

## Executive

20 July 2023

\* Councillor Julia McShane (Chairperson)  
Councillor Tom Hunt (Vice-Chair)

* Councillor Angela Goodwin	Councillor Carla Morson
* Councillor Catherine Houston	* Councillor George Potter
* Councillor Richard Lucas	* Councillor Merel Rehorst-Smith

\*Present

Councillors Vanessa King and Fiona White were also in attendance.

### **EX9 Apologies for Absence**

Apologies for absence received from Councillors Tom Hunt and Carla Morson.

### **EX10 Local Code of Conduct - Disclosable Pecuniary Interest**

There were no declarations of interest.

### **EX11 Minutes**

The minutes of the meeting held on 22 June 2023 were agreed as a correct record. The Chairman signed the minutes.

### **EX12 Leader's Announcements**

The Leader informed the Executive that the Community Wellbeing team had just been named a finalist in the prestigious BBC "Make a Difference Awards". Out of thousands of nominations, Community Wellbeing really stood out as a shining example of dedication and commitment to improving the lives of those around us. The Leader congratulated the team for this amazing nomination.

Residents would shortly be asked to check that their electoral registration details were up to date. From 4 August we would begin emailing or writing to every household in the borough, encouraging residents to respond as soon as they could. In particular, we would like potential first-time voters to be aware of their right to register. This included 16-17 year olds who could register ahead of their 18<sup>th</sup> birthday.

The Leader noted that there was potential funding available for climate change projects, and organisations and community groups were encouraged to contact our Climate Change Officer [nat.prodger@guildford.gov.uk](mailto:nat.prodger@guildford.gov.uk) to find out more.

Last month, the Surrey Environment Partnership (SEP) waste reduction scheme, Rethink Waste, was rolled out to the whole of Surrey. Any resident with a Surrey postcode could now join the scheme, take part and start receiving rewards for reducing their waste. Further details were available on the SEP website.

### **EX13 General Fund Budget update**

The Executive considered a full Council report written by the Chief Executive and Chief Finance Officer that set out a revised General Fund budget statement for 2023/24. The annual budget had been submitted to full Council in February, at which point a deficit was identified and it was agreed that the Joint Management Team would undertake a comprehensive financial review to identify a set of measures to address this deficit and to present a restated budget in July 2023. A number of factors were identified in the report as having influenced the council's financial position and these were presently common to many other councils. Those factors included increasing demand for services, the state of the UK economy over the last year (with high inflation and rising interest rates), and a succession of government funding reductions over many years. For Guildford, a significant factor was the effect of rising interest rates in regard to borrowing in support of various infrastructure and regeneration projects that had increased the Council's overall debt.

The report set out the findings of the comprehensive financial review and recommended actions to mitigate and reduce the risk of the Council reaching a declaration of a Section 114 notice and a financial recovery plan. A S114 Notice would require the Council to cease all non-essential expenditure and reduce operational and service delivery costs immediately. The report included recommendations to establish a task force to deliver the financial recovery plan.

The report had been considered by the Corporate Governance and Standards Committee (CGSC) at a specially convened meeting earlier in the week. The comments arising from that meeting including suggested amendments to the various recommendations were set out in the Supplementary Information Sheet and proposed that the restated budget for 2023/24 include a budget for Planning resources and that a cross-party Executive working group be created to operate in a support and councillor communication role. The CGSC also proposed the Executive note the findings in the report rather than to endorse them.

The report was introduced to the Executive by the Lead Councillor for Finance and Property.

It was observed that the report was comprehensive, robust, and honest. The public and press had been informed of the content of the report as the council proceeded to address the financial issues with openness and transparency.

The CGSC recommendations were accepted in full with the exception of the recommendation to 'note' the findings of the report, the Executive preferred to revert to the original wording of the report and 'endorse' the findings.

Executive comments included the importance of the inclusion for the business case for additional planning resources as it was a priority for the Council to improve performance and would result in savings in the longer term.

The creation a cross-party working group was acceptable.

