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TANDRIDGE DISTRICT COUNCIL



*Council Agenda*

MINUTES AND REPORTS  
SUBMITTED TO THE COUNCIL MEETING ON  
Thursday, 14th December, 2023

David Ford  
*Chief Executive*

## Information for the public



This meeting will be held in the Council Chamber, Council Offices, Oxted and the public are welcome to attend. Doors for the Council Offices will open 15 minutes before the start of the meeting.



The meeting will also be broadcast online at [tinyurl.com/webcastTDC](https://tinyurl.com/webcastTDC). In attending this meeting, you are accepting that you may be filmed and consent to the live stream being broadcast online and available for others to view.



Information about Full Council is available in the Council's Constitution available from [tinyurl.com/howTDCisrun](https://tinyurl.com/howTDCisrun). The website also provides copies of agendas, reports and minutes of the Council's Committees.



Details of reports that will be considered at upcoming Committee meetings are published on the Council's Committee Forward Plan. You can view the latest plan at [tinyurl.com/TDCforwardplan](https://tinyurl.com/TDCforwardplan).

6 December 2023

Dear Councillor,

You are summoned to attend the meeting of the Council on **Thursday, 14th December, 2023 at 7:30pm.**

Yours faithfully,

David Ford  
**Chief Executive**

To: All Members of the Tandridge District Council

## **AGENDA**

- 1. To confirm the minutes of the Council meeting held on 19 October 2023** (Pages 5 - 6)
- 2. Chair's Announcements**
- 3. 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 her staff prior to the meeting.

- 4. To deal with any questions submitted under Standing Order 30**
  - (i) questions from residents and others working or studying in the District; and
  - (ii) questions from Councillors.

Questions must be sent via email or in writing to Democratic Services by 5pm on Tuesday 12 December 2023 and comply with all other aspects of Standing Order 30 of the Council's Constitution.

**5. To receive and consider the reports of Committees**

- 5.1 Planning Committee - 2 November 2023 (Pages 7 - 8)
- 5.2 Standards Committee - 7 November 2023 (Pages 9 - 10)
- 5.3 Community Services Committee - 9 November 2023 (Pages 11 - 14)
- 5.4 Planning Policy Committee - 16 November 2023 (Pages 15 - 26)
- 5.5 Housing Committee - 23 November 2023 (Pages 27 - 32)
- 5.6 Audit & Scrutiny Committee - 28 November 2023 (Pages 33 - 38)
- 5.7 Strategy & Resources Committee - 30 November 2023 (Pages 39 - 92)

**6. Any urgent business**

To deal with any other item(s) which, in the opinion of the Chair, should be considered as a matter of urgency in accordance with Section 100B(4)(b) of the Local Government Act 1972.

## TANDRIDGE DISTRICT COUNCIL

### FULL COUNCIL

Minutes of the meeting of Full Council held in the Council Chamber, Council Offices, Station Road East, Oxted on the 19 October 2023 at 7:30pm.

**PRESENT:** Councillors Botten (Chair), Sue Farr (Vice-Chair), Allen, Black, Blackwell, Bloore, Booth, Chotai, Cooper, Crane, Damesick, Evans, Chris Farr, Gaffney, Gillman, Gray, Groves, Hammond, Alun Jones, Anna Jones, Langton, Lee, Moore, North, O'Driscoll, Patel, Prew, Pursehouse, Sharp, Shiner, Steeds, Colin White, Nicholas White, Windsor and Wren

**PRESENT (Virtually):** Councillors O'Riordan and Pinard

**APOLOGIES FOR ABSENCE:** Councillors Bilton, Montgomery, Robinson, Sayer and Smith

#### **141. TO CONFIRM THE MINUTES OF THE COUNCIL MEETING HELD ON THE 20TH JULY 2023**

These minutes were confirmed and signed as a correct record.

#### **142. CHAIR'S ANNOUNCEMENTS**

i) Moment of silence

The Chair was sorry to announce that Anne Hare, a former Harestone Councillor, had recently passed away. Members stood in silence for one minute as a mark of respect, and to remember the innocent people of Israel and Gaza who had been affected by the recent tragic events.

ii) Fundraising and events

The Chair announced he would be celebrating the 50<sup>th</sup> Anniversary of Tandridge District Council, the work of Caterham's Guards Barracks and St Lawrence's Hospital, the Barracks Community Trust and the work of Honorary Alderman Robin Clements on 50 years of public service at his Civic Day on Wednesday 22 November.

The Chair referred to recent events he had attended including the opening of new accessible gates to the footpath in the Glebe, Oxted and the Tandridge Junior Citizen event.

#### **143. TO DEAL WITH ANY QUESTIONS SUBMITTED UNDER STANDING ORDER 30**

A question had been submitted by Councillor Patel. The question and response is attached at Appendix A.

## 144. TO RECEIVE AND CONSIDER THE REPORTS OF COMMITTEES

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

**Planning Policy Committee** – 18 July 2023

**Planning Committee** – 7 September 2023

**Housing Committee** – 14 September 2023

**Community Services Committee** – 19 September 2023

**Planning Policy Committee** – 21 September 2023

**Audit & Scrutiny Committee** – 26 September 2023

**Strategy & Resources Committee** – 28 September 2023

**Planning Committee** – 5 October 2023

In accordance with Standing Order 13(3), Councillor Cooper wished it recorded that he abstained from voting on the adoption of the Local Plan Options recommendation of the Planning Policy Committee on the 21st September 2023.

Rising 8.21 pm

## TANDRIDGE DISTRICT COUNCIL

### 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 2 November 2023 at 7:30pm.

**PRESENT:** Councillors Blackwell (Chair), Wren (Vice-Chair), Chotai, Chris Farr, Sue Farr, Moore, Prew, Steeds, Black (Substitute) (In place of Montgomery) and Bilton (Substitute) (In place of Gray)

**ALSO PRESENT:** Councillor Cooper

**ALSO PRESENT (Virtually):** Councillor Nicholas White

**APOLOGIES FOR ABSENCE:** Councillors Botten, Gray and Montgomery

#### **145. MINUTES FROM THE MEETING HELD ON THE 5TH OCTOBER 2023**

The minutes of the meeting were confirmed and signed by the Chair.

#### **146. 2022/1638 - HOLLOW LANE GARAGES**

The Committee considered an application for the demolition of existing garages and construction of one bungalow and one building containing four apartments and a new parking court at New Farthingdale.

The Officer recommendation was to permit, subject to conditions.

Fiona Matthews, an objector, spoke against the application.

Councillor David Bright of Dormansland Parish Council spoke against the application.

Nicola Cresswell, representing the applicant, spoke in favour of the application.

**RESOLVED** – that the application be permitted subject to the conditions, including an additional condition in relation to entrance security.

#### **147. 2023/595 - CATERHAM SCHOOL, HARESTONE VALLEY ROAD, CATERHAM, CR3 6YA**

The Committee considered an application for the variation of condition 2 (hours of opening) on application reference 94/499/D3/A (Continued use of Sports centre and swimming pool by external clubs/organisations) to allow a variation to the hours.

The Officer recommendation was to permit, subject to Deed of Variation and conditions.

Martin Hurcomb, an objector, spoke against the application.

Suri Araniyasundaran, representing the applicant, spoke in favour of the application.

**RESOLVED** – that the application be permitted subject to Deed of Variation and the conditions. An additional informative to be added requesting the applicant to consider ways of minimising light pollution.

**148. 2022/1659 - 63 TO 78 FEATHERSTONE, BLINDLEY HEATH, LINGFIELD, SURREY, RH7 6JY**

The Committee considered an application for the demolition of 2 existing buildings containing 16 no. apartments, and the erection of 7 houses and 1 building containing 9 apartments.

The Officer recommendation was to permit, subject to conditions.

Nicola Cresswell, representing the applicant, spoke in favour of the application.

**RESOLVED** – that the application be permitted, subject to conditions.

**149. 2023/1044 - SCOUT HUT, MILL LANE, HURST GREEN, OXTED, SURREY, RH8 9DF**

The Committee considered an application for the Installation of a 20ft shipping container for storage of large scale Scouting equipment.

The Officer recommendation was to permit, subject to conditions.

**RESOLVED** – that the application be permitted, subject to conditions.

**150. RECENT APPEAL DECISIONS RECEIVED**

The Committee received an update on the following appeal decision:

TA/2022/685 – Land at the Old Cottage, Station Road, Lingfield, RH7 6PG. The appeal was dismissed on 17 October 2023 (appeal reference APP/M3645/W/23/3319149).

Rising 8.57 pm



## TANDRIDGE DISTRICT COUNCIL

### STANDARDS COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the on the 7 November 2023 at 7:30pm.

**PRESENT:** Councillors Nicholas White (Chair), Wren (Vice-Chair), Allen, Evans, Groves, Lee and Sayer

**ALSO PRESENT (Virtually):** Councillors Moore, Chris Farr and Sue Farr

**APOLOGIES FOR ABSENCE:** Mr Shaun Mundy (Independent Person)

#### 151. MONITORING OFFICER REPORT – 2022/23

The committee received a report that provided an overview of the work of the Monitoring Officer function between 1 July 2022 and 30 June 2023.

The report informed Members that:

- a second Deputy Monitoring Officer had been appointed to reduce work pressures and provide a quicker response to complaints received;
- a recruitment process for the position of the Standards Committee Independent Person was currently ongoing;
- thirteen councillor complaints, covering both Tandridge District Council and its parish councils, had been received during the reporting period.

In response to Member questions, the Monitoring Officer advised that:

- the Independent Person job specification was a public document which had been advertised on the Council's website and would be shared with the Committee for their information. The outcome of the interview process would be reported at the next committee meeting;
- there was no statutory limitation on Code of Conduct complaints;
- in comparison to other Surrey District and Boroughs it appeared that Member behaviour was good in Tandridge;
- the best way to improve standards would be for Members to discuss bad behaviour in their groups when it occurs or to report bad behaviour to the Monitoring Officer when it occurs. Members were also encouraged to attend training sessions when they are held;
- future Monitoring Officer reports would be amended to help the committee see if a District or Parish Councillor has reoccurring complaints against them;
- a report relating to the Member Officer Protocol would be brought to the next committee meeting and that the reporting of Councillor complaints made against Council Officers would be dealt with at that time.

**RESOLVED** – that the Monitoring Officer's Annual Report be noted.

## 152. REVIEW OF TANDRIDGE DISTRICT COUNCIL'S STANDARDS ARRANGEMENTS

The Committee received a report relating to a proposed revision of the process for appointing a Standards Hearing Panel contained in the Council's Arrangements for Dealing with Standards Allegations under the Localism Act 2011.

In response to Member questions, it was confirmed that:

- the recent increase in the size of the Standards Committee would provide a larger number of councillors who could be selected to sit on a hearings panel;
- Standards training had been held at the beginning of the municipal year. Training would be provided on the hearing process after it has been necessary to appoint a panel and attendees had been confirmed.

**RESOLVED** – that Paragraph 11.1 of the Council's Arrangements for Dealing with Standards Allegations under the Localism Act 2011 be amended to state the following:

*"The Hearings Panel is a Sub-Committee of the Council's Standards Committee. It will be comprised of three District Councillors serving on the Standards Committee."*

Rising 7.54 pm

**TANDRIDGE DISTRICT COUNCIL****COMMUNITY SERVICES 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 9 November 2023 at 7:30pm.

**PRESENT:** Councillors Wren (Chair), Shiner (Vice-Chair), Black, Crane, Lee, North, Patel, Pinard, Sharp, Windsor and Gaffney (Substitute) (In place of Bilton)

**ALSO PRESENT (Virtually):** Councillors Chris Farr, Sue Farr and Smith

**APOLOGIES FOR ABSENCE:** Councillors Bilton and O'Driscoll

**153. MINUTES OF THE MEETING HELD ON 19 SEPTEMBER 2023**

The minutes were confirmed and signed as a correct record.

**154. REVIEW OF THE HACKNEY CARRIAGE (TAXI) MAXIMUM TABLE OF FARES - NOVEMBER 2023**

The local taxi trade representative group had requested an increase in the maximum table of fares for Hackney Carriages licensed by the Council to operate from ranks within the District. This request was in light of increasing fuel prices and the cost of living in general. The last revision was in November 2022. The report before the Committee set out both the current and proposed fare tables.

The proposal had been the subject of consultation with the 116 licensed Hackney Carriage drivers. Of the 71 responses, 50 were in favour of the increase (70.4%) and 21 were opposed (29.6%).

In response to Member queries, Officers explained that:

- There was no overriding reason as to why 21 were opposed to the increase.
- Drivers would be required to put the new maximum fares on their meter, but they could charge less than that if they wished.

**RESOLVED** – that

- A. the proposed variation to the Hackney Carriage table of maximum fares, as put forward by the taxi trade representative group, be approved in principle, with an implementation date of 1 December 2023
- B. arising from A above, the variation be advertised in the local press allowing 14 days for comments to be submitted to the Council; and
- C. subject to no objections being received during the consultation period, the variation will come into effect on 1 December 2023.

## 155. QUARTER 2 2023/24 KEY PERFORMANCE INDICATORS - COMMUNITY SERVICES COMMITTEE

The Committee received a report that contained data on the key performance indicators for Quarter 2 2023/24. Officers drew the Committees' attention to:

- street cleansing which was off target as a result of long term sickness. 2 new agency staff had been appointed.
- the increase in safeguarding cases, with self-neglect being the largest reason. Additional training had been given to the Customer Services team. In September, Surrey County Council Adult Safeguarding Board Annual Quality Assessment had been completed, with feedback due in December.
- the risk register, and in particular the risk in relation to monitoring Council owned trees. There was a backlog of assessments. Consideration would be given to reprofiling Housing Revenue Account inspections in order to allow inspections under this Committee to be completed.

In response to Member questions, Officers confirmed that:

- the Council would be looking to commission another local authority or other specialists to complete the outstanding high risk inspections. The description of high risk related to their allocation, rather than evidence of issues existing at those sites. Officers would liaise with the Communications Team in relation to communication of works to residents, and circulate the Council's Tree Policy to the Committee.
- in relation to fly tipping, a newly appointed enforcement officer would be considering better signage, CCTV and working with other local authorities to prevent fly-tipping. Officers would provide further information about how the fly-tipping data had been complied. Members thanked Officers for quickly responding to reported incidents.
- Officers had recently resolved a number of minor issues in playgrounds. A report was due back from the playground inspectors on recommendations for a capital replacement programme, which would include identification of sites for DDA compliant improvements. A report would be presented to the Committee in March 2024 at the earliest.
- works had taken place and were continuing at Godstone toilets following positive legionella test results. This included liaison with the water company following positive results found in incoming water.
- a new project manager post was being advertised to deliver capital programmes in relation to toilets, playgrounds and parks and open spaces.
- Officers would circulate information to the Committee in response to a number of questions around safeguarding and anti-social behaviour.

The Chair gave an update on the recent success of a bid for money from the Swimming Pool Support Fund. £197k had been allocated to Tandridge. A further bid had been submitted for capital resource, and the outcome of this was expected in December.

**RESOLVED** – that:

- A. the Quarter 2 2023/24 performance indicators for the Community Services Committee be noted.
- B. the most critical risk for the Community Services Committee be noted.

## **156. QUARTER 2 2023/24 BUDGET MONITORING - COMMUNITY SERVICES COMMITTEE**

The Committee received a report outlining the financial position of the Committee's 2023/24 Revenue (£4,613k) and Capital budgets as of Quarter 2 2023/24. The Capital budget had been rephased following approval from the Strategy and Resources Committee and was set at £1,740k.

A full year Revenue underspend of £59k was forecast. There were underspend forecasts in salaries, leisure and communities service grants, environmental services and waste services. There were overspend forecasts in cesspool services and operational services. In terms of risks, the financial implications of ash die back had been included as a risk. There were no changes reported to the savings tracker.

In terms of the Capital budget, a full year underspend of £656k was forecast. This was principally as a result of slippage in parks, playgrounds and open spaces. It was expected that the recruitment of a project manager to deliver capital projects would accelerate the Capital spend.

**RESOLVED** – that the Committee's forecast Revenue and Capital budget positions as at Quarter 2/M6 (September) 2023/24 be noted.

## **157. ANY OTHER BUSINESS WHICH, IN THE OPINION OF THE CHAIR, SHOULD BE CONSIDERED AS A MATTER OF URGENCY**

The Chair considered it a matter of urgency to give a brief update on the progress of the work being undertaken in relation to responsible dog ownership. This included:

- the reviewing and refreshing of the Dog Walking Licencing process to encourage residents to use licenced dog walkers that met certain experience, training levels and dog walking practices.
- working alongside the Council's animal warden and dog charities to develop a communications campaign to promote responsible dog ownership.
- improving signage on Council land to encourage responsible ownership.

The Committee would be kept updated as the work progressed.

In response to Committee questions, the Chair confirmed:

- additional licenced, professional dog walkers would be consulted.
- dogs would continue to be allowed off their leads on Council land.
- any rating would be attached to the individual professional dog walker, not the dog walking company.

Rising 8.13 pm

## TANDRIDGE DISTRICT COUNCIL

### PLANNING POLICY 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 16 November 2023 at 7:30pm.

**PRESENT:** Councillors Sayer (Chair), Chris Farr (Vice-Chair), Blackwell, Booth, Botten, Sue Farr, Gray (Substitute) (In place of Robinson), Moore, Prew and Steeds

**ALSO PRESENT:** Councillors Crane, Gillman and Nicholas White

**APOLOGIES FOR ABSENCE:** Councillors Alun Jones and Robinson

#### **158. MINUTES OF THE MEETING HELD ON THE 21ST SEPTEMBER 2023**

These minutes were confirmed and signed as a correct record.

#### **159. UPDATE ON BIODIVERSITY AND NATURE RECOVERY IN TANDRIDGE**

Since the Committee's meeting on 21<sup>st</sup> September 2023, the Government had announced a revised timetable for the introduction of mandatory Biodiversity Net Gain (mBNG) as follows:

- Regulations / Guidance by the end of November (still awaited at the time of the meeting)
- January 2024 for major development
- April 2024 for small sites
- 2025 for Nationally Significant Infrastructure Projects

A report was considered which updated the Committee about mBNG work being undertaken by officers, including a corporate implementation plan to ensure compliance. The report commented on the merits of:

- undertaking a habitat bank feasibility study on Council owned land
- establishing an evidence base of current baseline habitats to:
  - help enforce the anti-degradation provisions of the Environment Act 2021, which enabled the biodiversity value of application sites to be backdated to January 2020 (a mapping project facilitated by volunteers from Parish Councils was proposed)
  - support potential policies requiring BNG levels in excess of the mandatory 10%.

The report advised that consultants had been engaged to help address the viability of a 10%+ BNG requirement on sites throughout the District. Reference was made to research which confirmed that at least two Local Planning Authorities had already adopted provisions with a 20% requirement with ten others intending to do likewise, and a further LPA seeking 30%. This was in the context of a previous Government BNG consultation paper which stated that:

*“We maintain the view that 10% strikes the right balance between the Government’s ambition for development and the pressing need to reverse environmental decline. The 10% will be a mandatory requirement but should not be viewed as a cap on the aspirations of developers that want to voluntarily go further or do so in the course of designing proposals to meet other local planning policies ... ‘It remains the Government’s intention to continue to allow higher percentage targets to be set by planning authorities at a local or site level. Any higher target should be made clear at an early stage ... and careful consideration should be given to the feasibility and achievability of any requirements above 10%, which can have significant impacts on the costs of developing a site.’”*

Given the absence of government guidelines, it had not been possible to model likely staff cost charging schedules for BNG related work. It was confirmed that the anticipated guidelines would help inform the 10%+ BNG costings to be presented to a future meeting. Such costings would include the estimated expenditure required for periodic monitoring of development sites as well as that needed for the initial one-off implementation of mBNG. Other matters discussed during the debate included:

- the merits of liaising with the other three East Surrey Districts / Boroughs regarding a potential strategic partnership approach to mBNG
- confirmation that the protections afforded to Ancient Woodland and Sites of Special Scientific Interest (SSSI) would continue to apply
- Surrey County Council, supported by TDC, was in the process of developing a Local Nature Recovery Network (as mandated by the Environment Act) which sought to join up SSSIs and land in between with a view to accommodating ‘biodiversity offsetting sites’.

