

TANDRIDGE DISTRICT COUNCIL



Council Agenda

MINUTES AND REPORTS
SUBMITTED TO THE ANNUAL COUNCIL MEETING ON
21ST MAY 2019

LOUISE ROUND

Chief Executive

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TANDRIDGE DISTRICT COUNCIL

Council Offices,
Station Road East,
Oxted,
Surrey RH8 0BT

13th May 2019

Dear Sir/Madam,

You are summoned to attend the Annual Meeting of the Council to be held in the Council Chamber, Council Offices, Station Road East, Oxted on **Tuesday 21st May 2019 at 7.30 p.m.**

LOUISE ROUND
Chief Executive

To: All Members of Tandridge District Council

A G E N D A

1. To elect a Chair of the Council for the ensuing year.
2. To appoint a Vice-Chair of the Council for the ensuing year.
3. To confirm the minutes of the Council meeting held on the 4th April 2019 (page 732).
4. Chair's Announcements.
5. Declarations of Interest – All Members present are required to declare, at this point in the meeting or as soon as possible thereafter:
 - (i) any Disclosable Pecuniary Interests (DPIs) and / or
 - (ii) other interests arising under the Code of Conduct in respect of any item(s) of business being considered at the meeting. Anyone with a DPI must, unless a dispensation has been granted, withdraw from the meeting during consideration of the relevant item of business. If in doubt, advice should be sought from the Monitoring Officer or his staff prior to the meeting.
6. To receive and consider the reports of the following Committees:

(a)	Planning	3 rd April 2019 (page 738)
(b)	Planning	25 th April 2019 (page 740)

7. To receive, in accordance with Standing Order No. 26, a list of current Members' attendances at Council, Committee and Sub-Committee meetings for 2018/19 (page 742 – duplicate copy on separate A3 sheet).
8. Appointment of Committees and Sub-Committees for 2019/20 - to consider the report and recommendations from page 743. The proposed membership of the respective Committees will be circulated prior to the meeting.
9. To confirm the timetable of meetings for the 2019/20 Municipal Year on page 755.
10. To agree appointments of Councillors to outside bodies for 2019/20. A list of proposed appointments, agreed as far as possible by the Group Leaders, will be circulated prior to the meeting.
11. To receive a policy statement from the minority Conservative Administration covering the 2019/20 Municipal Year.

THE DISTRICT COUNCIL OF TANDRIDGE

Minutes of a meeting of the Council held in the Council Chamber, Council Offices, Station Road East, Oxted on the 4th April 2019 at 7.30 p.m.

PRESENT: Councillors Cooley (Chair), Dunbar (Vice-Chair), Ainsworth, Allen, Black, Blake-Thomas, Bloore, Botten, Cannon, Childs, Connolly, D. Cooper, M. Cooper, Davies, Dennis, Duck, Elias, Farr, Fisher, Fitzgerald, Gray, Harwood, Jecks, Jones, Lee, Lockwood, Mills, Morrow, Parker, Pursehouse, Ridge, Steeds, Steer, Vickers, Wates, and White.

APOLOGIES FOR ABSENCE: Councillors Bourne, Orrick, Rujbally, Sayer and Wren.

The meeting was preceded with a prayer read by the Reverend Michelle Edmonds of All Saints Church, Warlingham.

281. MINUTES OF THE PREVIOUS COUNCIL MEETING

The minutes of the Council meeting held on the 14th February 2019 were confirmed and signed by the Chair.

282. CHAIR'S ANNOUNCEMENTS

The Chair welcomed Steve Davies, the new Strategic Director of Resources. He also confirmed that Elaine Jackson would be staying with TDC as an Interim Director of Transformation to oversee the final stages of Customer First and to assist our response to Surrey County Council's change programme.

The Chair also referred to his forthcoming civic reception for the voluntary sector on the 10th April at Woldingham Golf Club. He explained that the purpose of the event was to pay tribute to the dedicated volunteers who served the District and thanked those Members who would be attending.

283. QUESTIONS SUBMITTED UNDER STANDING ORDER 29(2)

Councillor Childs, the chair of the Housing Committee, responded to questions from Councillor Michael Cooper regarding the operation of the Council's housing register. The questions and responses are shown at Appendix A.

284. REPORTS OF COMMITTEES

RESOLVED – that the reports of the following meetings be received, and the recommendations therein be adopted:

Community Services Committee (5th March 2019)

Planning Committee (7th March 2019)

Housing Committee (12th March 2019)*

Planning Policy Committee (14th March 2019)

Finance Committee (19th March 2019)

Strategy & Resources Committee (21st March 2019)

Overview & Scrutiny Committee (26th March 2019)

* Note: Councillor Botten declared a non-pecuniary interest in item 259 of the 12th March 2019 Housing Committee minutes on the basis that he would be a trustee of the prospective community interest company to be established for providing community based activities from Douglas Brunton Centre.

285. CHAIR'S CLOSING REMARKS

The Chair thanked Members for their valued support during his year in office. He also acknowledged those Councillors who would not be contesting the forthcoming elections and thanked them for their services to the District and wished them well for the future.

Rising: 8.37 pm

Questions submitted under Standing Order 29(2) from Councillor Michael Cooper and responses from Councillor Childs (chair of the Housing Committee)

1. **As of 1 April 2019 how many families are currently on the TDC Housing Waiting List?**

Response from Councillor Childs:

Rather than a waiting list, the Council operates a Housing Register, which recognises both the relative housing need of applicants and the length of time that they have been waiting.

As at 1 April 2019 there were 1425 applicants on the Housing Register, of whom 748 were families, requiring accommodation with 2 or more bedrooms.

