 31 October 2022. County partnership officers involved in supporting the Joint Committees and Local

Committees across the county will end those responsibilities also with effect from 31 October 2022.

On 27 September 2022, the Leader of Surrey County Council made a decision to remove the remaining executive functions and advisory functions from all the Local Committees and Joint Committees in the county with effect from 11 October 2022.

At the County Council meeting on 11 October 2022, formal approval was given to cease all the Local Committees with effect from 31 October 2022, to serve notice of the County Council's intention to withdraw from all of the Joint Committees (the notice to expire on or before 30 April 2023), and to transfer their non-executive functions relating to Public Rights of Way from all the Local and Joint Committees back to the County's own local governance arrangements.

The effect of these decisions taken by Surrey County Council means that the Guildford Joint Committee now has no County Council functions delegated to it, and its remit only comprises the very limited number of Borough Council executive and non-executive functions. On or before 30 April 2023, the Guildford Joint Committee will cease to exist, although it is arguable that the Joint Committee cannot now be considered to be a "joint committee" where one of the two parties has withdrawn all of its functions. After 31 October 2022, the Guildford Joint Committee would no longer have a chairman (which is currently Councillor Fiona White in her capacity as a county councillor), and if it were to continue until 30 April 2023, this Council would have to manage the Joint Committee.

In light of the decisions taken by Surrey County Council outlined above, the Executive is asked whether it wishes to transfer the existing executive and advisory functions currently within the remit of the Joint Committee back to this Council. If that is the case, full Council will be asked on 6 December 2022, whether it wishes to transfer our existing non-executive functions relating to public rights of way back to this Council. If the Executive and Council agree to this action, then the Joint Committee will effectively be dissolved as of 6 December (rather than next April) as it would have no functions delegated to it.

### **Recommendation to Executive**

- (1) That the transfer of all the Borough Council's executive and advisory functions from the Guildford Joint Committee's remit, as set out in the Joint Committee Constitution, be approved with immediate effect, and that those functions revert back to being delegated to the Executive.
- (2) That full Council, on 6 December 2022, be asked to approve the transfer of all of the Borough Council's non-executive functions relating to public rights of way from the Guildford Joint Committee's remit, as set out in the Joint Committee Constitution, and that those functions be delegated back to the Lead Specialist – Legal.

### Reason for Recommendation:

To enable the Council to consider its position in light of the withdrawal of all County Council functions from the Guildford Joint Committee.

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

## 1. Purpose of Report

- 1.1 To consider the Council's position in light of the decisions taken by Surrey County Council (SCC) to withdraw all of its functions from the Guildford Joint Committee, and to give six months' notice of intention to withdraw their involvement from the Joint Committee.

## 2. Background

- 2.1 Since local government reorganisation in 1974, at which point SCC assumed responsibility as the highway authority for local roads and traffic management, and up until 2002, there have been a number of SCC led member-level forums in the Guildford area for consideration of matters such as local highway maintenance and improvement programmes, transportation plans and traffic management schemes.
- 2.2 These forums have generally been sub-committees of a parent SCC committee to which Guildford Borough Council (GBC) nominated councillors for co-option. GBC councillors on these sub-committees had full voting rights, although SCC had an overall majority of councillors on them. Arrangements similar to these were adopted in a number of other, but not all, Surrey districts.
- 2.3 Following the mandatory adoption of executive arrangements, SCC disbanded what was then known as the Guildford Partnership Area Transportation Sub-Committee (and similar sub-committees across the county) and, in 2002, established eleven Local Committees in the district areas, including Guildford. Each of the Local Committees comprised the county councillors representing electoral divisions within the district plus the same number of district/borough councillors who were co-optees.
- 2.4 The purpose of the Local Committees was to bring SCC decision-making and its services closer to the communities it served. They discuss issues such as education, social care, parking, young people, as well as highways and transportation.
- 2.5 The Local Committees exercise a number of specific executive functions delegated to them by SCC's Cabinet and limited non-executive functions delegated to them by the full Council of SCC. District/borough councillors on the Local Committees were allowed to vote on all matters, with the exception of Education and Youth (where there is a statutory restriction on joint voting).
- 2.6 In recent years, there have been initiatives, to transform the Local Committees into joint committees. The distinction between a Local Committee and a joint committee is that a joint committee has delegated to it responsibility for the discharge of specific county council *and district council* functions within the district area, including budgets.
- 2.7 In 2018, this Council and SCC agreed to replace the former Local Committee (Guildford) with a new Guildford Joint Committee, which would deal not only with the range of executive and non-executive SCC

functions that the Local Committee discharged locally, but also a range of executive and non-executive GBC functions delegated to it.

