

## SURREY HEATH BOROUGH COUNCIL

Surrey Heath House  
Knoll Road  
Camberley  
Surrey  
GU15 3HD

Tuesday, 20 July 2021

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, 28 July 2021 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 and live streamed on  
<https://www.youtube.com/user/SurreyHeathBC>

Yours sincerely

Damian Roberts

Chief Executive

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**1. Apologies for Absence**

To report apologies for absence.

**2. Minutes**

To approve as a correct record, the open minutes of the meeting of the Council held on 19 May 2021.

**3. Mayor's Announcements**

**4. Leader's Announcements**

**5. 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.

**6. Questions from Members of the Public**

To answer questions, if any, received under Council Procedure Rule 10 (Paragraph 3 of the Public Speaking Procedure Rules).

**7. Questions from Councillors**

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

**8. Executive, Committees and Other Bodies**

To receive the open minutes of the following bodies (minutes reproduced in the Minute Book), to answer questions (if any) in accordance with Council Procedure Rule 11.5 and to consider the recommendations as set out below:

- (a) Executive – 20 April, 25 May, 15 June and the recommendation from 20 July 2021

**12/E Public Realm**

**RECOMMENDED to Full Council that**

- (i) an additional £754,600 required for the High Street Public Realm Project be added to the Capital Programme; and**
  - (ii) an additional £90,000 be added to the capital programme to fund further landscaping works in the High Street Public Realm area**
- to be funded from the Council's reserves.**

At its meeting on 20 July 2021, the Executive will be asked to consider the following recommendation:

**31/E Capital Outturn and Prudential Indicators**

**The Executive will be advised to RECOMMEND to COUNCIL that**

- (i) actual capital expenditure for 2020/21 of £24.162m against a budget of £35.711m be noted;**
- (ii) the carry forward budget provision of £10.034 million from 20/21 into 2021/22 be approved;**
- (iii) the revised 2021/22 Capital Programme of £11.275 million comprising the £1.241m agreed in February 2021 plus £10.034m carry forwards, be noted;**
- (iv) the final capital prudential indicators for 2020/21 be noted; and**

**(v) an additional £75k to be added to the 2021/22 capital programme for the Theatre frontage project be approved.**

- (b) Planning Applications Committee – 15 April, 20 May, 17 June and 15 July 2021
- (c) Audit and Standards Committee – 26 April 2021
- (d) External Partnerships Select Committee – 1 June 2021
- (e) Employment Committee – 10 June 2021 and the recommendations from 27 July 2021

At its meeting on 20 July 2021, the Employment Committee will be asked to consider the following recommendation:

**7/EC Pay Policy Statement 2021/22**

**The Committee will be advised to RECOMMEND to Full Council that the Council’s Pay Policy Statement 2020/21, as set out at Annex A to the agenda report, be adopted**

- (f) Joint Staff Consultative Group – 24 June 2021
- (g) Performance and Finance Scrutiny Committee – 7 July 2021

**9. Motions**

Councillor Paul Deach to move that

“this Council RESOLVES that, in order for residents of all abilities/disabilities to be able to access the borough's services, facilities and infrastructure

- (i) the Council will consider accessibility where applicable in all aspects of its decisions relating to resident facing public services/facilities so that all residents can benefit from such services regardless of ability/disability;
- (ii) the Council will aspire to make the Borough an accessibility exemplar; and
- (iii) any development approved by this council should consider accessibility where applicable and in accordance with Council policy as a component part in respect of any community gains.

**10. Review of Political Proportionality (Pages 5 - 10)**

To consider the report of the Executive Head of Corporate (attached).

- 11. Governance Working Group** (Pages 11 - 14)  
To consider the report of the Executive Head of Corporate (attached).
- 12. Section 151 Officer/ Monitoring Officer Update** (Pages 15 - 16)  
To consider the report of the Chief Executive (attached).
- 13. Leader's Question Time**  
The Leader to answer questions from Members in relation to the Executive functions.
- 14. Exclusion of Press and Public**  
The Mayor to move "That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the consideration of the business set out in items 15, 16 and 17 below on the ground that they involve the likely disclosure of exempt information as defined in paragraphs 1&3 of Part 1 of Schedule 12A of the Act."
- 15. Executive and Committees - Exempt** (Pages 17 - 18)  
To receive the exempt minutes (reproduced in the Council Minute Book), to answer questions (if any) in accordance with Council Procedure Rule 11.5 and to consider any recommendations.
- 16. Report from the Chief Executive**  
To consider the report of the Chief Executive (to be circulated separately).
- 17. Review of Exempt Items**  
To review those items or parts thereof which can be released as information available to the public.