2. **What are the requirements which qualify families to get onto the TDC Housing Waiting List?**

Response from Councillor Childs:

The detailed requirements are fully described in Sections 4-6 of the Council's Allocation Scheme as approved by the Housing Committee. All those aged 16 and over will be considered eligible for the Register unless there are exceptional circumstances as set out in the Allocation Scheme.

Relative priority on the Housing Register is determined initially by a housing needs assessment then by tests of a local connection and financial resources. Applicants are then placed in one of five bands A being the highest and E the lowest. Those with no local connection are only eligible for the 2 lowest bands.

3. **Since 1 April 2017 how many families who were on the TDC Housing Waiting List have been housed in accommodation in Tandridge?**

Response from Councillor Childs:

During the period in question, 382 applicants from the Housing Register (including 189 families requiring 2 or more bedrooms) have been allocated housing by the Council, either into our own stock or by nomination to accommodation provided by housing associations.

4. **Since 1 April 2017 how many families who did not qualify for a place on the TDC Housing Waiting List have been housed in accommodation in Tandridge?**

Response from Councillor Childs:

Since 1 April 2017, the Council has not allocated any of its own housing or used any of its nomination rights to anyone who did not qualify for a place on its Housing Register. To do so would be unlawful. All such lettings must be made in accordance with the Council's Allocation Scheme, which requires applicants to be on the Housing Register.

5. **Who took the decision to allow those families who did not qualify to get onto the TDC Housing Waiting List have been housed in accommodation in Tandridge?**

Response from Councillor Childs:

No decision has been taken by any officer or member of the Council

ADOPTED BY COUNCIL ON 4TH APRIL 2019 – FOR INFORMATION ONLY

THE DISTRICT COUNCIL OF TANDRIDGE

OVERVIEW & SCRUTINY COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 26th March 2019.

PRESENT: Councillors Pursehouse (Chair), Connolly (Vice-Chair), D. Cooper, Elias (sub), Steer and Vickers.

APOLOGIES FOR ABSENCE: Councillors Parker and Sayers.

ALSO PRESENT: Councillor Mills.

IN ATTENDANCE: Mike Cheetham (Head of Internal Audit - RSM).

286. MINUTES

The minutes of the meeting held on the 29th January 2019 were confirmed and signed by the Chair.

COMMITTEE DECISIONS ***(Under powers delegated to the Committee)***

287. CUSTOMER FIRST UPDATE

The Strategic Director of Place began a presentation about the implementation of the Customer First project, including:

- a recap of the reasons why the Council embarked upon the project (i.e. in response to financial pressures and the need to modernise and improve service delivery);
- progress to date, including the implementation of the case management IT system (Salesforce) and the establishment of multi-functional teams (including the locality team);
- objectives for the next few months, including the implementation of new processes to improve customer service and the roll-out of mobile case management to enhance the efficiency of locality and operational services teams.

Steven Dellaway concluded the presentation by describing his role as one of the five area-based community officers within the locality team. He explained what had attracted him to the role and what it entails (i.e. providing a visible, on-street presence and assisting with a range of front line issues such as fly-tipping, parking matters, illegal encampments, refuse collection and planning enforcement).

In response to Members' questions, officers advised that:

- the officer previously responsible for dealing with fly tipping was now one of the locality team leaders and retained a key role, supporting the community officers with the benefit of his knowledge and experience;
- the Council was still achieving successful convictions for fly-tipping offences, the most recent of which was publicised in a press release approximately three weeks ago;
- forthcoming government regulations could make households responsible for ensuring the proper disposal of building waste by contractors undertaking works to their homes;
- vacancies for planning staff should be filled by July (specialists undertaking planning functions would not be involved in other areas of work);
- while historic data had not been uploaded onto Salesforce, some information is pulled through from back office systems to create single customer records and to enable the customer services team to resolve as many cases as possible at the first point of contact;
- no major changes to the website were anticipated, although 'report it' forms should be made accessible soon;
- eventually, community officers should be able to process data on hand held devices while away from the office;
- data protection measures were a key facet of the new IT regime; and
- staff would be encouraged to report issues to Surrey County Council on behalf of residents when appropriate.

RESOLVED - that the presentation be noted.

288. INTERNAL AUDIT ARRANGEMENTS - 2019/20 AND 2018/19 UPDATE

Mike Cheetham summarised the findings of the following internal audits which formed part of RSM's 2018/19 audit plan for the Council. Reports for all three audits were presented for the Committee's consideration:

(i) Continuous Assurance

This audit covered several areas to test whether adequate controls were in place and operating effectively. One such area concerned the process for enhanced Disclosure Barring Service (DBS) checks for staff. Attention was drawn to a management action to ensure that, for posts where a DBS check is required, a job offer will not be made until the outcome of the check has been received by the Council.

(ii) Homelessness Prevention

This audit tested the extent to which the Council was complying with its duties under the Homelessness Act 2002 and the Homelessness Reduction Act 2018. It concluded with a substantial assurance that robust controls were consistently applied and operating effectively. The management action arising from the audit had been completed, namely the approval of a Homelessness Prevention Strategy by the Housing Committee on the 12th March.

(iii) Payroll

This audit had also resulted in a substantial assurance about control measures. The Chief Finance Officer confirmed that the management action for the finance team to “*ensure that payroll control account reconciliations are completed and reviewed each month*” had now been implemented.

The Chief Finance Officer reminded the Committee that the current internal audit contract (with RSM) would terminate on 31st March 2019 and that the Southern Internal Audit Partnership would be providing the service from 1st April 2019.

RESOLVED - that the new internal audit arrangements (effective from 1st April 2019) and the progress against the 2018/19 internal audit plan be noted.

