

COUNCIL MEETING

10 April 2024

ADDENDUM TO THE COUNCIL MINUTE BOOK

2. **Executive - 19 March 2024 (to be laid on the table) (Pages 3 - 8)**
4. **Planning Applications Committee - 21 March 2024 (to be laid on the table) (Pages 9 - 16)**
7. **Audit, Standards and Risk Committee - 26 March 2024 (to be laid on the table) (Pages 17 - 24)**
8. **Employment Committee - 28 March 2024 (to be laid on the table) (Pages 25 - 28)**

**Minutes of a Meeting of the Executive
held on 19 March 2024**

+ Cllr Shaun Macdonald

- | | |
|-------------------------|-----------------------------------|
| + Cllr Alan Ashbery | + Cllr Morgan Rise (in the Chair) |
| + Cllr Kel Finan-Cooke | + Cllr John Skipper |
| + Cllr Lisa Finan-Cooke | + Cllr Helen Whitcroft |
| - Cllr Leanne MacIntyre | |

+ Present

- Apologies for absence presented

In Attendance: Cllr Cliff Betton, Cllr Jonny Cope, Cllr Shaun Garrett, Cllr Julie Hoad, Cllr Lewis Mears, Cllr Murray Rowlands, Cllr Victoria Wheeler and Cllr Richard Wilson

82/E Minutes

The minutes of the meeting held on 13 February 2024 were confirmed and signed by the Chair.

83/E Questions by Members

The Sustainable Transport & Planning Portfolio Holder, Councillor Alan Ashbery, responded to a question from Councillor Murray Rowlands and confirmed that evaluation of the future use of the land east of Knoll Road site was ongoing as part of the Local Plan process, but no decisions had been made.

Following the recent agreement by Surrey County Council to establish a joint Overview and Scrutiny Committee with Hampshire County Council and Bracknell Forest Council to scrutinise the relocation of Frimley Park Hospital, Councillor Victoria Wheeler asked a question about ensuring the borough's residents' views were heard at these meetings and as part of the formal consultation. In response Members were updated on steps that had been undertaken to liaise with Frimley Park Hospital to date. Other measures that could be undertaken were discussed, including contacting the Chair of the Joint Committee to ensure that any councillor whose residents would be affected could attend the Committee.

In response to a question from Councillor Julie Hoad concerning access to high speed broadband in Lightwater, the Deputy Leader, Councillor Morgan Rise indicated support for contacting senior staff at BT Openreach to ensure that plans for introduction of infrastructure in the village remained a priority for the company. He also felt that it was important to encourage residents to register their interests with BT and other high-speed broadband providers.

Following a question from Councillor Richard Wilson Members were updated on the signing of the Armed Forces Covenant that would take place the following day.

In response to a question from Councillor Murray Rowlands concerning the Community Link Officers employed by Surrey County Council, it was advised that

the Community Development Team was in communication with the officers and their work was supported and promoted by this Council where possible.

84/E Local Development Scheme

The Executive was reminded that Local Authorities were required to produce, and keep up to date, a Local Development Scheme (LDS) which set out the future planning documents the Council would be producing within a three-year period and the timescales and key milestones for their preparation. The Council had last published a LDS in March 2023 covering the period to 2026.

An updated LDS had been produced to reflect the revised Local Plan preparation timetable, following the decision to delay publication of the Regulation 19 Local Plan. The key dates for preparation of the Local Plan were noted.

RESOLVED that the Surrey Heath Local Development Scheme, as attached at Annex 1 to the agenda report, covering the period 2024 – 2027 be agreed and published on the website.

85/E Local Authority Housing Fund

The Executive was informed that, in December 2022, the Department of Levelling Up, Housing and Communities had announced a £500 million Local Authority Housing Fund. In March 2023, the Executive had approved the Council's participation in the Local Authority Housing Fund (LAHF) with officers proceeding to acquire six affordable/low-cost properties and one bridging property to support those who may be homeless, at risk of homelessness or who lived in unsuitable temporary accommodation.

Members were advised that, in June 2023, round two of the LAHF had been launched which provided a £250 million fund, with the majority of the additional funding used to house those on Afghan resettlement schemes currently in bridging accommodation and the rest used to ease wider homelessness pressures.

The Executive considered a proposal to deliver two more units of accommodation in the 2024/25 financial year. It was noted that the acquisition would be funded through the LAHF and delivered through the partnership between the Council and Mount Green, an independent housing association, and its partner Stonewater that had been established in the first round of the LAHF.

RESOLVED that

- (i) the Council's participation in the Local Authority Housing Fund through the delivery of two further properties by the end of the 2024/25 financial year be agreed; and**
- (ii) the method of delivery of homes under round two of the Local Authority Housing Fund be delegated to the Strategic Director for Environment & Community in consultation with the Portfolio Holder for Housing & Inclusion and the Strategic Director for**

Finance and Customer Services.

