



COUNCIL MEETING

TUESDAY 5 DECEMBER 2023

ORDER PAPER

WEBCASTING NOTICE

This meeting will be recorded for subsequent broadcast on the Council's website in accordance with the Council's capacity in performing a task in the public interest and in line with the Openness of Local Government Bodies Regulations 2014.

The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

If you have any queries regarding webcasting of meetings, please contact Democratic Services.

I would like to welcome everyone to this evening's meeting of the Council.

I should be grateful if you would ensure that your mobile phones and other hand-held devices are switched to silent during the meeting. If the fire alarm sounds during the course of the meeting - we are not expecting it to go off - please leave the Council Chamber immediately and proceed calmly to the assembly point in Millmead on the paved area adjacent to the river as you exit the site.

This Order Paper sets out details of those members of the public who have given advance notice of their wish to ask a question or address the Council in respect of any business on tonight's agenda. It also sets out details of any questions submitted by councillors together with any motions and amendments to be proposed by councillors in respect of the business on the agenda.

Unless a member of the public has given notice of their wish to ask a question or address the Council under Item 6 (Public Participation), they will not be permitted to speak. Those who have given notice may address the Council for a maximum of three minutes. Speakers may not engage in any further debate once they have finished their speech.

*Councillor Masuk Miah
The Mayor of Guildford*

Time limits on speeches at full Council meetings:	
Public speaker:	3 minutes
Response to public speaker:	3 minutes
Questions from councillors:	3 minutes
Response to questions from councillors:	3 minutes
Proposer of a motion:	10 minutes
Seconder of a motion:	5 minutes
Other councillors speaking during the debate on a motion:	5 minutes
Proposer of a motion's right of reply at the end of the debate on the motion:	10 minutes
Proposer of an amendment:	5 minutes
Seconder of an amendment:	5 minutes
Other councillors speaking during the debate on an amendment:	5 minutes
Proposer of a motion's right of reply at the end of the debate on an amendment:	5 minutes
Proposer of an amendment's right of reply at the end of the debate on an amendment:	5 minutes

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DISCLOSURES OF INTEREST

To receive and note any disclosable pecuniary interests from councillors. In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, the councillor must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

3. MINUTES (Pages 9 – 38 of the Council agenda)

To confirm, as a correct record, the draft minutes of the meeting held on 10 October 2023.

4. MAYOR'S COMMUNICATIONS

To receive any communications from the Mayor.

5. LEADER'S COMMUNICATIONS

The Leader to comment on the following matters:

- Termination of Housing Maintenance Contracts
- New Exhibition at Guildford House
- Festive Family Fun Day
- Christmas bin collections
- Guildford Design Awards
- Tenant Drop-in Sessions

Councillors shall have the opportunity of asking questions of the Leader in respect of her communications.

6. PUBLIC PARTICIPATION

No members of the public have registered to speak or ask a question.

7. QUESTIONS FROM COUNCILLORS

- (1) **Councillor Philip Brooker** to ask the Lead Councillor for Finance and Property, Councillor Richard Lucas, and the Lead Councillor for Housing, Councillor Julia McShane, the question below. (The Lead Councillors' response to each element of the question is set out in **red type** below).

"In relation to the stated overspend on housing maintenance contracts since 2021, Group Leaders were given a briefing on 15th September 2023 and Councillors a briefing on 21st September 2023. At both these meetings, the global sums of money involved were confidentially reported, and at both meetings these figures remained constant. Importantly, the sums reported were stated to have been spent i.e., transferred from a GBC bank account to a recipient's bank account.

At the Corporate Governance and Standards Committee held on 16th November 2023 the Housing Revenue Final Accounts 2022-23 were reviewed and recommended to be noted by the Executive. During the discussions leading up to the vote, councillors asked whether the figures in the report were "factual" or some form of "provision" and were told that they were factual. Figures in the report for Responsive and Planned Maintenance showed expenditure over budget of £2.1M. This figure is considerably smaller than the figures of overspend briefed to councillors at the above September meetings.

