

Roberto Tambini
Chief Executive

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Our Ref: PGH/Cabinet
Date: 6 December 2013

Notice of Meeting

CABINET

Date: Tuesday 17 December 2013

Time: 19.00hrs

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames.

Members of the Cabinet	Cabinet member areas of responsibility
R.L. Watts (Chairman)	Leader of the Council, Strategy, Corporate Governance and Human Resources
P. Forbes-Forsyth (Vice-Chairman)	Deputy Leader, Community Safety, Young People, Leisure and Culture
T.J.M. Evans	Finance
N. St. J. Gething	Economic Development and Fixed Assets
V. J. Leighton	Planning and Corporate Development
A. J. Mitchell	Environment (including Parks and Waste Management)
D. Patel	Parking services and ICT
J. M. Pinkerton OBE	Housing, Health, Wellbeing and Independent Living
J. R. Sexton	Communications and Procurement

AGENDA

Description	Page Number
1. Apologies for absence	
To receive any apologies for non-attendance.	
2. Minutes	
To confirm the minutes of the meeting held on 26 November 2013	1 - 8
3. Disclosures of Interest	
To receive any disclosures of interest from members in accordance with the Council's Code of Conduct for members.	
4. Petition on the sale of land at Brooklands College, Ashford campus	
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5. Petition on the Stonham BASS bail hostel in Woodthorpe Road, Ashford	
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6. Localisation of Council Tax support (adoption) - Key Decision	
Councillor Pinkerton OBE	15 - 64
7. Technical reforms to Council Tax discounts and premiums (adoption) - Key Decision	
Councillor Evans	65 - 87
8. Corporate Plan 2013-15 - Key Decision	
Councillor Watts	88 - 90
9. Economic Strategy - Key Decision	
Councillor Gething	91 - 114
10. Statement of Licensing Policy 2014-19 - Key Decision	
Councillor Forbes-Forsyth	115 - 119
11. Scrap metal dealer's Act 2013 - fees and delegations	
Councillor Forbes-Forsyth	120 - 124
12. How to deal with the issues of spitting and chewing gum waste	
Councillor Mitchell	125 - 129

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13. Laleham Park boathouse Lease	
Councillor Gething	130 - 131
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15. Remote working project - update	
Councillor Patel	135 - 142
16. Stalsafe radio network	
Councillor Gething	143 - 146
17. Outside Bodies appointment	
Councillor Watts	147 - 148
18. Leader's announcements	
To receive any announcements from the Leader.	
19. Issues for future meetings	
Members are requested to identify issues to be considered at future meetings.	
20. Urgent Items	
To consider any items which the Chairman considers as urgent.	

Minutes of Cabinet

26 November 2013

Present:

Councillor R.L. Watts, Leader of the Council, Chairman of the Cabinet and Cabinet Member for Strategy and Human Resources
Councillor P. Forbes-Forsyth, Deputy Leader and Cabinet Member for Community Safety, Young People, Leisure and Culture
Councillor T.J.M. Evans, Cabinet Member for Finance
Councillor N. Gething, Cabinet Member for Economic Development and Fixed Assets
Councillor V.J. Leighton, Cabinet Member for Planning and Corporate Governance
Councillor D. Patel, Cabinet Member for Parking services and ICT
Councillor J.M. Pinkerton OBE, Cabinet Member for Housing, Health, Wellbeing and Independent Living
Councillor J. Sexton, Cabinet Member for Communications and Procurement

Apologies: None given.

In attendance:

1978. Minutes

The minutes of the Cabinet meeting held on 24 September 2013 were agreed as a correct record.

1979. Disclosures of Interest

There were none.

1980. Surrey Local Flood Risk Management Strategy – Key Decision

Cabinet considered a report on the Surrey Local Flood Risk Management Strategy.

RESOLVED that Cabinet endorses the aims of the draft Strategy and the principle of multi-agency joint working to deliver them.

Reason for the decision:

Cabinet noted that the Strategy is about mitigating risk and therefore these aspects are incorporated in the delivery process of the Strategy.

1981. Parking fees and charges – Key Decision

Cabinet considered a report on a review of car parks fees and charges.

RESOLVED that Cabinet agrees to:

- Authorise the Head of Sustainability and Leisure to proceed with proposals made in the revised report of the Assistant Chief Executive dated 26 November 2013.
- Authorise the Head of Corporate Governance to publish a notice of proposal to advertise the proposed changes.

- Delegate authority to the Head of Corporate Governance, in consultation with the Head of Sustainability and Leisure and the Cabinet Member for parking services to deal with any responses to the proposed changes.
- Delegate authority to the Head of Sustainability and Leisure, in consultation with the cabinet Member for parking services to amend the proposals following consultation.
- Authorise the Head of Corporate Governance to publish a notice of making once the final decision is made.

Reason for the decision:

Cabinet noted that there is a cost to maintaining and operating car parks and a balance needs to be struck between covering costs and the provision of a good service.

1982. *Leisure and Culture Strategy 2014-16 – Key Decision

Cabinet considered a report on the Council’s revised Leisure and Culture Strategy for the period 2014 to 2016.

RESOLVED TO RECOMMEND that Council approves the revised Leisure and Culture Strategy for 2014-16.

Reason for the decision:

Cabinet noted that a revised Strategy is essential in order to outline the priorities of the Leisure team for the period 2014-16.

1983. Staines-upon-Thames programme – Key Decision

Cabinet considered a report on the proposed programme to develop key sites within Staines-upon-Thames.

RESOLVED that Cabinet:

- Agrees the preferred options for Bridge Street (**para 3.6**), Tothill (**para 3.16**), Riverside (**para 3.27**), Elmsleigh surface (**para 3.37**) car parks.
- Agrees to **develop a promotional document** for Staines Upon Thames and commit to an Area Action Plan for Staines upon Thames when the Local Plan is reviewed (**para 3.45**).
- Agrees to formally **set up a sub-committee of Cabinet** with the appropriate delegations (**para 3.52**).

Reason for the decision:

Cabinet noted that Staines-upon-Thames is a key priority project.

1984. Treasury Management half-yearly report 2013-14

Cabinet considered an update on Treasury Management activities for the first half year to 30 September 2013.

RESOLVED that Cabinet notes the Treasury position achieved during the first six months of 2013-14 and the financial environment in global markets.

1985. Capital monitoring report 6-months' update

Cabinet considered a report on the spend figures on the Capital programme for the period April to the end of September 2013.

RESOLVED that Cabinet:

- Notes the current spend position.
- Agrees that the Capital Programme provision for Kenyngton Manor Pavilion be re-phased with the 2013/14 provision reduced by £33k and the provision for 2014-15 increased by £33k.
- Agrees that the budget for the Stanwell CCTV project is increased by £18,110 to cover the actual expenditure incurred which is offset in full by increased funding from A2D.
- Agrees that the Budget for Meals on wheels vans is no longer required and the 2013/14 programme should be reduced by £50k.

1986. Revenue monitoring and projected outturn report

Cabinet considered a report on the net revenue spend figures to the end of September 2013.

RESOLVED that Cabinet notes the report.

1987. Outline Budget 2014-15 to 2017-18

Cabinet considered a report on the Outline Budget for 2014-15 to 2017-18 and issues to be addressed as part of the first draft of the detailed Revenue Budget for 2014-15.

