

GUILDFORD BOROUGH COUNCIL

Draft Minutes of a meeting of Guildford Borough Council held at Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Wednesday 28 July 2021

* The Mayor, Councillor Marsha Moseley (Mayor)

* The Deputy Mayor, Councillor Dennis Booth (Deputy Mayor)

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| Councillor Paul Abbey | * Councillor Ted Mayne |
| * Councillor Tim Anderson | * Councillor Julia McShane |
| * Councillor Jon Askew | * Councillor Ann McShee |
| * Councillor Christopher Barrass | * Councillor Bob McShee |
| * Councillor Joss Bigmore | * Councillor Masuk Miah |
| * Councillor David Bilbé | * Councillor Ramsey Nagaty |
| * Councillor Richard Billington | Councillor Susan Parker |
| * Councillor Chris Blow | * Councillor George Potter |
| * Councillor Ruth Brothwell | Councillor Jo Randall |
| * Councillor Colin Cross | * Councillor John Redpath |
| * Councillor Guida Esteves | * Councillor Maddy Redpath |
| * Councillor Graham Eyre | * Councillor John Rigg |
| Councillor Andrew Gomm | * Councillor Tony Rooth |
| * Councillor Angela Goodwin | Councillor Will Salmon |
| * Councillor David Goodwin | * Councillor Deborah Seabrook |
| * Councillor Angela Gunning | * Councillor Pauline Searle |
| * Councillor Gillian Harwood | * Councillor Paul Spooner |
| * Councillor Jan Harwood | * Councillor James Steel |
| Councillor Liz Hogger | * Councillor Cait Taylor |
| * Councillor Tom Hunt | Councillor James Walsh |
| * Councillor Diana Jones | Councillor Fiona White |
| * Councillor Steven Lee | * Councillor Keith Witham |
| * Councillor Nigel Manning | * Councillor Catherine Young |

*Present

CO28 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Paul Abbey, Andrew Gomm, Liz Hogger, Susan Parker, Jo Randall, Will Salmon, James Walsh, and Fiona White.

CO29 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO30 MINUTES

The Council confirmed, as a correct record, the minutes of the combined Annual Meeting and Selection Meeting held on 19 May and the extraordinary meeting held on 6 July 2021. The Mayor signed the minutes.

CO31 MAYOR'S COMMUNICATIONS

The Mayor reported that, since the last Council meeting, the Borough had continued to open up and highlighted a few of the events that she had had the privilege of attending:

On Thursday 8 July, along with the Deputy Mayor, the Mayor visited Oakleaf Enterprise, a charity based in the town whose aim was to transform the lives and futures of adults managing their mental health and help them secure the skills, confidence and training needed to return to

the workplace. Notwithstanding the huge impact of Covid on their operations, the Mayor congratulated them for adapting so quickly and being able to help and support their most vulnerable clients during the pandemic.

On Saturday 17 July 2021 the Mayor was a judge in the Children's Business Fair held in the High Street, which gave young entrepreneurs aged between 7 and 17 the opportunity to launch their very own business, sell to real customers and make their own money. There were over 40 stands with a wide variety of products and judging was tough in the four categories: Best Product, Best Stand, Best Sales Presentation and Judge's Choice.

On 21 July, the Mayor had the honour of re-opening the refurbished Clubhouse at Burpham Bowling Club, in the company of at least 16 Chelsea Pensioners. Following the formalities, the Pensioners went on to bowl impressively in the very extreme heat.

On 23 July, the Mayor attended the 25th anniversary AGM of the Friends of Guildford Museum. The Friends were a local Group who had supported the Museum with volunteers and fund raising. Over the years, they had experienced waves of excitement and disappointment as plans for the museum had fallen through. However, the reopening of the museum after the pandemic, and the appointment of a new Heritage Manager had offered a fresh start. They had already met with the Heritage Team to discuss how they could help support the creation of a lively programme that will attract visitors.

CO32 LEADER'S COMMUNICATIONS

The Leader reported that the vaccination centre at G Live closed in the previous week with a new centre opening at George Abbot School, Burpham later this week. The Leader noted that more than 80 percent of the people in the Borough had now been vaccinated and urged those who had not yet been vaccinated to visit the NHS website and to book an appointment.

The Leader was pleased to see the recent data that coronavirus cases were falling, both locally and nationally, but still reminded everyone to respect the guidelines.