Therefore:

- (a) Are both the figures reported at the above September meetings and in the Housing revenue Final Accounts 2022-23 accurate? (Accepting that the September meetings were stated in “rounded” millions).
The figures reported at both meetings were accurate and relate to both Revenue and Capital expenditure on Responsive and Planned Maintenance. The overspend on revenue was £2.101m as stated. The capital R&M expenditure for 2022-23 was £20.314m against a budget of £24.5m. The “overspend” reported in September was on the housing maintenance contract in place, not against the approved budget.
- (b) If the figures have altered, when will councillors be confidentially briefed on the new figures?
The figures have not altered.
- (c) Where has the difference between the figures (original or altered) been accounted for in GBC accounts? And if not in the HRA accounts, why not?”
Expenditure is included in either the HRA capital account or HRA revenue accounts.

(2) Councillor Richard Mills OBE to ask the Lead Councillor for Regeneration, Councillor Tom Hunt the question below. (The Lead Councillor’s response to each element of the question is set out in **red type** below).

“The Executive’s decision not to support further funding for work on the Town Centre Master Plan (‘Shaping Guildford’s Future’) makes it important to ensure that the Council is able to take account of any results and lessons from the work already undertaken when further addressing the urgent strategic policy needs of the Town Centre.

Accordingly, will the Executive Portfolio Holder for Regeneration clarify the following in respect of the final phase (Phase 3) of the programme, which was approved by the Executive on 22 September 2022 and is due for completion at the end of this month:

- (a) *how much of the £3.1 million expenditure then approved (over and above the £2.359m committed to earlier phases) has been spent up to the latest available date?*

None – ongoing activity has been funded through the Empty Homes Fund grant that was secured from Surrey County Council. This has financed GBC's contribution to the Environment Agency's work on the Flood Alleviation Scheme (FAS) and supporting consultancy activity commissioned by the Council. To date £444,550 grant has been claimed with £117,450 outstanding.

(b) what if any under-spend or over-spend is projected on this phase of the project?

None – a revised scope and budget for Shaping Guildford's Future will be brought forward in the coming months as part of the Council's Budget update. This will reflect the Council's current financial position balanced with the Executive's commitment to the aspirations of the work undertaken to date.

(c) how much of the expenditure was for external consultants?

Of the £444,550 grant claimed to date, £49,550 has been for external consultant support. The remaining £395,000 comprises the Council's contribution to the FAS work being led by the Environment Agency.

(d) in respect of the deliverables from the work, whether the conditional in principle agreements with the Courts Service, Police, National Trust, Legal and General, Odeon, Royal Mail and others specified in the approved report and due for completion by the end of June this year are now complete?

The Council had held early discussions with the Parties referenced and the intention of the next phase of work was to move towards agreed Heads of Terms over the 12-month period. This has not progressed due to the work on the programme being paused.

(e) whether the 'Strategic Transport Update Report – Principles and Strategies as agreed with SCC', due in July this year, has been completed and issued and what further consultations with SCC on the programme have taken place?"

No – this has not been completed as work has been paused due to the £3.1m capital funding allocation being ineligible for spend on revenue activity. However, work has been ongoing with SCC to progress feasibility work on the Local Cycling and Walking

Infrastructure Plan which complements work undertaken to date on SGF transport.

A briefing for all Councillors will be held in the New Year, outlining the work that has been completed to date on Shaping Guildford's Future and the continuing scope of work on the Flood Alleviation Scheme that the Council is supporting the Environment Agency with.

- (3) Councillor Philip Brooker** to ask the Leader of the Council, Councillor Julia McShane and the Lead Councillor for Finance and Property, Councillor Richard Lucas, the question below. (The Leader/Lead Councillor's response to each element of the question is set out in **red type** below).

"At the Executive Meeting on 23rd November 2023 it was noted that the joint Waverley and Guildford Management Teams had already made savings in costs of nearly £900,000 and anticipated further savings and efficiencies over time.

