

**ROBERTO TAMBINI
CHIEF EXECUTIVE**

Please reply to:

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Our ref: LP/OScttee
Date: 18 March 2013

Notice of meeting:

Overview and Scrutiny Committee

Date: Tuesday 26 March 2013

Time: 7.30pm

Place: Council Chamber, Council Offices, Knowle Green, Staines

To: Members of the Overview and Scrutiny Committee

Ms P.A. Broom (Chairman)
F. Ayers
A. Ayub
Mrs C. Bannister
Mrs M. Bushnell

C A. Davis
R.D. Dunn
M.P.C. Francis
A.E. Friday
D. Gohil

A.C. Harman
Mrs I. Napper
Miss D. Patel
Mrs M. Rough
1 vacancy

EMERGENCY PROCEDURE

In the event of an emergency the building must be evacuated. All Members and Officers should assemble on the green adjacent to Broome Lodge. Members of the public present should accompany the Officers to this point and remain there until the Senior Officer present has accounted for all persons known to be on the premises.

THE LIFT MUST NOT BE USED

If you would like a copy of this agenda or the attached reports in a larger print please contact Liz Phillis (01784) 446276 or Email l.phillis@spelthorne.gov.uk

AGENDA

Description	Lead Person	Timings	Page Number
1. Apologies			
To receive any apologies for non-attendance.	Chairman	7.30pm	
2. Appointment of Vice Chairman			
To appoint a Vice Chairman for the remainder of the Municipal Year 2012/13.	Chairman		
3. Disclosures of Interest			
To receive any disclosures of interest from Members.	Chairman		
4. Minutes			
To confirm the minutes of the meeting held on 15 January 2013.	Chairman		1 - 4
If any Member of the committee has any issues arising from the minutes of the meeting that they wish to raise at the meeting please inform Terry Collier, Assistant Chief Executive t.collier@spelthorne.gov.uk 24 hours in advance of the meeting.			
5. Matters arising from the minutes			
To consider any matters arising from the minutes of the meeting held on 15 January 2013 and the following matters:	Chairman	7.35pm	
(a) 5th Staines Sea Cadets	David Phillips, Head of Asset Management Services	7.45pm	5 - 22
To consider the report of the Assistant Chief Executive			
(b) Economic Strategy Programme	Heather Morgan, Head of Planning and Housing Strategy	8.00pm	23 - 25
To consider the report of the Assistant Chief Executive			
6. Call In of a Leader, Cabinet or Cabinet Member Decision			
No decisions have been called in for review.	Chairman		
7. Net Revenue Monitoring and Projected Outturns			
To consider the report of the Chief Finance Officer.	Adrian Flynn, Senior Accountant	8.15pm	26 - 29

Description	Lead Person	Timings	Page Number
7. Net Revenue Monitoring and Projected Outturns (cont...)			
Appendices			30 - 41
8. Capital Monitoring Report 2012/13			
To consider the report of the Chief Finance Officer.	Adrian Flynn, Senior Accountant	8.30pm	42 - 44
Appendices			45 - 47
9. Project Management Methodology			
To receive a presentation from the Head of Customer Services on the corporate approach to project management. In support of the presentation a briefing paper is attached.	Linda Norman, Head of Customer Services	8.45pm	48 - 50
10. DCLG Bid for Difficult Properties			
To consider the briefing paper from the Head of Streetscene.	Steve Connor, Neighbourhood Manager	9.00pm	51 - 52
11. Update on Laleham Park			
To consider the report of the Assistant Chief Executive	Cathy Munro, Sustainability and Open Space Manager	9.10pm	53 - 56
12. Flooding 2012 - Briefing Paper			
To consider the report of the Assistant Chief Executive	Sandy Muirhead, Head of Sustainability and Leisure	9.20pm	57 - 66
13. Sustainable and Communities Act			
To consider the briefing paper from the Head of Corporate Governance	Micheal Graham, Head of Corporate Governance	9.45pm	67 - 73

Description	Lead Person	Timings	Page Number
14. Localism Act			
To consider the briefing paper from the Head of Corporate Governance	Micheal Graham, Head of Corporate Governance	10.05pm	74 - 89
15. Cabinet Forward Plan			
A copy of the latest forward plan is attached.	Chairman	10.20pm	90
If any members of the committee have any issues contained in the Cabinet Forward Plan they wish to look at please inform Terry Collier, the Assistant Chief Executive, 24 hours in advance of the meeting with reasons for the request.			
16. Work Programme			
The Chairman to report at the meeting.	Chairman		
17. Any Other Business			
If any member wishes to raise an issue at the meeting could you please notify Terry Collier, Assistant Chief Executive on 01784 446296 or email t.collier@spelthorne.gov.uk 24 hours prior to the meeting otherwise the request may not be accepted	Chairman / Terry Collier	10.25pm	

18.

**Minutes of the Overview and Scrutiny Committee
15 January 2013**

Present:

Councillor Philippa Broom (Chairman)
Councillor Joanne Sexton (Vice-Chairman)

Councillors:

A. Ayub	A.C. Harman	Miss D. Patel
R. D. Dunn	Mrs I. Napper	A.C. Patterson
M.P.C. Francis	Mrs C.E. Nichols	Mrs S. Webb
A.E. Friday		

Apologies: Councillors Mrs M. Bushnell and A.J. Mitchell. Councillor Penny Forbes-Forsyth, the Cabinet Member responsible for Community Safety and Young People and Councillor Mrs D. Grant, Cabinet Member responsible for Parks and Assets also gave their apologies.

In Attendance

Councillor G.E. Forsbrey, Cabinet Member responsible for Planning and Housing, Councillor Mrs C. Bannister, Cabinet Member responsible for Communications and Councillor N. Gething, Cabinet Member responsible for Economic Development attended the meeting and took part in the discussion on those items relevant to their Portfolio.

6/13 Disclosure of Interests

No disclosures were made.

7/13 Minutes

The Minutes of the meeting held on 4 December 2012 were approved as a correct record.

8/13 Matters arising from the minutes

No matters reported.

9/13 Call in of a Leader, Cabinet or Cabinet member Decision

No decisions had been called in.

10/13 Budget Update

The Committee received a presentation from Terry Collier, the Chief Finance Officer on the issues, challenges and core approach and principles underpinning the 2013/14 to 2018 budget. A copy of the presentation is attached and covered the following main areas:

- Business rates
- Council Tax Support
- Universal Credit

Overview and Scrutiny Committee, 15 January 2013 - continued

- Funding Settlement
- Budget deficit projections and the assumptions behind the projections
- Council Tax

RESOLVED that the presentation from the Chief Finance Officer be received.

11/13 Localisation of Council Tax Support and Technical Reforms to Council Tax Discounts and Premiums

The Committee discussed the report of the Assistant Chief Executive on the introduction of a localised council tax support scheme which would replace the national council tax benefit scheme. In support of the report the Head of Planning and Housing Strategy gave a presentation. A copy of the presentation is attached.

The Committee in considering the matter placed on record their thanks and appreciation to the staff involved in the work needed to introduce a new scheme. The Committee were also extremely pleased that this authority had in recent years achieved a very high collection rate for council tax.

Councillor Forsbrey, the Cabinet Member responsible for this matter attended the meeting and participated in the discussion.

During the general debate the Committee acknowledged that there was an element of risk in the introduction of a new scheme but did not want to review the scheme in a year's time which may have cost implications for residents.

RESOLVED to recommend to the Cabinet:

- (1) That the Committee agrees that the Local Council Tax Support scheme as set out in the report of the Assistant Chief Executive was reasonably balanced given the economic climate and supports approval of the scheme; and
- (2) To note that the Committee acknowledged that there was an element of risk in introducing a new scheme and that their preference was to reduce the risks, as far as possible, so that a review was not required in a year's time.

12/13 Developing the Borough – How our Assets support Voluntary and Community Groups

The Committee received a presentation from David Phillip, Head of Asset Management outlining how our assets support our local voluntary and community groups. A copy of the presentation is attached.

The Committee went on to discuss how the work being undertaken supports the Council's priority of "We will ensure that the Council makes the best use of its land, assets and financial reserves to generate income to help balance our budget, to support future economic development plans or for community benefit."

Overview and Scrutiny Committee, 15 January 2013 - continued

It was noted that 'assets' is used to describe land, buildings and other structures owned by the council and used for a variety of different social, community and public purposes.

These include community amenities such as village halls, community centres, bowling greens, allotments, council office space. Some of the assets are occupied by voluntary sector organisations and include community associations, scout and guide groups, bowls clubs and charities.

The Committee noted that there were currently 76 council sites being used by community and voluntary groups. In addition the community groups received support in a variety of ways including:

- Loans and grants
- Sharing facilities
- Reductions in rates where the groups have a charitable status.

It was noted that the asset register was regularly updated and currently had 680 entries of the variety of the council's assets. A summary of the assets is as follows:

Total area of land in Councils ownership	800 acres approx.
Total gross internal area of all buildings	68,000m ²
Total income from all assets	£3.4m approx. income
Total cost of planned/responsive maintenance	£756,800 pa
Total cost of utilities	£263,000 pa
Total number of community groups using Spelthorne sites	76
Total asset book value	£42.8 million

The Committee reaffirmed its previous view that there was an urgent need for the economic development strategy to be produced with the Lead Member being the Cabinet Member responsible for economic development.

The Committee had a discussion on the progress being made with the new arrangements for project management and how the flagship projects are being reported.

RESOLVED:

- (1) To re confirm the committee's view that there is an urgent need for an economic development strategy to be produced,
- (2) A summary report and presentation on the new project management arrangements including how the summary flagship reporting is working, be made to the next meeting of the committee;
- (3) The report previously requested by the Committee on the sea cadets be sent to the Chairman in the next three weeks and for circulation to all members of the Committee and Cabinet Members;

Overview and Scrutiny Committee, 15 January 2013 - continued

- (4) The report for Cabinet on grants to voluntary groups to include the request from this committee that Cabinet encourage councillors to be appointed representatives on those bodies that receive grant funding from the Council; and
- (5) A Task Group be set up to assist in developing the use of our asset with members of the Task Group being Councillors Friday, Patel and R. Dunn. Any other members of the Committee wishing to participate in the work of the Task Group to notify the Chairman of the Committee.

13/13 Source of External Funding

The Committee discussed and received the information circulated at the meeting on external funding obtained.

14/13 Cabinet Forward Plan

The Committee received the Cabinet Forward Plan.

15/13 Work Programme

The Chairman reported that the 5 February meeting had been moved to 26 March 2013 and at that meeting the following matters would be considered:

- Localism Act
- Sustainability and Communities Act
- Flooding
- Laleham Park
- Rapid Transit System from T5 to Staines-upon-Thames
- Sea Cadets
- Economic Development Strategy

RESOLVED to note the action being taken by the Chairman of the Committee

16/13 Any other Business

No other business reported.

Overview and Scrutiny Committee

26 March 2013



Title	5 th Staines Sea Cadets		
Purpose	For Information		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member		Key Decision	No
Report Author	Dave Phillips		
Proposals	<p>To provide further information to Members within three weeks of the Overview and Scrutiny Committee on the 15th Jan 2013</p> <ol style="list-style-type: none"> 1. The Portocabins used by the Sea Cadets 2. The payment of Business Rates. 3. Details of the exit plan. 4. Details of the cost being incurred for the portocabins. 5. What are the liabilities. 6. Details of how the Council is seeking to enable greater utilisation of the pavilion 		
Summary	See attached Cabinet report/Resolution and Briefing Paper		
Corporate Priority	<p>*Service delivery</p> <p>*Efficient use of assets</p> <p>Reducing crime and antisocial behaviour</p>		
Recommendations	Members are asked to note the contents		

Briefing Note for Overview and Scrutiny Committee

Members raised questions at the Overview and Scrutiny Committee on the 15th Jan 2013 and requested information on the following items:-

1. Further information regarding the portacabins used by the sea cadets

Please see Cabinet Report/Resolution attached.

2. Payment of Business Rates

The Cadets have 80% relief on the business rates as they are a registered charity.

3. Details of 'exit plan'

The new licence approved by Cabinet has a break clause operational by both parties at 5 year intervals.

4. Cost being incurred for the portacabins

Rental cost pa £28,000 (plus £19,000 for removal of cabins at the end of the hire period). Head of Asset Management has concluded negotiations to purchase the portacabins for a one off payment which will bring the on-going rental spend to an end. The Leader of the Council agreed the purchase of the 'portacabins' which has been completed.

5. What are the liabilities

Council responsible for external repairs and cadets for internal repairs and outgoing (electricity/water). Also please see attached the agreed minutes of a meeting, directed by Cabinet Members and held on the 31 January 2012 between Cllr Smith Ainsley, Cllr Ayers and a representative from the Sea Cadets.

6. Maximising value from the Asset

In addition to the use of the facility by the Sea Cadets and Staines Brass Band, negotiations are taking place between the Sea Cadets and Spelthorne Canoe Club (a new club) for shared use of the site/accommodation. The Sea Cadets also share their training facilities with the Staines and Egham Air Cadets.

Prior to the Cadets moving to Lammas Park the majority of the building had been unused and was in a poor state of repair. The site had formerly been changing facilities for football, but this function had ceased and the facility mothballed due to the ground being waterlogged.

David Phillips
24 January 2013

5th Staines Sea Cadets Accommodation

Cabinet 15 June 2012

Report of Assistant Chief Executive

Report Summary

How does the content of this report improve the quality of life of Borough residents

Obtaining vacant possession at Bridge Street, Staines would enable the Council to ensure that it maximises the re-development potential of the site. The Council has previously decided to pursue development on the riverfront which would provide a substantial capital receipt to help support the Council's future financial sustainability. The provision of alternative accommodation for the Sea Cadets would help ensure that they can continue as a viable organisation providing a benefit to young people in Staines.

Purpose of report

To seek a decision from Cabinet regarding the renewal of the Sea Cadets' lease at Bridge Street and as to whether alternative accommodation is to be offered to the Sea Cadets at Lammas Recreation Ground.

Key issues

- The Sea Cadets' legal right to renew their existing lease
- The cost of providing suitable accommodation for the Sea Cadets
- Legal constraints applicable to Lammas

Financial implications

If the way forward agreed at the last meeting between the Cadets and Senior Members is approved with the purchase of the existing portacabins the total cost for the next three financial years will be a one of Capital cost of approximately £40,000.

Corporate Priority

2. Younger People, 3. Environment , 6. Economic Development, Sustainable Financial Future.

Officer Recommendations

Cabinet is asked to authorise the grant of a Licence to the Sea Cadets for the non-exclusive use of the accommodation which they currently use for a further period of 15 years and to support provision over the next three years for the funding of the purchase of the portocabins in the total Capital sum of £40,000.

**Report author: David Phillips Head of Asset Management & Office Services
01784 446424**

Area of Responsibility: Assistant Chief Executive Terry Collier 01784 446296

Cabinet member: Councillor Denise Grant, Portfolio Holder for Assets

Main Report

1. BACKGROUND

1.1 History of the Sea Cadets unit.

1.2 The first Sea Cadets Unit was established in 1854 at Whitstable in Kent, created by communities wanting to give young people instruction on naval theme. Traditionally old seafarers provided training while local businessmen funded the Unit Headquarters.

1.3 The Tradition of community – based Sea Cadets Units continues today with 400 across the UK each with charitable status enabling them to raise funds to meet their running cost. All units are members of the Sea Cadets Corps and are governed by the national charity MSSC – the Marine Society & Sea Cadets.

1.4 They work with the Royal Navy under a Memorandum of Understanding and receive corporate support from the commercial sector. Their core purpose is to celebrate Britain's maritime heritage and contribute to its future development by supporting young people as Sea Cadets

1.5 The Cadets go to sea, learn to sail and do adventure training, all on a nautical theme, plus get extra skills to give young people a head start in life.

1.6 The History of the Cadets at Bridge street site.

1.7 It is thought that the Cadets first moved to the Bridge Street site the late 20s early 30s and I am given to understand that they built their own Unit Headquarters.

1.8 In 1984 the Cadets, following fund raising, built a further extension to the original Headquarters.

1.9 In August 1985 (see appendix 1) the Cadets received a letter from the then Secretary of the Council confirming that the Council would be redeveloping the site in conjunction with the brewery site in Church street.

1.10 The scheme involved constructing an additional layer of car parking over Bridge Street car park to provide parking associated with the redevelopment of the brewery site in Church Street.

1.11 The scheme included the site of the Sea Cadets Headquarters but the letter confirmed that new premises for the Sea Scouts on about the same site would be provided with an equivalent amount of accommodation.

1.12 In the minutes of a report of the Councils Joint Working Party on Car Parks (in 1985) the minutes confirm that "all development and associated cost would be borne by the Developer.

1.13 When the Cadets took occupation of their new premises the Council entered into a lease agreement, the details of which are explained in section seven of this report.

1.14 In 2006 the Council was considering the re-development of the Bridge Street Car park site. As part of the considerations the Council Consultants advised officers that as the Cadets still had their original lease from the Council and in order to maximise the development potential of the site the Council should enter into negotiations with the Sea Cadets to discuss relocation of their existing premises and the surrender of their current lease.

- 1.15 By the very nature of the Cadets operation all their facilities are located on either side of the southern elevation of the site that fronts the river. (see appendix 2 attached) The main facilities consist of a building and yard with direct river access to a slip way and mooring on one side. The lease is for a fixed term of 25 years ending on 20 June 2012. The Council's finance records show that the rent payable was £150 pa up until 1993, at which time the council made a "Grant immemorial" so the Cadets didn't have to pay any rent. The Council is responsible for external repairs and the Cadets for internal repairs and all outgoings, water, electricity, rates etc.
- 1.16 On the other side of the site by Staines Bridge the Cadets have "Possessory Title" to two of the arched under the bridge with long standing access rights down the side of the car park to the river and slipways.
- 1.17 In consultation with the Sea Cadets and the Developer, a number of options were considered for relocation of the Unit and eventually the relocation to Lammas Park was considered to be the best option.
- 1.18 Numerous discussions with the Developers and the Sea Cadets continued from June 2006 to summer of 2008 as to the best options for temporary and permanent relocation. Without rehearsing the full history of the development, by 16 September 2008 the Council had decided to temporarily relocate the Cadets to Lammas Park to ensure vacant possession of the Bridget Street site.
- 1.19 At all times the Sea Cadets were kept informed of developments and worked positively with the Council to make things happen. Assurances had been given to the Cadets that if they co-operated with the Council in enabling the re-development, their existing facilities would be re-provided either permanently at Lammas Park or back in the new development at Bridge Street car park.
- 1.20 The Cadets moved into their temporary accommodation in Lammas Park in November/December 2008 where they have been now for three years. The current accommodation is based around portacabins attached to the pavilion which currently cost the Council £25k per year to hire.
- 1.21 In early 2009 the deal with the developer fell through and the Council decided not to re-market the site until the economic conditions improved.
- 1.22 Over the last three years the Council have discussed a number of permanent solutions for the cadets' accommodation on the Lammas site, from a total rebuild of the existing pavilion at £2.8m, which also provides accommodation to Staines Brass Band, to alterations to the existing temporary accommodation at £390,000.
- 1.23 Officers have recently made enquiries about the possibility of purchasing the portacabins which are currently rented and this is estimated to be a one off Capital cost in the region of £40,000 but would save the ongoing rental cost of £25,000 a year identified in the current revenue budget
- 1.24 Temporary planning consent for the Sea Cadets' accommodation in Lammas Park was obtained for a period of three years to facilitate the urgent move of the 5th Staines Sea Cadets from their premises on the Bridge Street Car Park site. Officers are now in the process of applying to renew the existing temporary planning consent for a further period of three years to give time for the Council to decide on a way forward.
- 1.25 Whilst the Sea Cadets have used the accommodation at Lammas Park for most of their activities since the end of 2008, their lease of the premises at Bridge

Street has not been surrendered and they continue to use part of the building for storage purposes. In addition they have granted a licence to the Council to use parts of the building for storage for the remainder of the term of the lease.

- 1.26 The Council have now served a Section 25 notice on the Cadets which gives notice to the Cadets that we are not agreeing to a new lease at the expiry of the existing one. We anticipate the Cadets objecting to this way forward.
- 1.27 Following a report on the situation being submitted to MAT and Cabinet Briefing in January 2012 the Council served a section 25 notice on the Cadets and directed the Deputy Leader Cllr Smith-Ainsley and Portfolio Holder for Assets, Cllr Ayers to meet with the Cadets to find a way forward. Meetings have been held with the Cadets and following those discussions an agreement in principal was agreed as follows.
- 1.28 The Council will grant a 15 year Licence with 5 year break clauses to the Cadets to continue to use their existing facilities at Lammas Park. (This length of lease is necessary to enable the Cadets to apply for grant funding from other sources such as the Royal Navy.)
- 1.29 The Council will be responsible for external repairs.
- 1.30 In return the Cadets will pay a rent of £1,000 pa
- 1.31 The Cadets will be responsible for internal repairs and all out goings.
- 1.32 The Cadets will surrender their lease on the Bridge Street site.
- 1.33 The Cadets will give up their Possessory Title and long standing rights of way to the Arches under Staines Bridge.
- 1.34 The Council will purchase the rented portocabins
- 1.35 The Cadets will apply for grant funding for covering in the external staircase to the Main Deck and offices.
- 1.36 If Cabinet is minded to offer the Sea Cadets the use of accommodation at Lammas Park on a longer term basis then other considerations arise as a result of legal restrictions which apply to Lammas Park. These are set out later in this report under the heading 'Legal Implications'.

2. KEY ISSUES

- The Sea Cadets' legal right to renew their existing lease
- The cost of providing suitable accommodation for the Sea Cadets
- Legal constraints applicable to Lammas

3. OPTIONS

There are various options that have been discussed with Members at length on the way forward but the proposals as set out above are the outcome of the latest negotiations between the Cadets and the two Senior members directed by Cabinet to agree a way forward.

4. PROPOSALS

- 4.1 As set out in section 1.27 – 1.36 above.
- 4.2 This option would provide suitable accommodation for the Cadets for a further three years (Length of the new planning approval) and give the Council time to consider the long term options.
- 4.3 This option would provide the Cadets with a secure platform from which to develop their future as a unit.
- 4.4 It will enable the Council to maximise the future development potential of the Bridge Street Car Park site.
- 4.5 Minimise the potential political cost of the other options.

5. BENEFITS AND SUSTAINABILITY

- 5.1 As described above.

6. FINANCIAL IMPLICATIONS

- 6.1 As set out above, the option put forward as preferred would require one off capital expenditure in Year 2012-2013 of £40,000.

7. LEGAL IMPLICATION/ OTHER CONSIDERATIONS

- 7.1 The legal implications of not reaching an agreement with the Sea Cadets is that they are entitled to rely on their legal rights in relation to their lease at Bridge Street. The Sea Cadets have security of tenure as business tenants. This means that they have a statutory right to a lease renewal at the end of the contractual term of their lease. When the contractual term comes to an end the security of tenure provisions contained in part II Landlord and Tenant Act 1954 ('the Act') continue the tenancy until such time as it is brought to an end in accordance with the Act.
- 7.2 Aside from the Tenant giving notice to quit, or by agreement, the Landlord can take steps to bring the continuing tenancy to an end by serving a notice to terminate under s25 of the Act, or the tenant can take steps to bring the continuing tenancy to an end by serving a request under s26 of the Act for a new fixed term lease.
- 7.3 Not more than 12 months' nor less than 6 months' notice must be given and the earliest date which can be specified by either a s25 or a s26 notice for termination of the tenancy is the date when the contractual term expires.
- 7.4 If a Landlord serves a s25 notice he must state whether or not he opposes a new lease and if so on what ground(s). Similarly if a tenant serves a s26 notice and the landlord wishes to oppose the granting of a new lease the landlord must serve a counter notice stating the ground(s) for opposition.
- 7.5 The Landlord can oppose the right to renewal on any of the following grounds and can specify more than one ground of opposition:
 - (a) Premises are in disrepair

- (b) Arrears of rent
- (c) Other breaches
- (d) Suitable alternative accommodation
- (e) Tenancy was created by a sub – letting
- (f) Landlord's intention to redevelop
- (g) Landlord's intention to occupy

7.6 Subject to complying with certain requirements as to time limits and counter notice, application can be made to the court to resolve any dispute and when such an application is made the tenancy will continue until after the matter is disposed of by the Court.

