

**Minutes of the Meeting of the STRATEGY AND RESOURCES COMMITTEE held on  
31 January 2019**

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**PRESENT -**

Councillor Eber Kington (Chairman); Councillor Clive Smitheram (Vice-Chairman); Councillors Kate Chinn, Alex Coley (as nominated substitute for Councillor Richard Baker), Hannah Dalton, Colin Keane, Omer Kokou-Tchri, Barry Nash, Clive Woodbridge and Tella Wormington (as nominated substitute for Councillor Tony Axelrod)

In Attendance:

Absent: Councillor Tony Axelrod and Councillor Richard Baker

Officers present: Kathryn Beldon (Chief Executive), Damian Roberts (Chief Operating Officer), Lee Duffy (Chief Finance Officer), Amardip Healy (Chief Legal Officer), Mark Shephard (Head of Property and Regeneration), Tony Foxwell (Senior Surveyor), Siobhan Gavigan (Revenues Manager) and Fiona Cotter (Democratic Services Manager)

**1 QUESTION TIME**

No questions were asked or had been submitted by members of the public.

**2 DECLARATIONS OF INTEREST**

In the interests of openness and transparency, Councillor Tella Wormington declared that she had been attending the Emily Davison Memorial Project Group and had made a personal donation to the fund. This was not considered to give rise to a disclosable pecuniary interest under the relevant legislation that would preclude Councillor Wormington from taking part in the debate or voting on the matter in question.

**3 EMILY DAVISON STATUE**

Note: This item was moved up the running order with the consent of the Committee.

The Committee received and considered a report that sought approval for £20,000 of S106 funding to be made available for the Council to make a contribution towards the funding of the Emily Davison statue in Epsom Town Centre.

- (1) Approved the use of S106 funds as set out in section 4 of the report to enable the Council to make a contribution of up to £20,000 towards the provision of the Emily Davison statue in Epsom Town Centre;
- (2) Agreed payment of the Council's contribution is conditional upon the Emily Davison Memorial Project not achieving the necessary level of funding from other sources in the first instance and a contribution of up to £20,000 would make the project viable.

#### 4 NNDR RETAIL RELIEF AND COUNCIL TAX LONG-TERM EMPTY PREMIUM

The Committee received a report detailing proposals for National non-domestic rates (NNDR) and Council Tax for long-term empty properties.

Following pressure from small businesses to reduce the tax burden, the Government announced in the October 2018 budget that it would provide a Business Rates Retail Relief Scheme for occupied retail properties with a rateable value of less than £51,000, in each of the years 2019-20 and 2020-21.

However Councils were given the responsibility of agreeing the qualifying criteria for the scheme. In response the Council produced a protocol as set out in Annex 1 to the report, detailing qualifying properties, non-qualifying properties and the application process.

With regard to empty properties, it was anticipated that implementation of the scheme would support the Council's Empty Property Strategy by encouraging property owners to bring their properties back into use. Furthermore, it was anticipated that the scheme could help the Council to deal with homelessness in the borough and also improve the appearance of the borough by keeping empty homes to a minimum.

Note: This item was moved up the running order with the consent of the Committee.

Accordingly, the Committee:

- (1) Adopted the scheme set out in Annex 1 of the report as the method of awarding Retail Relief to Business Rates payers in Epsom & Ewell, with effect from 1 April 2019 to 31 March 2021;
- (2) Agreed that from 1 April 2019 Epsom & Ewell Borough Council will charge a Council Tax Long Term Empty Premium of 100% on properties that have been left empty for longer than 2 years;
- (3) Agreed that, from 1 April 2020, Epsom & Ewell Borough Council will charge a Council Tax Long Term Empty Premium of 200% on properties that have been left empty for longer than 5 years;
- (4) Agreed that, from the 1 April 2021, Epsom & Ewell Borough Council will charge a Council Tax Long Term Empty Premium of 300% on properties that have been left empty for longer than 10 years.

## 5 EXTERNAL AUDIT UPDATE

Grant Thornton had prepared an audit plan for the 2018/19 accounts as shown in Annexe 1.

The Committee noted that officers were satisfied that the audit plan addressed the key financial and governance issues.

Grant Thornton had also certified the Council's housing benefit subsidy claim for the year-ended 31 March 2018, with no amendments or qualification to the original claim necessary, as set out in Annex 2 to the report. The auditors found that the Council had put in place adequate arrangements to compile and complete, accurate and timely claims for audit certification.

Consequently, the Committee:

- (1) Received the External Audit Plan (Annex 1 to the report)
- (2) Received the Grant Certification Letter (Annex 2 to the report)

## 6 DATA PROTECTION POLICY

Following changes introduced by the General Data Protection Regulations and the Data Protection Act 2018, it was necessary for the Council to adopt a new Data Protection Policy.

The General Data Protection Regulations (GDPR) came into force on 25 May 2018, and the Data Protection Act 2018 (DPA 2018) on 13 November 2018. The legislation replaced the previous Data Protection Act 1998. While some provisions remained unchanged, the new legislation introduced new obligations on organisations and significant individual personal data rights. The legislation required organisations to implement procedures and processes to ensure personal data was protected.

Having considered the Policy detailed in Annex 1 to the report, the Committee:

- (1) Approved the Data Protection Policy attached at Annex 1;
- (2) Delegated authority to the Chief Legal Officer to make such amendments as may be necessary to the Data Protection Policy as may be required to reflect legislation or good practice.

