

MINUTES of the WAVERLEY  
BOROUGH COUNCIL held in  
the Wildred Noyce Community  
Centre, Crown Court Carpark,  
Godalming, GU7 1DY on 3  
August 2021 at 6.15 pm

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- \* Cllr John Robini (Mayor)
- \* Cllr John Ward (Deputy Mayor)

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|---------------------------|---------------------------|
| * Cllr Brian Adams        | * Cllr Daniel Hunt        |
| * Cllr Christine Baker    | * Cllr Jerry Hyman        |
| * Cllr David Beaman       | * Cllr Peter Isherwood    |
| * Cllr Roger Blishen      | Cllr Jacquie Keen         |
| * Cllr Peter Clark        | Cllr Robert Knowles       |
| * Cllr Carole Cockburn    | Cllr Anna James           |
| * Cllr Steve Cosser       | * Cllr Andy MacLeod       |
| * Cllr Martin D'Arcy      | * Cllr Penny Marriott     |
| * Cllr Jerome Davidson    | * Cllr Peter Marriott     |
| Cllr Kevin Deanus         | Cllr Michaela Martin      |
| Cllr Simon Dear           | * Cllr Peter Martin       |
| * Cllr Sally Dickson      | * Cllr Mark Merryweather  |
| Cllr Brian Edmonds        | * Cllr Kika Mirylees      |
| * Cllr Patricia Ellis     | * Cllr Stephen Mulliner   |
| * Cllr David Else         | * Cllr John Neale         |
| * Cllr Jenny Else         | * Cllr Peter Nicholson    |
| * Cllr Jan Floyd-Douglass | * Cllr Nick Palmer        |
| * Cllr Paul Follows       | * Cllr Julia Potts        |
| * Cllr Mary Forszewska    | * Cllr Ruth Reed          |
| * Cllr Maxine Gale        | * Cllr Paul Rivers        |
| * Cllr Michael Goodridge  | Cllr Penny Rivers         |
| * Cllr John Gray          | * Cllr Anne-Marie Rosoman |
| * Cllr Michaela Wicks     | * Cllr Trevor Sadler      |
| * Cllr Joan Heagin        | Cllr Richard Seaborne     |
| * Cllr Val Henry          | Cllr Liz Townsend         |
| Cllr George Hesse         | * Cllr Steve Williams     |
| * Cllr Chris Howard       | Cllr George Wilson        |

\*Present

### **Apologies**

Cllr Kevin Deanus, Cllr Simon Dear, Cllr Brian Edmonds, Cllr George Hesse, Cllr Jacquie Keen, Cllr Robert Knowles, Cllr Anna James, Cllr Michaela Martin, Cllr Penny Rivers, Cllr Richard Seaborne, Cllr Liz Townsend and Cllr George Wilson

### **WELCOME AND INTRODUCTIONS**

The Mayor, Councillor Robini, welcomed Members and members of the public to the Council meeting, and introduced the Officers present: the Chief Executive, Tom Horwood;

Strategic Director, Graeme Clark; and Borough Solicitor, Daniel Bainbridge. The meeting was also being supported by David Maycock, Employment Director at South East Employers.

CNL28/21 APOLOGIES FOR ABSENCE (Agenda item 1.)

- 28.1 Apologies for absence were received from Cllrs Deanus, Dear, Edmonds, Hesse, James, Keen, Knowles, Michaela Martin, Penny Rivers, Seaborne, Townsend and Wilson.

CNL29/21 DECLARATIONS OF INTEREST (Agenda item 2.)

- 29.1 The Chief Executive declared a personal interest in respect of Item 7 (Local Government Collaboration Update) due to the HR implications set out in the Exempt annexes and left the room during the consideration of this item and did not return to the meeting.

CNL30/21 MAYOR'S ANNOUNCEMENTS (Agenda item 3.)

- 30.1 The Mayor welcomed the return to the community following lockdown and had seen a rise in invitations to events. He had recently attended a memorial for the first Surrey Police officer killed in duty in 1855 in Haslemere, the reopening of the refurbished Cranley Hotel and an event at Rowledge Cricket Club, the latter of which was praised for its work with young people in the borough.
- 30.2 The Mayor had been saddened to hear that the flood in Germany in July had affected Waverley's twin borough of Mayen-Koblenz and had sent a message of condolence and support on behalf of the borough.
- 30.3 Finally he thanked all the staff, residents and volunteers who had been involved in the vaccination programme.

CNL31/21 LEADER'S ANNOUNCEMENTS (Agenda item 4.)

- 31.1 The Leader thanked the both Waverley and Godalming Town Council officers for their efforts in organising the venue to enable the Council meeting to be held safely. He addressed the legal requirement for Councillors to be physically present in meetings and the current advice to staff to work from home where possible. The Leader reassured Councillors that where a greater level of officer support was needed in a public meeting, officers would also be physically present.