7.7 It appears that grounds (d) (f) and (g) are potentially relevant in so far as the Sea Cadets' lease at Bridge Street is concerned.

Ground (d) - suitable alternative accommodation

The landlord must provide or secure the provision of suitable alternative accommodation on terms which are reasonable having regard to the terms of the current tenancy and to all other circumstances.

If the Council is considering offering alternative accommodation at Lammas Recreation Ground then the problem is that, unless it is minded to disregard the Counsel's Opinion which has been obtained, it cannot offer the Sea Cadets a lease. It seems unlikely that the Court would regard a licence to use alternative premises as a suitable alternative to a lease with full security of tenure.

Ground (f) - Landlord's intention to redevelop

The landlord must show that on the termination of the current tenancy the landlord intends to demolish or reconstruct the premises comprised in the lease or a substantial part of those premises or carry out substantial work of construction that he could not reasonably do without obtaining possession.

To satisfy this ground the landlord must show that it intends to start the works at the end of the current tenancy which will either be the date specified in the s25 or s26 notice if no application is made to court or, unless the court specifies otherwise 3 months and 21 days after the date of the final hearing. There is case law which indicates that this means that the work must start within a reasonable period of time after termination of the existing lease and in the case in question three months was considered reasonable.

The landlord must show a firm and settled intention to demolish or reconstruct and that it has a reasonable prospect of achieving that intention.

A tenant can defeat a landlord's opposition under ground (f) if it is willing to accept a new lease entitling the landlord to enter and carry out the development works or a new lease of only part of the premises

Ground (g) - Landlord's intention to occupy

The landlord must show that on the termination of the current tenancy the landlord intends to occupy the premises for the purposes or partly for the

purposes of a business to be carried on by him therein. It appears likely that use by the Council for storage would be sufficient to satisfy this requirement.

The Act does not require the landlord to establish an intention to occupy for any specific period of time but case law indicates that the intention to occupy must be more than short term. What is short term will depend on the facts of the case but if the landlord has an intention to, or the court decides it is highly likely to, sell the premises within five years there is recent case law which indicates it will not be treated as having the requisite intention to occupy.

The problem for the Council is that the Sea Cadets are well aware of the Council's wish to redevelop and would no doubt contend that the Council only intends to occupy the premise itself for a short while until it can proceed with the proposed development.

- 7.8 Of the three grounds potentially available, ground (d) – suitable alternative accommodation does not appear to be viable if the alternative accommodation is at the Lammas. So far as ground (f) - intention to redevelop, is concerned, probably at this time the Council would be unable to establish that it has a reasonable prospect of being able to proceed with the redevelopment within a reasonable period (ie approx 3 months) of gaining possession. In relation to ground (g) – the Council would have to be able to establish that it has no intention to sell within five years of gaining possession. It follows that at the present time it may well be that the Council is not in a position to successfully oppose the grant of a new lease to the Sea Cadets.
- 7.9 If matters are brought to a head as things stand at present and the Council does not succeed in opposing a new lease being granted it will be open to the Council to argue that the new lease should be of a duration which takes into account the Council's wish to redevelop and /or should include a break clause to allow it to bring the lease to an end if it can show that it is ready and able to proceed with the redevelopment. There is case law which suggests that the Courts are sympathetic to landlords in this regard on the basis that redevelopment should not be impeded. The court will weigh in the balance the interests of the landlord and the tenant and do what it considers reasonable in the circumstances.
- 7.10 The other legal consideration is the restriction applicable to Lammas Recreation Ground. The Recreation Ground was conveyed to the Council's statutory predecessor Staines UDC, on 12 January 1922 by John Ashby. It was conveyed to the Council only for so long as it is used as a public recreation ground and upon the land ceasing to be used for that purpose ownership will revert to the heirs of Mr Ashby.
- 7.11 Counsel's advice has been sought regarding the interpretation and implications of the wording of the conveyance and the advice is that SBC cannot safely grant leases of parts of the ground to community groups such as the Sea Cadets because it is likely that use by such groups would not be regarded as use 'for the purposes of a public recreation ground'. Counsel has considered the possible argument that the Recreation Ground should be looked at as a whole and that the use of certain parts by community groups should not be regarded as a cessation of the use of the land as a public recreation ground but his advice is

that this argument cannot safely be relied upon and that it is possible that such use could trigger ownership of the whole Recreation Ground (not just the parts subject to leases) reverting to the Ashby heirs.

- 7.12 Having regard to the unequivocal opinion received from Counsel, Cabinet is respectfully advised that it would be unreasonable to grant a lease of any part of Lammas Recreation Ground. It should also be noted that the effect of the conveyance was to create a charitable trust and in consequence other restrictions apply arising from the provisions of the Charities Acts.
- 7.13 Counsel's advice is that if community groups are to be allowed to continue to use accommodation at Lammas then they should be granted no more than licences and they should not be permitted to have exclusive possession of any accommodation. Facilities used by these groups must also be available for use for the purpose of public recreation by other groups and the public in general.

8. RISKS AND HOW THEY WILL BE MITIGATED

- 8.1 If Sea Cadets try to place reliance upon assurances given to them that they would be provided with alternative accommodation if they moved from Bridge Street. An analysis of all communications on this issue would need to be carried out to form a view as to the extent of this risk in legal terms. The Sea Cadets may air their grievances publicly causing a risk to the Council's reputation and the reputation of officers and members if any who were involved in discussions which resulted in the Cadets agreeing to move their activities to the Lammas.
- 8.2 If the Council does not reach agreement with the Sea Cadets on the issue of renewal of their lease at Bridge Street and the Sea Cadets make an application to Court, the Court will decide upon the length and terms of any new lease granted. If the Council succeeds in opposing the grant of a new lease or succeeds in arguing that a new lease should be short or contain a break clause enabling the Council to bring it to an end when it is in a position to redevelop this may ultimately cause the collapse of the Staines Sea Cadets group which might be viewed as unfortunate particularly in view of the previous demise of the Sea Scouts group. It may give rise to concerns regarding the Council's intentions towards other voluntary groups which are currently supported or subsidised.
- 8.3 There is a risk that the temporary planning permission may not be renewed.
- 8.4 There is a risk that as the council have now served a Section 25 notice the Sea Cadets may serve a s26 notice requesting a new lease before the Council has identified the alternative accommodation to be offered to them. This risk can be mitigated by maintaining good communication with the Cadets

9. TIMETABLE FOR IMPLEMENTATION

- 9.1 If Cabinet approve the recommended proposals would be carried out in the financial year 2012/13.

**Background papers:
There are none**

APPENDIX 1

CTO (HDR)
for information

COPY LETTER



SPELTHORNE BOROUGH COUNCIL

L. G. Denyer, Solicitor

SECRETARY

Council Offices, Knowle Green,
Staines, Middlesex. TW18 1XB.
Telephone: Staines 51499

Ext.: 239 - Mr. C. Braithwaite

My Ref.: CB/DA/MS.10

Your Ref.:

Captain W.E. Warwick
"Greywell Cottage"
Callow Hill
VIRGINIA WATER
Surrey
GU25 4LD

7th August 1985

RECEIVED
1985

PLN
Ref: D. C. T. O. L. P.

Asst
Mtd

DC

Dear Captain Warwick:

STAINES AND EGHAM SEA CADET CORPS HQ

I refer to my letter of the 29th April and our discussion yesterday when I advised you that the scheme for developing Bridge Street car park had been revived and was likely to go ahead.

The scheme involves constructing a layer of car parking over Bridge Street car park to provide parking associated with the redevelopment of the brewery site in Church Street. The scheme includes the site of the Sea Cadet Headquarters but it is proposed to build new premises for the Sea Scouts on about the same site which will provide an equivalent amount of accommodation.

It is most unfortunate and regrettable that the redevelopment should materialise so soon after the opening ceremony of your headquarters extension and the hard work which you and many persons associated with the cadets have put into the building.

It is hoped that you can take the long view that purpose designed headquarters in modern construction will provide better premises for the sea cadets.

The Council will shortly approach you with the Architects for the new development to seek your views on the layout and equipment of the new headquarters.

I understand that you will consult your Committee about the Council's proposals and let me have your views in due course.

I am sorry to have to write to you with this news and if there is any further information I can supply, please write or telephone Mr. Braithwaite at these offices.

Yours sincerely

L.G. DENYER

Secretary

MINUTES OF THE CABINET

12 June 2012

Present:

Councillor F. Ayers (Leader of the Council, Chairman of the Cabinet and Cabinet Member for Strategy and Corporate Governance)
 Councillor Mrs. J.M. Pinkerton (Deputy Leader and Cabinet Member for Health, Wellbeing and Independent Living)
 Councillor Mrs C.A. Bannister (Cabinet Member for Communications)
 Councillor T.J.M. Evans (Cabinet Member for Finance and Resources)
 Councillor P.C. Forbes-Forsyth (Cabinet Member for Community Safety and Young People)
 Councillor N. Gething (Cabinet Member for Economic Development)
 Councillor Mrs. D.L. Grant (Cabinet Member for Parks and Assets)
 Councillor R.L. Watts (Cabinet Member for Environment)

Apologies: Councillor G.E. Forsbrey (Cabinet Member for Planning and Housing)

1812. Minutes

The minutes of the meeting held on 24 April 2012 were agreed as a correct record.

1813. Disclosures of Interest

There were none.

1814. Minutes of the Member Development Steering Group 28 February 2012

Cabinet received the minutes of the meeting held on 28 February 2012.

RESOLVED to note the minutes of the meeting held on 28 February 2012.

1815. Spelthorne Waste Action Plan

Cabinet considered a report seeking support for the Spelthorne Waste Action Plan.

Cabinet noted that the Action Plan dealt specifically with Spelthorne's part in dealing with Surrey's waste and that all Surrey authorities had or were developing such action plans.

RESOLVED to endorse the Spelthorne Waste Action Plan.

1816. Criteria for Residual Grant Funding

Cabinet considered a report on the proposed criteria, timetable and procedures for allocating residual grant funding of £17,550 to organisations with worthwhile projects.

Cabinet noted that the funding was already in the budget for 2012-13.

RESOLVED to agree the criteria, time frame and procedures for distributing the residual grant funding budget of £17,550 to voluntary/business organisations with worthwhile projects, as set out in Appendix 1 to the report of the Assistant Chief Executive.

1817. Replacement of heating and hot water system at Knowle Green

Cabinet considered a report on the need to replace the heating and hot water system at the Knowle Green offices as in some places it was over 40 years old and considered to be beyond its economical life.

RESOLVED to:

1. Delegate authority to the Assistant Chief Executive in consultation with the Cabinet Member (Robert Watts) to agree a select list of organisations to supply and install the system as designed by Ridge and Partners;
2. Delegate authority to the Assistant Chief Executive (Terry Collier) in consultation with the Cabinet Member (Robert Watts) to select the organisation to supply and install the system as designed by Ridge and Partners provided that this is within the budget set out in this report; and
3. Delegate authority to the Head of Corporate Governance to enter into the appropriate contract documentation.

1818. Staines Sea Cadets' Accommodation

Cabinet considered a report on the provision of alternative accommodation for the Sea Cadets at Lammas Recreation Ground. This would help ensure that they could continue as a viable organisation providing a benefit to young people in Staines.

RESOLVED:

1. To authorise the grant of a Licence to the Sea Cadets for the non-exclusive use of the accommodation which they currently use, for a further period of 15 years, subject to their handing over possessory title to the arches at Bridge Street, and
2. To give delegated authority to the Head of Asset Management to negotiate the purchase of the portacabins up to a maximum sum of £40,000 and to approve a supplementary estimate of this value to facilitate this.

1819. Capital Carry Forward Requests

Cabinet considered a report on the capital budget carry forwards requested by Heads of Service in order to complete works started but unfinished as at March 2012, and for works delayed due to unforeseen circumstances.

RESOLVED to agree the capital carry forward requests identified as being supported by, and set out in the report of, the Chief Finance officer.

1820. *Members' Code of Conduct Committee

Cabinet considered a report on changes following the introduction of the Localism Act 2011 which requires the Council to introduce a new Code of Conduct and to have arrangements for dealing with complaints under that Code. Changes were also required to the Constitution to make alterations to the remit of the Standards Committee as it would no longer be a statutory committee.

RESOLVED that the Leader recommends Council:

- 1) To substitute a Members' Code of Conduct Committee in place of the Standards Committee with the remit shown at Appendix 1 of the report and the Terms of Reference shown at Appendix 2 of the report;
- 2) To adopt a new Code of Conduct as shown at Appendix 3 of the report;
- 3) To adopt arrangements for dealing with complaints as shown at Appendix 4 of the report;
- 4) To delegate to the Head of Corporate Governance authority to make these and any consequential changes to the Constitution to give effect to these resolutions;
- 5) To agree the review of proportionality of seats on committees to take into account the addition of two new seats to the Members' Code of Conduct Committee;
- 6) For all such changes to take effect from 1 July 2012 or such other date as may be specified in regulations under the Localism Act 2011; and

- 7) To delegate to the Head of Corporate Governance, in consultation with the Leader, the authority to call an extraordinary meeting of Council to consider such recommendations once the detail of the regulations is known.

1821. Appointment of Representatives to Outside Bodies 2012-2013

Cabinet considered the appointments of Council representatives to Outside Bodies until June 2013.

RESOLVED to agree the appointments to Outside Bodies for 2012-2013, as set out at agenda item 11 of the Cabinet agenda for the meeting held on 12 June 2012.

1822. Issues for Future Meetings

There were none.

1823. Urgent Items

There were none.

NOTES:-

- (1) *Members of the Overview and Scrutiny Committee are reminded that under Overview and Scrutiny Procedure Rule, the "call-in" procedure shall not apply to recommendations the Cabinet makes to the Council. The matters on which recommendations have been made to the Council, if any, are identified with an asterisk [*] in the above Minutes.*
- (2) *Members of the Overview and Scrutiny Committee are entitled to call in decisions taken by the Cabinet for scrutiny before they are implemented, other than any recommendations covered under (1) above.*
- (3) *Within three working days of the date on which a decision of the Cabinet or a Cabinet Member is published, not less than three members [one of whom must be the Chairman] of the Overview and Scrutiny Committee are able to "call in" a decision;*
- (4) *To avoid delay in considering an item "called in", an extraordinary meeting of the Overview and Scrutiny Committee will be convened within seven days of a "call in" being received if an ordinary meeting is not scheduled in that period;*
- (5) *When calling in a Cabinet decision for review the members doing so should in their notice of "call in":-*
 - *Outline their reasons for requiring a review;*
 - *Indicate any further information they consider the Overview and Scrutiny Committee needs to have before it in order to conduct a review in addition to the written report made by officers to the Cabinet;*
 - *Indicate whether, where the decision was taken collectively by the Cabinet, they wish the Leader or his nominee (who should normally be the Cabinet Member) or where the decision was taken by a Cabinet*

Member, the member of the Cabinet making the decision, to attend the committee meeting; and

- **Indicate whether the officer making the report to the Cabinet or the Cabinet Member taking the decision or his/her representative should attend the meeting.**

(6) The deadline of three working days for "call in" by Members of the Overview and Scrutiny Committee in relation to the above decisions by the Cabinet is the close of business on 21 June 2012

Meeting Next Steps





Title: Staines Sea Cadets Meeting “Without Prejudice”

Date: 31 Jan 2012 – 6.30pm
Trevor Baker Room

Present:

Cllr Ayers		
Cllr Smith Ainsley		
Steve Bennett		
Dave Phillips		

Next Steps

No.	Action		
1	Cllr Smith Ainsley and Cllr Ayers outlined the issues following a meeting of the Cabinet the previous evening and a general discussion ensued which resulted in the following bullet points being agreed as a way forward		
2	The Council will negotiate to purchase the portacabins at Lammas Park occupied by the Cadets		
3	Cadets to be given a fifteen year license to occupy the accommodation at the Lammas subject to this being acceptable and accords with the conditions of the covenant		
4	The license will have five year break clauses enforceable on either side with six months notice prior to break		
5	Community Rent of £1000 per annum		
6	Cadets to be responsible for all internal repairs		
7	Council to be responsible for external repairs		

Meeting Next Steps



8	Cadets to give up their lease on the headquarters building at Bridge St and the possessory title and established rights of way to the Arches under Staines Bridge		
9	The Council to give a written assurance that when the Bridge St redevelopment goes ahead a sum of money will be ring fenced from the Capital receipts to enable the refurbishment of the Cadets accommodation at Lammas Park And within that written assurance should also be the fact that the council does not and will not make the Sea Cadets homeless.		
10	SB to take above proposals to his management committee on Thursday night – 2 nd Feb 2012		
11	Cllr Ayers and Cllr Smith-Ainsley to obtain necessary Committee consent		
12	DP to circulate the minutes by mid-day of the following day and all to respond with any comments by the end of the day		
13	Post meeting Note (am 1 st Feb 2012) – On the basis of the above SB has agreed to withdraw FOI request for the time being. SB to confirm to DP via email later today		

Overview and Scrutiny Committee

26 March 2013



Title	Economic Strategy programme		
Purpose	For Information		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Nick Gething	Key Decision	No
Report Author	John Brooks – Deputy Head of Planning and Housing Strategy Keith McGroary – Community Safety and Economic Development Manager		
Summary	The purpose of this report is to explain what actions have been taken to prepare an Economic Strategy		
Financial Implications	This report is for information.		
Corporate Priority	Efficient use of assets		
Recommendations	For Overview and Scrutiny to note the information.		

1. Background

- 1.1 The Overview and Scrutiny Committee at its meetings on 4 December 2012 and 15 January 2013 considered reports on 'Developing the Borough – maximising our assets and opportunities' (Minute 313/12) and 'Developing the Borough – how our assets support voluntary and community groups' (Minute 12/13). In the context of both items the Committee recommended to Cabinet the urgent need for an Economic Strategy.

2. Key issues

- 2.1 In parallel with this Committee's consideration of the subject the Local Plan Working Party, which is responsible for advising Cabinet on all planning policy matters, has been considering the implications of the Government's National Planning Policy Framework, published in March 2012.
- 2.2 At the Working Party's meeting on 7 January 2013 a detailed report was considered. That report explained the importance of having robust evidence to demonstrate whether existing policy remains up-to-date and the need to review the 'key' background evidence which underpins it.
- 2.3 That 'key' background evidence includes work on Economy and Employment, Retail Needs, Housing Needs and Housing Land Availability. Work on Economy and Employment was identified as the top priority given the corporate priorities agreed by Council on 13 December which included the need to support future economic development.
- 2.4 It was explained in that report that the first part of that Economy and Employment work should be a Local Economic Assessment which would provide the robust evidence for the preparation of an Economic Strategy and also the review the planning policies. It was explained this corporate piece of work would be progressed by the Deputy Head of Planning and Housing Strategy and the Community Safety and Economic Development Manager.
- 2.5 At its meeting on 7 January the Local Plan Working Party agreed the importance of reviewing the 'key' background evidence but also asked for a high level project plan to enable consideration of the necessary resources to ensure appropriate progress could be made. This was considered by the Working Party at its meeting on 30 January. It agreed to recommend to Cabinet at its meeting on 12 February:
- (a) The priority of progressing the Economy and Employment work of which the Local Economic Assessment will be the first phase;
 - (b) The appointment of a Senior Planning Officer to increase the capacity of the Planning Policy team;
 - (c) Additional budget provision for 2013/14 of £75,963 to cover the additional staff and costs of external advice.
- 2.6 The review of the 'key' evidence base has also been made a 'flagship project' as part of the Council's new arrangement for project management.
- 2.7 The Committee may also wish to note that the Chairman of this Committee, the Lead Cabinet Member for Economic Development and the Leader are members of the Local Plan Working Party. (Update when Cabinet agree the portfolios)

- 2.8 Officers are now working on the Local Economic Assessment and the Local Plan Working Party will be monitoring overall progress.
- 2.9 It is envisaged that the Local Economic Assessment, when ready, should be subject to public consultation to assist in gaining consensus from the business community on the range of issues the Economic Strategy should then consider. Preparation of the Economic Strategy will then follow and will also need to be subject to appropriate consultation to ensure it best meets the identified needs and expectations of businesses in the Borough. Consultation will need to include the Spelthorne Business Forum and SEED.
- 2.10 In terms of timescales it is currently intended that a draft Local Economic Assessment will be completed by the end of April and go to the Local Plan Working Party and then to Cabinet for agreement for public consultation for weeks during June. A draft Economic Strategy would then be prepared and be ready for Cabinet approval in September for public consultation with approval of a final strategy in late autumn.
- 3. Options analysis and proposal**
- 3.1 The options for progressing this and other related work have been considered by the Local Plan Working Party on 30 January 2013 (and agreed by Cabinet on 12 February).
- 4. Financial implications**
- 4.1 Cost of preparing the Local Economic Assessment and other planning policy related work has been considered by the Local Plan Working Party and agreed by Cabinet. Costs of public consultation on the Local Economic Assessment and draft Economic Strategy will come from existing budgets.
- 5. Other considerations**
- 5.1 There are none.
- 6. Risks and how they will be mitigated**
- 6.1 The Local Plan Working Party and Cabinet has considered the risks of this and related planning policy work not being sufficiently resourced and has made appropriate budget provision for additional staff and other costs.
- 7. Timetable for implementation**
- 7.1 The timetable is described in paragraph 2.10.

Background papers:

None

Appendices:

None

Overview and Scrutiny Committee

26 March 2013



Title	Net Revenue Monitoring and Projected Outturns		
Purpose	For Information		
Report of	Chief Finance Officer	Confidential	No
Cabinet Member	Councillor Tim Evans	Key Decision	No
Report Author	Adrian Flynn		
Summary and Key Issues	<p>To provide overview and Scrutiny Committee with the net revenue spend figures to end of February 2013</p> <ul style="list-style-type: none"> • The forecast outturn is £12.304m against the revised budget of £12.371m; a projected £67k favourable (-0.5%) variance at net expenditure level. • After taking into account the use of carry forwards, the net position is approx £285k favourable variance. • A large proportion of this is due to the excellent projected variance (favourable £226k) for refuse collection • There is a purely accounting entry which has the effect of increasing Parks and Assets portfolio by £129k and reducing Health and Wellbeing by £129k with an overall nil net effect • Interest earnings are forecast to be lower than the original budget by £40k 		
Financial Implications	As set out within the report and appendices.		
Corporate Priority	All Priorities		
Recommendations	The Overview and Scrutiny Committee is asked to note the report.		

1. Background

- 1.1 The purpose of this report is to update Overview and Scrutiny Committee on the net revenue spend and forecast outturn position as at the 28 February 2013, and.
- 1.2 To inform members of the reasons for the variances identified against the budget agreed in February 2012 and revised for carry forwards.
- 1.3 In the budgets agreed for Heads of Service, it is always anticipated that there will be budget variances from the original budget. This ensures that the authority meets any change in the needs of the service to adapt to any unexpected changes which happen in the period.

2. Key issues

- 2.1 The forecast under spend at net expenditure level is £67k (-0.5%) against the revised budget. Once we take into account the use of carry forwards, the under spend increases to approximately £285k

Commentary on Detail

- 2.2 Note there is one purely accounting adjustment relating to the accounting entries for the accommodation which used to be occupied by VAIS at Knowle Green under which the value of that space was recognised as £129k income to assets and as a payment of grant under health and well being with the two transactions offsetting each other. Now VAIS are no longer occupying that space the accounting entries will not happen which results in Parks and Assets apparent net expenditure increasing by £129k and Health and Wellbeing apparent net expenditure reducing by £129k.
- 2.3 In Appendices B and C1 to C9 the major areas causing the year to date budget to be higher or lower than the actual spend to date are detailed.
- 2.4 Budgets are profiled where there is a normal expected payment date e.g. National Non-Domestic rates (NNDR) payments are profiled to be paid in May, salaries in 12ths, grants on the month they are received previously, contracts on the payment frequency agreed, rentals on a quarterly basis etc. This still means however that the majority of the expenditure, profiled in 12ths to be spent, is reliant upon Service Heads ordering goods and services on a regular basis. In reality the major proportion of spend is generally made in the second half of the year. There will always be some timing differences which do not reflect underlying budget variances.
- 2.5 The major area of spend relates to Housing Benefit payments which are made four weekly at varying levels from £1.7m max to £20k minimum. However the grant income received comes in monthly based on estimates agreed at the start of the year. An Interim adjustment payment is paid or repaid after the midyear claim is submitted. Timing differences in excess of £1.5m in one month could occur if two large benefit payment runs occur within the same month.
- 2.6 Appendices B and C1 to C9 give a summarised breakdown of the revenue spend by portfolio area, firstly in overall terms and then breaking each portfolio down by cost centres.