289. EXTERNAL AUDIT OF THE 2017/18 HOUSING BENEFIT SUBSIDY CLAIM AND POOLING OF HOUSING CAPITAL RECEIPTS

The Council’s independent external auditors for 2017/18, KPMG, had completed the certification of the following grant returns:

- (i) housing benefit subsidy claim (which had a value of £18.95 million); and
- (ii) pooling of housing capital receipts (which had a value of £1.2million - one minor error was identified that did not impact upon the value of the return).

KPMG had issued unqualified audit opinions for both (i) and (ii) above. This was especially pleasing as only a small number of Councils achieved such outcomes for their housing benefit subsidy claims.

A copy of KPMG’s report in connection with these audits was presented.

RESOLVED - that the contents of KPMG’s audit report be noted.

Rising: 8.40 p.m.

THE DISTRICT COUNCIL OF TANDRIDGE

PLANNING COMMITTEE

Minutes and Report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 3rd April 2019.

PRESENT: Councillors Black (Chair), Harwood (Vice Chair), Connolly, D.Cooper (sub), Duck, Dunbar (sub), Farr, Fitzgerald, Gray and Lockwood.

ALSO PRESENT: Councillors Fisher and Mills.

APOLOGIES FOR ABSENCE: Councillors Bloore, Morrow and White.

290. MINUTES

The minutes of the meeting held on the 7th March 2019 were confirmed and signed by the Chair.

COMMITTEE DECISIONS *(Under powers delegated to the Committee)*

291. TA/2018/1986 - 10 BEADLES LANE, OXTED, RH8 9JJ

The Committee considered an application for the demolition of existing buildings and the redevelopment of the site comprising three residential dwelling houses, parking provision, landscaping and associated works. The officer recommendation was to permit.

Robert Gordon spoke against the application.

Alison Verlander, the applicant, spoke in favour of the application.

Councillor Harwood, seconded by Councillor Fitzgerald, moved that the application be refused on the following grounds:

'The proposed development by reason of its height, bulk and site coverage would constitute over development of the site, and an uncharacteristic cramped form of development in the Oxted Conservation area, contrary to policy DP11 and DP20 of the Tandridge Local Plan Part 2 Detailed Policies 2014.'

Upon being put to the vote, the motion was lost.

RESOLVED – that the planning permission be granted, subject to the conditions within the report to the committee, amended as follows:

- (i) Condition 8 – addition of the words 'in perpetuity' after 'be retained'; and
- (ii) New condition 16 - No development shall start until an arboricultural method statement, appropriate and specific to the approved scheme, to include details of all works within the root protection area of any retained tree, has been submitted to and agreed in writing by the District Planning Authority. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the District Planning Authority.

292. TA/2018/2457- 95 TO 99 STATION ROAD EAST, OXTED, RH8 0AX

The Committee considered an application for the change of use of the premises from A1 to D1
orthodontist

Musa Choudhary, the agent, spoke in favour of the application.

Councillor Connolly moved that the application be refused on the following grounds

'This application is contrary to policy DP2, as the policy is to retain uses within A1 classes to contribute towards the vitality and viability of the town centre and this change of use would absolutely contradict that, as it hasn't been marketed for the required 12 months.'

This was not seconded and therefore was not voted upon.

RESOLVED – that the planning permission be granted, subject to the conditions within the report to the committee.

293. TA/2019/94- 31 ESSENDENE ROAD, CATERHAM, CR3 5PB

The Committee considered an application for:

- a part single storey, part two storey extension to the side and rear of the property; and
- the conversion of the existing outbuilding to a den / study / guest room.

Councillor Duck moved that the application be refused on the following grounds:

'The proposed extension, given its location in relation to neighbouring boundaries, would result in significant harm to the neighbouring amenity by reason of over bearing and over shadowing effects. As such, the proposal would be contrary to policies DP7 and DP20 of the Local Plan Part 2 Detailed Policies and CSPA 18 of the core strategy 2008.'

This was not seconded and therefore was not voted upon.

RESOLVED – that the application be granted, subject to the conditions within the report to the committee.

Rising: 08:50 p.m.

THE DISTRICT COUNCIL OF TANDRIDGE

PLANNING COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 25th April 2019.

PRESENT: Councillors Black (Chair), Harwood (Vice Chair), Bloore, Connolly, Duck, Farr, Fitzgerald, Gray, Lockwood, Morrow and White.

ALSO PRESENT: Councillors D.Cooper and Jones.

294. MINUTES

The minutes of the meeting held on the 3rd April 2019 were confirmed and signed by the Chair.

COMMITTEE DECISIONS *(Under powers delegated to the Committee)*

295. TA2018/1594 - REAR OF CLEARWAY COURT, 139-141 CROYDON ROAD, CATERHAM

The Committee considered an application for the erection of a new building containing 9 flats (4 x 2 bed and 5 x 1 bed) together with associated car parking. The application had been previously considered by the Committee on 10th January 2019. At that meeting, a decision was deferred pending a parking stress survey. In the meantime, the applicant had submitted an appeal against non-determination.

A report was therefore submitted seeking confirmation from the Committee of the reasons to contest the appeal. The report recommended the following reason:

“The proposed flats, as a result of the provision of habitable accommodation (bedrooms) without windows with clear glazing, would fail to provide a suitable standard of accommodation for future residents, thereby contrary to Tandridge Local Plan: Part 2: Detailed Policies - Policy DP7”.

Caterham Valley Parish Councillor Jenny Gaffney spoke in favour of the recommendation to contest the appeal.