- (a) *Was the £900,000 saving direct costs i.e. salaries plus costs of employment exclusively? If not, what other savings were included in this sum?*

This was reported to Full Council in March 2023. The figure of £861,000 across the partnership is the comparison of the Joint Management Team's annual cost with the combined annual cost of the two former management teams. It comprises full employment costs to the councils at that point. In addition to that £861,000 recurring annually, there have been 5 temporary staff-sharing arrangements agreed under the Section 113 delegations, which result in further savings to the partnership of £172,800, which will not recur annually as they are temporary, but start to indicate that there will be future scope for significant savings.

- (b) *Has a cost-benefit analysis or similar been carried out to assess whether the increasing workload for the individuals concerned had impacted on their efficiency and abilities to provide a level of productivity that had been achieved prior to the collaboration? If so, what did this reveal and if not, why not and when will this be done?*

A cost-benefit analysis has not been undertaken. However, the efficiency and effectiveness of the JMT structure is being kept under review. Whenever a new management structure is put in place it is good practice to monitor its effectiveness, seek feedback from

members of the team and others and to look at whether any adjustments might be needed to ensure it is functioning as planned. This is the approach being taken with regards to the Joint Management Team for Guildford and Waverley. The published risk register for the collaboration (which is kept under review by the Waverley and Guildford Joint Governance Committee, comprised of councillors from both authorities) notes this point that the JMT structure will be kept under review. That commitment to keeping the structure under review is just one of a number of ongoing and future mitigating actions to reduce risks relating to the collaboration between the two authorities.

(c) *What are the “anticipated further savings and efficiencies over time”? And of what magnitude of cost saving is this anticipated to be?”*

Initial benefits realisation work with the joint Executive Heads of Service has been carried out by the Organisational Development and Finance Teams, with a rough order of magnitude for savings through collaboration projects at £700,000. This is comprised of £200,000 for each authority in 2024/25 and £150,000 for each authority in 2025/26. This figure is expected to increase over time as the detail of more plans is developed and in accordance with the level of investment in Programme Management, Human Resources and Business Transformation to which the two authorities are collectively able to commit.

8. CAPITAL AND INVESTMENT OUTTURN REPORT 2022-23 (Pages 39 - 126 of the Council agenda)

The Lead Councillor for Finance & Property, Councillor Richard Lucas to propose, and the Leader of the Council, Councillor Julia McShane to second, the following motion:

“(1) That the capital and investment outturn report be noted.

(2) That the actual prudential indicators reported for 2022-23, as detailed in Appendix 1 to the report submitted to the Council, be approved.

Reasons:

- To comply with the Council’s treasury management policy statement, the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of

Practice on treasury management and the CIPFA Prudential Code for Capital Finance in Local Authorities.

- As per the treasury management code although the scrutiny of treasury management (and indeed all finance) has been delegated to the Corporate Governance & Standards Committee, ultimate responsibility remains with full Council, this report therefore fulfils that need.”

Comments:

None

9. MEDIUM TERM FINANCIAL PLAN (MTFP) AND FINANCIAL RECOVERY PLAN - NOVEMBER UPDATE REPORT (Pages 127 - 146 of the Council agenda)

The Lead Councillor for Finance & Property, Councillor Richard Lucas to propose, and the Leader of the Council, Councillor Julia McShane to second, the following motion:

“That the proposed changes to the Approved and Provisional Capital Programmes set out in Appendix 1 to the report submitted to the Council, be approved.”

Reason:

To enable the Council to protect the current level of reserves and to set a balanced budget and a robust Medium-Term Financial Plan.”

Comments:

None

10. REVIEW OF COUNCILLORS' ALLOWANCES 2023 (Pages 147 - 212 of the Council agenda)

The Lead Councillor for Finance & Property, Councillor Richard Lucas to propose, and the Lead Councillor for Regulatory and Democratic Services, Councillor Merel Rehorst-Smith to second, the following motion:

“That the Council:

- (1) defers consideration of the report of the Independent Remuneration Panel on the review of councillors’ allowances for a period of 12 months;

- (2) retains the current scheme of allowances without indexation, which effectively freezes councillors' allowances at their current level for the 2024-25 financial year; and
- (3) thanks the Independent Remuneration Panel for their work.

