

GUILDFORD BOROUGH COUNCIL

Minutes of a meeting of Guildford Borough Council held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Tuesday 8 October 2024.

* The Mayor, Councillor Sallie Barker MBE

* The Deputy Mayor, Councillor Howard Smith

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| * Councillor Bilal Akhtar | * Councillor Steven Lee |
| * Councillor Phil Bellamy | Councillor Sandy Lowry |
| * Councillor Dawn Bennett | * Councillor Richard Lucas |
| Councillor Joss Bigmore | * Councillor Julia McShane |
| * Councillor David Bilbe | * Councillor Masuk Miah |
| * Councillor Honor Brooker | * Councillor Richard Mills OBE |
| Councillor James Brooker | * Councillor Carla Morson |
| * Councillor Philip Brooker | * Councillor Danielle Newson |
| * Councillor Ruth Brothwell | * Councillor Patrick Oven |
| * Councillor Yves de Contades | * Councillor George Potter |
| Councillor Amanda Creese | * Councillor Maddy Redpath |
| * Councillor Geoff Davis | * Councillor Merel Rehorst-Smith |
| * Councillor Jason Fenwick | * Councillor David Shaw |
| * Councillor Matt Furniss | * Councillor Joanne Shaw |
| Councillor Angela Goodwin | * Councillor Katie Steel |
| * Councillor Lizzie Griffiths | Councillor Cait Taylor |
| * Councillor Gillian Harwood | * Councillor Jane Tyson |
| * Councillor Stephen Hives | * Councillor James Walsh |
| * Councillor Catherine Houston | * Councillor Fiona White |
| * Councillor Tom Hunt | * Councillor Dominique Williams |
| * Councillor Bob Hughes | * Councillor Keith Witham |
| * Councillor James Jones | * Councillor Sue Wyeth-Price |
| * Councillor Vanessa King | * Councillor Catherine Young |

*Present

Honorary Freeman Keith Churchouse and Honorary Alderman David Wright were also in attendance.

CO42 APOLOGIES FOR ABSENCE

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

CO43 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO44 MINUTES

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

CO45 MAYOR'S COMMUNICATIONS

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

Pride in Surrey

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

50th anniversary of the Guildford Pub Bombings

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

The Mayor also reported on the following charitable fundraising events:

Curry and Quiz Night

The Mayor was delighted to report that 94 people had attended the Shahin restaurant on 30 September for a very successful curry and quiz night, which raised £1,864 towards the Mayor of Guildford's Local Support Fund. The Mayor thanked all those who had supported the event, in particular, the Guildford Lions Club and Guildford Rotary and Guildford Spike WI, Yameen Deedar from the Shahin, Jane Lyons from The Keep for her challenging Quiz, and Shirley West for organising the raffle. This meant that the total figures raised so far for the Mayor's Support Fund was over £6,200.

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

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

CO46 LEADER'S COMMUNICATIONS

There were no communications from the Leader.

CO47 ANNOUNCEMENTS FROM THE STATUTORY OFFICERS

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

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

CO48 PUBLIC PARTICIPATION

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

“What is this council doing with Guildford?”

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

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

An investigation was commenced by the police and an economy drive announced yet there has been no public statement on where exactly is the public's £17.5 million (also reported as £18.5 million). Where has it gone and how much has

been incurred terminating contracts and replacing officers. We do not know if this was appropriate or not, but it will have caused huge upset to their lives There are no legal reasons why the council cannot report on where this money is and the costs incurred to date in connection with this financial scandal presumably impacting our housing stock and some tenants.

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

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

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

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

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

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

Cost overruns at Ash Road Bridge were last noted at 200% and hidden on Walnut Bridge at 300%. Weyside Urban Village costs escalated by c. £50m overnight due to a GBC Treasury omission to put an interest rate cap in place. Where are the

statements giving transparency on a cost overrun of this magnitude and where do we stand today?

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

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

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

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

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

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

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

It is clear to me that we are making real progress on our journey of improvement and I'm grateful to all members and officers of this council who are working with me to drive those improvements forward. Our housing improvement plan is comprehensive, and the team are making excellent progress with the recommendations. That progress is reported monthly to members and the Tenant Engagement Group, and to committees, including the new Housing Operations Board which has cross-party representation.

So it's not only the Council's recognition that things need to improve, that is open and transparent, so too is our reporting on the work we are doing to make those

improvements. The town centre will continue to play a key role in delivering housing and working alongside the team involved in progressing Shaping Guildford's Future.

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

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

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

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

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

CO49 QUESTIONS FROM COUNCILLORS

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

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

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

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

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

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

Response from the Leader of the Council:

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

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

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

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

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

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

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

residents have the right to know that GBC is safeguarding, managing, and deploying these funds effectively.

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

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

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

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

Response from the Lead Councillor for Planning:

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

A report is programmed for the 14 November meeting of the Corporate Governance and Standards Committee. Information has been regularly

shared in response to Councillors' requests around both the collection and spending of Section 106 monies. Work is ongoing with the County Council to ensure that the Borough has clarity over how monies that are collected for spend by the County Council is being used.

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

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

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

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

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

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

CO50 MEDIUM TERM FINANCIAL PLAN UPDATE

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

- Review of reserves and balances

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

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

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

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

In response to a further question as to why no actual monetary figures had been shown against the Acquisition of the Exacom system in the tables in paragraphs 6.14 and 6.17, and how it might be possible to expedite some of the schemes particularly in respect of planning, the Joint Strategic Director of Finance and Resources confirmed, in respect of the Exacom project that the information on the bid had not been received from the Assistant Director, at the time the tables had been produced, but would check whether that had been received. In terms of the timing, the Director noted that all the growth bids would need to be considered against the medium-term financial plan, in order to understand how many of the schemes behind the bids could be funded in 2025-26.

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

RESOLVED: That the Council notes the progress on updating the MTFP position.

