GUILDFORD BOROUGH COUNCIL

At a meeting of Guildford Borough Council held at Council Chamber, Millmead House, Millmead, Guildford, Surrey on Thursday 6 October 2016

Councillor Gordon Jackson (Mayor)
* Councillor Nigel Manning (Deputy Mayor) in the chair

* Councillor David Bilbé
* Councillor Richard Billington
* Councillor Philip Brooker
* Councillor Adrian Chandler
Councillor Alexandra Chesterfield
* Councillor Nils Christiansen
* Councillor Colin Cross
* Councillor Geoff Davis
* Councillor Graham Ellwood
* Councillor David Elms
* Councillor Matt Furniss
* Councillor Andrew Gomm
* Councillor Angela Goodwin
* Councillor David Goodwin
Councillor Murray Grubb Jnr
* Councillor Angela Gunning
* Councillor Gillian Harwood
* Councillor Liz Hogger
* Councillor Christian Holliday
* Councillor Liz Hooper
* Councillor Mike Hurdle
* Councillor Michael Illman
* Councillor Jennifer Jordan
Councillor Nigel Kearse
Councillor Sheila Kirkland
* Councillor Julia McShane
* Councillor Bob McShee
* Councillor Marsha Moseley
* Councillor Nikki Nelson-Smith
* Councillor Susan Moseley
* Councillor Susan Parker
* Councillor Mike Parsons
* Councillor Dennis Paul
Councillor Tony Phillips
* Councillor Mike Piper
* Councillor David Quelch
* Councillor Jo Randall
* Councillor David Reeve
* Councillor Caroline Reeves
* Councillor Iseult Roche
* Councillor Tony Rooth
Councillor Matthew Sarti
* Councillor Pauline Searle
* Councillor Paul Spooner
* Councillor James Walsh
* Councillor Jenny Wicks
* Councillor David Wright

Honorary Alderman Mrs Mary Lloyd-Jones was also in attendance.

CO49 APOLOGIES FOR ABSENCE
Apologies for absence were received from The Mayor, Councillor Gordon Jackson and Councillors Alexandra Chesterfield, Murray Grubb Jnr., Nigel Kearse, Sheila Kirkland, Tony Phillips and Matt Sarti and from Honorary Freemen Andrew Hodges and Jen Powell and from Honorary Aldermen K Childs, Mrs C F Cobley, Mrs S Creedy, Mrs C F P Griffin, Mrs J Marks, B Parke, T Patrick and Mrs L Strudwick.

CO50 DISCLOSURES OF INTEREST
There were no disclosures of interest.

CO51 MINUTES
The Council confirmed, as a correct record, the minutes of the extraordinary meeting held on 12 July 2016 and the ordinary meeting held on 26 July 2016. The Deputy Mayor signed the minutes.

CO52 MAYOR’S COMMUNICATIONS
Honorary Alderman John Woodhatch
The Deputy Mayor informed the Council that Honorary Alderman John Woodhatch had been taken ill and that the Mayor had written to him on behalf of all his friends and colleagues at the Council to offer the Council’s best wishes to both him and Ruby.
Freiburg visit
The Mayor had recently welcomed to Guildford the Oberbürgermeister of Freiburg, Dr Dieter Salomon and colleagues and had shown them the many attractions around the borough, including Guildford Castle, Abbot's Hospital, Chilworth Gunpowder Mills and the University of Surrey.

Young Ambassadors
The Deputy Mayor informed the Council of the recent sporting endeavours by two of the Council’s Young Ambassadors:

Jordan Green who had returned recently from Italy after competing in the Taekwondo world championships, where he won the bronze medal in the 14-15 year old 69kg category.

Kayaker Miki Marciniak, who had been in Hungary, participating in the Olympic Hopes Regatta 2016, where he had won a bronze medal for coming third in the 500m and came 8th in the 1000m.

Mayor’s Walk in aid of the Surrey Hills Trust Fund and other fundraising events
The Mayor had completed a 15-mile walk along the North Downs Way in aid of one of his chosen charities, The Surrey Hills Trust Fund. The Deputy Mayor informed the Council of a number of forthcoming fund raising events for all three of the Mayor’s charities.

