

## TANDRIDGE DISTRICT COUNCIL

### STRATEGY & RESOURCES COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Offices (via Zoom) on the 9 July 2020 at 6.30pm.

**PRESENT:** Councillors Elias (Chair), M.Cooper (Vice-Chair), Botten, Bourne, Caulcott, D. Cooper, Davies, Duck, Langton, Lee, Milton and N.White

**ALSO PRESENT:** Councillors Allen, Blackwell, Connolly, Farr, Fitzgerald, Lockwood, Mills, Morrow, Pursehouse, Ridge, Sayer, Steeds and Swann

#### 43. MINUTES OF THE MEETING HELD ON THE 19TH MAY 2020

The minutes of the meeting held on the 19<sup>th</sup> May 2020 were agreed.

The Chairman advised that, in respect of Minute 11 /Resolution B, the Recovery Working Group will not, after all, be convened. The intended purpose of the Working Group had, instead, been fulfilled by Group Leader meetings.

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

#### 44. REVENUE BUDGETS AND CAPITAL PROGRAMME - 2019/20 OUTTURN

The Committee considered a report on the outturn position for 2019/20 of the General Fund, Housing Revenue Account and the Capital Programme.

The report provided an overview of the Outturn for 2019/20, rather than a detailed analysis of the accounts which would be presented to the committee at a later date. The external audit of the Council's 2019/20 accounts would commence in August.

The provisional revenue outturn position for the General Fund was a net overspend of £1,990,857 (key variances shown at Appendix A). Measures had been introduced to control expenditure on temporary staff and contractors. The overspend would be financed from General Fund reserves, which would be reduce from £5,660,000 to £2,669,000.

Regarding the Housing Revenue Account, the transfer to reserves in 2019/20 would be £795,320 (compared to a budgeted transfer of £1,320,597 - key variances shown at Appendix B).

The 2019/20 General Fund capital programme budget of £71,930,520 was underspent by £38,194,942. The HRA capital programme budget of £10,377,900 was underspent by £2,252,015. These underspends were mostly due to slippage totalling £39,456,748, i.e. expenditure on individual schemes which, whilst unspent during 2019/20, was still necessary to complete the schemes (Appendix C refers). Approval was therefore sought for the £39,456,748 to be carried forward and added to the capital programme budget for future years.

During the debate, Members commented on the way in which the Council's accounts were presented, including the need for greater clarity and transparency. In connection with this, it was clarified that the "*planning enforcement underspend of £36,644*" only related to non-salaries expenditure and that the inclusion of salary costs of staff working on planning enforcement represented an overspend of £322,438.

**RECOMMENDED** – that:

- A. that the draft financial position of the Council's outturn for 2019/20 be noted; and
- B. the Capital Programme be increased by £38,139,248 in 2020/21 and £1,317,500 in 2021/22 to reflect the slippage of capital underspend from the 2019/20 financial year (total slippage of £39,456,748).

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

#### **45. STRATEGY & RESOURCES COMMITTEE - PERFORMANCE & RISKS - QUARTER 4 PROGRESS REPORT**

The Committee considered progress against its KPIs for the fourth quarter of 2019/20, together with the associated risk analysis.

Debate focused on the (amber) risk entitled "*failure to remain financially sustainable*", including concerns that the likelihood score was now probably higher than 2 and that the control / mitigation comments did not reflect the urgency of the situation. Officers advised that the risk analysis within the report reflected the position at the end of March 2020 and that the format and content of the corporate risk register was under review.

Officers responded to comments about the Council's IT systems and website (Risks 4 and 13) in the context of the Council's engagement with partners and residents during the Covid-19 emergency. The implications of a possible local government reorganisation throughout Surrey in light of the forthcoming Recovery and Devolution White Paper were also discussed.

Members appreciated that risk registers should be live documents and felt that, in future, the risk register presented should reflect the current position.

**RESOLVED** – that performance against the Committee's KPIs for the fourth quarter of 2019/20, together with the associated risk analysis, be noted.

#### **46. INVESTMENT SUB-COMMITTEE - MINUTES OF THE 21ST MAY 2020 MEETING**

In respect of the minutes of this meeting (attached at Appendix D) the Chairman advised that the actions under the property investment item had not been undertaken and were pending the outcome of the Government consultation on the lending terms of the Public Works Loan Board.

**RESOLVED** – that, subject to acknowledgement that the actions under the property investment item have not been undertaken in view of the Government consultation on the lending terms of the Public Works Loan Board, the minutes of the meeting held on the

21<sup>st</sup> May 2020, attached at Appendix D (now including the footnote regarding the property investment item) be noted.

## **47. COUNCIL BUDGET MONITORING 2020/21**

A report was presented regarding the Council's latest financial position in light of the Covid-19 pandemic.

A year end General Fund overspend of £2,576,727 was now forecast, based on a 'realistic' scenario. This reflected latest assumptions on the impact of Covid-19 and was less than the £3,878,461 overspend projection at the end of April 2020. The most significant factor in this revised forecast was that the more stringent social distancing rules were no longer anticipated for the waste collection service, resulting in a £833,300 cost reduction. However, the adverse forecast variance regarding income from property investments had increased by £197,000 to £497,000.

General Fund reserves would have to be reduced to £1,092,000 to fund the projected overspend, although the Medium Term Financial Strategy would seek to replenish reserves in future years by adding £500,000 to the base budget per annum.

The Housing Revenue Account was projected to be overspent by £87,000 at the year end, assuming that rent collection would reduce and an increased transfer to the bad debts provision will be required. This position had improved from the £154,000 overspend forecast in April as savings had been identified within the programme of planned repairs and maintenance

The capital budget for the whole Council totalled £81,972,800 and was forecast to be underspent by £69,222,000 in 2020-21. The most significant variance concerned the Property Development Fund as the Council was now reconsidering its investment strategy while the results of a government consultation into PWLB borrowing are awaited. Capital expenditure on the council house building programme and the upkeep of the housing stock had been particularly affected by Covid-19 following the suspension of works.

Along with other billing authorities, the under collections of council tax and business rates presented cash flow challenges. Tandridge only retained a small proportion of the income, with the majority being paid to preceptors. Surrey County Council had indicated a willingness to allow precepts to be flexed and was engaging in a data gathering exercise with Boroughs and Districts to assess the financial impact. For Tandridge, cash flow modelling indicated that forward council tax receipts would mitigate the impact of the shortfall in business rate receipts until the end of the year.

The report also referred to:

- the Council's income streams being adversely affected by the crisis
- the efforts of the Local Government Association and the District Council Network to alert the Government to the financial emergency facing Local Authorities
- Government support initiatives for businesses, including a business rates holiday and three business support grants schemes for which funding had been provided for the Council to administer and allocate (Small Business Grants Fund, Retail, Hospitality and Leisure Grant Fund, and a Discretionary Fund for Tandridge);

- regarding the first two funds referred to above, £19,214,000 had provided by the Government for the Council to administer and, to date, £17,380,000 had been allocated to 1,394 businesses (82% of those estimated to be eligible);
- regarding the Discretionary Fund referred to above, grants had been allocated following consultation with a Member advisory panel on the 16<sup>th</sup> June 2020 (to date, 206 grants had been paid, totalling £0.988m).