Reasons:

- The General Fund Budget is a major decision for the Council and setting a balanced budget is a statutory requirement.

- Scrutiny of the MTFP and Budget proposals demonstrate transparency and good governance.

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

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

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

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

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

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

The report had identified and acknowledged that there remained ongoing challenges in terms of financial and resource constraints and the complexities of

measuring Scope 3 emissions (indirect emissions from procurement, contracts, and services).

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

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

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

During the debate the following points were made:

- Concern that the reduction of carbon emissions from the Council's operations was off track and that the Council's target already looked unachievable, mainly due to the operations at Spectrum. The Executive should have revised the target.
- The Council's focus should be less on mitigation, but much more on things the Council can directly influence such as adaptation and building resilience in our community.
- Appearing not to be on target does not mean that the Council should move the target. It means that the Council should redouble its efforts.
- The report was disappointing and contradictory. On the one hand it had stated that significant progress had been made, whilst on the other the report had conceded that the Council was currently off track with the annual carbon emission target. Scope 1 and Scope 3 emissions seemed to be going up rather than down, whilst Scope 2 emissions were flat lining.
- The Council declared a climate emergency in 2019, but only employed one Climate Change officer. The Council needed to commit more resources to achieving net zero.
- The Council should continue to do whatever it could with the resources that were available in respect of the Climate Change Action Plan.
- The green economy can provide positive benefits for the country.

- Whilst, at first glance, some of the results may appear to be disappointing, continuing with the good work may result in a large incremental improvement in the future.
- Concern that, of the 305 actions detailed in the Climate Change Action Plan, there appeared to be 138 actions which had not yet been addressed.
- Over the past year, the CCB had been putting in place a framework to ensure that the actions were being monitored, and delivered. The actions were shared by every service across the organisation and not the sole responsibility of the Climate Change Officer.
- The CCB had identified a priority list of key actions for this year and significant progress had been made with those actions going into the budget setting period, including active bids in for a dedicated bidding officer to help access more government funding, and a growth bid for a utility officer to oversee the transformation of the Council's energy usage.

Having considered the matter, the Council

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

Reason:

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

CO52 OVERVIEW & SCRUTINY ANNUAL REPORT 2023-24

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

Decisions taken during the past municipal year under the 'urgency' provisions and the use of 'call-in' were also detailed within the report. In 2023-24, four decisions had been taken under the urgency provisions of Access to Information Procedure

Rules, no call-in waivers had been requested, and one officer key decision had been called in for consideration by Overview and Scrutiny.

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

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

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

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

The Chairman of the Overview & Scrutiny Committee (Services), Councillor James Walsh, proposed and the Chairman of the Overview & Scrutiny Committee (Resources), Councillor Philip Brooker seconded the adoption of the motion to commend the report as the Overview and Scrutiny Annual Report for 2023-24.

During the debate, the following points were made:

- The new Overview and Scrutiny Committees were working really well and were very engaged. Regular meetings would be held between the Executive and Overview and Scrutiny chairs and vice chairs to discuss matters that could be put into the Overview and Scrutiny Committees' work programme.
- Encouraging to see that so many items were now coming forward to Overview and Scrutiny for consideration, which would inform Executive

decision-making which demonstrated the importance of backbench scrutiny as part of a healthy culture of a well -run council.

Having considered the matter, the Council

RESOLVED:

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

“After paragraph 17.3, add the following paragraph:

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

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

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

Reasons:

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

CO53 UPDATE TO PAY POLICY STATEMENT

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

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

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

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

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

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

The Executive also made the following additional recommendation to Council:

"That, until permanent arrangements have been adopted, Joint Posts be appointed by Waverley Borough Council on Waverley Terms and Conditions

of employment with a 10% uplift on salary as set out in para 6.3 of the report submitted to the Executive and Appendix 1”.

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

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

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

RESOLVED:

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

Reasons:

- The salary benchmarking exercise undertaken concludes the outstanding action from the Officer Resource: Legal & Democratic Services paper presented to GBC Executive on 16 May 2024 and WBC Executive on 7 May 2024.
- The salary benchmarking paper sets out findings which reduces the costs of the new Legal and Democratic Services structure.
- To ensure that the GBC Pay Policy statement reflects arrangements for Joint Posts.

CO54 PROPOSED CHANGES TO LOCAL CHOICE FUNCTIONS

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

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

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

Reason:

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

CO55 REVIEW OF GOVERNANCE ARRANGEMENTS RELATING TO COMPANIES

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

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

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

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

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

This matter had been considered initially by the Executive Shareholder & Trustee Committee on 8 August, by the Joint Constitutions Review Group on 17 September, and subsequently by both the Corporate Governance & Standards Committee (GBC) at its meeting held simultaneously with Waverley's Standards &

General Purposes Committee (WBC) on 26 September 2024. The Corporate Governance & Standards Committee had recommended the adoption of the proposed governance arrangements by the Council.

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

RESOLVED:

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

Reasons:

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

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

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

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

Though Council agrees that universal winter fuel payments are not necessary, Council is deeply concerned that many pensioners on low incomes will no longer be eligible to receive the benefit as winter approaches. In Guildford borough fewer than 1,500 pensioners will remain

eligible to receive winter fuel payments, with 93.7% of pensioners losing their eligibility. The maximum income limit for receiving Pension Credit is £218.15 a week (or £332.95 a week for couples), which is significantly lower than the rate of the living wage, and only 63% of those eligible for Pension Credit actually receive it.

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

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

Council is deeply concerned that any withdrawal, or reduction, in the rate of the single person council tax discount would result in a large and punitive tax rise for many of those least able to afford it, including groups such as young adults, single and widowed parents, lone pensioners, and carers of disabled people, many of whom are already struggling with the cost-of-living crisis.

