

**MINUTES OF A MEETING OF SURREY
HEATH BOROUGH COUNCIL held at
Surrey Heath House, Camberley on
18 May 2016**

+ Cllr Joanne Potter (Mayor)
+ Cllr John Winterton (Deputy Mayor)

+ Cllr Dan Adams	Cllr Oliver Lewis
+ Cllr David Allen	+ Cllr Jonathan Lytle
+ Cllr Rodney Bates	+ Cllr Katia Malcaus Cooper
+ Cllr Richard Brooks	+ Cllr Bruce Mansell
+ Cllr Nick Chambers	+ Cllr David Mansfield
+ Cllr Bill Chapman	+ Cllr Alan McClafferty
+ Cllr Mrs Vivienne Chapman	+ Cllr Charlotte Morley
+ Cllr Ian Cullen	+ Cllr Max Nelson
+ Cllr Paul Deach	+ Cllr Adrian Page
+ Cllr Colin Dougan	+ Cllr Robin Perry
+ Cllr Craig Fennell	+ Cllr Chris Pitt
+ Cllr Surinder Gandhum	+ Cllr Nic Price
+ Cllr Moira Gibson	+ Cllr Wynne Price
+ Cllr Edward Hawkins	+ Cllr Darryl Ratiram
+ Cllr Josephine Hawkins	+ Cllr Ian Sams
+ Cllr Ruth Hutchinson	+ Cllr Conrad Sturt
+ Cllr Paul Ilnicki	- Cllr Pat Tedder
+ Cllr Rebecca Jennings-Evans	+ Cllr Victoria Wheeler
+ Cllr David Lewis	+ Cllr Valerie White

+ Present
- Apologies for absence presented

1/C Mayor

It was moved by Councillor Valerie White and seconded by Councillor Mrs Vivienne Chapman that Councillor John Winterton be elected Mayor for the ensuing year. The motion was put to the vote and carried unanimously.

RESOLVED, that Councillor John Winterton be elected Mayor of the Borough of Surrey Heath for the ensuing municipal year.

Councillor John Winterton made and signed the Declaration of Acceptance of Office of Mayor and was invested with the Mayoral Chain of Office.

The Mayor, Councillor John Winterton, in the Chair

Councillor Winterton thanked the Council for his election as the 44th Mayor of the Borough and the Council's ambassador. He congratulated Cllr Joanne Potter and her escort, Mrs Jackie Piper, for the way in which they had most ably carried out their duties as Mayor and Mayor's Escort during the past year and thanked Councillor Potter for all her help and guidance during his year as Deputy Mayor.

The Mayor paid tribute to the support he had received from his wife, Di Winterton during his year as Deputy Mayor. He also thanked Reverend Mark Wallace from All Saints, Lightwater for agreeing to be his Chaplain during his mayoral year.

Councillor Potter, in responding, thanked all the councillors and officers who had supported her in the past year, with particular thanks to Cllr John Winterton for his support as her deputy throughout the year, her Chaplain, Reverend Phil Parker, Members and supporters who had raised money for the Mayor's Charity during the year, and the Mayor's Secretary.

2/C Deputy Mayor

It was moved by Councillor Rebecca Jennings-Evans and seconded by Councillor Conrad Sturt that Councillor Valerie White be appointed Deputy Mayor for the ensuing year. The motion was put to a vote and carried unanimously.

RESOLVED, that Councillor Valerie White be elected Deputy Mayor of the Borough of Surrey Heath for the ensuing municipal year.

Councillor White thanked Members for their affirmation and encouragement and promised that she would carry out her duties on behalf of Surrey Heath residents, to the best of her ability. Her husband, Mr David White, was invested as the Deputy Mayor's Consort.

3/C Minutes

It was moved by the Mayor, seconded by the Deputy Mayor, and

RESOLVED that the minutes of the meeting of the Council held on 13 April 2016 be approved as a correct record.

4/C Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Pat Tedder.