- 2.8 Both councils also adopted a Constitution for the Guildford Joint Committee, which set out, amongst other things, the various functions delegated to it and standing orders under which it was proposed that the Joint Committee would operate. The Joint Committee Constitution currently sits in Part 3 of the Council's own Constitution under Responsibility for Functions.
- 2.9 The Joint Committee comprises the ten County Councillors representing the ten County Divisions within the Borough, plus ten Borough Councillors appointed on a politically proportionate basis.
- 2.10 The first Joint Committee meeting was held in September 2018. Since then, there have been 14 meetings of the Guildford Joint Committee. It is worth noting that 75% of the business transacted at those meetings dealt with highways, infrastructure, and parking matters. The main GBC function dealt with by the Joint Committee has been Air Quality (approximately 17% of all business transacted).

### **3. Withdrawal of functions by SCC**

- 3.1 The Council will be aware that SCC's Cabinet decided in February 2022 to transfer all executive highway functions (including on-street parking) from the Guildford Joint Committee, and other Joint Committees and Local Committees in Surrey, to County Officers, in consultation with relevant Divisional Members. These changes took effect from 1 April 2022 and sit alongside the development of new engagement methods and tools to enable members and officers to reach out more effectively to residents.
- 3.2 At its Annual Meeting on 24 May 2022, SCC noted a number of consequential changes to the Guildford Joint Committee Constitution to omit from its terms of reference all executive highway functions (including on-street parking) and agreed that county councillors elected as chairmen or vice-chairmen of the Local and Joint Committees across the county shall hold those offices only until 31 October 2022.
- 3.3 On 27 September 2022, the Leader of SCC made a decision to remove the remaining executive functions and advisory functions from all the Local Committees and Joint Committees in the county with effect from 11 October 2022.
- 3.4 At the SCC meeting on 11 October 2022, formal approval was given to cease all the Local Committees with effect from 31 October 2022, to serve notice of SCC's intention to withdraw from all of the Joint Committees (the notice to expire on or before 30 April 2023), and to transfer their non-executive functions relating to Public Rights of Way from all the Local and Joint Committees back to the County's own local governance arrangements. That notice has been received.

3.5 This report asks the Council to consider its position in light of these changes.

**4. Comments from GBC Officers in response to the initial withdrawal of parking and highways executive functions**

Head of Operational and Technical Services (now Executive Head of Environmental Services)

4.1 The changes to decision making in relation to on-street parking matters affects significant parts of Guildford. Primarily this is in relation to the Controlled Parking Zone (CPZ) but also changes the decision-making process for traffic regulation orders (mainly yellow line restrictions) across the whole of the Borough. Under the new approach, there is now no longer any formal decision-making role for Borough councillors in these matters and decisions on the location and nature of the controls are now to be undertaken under delegation by SCC officers with primary input from SCC divisional councillors, although there is an intention and expectation for borough ward councillors to be part of the consultation process for future reviews that are undertaken in their respective wards.

4.2 We are currently mid-way through an existing review which has progressed under the old system, so the new approach has not been used yet. The finer details of the new process are being fine-tuned before being brought into use for the next on-street review. Reviews of on-street controls and associated activity, such as Park & Ride were a significant part of the work of the Joint Committee.

Head of Environment and Regulatory Services

4.3 In relation to Air Quality, the Joint Committee has approved an overarching Air Quality Policy/Strategy and individual Air Quality Management/Action Plans relating to parts of the borough. This has been really helpful over recent years as so many of the air quality decisions were connected to roads and transport matters in which SCC have been directly involved. Whilst the air quality legal duties are all with Districts and Boroughs, any dissolution of the Joint Committee would necessitate agreement with SCC of a formal decision-making route on future air quality measures in the borough.