Council resolves to:

- (1) Instruct the Chief Executive to write to the Chancellor of the Exchequer calling for the policy on linking Winter Fuel Payments to Pension Credit receipt to be immediately paused and asking her to rule out any change to the Single Person Council Tax Discount in the autumn budget statement.
- (2) Call upon all MPs covering Guildford borough to give their formal support to halting the changes to the Winter Fuel Payment eligibility and resisting any reduction in the Single Person Council Tax Discount.
- (3) Commit the Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all

members offering them the opportunity to sign the petition themselves.

- (4) Encourage local efforts to promote the uptake of Pension Credit (and other frequently under-claimed benefits) through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Guildford borough are supported in claiming their entitlement.”

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

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

If carried, the substantive motion would read as follows:

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

Council resolves to:

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

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

The Council, having debated the original motion

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

The meeting finished at 8.57 pm

Signed

Mayor

Date

GUILDFORD BOROUGH COUNCIL

Minutes of a meeting of Guildford Borough Council held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Tuesday 3 December 2024.

* The Mayor, Councillor Sallie Barker MBE

* The Deputy Mayor, Councillor Howard Smith

- | | |
|--------------------------------|----------------------------------|
| * Councillor Bilal Akhtar | * Councillor Steven Lee |
| * Councillor Phil Bellamy | * Councillor Sandy Lowry |
| * Councillor Dawn Bennett | * Councillor Richard Lucas |
| * Councillor Joss Bigmore | * Councillor Julia McShane |
| * Councillor David Bilbe | * Councillor Masuk Miah |
| * Councillor Honor Brooker | Councillor Richard Mills OBE |
| * Councillor James Brooker | * Councillor Carla Morson |
| * Councillor Philip Brooker | * Councillor Danielle Newson |
| Councillor Ruth Brothwell | * Councillor Patrick Oven |
| * Councillor Yves de Contades | * Councillor George Potter |
| * Councillor Amanda Creese | * Councillor Maddy Redpath |
| * Councillor Geoff Davis | * Councillor Merel Rehorst-Smith |
| * Councillor Jason Fenwick | * Councillor David Shaw |
| Councillor Matt Furniss | * Councillor Joanne Shaw |
| * Councillor Angela Goodwin | * Councillor Katie Steel |
| * Councillor Lizzie Griffiths | * Councillor Cait Taylor |
| * Councillor Gillian Harwood | Councillor Jane Tyson |
| * Councillor Stephen Hives | * Councillor James Walsh |
| * Councillor Catherine Houston | * Councillor Fiona White |
| * Councillor Tom Hunt | Councillor Dominique Williams |
| * Councillor Bob Hughes | * Councillor Keith Witham |
| * Councillor James Jones | * Councillor Sue Wyeth-Price |
| * Councillor Vanessa King | * Councillor Catherine Young |

*Present

Honorary Freeman Keith Churchouse and Honorary Alderman David Wright were also in attendance.

CO57 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ruth Brothwell, Richard Mills OBE, Jane Tyson, and Dominique Williams, and from Honorary Aldermen Catherine Cobley, Sarah Creedy, Jayne Marks, Tony Phillips, and Lynda Strudwick.

CO58 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO59 MAYOR'S COMMUNICATIONS

The Mayor reported that it had been a very busy couple of months visiting local charities and supporting their great work. This included:

- the installation of Alex Goldberg as the new Rabbi of Guildford, the first for over 70 years;
- two fireworks events – Guildford Lions and Tongham;
- our traditional moving Remembrance Service in Guildford at the beginning of November followed by a small service in the afternoon in Send; and
- The Mayor's visit to Freiburg to commemorate the 80th Anniversary of the bombing of Freiburg, which was a poignant and moving highlight. The Mayor had addressed their Town Council, and had spoken at the commemoration service in Freiburg Cathedral, standing together with the Mayors of Freiburg and Bescannon (France) to remember the many lives lost on 27 November 1944 and to acknowledge the human suffering that impacts us all during times of conflict.

The Mayor had also visited North Guildford Foodbank and was given a ride on a Harley Davidson Motorbike, courtesy of the Hogsback Bikers who were there donating food. The Mayor had participated in a sleep-out for Guildford Action with about 40 other people, and had opened Guildford panto at the Yvonne Arnaud.

The Mayor was very pleased to report that 300 people were due to attend the Mistletoe Ball on 12 December with the aim of raising £56,000 for 7 local charities.

CO60 LEADER'S COMMUNICATIONS

Ash Road Bridge project

The Leader reported that the Council was working closely with Network Rail and Surrey County Council, to ensure that Chester Bridge could be opened in the New Year as part of Phase five of the project. More information about this project was available on the Council's website.

Social media Cost of Living campaign

As the colder weather approaches, the Leader reported that the Council had launched its social media Cost of Living campaign, which would run through to mid-January. Councillors were asked to share this information on their social media channels.

Guildford's markets in December

The festive market had been rescheduled to Sunday 8 December, following its recent postponement due to bad weather. There would be plenty of opportunity to buy festive treats, and other unusual Christmas presents at all the specialist markets taking place during December. Full details were available on the website.

About Guildford

The Winter edition of About Guildford would be going out to subscribers at the end of the week, which would include the latest news on our Corporate Strategy, information on changes to recycling and waste collections over Christmas and New Year, details of festive events, and top tips for a safe and sustainable Christmas. Councillors were asked to encourage residents to sign up to receive About Guildford on the website.

In response to a question in respect of the Ash Road Bridge project regarding when it was expected that HGVs would be able to use the new bridge, and whether there were any implications for diversions concerning HGVs, the Deputy Leader apologised to residents for the poor and confused communications that were issued in November. Phase five of the project would start in the New Year, and was expected to take approximately nine weeks, during which time there would be an HGV diversion in place, the details of which were still being worked on with Surrey County Council but would be communicated to residents as soon as possible.

