



*Please reply to:*

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Date: 3 May 2017

## Notice of meeting

### Cabinet

**Date:** Thursday, 11 May 2017

**Time:** 7.00 pm

**Place:** Goddard Room, Council Offices, Knowle Green, Staines-upon-Thames

<b>The members of the Cabinet</b>	<b>Cabinet member areas of responsibility</b>
I.T.E. Harvey (Leader)	Leader and Council Policy co-ordination
A.C. Harman (Deputy Leader)	Deputy Leader and Towards a Sustainable Future programme (TaSF)
M.M. Attewell	Community Wellbeing
C.B. Barnard	Planning and Economic Development
N.J. Gething	Environment and Compliance
A.J. Mitchell	Corporate Management
J.M. Pinkerton OBE	Housing
H.R.D. Williams	Finance and Customer Service

**Spelthorne Borough Council, Council Offices, Knowle Green**

**Staines-upon-Thames TW18 1XB**

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## AGENDA

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- 1. Apologies for absence**  
To receive any apologies for non-attendance.
- 2. Minutes** **5 - 18**  
To confirm the minutes of the meeting held on 22 March 2017, and the extraordinary meetings held on 5 April 2017 and 27 April 2017 (to follow) as a correct record.
- 3. Disclosures of Interest**  
To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.
- 4. Recommendation of the Audit Committee** **19 - 32**  
**Councillor Williams**  
  
To consider the recommendation of the Audit Committee on the Corporate Risk Register.
- 5. Recommendation of the Members' Code of Conduct Committee** **33 - 34**  
**Councillor Harvey**  
  
To consider the recommendation of the Members' Code of Conduct Committee on proposed changes to the Petition Scheme and recommend these to Council for approval.
- 6. Government Consultation on Draft Airports National Policy Statement** **35 - 42**  
**Councillor Barnard**  
  
To consider the Council's response to the Government Consultation on the Draft Airports National Policy Statement and the UK Airspace Policy document on the proposed formation of an Independent Commission on Civil Aviation Noise.
- 7. Leader's announcements**  
To receive any announcements from the Leader.
- 8. Urgent items**  
To consider any items which the Chairman considers as urgent.

**9. Exempt Business**

To move the exclusion of the Press/Public for the following items, 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.

**10. Exempt Report - Single Allocation Policy and Search Moves Partnership agreement - Key Decision 43 - 56**

**Councillor Pinkerton**

To consider a report on Spelthorne's Housing Allocations Policy and the Search Moves partnership agreement.

**Reason for exemption**

This report contains exempt information within the meaning of paragraph 3 of Schedule 12A of 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): Information relating to the financial or business affairs of any particular person (including the authority holding that information) **and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because disclosure of the amount involved would be likely to give an advantage to a person entering into or seeking to enter into a contract with the authority and disclosure to the public of the terms would prejudice the authority in those or any other negotiations concerning property, goods or services.**

**11. Exempt Report - Update to Large-Scale Voluntary Transfer agreement - Key Decision 57 - 60**

**Councillor Pinkerton**

To consider a report on the Large-Scale Voluntary Transfer agreement.

**Reason for exemption**

This report contains exempt information within the meaning of paragraph 3 of Schedule 12A of 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): Information relating to the financial or business affairs of any particular person (including the authority holding that information) **and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because disclosure of the amount involved would be likely to give an advantage to a person entering into or seeking to enter into a contract with the authority and disclosure to the public of the terms would prejudice the authority in those or any other negotiations concerning property, goods or**

services.

12. **Exempt Report - Knowle Green Estates Ltd**

61 - 196

**Councillor Harvey**

To consider a report on the relationship between the Council and Knowle Green Estates Ltd.

**Reason for exemption**

This report contains exempt information within the meaning of paragraph 3 of Schedule 12A of 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): Information relating to the financial or business affairs of any particular person (including the authority holding that information) **and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because disclosure to the public of the terms would prejudice the authority in those or any other negotiations concerning property, goods or services.**

**Minutes of Cabinet**

**22 March 2017**

**Present:**

Councillor A.C. Harman, Deputy Leader and Towards a Sustainable Future programme (in the chair)  
Councillor M.M. Attewell, Community Wellbeing  
Councillor A.J. Mitchell, Corporate Management  
Councillor H.R.D. Williams, Finance and Customer Service

**Apologies:**

Councillor I.T.E. Harvey, Leader and Council Policy co-ordination  
Councillor C.B. Barnard, Planning and Economic Development  
Councillor N.J. Gething, Environment and Compliance  
Councillor J.M. Pinkerton OBE, Housing

**Councillors in attendance:**

Councillor D. Saliagopoulos  
Councillor J.R. Sexton  
Councillor M.P.C. Francis

**2348 Minute's silence**

The Chairman invited all those present to join him in a minute's silence as a mark of respect for the families affected by the terrorist attack in London earlier that day.

**2349 Minutes**

The minutes of the Cabinet meeting held on 22 February 2017 were agreed as a correct record.

**2350 Disclosures of Interest**

There were none.

**2351 Children and Adults Safeguarding Policy - Key Decision**

Cabinet considered a report on Spelthorne's Safeguarding Children and Adults Policy and Procedure for 2017-2018.

The report explained that a robust Safeguarding Policy and procedure was required to ensure that Spelthorne Borough Council complied with its statutory duty under section 11 of the Children's Act 2004 and under the Care Act 2014.

**Resolved to:**

1. approve the Safeguarding Children and Adults Policy and Procedure 2017-2018;
2. delegate authority to the portfolio holder to approve any minor amendments to the policy such as procedure changes and telephone numbers.

**Reason for decision**

It is statutory requirement for the Council to have a Safeguarding Policy.

**2352 Spelthorne Pay Award 2017-2018**

Cabinet considered a report on the Spelthorne Pay Award for 2017-2018.

The report proposed an additional pay award of 1% to all scale points with effect from 1 April 2017, over and above to the National Pay Award, to help attract and retain staff. This proposal follows a pay review which took into consideration pay review data from other Councils within Surrey.

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

- To not approve the additional Spelthorne Pay Award.

**Resolved to recommend that Council approves** an additional pay award of 1% is awarded to all scale points with effect from 1 April 2017.

**Reason for decision**

The pay award over and above the National Pay Award is made to help attract and retain staff and is comparative to other pay awards in the County.

**2353 Fixed Penalty Notices for Fly-Tipping**

Cabinet considered a report on the Issuing of Fixed Penalty Notices for Fly Tipping Offences. Fly-tipping was a significant problem to local communities, a drain on council resources and undermined legitimate waste businesses. The number of fly tipping incidents in Spelthorne has increased in recent years.

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

- Setting the Penalty Charge at a different level;
- Reduction for early payment.

**Resolved to:**

1. set the Penalty Charge for Unauthorised Deposit of Waste (Fixed Penalty Notices) at £400 (four hundred pounds) with no early payment discount.
2. delegate authority to the Group Head of Neighbourhood Services to issue fixed penalty notices under section 33(1)(a) of the Environmental

Protection Act 1990, to persons whom the officer has reason to believe have committed a small scale fly tipping offence.

**Reason for decision**

The implementation of a Fixed Penalty Charge of £400 for the Unauthorised Deposit of Waste (fly-tip) will contribute to the Council's commitment to a stronger approach to Enforcement.

**2354 The Food Hygiene Service Plan 2017-2018 and the Health and Safety Service Plan 2017-2018**

Cabinet considered a report on the proposed Food and Health and Safety service plans for 2017-18.

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

- Amend the proposed service plans;
- Non-adoption of the proposed service plans.

**Resolved** to adopt the proposed food and health and safety service plans for 2017-18.

**Reason for decision**

Local Authorities are required to produce and adopt annual service plans for their food safety and health and safety enforcement services.

**2355 Appointment of Independent Remuneration Panel**

Cabinet considered a report on the appointment of a new Independent Remuneration Panel.

Councillor D. Saliagopoulos spoke on the item as Leader of the Ukip party.

1.1 **Resolved to recommend that Council approves** the appointment of Sir Ivan Lawrence, Colin Squire and George McLaughlin to the Independent Remuneration Panel.

**Reason for decision**

The Council is required to establish and maintain an Independent Remuneration Panel consisting of at least three members, none of whom is formally connected with the Council.

**2356 Amendment to Representation on Outside Bodies 2016-2017**

Cabinet considered a report proposing changes to the representation on certain outside bodies where that appointment was relevant to the portfolio,

following the resignation of Councillor Saliagopoulos and Councillor Sexton from the Conservative Group in February 2017.

It was proposed that the following councillors be appointed as representatives on each of these bodies:

1. On-Street Parking Partnership - Cllr Barratt will replace Cllr Sexton
2. The Traffic Penalty Tribunal – Cllr Capes will replace Cllr Saliagopoulos

**Resolved** to agree the following changes of representation on outside bodies:

1. On-Street Parking Partnership - Cllr Barratt will replace Cllr Sexton
2. The Traffic Penalty Tribunal – Cllr Capes will replace Cllr Saliagopoulos

### **2357 Leader's announcements**

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

The Council has prosecuted a man who ran an illegal waste management company and dumped unsightly rubbish in Spelthorne and neighbouring boroughs. Guildford Crown Court heard that on various dates during 2015 Ryan Smith of Staines-upon-Thames removed waste for payment from residential properties but avoided disposal costs by fly-tipping the rubbish in Staines, Stanwell, Chertsey and Twickenham. Smith pleaded guilty to nine offences. He was sentenced to 10 months imprisonment, suspended for 2 years and was ordered to carry out 200 hours of unpaid community service. He was also ordered to pay £3,900 in compensation and £3,900 in costs.

