

GUILDFORD BOROUGH COUNCIL

Minutes of a meeting of Guildford Borough Council held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Tuesday 8 October 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 and Honorary Alderman David Wright were also in attendance.

CO42 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Joss Bigmore, Amanda Creese, Angela Goodwin, Sandy Lowry, and Cait Taylor, and from Honorary Aldermen Catherine Copley, Sarah Creedy, Jayne Marks, Tony Phillips, and Lynda Strudwick.

CO43 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO44 MINUTES

The minutes of the Meeting held on 23 July and the Extraordinary Meeting held on 13 August 2024 were approved as a correct record. The Mayor signed the minutes.

CO45 MAYOR'S COMMUNICATIONS

The Mayor reported on the following events that she had attended recently:

Pride in Surrey

On 21 September, the Mayor was delighted to welcome Pride in Surrey to Guildford from the balcony of the Guildhall. Despite the rain lots of people joined the parade which walked up the High Street to Stoke Park. The day went very well and was fun as well as informative and a great celebration of inclusivity.

50th anniversary of the Guildford Pub Bombings

On 6 October, the Mayor, together with the Leader and other councillors, attended the commemoration of the 50th anniversary of the tragic Guildford Pub Bombings, with a memorial service held at the Holy Trinity Church to honour the victims. In the attack on October 5, 1974, 5 young people -Caroline Slater, William Forsyth, John Hunter, Ann Hamilton, and Paul Craig, sadly lost their lives, and 65 others sustained injuries. The moving service led by Canon Simon Butler, was attended by the victim's families, survivors, members of the Women's Royal Army Corps Association, the Scots Guards Association and local dignitaries including the Lord Lieutenant. Prior to the service, the Mayor attended a private ceremony at the memorial site at Quakers' Acre where there was a moment of reflection, followed by the laying of wreaths and flowers in front of a newly installed bronze plaque which had been presented to Guildford by the WRAC Association and Scots Guards Association as part of this year's commemoration.

The Mayor also reported on the following charitable fundraising events:

Curry and Quiz Night

The Mayor was delighted to report that 94 people had attended the Shahin restaurant on 30 September for a very successful curry and quiz night, which raised £1,864 towards the Mayor of Guildford's Local Support Fund. The Mayor thanked all those who had supported the event, in particular, the Guildford Lions Club and Guildford Rotary and Guildford Spike WI, Yameen Deedar from the Shahin, Jane Lyons from The Keep for her challenging Quiz, and Shirley West for

organising the raffle. This meant that the total figures raised so far for the Mayor's Support Fund was over £6,200.

Between now and Christmas, the Mayor would be involved in two more fundraising events for local charities.

On 29 November, the Mayor would be taking part in the Guildford Action Sleep Out at Guildford College, and the final fundraising event for the year would be the Mistletoe Ball on 12 December at G-Live, which was being organised with Guildford Philanthropy to celebrate their 10 years of giving and to raise funds for seven important local charities.

CO46 LEADER'S COMMUNICATIONS

There were no communications from the Leader.

CO47 ANNOUNCEMENTS FROM THE STATUTORY OFFICERS

The Joint Chief Executive reported to the Council on the recent and untimely death of Suki Binjal, who was one of the authors of the SOLACE report which had formed the basis of the improvement plans approved by the Council in the summer.

The Joint Chief Executive personally thanked Suki for the help and support she had given to the Council, and for the genuine interest she had in ensuring that this council was doing its very best for our residents and businesses. She would be a real loss to the local government family.

CO48 PUBLIC PARTICIPATION

The following statement had been received from a member of the public (Mr John Rigg):

"What is this council doing with Guildford?"

Where is the transparency for the people of Guildford to know what is happening when the following circumstances are evident?

The Solace report on the Housing Revenue Account scandal described an overspend with a particular contractor and over three years of around £17.5m according to the council website. Two officers were summarily suspended and two out of three senior directors in place at the time were effectively suspended. All four I understand has subsequently resigned or had their employment terminated with payoffs.

An investigation was commenced by the police and an economy drive announced yet there has been no public statement on where exactly is the public's £17.5 million (also reported as £18.5 million). Where has it gone and how much has been incurred terminating contracts and replacing officers. We do not know if this was appropriate or not, but it will have caused huge upset to their lives There are no legal reasons why the council cannot report on where this money is and the costs incurred to date in connection with this financial scandal presumably impacting our housing stock and some tenants.