Upon introducing the report, the Acting Chief Finance Officer advised that the Government had confirmed measures to provide financial support for Local Authorities, namely funding for up to 70% of lost income and a £500 million provision for alleviating expenditure pressures. The detailed mechanisms for releasing these funds was unknown and the latter scheme was likely to be targeted to assist areas of proven deprivation.

The role of the recently convened Financial Recovery Working Group in addressing the challenges identified by the report, together with the urgency of the situation, were discussed.

**RESOLVED** – that the Council's overall financial position be noted.

## 48. COUNCIL IMPROVEMENT PLAN

A report was submitted to update Members on progress with key recovery workstreams underway throughout the Council and to seek endorsement of a Corporate Improvement Plan.

The report included reference to the intention to establish a longer term senior management structure; measures to control the recruitment agency/ temporary staff and to improve governance; additional capacity commissioned from the Local Government Association (LGA); an external review of the Council's governance by the Centre for Public Scrutiny (CfPS); collaborative working among the leaders of the three main political groups; the successful implementation of new refuse collection arrangements; the launch of a residents' survey; and actions to raise staff morale.

The report confirmed that other actions were being progressed, including the recruitment of a new Chief Finance Officer; a workforce review to find an affordable longer-term staffing solution for delivering 'business as usual' services; engagement with stakeholders to inform the development of a strategic plan; engagement with Staff Conference to support the development of a refreshed set of values and behaviours as the first part of a culture change programme; stabilisation and transformation of the planning service; and a financial recovery plan. The impact of the COVID-19 pandemic upon the Council's operations was also highlighted.

A proposed improvement plan had been developed to identify actions and to enable the Committee to monitor the delivery against assigned timescales. The plan also included workstreams that would:

- enable the Council to assure itself that key statutory responsibilities were met
- address particular service improvement challenges
- take into account the Council's position post COVID and the "new normal"
- enable and progress partnership working
- facilitate external challenge and support through a Corporate Peer Challenge.

Capacity for a Programme Management Officer would be identified for this and other non 'business as usual' activities. Work was underway to identify how to free up and develop existing resources to undertake this role as part of the new staffing structure. An officer-level

Corporate Improvement Programme Board would also be created to oversee the plan's implementation and ensure appropriate risk management.

During the debate, Members emphasised the critical need for financial recovery to underpin the plan. The implications of emerging local government reorganisation proposals were also discussed, together with the extent to which the Council should aspire to deliver non-statutory services in response to residents' needs.

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**RESOLVED** – that:

- A. progress in key workstreams related to Council recovery be noted; and
- B. the Corporate Improvement Plan, set out in Appendix E, be endorsed.

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

## 49. PROPOSED AMENDMENTS TO THE CONSTITUTION

A report was submitted to enable the Committee to consider proposed amendments to the Constitution in response to recent issues raised at, and arising from, Group Leader meetings. The suggested changes concerned the rights of political groups to appoint their Members to pre-allocated seats on Committees and Sub-Committees; enabling those asking questions under Standing Order 29 (1.2) to also ask a supplementary question; and to change Officer / Member consultation arrangements given that Tandridge is now a 'no overall control' Council.

The merits of amending recommendations C and D, to avoid reliance on officers having to make changes every time political balance changes, were discussed. Councillor Bourne, seconded by Councillor Botten, proposed that the recommendations should be approved as per the report but that the scope for making further amendments to future proof the Officer / Member consultation arrangements throughout the Constitution (to retain the objectives of recommendations C and D but without the need for further revisions to reflect changes in political control) be reconsidered by the Committee later in the year.

Arising from discussion about the proposed changes to Standing Order 29 (1.2), the Head of Legal agreed to consider a suggestion for a further future amendment to clarify the way in which supplementary questions may be answered.

**RECOMMENDED** – that

- A. Standing Orders 13, 20 and 21 be amended in accordance with Appendix F to clarify the rights of political groups to appoint, and subsequently change, their Members on pre-allocated seats on Committees and Sub-Committees;
- B. Standing Order 29 (1.2) be amended in accordance with Appendix G to allow a Councillor, or a person resident, working or studying in the District, to ask a supplementary question at a Council or Committee meeting arising from the answer to their original question;
- C. subject to the Council remaining in a state of no overall control (i.e. where no single political group has an absolute majority of seats), throughout Financial Regulations, the Scheme of Delegation and the Planning Protocol (parts C, E and F of the Constitution), all references to officers having to consult specific Members of the Administration (listed at Appendix H) be deleted and replaced with a requirement that such consultations take place with the Leaders, or their nominated representatives, of political groups comprising ten or more Councillors;
- D. should a single political group gain an absolute majority of seats on the Council, the Chief Executive, in accordance with the power granted by Standing Order 46 (2), be authorised to rescind the constitutional amendments in C above and replace them with a requirement for officers to consult solely with the Leader of the Council or his/her nominated representative; and
- E. the scope for making further amendments to future proof the Officer / Member consultation arrangements throughout the Constitution (to retain the objectives

of recommendations C and D above but without the need for further revisions to reflect changes in political control) be reconsidered by the Committee later in the year.

## 50. CIL BID - BURSTOW ROAD SAFETY SCHEME, SMALLFIELD

The Committee agreed that webcasting be terminated for this item as it would otherwise involve the likely disclosure of exempt information as defined in the paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (*"Information relating to the financial or business affairs of any particular person, including the authority holding that information"*).

A £360,000 award from Community Infrastructure Levy (CIL) funds to Surrey County Council for the purposes of a road safety scheme near Burstow Primary School in Smallfield (Wheelers Lane and Redehall Road junction) was proposed. Details of the proposed scheme were presented.

For background purposes, the report explained the CIL regime whereby charges (arising from the planning process) were collected in order to help fund infrastructure requirements. Five priorities for CIL spending priorities had previously been identified by the Council as follows:

- increasing capacity in education;
- increasing capacity in health;
- flood alleviation;
- regeneration; and
- highways improvements.

Upon introducing the item, Officers advised of an amendment to the report arising from discussion with Members prior to the meeting. This concerned the fourth and final caveat to the proposed award for the road safety scheme which Officers wished to change as follows:

- “(iv) ~~should costs increase, the Highways Authority would be required to reapply should they seek any additional contributions from CIL funds~~ while the scheme is being delivered, the Highway Authority would be expected to cover them, but if the Highway Authority believes that the only way this could be done was through CIL, a new CIL application for the additional funds would need to be submitted for the committee’s consideration in the knowledge that the outcome of such a bid could not be guaranteed.”

Discussion on the merits of the bid ensued.

Officers confirmed the intention to review the criteria and process for future CIL allocations. Member seminars on this subject would be arranged accordingly.

**RESOLVED** – that an award of £360,000 of Community Infrastructure Levy funds be made to Surrey County Council as the relevant Highway Authority to undertake road safety improvements near Burstow Primary School in Smallfield subject to:

- (i) the Highway Authority incurring the costs upfront and is reimbursed using the CIL award
- (ii) the funds to be provided at the appropriate stage as set out in paragraph 5.1. of the report (i.e. “... to allow the Highway Authority to incur the costs up front and be reimbursed for the works on satisfactory delivery”)

- (iii) the funds being spent within 2 years of this committee date for the works described in this report.
- (iv) should costs increase while the scheme is being delivered, the Highway Authority would be expected to cover them, but if the Highway Authority believes that the only way this could be done was through CIL, a new CIL application for the additional funds would need to be submitted for the committee's consideration in the knowledge that the outcome of the bid could not be guaranteed.