RESOLVED that Cabinet:

- Agrees that the net budgeted expenditure (before investment and use of reserves) for 2014-15 be set at a maximum level of £12.45m.
- Agrees that, in order to reach this level, the Management Team, the Leader and Cabinet, identify a package of options by which the budget can be balanced both in 2014-15 and 2015-16 and over the following three years of the outline period.
- Agrees that an agreed total reserves target minimum level (as measured on 31 March each year) be set at a level of £11.5m for 31/3/15.
- Agrees that the financial health indicators set out in paragraph be agreed.

1988. Welfare Reform

Cabinet considered a report on the impact of welfare reform on Spelthorne's community to date.

RESOLVED that Cabinet:

- Notes developments in the Welfare Reform agenda.
- Gives a steer to officers in an attempt to achieve a workable balance between incentivisation and assisting claimants with the use of Discretionary Housing Payments in limited circumstances as described in Option 3.3 of the report from 01/01/2014.

Reason for the decision:

Cabinet noted that the Government's aims are to incentivise work, simplify the current system of benefits, and promote personal responsibility amongst claimants.

1989. Sustainable funding for the Surrey Waste Partnership

Cabinet considered a report on proposed funding changes to ensure future support for the Surrey Waste Partnership.

RESOLVED that Cabinet:

- Agrees to pool 2% of the annual 3% rise in recycling credits in the financial year 2014/15.
- Notes a new base level of recycling credit payments as a consequence of this reduction, thereby allowing a similar contribution to be made in subsequent years, subject always to annual approval by Spelthorne BC and
- Anticipates a 3% increase in this new base for recycling credits from April 2015, and in other subsequent years.

Reason for the decision:

Cabinet noted that the Council has been an active partner in the Surrey Waste Partnership and has benefited from it over the last ten years.

1990. Moorings

Cabinet considered a report on a review of the situation with moorings in Spelthorne.

RESOLVED that Cabinet:

- Notes the report and await the outcome of the Environment Agency trial to implement a Thames-wide and consistent approach to enforcement and licensing of landing stages.
- Takes forward enforcement at Ryepeck Moorings in March 2014.

Reason for the decision:

Cabinet noted the increased costs of enforcement.

1991. Future arrangements for Spelthorne pay awards

Cabinet considered a report on proposed arrangements for making pay awards in future years.

RESOLVED TO RECOMMEND that Council:

- Confirms that Spelthorne will implement national pay awards for local government services.
- Confirms that pay awards for senior staff will be in line with the national pay awards for local government services.
- Agrees to the setting up of an Officer/Councillor/Staff informal advisory group to consider other pay issues as required.

Reason for the decision:

Cabinet noted that the level of pay awards can influence recruitment and retention of staff and staff morale.

1992. Staines-upon-Thames market Contractor update

Cabinet considered an updated report on the appointment of the contractor for Staines-upon-Thames market.

RESOLVED that Cabinet notes the result of the tender exercise and the appointment of the contractor Ritagate Ltd t/a Bray Associates.

Reason for the decision:

Cabinet noted that the award of the contract to the preferred partner should result in stability of income generated from the letting of market stalls.

1993. Catering contract at Staines-upon-Thames Community Centre

Cabinet considered a report on a request to extend the current contract by four months.

RESOLVED that Cabinet agrees to an extension of the catering contract at Staines-upon-Thames Community Centre with Myers Catering by four months to 30 April 2014.

Reason for the decision:

Cabinet noted that this was an interim measure to bridge the gap until the new contract starts on 1 May 2014.

1994. The appointments process for the Independent Remuneration Panel (IRP) for the Members' Allowances Scheme 2014-15

Cabinet considered a report on the recruitment process for a new IRP.

RESOLVED TO RECOMMEND that Council approves the appointment of the three candidates as members of the Independent Remuneration Panel (IRP).

Reason for the decision:

Cabinet noted the latest Government guidance on the length of time that panel members should serve, e.g. between 3 and 5 years, and that the previous panel had been in place for more than 10 years.

1995. Appointments to Outside Bodies 2013-14

Cabinet considered a report seeking approval to appoint representatives to (a). The Local Authorities Aircraft Noise Council (LAANC), and (b). Voluntary Action in Spelthorne (VAIS).

RESOLVED that Cabinet approves the appointment of representatives to (a). The Local Authorities Aircraft Noise Council (LAANC), and (b). Voluntary Action in Spelthorne (VAIS).

1996. Issues for Future Meetings

There were none.

1997. Urgent Items

The Leader of the Council made the following announcement on good news stories:

Spelthorne Sports Awards 17 October 2013

Sporting success across Spelthorne was celebrated at the annual sports awards. Awards were presented to local players, coaches and volunteers to reward them for their achievements, effort and dedication to sport in Spelthorne. Five nominees from Spelthorne have now been shortlisted for the Surrey Sports Awards in December.

New Boccia club for adults and young people aged 14+

Spelthorne Borough Council has received funding from Sport England to run boccia sessions for adults and young people aged 14 and over with a disability in the Spelthorne area.

Roller Disco

On Saturday 14th December there will be a Christmas Fancy Dress Roller Disco at Spelthorne Leisure Centre. This is provided by a private contractor.

Exciting new development at Spelthorne Leisure Centre

Spelthorne Leisure Centre is investing £500,000 in a gym extension. The existing gym will be closed from 16-24 December and the extension is scheduled to be open by January 2014.

Leisure Centre Success at National Health Club Awards

Everyone Active, operators of Spelthorne and Sunbury Leisure Centre's have been voted "best national chain" in the member's choice health club awards for the second year running. Spelthorne Leisure Centre also won a silver award in the regional category.

New Community Centre in Stanwell

A range of activities are now on offer at the newly built Stanwell Community Centre in Mulberry Avenue, Stanwell. Spelthorne Borough Council has use of the centre for several hours each week for community activities.

Smoothie Bike

After the success of the smoothie bike at the Spelthorne together assembly, the bike is now available for local schools, clubs and organisations to hire from Leisure Services. It helps to promote the physical activity and healthy eating message.

The Santa Trail – A walk with interactive stories about Christmas

Santa will have a special prize for the child with the best festive outfit. Santa suits can be purchased in advance from Customer Services.

The venue and times of the walks are as follows:-

Sunbury Cross Clock, Saturday 7 December 2013 at 2pm
 Manor Park, Shepperton, Sunday 15 December 2013 at 11am
 Fordbridge Park, Ashford, Sunday 15 December 2013 at 2pm

The Leader also announced that the Council has just launched a prize draw competition offering resident who use or new online Council Tax and Housing Benefits services the chance to win a Christmas hamper.

1998. 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.

1999. Exempt Report – Airport parking, Stanwell Moor – Key Decision

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

Cabinet considered an exempt report on the airport parking project at Stanwell Moor.

RESOLVED that Cabinet agrees:

- That officers take the necessary steps to progress this matter, and
- That a further report is presented to the Cabinet in October 2014.

