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To: MEMBERS OF THE STRATEGY & RESOURCES COMMITTEE
Councillors Bourne (Chair), Langton (Vice-Chair), Black, Bloore, Botten, Caulcott, Cooper, Davies, Elias, Gillman, Pursehouse and Stamp

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Substitute Councillors: Allen, Groves, Morrow and Sayer

C.C. All Other Members of the Council

27 September 2021

Dear Sir/Madam

STRATEGY & RESOURCES COMMITTEE TUESDAY, 5TH OCTOBER, 2021 AT 7.30 PM

The agenda for this meeting of the Committee to be held in the Council Chamber, Council Offices, Station Road East, Oxted is set out below. If a member of the Committee is unable to attend the meeting, please notify officers accordingly.

Should members require clarification about any item of business, they are urged to contact officers before the meeting. In this respect, reports contain authors' names and contact details.

If a Member of the Council, not being a member of the Committee, proposes to attend the meeting, please let the officers know by no later than noon on the day of the meeting.

Yours faithfully,

David Ford
Chief Executive

AGENDA

- 1. Apologies for absence (if any)**
- 2. 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.

- 3. Minutes of the meeting held on the 14th September 2021 (Pages 3 - 18)**

To confirm as a correct record.

- 4. To deal with any questions submitted under Standing Order 30**
- 5. Chief Officer Sub-Committee - 18th June and 9th July 2021**
 - 5.1 to receive the minutes of the COSC meeting on 18.06.21 (Pages 19 - 20)
 - 5.2 to receive the minutes of the COSC meeting on 09.07.21 (Pages 21 - 22)
- 6. Investment Sub-Committee - 24th September 2021** (Pages 23 - 24)

To receive the minutes of the meeting held on the 24th September 2021
- 7. Strategy & Resources Quarter 1 (21/22) Performance Report** (Pages 25 - 40)
- 8. Caterham BID Renewal Ballot** (Pages 41 - 70)
- 9. Procurement of elections printing** (Pages 71 - 74)
- 10. Review of the timetable of meetings for the remainder of 2021/22 and associated governance matters** (Pages 75 - 88)
- 11. Gatwick Noise Management Board Community Forum - appointment of a substitute Member** (Pages 89 - 92)
- 12. Any other business which, in the opinion of the Chair, should be considered as a matter of urgency**

TANDRIDGE DISTRICT COUNCIL

STRATEGY & RESOURCES 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 14th September 2021 at 7.00pm.

PRESENT: Councillors Bourne (Chair), Langton (Vice-Chair), Bloore, Botten, Caulcott, Cooper, Groves* (substitute in place of Black), Elias, Gillman, Sayer (substitute in place of Davies) and Stamp

* Councillor Groves joined the meeting via Zoom and was, therefore, unable to vote

ALSO PRESENT: Councillors Farr, Gaffney, Lockwood, Mills, Moore, Ridge, Steeds, Swann and N.White

APOLOGIES FOR ABSENCE: Councillors Black, Davies and Pursehouse

105. MINUTES OF THE MEETING HELD ON THE 6TH JULY 2021

These minutes were approved and signed by the Chair.

106. QUESTIONS SUBMITTED UNDER STANDING ORDER 30

Questions had been submitted by Councillors Cooper and Sayer. The questions and responses are provided at **Appendix A** to these minutes.

107. FORENSIC REVIEW AND FACT-FINDING INVESTIGATION INTO A POTENTIAL BUDGET GAP FOR 2020/21 AND IMPLICATIONS FOR 2021/22

In accordance with the Committee's decision of 8th June 2021, Grant Thornton LLP UK had been commissioned to undertake this review following the discovery of a potential £920,000 budget gap in 2020/21. Grant Thornton had since completed its investigation and had made 15 recommendations for the Council to consider. Its report and presentation confirmed that:

"there was an unfunded revenue deficit of £920,500 within the 2020/21 outturn position that was not detected during the year. The implications of this are that the Council's outturn position is £920,500 less favourable than had been expected ... It also appears that this error was not identified during the 2021/22 budget setting process and was therefore rolled forward as part of the baseline budget for 2021/22 that was approved by Council in February 2021. This means that its impact will continue to be relevant for the General Fund in each financial year until it is resolved."

The deficit arose from a reduction in notional pension costs which should have been offset to zero without any budgetary affect. Grant Thornton's report set out the relevant chronology of events, together with key learning points and recommendations.

Grant Thornton were represented at the meeting (via Zoom) by Guy Clifton, Thomas Foster and Rob Hampton who presented their findings and responded to Members' questions. Discussion took place regarding the sequence of events which culminated in the 2020/21 budget being approved. This included communications from the Interim Chief Finance Officer (who was in post at that time) to Members regarding the above-mentioned pension cost adjustment prior to the Full Council meeting on 13th February 2020.

A range of views were expressed regarding the role of Members in such situations and the extent to which they should scrutinise and challenge information presented by professionally qualified Officers and advisers. This prompted suggestions that Strategy & Resources Committee members should be required to undergo training to provide them with a better understanding of the Council's finances and to enable them to identify potential weaknesses.

The Chief Finance Officer presented her report in response to Grant Thornton's findings which contained an action plan to implement all 15 recommendations. Her report confirmed that:

- a detailed review of all 2021/22 budget lines for Month 6 (September 2021) would be undertaken to determine those which could be permanently reduced within the year to help form the basis of the 2022/23 budget setting
- the balance of the funding gap would be met from General Fund reserves
- any non-delivery of savings targets during 2021/22 would require a larger draw down of reserves
- a simultaneous twin track approach to budget setting for 2022/23 would be undertaken; the '2nd track' being a more innovative way of making savings through a Council wide strategic improvement programme aimed at providing financial sustainability and resilience in the medium term through different delivery models and shared service opportunities
- the planning service had not been given a budget target for 2022/23.

The Chief Finance Officer also advised that a fundamental review of internal accounting practices and procedures would be undertaken to ensure that the finance transformation programme could proceed on a stable footing. In response to the debate, she acknowledged the need to prioritise the implementation of Grant Thornton's recommendations and to assign timescales and ownership, at least for the more critical actions.

The debate returned to the question of training for Strategy & Resources Committee members and Councillor Caulcott proposed that this matter be referred to Group Leaders and the Chief Executive and Chief Finance Officer to consider. Upon being put to the vote, this was agreed.

RESOLVED – that:

- A. the response to the Grant Thornton report be noted and the proposals to close the budget gap for the financial years 2020/21 to 2022/23 and action plan (at **Appendix B** to these minutes) to take forward Grant Thornton's recommendations be approved; and
- B. Group Leaders, the Chief Executive and the Chief Finance Officer be asked to submit proposals for ensuring that Strategy & Resources Committee members are able to best fulfil their roles.

108. ANY OTHER BUSINESS - USE OF SOCIAL MEDIA BY COUNCILLORS

The Chair raised this issue as an urgent business item in light of a recent social media post which contained inaccurate information. He sought the Committee's views on this matter. Various views were expressed, following which the Chair proposed that the need for a relevant policy should be referred to Group Leaders. This was agreed.

RESOLVED – that the need for a policy regarding the use of social media by Councillors be referred to Group Leaders.

Rising 8.58 pm

Strategy & Resources Committee – 14.09.21

Agenda item 4 – Standing Order 30 questions

Questions from Councillor Cooper

1. **To deal with a climate change situation it seems that TDC Officers have spent much time in considering the installation of Electric Vehicle charging points in Tandridge. How many of these charging points have TDC actually installed since the declaration of a Climate Change Emergency at the Council Meeting on Thursday 13th February 2020?**

Response from Councillor Bourne:

Zero.

Supplementary question:

Is that correct?

Response from Councillor Bourne:

At this point in time, yes. As per the report to the Committee in July, the answer was zero and that's still the case. The situation won't change until the Climate Change Working Group meets to access options.

2. **What is the estimated cost and charging structure which would be adopted by TDC to provide a viable financial return?**

Response from Councillor Bourne:

Multiple funding options were presented in the report to the Committee in July. The Climate Change Working Group will review these options and make a recommendation to the committee.

Supplementary question:

So no decisions have been made yet?

Response from Councillor Bourne:

The Climate Change Working Group will be meeting soon to consider the options.

3. In considering the installation of EV charging points in Tandridge, can we be informed of how many charging points have been established in Tandridge by organisations other than TDC? Also, given that EV charging points are available 24/7, can we know what use is made of them as a percentage of the available time i.e. of the 168 hours each week?

Response from Councillor Bourne:

According to an on-line chargepoint mapping App, there are eight in the District. They are not ours and we have no information about them.

Supplementary question:

If we are going to be making decisions, don't we need some information about how the current charging points function?

Response from Councillor Bourne:

Quite possibly – this will be a matter for the Climate Change Working Group who will be looking at this soon.

4. The UK Government is now looking very seriously at the use of hydrogen as a power source for motor vehicles. This being a better/more realistic option for larger vehicles. I understand that there are a very limited number of garages in the UK where one can 'fill' a hydrogen powered car. Do we know how many such garages exist in Tandridge?

Response from Councillor Bourne:

Zero

5. Have TDC officers identified sites in Tandridge which would enable TDC to support the use of hydrogen powered vehicles? Also, what the cost and financial return might be?

Response from Councillor Bourne:

As much as those in the motor industry believe that hydrogen is the better way forward out of the alternatives for green vehicles, the fact remains that it is behind the curve with infrastructure in the UK at this point. In fact, the Government's strategy was only published last month. So not much has happened, even though hydrogen is considered to be the better way forward.

Supplementary question:

It is disappointing we don't know a bit more. When will we do something about it?

Response from Councillor Bourne:

This will be up to the Climate Change Working Group to decide. Perhaps you could refer your question to them by e-mail.

6. **At the last Council meeting on Thursday 22nd July 2021, it was mentioned, in answer to one of my questions, that TDC were looking to convert council properties to use more 'climate friendly' heating systems such as ground source heat pumps. Can you please state the number of TDC owned properties which have been converted to use ground source heat pumps since TDC proclaimed a Climate Change Emergency on Thursday 13th February 2020?**

Response from Councillor Bourne:

The answer is zero in terms of conversions but new build council properties will be built to a net zero operational standard. The position with existing properties is more complex and I refer you to the [11th March 2021] Housing Committee report [scope for replacing gas boilers with low carbon heating systems in Council owned properties] and discussion.

Supplementary question:

You say net zero – under what circumstances would you make that statement?

Response from Councillor Bourne:

That was the decision made by the Housing Committee and that is what the building requirements are for all new properties we are in the process of building.

1. As the Grant Thornton report makes clear, Councillor Bourne correctly flagged up the problems with the 2020/21 Budget on several occasions.

At the Strategy & Resources Committee of 3 February 2020, Councillor Bourne questioned why the budget figure for business rate income had increased substantially from the previous year and he set out his worries that the restatement of the Medium Term Financial Strategy had not been correctly carried out.

On investigation, it was found that Councillor Bourne was right and the error was corrected, reducing the business rate income by £705,000. That, however, created a funding gap in the budget which was problematic because the budget was being presented to the full Council for approval ten days later on 13 February 2020.

A reduction in pension costs of £920,500 was then made in the budget and Members were informed this was due to a reduction in pension strain liabilities which had come to light following a fortuitously timed letter received from Surrey County Council pension fund.

At the meeting of 13 February, Councillor Bourne questioned whether this was correct. Grant Thornton has now found that it was not correct and Councillor Bourne was right.

My concern is that a Councillor was able to correctly identify the problems with the budget but was not listened to by anyone. The then administration ignored him but carried out no proper scrutiny of their own. No one seemed able to understand the budget sufficiently to know that Councillor Bourne was right all along.

My question is how did we get to this place where a perfectly well reasoned and ultimately correct challenge was ignored and how can we make sure this never happens again?

Response from Councillor Bourne:

There is a legal requirement for us to sign off the budget on time every year and that creates a time pressure. It is often presented to us at the last minute with little time for scrutiny and double checking. People, or groups of people, don't want to be shown up as having made mistakes so they can be tempted to defend the indefensible. This Chamber can be a confrontational place at times - politics is confrontational. That is all true and I don't necessarily see how that's going to change unless we all decide that we're going to change. To me, the biggest problem comes from years and years of Councillors believing that they didn't need to know the detail or understand the depth of the accounts and budgets and it wouldn't matter. But that's not correct. We need better quality Councillors who take the time to learn and understand how these things work so they can question it or, when someone else questions it, they've got enough understanding to say whether that's right or wrong and are willing to say so. Unless we as a group decide to change and be more honest, the same thing may happen again. That's down to us.

2. **At the 3rd February 2020 Strategy & Resources meeting, Councillor Bourne also questioned the financial reserves statement because the opening balance figure for financial reserves was re-stated to be £20.3m when it should have been the same as the closing balance figure from the previous year which was £16.5m.**

Has this discrepancy ever been investigated, and also how can we be sure that there are no other errors in our budget finance assumptions?

Response from the Chief Finance Officer

I recognise that we have to do a piece of work around reserves. I need to have comfort that we have a correct, albeit historic, starting position so we know what our ending position is. We're aware of a potential discrepancy that we need to investigate and it's certainly on my list of things to do. In terms of how we ensure this doesn't happen again, you'll also see in my report that what this has thrown to light (due to a number of issues) is that we need to do a root and branch review of the fundamentals of finance to ensure that the transformation programme that we are embarking on is on a strong footing and not built on sand.

ACTION PLAN TO ADDRESS CONTROLS OVER THE PREPARATION OF THE BUDGET AND MTFS

No.	Recommendation	Officer Responsible & Target Date	Mitigating Action
1	When the draft budget and MTFS is being prepared, the opening budget baseline should be reconciled to the prior year's approved budget and any variances should be fully reconciled (e.g. to in year virements).	Complete	Agreed. 21/22 Budget as set out in the Council Report (Feb 20) is now reconciled to Agresso budget to ensure both the detailed budget and Budget movements are clearly actioned. Any movements to budget lines in 2021/22 will be reported in monthly finance reports in a virements schedule
2	The current year proposed budget, and future projections in the MTFS, should be subject to analytical review at directorate and cost centre level, to ensure that all movements away from the baseline opening budget reconcile to known adjustments (e.g. savings and pressures).	Complete	Agreed. Budgets as set out in Council Papers are now reconciled to the Agresso budget to ensure both the detailed budget and adjustments (including pressures and savings) are correct
3	Segregation of duties should be re-established between the calculation of all key budget items (such as business rates) with review and approval undertaken by the Chief Finance Officer.	Complete	Agreed. The re-establishment of this segregation was undertaken as part of setting the 21/22 Budget with the secondment of a SCC Officer (Business Partner – Corporate) leading the budget process and the review of all assumptions was undertaken by the CFO

No.	Recommendation	Officer Responsible & Target Date	Mitigating Action
4	The Council should ensure that the finance team includes sufficient skills and capacity to undertake key calculations, including calculation of business rates, to enable the Chief Finance Officer to function effectively in a review and approval role.	Technical validation – complete Skills and Capacity to be included in TFT delivered for April 2022	Agreed. All assumptions which underpinned the 21/22 Budget setting process were reviewed by the CFO. For technically complex issues (such as business rates) professional support and advice was sought to validate assumptions. Work on bolstering skills and capacity will be undertaken as part of the Tandridge Finance Transformation Programme (TFT) - discussed further below
Page 12	The Council should undertake a skills and training needs assessment of the finance team and provide targeted investment in staff development where it will have most impact. The Council should also consider whether skills gaps are best addressed through targeted recruitment.	To be included in the TFT delivered for April 2022	Agreed. The Council is entering into a Joint Working Agreement with the County. As part of this the Council will be implementing a TFT. This programme includes a number of workstreams one of which is a new Target Operating Model (TOM) for Finance. As part of the new TOM, suitability for new roles will be tested against Behaviour, Skills and Knowledge criteria (including technical capability). This process will also determine key skills gaps which will be picked up by other workstreams within the TFT. Through the TFT and the joint agreement with the County, oversight in key (particularly) technical areas in Corporate Finance will be provided.