By May 2023 for the first time ever the town centre at last, had a vision for the future to deliver a better town and prosperity and on brownfield land currently blighted by flooding - Shaping Guildford's Future (SGF). Prepared by internationally renowned consultants, it was a route map to deliver benefits including riverside housing, employment land, parks and riverside walk and cycleways.

An integrated enabling flood alleviation scheme negotiated with the Environment Agency was included in the plan which cost, up to its suspension, £2.5 million. A lot of the heavy work was already done but to progress this plan so the private sector can deliver it requires the council to endorse the vision, not in detail but as a general direction of travel.

There is a need to support an application from the Environment Agency for the Flood Alleviation Scheme (FAS) proposals, once agreed. This must alleviate flooding blight and the sequential test from the key and mostly council owned sites. The sites are required to deliver planning gain, contribute to the cost of the flood alleviation works and deliver essential brownfield development.

Unless the council shows initiative and creates momentum either nothing will happen, or development will take place piecemeal without any of the community benefits of the holistic SGF plan or FAS. Where are the statements endorsing the plan - even as 'a vision only' to provide some planning weight so SGF and sites can be included in the updated Local Plan and help save greenbelt, or rejecting it?

Transparency has always been inadequate at the council. Developers rightly have to publish the section 106 payments they make to the council but incredibly the council does not have to be transparent on what is happening with the money.

On the biggest windfall payment, the council might ever achieve, measured perhaps in tens of millions of pounds, the ransom strip payment at Blackwell farm has a developer backed by the university who has been able to conceal the transaction. There cannot be a rule applying to all developers except one. Will the agreement be made public now?

Cost overruns at Ash Road Bridge were last noted at 200% and hidden on Walnut Bridge at 300%. Weyside Urban Village costs escalated by c. £50m overnight due to a GBC Treasury omission to put an interest rate cap in place. Where are the statements giving transparency on a cost overrun of this magnitude and where do we stand today?

The council is failing to meet its obligations and commitments to be transparent on all these important issues. We do not want Guildford taking the Post Office approach to transparency but with radio silence on these issues what else can we infer?"

The Leader of the Council, Councillor Julia McShane responded to the statement as follows:

"Thank you for your statement on issues of interest to you as a former elected member of this Council and Executive Member for Regeneration where you had responsibility for four years for many of the things that you have mentioned.

You had the support of your R4GV Executive colleagues who had responsibility for finance and governance as well as the leadership of the Council for two years from September 2020 to September 2022.

Like you, I agree that transparency and accountability are of the utmost importance, and I am pleased that our recently adopted 10-year vision for a greener, fairer, thriving Guildford publicly commits us to continuing to deliver both.

One of our five new priorities is to ensure Guildford Borough Council is a resilient and well-managed council. We've made a commitment to strengthening our governance and decision-making processes, ensuring public money and resources are used wisely.

We've also made a commitment to ensuring residents feel informed, heard and able to influence what the council does. The council's corporate improvement plan commits Guildford Borough Council to 12 specific actions in respect to better governance, including transparency. All of those actions are on track or are completed.

It is clear to me that we are making real progress on our journey of improvement and I'm grateful to all members and officers of this council who are working with me to drive those improvements forward. Our housing improvement plan is comprehensive, and the team are making excellent progress with the recommendations. That progress is reported monthly to members and the Tenant

Engagement Group, and to committees, including the new Housing Operations Board which has cross-party representation.

So it's not only the Council's recognition that things need to improve, that is open and transparent, so too is our reporting on the work we are doing to make those improvements. The town centre will continue to play a key role in delivering housing and working alongside the team involved in progressing Shaping Guildford's Future.

The Council's planning team are considering how to shape development within the town centre as the new local plan is being prepared. This is in parallel to our continued work with the environment agency to progress a flood alleviation scheme, which is a critical part to enabling development.

You referred to the council's financial management of capital projects, including Ash Road Bridge and Weyside Urban Village. Reports have been presented to this council for both update and decision over the past couple of years, providing transparency around the decision-making required. This is alongside the internal council board structure that exists.

Ash Road Bridge is on site and being delivered at present within the approved capital budget. Weyside Urban Village has been impacted significantly by several factors, all of which are detailed in the most recent annual Weyside Financial Update report of May 2024.

The council do publish what happens to Section 106 monies in its annual infrastructure funding statement. Developers are not required to publish land transactions as they are commercially sensitive matters. Therefore, I simply cannot agree with you that there is a rule applying to all developers, except one.

