

## GUILDFORD BOROUGH COUNCIL

Minutes of a meeting of Guildford Borough Council held at Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Tuesday 23 July 2024

\* The Mayor, Councillor Sallie Barker MBE

\* The Deputy Mayor, Councillor Howard Smith

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|--------------------------------|----------------------------------|
| * Councillor Bilal Akhtar      | * Councillor Steven Lee          |
| Councillor Phil Bellamy        | Councillor Sandy Lowry           |
| Councillor Dawn Bennett        | * Councillor Richard Lucas       |
| * Councillor Joss Bigmore      | * Councillor Julia McShane       |
| Councillor David Bilbe         | * Councillor Masuk Miah          |
| * Councillor Honor Brooker     | * Councillor Richard Mills OBE   |
| * Councillor James Brooker     | * Councillor Carla Morson        |
| * Councillor Philip Brooker    | * Councillor Danielle Newson     |
| * Councillor Ruth Brothwell    | Councillor Patrick Oven          |
| * Councillor Yves de Contades  | * Councillor George Potter       |
| * Councillor Amanda Creese     | * Councillor Maddy Redpath       |
| * Councillor Geoff Davis       | * Councillor Merel Rehorst-Smith |
| * Councillor Jason Fenwick     | * Councillor David Shaw          |
| Councillor Matt Furniss        | * Councillor Joanne Shaw         |
| * Councillor Angela Goodwin    | Councillor Katie Steel           |
| Councillor Lizzie Griffiths    | * Councillor Cait Taylor         |
| * Councillor Gillian Harwood   | * Councillor Jane Tyson          |
| * Councillor Stephen Hives     | Councillor James Walsh           |
| * Councillor Catherine Houston | * Councillor Fiona White         |
| Councillor Tom Hunt            | * Councillor Dominique Williams  |
| * Councillor Bob Hughes        | * Councillor Keith Witham        |
| * Councillor James Jones       | Councillor Sue Wyeth-Price       |
| * Councillor Vanessa King      | Councillor Catherine Young       |

\*Present

Honorary Freeman Keith Churchouse was also in attendance.

### CO17 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Phil Bellamy, Dawn Bennett, David Bilbe, Matt Furniss, Tom Hunt, Sandy Lowry, Patrick Oven, Katie Steel, James Walsh, Sue Wyeth-Price, and Catherine Young; and from Honorary

Aldermen Catherine Cobley, Sarah Creedy, Jayne Marks, Tony Phillips, Lynda Strudwick, and Nick Sutcliffe.

**CO18 DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**CO19 MINUTES**

The minutes of both parts of the Annual Meeting held on 8 and 13 May 2024 were approved as a correct record. The Mayor signed the minutes.

**CO20 MAYOR'S COMMUNICATIONS**

The Mayor thanked everyone who had walked with, or sponsored, her in May on the 10-mile walk organised by Guildford Wey Rotary, and reported that she had raised around £3,600 for the Mayor's Local Support Fund. Hopefully, this would increase once we had been able to take advantage of the Gift Aid provisions.

The Mayor's next fundraising event would be on 30 September 2024 for the traditional Shahin Curry evening which, this year, would be a Curry and Quiz night in aid of the one of the Mayor's Charities. Details would be circulated in due course.

**CO21 LEADER'S COMMUNICATIONS**

The Leader made the following announcements:

Guildford Community Lottery

The Guildford Community Lottery provided support to local charities while giving residents the chance to win exciting prizes. In the last quarter, the Lottery had seen impressive results with 11,572 tickets sold, 154 local causes supported, and prizes awarded included £1,000, an iPhone, several £250 cash prizes, and hundreds of free tickets. More information could be found on the Guildford Community lottery website: [www.guildfordlottery.org](http://www.guildfordlottery.org).

Crowdfund Guildford

A free workshop was held last week about how to create a project with us, through Crowdfund Guildford.

Guildford Flood Alleviation Scheme update

The Environment Agency, Guildford Borough Council and Surrey County Council were working together to develop a scheme to reduce flood risk to homes, businesses, and infrastructure in Guildford town centre. The scheme would also

improve the natural environment and build better connections between Guildford town centre and the River Wey.

Following the public engagement event held by the Environment Agency in April, the Guildford Flood Alleviation Scheme feedback report and newsletter were available to read on the Environment Agency website.

## **CO22 ANNOUNCEMENTS FROM THE STATUTORY OFFICERS**

The Monitoring Officer reminded councillors that the monitoring officer had delegated authority to make minor amendments to the Constitution, and informed the Council of two such amendments that had been made recently.

Following a major review of the Officer Employment Procedure Rules last year and adoption by both councils of new procedure rules in January, it had been necessary to make a number of very minor amendments to those rules to reflect the changes announced by the Chief Executive on 1 March in bringing the Monitoring Officer and the Section 151 Officer onto the Corporate Management Board as Joint Strategic Directors, and the decision by the Chief Executive to amend the job titles of Executive Heads of Service to “Assistant Directors”.