THE BUDGET MONITORING PROCESS

No.	Recommendation	Officer Responsible & Target Date	Mitigating Action
6	We recommend that the monthly budget monitoring information provided to budget holders is improved to incorporate greater focus on comparison to the prior year budget and the expected profile of the budget throughout the year, with greater focus on documenting and challenging the basis by which budget outturn has been forecast.	To be included in the TFT delivered for April 2022 Programme	Agreed. At Directorate level this detail this can be a helpful indicator. However, in 21/22 there has been significant realignment of posts (eg: Case Workers) across the Council and increased costs due to CV-19 that make comparisons less meaningful when comparing against 20/21 budgets. This will be picked up through the Business Partnering (Insights function) in the TFT as part of monthly budget monitoring for 22/23 (comparison of 22/23 with 21/22)
7	Within the monitoring information, the inclusion of budget lines that have zero budget in the current year but did have budget in the prior year should be considered as a failsafe measure. This could provide a useful reference point to monitor the impact budget changes may be having on current year variances. (Note that this could have highlighted the removal of one half of the £920,500 pensions costs, enabling it to be questioned early in 2020/21).	To be included in the TFT delivered for April 2022 Programme	Agreed. Items which move from a budget to a zero budget in-year will be included in budget monitoring and will not be dealt with on a variance basis. Rethinking monthly reporting; format, contents and key risks and variances will be included as part of the TFT

STRENGTHENING CORPORATE BUDGET RESPONSIBILITY

No.	Recommendation	Officer Responsible & Target Date	Mitigating Action
8	The list of cost centres should be reviewed to ensure that each one is assigned a responsible budget holder and Finance Manager, and that these responsibilities are fully communicated and understood by the named individuals. This can be augmented by asking budget holders to sign a written declaration that they have agreed and accept responsibility for their assigned cost centres.	To be included in the TFT delivered for April 2022 Programme	Agreed. We see this work being undertaken in 2 phases Phase 1 – Roles & Responsibilities and Training Clarifying roles and responsibilities of budget holders and ensure they understand their responsibilities and are fully trained to manage their budgets Phase 2 - Budget Accountability Statements (BAS). Produce BAS for 22/23 whereby budget holders agree and sign that they take responsibility for living within their budget envelope for both Revenue and Capital
9	The Council should make sure that the ownership of and responsibility for budgets, is fully enshrined in the Council's Constitution and Scheme of Delegation, so that individuals can clearly and directly be held accountable for budget management. To support this, the Council should consider the establishment of a separate Scheme of Financial Delegation that sets out the respective financial responsibilities of roles and grades in detail.	To be included in the TFT delivered for April 2022 Programme	Agreed. As part of the TFT the Council will be reviewing its Scheme of Delegation and Financial Regulations which will be cascaded to all budget holders. This will be complete by end of March 2022 for monitoring against the 2022/23 budget

No.	Recommendation	Officer Responsible & Target Date	Mitigating Action
10	All budget holders and supporting finance business partners should review all the list of cost centres they are responsible for and ensure that the purpose and relevance of these is fully understood. Council policy should make clear that the onus is on the individual to make sure they have the level of understanding required.	To be included in the TFT delivered for April 2022 Programme	Agreed. See responses under (8) with the following additions: Phase 1 – a mapping of cost centres to budget holders will be undertaken. In parallel with this a budget holder survey will be used to gauge budget holders current level of understanding and to inform training needs. Appropriate targeted education and training will be undertaken as part of the TFT. Council policy will be updated to make clear budget holders' roles and responsibilities.
	There are a number of ways that adjustments to the draft budget could have been subject to tighter financial control, where segregation of duties is difficult to maintain (for example, in regard to corporate items adjusted only at year end). We recommend, the implementation of a schedule of adjustments that requires the dual signature of both Chief Finance Officer and Deputy Chief Finance Officer to confirm that all adjustments have been reviewed independently of the author.	To be included in the TFT delivered for April 2022 Programme	Agreed. The current monitoring of Corporate Items ensures these items are subject to similar rigours as other Directorate/Committee budget lines. For the M6 all budget lines will be reviewed including Corporate Items and all adjustments to budget lines will be reported through monthly Finance Reports via a Budget Virements schedule. Virements will be reported in the same way whenever there is a change to budgets in-year.

No.	Recommendation	Officer Responsible & Target Date	Mitigating Action
12	The Council should review its chart of accounts to make sure it properly reflects current operations and desired approach to financial control. In particular, we recommend that the list of cost centres is reviewed and unused or unnecessary cost centres are removed or rationalised as part of the 2022/23 budget setting process.	To be included in the TFT delivered for April 2022 Programme	Agreed. A review of the entire Chart of Accounts and Financial Statement mapping is required to strengthen reporting and segregation between management and statutory/technical accounting. This will be undertaken as part of the TFT and implemented for 22/23.
13 Page 16	We recommend that within the next two years, the Council undertakes a targeted zero-based budgeting exercise to fully refresh the budget and its cost centres, to ensure they align to current needs and services, and to strengthen the ownership and responsibility among budget holders and responsible management accountants. This should initially focus on Strategy and Resources and Corporate budgets.	To be implemented for 2023/24 Budget setting process	Agreed. Although we do agree that this will be a useful exercise to understand the true cost of services, this is a substantial piece of work. For 22/23 the TFT will focus on having a tighter grip on financial controls, reporting, roles/ responsibilities/ accountabilities, improved end-to-end processes (including automation where possible), capacity and capability. A zero-based budgeting exercise can be undertaken as part of the 23/24 budget setting process. In the meantime, a line-by-line review has been undertaken for all pay related cost centres for S&R and a full review of all 21/22 budgets will be undertaken for M6 reporting. This will form the basis for the roll-over of budgets for 22/23.

DEVELOPING A STONG FINANCIAL CULTURE

No.	Recommendation	Officer Responsible & Target Date	Mitigating Action
14	The Council should consider how it can strengthen the Council's financial culture, building characteristics such as professional scepticism, self-review and empowerment to challenge management, starting with the finance team.	To be included in the TFT delivered for April 2022 Programme	Agreed. This culture change will take some time but will be embodied as part of the Joint Working Agreement with the County and new TOM, ensuring that professional scepticism and curiosity and self-review, proactivity and peer challenge are encouraged and embraced. The TFT contains an Organisational Development workstream to build stronger financial management and accountability both within and outside of Finance.
Page 17	The Council should review and update its Financial Regulations, with particular focus on embedding the control improvements recommended in this report . This should be supplemented by detailed documented financial procedures where appropriate.	To be included in the TFT delivered for April 2022 Programme	Agreed. We see this work being undertaken in 2 phases Phase 1: As part of the TFT the Council will be reviewing its Scheme of Delegation and Financial Regulations which will be cascaded to all budget holders. This will be complete by end of March 2022 for monitoring against the 2022/23 budget Phase 2: Review of all financial procedures and communicated through but published is in one location. This would have to align to the Regulations and be completed after the Regulations have been approved All recommendations in this report will be taken into the TFT to ensure they are implemented.

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TANDRIDGE DISTRICT COUNCIL

CHIEF OFFICER SUB COMMITTEE

Minutes and report to Council of the meeting of the Sub-Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 18th June 2021 at 9.00am.

PRESENT: Councillors Bloore, Botten, Bourne, Elias and Sayer

1. ELECTION OF CHAIR

Councillor Sayer was elected Chair for the meeting.

2. DEPARTURE OF ACTING CHIEF EXECUTIVE

The Sub-Committee resolved to deal with this matter in 'Part 2' by virtue of Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (information relating to an individual).

The Sub-Committee considered a report regarding the terms of the Acting Chief Executive's departure. This was in light of her resignation on the 19th May 2021 and the fact that the new Chief Executive would be joining the Council on the 21st June 2021.

RESOLVED – that the Acting Chief Executive will:

- A. revert to her former Executive Head of Corporate Resources post and associated salary from the 21st June 2021;
- B. depart on the 16th July 2021 (her last day of service being the 11th August 2021, adjusted for leave from the 19th to 30th July 2021); and
- C. receive a payment based on 63 hours of untaken leave.

Rising 9.40 am

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TANDRIDGE DISTRICT COUNCIL

CHIEF OFFICER SUB COMMITTEE

Minutes and report to Council of the meeting of the Sub-Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 9th July 2021 at 9.00am.

PRESENT: Councillors Bloore, Botten, Bourne, Elias and Sayer.

1. ELECTION OF CHAIR

Councillor Sayer was elected Chair for the meeting.

2. DEPARTURE OF THE EXECUTIVE HEAD OF CORPORATE RESOURCES

The Sub-Committee resolved to deal with this matter in 'Part 2' by virtue of Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (information relating to an individual).

Due to the lack of senior management capacity available at the present time, it was agreed that the Executive Head of Corporate Resources should remain in post for a longer period than that originally decided by the Sub-Committee on the 18th June 2021 in order to provide support to the new Chief Executive.

RESOLVED – that:

- A. the Executive Head of Corporate Resources' last day of service be extended from the 11th to the 30th August 2021 with her last day in the office being the 30th July 2021; and
- B. the financial arrangements arising from A above be determined by the Chief Executive, Head of Legal and Chief Finance Officer, in consultation with Councillor Sayer as Chair of the two relevant Sub-Committee meetings.

Rising 9.50 am

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TANDRIDGE DISTRICT COUNCIL

INVESTMENT SUB COMMITTEE

Minutes and report to Council of the meeting of the Sub-Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 24 September 2021 at 10.00am.

PRESENT: Councillors Bourne (Chair), Cooper, Elias, Jones and Langton

ALSO PRESENT: Councillor Farr

1. MINUTES OF THE MEETING HELD ON THE 11TH JUNE 2021

These were confirmed as a correct record.

2. FUND MANAGER SELECTION

Arising from the 11th June 2021 meeting, Link Group (the Council's treasury advisors) had conducted a fund manager selection process to inform a review of the Council's medium / long term investment portfolio. This was in light of the previous decision to cease re-investing in Funding Circle peer to peer loans and to withdraw funds as those loans were repaid. Approximately £1.3 million had been redeemed from Funding Circle to the end of August 2021. To date, these proceeds had been used to support the Council's cashflow.

Nazmin Miah and Dan Willson from Link Group attended the meeting (via Zoom) to present their report which included:

- (i) an analysis of the Council's Capital Financing Requirement (CFR), borrowing and reserves / balances;
- (ii) coverage of the Council's current debt and investment position, including reference to the £12million currently invested with the following externally managed funds:
 - CCLA Property Fund (£4 million)
 - Schroders Credit Fund (£3 million)
 - CCLA Diversified Income Fund (£2 million)
 - UBS Multi-Asset Income Fund (£3 million)
- (iii) a summary of the fund manager selection process which culminated in representatives of four shortlisted funds (Fidelity, Legal & General, Newton and Royal London) attending a presentation day;
- (iv) a comparative performance analysis of the funds referred to in (ii) and (iii) above, based on income generation, capital growth / contraction and a combination of both;
- (v) interest rate forecasts and projections of the Council's CFR and reserves / balances;
- (vi) the potential implications of International Financial Reporting Standard (IFRS) 9 on the Council's investments and useable reserves from 2023/24.

Regardless of the outcome of this current review, Dan Willson emphasised the need for the Council to maintain on-going vigilance about how its chosen funds were performing, to ensure they remained fit for purpose.

While accepting that the Sub-Committee was responsible for making final decisions, Members questioned the absence of recommendations regarding the optimum mix of funds for the Council to invest in. The Link representatives explained that their role was to support the Council with its decision making by presenting facts for Members to consider in light of the Authority's appetite for risk. They also advised that Environmental, Social and Governance (ESG) considerations had been addressed as part of the fund manager selection process, a key aspect of which was the extent to which fund managers engaged with companies about what they were doing to reduce or offset their impact on the environment.

In response to Members' questions, it was confirmed that the level of reserves identified within Link's report was based on the Council's Statement of Accounts for 2020/21, although those accounts were still subject to external audit sign off. The projected reduction in reserves in 2021/22 was attributed to the Council's housebuilding programme and associated calls on the Housing Revenue Account's capital programme. It also emerged that some of the Council's long term investments had been classified as short term within Link's analysis.

The Chair sought to establish certain fundamentals to help guide future decisions regarding the Council's investment portfolio. The Chief Finance Officer advised that, based on the information in Link's report, external investment of the £1.3 million Funding Circle proceeds was a viable option, but expressed caution should those funds remain inaccessible beyond 2022/23 due to the uncertainties surrounding IFRS 9. Retention of the £1.3 million for internal borrowing was a credible alternative.

RESOLVED – that a decision on possible adjustments to the Council's investment portfolio be deferred until the Sub-Committee's next meeting, to be informed by a remodelled report from Link Group identifying the Council's short, medium and long-term investment position and supporting commentary from the Chief Finance Officer.

Rising 11.50 am

Strategy & Resources Quarter 1 2021-2022 Performance Report

Strategy & Resources Committee Tuesday, 5 October 2021

Report of: Chief Executive

Purpose: For information

Publication status: Open

Wards affected: All

Executive summary:

- The appendices to this report contain data on the Committee's key performance indicators and risks for Quarter 1 2021-2022, to enable the Committee to monitor how the Council is delivering the services for which it is responsible.

This report supports the Council's priority of: Building a better Council

Contact officer William Mace – Programme Management Officer
wmace@tandridge.gov.uk

Recommendation to Committee:

That the Quarter 1 2021-2022 performance and risks for the Strategy & Resources Policy Committee be accepted.

Reason for recommendation:

To support the Committee to monitor and manage its performance and risks.

1. Introduction and background

- 1.1. Since April 2020 performance and risk reports have been presented to each policy committee at the end of each quarter. The reports include a covering report and appendices with individual performance charts the committee's risk register. This committee also receives the corporate risk register.

2. Notes on performance and risk data

- 2.1. See Appendix A, B and C for the Strategy & Resources Policy performance data, committee risk register, and corporate risk register respectively.
- 2.2. Wherever possible the most recent data has been included in the appendices, regardless of whether it technically falls into the reported quarter. However, due to the committee report timelines, there may be occasions where data is not available in time for the committee report. In these cases, the data will be provided in the next scheduled report.
- 2.3. The Council uses the following risk scoring matrix:

Likelihood	Very Likely	4	4	8	12	16
	Likely	3	3	6	9	12
	Possible	2	2	4	6	8
	Unlikely	1	1	2	3	4
			1	2	3	4
			Low	Medium	High	Very High
			Impact			

3. Quarter headlines

3.1. Performance

- 3.1.1. At the end of August 2021, we achieved target for 4 out of 10 indicators. We missed our targets for:
- Days taken to process Housing Benefit/Council Tax Benefit new claims
 - Days taken to process Housing Benefit/Council Tax change events.
 - Staff sickness overall.

- The percentage of calls answered within 60 seconds by Customer Services.
- Number of Overdue Complaints.
- Number of Overdue Freedom of Information Requests (FOIs).

3.1.2. See Appendix for more details.

3.2. Risk

3.2.1. There is one red risk on the committee register:

- Inability to maintain high standards of delivery for statutory services.

3.2.2. There are five red risks on the corporate risk register:

- Local plan is found unsound by the Inspector;
- Lack of resources constrains the Council's "business as usual" capacity;
- Lack of capacity in Planning Department negatively impacts performance and delivery of service, such as determining applications in statutory timeframes and managing complaints and FOIs.
- Inability of Council to make savings as identified in the Medium Term Financial Strategy and to balance the Council Budget in 2021/22 and 2022/23.
- Inability to carry out waste collection service in-line with the performance management framework.

3.2.3. See Appendix B and C for details.

4. Key implications

4.1. Comments of the Chief Finance Officer

4.1.1. There are no direct finance implications arising from this report.

4.1.2. However, the missed targets on the performance data are likely to have resource implications in improving standards and meeting our targets in the future. If targets continue to be missed the Council could face penalties, for example loss of Housing Benefit income due to local authority error in processing changes to benefit claimant's circumstances or penalties from the ombudsman in relation to complains or failure to respond to FOI requests.

4.1.3. The red risks flagged above represents considerable risk to the Council and could lead to additional resources and cost implications if they come

to pass. These risks will need to be monitored closely ensuring they are mitigated where possible.

- 4.1.4. The impact of any additional cost pressures will be shown in the monthly budget monitoring reports. It is still possible that the impact of Covid-19 will add additional costs to projects and delay the speed of implementation.
- 4.1.5. The key risks, their likelihood, impact and mitigation are identified in the Risk Registers at Appendix B and C with each risk allocated to a risk owner.

4.2. Comments of the Head of Legal Services

- 4.3. There are no direct legal implications arising as this report is intended to provide information for reporting purposes only.
- 4.4. However, the report does provide Councillors with an overview of the achievement of targets in the past quarter and highlights risk management considerations where appropriate.

4.5. Other corporate implications

- 4.5.1. Not applicable.

4.6. Equality

- 4.6.1. This report contains no proposals that would disadvantage any particular minority groups.

4.7. Climate change

- 4.7.1. This report contains no proposals that would impact on the Council's commitment to climate change.

5. Appendices

- 5.1. Appendix 'A' – Performance Charts
- 5.2. Appendix 'B' – Committee Risk Register
- 5.3. Appendix 'C' – Corporate Risk Register

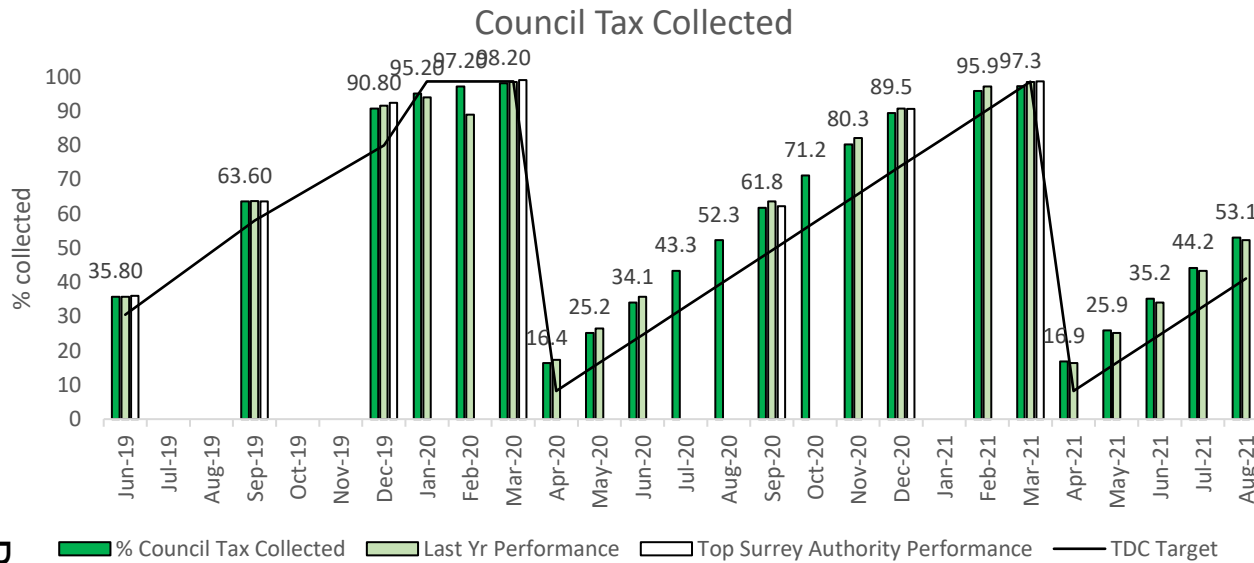
6. Background papers

- 6.1. None.

