

GUILDFORD BOROUGH COUNCIL

Minutes of an extraordinary meeting of Guildford Borough Council held at Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Tuesday 16 April 2024

* The Mayor, Councillor Masuk Miah

* The Deputy Mayor, Councillor Sallie Barker MBE

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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 Bilbé | * Councillor Richard Mills OBE |
| Councillor Honor Brooker | Councillor Carla Morson |
| * Councillor James Brooker | Councillor Danielle Newson |
| Councillor Philip Brooker | * Councillor Patrick Oven |
| * Councillor Ruth Brothwell | * Councillor George Potter |
| * Councillor Yves de Contades | * Councillor Maddy Redpath |
| Councillor Amanda Creese | * Councillor Merel Rehorst-Smith |
| Councillor Geoff Davis | * Councillor David Shaw |
| Councillor Jason Fenwick | * Councillor Joanne Shaw |
| Councillor Matt Furniss | Councillor Katie Steel |
| * Councillor Angela Goodwin | * Councillor Howard Smith |
| * 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

CO120 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Honor Brooker, Philip Brooker, Geoff Davis, Jason Fenwick, Matt Furniss, Carla Morson, Danielle Newson, Katie Steel, Keith Witham, and Catherine Young; and from Honorary

Freeman Keith Churchouse and Honorary Aldermen Catherine Cobley, Sarah Creedy, Jayne Marks, Tony Phillips, and Lynda Strudwick.

CO121 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO122 MAYOR'S COMMUNICATIONS

The Mayor reported that the previous week had marked the end of the holy month of Ramadan, which meant the end of a month of fasting from sunrise to sunset. During this time, the Mayor did not drink or eat anything during the day, which was often difficult to deal with, especially when attending Mayoral events although, thankfully, people had been very understanding.

The Mayor reported that he was honoured to be invited to speak about his experience of Ramadan at the staff briefing held the previous Thursday. Colleagues at Waverley had been very welcoming and the Mayor was happy to answer some of the questions people had about Ramadan.

The Mayor acknowledged that his Mayoral year would be ending very soon, but that he was still very busy and looking forward to presenting this year's Mayor's Awards for Service to the Community on 27 April at the County Club. The Mayor thanked the club for once again sponsoring this important event.

The Mayor also reported that arrangements were being finalised for his main fund-raising event of the year, in aid of his chosen charity The Fountain Centre. This would be the Mayor's charity adult football tournament, being held on Sunday 2 June, which was being hosted by Guildford City Boys and Girls Football Club at Stoughton Recreation Ground. The date had to be rescheduled beyond the mayoral year to fit in with the football league timing. The Mayor expressed his thanks to the Mayor elect for her understanding and for agreeing to join him at the event and present the Mayor's shield for fair play for the first time. The Mayor also thanked:

- everyone at Guildford City Boys and Girls FC,
- Corporate sponsor Martin Grant Homes,
- Chelsea FC Foundation,
- AFC Wimbledon Academy, and
- Guildford Lions.

Finally, the Mayor drew the Council's attention to the Big Charity Fund Raising Walk taking place on Sunday 19 May, which would start and finish at Shalford

Park. The Mayor elect, would be walking the 10 mile route and councillors were invited to sponsor her.

As this was his last full Council meeting as Mayor before the Annual Meeting, the Mayor thanked councillors for their support throughout his Mayoral year, and particularly thanked the Deputy Mayor and wished her the very best of luck for her mayoral year.

CO123 LEADER'S COMMUNICATIONS

The Leader reported on the following matters:

Making Guildford town centre safer for all

Over the past few months, the Council had been working with Surrey Police and Experience Guildford to introduce changes to help make Guildford town centre safer for all:

- There were now additional police officers patrolling in Guildford town centre at the weekends.
- The Council had introduced street marshals to the town centre on Saturdays and Sundays from 12:00pm to 8:00pm, who were on hand to:
 - help reassure visitors and residents in Guildford town centre,
 - work with Police to enforce Public Space Protection Orders that were in place, and
 - deal with other environmental and public realm issues, such as littering.
- Over the next few weeks, Surrey County Council's Targeted Youth Support would begin a youth outreach project.

The street marshals and youth outreach project were initiatives funded through the Safer Streets Fund. In Guildford, this funding was being used to reduce crime and anti-social behaviour within Guildford town centre. These changes would continue throughout 2024 and into 2025.

Guildford Flood Alleviation Scheme

The Environment Agency, this Council and the 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.

The Environment Agency would be holding a drop-in public engagement event on Thursday 18 April from 2pm to 7pm, in The Circle Bar at the Yvonne Arnaud Theatre.

Active April

This month residents were being encouraged to try something new to keep fit. There was a variety of sports places to visit around the borough like Guildford Spectrum, the Lido, and outdoor gyms to help keep people active during this month.

CO124 PUBLIC PARTICIPATION

There were no questions or statements from the public.

CO125 QUESTIONS FROM COUNCILLORS

There were no questions from councillors.