Finally, as part of our transparency commitment, you will know that the council has appointed an independent assurance panel. They will be providing their independent view of our progress on the improvement plan publicly to full council every six months, and the first update will be in December 2024, so please put that in your diary”.

CO49 QUESTIONS FROM COUNCILLORS

(a) **Councillor Keith Witham** asked the Leader of the Council, (Councillor Julia McShane) the following question:

“Does the Leader of the Council agree that for a Councillor to wait for more than 21 weeks to not receive an answer to a query is unacceptable?”

On 29th April I asked the Assistant Director, Planning, Claire Upton Brown, if the planning team could please advise me re: the Appeal decision for 21/P/00575, Foxwell Cottage, Hunts Hill Road, Normandy (appeal allowed with conditions) - How much has it cost GBC to pursue this case since inception?

I did have an acknowledgement from Claire on 15th July promising an answer (after 5 reminders). I also asked the Lead Councillor, Fiona White for help, and she kindly agreed to follow up my request, for which I thank her. But I've still received no actual response. The reminders were copied to yourself as Leader and the Chief Executive.

So, all I'm asking is that the Planning Department of GBC answers my question of 29th April. Can this please now be done via this Council Question?

And will the Leader discuss this example of a Councillor trying to obtain information within GBC with the Chief Executive, and consider how matters might be improved?"

Response from the Leader of the Council:

"Thank you for your question, in response to your enquiry regarding the Appeal decision for 21/P/00575, I can confirm that the following information has been gathered:

<i>External Legal support</i>	<i>£10,551.60</i>
<i>Counsel</i>	<i><u>£4,000</u></i>
	<i>£14,551.60.</i>

The Council recovered costs of £15,000 for pursuing this matter, which included all of the above-mentioned external costs. However there is no record of the amount of staff time that was spent on this matter."

- (b) **Councillor Catherine Young** asked the Lead Councillor for Planning (Councillor Fiona White) the following question:

"Across Guildford Borough we have seen a significant increase in planning permissions over the last five years. This includes several allocated sites that are well on the way to being completed such as those in Ash, The Horsleys, and Send. Policies in our Local Plan make it quite clear that local infrastructure should be delivered up front, and certainly in a timely manner to mitigate the effects of these developments on our local roads, public travel provision, schools, and medical services. This has not happened.

Key to this is the collection and spending of S106 money to enable the delivery of this much needed local infrastructure.

Our S106 process at GBC is broken. There is insufficient resource to manage this, lack of up-to-date reports to monitor collection and spend, and as far as we can ascertain, no clear audit trail for us to keep track of this vitally needed money to ensure that it is going to the right people and is being used for our local communities. This money is designed to benefit residents, and residents have the right to know that GBC is safeguarding, managing, and deploying these funds effectively.

We are aware that a report to monitor S106 spend was due to go to Corporate Governance and Standards Committee last month and has supposedly been delayed until November this year. The last report seen was in November 2023. However, we are also aware that Corporate Governance and Standards Committee is due to be split to enable a clearer Audit Committee to be set up which might include monitoring S106 but that this has not yet been agreed. Apparently monitoring may move to one of the Overview & Scrutiny Committees, but again, that is not decided. All this causes further delay.

We cannot wait any longer to know where this money is, where it has been allocated, what has been spent, and as is clearly apparent, why it is not being spent.

Would the Lead Councillor for Planning, please commit to Full Council:

- 1. That an updated S106 Monitoring report is presented to the next meeting of the Corporate Governance & Standards Committee in November this year.*
- 2. That this report includes a breakdown per ward of the following:*
 - i. The date the deed was agreed.*
 - ii. The initial contribution amounts.*
 - iii. The purpose of the contribution.*
 - iv. How much has been collected from the developer (and when).*
 - v. How much has been passed to which receiving organisation (and when).*
 - vi. What the receiving organisation spent the contribution on.*
 - vii. The deadline for money to be spent.*
- 3. That finance is found immediately to fund GBC staff resource to deliver this work and manage the process?"*

Response from the Lead Councillor for Planning:

"Thank you for your question, work is ongoing to improve our Section 106 processes with some very positive steps forward, in particular our recent discussions with the County Council. I cannot agree that the process is broken, though all acknowledge that further improvements are required.

A report is programmed for the 14 November meeting of the Corporate Governance and Standards Committee. Information has been regularly shared in response to Councillors' requests around both the collection and spending of Section 106 monies. Work is ongoing with the County Council to ensure that the Borough has clarity over how monies that are collected for spend by the County Council is being used.