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APPENDIX A – Strategy & Resources Performance Charts

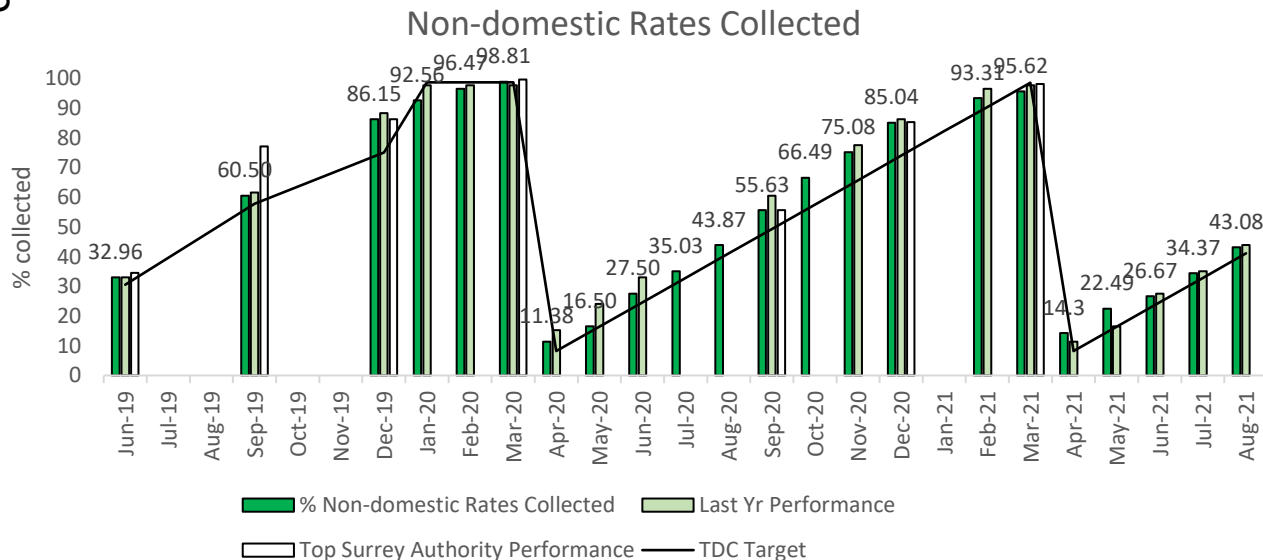
SR1 - Percentage of Council Tax collected



Performance Summary

- Collection performance is 12% above the increasing monthly target at the end of August 2021. Performance is 0.8% better than that of the same period in 2020/21, when collection rates were 52.30%.
- Target: 98.7% (end of year, cumulative).

SR2 - The percentage of non-domestic rates due for the financial year which were received by the Council

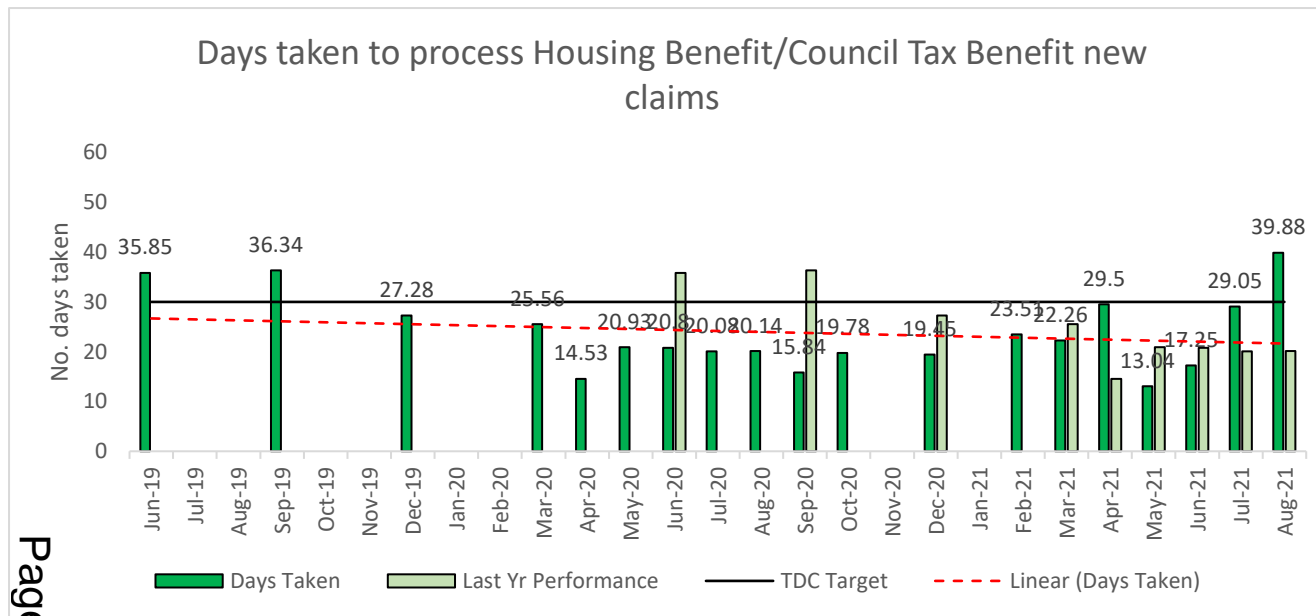


Performance Summary

- Collection performance is 2.03% above the increasing monthly target, which at the end of August 2021 stood at 41.05%. Performance is marginally lower than that of the same period in 2020/21.
- Target: 98.6% (end of year, cumulative).

APPENDIX A – Strategy & Resources Performance Charts

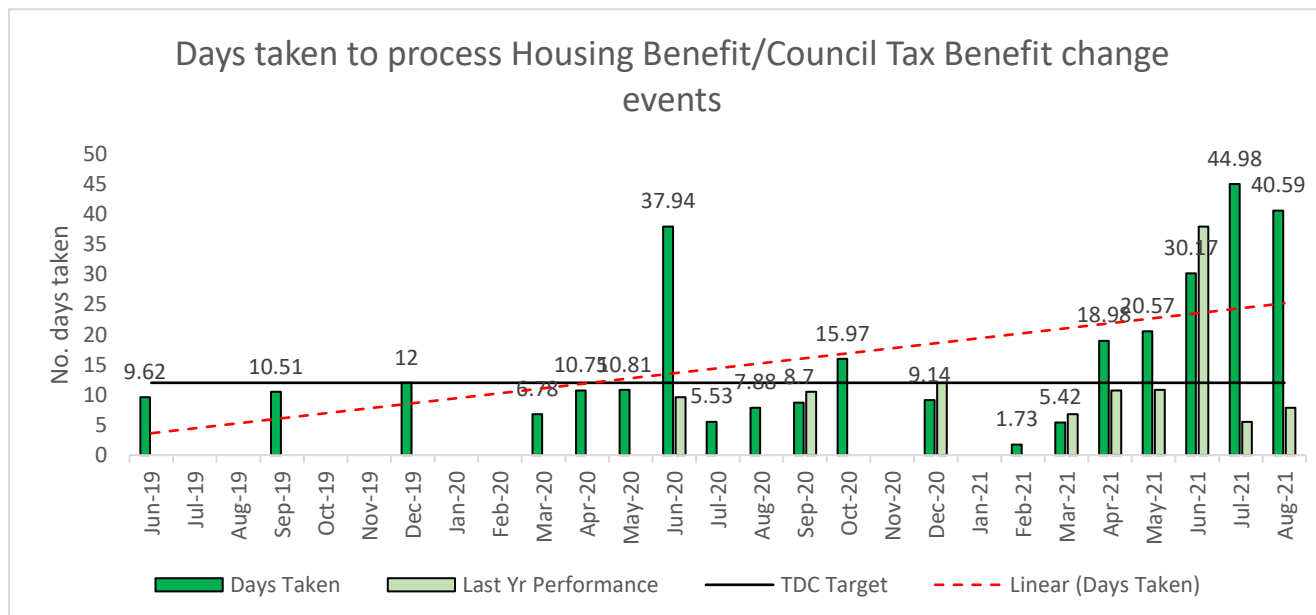
SR3a - Days taken to process Housing Benefit/Council Tax Benefit new claims



Performance Summary

- The Capita system closed on 03/09/21 so all older claims were assessed in preparation for migration to Northgate system in October. There were some older more complex claims that had been outstanding for some time that needed to be completed before closure of Capita. As a result, figures at the end of August have gone over target.
- Target: 30 days.

SR3b - Days taken to process Housing Benefit/Council Tax Benefit change events

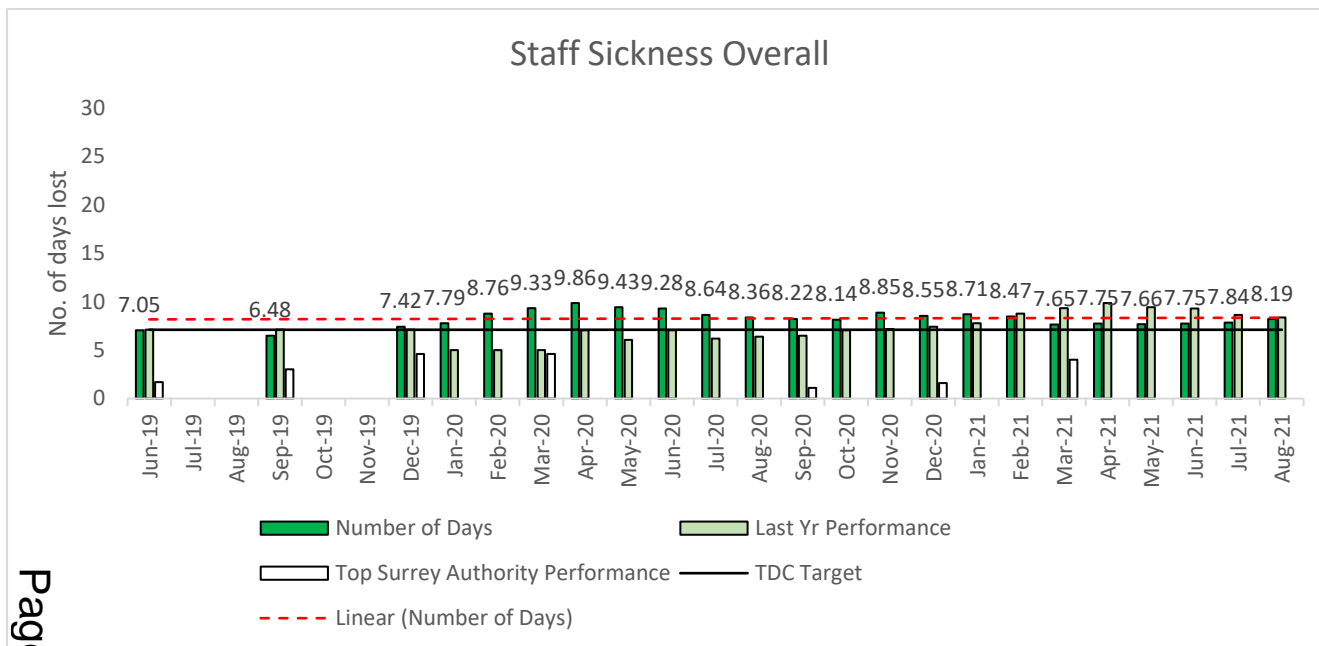


Performance Summary

- As of the end of Quarter 1, the Council now has 4 temporary Benefits Officers - 3 Assessment Officers (2 F/T positions) and 1 covering the Benefits Line. This has enabled us to start reducing the backlog. Yet as older work is being completed the daily processing figures do increase. Hence the 'days taken' increased since Quarter 4 last year. However, the volume of work being done has increased and the backlog significantly reduced. It is encouraging that an improvement can be seen in the latest August figure.
- Target: 12 days.

APPENDIX A – Strategy & Resources Performance Charts

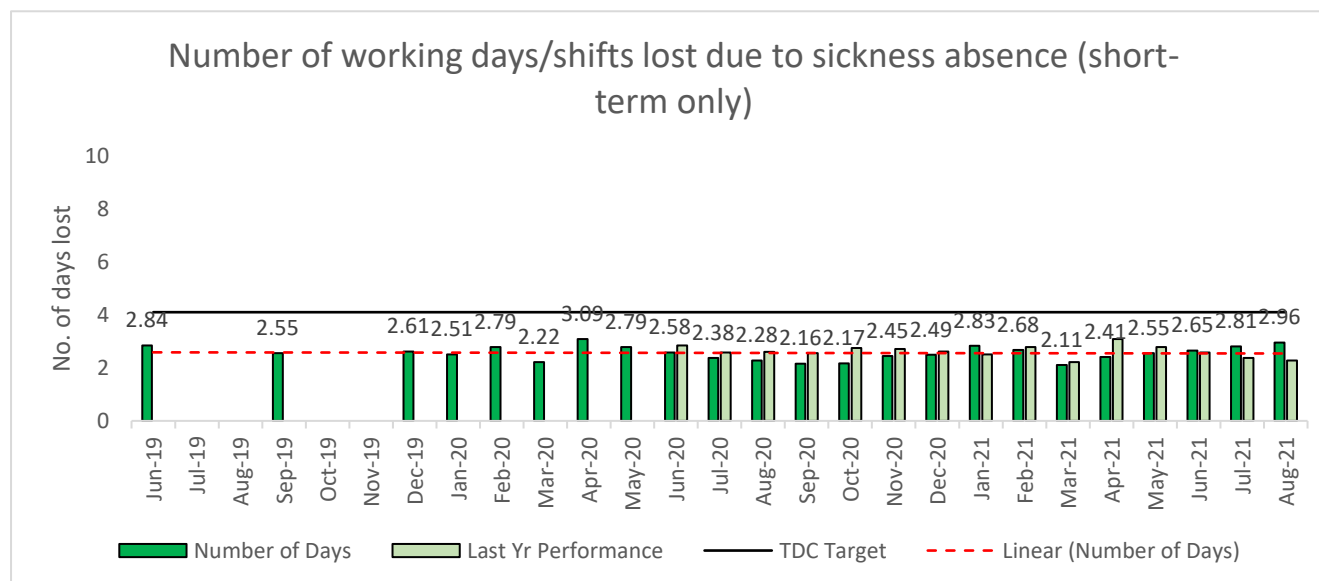
SR4 – The number of working days/shifts lost due to sickness absence (long and short-term)



Performance Summary

- Off target at the end of Quarter 1 and into August 21, although similar to the same period last year.
- Mental health issues and Musculoskeletal conditions continue to be the most frequently cited reason for sickness absence, accounting for almost 64% of the total absences in the 12-month rolling period. Musculoskeletal issues are more commonly associated with roles that are of a physical nature (Operational Services/Streets/Parks).
- Working days have also been lost due to either Covid-19 self-isolation/Shielding/Testing or unable to work from home (primarily Operational Services/Streets/Parks). Within this, we have also seen a number of absences related to adverse reaction to the vaccine. Yet Covid related absences are reducing month on month.
- Target: 7.1 days.

SR5 – The number of working days/shifts lost due to sickness absence (short-term only – 20 days or less)

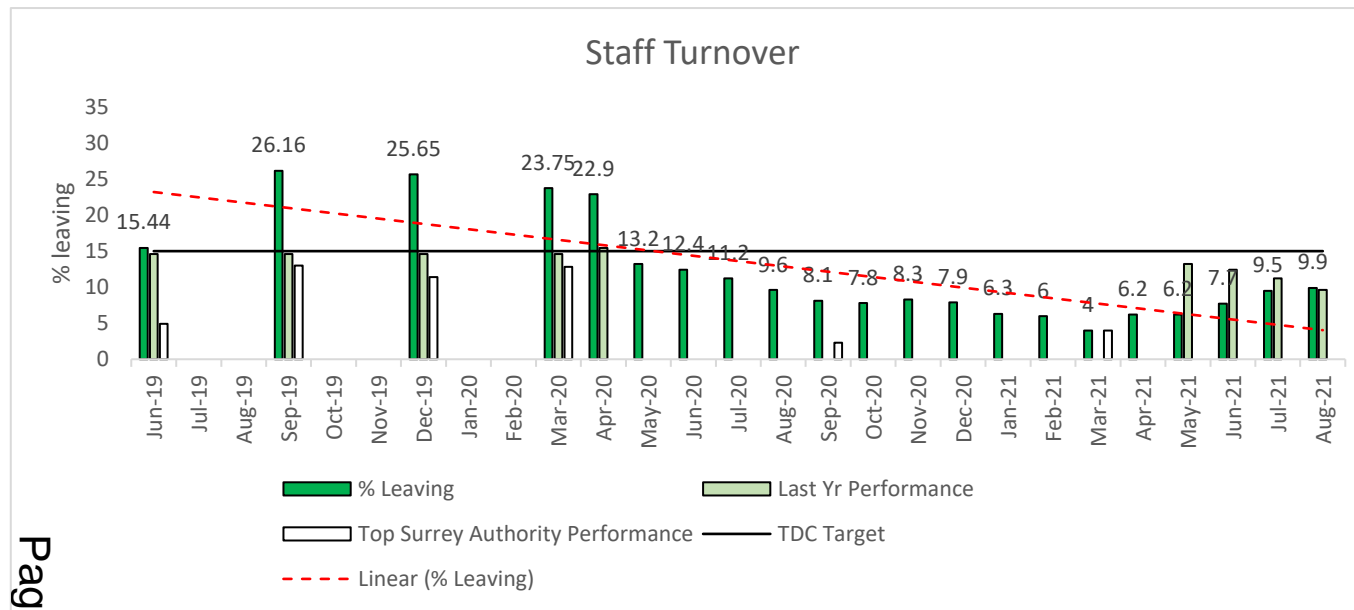


Performance Summary

- On target; overall trendline stable.
- Target: 4.1 days.