NOTES:-

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

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

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

(6) The deadline of three working days for "call in" by Members of the Overview and Scrutiny Committee in relation to the above decisions by the Cabinet is the close of business on 5 December 2013

Cabinet

17 December 2013



Petition – Sale of Land and development at Brooklands College Ashford Campus

1. A petition was submitted to the Council on 22 November 2013 against the sale of Land at Brooklands College, Ashford Campus for the development of a supermarket.
2. The petition contains 851 signatures and in accordance with the Council's Petition Scheme, the matter is referred to Cabinet for consideration.
3. The Petition reads:

*"I am writing to proposed development of Brooklands College in Ashford Middlesex. Please see our local shop keepers and residential against the land selling for supermarket. The town of Ashford well served with food outlets and virtually all of the major supermarket.
Petition against supermarket:
31 Shopkeepers
820 Local residential
851 Total was signed against the supermarket.
Please consider this petition. I am looking forward to hearing from you as soon as possible."*
4. Two different issues are highlighted in this petition which must be considered separately. Firstly the proposed development on the Brooklands College, Ashford Campus site which falls under the jurisdiction of the Council's Planning Committee and secondly the Brooklands College decision to sell the land to a supermarket operator, over which the Council has no influence.
5. This issue has been in the public domain since 26 June this year when Brooklands College exhibited proposals for the Church Road site in Ashford. The proposals include a landscaped public square between new buildings with public access to the open green space behind the college and the development of a supermarket.
6. As the proposals have yet to be submitted to the Planning Department in the form of a planning application and determined by the Planning Committee, planning permission has yet to be granted. As the issue relates to a planning matter the proposal is not within the remit of the Cabinet to determine. It should be noted that the Council's Petition Scheme does make it clear that petitions on planning matters will not be considered as they have to be taken

on representations under the normal process for determining the planning application.

7. The Planning Department also has a copy of the petition and will conduct the normal procedure of collecting public representation when an application is submitted.
8. Therefore the issue of development of the site can only be noted at this time. With regards to Brooklands' College decision to sell its land, this is a decision for the College to take and the Council has no direct control over when or to whom it might sell. However, the Council's Petition Scheme states that if a petition is about something over which the Council has no direct control it will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and as a rule where possible will work with these partners to respond to petitions.

Recommendation

9. Although the issue of the sale of land at Brooklands College affects the Ashford Town ward, the Council has no direct influence over that decision. Cabinet is asked to note that it understands the concerns of residents and local shop keepers and urge them to raise their concerns with Brooklands College and participate in the usual planning consultation, once an application has been submitted by Brooklands College. The Council will also pass a copy of this report, the minutes of the meeting and the petition to Brooklands College for them to understand the depth of local feeling on the proposal.

Report Author:
Sam Nicholls

Cabinet 17 December 2013

Report relating to online petition received on 3rd October 2013

“Close Stonham BASS bail address in Spelthorne, danger to public”

The petition has thirty two signatures. The property is a two bedroom house (203 Woodthorpe Road, Ashford, TW15 3NJ) and is situated in the Staines South Ward.

The petition's details read:

“I am civil servant who works for Ministry of Justice. Stonham BASS has again been awarded a long contract to run Bail addresses across the country. I have become aware and have tried to remedy concerns within my own structure National Offender Management services of public being put in danger by poor management from Stonham BASS. Please sign this petition and keep Spelthorne safe”.

Background

This two bedroom property became a bail address in 2009 under the management of Clearsprings, who liaised with the Council in relation to securing the property for use to house offenders released on bail. Stonham BASS took over the running of the property in June 2010, when Clearsprings lost the contract to manage the service. Stonham BASS prior to taking over this service, contacted the Council to provide names and contact details of its senior staff responsible for this service.

Planning permission or Council consent was not required for this property to be used as a bail property and as such the Council does not have any powers with regards to licencing the property for such use.

It should be noted that this property or its residents have never been brought to the attention of the Community Incident Action Group (CIAG deals with problem people/families) or the Joint Action Group (JAG deals with problem locations/hotspots). The organisations represented at CIAG and JAG:

- Police
- Various Departments from within the Council
- A2D
- Surrey Youth Justice Service
- Victim Support
- Community & Mental Health Team
- Fire Service
- Windmill Team (Drug / alcohol)
- Surrey NHS
- Life Train - Surrey Youth Engagement
- Transform Housing
- N.E Area Children in Need Team
- Adult Care Social Services

Surrey Police response

“Last year (2012) there were reports from some local residents of drug dealing outside the address and along the road. Both the neighbours were met away from the address and assisted police. The area was targeted and regular patrols took place and the problem went. One of the neighbours recognised some visitors to the address as having previously served in prisons he worked at which caused them concern, but to my knowledge there were no incidents or crimes that were linked to this association.

More recently (2013), there have been two males at the hostel. One of the males is not causing any problems. The other is having overnight visitors (not allowed) and is causing some annoyance to the direct neighbours. This latest occurrence was not reported to us but was uncovered following a separate police function”.

Environmental Health team response.

Environmental Health had no reported complaints in relation to this property.

Response from Stonham BASS**Summary of the Service**

Stonham is part of Home Group, a social enterprise and one of the UK's largest and oldest providers of social housing and adult social care services with over 30 years of delivering high quality services to the people we support.

Stonham has delivered the Accommodation and Support Service for those on bail and Home Detention Curfew (BASS) since June 2010 under contract to the Ministry of Justice. The purpose of BASS is to allow those bailed by the courts to remain in the community and to provide accommodation for those being released back to the community on licence at the end of sentence (known as Home Detention Curfew or HDC).

Suitability for bail is a decision for the courts, and prison governors for release on licence (electronic tag). It is the responsibility of the Courts to decide whether or not bail can be granted, and do so having assessed risk factors and taken account of any objections submitted by prosecutors. Prison Governors make the decisions on release on HDC following a thorough risk assessment, including the suitability of the proposed location. Probation input to that assessment.

For every potential resident, Stonham also undertakes its own risk assessment on suitability for the service. BASS has a restricted eligibility criteria, including no one assessed as high or very high risk of harm to themselves or others and no-one charged with or convicted of any sexual offence. BASS rules are tighter than for others on bail or HDC in these respects.

Regard for neighbours is clearly important and if behaviour warrants it we will withdraw our service and a resident will be required to leave.

The properties operated in the local authority are small, private shared homes for two and three people. The properties are not bail hostels and do not support people of the same risk levels or the same tariff of offence as those in bail hostels (referred to as Approved Premises, which do provide 24 hour staffing).

Unlike most others living privately in the community on bail and HDC our tenants receive regular weekly visits from our regional team, including support to understand and adhere to the terms of their tenancy and house rules, expectations in relation to visitors, noise and cleanliness of the property.

Any complaints we receive are dealt with promptly with a thorough investigation of the alleged incident, including directly liaising with the complainant to understand the exact nature of their grievance along with keeping them informed of any resolutions.

Actions

With regard to our properties in Ashford we have received only one complaint since January 13.

This related to a neighbour who made contact with our out of hours service in September this year, when a car hit her wall. The neighbour believed the damage to be caused by one of our previous residents; however this was not confirmed. Another neighbour contacted our local manager directly, who responded by providing his full contact details so that the police could make contact should they need to. We made contact with our local police contact to see if we could assist with their enquiries.

The following morning, we contacted the neighbour by telephone to gather full details of the incident. It was confirmed the incident did not relate to one of our current residents. The manager directed a team member responsible for the upkeep of the BASS property to visit that morning and saw the damage caused.

The MP for the constituency contacted us shortly thereafter, and we responded fully to their enquiry, welcoming any direct dialogue with the neighbour to identify and, where appropriate, work to resolve any issues she may have regarding the property we manage.

Most recently we were contacted by another neighbour last week requesting our contact details which were supplied. I spoke personally with the neighbour and asked if he had any specific complaints I could address and offered to meet with him. The offer to meet to discuss concerns was reiterated in my letter providing contact details.