The report to the November Corporate Governance and Standards Committee will provide an appropriate level of detail over an appropriate period of time for the Committee's consideration. However, it will not cover the detail of every Section 106 Agreement the Council enters into.

The planning team are happy to deal with Ward Councillor specific enquiries as and when requested.

In response to the third part of the question, I can confirm that there is already a growth bid which is being considered within the current round of bids in respect of the provision of staffing resource to deliver this work and manage the process."

As a supplementary question, Councillor Young asked the Lead Councillor whether the estimated figures illustrated in the Medium-Term Financial Plan in Item 9 on the agenda could be brought forward with immediate effect in order to provide the necessary resource and new systems required to manage and deliver S106 contributions.

In response, the Lead Councillor indicated that she could not disagree with Councillor Young about the difficulty in getting infrastructure delivered, even when good section 106 agreements had been negotiated with developers. However, some of these matters were not within this Council's control. The Lead Councillor also referred Councillor Young to the response that she and the council leader had made to the Deputy Prime Minister with regard to the NPPF, when they had pointed out the difficulties with infrastructure and had asked that the organisations outside this council who could provide the infrastructure should be put under a duty to cooperate with the council in delivering that infrastructure.

In response to the supplementary question, the Lead Councillor gave assurance that she would strongly advocate the allocation of the necessary resources to manage and deliver S106 contributions, as part of the budget process.

CO50 MEDIUM TERM FINANCIAL PLAN UPDATE

The Council considered an update report on the Medium-Term Financial Planning process. The key areas of work undertaken since the last report to Council had been around:

- Review of reserves and balances
- Review of capital programme and new bids
- Revenue budget growth bids
- Review of funding assumptions post general election.

Prior to the motion being proposed, a councillor referred to paragraph 6.13 of the report submitted to the Council and asked what was the strategic capital board, which had recently been established? In response, the Joint Strategic Director of Finance and Resources informed the Council that this was a Board of officers comprising those assistant directors who had capital projects within the capital programme. The Board would assist in understanding the progress of those projects, the timing of the payments on those projects, and help to unlock any difficulties in terms of delivery of the programme.

A further question was asked regarding the relationship between the three different figures referred to in the three tables in paragraphs 6.14 and 6.17 of the report in respect of the York Road Homeless Hub Refurbishment.

In response, the Joint Strategic Director of Finance and Resources confirmed that the first table showed details of all the capital bids received, indicating the need for a capital investment of £4m to refurbish the York Road Homeless Hub. The further tables in paragraph 6.17 had set out the one-off revenue bids, and the ongoing revenue bids, which in respect of that project related mainly to staffing costs.

In response to a further question as to why no actual monetary figures had been shown against the Acquisition of the Exacom system in the tables in paragraphs 6.14 and 6.17, and how it might be possible to expedite some of the schemes particularly in respect of planning, the Joint Strategic Director of Finance and Resources confirmed, in respect of the Exacom project that the information on the bid had not been received from the Assistant Director, at the time the tables had been produced, but would check whether that had been received. In terms of the timing, the Director noted that all the growth bids would need to be

considered against the medium-term financial plan, in order to understand how many of the schemes behind the bids could be funded in 2025-26.

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 progress on updating the MTFP position.

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.

CO51 CLIMATE CHANGE BOARD - CARBON EMISSIONS AND SUSTAINABILITY PROGRESS REPORT 2022-23

The Council considered the first annual report of the Climate Change Board which summarised the Board's activities and achievements, including a summary of the reduction of the Council's carbon emissions for 2022/23.

Councillors noted that, in 2019, the Council had committed to achieving net-zero carbon emissions across its operations by 2030 and making the entire borough carbon neutral. However, the initial years faced significant challenges, including the COVID-19 pandemic, financial pressures and resource constraints, which slowed progress. By early 2023, the Council had established and adopted a comprehensive Climate Change Action Plan (CCAP), which had set out a roadmap for reducing emissions across nine key areas of the Council's business and operations.

Since the declaration of the Climate Emergency in 2019, the Council had:

- Formed a Climate Change Board (CCB) to oversee the Council's climate initiatives.
- Established a carbon emission baseline and set a carbon reduction trajectory.
- Adopted a Climate Change Action Plan (CCAP) to provide a pathway to achieve GBC's carbon reduction and climate change goals.
- Completed 19 of the 305 actions described in the CCAP, while 86 were in active development.
- Adopted a Corporate Strategy within the past year which included sustainability as one of the key priorities.