APPENDIX A – Strategy & Resources Performance Charts

SR6 – Staff turnover

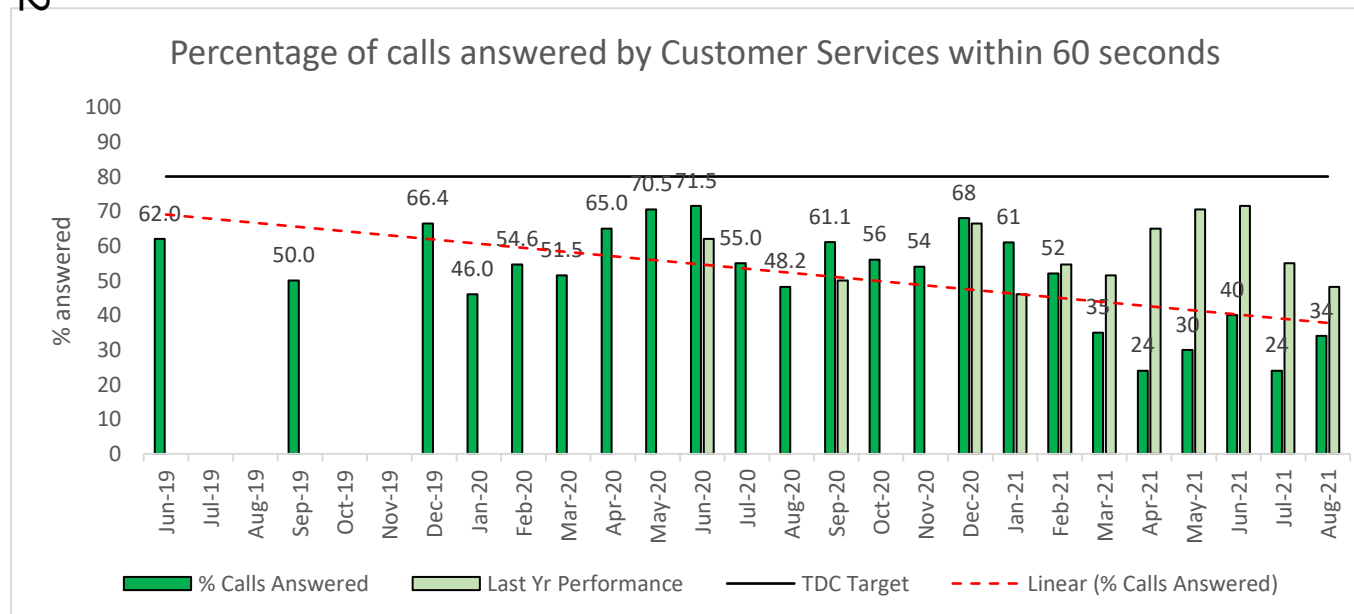


Performance Summary

- On target, although a rising between since the end of Quarter 4 last year. Note: the Council is in the process of recruiting a new HR specialist.
- Target: 15%.

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SR7 - The percentage of calls answered within 60 seconds by Customer Services

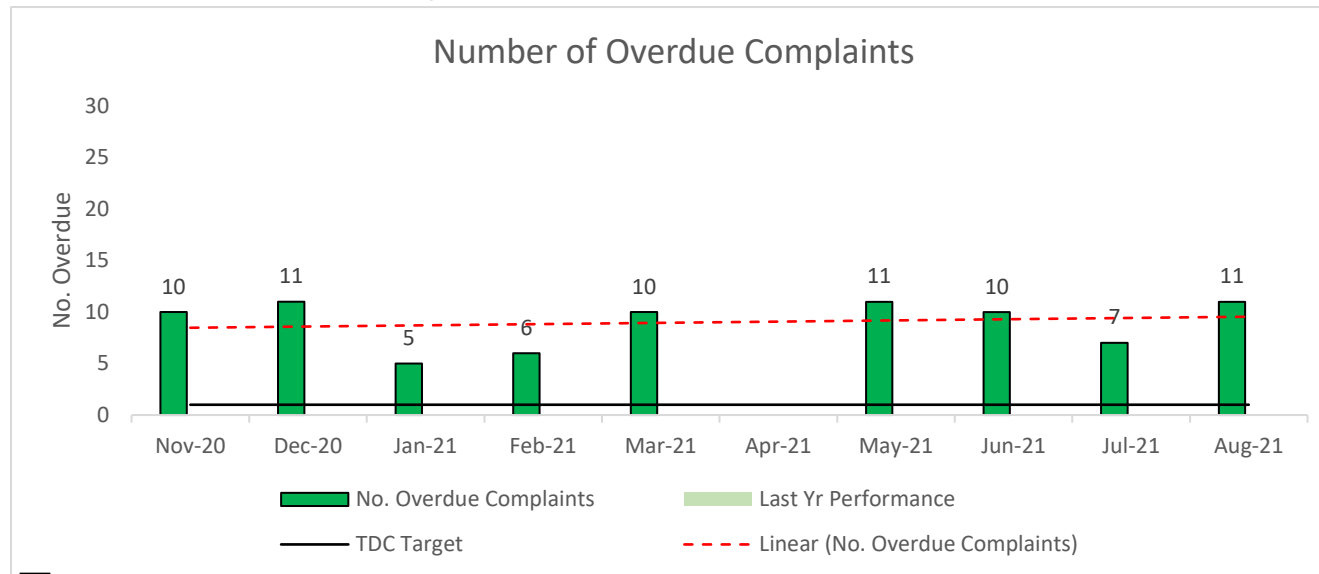


Performance Summary

- In August, 8158 calls and 1317 emails were received, and 1394 cases processed. Approximately 2000 calls related to Council Tax and repeat calls regarded non-collection of rubbish and recycling. The suspension of the garden waste service prompted additional calls, and supporting the Northgate project limited resources on the benefits and council tax lines.
- The length of calls continues to impact response times, including the time to log and process each customer enquiry.
- We are recruiting for a new apprentice to fill a vacant post. The team have also been impacted by Covid sickness absence which in turn impacts the response times.
- Target: 80%.

APPENDIX A – Strategy & Resources Performance Charts

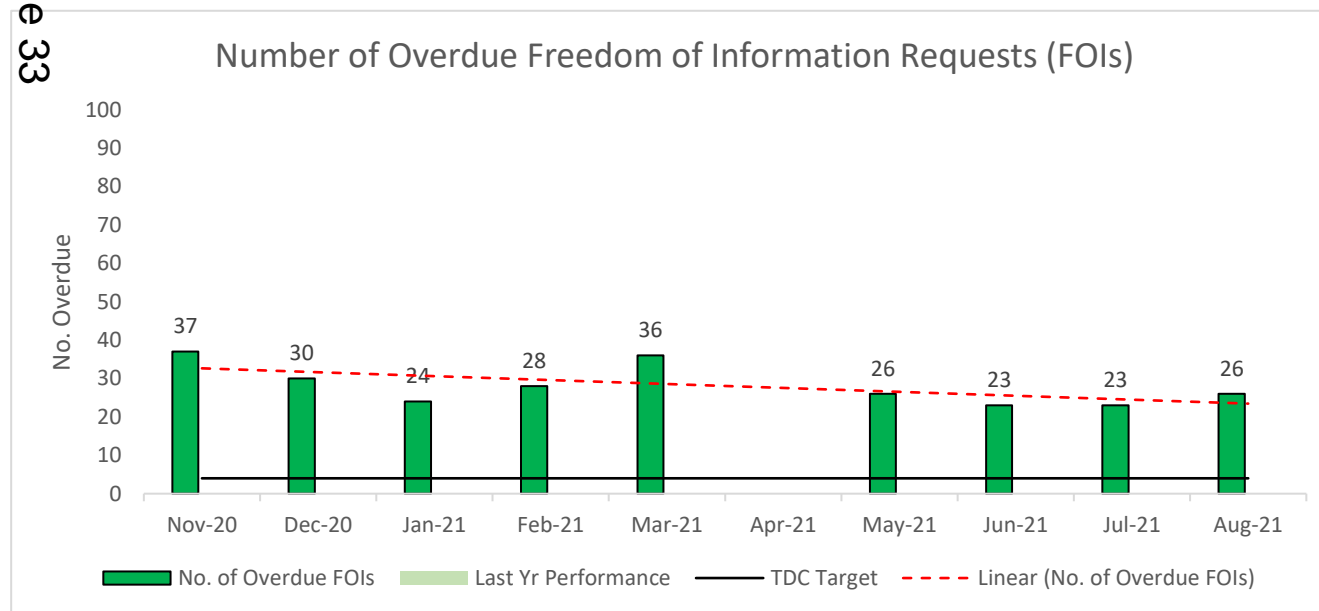
SR8 – Number of Overdue Complaints



Performance Summary

- A number of the overdue complaints in July and August relate to Operational Services. This area has a number of job vacancies. This, along with the peak holiday period has meant some responses to complaints have taken longer than they should.
- See 'Complaints update' submitted to Audit and Scrutiny Committee – 30th September – for further information on complaints.
- Target: 1 - currently baselined to 10% of November 2020 data.

SR9 – Number of Overdue Freedom of Information Requests (FOIs)



Performance Summary

- Officers have no control over the type or volume of FOI requests. Many can be time consuming to respond to as they may involve multiple service areas or documents may need redaction.
- See 'Complaints update' submitted to Audit and Scrutiny Committee – 30th September – for further information on FOIs.
- Target: 4 - currently baselined to 10% of November 2020 data.

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APPENDIX B - Strategy and Resources Committee Risk Register

Ref:	Risk cause and event	Risk consequences	Risk owner	L	I	RAG	Mitigating actions and responsibility	Status update
1	Inability to maintain high standards of delivery for statutory services	<ul style="list-style-type: none"> * Reputational impact. * Lack of confidence from Members. 	Chief Executive	3	4	12	<ul style="list-style-type: none"> * Corporate Improvement Board in place. * Staff able to work from home and access all relevant information. * Processes and procedures in place. * Performance monitoring in place. * Management actions are devised for all audit observations, which are approved by the Executive Lead and monitored internally by the Corporate Improvement Board. * Monthly liaison meetings are held with our internal auditors. * Internal audit progress reports are brought to Audit & Scrutiny Committee and Members made aware of any no or limited assurance audit reports. 	<ul style="list-style-type: none"> * Risk owner changed to Chief Executive as position of Head of Corporate Resources is currently vacant. * Work is underway with our Finance and Planning transformation projects.
2	Failure to process Housing Benefits in-line with targets	<ul style="list-style-type: none"> * Failure of statutory duty. * Reduced / delayed support to recipients. * Reputational damage. * Reduction in administration grant fund. 	Specialist Services Manager, Head of Digital Business Transformation and Democratic Services	3	3	9	<ul style="list-style-type: none"> * Replacement of revenues and benefits software system underway, with appropriate oversight and risk management in place. * Established working protocols. * Team resourcing closely monitored and issues reported to ELT. * Performance monitoring in place. 	* See Appendix A - SR3a & SR3b.
3	Council is subject to a cybersecurity attack	<ul style="list-style-type: none"> * Data breach. * Impact on delivery of services * Reputational damage. 	Head of Digital Business Transformation and Democratic Services	2	4	8	<ul style="list-style-type: none"> * Cyber Essentials certification in place. * Council information governance, which includes cyber security elements, is reviewed quarterly and formally assessed annually. * Internal audit of this area complete * Information governance Board in place *The IT Acceptable Use Policy (AUP) updated with relevant guidance and information on cyber security risks *Compulsory training on cyber security scheduled for all staff *Scheduled cyber security exercises *IT staff undertake courses and webinars to keep abreast of emerging trends in cyber security 	
5	Inability to spend Right To Buy receipts on time resulting in having to return them	<ul style="list-style-type: none"> * Reduced cash flow. * Impact on budgets. * Increased recovery costs. 	CFO	2	3	6	<ul style="list-style-type: none"> *Use of Right To Buy receipts monitored through Finance and Housing Development quarterly. * Project use of Right To Buy receipts in close discussion with colleagues. 	* Reviewed no changes in this quarter. Risk due to move to the operational risk register.

APPENDIX B - Strategy and Resources Committee Risk Register

6	Breach of GDPR due to Council business being conducted on personal devices	* Reputational damage.	Head of Legal Services & Monitoring Officer	2	3	6	* New Homeworker Policy which mandates rules for staff. * Discourage use of Zoom for business. * Confidential material not to be placed in home bins, but shredded in the office. * Staff to close windows when having work calls. * Regular information governance management meetings in place.	* New Data Protection Officer has joined the council.
7	Failure to collect revenue income (e.g. Council Tax, business rates, rental) in-line with our targets	* Failure of statutory duty. * Reduced cash flow.	Specialist Services Manager	1	4	4	* Established working protocols. * Team resourcing closely monitored and issues reported to Executive Leadership Team * Performance monitoring in place.	* Figures in Appendix A confirm that we are achieving our targets for collection rates.
4	Failure to maintain and develop ICT systems	* ICT systems failure. * Inability to deliver affected core & statutory services. * Financial costs of rectification. * Staff unable to work remotely.	Head of Digital Business Transformation and Democratic Services	1	3	3	* Digital Strategy in development, which will set out plans for ongoing maintenance and management of systems. * Cyber Essentials certification. * Business continuity plans in place and being reviewed. * Business analyst team in place to drive IT service developments.	* Digital Strategy approved * Audit actions have been established and are being progressed, but are not completed at this time.

Ref:	Risk cause and event	Risk consequences	Risk Owner	L	I	RAG	Mitigating actions and responsibility *BOLD* = new mitigation	Status Update	Committee Risk Register
1	Local plan is found unsound by the Inspector	<ul style="list-style-type: none"> * Impact on ability to reject inappropriate planning applications. * Unable to lobby and deliver infrastructure that meets the needs of local residents, public sector partners and businesses for the whole District. * More challenge to develop policies and working with others to support the building of affordable homes. * Inability to meet statutory requirement and risk of statutory intervention. * Unable to review Community Infrastructure Levy. * Additional costs associated with developing a new Plan. * Reputational damage. 	Chief Executive	4	4	16	<ul style="list-style-type: none"> * Dialogue maintained with the inspector following receipt of preliminary conclusions. * Continue to assess CIL bids to help support infrastructure delivery where possible. * Members to be made aware of any risks associated with responses / hearing sessions to the Inspector. * Ensure responses to the Inspector are submitted in a timely manner. * Work with statutory bodies where appropriate to ensure no objection. * Maintain and defend the strategy set out in the submitted Our Local Plan. * Consider legal advice appropriately. * Use consultants and experts in their field where appropriate to defend the Council's Local Plan. * Undertake additional evidence and main modifications as required by the Inspector. * Continue to have discussions with the Inspector via the Programme Officer. * Keep members updated. 	<ul style="list-style-type: none"> * Risk owner changed to Chief Executive, however an Interim Chief Planning Officer is now in post. * Early consideration of budgets and implications have been commenced. However these options cannot be concluded until transport modelling completed (relating to Junction 6), results were initially expected end of May 21, however these have been delayed due to the complexity of modelling and involvement of third parties. The results of the modelling are needed before further options can be considered. * Senior officers and relevant Councillors and committee members are being kept updated. 	Planning Policy
2	Lack of resources constrains the Council's "business as usual" capacity	<ul style="list-style-type: none"> * Non-delivery and disruption of statutory and non-statutory services. * Increased staff absence levels and staff turnover. * Reduction in staff resilience. * Council suffers loss or temporary unavailability of key staff 	Chief Executive	4	4	16	<ul style="list-style-type: none"> * Executive Leadership Team reviewing operating models and digital transformation options to release capacity where possible. * Finance capacity / resilience being reviewed as part of Finance shared service arrangement with Surrey County Council. * Senior managers proactively support teams to prioritise actions. * Support for staff welfare in place (e.g. mental health first aiders). * Appropriate HR policies in place (e.g. flexible working). 	<ul style="list-style-type: none"> * Risk owner changed to Chief Executive as Executive Head of Corporate Resources position is currently vacant. * Whilst resourcing has been addressed in some areas, as a corporate level this remains a high risk. * Executive team continuing to review operating models, in particular related to Finance and Planning functions. * Corporate projects and their prioritisation are being assessed given limited organisational capacity. 	Strategy & Resources
3	Lack of capacity in Planning Department negatively impacts performance and delivery of service, such as determining applications in statutory timeframes and managing complaints and FOIs	<ul style="list-style-type: none"> * Inability to provide statutory services to a sufficient standard / quality / timeframe and reporting of poor performance. * Inability to provide non-statutory services which are valued because of prioritisation of providing statutory services. * Negative impact on staff health and wellbeing. * Risk of staff departure due to ongoing uncertainty and no continuity of planning officers, reliance of temps * Potential risks of costs claims, complaints and legal challenges. * Reputational damage. * Increase in complaints and FOIs adding further pressure to officer time required to respond/investigate * Costs claims and time impact of providing a defence; risk of award of costs against the Council 	Chief Executive	4	4	16	<ul style="list-style-type: none"> * Peer-review of development management department undertaken by Planning Advisory Service (PAS). * Local enterprise partnership supporting the Council's Community Infrastructure Levy (CIL) work. * Recruitment of temporary staff. * Continuing suspension of non-statutory services to enable focus on statutory services. * Maintain cross checking of reports and decision notices. * Maintain specialist (legal, policy and regulatory) input in decision taking. * IT have made changes to internal systems to pull through time sensitive applications. 	<ul style="list-style-type: none"> * Risk owner changed to Chief Executive as the position of Chief Planning Officer is currently vacant. However an interim Chief Planning Officer is now in post, and the Chief Executive is currently progressing the permanent recruitment to this post. * Work underway to begin formulating a business case to make improvements to Planning following review of PAS report. 	Planning Policy