This neighbour has raised no complaints with us since a complaint in 2012 which we responded to fully at the time. Changes were made to the use of the

property to take account of the neighbours' occupation, changing use of the property to male tenants aged over 30. Use of the property was paused to allow for these changes. We offered to meet to review progress and met in February 13. Since then the property has had a total of 4 service users living there.

As of 15th November 2013 we have received no complaints of any other nature this year and have had no complaints from the police or local authority in regard to the property.

We would welcome an opportunity to speak with the direct neighbours to discuss any specific complaints they have in relation to our management of our neighbouring property.

Conclusion

Stonham BASS are keen to engage with local residents and resolve any issues that arise from their properties/residents. From speaking with management at Stonham it was established that the reports of drug dealing outside the address were reported directly to Stonham by a local resident and they immediately contacted the Police who then searched the property and found no evidence or sign of any drugs or drug use at the property.

Cabinet – 17 December 2013

Recommendation from the Overview and Scrutiny Committee of 12 November 2013

Local Council Tax Support Scheme and Council Tax Discounts and Premia 2014/15 onwards

- 1.1 The Committee discussed the report of the Assistant Chief Executive which explained that due to a number of key changes the Council had to re-consider its Local Council Tax Support Scheme and Council Tax Discounts and Premia from 2014/15 onwards.
- 1.2 The Committee discussed the two options under the Council Tax Support Scheme and the two under the Discounts and Premia which Cabinet had agreed for consultation at its meeting on 9 September 2013.
- 1.3 Heather Morgan, Head of Planning and Housing Strategy updated the Committee on the outcome of the consultation. She reported that 700 responses had been received of the 6500 surveys distributed. The responses were evenly split on their preferred option.
- 1.4 The Committee felt it was important that residents were given some certainty about future payments and therefore agreed that the scheme adopted should be for a minimum of two years, i.e. 2014/15 and 2015/16.
- 1.5 **RESOLVED** to recommend Cabinet to agree:
 - (a) Option 2 in respect of the Local Council Tax Support Scheme as set out in paragraph 3.5 of the report of the Assistant Chief Executive to the Overview and Scrutiny Committee on 12 November 2013 and
 - (b) Option 1 in respect of the Discounts and Premia as set out in paragraph 3.2 of the report of the Assistant Chief Executive to the Overview and Scrutiny Committee on 12 November

Councillor Philippa Broom – Chairman of the Overview and Scrutiny Committee

Cabinet

17 December 2013



Title	Localisation of Council Tax Support (final decision)		
Purpose	Resolution required		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Mrs Jean Pinkerton OBE	Key Decision	Yes
Report Author	Heather Morgan – Project Manager		
Summary and Key Issues	<ul style="list-style-type: none"> Income from council tax discounts and premium will not be used to cross subsidise the savings which need to be made from the Local Council Tax Support Scheme Current scheme – 91.5% protection for working age claimants and 100% protection for people with a disability Proposed new scheme – 75% protection for working age claimants and 90% protection for people with a disability Continued risk around collection (assumption is a 70% collection rate if claimants have to pay 30% of total council tax bill) 		
Financial Implications	<ul style="list-style-type: none"> Ongoing 10% reduction in central government grant would be £630,000 There is a potential shortfall of around £240,000 for 2014/15 if the Local Council Tax Support Scheme and the council tax discounts and premium remain unchanged The proposed Local Council Tax Support Scheme could deliver a maximum £631,000 of savings There are risks around collection of up to £260,000 (excluded from savings figure above) Additional recovery staff resources may be required (£28,000 pa) 		
Corporate Priority	Service delivery		
Recommendations	<p>Cabinet is asked to:</p> <ul style="list-style-type: none"> Consider the outcome of the public consultation and the Equalities Impact Assessment. Recommend to Council a Local Council Tax Support Scheme from 1 April 2014 (for a period of a minimum of two years) as set out in paragraph 4.2 subject to the application on the regulations issued for schemes under the Local Government Finance Act 2012. 		

1. **Background**

- 1.1 As part of the Local Government Finance Bill 2012 (which received Royal Assent on 31 October 2012), the government decided to replace the national council tax benefit scheme with localised council tax support.

Current position - National

- Localised council tax support came into effect on 1 April 2013
- Spelthorne adopted its own local scheme on 21 January 2013
- The ongoing 10% reduction (relative to the council tax benefits regime in place prior to 2013-14) in central government funding for 2014/15 is around £630,000 for this borough. Spelthorne's share would be £69,300 (11%). Surrey County Council's share will be £479,000 and Surrey Police £81,900
- The local scheme transferred the financial risk from central to local government. Surrey councils are, as billing authorities, facing additional collection and recovery costs
- Our adopted local support scheme has been integrated into the council tax setting process. It is being accounted for in the tax base calculation, effectively reducing the Band D equivalents
- The government kept its promise of protecting pensioners from these cuts (43% of council tax benefit claimants in our Borough). This meant the burden of the 10% cut was borne (in part) by the remaining working age benefit claimants

Current position – Spelthorne's local council tax support scheme

- 1.2 On 21 January 2013 the Council adopted its own local scheme after extensive public consultation.
- 1.3 **The scheme which was adopted is set out below:**
- **100% protection for pensioners (outside the scheme altogether)**
 - **100% protection for people with a disability**
 - **91.5% protection for everyone else**
 - **Retain second adult rebate**
 - **Capital limit £16,000**
 - **Three months backdating of claims**
 - **Continue 100% disregard for war widows pensions**
- 1.4 The Council has rigorously followed a policy of pursuing non-payment of Council Tax. Payment is a statutory requirement, and the Council has stated that there should not be any exceptions. This has meant pursuing everyone, no matter how small the payment. This policy will continue in future years.
- 1.5 The impact of the scheme has been as follows:

- 1,470 residents have had to pay some level of council tax, where previously they paid nothing
- 200 summons were issued early July and are being pursued through the courts
- It was estimated that the local council tax support scheme would generate £253,000 (with £90,000 at risk)
- £63,000 has been collected to date (with £110,000 at risk)
- The 'average' bill that had to be paid on a Band D property was £132 pa.
- The overall collection rate in July 2013 was 45.5% as compared to 45.8% in July 2012. The collection rate for council tax support only clients was 24.9% for July 2013.

Funding

Current position – funding the local council tax support scheme

- 1.6 In 2013/14 the Council had to make estimated savings of £700,000 to cover the 10% reduction in government grant for council tax support.
- 1.7 The local scheme which the Council adopted took advantage of a one off transitional grant from central government. This was designed to “support local authorities in developing well designed Council Tax Support Schemes and maintain positive incentives to work”. As a result we received £142,000 towards the £700,000 savings we needed to make (£16,000 for Spelthorne, £19,000 for Police and £107,000 for Surrey County)
- 1.8 However this did mean that the Council could only require new claimants to pay a maximum of 8.5% of their council tax. This quite significantly limited how much money we could expect to collect (setting aside what percentage we might actually be able to recover). It was estimated that we would collect £253,000 from this 8.5% 'cap' which even with the £142,000 grant fell well short of the required £700,000.
- 1.9 At Cabinet on 21 January 2013 it was decided that the £306,000 which could be collected from the discounts and premia (which was not at risk) would be:
 “used to offset part of the loss of government funding in 2013/14 and therefore reduce the level of savings required from the Local Council Tax Support Scheme”.