Dozens of people attended a special event on 6 March aimed at keeping older people safe and secure. The event, hosted at the Greeno Centre and organised by the Community Safety team, included presentations on rogue traders, computer safety and a talk by a pharmacist.

Team Spelthorne is looking for young people aged 7-16 to participate in the annual Specsavers Surrey Youth Games, the largest annual youth festival. Fifteen sports are on offer this year including hockey, cricket, judo, football, lacrosse, table tennis and boccia. In the lead up to the competition weekend there are free weekly coaching sessions which start in April. Participants will then be selected from the coaching sessions to represent Team Spelthorne at the Games on Saturday 17 and Sunday 18 June at Surrey Sports Park in Guildford.

Sixty people attended the first 'Xplorer' orienteering event on 15 February. Using a simple map, families explored Orchard Meadow, the Walled Garden and Sunbury Park to find a number of markers located around the route. The next events are being held on 6 April in Ashford and 12 April in Sunbury-on-Thames.



The spring edition of the Bulletin is being delivered from 18 March and includes articles about changes to recycling collections, Kempton Park and the Spelthorne Rent Assure scheme.

The Homesafe initiative which is a joint scheme between Spelthorne, Elmbridge and Runnymede Councils aimed at helping vulnerable clients to be discharged from hospital, has just received funding from Surrey County Council for a further 150 referrals. The Homesafe package includes an emergency keysafe to enable Independent Living staff and district nurses to access the person's home, a welfare telephone call, provision of meals on wheels and an emergency personal alarm. Spelthorne has had the highest number of referrals to date, receiving 23 over a six month period during 2016. Spelthorne staff have participated in joint training of hospital staff and others and in the provision of information boards which are displayed at St Peter's hospital and the Woking Bedser hub centre.

Cllr Chris Frazer has announced that he is standing down from his position as ward councillor for Ashford East. A by-election will be held in the Ashford East ward alongside the Surrey County Council Elections on Thursday 4 May. More details on the candidates will be available on the Council's website in due course.

A new outdoor gym has been installed at Hengrove Park in Ashford.

Cllr Ian Harvey has responded to Surrey County Council's announcement that the planned fire station in Ashford will not be staffed by two full-time crews. He expressed his disappointment at the news and urged Surrey County Council to reconsider its decision as a matter of urgency.

The bi-annual Spelthorne Youth Awards event was held at Shepperton Studios on Wednesday 13 March. The achievements and talents of 33 young local people were recognised with certificates and ten 'star award' winners also received a trophy and £50 in cash.

Cllr Griffiths has used £400 of her Better Neighbourhood Grant towards the Community Lunch Scheme at St Saviour's Church in Sunbury which offers a free meal and brings local people together. The money will help the Church purchase extra crockery, disposables and cooking equipment to allow the group to every meet weekly rather than bi-weekly.

**2358 Urgent items**

There were none.

**2359 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.

**2360 Exempt Report - Development in the Borough (Churchill Hall) - Key Decision**

Cabinet considered a report on the redevelopment of Churchill Hall.

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

- Redevelopment for residential (private rented);
- Refurbishment for residential purposes;
- Re-let for community use.

**Resolved to:**

1. agree the demolition of the existing building and redevelopment of the site for residential development;
2. agree the proposed capital provision of £0.7m for the redevelopment of the site (including contingencies) over the period March 2017 – 2019;
3. give delegated authority to the Group Head of Regeneration and Growth (in consultation with the Leader as Cabinet Member for Strategic Assets) to agree the actual spend of the budget and to deal with any minor variations (with the agreement of the Deputy Chief Executive responsible for Finance as required);
4. give delegated authority to the Group Head of Regeneration and Growth (in consultation with the Leader as Cabinet Member for Strategic Assets) to agree any subsequent minor amendments to the proposals as a result of results of surveys, advice from the Local Planning Authority or other responses.

**Reason for decision**

This is a cross cutting development which will help the Council deliver on three of its key priorities:

1. Housing (developing an existing site for housing);
2. Financial sustainability (use existing assets to obtain ongoing, sustainable revenue streams and capital appreciation);
3. Economic Development (using assets to stimulate the local economy).

**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 31 March 2017.***

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## **Minutes of Extraordinary Cabinet**

**5 April 2017**

### **Present:**

Councillor I.T.E. Harvey, Leader and Council Policy co-ordination  
Councillor A.C. Harman, Deputy Leader and Towards a Sustainable Future programme (TaSF)  
Councillor C.B. Barnard, Planning and Economic Development  
Councillor N.J. Gething, Environment and Compliance  
Councillor H.R.D. Williams, Finance and Customer Service

### **Apologies:**

Councillor M.M. Attewell, Community Wellbeing  
Councillor A.J. Mitchell, Corporate Management  
Councillor J.M. Pinkerton OBE, Housing

### **Councillors in attendance:**

Councillor I.J. Beardsmore  
Councillor M.P.C. Francis

### **2361 Disclosures of Interest**

There were none.

### **2362 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.

### **2363 Acquisition of a site - Key Decision**

Cabinet considered an exempt report on an opportunity to acquire an asset capable of generating strong levels of income, and thereby increase the Council's asset base.

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 identified in the exempt report;

2. formally agree the offer submitted, and authorise the Chief Executive to undertake any necessary subsequent negotiations (including a further bid if required) and complete the acquisition of the asset or its holding company (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 purchase, (ii) the most tax efficient method of holding the 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 acquire the asset or its holding company; and
5. agree to exempt Contract Standing Orders in respect of our advisors.

### **Reason for decision**

The asset will bring in a steady income stream for the term of the lease, which will assist in the future long term financial stability of the Council.

### **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 12 April 2017.***

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## **Minutes of Extraordinary Cabinet**

**27 April 2017**

### **Present:**

Councillor I.T.E. Harvey, Leader and Council Policy co-ordination  
Councillor A.C. Harman, Deputy Leader and Towards a Sustainable Future programme (TaSF)  
Councillor M.M. Attewell, Community Wellbeing  
Councillor C.B. Barnard, Planning and Economic Development  
Councillor N.J. Gething, Environment and Compliance  
Councillor A.J. Mitchell, Corporate Management  
Councillor J.M. Pinkerton OBE, Housing  
Councillor H.R.D. Williams, Finance and Customer Service

### **2364 Disclosures of Interest**

There were none.

### **2365 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.

### **2366 Exempt Report - Property acquisition B - Key Decision**

Cabinet considered an exempt report on an opportunity to acquire an asset capable of generating strong levels of income, and thereby increase the Council's asset base.

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 identified in this report
2. Formally agree the offer submitted, and authorise the Chief Executive to undertake any necessary subsequent negotiations (including a further bid 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 purchase, (ii) the most tax efficient method of holding the 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 acquire the asset
5. Agree to exempt Contract Standing Orders in respect of our advisors

**Reason for Decision**

Acquisition of the asset will bring in a steady income stream for the term of the lease. The income stream will assist in the future long term financial stability of the Council.

**RECOMMENDATION FROM THE AUDIT COMMITTEE  
CORPORATE RISK MANAGEMENT**

**Cabinet: 11 May 2017**

**Report of the Audit Committee**

- 1.1 The Council's Risk Management Policy/Strategy was approved by the Executive in 2002.
- 1.2 The Audit Committee is responsible for considering the effectiveness of the authority's risk management arrangements, and receives regular reports on risk issues.
- 1.3 The Audit Committee reviewed the revised Corporate Risk Register (attached) at its meeting on 23 March 2017 and noted and accepted the contents. The revised register is considered to be an accurate reflection of the high level risks affecting the Authority, as well as the progress made on actions previously proposed, based on our assessment of risk and controls in operation.

**Audit Committee Recommendation**

The Audit Committee recommends to the Cabinet:

That the Corporate Risk Register, as submitted, be approved.

**Contact: Punita Talwar, Internal Audit Manager**  
**Cabinet member: Councillor Howard Williams**

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**SPELTHORNE BOROUGH COUNCIL - CORPORATE RISK REGISTER**  
**2015/16 QUARTER 1**

## APPENDIX 1

## CORPORATE RISK REGISTER

This register summarises the Councils most significant risk. It sets out controls in place and identifies any further action needed to mitigate risks. Actions are assigned to appropriate officers with target dates for implementation.

Layout of register updated January 2017  
Content reviewed March 2017 by the Internal Audit Manager

Level of risk: Likelihood vs. Impact on a scale of 1 (lowest) to 4 (highest)