The Leader informed the Council that this week was Keep Britain Tidy's *Love Parks Week*, which was a chance to celebrate the Council's award-winning parks and green spaces and to remember the importance of looking after them. The Leader thanked the Parks and Countryside Team for maintaining them all year round so that residents and visitors could enjoy the mental and physical health benefits of using the parks.

Councillors noted that the Farmers' Market returned to Guildford High Street on 3 August 2021 from 10.30 am to 3.30 pm with up to 50 local producers selling fresh fruit and vegetables, poultry and meats, and handmade crafts.

The Leader informed the Council that a new online housing register had been launched this week.

Finally, the Leader reported that he had agreed to clarify the portfolio responsibilities of the Lead Councillor for Climate Change, by including Air Quality in his portfolio.

CO33 PUBLIC PARTICIPATION

No members of the public had given notice of their wish to ask a question or make a statement.

At this point, a member the public interrupted proceedings and the Mayor adjourned the meeting. Following a short delay, the meeting resumed.

CO34 QUESTIONS FROM COUNCILLORS

- (a) Councillor Ramsey Nagaty asked the Leader of the Council, Councillor Joss Bigmore, the following question:

“Following the press release issued by the Council on 17 May 2021, which stated that ‘We have started to review the Guildford Local Plan and the evidence behind it’, may I please ask the Leader of the Council:

- (1) To provide an update on progress with the review, and in particular progress with the appointment of a top level experienced independent Planning Expert or Barrister, who will take a fresh view and approach to this review, and to assist objectively and advise the best ways forward; and*
- (2) To put in place a working group to progress the review urgently.”*

The Leader’s response was as follows:

- “(1) Officers have undertaken initial work reflecting the steps to be followed in order to review the Local Plan. This is based on published Planning Advisory Service guidance. I have agreed with our Strategic Services Director that this work should be expanded to incorporate a ‘roadmap’ reflecting the appropriate route to not only review the Local Plan, but also update the Plan’s Evidence Base. In parallel, the process of reviewing the Local Plan transport evidence base, as part of the wider review process, is being progressed with Surrey County Council and Highways England. Independent expertise will be drawn on as and when necessary during the process.*
- (2) Councillors Jan Harwood, John Rigg, and Tim Anderson have been providing input to this process. I will take under consideration whether to invite a formal working group to consider the ‘roadmap’ when it is delivered in the week commencing 6 September”.*

In response to a supplementary question, asking whether the Council needed a strongly motivated chairman, together with an experienced independent planning expert to plan the route of the “roadmap” without further delay, the Leader of the Council stated that he was confident that the strong leadership required was already in place and that he would be calling on independent experts whenever necessary.

The Leader was also asked to whom the roadmap would be delivered and whether it would include a scope of what the review would look like and the level of priority to be given to the review of the Local Plan, notwithstanding the forthcoming consideration of the Local Plan Development Management Policies (DMP). The Leader confirmed that the DMP would be considered by the Joint EAB in September 2021, and that the timetable allowed the roadmap to

be produced and delivered to him in early September. The Leader would take into consideration who then should consider it further, and that until the roadmap was produced, he could not add any further detail about timescales or urgency but gave an assurance that the Council would be updating the Local Plan, to include a Town Centre Masterplan, as soon as possible.

In response to a further question as to what impact, if any, does the review of the Local Plan have on the scheduling and timing of the remainder of the Local Plan, the Leader stated that he could not answer the question until he saw the roadmap.

- (b) Councillor Ramsey Nagaty asked the Deputy Leader and Lead Councillor for Climate Change, Councillor Jan Harwood, the question set below. (Councillor Harwood's response to each element of the question is set out in red type below.)

"There is considerable concern from residents of Shalford regarding progress with managing the Air Quality Management Area (AQMA) in Shalford. Could the Lead Councillor for Environment kindly confirm:

- (1) *what actions have been taken to address the air quality issues so far?*

"The Council understands the residents' concerns about air quality within the AQMA in Shalford and wants to work with local residents, ward councillors, Surrey County Council and the Parish Council in achieving compliance with air quality limits. This is a really challenging issue to solve as the predominant source of emissions is domestic cars as they drive along the main road through the village.