4	Inability of Council to make savings as identified in the Medium Term Financial Strategy and to balance the Council Budget in 2021/22 and 2022/23	<ul style="list-style-type: none"> * Negative impact on the Council's budget. * Council exhausts reserves to balance the budget. * Reduce services / resources. * Section 114 notice required to be issued by Chief Financial Officer leading to cessation of non-essential spend and essential service provision at minimal level. * Reputational damage. 	Section 151 Officer	3	4	12	<ul style="list-style-type: none"> * Action plan produced to address recommendations from Grant Thornton review. * Savings trackers used to monitor savings delivery in 2021/22 (reported monthly to the Executive Leadership Team and Members as part of the finance reports). If savings reported are not achieved then the Service will have to find compensating savings from their budget. * Ensuring appropriate use of government issued Covid-19 grants and all COVID costs and income loss are accurately used and reported. * Reserves can be used to support the achievement of savings. However, we have built Reserves as part of the 21/22 budget setting process to provide us with resilience and flexibility over the medium-term where there is significant funding uncertainty. We are only getting to the point over the next year or so where we were at higher Reserves levels a number of years ago. We would look to prioritise those investments by using Reserves which provide a payback (in an invest to save approach). * The HR/Finance Panel (inc. the Chief Executive and Chief Finance Officer) approve all new appointments (permanent and interim) and extensions. * Arbitrary cuts to budgets can be enforced but this is a blunt instrument and better done in a targeted way. 	* The Grant Thornton review has been completed and was presented to Strategy & Resources committee on 14 September 2021 with an action plan detailing the Council's response to the findings.	Strategy & Resources
6	Inability to carry out waste collection service in-line with the performance management framework	<ul style="list-style-type: none"> * Waste left on the street. * Environmental impact. * Poor reputation for Council. * No alternative for residents. 	Locality Services Manager	4	3	12	<ul style="list-style-type: none"> * Hierarchy of services has been agreed for when/if there is insufficient staff. * Process in place for Biffa to provide a daily update when staff absent, including the rectification proposals. * Monitoring availability of agency staff. * Surrey Waste Officers Group meet weekly to understand issues across the County and to horizon scan for any upcoming issues based on others experiences. 	<ul style="list-style-type: none"> * Risk score high due to national shortage of HGV drivers, which is beginning to impact our services. Our garden waste services has been suspended for two weeks, although additional 'sacks' will be allowed when the service resumes. * The creation of the new performance dashboard has been created. Although officers are still reviewing the data, a version 1 has been included in the performance charts for Community Services committee. 	Community Services
5	Commercial tenants and businesses unable to make payments to the Council	<ul style="list-style-type: none"> * Reduced cash flow. * Increased vacancies following expiring contracts / insolvencies. * Negative impact on budgets. 	Executive Head of Communities	3	3	9	<ul style="list-style-type: none"> * Additional government funds available for business support. * Continue to keep close contact with tenants and understand their cashflow issues. * Consider offering short-term rent free periods and deferred payment schemes for previously strong tenants. * Consider the cost benefit of empty rate/refurbishment costs alongside rent considerations if tenants were to vacate. 	* Risk reviewed by executive lead, no changes for this quarter.	Strategy & Resources

APPENDIX C - Corporate Risk Register

11	Senior management vacancies inhibit corporate performance and improvement	<ul style="list-style-type: none"> * Negative impact on corporate performance * Impact on corporate governance * Limit progress on internal audit and corporate improvement work * Increase corporate instability * Increase staff anxiety with lack of / unclear strategic direction 	Chief Executive	4	3	9	<ul style="list-style-type: none"> * Chief Executive progressing recruitment to vacant Chief Planning Officer post, and assessing most appropriate solution to replace the Executive Head of Corporate Resources who will leave the Council at the end of July 21. 	<ul style="list-style-type: none"> * Interim Chief Planning Officer in post. Permanent position currently being recruited. * Risk owner changed to Chief Executive as Executive Head of Corporate Resources position is currently vacant. * New risk added to the register 13/07/21. 	Strategy & Resources, Planning
7	Loss of some ICT systems and data due to disaster recovery solution not being in place	<ul style="list-style-type: none"> * Inability to recover IT services if a potential disaster occurred, severely impacting delivery of most Council business * Recovery of IT systems ineffective. * Data loss. 	Head of Digital Business Transformation and Democratic Services	1	4	4	<ul style="list-style-type: none"> * Agreed and procured disaster recovery solution. * Close monitoring of progress by ELT and internal audit. * Use of cloud based IT systems and system-level back-ups. * Continuance of overnight back-up tapes. 	<ul style="list-style-type: none"> * Risk re-worded to better reflect the risk. Likelihood lowered, as the likelihood of an incident that would render the relevant systems inoperative is unlikely. We have had some slippage in the delivery date, to October, due to supplier delays and internal capacity. However progress continues to be made, as the second site is now being setup. 	Strategy & Resources
8	Lack of robust and up-to-date safeguarding policies and procedures in place	<ul style="list-style-type: none"> * Risk of harm to children and vulnerable people. * Failure of statutory duty. 	Chief Executive	2	4	8	<ul style="list-style-type: none"> * Safeguarding project underway. * Mandatory online training module issued to all staff. * Safeguarding policies in place. * Safeguarding Officer in place. * Multi-agency safeguarding meetings in place. 	<ul style="list-style-type: none"> * New safeguarding officers identified across the Council. * Intranet pages updated with new contact details. * New policy drafted and due for circulation for comments. * Monthly project progress reports presented to SLT. * Risk owner changed to Chief Executive as Executive Head of Corporate Resources position is currently vacant. * Project initiation document approved by Executive Team 27 April 2021. 	Strategy & Resources
10	The Tandridge Financial Transformation fails to deliver its objectives	<ul style="list-style-type: none"> * Negative impact on Council's finances and future financial sustainability. * Negative impact on staff morale. * Reputational damage. 	CFO	2	4	8	<ul style="list-style-type: none"> * Programme team, risk register and plan in place. * Robust governance. * Regular reporting. * Communications and engagement covered in project plan. * Clear expectations regarding joint commitments set out in the Joint Working Agreement. 	<ul style="list-style-type: none"> * New risk added to the register 13/07/21 following S&R Committee approval of programme. 	Strategy & Resources
12	High levels of Covid isolation (via test & trace) lead to increased absences which impact service delivery	<ul style="list-style-type: none"> * Negative impact on service delivery 	Chief Executive	2	2	4	<ul style="list-style-type: none"> * ELT discussing with SLT to ascertain risk score / (potential) service impact. 	<ul style="list-style-type: none"> * No reports of this risk significantly effecting the council. Expecting risk to be green at the next review as relevant government regulations have been amended. * New risk added to register 10/08/21, proposed via Communities DLT 19-07-21. 	Strategy & Resources

APPENDIX C - Corporate Risk Register

9	Ongoing Covid-19 response and recovery reduces the Council's capacity for "business as usual" activities	* Impact on delivery of business as usual activities and COVID response support. * Council suffers loss or temporary unavailability of key staff.	Executive Head of Corporate Resources	2	1	2	* COVID response team mobilising staff and partners to support as necessary. * Strategic co-ordination in place with the SLRF. * Local outbreak plan in place and continually monitored and updated. * Council Covid-19 project team in place. * Monitoring of staff absence levels in place. * Appropriate HR policies in place.	* Covid project work now covered by Customer Engagement and Partnerships team. * Minimal SLRF meetings requiring attendance. * Minimal requests for welfare assistance from those self isolating.	Strategy & Resources
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Caterham Valley Renewal Ballot

Strategy & Resources Committee Tuesday, 5 October 2021

Report of: Alison Boote, Executive Head of Communities

Purpose: For Members to decide how they wish the Council to vote in the Caterham Valley Business Improvement District (**BID**) renewal ballot.

Publication status: Open

Wards affected: Harestone and Valley

Executive summary:

Caterham Valley BID has reached the end of its first term with the BID ballot now up for renewal.

This Committee needs to determine whether the Council will vote in support of a renewal ballot for the BID in Caterham Valley and whether Levy collection and support costs should be reimbursed by the BID.

This report supports the Council's priority of: to support economic recovery in Tandridge "we will continue to meet with local Business Improvement Districts (BIDs) and hold annual business network meetings to understand what's needed to help economic recovery"

Contact officer Yvonne Morland (ymorland@tandridge.gov.uk)

Recommendation to Committee:

That, in accordance with its delegated powers, we ask the Committee to

- A. agree that the Council votes in support of a BID in Caterham Valley; and
 - B. agree that the cost of Levy collection be met by the Caterham Valley BID.
-

Reason for recommendation:

To support economic recovery in Tandridge by *working closely with The BID, listening and responding to business concerns.*

Introduction and background

1. In November 2014, The Resource Committee agreed that the Council would support BIDs in the District through:
 - exemption of BIDs from levy collection costs; and
 - provision of Officer representation in an advisory role on BID boards where requested.
2. The BID is a local, democratically-elected organisation that focuses on delivering specific improvements needed by local businesses in a defined area.
3. BIDs invest in and deliver projects to improve the local trading environment and raise the area's profile.
4. BIDs are led and controlled by local businesses; they are independent organisations with ring-fenced resources and finances.
5. BIDs operate for up to five years. Throughout this term they are accountable to their levy-paying businesses and must demonstrate how they make a difference.
6. If supported, Caterham BID renewal ballot will take place between the 21st October 2021 and the 18th November 2021. The Ballot result will be announced on the 19th November 2021.
7. The Renewal Ballot will be run externally at a cost of approximately £1800. Civica Election Services will manage the ballot.
8. The Council is required to meet the cost of the ballot unless the ballot is unsuccessful, and turnout is less than 20% in which case the proposer, Caterham Valley BID, is liable. (Reg 10 of the Business Improvement Districts (England) Regs 2004).
9. Officers would like to highlight that there is a risk that the Council will bear the cost of the ballot if the fee cannot be reclaimed from the BID at the end of the term.
10. The Caterham BID operating area, will see some small changes next term. It has removed hereditaments that have a business rateable value (less than £3,000) as the levy collected is offset by the administrative costs of collection.

11. Additionally, Eothen Close has been removed as there is limited opportunity for businesses located here to benefit from the BID
12. The BID levy will be mandatory for all liable businesses in the BID area regardless of whether they choose to vote.
13. The BID levy is set by the BID and it is proposed to remain at 2% for 2021/22.
14. The Council paid £3,310 in Levy Payments in 2020/21.
15. The Council expects to collect just over £100K each year of the five year term in Levy Payments.
16. The priorities outlined in the Caterham BID Draft Business Plan have been developed following consultation with local businesses. These priorities are a mixture of operational interventions (eg identifying ways to improve the night time economy/ Christmas lights) and strategic aspirations that will involve supporting improvements to the shopping experience in Caterham Valley and embracing digital technology to support the businesses.
17. In deciding how the Council will vote, Members need to consider whether they are satisfied with the BIDs priorities, the levy rate and the exemption costs.
18. In 2019/2020, it cost the Council £952.25 in postage (excluding stationery) to collect levy payments for Caterham Valley BID, and 28 staff resource hours @ M4 grade (£778.12) to support issuance of notices, reminders, summonses, bailiff and reconciliation duties. The reason we have shown 2019/20 figures is because the following year was the pandemic year and business were not opened all year.
19. It is worth noting that nationally, of the 200 BIDs in the UK, almost all have support from the relevant Local Authority whether as a levy payer or through contributions.

Other options considered

20. The alternatives to voting in favour of the ballot renewal are:
 - The Council can elect to veto the vote if they do not agree with the BID's Proposals
 - The Council can elect to abstain from voting. If Members decide on this route the Council will leave the outcome of the ballot in the hands of local business holders to decide. If the Council abstains from voting, this may give the appearance that the Council does not support the BID.

Consultation

21. Consultations with local businesses and the BID have taken place via Zoom calls and social media and follow-up 1-1 meetings, where requested. All activities have been managed by the BID.
22. Further consultation and promotions will require the support of the Council.
23. The Council's Communications team will need to promote the renewal ballot through social media channels, the business e-newsletter and any digital channel the Council currently uses.
24. The Council's Revenue and Benefits Team will continue to offer the opportunity for tailored mailshots to be included with Levy payment notices. This is dependent on the BID meeting officers' deadlines for issuing notices.
25. Print and Media also offer support to the BID although minimal – as occasionally they print promotional flyers or posters, (maybe a couple of hundred posters or flyers once or twice a year and never more than £150.00 in costs).

Key implications

Comments of the Chief Finance Officer

26. The financial costs identified in this report will be contained within the current and future budgets.
27. There are no capital expenditure implications within the report

Comments of the Head of Legal Services

28. Part 4 of the Local Government Act 2003 along with the Business Improvement District (England) Regulations 2004 (as amended in 2013 and 2014) provide the legislative framework which allows the Council to undertake the activities detailed in this report.
29. The purpose of BID arrangements is to enable the projects specified in the arrangements to be carried out for the benefit of the BID, or those who live, work or carry on any activity within it; and for those projects to be financed by a BID Levy imposed on the non-domestic ratepayers, or a class of them, within the BID.

30. The Council has legal powers to enter into arrangements to facilitate the BID, including levy collection and may enter into a Baseline Agreement for the provision of standard services and an Operating Agreement to confirm agreed arrangements.

Equality

31. There is no equality impact as all the business within the BID business area are contacted and have the same rights and opportunities to input and vote.

Climate change

32. The way in which businesses operate and carry out their activities has implications for climate change and sustainability. Given the District Council's and Surrey County Council's declarations of a climate change emergency, and adoption of their respective climate change action plans, the Council would encourage the BID to pursue the same ends in their activities.
33. Much of what the BID will deliver will be driven and resourced directly by themselves but supporting the more structural and strategic ambitions will require strong partnership working with stakeholders.
34. This report and proposal does not make provision for the Council to place any binding climate change commitments into the agreement with the BID. Therefore, assessing the potential of the BID to address climate change will rely on it providing and publishing its own documentation.

Appendices

Appendix A – Caterham Valley BID Operating Agreement
Appendix B – Caterham Valley BID Baseline Agreement
Appendix C – 2019/2020 Costs for collection of BID Levy

Background papers

None

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

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Appendix A

Dated 2021

BID LEVY OPERATING AGREEMENT For Caterham Valley, Surrey

The District Council of Tandridge

and

The Caterham Business Improvement Company Ltd.

THIS AGREEMENT is made on _____ 2021

BETWEEN

(1) THE DISTRICT COUNCIL OF TANDRIDGE also known as Tandridge District Council, of Council Offices, 8 Station Road East, Oxted, Surrey. RH8 0BT (**Council**); and

(2) THE CATERHAM BUSINESS IMPROVEMENT COMPANY LTD. a company with company registration number: 09714133, whose registered office is at 10 Godstone Road, Caterham, Surrey, CR3 6RA (**BID Company**).

RECITALS

- A The Council is the billing authority for the purposes of the Local Government Act 2003 and is responsible for collecting the BID Levy and administering the BID Revenue Account which shall be used towards the operation of the BID within the area of the Local Authority and the funding of the BID Arrangements.
- B The BID Company is responsible for the operation of the BID and for using the BID Levy for the purposes of achieving the BID Arrangements.
- C Both parties wish to confirm the Arrangements by which the BID Levy shall be collected together with General Arrangements as to the relationship to be established between the Council and the BID Company for the duration of the BID.
- D The purpose of this Agreement is to:
- establish the procedure for setting the BID Levy;
 - confirm the basis upon which the Council will be responsible for collecting the BID Levy;
 - set out the enforcement mechanisms for collection of the BID Levy;
 - set out the procedures for accounting and transference of the BID Levy;
 - provide for the monitoring and review of the collection of the BID Levy;

DEFINITIONS

- Annual Report** means a report to be prepared by the Council which details the following:
- (i) the total amount of the BID Levy collected during the relevant Financial Year;
 - (ii) details of the success rate for the collection of the BID Levy;
 - (iii) the Council's proposals (if any) to help improve its efficiency in the collection and enforcement of the BID Levy;
 - (iv) details of those BID Payers who have paid the BID Levy and those who have not paid the BID Levy; and
 - (v) the Council's proposal for bad or doubtful debts.
- the Appeal Notice** means a notice to be served by the BID Company in accordance with Clause 7 of this Agreement;

Ballot Result Date	means the date upon which a successful re-ballot result has been declared in favour of putting in place the BID Proposal;
BID	means the Business Improvement District which operates within the area shown on the plan at Schedule 1, and which is managed and operated by the BID Company;
BID Area	means the area shown on the Plan at Schedule 1;
BID Company Report	means a report for each Financial Year to be prepared by the BID Company which details the following: <ul style="list-style-type: none"> (i) the total income and expenditure of the BID Levy; (ii) other income and expenditure of the BID Company not being the BID Levy; (iii) a statement of acting and pending deficits; and (iv) the various initiatives and schemes upon which the BID Levy has been expended by the BID Company.
BID Levy	means the charge to be levied and collected within the BID Area pursuant to the Regulations;
BID Levy Payer	means the non-domestic rate payers responsible for paying the BID Levy;
BID Proposal	means the plan voted for by the BID Levy Payers which sets out the objectives of the BID and identified the various projects which will be undertaken using funds raised via the BID Levy;
BID Revenue Account	means the account to be set up in accordance with Regulation 14 and operated in accordance with Schedule 3 of the Regulations;
BID Term	means the period of 5 years from the date of the Ballot Result Date;
the Contributors	means the BID Levy Payers or other Contributors making voluntary donations to the BID Company;
Demand Notice	shall have the same meaning ascribed to it as further set out in paragraphs 3 of Schedule 4 of the Regulations;
Enforcement Notice	means a notice to be served on the Council as specified in Clause 7 of this Agreement;
The Financial Year	means the financial year for the BID Company which runs from 1 st April to 31 st March in each year;
Liability Order	means an order obtained from the Magistrates' Court;

the Monitoring Group	means the group to be set up to monitor the collection and enforcement of the BID Levy, such group to consist of representation from the BID Company and from the Legal, Revenues and Benefits, and Finance Departments of the Council;
Reminder Notice	means the notice to be served pursuant to Clause 7 of this Agreement.

