

SURREY HEATH BOROUGH COUNCIL

Surrey Heath House
Knoll Road
Camberley
Surrey
GU15 3HD

Tuesday, 6 May 2014

To: The Members of the Surrey Heath Borough Council

Dear Councillor,

You are hereby summoned to attend a meeting of Surrey Heath Borough Council to be held in the Council Chamber, Surrey Heath House on Wednesday, 14 May 2014 at 7.00 pm. The business which it is proposed to transact at the meeting is set out below.

Please note that this meeting will be recorded.

Yours sincerely

Karen Whelan

Chief Executive

1 Mayor

To elect the Mayor for the ensuing year.

2 Deputy Mayor

To elect the Deputy Mayor for the ensuing year.

3 Minutes

To approve as a correct record, the minutes of the meeting of the Council held on 16 April 2014 - attached.

4 Apologies for Absence

To report apologies for absence.

5 Mayor's Announcements

The Mayor to make his announcements.

6 Declarations of Interest

Members are invited to declare any Disclosable Pecuniary Interests and non-pecuniary interests they may have with respect to matters which are to be considered at this meeting.

7 Executive Arrangements

The Leader has responsibility for the discharge of all executive functions, for the appointment of councillors to the Executive and for the determination of the individual portfolios to be allocated to the Portfolio Holders.

The Leader can chose to delegate any/all of the executive functions to the Executive as a whole; a committee of the Executive; an individual member of the Executive; an officer; an area committee; joint arrangements; local Member in relation to their ward, or another local authority.

The Leader to advise the Council in relation to

- (a) the arrangements for the exercise of executive functions for the ensuing year;
- (b) the appointment of councillors to the Executive;
- (c) the individual portfolios to be allocated to the Portfolio Holders.

8 Establishment of Committees and Review of Political Proportionality

To appoint the committees of the Council for the ensuing year and to review the political proportionality of the committees. (Report of the Executive Head of Corporate attached).

9 Appointment of Members to Committees

In accordance with the allocation of seats as determined at item 8 above, and having regard to the nominations of the political groups (to be laid on the table), to appoint members to the following committees for the 2014/15 municipal year:

- (a) Planning Applications Committee
- (b) Licensing Committee
- (c) Community Services Scrutiny Committee
- (d) External Partnerships Select Committee
- (e) Performance and Audit Scrutiny Committee
- (f) Standards Hearing and Determination Committee
- (g) Appointments Committee
- (h) Selection Committee

10 Appointment of Chairmen and Vice Chairmen

To appoint the Chairmen and Vice-Chairmen of the above committees.

11 Joint Committee

To appoint a member to the Police and Crime Panel for the 2014/15 municipal year on the nomination of the Leader of the Conservative Group.

12 Working Groups and Other Bodies

For the 2014/15 municipal year, to appoint the following working groups of Council, to appoint the membership thereof having regard to the nominations of the political groups:

<u>Working Group/Committee</u>	<u>Seats</u>
The Governance Working Group	5
Joint Staff Consultative Group	8
The Waste Contract Consultative Committee	5

13 Responsibility for Functions

To consider the report of the Executive Head of Corporate in relation to the Scheme for Delegation of Functions (attached).

14 Questions

To deal with questions, if any, under Procedure Rule 11.

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**MINUTES OF A MEETING OF SURREY
HEATH BOROUGH COUNCIL held at
Surrey Heath House, Camberley on 16
April 2014**

- + Cllr Beverley Harding (Mayor)
- + Cllr Bob Paton (Deputy Mayor)

- | | |
|-----------------------------|-------------------------|
| + Cllr David Allen | + Cllr Paul Ilnicki |
| + Cllr Rodney Bates | + Cllr Lexie Kemp |
| + Cllr Richard Brooks | + Cllr Bruce Mansell |
| + Cllr Keith Bush | + Cllr David Mansfield |
| - Cllr Glyn Carpenter | + Cllr John May |
| + Cllr Bill Chapman | + Cllr Margaret Moher |
| + Cllr Mrs Vivienne Chapman | + Cllr Charlotte Morley |
| + Cllr Ian Cullen | + Cllr Adrian Page |
| + 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)

73/C Minutes

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

RESOLVED that the open and the exempt minutes of the Council meeting held on 26 February 2014 be approved as a correct record.

