

**MINUTES OF A MEETING OF SURREY
HEATH BOROUGH COUNCIL held at
Surrey Heath House, Camberley on 28
February 2013**

+ Cllr Bruce Mansell (Mayor)
+ Cllr Beverley Harding (Deputy Mayor)

| | |
|-------------------------------------------|-------------------------|
| + Cllr David Allen | + Cllr Paul Ilnicki |
| + Cllr Rodney Bates | + Cllr Lexie Kemp |
| + Cllr Richard Brooks | + Cllr David Mansfield |
| + Cllr Keith Bush | + Cllr John May |
| + Cllr Glyn Carpenter (from minute 076/C) | + Cllr Margaret Moher |
| + Cllr Bill Chapman | + Cllr Charlotte Morley |
| + Cllr Mrs Vivienne Chapman | + Cllr Adrian Page |
| + Cllr Ian Cullen | + Cllr Bob Paton |
| + Cllr Paul Deach | + Cllr Ken Pedder |
| + Cllr Tim Dodds | + Cllr Chris Pitt |
| + Cllr Colin Dougan | - Cllr Joanne Potter |
| + Cllr Craig Fennell | + Cllr Wynne Price |
| + Cllr Surinder Gandhum | + Cllr Audrey Roxburgh |
| - Cllr Liane Gibson | + Cllr Ian Sams |
| + Cllr Moira Gibson | + Cllr Pat Tedder |
| + Cllr Alastair Graham | + Cllr Judi Trow |
| + Cllr David Hamilton | + Cllr Valerie White |
| + Cllr Edward Hawkins | + Cllr Alan Whittart |
| + Cllr Josephine Hawkins | + Cllr John Winterton |

+ Present
- Apologies for absence presented

Part I
(public)

069/C Minutes

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

**RESOLVED, that the open minutes of the Council meeting held on 5
December 2012, and the minutes of the extraordinary Council meeting
on 22 January 2013 be approved as a correct record.**

070/C Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Liane Gibson and Joanne Potter.

071/C Mayor's Announcements

The Mayor informed the Council that his chaplain, Canon Mavis Wilson, would be retiring in March and it would therefore be her last Council meeting. Canon Wilson had served as the Mayor's Chaplain 3 times. The Mayor presented her with a gift as a token of his appreciation and expressed that she would be much missed by her parish members and councillors.

The Mayor informed Members that in January he had attended the funeral of Edna Goodall, a former member of staff and a founding member of the Surrey Heath Employees Retirement Club.

The Mayor reported that he had attended a number of events, including:

- Carols at Frimley Park Hospital on Christmas Eve
- The Christmas Day Service at Frimley Park Hospital
- Windlesham Pram Race on Boxing Day
- Lakeside World Darts
- The installation of Reverend Philip Parker at St Andrews Church, Frimley Green
- Camberley Reel Club's Burns Night Supper
- St Peters Church Community Lunch
- The installation of Reverend Christopher Bessant at St Lawrence Church, Chobham

Members were informed that The Mayor's Raffle had raised £206.

072/C Leader's Announcements

Cllr Moira Gibson, the Leader of the Council, informed Members that she had recently met with the new Police and Crime Commissioner for Surrey, Kevin Hurley.

The Leader had attended the Enterprise M3 Local Enterprise (EM3) Partnership conference earlier that day. She informed the Council that the new EM3 strategy, which was required to access funding from the Growth Fund, had been presented to the conference. The Strategy would be brought to the Executive for comment at a future meeting.

Members were informed that the Council's garden design, 'a moveable feast', which had been developed in partnership with Flourish and the Deepcut Army Wives group, had been shortlisted for the Hampton Court Flower Show.

073/C Questions from Member of the Public

The Portfolio Holder for Finance, Councillor Richard Brooks, received a question from a member of the public, Mrs Sue Helliwell, concerning the subsidy provided to the Camberley Theatre.

074/C Council Tax and Budget 2013/14

Members were informed that budget for 2013/14 had been prepared taking into account the reduced funding for local authorities. In the last three years government funding to the Council had been cut by over 37% resulting in a greater proportion of the Council's costs falling on Council Tax payers. The Council's final total funding for 2013/14 had been confirmed as £3.430m. The indicative grant for 2014/15 was £3.004m representing a reduction of £426k or 12.4% excluding new homes bonus.

Despite the funding reductions the Council had pursued a financial strategy of balancing its budget year on year by making savings through transformation and increasing income. So far costs had been reduced by a significant amount without a major impact on frontline services. However it was likely that future savings would need to come from service redesign and increased income.

The net cost of services for 2013/14 showed no change compared with the previous year. This was despite a reduction of £300k in Atrium rental income, £25k in additional costs for the Localisation of Council Tax and £50k homelessness costs (which were now funded out of revenue support grant rather than a specific grant). These factors together with the effects of inflation, rising costs and demand had been absorbed by making savings.