CO126 REVIEW OF THE CONSTITUTION: COUNCIL PROCEDURE RULES

The Council considered a report on the recent review of Council Procedure Rules which had been undertaken as part of the current work programme to update the constitutions of both Guildford Borough Council (GBC) and Waverley Borough Council (WBC). The Joint Strategic Director of Legal and Democratic Services had prioritised the Council Procedure Rules as a high priority, requiring urgent attention.

After reviewing both councils' Council Procedure Rules, it was apparent that there would be little benefit in amending both sets of the current rules. Officers had therefore recommended the introduction of a set of new Council Procedure Rules for both councils, using examples of good practice, based on the statutory framework.

The work to review the Council Procedure Rules for both GBC and WBC was extensive, and had been presented initially to, and supported by, the Guildford and Waverley Joint Constitutions Review Group. Subsequently, WBC's Standards & General Purposes Committee (on 8 April 2024) and GBC's Corporate Governance & Standards Committee (on 11 April 2024) had considered the proposed new Council Procedure Rules. Details of the outcome of each committee's consideration of the proposed new Council Procedure Rules were reported to the Council, and would be reported to WBC's full Council meeting on 23 April 2024.

A key theme in the proposed new Council Procedure Rules was to clearly identify who had the authority and responsibility to discharge functions at council meetings, including proper officers, and the correct procedures to be followed, including appropriate communication channels.

Upon the motion of the Lead Councillor for Regulatory & Democratic Services, Councillor Merel Rehorst-Smith, seconded by Councillor James Jones, the Council RESOLVED: That the proposed new Council Procedure Rules, as set out in Appendix 2 to the report submitted to the Council, be adopted into the Constitution, subject to the following minor amendments, as suggested by Waverley's Standards & General Purposes Committee:

- (a) CPR 2.3 - Election of the Mayor and Appointment of the Deputy Mayor (page 32 of the Council agenda): Amend the second paragraph so that it reads as follows:

“The current Mayor will preside over the election of their successor, unless they are unable to do so, in which case the current Deputy Mayor will do so. If the Deputy Mayor is ineligible to do so, due to the principle that a Councillor should not preside over their own election, the Monitoring Officer will **call for a motion that a non-executive Member of the Council take the chair to** preside for the first agenda item of business to Elect the Mayor. In the case of an equality of votes, the person presiding at the meeting, ~~provided they are a councillor,~~ shall give a casting vote in the case of an equality of votes”.

- (b) CPR 4.2 – Business at Extraordinary Meetings (page 37 of the Council agenda): Amend paragraph (vi) so that it reads as follows:

“(vi) consider the items of business for which the extraordinary meeting has been called, **and deal with any business remaining from the last Council meeting.**”

- (c) CPR 15.12 - Motions which may be moved during debate (page 52 of the Council agenda): Amend first paragraph so that it reads as follows:

“When a motion is under debate, no other motion may be moved except the following procedural **or closure** motions, which may be moved by a member, without comment, at the end of a speech by another member.”

- (d) CPR 25.4 – Leader of the Council (page 62 of the Council agenda): Amend the first paragraph so that it reads:

“The Leader of the Council, or Deputy Leader in their absence, may attend any meeting of a Committee and speak **once** on any item

under consideration as of right, unless they have a relevant interest in the matter that would preclude them from being present.”

Reasons:

- Adoption of the new Council Procedure Rules will ensure that both Guildford and Waverley Borough Councils have adequate arrangements in place to deal with the conduct of business at council meetings in an effective and efficient manner that meets statutory requirements.
- Adoption of the new Council Procedure Rules will be a significant milestone in the process of aligning the constitutions of GBC and WBC where it is appropriate to do so.

CO127 REVIEW OF EXECUTIVE ADVISORY BOARDS AND OVERVIEW & SCRUTINY

The Council noted that the Executive Advisory Boards (EABs) and the single Overview & Scrutiny (O&S) Committee had been established in 2016, following a review of the Council’s internal governance arrangements in 2015. The EABs had been based on a model adopted at that time by two district councils in Kent. In essence, their purpose was to increase backbench member involvement in significant Executive decisions, by advising the Executive at an early stage on the formulation and development of policies and major projects that will help to deliver the Council’s strategic priorities within its Corporate Plan.

When the new arrangements were introduced, much of the work of the then existing two O&S Committees (including policy development) transferred to the EABs and the new O&S Committee was responsible primarily for post-decision review of Executive decisions and wider external scrutiny, including task and finish group investigations.

The remits of the EABs were originally aligned to the themes of the Corporate Plan in place at the time of their establishment. Latterly, they had been linked to the corporate management structure of the Council (Resources EAB and Community EAB).

The EABs also met jointly to consider matters of significant mutual interest, including consideration of draft budget papers each year. They had no substantive decision-making powers. The EABs and O&S Committee met in public, and all meetings were webcasted, and their proceedings were subject to Part C of the Council Procedure Rules (relating to committees), Public Speaking Procedure Rules, Access to Information Procedure Rules, and (for O&S) the Overview and Scrutiny Procedure Rules as set out in Part 4 of Guildford’s Constitution.