CO53 LEADER’S COMMUNICATIONS
There were no communications from the Leader.

CO54 PUBLIC PARTICIPATION
Mr Gavin Morgan addressed the Council meeting in respect of the Surrey Archaeological Society Library.

CO55 QUESTIONS FROM COUNCILLORS
Councillor Adrian Chandler asked the Deputy Leader of the Council and Lead Councillor for Infrastructure and Governance, Councillor Matt Furniss, the following question:

“Have all our coin machines been made ready to accept the new 12 sided £1 coin which is being introduced next year? My information is that the existing round pound will start to be withdrawn shortly.”

The Deputy Leader of the Council’s response to this question was as follows:

“The new pound coin is due to be launched in March 2017 and it is our understanding that there will be six months of co-circulation before the old coins are withdrawn. We use three different makes of machine and one type of machine has already been converted to take the new coin. The other two manufacturers are working with their suppliers on updating the validation system. We have been assured these machines will be updated before the new pound coin comes into circulation”.

Councillor Matt Furniss
Deputy Leader of the Council and Lead Councillor for Infrastructure and Governance

CO56 REVISED COUNCILLOR DEVELOPMENT POLICY STATEMENT
Councillors were reminded that the Corporate Governance and Standards Committee, at its meeting on 4 June 2015, and as part of the consideration of its Work Programme, had discussed elements of the councillor induction programme following the May 2015 borough elections. The Committee had asked the Councillor Development Steering Group to submit a
report to consider matters relating to the ongoing councillor training and development programme.

At its meeting on 22 September 2016, the Committee considered a detailed report which outlined the work undertaken by the Steering Group to date, including:

- the feedback from councillors in respect of the new councillors’ induction programme,
- the ongoing training and development programme and
- the work being carried out in preparation for the Council’s first full reassessment under the South East Employers Charter for Elected Member Development, which was due to take place on 8 November 2016.

The Committee noted the valuable work being undertaken by the Steering Group in developing a clear structured plan for councillor development that responded both to the Council’s corporate priorities and councillors’ individual training needs.

A key element of the report to the Committee was the consideration of a revised Councillor Development Policy Statement to supersede the Statement adopted by Council in 2010. The Committee had recommended that the Council adopts the revised statement, which was attached as Appendix 1 to the report submitted to the Council.

Upon the motion of the Deputy Leader of the Council, Councillor Matt Furniss, seconded by the Deputy Mayor, and Chairman of the Corporate Governance and Standards Committee, Councillor Nigel Manning, the Council

RESOLVED:

That the revised draft Councillor Development Policy Statement, as set out in Appendix 1 to the report submitted to the Council, be adopted.

Reason for Decision:
To recognise the importance the Council attaches to councillors’ training and development.

CO57  DRAFT TIMETABLE OF COUNCIL AND COMMITTEE MEETINGS 2017-18

Upon the motion of the Deputy Leader, Councillor Nigel Manning, seconded by the Leader of the Council, Councillor Paul Spooner, the Council

RESOLVED: That the proposed timetable of Council and Committee meetings for the 2017-18 municipal year, as set out in Appendix 1 to the report submitted to the Council, be approved.

Reason for Decision:
To assist with the preparation of individual committee work programmes.

CO58  ETHICAL STANDARDS – APPOINTMENT OF INDEPENDENT PERSON

Councillors were reminded that the Council, at its meeting on 7 October 2015, had re-appointed Mr Roger Pett as one of the Council’s Independent Persons for a 12-month period expiring 7 October 2016. At the time of his re-appointment, Mr Pett had anticipated that he would be moving away from the area within the next 12-18 months.

Following further discussions with Mr Pett and reassurances that his moving away from the area would not necessarily be an impediment to his continued appointment as an Independent Person, he had stated that, subject to the Council’s approval, he would be happy to continue as one of the Council’s Independent Persons until May 2019.