1. LEGISLATION

This Agreement is made pursuant to Part IV of the Local Government Act 2003, Section 111 of the Local Government Act 1972, Section 1 of the Localism Act 2011, the Business Improvement Districts (England) (Regulations) 2004 (**Regulations**) and all other enabling powers.

2. COMMENCEMENT

This Agreement shall not take effect until the Ballot Result Date and in any event shall determine and cease to be of any further effect in the event that:

- The BID Company fails to secure approval of the Proposals, Renewal Proposals or Alteration Proposals in a ballot, Renewal Ballot, Alteration Ballot or Reballot;
- the Secretary of State declares void a BID ballot, Renewal Ballot Alteration Ballot or Reballot;
- The Council exercises its veto and there is no successful appeal against the veto;
- the BID Term expires save the BID Company secures approval of Renewal Proposals in a Renewal Ballot or Alteration Proposals in an Alteration Ballot or Proposals in a Reballot in which event this Agreement shall continue until the expiry of the BID Term set out in the Renewal Proposals, Alteration Proposals or the Proposals set out in the Reballot provided, in relation to Renewal Proposals and Alteration Proposals the Council consents to such continuation;
- The Council exercises its discretion to terminate the BID Arrangements in exercise of powers under Regulation 18 of the Regulations.

3. SETTING THE BID LEVY

As soon as possible upon the Ballot Result Date the Council shall:

- calculate the BID Levy for each BID Levy Payer in accordance with the BID Levy rules; and
- confirm in writing to the BID Company, the BID Levy payable by each BID Levy Payer.

4. THE BID REVENUE ACCOUNT

As soon as is reasonably practicable following the Ballot Result Date, the Council shall keep a BID Revenue Account in accordance with regulations and accounting codes of practice in force at the time and provide written confirmation to Caterham Business Improvement Company Ltd of the same.

As soon as reasonably practicable following the Ballot Result Date, Caterham Business Improvement Company Ltd shall provide the Council with details of its bank account into which the BID Levy shall be transferred from the BID Revenue Account and any other details which the Council may reasonably require.

The Council will pay to Caterham Business Improvement Company Ltd on account for services provided in administering the BID Arrangements on behalf of the Council, each a sum equal to the monies collected in the quarter and properly credited to the BID Revenue Account net of cost of collection and refunds. The payment to be made within 10 working days of the quarter end.

Annually, the Council will pay to the BID Company or receive from it the balance of monies having taken account of the quarterly on account payments and balance on the BID Revenue Account at the year end. The final payment to be made within 30 days following the year end.

All sums will be subject to Value Added Tax (**VAT**) where applicable under VAT legislation and regulations in force at the time.

The BID Company and the Council as appropriate will issue VAT receipts, where applicable under VAT legislation and regulations in force at the time, for monies received within 7 working days of receipt of the monies.

5. COLLECTING THE BID LEVY

As soon as reasonably practicable following the Ballot Result Date, the Council shall confirm in writing to the BID Company, the anticipated date of the despatch of Demand Notices for the initial Chargeable Period and the anticipated Single Instalment Due Date.

The Council shall serve a Demand Notice on each BID Levy Payer and thereafter shall continue to calculate the BID Levy and serve a Demand Notice throughout the BID Term.

The Council shall maintain a list of those BID Levy Payers who have paid the BID Levy and those BID Levy Payers who have not paid the BID Levy and shall make the list available to the BID Company upon its reasonable request.

The Council shall serve a Demand Notice or amended Demand Notice on a BID Levy Payer as soon as reasonably practicable after the Council receives notice of a change that affects liability for the BID Levy.

The Council shall use all reasonable endeavours to collect the BID Levy throughout the BID Term.

6. PROCEDURES AVAILABLE TO THE COUNCIL FOR ENFORCING PAYMENT OF THE BID LEVY

Procedures for the enforcement and recovery of the BID Levy will be in line with the enforcement procedure for National Non-Domestic Rates and the Council shall comply with these enforcement procedures (where appropriate) in enforcing payment of the BID Levy

against BID Levy Payers.

7. ENFORCEMENT MECHANISMS IN THE EVENT THAT THE COUNCIL FAILS TO ENFORCE COLLECTION OF THE BID LEVY

In the event that the Council fails to enforce payment of the BID Levy pursuant to Clause 8, the BID Company shall be entitled to serve an Enforcement Notice on the Council requesting that:

- The Council serve a Reminder Notice or;
- In the event that the Council has already served a Reminder Notice that the Council applies for a Liability Order and the Council shall thereafter provide written confirmation of the action it shall take to comply with the Enforcement Notice.
- If the Council fails to provide written confirmation of the action it is taking in relation to the Enforcement Notice within 21 days of the issue of the Enforcement Notice, the BID Company shall be entitled to serve an Appeal Notice on the Chief Finance and Section 151 Officer of the Council and such notice shall:
 - Detail the Sum Unpaid;
 - Confirm that the Council has failed to use the enforcement mechanisms available to it under this Agreement to recover the Sum Unpaid; and;
 - Include written notice requesting that a meeting of the Monitoring Group take place in order to achieve a solution and/or agree a strategy to recover the Sum Unpaid, such meeting to take place no later than 28 (twenty-eight) days from the date of the Appeal Notice. The Monitoring Group would normally be established following a successful BID Ballot and would consist of representation from the BID Company and from the Legal, Revenues and Benefits, Finance and Economic Development departments of the local authority.

8. ACCOUNTING PROCEDURES AND MONITORING

Within 21 working days of the end of the quarter and every quarter thereafter (for the duration of BID Term) the Council shall provide the BID Company with:

- (i) The amount of the BID Levy for each BID Levy Payer;
- (ii) The amount of the BID Levy collected for each BID Levy payer;
- (iii) Details of BID Levy Payers who have not paid the BID Levy;
- (iv) Details of Reminder Notices issued;
- (v) Details of Liability Orders made or applied for;
- (vi) Details of Agreement made, if any, between the Council and BID Levy Payers where it has been agreed that payment of a Demand Notice can be made over a period of 3 (three) quarters or more from the date of such Demand Notice.

Within one quarter from the Ballot Result Date the parties shall agree the dates when there will be meetings of the Monitoring Group and there will be at least two such meetings in each Financial Year (throughout the duration of the BID Term) and on all other occasions further meetings of the Monitoring Group shall be arranged by the service of written notice by either party.

At each meeting the Monitoring Group shall only:

- Review the effectiveness of the collection and enforcement of the BID Levy; and
- If required by either party, review and assess information provided by the parties.

Within 3 (three) months after the end of each Financial Year (for the duration of the BID Term), the Council shall provide an Annual Report to the BID Company which highlights collection of the BID Levy and any financial transactions between the local authority and the BID Company.

Within 1 (one) month from the date of receipt of the Annual Report in each financial year (for the duration of the BID Term), the BID Company shall provide a BID Company Report to the Council.

The BID Revenue Account will be subject to the normal internal & external audit arrangements of the Council. The Council will make available to the BID Company and its appointed auditors such information as requested by the BID Company and its appointed auditors and that it is able to do so under legislation and regulation.

9. CONFIDENTIALITY

Both the Council and the BID Company shall keep confidential and not divulge to any person without the prior written consent of the other party all information (written or oral) concerning the business affairs of the other nor any information which has been exchanged about the BID Levy Payers or Contributors or about other third parties which it shall have obtained or received as a result of operating the BID and this obligation shall survive the termination or lapse of the BID Arrangements.

10. FREEDOM OF INFORMATION

- a. In recognition of the Council's legal duties which may require the release of information under the Freedom of Information Act 2000 (**FOIA**) and the Environmental Information Regulations 2004 (**EIR Regulations**), and notwithstanding anything to the contrary contained or implied in this Agreement, if the Council receives a request for information under the FOIA and/or the EIR Regulations the following provisions of this clause shall apply.
- b. The Council shall be entitled to disclose all information and documentation as necessary to respond to that request, including any matters relating to or arising out of or under this Agreement;
- c. In relation to information and documentation which may be classified as Exempt Information (as defined in the FOIA), the Council shall use its reasonable endeavours to consult with the BID Company as soon as reasonably practicable and shall not:
 - i. Confirm/deny that the information in question is held by the Council; or
 - ii. disclose the information requestedto the extent that in the Council's opinion that exemption is or may be applicable in the circumstances.
- d. The BID Company shall assist the Council as necessary to comply with its obligations under the FOIA or the EIR Regulations (including any assistance required in obtaining information the subject of the request) and shall respond to any request for assistance at its own cost promptly and in any event within ten days of receipt of any request.

11. ANTI-CORRUPTION

The Council reserves the right to cancel this Agreement and to recover from the BID Company the amount of any loss resulting in such cancellation if the BID Company shall have offered or given or agreed to give any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done

or forbore to do any action in relation to the obtaining or execution of this Agreement or any other contract or agreement with the Council or for showing or forbearing to show favour or disfavour to any person in relation to this Agreement or to any other contract or agreement with the Council or if the like acts shall have been done by any person employed by it or acting on its behalf shall have committed any offence under the Bribery Act 2010 or shall have given any fee or reward the receipt of which is an offence under Section 117(2) of the Local Government Act 1972.

12. NOTICES

Any notice or other written communication to be served or given to or upon any party to this Agreement to the other shall be in writing and shall be sent to the address provided for above or such substitute address in England as may from time to time have been notified by that party upon 7 days written notice.

A notice may be served by:

- a. Delivery to the Chief Finance and Section 151 Officer at the address of the Council specified above; or
- b. Delivery to the BID Chairman at the address of the BID Company specified above;
- c. Registered or recorded delivery post to such addresses;
- d. Electronic communication (provided that it is in legible form and is capable of being used for subsequent reference) to such addresses and provided that the recipient acknowledges written receipt otherwise it will not be deemed to have been properly served.

Any notice served shall be deemed to have been validly served or given at the time when in the ordinary course of business, it would have been received.

13. CONTRACTS (RIGHTS OF THIRD PARTIES)

The provisions of the Contracts (Rights of Third Parties) Act 1999 shall not apply to this Agreement.

14. ASSIGNMENT

The parties shall not assign or transfer or purport to assign or transfer any of their rights or obligations under this Agreement.

15. DISPUTES

- (a) If any dispute arises out of this Agreement the parties will attempt to settle it by negotiation between the Council's nominated representative and the Chairman of the BID Company or his/her nominated representative.
- (b) In the event that such negotiation fails then the parties will attempt to settle the dispute by mediation in accordance with the Centre for Dispute Resolution's Model Mediation Procedure.
- (c) In the event that the mediation process referred to fails then the parties shall jointly nominate an independent third party to settle the dispute. Should either party fail to jointly nominate such a person within 14 days of being so requested by the other then the party not in default shall be entitled to request such an independent third party to

be nominated by the President of the Chartered Institute of Arbitrators (or such other authorised person who may be entitled to act).

- (d) The independent third party so nominated under sub-clause (c) above shall act as an expert and not as an arbitrator and shall adopt such procedures as shall appear to him or her to be fair and reasonable in the circumstances and whose decision (in the absence of manifest error) shall be binding upon the Company and the Council.

16. REVIEW OF THIS AGREEMENT

The terms of this Agreement shall be reviewed by the parties annually on the anniversary of this document, such review to include consideration of the service levels to be provided for the following year.

This Deed has been entered into on the date stated at the beginning of it.

Executed as a deed by affixing the)

Common Seal of **THE DISTRICT**)

COUNCIL OF TANDRIDGE in the)
presence of:)

.....
Authorised Signatory

.....
Witness

Executed as a deed by **THE CATERHAM**)
BUSINESS IMPROVEMENT COMPANY)
LTD. acting by a director and a director or)
its secretary)

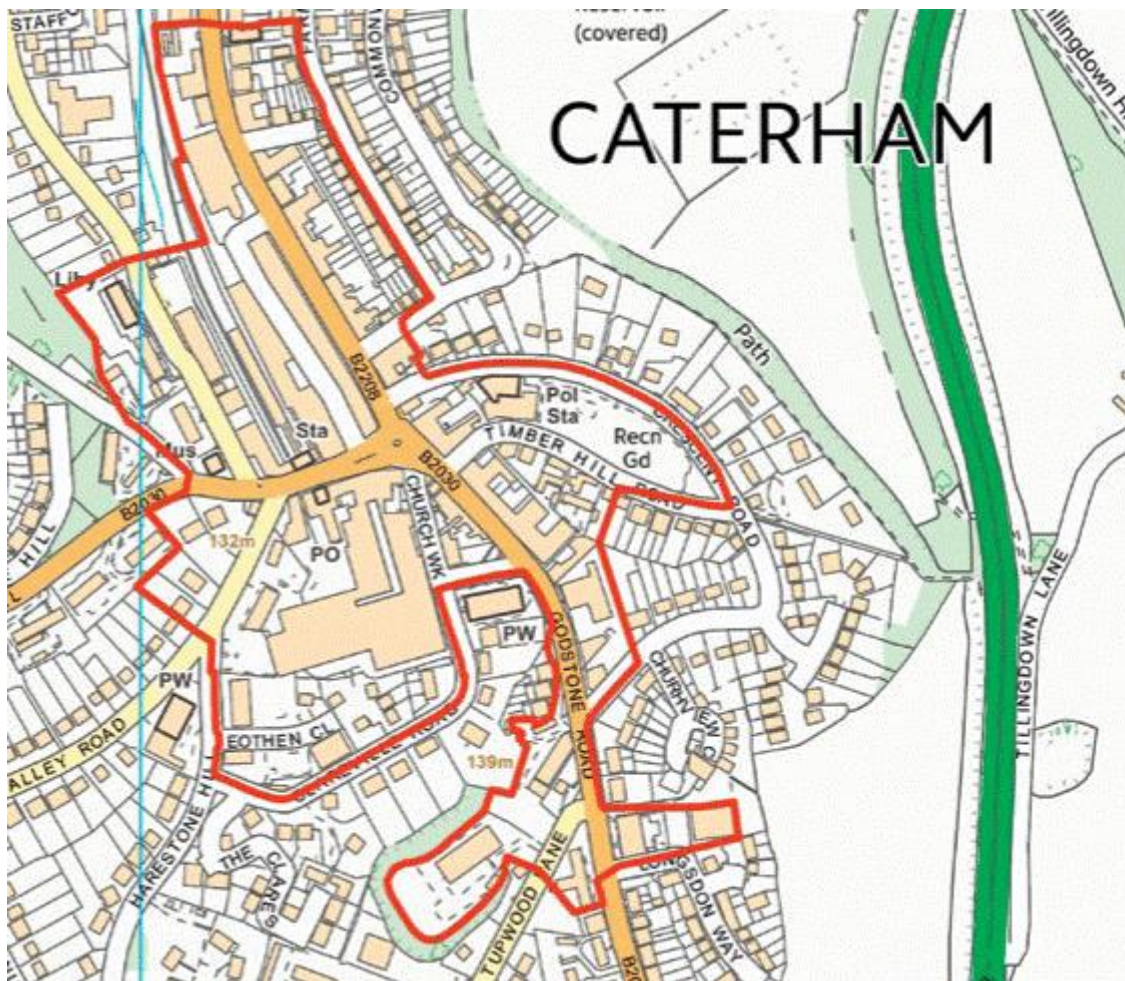
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Director

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Director/Secretary

SCHEDULE 1

BID Area

The BID Area is shown within the line edged red in the plan below.



BASELINE AGREEMENT

THE DISTRICT COUNCIL OF TANDRIDGE

and

THE Caterham BID COMPANY LTD.

This Agreement is made on _____ 2021

By and between:

(1) **THE DISTRICT COUNCIL OF TANDRIDGE**, also known as Tandridge District Council, of Council Offices, 8 Station Road East, Oxted, Surrey RH8 0BT (the **Council**); and

(1) **THE CATERHAM BUSINESS IMPROVEMENT COMPANY LTD.** a company with company registration number: 09714133, whose registered office is at 10 Godstone Road, Caterham, Surrey, CR3 6RA (**BID Company**).

RECITALS

- A The Council is the local authority for the district of Tandridge. It is the billing authority for the purposes of the Local Government Act 2003 and is responsible for collecting the BID Levy and administering the BID Revenue Account which shall be used towards the operation of the BID within Caterham Valley and the funding of the BID Arrangements.
- B The BID Company is responsible for the operation of the BID and for using the BID Levy for the purposes of achieving the BID Arrangements.
- C The Parties wish to confirm the level of services which the Council currently provides within the BID area, throughout the term of this Agreement, in order that the Parties are cognisant of the Council's obligations and in order that the Bid Company does not seek to carry out any services/work which may duplicate or interfere with the Council's existing services.