The Council has an Air Quality Action Plan for Shalford which details the actions the Council is planning on taking to address the AQMA. A number of measures and initiatives, which will improve air quality, or raise awareness, are already being implemented in the Guildford area. These are not focussed specifically in Shalford but assist in reducing emissions more generally and increasing awareness of air quality, travel choice and choice of vehicle. These include easitGUILDFORD and an Electric Vehicle charging network pilot study.

Officers have started some early discussions on some of the Shalford specific measures such as improvements to cycle paths plus bus and train improvements and hope to make more progress this year. These are really challenging measures and will require support from partners to deliver improvements."

- (2) *what impact has this had on the air quality within the AQMA?*

"The impact is unknown at this stage particularly as air quality at this time is not representative of normal traffic patterns".

- (3) *what actions will be taken going forward in light of the current pollution levels recorded as may be adjusted for the reduced traffic during the Pandemic?*

"The reduction in traffic during the height of the pandemic was reflected in our air quality monitoring across the Borough and therefore monitoring data during this period alone will not be used to make any key decisions about air quality. More recent results suggest traffic levels are starting to increase in parallel with the easing of restrictions".

- (4) *when will the monitoring information to date, and any plans covering both Shalford and the wider Guildford area, be published for residents to see?"*

"Our air quality monitoring results for the whole Borough are published on the Council's website. Please note that this is the raw data, and a valid bias factor must be applied for interpretation purposes.

<https://www.guildford.gov.uk/article/19807/Find-out-how-we-monitor-air-quality-and-pollution>

The 'Annual Status Report' submitted to DEFRA reviews the previous year's air quality monitoring and follow up actions. Once approved by DEFRA this year's report will be available on the Council's website".

In response to a supplementary question asking the Lead Councillor to consider urgently the proposal for a park and ride facility at Stonebridge Wharf, which assist greatly in resolving some of the town centre traffic and air quality issues, the Lead Councillor stated

that the Council was working with Highways England and Surrey County Council on a range of short and longer-term solutions.

- (c) Councillor Paul Spooner asked the Lead Councillor for Resources, Councillor Tim Anderson, the question set below. (Councillor Anderson's response to each element of the question is set out in **red type** below.)

"The Council acquired Liongate in 2013 following the financial crisis and during a period when investment in property still enabled significant return on investment for rental properties, as demonstrated by the significant rental income obtained over the period the Council retained ownership of the property.

However, the Council disposed of this asset in 2020 at a significant loss on the apparent basis that the Executive were informed that a conversion to residential could not be obtained, and the property was sold through private treaty (not public auction as claimed by the Leader) on an unconditional basis, without overage or any other clause to enable best value to be obtained should a new owner be successful in obtaining planning permission from the Local Planning Authority (GBC). In a very short period after disposal the new owners were able to obtain not one but two planning permissions for residential conversion and this has left the Council with a substantial loss to the residents of Guildford and no opportunity to use the site for affordable rent or social rent for the many residents who could have benefitted from retention and investment in the site, and a significant increase in book value for the Council Tax-payers of the Borough.

I ask that the Executive launch an urgent and thorough independent investigation into how this occurred. The decisions made are difficult to understand on so many levels and we need to understand what went wrong that resulted in a £3m loss between purchase and sale value and the lost opportunity for much needed Council housing.

In particular, I would like to ask the Lead Councillor for Resources:

- 1. Why was this property disposed of and not regenerated by the Council for much needed housing? Permitted Development rights would show that residential use would be readily obtained (as it was)?*

"In September 2018, pre-empting the tenant actioning their break, the Council commissioned Lambert Smith Hampton (LSH) to prepare an Options Appraisal for Liongate on the potential future uses of the site.

The report reviewed the relative merits of each option and provided a high-level range values for each and their view on demand/risk factors. To inform this a site survey, Flood Risk assessment and pre-planning advice were also commissioned.

- Refurbishment by GBC for continued office use - **£4.0 - £5.0 million***
- Sale for residential with prior approval for PD - **£8.5 - £9.5 million***
- Sale for residential use - **£7.0 - £8.0 million***
- Sale for retirement living/care home – Extra Care: **£8.5- £9.5 million**, Retirement: **£7.5- £8.5 million***
- Sale/pre-let as a hotel - **£5.0 - £5.5 million***
- Sale for retail use - **£5.0 - £5.5 million***
- Sale for self-storage use - **£4.0 - £5.0 million***

The option to redevelop the site for housing internally was discussed with the Director of Community Services but dismissed due to the complexities of the site and the lack of in-house expertise."

