



EXTRAORDINARY COUNCIL MEETING

TUESDAY 23 JANUARY 2024

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 extraordinary 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 7 – 32 of the Council agenda)

To confirm, as a correct record, the draft minutes of the ordinary meeting of the Council held on 5 December 2023, and the extraordinary meeting held on 19 December 2023.

4. MAYOR'S COMMUNICATIONS

To receive any communications from the Mayor.

5. LEADER'S COMMUNICATIONS

The Leader to comment on the following matters:

- Changes to the Executive.

In accordance with Article 6 of the Constitution, the Council is asked to note the following changes to the Executive announced by the Leader on 8 January 2024:

Councillor Fiona White is now the new “Lead Councillor for Planning”. Her portfolio will cover the following areas:

- Planning Applications
- Planning Enforcement
- Planning Integration and Improvement
- Planning Policy

Councillor George Potter’s portfolio title is now “Lead Councillor for Environment and Climate Change”. His portfolio now covers the following areas:

- Bereavement
- Green Spaces
- Parks
- Countryside
- Trees
- Fleet Operations
- Street Cleaning
- Waste and Recycling
- Climate Change

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

There are no questions from councillors.

8. GBC/WBC JOINT GOVERNANCE COMMITTEE - TERMS OF REFERENCE

(Pages 33 – 46 of the Council agenda)

Corporate Governance & Standards Committee: 18 January 2024

The Corporate Governance & Standards Committee endorsed the following recommendation in respect of this matter:

“That, subject to the approval of Waverley Borough Council at its extraordinary meeting on 24 January 2024, the proposed amended terms of reference for the Guildford & Waverley Joint Governance Committee, as set out in Appendix 3 to the report submitted to the Committee, be adopted into the Constitution with effect from 25 January 2024.”

The Motion:

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

“That, subject to the approval of Waverley Borough Council at its extraordinary meeting on 24 January 2024, the proposed amended terms of reference for the Guildford & Waverley Joint Governance Committee, as set out in Appendix 3 to the report submitted to the Council, be adopted into the Constitution with effect from 25 January 2024.”

Reason:

To ensure both councils continue to adopt and exercise strong governance arrangements for inter-authority working.

Comments:

None

9. GUILDFORD BOROUGH COUNCIL & WAVERLEY BOROUGH COUNCIL: OFFICER EMPLOYMENT PROCEDURE RULES (Pages 47 – 82 of the Council agenda)

Corporate Governance & Standards Committee: 18 January 2024

The Corporate Governance & Standards Committee endorsed the following recommendation in respect of this matter:

- “(1) That, subject to the agreement of Waverley Borough Council at its extraordinary Council meeting on 24 January 2024:
- (a) the new Officer Employment Procedure Rules, as set out in Appendix 1 to the report submitted to the Committee, be adopted into the Constitution with effect from 25 January 2024, subject to the inclusion in the Officer Employment Procedure Rules of a reference to the schedule of proper officers listed in part 3 of the Constitution, and that they replace the Council’s existing Officer Employment Procedure Rules;
 - (b) the revised terms of reference for the Joint Appointments Committee and change of its name to “Joint Senior Staff Committee” to reflect its

expanded responsibilities, as set out in Appendix 4 to the report, be adopted; and

(c) the Monitoring Officer be authorised to convene, where necessary, an Independent Panel, as provided for in the Officer Employment Procedure Rules.

(2) That the Employment Committee be disbanded.

(3) That the Head of Paid Service be authorised to approve, where necessary, any human resources policies that apply to Guildford Borough Council.

(4) That the Council confirms the GBC membership of the Joint Senior Staff Committee, for the remainder of the 2023-24 municipal year, as being:

- Councillor Philip Brooker
- Councillor Julia McShane
- Councillor Fiona White”

The Motion:

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

“(1) That, subject to the agreement of Waverley Borough Council at its extraordinary Council meeting on 24 January 2024:

(a) the new Officer Employment Procedure Rules, as set out in Appendix 1 to the report submitted to the Council, be adopted into the Constitution with effect from 25 January 2024, subject to the inclusion in the Officer Employment Procedure Rules of a reference to the schedule of proper officers listed in part 3 of the Constitution, and that they replace the Council’s existing Officer Employment Procedure Rules;

(b) the revised terms of reference for the Joint Appointments Committee and change of its name to “Joint Senior Staff Committee” to reflect its expanded responsibilities, as set out in Appendix 4 to the report, be adopted; and

(c) the Monitoring Officer be authorised to convene, where necessary, an Independent Panel, as provided for in the Officer Employment Procedure Rules.