The Report noted that, for 2022/23, the Council had recorded a net carbon footprint of 7,472 tonnes of CO₂ equivalent (tCO₂e), representing a 13% reduction from the baseline year of 2019. Additionally, 2022/23 emissions were slightly lower than the previous year. Both 2020/21 and 2021/22 were considered as “non-standard” years in terms of the Council’s activities, due to the Covid pandemic and subsequent recovery period. This indicated that there had been real-terms progress in carbon reductions in the most recent year for which figures were available. However, despite this progress, the Council was currently not on track to meet its 2030 net-zero target.

The report had identified and acknowledged that there remained ongoing challenges in terms of financial and resource constraints and the complexities of measuring Scope 3 emissions (indirect emissions from procurement, contracts, and services).

Whilst significant progress had been made since 2019, achieving net-zero by 2030 remained an ambitious goal requiring continued effort, innovation, and collaboration. The Council was committed to overcoming these challenges and would continue to refine its strategies to ensure meaningful reductions in carbon emissions, in line with both local and national climate objectives. The Council’s CCB would play a critical role in monitoring and advising on these efforts and ensuring that the borough remained on the path to sustainability.

At its meeting on 3 October 2024, the Executive had also considered this report and had commended it to full Council in recognition of the Council’s current carbon emissions and climate change status.

The Lead Councillor for Environment and Climate Change, Councillor George Potter proposed, and Councillor Joanne Shaw seconded the adoption of the motion to formally adopt the annual progress report.

During the debate the following points were made:

- Concern that the reduction of carbon emissions from the Council’s operations was off track and that the Council's target already looked unachievable, mainly due to the operations at Spectrum. The Executive should have revised the target.
- The Council’s focus should be less on mitigation, but much more on things the Council can directly influence such as adaptation and building resilience in our community.
- Appearing not to be on target does not mean that the Council should move the target. It means that the Council should redouble its efforts.

- The report was disappointing and contradictory. On the one hand it had stated that significant progress had been made, whilst on the other the report had conceded that the Council was currently off track with the annual carbon emission target. Scope 1 and Scope 3 emissions seemed to be going up rather than down, whilst Scope 2 emissions were flat lining.
- The Council declared a climate emergency in 2019, but only employed one Climate Change officer. The Council needed to commit more resources to achieving net zero.
- The Council should continue to do whatever it could with the resources that were available in respect of the Climate Change Action Plan.
- The green economy can provide positive benefits for the country.
- Whilst, at first glance, some of the results may appear to be disappointing, continuing with the good work may result in a large incremental improvement in the future.
- Concern that, of the 305 actions detailed in the Climate Change Action Plan, there appeared to be 138 actions which had not yet been addressed.
- Over the past year, the CCB had been putting in place a framework to ensure that the actions were being monitored, and delivered. The actions were shared by every service across the organisation and not the sole responsibility of the Climate Change Officer.
- The CCB had identified a priority list of key actions for this year and significant progress had been made with those actions going into the budget setting period, including active bids in for a dedicated bidding officer to help access more government funding, and a growth bid for a utility officer to oversee the transformation of the Council's energy usage.

Having considered the matter, the Council

RESOLVED: That the annual progress report be adopted in recognition of the Council's current carbon emissions and climate change status.

Reason:

In 2023 the Executive adopted the Climate Change Action Plan, subsequent to a motion passed by full Council, committing the council to a target date of 2030 for net zero emissions. On 23 July 2024, full Council adopted a new Corporate Strategy that included a 'more sustainable borough' at Priority 1 and once again reinforced this Council's commitment to reaching net zero by 2030. The Climate Change Action Plan included a commitment to report progress annually to full Council. For this reason, this report has been referred to full Council for wider engagement and comment, and also includes an annual report of the Climate Change Board, which is constitutionally a working group of the Executive

and is otherwise only required to report on its business and achievements to the Executive.

CO52 OVERVIEW & SCRUTINY ANNUAL REPORT 2023-24

The Council considered a report which outlined the work undertaken by overview and scrutiny during the 2023-24 municipal year and the future work programmes of the Council's two new overview and scrutiny committees as thus far developed.

Decisions taken during the past municipal year under the 'urgency' provisions and the use of 'call-in' were also detailed within the report. In 2023-24, four decisions had been taken under the urgency provisions of Access to Information Procedure Rules, no call-in waivers had been requested, and one officer key decision had been called in for consideration by Overview and Scrutiny.