2. Key issues

- 2.1 There are a number of key changes for 2014/15 onwards which will have a direct bearing on the revised Local Council Tax Support Scheme the Council eventually adopts.
- 2.2 Firstly, the transitional grant of £142,000 referred to in paragraph 1.7 above was a 'one off' and cannot be relied on. Secondly, there has been a significant (but not unexpected) reduction in long term empty properties and the income that this would generate. For 2013/14 this has meant that we have not been able to collect £253,000 from the original estimate of £559,000 (as people have said their properties were occupied and therefore paid 100% council tax instead of 150%).

- 2.3 The effect of these key changes is that were the Local Council Tax Support Scheme and the discounts and premia to remain unchanged we would be looking at a potential shortfall of around £377,000 out of a required £630,000.
- 2.4 There is also a more fundamental issue, which is whether or not the council tax support savings which have to be made should be entirely borne by the council tax support claimants or not. The withdrawal of government funding and the increasing pressure on council tax means that the Council has had to re-evaluate its position. Consideration has been given to a 'do nothing' option or a revised scheme which allows for what is called 'transitional protection' (i.e. a phased scheme over two years).
- 2.5 Neither of these are deemed acceptable and from 2014/15 onwards the Council will therefore require council tax support claimants to cover the whole cost of the 10% government savings (i.e. £630,000).

3. Consultation

- 3.1 At Cabinet on 9 September 2013, it was agreed that the current local scheme needed to be revised. Two options were considered at that stage, which were variations of the current Local Council Tax Support Scheme. Both options retained the following elements of the current scheme:
- 100% protection for pensioners (outside the scheme altogether)
 - Retain second adult rebate
 - £16,000 capital limit
 - Three months backdating of claims
 - Continue 100% disregard for war widows pensions
 - No change to the definition of those with a disability
- 3.2 The options focused on two areas (1) level of protection that will be given to benefits claimants, by applying the principle that any revised scheme should 'wash its own face' and (2) whether people with a disability should continue to receive 100% protection.

Option 1

- 3.3 This option would:
- Decrease the level of protection for working age claimants from 91.5% to 70% from 2014/15 onwards
 - Retain 100% protection for people with a disability from 2014/15 onwards

Option 2 (preferred)

- 3.4 This option would:
- Decrease the level of protection for working age claimants from 91.5% to 75% from 2014/15 onwards
 - Decrease the level of protection for people with a disability from 100% to 90% from 2014/15 onwards

Surrey County Council and Surrey Police Authority

- 3.5 The Council was required to carry out a consultation first with precepting authorities (Surrey County and Surrey Police) and then with the wider public.
- 3.6 The Police & Crime Commissioner is anxious to protect the funding that Surrey Police receives from all sources and would not welcome a reduction in the amount that the precept would raise as a result of changes to the Local Council Tax Support Scheme's operated by the Borough and District Councils in Surrey. However, his view is that the decisions about which options to adopt rest better with the members of the District and Borough Councils as they will have a better understanding of the impact that their decisions will have on the amount collected. The full response is attached as Appendix 1.
- 3.7 Surrey County Council made reference to their continued support for the Surrey Framework (removing second adult rebate, reducing capital threshold, restricting the minimum benefit award, limiting support to Band D, ceasing back dating and removing discounts on second and empty homes). They have stated that "the only reductions in support that we consider appropriate are those reflected in the Surrey Framework Scheme. We note that your proposals (both options) still offer a more generous regime of eligibility than is generally the case in Surrey schemes, so we feel this could be explored as a first option". Their response is attached as Appendix 2.

Wider Public Consultation

- 3.8 Public consultation took place between 23 September and 4 November 2013. The survey asked a number of questions which covered the options set out in the September Cabinet report as well as a number relating to empty and second homes. A copy of the survey is included in the report on the consultation feedback.
- 3.9 'Targeted' paper surveys were sent to 3,078 current council tax benefit claimants, 3,400 randomly selected council tax payers and 166 empty home owners, plus several thousand to other groups and organisations (6,644 surveys in total). Electronic copies were sent to affordable housing providers (including A2D), VAIS, the Citizens Advice Bureau, residents associations and amenity groups. An online survey was available on the website throughout the consultation period.
- 3.10 In total, 751 were received (11% of the 'targeted' surveys sent out). A copy of the consultation feedback and analysis report is attached as Appendix 3. It is important to bear in mind that the level of statistical reliability that can be placed on surveys of this type depends, amongst other things, on the total number of responses received. The 'industry standard' is that a response rate of 15% is the minimum for statistical reliability. Some caution is therefore required when looking at the survey responses because the numbers of responses is still small in absolute terms.
- 3.11 In their considerations, Cabinet need to bear in mind that 67% of replies were from council tax payers, 31% from council tax support claimants, 1.9% from online surveys owners and 0.1% from empty home owners. The table overleaf sets out the main findings:

Question	Yes (no. & %)	No (no.& %)	No reply
Do you think that council tax should be raised to cover the cost of these changes?	136 (18%)	597 (79%)	18 (3%)
Do you think services should be cut to fund the benefit gap?	157 (21%)	562 (75%)	32 (4%)
Should people who cannot work be given more council tax benefit than those who could work but are unemployed?	483 (64%)	247 (33%)	21 (3%)
<u>Council Tax Support Option 1</u>			
Should working age people who are on benefit pay 30% of their council tax whilst those with a disability will be protected 100%?	409 (54%)	134 (18%)	208 (28%)
<u>Council Tax Support Option 2</u>			
Should working age people who are on benefit pay 25% of their council tax whilst those with a disability will be protected 10%?	314 (42%)	327 (44%)	110 (15%)

- 3.12 The consultation responses show a preference for Option 1, although for the question on that option there was a very high percentage of people who gave no reply at all (close to one third). This may well reflect that fact that people did not have a clear view on the matter (although those that had a view had a clear preference for protecting disabled people). However, the results of this question need to be seen alongside the responses to Option 2. You might expect to see the opposite response to the question on Option 1 (i.e. a strong rejection of the fact that disabled people would have to pay 10%). Interestingly this is not the case, and there is an almost even split between those who agree with Option 2 and those who do not. There are also fewer people who did not give any answer.
- 3.13 The results of the survey, whilst showing a preference for Option 1 are not conclusive by any means. What is clear is that views on this matter are split and there is no overwhelming consensus on the options that were consulted on.
- 3.14 A2D have commented that from a sustainable tenancy point of view they would prefer option 2 on the basis that the people who will be affected the most are working age people either partially or wholly reliant on benefits who are not in receipt of Disability benefits.
- 3.15 The Cabinet is asked to consider carefully the feedback received as part of its decision making process, and to note that it has been used in the Equalities Impact Assessment for the local scheme for council tax support.

4. **Options analysis and proposal**

- 4.1 The two options set out in paragraphs 3.3 and 3.4 have been carefully considered in light of the responses from the precepting authorities, the consultation surveys and direct feedback from various organisations.
- 4.2 It is proposed that the local council tax support scheme from 2014/15 onwards (for a minimum of two years) will be:

100% protection for pensioners (outside the scheme altogether)

Retain second adult rebate

£16,000 capital limit

Three months backdating of claims

Continue 100% disregard for war widows pensions

No change to the definition of those with a disability

75% protection for working age claimants

90% protection for people with a disability

Reason for recommendation

- 4.3 Set out below are the reasons why this approach is being put forward:

It delivers the most financially sustainable solution. It will cover the financial gap for 2014/15 and 2015/16 and ensures that there is no shortfall to which would need to be borne by Spelthorne Council (11%), Surrey Police (13%) and Surrey County Council (76%)

The minimum two year scheme will provide certainty to claimants that their payments will not change again in the next 12 months

It builds on the current scheme which is straightforward, well understood and accepted

Retaining the second adult rebate will ensure that, for example, adult sons or daughters, relatives or carers are still able to receive a maximum of 25% reduction on the council tax bill.