- (2) That the Employment Committee be disbanded.
- (3) That the Head of Paid Service be authorised to approve, where necessary, any human resources policies that apply to Guildford Borough Council.
- (4) That the Council confirms the GBC membership of the Joint Senior Staff Committee, for the remainder of the 2023-24 municipal year, as being:
 - Councillor Philip Brooker
 - Councillor Julia McShane
 - Councillor Fiona White”

Reason:

To ensure that both GBC and WBC have adequate arrangements in place to deal with the employment of all officers including senior management and statutory officers. Approval of the new Officer Employment Procedure Rules will be the first step in the process to align the constitutions of GBC and WBC where appropriate to do so.

Comments:

None

10. AMENDMENTS TO THE GUILDFORD BOROUGH COUNCIL AND WAVERLEY BOROUGH COUNCIL PRE-ELECTION PUBLICITY & DECISION-MAKING POLICY
(Pages 83 – 108 of the Council agenda)

Corporate Governance & Standards Committee: 18 January 2024

The Corporate Governance & Standards Committee endorsed the following recommendation in respect of this matter:

“That, subject to the agreement of Waverley Borough Council at its extraordinary Council meeting on 24 January 2024, the proposed revised Pre-Election Publicity & Decision-Making Policy, as set out in Appendix 3 to the report be adopted for inclusion in the Council’s Constitution subject to the amendment of the fourth bullet point in paragraph 8 of the Policy as follows:

- “continue with *business as usual* Council, Executive, and Committee meetings, subject to the proviso that the business to be transacted at those meetings, **including motions brought and conduct displayed at those meetings**, does not, in the view of the Monitoring Officer, contravene the provisions of this policy”.

The Motion:

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

“That, subject to the agreement of Waverley Borough Council at its extraordinary Council meeting on 24 January 2024, the revised Pre-Election Publicity & Decision-Making Policy, as set out in Appendix 3 to the report submitted to the Council, be adopted for inclusion in the Council’s Constitution, subject to the amendment of the fourth bullet point in paragraph 8 of the Policy (see page 104 of the Council agenda) as follows:

- continue with *business as usual* Council, Executive, and Committee meetings, subject to the proviso that the business to be transacted at those meetings, **including motions brought and conduct displayed at those meetings**, does not, in the view of the Monitoring Officer, contravene the provisions of this policy”.

Comments:

None

**11. GUILDFORD BOROUGH COUNCIL AND WAVERLEY BOROUGH COUNCIL
MONITORING OFFICER PROTOCOL** (Pages 109 – 124 of the Council agenda)

Corporate Governance & Standards Committee: 18 January 2024

The Corporate Governance & Standards Committee endorsed the following recommendation in respect of this matter:

“That, subject to the agreement of Waverley Borough Council at its extraordinary Council meeting on 24 January 2024, the proposed Monitoring Officer Protocol, as set out in Appendix 1 to the report submitted to the Committee, be adopted for inclusion in the Council’s Constitution, subject to:

- (a) the amendment of the first bullet point in paragraph 4.0 of the Protocol as follows:
 - “*The Monitoring Officer, rather than the Council, will nominate at least one Officer as Deputy Monitoring Officer, with the power to act as Monitoring Officer where the Monitoring Officer is unable to act as a result of absence, ~~or~~ illness, or conflict of interest; and*”
- (b) the amendment of the sixth bullet point in paragraph 5.2 of the Protocol to reflect the Monitoring Officer being responsible for providing or

obtaining legal advice rather than necessarily being the principal legal adviser to the Council”.