Upon the motion of the Deputy Leader of the Council, Councillor Matt Furniss, seconded by the Deputy Mayor, and Chairman of the Corporate Governance and Standards Committee,
Councillor Nigel Manning and having noted that the Corporate Governance and Standards Committee, at its meeting on 22 September 2016, had considered this matter and supported Mr Pett’s re-appointment, the Council

RESOLVED:

That Roger Pett’s appointment as one of the Council’s Independent Persons, under Section 28(7) of the Localism Act 2011, be extended to May 2019.

Reason for Decision:
To comply with the Council’s obligations under the Localism Act 2011 in respect of ethical standards and the Arrangements adopted thereunder by the Authority for dealing with complaints regarding councillor conduct.

CO59 RETIREMENT OF THE MANAGING DIRECTOR AND RECRUITMENT OF HER SUCCESSOR

The Council considered a report on arrangements for the retirement of the Managing Director, Sue Sturgeon, and the recruitment of her successor. The Employment Committee had considered the report at its meeting, which had taken place before the Council meeting. A copy of the draft minutes of that meeting was circulated to all councillors.

Upon the motion of the Leader of the Council, Councillor Paul Spooner, seconded by Councillor Caroline Reeves, the Council

RESOLVED:

(1) That the retirement date of 31 May 2017 of the Council’s Managing Director, Sue Sturgeon, be confirmed.

(2) That the Council confirms its wish to retain the Managing Director post and that the post continues to be designated as Head of Paid Service.

(3) That the process and timetable to appoint a successor Managing Director, with a preferred start date of mid-May 2017, as outlined in Appendix 1 to the report submitted to the Council, be approved.

(4) That the pension strain costs of £21,600 be approved.

Reason for Decision:
To put in place a succession plan for the recruitment of a new Managing Director.

(Sue Sturgeon, Managing Director, left the meeting whilst this matter was being considered.)

CO60 MINUTES OF THE EXECUTIVE

Upon the motion of the Deputy Mayor, Councillor Nigel Manning, seconded by the Leader of the Council, Councillor Paul Spooner, the Council

RESOLVED:

That under Section 100A(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for consideration of councillors’ comments on Minute EX44 – Slyfield Area Regeneration Project on the grounds that this involved the likely disclosure of exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.
Following a discussion in closed session on various matters in relation to the Slyfield Area Regeneration Project, including project viability, the proposed number of new homes and the percentage of those that would be affordable, the public were readmitted to the meeting.

The Council

RESOLVED: That the minutes of the meetings of the Executive held on 19 July 2016 and 27 September be received and noted.

CO61 COMMON SEAL
The Council

RESOLVED: That the Common Seal of the Council be affixed to, or the Director of Corporate Services or, in his absence, the Managing Director, to sign on behalf of the Council any documents to give effect to any decisions taken by the Council at this meeting.

The meeting finished at 7.45 pm

Signed…………………………………………… Date…………………………..
Mayor
At an extraordinary meeting of Guildford Borough Council held at Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Wednesday 26 October 2016

* Councillor Gordon Jackson (Mayor)
* Councillor Nigel Manning (Deputy Mayor)

* Councillor David Bilbé
Councillor Richard Billington
* Councillor Philip Brooker
Councillor Adrian Chandler
Councillor Alexandra Chesterfield
* Councillor Nils Christiansen
Councillor Colin Cross
* Councillor Geoff Davis
Councillor Graham Ellwood
* Councillor David Elms
* Councillor Matt Furniss
Councillor Andrew Gomm
Councillor Angela Goodwin
* Councillor David Goodwin
* Councillor Murray Grubb Jnr
* Councillor Angela Gunning
Councillor Gillian Harwood
Councillor Liz Hogger
* Councillor Christian Holliday
Councillor Liz Hooper
Councillor Mike Hurdle
* Councillor Michael Illman
* Councillor Jennifer Jordan

* Councillor Nigel Kearse
* Councillor Sheila Kirkland
Councillor Julia McShane
Councillor Bob McShee
* Councillor Marsha Moseley
* Councillor Nikki Nelson-Smith
* Councillor Susan Parker
* Councillor Mike Parsons
* Councillor Dennis Paul
* Councillor Tony Phillips
* Councillor Mike Piper
* Councillor David Quelch
* Councillor Jo Randall
* Councillor David Reeve
* Councillor Caroline Reeves
Councillor Iseult Roche
* Councillor Tony Rooth
Councillor Matthew Sarti
Councillor Pauline Searle
* Councillor Paul Spooner
* Councillor James Walsh
Councillor Jenny Wicks
* Councillor David Wright

*Present

Honorary Aldermen Tamsy Baker and Mary Lloyd-Jones were also in attendance.