At its meeting on 10 September 2024, the Overview & Scrutiny Committee (Resources) considered this report and agreed to:

- (1) Commend the report as the Overview and Scrutiny Annual Report, 2023-24.
- (2) Recommend that the current rules relating to call-in and the urgency provisions remain unchanged, subject to the addition that whenever the general exception provisions were used to take key decisions in accordance with Access to Information Procedure Rule 15, the details of those decisions should be reported by the Leader to the next ordinary meeting of the Council.
- (3) Recommend that an Overview and Scrutiny budget of £5,000 per annum be re-established.

At its meeting on 30 September 2024, Overview & Scrutiny Committee (Services) had also considered the annual report and had endorsed the recommendations to the Council therein.

Prior to the motion being proposed, a councillor asked in connection with Supplementary Planning Documents, which was one of the unscheduled items on the work programme of the Overview & Scrutiny Committee (Services) whether a Heights SPD would be coming forward for consideration as a matter of some urgency. In response, the Lead Councillor for Planning confirmed that the Planning Policy team was currently working on a Heights SPD, which would be brought forward as quickly as possible.

The Chairman of the Overview & Scrutiny Committee (Services), Councillor James Walsh, proposed and the Chairman of the Overview & Scrutiny Committee

(Resources), Councillor Philip Brooker seconded the adoption of the motion to commend the report as the Overview and Scrutiny Annual Report for 2023-24.

During the debate, the following points were made:

- The new Overview and Scrutiny Committees were working really well and were very engaged. Regular meetings would be held between the Executive and Overview and Scrutiny chairs and vice chairs to discuss matters that could be put into the Overview and Scrutiny Committees' work programme.
- Encouraging to see that so many items were now coming forward to Overview and Scrutiny for consideration, which would inform Executive decision-making which demonstrated the importance of backbench scrutiny as part of a healthy culture of a well-run council.

Having considered the matter, the Council

RESOLVED:

- (1) That this report be commended as the Overview and Scrutiny Annual Report for 2023-24.
- (2) That the current rules relating to the Council's call-in and urgency provisions remain unchanged, subject to the addition that whenever the general exception provisions are used to take key decisions in accordance with Access to Information Procedure Rule 15 the details of those decisions shall be reported by the Leader to the next ordinary meeting of the Council.
- (3) That the following amendment be made to Access to Information Procedure Rule 17:

“After paragraph 17.3, add the following paragraph:

“17.4 Reports from the Leader on the use of the General Exception Procedure

The Leader will report to the next ordinary meeting of the Council on any executive key decisions taken in the circumstances set out in Procedure Rule 15 (general exception). The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.”

- (4) That consideration be given to the re-establishment of an Overview and Scrutiny budget of £5,000 per annum as part of the ongoing budget setting process.

Reasons:

- Article 8.2(d) of the Council's Constitution requires the Council's Overview and Scrutiny Committee to report annually to Full Council on the work undertaken during the year, its future work programme, and amended working methods if appropriate.
- There are no changes proposed to the call-in procedure or the urgency provisions at this time, except for the proposed additional provision with Access to Information Procedure Rules to require the Leader to report to Council on the use of the General Exception procedure.

CO53 UPDATE TO PAY POLICY STATEMENT

The Council noted that Guildford Borough Council and Waverley Borough Council had recently approved a restructure in Legal and Democratic Services. This restructure included the introduction of Joint Posts and noted that there was a dependency on a salary benchmarking exercise to confirm what salary uplift should be applied to these new joint posts.

This restructure took place alongside an ongoing review of the Transformation and Collaboration Programme. A key component of that programme was a review of the harmonisation of working practices. The restructure in Legal and Democratic Services was not the only restructure that provided an opportunity for the implementation of joint posts.

Whilst the creation of joint posts presented a further enhancement in the collaborative working across both councils, it presented certain risks. Officers were actively working on scoping a programme of work around the harmonisation of working practices and a separate report would be submitted to both councils' Executives later in the year.

To assist this related work the Council's Corporate Leadership Board agreed a number of key principles in July 2024 as follows:

- That all future joint posts should be created using Waverley terms and conditions of employment. This updated previous papers and decisions and aligned with the structure of JLT posts.
- That there should be updated interim policies and processes that would underpin the creation of new joint posts and would remain valid only until the conclusion of the broader terms and conditions of employment programme.
- That the additional payment made would be a 'Special Responsibility Payment'. This definition would only be used in the context of new joint posts as under

normal circumstances an honorarium payment was made for special responsibilities for an agreed period of time.