RESOLVED:

To recommend to full Council on 25 July 2023:

- (1) To approve the restated 2023-24 General Fund Revenue budget, including the business case for additional planning resources.
- (2) To approve the repurposing of earmarked reserves as detailed in the report.
- (3) To endorse the findings in the report.
- (4) To note the response by the Chief Finance (Section 151) Officer to the S114(3) duty and his recommended immediate actions including a range of expenditure controls, which will be managed through a Financial Control Panel consisting of Senior Officers and chaired by the Section 151 Officer.
- (5) To note that a financial recovery plan is being developed by the Chief Finance Officer in liaison with the Joint Management Team, together with milestones and delivery targets, to be reported to October Full Council for approval.
- (6) To endorse the management action of establishing a task force to deliver the financial recovery plan at pace, to provide the capacity, skills, and capability to support recovery.
- (7) To note that the Executive will set up an executive working group for the following purposes:
  - a) to receive and comment on regular updates on the Council's preparations for the Medium-Term Financial Plan restatement in October and its implementation;
  - b) to provide a sounding board for the Executive and officers on the options that are coming forward to close the projected financial gap; and

c) to guide wider communication with councillors and beyond

- (8) To note that expenditure controls as a feature of how the Council conducts its business will remain in place until such time that the MTFP is balanced, and that such controls shall be determined by the Chief Finance Officer and the Chief Executive, in consultation with the Lead Councillor for Finance and Property.
- (9) To authorise the Chief Finance Officer and Chief Executive to draw down earmarked funding to provide capacity to address and deliver the financial recovery plan and note that the Chief Finance Officer will continue to engage with expert external assistance and advice.
- (10) To endorse the proposal to develop an asset disposal strategy to optimise the revenue impact from the divestment (via sale or otherwise) of the Council's assets and address the need to pay off debt, utilising external advice and support to ensure that best value returns are achieved.
- (11) To agree that a revised Medium-Term Financial Plan be brought to the Executive and Council in October 2023 and then reported quarterly to the Corporate Governance and Standards Committee.

Reason:

To enable the Council to set a balanced budget, which is a statutory requirement and a robust Medium-Term Financial Plan.

#### **EX14 Temporary Shared Staffing Arrangements**

On 6 July 2021, Guildford Borough Council and Waverley Borough Council each agreed to create a single management team and bring forward business cases for future collaboration. An inter authority agreement was entered into in April 2022 to govern the arrangements for such jointly appointed staff.

The Executive considered a report seeking to provide authority to enable opportunities relating to staffing to be realised on a temporary basis pending any formal decisions regarding the Transformation and Collaboration Programme in the future.

It was important to ensure that officers had sufficient agility in operational decision making and to be able to embrace opportunities that might arise regarding temporary staffing arrangements. Such arrangements were likely to be beneficial to both councils in terms of cost, efficiency and skills, whilst retaining flexibility for any future longer-term arrangements brought about through the Transformation and Collaboration Programme.

Executive approval was sought to support the principle of shared staffing arrangements, where they support the Transformation and Collaboration Programme, and for the Joint Chief Executive to be able to approve such arrangements where there was a business case to do so.

This report was introduced by the Lead Councillor for Regulatory and Democratic Services.

The Executive noted the mandate awarded to officers previously to take forward the Inter-Authority Agreement at management level had so far provided both councils with around £400,000 in saved staffing costs. Post-election, with new administrations in place in both councils, it was considered a good point in time to move forward. The Executive agreed that proposals offered a more agile staff team that would facilitate collaborative opportunities as they arose. It was also suggested that the proposals would similarly offer development opportunities for staff.

#### RESOLVED:

- (1) That the principle of sharing staff between Guildford Borough Council and Waverley Borough Council, on a temporary basis, where appropriate to support the collaboration programme be approved.
- (2) That the Joint Chief Executive be authorised to approve, subject to a business case, future temporary staff sharing arrangements between Guildford Borough Council and Waverley Borough Council, to support the collaboration and transformation programme.
- (3) That the Joint Executive Head of Legal and Democratic Services be authorised to enter into an agreement between Guildford Borough Council and Waverley Borough Council for the sharing of their staff on a temporary basis.

#### Reasons:

- (1) To ensure that officers had sufficient agility in operational decision making to embrace opportunities that may arise regarding temporary staffing arrangements, that are likely to be beneficial to both councils in terms of cost, efficiency and skills, whilst retaining flexibility for any future longer-term arrangements brought about through the Transformation and Collaboration Programme.
- (2) To ensure that there was a robust governance process around the sharing of staff on an interim basis, including arrangements for the sharing of costs,

terminating any such agreements and resolving any disputes in a fair and transparent manner.

## **EX15 Appointments to External Organisations 2023-27**

The council appointed councillors to many types of organisations including local charities, community groups and joint local authority advisory bodies for which they undertook a range of governance or advisory roles. Most councils appoint councillors to external organisations with a view to developing positive working relationships with them for the benefit of their residents and local communities.