With the Mayor's permission, the Leader then invited Executive Portfolio Holders to provide brief updates on current issues:

- 31.2 Councillor Peter Clark, Deputy Leader and Portfolio Holder for Business Transformation and IT:
- There had been some sound quality issues at recent hybrid meetings and as a result remote participants were being asked to log into the meeting 15 minutes early to test their equipment. Officers had been working with the AV supplier and a new component had been installed to improve the

interface between the Council Chamber sound equipment and Zoom/YouTube. The new equipment would be tested at the next hybrid meeting. If the sound quality did not improve, officers would investigate a fibre optic broadband solution for the Council Chamber.

- 31.3 Councillor Andy MacLeod, Portfolio Holder for Planning Policy, Services and Brightwells:
- The Brightwells build was still progressing despite some delays and Crest Nicholson had advised that the first flats would be occupied by the end of the year, with the development becoming fully occupied over an 18 month period. The commercial elements of the scheme were expected to open in 2022 and there had been a lot of interest from potential retailers.
  - The Planning Inspector at a recent planning appeal had determined that the Council had a 4.26 year land supply, which was short of the 5 year land supply required. Officers were talking to developers and reviewing current developments. The main issue was developers either not starting approved developments or not building them quickly enough and the Executive had recently written to Jeremy Hunt MP to point this out.
  - There had been around 1250 responses to the Regulation 19 consultation and these were all publicly available on the Council's website. There was a commitment to submit the Plan to the Planning Inspectorate by the end of 2021. There was currently an issue with housing provision in Haslemere and the Western Planning Committee had recently refused an application in Haslemere which would have contributed to the housing numbers in the draft Plan. Further discussions would take place in due course to discuss options to address the issue.
- 31.4 Councillor Penny Marriott, Portfolio Holder for Equalities, Diversity and Inclusion:
- The Council had been taking equalities into consideration in its policies for a number of years and it was common practice to consider how its policies would affect particular groups of people. Steps had been taken to ensure all staff felt able to speak out if they felt they had been discriminated against or if they felt others had been discriminated against. Briefing sessions had been arranged for all Councillors to discuss equalities issues raised to ensure that they can properly represent all sections of their communities including those with protected characteristics.
- 31.5 Councillor Mark Merryweather, Portfolio Holder for Finance, Assets and Commercial Services:
- The unaudited draft accounts for the 2020/21 financial year had been published and would go to the Audit Committee for approval in September, alongside the external auditor's report and the Council's Annual Governance Statement.
- 31.6 Councillor Kika Mirylees, Portfolio Holder for Health, Wellbeing and Culture:
- Meetings with community organisations currently in a service level agreement with the Council were ongoing. Activities for young people were being provided across the borough throughout the school holidays.

- 31.7 Councillor Nick Palmer, Portfolio Holder for Operational and Enforcement Services:
- The parking proposals were being prepared, on which Councillors had been consulted.
  - The Community Infrastructure Levy scheme would restart in September and Councillors were encouraged to contact the Portfolio Holder if they were aware of any eligible local groups who would be interested in applying.
- 31.8 Councillor Anne-Marie Rosoman, Portfolio Holder for Housing and Community Safety:
- Following remedial works, Blunden Court was now legionnaires free.
  - There were some fire safety issues to be addressed at Riverside Court in Farnham, however work had already been undertaken to address these as quickly as possible.
  - Officers had successfully bid for additional funding from the Contain Outbreak Management Fund for two anti-social behaviour officers until 31<sup>st</sup> March 2022.
  - A service level agreement was now in place between Housing and a mediation service to address neighbour disputes.
  - The procurement for a housing repairs service was progressing well and housing delivery continued apace with a number of sites in development. Homelessness numbers remained low and an officer had been seconded from the Housing Management team funded through the Government's rough sleeping initiative.
- 31.9 Councillor Steve Williams, Portfolio Holder for Environment and Sustainability:
- Councillors had been receiving regular updates on the current situation with collections and issues arising from the pandemic.
  - Further sites were being sought for electric vehicle charging points in the borough and solar canopies were being investigated.

CNL32/21 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5.)

32.1 The following question had been received from Councillor David Beaman

“Wednesday 22<sup>nd</sup> September is designation World Car Free Day in which motorists should be encouraged to give up their cars for a day. Given that Waverley Borough Council has declared a Climate Emergency what initiatives do Waverley Borough Council intend to take to encourage councillors, staff and residents to use alternative forms of transport (public transport, cycling and walking) where they are available on that day?