86/E Local Cycling and Walking Infrastructure Plan for Surrey Heath

The Executive considered a report that provided an update on the Phase 1 work undertaken to develop a Local Cycling and Walking Infrastructure Plan (LCWIP). Surrey County Council had worked with this Council to produce the LCWIP, during which consultation had been undertaken with residents and other stakeholders. Phase 1 feasibility studies had been completed for 20 aspirational corridors and 11 core walking zones. This was required before requests for funding from the Department of Transport and other sources could be made.

RESOLVED to

- (i) endorse the Local Cycling and Walking Infrastructure Plan as Phase 1 of this project;**
- (ii) note that this endorsement will enable the commencement of the Phase 2 feasibility work in partnership with Surrey County Council (SCC) following sign off by SCC; and**
- (iii) amend the Executive resolution 64/E(ii) dated 16 November 2021 for consultation to take place with the Portfolio Holder for Sustainable Transport & Planning.**

87/E Community Hub - Exploring Options

The Executive was reminded that the 2023/24 annual plan included an action to bring forward Charity Hub proposals, subject to funding being secured. The original vision of a Charity Hub had been to provide shared space within Camberley Town Centre for charities to work together and as a focal point for residents to gain advice and support, with a particular emphasis on older residents. Proposals for the Community Hub had been initiated prior to the Covid-19 pandemic.

Members were updated on enquiries undertaken to establish demand for a facility amongst third sector partners, identify who would use the facility, and whether it would be accessible across the borough to those who most needed the service. It was recognised that accessibility to community information had changed since the Hub had first been proposed, with more people accessing information online and using self-service options. It was therefore considered sensible to link any future creation of a Community Hub with the expected relocation of the Council Offices once more detailed proposals on the relocation and the redevelopment of Surrey Heath House had been agreed. At this time further consultation would be undertaken with the relevant stakeholders.

RESOLVED that

- (i) The development of a Charity Hub in Camberley Town Centre be paused pending decision making about the future location of**

Surrey Heath Council offices and the delivery model that will be adopted following relocation; and

- (ii) As part of any future relocation of Council offices, further engagement with stakeholders takes place (including charity partners and their service users) prior to any decision by the Executive.**

88/E Task and Finish Group Terms of Reference for the Petition review of Wellington Park Tree Preservation Order (TPO)

The Executive considered proposed Terms of Reference for the Task & Finish Group that had been established by the Council at its meeting on 21 February 2024 (minute 58/C refers). The Council had established the Task & Finish Group in response to a petition raised concerning a review of TPO for Wellington Park.

RESOLVED that

- (i) the Terms of Reference, as set out in section 3 of the agenda report, enable the review of the existing the Wellington Park Tree Preservation Order to take place and be used to help inform the approach to reviewing other areas order in the Surrey Heath Borough in the future be agreed;**
- (ii) the guidance relied on by the Council's professional officers and processes that constitutes advice in relation to and including special character areas be reviewed; and**
- (iii) the Task & Finish Group reports back to Executive once its findings are completed.**

89/E Revenue Budget Monitoring - Quarter 3

The Executive considered a summary of the budget and financial performance for the first three quarters of 2023/24, up to the accounting period ending on 31 December 2023.

RESOLVED that the spend against the approved revenue budget for the period 1 April to 31 December 2023 and the predicted forecast of full year outturn be noted.

90/E Capital Budget Monitoring - Quarter 3

The Executive considered a summary of the progress against the 2023/24 capital programme and budget for the period 1 April 2023 to 31 December 2023. Proposals for the re-profiling of budgets were also noted.

RESOLVED that

- (i) the spend against the approved capital programme for the period 1 April to 31 December 2023 be noted; and**

- (ii) **the proposed reprofiling of budgets to future years, be noted and provisionally approved.**

91/E Report of the External Partnerships Select Committee

The Executive considered a report from the External Partnerships Select Committee detailing the Committee's request for the Leader to write to OFWAT, the Secretary of State for Environment, Food and Rural Affairs and Surrey Heath's MP about the need for better regulation of Water Companies in respect of air and land pollution. The recommendation had arisen from the Committee's consideration of an item at its meeting on 28 November 2023 on odour pollution at Camberley Sewage Works.

RESOLVED that a letter be written to OFWAT, the Secretary of State for Environment, Food and Rural Affairs and Surrey Heath MP, highlighting the need for better regulation of water companies in relation to Air and Land Pollution, including the potential for additional enforcement powers for local authorities.

92/E Write Off of Irrecoverable Bad Debts

The Executive considered a report seeking approval to write off bad debts incurred through the non-payment of Council tax and Non-Domestic Rates. All of the debts had been subject to the relevant recovery action and tracing enquiries. The Council's enforcement agents had also been unable to recover the debts from any forwarding address obtained from the tracing undertaken and the debt was now considered irrecoverable.

Members also considered the write off of property and sundry debts. Debts written off using delegated authority were also noted.