CO61 ANNOUNCEMENTS FROM THE STATUTORY OFFICERS

There were no announcements from the statutory officers.

CO62 PUBLIC PARTICIPATION

There were no questions or statements from the public.

CO63 QUESTIONS FROM COUNCILLORS

There were no questions from councillors.

CO64 IMPROVEMENT PLAN - 6 MONTH PROGRESS UPDATE

The Mayor informed the Council that, having taken appropriate officer advice in accordance with Council Procedure Rule 15.1, she had agreed to waive the rules of debate referred to in Council Procedure Rule 15.2. for this item of

business to allow councillors to engage with a question-and-answer session with the Chair of the Independent Assurance Panel (IAP), Mr Andrew Flockhart, in advance of the formal consideration and debate of this matter, and also to give political group leaders the opportunity of commenting first during the debate on the motion in respect of this matter.

Councillors were reminded that, at its meeting on 23 July 2024, the Council had endorsed the report on the SOLACE governance reviews and the Improvement Plan. The Improvement Plan aimed to address the recommendations from the reviews and achieve the principal outcome of meeting the duty of Best Value and becoming a well-managed and resilient council. One of the recommendations of the SOLACE report, agreed by Council as part of the Improvement Plan, was that Full Council should receive an update, every six months. This was the first of those updates. The report summarised the activities and achievements of the first six months of Council's Improvement Plan. The report was presented to Council alongside the first written assessment from the IAP, which was appended to the report. The Panel had commented that the Council had made significant progress against the Improvement Plan over the last six months, with fundamental positive changes being made in a number of crucial areas and that the plans remained fit for purpose.

It was recognised that, whilst good progress had been made in the first six months, the Council's aim of delivering the Improvement Plan and meeting the statutory duty to deliver Best Value required continued effort, dedication and collaboration from both Members and Officers. The Council recognised that there was still a great deal more to do to improve operations, governance and culture, and deliver the high-quality services that local communities, tenants and businesses deserved. The Improvement Plan had taken a risk-based approach, recognising that all the actions could not be delivered at once. The actions and timescales within the Improvement Plan were reviewed regularly to ensure that they reflected the Council's priorities; and the Council had sought the support from the IAP on this prioritisation.

The IAP was playing a critical role in monitoring and advising on these efforts, ensuring that the Council had visibility and assurance on its journey of improvement. The Council expressed its gratitude for the support the IAP had given in the first six months of the delivery of the Improvement Plan and welcomed their independent assessment on the Council's progress.

In addition to taking questions at the meeting, councillors had been invited to submit written questions to Mr Flockhart in advance of the meeting. Councillor Philip Brooker had asked Mr Flockhart the following question:

“I have been assured that benchmarks and targets will be established as a means of measuring progress, and that the likely date for this will be the Spring of 2025. To what extent will the Independent Assurance Panel be involved in developing these, will they be unique to GBC and are there any templates or similar from other councils that could aid our thinking?”

Mr Flockhart responded by stating that the IAP would work with the Council’s Chief Executive and Corporate Leadership Board to develop and establish benchmarks and a benchmarking and performance management arrangement suitable for the Council. This would include taking account of the objectives and the priorities within the corporate strategy, and the performance management system that the Council was putting in place to measure performance and delivery of the key things that the Council wished to deliver for the local community.

It was noted that there was not a simple benchmark for every local authority and that benchmarking was most useful when suitable comparators, comparable organisations were identified and compared with. The IAP would be working with the Corporate Leadership Board to identify suitable comparators for Guildford.

Other questions asked at the meeting, and the responses given by Mr Flockhart were as follows:

Question from Councillor George Potter:

Noting that the area where we have the largest number of challenging outstanding actions relate to permanent staffing in housing, and updating software systems. The report noted that some of the key things to resolve were going to be things around budget processes for procurement and particularly around HR processes for recruitment. Has the IAP assurance and confidence that those actions are in hand and will be delivered within the revised timelines?

Response:

Mr Flockhart informed councillors that the housing expert on the IAP was working closely with the Joint Strategic Director of Housing, Communities & Environment in respect of these matters. The IAP was confident that the Council had in place the leadership in that service to lead the process of improvement in housing. The IAP had noted that there was a shared commitment of all of the senior team in the housing service and that they had detected enthusiasm from staff throughout the service to join in the improvement process. The IAP also agreed that the priorities identified for the housing service, between the Director and the Assistant Director were the right priorities to work on now.

Question from Councillor Vanessa King:

On balance, given the complexity of this project ahead of us, has the Council made sufficient progress in the last six months? Would you have expected us to make more progress? Or are we where you would have expected us to be at this stage?

Response:

Mr Flockhart stated that, in his view, the Council had made more progress than he would have expected. The panel's report had detected weaknesses in just about every part of the authority in terms of its corporate governance; so it was to the huge credit of the council and its officers that very significant progress had been made in the first six months of the panel's work with the Council and the nine months since the SOLACE report was delivered to the Council. This progress had included the appointment of the new chief executive, bolstering and strengthening the corporate leadership board to support the chief executive, the development of a new corporate strategy, improvements in financial forecasting and financial control.

The Deputy Mayor, Councillor Howard Smith

Concern was expressed that the Council and councillors have had no opportunity to provide input into the improvement plan. Appendix 1 to the March report from SOLACE stated that all senior managers were working to deliver the priorities of two councils which had different policies, procedures, staff teams and systems of every kind. Consequently, senior managers were very stretched and could not operate efficiently. It also stated that the transformation programme looked under-resourced. As a result, the probability of the collaboration delivering further benefits in the current context was low. Capacity issues described in section seven were significant and needed to be addressed by the Council. Could you explain why these issues referred to in Appendix 1 are not included in the Improvement Plan, or consequently in the IAP's update review?