PREVIOUS RAG (SEP)	CURRENT RAG (MAR)	RISK / CONSEQUENCES	LIKELIHOOD OF RISK	IMPACT OF RISK	LEVEL OF RISK (to evaluate)	CONTROLS	OUTSTANDING ACTIONS	RISK OWNERSHIP	TARGET DATE	PROGRESS /REASONS WHERE NOT IMPLEMENTED
		1. Health and Safety failing resulting in death or serious injury to staff /public and legal action against the Council	2	4	4	Policies and SHE (Safety Health and Environment) system .The Health and Safety, Insurance and Risk Administrator manages the SHE Database, overseen by the Health and Safety, Insurance and Risk Manager. Managers have a legal requirement to conduct regular risk assessments. Induction training. Annual reminders have recently been introduced to encourage all employees to complete/update health and safety risk assessments (DSE, Homeworking, and Service). The SHE system is being used to ensure that automatic reminders are set for completion and renewal of risk assessments. The Health and Safety Policy for Spelthorne Borough Council has been updated and circulated to Group Heads and Managers.	<i>1i. Annual checklist and instructions for Managers being prepared.</i> <i>1ii. Recommendations raised in a recent Internal Audit review of January 2017 are being considered. There is scope to tighten up controls relating to training and the 2017 Management activity/compliance programme . (NEW)</i>	MAT/ All Group Heads HSIRM*	30 May 2017 *R Requires Monitoring	1i. Annual health and Safety checklist for Managers has been prepared and communicated at a Manager's Briefing in December 2016. 1ii A recent internal Audit review identified scope to strengthen further some processes relating to the 2017 Management compliance programme.
		2. Uncertainty surrounding the financial /economic/other consequences of contaminated land. Legal action against the Council.	2	4	4	Legal duty to inspect land and prioritise action. Documented records of all site investigations and assessments held. A separate risk assessment is held which is reviewed regularly. Reports periodically issued to Management Team and Cabinet.	<i>2.The Contaminated Land Strategy to be finalised and approved by Cabinet (June 2017).</i>	DCX (LO)/SEHM*	30 June 2017 *R Requires Monitoring	Contaminated land risk assessment was reviewed in November 2016, with the next review due November 2018, or sooner if need be. During 2015-2016 Spelthorne participated in the recent Inquest, assisting the Coroner by providing a comprehensive study on the historic land use of the area in question and by commissioning independent experts in the field of contaminated land. The contaminated land strategy has been prepared and is currently being peer reviewed.
		3. Disaster- major in borough, e.g. flooding, resulting in significant strain on council services	2	4	4	Corporate Emergency Plan updated January 2016. Multi-agency flood plan completed December 2015. Function being delivered via the Mutual Applied Resilience Service. Membership of Local Resilience Forum (LRF). Regular testing of Emergency Assistance Centre plan. Borough Emergency Centre Plans.Improvements made to the Business Emergency Centre (BEC) by ICT. Incident management training and exercising.The two DCX's have attended Multi-Agency Gold Command Courses. Emergency Response requirements remain the responsibility of the authority. Contract agreement in place with Applied Resilience, with increased resilience and support for Emergency Planning.	<i>3. Monitoring the agreement with Applied Resilience should incorporate specific targets and expected outcomes in order to measure actual performance.</i> <i>Monitoring needs to be meaningful and clearly evidenced.</i>	CX (RT)/ GH C & T*	30 April 2017 (R*). Requires Monitoring	Audit Services have held discussions with Group Head for Commissioning and Transformation regarding the importance of monitoring the agreement with Applied Resilience.

**SPELTHORNE BOROUGH COUNCIL - CORPORATE RISK REGISTER**  
**2015/16 QUARTER 1**

PREVIOUS RAG (SEP)	CURRENT RAG (MAR)	RISK / CONSEQUENCES	LIKELIHOOD OF RISK	IMPACT OF RISK	LEVEL OF RISK (to evaluate)	CONTROLS	OUTSTANDING ACTIONS	RISK OWNERSHIP	TARGET DATE	PROGRESS / REASONS WHERE NOT IMPLEMENTED
		4. Failure to manage corporate and service performance / failure to meet Council objectives and targets (Performance Management)	2	3	3	The Corporate Plan sets out targets for the authority which should be monitored by Members and Management Team. Service performance should be monitored by Management Team. Individual performance should be monitored through the appraisal process. Flagship project performance is reported to Management Team and Members. Performance Management Working Group has been established to improve monitoring arrangements. Revised Corporate Plan approved and publicised.	<i>i. Revised Corporate Plan and priorities . The impact on ongoing projects, resources and Service Planning will need to be assessed.</i> <i>ii. An internal audit review conducted in October 2016 identified scope for improvement including re-establishing annual performance reviews of Service Plans, ensuring a clear Service Plan guideline and timetable is communicated, scheduling performance indicator returns into the Cabinet forward plan, scope to make some existing performance indicator's more meaningful and improved monitoring of the staff appraisal process. Findings have been discussed with the relevant Group Head and it is acknowledged that a number of positive steps have been taken since the audit review in October. This includes issue of a timetable and revised templates for the Service Planning and Annual Performance review process in February 2017 as well as quarterly reporting on performance indicators. (NEW)</i>	MAT / DCX LO/GH C & T	30 April 2017 * Requires Monitoring	See also risk category 5.
		5. Failure to align service objectives to corporate aims and priorities / Failure to deliver services effectively due to poor service planning	2	3	3	The Corporate Planning process should set out a clear vision for the authority and specific targets. Some services have statutory responsibilities. Individual Service Plans should be derived from the Council's Corporate Plan and statutory/other responsibilities. Plans incorporate resources, risks, workforce, significant projects and performance indicators.	<i>5. Service Plans are currently being prepared for 2016/17, taking into account the latest Corporate Plan and priorities. They will be made available on Spelnet, enabling other services to assess the likely impact. See new actions at risk category 4.</i>	Group Heads/ MAT / DCX LO/GH C & T	30 April 2017 *R Requires Monitoring	See also risk category 4. Service Plans for 2016/17 are being prepared and some completed. A Service Planning timetable has been provided to Group Heads in February 2017.
Page 22		6. Failure of projects due to poor project management arrangements. Lack of resource and expertise to deliver and coordinate asset related/other projects whilst continuing to maintain services.	2	3	3	1. Project management arrangements are in place including process for project initiation, consideration of resources available to deliver, identification of project risks and progress reporting processes. Corporate Project Register updated as necessary. Corporate Project team is in place. The Council's Management Team ensures project documentation is completed, resource implications assessed and agreed control processes adhered to. On a quarterly basis a report goes to MAT, Cabinet Briefing and Overview and Scrutiny committee outlining progress made with projects and the work of the corporate project team.	<i>6.1 i. Development of a Contract and Procurement Hub by December. (NEW)</i> <i>6.1 ii. Prepare an action plan for the implementation of the Hub. (NEW)</i>	MAT /GH C & T*	31 December 2017 *O Requires Monitoring	A plan is held for the development and implementation of a Contract and Procurement hub, setting out the Council's strategic approach to Procurement.
							<i>6.1 iii. Management team to consider limited capacity and revenue implications prior to approving additional / new projects.</i> <i>6.1 iv. The Projects Assurance Officer to promote the importance of following correct procurement processes in delivering projects.</i>	MAT	Ongoing monitoring	Approx. 35 projects are currently being tracked through the Project Office and TaSF programme. Resourcing of projects remains an ongoing challenge. The Project Assurance Officer will be focussing on procurement in the projects process during the coming months.
						2. Staines upon Thames - The Group Head for Regeneration and Growth oversees Staines upon Thames regeneration with support from consultants. 5 work streams have been fully defined and documented.	<i>6.2. A number of options are being considered for the Bridge Street site.</i>	GH R & G *	31 May 2017 *O Requires monitoring	Developer Bellway pulled out of acquiring the Bridge Street site in 2016. The Council is therefore considering options.

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						3. Towards a Sustainable Future - The programme for this challenging initiative identifies roles, responsibilities, key deadlines, financial implications and risks. There are three work streams/mini programmes falling under the overall TaSF programme. MAT have assigned resources to the main areas of the TaSF programme, and projects are underway. The TaSF Programme Support Officer coordinates all three main work streams under the TaSF programme, reporting to the Group Head for Commissioning and Transformation who currently oversees the direction of the programme. TaSF structural review completed with the Group Head appointments from April 2016 and Deputies from July 2016. Review completed of document retention and electronic data management systems (see section 7).	6.3. High level overview of the three work streams has been identified to ensure cohesion and coordination.	MAT	31 May 2017 * R Requires monitoring	Close monitoring of TaSF projects and timeframes is ongoing to manage risks and overall impact of the delays on the programme as a whole. Some TaSF projects have been completed whilst other areas are outstanding.
		7a. Security / data breaches, resulting in system failure, Information Commissioner fines and reputational damage.	2	4	3	Back up and continuity arrangements managed by ICT and tested by Service Heads. ICT security policies. Personal Commitment statement required from staff. ICT security group assess ongoing risks. ICT Disaster Recovery test conducted in December 2016. Information Governance Group. Head of Corporate Governance is currently the Senior Information Risk Owner (SIRO) but see action. Removal of the Microsoft Outlook 'Auto-Complete' feature recommended.	7i. Information Governance Group to pursue action plan to ensure information assets are identified and managed. 7ii. In view of the organisational restructure, confirmation of where the authority's Senior Information Risk Owner role (SIRO) should sit and identification of training requirements requires pursuing. 7iii. Refresher training for Data Protection to be rolled out which should take into account the implications of the new Data Protection Act due to take effect from May 2018 (whereby regulators can impose a significant increase in fines up to £20m or 4% of global revenue turnover).	GH C & T */IGO *	31 May 2017* R Requires Monitoring	Information Governance Officer has been appointed to provide ongoing guidance and ensure compliance with statutory obligations. The Information Governance Group are due to reconvene to address outstanding actions.
		7b. See above.				Document Retention Policy held.	7iii. Electronic document management systems (EDMS) project is due to be completed by December 2017, which is intended to help strengthen information security. (NEW) 7iv. The Document Retention Policy is being revisited in relation to back scanning of Building Control and Disabled Facilities Grants. (NEW)	GH C & T */IGO* MAT	30 June 2017 R* Requires Monitoring	The authority has decided on its approach to document management and implemented the first phase. EDMS is progressing. The Idox document management system has been implemented for Environmental Health, Planning and Building Control with training delivered. Some clarification required for Building Control. Analysis work underway to identify requirements to expand Civica Contact Manager additional modules to accommodate other service areas (HR, Housing, Leisure). For internal Documents the plan is to upgrade and rebrand Sharepoint, although sufficient resourcing is required to progress this.