A further minor amendment had been made to the terms of reference of the Joint Senior Staff Committee to clarify that the political balance requirements applied in respect of the reference to the appointment of the Leader of Guildford’s principal opposition group as one of the members of the Joint Senior Staff Committee. The reason for this was simply to future-proof the terms of reference to allow for future changes in the political composition of the Council following local elections, whereby political balance rules might legally prevent the principal opposition group leader from being appointed.

The Lead Councillor for Regulatory and Democratic Services had been consulted on the amendments, and both matters had also been referred to the Joint Constitutions Review Group at the end of May for noting. The minor amendments had now been incorporated into the Constitution and published on the website.

## **CO23 PUBLIC PARTICIPATION**

### **Question from Dale Askew**

*To: The Lead Councillor for Engagement and Customer Services Councillor Angela Goodwin*

“My neighbours and I have made numerous requests for service using web forms which are just not being responded to. Examples are waste and housing. Sometimes a message is received saying the case is closed without ever having

being responded to, other times a notification is received saying further information has been requested from me when it hasn't. Often no response is received at all. Is this a technical issue, or a resourcing issue? What will the Council do to resolve this?"

**Response from the Lead Councillor:**

"You have asked if the recent contact issues you and your neighbours experienced are due to a technical or resourcing issue. It is hard to provide other than a generic reply as you have not given specific case information from your neighbours. We have looked at cases logged by yourself. Your neighbours can direct their own enquiries to us, and we will happily investigate them further.

In addition to your question above you have raised a corporate complaint asking similar in relation to your waste enquiries. This has been reviewed at stage 1 and 2, completing the full complaints process. The complaint found no technical issues and fully explained those you indicated. It did find that several human errors had led to delays and failures in communication and service delivery that fall short of our standards.

In addition, as it was not asked in the complaint, with regards to Housing. The recent housing issues and the difficulties these led to including but not limited to delays in service, communication, and resolutions have been thoroughly reviewed and those reports are available on our website along with the measures that are in place to resolve these.

In conclusion, the issues you have experienced all lead to human not technical issues. Staff resources can be challenging at times, for all the normal reasons such as leave planned and unplanned, vacant positions, training and volume of work and will have impacted at different times within your personal experiences.

We continually look at our services to see where we can improve. As a result of your experience, you have been provided a direct email to a Customer Services Team Leader to support with any further issues should support be needed. A project to look at our automated responses from our Customer Relationship Management (CRM) software will look for any improvements that can be made and apply any viable changes. The Housing services reviews and remedial actions are available on our website.

A copy of the complaint responses can be provided.

The Council acknowledges your experience has been poor and regrets that we have not met our own standards. We apologise for this and thank you for challenging us in this matter so that we can improve."

**CO24 QUESTIONS FROM COUNCILLORS**

(a) **Councillor Amanda Creese** asked the Lead Councillor for Environment and Climate Change, Councillor George Potter, the following question:

“As children were breaking up for the half term break - a regular date in the calendar - we received notification that the popular paddling pool in Stoke Park was closed over the holiday period again because of staff sickness in our small team. Unexpected closure appears to be a regular pattern each summer and we understand that the pool remains closed at time of writing. It has also been reported that the putting green has been closed due to unforeseen circumstances.

School holidays are predictable, as is the disappointment each year when these facilities are not available.

After the expensive debacle of the slippery surface and other issues in a previous summer, what measures are the council taking to make sure that the borough’s seasonal facilities are well-maintained, staffed and ready to operate when our residents expect them to be open?”

Response from the Lead Councillor:

“The unfortunate closure of the paddling pool during half term was due to both technical and resource issues. The service was in an unfortunate position where 50 percent of the qualified staff were absent from duty, leading to an inability to inspect and maintain a safe water environment for our service users, which resulted in the pool’s closure. Equally, the service experienced technical issues, the secondary pump for the pool failed, which created an issue in the suitability and ratios linked to the pool’s water safety and dilution rate of chemicals, which again contributed to the closure.

Resolution to this issue, includes expanded relevant training delivery within the service during Summer 2024, focussed on paddling pool safety. This training will be delivered to a larger percentage of the service than previously and support a full opening throughout the published season. The service level agreement for the paddling pool’s infrastructure will be reviewed, ensuring any technical defect is managed swiftly to minimise any closure due to technical issues. Furthermore, the service will review its recruitment timings for 2025 onwards, to ensure that the service is resourced adequately to avoid disruption previously experienced.

The putting green has continued to be maintained, yet unopen to public use, due to resource issues, similar to that aforementioned. We can confirm that the putting green will be open for public use from Monday 22 July 2024, onwards.”

As a supplementary question, Councillor Creese asked the Lead Councillor for more detail as to why this much valued facility had so persistently been out of operation. The Lead Councillor responded by stating that it was an absolute priority to ensure that this facility was maintained to the highest possible standard and kept open. It had been very disappointing that, for two years’ running, there had been delays in opening the facility, through circumstances outside of the Council’s control. This year, the delay had been caused by a combination of a faulty pump and a high level of staff sickness absence. Arrangements were being put in place to train other staff in the parks team to provide additional resilience. Last year, the delays were caused by ongoing issues following the resurfacing of the pool.