Staff costs had reduced by £118k this year with over £1.75m having been removed from the staffing budget over the last 3 years.

It was proposed that expenditure of £325,000 be funded from reserves, comprising £75,000 from the Community Fund relating to Community Grants and £250,000 from the Capital Revenue Reserve relating to Transformation costs.

Members were advised that the Council had received a New Homes Bonus of £69k in 2011/12, £307k in 2012/13 and would get £634k in 2013/14. It was noted that £450,000 of the New Homes Bonus for 2013/14 had been used to support the budget.

The Borough Council collects Council Tax on behalf of all precepting authorities. If the amount collected is less than predicted this results in a deficit on the Collection Fund. Conversely, if the amount collected is greater than predicted this results in a surplus. Any deficit or surplus is shared amongst all the principal precepting bodies. As Surrey Heath has one of the highest collection rates in the country the fund is forecast to be in surplus at the 31st March 2013.

In relation to the Collection Fund, the Executive Head of Finance had declared a surplus for 2012/13 of £1.1m which would be distributed amongst all major preceptors. The share for this Council was £143,430 which had been transferred to reserves.

The Council noted a financial forecast which predicted the Council's finances for the next 5 years and the financial risks contained within the budget.

The Council, when making decisions in respect of the budget requirement, was required to have regard to the Chief Financial Officer report upon the robustness of the estimates for the purposes of the calculation of the council tax requirement and the adequacy of the proposed financial reserves. Members noted the comments in respect of the robustness of the 2013/14 budget and the adequacy of Reserves, Provisions and the General Fund Working Balance.

The Government had offered an additional special grant equivalent to an increase of 1.0% for 2013/14 and 2014/15 to any Council that decided to freeze its Council Tax for 2013/14. This equated to £71,500 for this Council. This was the third year a grant had been offered. It was reported that the Secretary of State had made a statement to Parliament on 30 January stating that the excessiveness principles for 2014/15 would take into account increases made in 2013/14 and might be different for different categories of authority.

The Council considered the effect of the following options:

- a) to freeze Council Tax and accept the grant; or
- b) to increase Council Tax by 1.9% and reject the grant.

Members were advised of the cumulative effect of a potential Council Tax freeze on service funding. It was noted that by rejecting the grant for 2013/14 and increasing

Council Tax by 1.9% there would a cumulative positive effect on income of £400k in 3 years. In comparison the freeze would result in the Council being £52k per annum worse off next year and £138k per annum from 2015/16. In addition the 2011/12 Council Tax freeze funding would end in 2015/16. As a result a Council Tax freeze would require additional savings to those already projected and could result in higher tax increases in future years.

It was acknowledged that a freeze would be generally popular with taxpayers in difficult economic times and that there was a risk that the Government could, through future funding, penalise authorities which increased council tax. It was noted that the two year freeze so far had saved a Band D taxpayer £9.40 on their annual Surrey Heath precept. A further freeze in 2013/14 would save an additional £3.52 a year.

It was proposed by Councillor Richard Brooks and seconded by Councillor Moira Gibson and

RESOLVED to

- (i) **note that under delegated powers the Executive Head of Finance calculated the amount of the Council Tax Base as 35,840.22 (Band D Equivalent properties) for the year 2013/14 calculated in accordance with the Local Government Finance Act 1992, as amended;**
- (ii) **approve expenditure totalling £325,000 be charged directly to reserves;**
- (iii) **note that £450,000 of the new homes bonus is being used to support the 2013/14 budget;**
- (iv) **note the implications of the Council Tax freeze grant and that an increase in Council Tax increase deemed to be excessive is 2.0%;**
- (v) **note the a council tax surplus of £1.1m is being declared;**
- (vi) **note the comments in respect of the robustness of the 2013/14 budget and the adequacy of the Council's reserves, provisions and the General Fund Working Balance;**
- (vii) **note the comments in respect of the financial forecast;**
- (viii) **note that of the Council's Budget requirement, £168,671 be a special expense relating to the non-parished area of the Borough.**
- (ix) **approve the Budget Requirement for 2013/14 of £10,514,550 as set out in Annex A to the agenda report;**
- (x) **approve the Council Tax Requirement for the Council's own purposes for 2013/14 of £6,772,854 as set out at paragraph 60 and;**
- (xi) **that the Council Tax for 2013/14 (excluding special expenses and parish precepts) be set at £188.97 for a Band D property being an increase of 1.9% compared to 2012/13.**

075/C Setting of Council Tax for 2013/14

Having determined its Council Tax Requirement for 2013/14, Members were now required to formally approve the Council Tax for the area taking into account precepts received from Surrey County Council, Surrey Police and Crime Commissioner and the Parishes.