Reason:

In view of the Council's current financial position and the Council's determination to resolve those difficulties, now was not the right time to be increasing councillors' allowances".

Comments:

None

11. REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2023 (Pages 213 – 236 of the Council agenda)

The Lead Councillor for Regulatory and Democratic Services, Councillor Merel Rehorst-Smith to propose, and the Leader of the Council, Councillor Julia McShane to second, the following motion:

- “(1) That no changes be made to existing polling districts.
- (2) That the following proposed changes to designated polling places be approved:
- (a) That the designated polling place in polling district SN2 Stoughton North (North-West) within Stoughton North Ward be changed from Stoughton Infant School to Stoughton Methodist Church, Stoughton Road, Guildford, GU2 9PT.
 - (b) That the designated polling place in polling district C&H6 West Horsley (North) within the Clandon and Horsley Ward be changed from the Raleigh School to The Wheelhouse, 82 East Lane, West Horsley, Leatherhead, KT24 6LQ.

Reason:

As a result of this statutory review, the new designated polling places will improve elector polling experience, improve access, and further reduce the necessity for schools to close on polling days".

Comments:

None

12. TIMETABLE OF COUNCIL AND COMMITTEE MEETINGS 2023-24 (Pages 237 – 242 of the Council agenda)

The Lead Councillor for Regulatory and Democratic Services, Councillor Merel Rehorst-Smith to propose, and the Leader of the Council, Councillor Julia McShane to second, the following motion:

- “(1) That the timetable of Council and Committee meetings for the 2024-25 municipal year, attached as Appendix 1 to the report submitted to the Council, be approved.
- (2) That the Executive Head of Legal & Democratic Services be authorised, in consultation with political group leaders, to approve the Timetable of Council and Committee Meetings in future years.

Reason:

To assist with the preparation of individual committee work programmes.”

Comments:

None

13. MINUTES OF THE EXECUTIVE (Pages 243 - 246 of the Council agenda)

To receive and note the minutes of the meeting of the Executive held on 5 October 2023 which are attached to the Council agenda.

Comments:

None

14. NOTICE OF MOTION DATED 23 NOVEMBER 2023: ANTI-SEMITISM AND ISLAMOPHOBIA (pages 5 - 7 of the Council Agenda)

In accordance with Council Procedure Rule 11, Councillor James Walsh to propose, and Councillor Howard Smith to second, the following motion:

“Recent figures released by the Community Security Trust (CST) and Tell MAMA reveal that cases of antisemitism and Islamophobia are on the increase in the UK, fuelled by events in the Middle East.

Between 7 October and 9 November, for example, Tell MAMA reported 701 cases of anti-Muslim behaviour across the country - a sevenfold increase in Islamophobic attacks on the same period in 2022. The CST also reported the highest number of cases of antisemitic attacks since their records began in 1984, with 1,019 cases recorded between 7 October and 3 November.

Recent incidents of antisemitism have been reported here in Guildford, with some individuals and families having already left the borough, planning to leave the borough in the near future, or living under protection as a result. Local representatives of the Jewish community in Guildford have stated that the situation is “unprecedented” and reflects a growing and unacceptable intolerance and division in national and international society.

The Labour Group believes that we must unite against the forces that seek to divide communities and sow division and hatred between people from different backgrounds or who share different faiths or beliefs. It believes that tolerance, understanding and respect are cornerstones of democracy and that violence, intolerance and prejudice only serve to corrode them. Therefore, it asks that:

- (1) The Council be reminded of its resolution dated 12 July 2016 and reaffirmed on 11 April 2017 condemning racism, xenophobia and hate crimes, as follows:*

“We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Guildford Borough Council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable. We are pleased to note the strong stance that Surrey Police have taken against these issues.

Guildford Borough Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent all these anti-social acts, and reassures all people living in Guildford borough that they are valued and welcome members of our community.”