**Declarations of interest:**

- (i) Councillor Botten declared an interest in this item on the basis that he was the Chairman of Governors of Burstow Primary School. Whilst this did not amount to a Disclosable Pecuniary Interest under the Members' Code of Conduct, Councillor Botten did not participate in the discussion or voting in connection with this item.
- (ii) Councillor Bourne declared an interest in this item on the basis that he was a governor of Burstow Primary School and a local Ward Member (Burstow, Horne & Outwood). This did not amount to a Disclosable Pecuniary Interest under the Members' Code of Conduct and Councillor Bourne took part in the discussion and voting in connection with this item.
- (iii) Councillor Fitzgerald declared an interest in this item on the basis that he was a local Ward Member (Burstow, Horne & Outwood). This did not amount to a Disclosable Pecuniary Interest under the Members' Code of Conduct and Councillor Fitzgerald took part in the discussion in connection with this item.

## **51. OUTSIDE BODY APPOINTMENTS - LE PERSONNE BENEVOLENT TRUST AND GATWICK AIRPORT NOISE EXECUTIVE BOARD**

The Committee was invited to nominate Members to serve on these two bodies.

***RECOMMENDED*** – that

- A. Councillor Connolly be nominated to fill the vacant trustee position on the board of the Le Personne Benevolent Trust; and
- B. Councillor Lockwood be nominated to serve on the Gatwick Airport Noise Executive Board.

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

## **52. CHIEF OFFICER SUB-COMMITTEE REPORT**

The Committee was informed about Chief Officer Sub-Committee meetings that had taken place since the beginning of the 2019/20 Municipal Year.



The Committee agreed to terminate public access to the meeting to enable Members to discuss the matter. The reason for this was that such discussion was likely to involve the disclosure of exempt information defined in Paragraph 1 of Schedule 12A to the Local Government Act 1972 (information relating to individuals) and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

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

Rising 10.12 pm

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**Provisional revenue outturn position for the General Fund - net overspend of £1,990,857**

Committee/Area	2019/20 Budget (£)	Outturn (£)	Variance (favourable) /adverse (£)	% Variance
Strategy & Resources	1,110,150	2,143,638	1,033,488	93%
Community Services	6,472,650	6,913,341	440,691	7%
Housing	809,900	651,737	(158,163)	(20%)
Planning / Planning Policy	2,049,270	2,724,111	674,841	33%
<b>General Fund Revenue (Net Total)</b>	<b>10,441,970</b>	<b>12,432,827</b>	<b>1,990,857</b>	<b>19%</b>

The main items making up the variances in the General Fund by Committee are:-

**Strategy & Resources Committee overspend of £1,033,488:**

- Salaries overspend of £445,294 – Following the introduction of Customer First this overspend has arisen from the need to maintain the continuity of service provision. The additional costs result from a combination of factors; early departure costs and additional costs following delays in the exit of some permanent staff and from difficulties and delays in recruiting permanent staff. This resulted in the recruitment of temporary staff, agency staff and consultants in order to ensure the maintenance of service provision.
- Additional Treasury Income of £55,013 - Due to acquisition of Castlefield House in December resulting in additional interest income from Gryllus.
- Printing and postage underspend of £46,700 due to lower volume of usage.
- Bad Debt Provision overspend of £51,631 – An increase in the amount of aged debt which is considered to be potentially uncollectable requires additional Bad Debt Provision.
- Collection Fund shortfall in income of £652,101. This is attributable to –
  - a deficit on the Collection Fund in respect of the Council Tax surplus of £87,524 in 2019/20. At the time of budget setting the Councils share of the surplus was estimated at £125,000, however the final position was a surplus of £37,976.
  - a surplus on the Collection Fund in respect of NNDR in of £234,550 in 2019/20. No surplus or deficit was anticipated at budget setting.
  - a shortfall in Section 31 Grant of £630,082
  - an adjustment to S31 Grant in respect of previous years of £169,041

**Planning Committee overspend of £674,841:**

- Salaries overspend of £546,640 - Following the introduction of Customer First this overspend has arisen from the need to maintain the continuity of service provision. The additional costs result from a combination of factors; early departure costs and additional costs following delays in the exit of some permanent staff and from difficulties and delays in recruiting permanent staff. This resulted in the recruitment of temporary staff, agency staff and consultants in order to ensure the maintenance of service provision.

- Planning Applications and Advice overspend of £702,754 -

Legal fees due for the Felbridge Junction appeal of £461,000 have been included in the outturn. Negotiations with one of the parties involved in the final settlement are still ongoing. It is therefore possible a lower figure may be agreed by either before the draft accounts are prepared in which some of provision may be released. However based on current progress at this time this is considered unlikely. There is an overspend in relation to an external contract with Terraquest of £97,000. Terraquest were appointed following Customer First to deal with the planning validation as a result of staffing shortfalls. This contract which was underperforming has been terminated and the work has been taken back in house. This was reported to Members in an earlier cycle. In addition there is an under recovery of income on planning fees of £75,000 and on Developer Pre- Application meetings of £30,754. This is attributable to Brexit uncertainty and the general economic climate. There are also a number of other overspends; an under recovery of income on Members presentations of £12,000 and other minor overspends of £27,000, including consultancy and counsels fees.

- Enforcement underspend of £36,644 - This arises because of a successful bid for additional grant funding from the MHCLG to enable improvements to be made to the Planning Enforcement service. Additional income has also been received from fees for a Planning Enforcement notice.
- Local Plan underspend of £436,991 - This has arisen due to less than expected spend on consultants and counsels fees.
- Neighbourhood Plan underspend of £19,664 - Due to additional grant received.

#### **Community Services Committee overspend of £440,691:**

- Salaries overspend of £103,500 – Following the introduction of Customer First this overspend has arisen from the need to maintain the continuity of service provision. The additional costs result from a combination of factors; early departure costs and additional costs following delays in the exit of some permanent staff and from difficulties and delays in recruiting permanent staff. This meant that it was necessary to recruit temporary, agency and consultancy staff in order to ensure the maintenance of service provision.
- Tandridge Commercial Services overspend of £147,672 - This arises following the centralisation of call centre staff as part of Customer First and will mean that Tandridge Commercial Services may lose the recovery of overheads previously charged as part of the overall service costs. Officers will be carrying out an in-depth review of overhead recoveries to ensure that these costs are apportioned accurately between services.
- High risk tree works overspend of £6,300 - It should be noted that in future years the tree spend budget has been increased by £60,000 to an overall budget spend of £110,000.
- Sports and Recreation pavilions overspend of £16,328 - To ensure the Council was compliant with Health and Safety rules, Legionella inspections had to be carried out in all of the Council owned pavilions.
- Additional car parking revenue of £7,800.