The Council was advised that the Executive, at its meeting on 8 January, had approved the draft Council Tax base for 2013/14 but had delegated the final setting of the base to the Executive Head of Finance in consultation with the Portfolio Holder for finance. The tax base had been set at 35,840.21 Band D equivalent properties.

It was proposed by Councillor Richard Brooks and seconded by Councillor Moira Gibson and

RESOLVED

1. to note that the Council Tax Base for 2013/14 calculated in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:

- a) for the whole Council area as 35,840.21 (Item T in the formula in Section 31B of the Local Government finance Act 1992, as amended (the "Act"));
- b) for dwellings in those parts of its area to which a Parish precept relates as in Table B below.

| | |
|-----------------------|-----------|
| Bisley | 1,446.69 |
| Chobham | 1,883.64 |
| Frimley and Camberley | 22,592.61 |
| West End | 1,983.37 |
| Windlesham | 7,933.90 |

being the amounts calculated by the Council in accordance with regulation 6 of the Regulations, as the amount of its Council Tax base for the year for dwellings in those parts of its area to which special items relate;

2. that the Council Tax requirement for the Council's own purposes for 2013/14 (excluding parish precepts and special expenses) is £6,772,854;
3. resolve that the following amounts be calculated for the year 2013/14 in accordance with Sections 31 to 36 of the Act:
 - a) 48,414,655 being the aggregate of the amounts which the Council estimates for the items set out in Section 31(A)2 of the Act taking into account all precepts issued to it by Parish Councils.
 - b) 40,990,972 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - c) 7,423,683 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b)

above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

- d) £207.13 being the amount at 3(c) above (Item R), as divided by Item T (1(a) above) calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts)
- e) 650,829 being the aggregate amount of all special items referred to in Section 34(1) of the Act (as per para 3 (iii) of the agenda report)
- f) £188.97 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

4. note that the County Council and the Police Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.

Surrey County Council

| Valuation Bands | | | | | | | |
|-----------------|--------|----------|----------|----------|----------|----------|----------|
| A | B | C | D | E | F | G | H |
| £ | £ | £ | £ | £ | £ | £ | £ |
| 781.68 | 911.96 | 1,042.24 | 1,172.52 | 1,433.08 | 1,693.64 | 1,954.20 | 2,345.04 |

Surrey Police and Crime Commissioner

| Valuation Bands | | | | | | | |
|-----------------|--------|--------|--------|--------|--------|--------|--------|
| A | B | C | D | E | F | G | H |
| £ | £ | £ | £ | £ | £ | £ | £ |
| 138.37 | 161.43 | 184.49 | 207.55 | 253.67 | 299.79 | 345.92 | 415.10 |

5. resolve that the Council, in accordance with sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2013/14 for each part of its area and for each of the categories of dwellings.

Parish precepts and special expenses

| Valuation Band | | | | | | | | |
|----------------|---|---|---|---|---|---|---|---|
| | A | B | C | D | E | F | G | H |
| Part of Area | £ | £ | £ | £ | £ | £ | £ | £ |
| | | | | | | | | |

| | | | | | | | | |
|-----------------------|-------|-------|-------|-------|-------|-------|-------|-------|
| Bisley | 27.45 | 32.02 | 36.60 | 41.17 | 50.32 | 59.46 | 68.62 | 82.34 |
| Chobham | 25.34 | 29.56 | 33.79 | 38.01 | 46.46 | 54.90 | 63.35 | 76.02 |
| Frimley and Camberley | 4.98 | 5.81 | 6.64 | 7.47 | 9.13 | 10.79 | 12.45 | 14.94 |
| West End | 26.14 | 30.50 | 34.86 | 39.21 | 47.93 | 56.63 | 65.35 | 78.42 |
| Windlesham | 22.96 | 26.78 | 30.62 | 34.44 | 42.10 | 49.74 | 57.40 | 68.88 |

Surrey Heath Borough Council

| Valuation Bands | | | | | | | |
|-----------------|--------|--------|--------|--------|--------|--------|--------|
| A | B | C | D | E | F | G | H |
| £ | £ | £ | £ | £ | £ | £ | £ |
| 125.98 | 146.98 | 167.97 | 188.97 | 230.96 | 272.96 | 314.95 | 377.94 |

Aggregate of Parish and Surrey Heath Borough Council

| Valuation Band | | | | | | | | |
|-----------------------|--------|--------|--------|--------|--------|--------|--------|--------|
| | A | B | C | D | E | F | G | H |
| Part of Area | £ | £ | £ | £ | £ | £ | £ | £ |
| Bisley | 153.43 | 179.00 | 204.57 | 230.14 | 281.28 | 332.42 | 383.57 | 460.28 |
| Chobham | 151.32 | 176.54 | 201.76 | 226.98 | 277.42 | 327.86 | 378.30 | 453.96 |
| Frimley and Camberley | 130.96 | 152.79 | 174.61 | 196.44 | 240.09 | 283.75 | 327.40 | 392.88 |
| West End | 152.12 | 177.47 | 202.83 | 228.18 | 278.89 | 329.59 | 380.30 | 456.36 |
| Windlesham | 148.94 | 173.76 | 198.59 | 223.41 | 273.06 | 322.70 | 372.35 | 446.82 |