The Motion:

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

“That, subject to the agreement of Waverley Borough Council at its extraordinary Council meeting on 24 January 2024, the Monitoring Officer Protocol, as set out in Appendix 1 to the report submitted to the Council, be adopted for inclusion in the Council’s Constitution, subject to:

(a) the amendment of the first bullet point in paragraph 4.0 of the Protocol (see page 116 of the Council agenda) as follows:

- *“The Monitoring Officer, rather than the Council, will nominate at least one Officer as Deputy Monitoring Officer, with the power to act as Monitoring Officer where the Monitoring Officer is unable to act as a result of absence, ~~or~~ illness, or conflict of interest; and”*

(b) the amendment of the sixth bullet point in paragraph 5.2 of the Protocol (see page 118 of the Council agenda) to reflect the Monitoring Officer being responsible for providing or obtaining legal advice rather than necessarily being the principal legal adviser to the Council.”

Reason:

To protect the interests of the Council, and to provide guidance on how it expects Officers and Members to co-operate with the Monitoring Officer to enable them to discharge their functions effectively.

Comments:

None

12. SELECTION OF MAYOR AND DEPUTY MAYOR 2024-25 (Pages 125 – 128 of the Council Agenda)

Note:

The Mayor to ask the nominees for Mayor and Deputy Mayor for 2024-25 to leave the Chamber for consideration of this item of business. They will be called back into the meeting after the Council has considered and determined the matter.

The motion:

The Leader of the Council, Councillor Julia McShane to propose, and Councillor Philip Brooker to second, the adoption of the following motion:

“(1) That the Deputy Mayor, Councillor Sallie Barker MBE be nominated for the Mayoralty of the Borough for the 2024-25 municipal year.

(2) That Councillor Howard Smith be nominated for the Deputy Mayoralty for the 2024-25 municipal year”.

Reason:

To make early preparations for the selection of the Mayor and Deputy Mayor for the municipal year 2024-25.

Comments:

None

13. APPOINTMENT OF INTERIM JOINT CHIEF EXECUTIVE/HEAD OF PAID SERVICE
(Pages 129 – 134 of the Council agenda)

Guildford & Waverley Joint Appointments Committee (JAC): 15 January 2024

At its meeting held on Monday 15 January 2024, and following the interviews with the two candidates who expressed an interest in the appointment, the JAC made the following recommendation to both councils:

“That, whilst both candidates were considered to be appointable to the role, confirmation of a formal offer of appointment to the role of Interim Joint Chief Executive, and designation as Head of Paid Service, for both Guildford and Waverley Borough Councils be made to Annie Righton, Joint Strategic Director: Community Wellbeing, subject to:

- (a) the salary for the interim role being set at a level equivalent to the current salary for the Joint Chief Executive/ Head of Paid Service post, pro-rata for two months; and
- (b) 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”.

A copy of Annie Righton’s expression of interest, which was circulated to all councillors on Tuesday 16 January, is attached as exempt **Appendix 1** to this Order Paper.

Statutory consultation with the Executives of both councils - see paragraph 1.4 of the report (page 130 of the agenda)

In accordance with the requirements of paragraph 5 of Part II of Schedule 1 to The Local Authorities (Standing Orders) (England) Regulations 2001, the Executive members of both councils have been asked to confirm, with their respective Leaders, whether they have any well-founded objections to the appointment of Annie Righton as Interim Chief Executive and Head of Paid Service. No such objections have been received.

The Motion:

The Leader of the Council, Councillor Julia McShane to propose, and the Lead Councillor for Planning, Councillor Fiona White to second the following motion:

“That, subject to the agreement of Waverley Borough Council at its extraordinary Council meeting on 24 January 2024, confirmation of a formal offer of appointment to the role of Interim Joint Chief Executive, and designation as Head of Paid Service, for both Guildford and Waverley Borough Councils be made to Annie Righton, Joint Strategic Director: Community Wellbeing, subject to the salary for the interim role being set at a level equivalent to the current salary for the Joint Chief Executive/ Head of Paid Service post, pro-rata for two months.”

Reason:

To appoint an interim Joint Chief Executive and Head of Paid Service, as part of the agreed collaboration arrangements between Guildford and Waverley Borough Councils to ensure compliance with the requirements of Section 4 of the Local Government and Housing Act 1989.

Comments:

None

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