2. On what basis was the property considered for use by the Council (if at all)?

“See above. In addition, the Council did consider relocating its operations to the site and releasing Millmead, but it was agreed that the site was unsuitable”.

3. Why wasn't a Permitted Development Planning Certificate put in place before the property was offered in the market, with the clear added value if that had happened?

“In September 2018, pre-empting the tenant actioning their break, the Council commissioned LSH to prepare an Options Appraisal for Liongate on the potential future uses of the site.

The report reviewed the relative merits of each option and provided a high-level range values for each and their view on demand/risk factors. To inform this a site survey, Flood Risk assessment and pre-planning advice were commissioned. The flood risk assessor was in dialogue with the EA to produce their report. However, the EA was not very forthcoming with information.

The pre-planning advice stated:

“Sale for residential with prior approval for Permitted Development. The building is located within flood zone 3b. Residential uses fall within 'more vulnerable' as identified in the Flood Risk Vulnerability Classification of the NPPG. In Flood Zone 3b residential development should not be permitted. As such there is an in-principle objection. Any prior approval application would need to be accompanied by a site-specific flood risk assessment. We would consult the Environment Agency on any prior approval application. However, I must advise it is unlikely that prior approval would be granted, given the identified flood risk and 'more vulnerable' use.”

After commissioning a new and more involved flood risk assessment (using a different Assessor who had had success at Stoke Mill and a good dialogue with the EA) we received further advice from planning including the following statement from Planning dated 17 October 2019:

“As discussed, I'm not aware the LPA has considered any office to resi PD prior approvals in flood zone 3 so we don't have a lot of precedents to draw on. What I can say is that we have strongly resisted resi and student schemes in flood zone 3 where these have been subject to applications for planning permission. I think it would be hard for a scheme to pass the sequential and exception tests for resi on this site if planning permission was sought, but this will be something that needs to be considered and demonstrated by the applicant.”

Given the issues around planning and to take advantage of any interest, it was decided not to try to obtain prior approval but perform a full marketing campaign on an 'any offer' basis and asked potential purchaser to rely on the advice given in the new FRA (attached as Appendix 1 to this Order Paper) which stated that:

“Based on the modelling the site is concluded to be outside the Functional Floodplain (i.e. the 1 in 20-year event). As such the policy within Guildford Borough Council's Local Plan that states that development within Flood Zone 3b should not increase the existing vulnerability classification does not apply. A proposed change of use application in this location can therefore be considered acceptable provided suitable flood resilience and resistant approaches be included within the scheme.”

This enabled the Council to obtain the full value for the site without the risk and cost of applying for PD approval and it being rejected which would have significantly reduced the value of the site”.

4. *Who authorised the property being sold at a £3m loss? I am not aware of any similar property that was valued in 2013 and then again in 2020 that ‘achieved’ such a loss in property value?*

“The matter was approved by the Executive on 29 November 2019 - minute EX65.

The property was recorded in accounts as being sold for £10,820,000 (£10,170,000 + £700,000- £50,000 deposit). £108,463 of costs (legal, marketing, security, dilaps surveys) was deducted. This made a total capital receipt in accounts of **£10,711,536.93**. £850k was written out to I&E on disposal – investment properties hit I&E each year - both upward and downward.

For information, valuation history is:

2013-14 purchase £13m

2014-15 £13.865m

2015-16 £14m

2016-17 £14.35m

2017-18 £14.42m

2018-19 £13m

2019-20 £12.15m

The void also led to a loss of rental of £980,000pa. Whilst the property remained vacant there was empty premises business rates liability of £125,000, meaning that the budgeted income shortfall was £1.105m per annum. There were also escalating costs around utilities and security.

Please also see best consideration letter from agent (attached as Appendix 2 to this Order Paper).”

5. *Why was the Council apparently so concerned by EA speculation that flood risk would make Residential conversion impossible given residential permission was so readily given by the same Council as LPA?*

“Pre-application advice highlighted that the site is located within Flood Zone 3b which carries significant constraints in terms of planning policies and flood risk concern. Consent was sought through the Prior Approval route and therefore only specific matters could be considered. The first two Prior Approval applications (19/W/00109 and 19/W/00110) were both refused on these grounds carrying objections from the Environment Agency. Therefore, this would highlight that the initial concerns were valid.

