

## **Minutes of Cabinet**

**27 September 2017**

### **Present:**

Councillor I.T.E. Harvey, Leader and Council Policy co-ordination  
Councillor A.C. Harman, Deputy Leader and Communications  
Councillor M.M. Attewell, Community Wellbeing  
Councillor C.B. Barnard, Planning and Economic Development  
Councillor M.P.C. Francis, Housing  
Councillor N.J. Gething, Environment and Compliance  
Councillor A.J. Mitchell, Corporate Management  
Councillor O. Rybinski, Customer Service, Estates and Transport  
Councillor H.R.D. Williams, Finance

### **2405 Minutes**

The minutes of the Cabinet meeting held on 19 July 2017 were agreed as a correct record.

### **2406 Disclosures of Interest**

There were none.

### **2407 Knowle Green and Centres cleaning contract (exemption from contract standing orders) - Key Decision**

Cabinet considered a report on the Knowle Green and Centres cleaning contract.

The report explained that the Council was running a tender process as the current extended cleaning contract was coming to an end. It was not considered realistic to continually extend the current contract on a yearly basis.

#### **Alternative options considered and rejected by the Cabinet:**

- Extend current contract for a further month or so
- No cleaning contractor in place until new one in place
- Bring in a contractor - short period of time/short notice

#### **Resolved to:**

1. Authorise the Group Head Regeneration and Growth to determine the cleaning contractor to be appointed (in consultation with the Cabinet Member for Planning and Economic Development and the Chief Finance Officer) and
2. Authorise the Head of Corporate Governance to enter into the legal documentation in order to appoint the new cleaning contractor

**Reasons for Decision:**

1. This is an opportunity to review the contract and ensure that the new contract meets the Council's needs and is sufficiently robust in its performance measures.
2. Delegation of the final decision to the Group Head Regeneration and Growth, Cabinet Member for Planning and Economic Development and the Chief Finance Officer will ensure a smooth transition to the new contract.

**2408 Housing Allocation Policy - Key Decision**

Cabinet considered a report on the Spelthorne Housing Allocation Policy.

The report explained that the existing Search Moves partnership legal agreement expired in July 2017. A new policy is proposed which provides a more flexible approach to the partnership, allowing partners the ability to be more reactive to local pressures.

**Alternative options considered and rejected by the Cabinet:**

- Retain the status quo
- Defer the proposed changes

**Resolved:**

1. To approve the updated Spelthorne Housing Allocation Policy;
2. That the Portfolio Holder in conjunction with the joint Group Heads for Community Wellbeing be given authority to approve amendments to the policy due to the forthcoming changes in legislation/case law and the changing needs of the community; and
3. To approve the Equality Analysis for the Policy.

**Reasons for Decision:**

1. The Search Moves partnership term has ended giving the opportunity to appraise the existing arrangement. A more flexible approach to the partnership has been agreed to allow partners the ability to be more reactive to local pressures.
2. To take account of the responses to the consultation exercise, the Equality Analysis and the proposed amendments to the Allocation Policy.

**2409 Capital Monitoring Q1**

Cabinet considered a report on capital expenditure covering the period April to July 2017.

**Resolved** that Cabinet notes the current level of capital spend.

**2410 Revenue Monitoring Q1**

Cabinet considered a report on revenue expenditure covering the period from April to the end of July 2017.

**Resolved** that Cabinet notes the current level of revenue spend.

**2411 Grounds maintenance vehicles (exemption from contract standing orders)**

Cabinet considered a report on the purchase of grounds maintenance machinery and vehicles.

The report explained that the Council had previously approved a capital sum for the purchase of grounds maintenance machinery and vehicles following the Council's decision to bring the service back in-house. A full evaluation of the returned tenders showed that a direct award to supplier A outside of the framework tender would be more financially viable, operationally more sustainable and provide a better quality of vehicle.

**Alternative options considered and rejected by the Cabinet:**

- Purchase vehicles through the framework.

**Resolved** to authorise the Group Head (Neighbourhood Services) to make a direct award to Supplier A outside of the framework tender.

**Reason for Decision:**

Direct award for the procurement of vehicles to supplier A is beneficial to the Council both financially and operationally.

**2412 Disabled Facilities Grant Policy**

Cabinet considered a report seeking approval for the adoption of a Disabled Facilities Grant Policy.