- (b) **Councillor Vanessa King** asked the Lead Councillor for Planning the following question:

“The heights of buildings are an impactful aspect of many new developments in Guildford, most recently in the town centre, and it is important that the height of new developments is carefully considered within a strong policy framework. Would the Lead Councillor for Planning share details of action the Council is taking to address the issue of building heights throughout the Borough?”

Response from the Lead Councillor for Planning:

“At the outset it is important to be clear that, outside of the Local Plan update, we cannot create new ‘policy’ on heights by setting a height threshold for any new proposals. We also know that this Plan update will take several years – that is the reality, even with Government proposals to accelerate the current plan-making process to around three years. However, I understand the concerns of many on this matter and I agree that there is a need for action in a shorter timescale.

The height of taller buildings has the potential to cause harm to local character, important views, heritage assets and our landscapes, which we want to avoid or mitigate. Concurrently, the Council is supportive of sensitive brownfield redevelopment that makes efficient use of land in sustainable locations such as the town centre. The cross-party Local Plan

Panel discussed the need to achieve both of these objectives at our meeting late in December of last year.

I am pleased to say that following further exploratory work subsequent to that meeting, the Council will be progressing with a Supplementary Planning Document (SPD) to provide further guidance on tall buildings / heights.

Officers intend to bring forward an initial draft of this work to our Local Plan Panel before the end of this year. Once agreed internally, it will be consulted upon with our residents and other stakeholders. Whilst this SPD will provide clear guidance on our design expectations regarding height and taller buildings and form a material consideration for planning applications, it must supplement adopted policy.”

As a supplementary question, Councillor King asked the Lead Councillor how councillors and the public could contribute to the development of the SPD. In response, the Lead Councillor explained the process for the making of a SPD, including the points at which councillors and the public were able to submit comments.

#### **CO25 CORPORATE STRATEGY 2024-2034**

The Council noted that, in accordance with sector best practice, as well as an action arising from the Council’s Improvement Plan, work to develop a new Corporate Strategy had been undertaken in recent months.

The Corporate Strategy was a key strategic document which set out the Council’s priorities and ambitions through to 2034, and was crucial to shaping service delivery as well as the allocation of resources to deliver those priorities.

In recent weeks, the draft Strategy had been reviewed by both Overview & Scrutiny Committees whose comments and suggested amendments had been submitted to the Executive for consideration at its meeting on 15 July 2024.

A table setting out the recommended response from the Executive to the comments made by the Overview & Scrutiny Committees was approved by the Executive, and a copy of that table was included in the full Council’s Supplementary Agenda Pack. The Executive had therefore recommended adoption of the new Corporate Strategy, subject to three alterations.

In addition, the Assistant Director for Strategy and Corporate Services, in consultation with the Leader and the Lead Councillor for Community and Organisational

Development, had agreed a further minor alteration as detailed in the Supplementary Agenda Pack.

A revised version of the Corporate Strategy, incorporating all of these alterations, had been circulated to all councillors on Monday 22 July.

Upon the motion of the Leader of the Council, Councillor Julia McShane seconded by the Lead Councillor for Community and Organisational Development, Councillor Carla Morson, the Council

RESOLVED:

- (1) That the draft version of the Corporate Strategy circulated to all councillors on Monday 22 July 2024, incorporating the various alterations suggested by Overview and Scrutiny, as set out on the Supplementary Agenda Pack and referred to above, be adopted.
- (2) That authority be delegated to the Assistant Director for Strategy and Corporate Services, in consultation with the Leader and the Lead Councillor for Community and Organisational Development, to make any necessary minor typographical changes and to finalise the document's design and imagery, prior to publication.

Reason:

The proposed new Corporate Strategy had been prepared to set out the Council's key priorities for the period up to 2034.

## **CO26 MEDIUM TERM FINANCIAL PLAN UPDATE**

The Council considered an update report on the budget / Medium-Term Financial Plan (MTFP) since the budget was set in February 2024. Councillors noted that the budget gap for 2025-26 and beyond had increased by approximately £130,000, due to new commitments agreed. This would be the starting point for the detailed work to be undertaken over the summer / autumn.

The report noted that the unaudited draft accounts for 2023-24 had been closed by the statutory deadline of 31 May, and that the outturn position had been an underspend of £4.1m on the General Fund (£0.2m services, £3.4m corporate, £0.5m grants) and £8.1m on the Housing Revenue Account. The key adverse and positive variances associated with the outturn were set out in the report.

There had been some on-going issues / opportunities arising from the outturn which would need to be properly analysed and reflected in the updated budget projections for the current and future years.



A detailed analysis of the budget variances would be provided to Overview & Scrutiny Committee – Resources in the Budget Outturn report in September 2024, and further update reports submitted in November and January as the budget proposals were developed. This would facilitate detailed scrutiny of proposals as they progressed.