Maintaining the capital limit at £16,000 ensures that those who have worked and saved hard are not penalised for having made the difficult decision to do so.

There may be cases when individuals, for a number of reasons, are not immediately in a position to claim for council tax support (e.g. in hospital with a serious illness). Restricting backdating to three months ensures that such eventualities are accounted for, and brings the timescales in line with those of pensions. With this in place, it is not considered necessary to have a hardship fund

War widows will continue to be supported with a 100% disregard.

There is resident support for requiring all working age households to pay something towards their bills. Similarly, there is agreement that there should be no increase in council tax to fund the changes, or that services should be cut to fund the gap.

It recognises equality of treatment as everyone will have to pay something.

The principle of fairness. The scheme recognises the fact that working age claimants will face a significant increase, and this should be reflected in some payment from people with a disability (857 people in the borough who will have a relatively low value bill of £2.99 per week for a Band D property).

There would be a higher collection rate for this option than if working age claimants were required to pay 30%. This represents a more sustainable financial approach.

- 4.4 It is proposed that the scheme will run for a minimum of two years and will only be reviewed after that if a change in financial circumstances requires it.
- 4.5 A copy of the local scheme and regulations is available in the Members Room. It will form our local scheme once final approval has been given by Cabinet and Council.

5. **Financial implications**

- 5.1 Funding will be based on 90% of the forecast council tax expenditure for 2014/15. The net saving required from the new local scheme will be £630,000. The risk associated with delivering the savings will be apportioned pro-rata across Spelthorne (11% £69,300), Surrey County Council (76% £478,800) and Surrey Police (13% £81,900).
- 5.2 Modelling has been undertaken to estimate what money could be achieved through these options. Detailed modelling and case studies are set out in [Appendix 4](#).
- 5.3 The Council will need to find £630,000 savings for 2014/15 and £643,000 for 2015/16. These figures reflect the reduction in government grant for council tax support assuming the government do not increase the reduction above 10%. They also assume a 1.99% increase in council tax in 2014/15 and 1.94% for 2015/16.
- 5.4 [Appendix 4](#) makes it clear that the proposed scheme (75% protection for working age and 90% protection for those with a disability) will cover the shortfall in 2014/15 and in 2015/16. This is shown in the table below

Year	Target collection figure	Propose scheme
2014/15	£630,000	£631,000
2015/16	£643,000	£643,000

- 5.5 It will be a considerable challenge to collect the additional money from council tax support claimants. The table below sets out what the annual/weekly payments will be for each of the options for a Band D property (based on 2013/14 council tax figure of £1,555):

Percentage	Average annual payment (Band D)	Average weekly payment (Band D)	Collection rates
8.5% working age (current scheme)	£132	£2.54	90%
25% working age (proposed)	£389	£7.48	75%
10% people with a disability (proposed)	£156	£2.99	95%

- 5.6 The challenge of recovery is reflected in the percentage which we are expecting to achieve (section 7 below). The Head of Customer Services has already indicated that an additional resource may be required to help maximise recovery. The cost of this post (if it were in the form of a full time member of staff) would be £28,000 pa (including on costs). This will be the subject of a separate growth bid and a full business case would need to be submitted for consideration.
- 5.7 As part of the 2013/14 scheme, Surrey County Council agreed to give each authority in Surrey money towards a hardship fund (£26,000). This money is not ring fenced and does not have to be spent in 2013/14. To date we have not had any hardship claims. The money will only be given out where the Council considers the individual concerned meets all the relevant criteria (and has been through a very robust assessment process).
- 5.8 It should be noted that we will uprate applicable amounts as per Department of Works and Pensions circulars.

6. Other considerations

Equalities Impact Assessment

- 6.1 An Equalities Impact Assessment is included at [Appendix 5](#). A summary of the findings are set out below.
- 6.2 This scheme is based on the current council tax benefit scheme and has the same built in protections. Hardship funding is available as a result of a one off grant from Surrey County Council (see paragraph 5.7 above).
- 6.3 The proposed scheme looks to apply the principle 'of everyone pays something', but seeks to be proportionate in how this is applied. Under the current local scheme those with a disability are fully protected. This was on the basis that the most everyone else would pay would be 8.5%. The changing financial climate means that the proposed scheme will require working age people to now pay 25%. It is therefore considered proportionate to require those with a disability to pay a lesser sum of 10%. The actual average payment (set out in the table after paragraph 5.5) is considered to be reasonable (bearing in mind there is a hardship fund for as long as the £26,000 grant pot is available).
- 6.4 Retaining the second adult rebate will ensure that, for example, adult sons or daughters, relatives or carers receive additional protection

- 6.5 The local scheme proposes to retain the capital limit at £16,000 rather than the £6,000 put forward by the Surrey Framework. Whilst a £6,000 limit would maximise the level of savings, it would mean that households would need to use their savings to pay the council tax. As a result, it would not reward those who have worked and saved and would not encourage others to do likewise. The higher limit would also significantly reduce the likelihood that residents might continually move in and out of support if they are on the margin
- 6.6 The local scheme will keep backdating at three months. This will ensure that those residents who fall within one of the 'defined characteristics' are not adversely affected by its complete removal. It takes account of the fact that people may not be in a position to immediately apply for benefit. The majority of those requesting backdating require help with both their rent and council tax so a decision will still need to be made in respect of their housing benefit and the additional work on paying the backdating is likely to be minimal from an administrative point of view.

Communications

- 6.7 How we communicate the message about these changes is absolutely essential. Our reputation as a Council will depend on how well we get this difficult message across. We therefore need to get it right first time.
- 6.8 It is critical that all our communication is done in a way that everyone understands, and that we target our efforts on those who will be directly affected. Without this, implementing the schemes and ensuring we achieve the expected income will be even more challenging.
- 6.9 There is a significant amount of work which will need to be done, both before and after the schemes are implemented. Targeting those directly affected by the changes as part of the consultation worked very well in 2013, as did the individual letters advising them that changes were on the way. Advice was also given once the bills 'landed on the mats'. We will apply the same principles this time, but with a particular focus on those people with a disability.
- 6.10 We will need to be very clear about why we are revising the scheme further. A detailed communications timetable/plan will be developed closer to the time to ensure that we get the right message out. The Cabinet Member for Communications will be involved throughout this process.