74/C Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Tim Dodds, Colin Dougan, Alastair Graham and Wynne Price.

75/C Presentation by the Surrey Police Deputy Chief Constable and Deputy Police and Crime Commissioner

The Mayor welcomed the Surrey Police Deputy Chief Constable, Nick Ephgrave and Deputy Police and Crime Commissioner, Jeff Harris who had agreed to update Members on issues facing Surrey Police. She also welcomed Johanna Burne, one of the Police and Crime Commissioner's Senior Policy Officers.

Jeff Harris reminded Members that the three main roles of the Police and Crime Commissioner were to set the budget for the Force, identify priorities for policing and crime prevention and to hold the Chief Constable to account.

Nick Ephgrave reported that overall crime in Surrey was down by 8%. There had been significant cuts in burglaries and car crimes. There had, though, been an increase in reports of domestic abuse and sexual offences. However, this had resulted from a very proactive campaign by Surrey Police and partner agencies to win the trust and confidence of victims, so they would be prepared to report the crimes.

Crime detection was low in comparison to other forces. This was a matter that would be a significant focus for the Force. However, it partly resulted from taking an ethical stance and only reporting real outcomes, whereas, previously, cautions for multiple offences had also been incorporated.

The Deputy Chief Constable reported on three legacy issues that would be prominent in the next financial year, namely:

- (i) Shootings at the Princess Royal Barracks, Deepcut – Although these had occurred over seven years ago, further investigation would look at how Surrey Police performed and the Force would support the Coroners inquest.
- (ii) Millie Dowler – The Surrey Police role in the investigations into the death of Millie Dowler and phone hackings by the News of the World, would be the subject of a report by the Independent Police Complaints Commission.
- (iii) Jimmy Saville – Surrey Police had received negative publicity for its investigations some of the alleged offences.

In terms of the future, Nick Ephgrave reported on financial pressures. The Force had identified £12 – 15 million of the required £30 million savings to be achieved over the next five years. Every effort was being made to protect frontline policing and the Force was actively pursuing and putting in place partnership arrangements with other forces, notably Sussex Police, as well as looking to partnership arrangements with other emergency services, in areas such as call centre provision.

Surrey and Sussex Police had a number of integrated systems and joint teams focussing on areas such as serious and organised crime.

Jeff Harris reported on steps taken by the Police and Crime Commissioner's Office, including stripping away artificial targets and the use of a £650,000 Government Community Safety Grant to target domestic violence, drug interventions and community focussed problem solving, such as youth diversion. There was a strong focus on cyber crime and an emphasis on supporting the victims of crime.

Mr Harris focussed on the Surrey Heath Young Citizen project as an example which should be followed across Surrey and referred Members to a multi-agency enforcement programme which was currently being piloted in two other Surrey boroughs. He also pointed to restorative justice, as a way of dealing with low level crime.

Members welcomed the many improvements reported, particularly in partnership work, but noted concerns over the lack of inter-operability for Forces across the UK.

Resolved, that the presentation by the Deputy Chief Constable and Deputy Police and Crime Commissioner be noted.

76/C Mayor's Announcements

Before making her announcements, the Mayor offered the Council's sympathy and condolences to the Chief Executive, Karen Whelan, following the death of her husband, Chris. She recorded the Council's support for Karen and her son David at this very difficult time.