Total of all Precepts

| Valuation Band | | | | | | | | |
|---------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| | A | B | C | D | E | F | G | H |
| Part of Area | £ | £ | £ | £ | £ | £ | £ | £ |
| Bisley | 1,073.48 | 1,252.39 | 1,431.30 | 1,610.21 | 1,968.03 | 2,325.85 | 2,683.69 | 3,220.42 |
| Chobham | 1,071.37 | 1,249.93 | 1,428.49 | 1,607.05 | 1,964.17 | 2,321.29 | 2,678.42 | 3,214.10 |
| Frimley & Camberley | 1,051.01 | 1,226.18 | 1,401.34 | 1,576.51 | 1,926.84 | 2,277.18 | 2,627.52 | 3,153.02 |
| West End | 1,072.17 | 1,250.86 | 1,429.56 | 1,608.25 | 1,965.64 | 2,323.02 | 2,680.42 | 3,216.50 |
| Windlesham | 1,068.99 | 1,247.15 | 1,425.32 | 1,603.48 | 1,959.81 | 2,316.13 | 2,672.47 | 3,206.96 |

6. note that the Council's basic amount of Council Tax for 2013/14 is not excessive in accordance with the principles approved under Section 52ZB Local Government Finance Act 1992.

076/C Executive, Committees and other Bodies

- a) Executive – 4 December 2012, 8 January, 29 January and 19 February 2013

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

RESOLVED that the minutes of the meetings of the Executive held on 4 December 2012, 8 January, 29 January and 19 February 2013 be received and the recommendations therein be adopted as set out below:

80/E Corporate Capital Programme 2013/14 to 2015/16

RESOLVED

- (i) that the new capital bids for £1.393k in Annex A to the Executive agenda report, for commencement in 2013/14, be approved, and that the schemes be incorporated into the Capital Programme;
- (ii) that the Prudential Indicators explained in Annex D to the Executive agenda report for 2013/14 to 2015/16, in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's Prudential Code for Capital Finance in Local Authorities, 2011 be approved;
- (i) to note the Capital Financing Requirement for this Council as at 31 March 2013 was estimated to be £nil and as such no Minimum Revenue Payment was required;
- (ii) to note the provisional capital programme for 2014/15 and 2015/16; and
- (iii) to note the available capital receipts forecast shown in Annex C to the Executive agenda report.

81/E Treasury Management Strategy Report 2013/14

RESOLVED that

- (i) the Treasury Management Strategy for 2013/14 including the changes to investment criteria and limits shown at Annex A to the Executive agenda report, as amended, be adopted; and
- (ii) the Treasury Management Indicators for 2013/14 at Annex B to the Executive agenda report be adopted.

83/E Proposed Submission Camberley Town Centre Area Action Plan

RESOLVED that

- (i) the Report of representations received on the Revised Issues and Options Camberley Town Centre Area Action Plan be noted;
- (ii) the Proposed Submission Camberley Town Centre Area Action Plan accompanied by the Sustainability Appraisal and Habitats Regulations assessment be published for public consultation;
- (iii) following public consultation and providing that no materially significant objections to soundness have been received, the Executive Head of Regulatory be authorised to submit the Proposed Submission Camberley Town Centre Area Action Plan

and supporting documents including the consultation response to the Secretary of State; and

- (iv) in the event of either the consultation response raising materially significant objections to the soundness of the Camberley Town Centre Area Action Plan or changes being made to national planning policy which have the same effect, then the Executive Head of Regulatory in consultation with the Portfolio holder be authorised to defer submission to the Secretary of State.

86/E General Fund Estimates 2013/14

Resolved that

- ii) in accordance with the resolution made by Executive on 8 January 2013 under the freedoms given in the Local Government Act 2012 and relevant statutory instruments made thereunder the Council shall with effect from 1 April 2013 set the following changes and discounts for the purposes of Council Tax;
 - (1) apply full council tax with no discount on homes that are in need of, or undergoing, major repair work or structural alteration;
 - (2) apply full council tax with no discount in respect of unoccupied and substantially unfurnished properties from the first day the property becomes unoccupied and substantially unfurnished;
 - (3) reduce to zero the council tax discount for furnished properties not occupied as a main home;
 - (4) charge an empty homes council tax premium of 50% on properties left empty for more than two years; and
 - (5) apply full council tax with no discount on repossessed vacant homes.

53/E Replacement of the Council's Financial System

RESOLVED that the sum as described in the exempt report at Part II of the Executive agenda for 6 November 2012 be added to the Capital Programme for 2012/13 for the new system.

