

**MINUTES OF A MEETING OF SURREY
HEATH BOROUGH COUNCIL held at
Surrey Heath House, Camberley on
18 December 2019**

+ Cllr Robin Perry (Mayor)
+ Cllr Valerie White (Deputy Mayor)

+ Cllr Dan Adams	- Cllr Ben Leach
- Cllr Graham Alleway	+ Cllr David Lewis
- Cllr Peter Barnett	- Cllr David Mansfield
+ Cllr Rodney Bates	+ Cllr Emma-Jane McGrath
+ Cllr Cliff Betton	+ Cllr Charlotte Morley
+ Cllr Richard Brooks	+ Cllr Alan McClafferty
+ Cllr Vivienne Chapman	+ Cllr Sashi Mylvaganam
+ Cllr Sarah Jane Croke	+ Cllr Adrian Page
+ Cllr Paul Deach	- Cllr Darryl Ratiram
Cllr Colin Dougan	+ Cllr Morgan Rise
+ Cllr Tim FitzGerald	+ Cllr John Skipper
+ Cllr Sharon Galliford	+ Cllr Graham Tapper
+ Cllr Shaun Garrett	+ Cllr Pat Tedder
+ Cllr Edward Hawkins	+ Cllr Victoria Wheeler
- Cllr Josephine Hawkins	- Cllr Helen Whitcroft
+ Cllr Rebecca Jennings-Evans	+ Cllr Kristian Wrenn
+ Cllr Sam Kay	

+ Present
- Apologies for absence presented

55/C Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Graham Alleway, Peter Barnett, Josephine Hawkins, Ben Leach, David Mansfield, Darryl Ratiram, and Helen Whitcroft.

56/C Minutes

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

**RESOLVED that the open and exempt minutes of the meetings
of the Council held on 9 October and 7 November 2019 be
approved as a correct record.**

57/C Mayor's Announcements

The Mayor reported on the numerous events he had attended since the Council meeting in October. Of particular note were the events and services he had attended to mark Remembrance Day.

Members were reminded that the Mayor's Charity Ball would take place on 28 March 2020 and were encouraged to support this event.

58/C Leader's Announcements

The Leader referred to the recent death of former councillor Ian Cullen, who had represented Heatherside ward between 1991 and 1995 and again between 2007 and 2019. The Leader reported that he had attended the moving memorial service held for Mr Cullen earlier that month.

Members were informed that the Leader had attended the ground breaking ceremony for the new Leisure Centre in Camberley.

59/C Questions from Members of the Public

The Leader of the Council, Councillor Richard Brooks, received a question from a member of the public, Ms Jane Sherrard-Smith, concerning the extent the Council was considering involvement from all sections of the community, prior to the 5G roll-out.

In response to Ms Sherrard-Smith's supplementary question, the Leader agreed to provide a written response within 7 working days.

60/C Executive, Committees and Other Bodies

- (a) Executive – 15 October and 19 November 2019

It was moved by Councillor Richard Brooks, seconded by Councillor Charlotte Morley, and

RESOLVED that the minutes of the meetings of the Executive held on 15 October and 19 November 2019 be received and the recommendations therein be adopted as set out below:

- **39/E Obelisk and Camberley Park Improvements**

RESOLVED that

- (i) £50,000 be made available to draw down from the Camberley Park section 106 to carry out improvement works; and**
- (ii) the implementation of the works be delegated to the Executive Head of Business in consultation with the Portfolio Holder for Places and Strategy.**

- **42/E Council Finances as at 31 July 2019**

RESOLVED that the additions to the 2019/20 capital programme, as set out in the agenda report, be agreed.

- **51/E Camberley Theatre Frontage & Lighting Upgrades**

RESOLVED that

- (i) £24,000 be added to the capital programme to find the cost of a new lighting desk and commercial projector; and**
 - (ii) the proposal to add £125,000 to the Corporate Capital Programme for 2020/21 for the cost of the refurbished frontage be noted.**
- 61/E – The Council Tax Base and Local Council Tax Support Scheme**

RESOLVED that

- (i) the 28 day Council Tax discount for an empty unoccupied and substantially unfurnished property be removed for these properties using the freedoms given in the Local Government Finance Act 2012 and relevant statutory instruments;**
- (ii) the Local Council Tax Support Scheme for Surrey Heath, approved by Council on 22 January 2013, remain unchanged for 2020/21;**
- (iii) the Council Tax Exceptional Hardship Policy remain unchanged for 2020/21;**
- (iv) a review of the Local Council Tax Support Scheme for Surrey Heath and the Council Tax Exceptional Hardship Policy be undertaken over the next 12 months;**
- (v) the Executive Head of Finance be delegated to make minor changes to the Local Council Tax Support scheme so as to ensure that where applicable to income calculation it remains in line with Housing Benefit / Universal Credit changes introduced by legislation; and**
- (vi) incomes and applicable amounts and non-dependant deductions be uprated in line with the percentages and amounts supplied by DWP and DCLG, and applied to Housing Benefit claims.**

- 62/E Council Finances as at 30th September 2019**

RESOLVED that the additions to the 2019/20 capital programme, as set out in the report, be agreed.