The Mayor reported that she had attended 44 events since the previous Council meeting, including the Mayor's Recognition Awards to children achieving in the face of adversity, several breakfast events across the Borough, the installation of a new Vicar for St Peter's Church in Frimley, a visit to Frimhust, an association which provided work placements for adults with learning disabilities, the opening of a new neonatal Unit at Frimley Park Hospital and the Surrey Heath Infant Music Festival.

The Mayor reported, in particular, on the success of the visit of a delegation from the Borough's German twin town of Bietigheim Bissengen, including visits across the Borough and their Mayor presenting a business award at the Borough's Business Breakfasts. A Surrey Heath band would visit Bietigheim Bissengen in July for their Music Spectacular and Members had been invited to their Horse Fair in August.

The Mayor had attended a number of Charity Balls and reminded Members that she would hold a Charity Ball on 2 May, on behalf of the Lisa May Foundation.

77/C Leader's Announcements

The Leader updated the Council in relation to the following:

- (i) Enterprise M3 Local Enterprise Partnership (EM3) – EM3 had submitted its Strategic Economic Plan, though further work had been required due to a subsequent change to Government requirements on prioritisation and deliverability of growth fund projects. A number of the projects would be specific to Surrey Heath, including work at various points on the A30 London Road.
- (ii) Duty to Cooperate – A number of Councils had experienced difficulties on the examination of their Core Strategies, as Inspectors considered that the strategies failed to address Duty to Cooperate requirements.

All Surrey Councils had agreed to develop a Strategic Plan to Cooperate, with the intention to roll out a strategy to include the EM3 area and the Thames Valley. This would not be without challenges, with Councils having to agree which Boroughs would take housing, but this Borough would have some relief due to Special Protection Area stipulations and it was considered better to make decisions locally than have them imposed centrally.

78/C Executive, Committees and Other Bodies

- (a) Executive – 11 March and 1 April 2014

It was moved by Councillor Moira Gibson, seconded by Councillor Liane Gibson, and

Resolved that the minutes of the meetings of the Executive held on 11 March and 1 April 2014 be received.

- (b) Planning Applications Committee – 10 March 2014

It was moved by Councillor Lexie Kemp, seconded by Councillor Mrs Vivienne Chapman, and

Resolved that the minutes of the meeting of the Planning Applications Committee held on 10 March 2014 be received.

Planning Applications Committee – 7 April 2014

It was moved by Councillor Edward Hawkins, seconded by Councillor Lexie Kemp, and

Resolved that the minutes of the meeting of the Planning Applications Committee held on 7 April 2014 be received.

- (c) External Partnerships Select Committee – 4 March 2014

It was moved by Councillor Josephine Hawkins, seconded by Councillor Paul Deach, and

Resolved that the minutes of the meetings of the External Partnerships Select Committee held on 4 March 2014 be received.

- (d) Joint Staff Consultative Group – 20 March 2014

It was moved by Councillor Ken Pedder, seconded by Councillor Audrey Roxburgh, and

Resolved that the notes of the Joint Staff Consultative Group held on 20 March 2014 be received.

- (e) Performance and Audit Scrutiny Committee (Audit) – 26 March 2014

It was moved by Councillor John May, seconded by Councillor Charlotte Morley, and

Resolved that the minutes of the meeting of the Performance and Audit Scrutiny Committee (Audit) held on 26 March 2014 be received.

- (f) Community Services Scrutiny Committee – 3 April 2014

It was moved by Councillor Audrey Roxburgh, seconded by Councillor Valerie White, and

Resolved that the minutes of the meetings of the Community Services Scrutiny Committee held on 3 April 2014 be received.

79/C Motion – Housing Provision for Elderly Residents in Chobham

It was moved by Councillor Judi Trow and seconded by Councillor Pat Tedder, that

“This Council notes

- a) *That there is insufficient housing provision for the increasing elderly population in Chobham.*
- b) *Local Chobham residents are being forced to move away from their village community for housing suitable to their needs.*

Therefore, this Council requests officers to use all reasonable endeavours in partnership with other agencies to ensure appropriate provision of bungalows/flats for the elderly population of Chobham.”