Response:

The issue of resourcing for the transformation programme had been addressed and was being addressed by the Chief Executive. Additional resource had been put in, with senior officers being appointed to coordinate all of that work. Capacity issues elsewhere in the authority had also been addressed, for example, in the area of governance. The general issue about capacity, and capability, was key, and the Chief Executive was well aware of it, which explained, in part, why he was saying to councillors that this was a three-year plan, which needed to be

managed, including the allocation of resources necessary to achieve the level of improvement required over that period. Mr Flockhart indicated that he had personally interviewed at least ten councillors following a request for councillors to give their views about the performance of the Council and what they wanted to achieve. The IAP had recommended that this matter be referred to the Overview & Scrutiny Committee – Resources for further councillor engagement in the whole improvement process that this Council had committed itself to deliver.

Prior to the motion being proposed, a question was asked seeking clarification as to whether the motion was seeking approval to refer the entire report and appendices to the next meeting of Overview & Scrutiny Committee – Resources. The Leader of the Council confirmed that that was correct.

The Leader of the Council, Councillor Julia McShane proposed, and The Deputy Leader, Councillor Tom Hunt seconded the adoption of the following motion:

“That the Council resolves:

- (a) To note the progress made in the first six months of Guildford’s Improvement Plan.
- (b) To refer this report to the next meeting of the Overview and Scrutiny Committee - Resources, for the purpose of reviewing the report and the progress being made with the delivery of the Improvement Plan.”

The Mayor invited each of the political group leaders to comment first on the motion, followed by other councillors. The following points were raised in the debate:

- The update report and the comments from the IAP were welcomed including the work undertaken by officers to move the Council into a much better position.
- The proposal to refer the report to Overview and Scrutiny Committee - Resources was welcomed. The importance of robust scrutiny of the Council’s progress on delivery of the Improvement Plan was recognised.
- The Council should not lose sight of the reasons why it was necessary to commission this work from SOLACE in the first place, including the overspending of approximately £15 million of reserves in the General Fund, the overspending of approximately £16 million in housing maintenance contracts, the warning of the risk of a S114 Notice, the housing report from the Regulator of Social Housing, which found that

more than half of Guildford's housing stock had maintenance or safety issues and concluded with a C3 rating meaning serious failings.

- Recognition that there was still a great deal more work to be done before residents start to notice sustained improvement in services and the council responsive to their needs. The Council should not lose focus on the necessity of continually driving cultural improvement.
- When the Improvement Plan actions are all finished, it would be necessary to ensure that the new structures, the new policies, the new procedures, and the values are embraced by all officers and councillors.
- Query as to whether more of the housing objectives have been achieved than has been stated in the report.
- There were still concerns regarding officer capacity to achieve everything that needed to be done over the next three years, in particular difficulties around recruitment, notably in the housing service, and facilitating cultural change.
- Recognition that the elements underpinning the six themes in the improvement plan are complicated, difficult to turn around, and in some cases at the mercy of external forces.

Having considered the report and the separate report from the IAP, the Council

RESOLVED:

- (1) To note the progress made in the first six months of Guildford's Improvement Plan.
- (2) To refer this report to the next meeting of the Overview and Scrutiny Committee - Resources, for the purpose of reviewing the report and the progress being made with the delivery of the Improvement Plan.

Reasons:

- Monitoring delivery is central to provide assurance on the progress being made by the Council against its Improvement Plan, and that we are fulfilling our statutory duty to deliver Best Value.
- Scrutiny of the Improvement Plan demonstrates transparency and good governance.

CO65 MEDIUM TERM FINANCIAL PLAN - UPDATE

The Council considered an update on the Medium-Term Financial Planning process and assumptions following the Chancellor's Autumn Statement. The statement had created significant uncertainty, particularly around changes in National Insurance and existing grant schemes.

The Section 151 Officer informed the Council that a policy statement had recently been published by the MHCLG and members of the Overview and Scrutiny – Resources Committee had been briefed on it before their meeting on 2 December and other councillors had been briefed immediately prior to this meeting.

The provisional Local Government Finance Settlement was due in mid-December, which would provide detail of the funding settlement for Guildford for 2025-26. There was also uncertainty around recent government announcements in respect of the minimum funding guarantee. Whereas in the past few years the Council had been guaranteed an increase of at least 3% in funding, it was understood that, for next year, that would be reduced to 0%. It was also understood that a number of grants, would be rolled into adult social care instead, which would mean that the Council would see some of its existing funding stream disappear.

On a more positive note, the Section 151 Officer informed the Council that there would be a new fair funding review and multi-year settlements from next year.

The Lead Councillor for Finance and Property, Councillor Richard Lucas proposed, and the Leader of the Council Councillor Julia McShane seconded a motion to note the progress on updating the Medium-Term Financial Plan position.

During the debate, the following points were made by councillors:

- The cost of the increase in employer's national insurance contributions for the Council was more than twice as much as the income raised by last year's 3% council tax rise.
- Concern over the implications for parish councils.
- Concern over the knock-on impact of the increase in employer's national insurance contributions on the Council's contractors resulting in increased costs of service provision.
- Rather than cutting services or raising prices, the Council could consider ways of increasing efficiency by further embedding the collaborative relationship with Waverley.

Having debated the matter, the Council

RESOLVED: That the Council notes the progress on updating the MTFP position.

Reasons:

- The General Fund Budget is a major decision for the Council and setting a balanced budget is a statutory requirement.

- Scrutiny of the MTFP and Budget proposals demonstrate transparency and good governance

CO66 REVIEW OF COUNCILLORS' ALLOWANCES (INCLUDING 12-MONTH UPDATE)

The Council considered the report and recommendations of the Council's Independent Remuneration Panel (IRP) on its review of Councillors' Allowances, together with the separate recommendations of the Executive. The Council had appointed the IRP for the purpose of reviewing the existing scheme of allowances, including making recommendations on the types of allowance and amounts to be paid.