RESOLVED that

- (i) bad debts in respect of Council Tax for £130,393.93 and those in respect of Business Rates for £160,983.92, totalling £291,377.85 be approved for write off;**
- (ii) bad debts in respect of sundry debts for £3,320.20 be approved for write off;**
- (iii) the removal of 10 housing and sundry debts totalling £5,343.26 that has been carried out under the scheme of delegated authority by the Strategic Director Finance and Customer Services be noted, as the debts are no longer recoverable under the Limitation Act 1980;**
- (iv) the write-off of 58 sundry debts totalling £27,322.86, which are individually below £1,500, carried out under the scheme of delegated authority by the Strategic Director Finance and Customer Services be noted; and**

(v) bad debts in respect of 15 property debts totalling £338,115.24 be approved for write off.

Chair

Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 21 March 2024

- + Cllr Cliff Betton (Chair)
- Cllr Victoria Wheeler (Vice Chair)
- Cllr Mary Glauert
- + Cllr Shaun Garrett
- + Cllr Liz Noble
- + Cllr David O'Mahoney
- + Cllr Murray Rowlands
- + Cllr Kevin Thompson
- Cllr Helen Whitcroft
- + Cllr Valerie White
- + Cllr Richard Wilson

- + Present
- Apologies for absence presented

Substitutes: Cllrs Alan Ashbury, Ying Perrett and Pat Tedder.

Officers Present: Sarita Bishop, Duncan Carty, Gavin Chinniah, Kate Galloway (virtual), Sue McCubbin (virtual), Gavin McIntosh (virtual), Jenny Murton, Jonathan Partington, Navil Rahman, Eddie Scott, Sarah Shepherd and Andy Stokes - SCC (virtual)

46/P Minutes of the Previous Meeting

RESOLVED that the Minutes of the meeting of the Planning Applications Committee held on 22 February 2024 were approved as being a correct record and signed by the Chair.

The Chair deferred item 4 in the agenda to the end of the meeting.

47/P Application Number: 23/1202/RRM - Princess Royal Barracks, Brunswick Road, Deepcut, Surrey, GU16 6RN

The application was for the provision of a food store and flexible commercial/community space with associated landscaping and car/cycle parking.

It was confirmed that this application was being reported to the Planning Applications committee as informative 22 on the hybrid permission states that all reserved matters applications for Princess Royal Barracks would be referred to the Planning Applications Committee for determination.

The Committee noted that no further representations or views had been received as set out in the Planning Applications Updates report.

The Committee questioned the distance between the service yard and properties and this was confirmed as between 9 and 8.5 metres.

The Committee discussed if a condition had been placed on the application to prevent articulated lorries accessing the site and the case officer confirmed it had not, but one could be included. A representative from Surrey County Council (Highways) supported that it was unlikely that large articulated vehicles would be used for this store, but if they were they would be able to manoeuvre.

Members queried the size of the store and how lighting would be managed, so that it would not adversely affect neighbouring residents. It was confirmed this would be controlled by condition 4 and managed and monitored closely.

The Committee questioned if a community facility had been considered for the site and it was confirmed that this particular site had been identified for a food store, but the current proposal included the potential for community space as part of the flexible uses.

Members queried condition 45, the opening times of the store.

The officer's recommendation to Grant, subject to conditions was proposed by Councillor Garrett, seconded by Councillor Rowlands put to the vote and carried unanimously.

RESOLVED that planning application 23/1202/RRM be approved.

NOTE 1

It was noted for the record that Councillor Cliff Betton had been in discussion with officers regarding the Mindenhurst development over the past few months, and this would continue in the future.

48/P Application Number: 24/0039/NMA - Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN

The application related to application 23/1202/RRM.

The proposal was for a non-material amendment to the approved opening hours for the proposed food store as set out in condition 45 attached to hybrid permission 12/0546, dated 4 April 2014 (as amended), to permit the food store to open between the hours of 07:00 and 23:00, Monday to Saturday and 07:00 and 23:00 on Sundays and Public Holidays.

The officer's recommendation to Grant, subject to conditions was proposed by Councillor Thompson, seconded by Councillor Tedder put to the vote and carried unanimously.

RESOLVED that planning application 24/0039/NMA be approved.

NOTE 1

It was noted for the record that Councillor Cliff Betton had been in discussion with officers regarding the Mindenhurst development over the past few months, and this would continue in the future.

49/P Application Number: 22/1123/RRM - Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN

The application was for the provision of a Sports Hub with a Neighbourhood Equipped Area of Play, car parking and associated works.

The application was being reported to the Planning Applications Committee as it is a major planning application (site area greater than 1 hectare) and given the terms of informative 22 on the hybrid permission, which states that all reserved matters applications for Princess Royal Barracks will be referred to the Planning Applications Committee for determination.

The Committee noted the amended conditions and information detailed in the Planning Updates report.

A verbal update was made in relation to condition 19 to include the words “and cabling” after ducting.

The Committee questioned if there had been any historical contamination issues on the proposed site and the case officer confirmed this would be monitored under condition 55.