5/C Mayor's Announcements

The Mayor informed the Council that the charities he would be supporting during his mayoral year were Connect Counselling Service and Disability Initiative.

6/C Executive Arrangements

The Leader informed the Council that Councillor Richard Brooks would be the Deputy Leader and the following councillors would be Portfolio Holders with the areas of responsibility as set out below:

<u>Portfolio Area</u>	<u>Portfolio Holder</u>
Business	Cllr Craig Fennell
Community	Cllr Mrs Vivienne Chapman
Corporate	Cllr Josephine Hawkins
Finance	Cllr Richard Brooks
Regulatory	Cllr Charlotte Morley
Transformation	Cllr Colin Dougan

She reported that all decisions would be taken collectively by the Executive. She had not reserved any decisions to the office of the Council Leader and no individual decision making powers had been delegated to Portfolio Holders.

7/C Establishment of Committees and Review of Political Proportionality

The Council was required by law to allocate seats in proportion to the political composition of the Council, with the aggregate membership of all the committees also being proportionate.

It was moved by the Mayor and seconded by the Deputy Mayor, that the scheme of proportionality set out in the agenda be adopted.

RESOLVED, that

- (i) the committees as set out at Annex A of the agenda report be appointed with the committee sizes shown; and**
- (ii) the scheme of proportionality as set out at Annex A of the agenda report be adopted for 2016/17.**

8/C Appointment of Members to Committees

It was moved by the Mayor, seconded by the Deputy Mayor and

RESOLVED, that the membership of the standing committees of the Council for 2016/17 be as follows:

Planning Applications Committee (16 members and 6 substitute members)

Committee Members:

Cllr David Allen, Cllr Richard Brooks, Cllr Nick Chambers, Cllr Mrs Vivienne Chapman, Cllr Colin Dougan, Cllr Surinder Gandhum, Cllr Edward Hawkins, Cllr Katia Malcaus Cooper, Cllr David Mansfield, Cllr

Adrian Page, Cllr Robin Perry, Cllr Ian Sams, Cllr Conrad Sturt, Cllr Pat Tedder, Cllr Victoria Wheeler, Cllr Valerie White.

Substitutes:

Cllr Dan Adams, Cllr Rodney Bates, Cllr Ruth Hutchinson, Cllr Rebecca Jennings-Evans, Cllr Paul Ilnicki, Cllr Max Nelson.

Licensing Committee (15 members)

Committee Members:

Cllr Nick Chambers, Cllr Bill Chapman, Cllr Mrs Vivienne Chapman, Cllr Surinder Gandhum, Cllr Ruth Hutchinson, Cllr Paul Ilnicki, Cllr David Lewis, Cllr Oliver Lewis, Cllr Jonathan Lytle, Cllr Bruce Mansell, Cllr Joanne Potter, Cllr Nic Price, Cllr Ian Sams, Cllr Pat Tedder, Cllr Valerie White.

In accordance with Substitution Procedure Rules, no substitutes were appointed to the Licensing Committee.

External Partnerships Select Committee (15 members and 5 substitute members)

Cllr Dan Adams, Cllr Ian Cullen, Cllr Paul Deach, Cllr Ruth Hutchinson, Cllr Rebecca Jennings-Evans, Cllr David Lewis, Cllr Katia Malcaus Cooper, Cllr Alan McClafferty, Cllr Max Nelson, Cllr Adrian Page, Cllr Robin Perry, Cllr Chris Pitt, Cllr Joanne Potter, Cllr Nic Price, Cllr Darryl Ratiram.

Substitutes:

Cllr Oliver Lewis, Cllr Jonathan Lytle, Cllr Wynne Price, Cllr Ian Sams, Cllr Pat Tedder.

Performance and Finance Scrutiny Committee (15 members and 5 substitute members)

Committee Members:

Cllr Dan Adams, Cllr David Allen, Cllr Bill Chapman, Cllr Edward Hawkins, Cllr Paul Ilnicki, Cllr David Lewis, Cllr Oliver Lewis, Cllr Jonathan Lytle, Cllr Alan McClafferty, Cllr Max Nelson, Cllr Robin Perry, Cllr Chris Pitt, Cllr Wynne Price, Cllr Darryl Ratiram, Cllr Victoria Wheeler.