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		8. Failure to meet the minimum security requirements of the Government Code of Connection resulting in termination of connection to any other government sites/data, uncertainty over direction of ICT within the authority. Unavailability of ICT systems and/or unauthorised removal and selling of data/ fraud as a result of inadequate measures to combat cyber security attacks or respond effectively. Lack of staff awareness about emerging security threats.	2	3	3	A review group assesses compliance with the Government Code of Connection (CoCo). Firewall installed, laptops encrypted, memory sticks banned until they are 'white-listed' as known devices on the network, and universal serial bus (USB) ports locked down. Dual factor authentication on all laptops. All Baseline Personnel Security Standard checks completed. Annual health check and security penetration test completed.CoCo re-accreditation achieved in January 2016. The Cabinet Office has increased security requirements due to the implementation of the Public Service Network (PSN). Successful certification of Public Service Network (PSN) compliance gained on 16 January 2016 which is valid until 15 January 2017. Mimecast e-mail filtering software installed June 2016 to help reduce infected and problematic e-mails entering the Council's network. DR plan for ICT developed alongside Applied Resilience. National Cyber Security Strategy.	8. <i>i. Production, approval and implementation of an ICT Strategy consistent with the core objectives of the Council, ensuring effective and efficient use of resources and service delivery.</i> <i>8ii. Government Code of Connection (Coco) resubmitted for 2017 and awaiting decision.</i> <i>8iii. Certification of the Public Sector Network (PSN) compliance (renewal) is currently outstanding.</i> <i>8iv. Internal Audit review scheduled for 2017 of measures being taken to protect the authority from Cyber Security threats and adequacy of the authority's response to any such attacks. (NEW)</i>	Head of ICT *	30 April 2017 R * Requires monitoring	8i. The Head of ICT has prepared a formal strategy, to be passed to MAT for consideration and approval. The strategy has identified a requirement for a Business Analyst post, currently being recruited to enhance resource. 8ii. 2017 CoCo was submitted on 1 Feb 2017, currently awaiting outcome. Incidence Response internal audit review recently conducted.
		9. Lack of business continuity planning to cover loss of building, equipment, ICT or staff - leading to loss or disruption to services	2	3	3	Business Continuity (BC) Policy updated .The BC Forum oversees progress of BC planning. Business Impact Assessments identify priority services, resources required for their continuation and time frame. Emergency protocols for loss of building access/loss of power/loss of ICT are being developed. Emergency messaging system for staff. Improvements made to telephony resilience. Contract agreement in place with Applied Resilience , with increased resilience and support for Business Continuity Planning. Updated staff contacts list.	9i. <i>Monitoring the agreement with Applied Resilience (by Spelthorne) should incorporate specific targets and expected outcomes in order to measure actual performance.</i> <i>Monitoring needs to be meaningful and clearly evidenced.</i> <i>9ii. Corporate Business Continuity Operational Plan is being updated.</i> <i>9iii. Applied Resilience to issue a final deadline regarding the outstanding service-level continuity plans.</i>	GH C & T*	30 April 2017 (R*) Requires Monitoring	i. Audit Services have held discussions with Group Head for Commissioning and Transformation regarding the importance of monitoring the agreement with Applied Resilience. ii. Issues arising from the corporate table top exercise of September 2016 have been fed into the Corporate Business Continuity Operational Plan. This plan now forms two plans so it is more meaningful for the key responders (Incident Management Team and recovery team). iii. Applied Resilience have collated updated Service-Level Plans (SLP) and are pursuing outstanding plans (at least six) . Group Heads have commented positively on guidance offered by the Resilience Advisor in this process.
		10. Failure in service delivery due to over reliance on individuals; loss of technical systems knowledge,staff uncertainty due to changes	3	3	3	Group Heads/MAT are responsible for ensuring business continuity, including loss of key staff. Critical procedures should be documented and staff appropriately trained. Group Heads should review as part of the service planning process. Resilience may be provided from other local authorities or other organisations. Wellbeing and Resilience Training provided in 2015.	10i. <i>MAT have reviewed structures as part of the budget saving exercise, and consideration is being given to resilience and succession planning arrangements.</i> <i>10ii. Human Resources to arrange staff development and training plans for the Group Heads and Deputy Group Heads.</i> <i>10iii. Human Resources to commission bespoke training as well as utilise existing management development courses on offer.</i> <i>10iv. Deputy Chief Executives to provide corporate steer for progressing Management development training based on needs identified. (NEW)</i> <i>10v. Ongoing management of change within Finance and Customer Relations and interim pastoral support will be required until the new Group Head for Finance and Customer Relations is in post.</i>	Group Heads/ MAT/HRM/DC X (TC)/DCX (LO)	31 May 2017 (R*) Requires Monitoring	Human Resources are reviewing development needs for recently appointed Group Heads and Deputies. Human Resources met with the Deputy Chief Executives to discuss corporate requirements for generic management development training, with a view to addressing issues around succession planning and resilience. Human Resources subsequently met with Group Heads and Managers on a 1-1 basis and produced a paper in December 2016 for consideration by the Deputy CX'S. A number of imminent departures planned within Finance and Customer Relations, resulting in a significant loss of experience, expertise and knowledge. In particular there will be a significant loss of ICT systems knowledge. Whilst resilience arrangements have been considered and are being implemented , there is likely to be reduced capacity levels in the short term which may impact on staff morale /potential stress. Significant investment has been built into the approved 2017-18 Budget to address resourcing, retention and morale issues these include moving back to a local pay award likely to mean an additional 1% for staff, building in £200k for market supplements, additional resourcing for key delivery areas of Legal and Asset Management.



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		11. Failure in service delivery due to reduced capacity and increasing demands from the community; prolonged staff vacancies due to inability to recruit; posts advertised as temporary may be adversely impacting on the Council's ability to recruit. Increased risk of delay, errors or stress.	3	4	4	Short term reductions in capacity are accommodated by prioritisation and reallocating work amongst staff. Longer term impacts and changes to demand may be more difficult to address. Service review may be required to help match resources to the level of work. Resources need to be diverted to implementing new systems or introduce new ways of working. If resources cannot be enhanced, services will have to prioritise work to resources available. Staff have access to counselling via Occupational Health. Posts advertised with Surrey Jobs which also feeds into a wider network of job sites. Specialist websites and publications are also used as necessary to advertise posts. Human Resources have highlighted posts where recruitment has been challenging. Recruitment and Retention Policies requested from other authorities. Annual report by Human Resources issued to Management Team summarising staff recruitment and turnover.	11i. Members and Management Team will need to keep resourcing levels under review, particularly the impact of new projects and any statutory obligations on service/project delivery. 11ii. The former Head of Human Resources has been commissioned to carry out specific research on recruitment and retention practices elsewhere and produce a report for Spelthorne to consider, with a view to sharing best practice. 11iii. Implementation of requirements relating to the national apprenticeship scheme. (NEW) 11iv. Human Resources to monitor the effectiveness of proposed changes to recruitment and retention processes, in collaboration with Services. (NEW)	Group Heads/ MAT/HRM	31 May 2017 * R Requires monitoring	11i. The commissioned piece of work on areas under specific pressure has been completed with MAT consideration of options. Market supplements will be awarded to certain roles. Some Group Heads have issued reports to MAT setting out specific difficulties experienced in their areas around recruitment and retention and suggested options going forward. 11iii. Once details of the national apprenticeship scheme are finalised Human Resources will feedback to Group Heads and MAT on the exact requirements. Elements of the commissioned work will also feed into traineeships and 'growing our own talent'. Currently, managers are expected to consider if a post can be converted into an apprenticeship. At least one Group Head is looking at apprenticeships within their service area for succession planning.
Page 25		12. Low morale as a result of increasing service demand, lack of staff & finance, organisational restructure. Increased turnover, high staff stress levels, risk of losing expertise and impact on services.	2	3	3	Employment arrangements in place include recruitment and selection, pay and rewards, training and development. Change Management process, communications, performance management systems, appraisals, one to one's, team meetings, performance clinics, staff meetings. Stress audit conducted in Housing. The Human Resources Manager advises MAT as appropriate. Planned TaSF Senior management restructure taken place in 2016.	12i. Management Team to keep under review.	MAT	Completed/Ongoing monitoring	MAT maintaining under review. There is an ongoing risk of low morale and increased turnover during times of organisational change and uncertainty which MAT acknowledge.
		13. Failure to comply with the Council's corporate governance requirements and standards resulting in poor value for money, Costly legal challenges and reputational damage.	3	3	3	Corporate Plan setting out clear purpose, vision and outcomes. Constitution setting out clearly defined roles/rules for Members/Officers. Code of Corporate Governance and Codes of Conduct to promote high standards of conduct and behaviour. Informed and transparent decision making processes open to scrutiny. Member and staff training programmes. Accountability through published accounts and community engagement. Induction programme delivered for new councillors during 2015 including briefing on roles and responsibilities, financial position, delivering services and current key issues.	13. The Council's Code of Corporate Governance is due for review.	MAT or Head of CG	31 May 2017 R* Outstanding Action	The review of the code of Corporate Governance remains outstanding.