3. Options analysis and proposal

3.1 Accountancy and Management team will be monitoring the managers carefully in order to seek to mitigate the adverse variance currently projected.

3.2 The following highlights the more significant variances:

Economic Development

3.3 Staines Town Centre Management – adverse variance £27k additional valuation costs relating to Tothill car park lifts and structural condition survey

3.4 Staines Market – favourable variance £12k – increased number of stall holders

Corporate Governance

3.5 Legal - £79k favourable variance - additional income over 3 years on shared law publications systems with other Surrey authorities plus one off income for Staines Prep School licence.

Planning and Housing

3.6 Homelessness – Projected favourable net variance of £53k on voids (helps offset following two adverse variances)

3.7 Housing needs – adverse £131k variance due to use of agency staff and new posts.

3.8 Housing Benefits- Adverse £30k variance reduced overpayments recovery and discretionary housing payments.

3.9 Land Charges – Favourable variance of £20k on land charges income.

3.10 Development Control – adverse £57k – spend on consultants due to more public enquiries than expected.

3.11 Building Control – Favourable variance of £19k due to increased fee income.

Health and Well Being

3.12 General Grants –favourable variance £146k – partial accounting entry (£129k) see paragraph 2.2

3.13 Spelthorne Personal Alarm Network – Adverse £26k variance on income.

Environment

3.14 Waste Recycling – Favourable projected variance of £87k due to gate fees reducing back down to £10.85 from 1st January.

3.15 Refuse collection - Favourable variance of £226k on income due to increased waste bin rental fees and bulky waste income, reduced employee costs £57k and reduced vehicle contract costs £6k.

3.16 Street cleaning - Adverse variance of £15k due to increased use of overtime and temp staff - Offset by savings on refuse collection employee costs

Parks and Assets

3.17 Public Halls - adverse £20k variance for one-off work to boiler and gas supply at St Martin's Hall to bring it up to standard before transferring the asset.

- 3.18 Knowle Green – adverse £150k variance - see paragraph 2.2 above (£129k) plus reduced income due to no airtrack inquiry rental income.
- 3.19 Sea Cadets- adverse variance of £29k for hire costs of porta-cabins for Sea Cadets. Head of Asset Management, under Strong Leader approval, has now purchased the “porta-cabins” so ongoing costs have been brought to an end.
- 3.20 Cemeteries – Adverse projected variance of £21k due to tree works and energy costs and also reduced fee income, due to level of pre-sold plots.
- 3.21 Parks – Adverse projected variance of £34k due to loss of rental income and lower football, filming and fun fair income.
- 3.22 Grounds Maintenance - Favourable variance of £95k due to lower spend on highways weed spraying, cancellation of Spelthorne in Bloom in the summer and parks maintenance.

Communications

- 3.23 Corporate Publicity – favourable variance £29k – staffing savings and savings on marketing and borough newspaper

Finance and Resources

- 3.24 Car Parks – Net projected adverse variance of £55k on temporary staff costs

4. Financial implications

- 4.1 The Overview and Scrutiny Committee is asked to note the current net revenue spend position and forecast position.

5. Other considerations

- 5.1 There are none.

6. Risks and how they will be mitigated

- 6.1 A projected balanced outturn depends on Management team (MAT), heads of service and all Budget Managers, managing their budgets within the parameters which were originally agreed and achieving where necessary, corresponding growth and savings within those budgets. Careful monitoring of the budgets on a monthly basis ensures that any problems or anomalies are identified and investigated at an early stage
- 6.2 Any necessary corrective action on major budget variations, which cannot be remedied within the service, are reported to MAT immediately in order to ensure that as much time and opportunity is had to enable the position to be rectified quickly within the current financial year.

7. Timetable for implementation

- 7.1 Bi – monthly reports are produced for Management team

Background papers: There are none.

Appendices: A, B, C1 to C9

APPENDIX A

2012/13 Net Revenue Budget Monitoring
As at end of February 2013

	12/13	12/13	12/13	12/13
	Budget		Forecast	Variance
	Original £	Revised £	Outturn £	to Revised £
Gross Expenditure	54,905,799	55,147,599	56,170,337	1,022,738
Less Benefits (offset by grant)				
Total Gross Expenditure excluding Benefits	54,905,799	55,147,599	56,170,337	1,022,738
Less Specific fees and charges income	(42,462,499)	(42,462,499)	(43,866,422)	(1,403,923)
Net Expenditure - broken down as below	12,443,300	12,685,100	12,303,915	(381,185)
Economic Development	(577,800)	(577,800)	(562,465)	15,335
Corporate Governance	1,564,306	1,579,506	1,445,425	(134,081)
Planning and Housing	874,200	874,200	965,800	91,600
Health Wellbeing and Independent Living	1,541,194	1,609,294	1,388,611	(220,683)
Environment	2,945,500	2,945,500	2,612,580	(332,920)
Parks and Assets	2,705,400	2,832,900	2,971,405	138,505
Communications	1,479,400	1,479,400	1,436,800	(42,600)
Community Safety and Young People	212,504	219,504	233,500	13,996
Finance and Resources	1,698,596	1,722,596	1,812,260	89,664
NET EXPENDITURE AT SERVICE LEVEL	12,443,300	12,685,100	12,303,915	(381,185)
Salary expenditure - vacancy monitoring	(300,000)	(300,000)	-	300,000
Salary Savings efficiencies			-	-
Restructuring Savings	(40,000)	(40,000)	-	40,000
Partnership Savings	(40,000)	(40,000)	-	40,000
Resources to address project management issues	90,200	66,200	-	(66,200)
NET EXPENDITURE	12,153,500	12,371,300	12,303,915	(67,385)
NET EXPENDITURE	12,153,500	12,371,300	12,303,915	(67,385)
Interest earnings	(422,400)	(382,000)	(382,000)	-
Extraordinary Item				-
Appropriation from Reserves:				
Reserves - General				-
Reserves - New Schemes Fund / HIF				-
Interest Equalisation reserve	(200,072)	(200,072)	(200,072)	-
Carryforward reserve transfer				-
Business Improvement Reserve	-	-		-
BUDGET REQUIREMENT	11,531,028	11,789,228	11,721,843	(67,385)
National non domestic rates	(3,732,806)	(3,732,806)	(3,732,806)	-
Revenue Support grant	(75,636)	(75,636)	(75,636)	-
New Homes Bonus	(541,000)	(541,000)	(541,000)	-
Council Tax freeze grant	(170,000)	(170,000)	(170,000)	-
NET BUDGET REQUIREMENT	7,011,586	7,269,786	7,202,401	(67,385)
Collection Fund Surplus/(deficit)	(7,920)	(7,920)	(7,920)	-
CHARGE TO COLLECTION FUND	7,003,666	7,261,866	7,194,481	(67,385)
2011/12 Revenue carryforward			(218,000)	(218,000)
Net Position				(285,385)

Appendix B						
REVENUE MONITORING 2012/13						
EXPENDITURE AND INCOME SUMMARY 28 FEBRUARY 2013						
Results to 28-Feb-13	Budget		Actual YTD	Commitments	Forecast Outturn	Variance to Revised
	Revised	YTD				
	£	£	£	£	£	£
Economic Development						
Employees	18,600	16,900	21,286	0	23,135	4,535
Other Expenditure	284,100	272,300	305,572	12,673	318,800	34,700
Income	(880,500)	(850,375)	(846,513)	0	(904,400)	(23,900)
	(577,800)	(561,175)	(519,655)	12,673	(562,465)	15,335
Corporate Governance						
Employees	1,214,000	1,098,292	1,100,584	9,240	1,151,472	(62,528)
Other Expenditure	367,706	334,133	334,621	15,213	368,605	899
Income	(2,200)	(2,100)	(72,614)	0	(74,652)	(72,452)
	1,579,506	1,430,324	1,362,592	24,454	1,445,425	(134,081)
Planning and Housing						
Employees	2,097,100	1,918,000	2,015,678	344	2,190,400	93,300
Other Expenditure	34,376,400	31,505,575	33,610,703	11,842	35,589,900	1,213,500
Income	(35,599,300)	(32,628,917)	(34,952,504)	0	(36,814,500)	(1,215,200)
	874,200	794,658	673,877	12,186	965,800	91,600
Health Wellbeing and Independent Living						
Employees	1,356,400	1,239,800	1,252,250	15	1,321,915	(34,485)
Other Expenditure	1,057,196	843,661	695,843	73,841	859,276	(197,920)
Income	(804,302)	(755,285)	(1,065,996)	4,825	(792,580)	11,722
	1,609,294	1,328,176	882,096	78,681	1,388,611	(220,683)
Environment						
Employees	2,415,000	2,213,500	2,165,252	2,248	2,389,800	(25,200)
Other Expenditure	1,727,104	1,584,196	1,521,634	148,741	1,606,500	(120,604)
Income	(1,196,604)	(1,013,752)	(1,609,740)	0	(1,383,720)	(187,116)
	2,945,500	2,783,944	2,077,146	150,988	2,612,580	(332,920)
Parks and Assets						
Employees	626,200	570,933	573,433	413	622,305	(3,895)
Other Expenditure	3,544,597	3,108,240	2,933,003	616,054	3,506,700	(37,897)
Income	(1,337,897)	(1,022,198)	(1,072,559)	891	(1,157,600)	180,297
	2,832,900	2,656,976	2,433,876	617,357	2,971,405	138,505
Communications						
Employees	495,700	439,300	411,081	0	471,100	(24,600)
Other Expenditure	1,050,700	978,934	1,075,177	120,280	1,015,300	(35,400)
Income	(67,000)	(67,000)	(61,424)	0	(49,600)	17,400
	1,479,400	1,351,234	1,424,834	120,280	1,436,800	(42,600)
Community Safety and Young People						
Employees	231,900	211,783	241,809	20	274,800	42,900
Other Expenditure	225,000	192,195	215,696	2,323	246,400	21,400
Income	(237,396)	(218,836)	(261,897)	69	(287,700)	(50,304)
	219,504	185,142	195,609	2,412	233,500	13,996
Finance and Resources						
Employees	2,550,400	2,311,146	2,387,675	5,523	2,661,900	111,500
Other Expenditure	1,509,496	1,191,132	1,278,763	142,002	1,552,030	42,534
Income	(2,337,300)	(1,840,934)	(2,083,811)	0	(2,401,670)	(64,370)
	1,722,596	1,661,344	1,582,627	147,525	1,812,260	89,664
NET EXPENDITURE AT SERVICE LEVEL	12,685,100	11,630,622	10,113,003	1,166,557	12,303,915	(381,185)
Total Employees	11,005,300	10,019,654	10,169,047	17,804	11,106,826	101,526
Total Other Expenditure	44,142,299	40,010,365	41,971,012	1,142,969	45,063,511	921,212
Total Income	(42,462,499)	(38,399,397)	(42,027,057)	5,785	(43,866,422)	(1,403,923)
	12,685,100	11,630,622	10,113,003	1,166,557	12,303,915	(381,185)
Total Expenditure	55,147,599	50,030,019	52,140,059	1,160,772	56,170,337	1,022,738
Total Income	(42,462,499)	(38,399,397)	(42,027,057)	5,785	(43,866,422)	(1,403,923)
Net	12,685,100	11,630,622	10,113,003	1,166,557	12,303,915	(381,185)

Appendix C1							
Economic Development							
Results to 28-Feb-13	Budget		Actual	Commitments	Forecast	Variance	Comments
	Revised	YTD	YTD		Outturn	to Revised	
	£	£	£	£	£	£	
Employees	0	0	0	0	0	0	
Other Expenditure	27,400	26,600	28,807	400	29,800	2,400	
Income	0	0	(2,995)	0	(3,000)	(3,000)	Reimbursement of costs from SCC for additional work undertaken relating to cleaning of pavements
Bus Station	27,400	26,600	25,812	400	26,800	(600)	
Employees	18,600	16,900	16,750	0	18,600	0	
Other Expenditure	160,000	160,000	176,058	490	168,800	8,800	Additional valuation costs expected relating to Tothill Car Park lifts and structural condition survey.
Income	(580,500)	(575,375)	(536,015)	0	(562,200)	18,300	Service charges income for the first quarter received in the previous financial year.
Staines Town Centre Management	(401,900)	(398,475)	(343,206)	490	(374,800)	27,100	
Employees	0	0	4,535	0	4,535	4,535	Overtime and temp staff costs while market was run in house by Streetscene
Other Expenditure	84,700	74,700	86,131	11,783	101,000	16,300	Increased Staines Market management fees, operational equipment costs and fees to settle a outstanding legal dispute
Income	(300,000)	(275,000)	(301,321)	0	(333,000)	(33,000)	Increased number of stall holders
Staines Market	(215,300)	(200,300)	(210,655)	11,783	(227,465)	(12,165)	
Employees	0	0	0	0	0	0	
Other Expenditure	12,000	11,000	14,577	0	19,200	7,200	Staines upon Thames day costs partially offset by sponsorship income as below.
Income	0	0	(6,183)	0	(6,200)	(6,200)	Sponsorship receipts for Staines upon Thames day
Economic Development	12,000	11,000	8,394	0	13,000	1,000	
Total Employees	18,600	16,900	21,286	0	23,135	4,535	
Total Other Expenditure	284,100	272,300	305,572	12,673	318,800	34,700	
Total Income	(880,500)	(850,375)	(846,513)	0	(904,400)	(23,900)	
	(577,800)	(561,175)	(519,655)	12,673	(562,465)	15,335	

Appendix C2							
Corporate Governance							
Results to 28-Feb-13	Budget		Actual	Commitments	Forecast	Variance	Comments
	Revised	YTD	YTD		Outturn	to Revised	
	£	£	£	£	£	£	
Employees	95,000	87,200	88,675	0	97,000	2,000	
Other Expenditure	5,800	5,200	1,955	985	3,000	(2,800)	
Income	0	0	0	0	0	-	
MaT Secretariat & Support	100,800	92,400	90,630	985	100,000	(800)	
Employees	290,400	265,400	268,473	0	293,000	2,600	
Other Expenditure	17,300	15,600	5,600	0	8,000	(9,300)	Lower spend on conference expenses, general subscriptions and internal printing
Income	0	0	(199)	0	(86)	(86)	
Assistant Chief Executives	307,700	281,000	273,875	0	300,914	(6,786)	
Employees	206,200	176,300	175,582	8,140	173,000	(33,200)	Lower spend on the general training budget for all services
Other Expenditure	10,500	9,867	8,009	237	9,000	(1,500)	
Income	0	0	(71)	0	(71)	(71)	
Chief Executive	216,700	186,167	183,520	8,377	181,929	(34,771)	
Employees	258,300	235,392	234,839	0	225,272	(33,028)	
Other Expenditure	23,200	22,239	43,175	11,136	48,215	25,015	
Income	(1,200)	(1,100)	(68,678)	0	(72,000)	(70,800)	
Legal	280,300	256,531	209,336	11,136	201,487	(78,813)	Reduction of hours, saving £5447.29. Expenditure relates to Practical Law Company subscription, this deal is over three years and provides better rates across Surrey BC's, these costs are then recouped from other BC's as reflected by increased income.
Employees	144,900	131,800	125,442	0	139,000	(5,900)	
Other Expenditure	16,000	12,000	3,059	5	16,000	0	
Income	0	0	(5)	0	(5)	(5)	
Committee Services	160,900	143,800	128,496	5	154,995	(5,905)	
Employees	89,500	81,800	81,663	0	89,400	(100)	
Other Expenditure	0	0	129	0	90	90	
Income	0	0	0	0	0	0	
Corporate Governance	89,500	81,800	81,792	0	89,490	(10)	
Employees	0	0	3,763	0	0	0	
Other Expenditure	10,900	9,900	2,607	0	4,000	(6,900)	Savings expected against by-election costs
Income	0	0	0	0	0	0	
Elections	10,900	9,900	6,369	0	4,000	(6,900)	
Employees	111,300	103,500	108,391	0	116,500	5,200	One member of staff being paid on higher grade against the budget
Other Expenditure	30,606	27,827	24,378	1,061	28,700	(1,906)	
Income	(1,000)	(1,000)	(2,005)	0	(2,000)	(1,000)	
Electoral Registration	140,906	130,327	130,765	1,061	143,200	2,294	
Employees	18,400	16,900	13,757	1,100	18,300	(100)	
Other Expenditure	253,400	231,500	245,710	1,790	251,600	(1,800)	
Income	0	0	(1,658)	0	(490)	(490)	
Democratic Rep & Management	271,800	248,400	257,808	2,890	269,410	(2,390)	Mayors - £1924 b/f from Dep Mayor into Mayor as agreed with Chief Finance Officer due to Mayoral cycle not commencing until June. Civic Occasions - additional costs re Alderman evening approved by Chief Finance Officer. Town Twinning - spend to budget Members Expenses - spend to budget
Total Employees	1,214,000	1,098,292	1,100,584	9,240	1,151,472	(62,528)	
Total Other Expenditure	367,706	334,133	334,621	15,213	368,605	899	
Total Income	(2,200)	(2,100)	(72,614)	0	(74,652)	(72,452)	
	1,579,506	1,430,324	1,362,592	24,454	1,445,425	(134,081)	

Appendix C3							
Planning and Housing							
Results to 28-Feb-13	Budget		Actual	Commitments	Forecast	Variance	Comments
	Revised	YTD	YTD		Outturn	to Revised	
	£	£	£	£	£	£	
Employees	0	0	0	0		0	
Other Expenditure	262,300	241,100	338,389	7,631	390,000	127,700	
Income	(89,400)	(86,000)	(192,299)	0	(271,000)	(181,600)	
Homelessness	172,900	155,100	146,090	7,631	119,000	(53,900)	Revised underspend projection for the year £50K-£60K mainly due planned voids, however over £40K has been offered as a saving against this budget for 2013-14 onwards
Employees	542,700	497,700	497,742	0	542,700	0	
Other Expenditure	33,500	30,700	32,621	28	33,500	0	
Income	(540,200)	(493,500)	(486,970)	0	(540,200)	0	
Housing Benefits Admin	36,000	34,900	43,393	28	36,000	0	Underspend on salaries compensated for by overtime payments. Should balance out by the end of financial year
Employees	0	0	0	0		0	
Other Expenditure	33,948,800	31,119,600	33,102,780	0	35,000,000	1,051,200	Overpayments are reduced because of housing stability
Income	(34,128,800)	(31,286,600)	(33,467,108)	0	(35,150,000)	(1,021,200)	
Housing Benefits Payments	(180,000)	(167,000)	(364,328)	0	(150,000)	30,000	Subsidies as a whole are higher than budgeted but income will compensate this
Employees	450,400	413,200	497,705	344	530,000	79,600	
Other Expenditure	28,600	22,900	20,116	12	28,600	0	
Income	(54,600)	(42,100)	(3,282)	0	(3,200)	51,400	£3200 funded from Local Housing Allowance (LHA), budget of £54,600 was incorrect
Housing Needs	424,400	394,000	514,539	356	555,400	131,000	Employees will be overspent due to use of agency staff & new posts created
Employees	0	0	0	0	0	0	
Other Expenditure	0	0	0	0	0	0	
Income	0	0	0	0	0	0	
PSL	0	0	0	0	0	0	
Employees	0	0	0	0	0	0	
Other Expenditure	0	0	0	0	0	0	
Income	0	0	0	0	0	0	
Housing Management	0	0	0	0	0	0	
Employees	55,200	50,200	49,922	0	54,700	(500)	On budget
Other Expenditure	1,600	1,200	2,874	0	1,500	(100)	
Income	(160,000)	(146,600)	(164,638)	0	(180,000)	(20,000)	
Land Charges	(103,200)	(95,200)	(111,842)	0	(123,800)	(20,600)	Anticipated that income target will be exceeded by £20,000
Employees	642,900	585,600	599,904	0	656,600	13,700	Additional expenditure relating to one temporary member of staff backscanning files to further reduce floorspace requirements (Agreed with MAT - ends March 2013)
Other Expenditure	61,400	56,975	95,168	2,262	95,200	33,800	Additional expenditure mainly against consultants budget relating to more public enquiries than expected (Police College site) and legal advice re the Eco Park
Income	(335,300)	(307,300)	(337,493)	0	(350,000)	(14,700)	Planning Application fees will exceed target but pre-Application advice income is expected to be lower than the budget. Anticipated outturn £350,000 (subject to receipt of major application)
Planning Development Control	369,000	335,275	357,580	2,262	401,800	32,800	
Employees	159,800	145,600	133,654	0	148,800	(11,000)	Savings due to a vacant post (Planning Policy Officer)
Other Expenditure	19,600	13,900	9,594	1,907	20,500	900	
Income	(1,000)	(917)	(80)	0	(100)	900	Do not expect to meet budget, anticipated outturn will be £100
Planning Policy	178,400	158,583	143,168	1,907	169,200	(9,200)	
Employees	246,100	225,700	236,752	0	257,600	11,500	
Other Expenditure	20,600	19,200	9,160	2	20,600	0	
Income	(290,000)	(265,900)	(300,635)	0	(320,000)	(30,000)	
Building Control	(23,300)	(21,000)	(54,723)	2	(41,800)	(18,500)	Employees overspend relates to engagement of structural engineer, costs recovered as part of fee income. £320,000 income should be achievable, though there is no guarantee of this and may cause a "false economy" if higher sum projected.
Total Employees	2,097,100	1,918,000	2,015,678	344	2,190,400	93,300	
Total Other Expenditure	34,376,400	31,505,575	33,610,703	11,842	35,589,900	1,213,500	
Total Income	(35,599,300)	(32,628,917)	(34,952,504)	0	(36,814,500)	(1,215,200)	
	874,200	794,658	673,877	12,186	965,800	91,600	