Since both Surrey County Council and Farnham Town Council have also declared a Climate Emergency, I intend to ask a similar question at meetings of Surrey County Council's Cabinet that is being held on Tuesday 20<sup>th</sup> July and Farnham Town Council's full Council that is being held on Thursday 29<sup>th</sup> July.”

32.2 Councillor Steve Williams, Portfolio Holder for Environment and Sustainability gave the following response:

“In response to the question from Cllr Beaman, I would confirm that Waverley Borough Council will be promoting World Car Free Day by:

- promoting the day on social media and through press releases, encouraging residents to leave the car at home and use alternative forms of transport as part of our drive to promote active and sustainable transport, consistent with our support for “Take the Jump”;
- encouraging our own staff and councillors to avoid using cars on that day coming to work by alternative transport (if staff need to come into work at all) or work from home on 22nd September;
- promoting the day in advance of 22nd September alerting residents to the event by means of posters in all Waverley car parks, encouraging residents to leave the car at home and use alternative forms of transport on that day.
- Publicising activities that can lead to longer term changes to travel choices such as Bikeability training, a public transport journey planning tool and a ‘walk your kid to school’ message.”

32.2 The following question was received from Councillor Steve Cosser

"Residents in the Godalming area continue to be concerned about the lack of any communication from the Council about its intentions and proposals in respect of the land occupied by Broadwater Park Golf Club. Can I please be given an assurance that this matter will be brought back to an early full Council meeting for an update and consideration of future options and can I also be advised as to when the Council expect to be able to inform residents on this matter."

32.3 Reply from Councillor Mark Merryweather, Portfolio Holder for Finance, Assets and Commercial Services

“The negotiation between the Council and Broadwater Golf Club regarding the future lease arrangements of Broadwater Park is ongoing. Until this process has concluded, this matter remains commercially sensitive and both parties are bound by the terms of a confidentiality agreement. As soon as an agreement has been reached in principle, the terms will be put before councillors for consideration. Councillor Cosser, Ward Members and the Chairman of Value for Money O&S Committee received an update from officers last week. All I can say in public is that we continue to work with the Golf Club to secure the best outcome for the site in the future.”

CNL33/21 MOTIONS (Agenda item 6.)

33.1 The Mayor advised that no motions had been received.

CNL34/21 LOCAL GOVERNMENT COLLABORATION UPDATE (Agenda item 7.)

34.1 At 6.40pm the Chief Executive left the room and did not return for the duration of this item.

- 34.2 The Leader of the Council moved the recommendations and amendment to the draft job description for a Joint Chief Executive which was duly seconded by Councillor Clark.
- 34.3 Councillor Hyman spoke on the amendment. The Mayor called for a vote on the amendment which was agreed by assent. The Mayor proceeded to the debate on the substantive recommendations as amended.
- 34.4 Councillor Mulliner expressed concern over the pace at which the matters were progressing, the relatively small cost savings forecast, the lack of a detailed Inter Authority Agreement (IAA) and the implications for Waverley of the decisions taken. He sought assurances that irrevocable decisions would not be taken until the appropriate scrutiny had been carried out. Councillor Jenny Else echoed the concerns over the lack of detail in the draft Heads of Terms. She felt that the job should be advertised externally, the risk assessment had not been completed sufficiently and the equalities implications had not been given proper consideration. Councillor Goodridge also expressed concerns over the savings forecast and that the recruitment should be opened up and the job advertised externally.
- 34.7 The Leader responded to the comments and questions raised in relation to cost and the recruitment process and at the invitation of the Mayor, David Maycock, Employment Director at South East Employers, advised that the Local Government and Housing Act required local authorities to appoint on merit; and the Employment Relations Act required local authorities to ringfence those posts at risk of redundancy and therefore a balance would need to be sought when making decisions on this matter.
- 34.8 Councillor Gray sought clarification on the allowance received by the postholder for election duties. The Strategic Director (s151 officer) advised that the returning officer role was a separate employment with a separate payment, the amount of which would be determined on the type of election taking place and therefore it was not possible to give a typical figure.
- 34.9 Councillor Dickson welcomed the progress made on the collaboration to date and asked whether the role should be advertised externally in the interests of equality and diversity. Councillor Cosser felt that the recruitment should not be ringfenced to the current postholders as the current proposal would not ensure that both councils were getting the best candidate. Councillor Peter Martin spoke on the recommendations and echoed earlier concerns over the recruitment process.
- 34.10 Councillor Clark urged Councillors to approve the recommendations to enable the Joint Chief Executive to be appointed and begin the work to achieve further savings. Councillor Hyman sought clarification on the apportionment of the costs and savings and felt that the IAA should be made available before making a decision and given appropriate scrutiny.
- 34.11 In response, the Leader advised that the IAA would be led by the new Joint Chief Executive and each stage of the process would return to both full Councils for a decision. David Maycock advised that there was no hierarchy of legislation, both Acts would need to be weighed against each other. There

was a legal duty on local authorities to minimise the number of redundancies and therefore the advice was to attempt to recruit internally first.