### **Housing Committee underspend of £158,163:**

- Salaries overspend of £302,905 - Following the introduction of Customer First this overspend has arisen from the need to maintain the continuity of service provision. The additional costs result from a combination of factors; early departure costs, additional costs following delays in the exit of some permanent staff and from difficulties and delays in recruiting permanent staff which resulted in the recruitment of temporary staff, agency staff and consultants in order to ensure the maintenance of service provision. The closure of the Douglas Brunton Centre has also added additional redundancy costs.
- Housing Benefit Payments & Recovery net underspend of £206,200 - The recovery of Housing Benefits overpayments was below budget by £237,500. However, this was more than offset by a writeback from the overpayment bad debt provision of £387,000. There was a further net underspend of £56,700 on other budgets within this area.
- The Douglas Brunton Centre's budget has been overspent by £30,458. Of this overspend £18,596 is due to a loss of 6 months sales income and the annual membership fees as a result of transferring management to the Westway Centre and £11,862 is due to repairs expenditure to meet Health and Safety requirements prior to handover.
- Meadowside has underspent by £18,068 due to an increase on sales and an underspend on the repairs budget.
- Additional Grant has been received for Syrian refugees resulting in an underspend of £58,709.
- Homelessness has underspent by £170,788 due to additional Central Government grant plus a transfer in from the homelessness reserve.
- There is an underspend on Housing Benefit administration due to additional Government grant.
- Private Sector Housing Enforcement overspend of £18,578 – A charge by Mole Valley for a shared member of staff has resulted in an overspend of £18,578. Provision has been made in the salaries budget for 2020/21 to cover this work.

Salaries budgets were overspent by £1,397,600 in 2019/20. Officers have been working hard to control salaries expenditure on additional employees, agency staff and consultants. Significant effort was put in during 2019/20 to control expenditure on temporary staff and contractors once the scale of the financial impact from the temporary staffing measures arising from the implementation of Customer First became clear. It was necessary to introduce centralised control in respect of the recruitment of all staff at the centre and this is now being rigorously managed. These controls have prevented the staffing overspend being very much greater in 2019/20, than it otherwise would have been. In 2020/21, these arrangements are working effectively in controlling expenditure upon salaries and staffing. These processes will be maintained during this year and beyond.

### Provisional revenue outturn for the Housing Revenue Account

The transfer to reserves in 2019/20 would be £795,320 (compared to a budgeted transfer of £1,320,597) - key variances shown below.

- £168,500 overspend on Salaries due to the need to maintain service provision following the introduction of Customer First.
- £180,800 overspend on Service Costs. This comprises of two main factors:
  - The depreciation charge for the year was £293,800 greater than budgeted for (a total charge of £5,153,700). Depreciation is a real charge for the HRA affecting the bottom line. The depreciation charge is transferred to the Major Repairs Reserve where the funds are used to finance capital expenditure to maintain the HRA stock. This overspend could not be forecast earlier as the charge for depreciation is based on asset values provided by the Councils valuers at the 31<sup>st</sup> March 2020.
  - There was a net underspend of £113,000 in other service cost areas, with the largest single element being an underspend of £86,000 on consultancy and legal costs.
- £65,500 overspend on Corporate Support Service recharges due in the main to an additional pension charge to the HRA for unfunded pensions.
- £86,900 underspend on Repairs and Maintenance costs.
- £100,700 underspend on interest payable on loans (due to re-financing at lower rates than forecast).
- £255,400 adverse variance on Rental Income from Council Dwellings. This is due to an error in closing the account for the prior year, where £265,000 of income was accounted for in 2018/19 rather than in 2019/20. This was reported as a positive variance for 2018/19 in the outturn report to Members at the 13<sup>th</sup> June 2019 Strategy & Resources Committee.
- £57,700 adverse variance on Garage income due to lower demand than forecast. The budget for 2020/21 has already been revised lower to a more realistic estimate.

In relation to Right to Buy sales during 2019-20, these amounted to 7 sales compared to an original estimate of 8 sales. This has generated total capital receipts of £1,111,810. Income from Right to Buy sales can be particularly volatile. The last 5 years has seen some volatility in sales with 21 sales in 2015/16, 10 in 2016/17, 8 in 2017/18, 11 in 2018/19 and 7 in 2019/20.

## APPENDIX 'C'

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Capital Programme – required slippage of £39,456,74 (expenditure on individual schemes which, whilst unspent during 2019/20, is still necessary to complete the schemes)

Capital Scheme	Slippage £	Reason for Slippage
<b>GENERAL FUND</b>		
<b>Community Services</b>		
Vehicle Fleet Renewals	59,900	Renewals did not occur in 2019/20
Car Parking	17,300	Delay in planned works
Children's Playground Equipment	27,000	Delay in planned works
Purchase of Waste Collection Vehicles	2,800,000	Delayed expenditure on purchase of Waste Collection Vehicles
Land Drainage Capital Works	5,000	Delay in planned works
Park, Pavilions & Open Spaces	88,900	Delay in planned works
Playground Improvements Match Funding Pot	50,000	Delay in planned works
Litter Bins	20,000	Delay in planned works
Public Conveniences Capital Works	275,000	Delay in planned works
Roads & Paths St Marys Church	7,600	Delay in planned works
Plant, Furniture & Equipment (GF)	(20,760)	Expenditure made in advance of 2020/21 Budget
Refuse, Recycling and Food Waste bins	(41,692)	Expenditure made in advance of 2020/21 Budget
<b>Community Services Total</b>	<b>3,288,248</b>	
<b>Housing General Fund</b>		
Disabled Facilities Grants Mandatory	0	Underspend on DFG is transferred to reserves for use in future years
<b>Housing GF Total</b>	<b>0</b>	
<b>Strategy &amp; Resources Committee</b>		
Property Development Fund	33,707,500	Underspend on the Investment and Development Fund of £33,707,456 due to less investment property purchases than expected
Land/Asset Development	134,000	Delay in programme of works
<b>Strategy &amp; Resources Total</b>	<b>33,841,500</b>	
<b>General Fund Total</b>	<b>37,129,748</b>	
<b>Housing Revenue Account</b>		
Council House Building	2,277,000	Minor delays in the overall build programme. Split £959,500 20/21 and £1,317,500 21/22
Housing Management Software	50,000	Budget not spent but improvement works for Orchard identified for 2020/21
<b>HRA Total</b>	<b>2,327,000</b>	
<b>Capital Programme Total</b>	<b>39,456,748</b>	

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## INVESTMENT SUB-COMMITTEE

Minutes of the virtual meeting of the Sub-Committee held on the 21<sup>st</sup> May 2020 at 5.30 p.m.

**PRESENT:** Councillors Elias (Chair), Bourne, Davies, Jecks and Jones.

**ALSO PRESENT:** Councillors Allen, Farr and Sayer.

### 1. MINUTES

The minutes of the meeting held on the 24<sup>th</sup> January 2020 were approved as a correct record.

### 2. DECLARATIONS OF INTEREST

Councillor Jecks declared that he:

- is a non-executive director of UBS Asset Management UK Limited; and
- chairs two other committees regarding investments for which CCLA is the fund manager.

These did not amount to disclosable pecuniary interests under the Members' code of conduct and Councillor Jecks remained in the meeting.