Substitutes:

Cllr Rodney Bates, Cllr Katia Malcaus Cooper, Cllr Joanne Potter, Cllr Ian Sams, Cllr Valerie White.

Audit and Standards Committee (7 members and 4 substitute members)

Committee Members:

Cllr Rodney Bates, Cllr Edward Hawkins, Cllr Paul Ilnicki, Cllr Rebecca Jennings-Evans, Cllr Jonathan Lytle, Cllr Bruce Mansell, Cllr Conrad Sturt.

Substitutes:

Cllr Dan Adams, Cllr Ruth Hutchinson, Cllr David Lewis, Cllr Katia Malcaus Cooper.

Appointments Committee (5 members and 3 substitute members)

Committee Members:

Cllr Rodney Bates, Cllr Richard Brooks, Cllr Moira Gibson, Cllr Josephine Hawkins, Cllr Charlotte Morley.

Substitutes:

Cllr Mrs Vivienne Chapman, Cllr Victoria Wheeler, Cllr Valerie White.

9/C Appointment of Chairmen and Vice Chairmen

It was moved by the Mayor and seconded by the Deputy Mayor, that the chairmen and vice-chairmen of committees, as previously nominated and as set out below, be appointed for the ensuing year:

RESOLVED, that the following appointments of chairmen and vice-chairmen of committees, as previously nominated and as set out below be made for the ensuing year:

<u>Committee</u>	<u>Chairman</u>	<u>Vice Chairman</u>
Planning Applications	Cllr Edward Hawkins	Cllr David Mansfield
Licensing	Cllr Bill Chapman	Cllr Ian Sams
External Partnerships	Cllr Paul Deach	Cllr Dan Adams
Select		
Performance and Finance	Cllr Alan McClafferty	Cllr Jonathan Lytle
Scrutiny		
Audit and Standards	Cllr Rebecca Jennings-Evans	Cllr Conrad Sturt
Appointments	Cllr Moira Gibson	Cllr Richard Brooks

10/C Joint Committee

It was moved by Councillor Moira Gibson and seconded by Councillor Richard Brooks and unanimously

RESOLVED that Councillor Charlotte Morley be appointed to the Surrey Police and Crime Panel for the 2016/17 municipal year.

11/C To Appoint Working Groups and Other Bodies of the Council and the Membership thereof

It was moved by the Mayor and seconded by Councillor Moira Gibson that the bodies set out below be established and that the size of these bodies, the allocations to the different party groups and the nominations thereto be as laid on the table.

RESOLVED, that the following working groups or bodies of the Council be established, the allocation of seats be approved, and the membership of those bodies be as set out below:

Governance Working Group (5 members and 3 substitute members)

Members:

Cllr Rodney Bates, Cllr Paul Deach, Cllr Moira Gibson, Cllr Josephine Hawkins, Cllr Wynne Price.

Substitutes:

Cllr Rebecca Jennings-Evans, Cllr Ian Sams, Cllr Victoria Wheeler.

Joint Staff Consultative Group (8 members)

Cllr Moira Gibson, Cllr Josephine Hawkins, Cllr Paul Ilnicki, Cllr Charlotte Morley, Cllr Robin Perry, Cllr Ian Sams, Cllr Conrad Sturt, Cllr Ruth Hutchinson.

Waste Contract Consultative Group (5 members and 3 substitute members)

Members:

Cllr Mrs Vivienne Chapman, Cllr David Lewis, Cllr Max Nelson, Cllr Ian Sams, Cllr Pat Tedder.

Substitutes:

Cllr Paul Ilnicki, Cllr John Winterton, Cllr Ruth Hutchinson.

12/C Responsibility for Functions

The Constitution, at Part 4 Section A, required the Council at its Annual Meeting to agree the Scheme of Delegation of Functions.