**5. Possible response from GBC**

5.1 The effect of the decisions taken by SCC means that the Guildford Joint Committee now has no SCC functions delegated to it, and its remit only comprises the very limited number of GBC executive and non-executive functions. On or before 30 April 2023, the Guildford Joint Committee will cease to exist, although it is arguable that the Joint Committee cannot now be considered to be a "joint committee" where one of the two parties has withdrawn all of its functions. After 31 October 2022, the Guildford Joint Committee would no longer have a chairman (which is currently Councillor Fiona White in her capacity as a

county councillor), and if it were to continue until 30 April 2023, this Council would have to manage the Joint Committee.

- 5.2 In light of the decisions taken by SCC outlined above, the Executive is asked whether it wishes to transfer the existing executive and advisory functions currently within the remit of the Joint Committee back to this Council. If that is the case, full Council will be asked on 6 December 2022, whether it wishes to transfer our existing non-executive functions relating to public rights of way back to this Council. If the Executive and Council agree to this action, then the Joint Committee will effectively be dissolved as of 6 December (rather than next April) as it would have no functions delegated to it.

## **6. Possible Alternative Arrangements moving forward**

- 6.1 On the assumption that councillors would wish, in the event of the dissolution of the Guildford Joint Committee, to proactively seek to replace it with an alternative collaborative decision-making body with a wider public service remit, the Joint Chief Executive will explore options with the County Council to achieve this.
- 6.2 It is envisaged that possible priority areas for better collaborative working, including measurable objectives, could focus on:
- climate change and air quality
  - interventions for the economically vulnerable,
  - improving employability
  - reducing health inequality
- 6.3 It is also understood that the Leader of the County Council wishes to discuss with boroughs and districts the concept of local partnership boards, involving other key partners/agencies, within each borough/district.

## **7. Legal implications**

- 7.1 Under arrangements for any joint committee between two local authorities, it is implicit that any executive or non-executive functions delegated to a joint committee by one authority can be unilaterally withdrawn by that authority. SCC has exercised its right to withdraw all of its functions from all Joint Committees and Local Committees in the county and has agreed to give six months' notice under the terms of the Joint Committee's Constitution of its wish to withdraw from the Joint Committee.
- 7.2 If the Executive and full Council agree to withdraw GBC's executive and non-executive functions, the Joint Committee will effectively be dissolved at that point, without the need to wait for the expiry of the six months' notice referred to above.

**8. Financial implications**

- 8.1 It is not anticipated that continuing with a Joint Committee or withdrawal from it will have any significant financial implications for the Council. If the operation of the Joint Committee was terminated, there would be a small saving on a special responsibility allowance in respect of the Vice-Chairman of the Joint Committee (as set out in the current scheme of allowances for councillors).

**9. Human Resource implications**

- 9.1 There are no significant human resource implications arising directly from this report.

**10. Summary of Options**

10.1 Option 1:

Subject to the agreement of both the Executive and full Council, the Council could decide not to withdraw GBC functions and to continue with the Joint Committee arrangement with SCC until the expiry of the six months' notice given by SCC (not beyond 30 April 2023).

Option 2:

Again, subject to the agreement of both the Executive and full Council, the Council could decide to withdraw all GBC functions from the Joint Committee, which would have the effect of immediately dissolving the Joint Committee.

**11. Conclusion**

- 11.1 SCC has decided to withdraw all of its functions from the Guildford Joint Committee, and has decided to give notice of its intention to withdraw fully from the Joint Committee by the end of the current municipal year. It is now for this Council to determine how it wishes to proceed.