#### ***SUB-COMMITTEE DECISIONS*** ***(under powers delegated to the Sub-Committee)***

### 3. SUMMARY INVESTMENT AND BORROWING POSITION

The investment analysis at Appendices A and B was considered, together with fact sheets for the four funds within the Council's treasury investment portfolio.

Reports regarding the finances of Gryllus Property Limited were requested for future meetings. Officers confirmed that a financial analysis of the company's acquisitions could be circulated to Sub-Committee members before the next meeting. The Sub-Committee was also advised that the company's audited accounts for 2019/20 would be finalised shortly.

At its previous meeting, the Sub-Committee agreed that the redemption proceeds from Funding Circle loans should not be automatically re-invested in further loans but should, instead, be regularly withdrawn from Funding Circle and invested elsewhere within the Council's treasury portfolio (in equal portions), namely 25% to each of the following funds:

- CCLA (diversification fund)
- CCLA (property fund)
- Schroders bond fund
- UBS multi-asset fund

£294,000 had since been withdrawn from the original Funding Circle investment but had not yet been reallocated. The Sub-Committee now wished to exclude the CCLA property fund from the reallocation arrangement and considered that the available liquidity from redeemed Funding Circle loans should only be invested in the other three funds, i.e. one-third to each.

**RESOLVED** – that

- A. the Council’s investment and borrowing position at 31st March 2020, as set out at Appendices A and B, be noted;
- B. the individual factsheets for the long-term investments be noted;
- C. the current statement of investment beliefs be noted; and
- D. upon redemption of the Council’s current Funding Circle loans, the monies be reallocated to the following funds (one-third to each):
  - CCLA (diversification fund)
  - Schroders bond fund
  - UBS multi-asset fund

#### **4. EXCLUSION OF THE PUBLIC**

**RESOLVED** – that members of the press and public be excluded from the meeting for the consideration of the item covered by Minute 6 below because:

- (i) it involves the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A to the Local Government Act 1972 (i.e. information relating to the financial or business affairs of any particular person); and
- (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### **5. PROPERTY INVESTMENT UPDATE**

The Sub-Committee considered a report about recent property investment activity, including the impact of the Covid-19 pandemic upon the Council’s portfolio and a spreadsheet showing a selection of property acquisitions by other councils since March 2019.

On the 28<sup>th</sup> November 2019, the Strategy & Resources Committee resolved that Gryllus Property Limited should proceed with the purchase of two properties, identified within the associated (confidential) report as properties A and B, “*following completion of due diligence undertaken in accordance with Financial Regulation 17 on such terms as the Chief Executive and Section 151 Officer, in consultation with the Leader of the Council or Deputy Leader and Chair or Vice Chair of the Strategy & Resources Committee and members of the Investment Sub Committee, consider prudent*”.

The Sub-Committee was advised that due diligence in respect of the abovementioned ‘property B’ was nearing completion. An acquisition business case was also presented.

Opposing views were expressed as to whether the Council should be investing in commercial property in the wake of the Covid-19 pandemic and representatives of the Independent and OLRG Alliance Group did not support recommendations B and C below.

**RESOLVED** – that

- A. the Council's property investment activity be noted;
- B. the Sub-Committee supports officers' continued investigations into potentially suitable investments; and
- C. the Sub-Committee supports officers to proceed with the purchase of 'property B', subject to the conditions agreed at the meeting.

Rising: 6.45 p.m.

**Note:** On the 8<sup>th</sup> June 2020, the Chief Executive advised the Leaders of the three main political groups that, in view of the uncertainty arising from the Government's consultation into the role of the Public Works Loan Board (PWLB) and the financing of commercial property investments, the Council should not proceed with the purchase of 'Property B'. Consequently, Resolution C above has not been actioned.

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## Appendix E – Corporate Improvement Plan

	Theme	Action	Original Target Date	Lead	Impact of COVID	Next Action	Target Date for Next Action
1	<b>Strategic plan</b>	Develop strategic plan, member level performance and risk framework: <ul style="list-style-type: none"> <li>○ Review draft with new administration</li> <li>○ Strategy and Resources Committee</li> <li>○ Full Council</li> </ul>	<ul style="list-style-type: none"> <li>● May 2020</li> <li>● Jun 2020</li> <li>● Jul 2020</li> </ul>	Heather Wills	Process stalled due to inability to convene face-to-face meetings with all Councillors.	Reconvene workshop with all Group Leaders to draft a final Strategic Plan that considers the new post COVID world	<ul style="list-style-type: none"> <li>● Jul 2020</li> </ul>
		Develop and implement officer level performance and risk framework	<ul style="list-style-type: none"> <li>● Jun 2020</li> </ul>	Heather Wills	Final version now completed, to be reviewed once strategic plan complete	Officers to use as part of regular suite of management tools	<ul style="list-style-type: none"> <li>● Complete, to be reviewed</li> </ul>
2	<b>Governance</b>	<b>Governance review</b> Presentation of findings of first phase of review	<ul style="list-style-type: none"> <li>● Mar 2020</li> </ul>	Lidia Harrison	Process stalled due to inability to convene face-to-face meetings with all Councillors.	Verbal report provided to the three Party Leaders (Cllrs Elias; Sayer; Botten) by CfPS, briefing for all Members and senior Officers scheduled for 1/7/20	<ul style="list-style-type: none"> <li>● Jul 2020</li> </ul>
		Develop action plan and start implementation	<ul style="list-style-type: none"> <li>● May 2020</li> </ul>	Lidia Harrison		Following this an action plan will be developed along with a training and development plan	<ul style="list-style-type: none"> <li>● Sep 2020</li> </ul>
		<b>Audit and whistleblowing</b>	<ul style="list-style-type: none"> <li>● Apr 2020</li> </ul>	Jackie King	Policy drafted but not rolled out yet as the dispersed workforce	Process for roll out and training to be worked out now social distancing	<ul style="list-style-type: none"> <li>● Jul 2020</li> </ul>

	Theme	Action	Original Target Date	Lead	Impact of COVID	Next Action	Target Date for Next Action
Page 22		Review and ensure effective implementation of whistleblowing policy			has presented a challenge to deliver the right kind of training around this.	measures are clear and risk assessments have been carried out.	
		<b>Audit programme</b> Review audit programme outputs and prepare action plan	• Jun 2020	Grant Miles	Audit programme slipped but now back on track.	Management actions are being completed for each of the audit reports.	• Jul 2020
		<b>Member Development</b> Develop member development programme	• Apr 2020	Chailey Gibb with support from associated external resource if required	Development programme has continued to be worked up however no training has taken place.	Programme of online training to be developed to accommodate current working environment.	• Sep 2020
		<b>Member Induction</b> Implement member induction programme	• May – Oct 2020	Chailey Gibb with support from associated external resource if required	Not required as May Election was postponed	Have programme ready for May 21 and examine what items might be brought forward for existing Members	• Ongoing
3	<b>Financial recovery plan</b>	Develop draft recovery plan	• Apr 2020	Grant Miles	Work started and additional focus on financial expenditure has been ongoing due to increased financial risk as a result of COVID. Monthly reports to Government are being submitted	Working Group with Members to be set up to provide a further in-depth review of financial position and what actions can be taken to mitigate further risks.	• July 2020