Councillor Grey moved the following additional reason for contesting the appeal:

“The proposed scale and extent of the development would constitute an overdevelopment of the site which would be inappropriate to the surrounding area in terms of its scale, massing and density. It would not maintain or enhance the character and appearance of the area and would fail to enhance the visual appearance of the development. The proposal would fail to respect and reflect the character and appearance of the site and its setting and local context in this part of Croydon Road contrary to Policy CSP18 of the Tandridge District Core Strategy DPD 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.”

RESOLVED – that the appeal be contested for the two reasons stated above.

Note – Councillor Jones declared a non-pecuniary interest in this item on the basis that he was a member of Caterham Valley Parish Council (which had expressed a view on this application).

296. TA2018/2499 - 270 FARLEIGH ROAD, WARLINGHAM

The Committee considered an application for the erection of a side and rear extension to the above property. The officer recommendation was to permit.

Michael Huber, an objector, spoke against the recommendation.

Councillor Morrow moved that the application be refused on the following grounds:

“The proposal, due to its height, width, bulk and positioning will have an overbearing and overshadowing effect on 272, Farleigh Road, detrimental to its amenities and contrary to Policy CSP18 of the TDC Core Strategy 2008 and policy DP7 of the TDC Local Plan Part 2 Detailed Policies 2014.”

Upon being put to the vote, the motion was carried.

RESOLVED – that planning permission be refused for the reason stated above.

Note – Councillor Morrow declared a non-pecuniary interest in this item on the basis that he was a member of Warlingham Parish Council (which had expressed a view on this application).

297. TA2019/113 - 10 NURSERY GARDENS, LINGFIELD

The Committee considered an application for the installation of a single storey front bay window and the erection of single storey rear extension to the above property with a first floor roof terrace. The officer recommendation was to permit.

Justin Akhurst, an objector, spoke against the recommendation.

George Rayson, agent acting on behalf of the applicant, spoke in favour of the application.

The Committee discussed the possibility of requesting a site visit. However, it was acknowledged that the Committee would need to be re-appointed at Annual Council on the 21st May. It was therefore agreed that a site visit would be impracticable at this stage.

RESOLVED – that the application be deferred for fresh consideration by the newly appointed Committee at the next scheduled meeting on the 30th May 2019.

Note – Councillor Lockwood declared a non-pecuniary interest in this item on the basis that she was a member of Lingfield Parish Council (although the Parish Council had not expressed a view on the application).

298. TA2019/261 - 11 ROCKFIELD CLOSE, OXTED

The Committee considered an application for the erection of a single storey side extension to the above property and associated internal alterations and external landscaping. The officer recommendation was to permit.

RESOLVED – that planning permission be granted.

Rising: 8:45 p.m.

Councillor	Council 6 meetings		CIL 3 meetings		Community Services 6 meetings		Finance 4 meetings		Housing 5 meetings		Licensing 1 meeting		O&S 7 meetings		Planning 10 meetings		Planning Policy 6 meetings		S&R 8 meetings		Chief Officer Sub 2 meetings		Licensing Sub 3 meetings		Total meetings attended		
	As Ctee member	Also Present	As Ctee member	Also Present	As Ctee member	Also Present	As Ctee member	Also Present	As Ctee member	Also Present	As Ctee member	Also Present	As Ctee member	Also Present	As S-C Member	As a sub	Also Present	As S-C Member	As a sub	Also Present	As S-C Member	As a sub	Also Present	As S-C Member		As a sub	Also Present
Ainsworth																										17	
Allen				2																							22
Black			1																								31
Blake-Thomas					3																						15
Bloore																											23
Botten			6																								29
Bourne																											21
Cannon																											25
Childs			3																								36
Connolly																											20
Cooley																											9
D. Cooper																											18
M. Cooper			1																								12
Davies																											20
Dennis																											11
Duck			3																								37
Dunbar																											22
Elias																											33
Farr			3																								44
Fisher																											34
Fitzgerald			3																								28
Gray																											20
Harwood			3																								36
Jecks																											21
Jones			3																								28
Lee			3																								23
Lockwood			2																								41
Manley ¹																											8
Mills																											28
Morrow																											21
Orrick																											18
Parker			6																								19
Pursehouse																											27
Ridge																											12
Rujbally																											11
Sayer ²																											23
Steeds																											20
Steer			3																								22
Vickers																											23
Wates																											12
White			3																								38
Wren ¹																											23

1 Councillor Wren replaced Councillor Manley on the Housing Committee wef 6/12/18
 2 Councillor Sayer replaced Councillor Wren on the Planning Policy Committee wef 19/7/18

Notes

REPORT TO THE ANNUAL COUNCIL MEETING – 21st MAY 2019 – AGENDA ITEM 8	
APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES FOR 2019/20	
Report of:	Louise Round – Chief Executive – 01883 732999 - lround@tandridge.gov.uk
Purpose of Report:	To enable the Council to appoint its Committees and Sub-Committees for the coming Municipal Year, including the allocation of seats in accordance with political balance requirements.
Publication status:	Unrestricted.
Recommendations:	<p>A. the Council's Policy Committees for 2019/20 be:</p> <ul style="list-style-type: none"> - Community Services - Housing - Planning Policy - Strategy & Resources <p>B. an Investment Sub-Committee be established under the umbrella of the Strategy & Resources Committee;</p> <p>C. the terms of reference and scheme of delegation to the Strategy & Resources Committee and the Chief Officer and Investment Sub-Committees be as per Appendix 'A';</p> <p>D. regarding the Chief Officer Sub-Committee:</p> <ul style="list-style-type: none"> (i) Standing Order 39(6) be deleted, and the composition of the Sub-Committee be determined at Annual Council meetings according to the prevailing political balance of the Council; and (ii) the composition of the Sub-Committee for 2019/20 be as per paragraph 3.3 <p>E. the allocation of seats to the Council's Committees and Sub-Committees for 2019/20, in accordance with the political balance requirements of the Local Government and Housing Act 1989, be as per the tables in 2.3, 2.5 and 3.1 below.</p>
Appendices:	Appendix 'A' – proposed terms of reference and scheme of delegation to the Strategy & Resources Committee and the Chief Officer and Investment Sub-Committees.
Background papers defined by the Local Government (Access to Information) Act 1985	None