**12. Background Papers**

None

**13. Appendices**

None

This page is intentionally left blank



Executive report

Ward(s) affected: All

Report of Strategic Director: Transformation and Governance

Author: John Armstrong, Democratic Services and Elections Manager

Tel: 01483 444102

Email: [john.armstrong@guildford.gov.uk](mailto:john.armstrong@guildford.gov.uk)

Lead Councillor responsible: Joss Bigmore

Tel: 07974 979369

Email: [joss.bigmore@guildford.gov.uk](mailto:joss.bigmore@guildford.gov.uk)

Date: 24 November 2022

## Selection of Mayor and Deputy Mayor: 2023-24

### Executive Summary

At its meeting on 6 December 2022, the Council will be asked to consider nominations for the Mayorality and Deputy Mayorality of the Borough for the municipal year 2023-24.

The constitutional changes adopted by the Council in April 2014 provide that the Council normally elects the Deputy Mayor appointed at the annual meeting of the Council as Mayor at the next succeeding annual meeting. The Council will therefore be requested to consider formally the nomination of the current Deputy Mayor, Councillor Masuk Miah for the Mayorality of the Borough for 2023-24, subject to Councillor Miah's re-election to the Council on 4 May 2023.

Group leaders were asked to submit nominations for the Deputy Mayorality for 2023-24 by no later than 18 November 2022. At the time the agenda for this meeting was published, no nominations had been received. Any nominations that are received will be reported at the meeting.

### Recommendation to Executive:

To recommend to Council on 6 December 2022:

That, subject to the outcome of the Borough Council elections in May 2023, the Deputy Mayor, Councillor Masuk Miah be nominated for the Mayorality of the Borough for the 2023-24 municipal year.

If there are any suitable nominations received by the time of the Executive meeting:

To nominate, subject to the outcome of the Borough Council elections in May 2023, a councillor for the Deputy Mayorality of the Borough for the 2023-24 municipal year.

### Reason for Recommendation:

To make early preparations, subject to the outcome of the Borough Council elections in May 2023, for the selection of the Mayor and Deputy Mayor for the municipal year 2023-24.

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

**1 Purpose of Report**

- 1.1 To ask the Council to consider nominations received for election of Mayor and appointment of Deputy Mayor for the municipal year 2023-24.

**2 Strategic Priorities**

- 2.1 Ensuring that the process for selection of Mayor and Deputy Mayor is undertaken publicly is consistent with the Council's desire to be open and accountable to its residents.

**3. Background**

Selection of Mayor: 2023-24

- 3.1 The constitutional changes adopted by the Council in 2014 in respect of the Mayoralty provide that the Council normally elects the Deputy Mayor appointed at the annual meeting of the Council as Mayor at the next succeeding annual meeting. The Council is therefore requested to consider formally the nomination of The Deputy Mayor, Councillor Masuk Miah for the Mayoralty of the Borough for 2023-24.

Selection of Deputy Mayor: 2023-24

- 3.2 Group leaders were asked to submit nominations in respect of the appointment of Deputy Mayor for 2023-24. At the time the agenda for this meeting was published, no nominations had been received. Any nominations that are received will be reported at the meeting.
- 3.3 The Council will be asked to consider this matter at its meeting on 6 December 2022 to enable early preparations to be made for the formal election of the Mayor and appointment of Deputy Mayor for 2023-24 at the Council's annual meeting on 10 May 2023. This gives them time to make the necessary adjustments to their personal and professional lives in order to prepare for their forthcoming mayoral/deputy mayoral years and will provide plenty of time to enable appropriate training or refresher training to be given to the respective nominees.
- 3.4 Any such election as Mayor or appointment as Deputy Mayor will, of course, be subject to the nominees' re-election as councillors on 4 May 2023.

**4. Financial Implications**

- 4.1 The costs associated with the selection of a Mayor and Deputy Mayor will be met from within existing budgets.

**5. Legal Implications**

- 5.1 The Council is required annually to elect a Mayor and appoint a Deputy Mayor in accordance with Sections 3 and 5 respectively of the Local Government Act 1972. The Local Government Act 2000 also provides that the Council's chairman or vice-chairman (the Mayor and Deputy Mayor) cannot serve on the Executive at the same time.

**6. Human Resources Implications**

6.1 There are no human resource implications arising from this report.

**7. Background Papers**

None

**8. Appendices**

None

This page is intentionally left blank