CO62 APOLOGIES FOR ABSENCE
Apologies for absence were received from Councillors Richard Billington, Adrian Chandler, Alexandra Chesterfield, Colin Cross, Andrew Gomm, Angela Goodwin, Gillian Harwood, Liz Hogger, Liz Hooper, Mike Hurdle, Julia McShane, Bob McShee, Iseult Roche, Matt Sarti, Pauline Searle and Jenny Wicks and from Honorary Freeman Jen Powell and from Honorary Aldermen K Childs, Mrs C F Cobley, Mrs S Creedy, Mrs C F P Griffin, Mrs J Marks, B Parke, T Patrick, Mrs L Strudwick and J D Woodhatch.

CO63 DISCLOSURES OF INTEREST
There were no disclosures of interest.

CO64 MAYOR’S COMMUNICATIONS

Councillor Adrian Chandler
The Mayor informed the Council that Councillor Chandler was currently convalescing following an operation. On behalf of the Council, the Mayor wished Councillor Chandler a very speedy recovery and return to good health.
University of Surrey’s 50th anniversary
The Mayor informed the Council that the University of Surrey held the first of a series of events on Saturday 22 October 2016 to celebrate 50 years in Guildford. It was attended by His Royal Highness The Duke of Kent, Chancellor of the University. Many people had lined the High Street as the University and Civic processions made their way to Holy Trinity Church to enjoy the ceremony, which was designed to celebrate the development of the University and its relationship between the borough and the County over the past 50 years.

Mayor’s charitable fund raising events
The Mayor informed the Council of recent charitable fund raising events and those that were planned in November. In particular, the Mayor asked for volunteers to sell poppies on the High Street on behalf of the Royal British Legion Poppy Appeal, on Saturday 12 November.

CO65 LEADER’S COMMUNICATIONS
The Leader thanked councillors for their kind wishes following his recent ill-health.

The Leader also commented on the recent suspension of Councillor Christian Holliday from the Conservative group following the controversy in relation to Councillor Holliday’s e-petition on the Parliament website. Councillor Holliday made a statement to the Council to apologise for the embarrassment to both the group and to the Council and an error of judgment in using the title “Councillor” and choice of words in the e-petition.

CO66 PUBLIC PARTICIPATION
No questions or requests to speak had been received from the public.

CO67 QUESTIONS FROM COUNCILLORS
No questions had been received from councillors.

CO68 REFERENDUM FOR A DIRECTLY ELECTED MAYOR
Following receipt of a valid petition seeking a referendum on whether the Council should be run in a different way by a mayor who is elected by voters for the area which the Council serves, the Council was reminded that a referendum had been held on Thursday 13 October 2016.

The Council considered a report setting out the details of the result of the referendum and action to be taken as a consequence of it.

The Leader of the Council, Councillor Paul Spooner, proposed and Councillor Caroline Reeves seconded, the following motion:

“That, in accordance with Regulation 14 (3) (b) of The Local Authorities (Conduct of Referendums) (England) Regulations 2012 (as amended), the Council notes the result of the referendum on 13 October 2016, which requires the Council to continue operating its existing Leader and Cabinet form of governance arrangements”.

During the debate, councillors raised the following points:

• A question to the Lead Councillor on the total cost of dealing with the petition and holding the referendum will be put to the next Council meeting, by which time these costs will have been quantified.
• The Council should ask the Local Government Minister to conduct a review of the legislation covering petitions for governance referendums to require
  o a higher threshold of valid signatures to trigger a referendum,
  o a petition to be submitted once only for purposes of validation,
  o a requirement for the petition organiser to record the names of those obtaining signatures for such petitions, and
o a minimum requirement for a turnout at a referendum to require a change of governance

- In the light of the current, confusing, two-tier system of local government in Surrey and the increasingly challenging financial situation facing local government generally, the Council should consider, possibly by way of a scrutiny investigation, whether Guildford should seek to become a unitary authority, either by itself or in conjunction with one or two neighbouring districts.
- Given that the Council has, under its current governance arrangements, moved to a hybrid system of greater participation by all councillors in the decision-making process, there should be no impediment for discussion on further dissemination of powers.