- 34.12 Councillor Merryweather reminded Councillors of the need to make savings and that the approach proposed by Local Partnerships would help to deliver savings. In response to Councillor questions, David Maycock advised that he had not been involved in the recruitment of joint chief executives in other boroughs and therefore could not comment on those processes; and that in the event of there only being one candidate, that candidate would still need to go through the recruitment process. In response to a Councillor question, the Strategic Director (s1515 officer) advised that the 2019 Parliamentary Election had attracted a returning officer payment of £2815 but reiterated that this would vary depending on the election. He clarified that the Electoral Registration Officer and Returning Officer roles were separate statutory roles.
- 34.13 Councillor Mulliner sought clarification on the two separate pieces of legislation. In response David Maycock advised that each candidate would go through a rigorous recruitment process and set out the risks of a claim of unfair dismissal. He reiterated the independent advice of South East Employers to carry out an internal recruitment process in the first instance. Councillors Rosoman, Gale, Cockburn, Peter Martin, Adams, Williams and Hunt also spoke on this item. In response to a Councillor question, the Borough Solicitor gave advice on the process for appointing the best person for the role.
- 34.14 In response to questions from Councillors, the Leader advised that the Chief Executive had been consulting with staff in relation to the collaboration with Guildford throughout the process and there would also be a formal consultation process with the candidates. The Members of the Joint Appointments Committee would receive training from South East Employers prior to the recruitment process commencing and their recommendation would be considered by both Councils.
- 34.15 The Leader summed up and thanked all those who had spoken for their constructive questions and debate. He requested a recorded vote, in accordance with Procedure Rule 17.4, supported by five Members and it was

#### **RESOLVED that**

- (1) the early draft of the outline Heads of Terms of the Inter Authority Agreement contained in Annexe 1 (Exempt) to this report be noted, and that significant further work is necessary to clarify the detail required to agree the Heads of Terms, and that a further report will be submitted to the Council to agree the final Heads of Terms.**
- (2) subject to consultation, the draft job description in respect of the appointment of a Joint Chief Executive as set out in Annexe 2 (Exempt) as amended be approved; and the following as recommended by South East Employers in their paper outlining human resources issues which is attached as Annexe 3 (Exempt) be agreed:**

- (a) That the title of the new role be Joint Chief Executive (rather than Joint Managing Director).
  - (b) That the employing authority should be the existing employer if an internal candidate is appointed.
  - (c) That the salary for the new Joint Chief Executive post be a spot salary of £150,000 p.a. including all allowances, duties, and statutory responsibilities with the exception of election duties.
  - (d) That the new Joint Chief Executive post is ring-fenced for recruitment from the internal pool of affected employees in the first instance and that if no internal appointment is made then the role shall be advertised externally.
  - (e) That, subject to final approval by the Joint Appointments Committee the terms and conditions of employment for an internal appointment will be the existing terms and conditions of the employing authority.
- (3) the establishment of a Joint Appointments Committee and its proposed composition and terms of reference, as set out in Annexe 4 be approved.
- (4) Subject to recommendation (3) above, the following appointments to the Joint Appointments Committee be confirmed:
- The Leader of the Council, Councillor Paul Follows
  - The Deputy Leader of the Council, Councillor Peter Clark
  - The Leader of the Principal Opposition Group, Councillor Stephen Mulliner
- (5) that redundancy and any settlement costs incurred as a result of moving to a Joint Chief Executive shall be shared equally between the Councils and that any pension strain costs (if applicable) will remain the responsibility of the employing authority of the affected officer. It is noted that the cost sharing arrangement for the remainder of the collaboration project will form part of the Inter Authority Agreement.
- (6) that the costs referred to in recommendation (5) above be funded from General Fund reserves.

#### **For (26)**

Councillors Baker, Beaman, Blishen, Clark, D'Arcy, Davidson, Dickson, Follows, Gale, Heagin, Hunt, MacLeod, Penny Marriott, Peter Marriott, Merryweather, Mirylees, Neale, Nicholson, Palmer, Reed, Paul Rivers, the Mayor, Councillor Robini, Rosoman, the Deputy Mayor, Councillor Ward, Wicks and Williams.

#### **Against (18)**

Councillors Adams, Cockburn, Cosser, Ellis, David Else, Jenny Else, Floyd-Douglass, Foryszewski, Goodridge, Gray, Henry, Howard, Hyman, Isherwood, Peter Martin, Mulliner, Potts and Sadler.

#### **Abstentions (0)**



The meeting concluded at 8.09 pm

Mayor