The Committee heard that the site would be accessible for users with additional needs, primarily for the residents of the Mindenhurst development and was envisaged to be managed by the Council.

The Committee heard that although Rugby had not been identified for the site, and the existing artificial sport pitch with the Barracks was not being replaced, the need for it had been considered at the hybrid stage, with a financial contribution secured for either Frimley Lodge Park and/or Watchetts Recreation Ground.

The officer’s recommendation to Grant, subject to conditions was proposed by Councillor Noble, seconded by Councillor O’Mahoney put to the vote and carried unanimously.

RESOLVED that planning application 21/1123/RRM be approved.

NOTE 1

It was noted for the record that Councillor Cliff Betton had been in discussion with officers regarding the Mindenhurst development over the past few months, and this would continue in the future.

50/P Application Number: 23/1239/FFU - Longacres Nursery, London Road,

Bagshot, Surrey, GU19 5JB

The planning application related to the erection of a rear extension to the garden centre building at Longacres Nursery, located north east of Bagshot within the Green Belt. The rear extension would provide an extension to the café and retail area within the main garden centre building. The proposal included the demolition of existing structures, including a poly tunnel used for retail display, and an existing café extension. This would lead to an overall reduction in built form in both volume and floor space.

The application would normally be determined under the Council's Scheme of Delegation but is being reported to the Planning Applications Committee because the agent representing the applicant had been employed by the Council, as a planning officer, within the previous four years.

The Committee asked the case officer to clarify the very special circumstances that supported this extension onto Greenbelt land. Members highlighted how busy the business and subsequently the surrounding roads got, and while appreciated it was a good employer to local residents questioned the size the site had become, and the effect it had on local businesses in Bagshot.

The size of the proposed extension and which poly tunnel would be removed was confirmed. Condition 7, that the retail area provided within the garden centre for the sale of food and drink shall not exceed an area of 275 square metres unless prior written approval was obtained from the Council, was also highlighted.

The officer recommendation to Grant the application, subject to conditions was proposed by Councillor Kevin Thompson and seconded by Councillor Alan Ashbery, but was not supported.

The Head of Planning highlighted that officers had identified that this application would cause no harm to the Green Belt and there was no official evidence that the trade of other businesses in the local area would be affected.

The Committee discussed what the poly tunnel was currently used for, that it was a temporary structure and was lawfully erected.

Members queried point 3.6 in the report which outlined the conditions imposed on a previous application (22/0667).

The Committee wanted clarification on the size of the whole site and the glasshouse building and queried if any hardstanding could be removed on specific areas.

Details of the overall floor space area of 5,043 square metres was discussed .

In response to questions raised by the Committee, the case officer clarified that reference to 15% of the total floor area in condition 6 excluded the floor area of the café.

Members questioned if the application could be deferred and it was considered it was not appropriate.

The meeting adjourned from 8:10pm until 8:17pm.

The officer recommendation to Grant the application, subject to conditions and an amendment to condition 4 was proposed by Councillor Kevin Thompson and seconded by Councillor Alan Ashbery and was carried.

Amendment to condition 4 to include:

It must be demonstrated within six months of occupation of the extension hereby approved, that those structures have been demolished and the land made good.

RESOLVED that planning application 23/1239/FFU be approved, subject to conditions and the amendment to condition 4.

NOTE 1

Voting For the officers recommendation to grant the application, subject to conditions:

Councillors Cliff Betton, David O'Mahoney, Kevin Thompson and Alan Ashbery.

Voting Against the officers recommendation to grant the application, subject to conditions:

Councillors Shaun Garrett, Murray Rowlands, Pat Tedder, Valerie White and Richard Wilson.

Abstain:

Councillors Ying Perrett and Liz Noble.

NOTE 2:

Voting For the officers recommendation to grant the application, subject to conditions, and an amendment to condition 4:

Councillors Alan Ashbery, Cliff Betton, Shaun Garrett, Liz Noble, David O'Mahoney, Ying Perrett, Murray Rowlands and Kevin Thompson.

Voting Against the officers recommendation to grant the application, subject to conditions, and an amendment to condition 4:

Councillors Pat Tedder, Valerie White and Richard Wilson.

Abstain: None.

NOTE 3:

Councillor Shaun Garrett declared a non-pecuniary interest that he visits Longacres Garden Centre.

51/P Application Number: 21/0875/FFU - Land East of Four Oaks Nursery, Highams Lane, Chobham, Woking, Surrey, GU24 8TD

The application related to the change of use of land to a Gypsy and Traveller site, serving two pitches comprising two mobile homes, two touring caravans and the construction of two utility room buildings together with associated landscaping including the installation of hardstanding.

The application was being reported to the Planning Applications Committee under Part 3 – Section B, Paragraph 1.5 of the Constitution, due to a recent appeal decision which was allowed at Oaks Farm, Philpot Lane within the Green Belt which is a material consideration in relation to the acceptability of this current planning application and a pending Enforcement Notice on the site.