The Committee also wished to record its appreciation of the recruitment of a Principal Ecologist (Tim Elton).

**RESOLVED** – that:

- A. a further update report on the preparedness of the Local Planning Authority to deal with the introduction of mBNG be brought back to this Committee on 18<sup>th</sup> January 2024;
- B. the Chief Planning Officer also be requested to bring a report back to this Committee on 18<sup>th</sup> January 2024 setting out recommendations on whether or not the Council should seek to exceed the 10% mBNG requirement in Tandridge; and
- C. the feasibility, timing and cost of undertaking a District wide baseline habitat assessment and habitat bank study be investigated and a further report brought back to the Committee on 21<sup>st</sup> March 2024.

## **160. LEVELLING UP AND REGENERATION ACT 2023 / LOCAL PLAN UPDATE**

A report was presented which updated the Committee on the latest situation regarding the ‘emerging Local Plan’ (following Full Council’s decision to request a report from the Inspector with his conclusion about why that Plan is unsound and not adopted) and the implications of the Levelling Up and Regeneration Act (LURA).



Receipt of the Inspector's report was likely to be in early 2024 given his known commitments. In the meantime, the Planning Policy team would undertake work to inform any final decision on the 'emerging Local Plan' and potential next steps, including the implications of LURA.

In light of the Inspector's findings, while the 'emerging Local Plan' was still technically under examination, no weight could be given to its policies. The adopted policies therefore remained, *"the Tandridge District Council Core Strategy 2008, the Tandridge Local Plan Part 2: Detailed Policies 2014-2029; the Caterham, Chaldon & Whyteleafe Neighbourhood Plan; the Limpsfield Neighbourhood Plan; and the Woldingham Neighbourhood Plan"*. However, the evidence base studies published as part of the 'emerging Local Plan' are still capable of being a material consideration for planning applications until such time as they are withdrawn.

As far as the LURA was concerned, the report outlined the various key changes to the planning system involving planning policy processes; development management; enforcement and other provisions. However, operational arrangements for implementing the Act remained unknown, pending the introduction of secondary legislation for which there was no timeframe at present. The Government's timeline for revising the National Planning Policy Framework was also uncertain.

**RESOLVED** – that the report be noted.

## **161. A22 AND A264 CORRIDOR FEASIBILITY STUDY**

Surrey County Council (SCC) and West Sussex County Council had started a two-stage study of the A22/A264 corridor to inform measures to improve transport related issues for the A22 (between Junction 6 of the M25 and Ashurstwood) and the A264 (between Junction 10 of the M23 and Felbridge). It would focus on movements throughout the corridor and interconnecting junctions and was currently progressing through stage 1 (to identify a 'long list' of potential measures via initial stakeholder engagement) with stage 2 (feasibility designs for shortlisted options and development of an outline business case) to take place throughout 2024.

The Council had been engaging in the study, further details of which were presented to the Committee by way of a TDC officer report and SCC's project brief. The report confirmed that the project would be used to support future funding applications by the two Highway Authorities to deliver improvement schemes. The study sought to address various transportation problems associated with the corridor (i.e. high car dependence, traffic congestion and rat running; long bus journey times; low public transport usage; pressure from Mid Sussex and Tandridge housing developments; road traffic collisions, limited space for highway improvements; and environmental constraints).

The report explained the new approach to both Highway Authorities' latest transport plans to reduce traffic emissions. This would be reflected in the need for more sustainable measures, including those to enable greater use of public transport. The report also outlined Surrey County Council's proposed funding strategy and the implications of the study for future planning applications in the vicinity of the corridor (i.e. the need to mitigate against any adverse transport impacts arising from proposed developments).

Officers clarified that the northern stretch of the A22 (to Whyteleafe) would have to be the subject of a separate assessment which they would press SCC Highways to undertake. This followed a late change to the agreed study area which included the stretch to Whyteleafe, something which Members considered warranted an explanation from SCC.

Members also expressed concerns about apparent inconsistencies, inaccuracies and unawareness of key issues within the project brief. The Chair requested that these be conveyed to her via email within the next seven days for her to consolidate in representations to SCC's Cabinet Member for Highways, Transport and Economic Growth. The Chair's representations, besides seeking an explanation for the change in the study area, would seek assurances that the flawed aspects of the brief would be acknowledged by those responsible for delivering the project and that the identification of improvement measures would be based on accurate and relevant information.

***R E S O L V E D*** – that the report be noted.

## **162. GATWICK AIRPORT - DEVELOPMENT CONSENT ORDER (VERBAL UPDATE)**

The Chief Planning Officer confirmed that:

- 'Relevant Representations' and 'Principal Areas of Disagreement Summary Statements' had been submitted to the Planning Inspectorate (PINS)
- PINS had closed the Relevant Representations submission portal one day too early and, to rectify the error, the portal had been reopened until 19th November which would lengthen the timetable for the overall programme
- the Joint Local Authority Consortium had met with Gatwick Airport Limited (GAL) and clarified its 'next steps' to which TDC would be required to contribute, including the preparation of a Local Impact Report, Written Representations, Statement of Common Ground and Section 106 negotiations
- Officers had contributed to GAL's consolidated issues tracker
- technical advice from Ekosgen regarding noise and air quality impacts would help inform the Council's representations.

A considerable amount of work regarding GAL's DCO application would need to be undertaken during the next few months. It was confirmed that Ekosgen's report would be circulated to Members following an officer review.

## **163. CIL WORKING GROUP - 26TH OCTOBER 2023**

The Committee considered recommended CIL allocations to seven projects arising from the Working Group's meeting on 26th October 2023.

A concern was expressed that a disproportionate amount of CIL funding had been channelled to the north of the District during the previous two years. In response, Members who participated on 26th October believed that the assessment process had been fair and robust and that the Working Group could only be expected to deal with the applications before it (no substantive bids for projects in the south had come forward). It was also confirmed that CIL income would continue to accumulate for future grant allocations, meaning that the potential remained for new projects to be supported in the near future.

***R E S O L V E D*** – that the minutes of the CIL Working Group's meeting on the 26<sup>th</sup> October 2023, attached at Appendix A, be received and the recommended CIL allocations in item 3 be approved.

## 164. QUARTER 2 2023/24 KEY PERFORMANCE INDICATORS - PLANNING POLICY COMMITTEE

Information was presented about:

- key planning performance indicators for development management services for the second quarter of 2023/24 (1st July to 30th September 2023) as submitted to the Department for Levelling Up, Housing and Communities
- the Committee's risk register
- efforts to reduce the backlog of planning applications.

The analysis confirmed that steady progress was being made, although the need to reduce reliance on "extension of time" agreements was recognised. It was also confirmed that efforts were being made to recruit new, permanent enforcement staff to fill current vacancies.

The importance of providing sound pre-application advice was discussed. In that respect, the Interim Head of Development Management agreed to discuss a specific case with Councillor Gray after the meeting.

**RESOLVED** – that the Quarter 2 (2023/24) performance indicators and risks for the Planning Policy Committee be noted.

## 165. QUARTER 2 2023/24 BUDGET MONITORING - PLANNING POLICY COMMITTEE

An analysis of expenditure against the Committee's £1,338K revenue budget for 2023/24, as at the end of September 2023 (Month 6) was presented. A £4197K revenue overspend was forecast, mainly due to contract staff being retained for longer than originally anticipated; and costs associated with planning appeals and the Gatwick DCO process. Regarding the Committee's capital programme (entirely funded by Community Infrastructure Levy income) expenditure of £0.1m was forecast, with slippage of £0.4m. The Chief Finance Officer presented the analysis in the context of the Council-wide budget position to be reported to the Strategy & Resources Committee on the 30<sup>th</sup> November 2023.

The Chair considered that the projected overspend reflected the inadequacy of the Committee's revenue budget, which needed a re-set for 2024/25. The Chief Finance Officer supported this view and confirmed that proposals to set a more realistic Planning Policy budget would be presented during the next cycle of meetings.

**RESOLVED** – that the Committee's forecast revenue and capital budget positions as at Quarter 2 / M6 (September) 2023/24 be noted.

Rising 8.50 pm

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**TANDRIDGE DISTRICT COUNCIL**

**CIL WORKING GROUP**

Minutes of the meeting of the Working Group held in the Council Chamber, Council Offices, Station Road East, Oxted on the 26<sup>th</sup> October 2023 at 2.00pm.

**PRESENT:** Councillors Blackwell, Bloore, Botten, C.Farr, Gaffney, Langton, Moore, Prew and Smith (via Zoom).

**1. ELECTION OF CHAIR FOR THE REMAINDER OF 2023/24**

Councillor Langton was elected Chair of the Working Group for the remainder of the 2023/24 municipal year.

**2. DECLARATIONS OF INTEREST**

In respect of Item 3 below:

Councillor Gaffney advised that she had been asked to support the Station Avenue, Caterham project in her capacity as a local councillor. This was before the CIL bid materialised, which she would consider afresh during the meeting and participate in any vote.

Councillor Moore advised that she had not been involved in the project to upgrade the Felbridge village playground project (which was in her Ward) and felt able to be objective in considering the CIL bid.

Councillor Langton advised that he was part of the Hurst Green Community Centre renovation project group and had assisted with the Association's CIL bid. Therefore, he would not participate in any vote on the application but would remain in the Chamber to assist with any discussion about the project.

### 3. APPLICATIONS FOR CIL FUNDS – NOVEMBER 2023

The Group had been provided with written copies of the completed application forms and officer assessments in respect of seven CIL applications, i.e.:

Project (in order of original officer ranking)	CIL requested
<b>Tandridge District Council</b> (public realm enhancements along <b>Station Avenue, Caterham</b> aimed at attracting new businesses and boosting economic growth / employment opportunities)	£1,236,500
<b>Tandridge District Council</b> (flood alleviation and enhancements of the open space and public amenities in <b>Queens Park, Caterham</b> )	£1,394,000
<b>Hurst Green Community Association</b> (design for the renovation / extension of the <b>Hurst Green Community Centre</b> )	£120,000
<b>St Mary's School, Oxted</b> (upgrading the <b>community swimming pool</b> )	£150,000
<b>Lingfield Sports Association</b> (installation of a drainage system to enable use of the <b>Godstone Road playing field</b> throughout the year)	£211,562
<b>Oxted Business Improvement District, Love Oxted</b> (delivery of a <b>wayfinding strategy</b> )	£78,728
<b>Felbridge Parish Council</b> (upgrading the <b>village playground</b> with new surfacing and equipment)	£71,600
<b>Total CIL requested</b>	<b>£3,262,390</b>

Officers advised that the current balance of available CIL funds (c.£2,500,000) was projected to increase during the remainder of the current financial year to a level which, coupled with underspends against previous CIL awards, would be sufficient to fund the above applications in full. The Chair asked Officers to prepare a cash flow forecast after the meeting to demonstrate this. Notwithstanding the funding position, Members favoured a prudent approach given the potential for subsequent high priority bids to emerge. The Group agreed that each application should be carefully considered on its merits and not necessarily supported in full on affordability grounds alone.

Representatives of each organisation gave presentations about their bids and responded to Members' questions.

Following the presentations, the Group discussed the merits of the bids and whether they should be supported in full, in part, or not at all. The key points to emerge were:

#### Station Avenue, Caterham - public realm enhancements

The Group acknowledged that the flood alleviation impact of permeable paving and hydrorock would be limited, but that economic regeneration was the main driver. Some concerns were raised that new investment could be vulnerable to flood damage.

The extent to which the community had been consulted about the project was discussed. The Caterham BID representative explained that engagement to date had been restricted to local businesses who fully supported the proposed works. A more widespread community consultation would be undertaken once architectural designs were available.

The extent to which other Caterham projects had received (or would be receiving) CIL funding was also taken into account, notwithstanding the extent of relatively recent new housing development in the area.

On balance, a 75% award was recommended.

#### Queens Park, Caterham – flood alleviation and open space / public amenity enhancements

Adjustments to the proposed flood alleviation measures in light of public consultation feedback were explained. Members were also advised about the rationale for undertaking such measures alongside the amenity enhancements.

While the flood alleviation scheme would be crucial in helping to reduce the impact of flooding throughout the Caterham Hill area, it would not have any significant bearing on the Valley given that floodwater on the Hill drained northwards towards Old Coulsdon.

Members were keen for enhanced WC facilities to be provided as part of the public amenity enhancements, either via the CIL award or other complementary funding streams. The widening of paths throughout the park (for disabled access purposes) was also identified as a priority. Subject to those provisions, the Group recommended that the bid be approved in full.

Hurst Green Community Association – design aspect of the Community Centre renovation project

The design element (for which CIL funding was being sought) represented 10% of the total estimated £1.2 million project cost. This would enable HGCA to submit a grant application to Your Fund Surrey (Surrey County Council). The YFS team had recently agreed to base its funding decision upon a Quantity Surveyor's cost estimate / RIBA stage 3, which meant that only a proportion of the £120,000 design cost would be required for now, pending completion of the full (RIBA stage 4) design work at a later stage.

Members considered that, subject to the YFS bid being successful, the CIL application be supported in full, with the £120,000 being released in two equal instalments.

St Mary's School, Oxted - upgrading the community swimming pool

The Group considered that community use of the pool was key to the question of CIL funding. In that respect, the extent to which the project could impact upon Freedom Leisure's customer base was discussed. A 66% CIL allocation was recommended, subject to conditions about the need for support from Your Fund Surrey and the school reporting on the extent of community use of the new pool.

Lingfield Sports Association - installation of a drainage system for the Godstone Road playing field

The much-needed drainage system would enable adult (men's) football to return to the playing field, together with the potential to host women's football and other sports throughout the year. The current drainage problems amounted to severe waterlogging of the playing surfaces (which did not impact upon neighbouring land) as opposed to flooding.

An effective drainage system was an essential prerequisite to improving the clubhouse (phase 2 of the Association's development plan).

The Group recommended that the bid be approved in full.

Oxted Business Improvement District, Love Oxted - delivery of a wayfinding strategy

The Oxted BID representatives explained the objectives of the project, namely new signage to make the town more welcoming and easier to navigate and to help overcome the Station Road East and West disconnect caused by the railway line. The Group recognised the potential benefits of the project but considered that greater contributions should also be sought from other sources, besides TDC and the BID. A 50% CIL allocation was recommended.

Felbridge Parish Council - upgrading the village playground

The Group recommended that the bid be approved in full.



The following general matters regarding the CIL allocation process were also discussed:

- justification for utilising CIL funds to augment the Council's capital programme;
- the rationale for supporting projects in areas with high levels of new housing development;
- a suggestion that analysis be produced to map CIL funded projects throughout the District, coupled with information about the location of recent housing growth;
- a suggestion that electronic copies of all supporting documents accompanying CIL applications be stored in a single location for Members to access; and
- the need for active engagement from the Surrey County Council's Flood Risk Management Team to help monitor the impact of flood alleviation works.

**RECOMMENDED** – that the following CIL allocations be ratified by the Planning Policy Committee:

Project	CIL allocation
<p><b>Felbridge Parish Council</b> (upgrading the <b>village playground</b> with new surfacing and equipment).</p> <p>Total CIL applied for: £71,600</p>	<p>£71,600</p>
<p><b>Hurst Green Community Association</b> (design for the renovation / extension of the <b>Hurst Green Community Centre</b>)</p> <p>Total CIL applied for: £120,000</p>	<p>£120,000 to be released in two phases, i.e.:</p> <ul style="list-style-type: none"> <li>• £60,000 to be paid forthwith; and</li> <li>• the remaining £60,000 to be paid following confirmation that HGCA's associated grant application to Your Fund Surrey has been approved.</li> </ul>
<p><b>Lingfield Sports Association</b> (installation of a drainage system to enable use of the <b>Godstone Road playing field</b> throughout the year)</p> <p>Total CIL applied for: £211,562</p>	<p>£211,562</p>
<p><b>Oxted Business Improvement District, Love Oxted</b> (delivery of a <b>wayfinding strategy</b>)</p> <p>Total CIL applied for: £78,728</p>	<p>£39,364 (50%)</p>

Project	CIL allocation
<p><b>Tandridge District Council</b> (flood alleviation and enhancements of the open space and public amenities in <b>Queens Park, Caterham</b>)</p> <p>Total CIL applied for: £1,394,000</p>	<p>£1,394,000 (subject to confirmation that:</p> <ul style="list-style-type: none"> <li>• enhanced WC facilities will be provided, either via the CIL award or other complementary funding streams; and</li> <li>• pathways throughout the park will be widened for disabled access purposes).</li> </ul>
<p><b>Tandridge District Council</b> (public realm enhancements along <b>Station Avenue, Caterham</b> aimed at attracting new businesses and boosting economic growth / employment opportunities)</p> <p>Total CIL applied for: £1,236,500</p>	<p>£927,375 (75%)</p>
<p><b>St Mary's School, Oxted</b> (upgrading the <b>community swimming pool</b>)</p> <p>Total CIL applied for: £150,000</p>	<p>£100,000 (66%) (subject to:</p> <ul style="list-style-type: none"> <li>• complementary funding from Your Fund Surrey being forthcoming; and</li> <li>• the school providing subsequent reports to the Council demonstrating the extent of community use.</li> </ul>

The meeting closed at 7.00 pm.

**TANDRIDGE DISTRICT COUNCIL****HOUSING COMMITTEE**

Minutes and report to Council of the meeting of the Committee held in the Council Chamber - Council Offices on the 23 November 2023 at 7:30pm.

**PRESENT:** Councillors Damesick (Vice-Chair), Evans, Chris Farr, Gaffney, Groves, Hammond, O'Riordan, Pursehouse (Chair) and Shiner

**ALSO PRESENT:** Councillors Sue Farr, Alun Jones and Windsor

**APOLOGIES FOR ABSENCE:** Councillors O'Driscoll and Robinson

**166. MINUTES OF THE MEETING HELD ON THE 14 SEPTEMBER 2023**

The minutes were confirmed and signed as a correct record.

**167. COUNCIL HOUSE BUILDING PROGRAMME – WOLFS WOOD – BUDGET**

The Committee considered a report for a revised budget for the Wolfs Wood Scheme of the Council House Building Programme.

The original budget was approved by the Committee in March 2021. However lack of resources in the housing development and planning teams, as well as the liquidation of two of the Council's existing building contractors had delayed the programme and increased costs. Planning approval for the scheme was granted in June 2023 and the main construction contract had been put to tender.

The economic impacts of global events had pushed up construction costs. Officers had considered going back to the market, but as it remained unreliable, there was no guarantee of an improved position. The project was still expected to perform with the increased budget.

The possibility of charging social rents, as opposed to affordable rents was now less likely, even with a grant from Homes England, due to increased costs.

The successful contractor was expected to undertake a value engineering exercise and identify savings through the detailed design process. This could result in a reduction against the submitted tender price. A fixed price contract meant the price would not increase.

In response to Member questions, Officers explained that:

- The necessary surveys to inform the tender had been completed. The tenders received reflected recent global events and were therefore relied upon as much as Officers could.
- The approach to this scheme had been adapted to build in larger contingencies.

**RESOLVED** – a revised budget of £4.4m for the redevelopment of Wolfs Wood in Hurst Green, be approved.

## 168. COUNCIL HOUSE BUILDING PROGRAMME – NEW SCHEME - NOVEMBER 2023

A report was submitted asking Members to approve an initial budget of £50k to enable officers to prepare detailed proposals for a mix of 1, 2 and 3-bedroom houses and flats for affordable rent and seek pre-planning advice for Kentwyns Rise, South Nutfield.