Appendix C4							
Health Wellbeing and Independent Living							
Results to	Budget		Actual	Commitments	Forecast	Variance	Comments
	Revised	YTD	YTD		Outturn	to Revised	
	£	£	£	£	£	£	
Employees	0	0	0	0	0	-	
Other Expenditure	451,900	358,800	253,836	0	306,280	(145,620)	
Income	0	0	0	0	0	-	
General Grants	451,900	358,800	253,836	0	306,280	(145,620)	Community Link have moved out
Employees	101,400	92,200	92,840	0	102,800	1,400	
Other Expenditure	11,800	10,063	5,619	0	9,100	(2,700)	
Income	0	0	0	0	0	0	
Com Care Administration	113,200	102,263	98,459	0	111,900	(1,300)	
Employees	299,600	272,700	278,143	0	300,400	800	
Other Expenditure	222,696	202,459	183,919	55,878	218,400	(4,296)	
Income	(218,598)	(206,598)	(555,211)	0	(216,600)	1,998	
Day Centres	303,698	268,561	(93,149)	55,878	302,200	(1,498)	
Employees	66,500	60,500	60,262	0	67,400	900	
Other Expenditure	86,800	74,969	74,301	162	86,800	0	
Income	(185,804)	(174,087)	(181,885)	0	(192,500)	(6,696)	Contribution from SCC is higher than the budget and sale of food income is expected to be higher than budget
Meals On Wheels	(32,504)	(38,618)	(47,323)	162	(38,300)	(5,796)	
Employees	73,600	67,000	67,156	0	73,200	(400)	
Other Expenditure	97,900	56,588	78,252	12,182	86,900	(11,000)	Carried forward agreed of £39k for purchase of telecare equipment, £21k may again be requested to be carried forward in the next year. £10k additional expenditure on telecare equipment which will be reimbursed by SCC.
Income	(273,100)	(265,000)	(255,999)	0	(260,700)	12,400	Charges for services income is expected to be lower by £20k due to Surrey telecare strategy is not due to start as earlier expected, partly off set by SCC funding is higher than the budget.
Span	(101,600)	(141,413)	(110,592)	12,182	(100,600)	1,000	
Employees	0	0	0	0	0	0	
Other Expenditure	0	0	0	0	0	0	
Income	0	0	0	0	0	0	
Concessionary Fares	0	0	0	0	0	0	
Employees	112,000	102,900	111,581	0	120,000	8,000	Cost of Temp staff to fill vacant posts and severance pay for one employee
Other Expenditure	51,400	46,100	43,353	0	49,000	(2,400)	Reduced Maintenance costs for the 1st half of the year
Income	(93,800)	(87,800)	(89,299)	0	(100,000)	(6,200)	Additional membership fees and increased use of the service
SAT	69,600	61,200	65,635	0	69,000	(600)	
Employees	703,300	644,500	642,268	15	658,115	(45,185)	
Other Expenditure	61,700	29,900	24,034	487	64,500	2,800	
Income	(10,500)	0	37,814	4,825	(200)	10,300	Credit note raised in error
Environmental Health Admin	754,500	674,400	704,116	5,327	722,415	(32,085)	
Employees	0	0	0	0	0	0	
Other Expenditure	46,800	41,900	8,509	2,246	9,100	(37,700)	
Income	(8,600)	(8,600)	(3,858)	0	(4,100)	4,500	
Environmental Protection Act	38,200	33,300	4,651	2,246	5,000	(33,200)	
Employees	0	0	0	0	0	0	
Other Expenditure	1,300	983	(1,901)	183	700	(600)	Further commitment of £267 due in March for recalibration of reference thermometer and datalogger
Income	(3,000)	(2,800)	(2,342)	0	(2,500)	500	
Food Safety	(1,700)	(1,817)	(4,243)	183	(1,800)	(100)	Includes funding obtained (i) the provision of Spelthorne run food hygiene courses, and (ii) from the Food Standards Agency (FSA) to cover costs associated with transferring the Council's ""scores on the doors"" scheme to the FSA's ""Food Hygiene Rating"" scheme.
Employees	0	0	0	0	0	0	
Other Expenditure	5,400	4,100	6,479	0	7,650	2,250	
Income	(8,900)	(8,500)	(10,962)	0	(11,380)	(2,480)	Health & Safety courses running well. Burial cost not recouped.
Public Health	(3,500)	(4,400)	(4,483)	0	(3,730)	(230)	Currently dealing with two welfare funerals, costs will be recovered where possible (105024433)
Employees	0	0	0	0	0	0	
Other Expenditure	19,500	17,800	19,443	2,702	20,846	1,346	Larger volume of restrained dogs has resulted in increased cost in the provision of dog pound facilities.
Income	(2,000)	(1,900)	(4,254)	0	(4,600)	(2,600)	Income to date has reflected a good collection rate of dogs.
Rodent & Pest Control	17,500	15,900	15,189	2,702	16,246	(1,254)	
Total Employees	1,356,400	1,239,800	1,252,250	15	1,321,915	(34,485)	
Total Other Expenditure	1,057,196	843,661	695,843	73,841	859,276	(197,920)	
Total Income	(804,302)	(755,285)	(1,065,996)	4,825	(792,580)	11,722	
	1,609,294	1,328,176	882,096	78,681	1,388,611	(220,683)	

Appendix C5							Environment						
Results to 28-Feb-13	Budget		Actual	Commitments	Forecast	Variance	Comments						
	Revised	YTD	YTD		Outturn	to Revised							
	£	£	£	£	£	£							
Employees	0	0	0	0	0	0							
Other Expenditure	1,000	0	0	0	0	(1,000)	DVLA now pick up the majority of vehicles due to car tax issues						
Income	0	0	0	0	0	0							
Abandoned Vehicles	1,000	0	0	0	0	(1,000)							
Employees	0	0	0	0	0	0							
Other Expenditure	57,500	56,500	62,355	1,710	57,000	(500)	Increased electricity prices & costs of emptying catch pits						
Income	0	0	(720)	0	(720)	(720)							
Depot	57,500	56,500	61,635	1,710	56,280	(1,220)							
Employees	537,700	492,700	461,937	0	507,000	(30,700)	Market Manager post is vacant						
Other Expenditure	57,500	51,600	30,278	7,298	43,000	(14,500)	Savings in leasing costs, mileage costs						
Income	(21,200)	(17,300)	(15,926)	0	(24,600)	(3,400)	Depot Managers costs to be billed to Runnymede + A2 grant income						
DS Management & Support	574,000	527,000	476,289	7,298	525,400	(48,600)							
Employees	979,300	899,300	819,150	2,248	922,000	(57,300)	Offsetting over spend in street cleansing						
Other Expenditure	771,300	695,900	716,542	9,336	765,000	(6,300)	Increased maintenance & tyre costs offset by reduced hired transport fees						
Income	(446,200)	(442,500)	(1,150,687)	0	(609,000)	(162,800)	Increased garden waste bin rental fees & bulky waste income and subsidy from the County to run the food waste scheme						
Refuse Collection	1,304,400	1,152,700	385,006	11,583	1,078,000	(226,400)							
Employees	0	0	0	0	0	0							
Other Expenditure	9,500	8,440	9,405	983	9,500	0							
Income	0	0	0	0	0	0							
Energy Initiatives	9,500	8,440	9,405	983	9,500	0							
Employees	0	0	0	0	0	0							
Other Expenditure	30,500	29,438	27,660	43,166	47,300	16,800							
Income	0	0	(16,845)	0	(16,800)	(16,800)	Grant payment from Rural Payments Agency to carry out additional works and reimbursement of costs from SCC re: road signs for Shepperton Village with no budget						
Environmental Enhancements	30,500	29,438	10,815	43,166	30,500	0							
Employees	351,600	320,000	323,063	0	357,500	5,900	One members of staff is being paid on higher grade than the budget. Overtime payments with no budget						
Other Expenditure	13,000	12,325	19,678	10,728	15,600	2,600							
Income	(30,504)	(15,252)	(21,206)	0	(35,200)	(4,696)							
Enviro Services Administration	334,096	317,073	321,536	10,728	337,900	3,804							
Employees	546,400	501,500	550,314	0	594,000	47,600	Salary, temp staff and overtime overspends off set by savings in Refuse Collection						
Other Expenditure	318,600	290,414	311,133	8,509	285,000	(33,600)	Savings in vehicle costs including (fuel, leasing charges, tyres tax etc) and litter bins						
Income	(47,700)	(47,700)	(46,663)	0	(46,600)	1,100							
Street Cleaning	817,300	744,214	814,783	8,509	832,400	15,100							
Employees	0	0	0	0	0	0							
Other Expenditure	319,800	293,000	195,596	64,012	230,000	(89,800)	AWC gate fees rose from £12.62 to £37 per tonne from the 1st Oct 2012 and will drop back to £10.85 a tonne from the 1st Jan 2013						
Income	(651,000)	(491,000)	(353,444)	0	(648,000)	3,000							
Waste Recycling	(331,200)	(198,000)	(157,847)	64,012	(418,000)	(86,800)							
Employees	0	0	0	0	0	0							
Other Expenditure	31,700	31,200	31,073	0	31,100	(600)							
Income	0	0	0	0	0	0							
Technical Projects	31,700	31,200	31,073	0	31,100	(600)							
Employees	0	0	9,240	0	9,300	9,300	Overtime payments for cleaning toilets in Laleham Park.						
Other Expenditure	103,204	102,504	102,352	173	107,000	3,796							
Income	0	0	(280)	0	(300)	(300)							
Public Conveniences	103,204	102,504	111,312	173	116,000	12,796							
Employees	0	0	1,547	0	0	0							
Other Expenditure	8,000	7,375	5,489	2,039	8,000	0							
Income	0	0	(1,469)	0	0	0							
Emergency Planning	8,000	7,375	5,567	2,039	8,000	0							
Employees	0	0	0	0	0	0							
Other Expenditure	0	0	0	0	0	0							
Income	0	0	0	0	0	0							
Waste Recycling Marketing	0	0	0	0	0	0							
Employees	0	0	0	0	0	0							
Other Expenditure	5,500	5,500	10,072	789	8,000	2,500	Additional work carried out to clear the dried ditches						
Income	0	0	(2,500)	0	(2,500)	(2,500)	Additional contribution received from SCC and Neighbourhood grants						
Water Courses & Land Drainage	5,500	5,500	7,572	789	5,500	0							
Total Employees	2,415,000	2,213,500	2,165,252	2,248	2,389,800	(25,200)							
Total Other Expenditure	1,727,104	1,584,196	1,521,634	148,741	1,606,500	(120,604)							
Total Income	(1,196,604)	(1,013,752)	(1,609,740)	0	(1,383,720)	(187,116)							
	2,945,500	2,783,944	2,077,146	150,988	2,612,580	(332,920)							

Appendix C6							
Parks and Assets							
Results to 28-Feb-13	Budget		Actual	Commitments	Forecast	Variance	Comments
	Revised	YTD	YTD		Outturn	to Revised	
	£	£	£	£	£	£	
Employees	93,400	85,075	93,936	0	96,105	2,705	
Other Expenditure	54,200	48,546	14,956	7,047	52,000	(2,200)	
Income	0	0	0	0	0	-	
Asset Mgn Administration	147,600	133,621	108,892	7,047	148,105	505	£27k budget carry forward for electrical testing and remedial works.
Employees	0	0	0	0	0	-	
Other Expenditure	2,200	2,200	73,268	51,942	31,400	29,200	
Income	0	0	0	0	0	-	
Sea Cadets	2,200	2,200	73,268	51,942	31,400	29,200	Projected outturn £31,426 - Business rates, Planning application, secure storage. Containers now purchased so no further ongoing hire costs.
Employees	0	0	0	0	0	-	
Other Expenditure	152,101	56,064	28,825	47,064	152,100	(1)	
Income	(21,797)	(19,923)	(37,405)	0	(21,800)	(3)	
General Property Expenses	130,304	36,141	(8,580)	47,064	130,300	(4)	Budget carry forward of £27; £15k; £27k; £20k respectively for Electrical testing & remedial works, Fire Risk assessments, Beresford House and Bridge Street. Full income expected by year end.
Employees	0	0	0	0	0	-	
Other Expenditure	28,500	8,888	3,963	0	28,500	-	
Income	0	0	0	0	0	-	
Memorial Gardens	28,500	8,888	3,963	0	28,500	0	Budget carry forward of £18,500 for works on reflections
Employees	0	0	0	0	0	-	
Other Expenditure	0	0	0	0	0	-	
Income	0	0	0	0	0	-	
War Memorials	0	0	0	0	0	0	
Employees	176,100	159,983	162,321	74	176,900	800	
Other Expenditure	456,196	432,769	493,037	18,421	456,200	4	General office moves exceeding budget due to high volume of work. Mobile phone bills will exceed budget also by c£23k.
Income	(267,200)	(78,100)	(69,823)	0	(118,300)	148,900	Community Link have moved (£129,500 grant), Airtrack inquiry did not happen (£19,200), Local Dir target set too high, will need full review for 2013/14 budget setting.
Knowle Green	365,096	514,652	585,535	18,494	514,800	149,704	
Employees	0	0	0	0	0	-	
Other Expenditure	87,400	80,228	87,302	15,165	95,000	7,600	
Income	0	0	0	0	0	-	
Print Unit	87,400	80,228	87,302	15,165	95,000	7,600	
Employees	0	0	0	0	0	-	
Other Expenditure	556,800	683,556	641,142	200,228	556,800	-	Expenditure allocated at year end when full details received from Runnymede BC for planned and responsive maintenance work. Overall spend will be in line with the budget. See below **
Income	0	0	0	0	0	-	
Planned Maintenance Programme	556,800	683,556	641,142	200,228	556,800	0	Planned maintenance budget and Service agreements budget to be used fully by year end in partnership with Runnymede BC
Employees	0	0	0	0	0	-	
Other Expenditure	205,000	0	0	0	200,000	(5,000)	Budget carry forward of £5,000 for Knowle Green Space audit. Budget to be expended by end of year.
Income	0	0	0	0	0	-	
Responsive Maintenance Program	205,000	0	0	0	200,000	(5,000)	Responsive maintenance budget to be used fully by year end in partnership with Runnymede BC. See above **
Employees	0	0	0	0	0	0	
Other Expenditure	6,200	5,883	7,640	475	8,800	2,600	Rent allotments payments to Ashford Coal Charity with no budget
Income	(33,200)	(33,200)	(44,206)	0	(43,600)	(10,400)	Higher rental income received than the budget
Allotments	(27,000)	(27,317)	(36,566)	475	(34,800)	(7,800)	
Employees	0	0	0	0	0	0	
Other Expenditure	16,996	16,996	18,504	0	17,000	4	
Income	0	0	0	0	0	0	
Staines Metro Commons	16,996	16,996	18,504	0	17,000	4	
Employees	120,100	110,200	109,254	0	122,000	1,900	
Other Expenditure	1,656,400	1,511,100	1,309,970	269,903	1,564,000	(92,400)	Reduced level of Weed spraying due to the Weather & Summer's Spelthorne in bloom was cancelled. Reduced expenditure on non contracted grounds maintenance
Income	(190,600)	(122,400)	(190,949)	0	(195,000)	(4,400)	
Grounds Maintenance	1,585,900	1,498,900	1,228,276	269,903	1,491,000	(94,900)	
Employees	0	0	0	0	0	0	
Other Expenditure	110,604	106,745	96,257	3,228	106,800	(3,804)	
Income	(117,700)	(105,450)	(70,944)	0	(80,100)	37,600	Loss of rental income (£18k) for Fordbridge Park due to surrender of lease last year and currently vacant. Remainder relating to Grants & Donations, Reimbursements, Lettings, football, Filming and Fun Fair income are also expected to be lower than the budget
Parks Strategy	(7,096)	1,295	25,313	3,228	26,700	33,796	
Employees	2,600	2,600	5,007	0	6,200	3,600	Temporary staff costs are expected to be higher than the budget
Other Expenditure	19,400	18,900	22,970	320	23,900	4,500	Higher expenditure due to more activity, offset by higher income
Income	(47,000)	(46,800)	(51,010)	0	(51,500)	(4,500)	Higher income expected due to more activity/ bookings
Arts Development	(25,000)	(25,300)	(23,033)	320	(21,400)	3,600	
Employees	5,000	4,375	1,931	0	2,500	(2,500)	
Other Expenditure	2,800	2,800	4,019	600	4,700	1,900	
Income	0	0	0	0	0	0	
Festivals	7,800	7,175	5,950	600	7,200	(600)	
Employees	218,800	199,300	186,431	0	205,000	(13,800)	Savings due to a current vacant post and also during first part of the year, partly covered by temporary staff.
Other Expenditure	15,700	13,125	7,350	0	11,000	(4,700)	Savings expected against printing and postage budget
Income	0	0	0	0	0	0	
Leisure Administration	234,500	212,425	193,780	0	216,000	(18,500)	

Parks and Assets							
Results to	Budget		Actual	Commitments	Forecast	Variance	Comments
28-Feb-13	Revised	YTD	YTD		Outturn	to Revised	
	£	£	£	£	£	£	
Employees	10,200	9,400	13,101	339	12,200	2,000	
Other Expenditure	41,000	38,408	30,250	1,113	38,600	(2,400)	
Income	(14,000)	(12,800)	(10,142)	891	(13,200)	800	
Leisure Development	37,200	35,008	33,209	2,342	37,600	400	
Employees	0	0	0	0	0	0	
Other Expenditure	20,400	16,700	17,339	0	20,400	0	
Income	0	0	0	0	0	0	
Leisure Grants	20,400	16,700	17,339	0	20,400	0	
Employees	0	0	0	0	0	0	
Other Expenditure	0	0	0	0	0	0	
Income	(42,200)	(42,200)	(41,996)	0	(42,200)	0	
Leisure Promotions	(42,200)	(42,200)	(41,996)	0	(42,200)	0	
Employees	0	0	0	0	0	0	
Other Expenditure	4,400	4,200	3,886	0	4,200	(200)	
Income	(8,000)	(8,000)	(8,000)	0	(8,000)	0	
Museum	(3,600)	(3,800)	(4,114)	0	(3,800)	(200)	
Employees	0	0	1,452	0	1,400	1,400	Temporary employees costs with no budget
Other Expenditure	7,900	7,500	26,800	549	27,500	19,600	Additional costs for boiler replacement and building works at St. Martins Hall with no budget
Income	(45,700)	(44,100)	(47,855)	0	(46,700)	(1,000)	
Public Halls	(37,800)	(36,600)	(19,604)	549	(17,800)	20,000	
Employees	0	0	0	0	0	0	
Other Expenditure	71,000	24,333	12,481	0	71,000	0	
Income	(229,100)	(226,525)	(228,601)	0	(231,200)	(2,100)	
Spelthorne Leisure Centre	(158,100)	(202,192)	(216,121)	0	(160,200)	(2,100)	
Employees	0	0	0	0	0	0	
Other Expenditure	8,300	8,300	9,801	0	9,800	1,500	
Income	0	0	0	0	0	0	
Sunbury Leisure Centre	8,300	8,300	9,801	0	9,800	1,500	
Employees	0	0	0	0	0	0	
Other Expenditure	21,100	21,000	23,244	0	27,000	5,900	Tree works in the cemeteries, plus the cost of new benches & increased electricity/water costs
Income	(321,400)	(282,700)	(271,628)	0	(306,000)	15,400	
Cemeteries	(300,300)	(261,700)	(248,384)	0	(279,000)	21,300	Not going to achieve income due to pre-sold plots and bookings down on previous years
Employees	0	0	0	0	0	0	
Other Expenditure	0	0	0	0	0	0	
Income	0	0	0	0	0	0	
Nursery	0	0	0	0	0	0	
Total Employees	626,200	570,933	573,433	413	622,305	(3,895)	
Total Other Expenditure	3,544,597	3,108,240	2,933,003	616,054	3,506,700	(37,897)	
Total Income	(1,337,897)	(1,022,198)	(1,072,559)	891	(1,157,600)	180,297	
	2,832,900	2,656,976	2,433,876	617,357	2,971,405	138,505	

Appendix C7							
Communications							
Results to 28-Feb-13	Budget		Actual	Commitments	Forecast	Variance	Comments
	Revised	YTD	YTD		Outturn	to Revised	
	£	£	£	£	£	£	
Employees	203,200	185,900	156,245	0	178,600	(24,600)	Savings due to 2 members of staff were on maternity leave during the year, partially covered by one temporary member of staff.
Other Expenditure	88,300	70,734	47,394	7,618	66,700	(21,600)	Savings expected mainly against marketing (£13k) and Borough Newspapers (9k) budget
Income	(29,900)	(29,900)	(12,453)	0	(12,500)	17,400	Income is expected to be lower as partnership with Runnymede BC has ceased in June 2012
Corporate Publicity	261,600	226,734	191,187	7,618	232,800	(28,800)	
Employees	0	0	0	0	0	-	
Other Expenditure	13,800	12,700	0	0	0	(13,800)	Post currently vacant so no activity
Income	0	0	0	0	0	-	
Research & Consultation	13,800	12,700	0	0	0	(13,800)	
Employees	292,500	253,400	254,836	0	292,500	0	
Other Expenditure	948,600	895,500	1,027,782	112,663	948,600	0	
Income	(37,100)	(37,100)	(48,970)	0	(37,100)	0	
Information & Comms Technology	1,204,000	1,111,800	1,233,648	112,663	1,204,000	0	Forecast to budget
Total Employees	495,700	439,300	411,081	0	471,100	(24,600)	
Total Other Expenditure	1,050,700	978,934	1,075,177	120,280	1,015,300	(35,400)	
Total Income	(67,000)	(67,000)	(61,424)	0	(49,600)	17,400	
	1,479,400	1,351,234	1,424,834	120,280	1,436,800	(42,600)	

Appendix C8							
Community Safety and Young People							
Results to	Budget		Actual	Commitments	Forecast	Variance	Comments
	Revised	YTD	YTD		Outturn	to Revised	
28-Feb-13	£	£	£	£	£	£	
Employees	0	0	0	0	0	-	
Other Expenditure	2,700	1,200	5,296	536	5,900	3,200	Commitment to be cleared. Overspend of £3200 is due to extra costs involved in carrying out CRB and enhanced DVLA checks on taxi and private hire drivers. These are recovered by charging the drivers.
Income	(76,000)	(69,700)	(67,004)	69	(74,000)	2,000	
Taxi Licensing	(73,300)	(68,500)	(61,708)	605	(68,100)	5,200	Taxi Licensing Income is fairly stable throughout the year although it does peak in November and January. Incomes for taxi licensing have fallen for the last two years, this income budget should be reduced by £2,000.
Employees	131,500	119,683	155,049	0	172,200	40,700	Two members of staff with no budget funded through Community Safety Partnership grants
Other Expenditure	162,296	139,554	153,489	695	175,000	12,704	CCTV Telephone maintenance costs and Runnymede BC annual maintenance costs are expected to be higher than the budget.
Income	(50,196)	(46,013)	(90,012)	0	(98,500)	(48,304)	Additional income from CDRP/SSSP funds to off set the costs as above
Community Safety	243,600	213,224	218,526	695	248,700	5,100	
Employees	100,400	92,100	83,587	20	99,600	(800)	Staffing costs may reduce pending recruitment, commitment to be moved to 'Other expenses'
Other Expenditure	3,900	3,600	12,771	0	13,700	9,800	Legal & Court fees, and consultant expenditure
Income	(101,600)	(94,900)	(90,048)	0	(100,400)	1,200	
Licensing	2,700	800	6,310	20	12,900	10,200	Gambling Licenses - Full year income budget to be reduced by £1,000 (from £19,200 to £18,200) due to reduction in number of licenses; Licensing - spread of income to be determined across the year;
Employees	0	0	3,174	0	3,000	3,000	Temporary staff payments with no budget
Other Expenditure	56,104	47,841	44,141	1,092	51,800	(4,304)	
Income	(9,600)	(8,223)	(14,833)	0	(14,800)	(5,200)	Income is expected to be higher due to more activity and additional external funding with no budget. £7k carried forward from previous year £2k moved from General grants will be used to fund playscheme vouchers expenditure. Balance not used will again be requested to be carried forward into next year.
Youth	46,504	39,618	32,481	1,092	40,000	(6,504)	
Total Employees	231,900	211,783	241,809	20	274,800	42,900	
Total Other Expenditure	225,000	192,195	215,696	2,323	246,400	21,400	
Total Income	(237,396)	(218,836)	(261,897)	69	(287,700)	(50,304)	
	219,504	185,142	195,609	2,412	233,500	13,996	