The Lead Councillor for Regulatory and Democratic Services, Councillor Merel Rehorst-Smith proposed, and the Leader of the Council, Councillor Julia McShane, seconded a motion to adopt the IRP's recommendations, as amended by the Executive.

Having considered the report including the Executive's recommendations and, having regard to the recommendations of the IRP, the Council

RESOLVED:

- (1) That the Basic Allowance payable to all members of Guildford Borough Council be £8,579 per annum.
- (2) That no councillor shall be entitled to receive at any time more than two Special Responsibility Allowances (SRAs), and that where a councillor would otherwise be entitled to three or more SRAs, then only the two higher-valued allowances should be received, and that this 'Two SRA Only Rule' be adopted into the Scheme of Allowances.
- (3) That the maximum number of recipients of SRAs at any one time does not exceed 50% of Council Members (24 Members).
- (4) That the Leader of the Council should receive a Tier One Special Responsibility Allowance of 200% of the Basic Allowance, £17,158 per annum.
- (5) That the Deputy Leader should receive a Tier Two Special Responsibility Allowance of 100% of the Basic Allowance, £8,579 per annum.
- (6) That the Members of the Executive (excluding the Leader and Deputy Leader), the Chair of the Planning Committee, should each receive a Tier

Three Special Responsibility Allowance of 75% of the Basic Allowance, £6,434 per annum.

- (7) That the level of the Mayor's Special Responsibility Allowance should also be at Tier Three (75% of the Basic Allowance, £6,434 per annum) for 2025-26 and that this allowance be reviewed again by the Independent Remuneration Panel in 12 months' time.
- (8) (a) That the Chairs of the Overview and Scrutiny Committees and the Corporate Governance and Standards Committee, and Political Group Leaders (of groups comprising more than 10% of members overall) should each receive a Tier Four Special Responsibility Allowance of 50% of the Basic Allowance, £4,290 per annum.

(b) That, subject to the Council's approval of the proposed new committees in agenda item 11 below, a Special Responsibility Allowance (SRA) be paid to each of the chairs of those committees equivalent to the level of SRA to be paid to the chair of the Corporate Governance & Standards Committee (Tier Four) with effect from the beginning of the 2025-26 municipal year, and that the Joint Independent Remuneration Panel be requested to submit further recommendations to the Council in 12 months' time as to the appropriate levels of SRA payable in respect of the chairs of those committees.
- (9) That the Chair of the Licensing Committee, the Deputy Mayor, the Vice-Chair of the Planning Committee, and Political Group Leaders (of groups comprising less than 10% of members overall) should each receive a Tier Five Special Responsibility Allowance of 25% of the Basic Allowance, £2,145 per annum.
- (10) That the current Special Responsibility Allowance for Designated Licensing Sub-Committee Chairmen in respect of chairing Licensing Sub-Committee and Licensing Regulatory Sub-Committee meetings be set at £71 per meeting.
- (11) That, in relation to the Mayor's and the Deputy Mayor's allowances payable under Sections 3 and 5 respectively of the Local Government Act 1972 to meet the expenses of their offices:
 - (a) the level of those allowances should remain unchanged at £8,000 and £2,000 per annum respectively and to note that no further review was required; and

- (b) with immediate effect, the cost of the Mayor's travel arrangements for attending certain functions where it is inadvisable for them to drive themselves should be met from the Mayor's Allowance.
- (12) That co-optees receive an allowance of 5% of the Basic Allowance, £429 per annum.
- (13) That the amounts currently payable to councillors and co-opted members whilst on approved duties in respect of motor mileage and cycle allowances should continue.
- (14) That councillors and co-opted members, whilst on approved duties, should continue to be reimbursed the cost of:
- second class or any available cheap rate travel using public transport on production of proof of purchase of a valid ticket;
 - travel by taxi or private hire vehicle where no public transport is reasonably available or for reasons of health/ disability/safety; and
 - any reasonable parking charges incurred.
- (15) That the Day Subsistence and Overnight Subsistence Allowances be withdrawn and that the following be included in the new scheme of allowances:

“Subsistence Allowance:

Reasonable subsistence allowances will be paid for the “Approved Duties” within the Scheme (see Appendix 2 to the IRP's report), provided that:

- (a) subsistence allowances are only payable for attending approved duties outside of the Borough;*
- (b) refreshments are not provided as part of the meeting/ function attended.*
- (c) meal allowances will be paid only where a member is undertaking an approved duty which involves their absence from home for a period exceeding four hours; and*
- (d) all claims are accompanied by valid receipts.*

Overnight Accommodation:

There is no set allowance for overnight accommodation. However, councillors should endeavour to stay in accommodation which provides good value for money but, if the reason for requiring overnight accommodation is to attend a training event, conference, or similar event, councillors may stay overnight at the venue being used for that

event. Receipts must be provided with all claims for reimbursement of accommodation costs.

Reimbursement of reasonable overnight accommodation costs will also only be payable for attending approved duties outside of the Borough.

By way of guidance, it is considered that overnight accommodation costs ranging from £100 to £150 are deemed to be “reasonable”, dependent on the location. All overnight accommodation should be pre-booked by officers wherever possible. No claims for alcoholic drinks will be reimbursed.”

- (16) That, subject to a further review by the Joint Independent Remuneration Panel in 12 months’ time, a new Dependants’ Carers’ Allowance be included in the scheme of allowances as follows:

Level 1 – This will be paid to those councillors who necessarily incur expense in arranging for general care of (i) their children, aged 13 or under, or (ii) one or more persons that normally reside in their household and for whom they are a registered carer, to enable them to undertake any approved duty, up to a maximum of £500 per annum per councillor. The allowance shall be paid as a reimbursement of incurred expenditure against receipts.

Level 2 – This shall be for specialist care based at cost upon production of receipts and requiring medical evidence that this type of care is required. This allowance would not be taxable and shall apply for councillors with caring responsibility for persons of any age. There shall be no limit to these claims, provided that they are made in respect of approved duties.