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		14a. Procurement - Weak governance arrangements and lack of transparency in procurement decisions. Financial penalties for non-compliance with legislative requirements. Contractual disputes and claims through poor specifications. Weak contract management resulting in Contractors/partners failing to deliver expected outcomes. Reputational damage and costly challenge by other companies. Financial loss/poor vfm as a result of poor contract management. Reliance on Legal for support on tendering processes/appointment of Contractors.	3	3	3	Contract Standing Orders set out tendering requirements, revised in April 2016. Contract guidelines with compliance checklist. Officer Code of Conduct sets out requirement for declaration of interests.  Contract management training held in 2012 and 2013. Specification writing training taken place. Procurement training provided in October 2014. Development of the e-procurement system continues and further contracts continue to be sourced with this solution which offers significant time savings and efficiencies for staff in Legal. Development of Contract and Procurement hub.	14i. Full compliance with the Local Government Transparency Code is required and should be confirmed once achieved. (REVISED) 14ii. To ensure there is an ongoing reference for officers involved in procurement activity, Procurement and Contract Management guidelines need to be updated and publicised to reflect regulatory changes of 2015. Responsibility for this task needs to be re-assigned in light of the organisational changes. (REVISED). 14iii. The Procurement strategy has been updated recently, to include a strategy action plan to facilitate monitoring. (NEW) 14iv. The Procurement Board is being amalgamated with other Boards to improve efficiencies. (NEW) 14v. Development of a Contract and Procurement Hub by December 2017 and preparation of an action plan to assist implementation. (NEW) 14vi. Implement a programme of training for contract managers where the principles of Contract Standing Orders and Contract Check List form the core element of the learning. 14vii. MAT will monitor the appointment of consultants and contractors for the Council's projects including Town Centre, Knowle Green and other initiatives to ensure full compliance with governance requirements.	MAT DCX (TC)/ PS/Group Head C & T*	30 June 2017 *R Requires Monitoring	During a recent Procurement audit (January 2017) the following key issues were ascertained: - The Council is only partly compliant with the Local Government Transparency Code requirements. - Procurement guidelines available do not reflect significant regulatory changes of 2015 (UK Public Contract Regs) and therefore staff may be applying out of date regulations. It is acknowledged that verbal updates have been communicated to MAT and Senior Managers. -The Procurement Board have not met frequently since 2015, due to the organisational restructure and uncertainty over assigned roles, responsibilities and direction of Boards - A plan is held for the development and implementation of a Contract and Procurement hub, setting out the Council's strategic approach to Procurement. -Testing of contract files found that there was not always a clear audit trail of actions to evidence whether the correct procurement process had been followed. Similarly evidence of performance monitoring of contract was either insubstantial or not held. . - 14vii. MAT are monitoring. Knowle Green Estates set up.
		14b. Major Contracts - Lack of forward planning in preparation for the expiry of existing Leisure Centre arrangements in 2021, resulting in delays in Service provision. Delays in delivery of project and key milestones.	3	3	3	Leisure centre Contract ends 2021. A paper entitled "Leisure Centre Needs Analysis" was submitted to MAT in July 2014. This recommended the need for a feasibility study to refine options going forward. A lead time of seven years was quoted. Member involvement in considering alternative options. Project Manager is Deputy Group Head for Community Wellbeing.	14bi. Regarding post 2021 Leisure Centre provision, urgent action to be taken to set up a dedicated project team and redefine project objectives, roles, responsibilities and timetables. Project progress to be monitored against plan to ensure timely progress. 14bii. This project should be included in the Corporate Project Register to facilitate regular monitoring and reporting by the Corporate Project team. (NEW)	Joint Group Heads CW/Deputy Group Head CW *	31 May 2017 *R Requires Monitoring	High level concept plans have been produced by Wilmot Dixon based on the initial feedback provided by SBC. A high level discussion document was presented to Cabinet in October 2016 and a project team has subsequently been formed to support the future direction of this project. A specification is being drawn up for appointing specialist consultancy and advice primarily around the development of a feasibility study and a sound business case to take the project forward. Liaised with other local authorities who have recently completed similar construction projects. As this project is not recorded on the Corporate Projects Register, it is unlikely to be included in project monitoring exercises or high level reporting carried out every quarter by the Corporate Project team. Project slippages may not be identified in a timely way. This is partly because the authority has just come to a stage where it has a full understanding of its requirements from the project.

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		15. Pressures on Housing Service as a result of economic climate and welfare reforms including changes in government policy to restrict housing benefit. Introduction of Universal Credit may lead to staff retention issues. Loss of Housing Benefit subsidy and uncertainty over recovery of outstanding debt. London Boroughs increased use of Spelthorne properties. Local Housing Allowance limited. A2D rents unaffordable. Insufficient affordable properties being built. Housing shortage leading to an inability to house vulnerable applicants. Benefit Cap effected many families.	3	3	3	Group Heads/ MAT/Members are aware of risks. Working groups established to deal with changes. The authority faces some challenges in managing the loss of £500k per annum in subsidy (recovery of Housing Benefit overpayments) and the roll out of Universal Credit is now projected for 2022. Therefore the loss of subsidy will be spread over a longer period of time as completion of Universal Credit roll out slips. Accountancy have factored into outline budget projections. There is currently £2.7m of outstanding Housing Benefit overpayment debt in the Council's accounts. This is being recovered, albeit repayments are often small due to Housing Benefit regulations. Cabinet has received updates on Welfare Reforms. This includes a suggested approach to the use of discretionary housing payments. Strategic Housing Group. Officers and A2D have been working with families affected by the benefit cap. The Department for Work and Pensions (DWP) have advised further on the number of cases that have been affected by the new benefit cap rules and this is 161 claims, less than the previous prediction of 215 claims ( up to 500 was originally anticipated).Housing Company being set up. Close working with private landlords. New Landlord Guarantee scheme.	15. i. The Corporate Debt Group to discuss legal support for recovery of Housing Benefit overpayments, bearing in mind the need for the authority to secure value for money. 15.ii. The Housing Benefits Manager to provide information supporting overpayment statistics issued to the Corporate Debt Group. 15.iii. A model for the strategic way forward in delivering the Housing function has been drafted and is to be discussed/agreed.	MAT / Joint Group Heads CW *	31 May 2017 * R Requires Monitoring	As there have been no Corporate Debt Group meetings held since the summer of 2016, actions at 15.i and 15.ii remain outstanding. 15.iii There is a continual increase (although has eased off slightly in the last few months) of households in bed and breakfast (with the added issue of overspend on the bed and breakfast budget) and the lack of resources to discharge duty. A number of options are now being pursued and MAT and Cabinet are supportive of this approach. New Landlord guarantee scheme went live in September with a number of Landlords having signed up. Projects commenced to ensure strategies are followed. A model for the strategic way forward has been drafted.  Knowle Green Estates (subsidiary) set up in May 2016 focusing on Housing Delivery.
		16. Poor partnership governance arrangements	3	3	3	MAT set strategic direction for Partnerships. Partnership governance policy out of date (August 2009). Insurance arrangements in place.	16i. A responsible officer to review, update and re-issue the Partnership Governance policy. 16ii. A list of significant Partnerships entered into should be identified and recorded centrally. 16iii. Completion of questionnaires to make an assessment of Partnership governance arrangements. 16iv. Members of Overview and Scrutiny Committee to scrutinise Partnership activity if required.	MAT	31 May 2017 *R	Internal Audit review of August 2016 identified limited attention has been given to Partnership Governance since 2011 and therefore some actions are required to revitalise the necessary governance arrangements and associated controls. MAT agreed a set of responses to the Audit report with the Group Head for C & T.
		17. Uncertainty over economic growth and supplier failure, impacting on: • Delivery of contracts and services • Business Rate income. SBC now bears a significant share of any losses on collection. Economic Development Strategy fails to be implemented and expected outcomes/anticipated benefits are not achieved. Leadership and management decision making may be impaired if performance indicators reflecting the levels of economic development activity in Spelthorne are not regularly monitored/reviewed.	2	3	3	Financial Services monitor the financial media in relation to larger companies and critical commercial partners. Recovery and inspection of business properties is being strengthened to maximise collection/minimise losses for the Council. Spelthorne are a member of the Surrey Business Rates pool for 2015-16 enabling enhanced monitoring and data sharing with the other four participating councils. Business Rates Subgroup formed with agreed terms of reference focusing on Group Training, specialist advice, cross boundary prosecutions and legal advice.On 15 February 2017 the DCLG published a second consultation on further business rates retention, alongside a summary of responses to the first consultation last year.	17i. Impact of new Business Rate arrangements on Council finances is under ongoing review. 17ii. Business Rates project being pursued.	DCX (TC)/Group Head - F & CR *	31 May 2017 * R Requires monitoring	A service level project has been initiated to focus on 3 areas of business rates: Increase tax base Reduce Business Rate avoidance Increase admin grant  Business Rates Avoidance Officer post approved and currently being recruited. This role is intended to assist in maximising the tax base and target potential areas of avoidance. Business Rates Inspector role now permanent. Use Analyse Local software as information source .