The Committee noted the updates to this application on the Planning Applications Updates report.

The Committee questioned if the pitches were located outside the 400m buffer zone of the Thames Basin Heath Special Protection Area (SPA), if they would be included in Surrey Heath's figures for Gypsy and Traveller pitch provision and it was confirmed they would.

Councillor Pat Tedder read out a statement from Councillor Victoria Wheeler who she was a substitute for. It included referencing an appeal decision allowed at Oaks Farm, Philpot Lane and respecting local infrastructures.

The Committee heard further details on the appeal decision allowed at Oaks Farm, Philpot Lane, the differences between the two applications and the Council's unmet need regarding Gypsy and Traveller pitches in the borough of Surrey Heath.

The Committee heard about the applicant's commercial activities, the removal of the sand school and plans to reduce the current hardstanding.

The proximity of the site to the M3 motorway, air quality and potential pollution was also discussed, and it was confirmed that Environmental Health had raised no objections to the application.

The officer's recommendation to Grant, subject to conditions and a legal agreement was proposed by Councillor Wilson, seconded by Councillor O'Mahoney put to the vote and carried.

RESOLVED that planning application 21/0875/FFU be approved.

NOTE 1

Voting For the officers recommendation to Grant the application, subject to conditions and a legal agreement:

Councillors Alan Ashbery, Cliff Betton, Shaun Garrett, Liz Noble, David O'Mahoney, Ying Perrett, Murray Rowlands, Kevin Thompson, Valerie White and Richard Wilson.

Voting Against the officers recommendation to Grant the application, subject to conditions and a legal agreement:
Councillor Pat Tedder.

Abstain:
None.

Chair

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**Minutes of a Meeting of the Audit,
Standards and Risk Committee held at
Surrey Heath House on 26 March 2024**

- + Cllr Cliff Betton (Chairman)
- + Cllr Bob Raikes (Vice Chairman)

- + Cllr Jonny Cope
- Cllr Rob Lee
- + Cllr Leanne MacIntyre

- + Cllr Pat Tedder
- + Cllr Richard Wilson

- + Present
- Apologies for absence presented

Substitutes: Cllr David Whitcroft (In place of Cllr Rob Lee)

Members in Attendance: Cllr Shaun Garrett, Cllr Shaun Macdonald, Cllr Sashi Mylvaganam

Officers in Attendance: Alex Middleton, Jenny Murton, Gavin Ramtohal, Eddie Scott, Sally Turnbull, Vicky Worsfold and Bob Watson

7/ASR Minutes of the Previous Meeting

The minutes of the meeting held on 14 December 2024 were confirmed and signed by the Chair.

8/ASR Declarations of Interest

There were no declarations of interest made by Members.

9/ASR Public Question Time

There were no questions by Members of the Public in line with Part 4, Section E of the Constitution.

10/ASR External Audit Updates

The Committee received a verbal update from Steven Bladen, Audit Director / Public Sector Assurance, BDO, which related to the external audit of the Council's financial statements for the 19/20, 20/21, 21/22 and 22/23 financial years.

It was now anticipated that the external audit of the 19/20 financial accounts would be completed by the Government backstop date of 30 September 2024. However, it was anticipated that BDO would put forward a disclaimed audit opinion for the 20/21, 21/22, and 22/23 accounts. It was clarified for Committee Members that a disclaimed audit gave no assurance or opinion and meant there would be no assurance available from the external auditor on those financial statements.

BDO confirmed that the last version of the Council's financial statements for 19/20 had been received in December 2023 and the Council had submitted responses to a number of queries raised in February and March, which BDO were in the process of responding to. Moreover, Members received further assurance during their questioning, to state that BDO did not envisage missing the backstop for the 19-20 accounts.

The Committee were advised that there was ongoing discussion between Councils' Section 151 Officers in respect of how to gain assurance in respect of opening balances moving forwards. Moreover, the Council were currently in favour of the seeking of an external reviewer to give further assurance in respect of the accounts for the 20/21, 21/22 and 22/23 financial years. It was noted that some assurance would be provided by BDO, in respect of the envisaged disclaimed accounts, relating to already conducted work on the use of resources, financial sustainability and the governmental and financial processes of the Council.

The Committee noted the update.

11/ASR Monitoring Officer's Annual Report

Members received the Annual Standards Report from the Monitoring Officer, updated the Committee on standards issues that the Monitoring Officer had presided over from November 2022 to November 2023.

The report detailed the number of complaints had been received at both Borough and Parish level between November 2022 to November 2023 had significantly reduced when compared to November 2021 to November 2022. For the period November 2022 to November 2023 there were 11 complaints against Cllrs. 3 Complaints related to Parish Councillors and 8 complaints related to Borough Councillors.