Councillor Trow presented a petition with over 100 signatures in support of improved accommodation for elderly residents in Chobham. She emphasised the need for suitable accommodation to permit older residents to live independently and within reach of friends and relatives in the Village.

In accepting the petition, the Council Leader, Councillor Moira Gibson, agreed that it should be dealt with in accordance with the Council's Petition Scheme. Whilst expressing sympathy with some of the points made, she noted that the motion asked the Council to take actions beyond its authority.

It was noted that Chobham had been significantly under-provisioned over a number of years because of the impact on the Village of Green Belt provisions. Housing in the Borough was provided by housing associations. The Council had no land in its ownership in Chobham, other than the car park and it was emphasised that site allocations should form part of the Chobham Neighbourhood Plan.

After further consideration, it was proposed by Councillor Judi Trow, seconded by Councillor Pat Tedder and agreed that the motion should be amended to:

“This Council requests officers to use all reasonable endeavours in partnership with other agencies to investigate reasonable and suitable accommodation for the elderly population of Chobham.”

The motion, as amended, was put to the vote and carried unanimously.

Resolved to request officers to use all reasonable endeavours in partnership with other agencies to investigate reasonable and suitable accommodation for the elderly population of Chobham.

80/C Governance Working Group

The Council was informed that the Governance Working Group, at its meeting on 28 February 2014, had considered revisions to:

- (i) The Petition Scheme at Part 4;
- (ii) Public Speaking Rules at Planning Applications Committee, at Part 4; and
- (iii) Council Procedure Rules at Part 4.

The Working Group had reviewed the Council's Petition Scheme, which had been introduced in 2010. Subsequently, Statutory Guidance had been withdrawn and petition duties had been repealed by the Localism Act 2011.

The Working Group had recommended the insertion of a new paragraph to clarify the position when both paper and electronic petitions had been submitted on the same issue.

The provision for a petitioner who was not satisfied that the Council had dealt with their petition correctly, to request that the relevant scrutiny committee review the steps taken. This provision had been withdrawn from Statutory Guidance and had not been used to date.

When petitions were considered by the Executive in the future, the Leader had agreed to a provision being introduced to allow non-Executive Members to participate in the debate. As a result, it was proposed to remove references to reviews by scrutiny committees.

The Working Group had considered that provisions for petitioners to request that a senior officer gives evidence at a public meeting of the relevant scrutiny committee was inappropriate and supported removal of this requirement.

Recognising that there will always be unique circumstances which could not be covered by procedures covering public speaking at Planning Applications Committee meetings, the Working Group had recommended that the Scheme be amended to provide for the Executive Head of Corporate, after consultation with the Chairman of the Planning Applications Committee, to exercise discretion in agreeing the allocation of the available speaking slots in relation to any particular planning application.

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, effective from 25 February 2014, required that after a Council takes a budget decision, it must be recorded in the minutes of that meeting the names of those who cast a vote for or against the decision or those who had abstained. The Working Group had proposed appropriate wording for inclusion in the Council Procedure Rules to accommodate the new Regulations.

The Working Group had reviewed the duration of committee meetings, following the introduction of measures to limit how long meetings could continue. It was considered that the revised arrangements were satisfactory and no further action would be required.

In respect of Members' attendance at Council, Executive or Standing Committees, the Working Group advised that, when this was reported to Council, the report should include an indication of when planned meeting dates had been changed.

Resolved that

- (i) the revised Petition Scheme, as attached at Annex A to the agenda report, be adopted;**
- (ii) the Public Speaking Procedure Rules at Part 4, Section E of the Constitution be amended by the addition of the following paragraph:**

6.10 In the event that the application of the above Procedure Rules do not apply or would result in unfairness, the Executive for Head of Corporate, after consultation with the Chairman of the Planning Applications Committee, be authorised, to exercise discretion in agreeing the allocation of the public speaking slots in relation to any particular planning application: and

(iii) the Council Procedure Rules at Part 4, Section A of the Constitution be amended as follows:

“17.3 Show of hands

Except where a vote is being taken at a budget decision meeting or unless a roll call vote is demanded under Rule 17.4, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.”