Following a major review in 2016-17, the Council made a number of changes both to the type of external organisation to which councillors were appointed, and to the manner by which those appointments were made.

In essence, these changes were as follows:

- To appoint councillors only to such external organisations that:
  - (i) support the Council's Corporate priorities, and/or
  - (ii) assist in delivery of Council services, and/or
  - (iii) are using Council facilities
- To appoint one councillor to each of these external organisations (plus a deputy) for a four-year term of office following Borough Council elections.

In addition, the Democratic Services and Elections Manager was given authority to appoint councillors where there was no contest. Contested vacancies were to be determined by either the Executive or Full Council.

During June and July, councillors had been consulted on the vacancies available and the only contested appointment was in relation to the Guildford Philanthropy Fund Panel in respect of which Councillors Geoff Davis and Vanessa King had been nominated.

The Guildford Philanthropy Fund Panel was designated as a vacancy for the Executive to determine as it was a body created by the Executive in 2014. It was currently run by the Community Foundation for Surrey and assisted disadvantaged residents across the borough.

Both councillors had provided a written submission in support of their application which were set out in Appendix 2 to the report and the Executive was invited to consider which councillor should be appointed.

Councillor Vanessa King was in attendance at the meeting and spoke in support of her nomination.

The Executive considered the written submissions from both councillors and the oral address of Councillor King. It was noted that both candidates showed good qualities for the role, but that Councillor Davis had previously been appointed to this role and had opportunities to be appointed to available vacancies on other organisations. Consequently, the Executive

RESOLVED:

That Councillor Vanessa King be appointed to the Guildford Philanthropy Fund Panel for the period 2023-2027, and that should he choose to accept, Councillor Geoff Davis be appointed as deputy.

Reason:

To ensure that the Council is represented on the Guildford Philanthropy Fund Panel.

The meeting finished at 6.37 pm.

Signed .....

Date .....

Chairman

## Executive

24 August 2023

\* Councillor Julia McShane (Chairperson)

\* Councillor Tom Hunt (Vice-Chair)

\* Councillor Angela Goodwin

Councillor Carla Morson

\* Councillor Catherine Houston

\* Councillor George Potter

\* Councillor Richard Lucas

\* Councillor Merel Rehorst-Smith

\*Present

### **EX16 Apologies for Absence**

Apologies for absence were received from Councillor Carla Morson.

### **EX17 Local Code of Conduct - Disclosable Pecuniary Interest**

There were no declarations of interest.

### **EX18 Minutes**

The minutes of the meeting held on 20 July 2023 were confirmed as a correct record. The Chairman signed the minutes.

### **EX19 Leader's Announcements**

The Leader announced that the annual Heritage Open Days would take place between Friday 8 and Sunday 10 September which would allow free access to heritage assets that would, in some cases, usually be closed to the public.

### **EX20 Vehicle Replacement Programme for 2024/25**

The Executive considered a report setting out the anticipated vehicle replacements for 2024/25.

It was proposed that in consideration of the Council's financial position only the waste vehicle fleet should be replaced at this point in time, which was 11 vehicles in total including the entire garden waste fleet. The existing waste vehicles were of an age and use where they were presenting increasing reliability issues which in turn would affect service quality and cost and were in need of replacement at the earliest opportunity in 2024.



The new vehicles would be a 'like for like' replacement. Electric Vehicle (EV) dustcarts had been considered but were still an emerging technology which suggested service and cost risks. Additionally, the Council did not currently have the infrastructure to support an EV fleet without significant investment in the depot which was planned to be closed within a year of the vehicles arriving. Finally, the capital cost of EV vehicles was approximately twice that of standard vehicles, approximately £160,000 per vehicle more expensive on an 8 year life than the equivalent diesel vehicle, after taking into account potential operating savings. Given the fluctuations in interest rates currently, it was argued that borrowing to fund the extra expenditure required to provide an EV fleet would not be prudent. It was hoped that in the future when economic and financial matters were stable, the council would look again at running an EV fleet. Hydrogen fuel cell technology was being increasingly used within buses but was further behind EV for other uses such as dustcarts and might also be an option to consider in the future.