	Theme	Action	Original Target Date	Lead	Impact of COVID	Next Action	Target Date for Next Action
Page 23					and CEx and CFO are in regular dialogue with MHCLG. Group Leaders have been briefed and S&R Committee will be briefed on 9/7/20.	Awaiting announcements from MHCLG re financial support for Councils	
		Scope detailed options appraisal for shared services	<ul style="list-style-type: none"> <li>Jul 2020</li> </ul>	Paul Smith	Provisional discussions have taken place with Group Leaders and CEx	Agree with Members that this is a direction of travel that would be supported albeit with recognition that the Council has no formal mandate to drive this agenda and any results would be predicated on willing participation from Members and other authorities.	<ul style="list-style-type: none"> <li>Ongoing but initial scoping to be carried out by Sep 2020</li> </ul>
		Review investment policy	<ul style="list-style-type: none"> <li>Jun 2020</li> </ul>	Grant Miles/ Alison Boote	Review stalled due to capacity	<p>Agree new timetable for review with members and in light of current financial situation.</p> <p>MHCLG advice on investments policies awaited</p>	<ul style="list-style-type: none"> <li>Sep 2020</li> </ul>
4	<b>People plan</b>	<b>Recruitment and retention</b> Permanently recruit Monitoring Officer	<ul style="list-style-type: none"> <li>Mar 2020</li> </ul>	Jackie King	Interim staffing model put in place mid-March as existing Dir People was on long-term sick leave. This	Discussion with the GL is taking place regarding some of these roles: Chief Executive will take lead and progress filling	<ul style="list-style-type: none"> <li>Jul – Oct 2020</li> </ul>

	Theme	Action	Original Target Date	Lead	Impact of COVID	Next Action	Target Date for Next Action
		Permanently recruit s151 officer  Permanent appointment of Chief Executive  Develop and implement long-term staffing model	<ul style="list-style-type: none"> <li>• Apr 2020</li> <li>• Jun / Jul 2020</li> <li>• Mar 2020 onwards</li> </ul>		Officer resigned early June, and as a consequence the Council will need to revisit its staffing model in light of this change and the financial position.	the ELT roles and COSC will make appointments in respect of the statutory roles.	
Page 24		<b>Organisational development</b> Develop and introduce Values and Behaviours  Complete and adopt People Plan (including mechanisms for ongoing staff engagement)  Review HR policies, contracts, procedures and benefits  Implement actions arising from staff survey	<ul style="list-style-type: none"> <li>• Apr 2020</li> <li>• Apr 2020 onwards</li> <li>• Apr 2020 onwards</li> <li>• Jun 2020</li> </ul>	Jackie King & Paul Smith	Work has stalled due to pandemic however engagement with staff continues to ensure that they receive key messages and that they have a voice and are heard.  The work from home model was implemented as soon as the impact of COVID was understood and prior to formal lockdown. The workforce has responded very well to new ways of working and to being redeployed to service the COVID response.	This work will now be progressed. The Council is in continuous improvement mode: the staffing model will reflect this, ensuring that resources are focused on key service delivery areas whilst also satisfying government requirements for ongoing support to the COVID pandemic.	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>



	Theme	Action	Original Target Date	Lead	Impact of COVID	Next Action	Target Date for Next Action
		<b>Capacity</b>		ELT	COVID has and will continue to change both the demands and priorities on the Council and also will create new ways of working.	Identify capacity within the organisation to deliver post COVID services and priorities including new ways of working and ensuring that people resources are allocated to priorities	<ul style="list-style-type: none"> <li>Oct 2020</li> </ul>
Page 25		<b>Leadership</b> Develop and implement leadership development programme, including: <ul style="list-style-type: none"> <li>○ Culture shift</li> <li>○ Management team</li> <li>○ Top team (senior management with senior political leadership)</li> <li>○ Championing diversity</li> </ul>	<ul style="list-style-type: none"> <li>Jun 2020</li> </ul>	Elaine Jackson/ Heather Wills	Culture shift is already happening, and staff have demonstrated excellent team working and resilience throughout this period. No formal training or development has taken place however this needs to be brought forward now to assist Officers to succeed in their roles.	Develop leadership programme that incorporates learning from governance review and reflects the fact that some Members and Officers are newly appointed.	<ul style="list-style-type: none"> <li>Sep 2020</li> </ul>
		<b>Pay and reward</b> Agree actions to address any issues arising from Equal Pay Audit (Strategy and Resources Committee)  Agree actions to address any issues arising from Payroll Audit (Strategy	<ul style="list-style-type: none"> <li>Jul-Aug</li> </ul>	Jackie King	Audit programme is slightly behind.	Develop management actions for consideration by Strategy & Resources Committee	<ul style="list-style-type: none"> <li>Sep 2020</li> <li>Aug 2020</li> </ul>

	Theme	Action	Original Target Date	Lead	Impact of COVID	Next Action	Target Date for Next Action
		and Resources Committee)					
Page 26		<p><b>Health and wellbeing</b></p> <p>Mental Health First Aiders Wellbeing toolkit for managers</p> <p>Review Community Safety capacity</p> <p>Review Health &amp; Well-being capacity</p>	<ul style="list-style-type: none"> <li>• Jun 2020</li> <li>• Jun 2020</li> <li>• Jun 2020</li> </ul>	Jackie King	<p>Progressing and training has taken place for Mental Health First Aiders.</p> <p>Impact of COVID on staff to be considered</p>	<p>Further training and publicise this once training is complete.</p>	<ul style="list-style-type: none"> <li>• Jul 2020</li> <li>• Oct 2020</li> </ul>

	Theme	Action	When	Lead	Impact of COVID	Next Action	Target Date
5	<b>ICT/ digital strategy</b>	<p>Develop a digital strategy, to include:</p> <ul style="list-style-type: none"> <li>○ Identification of required outcomes and benefits</li> <li>○ Relevant good practice</li> <li>○ Infrastructure, security and resilience requirements</li> <li>○ Capacity, expertise and governance required to deliver</li> </ul>	<ul style="list-style-type: none"> <li>• Apr 2020</li> <li>• May 2020</li> </ul>	Melanie Thompson	<p>Review has been delayed due to access to key staff – this is now complete.</p>	<p>Review Digital Strategy report and turn into an action plan that can deliver the efficiency savings that good use of IT can deliver.</p> <p>This will include how the governance of this work will be embedded.</p>	<ul style="list-style-type: none"> <li>• Sep 2020</li> </ul>

	Theme	Action	When	Lead	Impact of COVID	Next Action	Target Date
		<ul style="list-style-type: none"> <li>○ Requirements for ongoing revenue/ capital resourcing</li> </ul> Adopt strategy					
6	<b>Other statutory responsibilities</b>	<b>Data protection</b> Develop assurance mechanisms to ensure that data is managed and guarded lawfully by the Council and its contractors	<ul style="list-style-type: none"> <li>• Sep 2020</li> </ul>	Lidia Harrison	Work ongoing to improve data management.	Data Protection Officer (DPO) now appointed and review under way. Information Governance Board set up and led by DPO. Audit work reviewed, and action plan being developed.	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>
		<b>Emergency planning (EP)/ business continuity:</b> Review and update processes and procedures	<ul style="list-style-type: none"> <li>• May 2020</li> </ul>	Jackie King	Full implementation of EP and Business continuity during COVID.	Once COVID operational response is complete “a lessons learned” review will be undertaken and an impact report completed. Recovery phase started.	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>
		<b>Safeguarding:</b> Review processes and procedures, ensure	<ul style="list-style-type: none"> <li>• Jun 2020</li> </ul>	Jackie King	Safeguarding key priority during COVID pandemic.	Update Council policies and	<ul style="list-style-type: none"> <li>• Aug 2020</li> </ul>