Kentwyns Rise was a former sheltered housing scheme comprising of 31 dwellings. The properties required significant improvements and had been identified by community surveyors as nearing the end of their useful life.

The potential for re-modelling the existing dwellings had been ruled out as being too costly and the design would be restricted by the building's current envelope.

Replacing the properties with modern, well insulated buildings was identified as a better and more cost-effective approach for the Council, and allowed for the provision of much needed family sized accommodation. Feasibility studies indicated that 23 new dwellings could be accommodated on the land with a significant increase in the number of bed spaces.

Residents of Kentwyns Rise had been made aware of the plans, had met with Housing Development Managers and, subject to approval, would be formally consulted under s.105 of the Housing Act. Residents would become eligible for re-housing in priority Band A and receive the associated statutory home loss payment when they moved.

The decant of existing residents was estimated to take around two years. Due to the timescales existing residents could not be given the option to return to the new development.

In response to Member questions Officers explained that there would be a roughly even split between 2 and 3 bedroom properties with only a small number of 1 bedroom properties being provided. Officers also confirmed that the properties would all be for rent.

Officers had amended recommendation A to specify the required budget for the preparation of redevelopment proposals.

### **RESOLVED** – that:

- A) Officers prepare detailed proposals for the redevelopment of Kentwyns Rise, South Nutfield for a mix of 1,2 and 3-bedroom houses and flats for affordable rent and seek pre-planning advice to develop the site, with a budget of £50k;
- B) approval be given to proceed with the appointment of an architect, Employer's Agent and other specialist consultants and surveyors to act for, or advise the Council and the commissioning of necessary reports all subject to the Council's Standing Orders and Financial Regulations.
- C) work begin to rehouse residents displaced by the redevelopment and commence this following the Committee's decision, including the payment of compensation where eligible;
- D) appropriate notices to be served on tenants at the earliest opportunity to preclude the possibility of the Right to Buy; and

- E) authority be given for Officers to commence the process of appropriating the land from housing to planning purposes in accordance with Section 122 (1) of the Local Government Act 1972.

## 169. STAFFORD ROAD – CAR PARK

The Committee received a report on the potential development of a car park to the rear of block 224-270 Stafford Road, Caterham. Concerns had been raised by residents regarding the number of vehicles parked on the highway in front of 224-270 Stafford Road and the impact of this on road users.

Discussions had been held with Surrey County Council about reduced speed limits, traffic calming measures and allocated parking spaces, but had not provided a solution to resident concerns. A feasibility study had been undertaken to determine whether parking could be provided at the rear of the properties and how passing places could be provided on the highway.

The report anticipated a budget of £350k for the scheme, with a £50k contingency to provide a maximum of 15 parking bays. This budget would be achieved through increased borrowing from the Housing Revenue Account Capital Programme. The costs were subject to a formal procurement process.

Members debated the proposal and made the following points:

- Consideration should be given to asking Surrey County Council to do a full highway assessment. There was a lack of confidence that the space that would be freed up would result in an equivalent reduction in the number of parked cars. The County's solution to highway safety issues would likely lead to a loss of parking spaces.
- Consideration should be given to submitting a Community Infrastructure Levy (CIL) bid to fund the car park. The feasibility of this would need to be considered by Officers.
- Concerns from residents about anti-social behaviour, security of the potential car park and paying for its use.
- Issues around the use of the car park during the winter months due to snow and ice and the steep gradient of the access road.

Officers explained that:

- Members would need to consider the use of a compulsory purchase order if the gardens of the properties could not be obtained on a voluntary basis from the residents.
- The proposed budget could be alternatively used as part of the Council House Building Programme, the maintenance of the existing housing stock and working towards meeting net zero targets. It was estimated the annual repayment for the loan would be in the region of £22k.
- Additional security measures, for example, barriers or CCTV, would be needed as part of the development
- Parking charges currently existed at some, but not all, Council development schemes. Officers would be looking into parking more widely across the Council's housing stock.

- If the car park was developed, Surrey County Council have indicated they would use the spare space to develop passing places on the highway.

Upon being put to the vote, recommendation A was not agreed.

Councillor Gaffney proposed the following additional recommendation and Councillor Evans seconded.

*'Officers review opportunities for a car club scheme on Stafford Road garages, and return to the relevant committee with a report.'*

This was agreed.

**RESOLVED** – that

- A) Members decline the proposals to develop a car park at Stafford Road and the associated budget for the work and, Officers to revert back to Surrey County Council regarding alternative options for traffic and parking measures on the highway.
- B) Officers review opportunities for a car club scheme on Stafford Road garages, and return to the relevant Committee with a report.

## **170. QUARTER 2 2023/24 KEY PERFORMANCE INDICATORS - HOUSING COMMITTEE**

The Committee received a report outlining the Quarter 2 2023/24 performance against Key Performance Indicators (KPIs). Two of the KPIs had not been met; number of households living in temporary accommodation, and number of people in 'urgent need' on the Housing Register. Appendix A to the report provided explanation as to why.

The Committee also received the Housing Risk Register at appendix B to the report which included the mitigating actions taken against the identified risks and risks that had been closed.

The Quarter 2 position with regard to the Council House Building Programme was outlined in appendix C to the report.

Officers provided the following information in response to Member questions on the two KPIs that had not been met:

- These were not met as a result of a lack of supply of affordable housing. A number of new builds would be completed as part of the Council House Building Programme in 2023/24 and in early 2024/25, and these would help improve the position.
- The reasons for the increase in the number of households in temporary accommodation was due to the cost of living, increasing private rents and a lack of private accommodation that was affordable.

As the Council did not have control over these aspects, Officers confirmed they'd be reviewing whether they should be measured as KPIs or whether they should be reported to Members for monitoring purposes only. Officers would work with Members and report back to the Committee.

**RESOLVED** – that the Quarter 2 2023/24 performance and risks for the Housing Committee be noted.

## 171. QUARTER 2 2023/24 BUDGET MONITORING - HOUSING COMMITTEE

The Committee received a report outlining the financial position of the Revenue and Capital budgets for the Committee, including the Housing Revenue Account (HRA), as of Quarter 2 2023/24.

The report set out an outturn variance of £24k for the Housing General Fund. This was an increase of £9k on Quarter 1, mainly due to additional work through the Home Improvement Agency contract. There was no change to the savings since Quarter 1, with £60k of £150k of savings having been delivered.

In the HRA, a forecast overspend of £97k was reported. This was an increase of £37k on Quarter 1, mainly due to additional salary costs and service costs, including an increase in cost of void properties for Council Tax and a new fraud contract with Reigate and Banstead Borough Council. An overspend of £60k due to a software upgrade had been reported at Quarter 1.

The Housing General Fund Capital Budget related to Disability Facilities Grants. The total capital requirement for 2023/24 had been re-set at £503k in Quarter 1, with £139k to be carried forward into 2024/25. At Quarter 2, the forecast spend was £420k, with slippage of £83k to be reprofiled into 2024/25.

The total capital requirement for the HRA Capital Programme had re-set at £16,133k in Quarter 1, with £3,862k to be carried forward into 2024/25. At Quarter 2, the total Capital Forecast was £16,031, with a slippage variance of £102k.

In response to a Member question, Officers confirmed that the Orchard upgrades were nearing completion and would allow Officers to better manage the system, the budget, forecast spend and the cyclical and planned maintenance programmes.

**RESOLVED** – that the that the Committee's forecast Revenue and Capital budget positions as at Quarter 2 / M6 (September) 2023/24 be noted.

## 172. COUNCIL HOUSE BUILDING PROGRAMME – PROPOSED LAND ACQUISITION

The Committee resolved to move into private session for this item in accordance with paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part 1 of Schedule 12A of the Act, and because the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

A report seeking approval for a budget of £45k and approval to proceed with the process of appropriating the land in question was presented. The budget would allow Officers to prepare proposals for and seek pre-planning application advice for the development of affordable housing on the land, following acquisition.

**RESOLVED** – that:

- A) a budget of £45,000 be approved to allow Officers to prepare proposals for and seek pre-application planning advice for the development of the land for up to 13 one and two-bedroom flats.

- B) the appropriation of the land for planning purposes in accordance with Section 122 (1) of the Local Government Act 1972, be approved.

Rising 8.57 pm



## TANDRIDGE DISTRICT COUNCIL

### AUDIT & SCRUTINY COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber - Council Offices on the 28 November 2023 at 7:30pm.

**PRESENT:** Councillors Booth (Chair), Allen (Vice-Chair), Cooper, Sue Farr, Anna Jones, Patel, Sharp, Colin White and Nicholas White

**ALSO PRESENT (Virtually):** Councillors Damesick and Smith

**APOLOGIES FOR ABSENCE:** Councillors Chotai and North

#### 173. MINUTES OF THE MEETING HELD ON 26TH SEPTEMBER 2023

The minutes were confirmed and signed as a correct record.

#### 174. EXTERNAL AUDIT UPDATE

The Committee received a report relating to the progress of the external audit of the 2021/22 statement of accounts and agreeing of audit fees.

In respect of the audit of the 2021/22 statement of accounts, Members were informed that:

- All areas of the audit had commenced, with 76% of the initial field work completed. Overall 60% of the audit had been fully completed.
- Progress since the last committee had been slower than anticipated. However, resources had been booked to work on the audit and it was being prioritised.
- The draft report included a number of control recommendations for consideration by the Committee.
- Management had corrected misstatements totalling £271k. A further £63k of uncorrected misstatements remained. It was noted that these numbers may alter once all testing had been completed.

In respect of the contested audit fees, Members were informed that both the Council and Deloitte had submitted evidence in respect of the fees incurred to Public Sector Audit Appointments (PSAA) and a decision from them was expected in due course.

In response to Member questions, the following points were clarified:

- PSAA had stated that they wanted to resolve the fee dispute swiftly. However, Officers stressed that they wanted to ensure the correct outcome was reached in the dispute and did not want to compromise the Council's financial position in favour of a prompt resolution.
- Values referred to in the audit report needed to reflect the balance sheet date of March 2022. All valuation and testing was completed at that point of time in order to show a correct value for that year's audit.
- Property valuations were a significant risk for most Local Authorities. Testing was currently in progress and all outstanding information had now been received and was being worked on by Deloitte.
- There was a process in place for producing robust working papers for audit. However, there was a workload and prioritisation issue which restricted how this could be

implemented to the satisfaction of the auditors. It was noted that 2022/23 will be the first audit year that the current financial team had been responsible for. It was therefore anticipated that the 2022/23 audit would be more straightforward.

- All misstatements would be contained in the final ISA260 for the Committee to consider.
- The register of interest processes run by both the Democratic Services and Finance Teams would be reviewed and a more coherent process to collate all of the required information would be introduced in the future. Deloitte had recommended that the Council review Member declarations of interest on a regular basis by way of an annual report to the Committee.
- It was confirmed that out of 486 public bodies, 10 were still completing the 2018/19 audit, 34 completing the 2019/20 audit, 106 completing the 2020/21 audit and 303 working through the 2021/22 audit. Of the Surrey authorities, it was confirmed that 33% were currently completing their 2019/20, 50% were completing their 2020/21 audit and 67% were completing their 2021/22 audit.
- The Council's new auditors, Grant Thornton, had proposed starting the 2023/24 audit in August or September 2024. This would be dependent on the current position of audits currently outstanding with Deloitte. Concerns were raised around the internal resourcing of multiple audits and the associated costs.

Councillor Allen proposed a motion to add the following further recommendation:

*That the Audit & Scrutiny Committee agrees to inspect the Council's register of interests on an annual basis.*

The motion was seconded by Councillor Cooper. Upon being put to the vote, the motion was carried.

In response to the statistics provided in respect of the level of backlog of Local Authority audits, Councillor Cooper proposed the following motion to add a further recommendation to the report:

*That the Council draft a letter of complaint to the Department of Levelling Up, Housing and Communities, regarding the current position of the external audit. Wording of the letter to be agreed by the Chair and Vice Chair in advance of circulation to the Audit & Scrutiny Committee.*

The motion was seconded by Councillor Sharp. Upon being put to the vote, the motion was carried.

**RESOLVED** – that:

- A) the Committee notes the 2021/22 external audit progress.
- B) the Committee notes the progress on addressing audit fee proposals.
- C) the Committee agrees to inspect the Council's register of interests on an annual basis.
- D) the Council draft a letter of complaint to the Department of Levelling Up, Housing and Communities, regarding the current position of the external audit. Wording of the letter to be agreed by the Chair and Vice Chair in advance of circulation to the Audit & Scrutiny Committee.

## **175. INTERNAL AUDIT PROGRESS REPORT - NOVEMBER 2023**

The Committee received a progress report from the Southern Internal Audit Partnership (SIAP), which included:

- An analysis of live audit reviews that still had management actions pending or overdue.

- A progress update against the 2022/23 and 2023/24 Internal Audit Plan.
- A summary of any adjustments to the Internal Audit Plan and any significant issues that would impact on the Chief Internal Auditor's annual opinion.

It was confirmed that Housing Voids had been removed from the current Internal Audit Plan due to a significant amount of officer time being spent reviewing the service and how it would be provided in the future. Consequently, an audit of the collection and distribution of Community Infrastructure Levy and Section 106 funds had replaced it in the Internal Audit Plan.

The Committee commented on the positive progress of the internal audit progress and the level of information contained in the report.

**RESOLVED** – that the Committee notes the Internal Audit Progress Report – October 2023

## 176. FRAUD UPDATE MID-YEAR 2023/24

The Section 151 Officer presented a report that set out recent activity undertaken in respect of strengthening the Council's fraud arrangements and the steps taken to prevent fraudulent activity at the Council. The report provided details of recent activity that had been confirmed as fraud or could have potentially become a fraudulent event. The report also provided details of a recent theft of laptops from the Council Offices.

Members were informed that a joint working agreement, developed between the Head of Housing and Reigate and Banstead Borough Council (RBBC), had been introduced and expanded to cover a number of service teams in the Council. The work undertaken by RBBC, alongside further internal anti-fraud measures, were improving the Council's ability to investigate fraudulent activity.

In response to Member questions, Officers confirmed that:

- Fraudulent activity varies year to year and the two significant cases of fraud that had recently occurred was not unexpected when compared with activity at other authorities.
- The Chair and Vice Chair of the Committee had also been informed of the theft of Council laptops as part of the initial internal response.
- The annual cost of the joint working agreement was included in existing budgets and provided good value for money for the Council. The cost paid for a set amount of RBBC Officer time and it was agreed in advance how this would be targeted. The current focus was to improve the Council's policies and officer training with a view to then develop the delivery of day to day anti-fraud measures.
- Further clarification would be sought on the cashable savings and notional savings set out in the extract from the Monthly Fraud Report.

**RESOLVED** – that the Committee note the Council's arrangements in respect of fraud, its efforts to improve the management and reporting of fraud, strengthen its anti-fraud arrangements and put in place robust and regular reporting.

## 177. FUTURE TANDRIDGE PROGRAMME UPDATE - NOVEMBER 2023

The Section 151 Officer presented a report focusing on the governance, risk and issue management of the Future Tandridge Programme.

Members were informed that:

- The Council was looking to recruit an Organisational Development Lead jointly with RBBC, although an appointment was not expected until March 2024. A business case was being developed for this recruitment and for the wider sharing of HR functions, which would come to Members for approval.
- A detailed project plan had been drafted in respect of the Council's new telephony implementation. It was expected that this would reduce the mitigation score for the Digital Transformation project.
- The risks relating to the procurement timetable for the grounds maintenance plan, had increased due to expected changes in the Council's procurement resource in early 2024. Procurement Officers were being jointly recruiting with RBBC which would mitigate the potential future risk to the Council.

In response to Member questions, it was confirmed that:

- Despite having secured resource to take forward the majority of the transformation plan, the Council did not want to reduce the mitigated risk score for the organisational development workstream until certain specific roles had been filled.
- The Council had strong governance in place in order to avoid unnecessary changes of scope to the Future Tandridge Programme. Any scope changes are deliberated by Management Team. It was noted that scope changes may be required in order to ensure that the FTP remained flexible.
- Council vacancies were advertised internally to provide the opportunity to recruit from within the organisation and potentially upskill existing employees.
- Any graduates or apprentices employed by the Council are managed through the Extended Management Team whilst the HR Organisational Development vacancy is out for recruitment.

**RESOLVED** – that the Committee:

- A) note the direction of travel for the FTP, the savings identified for delivery in 2023/24.
- B) note the approach to risk management being applied and the current programme level risks identified in Appendix D.

## 178. WHISTLEBLOWING POLICY REVIEW

The Head of Legal Services presented a report relating to a review of the Council's Whistleblowing Policy, which had last been reviewed in 2022. Key amendments to the policy included a wider definition of whistleblowing, further information on statutory protection, additional information on dealing with anonymous allegations and the inclusion of references to Freedom of Information requests.

In response to Member's questions, it was confirmed that section 6.5 of the policy, relating to the keeping an anonymous whistle-blower informed of progress and outcome of any investigation, would be reviewed and amended where necessary to take into account that their identity is unknown.

**RESOLVED** – that the Whistleblowing Policy, attached at Appendix A, be approved by the Committee and recommended for presentation to the Staff Forum and any subsequent amendments to be agreed by the Chair and Vice Chair of the Committee.

## 179. QUARTER 2 PERFORMANCE EXCEPTIONS

The Head of Policy and Communications presented a report that provided a performance and risk exception update for the Council's four policy committees. It was noted that overall performance had been good. Three red risks were noted on the Planning Policy Committee risk register, one red risk on the Housing Committee risk register and one on the Community Services risk register.

In response to Member questions, Officers confirmed that:

- Officers would look into the statistics on call abandonment to see if further clarification on how the timings are calculated. It was noted that KPIs would be reviewed with the introduction of the telephony system in 2024.
- The improvement on response to telephone calls had occurred due to a combination of factors including the Customer Service team having more staff, a slight drop in calls received and the time of year.
- Call response times may increase when the new telephony system is introduced as both staff and residents adapt to the new system. It was being explored as to whether additional resource would be required to negate this potential issue. Communications relating to the launch date of the new telephony system would be publicised so Members were aware in advance.
- The reporting of call handling would be developed and improved to provide year on year statistics.
- In respect of the number of working days lost to staff sickness, the figure was benchmarked against other Surrey authorities and the Council was broadly in line with the average figure across the county. It was noted that long term sickness was included in these data which significantly alters the final absence figure.

Members raised concerns relating to the Housing Committee KPIs that were off target. The KPIs related to the number of households living in temporary accommodation and the number of people in urgent need on the Housing Register. Officers informed the Committee that these points were discussed at Housing Committee and a significant number of factors outside of the Council's control contributed to the KPIs being off target. It was noted that the Housing Team was working hard to manage the situation and to bring in new council house accommodation and council housebuilding to help address the situation.

**RESOLVED** – that the Committee had reviewed and noted the policy committee's performance exceptions for Quarter 2 of 2022/2023 and the committee and corporate risks.

## 180. COMPLAINTS AND FREEDOM OF INFORMATION UPDATE

The Committee received a report which summarised the Council's complaints policy and presented breakdowns of the 29 Stage 1 complaints and 9 Stage 2 complaints received in the quarter from 1 July 2023 to 30 September 2023. Further to comments made at the previous meeting of the Committee, Members were provided with a breakdown of complaints on a ward-by-ward basis.

The report also provided a breakdown of the 210 Freedom of Information (FOI) requests received in the same quarter. The areas with the most requests were for Housing, ICT and Environmental Health.

In response to Member questions, Officers confirmed that any complainants who were not satisfied with the outcome from Stage 2 could take their complaint to the Local Government Ombudsman.