The Executive noted that waste household waste disposal was a statutory obligation for the council and there was a duty to maintain a serviceable fleet at best value to residents. Consequently, the Executive,

#### RESOLVED:

1. That the programme of replacement vehicles for 2024-25 be approved, and that the sum of £2.15m be moved from the provisional capital programme to the approved capital programme.
2. That authority be delegated to the Executive Head of Environmental Services to carry out a compliant procurement process, award the contracts to the successful tenderers, and, in consultation with the Executive Head of Legal & Democratic Services and the Lead Councillor, enter into the relevant contracts.

#### Reason:

To allow for the replacement of the waste and garden waste vehicles in 2024.

### **EX21      Review of Guildford Borough Council's Covert Investigative Powers Policy and alignment with the Policy of Waverley Borough Council**

Historically, Guildford and Waverley had separate policies in relation to covert surveillance. Both policies were somewhat out of date in respect of Communications Data terminology and procedure as implemented by the Investigatory Powers Act 2016.

The Executive considered a report that presented a new draft policy at combining the best parts of both councils' documents into a coherent policy, covering practice, procedure, examples and social media guidance.

Waverley Borough Council would consider the same policy. Provided the same policy was adopted by Waverley Borough Council, there would be clarity and consistency of both councils having an identical policy for employees and others employed jointly by the two councils or working collaboratively on joint or shared services or projects. The two councils having an identical policy would put them in a strong position to support any future decisions to progress and extend the current collaborative working.

The Executive agreed that it was essential to have robust, up to date guidance and procedures in regard to the council's duties concerning any covert surveillance undertaking, and that the policies should be in-line with Waverley Borough Council given the increasing collaborative relationship between the two authorities. Therefore, the Executive,

**RESOLVED:**

That the draft Covert Investigative Powers Policy, as set out in Appendix 1 to the report submitted to the Executive be adopted, subject to the same policy being adopted by Waverley Borough Council.

Reasons:

1. To align the policies of Guildford and Waverley and to improve consistency in reporting, monitoring and approval of covert surveillance and acquisition of communications data.
2. To ensure the integrity of the processes in place for the use of directed surveillance, covert human intelligence sources (CHIS) and acquiring communications data.
3. To maintain compliance with the Legislation and Codes of Practice that govern Investigatory powers and Human Rights
4. To ensure collaborative engagement with the IPCO and their inspectors
5. To ensure staff are fully trained and aware of their powers, duties and the authorisation process.

## **EX22 Executive Working Groups 2023**

The Executive or individual lead councillors could convene working groups to undertake more detailed and extensive business than the Executive by itself would have time to undertake. Such working groups were non-decision making

and would report back to the Executive as appropriate. The Council's Constitution stated that the Executive should annually consider the continuation of such working groups. Where there was a preference for certain working groups to continue, the Executive was asked to agree in respect of each group, the chairman, the terms of reference, and to appoint councillors to them.

The Executive considered the annual report that set out all of the existing working groups with a recommendation if they should continue or be disbanded.

This year, the Executive was asked to continue with all working groups except for one. The Community Board was recommended for deletion as it had never met and consequently had not made any contribution. The Executive was asked to agree to one new working group, which was referred to in the Budget Update report to Council on 25 July. This was the Financial Recovery Executive Working Group, and its draft terms of reference were set out in Appendix 9.

It was noted that although the membership of Executive working groups was at the discretion of the Executive, the Executive as a body and lead councillors strove to appoint membership of the groups across the political parties so as include the skills and experience available across the council membership. The Executive was minded that political inclusion to best serve those working groups would be expected by residents. The Leader of the Council encouraged elected councillors regardless of political persuasion to come forward should they wish to be involved. Thereafter, the Executive,

#### RESOLVED:

1. That the working groups recommended to continue as specified in Appendix 1 and listed in paragraph 2.1 of the report submitted to the Executive, be retained and that those working groups continue to operate under the terms of reference and membership as set out in Appendices 2 to 9.
2. That, where membership of those working groups listed to continue do not have full membership, the appropriate lead councillor shall liaise with group leaders to fill those vacancies.
3. That the Community Board be disbanded.
4. That the draft terms of reference for the new Financial Recovery Executive Working Group, as set out in Appendix 9, be approved.

#### Reasons:

1. To assist the Executive to select or set up appropriate, properly resourced groups to provide support or undertake work on its behalf.

2. To comply with the requirement on the part of the Executive to periodically review the continuation of the various Working Groups in accordance with Council Procedure Rule 24 (k).
3. The Community Board, this group has not met since being created and has made no contribution.
4. To comply with the recommendations of the Council meeting on 25 July 2023.

The meeting finished at 6.20 pm

Signed .....

Date .....

Chairman