- (b) Planning Applications Committee – 10 October and 7 November 2019**

It was moved by Councillor Edward Hawkins, seconded by Councillor Valerie White, and

RESOLVED that the minutes of the meetings of the Planning Applications Committee held on 10 October and 7 November 2019 be received.

- (c) External Partnerships Select Committee – 12 November 2019

It was moved by Councillor Rebecca Jennings-Evans, seconded by Councillor Sarah Jane Croke and

RESOLVED that the minutes of the meetings of the External Partnerships Select Committee held on 12 November 2019 be received.

- (d) Joint Staff Consultative Group – 28 November 2019

It was moved by Councillor Rebecca Jennings-Evans, seconded by Councillor Graham Tapper and

RESOLVED that the notes of the meeting of the Joint Staff Consultative Group held on 28 November 2019 be received.

61/C Governance Working Group

The Council received a report from the Governance Working Group, which had met on 5 September, 26 September, and 19 November 2019.

The Terms of Reference for all the Standing Committees of the Council had been reviewed in accordance with the Council's instruction at its meeting on 4 September 2019. A number of amendments were proposed, including renaming the current Hearing Sub Committee, which considered complaints against Members of the Council, as the Standards Sub Committee, and introducing Terms of Reference for the Governance Working Group.

The Council was advised that the Working Group had proposed that an Employment Committee be established and its proposed Terms of Reference were noted. It was also proposed to establish 3 sub committees of the Employment Committee.

The Appointments Sub Committee would undertake the responsibilities currently delegated to the Appointments Committee, which it was proposed to discontinue.

The Hearing Sub Committee and Appeals Sub Committee would hear any grievance and disciplinary matters relating to the Council's 3 Statutory Officers: the Head of Paid Service, Monitoring Officer and Section 151 Officer. These sub committees' Terms of Reference also provided for hearing grievance and disciplinary matters relating to other Tier 2 senior officers in certain situations.

Members were informed it was also proposed to establish an Independent Panel. This Panel would meet the requirements set out in the Local Authorities (Standing

Orders) (England) (Amendment) Regulations 2015. Membership of the Independent Panel would be drawn from the pool of Independent Persons appointed in accordance with the Localism Act 2011.

The Council was advised that, where a recommendation had been made by a Hearing Sub Committee to dismiss a Statutory Officer, an Independent Panel would review the case and make recommendations to Full Council. The consideration of the recommendations by the Full Council would fulfil the appeal function.

A number of consequential amendments were also proposed to the Constitution. The Officer Employment Rules had been updated to reflect the revised procedures for grievance and disciplinary matters for senior officers. The Committees, Sub Committees and Other Bodies Procedure Rules had been revised to provide for the changes to the Committee structure. Proposed delegations to officers to be included in the Scheme of Delegation of Functions to Officers were also noted.

The Council was informed it was proposed to require all members of the Employment Committee to undertake annual training on HR matters; Article 13 of the Constitution would be updated to reflect this requirement. The list of Proper Officers had been revised in respect of the officer designated to make and receive notifications in relation to the appointment and dismissal of chief officers and deputy chief officers, which reflected the up to date senior management structure.

RESOLVED that

- (i) the Terms of Reference of the Executive, Committees and Other Bodies be amended, including the disestablishment of the Appointments Committee and the formalisation of Terms of Reference for the Working Group, as set out at Annex A to the agenda report;**
- (ii) an Employment Committee be established as a Standing Committee of the Council, with Terms of Reference as set out at Annex B to the agenda report;**
- (iii) 9 members be appointed to the Employment Committee, in line with requirements of political proportionality, with appointments to be made on the nomination of the Group Leaders;**
- (iv) an Independent Panel be established, with Terms of Reference as set out at Annex B to the agenda report;**
- (v) a Hearing Sub Committee be established, with Terms of Reference as set out at Annex B to the agenda report;**
- (vi) an Appeals Sub Committee be established, with Terms of Reference as set out at Annex B to the agenda report;**

- (vii) an Appointments Sub Committee be established, with Terms of Reference as set out at Annex B to the agenda report;
- (viii) Part 4, Section J of the Constitution be updated as set out at Annex C to the agenda report;
- (ix) the Scheme of Delegation of Functions to Officers be updated as set out at Annex D to the agenda report;
- (x) Part 4, Section D of the Constitution be updated, as set out at Annex E to the agenda report; and
- (xi) Article 13 of the Constitution be updated as follows:

13.9 Mandatory Training

<u>Training</u>	<u>Decision-making</u>	<u>Required</u>
(e) Human Resources	All decisions made by the Employment Committee and its sub committees.	Annually - All members of the Employment Committee

- (xii) Part 3, Section C of the Constitution be updated as follows::

<u>Purpose of Appointment</u>	<u>Proper Officer(s)</u>
Local Authorities (Standing Orders)(England) Regulations 2001	
To make and receive notifications in relation to the appointment and dismissal of statutory and non statutory chief officers and deputy chief officers within the meaning of sections 2(7) and 2(8) of the 1989 Act.	Head of Human Resources Executive Head of Transformation

62/C 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.

The Council received a report setting out a revised scheme of proportionality to reflect the Council's decision to establish an Employment Committee and discontinue the Appointments Committee (minute 61/C refers).

RESOLVED that the revised scheme of proportionality, as set out at Annex A to the agenda report, be adopted.

63/C Polling Districts and Polling Place Review

The Council was reminded that, at its meeting on 9 October 2019, it had considered a report on a review of the polling districts and polling stations in the borough. At that meeting a revised schedule of polling districts and polling places had been agreed, with decisions deferred relating to the Frimley Ward and Windlesham (South) polling district.

The Council considered the options for polling districts and polling places in Frimley ward. It was noted that Lakeside School, the designated polling place for Frimley (East) polling district, was now the only school in the borough used as a polling place. Members were reminded that, during the consultation, representations had been received from the School on the need to close the School on polling day and the consequent disruption. Options for using alternative sites within the School, which would enable it to remain open on polling day, had been reviewed but were not considered to be suitable.

The alternative options for polling places in the ward were noted and it reported that no suitable alternative had been identified. It was therefore proposed to create a single polling district in the Frimley ward and to designate St Peters Church Hall, which was already used as a polling place, as the polling place for all Frimley ward.

The Council noted the current position on polling arrangements for Windlesham (South) polling district. Members were reminded that Chertsey Road Hall had been sold and the new owners of the Hall had not yet indicated whether it would continue to be available for use as a polling station. Investigations on alternative premises were continuing but were unlikely to be resolved before the New Year. It was therefore proposed to delegate the decision on the allocation of a polling place for Windlesham (South) polling district to the (Acting) Returning Officer in consultation with ward councillors

RESOLVED that

- (i) a single polling district be created for the Frimley ward and the designated polling place for all voters be St Peters Church Hall, Parsonage Way, Frimley;**
- (ii) investigations continue to identify a polling place for NA-Windlesham (South) polling district; and**
- (iii) the (Acting) Returning Officer, after appropriate public consultation, including consultation with ward councillors, be authorised to designate a polling place for the NA-Windlesham (South) polling district; the decision to be reported to Council at the earliest opportunity.**

64/C Monitoring Officer

The Council was reminded that it was required by 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 9 October 2019, the Council had agreed, as an interim arrangement, that Mr Richard Payne be designated as the Council's Monitoring Officer until December 2019. It was noted that the Council's Constitution at Article 12 designated the post of Head of Legal Services, which was currently vacant, as the Monitoring Officer.

The Head of Legal Services post had been advertised in November 2019, with an appointment expected to be made in the early part of 2020. It was therefore proposed to extend Mr Payne's appointment as Monitoring Officer until such time an appointment was made to the post of Head of Legal Services.

Members discussed the proposal and suggested that it may in future be appropriate to separate the Monitoring Officer role from the post of Head of Legal Services.

RESOLVED that Mr Richard Payne be designated as the Council's Monitoring Officer until further notice.

65/C Leader's Question Time

The Leader, in response to a question from Councillor Sashi Mylvaganam, updated the Council on the position regarding the signing of the 2018/19 accounts.

The Leader supported a request from Councillor Rodney Bates to introduce action logs from meetings of the Council, Executive and Standing Committees of the Council.

In response to a question from Councillor Morgan Rise, the Council was updated on work undertaken in respect of the Council's strategy for Homelessness and Rough Sleeping.

66/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>Paragraphs</u>
56/C (part)	3
67/C	3
68/C	3

67/C Executive and Committees - Exempt

- (a) Executive – 15 October and 19 November 2019

It was moved by Councillor Richard Brooks, seconded by Councillor Charlotte Morley, and

RESOLVED that the exempt minutes of the meetings of the Executive held on 15 October and 19 November 2019 be received and the recommendations therein be adopted.

68/C Review of Exempt Items

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

Mayor