The following application, 20/W/00021, included a significant amount of additional information in respect of this matter and changes to the scheme as result the Environment Agency raised no objection to this application and as a result the Prior Approval application was approved.”

6. *Why didn't the Council write in an overage clause?*

“The purchaser was buying the site for residential conversion and was, in their view, paying a price based on the assumption they would obtain prior approval for that use.

The next highest (i.e. lower) residential bid was in fact conditional on getting prior approval.

An overage clause is generally included in a commercial property/land sale contract and is used by the selling party for them to receive additional funds after the sale has been completed and an agreed 'trigger event' has taken place. The Council did request an overage payment but as the price already was a full price based on the assumption that they would obtain planning, an overage clause was unacceptable to the bidder”.

Given this Council’s decision to hold independent enquiries on small matters such as Burchatts Farm Barn, this certainly justifies a formal and extensive investigation and report to the Council Tax payers in Guildford.”

“In this case, I believe an independent investigation is unnecessary. Previous investigations were seen to be necessary to uncover information to better understand the circumstances which led to a particular situation and the decision-making process. This time we are in possession of many committee meeting papers which were presented and minutes documenting conclusions. Additionally, we have reports from consultants on a wide range of options which were analysed and considered before decisions were made. The response to the six parts of the question above is comprehensive and has provided an opportunity to present an accurate picture which corrects assertions made in a political leaflet. Lastly, I do not question the original decision to acquire Liongate, but others may well do.”

In a supplementary question, the Lead Councillor was asked whether he would reconsider the request for an investigation, even if it was an investigation that involved an internal working group or the Executive, in order to understand this process and how the Council ended up in the current situation. The Lead Councillor’s response was that a great deal of information on this matter had already been made public, including two supplementary reports from consultants, to provide extensive answers to the original question.

In response to a further question as to:

- (a) whether or not, once rent was taken into account, a net loss was made to the tax payer as a result of this property investment and
- (b) whether at the time of the sale the Overview and Scrutiny Committee expressed any interest in exercising its right to call in the decision to sell the property and whether that Committee could, if it wished, look at this further if it felt that further scrutiny was appropriate

the Lead Councillor responded by stating that there had been ten bidders for the property and the highest bid was taken which was a little over £10 million, which removed the building from our books. If it had stayed on our books, the Council would have had an empty property incurring substantial costs such as rates and security and would have had to forgo a loss of nearly £1 million in rent. The decision to sell at the time had been the right decision. The Lead Councillor did not know whether it was in his power to agree to further scrutiny of the decision but stated that he could not see any merit in doing this.

In response to a question on whether the Lead Councillor would organise a meeting for the Lead Councillor for Regeneration to meet with interested councillors to explain to them how investment property worked, the Lead Councillor stated that if Lead Councillor for Regeneration was willing to do this, then he would like to join that meeting.

Finally, in response to a further question which asked why, bearing in mind the expert report which stated that permitted development rights could be secured for the building for residential use, the Council did not pursue that course of action, the Lead Councillor responded by stating

that permitted development had been applied for twice and refused and the third time it was obtained so getting permitted development was never going to be easy because the building was in a flood plain. The property was in an extremely poor position and buying it to refurbish it into residential would have been an extremely risky and speculative proposition.

CO35 LOCAL GOVERNMENT COLLABORATION UPDATE

Councillors were reminded that following consideration of opportunities for greater partnership working with Waverley Borough Council, the Council at its extraordinary meeting on 6 July 2021 had resolved:

- (1) to pursue the option of creating a single management team with Waverley Borough Council, comprised of statutory officers (Head of Paid Service; Chief Finance Officer; Monitoring Officer), directors and heads of service as the most appropriate means for bringing forward business cases for future collaboration;
- (2) to begin making arrangements for a recruitment and selection of a single joint Chief Executive (acting as Head of Paid Service for both Guildford and Waverley Borough Councils); and
- (3) to submit to the Council at this meeting a report on the following matters:
 - (a) heads of terms for the proposed inter-authority agreement to establish governance arrangements for joint working;
 - (b) the proposed job description and terms and conditions in respect of the appointment of a Joint Chief Executive; and
 - (c) the establishment of a joint appointments committee, including its composition and terms of reference.