1. Background

- 1.1 The Council is required to review its political composition and how this is applied to appointments to Committees and Sub-Committees. Standing Order 13 states that, *“the Council shall, at the Annual Meeting, appoint Committees which it is deemed necessary to appoint.”*

- 1.2 The Council currently has ten Committees and three Sub-Committees identified within the Constitution as follows:

Policy Committees

Community Infrastructure Levy Committee

Community Services
- Regulatory Sub-Committee

Finance

Housing

Planning Policy

Strategy & Resources
- Chief Officer Sub-Committee

Regulatory / Statutory / Other Committees

Planning

Licensing
- Licensing Sub-Committee

Overview & Scrutiny

Standards

- 1.3 Following consultation with Group Leaders, it is proposed that the CIL and Finance Committees be disbanded and:

- the matters previously dealt with by those Committees be transferred to the Strategy & Resources Committee; and
- investment and council owned company (Gryllus) matters (dealt with by the Finance Committee during 2018/19) will, in turn, be delegated to an Investment Sub-Committee under Strategy & Resources. This would mirror arrangements for 2017/18.

- 1.4 It is intended that this will result in a more streamlined committee structure. The terms of reference of the Strategy & Resources Committee and its Sub-Committees would be as per Appendix 'A'.

2. Political balance requirements of the Local Government & Housing Act 1989

- 2.1 As a result of the 2019 District elections, the political composition of the Council is as follows:

Political Groups	No of Councillors	% of available Committee seats which the Council should aim to allocate (No. of Cllrs in previous col. ÷ 42) x 100 rounded to nearest percentage point
Conservative	16	38%
OLRG Independents Alliance	13	31%
Liberal Democrat	11	26%
Independent Group	2	5%

- 2.2 Section 15 of this Act deals with the duty to allocate seats on Committees to political groups. Such allocations, so far as is reasonably practicable, must be made in accordance with the following four principles:
- not all the seats on an ordinary Committee should be allocated to the same political group;
 - the majority of the seats on an ordinary Committee must be allocated to the majority political group (however, there is no longer a 'majority political group' on the Council);
 - subject to (a) and (b) above, the number of seats on **the total** of all the ordinary Committees allocated to each political group should bear the same proportion as that for the full Council; and
 - subject to (a) to (c) above, the number of seats on **each** ordinary Committee allocated to each political group should bear the same proportion as that for the full Council.
- 2.3 The statutory duty to allocate seats to political groups applies to so called 'ordinary committees' as defined by the Local Government & Housing Act 1989 (the Standards and Licensing Committees do not fall within this category – paragraph 2.5 refers). Applying these rules, the table below sets out a proposed allocation of seats:

'Ordinary' Committees:	Political Groups:				Total membership:
	Conservative	OLRG Independents Alliance	Liberal Democrat	Independent Group	
Community Services	4	4	3		11
Housing	5	4	3	1	13
Planning Policy	5	4	3	1	13
Planning	4	4	3		11
Overview & Scrutiny	3	2	2	1	8
Strategy & Resources	5	4	4		13
Total seats on 'Ordinary' Committees	26	22	18	3	69

- 2.4 The 'target' and 'actual' percentage distribution of the 69 committee seats is shown below:

Target distribution:			
Con	OLRG IA	Lib Dem	IG
38.1%	31.0%	26.2%	4.7%

Actual distribution:			
Con	OLRG IA	Lib Dem	IG
37.7%	31.9%	26.1%	4.3%

- 2.5 Although there is no statutory obligation for the Licensing and Standards Committees to be politically balanced, it is considered appropriate to make them so and the proposed allocation of seats to those committees is as follows:

Committees	Political Groups				Total membership
	Con	OLRG Independents Alliance	Lib Dem	Independent Group	
Licensing	4	3	3		10*
Standards	2	1	1	1	5
Totals	6	4	4	1	15

**The Licensing Act 2003 requires the membership of Licensing Committees to be between 10 and 15 Councillors.*

- 2.6 The political groups have been requested to submit nominations in accordance with their group's allocations, and these will be circulated prior to the meeting.

3. Sub-Committees

- 3.1 Sub-Committees don't form part of the calculations referred to in 2.3 above and the following allocation of seats are proposed:

Sub-Committees	Political Groups				Total membership
	Con	OLRG Independents Alliance	Lib Dem	Independent Group	
Chief Officer	2	2	1		5
Investment	2	2	1		5
Licensing*	1	1	1		3
Regulatory**	1	1	1		3
Totals	6	6	4		16

**Licensing Sub-Committees conduct hearings regarding proposals to grant, vary or revoke licenses for alcohol & entertainment or gambling activities. By convention, they comprise three principal members. In the event of one or more of the three principal members being unable to attend a hearing, their places shall be filled by selecting substitutes from the main Licensing Committee.*

***Regulatory Sub-Committees conduct hearings regarding proposals to grant or revoke licenses for purposes other than alcohol, entertainment or gambling. By convention, they comprise three principal members. In the event of one or more of the three principal members being unable to attend a hearing, their places shall be filled by selecting substitutes from the Community Services Committee.*

- 3.2 In order to maintain political balance on the Chief Officer Sub-Committee, it is recommended that Standing Order 39(6) (shown below) be deleted:

“The Chief Officer Sub-Committee shall comprise:

- *the Leader of the Council*
- *the Deputy Leader of the Council*
- *the Chair or Vice Chair of the Committee which is responsible for the majority of services falling under the remit of the post which is the subject of the meeting*
- *the Leader or Deputy Leader of the largest minority Political Group.”*

- 3.3 Instead, it is recommended that that the composition of the Sub-Committee be determined at each Annual Council meeting according to the prevailing political balance. For 2019/20, it is proposed that the Sub-Committee comprise five Members, i.e.