In addition, update reports would be presented to Full Council in October and December 2024. There might also be a need for an update in January 2025 if the Local Government Finance Settlement was out of line with our assumptions and adjustments to budget proposals were required. Final budget papers would be presented to Full Council on 5 February 2025 for approval.

Upon the motion of the Lead Councillor for Finance and Property, Councillor Richard Lucas, seconded by the Leader of the Council Councillor Julia McShane, the Council

RESOLVED: That the Council notes the updated MTFP position which will be used as the starting point for the detailed work now required.

Reasons:

- The General Fund Budget is a major decision for the Council and setting a balanced budget is a statutory requirement.
- Scrutiny of the MTFP and Budget proposals demonstrate transparency and good governance.

**CO27 CORPORATE IMPROVEMENT PLAN**

The Council was reminded that, on 3 January 2024, SOLACE had been commissioned by the former Chief Executive and other statutory officers to undertake an Independent Governance Review of the Council. The scope of the review had been intentionally wide to encompass the entirety of the Council's business, structure, processes, systems and culture.

Alongside this piece of work, SOLACE had also been commissioned to look specifically at Guildford's housing landlord function.

Councillors noted that the main finding of the SOLACE reports was that the Council was at serious risk of failing in its statutory duty to deliver Best Value. The recommendations of both reports were designed to assist the Council to avoid such a failure, and to address the issues identified.

The reports had recognised the efforts that were already underway to improve the Council's operation, and had recommended that the Council develop a

comprehensive Improvement Plan encompassing all of the recommendations within the reports.

The SOLACE reviews had recommended that the progress of the Improvement Plan should be reported to the Council at six monthly intervals for three years. The Corporate Governance and Standards Committee had considered the SOLACE reports at its special meeting held on 15 May 2024. A copy of the relevant minute of that meeting, including the many comments made by councillors was appended to the report submitted to the Council. Officers had provided updates to the Improvement Plan and Housing Improvement sub-plan since the report to the Corporate Governance and Standards Committee in May, which were also appended to the report.

The Chief Executive had committed to provide more regular updates on our improvement plan and our progress, and had sent monthly updates to all Councillors in that regard.

Upon the motion of the Leader of the Council, Councillor Julia McShane, seconded by the Lead Councillor for Community and Organisational Development, Councillor Carla Morson, the Council

RESOLVED:

- (1) That the findings of the two SOLACE reports, attached as Appendices 1 and 2 to the report submitted to the Council be noted and endorsed.
- (2) That the Improvement Plan, including the Housing sub-plan, attached at Appendices 3 and 4 to the report submitted to the Council be endorsed and adopted.
- (3) That the Council notes that the Improvement Plan (Appendix 3), along with the Housing sub-plan (Appendix 4), has addressed each and every recommendation and finding from the two SOLACE reports and, in some areas, has gone further.
- (4) That the Council agrees that the intention of the delivery of the Plan is to enable Councillors to have confidence that we are delivering best value for Guildford's residents and businesses.
- (5) That the Council notes that the Chief Executive and Corporate Management Board will be accountable for the delivery of the plan.

- (6) That updates be received by full Council on the delivery of the Improvement Plan, and progress on addressing the recommendations, every six months for three years.
- (7) That, in line with the recommendations from SOLACE, an Independent Assurance Panel be appointed to provide an independent “critical friend” challenge to the Council.
- (8) That the Chief Executive be authorised to appoint that panel, noting that it will include two lead members of the SOLACE review team (Andrew Flockhart and Chris Buss) and that having carried out the review, these experts have a detailed understanding of the issues facing the Council, and are well-placed to advise the Council on whether the actions being taken address the concerns identified.
- (9) That the Council notes that the panel itself will also provide an independent view to the Council, on a six-monthly basis, about the progress of improvements, and that these reports will be made public.

Reasons:

- To ensure the Council is aware of, and has had the opportunity to endorse, the findings and recommendations of both SOLACE reviews.
- To advise the Council of the steps that have already been taken by the Chief Executive, Corporate Management Board and other colleagues to respond to those findings and recommendations.
- To ensure the Council is aware of, and has had the opportunity to endorse or otherwise, the arrangements that will be put in place to ensure regular, open and transparent reports on progress, as well as open, transparent and independent oversight.

**CO28      LEGAL AND DEMOCRATIC SERVICES: RESOURCING AND STRUCTURE PROPOSALS**

Councillors noted that the Joint Corporate Management Board had undertaken a review of resources in the area of Legal & Democratic Services. It was acknowledged that as a consequence of a long-term failure to invest in these functions and a corporate failure to consistently understand the critical role these teams played in supporting effective decision making and culture, there was a gap in our ability to assure both councils’ leadership that legal, democratic and governance functions of the authorities were resilient and robust, and that both councils were meeting their statutory obligations. Such a position presented

significant risks for both councils, and it was essential that such functions were appropriately resourced to mitigate risk and enable continuous improvement to reach an adequate position of good assurance in decision making over the long term.