The Council considered a report which provided an update on the collaboration and had set out the information referred to above for further agreement.

The Council noted that at its meeting on 22 July, the Employment Committee had agreed to commend the proposed role profile (job description) in respect of the appointment of a Joint Chief Executive (Appendix 2 to the Council report) and also the proposed terms of reference and composition of the Joint Appointments Committee for approval by the Council (Appendix 4 to the Council report).

Since the publication of the agenda on 20 July, a revised version of the draft Heads of Terms for the proposed Inter Authority Agreement had been drafted, a copy of which had been circulated to all councillors on 22 July.

The Leader of the Council, Councillor Joss Bigmore proposed, and the Deputy Leader, Councillor Jan Harwood seconded the following motion:

- “(1) To note the revised early draft of the Heads of Terms of the Inter Authority Agreement contained in Appendix 1 to the report submitted to the Council, and that significant further work is necessary to clarify the detail required to agree the Heads of Terms, and that a further report will be submitted to the Council to agree the final Heads of Terms.
- (2) To approve the draft job description, subject to consultation, in respect of the appointment of a Joint Chief Executive as set out in Appendix 2 to the report; and to agree the following as recommended by South East Employers in their paper outlining human resources issues, as set out in Appendix 3:

- (a) That the title of the new role be Joint Chief Executive (rather than Joint Managing Director).
 - (b) That the employing authority should be the existing employer if an internal candidate is appointed.
 - (c) That the salary for the new Joint Chief Executive post be a spot salary of £150,000 p.a. including all allowances, duties, and statutory responsibilities with the exception of election duties.
 - (d) That the new Joint Chief Executive post is ring-fenced for recruitment from the internal pool of affected employees in the first instance and that if no internal appointment is made then the role shall be advertised externally.
 - (e) That, subject to final approval by the Joint Appointments Committee the terms and conditions of employment for an internal appointment will be the existing terms and conditions of the employing authority.
- (3) To approve the establishment of a Joint Appointments Committee and its proposed composition and terms of reference, as set out in Appendix 4.
- (4) Subject to paragraph (3) above, to confirm the following appointments to the Joint Appointments Committee:
- The Leader of the Council, Councillor Joss Bigmore
 - The Deputy Leader of the Council, Councillor Jan Harwood
 - Councillor Paul Spooner
- (5) To agree that redundancy and any settlement costs incurred as a result of moving to a Joint Chief Executive shall be shared equally between the Councils and that any pension strain costs (if applicable) will remain the responsibility of the employing authority of the affected officer. It is noted that the cost sharing arrangement for the remainder of the collaboration project will form part of the Inter Authority Agreement.
- (6) To agree that the costs referred to in paragraph (5) above be funded from General Fund reserves.”

Under Council Procedure Rule 15 (o), Councillor Bigmore as the mover of the original motion, indicated that, with the consent of his seconder and of the meeting, he wished to alter his motion as follows:

Insert the following in the first line of paragraph (2) of the motion after “*subject to consultation*”:

“...and to the inclusion of the following additional line in the person specification under the heading ‘Experience’:

‘Strong level of digital literacy and proficiency, including traditional office software suites (e.g. M/S Office packages) and modern ways of working (e.g. video conferencing, remote working); a proven track record of embracing digital approaches and new ways of working to meet organisational needs. (listed as ‘E’ Essential)’”

The Council agreed to accept the alteration to the original motion, as indicated above. The motion, as altered, therefore became the substantive motion for debate.

During the debate, as it was necessary to discuss the information contained in the “Not for Publication” appendices to the report, the Council, upon the motion of the Mayor, Councillor Marsha Moseley, seconded by the Deputy Mayor, Councillor Dennis Booth

RESOLVED: That under Section 100A (4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for consideration of Appendices 1, 2, and 3 to the report submitted to the Council on the grounds that they involved the likely disclosure of exempt information, as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A to the 1972 Act.

Following discussion of the information contained in the exempt appendices and having considered the advice of Jennifer McNeil of South East Employers in that regard the Council moved back into public session.