In response to the debate, the Leader of the Council indicated that:

- He was looking at options on how best to inform central government of the Council’s frustrations with the current legislation covering petitions for governance referendums, whilst recognising the need to retain the ability of the public to submit petitions.
- He had no issue with the principle of unitary local government, or any internal investigation into the options, but was concerned over the implications for funding streams with the taking on of additional responsibilities such as adult social care.
- There were no plans to change our current hybrid governance arrangements, other than to make improvements with a view to making them as effective as possible.

Following the debate, the Council

RESOLVED: That, in accordance with Regulation 14 (3) (b) of The Local Authorities (Conduct of Referendums) (England) Regulations 2012 (as amended), the Council notes the result of the referendum on 13 October 2016, which requires the Council to continue operating its existing Leader and Cabinet form of governance arrangements.

Reasons for Decision:
To note formally the outcome of the governance referendum and comply with the requirement of Regulation 19 of The Local Authorities (Referendums) (Petitions) (England) Regulations 2011.

**CO69 EXCLUSION OF THE PUBLIC**

Upon the motion of the Mayor, Councillor Gordon Jackson, seconded by the Deputy Mayor, Councillor Nigel Manning, the Council

RESOLVED: That under Section 100A(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information, as defined in paragraphs 1, 4, and 5 of Part 1 of Schedule 12A to the Act.

**CO70 CORPORATE MANAGEMENT TEAM: PROPOSED SETTLEMENT AGREEMENT - POST NO. 1.016**

The Council considered a report setting out arrangements for the departure from the Council, by mutual agreement, of the officer the subject of the report. The Managing Director had provisionally reached a settlement agreement with the officer, the heads of terms of which were appended to the report submitted to the Council.

The proposal was, in the opinion of the Managing Director/Head of Paid Service, Chief Internal Auditor and the Council’s external auditor, a reasonable settlement and in the best interests of the Council.

The Employment Committee had considered the matter at its meeting earlier in the day and had supported the recommendations contained in the report to Council.
Having noted the estimated cost to the Council of reaching agreement in this regard, and upon
the motion of the Leader of the Council, Councillor Paul Spooner, seconded by the Deputy
Leader, Councillor Matt Furniss, the Council

RESOLVED:

(1) That the heads of terms and financial settlement with the officer the subject of the report
submitted to the Council (Post No. 1.016) in connection with their departure from the
Council, as set out in that report and in Appendix 1 thereto, be approved.

(2) That the Managing Director be authorised:

(a) to agree minor changes to the settlement agreement in consultation with the
Chairman of the Employment Committee; and

(b) to sign the agreement on behalf of the Council.

Reason for Decision:
To facilitate the departure of the officer from the Council.

(Following consideration of this item, the Council readmitted the public to the meeting and
considered the next item in open session.)

CO71 INTERIM APPOINTMENTS TO STATUTORY OFFICER RESPONSIBILITIES AND
REALLOCATION OF LINE MANAGEMENT RESPONSIBILITIES

The Council considered a report on interim arrangements consequential on the completion of
the agreement referred to in Minute No. CO70 above, together with a small number of changes
required following the Council’s decision on 6 October 2016 to confirm Sue Sturgeon’s
retirement date and the process and timetable for the appointment of her successor as
Managing Director.

These arrangements would ensure that the Council’s Corporate Management Team retained
the necessary flexibility, whilst maintaining momentum on the Council’s ambitious change
agenda.

The Employment Committee had considered the matter at its meeting earlier in the day and its
recommendations were submitted for the Council’s formal consideration.

