

GUILDFORD BOROUGH COUNCIL

Minutes of an extraordinary meeting of Guildford Borough Council held at Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Tuesday 3 January 2023

- * The Mayor, Councillor Dennis Booth
- * The Deputy Mayor, Councillor Masuk Miah

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

*Present

Honorary Freeman Keith Churchouse was also in attendance.

CO93 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Christopher Barrass, Colin Cross, Guida Esteves, Graham Eyre, Andrew Gomm, Angela Goodwin, David Goodwin, Liz Hogger, Nigel Manning, Ann McShee, Marsha Moseley, Susan Parker, John Rigg, James Steel, and Keith Witham, and also from Honorary Aldermen Catherine Cobley, Jayne Marks, Tony Phillips, and Lynda Strudwick.

CO94 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO95 MAYOR'S COMMUNICATIONS

The Mayor wished councillors a Happy New Year and was pleased to see Councillor Ted Mayne at the meeting, after his recent illness and period in hospital.

The Mayor reported that December had been a very busy month for him with numerous Carol Services and pantomimes to attend. The Mayor's Carol Concert at Holy Trinity Church had been a great success and had raised over £1,800 for the Mayor's charities.

Councillors' attention was drawn to the Mayor's Award for Service to the Community which had been launched on 1 January 2023. The Mayor invited councillors to nominate deserving people within their wards who had made an outstanding contribution to life in the borough and noted that nominations would close on Friday 3 February 2023. Nominations could be submitted through the Mayor's pages on the Council's website.

The Mayor informed councillors that the Mayor's Charity Ball would be held on 25 March 2023 and that further details would be available very soon.

The Mayor had received a card from the King addressed to the residents of Guildford and members of this Council in response to his letter of condolence to His Majesty following the death of Her Majesty the Queen.

CO96 LEADER'S COMMUNICATIONS

The Leader reported on the following matters to the Council:

- (a) Annual Community Christmas present drive: The Leader thanked those who had made the annual Community Christmas present drive possible this year. In the lead up to Christmas the Council's Community Wellbeing team had distributed over 400 presents to children across the borough, reaching 175 families struggling with the cost of living. The Leader expressed her gratitude to the local schools and organisations who had donated the presents, including the Guildford High School, Royal Grammar School, Guildford Lions, and staff at the Artington Park and Ride vaccination centre. Since the start of the project in 2020 over 1000 presents had been delivered to children in the borough at Christmas.
- (b) Another milestone for the Draft Local Plan (Part 2): The emerging Local Plan Development Management Policies had progressed to another important milestone. Last year, a draft of the Plan was submitted to the Secretary of State. The Planning Inspector was now seeking consultation on a limited number of changes to the Plan. The consultation on the 'main modifications' would run for seven weeks, closing on Thursday 2 February 2022. The consultation would be for the modifications only and not the full plan. Once adopted, the new Local Plan would become the starting point for decision-making for planning and development, together with the Local Plan Strategy and Sites. It would also replace the extant policies from the existing Local Plan 2003.
- (c) Warm hubs: The Council had helped Surrey County Council open warm hubs in Guildford. These were places where people can drop in, get warm and meet others, enjoy a hot drink, and receive information and advice on energy bills. Details of all warm hubs around Surrey, could be found on Surrey County Council's website and a full list of Guildford warm hubs could be found on the Council's website, including the Community Hub The Hive.

In response to a request from Councillor Spooner for information in respect of warm hubs as to what actions the Council had taken in terms of supporting Surrey County Council, and in particular, actions the Council had taken in that regard for wards in the west of the borough, the Leader indicated that she would come back to him with the information sought.

CO97 PUBLIC PARTICIPATION

There were no questions or statements from the public.

CO98 QUESTIONS FROM COUNCILLORS

Councillor Tony Rooth asked the Lead Councillor for Planning Development, Legal and Democratic Services, Councillor Tom Hunt, the following question:

“Could the Lead Councillor please clarify the scope and extent of the role of recommended Joint Monitoring Officer generally and in particular:

- (a) any differences between the proposed role and the existing role*
- (b) the scope and extent of the proposed and existing role (or indeed any officer role) over the policies and actions of all GBC departments, and*
- (c) the Corporate team, both councillors and officers and its relationship with other teams within GBC, in particular the Planning team.”*

The Lead Councillor’s response to the question was as follows:

“The Monitoring Officer has the specific duty to ensure that the Council, and its councillors and officers, maintain the highest standards of conduct in all they do. The Monitoring Officer’s legal basis is found in Section 5 of the Local Government and Housing Act 1989 (as amended).