Appendix C9							
Finance and Resources							
Results to	Budget		Actual	Commitments	Forecast	Variance	Comments
	Revised	YTD	YTD		Outturn	to Revised	
	£	£	£	£	£	£	
28-Feb-13							
Employees	0	0	0	0	0	-	
Other Expenditure	0	0	14	0	0	-	
Income	0	0	0	0	0	-	
Corporate Service	0	0	14	0	0	0	
Employees	165,000	150,593	148,775	0	163,000	(2,000)	
Other Expenditure	20,300	5,050	4,503	16,652	15,300	(5,000)	
Income	(39,900)	(39,900)	(33,833)	0	(34,900)	5,000	
Audit	145,400	115,743	119,445	16,652	143,400	(2,000)	Income expected to be £5k under target, this will be offset by the underutilised Consultants budget
Employees	0	0	0	0	0	-	
Other Expenditure	21,500	18,500	11,772	0	19,700	(1,800)	
Income	0	0	0	0	0	-	
People & Partnerships	21,500	18,500	11,772	0	19,700	(1,800)	
Employees	0	0	0	0	0	-	
Other Expenditure	0	0	0	0	0	-	
Income	0	0	0	0	0	-	
Business Improvement	0	0	0	0	0	0	
Employees	233,300	215,678	219,046	0	240,700	7,400	
Other Expenditure	14,900	13,050	8,553	75	9,000	(5,900)	
Income	(42,200)	(42,200)	(52,823)	0	(42,260)	(60)	
HR	206,000	186,528	174,776	75	207,440	1,440	Forecast to spend to budget
Employees	50,200	45,600	52,972	0	57,045	6,845	
Other Expenditure	2,200	1,700	2,300	61	2,230	30	
Income	0	0	(10)	0	(10)	(10)	
Payroll	52,400	47,300	55,262	61	59,265	6,865	Forecast to spend to budget
Employees	0	0	0	0	0	-	
Other Expenditure	0	0	0	0	0	-	
Income	(2,000)	0	0	0	0	2,000	We no longer have any mortgages
Mortgages	(2,000)	0	0	0	0	2,000	
Employees	6,000	6,000	29,406	0	8,840	2,840	Casual staff pay incurred
Other Expenditure	207,200	190,255	233,246	47,728	207,200	0	
Income	0	0	(15,881)	0	(9,500)	(9,500)	Surrey Treasurers LG rates pooling, and Targeted Support funding reimbursements
Corporate Management	213,200	196,255	246,770	47,728	206,540	(6,660)	
Employees	0	0	0	0	0	0	
Other Expenditure	10,000	0	(22,145)	0	10,000	0	
Income	0	0	(8,547)	0	0	0	
Misc Expenses	10,000	0	(30,692)	0	10,000	0	
Employees	685,400	628,000	579,267	0	698,339	12,939	Current pension deductions totalling £478,044 plus estimated Added Years at previous years growth of 4.33%.
Other Expenditure	51,700	48,000	30,524	16,111	30,700	(21,000)	Commitment relates to Occupational Health contract which continues until June 2013
Income	0	0	0	0	0	0	
Unapportionable CentralO/Heads	737,100	676,000	609,791	16,111	729,039	(8,061)	
Employees	372,000	316,850	385,223	2,470	400,176	28,176	Recruitment of additional member of staff partially covered by allocation of additional budget
Other Expenditure	8,896	7,071	13,006	5,261	8,900	4	
Income	0	0	(5)	0	0	0	
Accountancy	380,896	323,921	398,223	7,731	409,076	28,180	
Employees	0	0	0	0	0	0	
Other Expenditure	0	0	108	0	200	200	
Income	(145,600)	0	0	0	(130,800)	14,800	As per cost of collection NNDR1 2012/13 calculation
Business Rates	(145,600)	0	108	0	(130,600)	15,000	
Employees	683,800	622,825	619,764	0	683,800	-	
Other Expenditure	101,600	88,350	144,630	28,511	177,600	76,000	Additional expenditure of £76k relating to Council Tax Benefit Localisation off set by external funding income- see below
Income	(144,300)	(3,667)	(86,536)	0	(220,300)	(76,000)	Additional Funding received of £76k relating to Council Tax Benefit Localisation with no budget
CServ Management & Support	641,100	707,508	677,858	28,511	641,100	0	
Employees	0	0	0	0	0	0	
Other Expenditure	0	0	0	0	0	0	
Income	0	0	0	0	0	0	
Financial Support	0	0	0	0	0	0	
Employees	0	0	0	0	0	0	
Other Expenditure	222,700	9,956	0	0	222,700	0	
Income	0	0	(897)	0	(900)	(900)	
Insurance	222,700	9,956	(897)	0	221,800	(900)	
Employees	354,700	325,600	353,223	3,053	410,000	55,300	Agency Staff employed to cover vacant positions
Other Expenditure	848,500	809,200	852,253	27,603	848,500	0	
Income	(1,963,300)	(1,755,167)	(1,885,280)	0	(1,963,000)	300	
Car Parks	(760,100)	(620,367)	(679,803)	30,656	(704,500)	55,600	
Total Employees	2,550,400	2,311,146	2,387,675	5,523	2,661,900	111,500	
Total Other Expenditure	1,509,496	1,191,132	1,278,763	142,002	1,552,030	42,534	
Total Income	(2,337,300)	(1,840,934)	(2,083,811)	0	(2,401,670)	(64,370)	
	1,722,596	1,661,344	1,582,627	147,525	1,812,260	89,664	

Overview and Scrutiny Committee

26 March 2013



Title	2012/13 Capital Monitoring Report		
Purpose	For Information		
Report of	Chief Finance Officer	Confidential	No
Cabinet Member	Councillor Tim Evans	Key Decision	No
Report Author	Adrian Flynn		
Summary	<p>To provide Overview and Scrutiny Committee with the spend figures for the period April to February 2013 on the capital programme.</p> <ul style="list-style-type: none"> • The current position shows that we have spent/committed £663k to date, which represents 38% of the revised budget. • The projected outturn shows that we are anticipating to spend £844k which represents 50 % of the revised budget. • The undershoot of budget largely relates to slippage with several items being postponed. The issues of ensuring an appropriate match between projects and resources are being addressed • An amount of £27,600 for the HR & payroll system project to be removed from the capital programme as it is no longer required. 		
Financial Implications	As set out within the report and appendices		
Corporate Priority	All Priorities		
Recommendations	To note the current spend position.		

MAIN REPORT

1. Background

- 1.1 The purpose of this report is to update Overview and Scrutiny Committee on the capital spend against the budget position of the schemes within the capital programme.
- 1.2 To inform Overview and Scrutiny Committee of the reasons for the variances.

2. Key issues

- 2.1 Due to slippages on some schemes there will be an underspend for the current financial year estimated to be £424k (25%). A large proportion of this will be addressed in the form of carry forwards to 2013/14. A key factor behind this slippage is the constraint of limited resources to delivery projects, this is in the process of being addressed.

Detail of the variances

- 2.2 Attached, as **Appendix A** and **B**, is the actual spend to date on capital covering the period April to December 2012.
- 2.3 For the period ending February 2012, capital expenditure was £424k (27%) of the original budget and (25%) of the revised budget.
- 2.4 The difference between the original budget and the revised budget is £177,810. The £177,810 is broken down as £158,000 worth of carry forwards from 11/12 and £110,400 worth of supplementary estimates. Two projects totalling £33,000 have been removed from the programme as they were no longer required and we also received extra DFG grant funding of £57,590. The details are noted on Appendix B (£110,400 supplementaries minus £33,000 projects removed, less DFG grant of £57,590 equals £19,810).
- 2.5 Cabinet are asked to reduce the capital programme for the following project
- 2.6 HR and payroll system by £27,600 as the sum is no longer required, as the budget had been overstated within the capital programme.
- 2.7 Transactions involving all the projects are reviewed on a regular basis throughout the year to ensure that they meet the definition of capital expenditure as laid down by our external auditors KPMG and accounting standards. Any transaction that fails to meet the capital definition will be transferred to revenue.
- 2.8 The following projects are worth noting :
 - (a) Combined Heat and Power – Installation of the project has been delayed and a carry forward request will be made at the end of the financial year.
 - (b) Car park improvements – The automated number plate reader parking tenders have been received but after assessing the tenders some issues around the issuing of tickets in a barrier less system were brought to our attention. These are being addressed and implementation is expected to take place for June 2013.
 - (c) Customer Relationship Manager (CRM) Solution – Project start date has been postponed as a number of site visits are still to take place with a final decision due to take place in March. A carry forward request will be made at the end of the financial year.

- (d) A number of IT projects (Sharepoint, Depot remote working and voice over internet) have been postponed and carry forward requests are expected to be made at the end of the financial year.
- (e) Air quality – Project work may be delayed due to issues around the Borough air quality management boundary and a carry forward request may be made at the end of the financial year.

3. Options analysis and proposal

- 3.1 Overview and Scrutiny Committee are asked to note the current spend position.

4. Financial implications

- 4.1 Any underspend on the approved capital programme enables the authority to invest the monies to gain additional investment income or can be used to fund additional schemes identified.

5. Other considerations

- 5.1 Schemes which are currently incomplete and require a budget carry forward may have contractual obligations which could leave is liable to litigation if they are not allocated the funds to complete the works.

6. Risks and how they will be mitigated

- 6.1 Regular monitoring and updating of the actual figures will enable changes to be picked up and allow corrective action to be taken where necessary in a timely manner.

7. Timetable for implementation

- 7.1 Bi – monthly monitoring reports are prepared for Management team and incorporate revised actual figures.

Background papers: There are none

Appendices: A and B

Appendix A								
CAPITAL MONITORING REPORT P.11 FEB 2012/13								
Portfolio Member	ORIGINAL BUDGET	CARRY FORWARDS	SUPPLEMENTARY ESTIMATE	REVISED BUDGET	ACTUALS YTD	COMMITMENTS	MANAGERS PROJECTED OUTTURN	MANAGERS PROJECTION TO REVISED BUDGET
Cllr Webb - Planning & Housing	306,600	-	(57,590)	249,010	13,286	-	16,688	(232,322)
Cllr Pinkerton - Health Wellbeing & Ind Living	35,000	25,100	16,000	76,100	18,369	82,021	19,789	(56,311)
Cllr Mitchell - Environment	88,000	18,700	(13,000)	93,700	89,086	20,252	110,114	16,414
Cllr Gething - Parks and Assets	641,700	20,000	61,400	723,100	224,088	92,154	501,312	(221,788)
Cllr Sexton - Communications	444,700	23,600	-	468,300	57,581	42,253	170,873	(297,427)
Cllr Forbes-Forsyth - Comm Safety & Young People	-	-	13,000	13,000	-	-	-	(13,000)
Cllr Evans - Finance & Resources	35,000	70,600	-	105,600	21,063	3,200	25,000	(80,600)
	1,551,000	158,000	19,810	1,728,810	423,473	239,881	843,776	(885,034)
	-	-	-	-	-	-	-	-

Appendix B

CAPITAL MONITORING REPORT P.11 FEB 2012/13

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Estimate	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
<u>Housing Investment Programme</u>											
<u>Cllr Webb - Planning & Housing</u>											
Lee O'Neil	40203	Disabled Facilities Mandatory	505,000	-	-	505,000	298,048	-	330,000	(175,000)	Predicted spend maybe some £175k below budget due to slow down in referrals received from SCCs Occupational Therapists.
Lee O'Neil	40204	Disabled Facilities Discretion	29,600	-	-	29,600	792	-	792	(28,808)	No spend likely.
Lee O'Neil		Less Specified Capital Grant	(285,000)	-	(57,590)	(342,590)	(314,041)	-	(342,590)	-	
		Net Cost of Disabled Facilities Grants	249,600	-	(57,590)	192,010	(15,200)	-	(11,798)	(203,808)	
Lee O'Neil	40205	Decent Homes Grant	20,000	-	-	20,000	3,166	-	3,166	(16,834)	This budget will be spent by end of financial year.
Lee O'Neil	40207	Equity Release Scheme	10,000	-	-	10,000	-	-	-	(10,000)	this budget will not be spent in this financial year as the Home Improvement Trust's equity release scheme has been closed. Replacement scheme being sought.
Lee O'Neil	40209	Home Improvement Agency grant	27,000	-	-	27,000	25,320	-	25,320	(1,680)	No further spend expected on this cost centre this year.
		Total	57,000	-	-	57,000	28,486	-	28,486	(28,514)	
Total For HIP			306,600	-	(57,590)	249,010	13,286	-	16,688	(232,322)	
<u>Other Capital Programme</u>											
<u>Cllr Pinkerton - Health Wellbeing & Independent Living</u>											
Deborah Ashman	42012	Greeno Centre Development	35,000	-	-	35,000	23,789	-	23,789	(11,211)	Works on patio has now been finished. Carry forward to be requested for work on front of building & shower room
Deborah Ashman	42271	Fordbridge Day Centre	-	-	18,000	18,000	-	17,801	18,000	-	Works completed, awaiting invoice
Deborah Ashman	41013	Wellbeing Centre	-	-	73,000	73,000	14,580	64,220	53,000	(20,000)	Looking to complete works by 17th May 2013, will need to request carry forward of at least £20k
Deborah Ashman		External Funding	-	-	(55,000)	(55,000)	-	-	(55,000)	-	Funds will be transferred upon payment of invoices
Deborah Ashman		SCC Contribution	-	-	(20,000)	(20,000)	(20,000)	-	(20,000)	-	Contribution for Wellbeing Centre from SCC
		Total	35,000	-	16,000	51,000	18,369	82,021	19,789	(31,211)	
Lee O'Neil	41314	Air Quality	-	25,100	-	25,100	-	-	-	(25,100)	£25,100 is the outstanding balance on a DEFRA grant to be used for air quality action planning purposes. This money will be carried over to 2013/14 and spent in 2013/14
		Total	-	25,100	-	25,100	-	-	-	(25,100)	
Sandy Muirhead	41629	Day Centre EE Lighting	-	-	-	-	7,848	-	7,848	7,848	SALIX project monies from SALIX fund complete by March 2013
Sandy Muirhead	41633	Staines DC Lighting	-	-	-	-	6,035	-	6,035	6,035	SALIX project monies from SALIX fund complete by March 2013
Sandy Muirhead		SALIX Funding	-	-	-	-	(13,882)	-	(13,883)	(13,883)	
		Total	-	-	-	-	0	-	-	-	
<u>Cllr Mitchell - Environment</u>											
Jackie Taylor	41620	Wheeler Bins	50,000	-	-	50,000	39,398	9,990	50,000	-	Budget for the year will be fully spent
Jackie Taylor	41501	DCLG Car	-	-	17,000	17,000	16,079	-	16,079	(921)	Funded by DCLG
Jackie Taylor		External Funding	-	-	(17,000)	(17,000)	(17,000)	-	(17,000)	-	
		Total	50,000	-	-	50,000	38,477	9,990	49,079	(921)	
Lee O'Neil	41315	Cont Land Investigation	13,000	-	(13,000)	-	-	-	-	-	
		Total	13,000	-	(13,000)	-	-	-	-	-	
Sandy Muirhead	40601	Wall/Loft Insulation	25,000	-	-	25,000	14,574	10,262	25,000	-	Fully committed to spend total allocated budget
Sandy Muirhead	41309	Critical Ditches	-	10,000	-	10,000	4,735	-	4,735	(5,265)	Carry forward to be requested
Sandy Muirhead	42037	Biffa Award Match Funding	-	8,700	-	8,700	31,300	-	31,300	22,600	Work completed on Shortwood pond in January 2013 - funded by external and match funding as part of improving ponds SSSI status
Sandy Muirhead	41632	White House depot lighting	-	-	-	-	19,823	-	19,823	19,823	SALIX project monies from SALIX fund complete by March 2013
Sandy Muirhead		SALIX Funding	-	-	-	-	(19,823)	-	(19,823)	(19,823)	
		Total	25,000	18,700	-	43,700	50,609	10,262	61,035	17,335	
<u>Cllr Gething - Parks and Assets</u>											
Dave Phillips	41325	Lammas Sea Cadet	-	-	40,000	40,000	-	-	46,312	6,312	Portacabins have been purchased. Cost to be transferred from Revenue in Mar 13
Dave Phillips	41618	Esoo Site Stanwell	20,000	-	-	20,000	-	-	-	(20,000)	Gravel Extraction Company agreed to work in partnership with SBC to clean site. Delay in progressing as Streetors wish to complete Hengrove before starting on the site. Will need to request carry forward to 13/14
Dave Phillips	42007	Lammas Park Water Mains	35,000	-	-	35,000	-	-	35,000	-	Work commencing & will be completed before opening of spray park on Easter Bank Holiday, will be spent by end of 12/13
Dave Phillips	42043	Accommodation Changes	20,000	-	-	20,000	-	-	20,000	-	Work to 2nd floor Toilets approved & will start shortly to be completed by end of March 2013, will be spent by end of 12/13
Dave Phillips	42050	Knowle Green reception	75,000	-	-	75,000	765	1,782	30,000	(45,000)	Work in progress but may need to request carry forward to 13/14
Dave Phillips	42053	Knowle Green Heating	220,000	-	20,000	240,000	201,446	64,114	266,000	26,000	Upgrading of New boilers, new valves & Police system. Installation complete - final commission being carried out
Dave Phillips	11599	Runnymede Estates	55,600	-	-	55,600	-	-	55,600	-	Actuals to be transferred at end of year
		Total	425,600	-	60,000	485,600	202,211	65,896	452,912	(32,688)	
Lee O'Neil	43307	EHBC Mobile Working	20,000	20,000	(20,000)	20,000	-	-	-	(20,000)	Trial progressing, outstanding balance will be carried forward to 2013/14
		Total	20,000	20,000	(20,000)	20,000	-	-	-	(20,000)	

CAPITAL MONITORING REPORT P.11 FEB 2012/13

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Estimate	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
Lisa Stonehouse	41018	Pool Covers	14,500	-	-	14,500	-	-	-	(14,500)	Linked to Combined Heat & Power project. Pool covers have been ordered & deadline for installation is end of April 2013. Carry forward will need to be requested
Lisa Stonehouse	42274	SkatePark+Multi use games area	85,000	-	45,000	130,000	96,441	25,349	122,000	(8,000)	Skate Park & Multi Use games area is complete. Awaiting final invoices
Lisa Stonehouse		External Funding	(50,000)	-	-	(50,000)	(50,000)	-	(50,000)	-	Funding received from the Youth Council for the Skate Park
Lisa Stonehouse		External Funding	-	-	(45,000)	(45,000)	(45,000)	-	(45,000)	-	Funding received from Surrey County Council for MUGA
		Total	49,500	-	-	49,500	1,441	25,349	27,000	(22,500)	
Liz Borthwick	40108	Leisure Centre Fitness Kit	-	-	21,400	21,400	21,400	-	21,400	-	
		Total	-	-	21,400	21,400	21,400	-	21,400	-	
Sandy Muirhead	41206	Ashford Rec Playground Upgrade	25,000	-	-	25,000	-	-	-	(25,000)	Budget may not be spent by end of the year, may need to request carry forward
Sandy Muirhead	41207	Combined Heat & Power	121,600	-	-	121,600	-	-	-	(121,600)	Delay in installation, may need to carry forward
Sandy Muirhead	42049	Hawke Park	-	-	10,000	10,000	9,036	909	10,000	-	To be funded by the capital receipt received from the county council
Sandy Muirhead		External Funding	-	-	(10,000)	(10,000)	(10,000)	-	(10,000)	-	
		Total	146,600	-	-	146,600	(964)	909	-	(146,600)	
Cllr Sexton - Communications											
Helen Dunn	43003	New Software	10,000	-	-	10,000	3,650	-	3,650	(6,350)	No more spend likely, underspend could be used to fund overspends on other ICT projects
Helen Dunn	43004	Application Upgrades	10,000	-	-	10,000	-	-	-	(10,000)	No spend likely, underspend could be used to fund overspends on other ICT projects
Helen Dunn	43302	Payroll/HR	15,000	-	-	15,000	-	-	15,000	-	Budget to be fully spent in 12/13. Invoices to be recoded in March 2013
Helen Dunn	43305	SharePoint	40,000	-	-	40,000	325	-	325	(39,675)	Governance Tool, Migrator, Workflow tool and ad hoc consultancy still to be purchased. Carry forward to be requested for 13/14
Helen Dunn	43306	Geographical Info System	-	-	-	-	-	633	-	-	Commitment is valid. Waiting for aerial photography to be done of the Spelthorne Borough Council area
Helen Dunn	43310	Virtual Desktop (VDI)	50,000	-	-	50,000	3,000	-	3,000	(47,000)	Feasibility study has taken place, but main project is delayed until 13/14, so carry forward will be requested
Helen Dunn	43311	Voice Over Internet (VOIP)	85,000	-	-	85,000	-	-	-	(85,000)	Current phone system is past end of life. Initial research still to be done. Carry forward to be requested to 13/14
Helen Dunn	43313	Out of Hours Telephony	21,700	-	-	21,700	21,650	-	21,700	-	Project complete
Helen Dunn	43501	Revenues & Benefits	-	-	-	-	3,833	14,592	16,000	16,000	Voice recognition payments module
Helen Dunn	43601	Remote & Mobile Working, Depot	20,000	-	-	20,000	3,908	-	3,908	(16,092)	Various devices are being looked at, but project is likely to be delayed until 13/14, so will need to request carry forward
Helen Dunn	43603	Server Updates	30,000	-	-	30,000	413	19,784	20,000	(10,000)	Migration to and replacement of SQL Servers is required, unlikely to be fully spent
Helen Dunn	43604	Desktop Upgrades	20,000	-	-	20,000	38,245	-	45,000	25,000	Desktop Refresh for Windows 7. The overspend could be funded by other ICT Project under spends
Helen Dunn	43605	Telephone/Data Communications	20,000	-	-	20,000	8,987	150	10,000	(10,000)	Additional Items for CTI upgrade - unlikely to be fully spent
Helen Dunn	43606	Misc software	-	-	-	-	(10,080)	-	(10,080)	(10,080)	DocBinder licence for 3 years coded to capital in 11/12, moved to revenue in 12/13
		Total	321,700	-	-	321,700	73,932	35,159	128,503	(193,197)	
Jan Hunt	41608	HR and Payroll system	18,000	23,600	-	41,600	6,471	6,266	14,000	(27,600)	Fully committed to the total allocated budget for the HR and Payroll system, phase 2 to commence shortly.
		Total	18,000	23,600	-	41,600	6,471	6,266	14,000	(27,600)	
Linda Norman	43505	CRM Solution	80,000	-	-	80,000	-	-	-	(80,000)	3 systems have now been seen & preferred option to be mapped out by the end of March 2013. Carry forward to be requested
		Total	80,000	-	-	80,000	-	-	-	(80,000)	
Rowena Davison	43304	GOSS - Website Upgrade	25,000	-	-	25,000	(22,822)	828	28,370	3,370	Project is now complete - special creditor waiting to clear
		Total	25,000	-	-	25,000	(22,822)	828	28,370	3,370	
Cllr Forbes-Forsyth - Community Safety & Young People											
Keith McGroary	41605	Staisafe Radio	-	-	13,000	13,000	-	-	-	(13,000)	Alternative solution to be used. Revised bid & Carry forward request to be submitted
Keith McGroary	41604	CCTV Stanwell	60,000	-	-	60,000	-	-	-	(60,000)	Funding to be received on completion of Phase 2. Currently in the planning stage of this project. Target is to have the cameras in place & operational by September 2013. Carry forward request to be submitted
Keith McGroary		S106 Funding	(60,000)	-	-	(60,000)	-	-	-	60,000	
		Total	-	-	13,000	13,000	-	-	-	(13,000)	
Cllr Evans - Finance & Resources											
Sandy Muirhead	41302	Parking Handhelds	35,000	-	-	35,000	21,063	3,200	25,000	(10,000)	Purchased and waiting for invoice
Sandy Muirhead	41317	Car Park Improvements	-	70,600	-	70,600	-	-	-	(70,600)	Parking improvements through ANPR likely to be June 2013 for completion. Underspend of £10k from handhelds to be used. Carry forward to be requested
Sandy Muirhead	41631	Elmsleigh CP Lighting	-	-	-	-	2,600	-	2,600	2,600	SALIX project monies from SALIX fund complete by March 2013
Sandy Muirhead	41634	Elmsleigh Surface C/P LED's	-	-	-	-	12,405	-	12,405	12,405	SALIX project monies from SALIX fund complete by March 2013
Sandy Muirhead		SALIX Funding	-	-	-	(15,005)	-	(15,005)	(15,005)	(15,005)	
		Total	35,000	70,600	-	105,600	21,063	3,200	25,000	(80,600)	
Total For Other			1,244,400	158,000	77,400	1,479,800	410,187	239,881	827,088	(652,712)	
GRAND TOTAL			1,551,000	158,000	19,810	1,728,810	423,473	239,881	843,776	(885,034)	

Overview & Scrutiny committee – Tuesday 26 March 2013

Briefing Paper from the Head of Customer Services

Overview of Spelthorne's Project Management Methodology

1. Background

- 1.1 From January 2012 to August 2012, a complete review of Spelthorne Borough Council's approach to project management was undertaken.
- 1.2 The Council re-launched a revised corporate approach to project management in September 2012.
- 1.3 The methodology which has been devised is based around a project management lifecycle which is scalable to cover smaller service level projects which require minimal documentation and light touch project management, up to large corporate projects with high cost, community impact and visibility
- 1.4 A series of templates and guidance notes to cover all aspects of the project management lifecycle were developed and are now available to all project managers.
- 1.5 'Projects made Simple' (the project management toolkit) was launched on Spelnet on 3 December 2012.
- 1.6 All projects, in all service areas, are now required to follow the project management process and complete the required documentation.
- 1.7 Project governance and monitoring procedures have also been reviewed by the Corporate Project Management team. This included the creation of monitoring and reporting processes on the Flagship projects.
- 1.8 Information from Highlight reports is used to feed into the dashboard, providing an at a glance snapshot of where we are with our Flagship projects, allowing MAT and Cabinet to oversee how projects are delivering against specific areas.
- 1.9 The first Dashboard report was presented to Cabinet on 14 January 2013 with a recommendation for MAT to pursue the action points identified in the report and for Cabinet to review the number and priority of the flagship projects.