The report also updated the Committee on the value of waivers that had been approved since November 2022, which totalled £572,526.58. It was noted that whilst The Legal Services expenditure was significant at £324,000 however this included the Council's anticipated full legal costs in the matter of SHBC & Others v AMEY LG Limited. These costs would eventually be split between the four partner Authorities under the arrangements for the shared waste collection contract but only to the extent that they are not recovered via the Court.

The Committee enquired as to the potential causes for the significant decrease in the number of complaints made against Councillors. Whilst it was too early to extrapolate any meaningful trends, it was felt that further Member training on the Members' Code of Conduct and the trend that more Councillors were likely to raise grievances informally were contributing factors. It was also acknowledged that some of the borough's Parish Councils were more stable than previously.

The Committee noted the update.

12/ASR Publication of Councillors' Home addresses on Register of Interests

The Committee considered a report from the Council's Monitoring Officer which outlined a proposal for the Council to introduce a right for Councillors to opt in or out of publishing residential address(es) on Council's the Register of interest, following consultation with political group leaders.

Under the proposal every Councillor's residential address would remain a pecuniary interest for the purposes of Council decision-making. The current law and Code of Conduct would continue to apply such that any Councillor would not be permitted to attend a Committee item where the address was connected to that item.

For every Councillor, who chose to opt out, the address(es) would not be available for public inspection. The application of governance would remain unchanged.

It was felt that the approach achieved the appropriate balance between safeguarding the health and safety of Councillors and maintaining high levels of Governance, transparency and standards at the Council.

RESOLVED that:

- i. the onus for Councillors to evidence a specific risk of violence or intimidation in respect of applications, made on a case-by-case basis, for a determination to remove their residential address(es) from the public register be removed;**
- ii. the Monitoring Officer may grant a blanket determination to any Councillor, who chooses to opt out, that a residential address is a sensitive interest for the purposes of section 32 of the Localism Act 2011 be agreed; and**
- iii. that the Monitoring Officer may inform all Councillors in writing of the implications of resolutions (a) and (b), provided the same are agreed by the Committee, but after the Monitoring Officer has confirmed the blanket determination to Democratic Services be agreed.**

13/ASR Corporate Risk Register

The Committee considered the Corporate Risk Register, as of January 2024, which summarised the main risks faced by the Council in relation to achievement of the objectives and priorities as defined in the Council's Council Strategy. The Risk Register provided an overview of the largest risks in the borough and were supplemented by each service area's individual risk registers.

It was noted that the Risk Management Group was chaired by the Council's Senior Information Risk Officer (SIRO) who was the Strategic Director, Finance and Customer Services. The group was made up of the key heads of service and met quarterly to review the register. The risk register was reported to the Corporate Management Team every 3 months or additionally when a new risk was identified or a risk rating has fundamentally changed.

The Committee noted that the risk of the failure of a major contractor or supplier had a risk rating of 12, given the ongoing contractual dispute, which the Council was in. In addition, some Members felt that the Council's Exposure to Property Risk was higher than what was reflected in the risk register, given the lack of recent survey work conducted on some of the Council-owned community buildings and tenants who may not have kept up with ongoing maintenance work. This in turn translated into health and safety risks.

The Committee discussed Cyber Security risks, and the potential impact of a data leak as a result of a successful cyber-attack and a resulting Information Commissioner Office's (ICO's) fine. It was suggested as the Council was not able to reduce the financial impact of an ICO fine, the mitigated risk could be considered to be higher. Moreover, it was noted that the risk of a successful cyber-security attack was somewhat lower than other organisations, given the majority of the Council's systems were cloud-based and off-premises.

The Council's risk appetite was discussed by the Committee and it was acknowledged the Council's appetite for risk was not laid out in its Risk Management Strategy or other documentation. Thereby it was requested that in the future the Committee consider a document which outlined the Council's risk appetite, the current level of risk and the resulting mitigation measures which needed to be implemented to reach the desired level of risk.

RESOLVED that the Corporate Risk Register and covering report be noted.

14/ASR Overdue Audit Recommendations

Following the Committee's endorsement of an approach at its meeting on 14 December 2024 to receive updates on the internal audit recommendations every quarter, the Committee considered a report which tracked progress against internal audit recommendations, as well as a separate matrix which detailed overdue audit recommendations.

It was noted that following a request that Officers responsible for uncompleted and outstanding audit recommendations be summoned to Committee meetings to provide updates on overdue outstanding recommendations, that there were no longer overdue audit recommendations to be reported.

It was noted that there were a number of recommendations that were due by 31 March 2024, which had not yet been completed. The Internal Audit team were monitoring as to the status and progress of these recommendations, with the expectation that they would not become overdue.

Moving forward the Committee noted that the tracker would entail a rolling 18-month report which would be considered at every meeting.