- (2) The Council condemns all forms of discrimination, intolerance and division that some in our communities are facing and pledges to work together with partners, including Surrey Police and faith/religious organisations, to address issues and provide reassurance as it is made aware of them.*
- (3) The Council condemns antisemitism in all of its forms and regrets the incidents that have been reported in Guildford in recent months. It pledges to work with partners and local communities to address areas of concern and provide reassurance and support to the Jewish community wherever possible.*
- (4) The Council condemns Islamophobia in all of its forms and pledges to work with partners and local communities to address areas of concern and*

provide reassurance and support to the Muslim communities wherever possible.”

Alteration of Motion:

Since the publication of the agenda, the proposer of the original motion (Councillor James Walsh) has indicated that he wishes to alter the motion in accordance with the provisions of Council Procedure Rule 15 (o), which he can do with the consent of his seconder (which he has) and of the meeting.

The Mayor will put the proposed alteration, which is set out below, to a vote without debate. If approved, Councillor Walsh’s motion, as altered, will become the substantive motion for debate to which amendments may subsequently be moved.

Alteration:

In the first sentence of the third paragraph of the motion, add *“to community leaders”* after *“Recent incidents of antisemitism have been reported...”*.

If altered, the first sentence of the third paragraph would therefore read as follows:

*“Recent incidents of antisemitism have been reported **to community leaders** here in Guildford, with some individuals and families having already left the borough, planning to leave the borough in the near future, or living under protection as a result.”*

Comments:

Councillor Stephen Hives
Councillor Bilal Akhtar

15. NOTICE OF MOTION DATED 24 NOVEMBER 2023: PROPOSED SPECIAL COMMITTEE TO RECEIVE INTERIM REPORTS ON THE INVESTIGATION OF ALLEGED FRAUD RELATING TO HOUSING MAINTENANCE CONTRACTS
(pages 7 and 8 of the Council Agenda)

In accordance with Council Procedure Rule 11, Councillor Philip Brooker to propose, and Councillor Bob Hughes to second the following motion:

“Council notes the report about irregularities in HRA expenditure considered by the Corporate Governance and Standards Committee on 29 November 2023.

The report advises that:

- *An external team of experts are investigating any potentially fraudulent activity and that an internal “Strategic Project Group” is*

monitoring and co-ordinating the work of various workstreams.

- *A “Strategic Board” will be set up imminently which will eventually report to the Corporate Governance and Standards Committee.*
- *Monthly reports will be prepared, but not available for public scrutiny.*
- *The first public report will not be available for “approximately six months”.*
- *Additional external support will be brought in to assist.*

Council notes that, whilst it is welcome that some more information is now in the public domain, it considers it to be inadequate considering the magnitude of the sums involved, in light of the clear public interest in the detail of these irregularities being made public much earlier than now proposed.

Council further notes that many of the “facts” could be made public without jeopardy to any other ongoing investigations, yet Council have not been provided with any specifics on what should be withheld under Schedule 12A of the Local Government Act 1972. This should be fully scrutinised immediately in the interests of transparency.

Council notes that it rejected, at its meeting on 10 October 2023, a motion for the Department for Levelling Up, Housing and Communities (DLUHC) to send in a Best Value Commissioner to carry out an independent investigator to examine the issues, which would certainly have speeded up the process, but now, two months later, seems to think that something similar is a good idea in order to proceed “in a timely manner”.

Therefore, this Council resolves:

- (1) Using the powers given to this council, immediately establish a Special Committee to receive interim reports from each investigating team, no later than at monthly intervals.*
- (2) That, in the interest of transparency, the special Committee be chaired by a member of a political party other than one of those in coalition at the time the irregularities commenced (2021), and that the composition of the committee be representative of the composition of the Council.*
- (3) That the Special Committee must have full access to all official*

information held by GBC as a public authority.

(4) That in the interest of openness and transparency, the Special Committee be authorised to decide how much information can be revealed to (a) Members in confidence and (b) the General Public”.

Comments:

None

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