- (17) That no changes be made to the Approved Duties for which Dependants’ Carers’ Allowance and Travelling and Subsistence Allowance should be payable.

- (18) That the Councillors’ Allowances Scheme be amended to include provisions that clarify that:

- (a) All Councillors shall continue to receive their Basic Allowance in full for a period up to six months in the case of absence from their councillor duties due to leave related to maternity, paternity, adoption shared parental leave or sickness absence.

- (b) Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full for a period of six months, in the case of absence from their Councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence.
 - (c) Where for reasons connected with sickness, maternity leave, adoption leave, paternity leave or shared parental leave a councillor is unable to attend a meeting of the Council for a period of six months, a dispensation by Council can be sought before the expiry of that six-month period in accordance with Section 85 of the Local Government Act 1972.
 - (d) If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of a party group position the party group) the replacement shall be entitled to claim a Special Responsibility Allowance pro rata for the period over which the cover is provided.
- (19) That the basic allowance, each of the SRAs, the Co-Optees' Allowance and the Dependants' Carers' Allowance (Level 1) be increased annually in line with the percentage increase in staff salaries until 2027, at which time the Scheme shall be reviewed again by an independent remuneration panel. Where staff salaries are increased by way of a lump sum payment, the Allowances referred to above shall be adjusted by applying an average percentage increase.
- (20) That the removal by the Independent Remuneration Panel of its recommendation within its November 2023 report for a special responsibility allowance to the Chairmen of the two Executive Advisory Boards, and the resulting saving of £8,352 be noted.
- (21) That the new scheme of allowances, as set out in Appendix 3 to the report submitted to the Council and as amended to reflect the provisions reflected in this motion, be implemented with effect from the beginning of the 2025-26 financial year, at which time the current scheme of allowances shall be revoked.
- (22) That the Independent Remuneration Panel be requested to undertake during the coming year a further mini review of the special responsibility allowance in respect of the role of the Overview and Scrutiny Chairs and submit a further short report for the 2026/27 financial year.

(23) That the Independent Remuneration Panel's offer to review any new or significantly changed roles which might attract a special responsibility allowance as they arise and to make further recommendations to the Council, be welcomed.

(24) That authority be delegated to the Strategic Director of Legal & Democratic Services to make minor non-financial changes to the wording or interpretation of the Member Allowances Scheme between formal reviews, after consultation with the Chair of the IRP and the relevant Lead Councillor.

Reason:

In order to comply with the requirements of The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).

CO67 PROPOSED CHANGES TO THE TERMS OF REFERENCE OF THE CORPORATE GOVERNANCE & STANDARDS COMMITTEE

The Council considered a report on the proposed establishment, with effect from the beginning of the 2025-26 municipal year, of a dedicated committee for audit purposes, in accordance with recommendation 9.5 of the Council's improvement plan. The report had also set out proposed changes to the terms of reference of the Corporate Governance & Standards Committee, the effect of which meant that it would revert to a Standards Committee.

As well as setting out the revised terms of reference of those committees, the report had also set out how it was proposed that the residual remit of the current Corporate Governance & Standards Committee would be distributed.

The proposals had been considered in detail by the Joint Constitutions Review Group on 2 September and again on 21 October 2024, and also by the Corporate Governance & Standards Committee at its meetings held on 26 September and 14 November 2024.

The Corporate Governance & Standards Committee had commended the proposals, as set out in the report, to the Council for adoption.

The Chair of the Corporate Governance & Standards Committee, Councillor Phil Bellamy proposed, and the Vice-Chair of that Committee, Councillor Bob Hughes seconded the adoption of the motion to approve the proposals.

During the debate, the following points were made:

- The proposed reallocation of responsibility for monitoring the spending of Section 106 contributions to Overview & Scrutiny was welcomed, as it would strengthen scrutiny of this important matter.
- The new Audit and Risk Committee would also be better placed to deal with, and focus on, key financial matters affecting the Council.
- The proposal to refer matters relating to Equality, Diversity and Inclusion to Overview & Scrutiny rather than to the Executive direct was welcomed.
- It was suggested that there should be two co-opted parish council representatives and a co-opted independent member on each of the proposed committees.

Having considered the matter, the Council

RESOLVED:

- (1) That the terms of reference of the Corporate Governance & Standards Committee be amended and the Committee renamed the Standards Committee, with effect from the start of the 2025-26 municipal year.
- (2) That a new Audit & Risk Committee be established, with effect from the start of the 2025-26 municipal year.
- (3) That the proposed Terms of Reference of the new Audit & Risk Committee and Standards Committee, as set out respectively in Appendices 1 and 2 to the report submitted to the Council, be adopted into the Constitution, with effect from the start of the 2025-26 municipal year, subject to the amendment in Appendix 2 to indicate that the Standards Committee will co-opt one parish member and one independent member, rather than two parish members.
- (4) That the residual remit of the current Corporate Governance & Standards Committee be distributed as set out in Appendix 3 to the report, with effect from the start of the 2025-26 municipal year.
- (5) That it be noted that a further report will be submitted to the Corporate Governance & Standards Committee, by the end of the 2024-25 municipal year, on the review of the terms of reference of the overview and scrutiny committees.

Reasons:

- The Corporate Governance and Standards Committee is responsible for a wide breadth of areas including corporate governance, accounts and audit, and

ethical standards. Splitting the remit and functions of the Committee into two separate and distinct committees will help to ensure that an appropriate focus is given to both areas, and that, in turn, this will improve the effectiveness of the committees and allow for better support and training for members.

- The recent SOLACE review of governance for Guildford Borough Council found that the remit of the Committee is 'so broad as to marginalise the audit role to the detriment of the Council's governance'. It recommended that the Council give consideration to a separate audit committee, and the Council agreed to accept the SOLACE recommendations in full.