The Council noted that, at their respective meetings held on 7 and 16 May 2024, the Waverley and Guildford Executives had considered a report on this matter, and had both resolved to approve the joint Head of Paid Service's proposals to, inter alia, create a number of new posts including Joint Assistant Director – Legal, Joint Assistant Director Democracy & Governance, Joint Head of Governance, and a Joint Executive Advisory and Support team. The Monitoring Officer was also authorised to amend the current inter-authority agreement to include the new joint roles.

Guildford's Executive had also approved a proposed additional one-off cost of £90,605 to Guildford Borough Council which was a 50% contribution towards the costs of two Interim Governance Officers for 6 months.

The Executive had also endorsed the recommendation in the report now before the Council.

The Lead Councillor for Regulatory and Democratic Services, Councillor Merel Rehorst-Smith proposed, and the Leader of the Council, Councillor Julia McShane seconded the motion to approve the recommendation in the report.

In response to a question during the debate, as to whether the additional £360,000 in the Legal & Democratic Services Salary Budget had been included in the Medium-Term Financial Plan (MTFP) discussed earlier by the Council, the Leader confirmed that the additional cost would be met from savings from the G Live contract (£240,000) and an additional £130,000 was reflected in the MTFP report discussed earlier by the Council.

Having debated the proposals, the Council

RESOLVED:

- (1) That the Council approves 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 the report submitted to the Council, and for such arrangements to be included in the inter-authority agreement in accordance with s113 Local Government Act 1972.

- (2) That the increase to the GBC Legal & Democratic Services salary budget for 2024-25 of £357,318 as set out in para 10.6 of the report be approved.

Reasons:

- (a) To respond to the Head of Paid Services' changes to his staff structure at Chief Officer level, effective from 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 has strengthened the Corporate Management Board and ensured that the governance functions are represented at the most senior level by the three statutory officers, it has also created a gap at the Executive Head of Service / Assistant Director level for each of these disciplines. This gap cannot be sustained.
- (b) 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 has 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.
- (c) To fund the growth needed to address items (a) and (b) above in the Legal and Democratic Services function.
- (d) 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.
- (e) 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.
- (f) 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 have already seen an increase in internal promotion appointments to vacancies in Waverley Legal Services.

**CO29 GUILDFORD PARK ROAD REDEVELOPMENT: PARTNER SELECTION  
PREFERRED BIDDER**

The Council noted that, in March 2023, the Executive had authorised Officers to commence a procurement exercise to secure a Development Partner to support the Council in delivering a housing scheme at the Guildford Park site.

A procurement process was initiated in June 2023, which sought to identify a suitable Development Partner via a competitive dialogue and tender process. Final tenders were received in April 2024, and Officers and the appointed consultant team had evaluated the submissions received and identified the preferred bidder.

The Council considered a report, the purpose of which was to seek approval to enter into a contract with the preferred bidder. The preferred bidder would be responsible for developing a new planning application for the site, securing planning consent, funding the non-affordable elements of the scheme and delivering the scheme in its entirety. The Council would acquire the affordable housing delivered by the scheme in accordance with the agreement. The parties would closely collaborate throughout the project delivery phase to deliver a high-quality residential development, with policy compliant amounts of affordable housing, on this under-utilised site.

A copy of the updated Outline Business Case was appended to the report.

At its meeting held on 15 July 2024, the Executive had considered this matter and had endorsed the recommendation to Council, as set out in the report.

The Leader of the Council, Councillor Julia McShane proposed, and the Lead Councillor for Finance and Property, Councillor Richard Lucas seconded, the motion to adopt the recommendation in the report.

During the debate, concern was expressed as to whether the Council would be achieving value for money regarding the cost of the 98 affordable homes. However, other councillors noted that the Council would be responsible for these homes, which would be built sustainably to a very high quality. Having debated the matter, the Council

RESOLVED:

- (1) To approve the updated Outline Business Case, provided in Appendix 1 to the report submitted to the Council, setting out the preferred way forward for the project based on the appointment of Wates Construction Limited as the Council's development partner in respect of the Guildford Park Road housing project, who will be responsible for delivering the scheme under a Development Agreement.
- (2) To approve, pursuant to the procurement process outlined in the report, the appointment of Wates Construction Limited as development partner for the project.

- (3) To authorise expenditure of up to £39.7M from the HRA Capital Fund to fund the project from this point forward to completion.
- (4) To delegate to the Strategic Director (Place), in consultation with the Lead Councillor for Housing and Community and the Lead Councillor for Regeneration, authority to enter into all contracts and such other legal agreements as are necessary to appoint Wates Construction Limited.
- (5) To delegate to the Strategic Director (Place), in consultation with the Lead Councillor for Housing and Community and the Lead Councillor for Regeneration, all such approvals as are necessary to service the Council's responsibility to provide approvals under the Development Agreement.
- (6) To delegate to the Strategic Director (Place), in consultation with the Lead Councillor for Housing and Community and the Lead Councillor for Regeneration, authority to dispose of land and buildings in accordance with the requirements under the Development Agreement.
- (7) To delegate to the Strategic Director (Place), in consultation with the Lead Councillor for Housing and Community and the Lead Councillor for Regeneration, authority to enter into all contracts and such other legal agreements connected with the Guildford Park Road housing project as may be necessary in compliance with Contract Procedure Rules and within the approved budget.