2. Current position

- 2.1 Currently there are 28 Flagship Projects which is a huge number to manage within the current staffing resources at Spelthorne.
- 2.2 Flagship projects need to be mapped against the new corporate priorities and those that do not meet the new priorities should be considered for pre-mature closure unless of a legislative nature.
- 2.3 There are also a high number of High, Medium and Service Projects which are currently not being reported on.

- 2.4 Legislative projects are part of the Council's statutory duty and must be delivered within Government time frames. Currently the Heads of Housing & Independent Living do not have the resources to deliver these projects.
- 2.5 A workshop was held to map projects, inter-dependencies and timeframes against the Housing projects portfolio.
- 2.6 Following on from the first Dashboard report, MAT have reviewed existing resources within the Council and seconded staff into roles where their skills can be maximised to the benefit of the whole Council.
- 2.7 MAT have approved my proposal to create a 'Project Office' for a two year period to ensure that all projects are delivered in a consistent and transparent way which links into the Council's Corporate plan.
- 2.8 MAT have also approved my proposal to change the focus of the Corporate Project Manager to concentrate on delivering Housing Projects and seconded the Senior Committee Manager into a new role of Project Assurance Officer to support the Corporate Project Manager.
- 2.9 Of the 9 Asset related flagship projects, 3 are at red and a further 5 are due to start. In addition, there are another 7 high level projects being overseen by the Asset Management Board. The current Head of Asset Management does not have the capacity to speedily deliver these projects as well as oversee the Runnymede contract and Office Services. This post is currently filled at 0.8FTE.
- 2.10 MAT are currently considering proposals with the Head of Asset Management as to how Asset related projects can be delivered.
- 2.11 In order to maintain a corporate approach to project management, Cabinet have approved a dotted line reporting to the Corporate Project team for any service level appointed project managers to ensure consistency of delivery of projects using the Spelthorne model.
- 2.12 The Corporate Project team also recognised the need to clarify through training, the different key roles in project management, in particular the roles and responsibilities of the Project Manager and Project Sponsor and how they fit into the project management structure.
- 2.13 An external trainer was appointed to work with SBC to develop a bespoke training course covering the 'Spelthorne' way for project managing. An external trainer provided an element of impartiality and separation.
- 2.14 Three 2 day courses were delivered for project managers and project sponsors in January 2013. Thirty three staff who are currently involved in delivering Flagship or high level projects attended the training.
- (a) All delegates felt the course met their training needs, thought the course met the stated objectives and rated the course structure and the hand-outs as excellent or good. They all also felt the trainer's skill was very helpful or helpful to aid their learning
- (b) 81 % found the overall value of the course to be very helpful or helpful
- 2.15 A number of Heads of Service and MAT were unable to attend the training. A follow up course will be arranged in June 2013 to focus on the role of the

project sponsor. This will ensure all levels of staff involved in delivering projects are clear as to their roles and responsibilities in the process.

2.16 A Project Management seminar was presented to Councillors on 25 February 2013.

2.17 The next Dashboard report is due to be presented to MAT on 2 April 2013 and to Cabinet on 15 April 2013.

Linda Norman - Head of Customer Service 017844 446375

Overview & Scrutiny Committee - Tuesday 26 March 2013

Information Item

Briefing Paper from the Head of Streetscene

DCLG bid for difficult properties

1. Background

- 1.1 In November 2012 we were successful in our bid to the DCLG for £493,000 of funding to deal with 2000 difficult properties that currently have no access to kerbside recycling services. The majority of these properties have a weekly collection of rubbish only from either bins or sacks.

2. Current

- 2.1 This is a flag ship project and will be managed in accordance with the Councils project management policy and procedures. The funding will provide for the following:
- A dedicated project officer, Joanne Hall, who has now been appointed and comes within the Streetscene structure and works from the depot.
 - A hybrid vehicle for the project officer to use, which is due to arrive mid- February. A hybrid vehicle is a vehicle that uses two or more distinct power sources to move the vehicle, which combine an internal combustion engine and one or more electric motors.
 - A refuse collection vehicle which has been purchased through the Yorkshire Purchasing Organisation and is due to be delivered late August, as there is an approximate six month build time.
 - Communication will involve new leaflets, signage for both vehicles. Bin store signage and bin stickers. Various promotional materials are also being purchased to be given out at one to one meetings with residents and road shows.
- 2.2 The Project Officer is currently reviewing all of the 2000 properties to update the information we already have, from this we will pull together a priority list. During the review we will also be data gathering in terms of contact information for individual developments.
- 2.3 In addition to this we will be part of the road shows and street meets that A2 are developing in various areas of the borough over the coming months. These meetings will give us the opportunity to engage with the residents and promote the scheme.
- 2.4 The budget and spend will be monitored by the Head of Streetscene and managed by the project officer to ensure that all £493,000 of funding is used within the project.
- 2.5 We have developed a web page which will grow with the scheme and enable those on weekly collections to gather more information in relation to their specific collections .i.e. date changes, contact information and collection days

3. Future

- 3.1 During the coming months the project officer will be meeting with residents groups and associations and encouraging them to be part of the project. These meetings will provide an opportunity to distribute promotional material in relation to this specific project and waste and recycling information in general.
- 3.2 We hope that during these meetings we will be able to find Environment Champions within each of the developments and will be working across the whole borough and not just in specific areas at specific times.
- 3.3 We anticipate the first moves from weekly rubbish to weekly rubbish and recycling collections taking place sometime during April/May.
- 3.4 Further updates can be provided to this committee as the project progresses.

Jackie Taylor - Head of Streetscene 01784446418

Overview and Scrutiny Committee

26 March 2013



Title	Laleham Park		
Purpose	For Information		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Tony Mitchell	Key Decision	No
Report Author	Catherine Munro		
Summary and Key Issues	<p>There are three key issues highlighted in this report:</p> <ul style="list-style-type: none"> • Design and build of cafe and toilets • The minor relocation of Laleham Camping Club • The traffic through the park 		
Financial Implications	<ul style="list-style-type: none"> • There is an approved capital budget of £200K for the cafe • The remainder of building the cafe will be obtained from the successful tender for managing the facility • The monies for the rest of the upgrade of the park will be sourced from existing parks budgets 		
Corporate Priority	Service delivery		
Recommendations	To receive the progress report on the developments at Laleham Park.		

1. Background

- 1.1 Due to its scale, location, river-side aspect and historical significance Laleham Park is an important facility in Spelthorne Borough Council's portfolio of parks and open spaces.
- 1.2 The park has developed historically over the years leading to a selection of facilities currently being available to users over the last 20-30 years.
- 1.3 The park (because of its riverside position) is attractive to visitors and promotes recreation within the Borough. However, the current lack of facilities has caused problems due to the high volume of visitors that the park has previously attracted each summer.
- 1.4 However, the number of visitors has reduced due to the barbeques being removed at the beginning of the summer which has had an impact on income from the park but also reduced the maintenance costs.

2. Key issues

- 2.1 There has been a significant reduction in car parks income for Laleham Park during the last summer due to the removal of the barbeques and therefore, a reduction from visitors from outside the borough.
- 2.2 One of the 2 catering outlets has contacted the Council and stated that as their income has reduced this year due to the lower number of visitors, and they are considering surrendering their licence. Also, a hot food mobile outlet had requested a short term licence but after 3 weeks has terminated the agreement due to the low revenue stream. This has demonstrated the need for an outlet that will attract visitors to the park.
- 2.3 However, Streetscene have been able to reduce the previously high level of maintenance in the park after busy weekends which have meant resources can be moved to other parks in the borough.
- 2.4 Temporary toilets have been installed over the last 2 summers in order to address the inadequate provision in the park. This will no longer be needed due to the removal of the barbeques.
- 2.5 Staines Town Football Club has expressed an interest in coming into the parks and reinstating the football pitches and changing rooms. This would provide significant investment into the park but Staines Town must be made aware of the flooding issues in this area.

3. Options analysis and proposal

- 3.1 The first phase of the project will be to build a cafe and toilets to provide an attractive and much needed facility for the park. This will attract users and provide a long term income.
- 3.2 In addition, it will address the insufficient toilet provision as it is anticipated that the cafe will be open for most hours of the day year round for park users.
- 3.3 It will be situated on the site of the current pavilion and the footprint will be no larger than this due to the flood plain area the park is in.
- 3.4 The design and build of the cafe and toilets went out to tender in December 2012.

- 3.5 Previously, a long term master plan has been produced and this will still be considered as further options for the future of the park are looked at.
- 3.6 This includes liaising with Surrey County Council regarding closing the road and re routing traffic. This would enhance the park and its riverside location.
- 3.7 The minor relocation of Laleham Camping Club would mean that the buildings will not have to be moved or rebuilt which is costly.

4. Financial implications

- 4.1 Laleham Camping Club is currently paying market value rent for the site they occupy in Laleham Park.
- 4.2 They have expressed an interest in occupying some more land in the park so they can expand their business which will also mean a larger rent for the Council.
- 4.3 The Council has explored moving the Camping Club to the back of the park but this will mean moving services, buildings and installing new access roads which is cost prohibitive.
- 4.4 The loss of income from the termination of the mobile catering unit is £3,800 per annum.
- 4.5 The barbeques cost £12K to install and £2,800 to remove.
- 4.6 The car parks income is as detailed below. Please note that the barbeques were installed in March 2010 and removed in March 2012.

Year	Income
2007/08	£7363
2008/09	£7031
2009/10	£11,494
2010/11	£15,991
2011/12	£33,463
2012/13	£18,739 (this figure excludes February and March)

- 4.7 The capital programme for 2013/14 which was approved in February includes a provision of £200K for Laleham Park towards the cafe and toilets which are currently out to tender. Any costs above this amount will be expected to be met by the successful tenderer.
- 4.8 There will be revenue savings from temporary toilets and better resourcing for parks from the grounds maintenance contract.

5. Other considerations

- 5.1 The lease for the Camping Club expires on 1 December 2014 with a 12 month notice period on both sides.
- 5.2 However, the Club have expressed an interest in negotiating a new lease which will increase our rent but also increase their income.

6. Risks and how they will be mitigated

- 6.1 The main risk of the project is that the successful tender will be unable to make the necessary profit from the cafe.
- 6.2 This will be mitigated by financial checks during the tender process.

Background papers: There are none.

Appendices: There are none.

Overview and Scrutiny Committee

26 March 2013



Title	2012 Flooding briefing note		
Purpose	For Information		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Vivienne Leighton	Key Decision	No
Report Author	Sandy Muirhead/Nick Moon		
Summary and Key Issues	<p>The attached report is to provide information on Spelthorne Borough Council's response to the threat of flooding in November and December 2012.</p> <p>The key points highlighted in this report/associated with the debriefing on flooding report).</p> <ul style="list-style-type: none"> • Communications with partners • Close working internally and with external partners and being aware of each other's roles • Management of the process • Future issues to address include bringing Thames Water much more on board as the most critical issues arose as a result of drains backing up through flood or ground water ingress into sewerage pipes 		
Financial Implications	There are no direct financial implications except that staff are diverted to deal with an emergency thus putting the "day job" on hold.		
Corporate Priority	*Service delivery *Communication		
Recommendations	To note the report		

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Flooding River Thames: Incident Debrief Form
Incident Dates: 26, 27, 28 November 2012 and 21-31 December 2012

1.0 Introduction

- 1.1 This paper discusses the key issues from the recent Flood Warning for the River Thames in November and December 2012 and the associated response. Only key issues have been highlighted in this report, with a number of smaller issues excluded, but that will be followed up by the Risk & Resilience Manager.

2.0 Glossary

RRM – Risk & Resilience Manager

ILO – Incident Liaison Officer: a trained officer who attends multi agency silver to act the Borough's representatives to other agencies and the emergency services

Silver – a level of response. The Borough Emergency Centre is Spelthorne Borough Council's silver (tactical) level base, while during an emergency often a multi-agency silver will be set up where all emergency services and partners meet to manage the situation. See the Emergency Plan for more information.

BEC – Borough Emergency centre – The control room from where Spelthorne Borough Council co-ordinates the response to an emergency situation in accordance with the Borough Emergency Centre Plan and the Emergency Plan, at the silver level.

Flood Alert – A warning from the Environment Agency that flooding is expected on fields, recreation land, car parks, minor roads or farmland.

Flood Warning – A warning from the Environment Agency that flooding of homes and businesses, rail infrastructure, roads (with major impacts) and extensive inundation of the flood plain (including caravan site and recreation sites) is expected.

LRF – Local Resilience Forum: the partnership between all agencies (including the emergency services) where emergency planning takes place to ensure legal duties under the Civil Contingencies Act 2004 and other legislation, are being met.

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3.0 Initial Notification

- 3.1 Initial notification worked well: There was an email from the Surrey County Council duty officer. The standing protocols for 'LRF Expedite', whereby emails get forwarded to a number of people internally so as not to be missed, was not used, however there was a follow up telephone call to check SBC was going to be on the call. The Risk and Resilience Manager (Nick Moon (NM)) received the call and attended the Environment Agency (EA) teleconference.
- 3.2 Use of the EA teleconference worked well. SBC received information that flooding to up to 30 properties was possible.
- 3.3 There was an agreement on the teleconference that the Thames adjacent Boroughs and the EA would follow up in more detail as it was mainly in the north of the Borough. This was useful.

4.0 Mobilisation and Management of Incident

- 4.1 At this point NM made the decision to put the Borough Emergency Centre (BEC) on standby.
- 4.2 Activation of the BEC plan worked reasonably well but some familiarisation for staff involved in setting up is required.
- 4.3 NM made a decision to hold an internal teleconference, inviting the relevant departments, to discuss the Council's response. The conference was well attended, including by management (Liz Borthwick). Based on the Environment Agency advice that the Flood Warning was not due to be issued until the following afternoon, and with basic preparations in place, it was agreed that staff would be on standby for that evening and re-assess in the morning.
- 4.4 At around 4am of the 27 November the Flood Warning for Sunbury was issued. This was earlier originally forecast. NM received a phone call shortly afterwards from Surrey County Council to discuss the warning, in particular that it made reference to over a thousand properties being at risk which was contrary to the information from the day before. Conversations with the EA established that the warning was a standard message, however thresholds were not expected to reach that level, so another was issued.
- 4.5 NM and SCC had a discussion around whether the Police would or should start evacuating residents, especially on the island. Agreed SCC would follow up with the Police. NM began receiving calls from Safer Runnymede from residents concerned of flooding and whether the Council were distributing sandbags. NM made the decision to open the BEC and it began to be staffed at around 7am.
- 4.6 NM approached a number of staff to ask if they were able to support the BEC and the response was very positive and supportive. Environment Services in

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particular provided staff to support the response. This was particularly useful due to the nature of the incident.

- 4.7 Streetscene began filling sandbags however a decision was made that at this point they would not be useful and distribution would cause significant alarm. Customer Services took a number of calls from residents requesting sandbags, some were citing that we had already started distributing them and therefore wanted them as well.
- 4.8 Customer Services (through Linda Norman) was represented at the internal situation meetings. This worked well as it ensured they were up to speed with the latest information for when the public made contact with the Council. Then Linda Norman and NM developed some FAQ's for Customer Service staff which was useful. A discussion was had around whether Customer Services should be represented at the BEC, as they may during a major incident, however it was not felt necessary for this incident.
- 4.9 NM and Jane Lowe in Environment Services had been working on a project to build webpages ready to be activated in the event of flooding. This work was almost complete and NM requested communications to activate the webpages. This pre-work saved considerable time and stress during the incident.
- 4.10 SBC, SCC and NHS Surrey began coordinating information on vulnerable people. Information on SBC's vulnerable was supplied very quickly by Independent Living – this worked very well. There were some delays in getting a complete list which included SCC and NHS Surrey. This should be followed up with those agencies.
- 4.11 A decision was made to hold a silver meeting at Staines Police Station. 2 ILO's (Andy Holdaway and Lynne Gardner). Andy was briefed in the BEC before attending the meeting. This process worked well. The main information that came out of the silver meeting was
- The EA were still expecting up to 30 properties may be flooded, however the number could be considerably less.
 - The north bank was more at risk then the south
 - The EA were not anticipating any other warnings to be issued on the Thames for our area. They expected the river to peak Wednesday.
 - Felix Lane, past Wheatley Ait was the main area of concern.
 - There was the possibility of a 4" rise of the Thames over the next 24 hours.
 - Fordbridge road was expected to remain passable
 - Strategic intentions were warning and informing of the public and to ensure a joined up approach to the response.
- 4.12 The EA deployed Flood Ambassadors to door knock the areas of concern. It agreed that SBC would provide some staff to support this process. Environment Services provided an officer (David Hicks) to do this.
- 4.13 SBC and Elmbridge Borough Council was aware from previous flooding that the area can be dangerous at night during flood events where it is not easy to see obstructions or indeed where the river bank is in relation to walkways and pavements etc. For that reason NM and the Emergency Planner for Elmbridge Borough Council requested a multi-agency decision on what, if

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anything, we needed to do with vulnerable residents. They advised that if for example, we wanted to evacuate them, we would want to seriously consider doing so at that stage while it was light and before there was significant flooding. We may also have wanted to distribute sandbags (although it was felt this was of very limited use), or make contact through door knocking or telephone to give advice/check on wellbeing. The clear position from SCC was that they would take responsibility for people known to their service areas and we must do the same for our service users. This was a break in normal protocols where a single approach is taken to deal with vulnerable residents, led by SCC. NM clarified during a multi-agency teleconference that there would not be a request for transport or rest centres/housing to deal with vulnerable residents managed by SCC out of hours and it was confirmed that they would not.

- 4.14 SBC and Elbridge requested a list from SCC of who they considered 'their' vulnerable residents so we could determine who that would leave and who we may want to make extra provisions for. It was decided that on the information from the EA about the river activity, evacuation would be disproportionate to the level of risk and therefore the situation was managed by staff on standby ready to go quickly if required.
- 4.15 It was agreed that SBC Communications (who were present at co-ordination meetings) would propagate EA messages using the website, twitter and customer services.
- 4.16 Throughout the rest of the afternoon and early evening it became less likely that we would see property flooding and a decision was made to close the BEC while keeping a number of key staff on standby.
- 4.17 That evening conversations were had between NM, SCC Duty Emergency Management Officer, Liz Borthwick and Jackie Taylor about vulnerable residents about specific actions that may be required around vulnerable residents.
- 4.18 The following morning David Hicks continued to door knock with colleagues from the EA and NM took some calls from vulnerable residents about flooding concerns, however the BEC was not activated again.

5.0 Communication & Information

- 5.1 Communication was greatly enhanced by the BEC. Communication outside the BEC was very good, however there were no limiting factors (such as loss of telephony).
- 5.2 There were some problems with running a teleconference inside the BEC as there was noise for other people on the line and it was not always clear for people dialling in who was talking.

6.0 Equipment and Supplies

- 6.1 Consideration should be given to some equipment to enhance teleconferencing.
- 6.2 There were no other significant equipment issues during this incident.

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7.0 Staffing Issues

- 7.1 The BEC began to consider whether a 24 hour operation was necessary early on. An email was sent to all staff asking for volunteers who might be able to be on standby and potentially work through the evening or night. Leisure Services co-ordinated the list at the request of NM.
- 7.2 The number of people volunteering was very low (around half a dozen). This may be partly because it is difficult for people to make last minute arrangements and or because people have responsibilities such as child care. The incident was also of a fairly low scale, should there be a major incident, which would no doubt cause significant disruption and be well covered by news outlets, it is likely that more staff would make themselves available.
- 7.3 NM and the Head of HR quickly arranged for appropriate standby payment and over time options, however there should be a clear policy in place so staff know what remuneration they can expect for either being on standby, which does involve potentially significant inconvenience, and over time, including out of hours/overnight.

8.0 Training Requirements

- 8.0 It was clear that training staff have previously undergone paid dividends during this incident, including staff who took part in the BEC training and exercise, training for services heads and management team and for the Incident Liaison Officers and RRM. There are no significant new training requirements, only a need identified and ratified to continue with the internal training programme and exercising managed by the RRM.

9.0 Analysis from Risk & Resilience Manager

- 9.1 We were very lucky to escape without any property flooding this time. Our internal emergency response worked very well, officers understood their roles and performed exceptionally. This was the first time the Borough Emergency Centre had been operated for real and it worked very well as a co-ordination point with no significant amendments to the plan required.
- 9.2 This was not a major incident and so some of the structures did not run quite as they would normally – for example the Incident Management Team (Borough Gold officers) worked directly with the BEC (silver officers), in this case through regular meetings. This worked extremely well for this incident and was appropriate, however during a larger incident the more formal structures, with a standalone BEC and an Incident Management Team meeting regularly but separately (with the RRM or BEC Co-ordinator present) may be more appropriate.
- 9.3 Multi Agency silver was not run as a silver in the traditional sense – for example, while SBC sent Incident Liaison Officers as is the protocol, SCC sent officer and a number of their emergency planning managers dialled in. While this did not present any major problems for SBC and gave the ILO's good practice, having the RRM or BEC lead dial in or attend, for real time

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decision making may have been more appropriate from a multi-agency perspective.

- 9.4 There were some multi agency issues with the response, specifically around vulnerable people and just what can be expected from Surrey County Council during an emergency that need to be worked through, however this will be done through the normal Local Resilience Forum process.
- 9.5 The incident highlights just how reliant we are on officer's good will to be on standby and respond out of hours, which ultimately we have a legal duty to do. We must consider staff morale and remuneration carefully so we can continue to rely on them to continue to perform exceptionally during an emergency threatening the Boroughs residents in the future.

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Flooding River Thames: Incident Debrief Form
Incident Date: 20-31 December 2012

10.0 Initial Notification

- 10.1 Initial notification worked well. There was a telephone call from from the Surrey County Council duty officer to the Head of Sustainability and Leisure. Phone calls were used to notify everyone as we were about to enter the Christmas period with people going on leave. Environment Agency (EA) teleconferences were attended between at 10.30 by the Head of Sustainability and Leisure between 22 and 31 December 2012 and the Emergency Planner on returning from leave.
- 10.2 Use of the EA teleconference worked well. SBC received information on a day to day basis which enabled on the ground activities to be planned and delivered where appropriate. Equally on the ground feedback helped update the situation amongst multi agency colleagues.

11 Mobilisation and Management of Incident

- 11.1 Given we were in the Christmas period it was agreed (Incident Management Team –Head of Sustainability and Leisure, Head of Streetscene Chief Executive, Assistant Chief Executive and Emergency Planner) we would monitor the situation closely and open a Borough Emergency Centre and rest centres if and when necessary. This would mitigate pulling in staff unnecessarily or asking those at home with families, especially if at some distance, to come in.
- 11.2 The Heads of Sustainability and Leisure and Streetscene agreed if a BEC was required it would best be opened at the Depot as from Thursday 27 December the site would be open for rubbish and recycling collections.
- 11.3 Initial teleconferences (held every day at 10.30am) during the period suggested flood warnings may issued for the Sunbury area just prior to Christmas but by Christmas Day the emphasis had shifted to the Staines and Egham area for a flood warning. On Christmas Day the EA who provided daily updates suggested no flood warning would be required for Sunbury so it was a surprise when one was issued for the area on Boxing Day. This was the only breakdown in communication by the EA but quite critical to receive no prior warning the previous day. As in November the properties that may flood in Sunbury are close to the river and well prepared.
- 11.4 On Boxing Day though a flood warning was issued for Staines and Egham area and there was considerable discussion at the teleconference on the likely impact on the public as this flood warning area contained 13,000 properties.
- 11.5 Information received from the teleconference was cascaded to staff on the ground and the Chief and Assistant Chief Executive. The frequent contact between on the ground activities and central information worked well. It allowed photographs to be circulated and also on Boxing Day we had the first

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evidence of issues around river/groundwater ingress into drains causing flooding with sewage emerging from manhole covers.