***RESOLVED*** – that the Committee accepted and noted the report.

## **181. INDEPENDENT PERSON APPOINTMENT - VERBAL UPDATE**

Members were informed that two applications had been received but it had not been possible to interview in November. Interview dates were currently being arranged with all relevant parties.

***RESOLVED*** – that the Committee noted the update received on the recruitment of an Independent Person to the Audit & Scrutiny Committee.

Rising 9.13 pm

## TANDRIDGE DISTRICT COUNCIL

### STRATEGY & RESOURCES COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber - Council Offices on the 30 November 2023 at 7:30pm.

**PRESENT:** Councillors Langton (Chair), Crane (Vice-Chair), Black, Botten, Cooper, Damesick, Gray, Groves (In place of Bloore), Hammond, Alun Jones, Pursehouse and Sayer

**ALSO PRESENT:** Councillors Evans, Chris Farr, Sue Farr, Gaffney and Nicholas White

**ALSO PRESENT (Virtually):** Councillor Bloore, Booth and Smith

#### **182. MINUTES OF THE MEETING HELD ON THE 28TH SEPTEMBER 2023**

These minutes were confirmed and signed as a correct record.

#### **183. CHIEF OFFICER SUB-COMMITTEE - 30TH NOVEMBER 2023 - DIRECTOR OF RESOURCES POST**

The Chair was pleased to confirm that, at the Sub-Committee's meeting earlier in the evening, Mark Hak-Sanders (currently the Chief Finance Officer) had been appointed to the new Director of Resources post as part of the senior management restructure. The appointment would become effective on the 1<sup>st</sup> December 2023.

#### **184. QUARTER 2 2023/24 BUDGET MONITORING - STRATEGY & RESOURCES COMMITTEE**

An analysis of forecast expenditure against the Council's overall revenue budget of £11,935K as at the end of September 2023 (Month 6) was presented.

A £361K revenue overspend was forecast, split between the policy committees as follows:

- Community Services: £59K underspend
- Housing (General Fund): £24K overspend
- Planning Policy: £419K overspend
- Strategy & Resources: £108K underspend
- Corporate Items: £85K overspend

While contingencies totalling £921K meant that a balanced outturn was still expected, the report emphasised the need for mitigating actions to continue, especially in light of unquantified risks such as the impact of financial pressures on existing suppliers.

The capital programme was forecasting £1,237K of net slippage, comprising £1,135K General Fund and CIL schemes and £102K Housing General Fund items.

In response to questions during the debate, the Chief Finance Officer clarified that:

- any proposals to reduce discretionary spend would be taken in consultation with Members; and
- managers sought to fill staff vacancies as quickly as possible and that 'vacancy factor targets' included in the budget did not require managers to delay recruitment.

**RESOLVED** – that the forecast revenue and capital budget positions as at Quarter 2 / M6 (September) 2023 be noted.

## **185. QUARTER 2 2023/24 KEY PERFORMANCE INDICATORS - STRATEGY & RESOURCES COMMITTEE**

An analysis of performance against the Committee's key indicators for the second quarter (July to September 2023) for 2023/24 was presented along with 'committee' and 'corporate' risk registers.

The Chief Executive confirmed that the Management Team was focused on ensuring that staffing resources were allocated appropriately to manage risks.

Particular attention was drawn to indicators SR5 and SR10:

SR5: The number of working days / shifts lost due to sickness absence (long and short-term) was off target by 1.14 days, although this was an improvement since the previous quarter and the overall trend was down (the target was 7.1 days). It was explained that the figures were impacted by a small number of long-term absences but that the situation was mitigated by a 'return to work' policy.

SR10: The percentage of calls answered within 60 seconds by Customer Services was off target by 31.84% at 48.16% (the target was 80%). This was an improvement on the previous quarter and more staff had been recruited to replace those who had moved to other teams, although time needed to train new staff impacted response rates. Data for average times taken to answer calls; average call handling times; and average time delays prior to calls being abandoned was also presented.

Discussion focused on the implementation of a new telephony system, now scheduled for late January 2024 which, it was hoped, would enable call handling performance to improve and better quality data to be extracted. The Committee was advised that:

- additional staffing resources would be deployed in Customer Services on a temporary basis to provide resilience during the implementation phase;
- Members (via the FTP Member Reference Group) would be briefed about when the new system is about to go live.



Action	Responsible Person	Deadline
Clarification of if / how interim staff are factored into the calculation of turnover statistics. (This question was raised during the debate).	Mark Hak-Sanders	22 <sup>nd</sup> January 2024

**RESOLVED** – that the Quarter 2 (2023/24) performance indicators and committee / corporate risks be noted.

## 186. 2024/25 DRAFT BUDGET AND FUTURE TANDRIDGE PROGRAMME UPDATE

A report was submitted which included:

- (i) progress against the 2024/25 budget preparation timetable, including a draft budget report and an updated medium-term financial strategy to 2026/27
- (ii) service review updates
- (iii) the outcome of the recent senior management restructure, including the creation of a Director of Resources post and a Transformation Programme Director post
- (iv) details of an emerging commercial strategy and the development of a commissioning and continuous improvement cycle
- (v) updates regarding the digital transformation and grounds maintenance workstreams
- (vi) reference to the initiation of a voids and housing repairs project
- (vii) presentation of the latest programme risk register.

Further discussion took place regarding the implementation of the new telephony system, including the reasons for the slippage from November 2023 to late January 2024 and the risks associated with the project.

It was confirmed that the 'chatbot' initiative was part of the more substantive digital transformation project to be implemented in June 2024. As far as that project was concerned, it was confirmed that:

- 'users' were being engaged to shape processes;
- a freeze in changes to in-house Salesforce applications had been imposed to provide capacity to deliver the project, although the Chief Finance Officer would consider (in consultation with the IT team and Extended Management Team) any requests from Members to make exceptions.

The Chief Finance Officer set out the key elements of the Draft Budget for 2024/25 and the Medium-Term Financial Strategy, drawing particular attention to the pressures, savings and funding on which the budget was based. Attention was also drawn to the principles on which the budget was developed, including the need to avoid the use of the General Fund reserve in all but the most exceptional of circumstances. The Chief Finance Officer also highlighted the likelihood of further developments prior to the finalisation of the budget, including the need to review the budget for Planning Policy Committee, and the potential for funding to change in the Local Government Finance Settlement, due from Government in December.

In response to comments on the draft 2024/25 budget, the Chief Finance Officer:

- acknowledged the possibility that a further New Homes Bonus allocation would be forthcoming from Central Government for 2024/25, if only as a final one-off provision
- explained the rationale for the estimated 'collectability level' of Council Tax
- referred to on-going dialogue with the County Council about the scope for a financial contribution towards TDC's heightened efforts to maximise Council Tax debt recovery.

A discussion also took place regarding the commentary on the work of the Housing Committee within the draft 2024/25 budget report. This debate reflected upon the Council's house building programme and the challenges associated with the scarcity of Council owned land to enable an on-going supply of affordable homes.

Action	Responsible Person	Deadline
Regarding the forthcoming implementation of the new telephony system: <ul style="list-style-type: none"> <li>• further information be provided to Members, including the associated risks and mitigation strategy</li> <li>• Members' views be sought about the proposed scope of an engagement session so that the itinerary can be tailored accordingly.</li> </ul>	Mark Hak-Sanders	31 <sup>st</sup> December 2023

**RESOLVED** – that:

in respect of the draft budget:

- A. the draft budget for 2024/25 and medium-term financial strategy to 2026/27 (to form the basis of reports to each Policy Committee in January 2024) be noted:
- B. the following elements be approved to form the basis of the budgets to be finalised during the January 2024 committee cycle:
  - the budget pressures (set out in section 6 and Appendix B of the report)
  - the overall savings plan (set out in section 7 and Appendix B of the report) noting that further consideration may be required pending the Local Government Finance Settlement or if any further budget pressures emerge

- C. the gross Council Tax Base for 2024/25 be approved, determined at 39,603.3 after taking account of the Council's agreed Council Tax Support Scheme, and the net Council Tax Base for 2024/25 be determined at 39,128.0 after adjustment by 1.2% to allow for irrecoverable amounts, appeals and property base changes.

in respect of the wider Future Tandridge Programme:

D. progress to date be noted on:

- developing a commercial strategy and activities to support commercial opportunities
- developing an approach to commissioning and continuous improvement
- delivering the Future Tandridge Programme, the direction of travel for the service reviews and associated savings targets for 2023/24 included in Appendix C and section 4 of the report.

## **187. EMERGENCY PLANNING AND BUSINESS CONTINUITY – THE COUNCIL'S PLANS AND RESPONSE ARRANGEMENTS**

In accordance with a recommendation arising from an internal audit in 2022, a report was presented to inform Members about the Council's preparedness to respond to an emergency in accordance with statutory requirements. The report outlined:

- the provisions of the Civil Contingencies Act 2004 which classified the Council as a 'Category 1 responder' with the full range of civil protection duties, including the preparation of emergency / business continuity plans and collaboration with other local responders, businesses and voluntary organisations
- the role of the Surrey Local Resilience Forum (SLRF) of which the Council was a member
- the Extended Management Team duty rota and training arrangements to enable strategic and tactical level responses to major and other incidents, including 24/7 access to senior officers and activating / staffing a District Emergency Centre for duration of an incident
- the main risks and threats identified by the Surrey Community Risk Register
- staffing and budgetary resources for fulfilling the Council's civil contingency duties, and related achievements and activities during the previous 18 months.

The report was accompanied by a list of the Council's emergency plans and others maintained by the SLRF, along with a full copy of the TDC's Corporate Business Continuity Plan.

The effective approach to engaging Parish Councils and community groups during the Covid pandemic was acknowledged during the debate. Arising from the discussion, the Emergency Planning Specialist confirmed his willingness to attend Parish Council meetings to advise about the development of local resilience arrangements. Clarification was also provided about the collaborative functions of the SLRF and the fact its members included representatives of the emergency services and a host of other key public bodies.

**RESOLVED** – that the Council’s arrangements for responding to and planning for an emergency be noted.

## 188. WELLBEING PRESCRIPTION SERVICE – FUTURE PLANS

The Wellbeing Prescription service allowed GPs and other local services to refer residents to a trained adviser to help improve their health and wellbeing. The service was staffed by the Council and funded by grants from the Surrey Heartlands Integrated Care Board (via the East Surrey Better Care Fund) and covered the Tandridge and part of the Reigate & Banstead Council areas. The current contract between the Council (as the employing authority) and the Surrey Heartlands ICB was due to expire at the end of March 2024 following the one-year extension approved by the Committee in January 2023.

A report was considered which advocated a further contract extension to 31<sup>st</sup> March 2025. The report:

- explained the benefits of the service (which had been provided since 2015) with performance and monitoring information since 2022/23 and the current means of service delivery
- detailed current staffing and resourcing arrangements, i.e. a team of 9 Full Time Equivalents overseen by the Head of Communities with direct costs covered by the Better Care Fund and support costs paid by TDC (the latter estimated to be approximately £161K for 2024/25, to be funded from a combination of the ‘wellbeing reserve balance’ comprising previous years’ underspends and the current year’s wellbeing grant)
- referred to the Memorandum of Understanding with Reigate & Banstead Borough Council whereby cessation costs arising from a non-renewal of contract (e.g. redundancy and enhanced pension costs) would be shared (TDC’s approximate liability being £64,000 which had been factored into the ‘wellbeing reserve balance’)
- explained the intention to incorporate the service within the ‘Integrated Neighbourhood Teams’ initiative in partnership with health, social care and voluntary sector partners.

Members supported a further contract extension and welcomed the enhanced monitoring regime which enabled more comprehensive assessments of the outcomes experienced by users of the service.

**RESOLVED** – that an extension to the current contract with Surrey Heartlands Integrated Care Board (for the Wellbeing Prescription Service) to 31st March 2025 be approved.

## 189. REVIEW OF STANDING ORDERS

Various suggested revisions to ‘Standing Orders for meetings and general governance’ (which formed Part B of the Council’s Constitution) were presented.

Amendments were moved as follows:

- (i) Councillor Groves argued against the suggested removal of the provision to vote on the Annual Policy Statement at the Annual Council meeting (delivered by the incumbent Administration under Standing Order 6(2)). He proposed that the provision be retained. Upon being put to the vote, this amendment was lost.
- (ii) Councillor Pursehouse argued against the suggested revision to Standing Order 12(1) whereby Members who attended meetings ‘on-line’ could propose or second motions. He moved that SO 12(1) be redrafted to state that only Members physically present in the meeting room can propose or second motions. Upon being put to the vote, this amendment was carried.
- (iii) Councillor Pursehouse proposed a further revision to Standing Order 11 to clarify that once a Member speaks to a committee minute at Full Council, the Chair shall open the debate to any other Member who may then also wish to speak. Upon being put to the vote, this amendment was carried.
- (iv) Councillor Pursehouse proposed that the suggested provision to require parent committees to “*endeavour to make their Working Groups politically balanced*” (new Standing Order 21(5)) be further qualified by the words, “*Unless there are practicable reasons not to do so, ...*”. Upon being put to the vote, this amendment was carried.
- (v) Councillor Sayer proposed that the constitution be amended so that when a Committee had a choice between approving or rejecting a proposal to dispose of an asset (either by freehold or by leasehold) that a consistent approach to the decision be taken, and the matter either be resolved by the Committee or recommended to Full Council, regardless of the outcome. It was agreed that this matter should be addressed as part of a separate review of the Council’s scheme of delegation to committees (Part E of the Constitution).

Action	Responsible Person	Deadline
The Council’s scheme of delegation to committees be reviewed during the January 2024 cycle of committee meetings.	Vince Sharp	As per the relevant report writing deadlines as part of the agenda preparation timetables for the relevant meetings

### **COUNCIL DECISION**

*(subject to ratification by Council)*

**RECOMMENDED** – that the amendments to Standing Orders attached at Appendix A, reflecting the amendments at (ii) to (iv) above, be adopted.

## 190. TIMETABLE OF MEETINGS FOR 2024/25

A draft timetable of Council and Committee meetings for 2024/25 was considered.

**COUNCIL DECISION**  
(subject to ratification by Council)

**RECOMMENDED** – that notwithstanding the scope for additional meetings to be convened in consultation with relevant Committee chairs, the 2024/25 timetable of meetings attached at Appendix B be adopted.

## 191. INVESTMENT SUB-COMMITTEE - 3RD NOVEMBER 2023

**RESOLVED** – that the minutes of this meeting, attached at Appendix C, be received.

## 192. PROPOSED NEW SHOP LETTING AT QUADRANT HOUSE

The press and public were excluded from this item in accordance with Section 100A (4) of the Local Government Act 1972 (as amended) on the grounds that:

- (i) the item involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act; and
- (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

The Investment Sub-Committee, following consideration of this matter on 3<sup>rd</sup> November 2023, had recommended that the offer from the prospective tenant be declined.

The original report to the Investment Sub-Committee was re-produced and supplemented with a summary of the arguments for and against the letting, together with the outcome of officers' subsequent dialogue with the prospective tenant.

The Committee was presented with the following options:

Option A: adopt the Investment Sub-Committee's recommendation that the lease not be taken forward; or

Option B: make a recommendation to full Council on 14th December that the letting be approved (the report explained that, in light of the Council's scheme of delegation regarding the disposal of leasehold assets, the Committee was not empowered to determine the proposed tenancy).

Following a presentation by the Principal Asset Manager, which included the latest information about the Quadrant House estate, the Committee debated the matter at great length with arguments both for and against clearly presented by Members.

Councillor Sayer proposed an amendment to Option B whereby the letting would be subject to *"improvements to the service road being negotiated before final agreement to mitigate any traffic issues"*. This amendment was agreed by virtue of the Chair's casting vote.

Councillor Cooper wished it recorded that he voted against the amended Option B and that he favoured Option A.

**COUNCIL DECISION**  
*(subject to ratification by Council)*

**RECOMMENDED** – that the letting be approved, subject to improvements to the service road being negotiated before final agreement to mitigate any traffic issues.

Rising 11.20 pm

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**STANDING ORDERS FOR MEETINGS AND GENERAL GOVERNANCE –  
RECOMMENDED SHOWN WITH TRACKED CHANGES**

**PROCEDURES FOR FULL COUNCIL MEETINGS**

**No. 1**

**MEETINGS OF THE COUNCIL**

- (1) Subject to any subsequent legislation to the contrary, the Annual Meeting of the Council shall be held within three weeks of the District or County Council Elections to accord with the provisions of the Local Government Act 1972.
- (2) In addition to the Annual Meeting of the Council and any meetings convened by the Chair or Members of the Council (SO 1 (3) below refers), meetings for the transaction of general business shall be held in each year on dates to be determined for the ensuing year by the Council.
- (3) Five Members of the Council may call for an extraordinary meeting of the Council in accordance with the requirements of Schedule 12 to the Local Government Act 1972 (Part 1, section 3)<sup>1</sup>.

**No. 2**

**APPOINTMENT OF CHAIR OF THE COUNCIL**

The first business to be dealt with at the Annual Meeting of the Council shall be the appointment of the Chair for the ensuing year.

**No. 3**

**APPOINTMENT OF VICE-CHAIR OF THE COUNCIL**

After the appointment of the Chair of the Council at the Annual Meeting, the next business to be dealt with shall be the appointment of a Vice-Chair for the ensuing year.

**No. 4**

**CHAIR OF THE MEETING**

Any power or duty of the Chair in relation to the conduct of a meeting may, in the absence of the Chair, be exercised by the person presiding at the meeting.

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<sup>1</sup> LGA 1972, Schedule 12, Part 1, Section 3: “An extraordinary meeting of a principal council may be called at any time by the chairman of the council. If the chairman refuses to call an extraordinary meeting of a principal council after a requisition for that purpose, signed by five members of the council, has been presented to him, or if, without so refusing, the chairman does not call an extraordinary meeting within seven days after the requisition has been presented to him, then any five members of the council, on that refusal or on the expiration of those seven days, as the case may be, may forthwith call an extraordinary meeting of the council.”

## No. 5

### QUORUM OF COUNCIL

- (1) If, during any meeting of the Council, the Chair, after counting the number of Members present, declares that there is not a quorum present, (11 in normal circumstances) the meeting shall stand adjourned.
- (2) The consideration of any business not transacted shall be adjourned to a time fixed by the Chair at the time the meeting is adjourned, or if s/he does not fix a time, to the next ordinary meeting of the Council. No business shall be transacted at an adjourned meeting except the unfinished business of the original meeting.

## No. 6

### ORDER OF BUSINESS FOR COUNCIL MEETINGS

- (1) Except as otherwise provided by paragraph (2) of this Standing Order, the order of business at every meeting of the Council shall be:-
  - (a) To choose a person to preside if the Chair and Vice-Chair are absent.
  - (b) Declarations of Interest
  - (~~cb~~) To deal with any business required by statute to be done before any other business.
  - (~~de~~) To approve as a correct record and sign the minutes of the last meeting of the Council.
  - (~~ed~~) To deal with any business expressly required by statute to be done.
  - (~~fe~~) Chair's announcements.
  - (f) Declarations of Interest.
  - (g) To deal with questions under Standing Order No. 30, beginning with 'Questions from residents and others studying in the District' followed by 'Questions from Councillors' (not applicable to the Annual Meeting).
  - (h) To deal with petitions under Standing Order No. 31.
  - (i) To dispose of business remaining from the last meeting (if any).
  - (j) To receive and consider reports, minutes and recommendations of Committees.
  - (k) To authorise the sealing of documents.
  - (l) To consider motions in the order in which notice has been received.
  - (m) Other business, if any, specified in the summons.