- *the Leader and Deputy Leader of the Council (or, in their place, one or two other Members of the Administration as appointed by the Leader or the Deputy Leader);*
- *the Leader and Deputy of the OLRG Independents Alliance Group (or, in their place, one or two other Members of that Group as appointed by its Leader or the Deputy Leader);*
- *the Leader of the Liberal Democrat Group (or, in his place, one other Member of that Group as appointed by its Leader or Deputy Leader).*

4. Substitutes

- 4.1 Standing Order 21 states that, *“Every Political Group may appoint a substitute Member for each Committee and Sub-Committee.....”*

- 4.2 Group Leaders are asked to appoint a substitute member for each Committee and Sub-Committee. The nominees can be replaced for specific meetings if necessary, subject to democratic services staff being notified in advance.

5. Legal Implications

- 5.1 The establishment of committees and the allocation of seats are undertaken in accordance with the relevant legislation, primarily the Local Government and Housing Act 1989, the Local Government (Committees and Political Groups) Regulations 1990, the Local Government Act 2000 and the Licensing Act 2003.

- 5.2 It is essential that the Council’s decision-making structures and processes are robust and established in line with the relevant legislation and principles of good governance, to minimise the risk of legal challenge. The proposed recommendations contained within this report seeks to ensure those aims are met.

6. Financial Implications

The deletion of the CIL and Finance Committees would result in a saving of Chair / Vice Chair Special Responsibility Allowances, i.e.

SRA for the Chair of the CIL Committee	£3,062
SRA for the Vice Chair of the CIL Committee	£1,021
SRA for the Chair of the Finance Committee	£3,062
SRA for the Vice Chair of the CIL Committee	<u>£1,021</u>
	<u>£8,166</u>

7 Conclusion

- 7.1 This report sets out proposals for the appointment of Committees and Sub-Committees for the coming Municipal Year, together with the allocation of seats in accordance with political balance requirements of the Local Government & Housing Act 1989.
- 7.2 The proposed membership of the respective Committees will be circulated prior to the meeting. Short meetings of the Committees will take place immediately after Annual Council. This will enable each Committee to appoint a chair, a vice chair and, where appropriate, Sub-Committees.

----- end of report -----

Strategy & Resources Committee - proposed new terms of reference and delegation of powers
(the CIL and Finance Committees will be abolished – the clauses to be incorporated from the terms of reference of those two committees are underlined)

STRATEGY & RESOURCES COMMITTEE

1. TERMS OF REFERENCE

- A. To be responsible for the general administration and overall policy/financial framework of the Council including:-
- (i) civic matters (the Appointment of Representatives on Outside Bodies with the exception of the list considered at the Annual Meeting of the Council; Members' Allowances; Conferment of a Title of Honorary Alderman; and Regalia)
 - (ii) arrangements for the appointment of, and disciplinary action against, Chief Officers
 - (iii) land and buildings not within the purview of any other Committee
 - (iv) the annual budget preparation process and consideration of overall Committee budgets, including the setting of Council Tax and prudential indicators
 - (v) formulation and review of the Constitution
 - (vi) formulating and reviewing emergency plans
 - (vii) publicity/public relations/complaints procedure
 - (viii) formulating, implementing and reviewing corporate and financial strategies (e.g. those relating to IT; data protection; community safety; risk management; and asset management) which do not fall within the remit of other Committees
 - (ix) health & wellbeing
 - (x) the determination of Community Infrastructure Levy (CIL) allocation criteria and applications for CIL funding
 - (xi) the monitoring of CIL income, expenditure and disbursements to Parish Councils
 - (xii) administration of Council Tax and benefits
 - (xiv) treasury management (including strategies for borrowing and investment)
 - (xv) financial oversight of the procurement process for significant contracts being tendered by the Council (including those for IT and waste collection).
- B. Prepare and annually review a Committee Service Plan.
- C. Subject to the agreement of the Chief Executive and in consultation with the respective Policy Committee Chairs, to deal exclusively with any matter that also falls within the terms of reference of another Policy Committee / other Policy Committees and to resolve such matters unless reserved for determination by Full Council.

2. TO RECOMMEND

- (i) new policies or changes in policy within the remit of the Committee which would require resources beyond those allocated to the Committee
- (ii) financial programmes for overall revenue and capital expenditure, including the medium term financial strategy and, as part of the annual budget setting process, the level of Council Tax and Prudential Indicators
- (iii) changes of use of Council owned (General Fund) land, subject to consultation with other Policy Committees who may be responsible for services currently operating from the land in question
- (v) freehold disposals of General Fund assets worth over £1 million
- (vi) leasehold disposals of General Fund assets for:
 - periods over 99 years; and
 - periods of between 16 and 99 years if the annual rental valuation is more than £75,000 plus premium
- (vii) annual pay policy statements
- (viii) civic matters as detailed in 1.A (i) above
- (ix) making of byelaws for good rule and government and the suppression of nuisance within the remit of this Committee
- (x) polling district and community governance reviews
- (xi) significant revisions to the Constitution (subject to other Policy Committees being able to make recommendations direct to Council about proposed changes to their Terms of Reference)
- (xii) changes to the Committee's Terms of Reference
- (xii) other matters under the Committee's jurisdiction which, by virtue of statutory provision, must be determined by full Council.