- 11.6 We also ensured we had staff on standby and vulnerable people information available ready for action. On Friday 28 December two teleconferences were held in potential preparation for an escalation of the situation as potentially more flooding could occur. Remodelling by the Environment Agency during the day then led to a reduction in concern by late afternoon.
- 11.7 However, we were seeing increasing instances of sewer flooding and although communication on this was good with Surrey CC and the Environment Agency all parties had initial issues with getting hold of Thames Water and obtaining feedback on their actions to resolve drain flooding.
- 11.8 Guildford Street residents were most at risk of the possibility of flooding and sandbags were issued to the properties but the situation did reduce once a Thames Water tanker was on site to pump from the manhole. Some water was discharged onto a small area of the Commercial Road allotment site and notices were put up warning the public.

12.0 Communication

- 12.1 The liaison between the main staff involved worked well but also Safer Runnymede assisted by taking the same line between Boroughs in terms of messages to residents and calls requiring more detailed information were passed to the Head of Sustainability and Leisure. Those requiring a visit were handled by the Head of Street scene. Our Risk & Resilience Manager also dealt with calls and liaison with Safer Runnymede which was useful given the dual threat to both Boroughs
- 12.2 The multi-agency teleconferences for the most part worked well and there were offers of mutual aid from Elmbridge in particular which were appreciated. We also received from the Environment Agency maps showing potential areas likely to flood and comparison with flooding in 2003.

13.0 Analysis from Head of Sustainability and Leisure

- 13.1 We were, once again, very lucky to escape without any property flooding this time. A few properties were flooded in Runnymede.
- 13.2 The set up over the Christmas period worked well internally and externally. The on the ground feedback and information liaison via the teleconferences worked well.
- 13.3 Also as the situation changed, depending on the EA's modelling outputs, from day to day the communication between the main team via phone and e-mail worked exceptionally well.
- 13.4 As this did not turn out to be a major incident and one over the Christmas period some of the structures did not run as they normally would – for example the Incident Management Team (Borough Gold officers) worked directly with the BEC (silver officers), in this case through regular phone calls and e-mail This worked well for this incident and was appropriate given the time period

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- 13.5 No Multi Agency silver base was required although it was thought possible one may have been needed by Saturday 29 December 2012. Fortunately at that point river levels began to stabilise.
- 13.6 There were some multi agency issues with the response, at time mostly due to the EA changing their forecasts regularly not helped by a data logger not working effectively at Sunbury.
- 13.7 There will be from this incident, due to its scale, a Local Resilience Forum debrief at some point. It is hoped this will focus on the need to have Thames Water fully engaged in such situations as the the flooding from drains became a more serious issue to local residents than the threat from direct river flooding.

Overview and Scrutiny Committee

26 March 2013



Title	Sustainable Communities Act 2007 – Briefing paper		
Purpose	For Information		
Report of	Monitoring Officer	Confidential	No
Cabinet Member	Not applicable	Key Decision	No
Report Author	Michael Graham, Head of Corporate Governance Liz Phillis, Project Assurance Officer		
Summary and Key Issues	<p>The Sustainable Communities Act (SCA) provides a framework for councils, working with local people, to put forward proposals on sustainable improvements to economic, environmental and social wellbeing. It provides a mechanism for councils to address issues which are locally significant in their particular area or which have an implication for local communities nationally.</p> <p>The first round proposals were made in 2008 and the Local Government Association (LGA) was appointed as the national 'selector' body to assess and shortlist proposals made by councils under the Act. Proposals from the final shortlist were then decided by the Secretary of State.</p> <p>In December 2010, the Secretary of State issued a second invitation to local authorities inviting councils to consult local people and present further proposals. Regulations were made in 2012 for councils to bring forward proposals without having to go through the LGA short listing. The Government also announced a new barrier-busting portal which now provides the mechanism to make proposals directly to government. See http://barrierbusting.communities.gov.uk/</p> <p>This briefing paper is intended to consider the opportunities afforded by the Act for the benefit of the Council and local residents and:</p> <ol style="list-style-type: none"> 1) The further action the Council may wish to take to utilise the Act 2) The further steps the Council should take to promote the Act with a view to increasing resident involvement in delivery of local services. 		
Financial Implications	There are no financial implications arising from this report.		
Corporate Priority	This item is not in the list of Corporate Priorities.		
Recommendations	For the Committee to note the contents of the report.		

1. Background

- 1.1 The Sustainable Communities Act became law in October 2007, with a broad aim of “encouraging the improvement of the economic, social or environmental well-being of the authority’s area or part of its area, including civic and political activity”.
- 1.2 The Act was the result of a 5 year campaign led by a coalition of organisations under the banner of Local Works. The Sustainable Communities Bill was put forward as a Private Member’s Bill and had cross party support as well as widespread support across the country. The then Government intended the Act to support its efforts to engage and empower communities. The Act also aimed to increase transparency and accountability in identifying the public funds that went into an area by the publication of Local Spending Reports.
- 1.3 The Sustainable Communities Act aims to promote the sustainability of local communities. It begins from the principle that local people know best what needs to be done to promote the sustainability of their area, but that sometimes they need central government to act to enable them to do so.
- 1.4 The Act is intended to divert power and funding from central Government to councils and local people to help them manage community issues at a local level and change things for the better. It gives local residents the opportunity to advise and help the Council put forward proposals for action to the Government.
- 1.5 The Act reflects the well-being powers that local authorities were granted by the 2000 Local Government Act. The reason for making this link was to ensure that the Act supports the role of local authorities as community leaders and contributes to the broader agenda for partnership working at local level.
- 1.6 The well-being power is described as a ‘power of first resort’ rather than searching for a specific power in law in order to take action, councils can look to the well-being power first as long as:
 - (a) It does not involve raising money
 - (b) It is not explicitly prohibited
 - (c) The proposal is likely to promote or improve the well-being in the area
- 1.7 The Act offers councils and local residents the opportunity to address a wide range of issues including:
 - (a) Growth and marketing of organic food products and the local food economy
 - (b) Local jobs and services
 - (c) Sustainable energy supply, energy conservation and reduced carbon emissions
 - (d) Reduction in road traffic including better public transport provision and an increase in walking and cycling
 - (e) An increase in social inclusion, involvement in local democracy and other community projects
 - (f) A decrease in emissions of greenhouse gases

- (g) An increase in community health and well being
 - (h) Sustainable planning policies including affordable housing
- 1.8 Note the Council must “have regard to” those matters listed above 1.7 (a) – (h) as these are the matters which are set out in the Schedule to the Act.
- 1.9 Proposals may include a request for a transfer of functions from one body to another if the functions of some public bodies may be better performed by another. This may be a transfer from a national body to a local body, or it could be a transfer from one local body to another. If a local authority decides to request a transfer they may also request that the funding linked to that function is also transferred.

Local Spending Reports

- 1.10 Local Spending Reports are a requirement of the Sustainable Communities Act 2007, intended to give local people more influence over local spending priorities. The Sustainable Communities Act 2007 provides considerable flexibility about the arrangements for the production of reports (although the Secretary of State must consult those likely to be affected before making arrangements) and the scope and form the reports take.
- 1.11 Section 6 of the Sustainable Communities Act 2007 enables the Secretary of State to decide:
- (a) Whether the local spending reports are produced by government or others
 - (b) What expenditure is covered, in what area, by which organisations and over what period
 - (c) Organisations covered can be local authorities, government departments or those exercising public functions
 - (d) The geographical area must be one or more local authority areas, one or more parts of a local authority area or any combination of those; and
 - (e) A report may relate to different areas or periods for different authorities or include future periods
- 1.12 The Department for Communities and Local Government produced and published the first report in April 2009. This was made available as a downloadable spreadsheet with reports subsequently hosted on the Department’s Places Database.

Post legislation scrutiny

- 1.13 According to the Communities and Local Government Commons Departmental Select Committee (October 2012), the current Government considers that the Sustainable Communities Act 2007 achieves its purpose in enabling local communities to get involved in proposals to help improve the sustainability of their local communities.
- 1.14 During the first invitation, over 300 proposals were submitted by local authorities to the selector, and 199 proposals were short listed and submitted to the Secretary of State for consideration. The Secretary of State issued his decision on all these proposals in December 2010.
- 1.15 Although the first invitation enabled local authorities to submit proposals, the coalition Government decided that the process for submitting proposals under

the Sustainable Communities Act 2007 could be streamlined and improved. Hence, the Sustainable Communities Act (Amendment) Act 2010 was drafted to remove the deadline for submitting proposals, to allow local authorities to submit proposals direct to government rather than to a selector, and to enable local authorities to ask the selector to resubmit proposals to the Secretary of State where they were unhappy with the decision on their proposal.

- 1.16 Only a small number of Sustainable Communities Act proposals have been submitted to the Department since the second invitation for proposals was issued in December 2010. Government expects that the number of proposals will increase following the making of the 2012 regulations that will govern the process for managing proposals.

2. Key issues

- 2.1 There is no requirement to 'opt in' to the process in the Sustainable Communities Act. It is about local authorities making suggestions on what they want Government to do to help promote sustainable communities.
- 2.2 The Act provides a mechanism for councils. As such it is a power and not a duty. It may provide a solution for problems identified by communities which seemingly they are not able to tackle on their own or with support from the Council, because the Council does not have sufficient powers to resolve the matter.
- 2.3 The scope of the Act is fairly broad, but ideas for using the powers available under the Act should be about making change for the good of the community and dealing with blockages caused by the operation of national policy or legislation. Ideas need to be about things that the local council or other local bodies cannot do at present and for which Government action is needed. The Act could be used to do things like gain new powers, devolve existing powers and money from central control to local control, change planning rules and reduce centrally imposed duties. For example:
- (a) Promoting local investment, business and jobs
 - (b) Protecting parks and open spaces
 - (c) Promoting sustainable development
 - (d) Improving public transport
 - (e) Protecting local public services
 - (f) Improving working between partners and agencies
 - (g) Supporting groups e.g. vulnerable people, older people etc.
 - (h) Promoting local people having a voice in local decision making
- 2.4 The Act provides a process by which ideas generated by local communities are fed through their local authority and if supported are forwarded to the Government who will assess the proposals under three broad heading of:
- (a) Scope and coverage – number of people and geographic area affected
 - (b) What 'better outcomes' achieved – measures of economic, social and environmental benefits and how the idea contributes to civic and political activity
 - (c) Viability – scale of change needed, such as the scale of transfer of functions from one public body to another and levels of local support

- 2.5 Part of the process might involve the establishment of a community panel, designed to act as a resource for gathering local opinions and testing out local views about proposals to be submitted to the Government in line with the Act. This was originally a pre-requisite under the 2007 Act but has been removed as a requirement by the 2012 regulations. The involvement of community panels is however still seen as a beneficial way to engage communities.
- 2.6 Regulations for the Act made in June 2012 improved the process and made it more favourable for councils in the following ways:
- (a) Councils' proposals are submitted directly to the Government and there is no longer a short listing process
 - (b) Councils can submit proposals whenever they are ready as the process is now continuous
 - (c) There will be a time limit of six months on the Government to consult and determine the proposals
 - (d) Councils that choose to submit proposals may now decide how to consult and try to reach agreement with representatives of communities in their areas on what proposals to submit
- 2.7 Examples of proposals taken forward as a result of the Sustainable Communities Act are given in the **Appendix**. Full detailed consideration of all the first round proposals by the Secretary of State is given in a detailed report which is available on the DCLG website. That report is too long to consider as part of this briefing.
- 3. Options analysis and proposal**
- 3.1 The Act can be seen as enabling legislation. As such it should be kept in mind as the Committee (and indeed the Council in general) finds obstacles to the delivery of key priorities and projects.
- 4. Financial implications**
- 4.1 Not applicable.
- 5. Other considerations**
- 5.1 Not applicable.
- 6. Risks and how they will be mitigated**
- 6.1 Not applicable.
- 7. Timetable for implementation**
- 7.1 Not applicable.

Background papers:

None.

Appendices:

1 - Examples taken from the www.localworks.org website

Appendix - Examples of how the Sustainable Communities Act has been used previously.

These examples are taken from the www.localworks.org website.

Shops and local businesses

As a result of the Act, councils will now be able to offer discounts on business rates to help local shops and businesses. Eight councils put forward this proposal, which was agreed by government under the first round of the Act.

In addition, as a result of a proposal put forward by Kettering Council, government is banning the sale of alcohol below cost price. This should help local pubs, shops, newsagents and off-licenses who suffer from supermarkets selling alcohol below cost-price. It should also reduce crime and other social problems which affect communities from excessive alcohol consumption and reduce associated costs for the police and the NHS.

Post offices

Under the first round of the Act, proposals to help post offices which were agreed by government included a proposal by Sheffield City Council, which allowed the council to help plan and run the post office network in the city. This should help to sustain post offices and allow the council to offer services through post office branches. If successful, this scheme will then be offered to other councils around the country.

A proposal by Bristol City Council for Government to extend Business Rate Relief to provide the same relief to urban Post Offices as rural was also successful. This would reduce the business rates that post offices pay, helping them to continue operating.

Promoting green spaces

Under the first round of the Sustainable Communities Act, Chorley Borough Council put forward a proposal to protect gardens from being used for development - a practice dubbed "garden grabbing."

At the time, gardens were being used for development because planning policy included gardens under the definition of "previously developed land", treating it in the same way as other brownfield sites such as derelict land or former industrial sites. This meant that councils had difficulty turning down planning applications for developments in gardens and local communities were losing important green space.

This was a particular concern in Chorley, with the council saying that "a number of housing developments within areas that were previously gardens to a property have been granted planning permission in the Borough" and that "this proposal has come around mainly as a result of the significant public opposition in Chorley to housing developments being granted planning permission in former gardens...due to the impact this has on neighbouring properties and the pressure placed on the existing infrastructure and services in the area".

Chorley Council's proposal asked for government to remove gardens from the definition of "previously developed land", in Planning Policy Statement 3, which government agreed to do and have now carried out.

Promoting renewable energy

The Sustainable Communities Act has resulted in a number of measures being introduced to promote renewable energy. As a result of proposals put forward by Cambridge, South Hams and South Somerset councils, Government will allow communities that host renewable energy projects to keep the additional business rates they generate and will introduce permitted development rights for small domestic wind turbines and air source heat pumps, making it easier to set these up.

In addition, as a result of proposals put forward by Birmingham, Southampton and Lewes councils, Government has removed the restriction for local authorities from selling renewable electricity. This will open new sources of income including the full benefit of the feed in tariff which incentivises renewable electricity.

Helping local pubs

The Sustainable Communities Act has been used to help local pubs through proposals put forward by Darlington, Newcastle-upon-Tyne and Ryedale councils during the first round of the Act, asking for government to ban "restrictive covenants". These covenants are used by pub companies when they sell a pub, preventing it from operating as a pub in future. Pub companies do this when they have other pubs in the area and don't want competition. It is a very damaging practice and has led to hundreds of pubs being closed across the country. As a result of the proposal put forward by these three councils, government has launched a consultation into restrictive covenants, presenting four possible options for banning restrictive covenants. An announcement from government is expected soon.

In addition, as a result of a proposal put forward by Kettering Council, government is banning the sale of alcohol below cost price. This should help local pubs, who often suffer from supermarkets selling alcohol below cost-price. It should also reduce crime and other social problems which affect communities from excessive alcohol consumption and reduce associated costs for the police and the NHS (as mentioned above under Shops and local businesses).

Overview and Scrutiny Committee

26 March 2013



Title	Localism Act – Briefing		
Purpose	For Information		
Report of	Monitoring Officer	Confidential	No
Cabinet Member	Not applicable	Key Decision	No
Report Author	Michael Graham, Head of Corporate Governance Liz Phillis, Project Assurance Officer		
Summary and Key Issues	<p>Localism is a key part of the coalition government's ambitions to give local communities a greater say in the running of their own affairs. The Act is one of the main planks of the policy though it should be seen as part of a wider context of central government action to remove burdens, break down barriers and transfer powers. As such the Act contains a number of measures to support that overall policy but it is not central to the success of the policy as many other things to achieve greater localism are happening outside the confines of the Act.</p> <p>Nevertheless the legislation is a sizeable statute and can be seen as a landmark in terms of its ambitions to return greater decision making and power to communities.</p> <p>This report is to consider progress made on the implementation of the Act for the benefit of local residents in Spelthorne and:</p> <ol style="list-style-type: none"> 1) The further action the Council may need to take to prepare for the various ways that residents can utilise the Act 2) The further steps the Council should take to promote the Act with a view to increasing resident involvement in delivery of local services 		
Financial Implications	There are no financial implications arising from this report.		
Corporate Priority	This item is not in the list of Corporate Priorities		
Recommendations	Committee is asked to note the report.		

1. Background

- 1.1 This paper provides details of the measures set out in the Localism Act, which received Royal Assent on 15 November 2011, and their implications for the Council. Where there is possible action for the Council to consider further steps to involve residents then this has been highlighted. However some of the measures have no direct relevance to local residents or the powers of the Council and where this is the case then I have indicated that there is “No further action”.
- 1.2 Key measures covered in the paper include:
- The general power of competence
 - Reforms of the planning system
 - Changes to local government governance
 - Reform of the delivery of social housing
- 1.3 The following matters are dealt with by the Act with ten parts and numerous schedules – it is a considerable statute.
- (a) General power of competence
 - (b) Further delegation to local authorities
 - (c) Governance
 - (d) Predetermination rules
 - (e) New standards regime
 - (f) Pay transparency
 - (g) Repeals
 - (h) EU financial sanctions
 - (i) Non-domestic rates
 - (j) Community empowerment
 - (k) Council tax referendums
 - (l) Right to challenge
 - (m) Right to buy
 - (n) Planning – plans and strategies
 - (o) Community Infrastructure Levy
 - (p) Neighbourhood planning
 - (q) Pre application consultation required for certain developments
 - (r) Planning enforcement measures
 - (s) Nationally significant infrastructure projects
 - (t) Other Planning matters
 - (u) Reform of social housing
 - (v) Abolition of Home Information Packs
 - (w) Power for London (not covered in this note)

- (x) Compulsory purchase compensation (not covered in this note)

2. History of the legislation

- 2.1 On 25 May 2010, the Queen's Speech set out the legislative priorities for the new coalition government for 2010 and 2011. One of the bills included was the Decentralisation and Localism Bill, which promised to:
- (a) Devolve greater powers to councils and neighbourhoods
 - (b) Give local communities control over housing and planning decisions
- 2.2 On 13 December 2010, the government presented the renamed Localism Bill to Parliament.
- 2.3 On 15 November the Bill received Royal Assent and became the Localism Act 2011.

3. Local government – General power of competence

- 3.1 Section 1 of the Act will introduce a general power of competence for local authorities (including certain parish councils), which will provide them with the power to do anything an individual can, apart from that which is specifically prohibited. The government hopes that this power will lead to local authorities being more willing to innovate and deliver efficiency savings by taking steps such as:
- Setting up banks
 - Developing property
 - Owning assets
- 3.2 Local authorities will be able to exercise this power for a commercial purpose and charge for services provided under it, subject in both cases to certain restrictions.
- 3.3 The Government hopes that the introduction of the general power of competence will end confusion about the scope of the existing powers available to local authorities, for example, the power of wellbeing provided under the Local Government Act 2000 following the decision of the Court of Appeal in the Brent case about the ability to operate a mutual insurance company for London Boroughs.
- 3.4 On the issue of how wide the general power of competence stretches, during Committee stage, Andrew Stunell (Parliamentary Under –Secretary of State for Communities and Local Government), responded as follows to a suggestion that the power of general competence, like the well-being power when it was introduced, might not turn out to be as “fireproof” as ministers had thought:

“We believe that we have learned from experience of the power of well-being. Indeed, the then Government...proposed it in very good faith. They had high expectations and hopes, but it did not deliver. We have looked at what the problems were. We have picked up the idea of having a general power...and we are putting it right at the beginning of the Bill. We believe, and are advised, that we have produced a ‘fireproof’ Bill. That is our intention. If the courts have any qualifications about what we have put in clause 1, I hope that my words today can be prayed in aid to confirm that it is intended to do exactly what it says: To give every

council a general power of competence on behalf of the residents who elected it on behalf of the residents who elected it”

- 3.5 Conclusion – the Act provides scope for the Council to consider new services which may improve the wellbeing of the Community. The Council may wish to take advantage of this to consider new ways to respond to current priorities.

4. Further delegation to local authorities

- 4.1 The Act will allow the Secretary of State to transfer further powers (“local public functions”) to local authorities (“permitted authorities”) by order.
- 4.2 There is no further action to take here but note also the power of the Council to lobby government under the Sustainable Communities Act 2007 (the topic of another paper on the agenda tonight) in relation to the transfer of powers from central government to local government.
- 4.3 Should the Council take the view that public functions in Spelthorne can be changed for the improvement of well-being etc , then there is considerable latitude to influence such matters.

5. Governance

- 5.1 The Act introduces a new Part 1A to the Local Government Act 2000, reforming the law applying to local authority governance. Such reforms will include:
- (a) Allowing authorities to operate either by an executive (“Strong Leader” model) or a committee structure
 - (b) Providing for a new system of directly-elected Mayors.
- 5.2 A number of local authorities are considering a return to the Committee system as it is considered more inclusive and democratic for backbench councillors. One of our neighbouring councils in Kingston-upon-Thames has done this but there are other examples too. There is no further action required at present on this matter; it should be noted that there is a power to change but no requirement to do so.
- 5.3 Members may recall that Spelthorne has recently changed its governance system in recent years following the required process under the Local Government and Public Involvement in Health Act 2007. This introduced the “Strong Leader” model in shire districts from May 2011, so this is still relatively new for Spelthorne.
- #### **6. Predetermination rules**
- 6.1 The Act revised the predetermination rules for members, given that the rules on bias left many members uncertain about whether they had the right to speak and vote on the issues on which they campaigned and were elected.
- 6.2 The changes make it clear that councillors have a right to have a preliminary view and can freely discuss and publicise their view and voting intentions as they see fit. However, this is on the basis that councillors must be prepared to listen to all of the arguments and evidence before making their decision.
- 6.3 Section 25 is designed to mitigate the perceived harshness of the rule against predetermination in relation to those decision makers who are either directly elected to a local authority or who are co-opted members. It applies to views not just about the subject matter of the decision in question but to anything that a councillor has done which might show, directly or indirectly, what view

they would take, or might take, about any matter that is relevant to the decision.

- 6.4 This matter has been adequately covered in our own revised Planning Code where councillors are actively encouraged to get involved with local issues, and there is no need for any further action at this point.

7. New Standards regime

- 7.1 The Act abolished the Standards Board for England and the previous framework for Standards and replaced it with a requirement that authorities promote and maintain high standards of conduct by members.
- 7.2 Local authorities must adopt a code of conduct and will have to investigate allegations of any member failing to comply with it.
- 7.3 In Summary:
- (a) The “Standards Board regime” has been repealed.
 - (b) There is a new general duty to promote and maintain high standards of conduct by members and voting co-opted members.
 - (c) Each “relevant authority” must adopt a code which deals with the conduct expected of members and voting co-opted members when acting in that capacity. It must be consistent with a new set of general principles and the rest of the new legislation, but there will be no national model.
 - (d) The Code will need to include provisions about members’ interests but most of the content is for the authority to decide.
 - (e) Regulations will define “Disclosable Pecuniary Interests” of members and spouses/partners.
 - (f) The Monitoring Officer will keep and publish a register of these as before, but the details of the duty to notify are different and this register has to be online.
 - (g) Members will have to make an oral disclosure at meetings if their interest has not been registered. As before, sensitive information can be kept private if there is a risk of violence or intimidation.
 - (h) A member with a “Disclosable Pecuniary Interest” in a matter must not participate in any discussion of, or vote on, the matter at the meeting. Standing orders may require the member to leave the meeting. There is a similar rule for individual member decisions (where councils have these).
 - (i) It is a criminal offence to fail to notify the Monitoring Officer of an interest of this kind, or to participate in a meeting or take a decision, without reasonable excuse. It is also an offence knowingly or recklessly to provide false or misleading information. Only the DPP can authorise prosecutions, and there are time limits.
 - (j) The Council can, however, grant dispensations permitting participation. The grounds for so doing are much wider than before.
 - (k) Councils must have in place “arrangements” under which allegations of breach of the code can be investigated and decisions on allegations can be taken, with or without an investigation or a hearing. This could, but

need not, include some kind of standards committee. However, there are no sanctions apart from naming and shaming and possibly withdrawal of facilities in some cases.