	Theme	Action	When	Lead	Impact of COVID	Next Action	Target Date
Page 28		safeguarding audit compliance				procedures including nominated leads.	
		Deliver staff training	<ul style="list-style-type: none"> <li>Sep 2020</li> </ul>			Roll-out training for staff and re-engage with Surrey-MASH	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>
		Deliver member training	<ul style="list-style-type: none"> <li>Dec 2020</li> </ul>			Identify Councillor who can be nominated "Safeguard lead"	<ul style="list-style-type: none"> <li>Oct 2020</li> </ul>
		<b>Health and safety (H&amp;S):</b> Identify senior responsible officer	<ul style="list-style-type: none"> <li>Mar 2020</li> </ul>	Alison Boote	No impact	Officer now identified and operationally responsible.	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>
		Carry out H&S Audit				Complete	
		Implement action plan	<ul style="list-style-type: none"> <li>Mar 2020</li> <li>Ongoing</li> </ul>			Ongoing implementation of recommendations	
		<b>Equalities and diversity (E&amp;D):</b> Develop corporate E&D plan	<ul style="list-style-type: none"> <li>Jul 2020</li> </ul>	Jackie King	COVID impact on BAME communities highlights the need to have good practices and processes in place to ensure the Council is inclusive and welcoming.	Set up E&D forum and engage with staff to drive agenda forward	<ul style="list-style-type: none"> <li>Start Jul 2020</li> </ul>

	Theme	Action	When	Lead	Impact of COVID	Next Action	Target Date
Page 29		Review HR policies and practice	<ul style="list-style-type: none"> <li>Jul 2020</li> </ul>				<ul style="list-style-type: none"> <li>Jul /Aug 2020</li> </ul>
		Design and implement E&D performance monitoring	<ul style="list-style-type: none"> <li>Aug 2020</li> </ul>				<ul style="list-style-type: none"> <li>Jul /Aug 2020</li> </ul>
		Conduct member and officer training	<ul style="list-style-type: none"> <li>Sept 2020</li> </ul>				<ul style="list-style-type: none"> <li>Sep 2020</li> </ul>
Page 29	<b>Planning service</b>	Team development/ mentoring	<ul style="list-style-type: none"> <li>Apr 2020</li> </ul>	Charlotte Parker	Increased planning applications and enquiries.	Stabilise Resourcing – temporary and permanent appointments have been made but new model of resourcing to be developed	<ul style="list-style-type: none"> <li>Jul 2020</li> </ul>
		Identify capacity and develop a plan for infrastructure planning and liaison	<ul style="list-style-type: none"> <li>Apr 2020</li> </ul>		Decision on Local Plan by Planning Inspector delayed	Agree Planning Protocols	<ul style="list-style-type: none"> <li>Jul 2020</li> </ul>
		Performance management	<ul style="list-style-type: none"> <li>Apr 2020</li> </ul>			Agree Statement of Community Involvement & Development Management Charter	<ul style="list-style-type: none"> <li>Nov 2020</li> </ul>

	Theme	Action	When	Lead	Impact of COVID	Next Action	Target Date
						<p>Re-introduce Pre-Application Service</p> <p>Improve Pre-application advice and develop online support</p>	<ul style="list-style-type: none"> <li>Completed</li> <li>Nov 2020</li> </ul>
		Identify capacity to deliver strategic plan priorities for economic development	<ul style="list-style-type: none"> <li>Jun 2020</li> </ul>		Increased focus required	Develop resource model and action plan	<ul style="list-style-type: none"> <li>Aug 2020</li> </ul>
Page 30	<b>Enabling and assuring improvement</b>	<p><b>Partnership working:</b> Initial stakeholder engagement with partners to gather views</p> <p>Local Partnership Board Maintain, resource and enhance where appropriate partnership working in relation to:</p> <ul style="list-style-type: none"> <li>Community safety</li> <li>Wellbeing prescription services</li> <li>Health and wellbeing</li> <li>Gatwick and Gatwick Diamond</li> <li>Business Improvement Districts</li> </ul>	<ul style="list-style-type: none"> <li>Complete</li> <li>May 2020 onwards</li> <li>May 2020 onwards</li> </ul>	Elaine Jackson	Partnership Boards were stood down. The Council is no longer taking part in Gatwick Diamond.	Boards are now being set up again and each one will need to be considered in light of COVID with potential new terms of reference and deliverables. Further reporting once information is known.	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>

	Theme	Action	When	Lead	Impact of COVID	Next Action	Target Date
Page 31		<b>Corporate peer challenge:</b> Complete self-assessment Peer team on site Publish report and agree action plan Review progress	<ul style="list-style-type: none"> <li>Oct 2020</li> </ul>	Elaine Jackson	Planning of the assessment has been postponed.	Discuss timing of this with LGA	<ul style="list-style-type: none"> <li>TBC</li> </ul>
		<b>Learning from complaints:</b> Adopt new complaints policy, including process for learning from complaints	<ul style="list-style-type: none"> <li>Jun 2020</li> </ul>	Jackie King	Slight delay in roll-out of new policy and procedure.	Policy roll-out completed, process for learning is being worked through.	<ul style="list-style-type: none"> <li>Sep 2020</li> </ul>
	COVID Impact	<b>Plans to be developed but to include:</b>  Ongoing response to Covid pandemic to support vulnerable people  Impact on building occupancy  Other aspects embedded in improvement plan as above as appropriate.	<ul style="list-style-type: none"> <li>July 2020</li> </ul>	ELT	n/a	Develop plan	<ul style="list-style-type: none"> <li>Jul 2020</li> </ul>

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### Proposed amendments to Standing Orders

#### Standing Order 13 - Appointment of Committees

- (1) The Council shall at the Annual Meeting appoint Policy Committees 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) 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 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 in accordance with Standing Order 20.
- (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.

#### Standing Order 20 – Sub-Committees

- (1) Every Committee may appoint Sub-Committees for purposes to be specified by the Committee. Such appointments shall be confined to determining Sub-Committees' terms of reference; their size; and the allocation of seats to political groups). Subject to (3) below, the appointment of Members to Sub-Committee seats shall be determined by Political Groups and noted by the parent committee at the earliest opportunity.
- (2) Subject to Standing Order 18(1), each Sub-Committee shall elect a Chairman at its first meeting of the Municipal Year.
- (3) Political Group Leaders may, from time to time, change their Members (including substitutes) in respect of the Sub-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 Sub-Committee, provided that the required notice is received at least seven clear working days prior to the meeting in question.