It was moved by the Mayor, seconded by the Deputy Mayor and

RESOLVED, that the Scheme of Delegation of Functions, as set out at Annex A to the agenda report, be agreed.

13/C Governance Working Group

The Council received a report from the Governance Working Group in relation to

- (i) the Licensing Committee; and
- (ii) the Electoral Review of Council Size.

The Working Group had discussed ongoing concerns about the small number of members participating in Licensing Sub Committees and had considered options for widening the pool of members from which to select participants, including the use of the Licensing Committee's appointed substitutes.

It had, however, been reported that Section 6(1) of the Licensing Act 2003 restricted the size of the Licensing Committee to between 10 and 15 councillors and that the membership of any Sub-committees established by the Licensing Committee had to be drawn from the main Committee. A recent court case had clarified that

- (a) If licensing authorities were able to substitute non-members as and when they wished it would remove the requirement to establish a licensing committee of at least 10 but not more than 15 members of the authority;
- (b) The nature of the work required of licensing committee members meant that they must be trained for the role;
- (c) Section 6(1) of the Act stated that the licensing committee must have not more than 15 members and, if there are already 15 members, to add another would exceed the statutory maximum and could not be done; and
- (d) Standing orders could not override the legislative provisions.

Consequently it was clear that substitute members were not allowed. The Council's Procedure rules did provide that there should be no substitutions for licensing when dealing with Licensing Act 2003 matters and the licensing sub-committees of the Licensing Committee.

The Local Government Boundary Commission's review on the Council's size had been considered by the Working Group. The first stage of the review would be to decide the Council size. The Commission would determine the Council size taking into the decision of the Council and any other representations from political groups.

The Working Group had noted that both the Conservative Group and the Others Group had considered proposals for future council size: the Others Group had proposed a council size of 39 and the Conservative Group, a council size of 34.

It was reported that the Working Group had discussed the 2 proposals and had, by a majority, agreed to advise the Council to recommend a Council size of 34.

RESOLVED that the Chief Executive, after consultation with the Leader of the Council, be authorised to submit, to the Local Government Boundary Commission for England, the Council's proposal on a reduction of council size from 40 members to 34 members, based on the following factors:

- (i) the Strong Leader and Executive arrangements introduced since the last review;**
- (ii) the extensive Scheme of Delegation of Functions to Officers extended since the last review;**
- (iii) the technological advancements in communications and the changing way in which residents accessed information and services;**
- (iv) reduction in the committee structure and frequencies of meetings including the way in which the Council fulfils its scrutiny responsibilities; and**
- (v) the financial position of the Council, and the Country as a whole.**

Note: Councillor Rodney Bates, on behalf of the Others Group, asked that his Group's vote against the above decision be recorded.

14/C Appointment of Pool of Independent Persons

The Monitoring Officer reminded Members that previously the Council had appointed a single Independent Person in accordance with the Localism Act 2011. The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 provided for further arrangements relating to disciplinary processes requiring two Independent Persons.

The current appointment had expired and advertising for a replacement had not been successful. However, a pool of Independent Persons had been appointed by a consortium of councils, namely Mole Valley, Guildford, Waverley, Spelthorne and Reigate and Banstead. The consortium authorities had been operating a protocol to deal with the practical issues of dealing with complaints, including any conflicts of interest, common processes and arrangements for dealing with complaints.

There were currently five people who formed part of the pool across the authorities.

- Roger Pett
- Tony Allenby

- Vivienne Cameron
- Paul Sherar
- David Seymour
- Bernard Quoroll

The Council agreed to join the consortium and appoint the above persons in accordance with the Localism Act 2011.

It was moved by the Mayor, seconded by the Deputy Mayor and

RESOLVED to appoint the following persons to be Independent Persons in accordance with the Localism Act 2011 until May 2019:

- **Roger Pett**
- **Tony Allenby**
- **Vivienne Cameron**
- **Paul Sherar**
- **David Seymour**
- **Bernard Quoroll**

Mayor