89/E Post Entry Training Scheme

RESOLVED that the revised Post Entry Training Scheme, as attached at Annex A to the Executive agenda report, to include revisions to the repayment process and procedural amendments, be adopted.

90/E Learning and Development Strategy

RESOLVED that the revised Learning and Development Strategy, as attached at Annex A to the Executive agenda report, be adopted.

91/E The People Strategy

RESOLVED that the revised People Strategy, as attached at Annex A to the Executive agenda report, be adopted.

92/E Re-location Policy

RESOLVED that

- (i) the Relocation Policy be withdrawn as from 1 April 2013;
- (ii) the budget for the scheme be retained for 2013/14 to fund previously agreed relocation expenses.

93/E Pay Policy Statement 2013/14

RESOLVED that, subject to the inclusion of reference to apprentices, the proposed Surrey Heath Borough Council Pay Policy Statement 2013/14, as attached at Annex A to the Executive agenda report, be adopted.

94/E Leisure Capital Expenditure

RESOLVED that

- (i) £40,000 of capital be made available for the refurbishment works at Frimley Lodge Pavilion;
- (ii) £70,000 of capital be made available for improvements to Lightwater Country Park Visitor Centre;
- (iii) £22,280 of capital be made available for the replacement of the Play Area at Burrell Road.

- (b) Planning Applications Committee – 17 December 2012, 14 January and 11 February 2013

It was moved by Councillor Edward Hawkins, seconded by Councillor Glyn Carpenter, and

RESOLVED, that

- (i) the minutes of the meetings of the Planning Applications Committee held on 17 December 2012, 14 January and 11 February 2013 be received;
- (ii) the recommendation at 103/PA - DERA North Co-ordination Agreement not be agreed; and
- (iii) the Executive Head of Regulatory, after consultation with the Chairman of the Planning Applications Committee, be authorised to appoint consultants to conduct an environmental assessment in respect of planning application 12/0688 for the site at DERA North, Chobham Lane, Longcross to ascertain whether the proposed development would be likely to have an effect on the designated European Sites.

- (c) Appointments Committee – 30 November 2012

It was moved by Councillor Moira Gibson, seconded by Councillor Alan Whittart, and

RESOLVED, that the minutes of the meeting of the Appointments Committee held on 30 November 2012 be received.

- (d) Community Services Scrutiny Committee – 13 December 2012 and 5 February 2013

It was moved by Councillor Audrey Roxburgh, seconded by Councillor Charlotte Morley, and

RESOLVED, that the minutes of the meeting of the Community Services Scrutiny Committee held on 13 December 2012 be received.

It was moved by Councillor Wynne Price, seconded by Councillor Charlotte Morley, and

RESOLVED, that the minutes of the meeting of the Community Services Scrutiny Committee held on 5 February 2013 be received.

- (e) External Partnerships Select Committee – 15 January 2013

It was moved by Councillor Josephine Hawkins, seconded by Councillor Bob Paton and

RESOLVED, that the minutes of the meeting of External Partnerships Select Committee held on 15 January 2013 be received.

- (f) Joint Staff Consultative Group – 17 January 2013

It was moved by Councillor Ken Pedder, seconded by Councillor Josephine Hawkins, and

RESOLVED, that the notes of the meeting of the Joint Staff Consultative Group held on 17 January 2013 be received.

- (g) Performance and Audit Scrutiny Committee (Audit meeting) – 23 January 2013

It was moved by Councillor Charlotte Morley, seconded by Councillor Wynne Price and

RESOLVED, that the minutes of the meeting of the Performance and Audit Scrutiny Committee (Audit meeting) held on 23 January 2013 be received.

- (h) Performance and Audit Scrutiny Committee (Scrutiny meeting) – 23 January 2013

It was moved by Councillor Charlotte Morley, seconded by Councillor Wynne Price and

RESOLVED, that the minutes of the meeting of the Performance and Audit Scrutiny Committee (Scrutiny meeting) held on 23 January 2013 be received.

- (i) Licensing Committee – 30 January 2013

It was moved by Councillor Bill Chapman, seconded by Councillor Ian Sams, and

RESOLVED, that the minutes of the meeting of the Licensing Committee held on 30 January 2013 be received.

Note 1: In accordance with the Members' Code of Conduct Councillor Richard Brooks declared a Disclosable Pecuniary Interest in relation to minute 93/E – Pay Policy Statement 2013/14 and indicated that he would leave the room if the matter was discussed.

Note 2: In accordance with the Members' Code of Conduct, Councillors Rodney Bates and Alan Whittart declared Disclosable Pecuniary Interests in relation to minute 040/P of the Performance and Audit Scrutiny Committee (Scrutiny meeting) minutes, as they were members of the Surrey Local Government Pension Scheme and indicated that they would leave the room if the minutes were discussed.

077/C Governance Working Group

The Governance Working Group had met on 14 December 2012 and had made a number of recommendations to the Council.