In all principal local authorities, the person designated as Monitoring Officer has three main roles:

- 1. To report on matters they believe are, or are likely to be, illegal or amount to maladministration;*
- 2. To be responsible for matters relating to the conduct of councillors and officers; and*
- 3. To be responsible for the operation, review, and updating of the Constitution, including provision of advice on the interpretation of the Constitution, and making determinations where necessary.*

I can confirm that the only difference between the existing and proposed Monitoring Officer roles is that the former is currently an interim appointment and the latter the permanent appointment. In terms of influence over the policies and actions of GBC departments, the Monitoring Officer’s role is to ensure all such policies and actions are implemented and exercised in accordance with the law and with the provisions of the Constitution.

One of functions of the Monitoring Officer, as set out in Article 13 of the Constitution, is ‘to contribute to the corporate management of the Council, in particular through the provision of professional legal and ethical advice’. This applies to all teams and services within the Council, including the Planning service. At GBC, the Monitoring Officer also has a direct reporting line to the Chief Executive on governance matters and, with the Section 151 Officer and the three Strategic Directors, a permanent invitation to meetings of the Corporate Management Board, which is the regular meeting of senior officers.”

In response to a supplementary question which sought

- (a) clarification as to whether there was any difference between the monitoring standards of Guildford and Waverley, and*
- (b) confirmation that the relationships and discussions between all GBC teams, the officers, councillors and consultants with third parties and their advisers and any resulting*

potential conflicts of interest were also covered by the Monitoring Officer's duties and responsibilities,

the Lead Councillor confirmed that there was no difference in the monitoring standards between Waverley and Guildford and assured the Council that the ethical wall between GBC corporate and GBC in its role as Local Planning Authority was robust and had not been breached. There was no evidence of any impropriety, and the monitoring officer responsibilities covered the oversight of that ethical wall.

CO99 APPOINTMENT OF JOINT MONITORING OFFICER

The Council considered a report on the proposed appointment of a Joint Monitoring Officer and was reminded that in July and August 2021, Guildford and Waverley Borough Councils had considered options for collaboration, and both had agreed to put in place governance arrangements for the partnership, and to create a Joint Management Team (JMT) comprising Chief Executive, Strategic Directors and Executive Heads of Service.

The final phase of implementation was to appoint the Joint Executive Head of Legal and Democratic Services, which included the statutory post of Monitoring Officer.

The Local Authorities (Standing Orders) (England) Regulations 2001, provided that matters relating to the appointment of a Monitoring Officer were reserved to the Full Council. Therefore, following the candidate selection process in respect of this appointment, the Joint Appointments Committee, at its meeting held on 5 December 2022, had recommended the appointment of Susan Sale, currently Head of Law and Governance at Oxford City Council, and Monitoring Officer at West Oxfordshire District Council, for confirmation at the Full Council meetings of both councils.

Councillors also noted that the full Council may only make or approve the appointment where no well-founded objection had been made by the Leader on behalf of the Executive in accordance with the provisions of Part II of Schedule 1 of the Local Authorities (Standing Orders) (England) Regulations 2001. The report had indicated that the Leaders of both councils had confirmed that no such objection had been received.

Upon the motion of the Lead Councillor for Planning Development, Legal and Democratic Services, Councillor Tom Hunt, seconded by the Leader of the Council, Councillor Julia McShane, the Council:

RESOLVED: That Susan Sale, currently Head of Law and Governance at Oxford City Council, and Monitoring Officer at West Oxfordshire District Council, be appointed to the role of Joint Executive Head of Legal and Democratic Services (Monitoring Officer).

Reason:

To appoint a permanent Joint Executive Head of Legal and Democratic Services, including the duties of the Monitoring Officer for Guildford and Waverley Borough Councils.

CO100 COMMON SEAL

The Council

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

The meeting finished at 7.20 pm

Signed
Mayor

Date