

## WAVERLEY BOROUGH COUNCIL

### COUNCIL

22 OCTOBER 2019

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Questions from Members of the public received in accordance with Procedure Rule 10.

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**1. Question to the Leader, received from Daniel Kuszel of Godalming:**

*“Does the Leader of Waverley Borough Council believe it is right that a road located in the centre of Godalming that is busy with cars and football should only be cleaned once every 30 weeks?”*

**Response from the Leader of the Council:**

“Street Cleaning in the Borough is managed in accordance with the Code of Practice on Litter and Refuse issued by DEFRA and updated in September 2019. Consultants engaged to assist with the Overview and Scrutiny Review of the Refuse, Recycling and Street Cleaning Service carried out an inspection of a random selection of streets in Cranleigh, Godalming, Haslemere and Farnham on 15 and 16 August 2017. The focus had been on retail areas and adjoining residential streets, and certain social housing areas. They advised that the standard was generally very high overall, with no significant litter problems.

Streets in areas surrounding the town centres are classed as low intensity and are scheduled for a 13 week clean. The particular road in question invariably has parked cars along its length and parking suspension has to be arranged with Guildford Borough Council for a mechanical clean. It was last mechanically cleaned on 3 October. Since April the road has been inspected on several occasions. When and where sections of the road were found to be below the standards in the Code of Practice arrangements have been made to sweep those sections manually.”

**2. Question received from Gill Leslie and Lynda McDermott of Cranleigh:**

*“In December 2018 we requested Waverley Borough Council to sign and implement the Charter against Modern Slavery. Waverley Borough Council’s written reply was that they have “committed to making a clear statement on this subject which will be on our website in the New Year.” Our research shows that this has not happened - It is not mentioned at all in the 2019 Safer Waverley Partnership (SWP) plan We therefore call on Waverley Borough Council to take this issue seriously by signing the Modern Slavery Charter as supported by Surrey County Council and more than 50 other local authorities and wider organisations such as the Cooperative Group (See [www.co-operative.coop/ethics/modern-slavery](http://www.co-operative.coop/ethics/modern-slavery))*

## **The Charter against Modern Slavery**

Waverley Borough commits to:

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for noncompliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

*We foresee no disadvantages to Waverley Borough Council in signing this Charter as there is cost free support available through the NGO, TISC REPORT (TISC = Transparency in Supply Chains) See (<https://tiscreport.org/>). On behalf of the borough this NGO will monitor companies supplying Waverley in relation to their compliance with section 54 of the Modern Day Slavery Act 2015*

*As an example, Rotherham Council used TISC Report to examine their suppliers, and discovered that 17 of their main suppliers were not in compliance.*

*It is not credible that Waverley Borough Council has no suppliers who are not complying with the Act. We urge the Council to take this step now."*

### **Response from the Leader of the Council:**

"The Modern Day Slavery Statement sits within the Council's Safeguarding Policy for Adults and Children as the impact of Modern Day Slavery cuts across many council services. The Safeguarding Policy is currently being refreshed and the Modern Day Slavery Statement has been expanded to incorporate the Council's full role and responsibilities, staff training, raising awareness and reporting.

In relation to procurement and contracts there is a specific statement within the Modern Day Slavery Statement. Behind the statement there are the Contract Procurement Rules and they will be updated to reference modern day slavery. To clarify, Section 54 of the Modern Slavery Act 2015 requires commercial organisations in the UK, with a turnover of at least £36 million, to prepare and publish a slavery and human trafficking statement each year. Waverley Borough Council is not in scope of section 54 but is looking to voluntarily publish a statement.

When updating the CPRs the council will:

- Consider how *large* is defined in relation to employers or will Council want to expand to *all* as modern day slavery can also occur in smaller employers.
- Strengthen the current wording in the guidance note to tenderers to: ***if any organisation or employer is found to knowingly undertake practices of modern day slavery their contract with WBC will be immediately terminated.***
- Include the relevant aspects of the Charter against Modern Slavery which are not already incorporated in the Safeguarding Policy as a whole.
- ***Modern Day Slavery Statement Appendix - Procurement and Contracts:***  
***Waverley Borough Council strongly opposes slavery and human trafficking and never knowingly conducts business with partners, contractors, supply chain or employees involved in such practice. Any supplier wishing to conduct business with the Council must fulfil any obligations placed upon them by The Modern Day Slavery Act 2015.***

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**Item 7. Questions from Members received in accordance with Procedure Rule 11.**

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**The following question has been received from Cllr Jerry Hyman:**

“In respect of Cllr Macleod’s response to my Question to the Executive, on p34 of the Council Agenda papers, I am grateful for the confirmation that the Executive accepts that appropriate assessment of proposed and/or available mitigation is required before residential consents in the vicinity of their TBH and WH SPAs can be lawfully granted.

Please confirm that no such assessment yet exists, and hence consents cannot be granted lawfully until such assessment is available.

Thank you.”

**Response from the Leader:**

“The appropriate assessments you refer to are carried out lawfully and in consultation with Natural England. For this reason, planning consents affected will continue to be granted lawfully. The answer given to your question to the Executive on 8 October 2019 provides further detail in this respect and on Habitats generally. Please also note that external Counsel is giving an all-Councillor training on EIA and Habitats on 6 November, where time will be allowed for questions from Councillors.”

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