Following the debate on the substantive motion, the Council

RESOLVED:

- (1) To note the revised early draft of the Heads of Terms of the Inter Authority Agreement contained in Appendix 1 to the report submitted to the Council, and that significant further work is necessary to clarify the detail required to agree the Heads of Terms, and that a further report will be submitted to the Council to agree the final Heads of Terms.
- (2) To approve the draft job description, subject to consultation and to the inclusion of the following additional line in the person specification under the heading 'Experience':

'Strong level of digital literacy and proficiency, including traditional office software suites (e.g. M/S Office packages) and modern ways of working (e.g. video conferencing, remote working); a proven track record of embracing digital approaches and new ways of working to meet organisational needs.
(listed as 'E' Essential)

in respect of the appointment of a Joint Chief Executive as set out in Appendix 2 to the report; and to agree the following as recommended by South East Employers in their paper outlining human resources issues, as set out in Appendix 3:

- (a) That the title of the new role be Joint Chief Executive (rather than Joint Managing Director).
 - (b) That the employing authority should be the existing employer if an internal candidate is appointed.
 - (c) That the salary for the new Joint Chief Executive post be a spot salary of £150,000 p.a. including all allowances, duties, and statutory responsibilities with the exception of election duties.
 - (d) That the new Joint Chief Executive post is ring-fenced for recruitment from the internal pool of affected employees in the first instance and that if no internal appointment is made then the role shall be advertised externally.
 - (e) That, subject to final approval by the Joint Appointments Committee the terms and conditions of employment for an internal appointment will be the existing terms and conditions of the employing authority.
- (3) To approve the establishment of a Joint Appointments Committee and its proposed composition and terms of reference, as set out in Appendix 4.
 - (4) To confirm the following appointments to the Joint Appointments Committee:
 - The Leader of the Council, Councillor Joss Bigmore
 - The Deputy Leader of the Council, Councillor Jan Harwood
 - Councillor Paul Spooner
 - (5) To agree that redundancy and any settlement costs incurred as a result of moving to a Joint Chief Executive shall be shared equally between the Councils and that any

pension strain costs (if applicable) will remain the responsibility of the employing authority of the affected officer. It is noted that the cost sharing arrangement for the remainder of the collaboration project will form part of the Inter Authority Agreement.

- (6) To agree that the costs referred to in paragraph (5) above be funded from General Fund reserves.

Reason:

To approve the initial documents and governance required to progress the collaboration with Waverley Borough Council.

CO36 PERIODIC ELECTORAL REVIEW OF GUILDFORD BOROUGH COUNCIL - WARDING PATTERNS SUBMISSION

The Council considered a report setting out the product of the work of the Electoral Review Working Group in respect of the Council's proposed submission to the Local Government Boundary Commission for England (LGBCE) on ward patterns.

The purpose of an electoral review was to consider the total number of councillors elected to the council, the names, number and boundaries of the wards, and the number of councillors to be elected to each ward.

The Council at its extraordinary meeting held on 17 December 2021 had approved a submission on a future council size of 48 councillors to the LGBCE. The LGBCE had announced on 19 January 2021 that it was minded to make a recommendation that the Council's future size remained at 48 councillors.

As part of the next process of the Electoral Review, the LGBCE began a consultation on ward patterns for a council size of 48 councillors on 26 January 2021, ending on 2 August 2021.

The Working Group had met on eight occasions to produce and refine the warding patterns submission together with the accompanying maps. An informal briefing of all councillors was held on 7 July 2021 to enable the Working Group to share their initial proposals, including maps showing proposed alterations to ward boundaries and a discussion of the approach taken by the Working Group in arriving at their proposals. All councillors had been sent a link to the recording of the briefing, together with a link to view the various maps, and asked to submit any comments or proposals to the working group for consideration. A number of suggested adjustments to boundaries had been suggested and these were investigated further by the Working Group and had resulted in a modification of the proposed pattern of wards.

The Chairman of the Working, Councillor Tony Rooth proposed, and Councillor Colin Cross seconded the following motion:

"That the Warding Patterns Submission, attached at Appendix 1 to the report submitted to the Council, be approved, and presented to the Local Government Boundary Commission for England, together with the accompanying maps at Appendix 2."

