

Executive

* Councillor Julia McShane (Chairperson)

* Councillor Tom Hunt (Vice-Chair)

* Councillor Angela Goodwin

* Councillor George Potter

* Councillor Catherine Houston

* Councillor Merel Rehorst-Smith

Councillor Richard Lucas

* Councillor Fiona White

* Councillor Carla Morson

*Present

Councillors Sallie Barker, Richard Lucas and Joanne Shaw were also in virtual attendance.

EX6 Apologies for Absence

Apologies for absence were received from Councillor Richard Lucas.

EX7 Local Code of Conduct - Disclosable Pecuniary Interest

Councillor Catherine Houston declared a non-pecuniary interest in regard to agenda item 4 as one of the individuals named in the report was known to her.

EX8 Leader's Announcements

This month the council moved from Disability Confident Committed (Level 1) to Disability Confident Employer (Level 2). The government scheme encouraged employers to think differently about disability and take action to improve how they recruit, retain and develop disabled people.

Following on from the public engagement event held by the Environment Agency in April, the [Guildford Flood Alleviation Scheme feedback form](#) would close on Friday 24 May Residents were encouraged to complete the form as their feedback would help inform the design options of the scheme. Posts on the progress of the scheme could be liked and shared on X (Twitter) by following @GuildfordFS

This week the Mayor formally opened the Yalp Sona interactive dance and play arch at Stoke Park gardens. The equipment was designed to be all inclusive so that anyone could use it. The arch, inspired by the Lord of the Rings' magical gate was the only one of its kind in Surrey. Multiple games encouraged problem solving, creativity and physical movement. No matter what someone's ability, children, parents, carers, and grandparents would have fun using this interactive

playground equipment. Thanks were given to the Parks and Street Scene team who researched, sourced, and installed the cutting-edge equipment.

The second Guildford and Waverley Business Question time event would take place on Monday 3 June at the University of Surrey from 5pm until 7pm. This event was a free networking event for businesses that would provide valuable advice and guidance about current issues and opportunities faced by the business sector. To book a free space

[search EventBright website for Guildford and Waverley Business question time in Guildford.](#)

EX9 Consideration of confirmation for an Article 4 Direction on land on the south and east sides of Chase Cottage, Sutton Place, Abinger Hammer, Dorking, RH5 6RP

Councillor Catherine Houston had declared a non-pecuniary interest in that one of the individuals named in the report was known to her. Councillor Houston absented herself from the Council Chamber whilst the matter was debated.

An Article 4 Direction was a tool used under The Town and Country Planning (General Permitted Development) (England) Order 2015 to withdraw or restrict permitted development rights on specific properties. An Article 4 Direction had previously been made in respect of land to the south and east of Chase Cottage and introduced with immediate effect on 12 December 2023. The existing Direction would remain in force until 11 June 2024 (being six months from the date on which the Direction came into force) unless confirmed by the Local Planning Authority (LPA) before the end of the six-month period. The action was taken to prevent harm to the designated Green Belt and its openness, to the landscape character of the area and the setting of the Grade II* Listed Building, Usherwood, Sutton Place. It was considered that certain permitted developments rights would be prejudicial to the proper planning of the area or constitute a threat to the amenities of the area.

The report before the Executive recommended that the Article 4 Direction be confirmed.

The Lead Councillor for Planning introduced the report and thanked Planning Enforcement officers for the comprehensive detail. It was clarified that should the Executive agree to make the Direction then construction or subdivision of any kind on this site would have to come forward to the Planning Committee for permission.

The Executive noted that this was one of a number of Article 4 Directions to be made by the Council recently and that it was right and proper that prompt action

be taken to protect the openness of the Green Belt and prevent inappropriate development in the wrong places. Consequently, the Executive,

RESOLVED:

That the Assistant Director of Planning Development be authorised to take all reasonable steps to confirm the Article 4 Direction made on 12 December 2023 in respect of Land on the south and east sides of Chase Cottage, Sutton Place, Abinger Hammer, Dorking, RH5 6RP registered at H.M. Land Registry under Title Number SY739199 (“the Land”) (“the Article 4 Direction”) as shown edged in red on the plan attached to the Article 4 Direction.

Reasons:

1. To protect the openness of the Green Belt, the landscape value of the Surrey Hills National Landscape (SHNL) (formerly Area of Outstanding Natural Beauty) and Area of Great Landscape Value (AGLV) and potential harm to the setting of a Grade II* Listed Building, Usherwood, Sutton Place that would result from the subdivision of the Land.
2. Whilst the registered owner has not explicitly stated that they object to the Article 4 Direction, given correspondence received by the council, the Assistant Director of Planning Development had taken the decision to not use delegated powers and therefore sought authority to confirm the Article 4 Direction.
3. The development which the Article 4 Direction controlled, would be prejudicial to the proper planning of the area and constitute a threat to the local amenity of the area by potentially causing harm to the designated Green Belt and its openness, the landscape value of the SHNL, AGLV and the setting of a Grade II* Listed Building. It was considered necessary to confirm the Article 4 Direction in order to continue the protection offered to these important matters.