CO68 PROPOSED CHANGES TO COUNCIL PROCEDURE RULE 6.2

The Council considered a report which proposed an amendment to Council Procedure Rule 6.2, to ensure that there were no changes to the start times of committees, unless there was an urgent requirement.

The matter had been considered initially by the Joint Constitutions Review Group on 21 October 2024 and, more recently, by the Corporate Governance & Standards Committee at its meeting on 14 November 2024. The Committee had recommended that Council approve the proposed change.

Upon the motion of Councillor Phil Bellamy, seconded by Councillor Bob Hughes, the Council

RESOLVED: That Council Procedure Rule 6.2 be amended to read as follows:

"Should a committee or sub-Committee need to hold a meeting at a time different to that determined by the Monitoring Officer, then the Chair shall notify the Monitoring Officer via email at committeeservices@guildford.gov.uk. The Monitoring Officer will consider whether there are exceptional circumstances which warrant the changing of the timing of the meeting, and if necessary they will make the necessary amendment to the calendar of meetings. The Monitoring Officer may only make such amendment to the time of the meeting at least 5 clear working days prior to the summons for the meeting being published."

Reason:

The Joint Constitutions Working Group at its meeting on 21 October 2024 were concerned that changing the start time of meetings might have equalities issues, in that working members and the public might not be able to attend.

CO69 SELECTION OF MAYOR AND DEPUTY MAYOR 2025-26

The Council considered a report on nominations received for election of Mayor and appointment of Deputy Mayor for the municipal year 2025-26. The constitutional changes adopted by the Council in 2014 in respect of the Mayoralty, provided that

the Council would normally elect the Deputy Mayor appointed at the annual meeting of the Council as Mayor at the next succeeding annual meeting.

Political group leaders had been asked to submit nominations in respect of the Deputy Mayoralty for 2025-26. Councillor Jane Tyson had been the only nomination received.

Accordingly, the Council was asked to consider the nominations of Councillors Howard Smith and Jane Tyson respectively for Mayor and Deputy Mayor in 2025-26. Councillor Smith left the meeting during the Council's consideration of this matter.

Upon the motion of the Leader of the Council, Councillor Julia McShane, seconded by Councillor James Walsh, the Council

RESOLVED:

- (1) That the Deputy Mayor, Councillor Howard Smith be nominated for the Mayoralty of the Borough for the 2025-26 municipal year.
- (2) That Councillor Jane Tyson be nominated for the Deputy Mayoralty of the Borough for the 2025-26 municipal year.

Reason:

To make early preparations for the selection of the Mayor and Deputy Mayor for the 2025-26 municipal year.

CO70 CAPITAL, TREASURY AND INVESTMENT STRATEGY - OCTOBER REFRESH

The Council noted that a capital strategy was the foundation of proper long-term planning of capital investment in assets and how it was to be delivered. It needed to link into the Council's overall corporate objectives and strategic priorities.

Councils needed to invest in their assets, as they were the most valuable resource and was, therefore, linked to asset planning. Council assets had been acquired using public money, so the Council had an obligation to protect the value of those assets. Failure to do this would mean that assets would deteriorate gradually and, in the long-term, it would put the Council's ability to fulfil its basic responsibilities at risk.

Capital expenditure was defined as:

"Money spent on acquiring or upgrading fixed assets, to increase the life of the asset or improve its productivity or efficiency to the organisation"

An integral part of a capital strategy was how the programme was financed. This was inexplicitly linked to treasury management and informed the resources available for treasury investments.

Treasury management was an important part of the overall management of the Council's finances. A council could borrow or invest for any purpose related to its functions, under any enactment, or for the purpose of the prudent management of its financial affairs.

CIPFA defined treasury management as:

“the management of the organisation’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks.”

The Local Government Act 2003 required local authorities to have regard to the Prudential Code. The Prudential Code, last revised in 2021, required local authorities to determine a capital strategy, which should have regard to:

Capital expenditure

- an overview of the governance process for the approval and monitoring of capital expenditure
- a long-term view of capital expenditure plans
- an overview of asset management planning
- any restrictions around borrowing or funding of ongoing capital finance

Debt and borrowing and treasury management

- a projection of external debt and use of internal borrowing to support capital expenditure
- provision for the repayment of debt over the life of the underlying asset
- authorised limit and operational boundary for the following year
- the approach to treasury management including processes, due diligence and defining the risk appetite

Commercial activity

- the Council's approach to commercial activities, including processes, ensuring effective due diligence and defining the risk appetite including proportionality in respect of overall resources

Other long-term liabilities

- an overview of the governance process for approval and monitoring and ongoing risk management of any other financial guarantees and other long-term liabilities.

Knowledge and skills

- a summary of the knowledge and skills available to the Council and confirmation that these are commensurate with the risk appetite.

The Council was also required to set Prudential and Treasury Indicators for assessing the prudence, affordability and sustainability of capital expenditure and treasury management decisions. The, then, MHCLG investment guidance had also suggested some local indicators.

The Council considered a report on the Capital Strategy, which outlined the Council’s balance sheet and treasury position, capital expenditure and treasury management strategy.

The Lead Councillor for Finance and Property, Councillor Richard Lucas, proposed, and the Leader of the Council Councillor Julia McShane seconded a motion to approve the capital and investment strategy, specifically the investment strategy and Prudential Indicators contained in the report submitted to the Council.

During the debate, in response to a request to provide a summary of the key differences between the strategy contained in the report and the previous version adopted by the Council, the Lead Councillor indicated that a written response would be circulated.

The Council

RESOLVED: That the capital and investment strategy, specifically the investment strategy and Prudential Indicators contained in the report submitted to the Council, be approved.

Reason:

To enable Council to approve the updated capital and investment strategy for the period up to 2028-29.

The meeting finished at 8.54 pm

Signed

Mayor

Date