Under Council Procedure Rule 15 (o), Councillor Rooth as the mover of the original motion, indicated that, with the consent of his seconder and of the meeting, he wished to alter his motion as follows:

Insert the following as paragraph (2) of the motion:

"(2) That a Working Group be formed to consider and make long term recommendations (beyond 2026) regarding the suitable redrawing of borough and parish ward boundaries including the possible creation of new parish councils, taking account of implementation of

new housing development on Local Plan Strategic Sites, and that such recommendations be used as follows:

- (a) *to consider in respect of borough ward boundaries, seat allocations, and associated arrangements whether to request a further electoral review by the Local Government Boundary Commission for England, and*
- (b) *to consider whether the Council should conduct a community governance review of relevant parished areas with a view to identifying appropriate revisions to existing parish boundaries and possible creation of new parish councils.”*

The Council agreed to accept the alteration to the original motion, as indicated above. The motion, as altered, therefore became the substantive motion for debate.

Following the debate on the substantive motion, the Council

RESOLVED:

- (1) That the Warding Patterns Submission, attached at Appendix 1 to the report submitted to the Council, be approved, and presented to the Local Government Boundary Commission for England, together with the accompanying maps at Appendix 2.
- (2) That a Working Group be formed to consider and make long term recommendations (beyond 2026) regarding the suitable redrawing of borough and parish ward boundaries including the possible creation of new parish councils, taking account of implementation of new housing development on Local Plan Strategic Sites, and that such recommendations be used as follows:
 - (a) to consider in respect of borough ward boundaries, seat allocations, and associated arrangements whether to request a further electoral review by the Local Government Boundary Commission for England, and
 - (b) to consider whether the Council should conduct a community governance review of relevant parished areas with a view to identifying appropriate revisions to existing parish boundaries and possible creation of new parish councils.

Reasons:

- (1) To respond to the LGBCE's invitation to make a Warding Patterns submission as part of the periodic electoral review of Guildford Borough Council.
- (2) To ensure the Council is able to respond appropriately to changing circumstances beyond 2026.

CO37 OVERVIEW & SCRUTINY ANNUAL REPORT 2020-21

The Council considered a report which outlined the work undertaken by overview and scrutiny during the past municipal year and its future work programme 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 2020-21, four decisions had been taken under the urgency provisions of the Overview and Scrutiny Procedure Rules, and no Executive decisions had been called-in.

The report had also been considered by the Overview and Scrutiny Committee at its meeting on 13 July 2021. The Committee had commended the Annual Report to Council.

Upon the motion of Councillor Paul Spooner, seconded by Councillor Deborah Seabrook, the Council

RESOLVED:

- (1) That the report be commended as the annual report of the Overview and Scrutiny Committee for 2020-21.
- (2) That the current rules relating to call in or urgency provisions remain unchanged.

Reasons:

- Article 8.2(d) of the Council's Constitution required 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.
- Overview and Scrutiny Procedure Rule 16(i) required the operation of the provisions relating to call-in and urgency to be monitored annually and a report submitted to Full Council with proposals for review if necessary.

CO38 APPOINTMENT OF HONORARY ALDERMEN

The Council considered a report on five nominations received for appointment of Honorary Aldermen of the Borough. Councillors were reminded that, under the Council's adopted Protocol on the appointment, role, status, rights and obligations of Honorary Freemen and Honorary Aldermen, a person shall be deemed eligible for appointment as an honorary alderman provided that they met all of the following requirements:

The person shall:

- not be a serving councillor
- have served as a Guildford Borough councillor for an aggregate total period of at least 12 years; and
- have given eminent service to the Council during that period.

Full details of the eminent service to the Council by the five nominees was set out in the report submitted to the Council.

Upon the motion of the Mayor, Councillor Marsha Moseley, seconded by Councillor Julia McShane, the Council

RESOLVED: That a special meeting of the Council be convened on Thursday 2 December 2021 at 7pm at the Guildhall, High Street, Guildford for the purpose of conferring the title of Honorary Alderman on Vas Kapsalis, Tony Phillips, Keith Taylor, Jenny Wicks, and David Wright.

Reason:

To recognise formally the eminent service to the Council of former councillors.

CO39 MINUTES OF THE EXECUTIVE/EXECUTIVE DECISIONS

The Council received and noted the minutes of the meeting of the Executive held on 20 April 2021, together with the respective statements of executive decisions taken by the Leader on 25 May, by the Deputy Leader in the absence of the Leader on 22 June, and by the Leader on 6 July 2021.

CO40 COMMON SEAL

The Council

RESOLVED: That the Common Seal of the Council be affixed to any documents to give effect to any decisions taken by the Council at this meeting.

The meeting finished at 8.16 pm

Signed

Mayor

Date