EX10 Customer Services Charter

The Council’s Customer Charter set out the service its customers, both internal and external could expect to receive when interacting with it. The Charter applied to all customer interactions across the organisation, not just those undertaken through the customer service centres. It covered online, email, phone and in person interactions. Mutual respect and understanding were expected on both sides.

The current Charter had been in place for a significant amount of time and was no longer fit for purpose, for example it did not strongly reflect the digital contact that was now in place.

The Charter had been reviewed alongside Waverley Borough Council's Customer Charter with a view to alignment as part of the collaboration arrangements. The charters would be complementary but were also standalone documents. A similar report had been presented to Waverley's Executive for consideration.

The Executive report including the updated Customer Charter was introduced and endorsed by the Lead Councillor for Engagement and Customer Services.

Some Executive members reflected upon the professionalism and dedication of council officers whilst undertaking their duties and also the disrespectful manner in which they were addressed on occasion by members of the public. It was suggested this had an impact on staff retention and, when it occurred, was unacceptable. In setting out the requirement for mutual respect, the revised Charter was very welcome.

The Leader agreed and also welcomed the revised Charter. Appreciation was expressed to the Customer Service Team and to all officers demonstrating politeness and respect when undertaking their roles. It was also noted as another piece of positive collaborative work with Waverley Borough Council. Consequently, the Executive,

RESOLVED:

That the new Customer Services Charter be adopted for implementation.

Reasons:

1. It was important that the council had a customer charter in place that supported its customers and ensured that the council was able to clearly manage expectations for its residents when they made contact.
2. The current charter was no longer fit for purpose and needed to be updated.

EX11 Legal and Democratic Services: Resourcing and Structure Proposals

The Council's Joint Corporate Management Board had recently undertaken a review of resources for Legal & Democratic Services. It was apparent there was an under resource as a result of a long term failure to invest in these functions and a corporate failure to consistently understand the critical role those teams played in supporting effective decision making and culture. Both Councils' leadership needed to be assured that the legal, democratic and governance

functions of the authorities were resilient and robust and meeting their statutory obligations. The current position presented a significant risk for both Councils and it was essential that such functions were appropriately resourced to mitigate risk and to enable continuous improvement and attain an adequate position of good assurance in decision making over the long term.

The Executive report set out a number of recommendations to address the shortfall in resources. The recommendations were addressed to both Executives and sought commitment to provide additional officers to jointly serve both councils. For clarity, the Guildford Borough Council recommendations had been set out on the Supplementary Information Sheet. It was noted that Waverley Borough council Executive had approved its own recommendations in this regard the previous week.

The report was introduced by the Lead Councillor for Regulatory and Democratic Services who was pleased to endorse the recommendations.

As the recommendations proposed an increase in expenditure the Executive's attention was drawn to paragraph 15 of the report where a summary of options was set out. The underfunding of the governance function and the resulting potential risk to both councils was noted and that the option to do nothing would be unacceptable. The option to set up a duplicate team in each council would not be cost effective, noting that three of the posts already existed at Waverley but would need to be created at Guildford. Whereas a joint team providing a shared service appeared the best option in terms of cost and for shared learning and development. Initially, the expenditure would be met from this year's underspend and reserves. Thereafter, it would be added to the Medium Term Financial Plan (MTFP) for next year's budget. The Executive were advised that a similar report would be coming forward in regard to the Finance Team in due course.

The Leader agreed that the proposals in the report for a well-resourced joint governance team serving both councils supported the spirit of the collaboration as well as acknowledging the recommendations in the SOLACE report.

The Executive described the additional resources and proposed staffing structure as essential to ensure the council had the proper expertise in place to implement improvements and ensure good decision making and resilience. Consequently, the Executive,

RESOLVED:

- (1) That the Joint Head of Paid Service's proposal to create a role of Joint Executive Head / Assistant Director - Legal as set out in para 15.1 of the report submitted to the Executive, be approved.
- (2) That the Joint Head of Paid Service's proposal to create a role of Joint Executive Head / Assistant Director - Democracy & Governance as set out in para 15.1 of the report, be approved.
- (3) That the Joint Head of Paid Service's proposal to create a Joint Executive Advisory and Support team, as set out in para 6.4 of the report to include two new posts of Joint Executive Advisory and Support Manager and Joint Executive Advisor, noting that the Joint Executive Advisory and Support Manager would provide advisory support as well as management of the existing Joint Executive support team, be approved.
- (4) That the Head of Paid Service's proposal to create a new post of Joint Head of Governance as set out in para 15.2 of the report, be approved.
- (5) That the Head of Paid Service's proposal to amend the existing three Waverley Borough Council posts of Senior Governance Officer, Senior Corporate Governance Lawyer and Monitoring Officer assistant to be joint roles operating across Waverley and Guildford Councils, be approved.
- (6) That the Monitoring Officer be authorised to amend the current inter-authority agreement between Guildford Borough Council and Waverley Borough Council to include the new joint roles as set out in the report.
- (7) That an additional one-off cost of £90,605 to Guildford Borough Council which is a 50% contribution towards the costs of two Interim Governance Officers for 6 months, be approved.
- (8) That the Executive notes that the implications of these proposals had been considered in the context of restructures already concluded in GBC and WBC Legal Services and work about to commence in Waverley Democratic Services.
- (9) That full Council, at its extraordinary meeting on 17 June 2024, be requested to approve:
 - (a) the increase to the Legal & Democratic Services salary budget for 2024-25 of £357,318 as set out in para 10.6 of the report, and
 - (b) the making of all necessary arrangements for the discharge of functions through joint arrangements between Waverley Borough Council and

Guildford Borough Council, by officers of Waverley Borough Council, as set out in this report, and for such arrangements to be included in the inter-authority agreement in accordance with s113 Local Government Act 1972.