## Review of Political Proportionality

### Purpose

**To consider a proposal to make a minor amendment to the scheme of political proportionality and allocation of councillors to committees for the 2021/22 municipal year.**

### Background and Current Position

1. The Council is asked to alter the scheme of proportionality and the allocation of places on committees for the remainder of the 2021/22 municipal year.
2. A revised scheme of proportionality has been requested, whereby the Conservative Group would reduce its membership on Performance and Finance Scrutiny Committee by 1 member and increase its membership on the Employment Committee by 1 member; the Liberal Democrats Group would make the corresponding changes. This amendment has been requested by the respective group leaders and is in line with the nominations of group members they made to the committees in May.

### Political Proportionality

3. The Local Government and Housing Act 1989 requires local authorities to review annually committee membership and political representation. By law, seats on committees must be allocated in proportion to the political composition of the Council. Only with no councillor voting against such a decision, can an authority decide that it wishes to adopt an arrangement other than a proportional one.
4. Five groups have been formed: the Conservative Group, the Liberal Democrats Group, the Community Group, the Camberley Independents Group, and the Green Group. The number of seats of each group on the Council and the resulting percentages are as follows:

<u>Conservative</u>	<u>Liberal Democrats</u>	<u>Community</u>	<u>Camberley Independents</u>	<u>Green</u>
17	9	5	2	2
48.57%	25.71%	14.29%	5.71%	5.71%

5. In determining the allocation of seats on committees, the proportion that each political group forms of the total membership of the Council is applied to the total number of elected councillor seats on each committee. Fractional entitlements of less than one half are rounded down and entitlements of one half or more are rounded up. So that this process of rounding does not result in disproportionate advantage to one political group, the aggregate membership of all the committees must also be in line with the proportions on the Council.

## **Options**

6. The Council has no option but to achieve political proportionality. Where it is not possible to achieve absolute proportionality for each committee, the scheme agreed must achieve overall proportionality across all the committees of the Council.
7. The Council can choose whether to amend the allocation of members to committees as proposed, or to continue with the existing allocations agreed in May 2021. Both the current and proposed schemes achieve overall proportionality across all the committees of the Council.

## **Proposal**

8. The Council, at its meeting on 19 May 2021, appointed the committees as set out at Annex A with the committee sizes shown.
9. It is proposed that the scheme of proportionality for 2021/22 be amended by
  - (i) increasing the Liberal Democrat Group's membership on the Performance and Finance Scrutiny Committee by 1 member, resulting in a total of 4 members for the Group on this Committee;
  - (ii) reducing the Conservative Group's membership on the Performance and Finance Scrutiny Committee by 1 member, resulting in a total of 6 members for the Group on this Committee;
  - (iii) increasing the Conservative Group's membership on the Employment Committee by 1 member, resulting in a total of 5 members for the Group on this Committee; and
  - (iv) reducing the Liberal Democrat Group's membership on the Employment Committee by 1 member, resulting in a total of 2 members for the Group on this Committee.

This scheme achieves the required balance between the five political groups on the Council.

## **Resources Implications**

10. There are no resource implications arising from this report.

## **Recommendation**

11. The Council is advised to RESOLVE that the revised scheme of proportionality, as set out at Annex A, be adopted for the remainder of 2021/22.