Baseline Service Statement

Organisation	Tandridge District Council
Baseline Area	Licensing / Street Trading
Head of Service	Alison Boote / Executive Head of Communities
Responsible Officer	Environmental Health
Date	August 2021

Number of Staff & Equipment	<p>To manage Street Trading under the Local Government (Miscellaneous Provisions) Act 1982 to:</p> <ul style="list-style-type: none">• Manage and enforce illegal street trading; to ensure a regulated and high quality offer, which compliments that already provided by existing businesses and in so doing promoting the vibrancy and vitality of the town centre, whilst not adding to nuisance, crime and disorder. <p>Street Trading is dealt with by the shared Environmental Health Service which includes 0.5 fulltime staff who deal with all matters relating to street trading, food hygiene and Health & Safety at work.</p>
Specification	<p>Street trading conditions are available on the Council's website:</p> <p>https://www.tandridge.gov.uk/Business-and-licensing/Licences/Street-and-Sunday-trading</p>
Performance Measure	<p>Street trading stalls are inspected by Enforcement Officers when applications are made or at the point of renewal to check they comply with the conditions.</p>
Non - Compliance Procedure	<p>If conditions of the scheme are not met, consent is not given. Appropriate enforcement action is taken where required in line with Council Enforcement Policy.</p>
Existing Value of Contract	<p>Fees charged in some cases.</p>
Boundary Area	<p>Across Tandridge District.</p>
Suggested Additional BIDs Activity	<p>N/A</p>
Estimated Cost of Additional BIDs Activity	<p>N/A</p>

Baseline Service Statement

Organisation	Tandridge District Council
Baseline Area	Street Cleaning
Head of Service	Alison Boote / Executive Head of Communities
Responsible Officer	Street Cleansing & Carpark Operations Manager
Date	August 2021

Number of Staff & Equipment	Street Cleaning Daily Mon – Fri, 7am – 2pm, Sat Empty bins and litterpick Mechanical Sweeping 1x cleans per week (or as required) 1 x Mechanical Sweeper, as required
Specification	Street cleaning standards as set out under Environmental Protection Act. The Council aims to meet a pass grade.
Performance Measure	Performance Indicator – CSL4: Percentage of roads, footpaths and public open spaces, which are TDC responsibility which meet street and environmental cleanliness standard. 2020/21 target 95% across district.
Non - Compliance Procedure	If cleaning does not meet the required standard, the Council aims to address this within 7 – 28 days depending on the fail grade.
Existing Value of Contract	Street cleaning costs are met through the wider Community Services budget.
Boundary Area	Across Tandridge District.
Suggested Additional BIDs Activity	N/A
Estimated Cost of Additional BIDs Activity	N/A

Baseline Service Statement

Organisation	Tandridge District Council
Baseline Area	Parking Enforcement
Head of Service	Alison Boote/ Executive Head of Communities
Responsible Officer	Head of Operational Services
Date	August 2021

Number of Staff & Equipment	Two full-time Civil Enforcement Officers carry out on and off-street parking enforcement services across the district. Tandridge carry out on-street enforcement on behalf of Surrey County Council. Penalty Charge Notices (PCNs) are issued where there has been an infringement.
Specification	This service is currently delegated to Sevenoaks District Council.
Performance Measure	PCN numbers are monitored however there are no targets set for number to be issued. Number of streets visited per month is also monitored.
Non - Compliance Procedure	N/A
Existing Value of Contract	This service is currently contracted to Sevenoaks District Council
Boundary Area	Across Tandridge District.
Suggested Additional BIDs Activity	N/A
Estimated Cost of Additional BIDs Activity	N/A

Baseline Service Statement

Organisation	Tandridge District Council
Baseline Area	Street Furniture / Bus Shelters/ Street Lighting
Head of Service	Alison Boote/Executive Head of Communities
Responsible Officer	Street Cleansing & Carpark Operations Manager
Date	August 2021

Number of Staff & Equipment	<p>Street Furniture The Council is responsible for the following street furniture in Caterham valley</p> <table border="1"> <thead> <tr> <th>Location</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>Bench Croydon Road Caterham valley near junction with Tillingdown road</td><td>1</td></tr> </tbody> </table> <p>Bus shelters TDC are not responsible for any bus shelters / lighting situated in Caterham valley</p> <p>Clear channel owns the bus shelters, Adshel cleans and maintains the bus shelters under contract to Clear channel.</p>	Location	Amount	Bench Croydon Road Caterham valley near junction with Tillingdown road	1
Location	Amount				
Bench Croydon Road Caterham valley near junction with Tillingdown road	1				
Specification	<p>Street Furniture Six-monthly visual checks are carried out by the Street Scene service. If repairs need to be made, Operational Services will arrange the repair to be carried out within two weeks. Any replacement are also carried out as soon as possible (usually within a couple of weeks).</p> <p>Bus Shelters The Council's contract with Adshell stipulates they will maintain the bus shelters for which they are responsible free of charge in return for any advertising revenue generated. Any issues with bus shelters can be reported to the owners by the public or our Street Cleaning staff and remedial action is required to be taken.</p>				
Performance Measure	Street Furniture, street lighting and Bus Shelters are checked to see if they are clean and safe.				
Non - Compliance Procedure	If I Clear Channel failed to keep bus shelters clean and safe, contract management procedures would be commenced.				
Existing Value of Contract	<p>Street Furniture, and Bus Shelter costs are met through wider Community Services budget.</p> <p>Bus Shelters for which Clear Channel are responsible are managed free of charge in return for any advertising revenue generated.</p>				

Boundary Area	Across Tandridge District.
Suggested Additional BIDs Activity	N/A
Estimated Cost of Additional BIDs Activity	N/A

Baseline Service Statement

Organisation	Tandridge District Council
Baseline Area	CCTV cameras in Stafford Road Recreation Ground
Head of Service	Alison Boote / Executive Head of Communities
Responsible Officer	Community Officer Team Leaders.
Date	August 2021

Specification	Footage is recorded and stored from all cameras for a minimum period of 21 days. The cameras provide evidence to assist the police or other enforcing bodies with investigations of possible criminal offences and help keep the car park safe.
Performance Measure	All CCTV equipment operates according to the Data Protection Act 2018.
Non - Compliance Procedure	NA
Existing Value of Contract	Maintenance – £250.00 per annum. CCTV costs are met through wider Community Services budget.
Boundary Area	Stafford Road recreation ground, southern end in vicinity of public footpath and play areas.
Suggested Additional BIDs Activity	N/A
Estimated Cost of Additional BIDs Activity	N/A

This Deed has been entered into on the date stated at the beginning of it.

Executed as a deed by affixing the)
Common Seal of **THE DISTRICT**)
COUNCIL OF TANDRIDGE in the)
presence of:)

.....
Principal Solicitor

.....
Witness

Executed as a deed by **THE Caterham Valley BID COMPANY LTD.**
acting by a director and a director or its Secretary

.....
Director

.....
Director/Secretary

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Appendix C – Support Costs Caterham

Caterham 2019/20	No's issued	Approximate resourcing hours
Caterham Bills / Adjustment notices issued during 2019/20	1,465 (1,465 x £0.65p 2 nd class postage = £952.25)	5 hours in total for original billing set up with 2 Business & Income Specialist / 1 IT Specialist
Caterham Reminders issued	135 (£87.75)	2 hours reviewing and running report
Caterham Summonses issued	40 (£26.00)	2 hours reviewing, running court list and attending Magistrates Court
Cases to Bailiffs	13	1 hour reviewing and selecting cases from Court list with BID involvement
Reconciling	05/07/19 = 53% 02/08/19 = 86% 05/09/19 = 88.4% 02/10/19 = 94.2% 11/11/19 = No change 25/03/20 = 98.4%	Each reconciliation takes at least 2 to 3 hours
	Total postage £1,066.00 not allowing for stationary costs	Total approximate Tandridge staff resource hours = 28
Total Staff Resource hours for Business & Income Officers (2019)	28 (£27.79) = £778.12	28 Hours - M4 grade
Printing and Media Costs	£150.00 per annum	Approx. costs
Total Costs per year	£1,994.12 per annum	The BID term is 5 years. Potential support costs for Caterham BID could amount to £9970.60 for 5-year term.

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Procurement of elections printing

Strategy & Resources Committee Tuesday, 5 October 2021

Report of: Chief Executive

Purpose: For decision

Publication status: Open

Wards affected: All

Executive summary:

The report seeks approval for the tender and procurement of the Council's electoral print services for four years from 1 January 2022.

The current print supplier will withdraw from the electoral market on 31 December 2021. A contract to an alternative supplier must be awarded to ensure the statutory function is met.

The contract will be awarded to one supplier for a period of four years, expiring in 2025.

The value of the contract will be approximately £381,500.00 with an average annual spend of approximately £78,000.

This report supports the Council's priority of: Building a better Council

Contact officer Chailey Gibb - Lead Democratic Specialist
cgibb@tandridge.gov.uk

Recommendation to Committee:

That the Committee:

- A) approves the tender and procurement of the electoral print services for four years from the current contract end date of 31 December 2021.

- B) Authorises the Chief Executive to procure and award the contract(s) necessary for the implementation of electoral print services in-line with the procurement routes.
-

Reason for recommendation:

The Returning Officer and Electoral Registration Officer has a statutory duty to produce electoral materials.

Some electoral printing is highly specialised, and it cannot be delivered within existing contracts or absorbed into in-house printing.

Introduction and background

- 1 A contract must be in place for the provision of electoral services print requirements, which requires specialist technical printing. The full range of printing material cannot be produced in-house and nor is it available within other print and post contracts that the council has.
- 2 The current print provider, Stephen Austin and Sons, is withdrawing from the electoral market on 31 December 2021 and a new supplier must be in place from 1 January 2022.
- 3 The value of the contract is £381,532.74 and is within existing service budgets or reclaimable.
- 4 Electoral printing is a highly specialist service with a limited pool or providers that necessitates the need for a dedicated tender. They specialise in electoral legislation and extracting and manipulating data from bespoke Election Management Software. Materials include legally compliant items such as ballot papers, postal voting packs and envelopes, and the annual canvass forms and notices.
- 5 Electoral printing is part of a statutory function of the council, the Returning Officer and Electoral Registration Officer. This includes, but is not limited to, the requirement:
 - a. to conduct an annual canvass (Sec 10(1) Representation of the People Act 1983)
 - b. to appoint a Returning Officer (Sec 36 Representation of the People Act 1983)
 - c. to print ballot papers (Rule 16 Local Elections (Principal Areas) (England and Wales) Rules 2006)
 - d. to print postal vote packs (Rule 22 Local Elections (Principal Areas) (England and Wales) Rules 2006)
- 6 Without a procured contract, the Council would not be able to meet its statutory duties.

Other options considered

- 7 It has been considered whether it is possible to produce electoral registration documentation in-house using existing facilities. A cost analysis would need to be undertaken alongside tenders from external suppliers, to identify if this would be a cost-effective route. However, due to the specialist nature of election printing, it would not be desirable to print election material in-house.
- 8 A contract for election and electoral registration printing must be in place and there is no viable alternative to procuring this service.

Consultation

- 9 Consultation has taken place with the Returning Officer and Electoral Registration Officer regarding the impact on the delivery of elections.

Key implications

Comments of the Chief Finance Officer

- 10 Election printing costs are charged to the Election Fees & Expenses District/Parish account code. Budgetary provision on this code for 2021/22 is £60,700. Any growth in the cost of printing will need to be offset by finding savings elsewhere or recharging the cost to partner organisations.
- 11 The Council is able to recover election costs from partners, such as Surrey County Council and Parish Councils, when conducting elections on their behalf. Grants are also received from central government when running Parliamentary and Police and Crime Commissioner elections.

Comments of the Head of Legal Services

Under the Representation of the People Act 1983, the Council must provide the Electoral Registration Officer with sufficient resources to conduct the annual canvass of the electoral register and the Returning Officer with sufficient resources to conduct elections. If Members are mindful to agree recommendations, procurement will need to be tendered in accordance with relevant UK legislation and the Council's Contract Standing Orders. The Council has a duty to demonstrate best value in the award of contracts. This can be done through a compliant procurement exercise.

Equality

This report contains no proposals that would disadvantage any minority groups.

Climate change

The specification will invite suppliers to evidence their sustainability and this will be considered during the evaluation process.

Appendices

None

Background papers

None

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

Review of the timetable of meetings for the remainder of 2021/22 and associated governance matters

Strategy & Resources Committee - Tuesday, 5th October 2021

Report of: Head of Legal Services & Monitoring Officer

Purpose: For recommendation to Full Council

Publication status: Open

Executive summary:

This report has been prepared in view of the following resolution by Full Council at the annual meeting on the 27th May 2021 (upon considering the timetable of meetings for 21/22):

“ the Strategy & Resources Committee formally review the calendar of meetings at its meeting on 5th October 2021, so as to make an appropriate recommendation to the subsequent Full Council meeting.”

The report explains the rationale for the current timetable and the merits of changing meeting dates during the final cycle. It also addresses other related matters, including a proposal to change the standard start time for evening meetings from 7.30pm to 7.00pm; the scope to reduce the length of meetings; issues regarding meetings held during the pre-election period (previously referred to as 'purdah'); and the process for agreeing the 2022/23 timetable.

This report supports the Council's priority of: *"Building a better Council"*

Contact officer Vince Sharp (Democratic Specialist)
vsharp@tandridge.gov.uk

Recommendations to Committee:

It be recommended to Council that:

- A. the dates of meetings during March / April 2022 be changed as per section 14 of this report;
- B. the following amendment be made to paragraph (1) of Standing Order 30 whereby the standard item for asking questions will cease to be included on agenda for Committee and Council meetings held during pre-election periods for District and County Council elections:

.... with the exception of the Annual Council meeting and any Council or Committee meeting taking place during the pre-election period for District or County Council elections, 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 ...

- C. the standard start time for Committee and Council meetings be changed from 7.30pm to 7.00pm with effect from the 2nd November 2021 (notwithstanding the possibility of meetings being convened at different times in special circumstances);
- D. a provisional timetable of meetings for 2022/23 be presented to the Strategy & Resources Committee on 1st February 2022 for ratification at the following Council meeting.

Reasons for recommendations:

The current timetable was set on the basis that up to date budget monitoring reports would need to be submitted to Policy Committee meetings towards the end of each cycle. As that practice will now cease (in lieu of the distribution of monthly budget reports to Members via e-mail) Committee meetings could now be spread more evenly. However, as meetings have been diarised since last Spring, it is considered that November 2021 dates should not be altered and that timetable changes be confined to March / April 2022. The proposed revisions to March 2022 dates are also intended to avoid having Policy Committee meetings during the pre-election period. The opportunity has also been taken to suggest amendments to the scheduling of Planning Committee meetings in March and April 2022.

The proposed withdrawal of agenda items for Standing Order 30 questions for remaining meetings during election pre-election periods is intended to reduce the potential for breaching government guidelines on publicity restrictions.

The suggested 7pm standard start for Committee and Council meetings should help reduce the prospect of unreasonably late finish times.

The proposal to bring a provisional 2022/23 calendar of meetings to the Committee in the new year is intended to provide a more effective and inclusive process for confirming the timetable.

Introduction and background

1. The timetable of Council and Committee meetings (updated copy at **Appendix A**) was presented to the Annual Meeting on 27th May 2021 for confirmation. This followed consultation with key Officers (Executive Leadership and Finance Teams) and Group Leaders earlier in the year.
2. A motion for the calendar to be reviewed by this Committee on 5th October 2021 was agreed. This followed suggestions that the dates of certain Policy Committee meetings should be spread more evenly, e.g. to avoid the need for two Committees having to meet in the same week.
3. The current 2021/22 meeting dates were scheduled according to the following principles / assumptions:
 - (i) the current committee structure should be retained
 - (ii) there should continue to be five committee cycles per annum (there were four cycles, and therefore fewer meetings, until 2017/18 when an additional cycle of meetings before Christmas was introduced at Members' request)
 - (iii) Friday evenings, August and school holidays are to be kept free of meetings if possible
 - (iv) Planning Committee meetings should usually be held every four weeks, but never more than six weeks following the preceding meeting
 - (v) for each cycle, Policy Committee meetings should be scheduled to receive up to date budget monitoring reports for the same reporting period
 - (vi) Audit & Scrutiny Committee meetings (with the exception of those convened for specific purposes) should be held towards the end of each cycle to capture the latest performance & risk reports for the four Policy Committees.
4. As a result of 3(v) and (vi) above, more Committee meetings are now clustered towards the end of each cycle.
5. During the previous 12 months, concerns have been expressed by some Members and the Executive Leadership Team about the time being consumed by meetings, both in terms of their frequency and duration.

6. Last April, challenges associated with Committee and Full Council meetings taking place during the pre-election period of sensitivity also emerged.

Scope for arranging a more even spread of meetings throughout each committee cycle

7. This could be achieved now that, following consultation with Group Leaders, agenda for the four Policy Committees will no longer include budget monitoring items. While no changes to November 2021 meeting dates are recommended due to any amendments being at such short notice, the draft 2022/23 timetable will attempt to provide a less clustered sequence of meeting dates throughout the Municipal Year. As far as the remainder of 2021/22 is concerned, new dates for March and April are proposed as per section 14 below, which also take account of issues regarding the pre-election period discussed in paragraphs 10 to 13.

Budget setting meetings in January 2022

8. Members who have experienced the Council's budget setting process in previous years will note that the customary mid-January week of back to back Committees has been replaced with a slightly less intense series of meetings over a two week period, with S&R only having to meet once in January/February (i.e. to approve its own budget **and** recommend the Council wide budget and Council Tax etc at the same meeting).
9. Two alternative dates for the budget setting Council meeting in February 2022 have also been programmed, i.e. 10th February and, as a contingency, 17th February if it isn't possible to prepare the necessary report in time for the earlier date. However, the 17th February option falls in the half term school holidays.

Pre-election issues

10. Certain restrictions on publicity apply during the pre-election period (previously known as 'purdah'). These are governed by Section 2 of the Local Government Act 1986, as amended in 1988. Councils should '*not publish any material which, in whole or in part, appears to be designed to affect public support for a political party*'. Section 4 of the Act provides that Councils need to have regard to the code of recommended practice, the key extracts from which are:
 1. *In general you should not issue any publicity which seeks to influence voters;*
 2. *Particular care should be taken between the time of publication of a notice of an election and polling day;*
 3. *Consider suspending the hosting of third party material or closing public forums if these are likely to breach the code of practice;*
 4. *Do not publish any publicity on controversial issues; and*

5. *Publicity relating to individuals involved directly in the election should not be published unless expressly authorised by statute.*
11. Some confusion arose prior to last April's Full Council and the matter is therefore considered relevant to this review of the 2021/22 meetings timetable with the 5th May 2022 District Elections in mind. The pre-election period is triggered by the publication of the Notice of Election which must be no later than 25 working days before the poll (28th March as far as 2022 is concerned). At this stage, it is understood that the likely publication date will be the 21st March 2022, in which case the following meetings within the present timetable for 2022 will be affected:
- Community Services Committee – 22nd March
 - Planning Policy Committee – 24th March
 - Housing Committee – 29th March
 - Strategy & Resources Committee – 31st March
 - Planning Committee – 19th April
 - Council – 21st April
12. The suggested amended dates in 14 below would remove the March 2022 meetings of all four Policy Committees from the pre-election period, based on a 21st March Notice of Election. Although a rescheduled 24th March Audit & Scrutiny Committee would now fall within the pre-election period, this is not considered to be such a significant risk.
13. The more radical option of not having any Council or Committee meetings during the pre-election period is not recommended. However, a revision to Standing Order 30 is proposed whereby the regular item for questions would be removed from agenda for meetings taking place during the pre-election period (Recommendation B). This alone would not, of course, prevent debates at meetings from breaching the pre-election period guidelines. As in previous years, Members would have to be mindful of the guidelines when speaking at the relevant meetings, having due regard to any rulings from Chairs and advice from the Monitoring Officer.