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						Economic Development Strategy is reviewed every three years. Communication of the vision, proposed actions and measures of success is taking place. Regular reporting to the Cabinet Member with responsibility for Economic Development to advise on progress with action plans and delivery of the strategy. LGA funded adviser produced 3 reports on Key Account Management, Inward Investment and Visitor Numbers, with a number of recommendations having resourcing implications. This was considered as part of the budget process and a growth bid to the value of £100.9k has been approved. Welcome packs for new businesses as well as property agents have been developed and circulated. A CRM is being developed to track Spelthorne's top 20 businesses with regards to key account management. Approval has been received from SCC with regards to 4 improvement projects at shopping parades, with SCC funding £100k and SBC match funding, totalling £200k. An advisor was appointed in November 2015 to support inward investment and Key Account Management.	17iii. Economic development is a Council priority and growth will impact on business rate income - this is under ongoing review. 17iv. The updated 3 year economic assessment & development strategy for 2017-2022 and associated processes incorporate recommendations raised by Internal Audit in their review of December 2016. One such recommendation made is that progress on each of the 'actions' in the strategy needs to be regularly monitored by the Economic Development Engagement Group (EDEG) bi-annually. (NEW) 17v. Through the EDEG 5 areas have been identified as the most important areas of delivery within the strategy and will be reported on every 6 months to the group to strengthen performance monitoring. (NEW)	DCX (TC)*/GH R & G'/CS & EDO*	30 June 2017* Requires monitoring	The 3 year economic assessment & development strategy has been updated to cover the period 2017 - 2022, approved by Cabinet in February 2017. It incorporates recommendations made by Internal Audit in their recent review such as formal clarification of responsibilities, establishing timescales for actions in the strategy (wherever possible) to improve accountability, documentary evidence for decision making, enhancing performance review and monitoring mechanisms, and ensuring regular formal Member oversight of the strategy. A Business Improvement District has taken effect for Staines-upon-Thames and charges have been incorporated into annual billing for business rates.
		18. Failure to comply with employment legislation or statutory duty leading to possible compensation (unlimited), damage to reputation, Legal costs and significant officer time.	2	3	3	Human Resources (HR) identify changes in employment legislation, provide guidance and training to ensure compliance. Professional HR support. Equality and Diversity working group and training provided to all staff.	18. Where HR guidance is issued to officers in relation to changes in employment legislation, this needs to be consistently evidenced (documented) as a safeguard against potential employee claims. (NEW)	MAT/ Group Heads/ HR Manager *	30 June 2017* Requires monitoring	A recent audit review identified an absence of documentary evidence to support HR advice provided in relation to new employment legislation. Whilst it is acknowledged that advice may have been provided, it appears not to have been documented.
		19. Failure to comply with statutory duty / adhere to Safeguarding Policy leading to death or injury to child or vulnerable adult, legal action and reputational damage. Failure by County to address Spelthorne referrals relating to vulnerable children/adults.	2	4	4	Council has statutory responsibility for safeguarding children and Adults. Safeguarding policies and procedures. Staff and Member training. All referrals to Surrey County Council should be reported to a nominated Spelthorne Officer. Regular meetings held with Surrey County Council and consultation with the Surrey Safeguarding Children's Board (SSCB), Annual Section 11 audit. The Children's Safeguarding and Adults at Risk Strategies have been revised Feb 2017.	19i. The Leisure Services Manager to review changes required to the Children's safeguarding policy, particularly with regards to child sexual exploitation. 19ii. Further liaison with Surrey County Council is necessary in order to strengthen the feedback process relating to children's referrals. 19iii. To seek clarification over responsibility for dealing with safeguarding issues for cross border referrals (where families located out of Surrey). 19iv. Staff training needs to be assessed and revised policies/processes publicised in due course. 19v. Internal Audit recommendations of December 2016 are being implemented. (NEW)	DCX (TC)/LSM/ILM/ Joint Group Heads - CW *	Completed/ongoing monitoring	Actions have been implemented. 19i. The draft Surrey Wide District and Borough Policy for Safeguarding Children and Adults has been amended to include Spelthorne contacts and is due to go to Cabinet in March. This includes information on a variety of Safeguarding issues including CSE. A County wide Chief Officers Group has been leading on this. Dcx, Terry Collier is the Spelthorne representative. 19ii. Implemented - The Surrey Safeguarding Hub for referrals was launched several months ago. The Hub seems to be working well for referrals, but housing have raised general communication difficulties with social services and social workers, which are being followed up by Group Head for Community Wellbeing, Deborah Ashman. 19iii. Implemented- Instructed to escalate any cross border referrals/ issues in the future to the senior safeguarding managers. 19iv. The Leisure Services Manager has liaised with Human Resources to ensure an accurate list is held of staff requiring training and DBS checks. A new online safeguarding training module was launched at Spelthorne in December 2016 and cascade training has been provided for Streetscene and Spelride drivers.

**SPELTHORNE BOROUGH COUNCIL - CORPORATE RISK REGISTER**  
**2015/16 QUARTER 1**

PREVIOUS RAG (SEP)	CURRENT RAG (MAR)	RISK / CONSEQUENCES	LIKELIHOOD OF RISK	IMPACT OF RISK	LEVEL OF RISK (to evaluate)	CONTROLS	OUTSTANDING ACTIONS	RISK OWNERSHIP	TARGET DATE	PROGRESS /REASONS WHERE NOT IMPLEMENTED
		20. Service delivery and planning difficulties due to Central Government funding being withdrawn and therefore reduction in spending. Possible withdrawal of New Homes Bonus with impact on Revenue Budget. Opportunities for significant income generation and investments are missed, impacting on the Council's ability to close the budget gap and deliver vital services.	3	4	4	Long term strategic/financial planning. Corporate Plan / priorities reviewed. Member engagement "Towards a Sustainable Future" programme identified potential savings and additional sources of income. The Council is working to find innovative ways to fund services and create new revenue streams. Advice is sought from the Treasury Management advisors as appropriate.	<p>20i. Towards a sustainable future programme to be delivered</p> <p>20ii Contract agreements to include relevant clauses in order to safeguard the Council's interests , with monitoring arrangements to follow. 20iii. Effective systems need to be in place to record and recover rental income due to SBC.</p>	MAT	Completed/ongoing monitoring	TaSF programme being progressed. Officer Structural Review completed. As part of Income Generation there have been significant Asset acquisitions and Investments during 2016/17 . In September 2016 Spelthorne Borough Council announced the purchase of the campus occupied by BP in Sunbury-on-Thames. BP will remain as tenants at the Sunbury site leasing back the offices from SBC for a minimum of 20 years. This will generate significant income year on year helping the financial sustainability of the Council.
							20iv. Identify alternative service delivery models and prepare business cases. Assess the impact on in-house Services.	Group Heads	Completed/ongoing monitoring	Business cases submitted for alternative service delivery models have been reviewed and decisions made on approaches to service provision.
		21. Reduction in service delivery, reduced capacity and possible loss of internal control as a result of savings required to balance budget	3	3	3	Management as the first line of defence are responsible for maintaining key services and internal controls. Reduced resource levels in some areas are likely to impact on the ability to operate an adequate level of controls. For example segregation of duties is not always possible and there may be fewer management checks.	21i. MAT to acknowledge that reduced resources and capacity levels has an impact on the level/adequacy of controls operating within functions/corporate systems and processes. Associated with this is a lower level of assurance.	Group Heads/ MAT	30 June 2017* Requires monitoring	2017/18 Budget providing additional resources for Housing, Legal and Asset Management.
		22. Changing political landscape - Brexit represents many potential uncertainties for organisations such as currency devaluation/volatility, trade, investments, relocation of Partners/Suppliers, changing access to EU funds, level of compliance with EU regulations , workers rights (EU Nationals), existing policies and procedures, procurement process and contract agreements.	3	3	3	At the request of Management Team, a discussion paper setting out potential staffing implications has been prepared by the Human Resources Manager ( March 2017). A verbal update has been provided with regards the potential financial implications and considerations.	22i. MAT to consider potential Brexit risks for Spelthorne and have a plan in place to address.	MAT	30 June 2017* Requires monitoring	March 2017 - NEW RISK CATEGORY

**SPELTHORNE BOROUGH COUNCIL - CORPORATE RISK REGISTER**  
**2015/16 QUARTER 1**

PREVIOUS RAG (SEP)	CURRENT RAG (MAR)	RISK / CONSEQUENCES	LIKELIHOOD OF RISK	IMPACT OF RISK	LEVEL OF RISK (to evaluate)	CONTROLS	OUTSTANDING ACTIONS	RISK OWNERSHIP	TARGET DATE	PROGRESS /REASONS WHERE NOT IMPLEMENTED
		23. Poor return on long term investments /investments insecure in current climate	2	3	3	Treasury Management Strategy approved annually by Members. Aim to select counter parties of the highest credit quality; credit ratings monitored closely. Council's investments managed internally in consultation with Arlingclose. Quarterly meetings and conference calls held with Arlingclose. Deputy Chief Executive, Terry Collier and Portfolio Holder, Councillor Williams are involved in key decisions. Use a range of credit ratings and criteria recommended by Arlingclose. Regular monitoring ,reporting of investment portfolio and returns achieved.		DCX (TC) *	Ongoing monitoring	The team continues to explore options for diversifying the portfolio. As well as investments the Council now has £413m worth of debt (fixed rate) a result of the recent asset acquisitions. The portfolio continues to deliver good rates of return.
		24. Failure to collect/recover income due, resulting in losses to the authority.	3	3	3	Corporate Debt Officer Group. Corporate Recovery Policy. Recovery policies also exist for specific areas such as Council Tax, NNDR, Sundry Debts etc. Debt collection statistics produced and analysed. Budget Monitoring identifies any shortfall in income. Accountancy report to Management Team and Members on significant variances and comparisons with previous year. Corporate Debt Group have in the past encouraged strengthening of processes. Debt recovery training for relevant staff has been provided.	24i. Recovery arrangements for significant debts/other income streams and amounts outstanding to be periodically monitored through the Corporate Debt group. 24ii. Management Team (MAT) should co-ordinate action to tackle aged debt that is unlikely to be recovered. Going forward, targets should be set for keeping aged debt to a minimum. 24iii The DCX, Terry Collier, as S151 Officer, to receive and review a monthly status report on 'at risk' debts i.e. higher value aged debts over 6 months old in order to confirm that suitable recovery action has been taken, and where exhausted, ensuring write- off action is pursued. 24iv. The Deputy Chief Executive in his capacity as Section 151 Officer to reconvene the Corporate Debt Group, coordinating outstanding actions such as strengthening recovery procedures for sundry debts to reflect Spelthorne's recovery policy wherever possible and practical, with less intervention from Services; perusal of older debts by the Recovery team and monitoring by Management.(NEW ACTION)	MAT/ DCX, TC/GH F&CR/ Group Heads	30 June 2017 * R Requires Monitoring	As there have been no Corporate Debt Group meetings held since the summer of 2016, partly due to the reorganisation and review of all working groups, actions at 24.i and 24.ii remain outstanding. Corporate Debt Group to meet in March 2017. 24iii. Monthly status reports are sent to the DCX, Terry Collier for monitoring.
		25. Serious and organised crime poses a threat to national security;lack of awareness may lead to harm to the local community or staff; intelligence is not shared or acted upon; organised crime groups could be benefiting from public sector procurement contracts resulting in financial or reputational losses	3	4	4	The Internal Audit Manager is Spelthorne's Single Point of Contact for Serious and Organised crime. There has been initial liaison with the Police and official documentation provided on requirements for Spelthorne. Close working with the Police will continue in order to identify and discuss vulnerable areas for Spelthorne.	25i. Serious and Organised Crime Audit to be carried out in accordance with the official Police framework. This is intended to identify areas where Spelthorne is most vulnerable/ at risk . 25ii. Group Heads and Managers to assess governance arrangements currently in place to help combat the risk of serious and organised crime.	IAM/ Group Heads/MAT	30 September 2017 * O Requires Monitoring	March 2017 - NEW RISK CATEGORY.