## Annexes

Annex A – Proposed Scheme of Proportionality  
Annex B – Scheme of Proportionality adopted in  
May 2021

Background Papers: None

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Executive Head of Service Richard Payne  
Executive Head of Corporate

## Annex A – Proposed Scheme of Proportionality

Committee	Conservative	Liberal Democrats	Community	Green	Camberley Independents	TOTAL
Planning Applications	7	4	2	1	1	15
Licensing	6	3	2	1	1	13
Performance & Finance	6	4	2	1	0	13
External Partnerships	7	3	2	0	1	13
Audit & Standards	3	2	1	0	1	7
Employment	5	2	1	1	0	9
<b>Total seats</b>	<b>34</b>	<b>18</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>70</b>
% of Committee seats	48.57%	25.71%	14.29%	5.71%	5.71%	100%
% of Council membership	48.57%	25.71%	14.29%	5.71%	5.71%	100%



## Annex B - Scheme of Proportionality agreed in May 2021

Committee	Conservative	Liberal Democrats	Community	Green	Camberley Independents	TOTAL
Planning Applications	7	4	2	1	1	15
Licensing	6	3	2	1	1	13
Performance & Finance	7	3	2	1	0	13
External Partnerships	7	3	2	0	1	13
Audit & Standards	3	2	1	0	1	7
Employment	4	3	1	1	0	9
<b>Total seats</b>	<b>34</b>	<b>18</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>70</b>
% of Committee seats	48.57%	25.71%	14.29%	5.71%	5.71%	100%
% of Council membership	48.57%	25.71%	14.29%	5.71%	5.71%	100%

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**Governance Working Group**

Ward(s) Affected:	All
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**Purpose**

The Council is asked to consider a recommendation from the Governance Working Group in relation to a response from the Council to the 2023 Parliamentary Boundary Review. The Council is also asked to note the current position in respect of data and document storage for councillors, the review of the ICT Code of Practice for Members, and the proposals for a comprehensive review of the Constitution.

**1. Background**

- 1.1. The Working Group met on 2 July 2021. At this meeting it considered a number of issues and made recommendations which are addressed below.

**2. Councillor Storage Requirement and ICT Code of Conduct**

- 2.1. The Working Group was reminded that there is at present no access to a secure storage area for data and documents for councillors. The Group reviewed an option for providing secure storage and a proposal that a pilot of this solution is undertaken with a small number of Members. The ICT Code of Practice for Members had also been reviewed to ensure it is still current and had also been updated to reflect the proposal to provide councillors with a secure storage solution.
- 2.2. Having discussed the proposals and raised queries requiring further clarification on the storage of documents by councillors, their role as ward councillors and information governance issues, the Working Group agreed to further consider the item at its next meeting.

**3. 2023 Parliamentary Boundary Review**

- 3.1. On 8 June 2021 the Boundary Commission for England (BCE) published its revised proposals for new parliamentary constituency boundaries. This marked the start of an 8 week consultation on these proposals, with the consultation closing on 2 August 2021. A second consultation will take place in spring 2022, revised proposals would be published in August 2022 and the final recommendation being published by 1 July 2023.
- 3.2. The revised proposals recommend that all of the borough of Surrey Heath will be within Surrey Heath Parliamentary Constituency. The Constituency will no longer include the Guildford borough wards of Ash Vale, Ash Wharf and Ash South & Tongham; however, it will now incorporate the Guildford borough wards of Normandy and Pirbright.

3.3. The Working Group considered the proposals and is recommending that no response is sent by the Council to this stage of the consultation.

#### 4. Review of the Constitution

4.1. The Working Group considered a report on the proposed review of the Council's Constitution, which is intended to be carried out in a phased approach, as follows:

<b>Phase</b>	<b>Primary Documents for Review</b>	<b>Timescale</b>
<b>Phase 1 - Financial regulations and contractual matters</b>	<ul style="list-style-type: none"> <li>• Financial Regulations</li> <li>• Contract Standing Orders</li> </ul>	1 <sup>st</sup> July 2021 to 30 <sup>th</sup> August 2021
<b>Phase 2 - the scope, authority and delegations to committees and officers</b>	<ul style="list-style-type: none"> <li>• Scheme of Delegation of Functions to Officers</li> <li>• Terms of Reference of the Executive, Committees and other bodies</li> </ul>	1 <sup>st</sup> September 2021 to 31 <sup>st</sup> November 2021
<b>Phase 3 – matters of conduct and dealing with complaints relating to misconduct</b>	<ul style="list-style-type: none"> <li>• Code of Conduct</li> <li>• Procedures for dealing with a complaint against a councillor</li> <li>• Planning Code of Practice</li> </ul>	1 <sup>st</sup> November 2021 to 31 <sup>st</sup> December 2021
<b>Phase 4 – procedures for the conduct of meetings</b>	<ul style="list-style-type: none"> <li>• Council Procedure Rules</li> <li>• Executive Procedure Rules</li> <li>• Committees, Sub Committees and Other Bodies Procedure Rules</li> </ul>	1 <sup>st</sup> November 2021 to 31 <sup>st</sup> December 2021
<b>Phase 5 – scrutiny</b>	<ul style="list-style-type: none"> <li>• Scrutiny Committee Procedure Rules</li> </ul>	1 <sup>st</sup> November 2021 to 31 <sup>st</sup> December 2021