The Policy would ensure the quickest turnaround time for Disabled Facilities Grants applications in order to provide the best possible customer service and the best use of money.

**Resolved** to agree the new Disabled Facilities Grant Policy.

**Reason for Decision:**

Funding for Disabled Facilities Grants is from the Government and is now part of the Better Care Fund. In order to fully utilise all the allocated budget, Local Authorities are required to have a documented policy stating how the allocation will be spent.

**2413 Leader's announcements**

The following are the latest service updates from various Council departments:

Shepperton has been named as the most courteous town in the UK by officials from the National Campaign for Courtesy which scours the country for towns which demonstrate good manners, respect for others and rejection of anti-social behaviour. The award will be presented to Cllr Sider at a ceremony in October.

Sunbury Walled Garden and Sunbury Park have been awarded Green Flag status. This international award, now into its third decade, recognises public spaces which are beautifully maintained, have excellent visitor facilities and demonstrate the highest environmental standards.

The Council's Licensing Team took part in a joint exercise with the Gambling Commission on 14 August, visiting betting shops and gaming machine arcades to check compliance and offer advice.

A new Taxi and Private Hire Licensing Policy with a Surrey-wide convictions policy was adopted in August following consultation.

The Council secured the conviction of a man who dumped rubbish and illegally traded waste and scrap metal. Guildford Magistrates Court heard that Stanwell resident Ashley Brooks had been responsible for the build-up of fly-tipped rubbish and a dumped flatbed lorry near Ashdale Close in Stanwell. Brooks pleaded not guilty to all offences including the breach of a Community Protection Notice at an initial hearing. He then pleaded guilty at the short trial hearing in relation to the scrap metal and waste offences and was found guilty of breaching the Community Protection Notice after maintaining a not guilty plea. He was ordered to pay £10,373 in compensation and costs.

Sia Singh, age 7 and from Riverbridge Primary School, was the winner of a recent art competition which invited local school children to draw pictures using the theme 'why it is important to recycle'. Sia received a WH Smith voucher, book and certificate.

In August the Council announced the purchase of a commercial property in Stockley Park (Uxbridge) which is occupied by two tenants. This was followed in September with the purchase of two other office developments - 'World Business Centre 4' at Heathrow from the Arora Group for £47.25m and Benwell House in Sunbury for £9m, which will be converted into housing.

Improvements have been made to Edinburgh Drive in Staines-upon-Thames as part of a £200K project to upgrade four local shopping areas in Spelthorne. The enhancements which cost £13K and include re-laid paving stones and fresh paintwork for the concrete columns outside the shops were jointly funded by Spelthorne Council and Surrey County Council as part of a wider project to improve secondary shopping areas in the Borough.

The Mayor of Spelthorne is holding a special event to commemorate the 1917 Battle of Passchendaele. 'Spelthorne Remembers Passchendaele' is being held at 7pm on Wednesday 18 October at the Riverside Arts Festival in Sunbury-on-Thames with historian Nick Pollard and local actor Carole Boyd telling the stories of the local men and women affected by the infamous battle and the impact the war had on life in Spelthorne. Tickets cost £12.50 and all proceeds go to the Mayor's charity fund.

The Council has secured the conviction of a man who accepted cash donations without a charity collection consent and sold trinkets without a

street trader's consent. Staines Magistrates Court heard that Licensing officers observed Hounslow resident Saleem Syed approaching members of the public on three occasions. When challenged, Syed produced a Pedlar's Certificate issued by his local police force under laws dating back to 1871. These certificates do not permit charity collections or street trading and are only intended for people to trade while they travel on foot. The Magistrate found that he was not acting within its terms and Syed was ordered to pay £1,615 in compensation and costs.

This year's Junior Citizen took place at Walton Fire Station from 11 – 26 September. Over 1000 year 6 pupils attended the event which teaches children about staying safe and being good citizens. Topics covered included fire safety, first aid, online security, stranger danger and contacting the emergency services.

Spelthorne Borough Council will be holding its second annual Living Well Week from 25 September – 1 October. Designed for the over 50s, this seven-day event promotes the activities and services available to help older people improve their health. As part of the event, the Community Centres are giving away goody bags and offering new visitors the chance to try a free activity.