Proposed revisions to meeting dates in March and April 2022

14. Partly arising from the issues discussed in paragraphs 7 and 10 to 13 above, revised meeting dates are proposed as follows (darker shading indicates new dates):

MARCH 2022	APRIL 2022
1 Tues CS	
2 Weds	
3 Thurs P	
4 Fri	
7 Mon	4 Mon
8 Tues S	5 Tues
9 Weds	6 Weds
10 Thurs PP	7 Thurs
11 Fri	8 Fri
14 Mon	11 Mon
15 Tues H JCC	12 Tues
16 Weds JCC	13 Weds
17 Thurs A&S S&R	14 Thurs
18 Fri	15 Fri Good Friday
21 Mon	18 Mon Easter Monday
22 Tues CS	19 Tues P
23 Weds	20 Weds
24 Thurs PP A&S	21 Thurs C
25 Fri	22 Fri
28 Mon	25 Mon
29 Tues H	26 Tues
30 Weds	27 Weds
31 Thurs S&R P	28 Thurs P
	29 Fri

School Holiday

15. An additional meeting of the Planning Committee is also proposed for the end of March, together with a later meeting of the April Planning Committee in place of the one currently scheduled immediately after Easter.

Scope for limiting the duration of meetings / reducing potential for late finish times

16. Occasionally, the need for 'heavy' agenda and lengthy meetings are unavoidable. Otherwise, participants might concur that conducting business at, say, 10.30pm is not usually conducive to good decision making. In this respect, the average length of TDC evening meetings has increased in the last two years or so, and questions about whether formal measures should be introduced to regulate the hours spent in the Council Chamber (or on Zoom as the case may be) have arisen.

17. Recommendation C goes some way to addressing this issue by proposing a change to the customary start time for Council and Committee meetings from 7.30pm to 7.00pm. Officers are aware of the need to respect the demands placed upon working Members with their daytime commitments who may welcome 7.30pm meetings. The same applies to residents who wish to participate in evening meetings. Therefore, the possibility of standard 6.30pm or earlier start times is not being advocated.
18. Moving the start times to 7.00pm will also benefit those Officers who attend and support the meetings. Where practicable, Officers are entitled to take compensatory time off through the flexi-time scheme or lieu time. In some instances, it may not be practicable for Officers to work their hours flexibly or to take time off in lieu due to the need to maintain service cover.
19. A further option that has been considered, but not recommended at this stage, is the imposition of a Standing Order to enable Full Council or Committee meetings to finish if the business hasn't been completed by a certain time. Such provisions are commonly known as 'guillotine motions' and are used by some other authorities. A typical guillotine provision within a Council's Standing Orders is:

"If the business is not completed by 10.30 p.m., the Council / Committee shall decide, in relation to all or part of the remaining business, to:

(a) approve items without debate; or
(b) continue the meeting to complete the business; or
(c) refer the business to the next Ordinary Meeting; or
(d) adjourn to a specific date.
20. More pragmatic approaches to expediting business at meetings could rest with Chairs in controlling debates or setting notional time limits for dealing with individual agenda items.
21. A further measure could be to limit the submission of reports for Committees 'to note', as per the recent cessation of routine budget monitoring agenda items in lieu of the information being e-mailed to Members instead.

Reviewing the committee system and other constitutional issues

22. As referred to in 3(ii) above, it is assumed that Members are content with the current five committee cycles per annum which forms the basis of the present timetable of meetings. Determining this matter, and the wider issue of whether the current committee structure remains fit for purpose, is beyond the scope of this report.

23. This report has also considered the use of Standing Orders in the context of meetings during the pre-election period; start times; and guillotine measures. This highlights the potential for establishing a Member level group for reviewing constitutional issues. Indeed, the 2020/21 Annual Governance Statement included an action to:

"Establish an ongoing process to review the constitution, supported by a Member-led Constitution Working Group"

24. At this stage, it is considered premature to convene such a Group, although it remains an option should the Council wish to explore more comprehensive alternatives to current decision making processes

Process for confirming the 2022/23 timetable of meetings

25. Recommendation D proposes that the draft timetable be presented to the Committee's 1st February 2022 meeting. For the last few years, timetables have been set by officers in consultation with Group Leaders but a more formal, Member driven process is now considered appropriate before the 2022/23 timetable is confirmed.

Key implications

Comments of the Chief Finance Officer

The Chief Finance Officer supports the approach of realigning the meeting dates for 2022/23 given that budget monitoring reports will no longer be reported to Committees. However, meetings will still need to be scheduled to consider:

- a 21/22 outturn report (S&R in June 2022)
- a draft 23/24 budget report (S&R in December 2022)
- 23/24 budget setting reports (all four policy committees in January / February 2023, culminating in a report to Full Council in February 2023).

Comments of the Head of Legal Services

All legal implications are outlined in this report.

Equality

There are no equality implications associated with this report.

Climate change

Other than the carbon footprints associated with Members having to travel to the Council Offices for meetings, there are no climate change implications associated with this report.

Appendices

Appendix A – current timetable of Council and Committee meetings for 2021/22

Background papers

None

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APPENDIX A

CURRENT TIMETABLE OF MEETINGS FOR 2021/22

MAY 2021	JUNE 2021	JULY 2021	AUGUST 2021	SEPT 2021	OCT 2021	NOV 2021	DEC 2021
1 Sat	1 Tues	1 Thurs P	1 Sun	1 Weds	1 Fri	1 Mon	1 Weds
2 Sun	2 Weds	2 Fri	2 Mon	2 Thurs P	2 Sat	2 Tues A&S ⁷	2 Thurs S&R ⁹
3 Mon BH	3 Thurs	3 Sat	3 Tues	3 Fri	3 Sun	3 Weds	3 Fri
4 Tues	4 Fri	4 Sun	4 Weds	4 Sat	4 Mon	4 Thurs P	4 Sat
5 Weds	5 Sat	5 Mon	5 Thurs	5 Sun	5 Tues S&R	5 Fri ISC 10am ⁸	5 Sun
6 Thurs elections	6 Sun	6 Tues S&R	6 Fri	6 Mon	6 Weds	6 Sat	6 Mon
7 Fri	7 Mon	7 Weds	7 Sat	7 Tues	7 Thurs P	7 Sun	7 Tues S
8 Sat	8 Tues S&R ¹	8 Thurs A&S	8 Sun	8 Weds	8 Fri	8 Mon	8 Weds
9 Sun	9 Weds	9 Fri	9 Mon	9 Thurs	9 Sat	9 Tues	9 Thurs P
10 Mon	10 Thurs P	10 Sat	10 Tues	10 Fri	10 Sun	10 Weds	10 Fri
11 Tues	11 Fri ISC 10am ²	11 Sun	11 Weds	11 Sat	11 Mon L	11 Thurs	11 Sat
12 Weds	12 Sat	12 Mon	12 Thurs	12 Sun	12 Tues A&S ⁶	12 Fri	12 Sun
13 Thurs	13 Sun	13 Tues	13 Fri	13 Mon	13 Weds	13 Sat	13 Mon
14 Fri	14 Mon	14 Weds	14 Sat	14 Tues S&R ⁴	14 Thurs S	14 Sun	14 Tues
15 Sat	15 Tues	15 Thurs	15 Sun	15 Weds	15 Fri	15 Mon	15 Weds
16 Sun	16 Weds	16 Fri	16 Mon	16 Thurs	16 Sat	16 Tues	16 Thurs C
17 Mon	17 Thurs	17 Sat	17 Tues	17 Fri	17 Sun	17 Weds JCC	17 Fri
18 Tues	18 Fri	18 Sun	18 Weds	18 Sat	18 Mon	18 Thurs	18 Sat
19 Weds	19 Sat	19 Mon	19 Thurs	19 Sun	19 Tues	19 Fri	19 Sun
20 Thurs	20 Sun	20 Tues	20 Fri	20 Mon P	20 Weds	20 Sat	20 Mon
21 Fri	21 Mon	21 Weds JCC	21 Sat	21 Tues CS	21 Thurs C	21 Sun	21 Tues
22 Sat	22 Tues CS	22 Thurs C	22 Sun	22 Weds	22 Fri	22 Mon	22 Weds
23 Sun	23 Weds	23 Fri	23 Mon	23 Thurs PP	23 Sat	23 Tues CS	23 Thurs
24 Mon	24 Thurs PP	24 Sat	24 Tues	24 Fri	24 Sun	24 Weds	24 Fri
25 Tues	25 Fri	25 Sun	25 Weds	25 Sat	25 Mon	25 Thurs PP	25 Sat
26 Weds	26 Sat	26 Mon	26 Thurs PP ³	26 Sun	26 Tues	26 Fri	26 Sun
27 Thurs AC	27 Sun	27 Tues	27 Fri	27 Mon	27 Weds	27 Sat	27 Mon BH
28 Fri	28 Mon	28 Weds	28 Sat	28 Tues H	28 Thurs	28 Sun	28 Tues BH
29 Sat	29 Tues H	29 Thurs P	29 Sun	29 Weds	29 Fri	29 Mon	29 Weds
30 Sun	30 Weds	30 Fri	30 Mon BH	30 Thurs A&S ⁵	30 Sat	30 Tues H	30 Thurs
31 Mon BH		31 Sat	31 Tues		31 Sun		31 Fri

JAN 2022	FEB 2022	MAR 2022	APR 2022	MAY 2022
1 Sat	1 Tues S&R ¹³	1 Tues	1 Fri	1 Sun
2 Sun	2 Weds	2 Weds	2 Sat	2 Mon BH
3 Mon BH	3 Thurs P	3 Thurs P	3 Sun	3 Tues
4 Tues	4 Fri	4 Fri	4 Mon	4 Weds
5 Weds	5 Sat	5 Sat	5 Tues	5 Thurs elections
6 Thurs	6 Sun	6 Sun	6 Weds	6 Fri
7 Fri	7 Mon	7 Mon	7 Thurs	7 Sat
8 Sat	8 Tues	8 Tues S	8 Fri	8 Sun
9 Sun	9 Weds	9 Weds	9 Sat	9 Mon
10 Mon	10 Thurs C ¹⁴	10 Thurs	10 Sun	10 Tues
11 Tues	11 Fri	11 Fri	11 Mon	11 Weds
12 Weds	12 Sat	12 Sat	12 Tues	12 Thurs
13 Thurs P	13 Sun	13 Sun	13 Weds	13 Fri
14 Fri	14 Mon	14 Mon	14 Thurs	14 Sat
15 Sat	15 Tues	15 Tues JCC	15 Fri BH	15 Sun
16 Sun	16 Weds	16 Weds	16 Sat	16 Mon
17 Mon	17 Thurs C ¹⁵	17 Thurs A&S	17 Sun	17 Tues
18 Tues CS ¹⁰	18 Fri	18 Fri	18 Mon BH	18 Weds
19 Weds	19 Sat	19 Sat	19 Tues P	19 Thurs
20 Thurs PP ¹⁰	20 Sun	20 Sun	20 Weds	20 Fri
21 Fri ISC 10am ¹¹	21 Mon	21 Mon	21 Thurs C	21 Sat
22 Sat	22 Tues	22 Tues CS	22 Fri	22 Sun
23 Sun	23 Weds	23 Weds	23 Sat	23 Mon
24 Mon	24 Thurs	24 Thurs PP	24 Sun	24 Tues
25 Tues H ¹⁰	25 Fri	25 Fri	25 Mon	25 Weds
26 Weds	26 Sat	26 Sat	26 Tues	26 Thurs AC
27 Thurs A&S ¹²	27 Sun	27 Sun	27 Weds	27 Fri
28 Fri	28 Mon	28 Mon	28 Thurs	28 Sat
29 Sat		29 Tues H	29 Fri	29 Sun
30 Sun		30 Weds	30 Sat	30 Mon
31 Mon		31 Thurs S&R		31 Tues P

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
JCC	Joint Consultative Committee
P	Planning Committee
PP	Planning Policy Committee
S	Standards Committee
S&R	Strategy & Resources Committee

School holidays

1= 21/22 budget outturn

2 = treasury investment outturn

3= special meeting to consider the findings of the PAS review

4 = special meeting to consider the findings of the Grant Thornton review

5= to approve final accounts and to receive the external audit(s)

6= as above if needed (if not ready for 30/9)

7 = budget setting process

8= mid-year treasury investment review

9 = draft Council budget for 22/23

10 = 22/23 budget setting meetings

11 = capital & investment strategy

12 = community safety review

13= to agree the S&R budget envelope and recommend Council Tax & council wide budget for 22/23

14= to set the Council Tax & budget for 22/23

15= contingency date for 14 above if the budget etc can't be determined on 10th Feb

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Gatwick Noise Management Board Community Forum - appointment of a substitute Member

Strategy & Resources Committee - Tuesday, 5 October 2021

Report of: Head of Legal Services & Monitoring Officer

Purpose: For recommendation to Full Council

Publication status: Open

Wards affected: All

Executive summary:

This report is being brought to the meeting following an expression of interest from Councillor Ridge to serve as the Council's substitute Member on the Gatwick Noise Management Board's Community Forum. The Committee is invited to consider Councillor Ridge's request.

This report supports the Council's priority of: Building a better Council

Contact officer Vince Sharp - Democratic Specialist
vsharp@tandridge.gov.uk

Recommendation to Committee:

That a recommendation be made to Full Council regarding Councillor Ridge's wish to be the Council's substitute representative on the Gatwick Noise Management Board's Community Forum.

Reason for recommendation:

The appointment or nomination of Members to serve on outside bodies is a matter reserved for Full Council under the delegation arrangements within Part E of the Constitution. Most appointments / nominations are agreed 'en-bloc' at the Council's annual meeting, but those made during a municipal year can be dealt with via recommendations from this Committee.

Introduction and background

- 1 Councillor Lockwood currently represents the Council on various Gatwick Airport related bodies, namely:
 - Gatwick Airport Consultative Committee (Councillor Gillman is her substitute)
 - Gatwick Noise and Track Monitoring Advisory Group
 - Gatwick Noise Management Board

- 2 The Gatwick Noise Management Board's stated 'vision' and 'mission' statements are:

Vision:

To reduce and mitigate Gatwick aircraft noise in a fair and proportionate manner, by balancing the interests of those communities negatively impacted by aircraft noise, and those of Gatwick Airport.

Mission:

To seek to ensure that the airport, and its wider industry partners, identify and effectively implement all safe, reasonable and practical measures to reduce aircraft noise impacts, and to put in place processes for engaging and dealing with the concerns raised by people that are and could be negatively impacted by Gatwick aircraft noise.

- 3 The Board comprises an 'Executive Board'; a 'Delivery Group' and a 'Noise Community Forum'. Councillor Lockwood is the Council's representative on the Noise Community Forum until December 2022.
- 4 At the Council meeting on 22nd July 2021, Councillor Lockwood was nominated to fill a vacant position on the Executive Board. Her appointment was later confirmed by the Chair of the Board (Jonathan Drew) on the 2nd August 2021. At that time, a further seat reserved for a Councillor on the Executive Board remained to be filled. Councillor Ridge expressed an interest in putting himself forward for that position.
- 5 However, following an Officer enquiry, the Board's secretariat confirmed that valid nominees for Executive Board vacancies were restricted to existing members of the Noise Community Forum and that, in any event, no single Local Authority can have two representatives on the Executive Board. Instead, it was suggested that the Council may wish to nominate Councillor Ridge as its substitute representative on the Noise Community Forum whenever Councillor Lockwood is unable to attend. Councillor Ridge has since confirmed that he would like to be nominated in that capacity. The Committee is therefore asked to consider his request and to make a recommendation to Full Council.

6 Should the Council appoint a substitute Member to the Noise Community Forum, the Chair and Secretary would need to be informed prior to his/her attendance in Councillor Lockwood's absence. The substitute Member would also need to be briefed by the Secretariat before attending a meeting in such circumstances.

7 The stated purpose of the Noise Community Forum is:

"To facilitate effective engagement across all community groups negatively impacted by Gatwick noise such that issues are suitably documented and understood. Thereafter, the NCF will engage with the Noise Management Board and the Delivery Group, to facilitate the establishment of a community-wide noise reduction strategy and agreed noise reduction initiatives intended to reduce and mitigate Gatwick noise effects consistent with the Noise Management Board's vision.

Key implications

Comments of the Chief Finance Officer

Subject to any minor travel expenses which maybe claimed (and these can be absorbed in the current revenue budgets as set) there are no financial implications associated with this report.

Comments of the Head of Legal Services

In certain circumstances, it is considered prudent for the Council to appoint substitute representatives to outside bodies to ensure representation at all times. However, such appointments are at the discretion of the Council when the organisations allow them to be made.

Equality

There are no equality implications arising from this report.

Climate change

The Gatwick related bodies referred to in this report enable public scrutiny of the airport's environmental impacts. The opportunity for Councillor representation is therefore welcomed. However, the merits of appointing a substitute Member to the Community Forum is a matter for this Committee and does not, in itself, present any climate change implications.

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

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