Reasons:

- The Guildford Park Road redevelopment is a key scheme within the Housing Revenue Account Business Plan that will deliver a significant number of additional homes in the town centre.
- The recommendation will support the delivery of the Council's emerging Corporate Strategy (2024 – 2034) by providing and facilitating housing that people can afford.
- The project will see the redevelopment of a brownfield site, allocated for housing in the Local Plan.
- The preferred delivery route for the Guildford Park site is partnership delivery, via a Development Agreement, as set out in the Strategic Outline Business Case approved by the Executive in March 2023.
- As demonstrated in the accompanying Business Case and Tender Report, the Council has undertaken a compliant procurement exercise, and following evaluation and moderation of the final tender submissions, Officers are now seeking approval to enter into a Development Agreement with Wates Construction Limited for the delivery of the Guildford Park redevelopment.

**CO30 PROPOSED CHANGES TO THE OFFICER SCHEME OF DELEGATION AND PROPER OFFICER SCHEME**

The Council considered a report on the outcome of a recent review of the schemes of delegation to officers and proper officer schemes at both Guildford and Waverley, which had sought to align those schemes where appropriate.

The review had been undertaken by the Joint Constitutions Review Group (JCRG) at their meetings held on 25 April, 29 May and 20 June 2024.

Each Council's Executive had also considered this matter in the context of the Officer Scheme of Delegation which related specifically to Executive functions. Both Executives had given formal approval to the delegation of Executive functions set out in the revised Joint Officer Scheme of Delegation and Proper Officer Scheme. The Executive had also authorised the Monitoring Officer, in consultation with the respective Leader, Deputy Leader & Portfolio Holder, to include any changes to the Scheme of Delegation in respect of Executive functions recommended by the Corporate Governance & Standards Committee, as appropriate.

At its meeting on 20 June 2024, the JCRG had agreed to recommend approval of the new Officer Scheme of Delegation and Proper Officer Scheme to the Corporate Governance & Standards Committee at its meeting held simultaneously with Waverley's Standards & General Purposes Committee on 1 July 2024, with a further recommendation that the Committee recommends the adoption of the new Officer Scheme of Delegation and Proper Officer Scheme to full Council at this meeting.

In considering this matter, councillors noted that the Corporate Governance & Standards Committee had made a number of comments and observations. In response to a question as to whether the proposed revised scheme of delegation addressed the various lessons learned from the governance related investigations undertaken to date in respect of Guildford, it was confirmed that a key recommendation arising from the SOLACE reports was that the scheme of delegation should be reviewed. In working up the revised scheme of delegation, officers had looked at both councils and it was noted that one of the critical points that had been addressed was to reduce the financial limits that officers were able to spend to under delegated powers without coming back to the Executive, which was a critical safeguard and the scope of certain delegations had been dramatically reduced.

Upon the motion of the Lead Councillor for Regulatory and Democratic Services, Councillor Merel Rehorst-Smith, seconded by the Leader of the Council, Councillor Julia McShane, the Council



RESOLVED: That the revised Joint Officer Scheme of Delegation and Proper Officer Scheme, as set out in Appendices 1 and 2 to the report submitted to the Council, be adopted into the Constitution replacing the existing Scheme of Delegation and Proper Officer responsibilities.

Reasons:

- An officer scheme of delegation and proper officer scheme which is materially the same for both Councils, whilst being owned by each Council in respect of their services, will help to promote more efficient joint working and will support the transformation programme by aligning officer decision making across both Councils.
- The recommended changes will improve the governance procedures for each Council and will ensure that there is greater transparency over decision making.
- The reductions in financial limits will ensure that key decisions are made by the Executive, thereby promoting accountability and transparency.
- Aligning officer delegations into a scheme, which is similar for both Councils, supports the Councils' Collaborative and Transformation programme and provides clarity for those officers employed to provide a joint service across both Councils.

**CO31 PROPOSED CHANGES TO THE FINANCIAL PROCEDURE RULES**

The Council considered a report which sought approval of revised Financial Procedure Rules which had been undertaken by the Joint Constitutions Review Group (JCRG), at their meetings held on 29 May and 20 June 2024, as part of the ongoing review of both Guildford's and Waverley's Constitutions.

The JCRG had recommended approval of the revised Financial Procedure Rules, a copy of which was appended to the report, to both the Corporate Governance & Standards Committee and to Waverley's Standards & General Purposes Committee at their special meetings held simultaneously on 1 July 2024.

The Corporate Governance & Standards Committee had recommended that Council adopts the revised Financial Procedure Rules into the Constitution.

The Council was informed that, on 8 July, Waverley's Audit & Risk Committee had also considered the proposed revised Financial Procedure Rules and had requested a number of minor amendments, details of which were set out in the report and had been incorporated into the proposed Procedure Rules.

The revised Financial Procedure Rules would also be presented to Waverley Borough Council's meeting on 16 July 2024, with the intention that both Councils adopt the same revised set of Rules.