15/ASR Annual Audit Plan

The Internal Audit Plan for 2024/25 was presented to Members. The Internal Audit Plan was operated on a risk-based approach and within the report a number of criteria that helped prepare the Internal Audit Plan for 2024/25 were identified. These included:

- Identifying staff turnover.
- The income and expenditure as it relates to a particular action
- Inherent risk.
- Risks identified in previous audits.
- Frequency of audit carried out.
- Whether it had recently been established or had a new system

Members were informed that Internal Audit covers all service areas but had in the past focused on financial services in particular as these presented a higher risk to income and expenditure. It was noted that 522 working days were resourced for the Internal Audit Plan. In the plan, the option to request additional resources was available on a case-by-case basis.

Internal Audit formed one element of assurance for Council services and there were a number of external and internal assurance bodies that services also had access to.

The Internal Audit plan was broken down into several different directorates and were as follows:

- Finance & Customer Service
- Planning.
- Environment and Community.
- HR, Performance and Communications.
- Investment and Development.
- Legal and Democratic Services.

Members discussed the potential for some proposed departmental audits to be deferred in relation to departments which were expected to have significantly high workloads in the coming year, such as in Planning Policy and the Theatre, or where there was a potential significant service change. Moreover, following questions, it was advised that the audit function reviewed policy documents, at the start of an audit in order to scope the audit which would aim to ensure the right governance and controls were in place for the policy's implementation.

Members, also asked whether the audit function was adequately resourced, given its makeup of only 2 members of Full-time staff.

RESOLVED that the Internal Audit Plan for 2024/25 be agreed.

16/ASR Internal Audit External Quality Assessment

The Committee considered a report which detailed an overview and the results of an independent assessment of its Internal Audit service undertaken by Elmbridge Borough Council.

Independent assessments took place every 5 years, in accordance with the requirements of the Public Sector Internal Audit Standards, and provided an independent assessment as to the extent which the Council's audit service complied with the industry standard Public Sector Internal Audit Standards, which came into effect in April 2013.

The external quality assessment was undertaken during November and December 2023 by the Head of Audit and Counter Fraud at Elmbridge Borough Council. Overall, it was deemed that the Council's audit function was generally compliant, and the external report highlighted areas of good practice which included the delivery of a varied and risk-based audit work programme. However, the review highlighted a few areas which were open to improvement including stakeholder feedback on audits, regular review and approval of the audit charter and audit evaluation of organisation ethics.

Following questions from Members in respect of the accompanying action plan to the assessment, an assurance mapping exercise entailed the illustration of how the assurance gained from the internal audit function fitted in with other sources of assurance which the Council benefitted from. Typically other sources of assurance included the Council's external audit of its financial statements, assessments from the Health and Safety Executive and reports from governing bodies relating to Human Resources Matters.

RESOLVED that the

- I. the External Quality Assessment report and corresponding Action Plan produced by Elmbridge Borough Council be noted and approved; and**
- II. the Chair of the Committee write to the Chief Executive and Leader of the Council at Elmbridge Borough Council thanking them for their work on the assessment.**

17/ASR Treasury Management Monitoring Report

The Executive considered a report which set out the performance of the treasury management service for the second quarter of 2023/24 as of 31 December 2023 and confirmed compliance with the Treasury Management Indicators for 2023/24. This was in line with the Chartered Institute of Public Finance and Accountancy's Treasury Management Code (CIPFA's TM Code), which required that local authorities reported on the performance of the treasury management function at least quarterly.

It was drawn out from the report that as of 31 December 2023, the service had not breached any of the Treasury Management Indicators, as set out for 23/24 in the Council's Treasury Management Strategy.

The Council's total borrowing now stood at £165.1 million and as at the end of September 2023, the weighted average rate for the Council's long term debt was 2.73% and the Council's short term debt had a weighted average 4.62%.

Following Members' questions, it was advised that it was common for Councils to pay a premium in February and March for intra-authority borrowing. This was particularly the case at the moment, where local authorities were particularly short of capital across the country. Moreover, it was suggested by members of the Committee that the Council would benefit from a better balanced portfolio of debt and in turn the absence of 5 year loans was flagged. It was advised that in the future the Council would be doing further evaluation as to its capital programme and borrowing profile.

RESOLVED that the Treasury Management Report for the period 31 September to 31 December 2023 be noted.

18/ASR Committee Work Programme

The Committee noted its Work Programme for the forthcoming municipal year, which was subject to a few minor changes to reflect the anticipated timing for receipt of the audited accounts for 23/24 and the biennial consideration of the Council's Corporate Risk Register.

Moreover, the Committee supported a potential extraordinary meeting of the Committee in December 2023 or January 2024, to receive the audited accounts for 23/24.

Chair

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**Minutes of a Meeting of the
Employment Committee held at
Council Chamber, Surrey Heath
House, Knoll Road, Camberley, GU15
3HD on 28 March 2024**

+ Cllr David Whitcroft (Chair)
+ Cllr Shaun Macdonald (Vice Chair)

+ Cllr Alan Ashbery + Cllr Josh Thorne
+ Cllr Lisa Finan-Cooke
+ Present
- Apologies for absence presented

Members in Attendance: Cllr Cliff Betton, Cllr Nirmal Kang, Cllr Valerie White, Cllr Richard Wilson, Sally Kipping, Julie Simmonds and James Hall.