**SPELTHORNE BOROUGH COUNCIL - CORPORATE RISK REGISTER**  
**2015/16 QUARTER 1**

PREVIOUS RAG (SEP)	CURRENT RAG (MAR)	RISK / CONSEQUENCES	LIKELIHOOD OF RISK	IMPACT OF RISK	LEVEL OF RISK (to evaluate)	CONTROLS	OUTSTANDING ACTIONS	RISK OWNERSHIP	TARGET DATE	PROGRESS /REASONS WHERE NOT IMPLEMENTED
		26. Increased risk of fraud / theft due to economic climate resulting in financial losses and damage to reputation of authority. Housing tenancy fraud reduces availability of social housing.	3	3	3	Corporate Policies including Confidential Reporting Code (Whistle blowing), Anti-fraud, Bribery and Corruption Strategy, Proceeds of Crime and Anti-Money Laundering, Code of Conduct including rules relating to gifts and hospitality, and declaration of interest. Staff are reminded about governance policies during the appraisal process. Refresher fraud and anti-bribery awareness training for staff and Members is due. Various policies and procedures such as Financial Regulations and Contract Standing Orders, management checks, segregation of duties, reconciliation processes for financial systems and IT Security measures. An internal fraud referral process/system has been implemented within Housing . Audit Services and Investigating Officers continue to attend specialist Fraud groups with Surrey Partners which are very useful forums for sharing skills, knowledge and approaches to tackling fraud/ business rate avoidance/evasion cases. Internal Fraud Overview meetings also held to disseminate high level issues. Fraud alerts and relevant reports are circulated.	26i. Prepare business case for a Corporate Fraud resource/function. 26ii. To arrange Fraud and anti-bribery and corruption training for all staff and Members (following 24ii) 26iii. Assign additional counter fraud resource to priority areas and monitor financial payback. (NEW ACTION)	Group Heads/ MAT/IAM	30 June 2017 *R Requires monitoring	Counter fraud work continues with non-benefit fraud returns being collated quarterly, focusing on housing, (homeless and housing applications, tenancy fraud) and business rates (evasion and avoidance). 26i. Implemented - a growth bid for a Corporate Counter Fraud resource has been approved for 2017/18. The Internal Audit Manager is liaising with relevant Group Heads to allocate resource to areas where it is most needed, giving consideration also to the likely financial payback. 26ii. The Internal Audit Manager has liaised with Human Resources as part of their recent review to identify corporate management training requirements, and recommended a need for Corporate Fraud , anti-bribery and corruption awareness training for all staff and Members. It has been about 5 years since such training was provided and it is therefore overdue.

**\*KEY TO RAG RATING**

**\*KEY TO TARGET DATES**

- Actions overdue and outstanding
- Partially actioned
- Completed/Ongoing monitoring

- \* O = Original target date for assigned action
- \* R = Revised target date for assigned action
- \* N = New Action

Note that previous RAG ratings are included to illustrate the Direction of Travel for recommended actions

**\*KEY TO OFFICERS**

- MAT - Management Team
- GH F & CR - Group Head - Finance and Customer Relations, Linda Norman
- Head of CG – Head of Corporate Governance, Michael Graham
- Head of ICT – Helen Dunn
- DCX (TC) – Terry Collier
- HSIRM - Health and Safety, Insurance and Risk Manager – Stuart Mann
- GH C & T - Group Head - Commissioning and Transformation, Sandy Muirhead
- GH - NS - Group Head - Neighbourhood Services- Jackie Taylor
- DCX (LO) – Lee O’Neil
- SEHM - Senior Environmental Health Manager, Tracey Wilmott-French
- PS - Principal Solicitor, Victoria Statham

- GH R & G - Group Head - Regeneration and Growth, Heather Morgan
- IGO - Information Governance Officer, Clare Williams
- HRM – Human Resources Manager, Debbie O’Sullivan
- CM- Contract Managers
- Joint Group Heads of CW – Joint Group Heads for Community Wellbeing, Deborah Ashman and Karen Sinclair
- LSM - Leisure Services Manager, Lisa Stonehouse
- RRO – Risk and Resilience Officer, Nick Moon
- CS & EDO – Community Safety and Economic Development Officer, Keith McGroary
- IAM - Internal Audit Manager, Punita Talwar

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## **Recommendation of the Members' Code of Conduct Committee**

**Cabinet – 11 May 2017**

### **Review of Petition Scheme**

1. At its meeting on 25 April 2017 the Members' Code of Conduct Committee considered a report on a review of the current Petition Scheme.
2. The Council adopted a Petition Scheme on 22 July 2010 with the following options for responding to a petition:
  - a) support the action the petition requests
  - b) dismiss the action the petition requests
  - c) if the content relates to a matter on the agenda for the meeting the petition be considered when the item is debated; or
  - d) the petition be referred to the Cabinet or Overview and Scrutiny Committee for further consideration
3. The Petition Scheme was based on a Model Scheme and although the duty on councils to run a petitions scheme was abolished by the Localism Act 2011, the Council continues to run the previously adopted Scheme in order to provide an opportunity for residents to express their concerns and priorities to their local authority.
4. The Members' Code of Conduct Committee was asked to consider a proposal to widen the options for responding to petitions in the most appropriate way after members had expressed concern that Standing Orders limited the options available to them.
5. As there is no longer a statutory requirement to have a Petition Scheme, the Council may adapt the Scheme as it sees fit to include a wider choice of responses to the matters that come before it.
6. The proposed options for responses to petitions were as follows:
  - (a) Take, or support, the action the petition requests; or
  - (b) not to take the action requested for reasons put forward in the debate; or
  - (c) note the petition and keep the matter under review; or
  - (d) if the content relates to a matter on the agenda for the meeting the petition be considered when the item is debated; or
  - (e) the petition be referred to the Cabinet or Overview and Scrutiny Committee for further consideration
7. The Members' Code of Conduct Committee recommends Cabinet to recommend Council to agree the proposed changes to the Petition Scheme.

**Murray Litvak**

Chairman of Members' Code of Conduct Committee

**11 May 2017**

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**Cabinet**

**11 May 2017**



<b>Title</b>	Government Consultation on Draft Airports National Policy Statement		
<b>Purpose of the report</b>	To make a decision		
<b>Report Author</b>	John Brooks		
<b>Cabinet Member</b>	Councillor Colin Barnard	<b>Confidential</b>	No
<b>Corporate Priority</b>	Economic Development		
<b>Recommendations</b>	<p><b>Cabinet is recommended to :</b></p> <ul style="list-style-type: none"> <li><b>a. Agree the response at Appendix 1 to the Draft Airports National Policy Statement.</b></li> <li><b>b. In response to the UK Airspace Policy document to support the proposed formation of an Independent Commission on Civil Aviation Noise</b></li> </ul>		
<b>Reason for Recommendation</b>	<p><b>The Council supports the expansion of Heathrow subject to noise, air quality and transport issues being resolved. It is therefore important to respond to these consultation documents as they will influence the way in which detailed proposals for expansion are assessed.</b></p>		

**1. Key issues**

- 1.1 The government is consulting on the above two documents as part of a 16 week public consultation. Two exhibition events have been held locally; at Stanwell Moor Village Hall (Tuesday 28 February) and in Egham (Monday 20 February at which detailed information on both documents was available. The consultation period closes 25 May 2017.
- 1.2 The purpose of the **Draft National Aviation Policy Statement** is to provide the basis against which a formal proposal for the provision of a new Northwest runway at Heathrow would be assessed. This follows on from the positive recommendation of the Airports Commission (July 2015) and the further work undertaken by the government particularly on issues such as noise and air quality. The government confirmed on 25 October 2016 that the Northwest option was its preferred scheme.
- 1.3 The document does not therefore set out a draft proposal for a new runway with necessary supporting detail but rather it sets out the criteria against which such a proposal will be assessed. Any detailed proposal will be for the

- airport operator to submit under a Development Consent Order process which is a specific way in which major infrastructure projects are now considered.
- 1.4 In progressing to this stage the government has accepted the case for expansion at Heathrow with a Northwest runway option over the other two options which were a second runway at Gatwick and an extended northern runway at Heathrow.
  - 1.5 This Council supports the expansion of Heathrow and the Northwest Runway option because of its economic benefits but the support is conditional on the noise, air quality and transport issues being satisfactorily resolved.
  - 1.6 The Council is working with Heathrow and authorities adjoining and near the airport on Heathrow related issues through the Heathrow Strategic Planning Group (HSPG). The joint working through this group is an important way in which technical issues can be jointly explored and consensus developed where possible.
  - 1.7 The government's consultation seeks views on 9 questions and the proposed response to these is set out at **Appendix 1**. The responses have been informed by Spelthorne's own position and concerns as well as matters being considered jointly with the HSPG.
  - 1.8 The **UK Airspace Policy** document is essentially about formalising/improving the processes of managing and deciding on changes to aircraft routes and airspace management to achieve appropriate safety and noise minimisation. It does not set out aircraft routes itself. The way airspace issues are managed has changed little over the past 50 years.
  - 1.9 The purpose is to achieve airspace 'modernisation' in particular to use the latest technologies, make airspace more efficient, and reduce the need for stacking, making journeys faster and more environmentally friendly.
  - 1.10 The Civil Aviation Authority (CAA) has responsibility for airspace management in the UK and reports to the Department for Transport.
  - 1.11 As part of the consultation the government has announced its intention to establish an Independent Commission on Civil Aviation Noise and for the Secretary of State (SoS) for Transport to have 'call-in' powers over CAA decisions in the same way as the SoS for Department for Communities and Local Government has such powers in planning.
  - 1.12 Further information is set out in the consultation document and the summary for which links are provided in the 'background documents' section of this report.
  - 1.13 The consultation sets out proposals to achieve the following benefits:
    - (a) Greater clarity and transparency in decision making and the way noise is managed;
    - (b) Improvements in the evidence used to inform how airspace decisions are made, particularly the noise impacts;
    - (c) Greater focus on industry and communities working together to find ways to manage noise which work best for local circumstances;
    - (d) Clarity and consistency in who makes airspace decisions, and why;
    - (e) Greater certainty for industry that the airspace change framework provides what they need to deliver beneficial change; and

- (f) Ambitious noise management outside of airspace change, taking advantage of the latest technological developments.