## 7 EPSOM & EWELL BOROUGH COUNCIL PAY POLICY STATEMENT

The Localism Act required local authorities to publish a statement which identified the Council's approach to pay and in particular set out pay arrangements for the senior chief officer posts. Under Section 38(1) of the Localism Act 2011 the Council was required to prepare a Pay Policy Statement, to be approved by full Council.

Once agreed by the Council, the Pay Policy Statement would form part of the basis on which the Council remunerates employees particularly those at the senior officer level, as required by Section 41 of the Localism Act 2011.

The information set out in the pay policy statement met the requirements of the legislation and detailed the relationship between those employees who were lowest paid and Chief Officers.

Senior salary information had been published as part of the Final Statement of Accounts. However the Localism Act 2011 (Section 38) required the Council to publish an annual Pay Policy Statement.

Accordingly, the Committee:

- (1) Approved the Pay Policy Statement for 2018/19, as set out in Annex 1 to the report and
- (2) Authorised the Chief Executive to make such amendments as were necessary, identified at the meeting, prior to its submission to Council.

## **8 ASHLEY CENTRE CAR PARK SAFETY FENCING**

In September 2017 a capital bid was made to install security fencing on levels 4C and 5 of the Ashley centre car park, with the objective of preventing anti-social behaviour, and to deter potential attempts to self-harm.

The proposal and bid were agreed and funds were made available at the start of the financial year 2018/19. The project was highlighted as an urgent priority. The initial works order was placed on 28/09/18, but following investigation it was deemed that the floor surface of level 4D was not suitable.

Additional structural investigations were carried out to ascertain a safe fixing mechanism to prevent wind from blowing the railings off the roof. This prevented orders being made for all materials in a single process, splitting the ordering into 2 phases. The two separate deliveries required two cranes to lift materials on to the roof rather than one. Consequently, the budget of £165,000 was not sufficient to cover the additional costs.

Subsequently, the Committee approved the use of £23,000 from the capital receipts reserve to fund the additional budget, subject to the Environment & Safe Communities Committee supporting the increase in budget at the meeting on 29 January 2019.

## **9 FINANCIAL REGULATIONS REVIEW**

The Committee were informed that the Financial Regulations formed part of the Council's Constitution and were last updated in 2013. Since then, the Council had undergone a number of changes to officer structures.

Consequently, the Financial Regulations need updating to reflect the organisational changes, and to ensure its processes and procedures met the needs for organisational efficiency to achieve good governance.

The updated Financial Regulations were attached at Annexe 1 to the report. It was noted that job titles had been amended to reflect the organisational structure and references to statutory regulations had also been updated as appropriate.

Accordingly, the Committee:

- (1) Noted the comments of the Financial Policy Panel on the proposed amendments to the Financial Regulations at paragraphs 3.4 and 3.5;
- (2) Recommended the updated Financial Regulations for approval by Full Council subject, in the interests of operational efficiency, to the amendment of paragraph 6.13 to permit the reallocation of resources (up to £50,000) between committees to be agreed by the relevant committee chairmen without the need to report to the relevant committees and Strategy and Resources Committee.

## 10 REVENUE BUDGET 2019/20

Government reductions to the revenue support grant and welfare benefit changes had continued to create pressure on Council finances, and the Committee was informed that the Council's budget strategy had been, as far as practical, to make operational and efficiency savings to minimise service reduction affecting residents.

For 2016/17 to 2019/20, the Council had agreed a four year Medium Term Financial Strategy (MTFS) and Efficiency Plan to maintain the financial health of the Council whilst delivering the priorities in the Corporate Plan. The recommendations in the report were consistent with the MTFS.

The figures presented in the report were final and representative of the provisional local government finance settlement. It was noted that any subsequent changes to service estimates should either be self-financing or produce a saving within the Committee's overall recommended budget.

Having considered the proposals set out in Annex 1 to the report, the Committee recommended the 2019/20 service estimates, including the increases to the fees and charges, for approval at the budget meeting of Full Council in February 2019.

## 11 CAPITAL PROGRAMME 2019/20

The Committee were presented with a report summarising the proposed 2019/20 capital programme for Strategy & Resources Committee, and were asked to consider the programme for submission to Council in February 2019.

The Capital Strategy had been agreed by the Council on 20 February 2018 at which time the capital programme was approved for 2018/19. Schemes for 2019-

2021 were provisional pending the annual budget review and an annual assessment of funds for capital investment.

Strategy and Resources Committee had provided the Capital Member Group (CMG) with a remit for the preparation of a capital programme for 2019/20. Under this remit, CMG had assessed all capital bids and recommended a programme to the Financial Policy Panel (“the Panel”) for approval on 4 December 2018.

The programme presented to the Panel assumed funding from capital receipts and government grants. The Panel were advised that the proposed level of investment of £2.4 million over three years 2019/20 to 2021/22, of which £464k was to be funded from capital receipts and revenue, would reduce the available capital receipts balance to £2.8 million at the end of the period. The agreed minimum threshold of capital receipts was £1 million.

The report detailed the Panel’s guidance relevant to Strategy and Resources Committee.

Accordingly, the Committee submitted the Capital Programme for 2019/20 as identified in section 4 of the report to Full Council for approval on 19 February 2019.

## 12 MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting of the Strategy and Resources Committee held on 27 November 2018 were agreed as a true record and signed by the Chairman.

*The meeting began at 7.30 pm and ended at 8.11 pm*

COUNCILLOR EBER KINGTON (CHAIRMAN)