## **Annual Policy Statement**

- (2) The last business to be dealt with at the Annual Council shall be to receive from the leader(s) of the Administration (if they so wish) a policy statement covering the next municipal year. One spokesman for each of the Political Group(s) as defined by the Local Government & Housing Act 1989 not forming the Administration (if they so wish) will have the right to reply ~~and a vote shall be taken~~. No speech is to last longer than 10 minutes.

## **Variation of Order of Business**

- (3) Business falling under items (a), (b) or (c) of paragraph (1), shall not be displaced, but the order of the remaining business may be varied by:-
  - (a) the Chair at his / her discretion; or
  - (b) a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

## **No.7**

### **NOTICE AND SCOPE OF FREE STANDING MOTIONS TO COUNCIL**

- (1) Notice of every motion (other than a motion which under Standing Order No.8 may be moved without notice) shall be sent by e-mail, or submitted in writing to the Chief Executive or nominated Officer by noon at least seven clear working days prior to the next meeting of the Council.

### **Motions to be set out in summons**

- (2) The Chief Executive shall set out in the summons for every meeting of the Council all motions of which notice has been duly given in the order of receipt unless the Member giving such a notice intimated by email or in writing when giving it, that s/he proposed to move it at some later meeting, or has since withdrawn it in writing.

### **Motion not moved**

- (3) If a motion set out in the summons is not moved either by a Member who gave notice thereof or by some other Member on his / her behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

### **Scope of motions**

- (4) Every motion shall be relevant to some matter in relation to which the Council have powers or duties or which affects the District.

(5) Unless supported by one-third of the Members of the Council, it is not permissible to propose a further free-standing motion under this Standing Order:

(a) to rescind any resolution in respect of a Standing Order 7 motion passed by Full Council during the previous six months; or

(a)(b) to the same effect as a Standing Order 7 motion which has been rejected by Full Council within the previous six months

## No. 8

### NOTICE OF AMENDMENTS TO FREE STANDING MOTIONS OR COMMITTEE / SUB-COMMITTEE RECOMMENDATIONS AT COUNCIL

- (1) ~~Proposed amendments to a free-standing motion (submitted under Standing Order 7 above) or a Committee / Sub-Committee recommendation to Council must be sent by email, or submitted in writing to the Chief Executive or nominated Officer, by 5pm on the working day before the Council meeting in question.~~

Proposals to:

- (i) amend a free-standing motion submitted under Standing Order 7 above
- (ii) amend a Committee / Sub-Committee recommendation to Council
- (iii) refer a 'resolved item' back to a Committee (which shall be deemed an amendment to the motion to receive the 'minutes and report' of the associated Committee meeting)

... must be sent by email, or submitted in writing to Democratic Services by 5pm on the working day before the Council meeting in question.

- (2) Acceptance of such proposed amendments shall be at the discretion of the Chair in accordance with Standing Order 12 (6) ~~... i.e.~~

~~"An amendment shall be relevant to the motion / recommendation and shall be either to:~~

- ~~• refer the matter back to the Committee for reconsideration; or~~
- ~~• delete and/or add words~~

~~... but ... shall not have the effect of negating\* the motion or recommendation before the Council.~~

- (3) Any such proposed amendments submitted after the deadline specified in (1) above shall only be put to the Council meeting at the discretion of the Chair.

## No. 9

### MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE

The following motions and amendments may be moved without notice:-

- (1) Appointment of a Chair of the meeting at which the motion is made.
- (2) Motions relating to the accuracy of the minutes.
- (3) ~~That an item of business specified in the summons has precedence.~~
- (4) ~~Remission-Referral of a free-standing motion (under Standing Order 7) to a Committee~~

- (5) ~~Appointment of a Committee or Members thereof, occasioned by an item mentioned in the summons to the meeting.~~
- (6) Adoption of recommendations ~~of Committees or officers and any consequent resolutions.~~
- (7) That leave be given to withdraw a motion.
- (8) Extending the time limit for speeches.
- (9) That the Council proceed to the next business.
- (10) That ~~the question be now put~~ a vote shall now be taken.
- (11) ~~To That the debate be now~~ adjourned the debate.
- (12) ~~To That the Council do now~~ adjourn the meeting.
- (13) ~~Authorising the sealing of documents.~~
- (14) Suspending Standing Orders, in accordance with Standing Order No. 48.
- (15) A Motion under Section 100A (2) and (4) of the Local Government Act 1972 to exclude the public.
- (16) That a Member named under Standing Order No. 33(Disorderly Conduct) be not further heard or leave the meeting.
- (17) ~~Giving consent of the Council where the consent of the Council is required by these Standing Orders.~~

## No. 10

### MINUTES

- (1) The Chair shall put the question that the minutes of the meeting of the Council held on the ... day of..... be approved as a correct record.
- (2) No discussion shall take place upon the minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.
- (3) The minutes of the last meeting shall be approved at the next ordinary meeting.

## No. 11

### PRESENTATION OF COMMITTEE MINUTES AT COUNCIL

- (1) The minutes of a Committee shall be presented to the Council by the Chair of the Committee, or in the Chair's absence by:
  - the ~~1<sup>st</sup>~~ Vice-Chair; or
  - ~~a 2<sup>nd</sup> Vice-Chair (if such a post exists) if the 1<sup>st</sup> Vice-Chair is absent; or~~
  - another member of the Committee if ~~neither the 1<sup>st</sup> nor a 2<sup>nd</sup> Vice Chair~~ is also absent are present

who shall move that the minutes be received and the recommendations contained therein (if any) be adopted. Such motions must be seconded.

- (2) Unless any Members wish to speak under clauses (3) and (54) below, the Council shall receive the minutes (and adopt any recommendations as the case may be) en-bloc.
- (3) Any Member wishing to speak on any committee minute must notify the Chief Executive Democratic Services or nominated officer by email or in writing by 5pm on the working day before the Council meeting in question.
- (4) Any later requests to speak under (3) above shall only be determined at the discretion of the Chair.
- (4)(5) Once a Member speaks to a Committee minute by virtue of 11(3) or 11(4) above, the Chair shall open the debate to any other Members who may then also wish to speak.
- (5)(6) The Chair may refuse to allow questions from Members on specific Committee minutes on the grounds that the same or similar question has already been asked during the 'questions from Councillors' agenda item.
- (76) Where discussion of any minute takes place and the minute contains recommendations, such recommendations shall be considered as ~~a~~ separate motions, and the rules of debate as contained in Standing Order No.12 shall apply, save that the motion shall be deemed to have been moved by the Chair of the relevant Committee and seconded in accordance with 11(1) above.

## No. 12

### RULES OF DEBATE FOR COUNCIL MEETINGS

#### **Motions and Amendments**

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded by Members physically present in the meeting room, and unless notice has already been given in accordance with Standing Order Nos. 7 and 8. It shall, if required by the Chair, be put in writing and handed to the Chair before it is further discussed or put to the meeting.

#### **Secunder's Speech**

- (2) A Member when seconding a motion or amendment may, if s/he then declares his / her intention to do so, reserve his / her speech until a later in the debate.

#### **Members wishing to speak (Standing Order 11 also refers)**

- (3) A Member shall indicate his/ her wish to speak in the manner required by the Chair. If two or more Members indicate their wish to speak, the Chair shall call on one to do so. While a Member is speaking, the other Members shall remain silent, unless they raise a point of order or speak in personal explanation.

#### **Content and length of speeches**

- (4) A Member shall direct his / her speech to the question under discussion or to a point of order or to a personal explanation. No speech shall exceed ten minutes in the case of a mover of a motion or the Chair of a Committee in replying to a debate, and five minutes in all other cases including the mover of an amendment, except by consent of the Council.

### **When a Member may speak again**

- (5) A Member who has spoken on any motion shall not speak again whilst it is the subject of debate, except:-
- (a) to speak once on an amendment moved by another Member;
  - (b) if the motion has been amended since s/he last spoke, to move a further amendment;
  - (c) if his / her first speech was on an amendment moved by another Member, to speak on the main issue, whether or not the amendment on which s/he spoke was carried;
  - (d) in exercise of a right of reply given by paragraph (12) or (15) of this Standing Order;
  - (e) on a point of order; and
  - (f) by way of personal explanation.

### **Amendments to free standing motions and Committee / Sub-Committee recommendations (subject to the notice requirements of SO 8)**

- (6) An amendment shall be relevant to the motion/recommendation and shall either:-
- (a) refer a subject of debate to a Committee for consideration or reconsideration;
  - (b) leave out words;
  - (c) leave out words and insert or add others;
  - (d) insert or add words;

but such omission, insertion or addition of words shall not have the effect of negating\* the motion or Committee / Sub-Committee recommendation before the Council.

*(\*the term negating can include the effect of distorting a motion so that its original meaning is lost)*

- (7) Subject to (8) below. Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of.
- (8) The Chair may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Council's business.
- (9) If an amendment be lost, other amendments may be moved on the original motion. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

### **Alteration to motion**

- (10) A Member may with the consent of the Council signify without discussion -
- (a) an alteration to a motion of which s/he has given notice, or
  - (b) with the further consent of his / her seconder the alteration of a motion which s/he has moved

if (in either case) the alteration is one which could be made as a valid an-amendment thereto- in accordance with Standing Order 12(6) above.

### **Withdrawal of motion**

- (11) A motion or amendment may be withdrawn by the mover with the consent of his / her seconder and of the Council, without discussion. No Member may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.

### **Right of reply**

- (12) The rights of reply at the close of a debate on a motion or Committee minute before any vote is as follows:-
- (a) on any motion the mover of the motion
  - (b) on any amendment the mover of the original motion

(The mover of the amendment shall have no right of reply to the debate on his / her amendment).

- (13) Members exercising a right of reply shall confine themselves to answering previous speakers, and shall not introduce any new matter.

### **Motions which may be moved during debate (parts (15) and (16) of this Standing Order also refer)**

- (14) When a motion is under debate no other motion shall be moved except the following:-
- (a) to amend the motion
  - (b) to adjourn the meeting
  - (c) to adjourn the debate
  - (d) to proceed to the next business
  - (e) to proceed to a votethat the question be now put
  - (f) that a Member be not further heard
  - (g) by the Chair under SO33(2) (Disorderly Conduct) that a Member leave the meeting
  - (h) under Section 100A(4) of the Local Government Act 1972 to exclude the public.



## Closure motions

- (15) A Member may move, without comment at the conclusion of a speech of another Member, closure motions to:

~~"that-~~

- (i) ~~the Council~~ proceed to the next business; or
- (ii) require a vote to be taken now ~~the question be now put~~; or
- (iii) ~~the debate be now~~ adjourned the debate; or
- (iv) ~~the Council do now~~ adjourn the meeting".

on the seconding of which the Chair shall proceed as follows:-

- (a) On a motion to proceed to the next business; unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, the Chair shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to the next business;
  - (b) On a motion to proceed to a vote, ~~that the question be now put~~; unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, the Chair shall first put to the ~~vote the aforesaid~~ motion to the vote that the question be now put, and if it is passed then give the mover of the original motion his / her right of reply under paragraph 12 of this Standing Order before putting his / her motion to the vote;
  - (c) On a motion to adjourn the debate or the meeting; if in the Chair's opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion, the Chair shall put the adjournment motion to the vote without giving the mover of the original motion his / her right of reply on that occasion.
- (16) The closure motions referred to above can only be moved once during the course of a debate.

## Points of Order/Personal Explanation

- (17) A Member may indicate that s/he wishes to speak on a point of order or in personal explanation and shall be entitled to be heard forthwith immediately. A point of order shall relate only to an alleged breach of a standing order or statutory provision and the Member shall specify the standing order or statutory provision and the way in which s/he considers it has been broken.
- (18) A personal explanation shall be confined to some material part of a former speech by him / her which may appear to have been misunderstood in the present debate.
- (19) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

## Respect for Chair

- (20) Whenever the Chair interjects during a debate, the Council shall be silent.

## No. 13

### VOTING AT FULL COUNCIL MEETINGS

- (1) Subject to SO 13(6) below, the manner of voting at meetings of the Council shall be at the discretion of the Chair, to ensure that the outcome of any vote is beyond doubt. Only Members physically present in the meeting room shall be entitled to vote.
- (2) In the event of an equality of votes, the Chair shall have a casting vote.
- (3) Immediately after a vote is taken, any Member may request that the way in which s/he voted (or abstained) be recorded in the minutes.
- (4) Before a vote on any matter is taken, a Member (physically present in the meeting room) may request that details be recorded in the minutes to show how each Member voted, or whether they abstained. For this to proceed, five other Members (physically present in the meeting room) will be required to indicate their support.
- (5) In any event, at any meeting of the full Council at which a budget decision is made, the voting shall be recorded in the minutes. 'Budget decisions' for the purposes of this Standing Order shall mean any decision defined as such under the Local Authorities (Standing Orders) (England) (Amendments) Regulations 2014.
- (6) Recorded votes required under (4) and (5) above shall be conducted by an appropriate Officer calling the name of each Member present who shall thereupon state whether they are voting 'for' 'against' or whether they wish to 'abstain'. The Officer shall record the voting and inform the Chair of the result.
- (7) Where there are two persons nominated for any position to be filled by the Council, the Chair shall conduct a vote by:
  - asking Members to vote (by a show of hands) for the first nominee according to alphabetical order of surname; and
  - repeating the process for the other nominee, with the individual with the most votes being duly appointed.
- (8) Where there are three or more persons nominated for any position (or positions) to be filled by the Council, an appropriate Officer shall call the name of each Member present who shall thereupon state his / her preferred candidates. The Officer shall record the votes cast for each person nominated and shall inform the Chair of the result who will then confirm which Councillor has been appointed.

## No. 14

### COMMITTEES - APPOINTMENT OF

- (1) The Council shall at the Annual Meeting, appoint Policy Committees (Standing Order 15 refers) and any other Committees which it is deemed necessary to appoint (such appointments shall be confined to determining Committees' terms of reference; their size; and the allocation of seats to political groups).

- (2) ~~Full The~~ Council may, at any time, similarly appoint such other Committees as are necessary to carry out the work of the Council.
- (3) Subject to any statutory provision, ~~the Full~~ Council:-
- (i) shall not appoint any Member of a Committee to hold office later than the next Annual Meeting of the Council;
  - (ii) may, at any time, dissolve a Committee, amend a Committee's terms of reference, or alter a Committee's membership in so far as its size or allocation of seats to political groups are concerned.
- (4) Committees may, in turn, appoint Sub-Committees and Working Groups in accordance with Standing Order 21.
- (5) Subject to (6) below, the appointment of Members to committee seats shall be determined by political groups and noted by Full Council at the earliest opportunity.
- (6) Political Group Leaders may, from time to time, change their Members (including substitutes) in respect of the Committee seats allocated to their Groups by submitting written notice to the Chief Executive or nominated representative. Such changes will become effective for the next meeting of the respective Committee, provided that the required notice is received at least seven clear working days prior to the meeting in question.

## **COMMITTEE MEETINGS AND PROCEDURES**

### **No. 15**

#### **COMMITTEES**

- (1) The Policy Committees of the Council are:-
- Community Services Committee
  - Housing Committee
  - Planning Policy Committee
  - Strategy & Resources Committee
- (2) The Regulatory/Statutory/Other Committees of the Council are:
- Audit & Scrutiny Committee
  - Licensing Committee
  - Planning Committee
  - Standards Committee

**No. 16**

**COMMITTEES - CONFIDENTIALITY OF PROCEEDINGS**

- (1) Committee or Sub-Committee reports may be exempt from publication and shall be treated as confidential if:
  - (i) their content falls within the descriptions of exempt information in Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) (reproduced in (3) below); and
  - (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- (2) Proceedings at Committee / Sub-Committee meetings shall be conducted in public (including by way of public access to webcasting and/or conferencing facilities) unless a Committee / Sub-Committee passes a resolution to exclude the press and public on the grounds referred to in (1) above (via exclusion from the physical meeting place or by terminating remote access to the meeting).
- (3) The definitions of exempt information detailed in Part 1 of Schedule 12A of the Act (referred to in (1) (i) above) are:
  1. *Information relating to any individual.*
  2. *Information which is likely to reveal the identity of an individual (including the authority holding that information).*
  3. *Information relating to the financial or business affairs of any particular person (including the authority holding that information).*
  4. *Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.*
  5. *Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.*
  6. *Information which reveals that the authority proposes -*
    - (a) *to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or*
    - (b) *to make an order or direction under any enactment*
  7. *Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.*

*The following additional descriptions of exempt information also apply to meetings of Standards Committees /Standards Sub-Committees:*

- 7A. *Information which is subject to any obligation of confidentiality.*
- 7B. *Information which relates in any way to matters concerning national security.*
- 7C. *Information presented to a Standards Committee, or to a Sub-Committee of a Standards Committee, set up to consider any matter under regulations 13 or 16-20 of the Standards Committee (England) Regulations 2008 or referred under section 58(1)(c) of the Local Government Act 2000.*

*Qualifications:*

- 8. *Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under:*
  - (a) *the Companies Act 1985[3];*
  - (b) *the Friendly Societies Act 1974[4];*
  - (c) *the Friendly Societies Act 1992[5];*
  - (d) *the Industrial and Provident Societies Acts 1965 to 1978[6];*
  - (e) *the Building Societies Act 1986[7]; or*
  - (f) *the Charities Act 1993[8].*
- 9. *Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992[9].*
- 10. *Information which:*
  - (a) *falls within any of paragraphs 1 to 7 above; and*
  - (b) *is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.*

## **No. 17**

### **COMMITTEES' TERMS OF REFERENCE AND DELEGATION**

- (1) The statutory and other powers and duties of the Council shall be delegated to its Committees and any ad hoc Committee in accordance with the terms of reference of Committees as agreed by Full Council.
- (2) The Council may, by resolution, from time to time vary a Committee's terms of reference.
- (3) Subject to any statutory provision to the contrary, and to the exclusions and limitations specified in paragraphs (4) and (5) of this Standing Order, there shall be delegated to the respective Committees all the powers and duties of the Council specified in the above mentioned terms of reference, and in any resolution of the Council making a specified reference to a Committee.

- (4) There shall be excluded from the delegation to any Committee:-
- (i) The power of raising money by tax or loan.
  - (ii) The power of incurring any expenditure or of taking any decision, which under Financial Regulations approved by the Council and operative at the time, requires the prior approval of the Council.
  - (iii) The power of taking any decision which, under Standing Orders regulating the business and proceedings of the Council or Standing Orders relating to contracts approved by the Council and operative at the time, is required to be taken by the Council.
  - (iv) The enactment, alteration or revocation of any schemes, orders, rules, regulations or byelaws made by the Council under the provisions of any Act of Parliament.
  - (v) The appointment or dismissal of the Chief Executive.
- (5) The delegation to any Committee shall be subject to the following restrictions or conditions:-
- (i) The Committee shall give effect to any resolution of the Council upon matters of principle or policy.
  - (ii) The Committee shall, where a matter
    - (a) involves, or appears likely to involve, a departure from an existing policy; or
    - (b) is a new policy... which would impact upon available resources, direct that its decision be submitted to the Council as a recommendation.
  - (iii) Committee resolutions are subject to the call-in procedure in Part F of the Constitution.

## No. 18

### COMMITTEE AND SUB-COMMITTEE BUSINESS

- (1) Any Member of the Council may give notice of any item of business for consideration at any meeting of a Committee or Sub-Committee.
- (2) Items of business referred to in paragraph (1) above shall be sent by email, or given in writing to the Chief Executive or nominated Officer at least 10 clear working days before the meeting.
- (3) If notice is given of any item of business which in the opinion of the Chief Executive is, potentially illegal, improper or not within the relevant terms of reference, the Chief Executive shall submit such notice to the Chair of the Committee or Sub-Committee within whose terms of reference it falls and it shall not be accepted and placed on the agenda without that Chair's sanction. Where an item of business is not accepted, the Chief Executive shall inform the Member in writing.