1.14 There is a particular need to review airspace policy to ensure greater airspace capacity is provided to meet airport expansion at Heathrow and also to make airspace decision making more transparent. Much of the material is about processes but the key public issue is the intention to create an Independent Commission on Civil Aviation Noise.

1.15 In respect of this document, other than supporting the setting up of the Independent Commission, there are no other matters requiring comment so far as this Borough is concerned.

## **2. Options analysis and proposal**

2.1 Both documents deal with important matters. There is a need for a National Aviation Policy Statement to provide a basis against which the assessment of and final decision on a detailed proposal for a new runway at Heathrow can be made. It is also appropriate that, as an authority which adjoins the airport, Spelthorne takes the opportunity to respond. The draft responses set out in **Appendix 1** are considered the most appropriate. The only other option is to not respond but this would not be in resident's interest.

2.2 The Airspace Policy document sets out appropriate and pragmatic improvements over current arrangements and are essential to match the government's plans for airport expansion.

## **3. Financial implications**

3.1 There are none relating to the two documents for Spelthorne.

## **4. Other considerations**

4.1 There are none.

## **5. Timetable for implementation**

5.1 A response is required by 25 May 2017.

### **Background papers:**

There are none.

**Consultation documents:**

1. Consultation on Draft Airports National Policy Statement  
<https://www.gov.uk/government/consultations/heathrow-expansion-draft-airports-national-policy-statement>
2. Draft National Policy Statement  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/588767/draft-airports-nps-print-version.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/588767/draft-airports-nps-print-version.PDF)
3. UK Airspace Policy Consultation  
<https://www.gov.uk/government/consultations/reforming-policy-on-the-design-and-use-of-uk-airspace>
4. Summary of Airspace consultation document (exhibition boards)  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593016/uk-airspace-policy-consultation-introduction.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593016/uk-airspace-policy-consultation-introduction.pdf)
5. Response of Heathrow Strategic Planning Group 30 March 2017

**Appendices:**

1. Response to Draft Airports National Policy Statement

## **Spelthorne Borough Council's response to the Draft Airports National Policy Statement**

This response is set out under the questions in the government's consultation document on the Draft Airports NPS.

### **Question 1: The Government believes there is the need for additional airport capacity in the South East of England by 2030. Please tell us your views.**

It is agreed there is a need for additional airport capacity in the South East by 2030.

### **Question 2: Please give us your views on how best to address the issue of airport capacity in the South East of England by 2030. This could be through the Heathrow Northwest Runway scheme (the Government's preferred scheme), the Gatwick Second Runway scheme, the Heathrow Extended Northern Runway scheme, or any other scheme.**

It is agreed that the government's preference for the Heathrow Northwest Runway is the most appropriate to meet the aviation capacity identified and, through developing Heathrow with its important 'hub airport' function, provides the greatest advantages to the national economy and gives greater flexibility in terms of noise mitigation through runway alternation when compared to an extended Northern Runway option.

### **Question 3: The Secretary of State will use a range of assessment principles when considering any application for a Northwest Runway at Heathrow Airport. Please tell us your views.**

There are some issues that arise from the assessment principles and in particular a fundamental concern about the 'red line' area used to define the Development Consent Order area. Whilst the new runway and associated terminal will fall within the red line boundary there will be expansion of supporting activities in the wider area directly related to the airport and these will also have traffic and associated air quality implications. There will also likely be a demand for additional development land which should be considered as part of the proposal. It is important that the Policy Statement is cast in terms that allows the full impact of expansion to be assessed not only to ensure all relevant issues associated with the additional runway are properly considered but also to ensure that inadvertent opportunities for legal challenge of the outcome of the DCO process are not unnecessarily created.

For this reason it is important that a boundary is drawn to include space for all the direct airport activity that will be generated and secondly that the assessment principles enable full consideration of the wider impacts of the airport expansion in the surrounding area. This will be important for a number of the assessment principles including transport and air quality.

It will be important that the expansion of the airport is aligned to the sustainable development of the wider sub region which is administered by a number of authorities so that the wider

impacts of expansion are properly planned for. There should be consideration within the document as to how this is best achieved.

In the immediate areas of the airport Heathrow Airport Ltd have expressed a wish to enhance the whole area around the airport consistent with the airports status as a world class airport. Currently the red line boundary is drawn too tightly and therefore does not include the full extent of the area that needs to be considered. That boundary has been drawn particularly tightly on the south side of the airport within Spelthorne.

At present there are no mechanisms specified by which improvements/mitigation measures in the wider area will be secured.

**Question 4: The Government has set out its approach to surface access for a Heathrow Northwest Runway scheme. Please tell us your views.**

Firstly the full impact of airport expansion needs to be taken into account when assessing the adequacy or otherwise of surface access arrangements and not just development within the currently tightly drawn 'red line' area identified in the draft Policy Statement. It will be important that the surface access impacts of airport expansion are not confined only to traffic accessing the airport itself and the 'red line' area but also takes account of traffic generated by supporting operations/businesses off-airport. Given the potential scale of alterations to existing transport links to accommodate the new runway, particularly to the M25, the evaluation of design options should be required to take into account the scale of potential disruption during construction when deciding what options are most appropriate.

Secondly reference is made in the document to the improved rail access that could be gained from both the Western Extension and the Southern Rail Access. At present these are simply expressed as possibilities in the draft Policy Statement rather than essential requirements. With the Terminal 5 development there were at the time a number of important supporting proposals such as the Southern rail link and off- site landscaping for example but these were not a formal part of the scheme and consequently were never delivered. There is an opportunity through the Policy Statement to identify explicitly supporting transport infrastructure that is essential and a prerequisite to the airport's successful expansion thereby ensuring certainty about its delivery. Without this certainty there is a significant risk that the necessary levels of modal shift needed to avoid unacceptable levels of congestion in those areas nearest the airport, including Spelthorne, will not be delivered. Spelthorne supports a Southern rail link so long as any environmental impacts are properly mitigated.

**Question 5: The draft Airports National Policy Statement sets out a package of supporting measures to mitigate negative impacts of a Heathrow Northwest Runway scheme. Please tell us your views. Are there any other supporting measures that should be set out?**

As referred to under question 3 it will be important to ensure comprehensive landscape mitigation and enhancement is required by the Policy Statement.

**In particular, please tell us your views on:**

**5.1. Air quality supporting measures**

It is essential that air quality impacts are fully addressed. Firstly it will be important that the scheme is assessed against the government's emerging Air Quality Plan to be published in July 2017 and not the existing 2015 Air Quality Plan.



As referred to under question 3 the air quality impacts of both the new runway and associated growth in the wider area must be considered. It will also need to include mechanisms whereby long term monitoring and compliance with clear targets can be achieved. Without this an unfair burden will be placed on surrounding authorities to resolve through their air quality plans impacts that are the responsibility of HAL.

## **5.2. Noise supporting measures**

Aircraft noise is a matter of considerable concern to many local residents. It is considered important that noise performance targets are set to provide a clear basis against which monitoring and any necessary mitigating action can be undertaken.

## **5.3. Carbon emissions supporting measures**

No specific comments

## **5.4. Compensation for local communities**

It will be important that local communities are adequately compensated for the adverse impacts of not only the proposed expansion of the airport but the adverse impacts of the existing airport by good physical mitigation and enhancement. Heathrow Airport Ltd have expressed a wish to enhance the area but this needs to be made a requirement in the Airports National Policy Statement.

### **Question 6: The Government has set out a number of planning requirements that a Heathrow Northwest Runway scheme must meet in order to operate. Please tell us your views. Are there any other requirements the Government should set out?**

There should be greater clarity on the sanctions that will be in place should the applicant fail to deliver on the requirements that are agreed as part of the development.

The Western Connection and Southern Rail Access should be essential requirements of the scheme

### **Question 7: The Appraisal of Sustainability sets out the Government's assessment of the Heathrow Northwest Runway scheme, and considers alternatives. Please tell us your views.**

It will be important that the full impact of the expansion of the airport is appraised including areas outside the 'red line'.

### **Question 8: Do you have any additional comments on the draft Airports National Policy Statement or other supporting documents?**

None

### **Question 9: The Government has a public sector equality duty to ensure protected groups have the opportunity to respond to consultations. Please tell us your views on how this consultation has achieved this.**

It will be for the government to satisfy itself it has met these requirements. We are not aware of any particular failings.

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