The proposed changes to the Council's pay policy statement in light of this were considered and supported by the Executive at its meeting on 3 October together with other proposals to ensure that the Council had robust systems in place to create joint posts on an interim basis.

The Executive also made the following additional recommendation to Council:

“That, until permanent arrangements have been adopted, Joint Posts be appointed by Waverley Borough Council on Waverley Terms and Conditions of employment with a 10% uplift on salary as set out in para 6.3 of the report submitted to the Executive and Appendix 1”.

Paragraph 6.3 of the Executive report and Appendix 1 to that report were included in the Supplementary Agenda Pack circulated to all councillors prior to the Council meeting.

Prior to the motion being proposed, a councillor asked why the Council was not putting in place a harmonised pay structure before appointing to the joint posts. In response, the Joint Chief Executive indicated that he would respond to that point outside of the meeting.

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

RESOLVED:

- (1) That, until permanent arrangements have been adopted, Joint Posts be appointed by Waverley Borough Council on Waverley Terms and Conditions of employment with a 10% uplift on salary as set out in para 6.3 of the report submitted to the Executive and in Appendix 1 to that report.
- (2) That the revised Pay Policy Statement, as set out in Appendix 1 to the report submitted to the Council, be adopted.

Reasons:

- The salary benchmarking exercise undertaken concludes the outstanding action from the Officer Resource: Legal & Democratic Services paper presented to GBC Executive on 16 May 2024 and WBC Executive on 7 May 2024.

- The salary benchmarking paper sets out findings which reduces the costs of the new Legal and Democratic Services structure.
- To ensure that the GBC Pay Policy statement reflects arrangements for Joint Posts.

CO54 PROPOSED CHANGES TO LOCAL CHOICE FUNCTIONS

The Council noted that, on 12 August 2024, the Joint Constitutions Review Group had reviewed Local Choice functions with a view to their alignment across both Guildford and Waverley. The matter was subsequently considered by both the Corporate Governance & Standards Committee (GBC) and the Standards & General Purposes Committee (WBC) at meetings held simultaneously on 26 September 2024. Both committees had recommended the adoption of an aligned list of Local Choice Functions to their respective full Councils.

Upon the motion of the Chair of the Corporate Governance & Standards Committee, Councillor Phil Bellamy. Seconded by the Vice-Chair of that Committee, Councillor Bob Hughes, the Council

RESOLVED: That the Local Choice functions, as set out in the Appendix 1 to the report submitted to the Council, be adopted into the Constitution.

Reason:

Both Guildford and Waverley currently have chosen different decision makers for their local choice functions. This means that functions exercised by an officer in one council could be executive functions, and the same functions in the other council could be Council functions. This can lead to confusion and a lack of clear governance processes.

CO55 REVIEW OF GOVERNANCE ARRANGEMENTS RELATING TO COMPANIES

Councillors noted that the Council had various existing interests in Companies, whether by way of sole or joint ownership. Waverley Borough Council did not have any interests in companies, but had interests in six charities, two of which were charitable trusts.

The Councils, whether acting as shareholder or trustee, must have robust and resilient governance arrangements in place. Such arrangements must enable the Councils to have continuous oversight of financial interests, business cases and performance measures, to ensure continuous improvement and satisfaction of the Council's best value duty and to comply with all regulatory requirements of Companies House and the Charity Commission, as appropriate.

A review of Guildford's existing governance arrangements had been undertaken, and a number of recommendations for change had been made to ensure that

- the shareholder had greater oversight of the Council's interests in Companies, and
- there was more frequent and transparent reporting, better officer support to the shareholder, and clearer lines of responsibility and accountability.

Similar work had commenced for Waverley, and it was intended to bring forward proposals to the Joint Constitutions Review Group and Waverley's Executive in due course.

This matter had been considered initially by the Executive Shareholder & Trustee Committee on 8 August, by the Joint Constitutions Review Group on 17 September, and subsequently by both the Corporate Governance & Standards Committee (GBC) at its meeting held simultaneously with Waverley's Standards & General Purposes Committee (WBC) on 26 September 2024. The Corporate Governance & Standards Committee had recommended the adoption of the proposed governance arrangements by the Council.

Upon the motion of the Chair of the Corporate Governance & Standards Committee, Councillor Phil Bellamy, seconded by the Vice-Chair of that Committee, Councillor Bob Hughes, the Council

RESOLVED:

- (1) That the revised Parts 3(1) and 3(2), as set out in Appendices 2 and 4 to the report submitted to the Council, be adopted into the Constitution.
- (2) That internal audits of the Council's companies be included within the terms of reference of any proposed Audit & Risk Committee.