The Council showed an excellent team effort when called upon to help out with a terrorism related incident in Sunbury-on-Thames on 16 September. A number of staff were deployed to the scene to assist the Police and support residents who had been asked to leave their homes. A jointly branded leaflet (from Surrey Police, Metropolitan Police and Spelthorne Council) has been delivered to residents who were affected by the cordon to thank them for their patience and co-operation.

#### **2414 Urgent items**

There were none.

#### **2415 Exempt Business**

**Resolved** to move the exclusion of the Press and Public for the following item in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006.

#### **2416 Exempt Report - Benwell House Construction Budget Approval - Key Decision**

***Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)***

Cabinet considered an exempt report on the approval of the construction budget for Benwell House.

**Alternative options considered and rejected by the Cabinet:**

- Formally withhold approval

**Resolved to:**

1. Approve the construction and refurbishment budget for the creation of a target of 69 new flats at Benwell House;
2. Authorise the Group Head of Regeneration and Growth to oversee the implementation of the budget;
3. Authorise the Chief Financial Officer to decide (i) the most financially advantageous funding arrangements for the capital expenditure, (ii) the most tax efficient method of holding the completed asset and overall to ensure the acquisition is prudentially affordable;
4. Authorise the Head of Corporate Governance to enter into any legal documentation necessary to implement the refurbishment and construction project; and
5. Agree to exempt Contract Standing Orders in respect of advisors where appropriate.

**Reason for Decision:**

Conversion of existing offices on site to residential under prior development approval process, with a further planning application for more development in the grounds and surplus car park will provide much needed residential accommodation in Sunbury.

**2417 Exempt Report - Acquisition of Property F - Key Decision  
Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)**

Cabinet considered an exempt report on an opportunity to acquire an asset which due to its location would be of strategic value to the Council in the short/medium term and provide an income stream for the next 12 months assisting in the future long term financial stability of the Council.

**Alternative options considered and rejected by the Cabinet:**

- Not to submit a bid for the asset.

**Resolved to:**

1. Approve the acquisition of the investment asset (Property F) identified in the report;
2. Formally agree the offer submitted, and authorise the Chief Executive to undertake any necessary subsequent negotiations (including further bids if required) and complete the acquisition of the asset (in consultation with the Chief Finance Officer, the Leader and the Cabinet Member for Finance);
3. Authorise the Chief Finance Officer to decide (i) the most financially advantageous funding arrangements for the purchases, (ii) the most tax efficient methods of holding the assets, and overall to ensure the acquisitions are prudentially affordable; and

4. Authorise the Head of Corporate Governance to enter into any legal documentation necessary to acquire the assets.

**Reason for decision:**

The Council is focusing its energies on prudent commercial acquisitions as the most effective way of achieving ongoing, sustainable revenue streams and capital appreciation in order to be fully self-financing by 2020. This will enable the Council to continue to deliver the services that it currently provides to its residents.

**2418 Exempt Report - Acquisition of Property G - Key Decision  
Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)**

Cabinet considered an exempt report on an opportunity to acquire an asset which due to its location would be of strategic value to the Council by providing the option of a longer term redevelopment on the site.

**Alternative options considered and rejected by the Cabinet:**

- Not to submit a bid for the asset.

**Resolved to:**

1. Approve the acquisition of the investment asset (Property G) identified in the report;
2. Formally agree the offer submitted, and authorise the Chief Executive to undertake any necessary subsequent negotiations (including further bids if required) and complete the acquisition of the asset (in consultation with the Chief Finance Officer, the Leader and the Cabinet Member for Finance);
3. Authorise the Chief Finance Officer to decide (i) the most financially advantageous funding arrangements for the purchases, (ii) the most tax efficient methods of holding the assets, and overall to ensure the acquisitions are prudentially affordable; and
4. Authorise the Head of Corporate Governance to enter into any legal documentation necessary to acquire the assets.

**Reason for decision:**

The Council is focusing its energies on prudent commercial acquisitions as the most effective way of achieving ongoing, sustainable revenue streams and capital appreciation in order to be fully self-financing by 2020. This will enable the Council to continue to deliver the services that it currently provides to its residents.

**NOTES:-**

- (1) ***Members of the Overview and Scrutiny Committee are reminded that under Overview and Scrutiny Procedure Rule 16, 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 five 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 five 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 10 October 2017.***