The Working Group had reviewed the Public Speaking Rules at Part 4 Section E of the Constitution. Whilst little use had been made of the opportunity to ask questions by the public and to make presentations at meetings of the Council, the Working Group considered that these provisions should continue to be available. However the Working Group proposed that Rule 4.5 should be amended to reduce the length of the presentation from 20 to 15 minutes.

The Working Group had received information on public speaking at each meeting of the Committee since the introduction of the revised scheme in 2010. The Group had discussed the circumstances where multiple applications relating to the same site were considered by the Committee and the resultant effect this had on the number of speakers permitted to address the meeting. It had concluded that, in view of the infrequency of this occurrence so far, the position be monitored and reviewed if necessary.

The Working Group had noted that a number of the Planning Applications Committee meetings had, by voting to suspend Procedure Rule 9, exceeded the 10.30 pm deadline for concluding the business of the evening. The Working Group had considered that, in order, to ensure quality decision-making, no Committee meeting should be longer than 3 hours.

It was, therefore, proposed that amendments be made to the Committees Procedure Rules to provide, at all committee meetings, that at 10.00pm no further items of business be conducted save for the conclusion of the item of the business under discussion and that the meeting be adjourned to another date if there were outstanding items. It was also suggested that provision be made to prevent Committees suspending this rule.

Members agreed with these proposals with the exception that, in relation to the Planning Applications Committee, should only one further application remain to be determined at 10.00pm, then the Committee may consider that further application.

The Working Group had reviewed the Social Media Protocol for Councillors in relation to the use of media devices during meetings. Members had reiterated the importance of conveying to members of the public that the decision makers were fully engaged in the debate and the decision-making process.

It had been felt by the Working Group that this was of particular importance in relation to carrying out the regulatory functions of the Planning Applications Committee, the Licensing Sub Committees and the full Council when considering major planning applications. At these meetings it was essential to ensure that the decision makers took into account the same information in reaching decisions. It was therefore suggested that no member of these bodies be permitted to use any media device whilst in the meeting. However it had been felt that other Members in attendance at these meetings, as they were not decision makers, should be able to use media devices.

The Council considered the recommendation regarding members of the Planning Applications Committee, the Licensing Sub Committee, and the Full Council when considering major planning applications not being permitted to use any media device whilst in the meeting. It was agreed to refer the matter back to the Governance Working Group for further consideration.

The Working Group had received monitoring information relating to the record of Members' attendance, at Council, the Executive and the Standing Committees, between May 2012 and November 2012. The Group had discussed the need to optimise the number of members available to attend meetings, particularly at meetings of the Planning Applications Committee. It was noted that the Substitution Protocol currently provided for the appointment of substitutes for political groups on a body as follows:

- more than 5 seats - 3 substitutes
- 2 to 5 seats - 2 substitutes
- 1 seat - 1 substitute.

The Working Group proposed that the Protocol should be amended to provide for any group with more than 10 members on the body concerned to appoint 4 substitutes.

The Working Group had been informed that Internal Audit had advised that Financial Regulations should be amended to clarify that, particularly in the case of grants, the spending of any income received which was not part of the budget had to be properly approved. It was, therefore, proposed that Paragraph 14.14 – Windfall Income, be amended by the substitution of the existing wording with the following:

Other non-budgeted income

14.14 Any Income received for the Council which is not included within the annual budget arising from, for example, Grants, windfalls, gifts etc must be notified to the Executive Head of Finance as soon as it is identified.

Authorisation for the use of this income must be obtained from:
Under £1,000 – Executive Head of Finance

Over £1,000 and under £5,000 – Management Board in consultation with the portfolio holder

Over £5,000 – Executive

RESOLVED that

- (i) **Rule 4.5 of the Public Speaking Rules be amended to allow presenters to speak for a maximum of 15 minutes;**
- (ii) **the operation of the Public Speaking Rules continue to be monitored;**
- (iii) **amendments be made to the Committees, Sub Committees and Other Bodies Procedure Rules at Part 4, Section D to provide,**
 - a. **at all committee meetings, subject to (b) below, that at 10.00pm, no further items of business be conducted save for the conclusion of the item of business under discussion and that the meeting be adjourned to another date if there are outstanding items;**
 - b. **a meetings of the Planning Applications Committee should only one further application remain to be determined at 10.00pm, then the Committee may consider that further application;**
 - c. **that Committees are unable to suspend the Procedure Rule relating to the duration of the meeting.**
- (iv) **that paragraphs 12 to 15 of the Social Media Protocol for Councillors, a document which supports the Constitution, be amended as follows:**

Use of Media Devices during Council Meetings

- ~~12. Media devices may only be used during meetings to access meeting papers and relevant background material and not for any other purpose. However you should avoid appearing to spend the meeting engaged in using these devices and must not distract others. It is important to convey to others, particularly members of the public, that you are fully engaged in the debate and the decision-making process.~~
- 13. ~~If you wish to~~ **Members may use media devices to tweet, blog or access social network sites during a meetings of the Planning Applications Committee or the Licensing Sub Committee provided they are not members of that decision making body. you must leave the room. You are reminded that you will not be able to participate in a vote if you have not been present for the whole debate on the matter.**
- 14. **With the exception of the Planning Applications Committee, the Licensing Sub Committee or the Full Council when considering major planning applications,**

Members may use media devices at other meetings of the Council.