3. TO RESOLVE

- (i) new policies or changes in policy within the remit of the Committee which can be accommodated within the Committee's overall allocation of resources
- (ii) the formation of other subsidiary companies and special purpose vehicles as deemed necessary to support property projects
- (iii) freehold disposals of General Fund assets worth between £250,000 and up to £1 million (the Chief Executive can determine freehold disposals of assets worth less than £250,000 in consultation with the Chair of the Committee)

- (iv) leasehold disposals of General Fund assets for:
- periods between 16 and 99 years if the annual rental valuation is up to £75,000 plus premium; and
 - periods up to 16 years if the annual rental valuation is more than £75,000
- (authority is delegated to the Chief Executive, in consultation with the Chair of the Committee, to approve leasehold disposals of General Fund assets of up to 16 years and with an annual rental valuation of up to £75,000)
- (v) determination of applications by community organisations for rental subsidies in respect of their use of Council owned land
- (vi) use of the Property Investment Fund to purchase or develop land or buildings within or outside the District above £20 million in value (including by means of a loan to a Local Authority owned company) in accordance with the criteria specified within Financial Regulation 17
- (vii) use of the Development Fund to purchase of land or buildings within the District (which do not meet the criteria of the Property Investment Fund) above £10 million in value in accordance with the criteria specified within Financial Regulation 17
- (xiii) writing off of irrecoverable debts in excess of £10,000 with the exception of a National Non-Domestic Rate liability which is no longer recoverable owing to the business having become Insolvent; the company having dissolved; or the sole trader having been made bankrupt. (Note: the writing of off rent arrears is dealt with by the Housing Committee)
- (ix) approval of the Council's annual statements of accounts
- (x) issues arising out of the financial audit of the accounts
- (xi) the seeking of deemed planning consents
- (xii) determination of the tax base for Council Tax purposes
- (xvii) rents and charges for services, accommodation and land
- (xiv) local land charges
- (xv) street names, house names and street numbering records.
- (xvi) revisions to CIL allocation criteria; and
- (xvii) CIL allocations upon consideration of applications and associated representations.
- (xviii) Responses to consultations from the Government, other authorities and external agencies where there is a potentially significant impact upon the delivery of services falling under the remit of the Committee.

4. DELEGATION TO THE INVESTMENT SUB-COMMITTEE

4.1 To Resolve:

- (i) annual strategies for the prudent investment of surplus funds held in the Council's accounts (representing income received in advance of expenditure and cash balances and reserves held for future use) having regard to:
- both the security and liquidity of investments; and
 - the advice of the Council's treasury consultants
- before seeking the highest rate of return.
- (ii) relevant performance indicators to measure the effectiveness of financial investment strategies.
- (iii) any modifications to investment policy during the course of the year to reflect the availability of funds and/or prevailing economic circumstances following an assessment of investment performance against the indicators referred to in (ii) above.
- (iv) the following shareholder functions of Council owned holding and property investment companies:
- approving the Memorandum of Articles of Association
 - approving a Shareholder Agreement between the company and the Council (this agreement will capture how the Council, as shareholder, will exercise its control over the Company and the expectations for performance delivery)
 - approving the Business Plan (this will be developed to cover a rolling 5- year period of investment activity which will include an analysis of the market, investment strategy and outlook, target returns in line with the prevailing market conditions and will outline the company's planned operations and financial forecasts - it will be reviewed annually)
 - appointing a Company Secretary and Auditor
 - appointing a Managing Director and Director(s) to the company (they will be members of the Property Board tasked with the day to day management of the business)
 - approving a Resourcing Agreement regarding the company's use, where required, of Council staff and facilities to further its business objectives
 - approving loan draw down facilities for the company and loan agreements, setting out the funding arrangements between the Council and the company
 - reviewing performance reports.

5. DELEGATION TO THE CHIEF OFFICER SUB-COMMITTEE

5.1 Definition of Chief Officer

For the purpose of this Sub-Committee's terms of reference, the term 'Chief Officer' covers the posts of:

- Chief Executive
- Strategic Directors of People, Place and Resources
- Chief Finance Officer ('Section 151 Officer')
- Monitoring Officer

5.2 Membership

The Sub-Committee shall comprise:

- ~~the Leader of the Council~~
- ~~the Deputy Leader of the Council~~
- ~~the Chair or Vice Chair of the Committee which is responsible for the majority of services falling under the post which is the subject of the meeting (or any other Member of the relevant Committee nominated by the Leader of the Council)~~
- ~~the Leader or Deputy Leader of the largest minority Political Group(s).~~
- the Leader and Deputy Leader of the Council (or, in their place, one or two other Members of the Administration as appointed by the Leader or the Deputy Leader);
- the Leader and Deputy of the OLRG Independents Alliance Group (or, in their place, one or two other Members of that Group as appointed by its Leader or the Deputy Leader);
- the Leader of the Liberal Democrat Group (or, in his place, one other Member of that Group as appointed by its Leader or Deputy Leader).;

5.3 Terms of Reference

To: short list and interview candidates for the post of Chief Executive and to recommend such appointments to the Council; interview shortlisted candidates for other Chief Officer posts and to determine such appointments; consider disciplinary matters in respect of the Chief Executive and other Chief Officers, including the appointment of independent panels in accordance with Schedule 3 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (Minute 63, 2015/16 - Resources Committee, 30th June 2015 also refers).