7. Risks and how they will be mitigated

- 7.1 The main risks to the proposed changes are the additional adverse impacts on individuals brought about by the further changes. The collection rate for the current scheme (8.5% reduction) is 90% and setting a modest reduction has ensured we have maximised collection. Common sense dictates that the higher the payment, then greater the risk of non-payment or of falling behind with payments.
- 7.2 There will continue to be a risk around avoidance, and in recovering some money. To mitigate this, the modelling makes realistic assumptions about collection rates.
- 7.3 The assumptions which have been made are:
- (a) 75% collection rate for claimants with a 25% reduction in protection

- (b) 95% collection rate for claimants with a disability with a 10% reduction in protection
- 7.4 It is recognised that the proposed local scheme would result in 577 small value bills (less than £150). These will need to be collected and the cost of doing so may exceed the value of the bill.
- 7.5 The challenges around entitlement and collection will mean we will need to retain staff with the necessary skills. This will be an issue, particularly with the abolition of housing benefit by 2017. More resources may be required to ensure we maximise recovery.
- 7.6 There is a risk of legal challenge if the public consultation or equalities impact assessment (EIA) is not deemed sufficient. No challenge arose as a result of the consultation undertaken in 2012 or the EIA and we have adopted the same approach this time.
- 7.7 The changes also need to be seen in the light of wider reforms to welfare benefits. These include restrictions in the amount of housing benefit that can be paid to under occupied properties in the social sector which came in on 1 April 2013, the £500 per week cap on benefits per household which came in on 15 July 2013 and the phased introduction of Universal Credit from October 2013 (although on current estimates this is unlikely to affect Spelthorne until closer to April 2014).
- 7.8 It is likely that these changes in conjunction with the move to a Local Council Tax Support Scheme will affect the same groups of people. All these changes combined may create a risk that a greater number of families will present as homeless and become our responsibility (with increased workloads and additional costs as a result).

8. Timetable for implementation

- 8.1 There are a number of key dates which need to be met:
- | | |
|-------------|--|
| 17 December | Cabinet agree final scheme |
| 19 December | Council agrees final scheme |
| 31 January | 'Cut-off' date for agreeing revised scheme |
| 1 April | Local Scheme for Council Tax Support implemented |

Background papers:

Appendices:

- 1 Letter from Surrey Police to consultation
- 2 Letter from Surrey County Council to consultation
- 3 Report on results of public consultation
- 4 Modelling and financial implications
- 5 Equalities Impact Assessment

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02nd October 2013

Dear Terry,

Localising Support for Council Tax – Consultation with Precepting Authorities

Thank you for your recent letters giving the Police & Crime Commissioner the opportunity to comment on Spelthorne Council's proposed 2014/15 Local Council Tax Support Scheme, for which I apologise for not having replied sooner.

The Police & Crime Commissioner is anxious to protect the funding that Surrey Police receives from all sources and would not welcome a reduction in the amount that the precept would raise as a result of changes to the Local Council Tax Support Scheme's operated by the Borough and District Councils in Surrey, which could in turn lead to the police service having to make additional budgetary reductions to those already being planned for 2014/15 and beyond. The same would also apply to any suggestion that Surrey Police contributed to any significant additional costs/net residual funding gap that individual Councils might incur as a result of changes to the scheme.

Notwithstanding the impact that changes to support schemes might have on Surrey Police the Commissioner does not feel that he is in a position to make comments on the individual alternative options which individual District Councils are currently considering. His view is that the decisions about which options to adopt rest better with the members of the District and Borough Councils as they will have a better understanding of the impact that their decisions will have on the amount collected via Council Tax and passed on to us through the Precept. What the Commissioner would however ask Council members to take account of when deciding what changes to make to existing support schemes, is the consequent impact their decisions will have on the funding of Surrey Police and thereby the ability of the Force to continue to maintain current levels of policing within the County as a whole.

Yours sincerely

Ian Perkin Treasurer & CFO

Response by email to: t.collier@spelthorne.gov.uk

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Mr Terry Collier
Assistant Chief Executive
Spelthorne Borough Council
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10 October 2013

Dear Terry,

Local council tax support scheme 2014/15 - consultation

Thank you for your letters dated 12 September and 26 September consulting us on your localised council tax support scheme for 2014/15.

As you will be aware, the county council offered financial support to address district and borough councils' funding gaps and to contribute to hardship funding for the first year of localised support schemes (2013/14). I am aware that Spelthorne's local council tax support scheme was not assessed as substantially compliant with the Surrey Framework scheme, so was not deemed eligible for the available deficit funding, but did receive a £26,000 Hardship Fund contribution.

These financial contributions were for a single year only, to allow districts and boroughs to learn the lessons (both locally and nationally) from impacts on services, taxpayer behaviour and collection rate changes resulting from particular types of local schemes, with a view to informing future years' schemes. It is difficult to discern the extent to which your current proposals have been so informed.

The county council's understanding is that to fulfil public bodies' equality duty in respect of local schemes, local authorities need to have:

- monitored the impacts on groups with protected characteristics (largely vulnerable groups);
- understood how the use of the Hardship Fund was helping to mitigate the impacts on those groups; and
- provided an analysis based on this of how their proposals for 2014/15 will impact on these groups and any steps they are taking to mitigate them.

The county council's view of the approach to localised council tax support schemes remains substantially unchanged. We continue to support the six criteria that districts and boroughs defined in the Surrey Framework scheme, namely:

- removing the second adult rebate;
- reducing the capital threshold;
- restricting the minimum benefit award to £5 per week;
- limiting support to the level of a Band D property;
- ceasing back-dated awards; and
- removing discounts and exemptions for second homes and empty properties.

We continue to urge you fully to take these into account in your consideration of amendments to your scheme.

We note that your overriding aim in developing your scheme for 2014/15 is to recoup the whole of the calculated funding loss arising from the Government's funding changes, through eligibility changes to your local scheme. We reiterate the county council's concern that such an approach needs to be fully informed by intelligence gathered and learning from first year schemes.

Specific areas for response

You have requested that we provide responses to specific issues that you have identified in your letter. These are addressed below:

a) The extent to which you feel that optimising council tax flexibilities whilst being mindful of practical collection considerations should be part of the package to help reduce the need for reductions in council tax support.

In our view the inclusions within the Surrey Framework Scheme (reduction/ elimination of second home and Class C discounts/ exemptions) represent a good starting point for 2014/15 schemes. Please ensure data and other evidence gathered in respect of 2013/14 inform any changes to this.

b) The general principle of whether the full government funding cuts should be reflected in local schemes.

As you will be aware, we fully supported the districts' and boroughs' development and adoption of the Surrey Framework Scheme for 2013/14. This required relatively small changes to scheme criteria and the elimination of some council tax discounts or exemptions to help to mitigate the funding gap. We do not support making cuts in claimant support to the extent required fully to meet the funding gap as a first option, particularly as we would wish to avoid detrimental impacts on claimants from families with multiple and complex problems, including low incomes, who are within the ambit of the Surrey Family Support programme. Our view on this has not changed, hence we would favour similar limited adjustments, once the flexibilities available on discounts and exemptions have been fully optimised. In terms of your proposals, this would mean removing the second adult rebate, reducing the capital threshold, ceasing backdating of claims and eliminating the discount for uninhabitable and empty properties. You may also wish to consider introducing the premium on long term empty properties, as a number of Surrey authorities have done. This would act

as an encouragement to bring properties back into use and would be consistent with strategies to increase the usable housing stock in your borough.

We also note you currently forecast a deficit on your collection fund for 2013/14. We would be interested to know the extent to which this is or is not linked to your current localised support scheme and how the changes you propose will exacerbate or alleviate this.

c) If so, whether you wish to comment on where those reductions in council tax support should fall, taking into account any impact on your services and the effect on collection rates.

As already stated, the only reductions in support that we consider appropriate are those reflected in the Surrey Framework Scheme. We note that your proposals (both options) still offer a more generous regime of eligibility than is generally the case in Surrey schemes, so we feel this could be explored as a first option, supported by evidence of implementation by other districts and boroughs in Surrey.

d) Your response to proposals that major precepting authorities contribute to additional collection costs/ net residual funding gap of billing authorities.

We are not aware of such specific current proposals. As already stated above, the county council did offer conditional 'funding gap' support for compliant 2013/14 schemes and a contribution to Hardship Funds. We expect districts and boroughs to carry forward any unspent Hardship Fund contribution into 2014/15.