- (l) Authorities must appoint an Independent Person. They must consult the Independent Person after investigation, and may consult the Independent Person on other complaints. A member about whom an allegation has been made can also consult the Independent Person.
- (m) The Independent Person cannot be, or have been in the last five years a member, co-opted member or officer of the Council.

7.4 All such arrangements have been put in place and are currently within the remit of the Members' Code of Conduct Committee. There is no further action required at this time.

8. Pay transparency

- 8.1 The Act introduces a requirement for councils to produce pay policy statements. The statements must set out the Council's policies towards a range of issues relating to the pay of its workforce, particularly its senior staff and its lowest paid employees.
- 8.2 Pay policy statements will have to be prepared for each financial year, beginning with 2012-13. They must be approved by Council.
- 8.3 On 17 November 2011, the DCLG published draft guidance on the pay policy requirements. The guidance sets out the key policy principles that underpin the pay accountability provisions.
- 8.4 The statement must set out the Council's policies for the financial year relating to:
 - (a) Remuneration of its Chief Officers
 - (b) Remuneration of its lowest paid employees
 - (c) The relationship between the remuneration of its Chief Officers and the remuneration of those employees who are not Chief Officers
- 8.5 The term "Chief Officer" in a local authority context is defined as:
 - (a) The Head of Paid Service (i.e. Chief Executive)
 - (b) The Monitoring Officer
 - (c) A statutory Chief Officer and non-statutory Chief Officer under section 2 of the Local Government and Housing Act 1989.
 - (d) A deputy Chief Officer mentioned in section 2 of that Act.
- 8.6 It is up to the Council to determine who its lowest paid employees are but they must give reasons as to why they have defined them as such.
- 8.7 The statement must include the Council's policies relating to:
 - (a) The level and elements of remuneration for each Chief Officer
 - (b) Remuneration of Chief Officers on recruitment
 - (c) Increases and additions to remuneration for each Chief Officer
 - (d) The use of performance related pay for Chief Officers
 - (e) The use of bonuses for Chief Officers

- (f) The approach to the payment of Chief Officers on their ceasing to hold office under or to be employed by the Council.
- (g) The publication of and access to information relating to remuneration of Chief Officers

8.8 The term remuneration is defined as follows:

- (a) The Chief Officer's salary
- (b) Any bonuses payable
- (c) Any charges, fees or allowances payable by the Council to the Chief Officer
- (d) Any benefits in kind to which the Chief Officer is entitled as a result of their office or employment
- (e) Any increase in or enhancement of the Chief Officers pension entitlement where the increase or enhancement is as a result of the resolution of the Council
- (f) Any amounts payable by the Council to the Chief Officer on the Chief Officer ceasing to hold office under or be employed by the Council other than amounts that may be payable by virtue of any enactment

8.9 The pay policy statement may also set out the Council's policies for the financial year relating to other terms and conditions applying to the Council's Chief Officers.

8.10 The statement must be approved by a resolution of Council before it comes into force and it can be amended by resolution after the financial year is underway but, if it is amended, it must be published.

8.11 The statement must always be published on the Council's website.

8.12 It is important to note that the first statement had to be approved on or before 31 March 2012 and the Council must then comply with their pay policy statements when making any determinations on pay.

8.13 These provisions have been implemented in Spelthorne, there is no further action required.

9. Repeals

9.1 The Act will repeal:

- (a) Chapter 1 (duty to promote democracy) and chapter 2 (local petitions) of the Local Democracy, Economic Development and Construction Act 2009. This means that we no longer have to operate a petition scheme or have electronic petitions.

Members will recall that this was discussed at your Committee last year and you agreed to review the electronic petition system after a further year. Little use has been made of it so far by residents. An item was published in the Bulletin last year and a further one will be published in the summer edition. This is in order to promote the system to residents. Members may wish to consider if further work needs to be undertaken to promote petitions.

- (b) Sections 71 to 75 of the Climate Change Act 2008. These provisions allowed for up to five pilot areas to be established in which local

authorities could levy additional charges for domestic waste collection as an incentive to recycle; and provided that the Secretary of State could roll out the power to all local authorities following the pilot of the scheme.

10. EU financial sanctions

- 10.1 The Act allows the Secretary of State to require local authorities to contribute to any EU financial sanction imposed under Article 260 of the Treaty on the Functioning of the European Union, when the acts of the authority have caused or contributed to the infraction of EU law for which the financial sanction is made.
- 10.2 Following criticism of the provisions, on 13 September 2011 at Lords Committee stage, the government made a number of amendments to the Bill in connection with EU fines, which have now been incorporated into the Act.
- 10.3 These include:
- (a) A duty on the Secretary of State to issue a policy statement setting out the conditions under which national fines can be reallocated to local authorities.
 - (b) A right to have the issue ruled on by an independent panel, if a local authority contests the fine.
- 10.4 There is nothing for Spelthorne to do in relation to this power.

11. Non domestic rates

- 11.1 The Act amends section 47 of the Local Government Finance Act 1988 to replace the limited circumstances in which local authorities can currently give discretionary relief from non-domestic rates with a power to grant relief in any circumstances provided that it would be reasonable to do so having regard to the interests of council tax in its area.
- 11.2 This matter is still under consideration in Spelthorne as we are waiting to see the financial impact of the changes to non-domestic rates.

12. Community empowerment

- 12.1 One of the key policy goals of the Act is to give communities more power to become involved in the way local services are delivered.
- 12.2 Key elements of the government's policy set out in the Act include:
- (a) Council tax referendums
 - (b) Right to challenge
 - (c) Right to buy

13. Council tax referendums

- 13.1 The Act will require authorities to obtain approval in a local referendum for any proposed increase in council tax in excess of a ceiling set by the Secretary of State. The Council has considered this in recent budget setting exercises.

14. Right to challenge

- 14.1 The Act will introduce a new community "right to challenge". This will allow the following groups to challenge a local authority by expressing an interest in running a service:

- (a) Voluntary and community groups
 - (b) Social enterprises
 - (c) Parish councils
 - (d) Local authority employees currently delivering a service
- 14.2 Such a challenge may trigger a procurement process, which would have to comply with any applicable public procurement requirements. The challenging organisation would then be able to bid to provide the relevant services.
- 14.3 Regulations provide details on:
- (a) The services that should be exempt from the right to challenge
 - (b) The definition of “relevant authority”
 - (c) The periods during which expressions of interest should be considered
 - (d) The information that should be included in an expression of interest
 - (e) The period during which a relevant body must reach a decision on an expression of interest
 - (f) The grounds on which a relevant authority may reject an expression of interest
 - (g) The period between an expression of interest being accepted by a relevant authority and the beginning of a procurement exercise
 - (h) Any support and guidance that may be required by relevant bodies.
- 14.4 At present there has been no expression of interest in changes to service provision in Spelthorne and Members may wish to discuss if there are any likely circumstances where this might be envisaged for the benefit of residents.
- 14.5 There has been no local publicity about these powers to my knowledge.

15. Right to buy

- 15.1 The Act will give communities a right to buy local assets. Councils will have to maintain a list of public and private assets of community value and consider whether any asset should be added to the list upon receiving a nomination of an asset. When the listed assets are up for disposal, communities will be given the chance to develop a bid and raises capital to buy the asset. Inclusion on the list will be a local land charge.
- 15.2 Regulations have now set out a number of elements of the detailed operation of the right. A report is in preparation to Cabinet in order to implement this provision in Spelthorne. As part of that report measures will be considered to bring the provisions to the attention of relevant groups.

16. Planning – Plans and Strategies

- 16.1 The main provisions in the Act relating to plans and strategies include:

17. The abolition of regional strategies

- 17.1 In May 2010, the government announced that in line with its coalition agreement Regional Spatial Strategies would be abolished and decisions on housing supply and planning would be returned to local planning authorities (LPAs).

17.2 Section 109 and Schedule 8 of the Act have now formally abolished regional strategies.

17.3 There is no action to take.

18. A duty to co-operate

18.1 LPAs are required to co-operate with each other in relation to sustainable development and the use of land for strategic infrastructure in:

- (a) The preparation of development plan documents
- (b) The preparation of other local development documents
- (c) Other activities that support the planning of development

18.2 Co-operation includes constructive and active encouragement. This duty is a key element of the government's proposals for strategic working once Regional Strategies are abolished.

18.3 The Act also includes provisions relating to:

Local development schemes

18.4 Under existing legislation, LPAs must prepare and maintain a local development scheme specifying the documents that will be local development documents, their subject matter, area and timetable for preparation and revision. This is now amended so that LPAs will have to publish up to date information direct to the public. The local development scheme will no longer have to be submitted to either the Secretary of State or the Mayor of London.

Adoption and withdrawal of development plan documents

18.5 The power of an inspector examining a local development document will be amended. An inspector's recommendations will no longer be binding on an LPA.

Monitoring reports

18.6 LPAs are required to report annually, under existing legislation, to the Secretary of State on the implementation of their local development schemes and local development policies. This is amended so that monitoring reports must be published at least annually. LPAs will no longer be required to send a report the Secretary of State.

Community Infrastructure Levy

18.7 The Community Infrastructure Levy (CIL) is a charge on new buildings above a certain size that councils may choose to set and is designed to help fund local and sub-regional infrastructure identified in the councils' development plans. CIL was introduced in the Planning Act 2008 and is paid primarily by owners or developers of land that is developed. CIL is based on a formula that relates the size and character of the development to the amount charged.

18.8 The Act introduces the following changes to CIL:

- (a) LPAs will have greater control over the setting of their charges. Independent examiners will still consider whether the charging schedule is unreasonable but it will be up to the LPA to decide how to make it reasonable.
- (b) The ability to make regulations requiring some of CIL to be passed to neighbourhoods where the development has taken place.

- (c) Clarification that CIL can be spent on the on-going costs of infrastructure as well as the initial costs of new infrastructure.

18.9 Work is under way with the County Council to implement CIL in Surrey and Spelthorne by April 2014. A viability study is taking place at present and will be followed by consultation.

Neighbourhood planning

18.10 The government believes that the current planning system is too centralised and bureaucratic. The Act introduces new rights for local communities to shape their local areas through:

- (a) Neighbourhood Development Orders
- (b) Neighbourhood Development Plans

Neighbourhood Development Orders

18.11 The Town and Country Planning Act 1990 (TCPA 1990) has been amended to enable Neighbourhood Development Orders (NDOs) to be made. An NDO is an order that grants planning permission in a particular neighbourhood area for development specified in that order. Specific planning permission will not be required from the LPA for development granted by the order.

18.12 Any qualifying body (a parish council or an organisation or body designated as a neighbourhood forum) can request an NDO from the LPA.

18.13 Part 1 of Schedule 9 to the Act sets out detailed provisions about NDOs.

18.14 Schedule 10 to the Act sets out, in detail, the process for making an NDO.

18.15 An LPA must make an NDO if more than half of those voting in a referendum vote in favour of the order, unless the LPA considers that it would be incompatible with any EU obligation or any right under the European Convention on Human Rights.

18.16 Development excluded from this procedure will be set out in section 611 of the Town and Country Planning Act 1990.

Community right to build orders

18.17 A Community Right to Build Order (CRBO) is a particular type of NDO. A CRBO will give community organisations the ability to take forward development in their area without the need to apply for planning permission, subject to certain qualifications.

18.18 A community organisation is a body corporate which:

- (a) Is established for the express purpose of furthering the social economic and environmental well-being of individuals living or wanting to live in a particular area.
- (b) Meets other prescribed conditions in relation to its establishment or constitution.

18.19 The community organisation will be responsible for identifying suitable land and sources of finance.

18.20 The government hopes that this will tackle the lack of development coming forward in rural areas.

Neighbourhood Development Plans

- 18.21 A Neighbourhood Development Plan is a plan which sets out policies in relation to the development and use of land in a particular neighbourhood. The plan will be made by LPAs on the initiative of parish councils or neighbourhood forums and will form part of the development plan.

Costs incurred by LPAs in relation to neighbourhood planning

- 18.22 Section 117 of the Act confers a power on the Secretary of State to make regulations for the imposition of charges in relation to development authorised by NDOs. This will enable LPAs to recover costs incurred in putting NDOs or Neighbourhood Development Plans in place.
- 18.23 All of these powers are in place in Spelthorne. It is arguable as to whether they have any direct relevance in our borough as pressure from residents is more often to cease or slow down the pace of development. The planning provisions in the Localism Act will be more relevant where communities wish to see development and wish to take a part in leading that development. Members may wish to consider the role that such powers might take in the Spelthorne community.
- 18.24 These issues have been raised at residents' groups by the Head of Planning and Housing Strategy. There appears to be no interest at this point in time.

Pre-application consultation required for certain development

- 18.25 The Act requires developers to consult local communities before submitting planning applications for certain developments.
- 18.26 The thresholds of development are specified in secondary legislation. The requirement will initially apply to major planning applications, for example, residential developments of more than 200 units and other developments that provide 10,000 square metres or more of new floor space. (There are few of these developments in Spelthorne at present).
- 18.27 This is intended to give local people an opportunity to comment on proposed development while they have a chance to influence proposals before they are finalised. Developers will be required to have regard to any responses received during the consultation when deciding whether to make any changes to the proposed development, before submitting their planning applications.
- 18.28 The government has requested views on what the requirements for pre-application consultation should be and has also published a basic guide on the subject.
- 18.29 This is a requirement on developers not the Council. It should be noted that the Council always encourages appropriate consultation when pre-application advice is given, irrespective of whether the limits mentioned above are engaged.

Planning enforcement measures

- 18.30 New enforcement measures in the Act include:
- (a) The power to decline retrospective planning applications
 - (b) Extending time limits on taking enforcement action against people who conceal unauthorised development
 - (c) New financial penalties

(d) Increased powers to deal with unauthorised advertisements

18.31 It should be noted that these are powers available to use as and when required on a case by case basis. They are taken into account by Planning Officers.

Power to decline retrospective planning applications

18.32 The Act enables LPAs to decline to determine a retrospective planning application that is subject to a planning enforcement notice.

18.33 This aims to remove the ability of applicants to delay the enforcement process by running retrospective planning applications and enforcement appeals simultaneously.

Concealment of unauthorised development

18.34 The difficulty for LPAs of enforcing against breaches of planning control where a developer has intentionally concealed the breach was underlined in recent high profile cases.

18.35 During the Parliamentary process the DCLG made it clear that “the Localism Bill will strengthen planning authorities’ powers to tackle abuses of the planning system such as making deliberately misleading planning applications.”

18.36 Section 124 allows LPAs to apply to a Magistrates’ Court for a Planning Enforcement Order (PEO) to enable enforcement action to be taken when the statutory time limits have expired and the breach of planning control has been concealed.

18.37 An application can be made at any time within the six month period following the date the LPA considers it has sufficient evidence to justify an application to the magistrates’ court.

18.38 A PEO can only be made if the Magistrates’ Court:

- (a) Is satisfied, on the balance of probabilities, that a person’s actions (including representations or inaction) have resulted in, or contributed to, the full or partial concealment of the apparent breach of planning control and,
- (b) Considers it just to make the PEO, having regard to all the circumstances.

Note – there is no definition of concealment in the Act

18.39 If a PEO is made, the LPA may take enforcement action, whether or not the statutory time limits have expired.

18.40 The Act does not only affect those people who deliberately exploit the rules. There is an argument that the test could be met where a breach of planning control simply goes unnoticed by an LPA. In these circumstances there could be a perpetual risk of enforcement action even where the concealment is not deliberate.

Financial penalties for planning-related offences increases

18.41 There are amendments to a number of planning-related offences that can be imposed by a magistrates’ court in England for planning offences including increasing the maximum penalty from £1,000 to £2,500.

Unauthorised advertisements

- 18.42 The government increased powers to tackle graffiti and fly posting.
- (a) LPAs will be able to remove any structure in their area used for the display of illegal advertisements.
 - (b) LPAs will be able to take action against persistent fly-posting on surfaces.
 - (c) LPAs will be able to take action against graffiti which is considered to be detrimental to the amenity of the area or offensive.
 - (d) The LPA must give 28 days' notice of its intention to serve a notice under these powers to owners of post boxes, bus shelters and other street furniture.
- 18.43 There is a right of appeal to a Magistrates' Court against the service of a notice under these powers.
- 18.44 The provisions to enter land and to do works to remove hoardings, fly-posters or graffiti so far as they apply to operational land of transport statutory undertakers (except airports) will be modified.

Nationally Significant Infrastructure Projects

- 18.45 The main changes to the Nationally Significant Infrastructure project (NSIP) regime involve:
- (a) The abolition of the Infrastructure Planning Commissions (IPC)
 - (b) The requirement for National Policy Statements (NPSs) to obtain Parliamentary approval.

Abolition of the IPC

- 18.46 In June 2010, the government announced that the IPC was to be abolished and replaced by a new Major Infrastructure Planning Unit which will form part of the Planning Inspectorate.
- 18.47 Section 128 provides for the abolition of the IPC, but the separate development consent regime for NSIPs will remain. The Secretary of State will use a panel or a single appointed person to consider an NSIP application but Ministers will make the final decision.
- 18.48 The Secretary of State has to make a decision within 3 months of an application examination.
- 18.49 There will be a limit of five people on a panel that determines an application for an NSIP.
- 18.50 Development Consent Orders will be able to include bylaw-making powers and certain types of offence.
- 18.51 The functions of the IPC are to be transferred to the Secretary of State.

19. Approval of NPSs by the House of Commons

- 19.1 Section 130 provides for the approval of NPSs by the House of Commons. NPSs can either be approved by a resolution of the House of Commons or by default if after 21 days following the date the NPS is laid before Parliament no resolution has been made stating that the NPS should not be proceeded with.
- 19.2 There are a number of other changes to the NSIP regime including:

- (a) Amalgamation of further consents – consents can be added to or removed from the Planning Act regime.
- (b) The Secretary of State can direct that development which falls outside the definition of an NSIP requires development consent.
- (c) Pre-application consultation with LPAs – alters the LPAs required to be consulted.
- (d) Statement of community consultation does not need to be published – this removes the requirement to publish the entire statement of community consultation in a local newspaper. Instead, the statement must be made available for inspection in a reasonably convenient way.
- (e) Claimants of compensation for effects of development – widens the information that can be required from landowners to include all those who might be able to make a claim for compensation.
- (f) Increased rights of entry onto land.
- (g) Interested persons- redefines neighbouring local authorities and allows the person or panel examining an application to add new landowners as interested parties if they are discovered subsequently.
- (h) Compulsory notice requirements. Section 142 amends the publicity requirements for development consent orders. A copy of the notice does not have to be served on all those whose land is to be acquired. Instead the notice must state where and when a copy of the order is available for inspection.

Other planning matters

19.3 The Act deals with other planning matters including:

Applications for planning permission: local finance considerations

19.4 Section 143 makes local finance considerations a material consideration when deciding applications for planning permission in England. Local financial considerations cover:

- (a) Grants or other financial assistance provided by government
- (b) Sums a relevant authority receives in payment of Community Infrastructure Levy.

19.5 The amendment has been criticised as deeply flawed. Critics of the amendment argue that its effect is that payments such as the New Homes Bonus (a government incentive that gives councils money for the new homes they build) will make the grant of planning permission more likely and that linking planning decisions to payments will taint the “decisions” that are made.

19.6 However, in response to these criticisms, the Department for Communities and Local Government stated that the amendment does not change the legal position on what can be taken into account in the determination of planning applications. Unacceptable development should not be given consent just to unlock incentive payments.

20. Housing

Reform of social housing

20.1 The Act introduces wide ranging reform of the delivery of social housing.

20.2 Key changes include:

- (a) Giving more power over allocation policies to local housing authorities so that they will have greater freedom about who should qualify to go on the waiting list for social housing in their area. Work on this is currently ongoing in Spelthorne.
- (b) Reforming the Housing Act 1996 relating to homelessness.
- (c) A requirement for local housing authorities to publish a tenancy strategy. This has been completed in Spelthorne.
- (d) Introducing a new type of “flexible” social housing tenancy that can have a fixed length (minimum two years). Local authorities will have the option to use this type of tenancy but there will be no requirement to do so. When the term of a flexible tenancy comes to an end, a court will be obliged to make an order for possession if satisfied that various conditions (including requirements for notice) have been met.

Note that A2D have changed their new tenancy offer for 3 –bedroomed houses limited to 5 years. They also have their own tenancy strategy on which the Council was consulted.

21. Abolition of Home Information Packs

- 21.1 Home Information Packs (HIPs) were suspended on 21 May 2010, but the Localism Act repeals Part 5 of the Housing Act 2004 to formally abolish them.

Background papers:

There are none.

Appendices:

There are none.

Spelthorne Borough Council - Forward Plan - 18/03/2013

	A	B	C	D	E	F	G	H	I	J	K
	Report title or issue	Officer	C/Member	Key	Exempt	MAT	Briefing	Cabinet	O&S	Audit	Council
1											
2	Pay settlement	JH	TE			12-Mar	18-Mar	26-Mar			
3	Rail opportunities for linking Staines-upon-Thames to Heathrow	HM	NG				18-Mar				
4	Grants review	LB	JP			12-Mar	18-Mar	26-Mar			
5	War Widows Pension and War Disablement Pension	SW	SW			12-Mar	18-Mar	26-Mar			
6	Housing Allocations Policy	DA	SW	Key		12-Mar	18-Mar	26-Mar			07-May
7	Paradigm Private Sector Leasing Initiative (temporary accommodation units)	JH	SW			26-Mar					
8	Presentation on Knowle Green Hub	TC	NG				15-Apr				
9	Project Management Dashboard	JB	RW			02-Apr	15-Apr				
10	Legionella and asbestos control and inspection regime	SM/JT/SM	TM			02-Apr					
11	Flytipping	JT	TM			02-Apr	15-Apr				
12	Laleham Park report	CM	TM			02-Apr	15-Apr	30-Apr			
13	Safeguarding Children policy	LS	PFF	Key		02-Apr	15-Apr	30-Apr			
14	Assets of Community Value	CM	NG			02-Apr	15-Apr	30-Apr			
15	Safeguarding Adults policy	NR	JP	Key		02-Apr	15-Apr	30-Apr			
16	Playing pitch strategy	LS	PFF	Key		02-Apr	15-Apr	30-Apr			
17	New leisure and culture Strategy	LS	PFF	Key		02-Apr	15-Apr	30-Apr			
18	Corporate Enforcement policy	JB	JP			02-Apr	15-Apr	30-Apr			
19	Housing Strategy review	HM	SW			02-Apr	15-Apr	30-Apr			
20	Commuted Sums Investment Strategy	JH	SW			02-Apr	15-Apr	30-Apr			
21	Annual turnover, recruitment and establishment changes	JH	TE			30-Apr					
22	Staines Market - appointment of Contractor	JT	NG			28-May	10-Jun	25-Jun			
23	Flytipping	JT	TM			28-May	10-Jun	25-Jun			
24	Youth Strategy	LS	PFF	Key		28-May	10-Jun	25-Jun			
25	Project Management Dashboard	JB	RW			18-Jun	01-Jul				
26	Corporate Enforcement Policy	LON	RW			29-Oct	11-Nov	26-Nov			
27	Project Management Dashboard	JB	RW			29-Oct	11-Nov				
28	Project Management Dashboard	JB	RW			17-Dec	13-Jan				