5.4 To Recommend (to full Council):

- (i) the appointment of the Chief Executive;
- (ii) dismissal of the Chief Executive, Monitoring Officer or Chief Finance Officer following consideration of the advice, views or recommendations of an independent advisory panel (5.5 (iv) below refers) and other matters specified in Schedule 3 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

5.5 To Resolve:

- (i) the short listing of candidates for the post of Chief Executive;
- (ii) appointments to Chief Officer posts (other than the Chief Executive);
- (iii) the appointment of an Independent Investigator to investigate allegations of misconduct against the 'Head of the Authority's paid service (Chief Executive);
- (iv) the appointment of an independent advisory panel in accordance with Schedule 3 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 to consider the findings of formal investigations into misconduct allegations against the 'Head of the Authority's paid service (Chief Executive); Monitoring Officer (Head of Legal Services) and the Chief Finance Officer;
- (v) disciplinary action against the Chief Executive, Monitoring Officer or Chief Finance Officer (other than dismissal) following (except in the case of a decision to suspend him/her) consideration of the advice, views or recommendations of the independent advisory panel referred to in (iv) above; and
- (vi) appeals from Chief Officers (other than those specified in (iv) above) against disciplinary action taken against them by the Chief Executive.

AGENDA ITEM 9 - TIMETABLE OF MEETINGS FOR 2019/20

MAY 2019	JUNE 2019	JULY 2019	AUGUST 2019	SEPT 2019	OCT 2019	NOV 2019	DEC 2019
1W	1S	1M	1T	1S	1T O&S	1F	1S
2T District Elections	2S	2T	2F	2M	2W	2S	2M
3TF	3M	3W	3S	3T	3T P	3S	3T
4S	4T	4T	4S	4W	4F	4M	4W
5S	5W	5F	5M	5T P	5S	5T O&S ⁴	5T P
6M BH	6T	6S	6T	6F	6S	6W	6F
7T	7F	7S	7W	7S	7M	7T P	7S
8W	8S	8M	8T	8S	8T	8F	8S
9T	9S	9T	9F	9M	9W	9S	9M
10F	10M	10W	10S	10T	10T	10S	10T
11S	11T	11T	11S	11W	11F	11M	11W
12S	12W	12F	12M	12T CS	12S	12T	12T C
13M	13T S&R	13S	13T	13F	13S	13W	13F
14T	14F	14S	14W	14S	14M	14T CS	14S
15W	15S	15M	15T	15S	15T	15F	15S
16T	16S	16T	16F	16M	16W	16S	16M
17F	17M	17W	17S	17T	17T	17S	17T
18S	18T CS	18T C	18S	18W L ¹	18F	18M	18W
19S	19W	19F	19M	19T H	19S	19T	19T
20M	20T H	20S	20T	20F	20S	20W	20F
21T	21F	21S	21W	21S	21M	21T H	21S
22W	22S	22M	22T	22S	22T	22F	22S
23T AC	23S	23T	23F	23M	23W	23S	23M
24F	24M	24W P	24S	24T PP	24T C	24S	24T
25S	25T PP	25T S&R ²	25S	25W	25F	25M	25W BH
26S	26W	26F	26M BH	26T S&R	26S	26T PP	26T BH
27M BH	27T P	27S	27T	27F	27S	27W	27F
28T	28F	28S	28W	28S	28M	28T S&R	28S
29W	29S	29M	29T	29S	29T	29F	29S
30T P	30S	30T O&S ³	30F	30M	30W	30S	30M
31F		31W	31S		31T		31T

JAN 2020	FEB 2020	MAR 2020	APR 2020	MAY 2020
1W BH	1S	1S	1W	1F
2T	2S	2M	2T P	2S
3F	3M S&R ⁶	3T	3F	3S
4S	4T	4W	4S	4M BH
5S	5W	5T P	5S	5T
6M	6T P	6F	6M	6W
7T	7F	7S	7T	7T District Elections
8W	8S	8S	8W	8F
9T P	9S	9M	9T	9S
10F	10M	10T CS	10F BH	10S
11S	11T	11W	11S	11M
12S	12W	12T H	12S	12T
13M	13T C ⁷	13F	13M BH	13W
14T	14F	14S	14T	14T
15W	15S	15S	15W	15F
16T	16S	16M	16T	16S
17F	17M	17T	17F	17S
18S	18T	18W	18S	18M
19S	19W	19T PP	19S	19T
20M H ⁵	20T	20F	20M	20W
21T CS ⁵	21F	21S	21T	21T AC (provisional)
22W PP ⁵	22S	22S	22W	22F
23T S&R ⁵	23S	23M	23T C	23S
24F	24M	24T	24F	24S
25S	25T	25W	25S	25M BH
26S	26W	26T S&R	26S	26T
27M	27T	27F	27M	27W
28T O&S	28F	28S	28T	28T P (provisional)
29W	29S	29S	29W	29F
30T		30M	30T P	30S
31F		31T O&S		31S

KEY TO CODING

AC	Annual Council
BH	Bank Holiday
C	Council
CS	Community Services Committee
H	Housing Committee
L	Licensing Committee
OS	Overview & Scrutiny Committee
P	Planning Committee
PP	Planning Policy Committee
S&R	Strategy & Resources Committee

School holidays

- 1= to recommend a new alcohol & entertainment licensing policy
2= to approve final accounts
3= to receive the external audit of the final accounts
4 = crime summit
5 = budget setting meetings
6= to recommend Council Tax and budget for 20/21
7= to set Council Tax and budget for 20/21

Dates for Investment Sub-Committee meetings will be canvassed in due course.