## Standing Order 21 - Committees and Sub-Committees – Substitutes and Quorum

- (1) Every Political Group may appoint a substitute Member for each Committee and Sub-Committee by submitting written notice to the Chief Executive or nominated representative. Such appointments, or changes to existing appointments, will become effective for the next meeting of the respective Committee or Sub-Committee, provided that the required notice is received at least seven clear working days prior to the meeting in question.
- (2) 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. ~~but s~~ Should the appointed Member arrive during the course of the proceedings, the substitute Member, after completion of the Item of business under consideration, ~~subject to Standing Order No. 23, shall be required to withdraw from further participation~~ may remain in the meeting and, subject to the consent of the Chairman (Standing Order No. 23), may speak to subsequent items but shall not vote.
- (3) The quorum for Committee and Sub-Committee meetings shall be:
  - at least one quarter of the membership of the Committee or Sub-Committee; or
  - three Members

....whichever is the greater number.

## STANDING ORDER 29

**QUESTIONS AND REPRESENTATIONS AT MEETINGS  
(other than petitions – Standing Order 30 refers)**

(1) Questions

- 1.1 A Member of the Council may ask the Chairman of a Committee any question regarding a Committee minute which is under consideration by the Council.
- 1.2 Subject to (i) to (xi) below, a Councillor, or a person resident, working or studying in the District, may put a question to any meeting of the Council (other than the Annual Meeting) or a Committee 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 at least three clear working days prior to the meeting;
  - (ii) the Chief Executive may exercise discretion to refuse to allow a question to be presented if he / she 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) at Council meetings, the Chairman may request that the answer be given by the Chairman of a relevant Committee;
  - (iv) at Committee meetings, the Chairman may request that the answer be given by another Member or an Officer;
  - (v) questions from a person resident, working or studying in the District 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 from within the meeting room; or,
    - if members of the public are not permitted to attend in person for health & safety reasons, 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.
  - (vi) the time allowed for questions and answers shall be ten minutes unless the Chairman deems that there are special circumstances for extending that period;
  - (vii) the questions shall be taken in the order that they were received by the Chief Executive or nominated Officer;
  - (viii) such questions shall be dealt with at the beginning of the relevant meeting;
  - ~~(ix) every question shall be put and answered without discussion;~~

- (ix) answers 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.
  - ~~(c) a written answer (copies of which shall be circulated to Members of the Council) where the reply to the question cannot conveniently be given orally.~~
- (x) at the meeting, subject to the questioner being present, the Chairman will ask the questioner if the response answers their concern or if they wish to ask one supplementary question (if a supplementary question is asked, it must arise from the reply given);
- (xi) the Chairman may invite other Members present at the meeting to respond to a supplementary question.

**References within the Constitution whereby officers are required to consult specific Members on certain matters**

Subject to the Council remaining in a state of no overall control (i.e. where no single political group has an absolute majority of seats), throughout Financial Regulations, the Scheme of Delegation and the Planning Protocol (parts C, E and F of the Constitution), all references to officers having to consult specific Members of the Administration (listed below) will be replaced with a requirement that such consultations take place with the Leaders, or their nominated representatives, of political groups comprising ten or more Councillors.

<b>Financial Regulations (Part C)</b>	
<b>16 - Invest to Save</b>	<p>Subject to achieving a financial return of at least 2% above bank base rates and a measurable improvement in service, spending be approved as follows:</p> <p><b>(i)</b> Up to £30,000 – to be approved by the relevant Chief Officer, subject to the concurrence of the Chief Finance Officer (or in his absence, or where the expenditure relates to his Directorate, by the Chief Executive) <b>and in the consultation with the Chair of the Strategy &amp; Resources Committee;</b></p>
<b>17 - purchase of land and buildings utilising the Investment &amp; Development Fund or the Housing Revenue Account</b>	<p>Subject to the conditions specified within Annex A [to Financial Regulation 17] the Chief Executive, <b>in consultation with:</b></p> <p>a) <b>the Leader or Deputy Leader and the Chair or Vice Chair of the Strategy &amp; Resources Committee</b>, can utilise the Investment &amp; Development Fund; or</p> <p>b) <b>the Leader or Deputy Leader and the Chair or Vice Chair of the Housing Committee</b>, can utilise the Housing Revenue Account</p> <p>... for the purchase of land or buildings in accordance with the Council's general power of competence under the Localism Act 2011, or in the case of the HRA, for the Council's House Building Programme.</p> <p>Subject to all other conditions specified in Appendix E, the Chief Executive, <b>in consultation with the Leader or Deputy Leader and the Chair or Vice Chair of the Strategy &amp; Resources Committee</b>, can amend the phasing of the capital budget for the Investment &amp; Development Fund up to the maximum of the available approved funding.</p>
<b>Delegation of powers to committees and officers (Part E)</b>	
<b>Overview - clause (vi)</b>	<p>Authority to settle court proceedings to protect the Council's interests is delegated to the Monitoring Officer <b>in consultation with the Chair or a Vice Chair of the relevant Committee</b></p>

<b>Terms of Reference of all Policy Committees – Clause C</b>	Subject to the agreement of the Chief Executive <b>and in consultation with the respective Policy Committee Chairs</b> , to deal exclusively with any matter that also falls within the terms of reference of another Policy Committee / other Policy Committees and to resolve such matters unless reserved for determination by Full Council.
<b>Housing Committee – powers to resolve (clause ii)</b>	Freehold disposals of Housing Revenue Account assets worth between £250,000 and up to £1 million (the Chief Executive can determine freehold disposals of assets worth less than £250,000 <b>in consultation with the Chair of the Committee</b> ).
<b>Housing Committee – powers to resolve (clause iii)</b>	Authority is delegated to the Chief Executive, <b>in consultation with the Housing Committee Chair</b> , to approve leasehold disposals of HRA assets of up to 16 years and with an annual rental valuation of up to £75,000.
<b>Licensing Committee – scheme of delegation</b> for alcohol and entertainment licensing	Officers to <b>consult the Chair and Vice-Chair of the Committee</b> to determine whether complaints are frivolous or vexatious.
<b>Strategy &amp; Resources Committee – powers to resolve (clause iii)</b>	The Chief Executive can determine freehold disposals of General Fund assets worth less than £250,000 <b>in consultation with the Chair of the Committee</b> .
<b>Strategy &amp; Resources Committee – powers to resolve (clause iv)</b>	Authority is delegated to the Chief Executive, <b>in consultation with the Chair of the Committee</b> , to approve leasehold disposals of General Fund assets of up to 16 years and with an annual rental valuation of up to £75,000.
<b>Planning Protocol (within Part F)</b>	
<b>Planning Protocol – 12.4</b>	In exceptional and special circumstances, the Chief Planning Officer may, <b>in consultation with the Head of Legal and the Chairman and Vice- Chairman of the Planning Committee</b> , use his / her discretion to report the determination of Certificates of Lawfulness of an Existing or Proposed Use of Development (CLEUDs / CLUPDc) to the Planning Committee for decision.
<b>Planning Protocol – Appendix 4 (Development Management Charter) – Enforcement Action</b>	In particularly sensitive cases [enforcement matters] may be referred to the Planning Committee for discussion. Committee referral will be subject to the agreement of the [Chief Planning Officer] <b>in consultation with the Chairman and/or Vice Chairman of the Committee</b> .