- (v) the Governance Working Group be requested to reconsider the use of media devices at meetings by Members of the Planning Applications Committee, Licensing Sub Committee or by all Members at the Full Council when considering major planning applications;
- (vi) pending the reconsideration by the Governance Working Group of (v) above, at meetings of the Planning Applications Committee the Licensing Sub Committee or by the Full Council when considering major planning applications, media devices may only be used during meetings to access meeting papers and relevant background material and not for any other purpose.
- (vii) the Substitution Protocol at Part 4, Section K of the Constitution be amended as follows:
 - More than 10 seats – 4 substitutes
 - ~~more than 5 seats~~ 6 to 10 seats - 3 substitutes
 - 2 to 5 seats - 2 substitutes
 - 1 seat - 1 substitute.
- (viii) Paragraph 14.14 of Financial Regulations at Part 4, Section H, be amended as follows:

Windfall Income

~~14.14 The Executive Head of Finance must be notified of any anticipated one-off or windfall income to the Council as soon as it is identified. Use of windfall income of less than £1,000 will be determined by the Executive Head of Finance in accordance with corporate priorities. Use of windfall income over £1,000 must be approved by Management Board after consultation with the portfolio holder. Approval of the Leader/Executive is required if the amount is over £5,000.~~

Other non-budgeted income

14.14 Any Income received for the Council which is not included within the annual budget arising from, for example, Grants, windfalls, gifts etc must be notified to the Executive Head of Finance as soon as it is identified.

Authorisation for the use of this income must be obtained from:

Under £1,000 – Executive Head of Finance

Over £1,000 and under £5,000 – Management Board in consultation with the portfolio holder

Over £5,000 – Executive; and

- (ix) **the Duration of Meetings Rules and the Social Media Policy be monitored and be reviewed by the Governance Working Group after 6 months' operation.**

078/C Car User Policy

The Council considered proposals for a new Car User Policy. The proposals set out how staff would be compensated for travel in the future and also included compensation for members of staff no longer eligible for a provided car.

Based on the consultation feedback from staff and in the light of what the Council could afford it was proposed that a Car Users' Policy be introduced which provided for:

- The Provided Car Scheme to close and become a discontinued benefit.
- Staff who currently had a car and were in eligible posts to keep the benefit (as long as they remained in a role that was eligible).
- Staff who were in eligible posts but had not taken up the option of a car in the Provided Car Scheme to receive the car allowance in future.
- Staff who did not have a provided car as part of their benefits package but were in posts that were eligible to receive travel reimbursement to receive a car allowance.
- Staff who currently had a provided car but were not in eligible posts to have the benefit removed and to be compensated for this benefit.

Members were reminded that the Executive had reviewed the proposed policy at its meeting on 8 January 2013 and had recommended the following amendments:

- (i) the introduction of one mileage rate fixed at the HMRC approved rate, currently 45p;
- (ii) the use of the vehicle be restricted to the employee and their partner, or only with express permission of the Executive Head of Finance, to another family member living with the employee;

The Council received a tabled response to staff consultation from management. The response recognised that the following points should be incorporated in the definition for eligibility for a provided car or essential user allowance:

- Similar job roles would be reviewed as a group in order to prevent inequality between jobs in the same job family doing similar tasks and some receiving a car/car allowance and others not.
- The 3000 miles limit wouldn't be used in isolation.
- Other factors taken into consideration is equipment being carried, number of journeys

It further recognised that the benchmark at which an additional mileage charge would be levied should be amended from 48,000 miles over the 4 year period to 60,000 miles.

RESOLVED that, subject to the amendments set out above, the Car User Policy and the compensation rates for non-eligible staff, as attached at Annex A to the agenda report, be approved

079/C County Divisional Boundaries – Review of Polling Districts and Polling Places

The Council was reminded that the Local Government Boundary Commission for England had, in 2010/11, conducted a review of the electoral arrangements in Surrey which aimed to ensure that the number of voters represented by each councillor was approximately the same.

The effects of the Order for the 6 County Divisions in Surrey Heath were:

- to create the 2 amended County Divisions comprising the following parish wards:
 - (i). Bagshot, Windlesham and Chobham; and
 - (ii). Lightwater, West End and Bisley.
- to move 642 properties (867 electors) in the Ansell's area in Frimley from Camberley West Division to Frimley Green and Mytchett Division; and
- to move 381 properties (819 electors) on Wellington Park from Camberley East Division to Heatherside and Parkside Division.