The Council acknowledged that, since May 2023, the EABs had met on just three occasions (two of which were joint meetings of the two EABs) with most scheduled meetings having been cancelled due to lack of business, or due to the business that had been scheduled on their work programme being postponed for a number of reasons.

At its informal briefing on 14 February 2024, the Executive considered a briefing note on the future of the EABs and their role within the Council's democratic governance processes, particularly in the context of the O&S function. The chairs and vice-chairs of the EABs and the O&S Committee had been invited to the briefing meeting to participate in the discussion and to offer their views. The chair and vice-chair of the O&S Committee and one of the EAB vice-chairs attended and were generally supportive of the proposals to disband the EABs and the existing O&S Committee and replace them with two new O&S Committees.

This matter had also been discussed at the meeting of the Joint Constitutions Review Group (JCRG) held on 28 March 2024. The JCRG supported the proposals and commended them for consideration by the Corporate Governance & Standards Committee at its special meeting held on 11 April 2024. The Committee had also endorsed the proposals and recommended their adoption by the Council.

Upon the motion of the Lead Councillor for Regulatory & Democratic Services, Councillor Merel Rehorst-Smith, seconded by Councillor James Walsh, the Council:

RESOLVED:

- (1) That the proposal to disband the two EABs and the single O&S Committee and to replace them with two new Overview and Scrutiny Committees (Option 3 referred to in the report submitted to the Council), be adopted and implemented with effect from the 2024-25 municipal year.
- (2) That the draft Terms of Reference of the two proposed new Overview and Scrutiny Committees, as set out in Appendix 3 to the report submitted to the Council, be adopted, subject to the addition of the following after paragraph 1.4:

'1.5 General terms of reference

Each Overview and Scrutiny Committee may:

- (a) *appoint such formal sub-committees and informal task and finish groups as they consider appropriate to fulfil the Council's overview and scrutiny functions,*
- (b) *approve an overview and scrutiny work programme so as to*

ensure that each Committee's time is effectively and efficiently utilised,

- (c) *undertake investigations into such matters relating to the Council's functions and powers as:
 - (i) *may be referred by the Leader/Executive, or*
 - (ii) *the Committee may consider appropriate.**
- (d) *consider petitions received under the adopted Petition Scheme that fall into the following categories:
 - *petitions requiring a senior officer to give evidence to the Committee, and*
 - *a request from a petition organiser, who is not satisfied with the Council's response to a petition, for a review of the adequacy of the steps taken or proposed to be taken in response to the petition.'**

- (3) That the operation of the new Overview and Scrutiny Committees be reviewed after 12 months.

Reason:

To ensure that the Council is able to demonstrate that it discharges its overview and scrutiny function more effectively.

CO128 APPOINTMENT OF JOINT STRATEGIC DIRECTOR OF FINANCE/SECTION 151 OFFICER

The Council noted that Section 151 of the Local Government Act 1972 required local authorities to make arrangements for the proper administration of their financial affairs and appoint a Section 151 Officer, also known as a Chief Finance Officer, to have responsibility for those arrangements.

Due to the changes to the Corporate Management Board structure and the advertising of the permanent role of Joint Strategic Director of Finance/Section 151 Officer a permanent appointment was required to ensure that both Councils met their statutory requirements.

Following the advertising of the permanent role, one application had been received, from the current interim S151 Officer, Richard Bates. Mr Bates had been in the role of interim Executive Head of Finance/ S151 Officer since 17 July 2023, and, latterly, the role of Interim Joint Strategic Director of Finance. At its meeting on 12 April 2024, the Joint Senior Staff Committee (JSSC) conducted an interview of Mr Bates for the permanent role of Joint Strategic Director of Finance/Section 151 Officer and had recommended unanimously to confirm his

formal appointment to that role at the full meetings of both Guildford and Waverley Borough Councils to be held respectively on 16 and 23 April 2024.

It was noted that any formal offer of appointment was subject to no material or well-founded objection being made by either of the two Council Leaders on behalf of their respective Executives in accordance with the provisions of Paragraph 5 of Part II of Schedule 1 to the Local Authorities (Standing Orders) (England) Regulations 2001. The Council was informed that no such objection had been received in respect of this appointment.

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

RESOLVED: That, subject to the agreement of Waverley Borough Council at its full Council meeting on 23 April 2024, confirmation of a formal offer of appointment to the role of Joint Strategic Director of Finance, and designation as Section 151 Officer, for both Guildford and Waverley Borough Councils be made to Richard Bates, subject to a salary of £127,850 per annum.

Reasons:

- Section 151 of the Local Government Act, 1972 required that local authorities had in place arrangements for the proper administration of their financial affairs.
- Richard Bates was a qualified Accountant and experienced local authority Chief Financial Officer. He had held the S151 Officer role at Dorset County Council and interim S151 Officer at Mendip District Council
- Richard Bates had been carrying out the responsibilities of the role of interim Executive Head of Finance/S151 Officer at both authorities since 17 July 2023 and, latterly, the role of Interim Joint Strategic Director of Finance.

The meeting finished at 7.50 pm

Signed

Mayor

Date