4.2. The phased approach lists the primary documents which will be considered as part of each review, although the relevant sections of other Constitutional documents will be conserved in parallel, with any cross referencing addressed concurrently. It is also intended that, where possible and appropriate, some non-Constitutional documents will be reviewed at the same time.

4.3. The Working Group recognised that timescales were indicative and could vary depending on the outcome of consultation with Group Leaders and relevant Committees, along with the capacity of officers during these periods.

## **5. Resource Implications**

- 5.1. There are no direct financial implications identified at this stage, but any resources regarding the proposals for the provision of ICT storage will be advised at the relevant time.

## **6. Legal Implications**

- 6.1. Any amendments to the provisions of the Constitution must be made by the Council, unless they relate to Executive Functions, and within the statutory framework.

## **7. Recommendation**

- 7.1. The Council is advised to RESOLVE that
- (i) the current position on proposals for the provision of secure a storage area for data and documents for councillors and the review of the ICT Code of Practice be noted;
  - (ii) no response be sent for the Council to this stage of the 2023 Parliamentary Boundary Review consultation; and
  - (iii) the proposed programme for review of the Constitution be noted.

Annexes

None

Background Papers:

Governance Working Group Agendas and Meetings

Report Author

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Executive Head:

Richard Payne – Executive Head of Corporate

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## **Section 151 Officer/ Monitoring Officer Update**

### **Purpose**

**To appoint a Section 151 Officer and note the updated position in respect of no longer sharing Surrey Heath Borough Council's Monitoring Officer with Elmbridge Borough Council.**

### **Section 151 Officer**

1. In accordance with Section 151 of the Local Government Act 1982 and Section 113 of the Local Government Finance Act 1988 there is a statutory requirement on the Council to designate one of its officers as its Section 151 Officer/Chief Finance Officer. The individual is required to be a suitably qualified accountant holding a recognised professional accountancy qualification. The duties of this post must be carried out personally.
2. The current Section 151 Officer, Mr Martin Hone, will be leaving Council's employment on 31 July 2021.
3. A recruitment process to fill the vacancy has been undertaken. At its meeting on 8 July 2021, an Appointments Sub Committee agreed to appoint Joanne Moore as Interim Executive Head of Finance and recommended that she be appointed as the Council's Section 151 Officer.
4. In accordance with Part 4 of the Constitution, the Leader and Executive have been consulted on this appointment and no well-founded objection has been received.

### **Shared Monitoring Officer**

5. The Council, at its meeting on 14 October 2020, agreed to enter into an agreement with Elmbridge Borough Council to provide the Monitoring Officer function for Elmbridge BC. This agreement was subsequently reviewed by the Employment Committee at its meeting in March 2021 following 6 months of sharing the role, where it was reported that the arrangements were going well.
6. Following consultation with the Chief Executive of Elmbridge BC, it is now recommended that that this arrangement ends on 30<sup>th</sup> September 2021. This is purely due to the increasing work commitments of the Monitoring Officer at Surrey Heath Borough Council.

### **Recommendation**

7. The Council is advised to RESOLVE that

- (i) Joanne Moore be appointed as the Section 151 Officer from 2 August 2021 until further notice; and
- (ii) the shared Monitoring Officer role with Elmbridge BC cease from 30<sup>th</sup> September 2021.

Background Papers: None

Author: Damian Roberts – Chief Executive

Head of Service Chief Executive



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