Upon the motion of the Leader of the Council, Councillor Paul Spooner, seconded by the
Deputy Leader, Councillor Matt Furniss, it was proposed following completion of the agreement
referred to above and pending the appointment of a new Managing Director/Head of Paid
Service, to reallocate line management responsibilities as follows:

(a) Legal Services, Democratic Services, Electoral Services and Human Resources teams
be line-managed by the Director of Resources;

(b) Communications and Policy & Partnerships teams be line-managed by the Managing
Director/Head of Paid Service

As part of the motion, the Council also considered proposed interim appointments in respect of
the Monitoring Officer and Deputy Managing Director roles and the proposed permanent
appointment of Returning Officer (RO) for the election of borough and parish councillors, and
Electoral Registration Officer (ERO).
It was proposed that Sandra Herbert, the Council’s Legal Services Manager and currently a Deputy Monitoring Officer, be appointed as the Council’s Monitoring Officer. Sandra Herbert withdrew from the meeting whilst this appointment was being considered.

It was envisaged that the principal role of Deputy Managing Director would be to support the Managing Director in delivering on key targets for her remaining employment as well as being engaged in a handover process with the new Managing Director. The Council also considered a number of options as to how best to fill the role of Deputy Managing Director on an interim basis.

Given that it was the usual practice in most councils for the Chief Executive/Managing Director to hold the roles of RO and ERO, it was proposed to revert to that arrangement by appointing the Managing Director to these roles. Sue Sturgeon withdrew from the meeting whilst this appointment was being considered. Implementing this proposal would mean that the Council could include these roles in the job description for the new Managing Director/Head of Paid Service.

The Council was also asked to consider the introduction of a progressive salary scale for the Managing Director/Head of Paid Service post, based on three salary points up to the current maximum of £126,616, details of which would be included in the job advertisement for the post. This would enable the Council to provide the opportunity for a degree of pay progression for the successful candidate.

The Council also considered the future of the Section 151, Chief Finance Officer role, which was currently held by Sue Sturgeon. It was proposed that, following her retirement on 31 May 2017, Claire Morris the Head of Financial Services should assume responsibility for that role.

Having noted the financial implications of the proposals before them, the Council

RESOLVED:

(1) That, subject to the completion of the agreement referred to in Minute No. CO70 above,

   (a) the following temporary arrangements and appointments be made in the interim, pending the appointment of a new Managing Director/Head of Paid Service:

      (i) Legal Services, Democratic Services, Electoral Services and Human Resources teams be line-managed by the Director of Resources;

      (ii) Communications and Policy & Partnerships teams be line-managed by the Managing Director/Head of Paid Service;

      (iii) the Legal Services Manager (Sandra Herbert) be appointed as the Council’s Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act 1989.

   (b) the Managing Director be appointed as the Council’s Electoral Registration Officer in accordance with Section 8(2)(a) of the Representation of the People Act 1983 and Returning Officer for election of borough and parish councillors, in accordance with Section 35(1) of the 1983 Act.

(2) That the appointment of the Electoral Services Manager (Elaine Bradbrook) as Deputy Electoral Registration Officer, be confirmed.

(3) That, with effect from 1 November 2016, James Whiteman be appointed to the role of Deputy Managing Director on an interim basis pending the appointment of a new Managing Director/Head of Paid Services, and that he be placed on the current Deputy Managing Director’s salary scale of £101,808 p.a. for that period.
(4) That the proposed salary scale for the Managing Director/Head of Paid Service post be amended as follows:

- £120,877
- £123,712
- £126,616

(5) That, upon the retirement of Sue Sturgeon, the Head of Financial Services (Claire Morris) be appointed as the Council’s Section 151 Officer (Chief Finance Officer).

(6) That the current Pay Policy Statement be amended to reflect the changes referred to in paragraphs (1) – (4) above, as appropriate.

(7) That the Monitoring Officer be authorised, in consultation with the Lead Councillor for Infrastructure and Governance, to make all necessary constitutional amendments.

Reason for Decision:
To deal with the consequential arrangements following completion of the agreement referred to in Minute No. CO70 above.

CO72 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 affixing of the Common Seal to be attested by the Managing Director.

Meeting closed at: 8.02pm

Signed …………………………………… Date…………………………………
Mayor