Officers Present: Sally Kipping, Julie Simmonds and James Hall.

27/EC Minutes of the Previous Meeting

The minutes of the meeting held 1 February 2024 were confirmed and signed by the Chair.

28/EC Email Security Policy

The Committee considered a new Email Security Policy. The policy had been developed as an Information Management policy rather than Human Resources (HR) policy but had been brought before the Employment Committee due to the dependence of staff behaviour to ensure email security in the council.

Members were informed that Cyber Risk was highlighted as one of the Corporate Risks on the Corporate Risk Register which was the responsibility of officers to mitigate. It was agreed that the policy would be subject to review in 12 months' time and that the policy would be supported with training for staff.

It was confirmed to the Committee that the policy would apply to Councillors and that the training provision would be extended to them. It was agreed that the policy would be revised to clarify that Councillor email accounts would be inaccessible six months after leaving their post and that this was separate to the email retention policy that stated emails from former Councillors would be retained for up to four years.

The Committee was informed that the training programme invested in included the use of fake Phishing emails sent to staff and provide guidance for staff who followed the false link provided. Members recognised the value in this approach but concerns were raised about such emails becoming antagonistic or taking too much staff time.

The use of sensitivity labels in documents distributed by email was proposed and Officers agreed to look into it.

It was noted that Section 15 of the policy needed to be rephrased to clarify that council staff would not be able to access the email accounts of Members. It was recognised that the Councillor Code of Conduct would need to be revised following the adoption of the policy.

The Committee was informed that the Council was planning to migrate to a new storage management system over the coming 18 months and that the current system was effective.

RESOLVED that the Email Security Policy, as attached at Annex A to the agenda report, as amended, be adopted.

29/EC Disciplinary Policy

The Committee considered proposed revisions to the Disciplinary Policy. The policy was presented as one of the most important in the Council, which had last been reviewed in 2018.

Members were pleased with section 6.3 of the policy outlining there was no requirement for an accompaniment to mediation meetings except for specific adjustments, but noted that it was not clear if this rule applied to all meetings referenced in the policy.

It was clarified to Members following several questions raised, that Employees subject to a Hearing would be given a minimum of 5 clear working days' notice in writing of such a meeting, which would detail the nature of the alleged misconduct in writing alongside any additional relevant information.

Following a point raised by a Member, it was agreed that section 7.3 would have a new line added outlining that staff were not required to be accompanied in an investigation into the circumstances of a contravention of Council policy or rules.

RESOLVED that the revised Disciplinary Policy, as attached at Annex A to the agenda report, as amended, be adopted.

30/EC Grievance Policy

The Committee considered an update to the Grievance Policy. The policy was presented as one of the most important in the Council. The policy was last brought to the Committee in 2018 and no changes to the law had affected the update.

It was noted that the Chair had provided feedback which would be incorporated in the policy. An agreed revision was to clarify that only an employee of the council could raise a grievance.

Members were informed that a time limit on grievances had been introduced which meant staff could only raise a grievance within 6 months since the final act that has led to the staff member being aggrieved. Other policies including the Dignity and Respect at Work Policy and the Speak Up Policy existed to allow for historic issues to be raised.

Following a point raised by Members it was agreed that sections 8.3 and 15.7 of the policy would be revised to include that the employee who was the subject of the grievance would be informed in writing the outcome of a hearing, not just the employee who raised the grievance.

In response to a question raised, Officers confirmed that there was no recording of informal conversations had between staff and the Human Resources team. Staff were welcome to request conversations be recorded if they wanted, but Officers stressed that a deliberate effort was made to not record informal discussions with staff.

The Committee agreed that the use of workflows to visualise how key policies operate would be helpful for staff navigating relevant issues. Officers confirmed that as such workflows would reflect the existing policies, they policies did not need to be brought back to the Committee.

Following a point raised by Members, it was agreed that the wording of section 16.5 would be updated to maintain consistency with the previously adopted Disciplinary Policy, that an employee would have 10 working days from the date of the outcome letter received, to lodge an appeal.

RESOLVED that the revised Grievance Policy, as attached at Annex A to the agenda report, as amended, be adopted.

31/EC Casual & Temporary Working Policy

The Committee considered proposed revisions to the Casual & Temporary Working Policy. The Committee was informed that the policy had been reviewed subject to new case law surrounding casual workers in the UK and that the policy was aimed at supporting managers to understand the differing types of employee at the Council.

Officers noted formatting issues on page 10 of the policy as well as a typo to correct. Officers also confirmed to Members that the policy would go live following approval that evening.

RESOLVED that the revised Casual & Temporary Working Policy, as attached as Annex A to the agenda report, as amended, be adopted.

32/EC Work Programme

The Committee considered the draft Work Programme for 2024/25.

RESOLVED that the Work Programme for the 2024/25 municipal year, as set out at Annex A to the agenda report, be agreed.

Chair