It would not be necessary to amend any of the polling districts in parished area of the Borough as the polling district, ward and county divisional boundaries would remain coterminous.

However, the County Divisional boundaries and the Borough Ward boundaries would no longer be coterminous in parts of the four divisions of Camberley West, Camberley East, Frimley Green and Mytchett, and Heatherside and Parkside. It was agreed to create 2 new polling districts comprising the properties required to move to alternative County Divisions, as follows:

- a. FC (Frimley – South)
- b. EB (St Pauls – East)

Members considered the options for designating polling stations for these new polling districts.

RESOLVED that 2 new polling districts be created comprising the roads set out at Annex A to these minutes and the polling places be designated as follows:

- a. **FC (Frimley – South) – St Peters Church Hall, Frimley Green Road, Frimley**
- b. **EB (St Pauls – East) – St Pauls Church Hall, Church Hill, Camberley.**

080/C Statutory Officers

The Council was reminded that it was required by Section 5 of the Local Government and Housing Act 1989 to designate one of its officers as the officer responsible for performing the duties imposed by this section (known as the Monitoring Officer). The duties of this post must be carried out personally.

At its meeting on 22 February 2012, the Council agreed that Mr Richard Payne be appointed as the Council's Monitoring Officer until further notice. This had been an

interim arrangement pending the planned Management Restructure. The Management Restructure had resulted in the creation of the post of the Head of Legal Services, the holder of which would be designated as the Council's Monitoring Officer. At its meeting on 30 November 2012, the Appointments Committee had appointed Ms Karen Limmer as Head of Legal Services and recommended her appointment as the Council's Monitoring Officer.

Members noted that whilst it was recognised it was the statutory responsibility of the Monitoring Officer to appoint Deputy Monitoring Officers, it was considered that the Monitoring Officer should be advised to continue the existing arrangements where no formal appointment was made but with deputies being appointed as and when necessary.

In accordance with the requirements of the Representation of the People Act the Council, at its meeting on 13 October 2010, had appointed Mrs Karen Whelan, Chief Executive, as the Returning Officer and the Electoral Registration Officer (ERO). The ERO was responsible for the preparation and maintenance of the Electoral Register for the area.

The Council did not currently have a Deputy ERO. Members recognised that, should the Chief Executive be absent for a period there may be a need for a deputy to act in her place. It was, therefore, agreed that a permanent appointment was made and that Mr Richard Payne, Executive Head – Corporate be appointed to this role.

RESOLVED that

- (i) Ms Karen Limmer be appointed as the Council's Monitoring Officer upon her commencing her employment with the Council as Head of Legal Services; and**
- (ii) Mr Richard Payne be appointed as the Deputy Electoral Registration Officer to act in the absence of the Electoral Registration Officer.**

081/C Portfolio Holder – Question Time

Councillor Colin Dougan, Portfolio Holder for Transformation, reminded Members that his Portfolio included management of projects, ICT, Corporate Property, and Building Control. He updated the Council in relation to areas of work being undertaken in these areas and responded to questions on the implementation of Car Parking charges at the Arena Car Park and the co-location of the museum in Camberley Library.

082/C Exclusion of Press and Public

In accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following item of business on the ground that it involved the likely disclosure of exempt information as defined in the paragraphs of Part 3 of Schedule 12A of the Act as set out below:

| <u>Minute</u> | <u>Paragraph</u> |
|---------------|------------------|
| 083/C | 3 |
| 084/C | 3 |

083/C Minutes

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

RESOLVED that the exempt minutes of the meeting of the Executive meeting held on 4 December 2012 and 8 January 2013 be received.

084/C Review of Exempt Items

The Council reviewed the minutes which had been considered at the meeting following the exclusion of members of the press and public, as it involved the likely disclosure of exempt information.

RESOLVED

- (i). that minute 69/E and minute 76/E remain exempt;**
- (ii). that minutes 74/E and 75/E remain exempt until the negotiations and agreements have been completed; and**
- (iii). to note that a public statement had been be released concerning minute 76/E.**

Mayor

Camberley West to Frimley Green & Mytchett

Addison Road
Ansell Road
Barnes Road
Bassett Close
Bret Harte Road
Frimley Green Road – No.23 – 75 (odds) & No.30 - 54 (evens)
Middlemoor Road
Purley Way
Stonehouse Rise
Sturdee Close

Camberley East to Heatherside and Parkside

Angers Close
Clarence Drive
Collingwood Grange Close
Consort Drive
Curtis Close
Darracott Close
Eliot Close
Hanson Close
Martel Close
Paget Close
Peninsular Close
Picton Close
Ramsey Close
Seymour Drive
Sovereign Drive
Toulouse Close
The Maultway
Waterloo Close