## No. 19

### COMMITTEES - APPOINTMENT OF CHAIRS, VICE-CHAIRS, ~~AND SUB-COMMITTEES~~ AND WORKING GROUPS

- (1) At the conclusion of an Annual Meeting of the Council, each Committee shall meet to elect a Chair and ~~appoint~~ a Vice-Chair ~~(and a second Vice-Chair if Full Council so requires, in which case the posts shall be designated '1<sup>st</sup> Vice-Chair' and '2<sup>nd</sup> Vice-Chair')~~ and any Sub-Committees and Working Groups for the year. For each of these meetings, the Chair of the Council (or in his / her absence the Vice-Chair of the Council) shall preside.
- (2) If ~~other any urgent~~ business needs to be transacted at a Committee meeting immediately following Annual Council, the Chair or Vice-Chair of the Council shall vacate the Chair in favour of:
  - (i) the newly elected Chair of the ~~appropriate~~ Committee; or
  - (ii) the newly elected Vice-Chair of the appropriate Committee if the Chair of the Committee is absent; or (if two Vice-Chair have been appointed to the appropriate committee, the Member appointed to the '1<sup>st</sup> Vice-Chair' position shall preside, or, in his/her absence, the Member appointed to the '2<sup>nd</sup> Vice-Chair' position shall preside)
  - (iii) another member of the Committee, to be appointed by the Committee to take the chair for the business concerned, if both the newly elected Chair and Vice Chair are absent.
- (3) No member of the Council shall be Chair of more than one Committee.
- ~~(4) A Committee may, if required, create a 2<sup>nd</sup> Vice-Chair position during the course of a Municipal Year.~~
- ~~(54)~~ At ~~a other~~ Committee meetings, in the absence of the Chair:
  - (i) ~~the if one~~ Vice-Chair ~~has been appointed, he / she~~ shall preside; or
  - ~~(ii) if two Vice-Chairs have been appointed, the holder of the 1<sup>st</sup> Vice-Chair position shall preside or, in his / her absence, the holder of the 2<sup>nd</sup> Vice-Chair position~~
  - (iii) if the Vice-Chair ~~or both Vice-Chairs are~~ is absent, the Committee shall elect one of its other members to preside.

## No. 20

### COMMITTEES - SPECIAL MEETINGS

The Chair of a Committee may call a special meeting of the Committee at any time. A special meeting shall also be called on the requisition of a quarter of the whole number of the Committee (communicated by email, or given in writing to the Chief Executive or nominated Officer) but in no case shall fewer than three Members requisition a special meeting. The summons to the special meeting shall set out the business to be considered thereat, and no business other than that set out in the summons shall be considered at that meeting.

## No. 21

### **SUB-COMMITTEES AND WORKING GROUPS**

- (1) Every Committee may appoint Sub-Committees and Working Groups for purposes to be specified by the Committee. Such appointments shall be confined to determining Sub-Committees' and Working Groups' terms of reference; their size; and the allocation of seats to political groups. Subject to (3) below, the appointment of Members to Sub-Committee and Working Group seats shall be determined by Political Groups and noted by the parent Committee at the earliest opportunity.
- (2) ~~Subject to Standing Order 19(1), e~~Each Sub-Committee and Working Group shall elect a Chair at its first meeting of the Municipal Year.
- (3) Political Group Leaders may, from time to time, change their principal Members in respect of the Sub-Committee and Working Group seats allocated to their Groups by submitting written notice to the Chief Executive or nominated representative. Such changes will become effective for the next meeting of the respective Sub-Committee or Working Group, provided that, in the case of Sub-Committees, the required notice is received at least seven clear working days prior to the meeting in question.
- (4) Unlike Sub-Committees, Working Groups have no decision-making powers and can only make recommendations to their parent Committees.
- (5) Unless there are practicable reasons not to do so, parent Committees shall endeavour to make their Working Groups politically balanced.
- (6) Other procedural arrangements for Working Group meetings, if not already prescribed by the parent Committee or specified elsewhere within the Constitution, shall be at the discretion of the Chair.

## No. 22

### **COMMITTEES AND SUB-COMMITTEES – SUBSTITUTES AND QUORUM**

- (1) Every Political Group may appoint a two named substitute Members for each Committee by submitting written notice to the Chief Executive or nominated representative (Standing Order 14(6) also refers). Such appointments, or changes to existing appointments, will become effective for the next meeting of the respective Committee, provided that the required notice is received at least 7 clear working days prior to the meeting in question.
- (2) Committees may allow for more than one substitute to be appointed (by Political Groups) to their Sub-Committees, including arrangements where a principal Member can be replaced, at any time prior to a meeting, by any Councillor serving on the parent Committee or any Councillor from the wider Council membership if deemed appropriate.
- (3) A substitute member of any Committee or Sub-Committee shall, in the absence of the appointed Member, be entitled to attend, speak and vote at the meeting. Should the appointed Member arrive during the course of the proceedings, the substitute Member, after completion of the item of business under consideration, may remain in the meeting and, subject to the consent of the Chair (Standing Order No. 24), may speak to subsequent items but shall not vote.
- (4) The quorum for Committee and Sub-Committee meetings shall be the greater of:
  - one quarter of the membership of the Committee or Sub-Committee; or
  - three Members



## No. 23

### STANDING ORDERS TO APPLY TO COMMITTEES AND SUB-COMMITTEES

Subject to the following exceptions, the Standing Order of the Council headed “Rules of debate for Council meetings” (Standing Order No. 12) shall, with any necessary modification, apply to Committee and Sub-Committee meetings:

- (i) Members may speak more than once during any debate;
- (ii) there be no automatic time limit for the length of speeches, although the Chairs of relevant Committee / Sub-Committee meetings may curtail the length of Councillors’ speeches to no more than five minutes if they consider it to be justified, having regard to the nature of the debate; and
- (iii) proposers and seconders of motions must be members of the relevant Committee or Sub-Committee.

## No. 24

### ATTENDANCE OF MEMBERS AT MEETINGS OF COMMITTEES, ~~AND SUB-COMMITTEES~~ AND WORKING GROUPS OF WHICH THEY ARE NOT MEMBERS

- (1) Any Councillors may attend meetings of any Committee or Sub-Committee of which they are not members. However, in such cases, a Councillor must obtain the consent of the Chair of the meeting concerned in order to speak.
- (2) Attendance and participation at Working Group meetings by Councillors who are not members of the Working Group shall be at the discretion of the Chair.
- (32) In no circumstances shall Councillors vote or propose / second motions at meetings of ~~on~~ any matter before a Committee, or Sub-Committee or Working Group of which they are not members.

## No. 25

### VOTING AT COMMITTEES, ~~AND SUB-COMMITTEES~~ AND WORKING GROUPS

- (1) In the case of Committee and Sub-Committee meetings, only the Members (of the respective Committee / Sub-Committee) physically present in the meeting room shall be entitled to vote.
- (2) The manner of voting ~~at meetings of Committees and Sub-Committees~~ shall be at the discretion of the Chair, to ensure that the outcome of any vote is beyond doubt.
- (32) In the event of an equality of votes, the Chair shall have a casting vote.
- (43) Immediately after a vote is taken at a Committee or Sub-Committee meeting, any Member may request that the way in which s/he voted or abstained be recorded in the minutes of that meeting.

**No. 26**

**MOVER OF MOTION - RIGHT OF ATTENDANCE  
AT MEETINGS OF COMMITTEES OR SUB-COMMITTEES**

A Member of the Council who has moved a motion which has been referred to any Committee or Sub-Committee shall:-

- (i) have notice of the meeting of the Committee or Sub-Committee at which it is proposed to consider the motion;
- (ii) have the right to attend the meeting; and
- (iii) if s/he attends, have an opportunity of explaining the motion.

**PROVISIONS RELATING TO BOTH FULL COUNCIL  
AND COMMITTEES**

**No. 27**

**ATTENDANCES AT MEETINGS**

- (1) The clerk of the meeting or other appropriate officer shall record the names of every Member of the Council attending a meeting of the Council, or of any of its Committees or Sub-Committees.

**No. 28**

**DISCLOSURE OF INTERESTS AND PARTICIPATION AT MEETINGS**

Members shall:

- (1) Disclose any disclosable pecuniary interest, or other interest which the Council has decided is appropriate for disclosure, at meetings at which they are present and at which associated matters are considered;
- (2) Notify the Monitoring Officer of any interest not already registered but which is disclosed to a meeting under (1) above within 28 days of the disclosure; and
- (3) Not participate in any discussion or vote where they have a disclosable pecuniary interest in a matter and withdraw from the meeting during consideration of the matter unless a dispensation has been granted.

~~**No. 29**~~

~~**RESCISSION OF PRECEDING RESOLUTION**~~

- ~~(1) Unless a notice in pursuance of Standing Order No. 7 and bearing the names of at least one third of the Members of the Council is given it is not permissible to propose:~~
  - ~~(a) a motion to rescind any resolution passed within the preceding six months; or~~

~~(b) a motion or amendment to the same effect as one which has been rejected within the preceding six months.~~

~~(2) When following disposal by the Council of any motion/amendment referred to in (1) above it shall not be open to any Member to propose a similar motion / amendment within a further period of six months. For the purpose of this Standing Order, the Chief Executive or the Monitoring Officer shall determine what amounts to 'same effect' or 'similar'.~~

~~(3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a Committee.~~

## No. 30

### QUESTIONS AT MEETINGS

- (1) Subject to (i) to (xiii) below, a Councillor, or a person resident, working or studying in the District, may put a question to the Leader or a Committee Chair at any meeting of the Council (other than the Annual Meeting) or to the Chair presiding at a Committee meeting on any matter in relation to which the Council / Committee has powers or duties or which affects the District:
- (i) such questions must be received by e-mail or in writing to ~~the Chief Executive or nominated Officer~~ Democratic Services by 5pm on the second working day prior to the day of the meeting;
- (ii) the Chief Executive may, at her / his discretion, refuse to allow a question to be presented if s/he considers it to be offensive, excessively lengthy, outside the scope of this Standing Order, or on the same subject as another question or upon which a question has been answered in the previous three months;
- (iii) subject to (ii) above, questions shall be e-mailed to all Members by 6.00pm on the working day prior to the meeting and either:
- read out at the meeting by the individual concerned, either from within the physical meeting room or remotely via audio/visual conferencing facilities; or
  - the individuals concerned will be given the opportunity to pre-record their questions (such recordings to be facilitated by the Council, limited to the individual speaking to camera, without additional augmentations to promote their views) and for the recordings to be replayed at the meeting
- otherwise, such questions will be read out by the Chief Executive or nominated officer, either from within a physical meeting place or from a remote location;
- (iv) the maximum total time periods allowed for questions shall normally be as follows and can only be extended at the discretion of the Chair:
- 1 hour for Council meetings; and
  - 10 minutes for Committee meetings
- (v) the questions shall be taken in the order that they were received by ~~the Chief Executive~~ Democratic Services or nominated Officer, subject to questions from residents and others working or studying in the District being dealt with first, followed by questions from Members;

- (vi) such questions shall be dealt with at the beginning of the relevant meeting;
- (vii) at Full Council meetings, the Chair may request that the answer be given by another Member of the Administration (e.g. if the Member to whom a question is directed is absent or if the Chair considers that, in any event, it would be more appropriate for another Member to respond);
- (viii) at Committee meetings, the Chair may request that the answer be given by another Member of the Administration or an Officer;
- (ix) at the meeting, subject to the person asking the question being present (whether 'in person' or remotely) the Chair will ask them if the response answers their concern or if they wish to ask a supplementary question (if a supplementary question is asked, it must arise from the reply given);
- (x) at Full Council meetings, the person asking the question shall be allowed to ask a second supplementary question (if a second supplementary question is asked, it must arise from the reply given to the original or first supplementary question);
- (xi) at Full Council meetings Members who respond to original questions may nominate another Member(s) to respond to supplementary questions;
- (xii) at Committee meetings, those responding to original questions may nominate another Member(s) or Officer(s) to respond to supplementary questions;
- (xiii) answers to both original and supplementary questions may take the form of:-
  - (a) a direct oral answer; or
  - (b) where the desired information is contained in a publication of the Council, a reference to that publication;

(xiv) both the questions and responses in respect of Standing Order 30(1) shall be recorded in the minutes of the relevant Full Council or Committee meeting

- (2) Subject to the notice requirements of Standing Order 11(3), a ~~A~~ Member of the Council may also ask the Chair of a Committee any question regarding a Committee minute which is under consideration by the Council.

**REPRESENTATIONS AT MEETINGS**  
(other than petitions – Standing Order 32 refers)

(1) Representations at meetings of the Planning Committee

- 1.1
- an objector;
  - a representative of the relevant parish or village council; and
  - the applicant or agent

...may speak about a planning application from within the meeting room or remotely via audio/visual conferencing facilities, for up to three minutes each. Speakers must pre-register with Democratic Services by 4.30pm on the day before the Committee meeting.

- 1.2 Alternatively, such speakers will be given the opportunity to pre-record their representations (such recordings to be facilitated by the Council, limited to the individual speaking to camera, without additional augmentations to promote his or her views) and for the recordings to be replayed at the meeting. Otherwise, such representations must be submitted in writing (including via e-mail) and read out at the meeting by the Chief Executive or nominated representative, **either from within a physical meeting place or from a remote location**. In either case, the deadline for the receipt of such submissions shall be by noon on the working day before the meeting. The maximum time allowed for replaying or reading out each representation shall be three minutes. Such representations shall be tested for compliance with the three-minute rule and individuals will be asked to curtail their recordings if necessary.

- 1.3 **In either case**, if more than one objector wishes to speak or have their representation recorded or read out, a single representative will normally be asked to speak or submit representations on behalf of fellow objectors. Professional agents may act on behalf of objectors. Supplementary written submissions, visual aids, hand-outs or other material will not be allowed. Representations should not seek to introduce new information or material not previously submitted with the application. This may result in the application being deferred for further consideration or public comment.

- 1.4 Where there is considerable public interest in an application and a number of objectors want to speak on particular and different aspects, the Chair may allow additional speakers. In such circumstances, the applicant may be granted more time to respond at the Chair's discretion.

1.5 Where an application straddles one or more Parish boundaries, each Parish Council will be allowed to speak for three minutes.

- 1.6 All public speaking at the meeting is at the Chair's discretion.

- 1.7 The provisions of this Standing Order shall take precedence over the Planning Protocol.

(2) Representations at other Committee meetings

2.1 Members of the public and other interested parties can make representations at meetings of any Policy Committee (or Sub-Committee thereof) or the Audit & Scrutiny Committee in connection with a particular agenda item. The maximum time allowed shall be three minutes per person. Unless the agenda already makes special provision for members of the public to participate at a particular meeting, such requests must be sent by email, or submitted in writing to the Chief Executive or nominated Officer at least two working days prior to the Committee meeting in question. Acceptance of such requests, together with those received after the aforementioned deadline or at the meeting, shall be at the discretion of the Chair of the relevant meeting, having due regard to the number of contributions, the potential for repetition of the subject matter and the likely length of the meeting. Members of the public or interested parties can either:

- read out their representations at the meeting, either from within the physical meeting room, or remotely via audio/visual conferencing facilities; or
- they will be given the opportunity to pre-record their representations (such recordings to be facilitated by the council, limited to an individual speaking to camera, without additional augmentations to promote his or her views) and for the recordings to be replayed at the meeting.

Otherwise, such representations will be read out by the Chief Executive or nominated representative, either from within a physical meeting place or from a remote location. Such representations shall be tested for compliance with the three-minute rule and individuals will be asked to curtail their submissions if necessary.

**No. 32**

**PRESENTATION OF PETITIONS TO MEETINGS OF THE COUNCIL AND ITS COMMITTEES  
(excluding the Planning and Licensing Committees)**

(1) This Standing Order applies to the presentation of petitions at meetings of:

- (i) the Council (other than the Annual Meeting); and
- (ii) Committees (excluding the Planning and Licensing Committees).

(2) Such petitions must be:

- (i) confined to matters which fall under the Authority's powers or duties or which specifically affect the whole or part of the District, but must not concern individual planning applications / enforcement matters / licensing decisions, or other matters where there is a statutory right of review or appeal. (Whilst members of the public may wish to organise petitions in respect of planning and licensing issues, these will be taken into account as part of the Council's separate decision making processes. For example, petitions about planning applications can be referred to by residents when addressing the Planning Committee as part of the public speaking arrangements specifically tailored for that Committee);
- (ii) signed by at least ten persons living, working or studying in the area;
- (iii) submitted at least ten clear working days before the relevant meeting to the Chief Executive or nominated Officer, either via email, the Council's website (on-line format), or the delivery of a paper copy, together with notice of the intention to present it.

- (3) The Chief Executive must be satisfied that it would be appropriate for the petition to be presented (i.e. that the prayer of the petition does not exceed 300 words; does not contain offensive language; and that it otherwise complies with the requirements of this Standing Order).
- (4) Subject to (3) above, the presentation of petitions shall take place:-
- (i) at Council meetings (other than the Annual Meeting), in accordance with Standing Order 6; or
  - (ii) at Committee meetings specified in 1 (ii) above, immediately after the submission of questions by members of the public.
- (5) The presentation of a petition (to be by any one of the ten or more signatories specified in 2(ii) above or a Member of the Council) shall be in the form of a statement, limited to not more than three minutes, and shall be confined to the subject matter of the petition, indicating the number and description of the signatories, and making such further supporting remarks relevant to the petition. Spokespersons can either:
- read out their statements ~~at from within~~ the meeting, ~~from~~ either from within the physical meeting room, or remotely via audio/visual conferencing facilities; or
  - be given the opportunity to pre-record their statements and for the recordings (such recordings to be facilitated by the Council, limited to an individual speaking to camera, without additional augmentations to promote his or her views) to be replayed at the meeting.
- Otherwise, such statements will be read out by the Chief Executive or nominated officer on behalf of the spokesperson, either from within a physical meeting place or from a remote location.
- (6) Regarding petitions presented to the Council itself, the Chair of the Council:-
- (i) may, if s/he considers it convenient and conducive to the despatch of business, allow the subject matter to be dealt with at the meeting at which it is presented; or otherwise
  - (ii) shall refer the subject matter, without discussion, to the relevant Committee or Sub-Committee for consideration.
- (7) Regarding petitions presented to a Committee:-
- (i) the Chair of the Committee may, if s/he considers it convenient and conducive to the despatch of business, allow the subject matter to be dealt with at the meeting at which it is presented; or otherwise
  - (ii) the subject matter shall stand referred, without discussion, either to the next ordinary meeting of the Committee or appropriate Sub-Committee.
- (8) Petitions shall be presented in the order in which notice of them is received by the Chief Executive or nominated Officer.
- (9) Notwithstanding the provisions of this Standing Order, it is acknowledged that any person may, if s/he so wishes, present a petition to the Council out of meeting.

### **No. 33**

#### **DISORDERLY CONDUCT - MEMBERS**

- (1) If at any meeting of the Council, a Committee, or Sub-Committee, any Member of the Council, in the opinion of the Chair misconducts him/herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the meeting, the Chair or any other Member may move "that the Member named be not further heard", and the motion, if seconded, shall be put and determined without further discussion.

#### **Continuing misconduct by a named Member**

- (2) If the Member named continues his / her misconduct after a motion under the foregoing paragraph has been carried, the Chair may :-

EITHER

Move "That the Member named do leave the meeting" in which case the motion shall be put and determined without seconding or discussion (if carried, the named Member shall be asked to leave the meeting

OR

Adjourn the meeting for such period, as s/he in her/his discretion considers expedient.

#### **General disturbance**

- (3) In the event of general disturbance which, in the opinion of the Chair, makes it impossible to conduct business, s/he may adjourn the meeting without question for whatever period s/he considers appropriate.