Upon the motion of the Lead Councillor for Finance & Property, Councillor Richard Lucas, seconded by the Leader of the Council, Councillor Julia McShane, the Council

**RESOLVED:** That the Financial Procedure Rules set out at Appendix 1 to the report submitted to the Council (as recommended by the Corporate Governance & Standards Committee and incorporating the further changes requested by Waverley's Audit & Risk Committee) be adopted into the Council's Constitution.

Reasons:

- Financial Procedure Rules which are materially the same for Waverley Borough Council and Guildford Borough Council, whilst being owned by each Council in respect of their services, will help to promote more efficient joint working and will support the transformation programme by aligning officer decision making across both Councils.
- The recommended changes will improve the governance procedures for each Council and will ensure that there is greater clarity over financial decision making.
- The reductions in financial limits will ensure that key decisions are made by the Executive, thereby promoting accountability and transparency.
- Aligning both Councils' Financial Procedure Rules supports the Councils Collaborative and Transformation programme and provides clarity for those officers employed to provide a joint service across both Councils. The rules will replace the existing Financial Procedure Rules (Guildford) and Financial Regulations (Waverley).

**CO32 PROPOSED REVISED CONTRACT PROCEDURE RULES**

The Council considered a report which sought approval of revised Contract Procedure Rules which had been undertaken by the Joint Constitutions Review Group (JCRG), at its meeting held on 20 June 2024, as part of the ongoing review of both Guildford's and Waverley's Constitutions.

The JCRG had recommended approval of the revised Contract Procedure Rules, a copy of which was appended to the report, to both the Corporate Governance & Standards Committee and to Waverley's Standards & General Purposes Committee at their special meetings held simultaneously on 1 July 2024.

The Corporate Governance & Standards Committee had recommended that the Council adopts the revised Contract Procedure Rules into the Constitution.

The revised Contract Procedure Rules would also be presented to Waverley Borough Council's meeting on 16 July 2024, with the intention that both Councils adopt the same revised set of Rules.

Upon the motion of the Lead Councillor for Regulatory & Democratic Services, Councillor Merel Rehorst-Smith, seconded by the Leader of the Council, Councillor Julia McShane, the Council

RESOLVED: That the revised Contract Procedure Rules, as set out in Appendix 1 to the report submitted to the Council, be adopted into the Constitution and that they replace the existing Procurement Procedure Rules.

Reasons:

- Contract Procedure Rules which are materially the same for both Councils, whilst being owned by each Council in respect of their services, will help to promote more efficient joint working and will support the transformation programme by aligning officer decision making across both Councils.
- The recommended changes will improve the governance procedures for each Council and will ensure that there is greater clarity and oversight over procurements.
- The reductions in Contract limits will ensure that key decisions are made by the Executive, thereby promoting accountability and transparency.
- Aligning both Councils' Contract Procedure Rules supports the Councils' Collaborative and Transformation programme and provides clarity for all officers who provide support for procurement, as well as for those postholders who are joint officer appointments. The revised rules will replace the existing Procurement Procedure Rules.
- The recommended changes will also implement changes as a result of the Procurement Act 2023 which come into force on 28 October 2024. This will allow time for changes to be embedded by both Councils and appropriate resource provided and identified.

**CO33 PROPOSED CHANGES TO THE INTER-AUTHORITY AGREEMENT**

The Council considered a report which sought approval to enter into one overarching Inter-Authority Agreement (IAA).

Councillors were reminded that the Joint Governance Committee's terms of reference included a requirement to undertake a formal review (at least annually) of the Inter-Authority Agreement (IAA) to ensure that it continued to be fit for purpose and to recommend any changes required to both Councils.

The Council noted that there were currently three IAAs and that it was proposed to move to one IAA which would better meet the needs of the Councils.

The Joint Governance Committee had considered this matter at its meeting on 3 June 2024 and had endorsed the recommendation in the report.

Upon the motion of the Lead Councillor for Regulatory & Democratic Services, Councillor Merel Rehorst-Smith, seconded by the Leader of the Council, Councillor Julia McShane, the Council

**RESOLVED:**

- (1) That the Monitoring Officer be authorised to enter into a new Inter-Authority Agreement to include the revisions set out in Appendix 1 to the report submitted to the Council.
- (2) That the Monitoring Officer be authorised to terminate all previous Inter-Authority Agreements.
- (3) That the Monitoring Officer be authorised to agree a revised data sharing protocol for insertion in the new Inter-Authority Agreement.

**Reasons:**

- An IAA which clearly sets out the parameters within which the Councils are working in partnership will help to ensure good governance of shared arrangements.
- The revisions to the IAA will ensure that the Councils are able to progress with sharing of staff and that this is more agile, helping to support the Councils' collaborative transformation programme.
- The revised Agreement also has improved cost sharing and termination provisions, allowing the parties to withdraw from the Agreement in a managed way to ensure that there is no detriment to service provision.
- A data sharing protocol is necessary to ensure that the Councils comply with their data protection responsibilities. Providing delegated authority to the Monitoring Officer will ensure that the Councils can enter into the Agreement at the earliest point.