Reasons:

1. To respond to the Head of Paid Services' recent changes to his staff structure at Chief Officer level, effective 1 March 2024, which made the previous Joint Executive Head of Legal & Democratic Services the Joint Strategic Director of Legal & Democratic Services and the previous Joint Executive Head of Finance, the Joint Strategic Director of Finance. Whilst this had strengthened the Corporate Management Board and ensured that the governance functions were represented at the most senior level by the three statutory officers, it had also created a gap at the Executive Head of Service / Assistant Director level for each of these disciplines, which could not be sustained.
2. To respond to the concerns raised in recent months by Statutory Officers in relation to the robustness of governance arrangements for both Waverley Borough Council and Guildford Borough Council which had resulted in the need for an improvement plan, and continuous improvement thereafter to ensure good governance, and compliance with the Council's statutory duties relating to best value.
3. To fund the growth needed to address 1 and 2 above in the Legal and Democratic Services function.
4. To deliver the capacity and capability to enable timely, effective, transparent and consistent decision making at all levels of both organisations, including at the most senior leadership levels.
5. To deliver the capacity and capability needed to embed successes in ongoing collaboration efforts and enhance the pace of future collaboration, transition to shared services and continuous improvement in service delivery and realisation of cashable and non-cashable savings.
6. To create the framework for the Legal and Democratic Services function which will reduce dependency on expensive external resources and further implement succession planning and career development which had already seen an increase in internal promotion appointments to vacancies in Waverley Legal Services.

Guildford Borough Council encouraged staff and others to report any cases of suspected wrongdoing or misconduct, illegal acts, or failure to act within the Council, as part of its commitment to act with integrity and openness in the best interest of its residents and communities.

To govern any such disclosures, the Council had an Anti- Fraud and Corruption Policy. That Policy had been reviewed and updated and was appended to the report along with other associated policies for consideration.

In the absence of the lead councillor, the report author introduced the report. The report had previously been considered by the Corporate Governance and Standards Committee (CGSC) on 11 April 2024 and the comments arising from that meeting had been incorporated within the draft submitted to the Executive.

The updating of the policy documents was considered timely and important; however, the Executive was unable to determine from the submitted papers what the comments from the CGSC were and if those recommendations had been fully addressed and incorporated. There was also a query relating version control concerning the appendices which had been reformatted for accessibility reasons prior to submission to the Executive. In response, the report author assured the meeting that those comments had been incorporated and verbally delivered the six comments and explained where, within the report and appendices the CGSC comments had been addressed in response.

The Executive was advised that it may adopt the policy if it were content with the officer's assurance or that it may adopt the policy with the caveat that the Chairman of the CGSC approve the submitted version.

Alternatively, to avoid delays, it was suggested the Executive could refer determination of the policies to the Leader upon receipt of a tracked changed version of the document and in consultation with the Executive and the Chairman of the CGSC.

Training and awareness raising amongst staff was proposed in the report along with a proposed training programme. There was currently no specific training in those areas at Guildford, but Waverley did have some modules in place. The Executive heard that Waverley's policies would also be updated and that subsequently the training modules would be reviewed and delivered to Guildford and Waverley staff and councillors with external support if required.

The whistleblowing graphic on page 12 of the report would be displayed around the council buildings to give staff and councillors a contact name and number should they have any concerns.

The Executive was informed that it would be difficult to say if an earlier review of the Anti-Fraud policies would have had any impact on the live case. Separately, senior governance and housing officers would be receiving anti-fraud training in the near future.

Other policies would be coming forward for review and refresh, especially those recommended for review within the Improvement Plan notably as set out in paragraph 3.4. Although the Improvement Plan set out a timescale, it was not possible to say exactly how long the process would take. The areas presenting the Council with most risk would be prioritised. The review of the Anti-Fraud Policy was a part of the review of the Council’s financial policies.

The Leader welcomed the draft policies and thanked officers for the work involved.

For reasons of transparency and openness, the Executive rejected the recommendation set out in the report and,

RESOLVED:

That consideration of the adoption of the Anti-Fraud & Corruption Policy and associated policies be referred to the Leader of the Council for determination in consultation with Executive members and the Chairman of the Corporate Governance and Standards Committee.

Reason:

To ensure the comments made by the Corporate Governance and Standards Committee at its special meeting on 11 April 2024 were incorporated into the policy documents.

The meeting finished at 6.58 pm

Signed

Date

Chairman