### **No. 34**

#### **DISTURBANCE BY THE PUBLIC**

- (1) The Chair shall warn any member of the public who interrupts the proceedings at any meeting. If the individual continues the interruption, the Chair may order his / her removal from the meeting venue. In the event of general disturbance in any part of the meeting venue open to the public, the Chair shall order that part to be cleared. Similarly, in event of general disturbance from members of the public participating remotely, the Chair may order all such public access to be terminated.
- (2) The Chair may adjourn the meeting as per SO 33(3) above.



## MEMBERS AND STAFF

### No. 35

#### GENERAL URGENCY PROVISION

Notwithstanding anything in this Constitution, the Chief Executive and other Extended Management Team (EMT) members shall be authorised to take decisions on the grounds of urgency regarding matters which would otherwise be reserved for determination by a Committee or the Council. A matter can be deemed urgent if, in the reasonable opinion of the Management Team-EMT member concerned, a delay would seriously prejudice the interest of the Council or of the public and it is not practicable to convene a quorate meeting of the relevant decision-making body in sufficient time to take the decision.

The EMT Management Team member concerned shall also:

- advise and seek the views of the Political Group Leaders and the Chair of the appropriate Committee at the earliest opportunity; and
- report the matter to next scheduled meeting of the appropriate Committee.

### No. 36

#### PECUNIARY INTERESTS OF OFFICERS

If an Officer has a direct or indirect pecuniary interest in a contract which the Council has entered into, or proposes to enter into, he /she shall make arrangements for the interest to be recorded within an electronic register maintained ~~by the Chief Executive~~ for this purpose.

### No. 37

#### MOTIONS AFFECTING PERSONS EMPLOYED BY THE COUNCIL

If any question arises at a meeting of the Council, Committee or Sub-Committee to which Section 100A(4) of the Local Government Act 1972 applies as to the appointment, promotion, dismissal, salary, superannuation or condition of service, or as to the conduct of any person employed by the Council, such question shall not be the subject of discussion until the Council, Committee or Sub-Committee, as the case may be, has decided whether or not the power of exclusion of the public under Section 100A(4) of the Local Government Act 1972 shall be exercised.

### No. 38

#### CANVASSING OF AND TESTIMONIALS BY MEMBERS

- (1) Canvassing of Members of the Council or any Committee of the Council directly or indirectly for any appointment under the Council may disqualify the candidate concerned for that appointment. The purport of this paragraph of this Standing Order shall be included in any form of application.
- (2) A Member of the Council shall not solicit for any person any appointment under the Council, but this shall not preclude a Member from giving a written testimonial of a candidate's ability, experience, or character for submission to the Council with an application for appointment.

- (3) A Member of the Council shall inform the Chief Executive of any Officer canvassing them directly or indirectly for any favour relating to their employment. The Chief Executive will consider the appropriate course of action to be taken against that Officer.

### **No. 39**

#### **APPLICANTS FOR EMPLOYMENT VACANCIES WHO ARE RELATIVES OR PARTNERS OF MEMBERS OR OFFICERS**

- (1) A candidate for any appointment by the Council who is a relative or partner of anyone known to be a Member or officer of the Council shall, when making an application, disclose that relationship. A candidate who fails to disclose such a relationship may be disqualified for the appointment and, if appointed, shall be liable to dismissal without notice. If a Member or officer is a relative or partner of anyone known to be such a candidate, they must disclose this to ~~the Human Resources. -Lead Specialist.~~
- (2) The purport of this Standing Order shall be included in any form of application.

### **No. 40**

#### **FILLING OF VACANCIES**

All vacancies, unless they are to be filled by promotion or transfer, shall be advertised on a relevant website. Consideration may be given to advertising in a relevant newspaper or a journal or an agency/consultancy as well where the best opportunity lies for reaching prospective applicants except where determined by the appropriate Committee. If, within six months of the filling of a vacancy which has been advertised, a similar vacancy occurs, one of the former applicants may be appointed.

NOTE:

- (i) The appointment of Local Authority staff generally is dealt with under Sections 112 to 119 of the Local Government Act 1972.
- (ii) The appointment of the Chief Executive and other Chief Officers are covered in Standing Order No. 41.

### **No. 41**

#### **APPOINTMENT OF CHIEF OFFICERS (i.e. those who will serve on the Management Team)**

- (1) Where the Council proposes to appoint a Chief Officer, and it is not proposed that the appointment be made exclusively from among existing staff, the Chief Executive shall:-
- (i) draw up a statement specifying -
- (a) the duties of the post; and
  - (b) any qualifications / qualities to be sought in the person to be appointed;
- (ii) invite applications by public advertisement; and
- (iii) provide a copy of the statement referred to in paragraph (i) above to any person on request.

- (2) Where a post has been advertised as provided in paragraph 1 (ii) above, the Chief Officer Sub-Committee will interview all qualified applicants for the post or a short list of qualified applicants. Such short-listing will be undertaken by the Sub-Committee where the appointment in question is for the post of Chief Executive. For other Chief Officer appointments, short-listing will be undertaken by the Chief Executive.
- (3) Where no qualified person has applied, further applications ~~shall~~may be invited in accordance with paragraph 1 (ii).
- (4) An appointment to the post of Chief Executive shall be made by the Council.
- (5) Appointments to other Chief Officer posts will be dealt with by the Chief Officer Sub-Committee which is empowered to make an appointment and report its decision to the next meeting of the Council.

#### **No. 42**

#### **DISCIPLINARY ACTION AGAINST CHIEF OFFICERS**

- (1) Subject to (2) below, the Chief Officer Sub-Committee shall deal with disciplinary matters relating to the Chief Executive and other Chief Officers.
- (2) In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, any recommendation of the Sub-Committee to dismiss the Chief Executive, Monitoring Officer or the Chief Finance Officer (Section 151 Officer) must be referred to full Council following a disciplinary hearing by an independent advisory panel.
- (3) Should a Chief Officer be suspended for the purpose of investigating alleged misconduct, any such suspension shall be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

#### **No. 43**

#### **INSPECTION OF LANDS, PREMISES, ETC.**

Unless specifically authorised to do so by the Council or a Committee, a Member of the Council shall not issue any order respecting any works which are being carried out by or on behalf of the Council or claim by virtue of his / her Membership of the Council any right to inspect or to enter upon any lands or premises which the Council has the power or duty to inspect or enter.

## No. 44

### POLITICALLY RESTRICTED POSTS

The following posts have been listed in accordance with Subsection (1) of Section 2 of the Local Government and Housing Act 1989:

#### 1. Specified Posts

Chief Executive  
Deputy Chief Executive  
Director of Resources  
Head of Legal & Democratic Services (Monitoring Officer)  
Chief Planning Officer  
Head of Policy and Communications  
Head of Assets and Regeneration  
Transformation Programme Director  
Head of Housing  
Head of Environment  
Head of Building Control  
Head of Communities  
Building Control Business Manager

**2. Posts included by virtue of** Subsection (3) of Section 2 of the Local Government and Housing Act 1989 (giving advice to the Authority and speaking to the press on a regular basis on behalf of the Authority):

The list of the posts concerned is currently under review.

## No. 45

### RECOGNITION OF POLITICAL GROUPS

Political Groups will be provided with:

- (i) ~~The use of the Council Chamber and/or Committee Rooms in the Council Offices for the consideration of matters connected with the functions of the Local Authority.~~
- (ii) ~~Council / Committee items and other relevant documentation via the Council's Member despatch system; and~~
- (iii) ~~Copying facilities.~~

## No. 46

### REQUIREMENTS FOR OFFICERS TO CONSULT WITH MEMBERS

Throughout Financial Regulations, the Scheme of Delegation and the Planning Protocol (parts C, E and F of the Constitution) requirements for officers having to consult Members shall be interpreted as follows:

- (i) if the Council is in a state of no overall control (i.e. where no single political group or a coalition of groups has an absolute majority of seats) such consultation shall be with the Leaders, or their nominated representatives, of political groups comprising eight or more Councillors; or

- (ii) if a single political group or a coalition of groups forming the Administration has an absolute majority of seats, such consultation shall be solely with the Leader(s) of the Council or his / her / their nominated representative(s).

## **GENERAL MATTERS**

### **No. 47**

#### **INTERPRETATION OF STANDING ORDERS**

- (1) The ruling of the Chair as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council. The Chair may call upon the Chief Executive to give advice at Council meetings on any matter.
- (2) This Standing Order shall also apply with any necessary modification to the ruling of the Chair at any Committee or Sub-Committee meeting.

### **No. 48**

#### **SUSPENSION OF STANDING ORDERS**

- (1) Subject to paragraph (2) of this Standing Order, any of the preceding Standing Orders (other than Standing Orders 13 (3) and (5) which are mandatory) may be suspended so far as regards any business at the meeting where its suspension is moved.
- (2) A motion to suspend Standing Orders shall not be moved without notice in Council (i.e. under Standing Order No. 9) or Committee unless there shall be present at least one-half of the whole number of the members of the Council or Committee.

### **No. 49**

#### **CONSTITUTION - ~~COPIES TO BE GIVEN TO MEMBERS AND~~ AMENDMENTS**

- ~~(1) A printed copy of the Constitution shall be given to each newly elected Member of the Council.~~
- ~~(2)~~ Power to make significant revisions to the Constitution is reserved for the Council (including upon consideration of recommendations from the Strategy & Resources Committee (subject to other Policy Committees being able to make recommendations direct to Council about proposed changes to their Terms of Reference). Subject to the matter being reported on the Delegated Action List, minor and consequential amendments can be made by the Chief Executive.

## **No. 50**

### **LOCAL CODE OF CONDUCT FOR MEMBERS**

- (1) All Members of the Council must familiarise themselves with the contents of the Local Code of Conduct, a copy of which forms part of the Council's Constitution.
- (2) Each Member shall provide an annual signed undertaking to abide by the 7 'Nolan Principles of public life' (listed below) while serving as a Councillor:
  - selflessness
  - integrity
  - objectivity
  - accountability
  - openness
  - honesty
  - leadership.

## **No. 51**

### **CUSTODY OF SEAL**

The Common Seal of the Council shall be kept in a safe place in the custody of the Head of Legal and Monitoring Officer.

## **No. 52**

### **INSPECTION OF DOCUMENTS**

In addition to the rights given to Members by Section 100F (Rights of Access to Documents) of the Local Government Act 1972, a Member of the Council may also establish the need to know and hence a right to inspect any document in the Council's possession on an approach to the Chief Executive.

## **NOTES**

- (i) References in these Standing Orders to the feminine / masculine genders are interchangeable. References to the singular shall also include the plural and vice-versa.
- (ii) A clear working day means any day from Mondays to Fridays inclusive but specifically excludes Public and Bank Holidays and weekends.
- (iii) In respect of the decision making process and by virtue of Minute 541 (94/95), the Council has accepted the general principle that a decision, once taken, should not be changed at the same Council/Committee/Sub-Committee meeting.

Appendix B

**Proposed Timetable of Meetings for 2024/25** (meetings start at 7.30pm unless otherwise indicated)

MAY 2024	JUNE 2024	JULY 2024	AUGUST 2024	SEPT 2024	OCT 2024	NOV 2024	DEC 2024
1Weds	1Sat	1Mon	1Thurs	1Sun	1Tues	1Fri	1Sun
2Thurs <b>Elections</b>	2Sun	2Tues <b>A&amp;S</b>	2Fri	2Mon	2Weds	2Sat	2Mon
3Fri	3Mon	3Weds	3Sat	3Tues <b>CS</b>	3Thurs <b>P</b>	3Sun	3Tues
4Sat	4Tues	4Thurs <b>P</b>	4Sun	4Weds	4Fri	4Mon	4Weds
5Sun	5Weds	5Fri	5Mon	5Thurs <b>P</b>	5Sat	5Tues <b>CS</b>	5Thurs <b>A&amp;S</b>
6Mon BH	6Thurs <b>P</b>	6Sat	6Tues	6Fri	6Sun	6Weds	6Fri
7Tues	7Fri	7Sun	7Weds	7Sat	7Mon	7Thurs <b>P</b>	7Sat
8Weds	8Sat	8Mon	8Thurs	8Sun	8Tues	8Fri <b>ISC 10am<sup>3</sup></b>	8Sun
9Thurs	9Sun	9Tues	9Fri	9Mon	9Weds	9Sat	9Mon
10Fri	10Mon	10Weds	10Sat	10Tues <b>S</b>	10Thurs	10Sun	10Tues
11Sat	11Tues	11Thurs	11Sun	11Weds	11Fri	11Mon	11Weds
12Sun	12Weds	12Fri	12Mon	12Thurs <b>H</b>	12Sat	12Tues	12Thurs <b>P</b>
13Mon	13Thurs <b>CS</b>	13Sat	13Tues	13Fri	13Sun	13Weds	13Fri
14Tues	14Fri <b>ISC 10am<sup>1</sup></b>	14Sun	14Weds	14Sat	14Mon	14Thurs <b>H</b>	14Sat
15Weds	15 Sat	15Mon	15Thurs	15Sun	15Tues	15Fri	15Sun
16Thurs	16Sun	16Tues	16Fri	16Mon	16Weds	16Sat	16Mon
17Fri	17Mon	17Weds	17Sat	17Tues	17Thurs <b>C</b>	17Sun	17Tues
18Sat	18Tues <b>H</b>	18Thurs <b>C</b>	18Sun	18Weds	18Fri	18Mon	18Weds
19Sun	19Weds	19Fri	19Mon	19Thurs <b>PP</b>	19Sat	19Tues	19Thurs <b>C</b>
20Mon	20Thurs <b>PP</b>	20Sat	20Tues	20Fri	20Sun	20Weds	20Fri
21Tues	21Fri	21Sun	21Weds	21Sat	21Mon	21Thurs <b>PP</b>	21Sat
22Weds	22Sat	22Mon	22Thurs	22Sun	22Tues	22Fri	22Sun
23Thurs <b>AC</b>	23Sun	23Tues	23Fri	23Mon	23Weds	23Sat	23Mon
24Fri	24Mon	24Weds	24 Sat	24Tues <b>A&amp;S<sup>10</sup></b>	24Thurs	24 Sun	24Tues
25Sat	25Tues	25Thurs <b>P</b>	25Sun	25Weds	25Fri	25Mon	25Weds BH
26Sun	26Weds	26Fri	26Mon BH	26Thurs <b>S&amp;R</b>	26Sat	26Tues	26Thurs BH
27Mon BH	27Thurs <b>S&amp;R<sup>2</sup></b>	27Sat	27Tues	27Fri	27Sun	27Weds	27Fri
28Tues	28Fri	28Sun	28Weds	28Sat	28Mon	28Thurs <b>S&amp;R<sup>4</sup></b>	28Sat
29Weds	29 Sat	29Mon	29Thurs	29Sun	29Tues	29Fri	29Sun
30Thurs	30Sun	30Tues	30Fri	30Mon	30Weds	30Sat	30Mon
31 Fri		31 Weds	31Sat		31Thurs		31Tues

## Appendix B

JAN 2025	FEB 2025	MAR 2025	APR 2025	MAY 2025
1Weds BH	1Sat	1Sat	1Tues	1Thurs <b>Elections</b>
2Thurs	2Sun	2Sun	2Weds	2Fri
3Fri	3Mon	3Mon	3Thurs <b>A&amp;S</b> <sup>10</sup>	3Sat
4Sat	4Tues <b>A&amp;S</b>	4Tues	4Fri	4Sun
5Sun	5Weds	5Weds	5Sat	5Mon BH
6Mon	6Thurs <b>P</b>	6Thurs <b>P</b>	6Sun	6Tues
7Tues	7Fri	7Fri	7Mon	7Weds
8Weds	8Sat	8Sat	8Tues <b>P</b>	8Thurs
9Thurs <b>P</b>	9Sun	9Sun	9Weds	9Fri
10Fri	10Mon	10Mon	10Thurs <b>C</b>	10Sat
11Sat	11Tues	11Tues	11Fri	11Sun
12Sun	12Weds	12Weds	12Sat	12Mon
13Mon	13Thurs <b>C</b> <sup>8</sup>	13Thurs <b>CS</b> <sup>9</sup>	13Sun	13Tues
14Tues <b>CS</b> <sup>5</sup>	14Fri	14Fri	14Mon	14Weds
15Weds	15 Sat	15 Sat	15Tues	15Thurs
16Thurs <b>PP</b> <sup>5</sup>	16Sun	16Sun	16Weds	16Fri
17Fri <b>ISC</b> <sup>6</sup> 10am	17Mon	17Mon	17Thurs	17Sat
18Sat	18Tues	18Tues <b>H</b>	18Fri BH	18Sun
19Sun	19Weds	19Weds	19Sat	19Mon
20Mon	20Thurs	20Thurs <b>PP</b>	20Sun	20Tues
21Tues	21Fri	21Fri	21Mon BH	21Weds
22Weds	22Sat	22Sat	22Tues	22Thurs <b>AC</b>
23Thurs <b>H</b> <sup>5+</sup>	23Sun	23Sun	23Weds	23Fri
24Fri	24Mon	24Mon	24Thurs	24 Sat
25Sat	25Tues <b>S</b>	25Tues	25Fri	25Sun
26Sun	26Weds	26Weds	26Sat	26Mon BH
27Mon	27Thurs	27Thurs <b>S&amp;R</b>	27Sun	27Tues
28Tues	28Fri	28Fri	28Mon	28Weds
29Weds		29 Sat	29Tues	29Thurs
30Thurs <b>S&amp;R</b> <sup>7</sup>		30Sun	30Weds	30Fri
31 Fri		31Mon		31Sat

### KEY TO CODING

AC Annual Council  
A&S Audit & Scrutiny Committee  
BH Bank Holiday  
C Council  
CS Community Services Committee  
H Housing Committee  
ISC Investment Sub-Committee  
P Planning Committee  
PP Planning Policy Committee  
S Standards Committee  
S&R Strategy & Resources Committee

### School holidays

1 = 23/24 treasury investment outturn

2= 23/24 budget outturn

3= mid-year treasury investment review

4 = draft Council budget for 25/26

5 = 25/26 budget setting meetings

5+ = 25/26 budget setting meetings including housing rents

6 = capital & investment strategy

7= to agree the S&R budget envelope and recommend Council Tax & council wide budget for 25/26

8= to set the Council Tax & budget for 25/26

9 = community safety review

10 = provisional if required



## TANDRIDGE DISTRICT COUNCIL

### INVESTMENT SUB COMMITTEE

Minutes of the meeting of the Sub-Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 3<sup>rd</sup> November 2023 at 10.00 am

**PRESENT:** Councillors Langton (Chair), Booth, Botten, Chris Farr, Hammond, Alun Jones and O'Driscoll (substitute in place of Cooper)

**ALSO PRESENT:** Councillor Gaffney

**ALSO PRESENT (Virtually):** Councillor Smith

**APOLOGIES FOR ABSENCE:** Councillor Cooper

#### 1. MINUTES OF THE MEETING HELD ON THE 16TH JUNE 2023

These minutes were approved and signed as a correct record.

#### 2. SUMMARY INVESTMENT AND BORROWING POSITION AT 30TH SEPTEMBER 2023

A report with the investment analysis at Annexes A and B was presented. This confirmed that, at 30<sup>th</sup> September 2023:

- (i) total long term treasury investments (over 12 months) amounted to £10.7m
- (ii) short term investments (less than 12 months) amounted to £13m
- (iii) the Council also held £16.5m in non-treasury investments, comprising capital loans to specific service providers and limited companies
- (iv) the total amount of Public Works Loan Board (PWLB) loans was £99.4m, comprising £43.4m General Fund loans and £56m Housing Revenue Account loans.

Following consultation, the Government had extended the 'IFRS 9 statutory override' until March 2025. Consequently, the General Fund would continue to be insulated from gains and losses in the capital value of the Council's long-term investments in the following four funds:

- CCLA Property Fund
- Schroders Credit/Bond Fund
- UBS Multi Asset Fund
- CCLA Diversification Fund.