### **CO34 JOINT COUNCILLOR / OFFICER RELATIONSHIP PROTOCOL**

The Council considered a report which sought approval to adopt a new Joint Councillor/Officer Relationship Protocol. Councillors acknowledged that a good relationship based on mutual trust, respect and courtesy, between Councillors and Officers was essential for the smooth running of the Council.

The proposed Joint Councillor/Officer Relationship Protocol which was appended to the report governed the different roles and responsibilities of Councillors and Officers, sets out expectations and provided a framework for how they should work together.

The Joint Constitutions Review Group (JCRG) had reviewed the Councillor/ Officer Relationship Protocol at its meeting held on 29 May 2024. The JCRG agreed to recommend approval of the new Joint Protocol to both the Corporate Governance & Standards Committee and to Waverley's Standards & General Purposes Committee at their special meetings which were held simultaneously on 1 July 2024, with a further recommendation that each Committee recommends the adoption of the Protocol to their respective full Council meetings. The Corporate Governance & Standards Committee had recommended that the Joint Councillor/ Officer Relationship Protocol be adopted as part of the Council's Constitution.

Upon the motion of the Lead Councillor for Regulatory & Democratic Services, Councillor Merel Rehorst-Smith, seconded by the Leader of the Council, Councillor Julia McShane, the Council

**RESOLVED:** That the proposed Joint Councillor/Officer Relationship Protocol, as set out in Appendix 1 to the report submitted to the Council, be adopted into the Council's Constitution to replace the existing Protocol on Councillor/Officer Relations.

#### Reasons:

- It is imperative, for the benefit of those who live, work and do business in our Borough, that Councillors and Officers are clear on their differing roles and responsibilities and have good working relationships between them based on mutual trust and respect.
- It is good practice for Councils to have a Protocol in place setting out the expectations arising from the relationship between Councillors and Officer.

### **CO35 RIVERSIDE NATURE RESERVE SANG IMPROVEMENT**

The Council considered a report which sought approval to carry out a capital project for replacement and improvement of the access infrastructure at

Riverside Nature Reserve and Parsonage Water Meadows, and to create an additional staff resource of one Project Manager Post for project delivery.

Councillors noted that Riverside Nature Reserve was a designated Suitable Alternative Natural Greenspace (SANG) to avoid increased recreational pressure on the Thames Basin Heaths Special Protection Area (SPA) resulting from new housing development.

This mitigation was required to enable the Council to comply with the Conservation of Habitats and Species Regulations 2010 by providing alternative recreation areas that provide a similar experience to the SPA.

It was anticipated that the estimated project cost of £1,133,500 would be funded from financial contributions from developers that were collected to deliver new SANG sites, improve existing SANG land, provide infrastructure and site maintenance and cover staff costs associated with management. The project would include access and site improvement to the SANG to enable additional use of the site.

The report to the Council outlined the need for the project to improve existing infrastructure and facilitate increased visitor numbers. These pressures provided a challenge managing visitor conflicts, safe access to natural green space, naturally occurring changes, whilst retaining the site's natural character in line with SANG guidelines, GBC Countryside Vision, and the Environment Act 2021.

The existing boardwalk on Riverside Nature Reserve was a key piece of SANG infrastructure that required replacement as a matter of urgency. Parts of the existing boardwalk were currently closed for health and safety reasons.

Officers were also seeking to improve access for firefighting equipment to mitigate increased wildfire risks.

Proposed works comprised of re-designing and replacing the existing boardwalk and improving pathways, signage, and seating, following recommendations from an access audit commissioned in 2020. Officers proposed to include public consultation during the project.

The project aimed to ensure that the Council fulfilled its duties under the Occupiers Liability Act 1957, the Equality Act 2010, and the Environment Act 2021.

The Council also noted that the Executive, at its meeting on 12 June 2024, had considered and had endorsed the recommendation in the report.

Upon the motion of the Lead Councillor for Environment and Climate Change, Councillor George Potter, seconded by the Leader of the Council, Councillor Julia McShane, the Council

RESOLVED:

- (1) That capital expenditure of £1,133,500 be approved from existing development contributions to improve SANG capacity and improvement of the SANG access infrastructure at Riverside Nature Reserve and Parsonage Water Meadows.
- (2) That an additional staff resource of one Project Manager Post for project delivery be approved.

Reasons:

- Officers consider the project proposal the most efficient option to maintain SANG capacity to mitigate the recreational pressure resulting from the developments the SANG contributions have been collected from.
- The project will deliver necessary works to achieve health and safety compliance under the Occupiers Liability Act 1957.
- The delivery of the project will provide added benefits to the Council by demonstrating compliance with the public duties for biodiversity under the Environment Act 2021 and the duties under the Equality Act 2010.

**CO36 COUNCILLOR GEOFF DAVIS**

As Councillor Davis was present, the Council agreed to withdraw the agenda item.

The meeting finished at 9.08 pm

Signed .....

Mayor

Date .....