17.3A Budget Decision Meeting

Immediately after any vote on the budget is taken at the budget decision meeting, there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

81/C Individual Electoral Registration

The Council considered a report from the Electoral Registration Officer notifying significant changes to the current system of household electoral registration. The change to individual Electoral Registration, where every application to register would be made individually and verified to reduce fraud and the perception thereof, would be phased in from June 2014 to December 2015, during which, Council data will be compared to that held by the Department of Works and Pensions.

Members noted the complex processes which would be required during the transition period and thereafter. Whilst recognising that some Government funding had been identified during the transition period, Members noted concerns that the resources provided could be insufficient to cover the significant changes required and that no funding had been identified from 2015/16 to meet on-going costs.

The Deputy Electoral Registration Officer agreed to clarify if any penalty notices had been issued previously under the household model, for electors failing to register. Whilst noting Members' concerns about the timing of local publicity, he noted that The Electoral Commission Guidance proposed starting national publicity in July 2014 as part of an on-going campaign. He agreed to raise Members' concerns with the Electoral Commission.

Noting Members' concerns on how 18 to 25 year olds would be engaged in the process, the Deputy Electoral Registration Officer advised that local publicity and targeted campaigns would ensure that, in addition to other hard to reach groups, the 18 to 25 age range would also be focussed on.

Resolved that the change to Individual Electoral Registration be noted.

82/C Members' Attendance at Council, Executive and the Standing Committees

The Council received a report on Members' attendance at meetings of the Council, Executive and Standing Committees, including details of when Members were present, had submitted apologies, had arranged for substitutes (where this was permitted) and where no information had been received in respect of an absence.

Resolved that the report be noted.

83/C Portfolio Holder's Question Time

The Finance Portfolio Holder, Councillor Richard Brooks reported on developments in the work areas covered by his portfolio, highlighting in particular:

- (i) Audit – The Council's external auditors, KPMG, had indicated that they were satisfied with the quality of work of the Internal Audit Team and would rely on the data provided.
- (ii) Investigations – The Government continued to consider transferring benefit fraud investigations and the resources/staff involved, to the National Fraud Investigation Services, which was part of the Department for Works and Pensions.
- (iii) Civica – The Council had gone live with the new financial IT systems, and on budget.
- (iv) Annual Accounts – The deficit had been reduced to £43,000 and work was underway to reduce this sum further. The outcome had been affected by deferment of parking tariffs and properties in the Mall and Atrium being let at reduced rental to ensure full retail occupancy.
- (v) Benefit Debt Recovery – It was expected that the already high benefit debt recovery levels would be improved.
- (vi) Capital Expenditure – This was lower than expected due to changes in the dates when projects commenced.
- (vii) Income – When interest rates were so low, it was critical to work with partners and increase income by better utilisation of existing assets.
- (viii) Legal Services – The Team were working towards LEXEL accreditation.
- (ix) Procurement – Joint work had commenced with Woking Borough Council.
- (x) Revenues – the collection rates were at 99% for Council Tax and 97% for Business Rates. The localisation of business rates was having a negative impact due to the number of back-dated appeals that were outstanding.
- (xi) Benefits – There were 1,200 new claimants. 12,700 changes had been processed and there were currently 3,500 residents on benefits. The time to process new claims had been reduced to 4 days and the take-up of the Hardship Relief Fund had been low.

Resolved that the Finance Portfolio Holder's report be noted.

84/C Review of Exempt Items

Resolved that Minute 73/C - Acquisition of Investment Property remain exempt until after the completion of the purchase.

Mayor

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