However, the Government's commentary on the consultation outcome suggested that the override might not be further extended. In that respect, the Council's Investment Performance Equalisation Reserve (IPER) would mitigate against the risk of reductions in the carrying value of the above funds from impacting upon the General Fund balance. At the previous meeting, it was noted that IPER surpluses could be released to the General Fund if and when confidence in the assets' market values recovered. The current carrying loss had increased to £1.5m and it remained uncertain whether market values would recover by the time the current override elapsed. The Chief Finance Officer confirmed that the 2023/24 investment outturn report (to be submitted to the Sub-Committee early in the next financial year) would enable Members to consider options for utilising investment income and use of the IPER.

A Quarter 2 update on performance against the Council's treasury and other prudential indicators was also submitted. This included commentary on a new Public Works Loan Board discounted rate for Housing Revenue Account borrowing, made available from 15<sup>th</sup> June 2023. Advice would be taken from Arlingclose and the Centre of Expertise on whether accessing this rate offered good value. (The Council's HRA debt was currently funded by internal borrowing).

**RESOLVED** – that the following be noted:

- A. the Council's investment and borrowing position at 30<sup>th</sup> September 2023 as set out in Annexes A and B;
- B. the Council's actual performance against the indicators set within the Treasury Management Strategy for 2023/24 in Annex C;
- C. the commentary from Arlingclose on the external context for treasury management; and
- D. the update on the performance of the Council's long-term treasury investments.

### **3. INVESTMENT PROPERTY UPDATE**

The Sub-Committee resolved to move into 'Part 2' for this item in accordance with Paragraph 3 (information relating to financial or business affairs) of Part 1 of Schedule 12A of the Local Government Act 1972.

Latest information was presented about the commercial investment properties owned by the Council and its subsidiary company, Gryllus properties. The sites concerned were:

#### **Gryllus properties:**

##### **80-84 Station Road East, Oxted**

The previous lease expired on the 17<sup>th</sup> September 2023 and a new lease was being negotiated.

##### **30-32 Week Street, Maidstone**

The terms of a lease to a new tenant were close to being agreed, with a schedule of refurbishment works ready to go to tender. A dilapidations claim was also being negotiated with the previous tenant, details of which were discussed. The Chief Finance Officer explained the implications of the reduction in rental income arising from the prospective new lease.

### **Castlefield House, Reigate**

Members were advised about the Council's potential approach to this asset in light of the next rent review and the intentions of the existing tenant.

### **TDC properties:**

#### **Quadrant House, Caterham Valley**

Since the previous report, Subway had renewed its lease of 49 Croydon Road, details of which were shared with the Sub-Committee. It was also noted that Suite 1C Quadrant House North was being marketed following the departure of the previous tenant. An offer to let another area of Quadrant House and potential terms for renewal of the Workary lease were the subject of two separate items on the agenda.

#### **Village Health Club, Caterham on the Hill**

The tenant, Freedom Leisure, had sought financial assistance from the Council for both this site and Tandridge Leisure Pool in Oxted. Members were updated about the Council's response to this request which, while falling short of direct financial support, included a grant application to England's Swimming Pool Support Fund. Concerns regarding the current inability to impose service delivery standards as part of the lease agreements (which were limited to property contracts) for these two sites were discussed.

#### **Council Offices, Oxted**

Members were advised about a recent letting and two other lease renewals. Officers had continued to assess the scope for further lettings, together with potential solutions for increasing car parking capacity, and wished to instruct a local agent to begin marketing the surplus space. Potential options for assisting those working in the Council Offices to park elsewhere in Oxted were discussed.

***RESOLVED*** – that:

- A. the report be noted; and
- B. the Officers' initiative to lease more surplus space at the Council Offices be endorsed.

#### 4. PROPOSED NEW SHOP LETTING

The Sub-Committee resolved to move into 'Part 2' for this item in accordance with Paragraph 3 (information relating to financial or business affairs) of Part 1 of Schedule 12A of the Local Government Act 1972.

A report concerning an offer to let three shop units in Quadrant House, Caterham was considered. Opposing arguments about whether the Council should accept the offer were debated, which concluded with the Sub-Committee voting against.

**RECOMMENDED** (to the Strategy & Resources Committee) that the offer from a prospective tenant to lease three shop units in Quadrant House be declined.

#### 5. THE WORKARY LEASE RENEWAL

The Sub-Committee resolved to move into 'Part 2' for this item in accordance with Paragraph 3 (information relating to financial or business affairs) of Part 1 of Schedule 12A of the Local Government Act 1972.

Wimbletech, trading as 'The Workery', had been occupying a unit in Quadrant House, Caterham as a co-working office since August 2020. The original lease had expired on 12<sup>th</sup> August 2022 and officers had since been attempting to negotiate terms for a renewal. Negotiations had reached an impasse and Officers wished to seek guidance from the Sub-Committee on how to proceed. A report was submitted regarding officers' proposed terms for the renewal of Wimbletech's lease.

**RESOLVED** – that a renewal of the lease to Wimbletech be on the terms presented within the report.

Rising 12.08 pm

## Annex 'A'

## Annex 'A'

## Summary of Investments and Borrowing

Investment	Original Value - Long Term Treasury Investments £	Net Asset Value 31/03/23 £	Net Asset Value 30/09/23 £	Yield Rate Note 1 %	Forecast Return 2023/24 £	Previous Year Actual Return £
<b>Treasury Investments (Non-specified)- Long Term (over 12 mths)</b>						
CCLA Property Fund	4,000,000	4,082,278	4,028,890	4.72	189,999	173,997
Schroders Bond Fund	3,000,000	2,550,204	2,581,908	5.85	151,110	149,038
UBS Multi Asset Fund	3,000,000	2,208,433	2,069,445	7.49	154,957	145,657
CCLA Diversification Fund	2,000,000	1,864,707	1,835,035	3.56	65,280	56,357
Funding Circle		142,398	148,766	-	6,371	20,249
<b>Sub Total Non-specified (Treasury Investments)</b>	<b>12,000,000</b>	<b>10,848,020</b>	<b>10,664,044</b>		<b>567,717</b>	<b>545,299</b>
<b>Treasury Investments (Specified)-Short Term (less than 12 mths)</b>						
Liquidity Plus Funds		1,994,226	1,998,272	4.51	90,059	37,475
Money Market Funds		4,000,000	11,000,000	5.10	465,148	394,562
<b>Total Specified Investments</b>		<b>5,994,226</b>	<b>12,998,272</b>		<b>555,207</b>	<b>432,037</b>
<b>Total Treasury Investments</b>		<b>16,842,246</b>	<b>23,662,316</b>		<b>1,122,924</b>	<b>977,336</b>
<b>Non-Treasury Investments (Non-Specified)- Long Term (over 12 mths)</b>						
Gryllus Property Company Loan - Maidstone		2,394,000	2,394,000	5.81	139,023	139,023
Freedom Leisure- Loan (TLP)		387,429	290,571	5.50	21,309	31,963
Freedom Leisure- Loan (de Stafford)		248,286	186,214	7.58	18,820	28,230
Gryllus Property Company Loan - 80-84 Station Rd East		1,012,500	1,012,500	5.43	54,979	54,979
Gryllus Property Company Loan - Castlefield		11,664,000	11,664,000	6.10	711,504	711,504
Gryllus Property Company Share Capital Note 2		994,100	994,100	-	-	-
<b>Sub Total Non-Treasury Investments</b>		<b>16,700,314</b>	<b>16,541,386</b>		<b>945,634</b>	<b>965,699</b>
<b>Total Investments (Treasury &amp; Non-Treasury)</b>		<b>33,542,561</b>	<b>40,203,701</b>		<b>2,068,558</b>	<b>1,943,035</b>
<b>Total Investment Income Budget 2023/24</b>					1,495,700	1,495,700
<b>Over/(under) budget</b>					<b>572,858</b>	<b>447,335</b>

<b>Borrowing</b>	<b>Balance as at 30/09/23</b>	<b>Interest</b>	<b>Forecast Cost 2023/24</b>	<b>Period to maturity</b>	<b>Previous Year Cost</b>
	<b>£</b>	<b>%</b>	<b>£</b>	<b>(years)</b>	<b>£</b>
<b>General Fund Borrowing</b>					
Gryllus Loan	3,420,000	2.46	84,132	44	84,132
Freedom Leisure Loan	2,225,000	2.45	54,513	44	54,513
Village Health Club	938,678	2.38	22,341	44	22,341
Linden House	4,175,000	2.69	112,308	25	112,308
Linden House	254,000	2.42	6,147	26	6,147
Quadrant House	15,340,000	2.41	369,694	45	369,694
Quadrant House	800,000	2.28	18,240	46	18,240
Gryllus - 80-84 Station Road	724,400	2.28	16,516	46	16,516
Gryllus - Castlefield	15,549,000	2.91	452,476	46	452,476
<b>Sub Total General Fund Borrowing</b>	<b>43,426,078</b>		<b>1,136,366</b>		<b>1,136,366</b>
<b>Total GF PWLB Budget 2023/24</b>			<b>1,137,000</b>		<b>1,137,000</b>
<b>Over/(under) budget</b>			<b>(634)</b>		<b>(634)</b>
<b>HRA Borrowing</b>					
Public Works Loan Board	55,989,000	2.72	1,520,196	13	1,596,258
<b>Sub Total HRA Borrowing</b>	<b>55,989,000</b>		<b>1,520,196</b>		<b>1,596,258</b>
<b>Total HRA PWLB Budget 2023/24</b>			<b>1,639,600</b>		<b>1,639,600</b>
<b>Over/(under) budget</b>			<b>(119,404)</b>		<b>(43,342)</b>
<b>Total Borrowing</b>	<b>99,415,078</b>		<b>2,656,562</b>		<b>2,732,624</b>
<b>Total Budget 2023/24</b>			<b>2,776,600</b>		<b>2,776,600</b>
<b>Total Over/(under) budget</b>			<b>(120,038)</b>		<b>(43,976)</b>

<b>Net borrowing balance at 30 September 2023 (Total Borrowing less Treasury Investments)</b>	<b>82,572,832</b>
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**Notes:**

1. Yield Rate:

For Specified and Non specified Investments, this is the forecast return divided by net asset value as at 30/09/23;  
For Specified investments, this is the forecast return divided by the average investment value during the year

2. Gryllus share capital comprises of equity shares arising from loans granted

3. The period to maturity included for HRA borrowing is the weighted average for all loans outstanding.

Market Value of Long Term Investments at 30/09/2023

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Carrying Value	Carrying Value	Carrying Value	Carrying Value	Carrying Value	Carrying Value	Carrying Value	Carrying Value
	31.3.2018	31.3.2019	31.03.2020	31.03.2021	31.03.2022	31.03.2023	30.09.2023
	£	£	£	£	£	£	£
CCLA Property Fund	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000
Schroders Bond Fund	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
UBS Multi Asset Fund	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
CCLA Diversification Fund	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
<b>Total</b>	<b>12,000,000</b>	<b>12,000,000</b>	<b>12,000,000</b>	<b>12,000,000</b>	<b>12,000,000</b>	<b>12,000,000</b>	<b>12,000,000</b>

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Market Value	Market Value	Market Value	Market Value	Market Value	Market Value	Market Value	Market Value
	31.3.2018	31.3.2019	31.03.2020	31.03.2021	31.03.2022	31.03.2023	30.09.2023
	£	£	£	£	£	£	£
CCLA Property Fund(mid-market value)	4,276,854	4,276,005	4,188,063	4,158,183	4,888,056	4,082,278	4,028,890
Schroders Bond Fund	2,912,837	2,865,130	2,539,938	2,908,911	2,775,151	2,550,204	2,581,908
UBS Multi Asset Fund	2,918,160	2,868,479	2,520,713	2,777,398	2,639,592	2,208,433	2,069,445
CCLA Diversification Fund (indicative market value)	1,921,257	1,982,167	1,804,193	1,955,874	2,046,513	1,864,707	1,835,035
<b>Total</b>	<b>12,029,108</b>	<b>11,991,781</b>	<b>11,052,907</b>	<b>11,800,366</b>	<b>12,349,313</b>	<b>10,705,622</b>	<b>10,515,278</b>

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)
	31.3.2018	31.3.2019	31.03.2020	31.03.2021	31.03.2022	31.03.2023	30.09.2023
	£	£	£	£	£	£	£
CCLA Property Fund	276,854	276,005	188,063	158,183	888,056	82,278	28,890
Schroders Bond Fund	(87,163)	(134,870)	(460,062)	(91,089)	(224,849)	(449,796)	(418,092)
UBS Multi Asset Fund	(81,840)	(131,521)	(479,287)	(222,602)	(360,408)	(791,567)	(930,555)
CCLA Diversification Fund	(78,743)	(17,833)	(195,807)	(44,126)	46,513	(135,293)	(164,965)
<b>Total</b>	<b>29,108</b>	<b>(8,219)</b>	<b>(947,093)</b>	<b>(199,634)</b>	<b>349,313</b>	<b>(1,294,378)</b>	<b>(1,484,722)</b>





## Prudential Indicators – Q2 2023/24

The 2021 Prudential and Treasury Management Codes require the Council to report on prudential indicators on a quarterly basis. These indicators report on capital expenditure, borrowing and commercial and service investments in light of overall organisational strategy and resources, and ensure that decisions are being made with sufficient regard to the long-run financing implications and potential risks to the Council.

### Table 1 – Estimates of Capital Expenditure

Capital expenditure refers to Council spending on assets such as infrastructure, property or vehicles that will be used for more than one year. In Local Government this includes spending on assets owned by other bodies and loans and grants to other bodies, enabling them to buy assets.

At Month 5 the Council was forecasting total capital expenditure for 2023/24 of £19.8m. This is a variance of £0.6m compared to what was reported in the 2023/24 Capital, Investment and Treasury Management Strategy. This is the result of unspent budget carry forwards from 2022/23 agreed since the Strategy was published, offset by forecast underspends in-year on Council House Building (£3.9m), Croydon Road Regeneration (£2.3m) and capital contributions to third parties from CIL (£2.1m).

	2022/23 Actual £m	2023/24 Estimate (Capital Strategy) £m	2023/24 Forecast £m	2024/25 Budget £m	2025/26 Budget £m	Total – 2023/24 to 2025/26 £m
General Fund services	4.9	3.8	3.7	2.8	1.8	8.2
Council Housing (HRA)	11.5	15.4	16.1	12.7	3.9	32.8
<b>Total</b>	<b>16.4</b>	<b>19.2</b>	<b>19.8</b>	<b>15.5</b>	<b>5.7</b>	<b>41.0</b>

### Table 2 – Capital Financing Requirement

The Council's cumulative outstanding amount of debt finance is measured by the Capital Financing Requirement (CFR). This increases with new debt-financed capital expenditure on service delivery and on investments and reduces with MRP and capital receipts used to replace debt.

The current estimated CFR for 2023/24 is £1.4m lower than what was estimated in the 2023/24 Capital, Investment and Treasury Management Strategy. This is based on forecast capital expenditure at Month 5, and is a result of forecast underspends on capital schemes, including those referenced in Table 1, which reduce the anticipated underlying need to borrow to finance them.

	31/03/2023 Actual £m	31/03/2024 Estimate (Capital Strategy) £m	31/03/2024 Forecast £m	31/03/2025 Budget £m	31/03/2026 Budget £m
General Fund services	46.9	47.6	48.0	48.1	47.7
Council Housing (HRA)	61.7	71.5	69.7	74.6	74.6
<b>Total CFR</b>	<b>108.5</b>	<b>119.1</b>	<b>117.7</b>	<b>122.7</b>	<b>122.3</b>

**Table 3 – Gross Debt and the Capital Financing Requirement**

Statutory guidance is that debt should remain below the capital financing requirement, except in the short term. The Council has complied and expects to continue to comply with this requirement in the medium term as is shown below.

The current estimated level of gross debt is £6.1m less than what was estimated in the 2023/24 Capital, Investment and Treasury Management Strategy. This is based on forecast capital expenditure at M5, and is a result of forecast underspends on the schemes referenced in Table 1 which reduce the anticipated requirement to borrow to finance them.

	31/03/2023 Actual £m	31/03/2024 Estimate (Capital Strategy) £m	31/03/2024 Forecast £m	31/03/2025 Budget £m	31/03/2026 Budget £m	Debt at 30/09/2023 £m
Debt (incl. PFI & leases)	99.4	112.7	106.6	109.3	106.5	99.4
Capital Financing Requirement	108.5	119.1	117.7	122.7	122.3	

**Table 4 – Debt and the Authorised Limit and Operational Boundary**

The Council is legally obliged to set an affordable borrowing limit (also termed the Authorised Limit for external debt) each year and to keep it under review. In line with statutory guidance, a lower “operational boundary” is also set as a warning level should debt approach the limit. These limits were set in the 2023/24 Capital, Investment and Treasury Management Strategy. The Council has complied with the limits at Q2 2023/24.

	Maximum Debt Q2 2023/24 £m	Debt at 30/09/2023 £m	2023/24 Authorised Limit £m	2023/24 Operational Boundary £m	Complied?
Borrowing	99.4	99.4	150.0	140.0	✓
PFI and Finance Leases	-	-	-	-	
<b>Total debt</b>	<b>99.4</b>	<b>99.4</b>	<b>150.0</b>	<b>140.0</b>	

**Table 5 – Net Income from Commercial and Service Investments to Net Revenue Stream**

The Council's income from commercial and service investments as a proportion of its net revenue stream has been and is expected to be as indicated below. This is unchanged from the 2023/24 Capital, Investment & Treasury Management Strategy.

	2022/23 Actual £m	2023/24 Estimate (Capital Strategy) £m	2023/24 Forecast £m	2024/25 Budget £m	2025/26 Budget £m
Total net income from service and commercial investments	1.7	1.7	1.7	1.7	1.7
Proportion of net revenue stream	15%	14%	14%	14%	14%

**Table 6 – Proportion of financing costs to net revenue stream**

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue. The proportion of financing costs to net revenue stream is expected to rise marginally compared to what was reported in the 2023/24 Capital, Investment & Treasury Management Strategy.

	2022/23 Actual £m	2023/24 Estimate (Capital Strategy) £m	2023/24 Forecast £m	2024/25 Budget £m	2025/26 Budget £m
General Fund – Financing costs	2.3	2.0	2.3	2.0	2.1
Proportion of net revenue stream	20%	17%	19%	17%	18%

**Table 7 – Maturity Structure of Borrowing**

This indicator is set to control the Council’s exposure to refinancing risk. The upper and lower limits on the maturity structure of all borrowing are as below, all of which the Council complied with at Q2 of 2023/24.

	Upper Limit 2023/24 %	Lower Limit 2023/24 %	Actual at 30/09/23 %	Complied?
Under 1 year	15	-	3%	Yes
1 to 2 years	15	-	3%	
2 to 5 years	25	-	13%	
5 to 10 years	50	-	20%	
More than 10 years	50	-	4%	
Over 20 years	70	-	56%	
<b>Total</b>			<b>100%</b>	

**Table 8 – Long-term Treasury Management Investments**

The purpose of this indicator is to control the Authority’s exposure to the risk of incurring losses by seeking early repayment of its investments. Long-term investments with no fixed maturity date include strategic pooled funds, real estate investment trusts and directly held equity but exclude money market funds and bank accounts with no fixed maturity date as these are considered short-term. The prudential limits on the long-term treasury management limits are as below, and the Council has complied with these as at Q2 of 2023/24.

	2023/24 £m	2024/25 £m	No fixed date £m
Limit on principal invested beyond year end	16	16	16
Actual principal invested beyond year end	-	-	10.7
Complied?	Yes	Yes	Yes