Reasons:

- It is considered that improvements can be made to the governance framework to ensure that GBC, as shareholder, has greater oversight of the Council's interests in companies.
- Good practice would be for the Council's senior officers to monitor the performance of the Council's interests in companies, and to bring forward reports to the shareholder in a regular, timely and transparent way with appropriate recommendations.
- Whilst the shareholder function is exercised by the Leader as an Executive function, there is currently no mechanism in place for scrutiny of such

executive decisions and good practice would be for the Council's overview and scrutiny committees to provide effective scrutiny of the shareholder role.

CO56 NOTICE OF MOTION DATED 26 SEPTEMBER 2024: WINTER FUEL PAYMENTS AND THE SINGLE PERSON COUNCIL TAX DISCOUNT

In accordance with Council Procedure Rule 13, Councillor Merel Rehorst-Smith proposed, and Councillor George Potter seconded the following motion:

“Council notes the decision by the Labour Government to end universal winter fuel payments and restrict eligibility to only those in receipt of Pension Credits and other benefits.

Though Council agrees that universal winter fuel payments are not necessary, Council is deeply concerned that many pensioners on low incomes will no longer be eligible to receive the benefit as winter approaches. In Guildford borough fewer than 1,500 pensioners will remain eligible to receive winter fuel payments, with 93.7% of pensioners losing their eligibility. The maximum income limit for receiving Pension Credit is £218.15 a week (or £332.95 a week for couples), which is significantly lower than the rate of the living wage, and only 63% of those eligible for Pension Credit actually receive it.

Council believes that, while some pensioners currently in receipt of the Winter Fuel Payment may not require it, the decision to means-test Winter Fuel Payments in this way, especially with such short notice and without adequate compensatory measures, is deeply unfair and will disproportionately affect the health and well-being of our poorest older residents, especially noting that the Energy Price Cap is due to rise by 10% in October.

Council also notes reports in the media that the Labour Government is additionally intending to abolish the Single Person Council Tax Discount in the autumn budget statement, which currently gives a 25% discount on council tax to households where only a single adult is liable for council tax, which is worth £506 a year for a typical Band C property in Guildford borough.

Council is deeply concerned that any withdrawal, or reduction, in the rate of the single person council tax discount would result in a large and punitive tax rise for many of those least able to afford it, including groups such as young adults, single and widowed parents, lone pensioners, and carers of

disabled people, many of whom are already struggling with the cost-of-living crisis.

Council resolves to:

- (1) Instruct the Chief Executive to write to the Chancellor of the Exchequer calling for the policy on linking Winter Fuel Payments to Pension Credit receipt to be immediately paused and asking her to rule out any change to the Single Person Council Tax Discount in the autumn budget statement.
- (2) Call upon all MPs covering Guildford borough to give their formal support to halting the changes to the Winter Fuel Payment eligibility and resisting any reduction in the Single Person Council Tax Discount.
- (3) Commit the Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all members offering them the opportunity to sign the petition themselves.
- (4) Encourage local efforts to promote the uptake of Pension Credit (and other frequently under-claimed benefits) through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Guildford borough are supported in claiming their entitlement."

Following the debate on the motion, Councillor James Walsh proposed, and The Deputy Mayor, Councillor Howard Smith seconded, the following amendment:

- (1) Omit the second, third, fourth, and fifth paragraph of the preamble to the motion.
- (2) Omit paragraphs (1), (2), and (3) of the resolution within the motion.
- (3) In paragraph (4) of the resolution within the motion,
 - (a) omit "Encourage local efforts", and
 - (b) insert after "(and other frequently under-claimed benefits) through..."
"the proactive work of its community services and communications departments, other..."

If carried, the substantive motion would read as follows:

"Council notes the decision by the Labour Government to end universal winter fuel payments and restrict eligibility to only those in receipt of Pension Credits and other benefits.

Council resolves to:

Promote the uptake of the pension credit (and other frequently under-claimed benefits) through the proactive work of its community services and communications departments, other council services and partnerships with local charities and community organisations, to ensure that all eligible pensioners in Guildford borough are supported in claiming their entitlement.”

Following the debate on the Amendment it was put to a vote and was lost.

The Council, having debated the original motion

RESOLVED: That the original motion, as set out above, be adopted.

The meeting finished at 8.57 pm

Signed
Mayor

Date