I hope we have addressed all material aspects of your consultation. As a general point we must emphasise that an updated Equality Impact Assessment would have been very helpful to inform our response. It would be very helpful to us if, like last year, you would share with us any financial modelling of your proposed and final schemes that you have undertaken, or undertake in future.

Yours sincerely,

Sheila Little
Chief Financial Officer and Deputy Director of Business Services

COUNCIL TAX SUPPORT AND EMPTY HOMES CONSULTATION

December 2013



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Purpose

The purpose of this report is to present the findings of the Council Tax Support and 'Empty Homes' Consultation. The aim of the consultation was to help refine the Local Council Tax Support scheme which the Council adopted in January 2013. The consultation also covered the local Technical Reforms to the Council Tax covering 'Empty Homes'.

The objectives are to:

- Measure the levels of agreement against each of the questions.
- Identify the most popular options and restrictions for each.
- Identify which group's respondents believe that need added protection.

Background

On 1 April 2013 Council Tax Benefit was replaced with a Local Council, Tax Support Scheme to help people on a low income with their Council Tax. The Government has reduced the funding for this benefit by at least 10% nationally and has tasked councils with developing their own local schemes.

The current Local Council Tax Support Scheme is:

- 100% protection for pensioners (outside the scheme altogether)
- 100% protection for people with a disability
- 91.5% protection for everyone else
- Retain second adult rebate
- Capital limit £16,000
- Three months backdating of claims
- Continue 100% disregard for war widows pensions

At the same time the Government allowed Councils to introduce greater freedoms and flexibilities on Council Tax Discounts and Premiums.

The current scheme for discounts and premiums is:

- No discount for second homes
- 50% discount for uninhabitable properties (class A)
- Progressive discount for empty homes (class C) - 100% month one, 50% month two, 25% month three, 0% from four months onwards
- 50% premium for long term empties
-

Spelthorne Borough Council has developed two options for further refinements to both of these Local Schemes. The following questions were identified:

1. Do you think that Council Tax should be raised to cover the cost of these changes?
2. Do you think services should be cut to fund the benefit gap?

3. Should people who cannot work be given more Council Tax benefit than those who could work but are unemployed?
4. Should working age people who are on benefit pay 30% of their Council Tax whilst those with a disability be protected 100%?
5. Should working age people who are on benefit pay 25% of their Council Tax whilst those with a disability pay 10%?
6. Should there be a 25% discount for uninhabitable properties and a 100% discount for empty homes for month 1 and 0% discount for month 2?
7. Should there be a 0% discount for uninhabitable properties and a 100% discount for empty homes for month 1 and 0% discount for month 2?
8. Do you have any general comments?

This consultation gave the public and organisations the opportunity to share their level of agreement and preferred restrictions with the Council on the above questions.

Methodology

1. Questionnaire Development

The questionnaires were developed by Revenues and Benefits staff with input from the Communications team.

The questions were based on the following:

- Questions around possible options.
- Equalities monitoring.

2. Methodology

The consultation began on 24 September 2013 and closed on 4 November 2013.

To ensure that as many people were involved in the consultation various different mechanisms were used to engage members of the public.

The following groups were directly invited to take part in the consultation:

- Current Council Tax Benefit Recipients: All current working age Council Tax Benefit recipients were sent a paper copy of the questionnaire with a return envelope. Working-age benefit recipients and those with disabilities were chosen as pensioners are exempt from the changes in support (3,078).
- Council Tax Payers: 20 randomly chosen households from all parish wards within the borough were sent a paper copy of the questionnaire with a return envelope (3,400).
- Owners of empty properties: All owners of empty properties on the council's database were sent a paper copy of the questionnaire with a return envelope (166).

- Residents Associations/Amenity Groups: All groups were emailed a link to the Councils website to be able to fill in and respond on line (43).
- A2 Dominion: Were consulted directly by email and asked for their views.
- Citizen's Advice Bureau: Were consulted directly by email and asked for their views.
- Voluntary Action in Spelthorne: An electronic link was sent to the Manager of VAIS which they circulated to their database of local organisations and individuals.
- Media Releases/Newspapers/Press: Media releases of the consultation were sent to all media contacts to ask them to promote the consultation to their readers.
- Spelthorne Borough Council: A Council Tax Support consultation webpage was created specifically for the consultation and included an electronic link to the questionnaire. The consultation was also on the Councils 'Engage App'.

Analysis

All electronically completed questionnaires were imported into SNAP 10 software, which is used to analyse the information. The paper questionnaires were also input into SNAP.

'Closed' question analysis: (tick box answers). The answers were analysed to show the percentage of respondents who selected an option. The results are presented in charts and tables.

'Open-ended' analysis: (free text answers). The comments were reviewed and grouped into the most common themes. These were then analysed and comments provided in a table format.

Results

Response Rate

A total of 6,644 questionnaires were sent out of which 751 were completed, a response rate of 11%.

It is important to bear in mind that the level of statistical reliability that can be placed on surveys of this type depends, amongst other things, on the total number of responses received. The 'industry standard' is that a response rate of 15% is the minimum for statistical reliability. Some caution is therefore required when looking at the survey responses because the numbers of responses is still small in absolute terms.

Questionnaire Results:

1. Do you think that Council Tax should be raised to cover the cost of these changes?

		Number	%
	Yes	132	18%
	No	597	79%
	No reply	18	3%

2. Do you think services should be cut to fund the benefit gap?

		Number	%
	Yes	157	21%
	No	562	75%
	No reply	32	4%

3. Should people who cannot work be given more Council Tax benefit than those who could work but are unemployed?

		Number	%
	Yes	483	64%
	No	247	33%
	No reply	21	3%

4. Should working people who are on benefit pay 30% of their Council Tax whilst those with a disability will be protected 100%?

		Number	%
	Yes	409	54%
	No	134	18%
	No reply	208	28%

5. Should working people who are on benefit pay 25% of their Council Tax whilst those with a disability pay 10% of their Council Tax?

		Number	%
	Yes	314	42%
	No	327	44%
	No reply	110	14%

6. Should there be a 25% discount for uninhabitable properties and a 100% discount on empty homes for month 1 and 0% discount from month 2?

		Number	%
	Yes	270	36%
	No	349	46%
	No reply	132	18%

7. Should there be a 0% discount for uninhabitable properties and a 100% discount on empty homes for month 1 and 0% discount from month 2?

		Number	%
	Yes	305	41%
	No	324	43%
	No reply	122	16%

8. Do you have any general comments?

318 (42%) respondents added further comments. The following table provides a summary of the most commonly themed comments:

Local Council Tax Support Scheme

Disability – people will have a disability allowance so they are able to pay their share	Not clear on who can claim disability and whether a 100% discount will lead to 'false claims'	Need to have categories for different levels of disability and pay accordingly
Benefit culture has gone too far – people must be encouraged to work	More help to those working but on a low income not those who choose not to work at all	Provide some protection for those who have worked, paid council tax but can no longer work due to disability
Concerned that 25% or 30% will put a real strain of budgets (alongside utilities, rent and food)	Pensioners and disabled should be protected. Single parents should pay 10%	People cannot afford to pay any more than they do now. No incentive to work as all the money is taken away
Disabled – very low income, not able to work, not able to pay any council tax	People who choose not to work should do community work	Should generally tax those who work and have high salaries more
Council tax should be proportionate to income	Means test benefits (should not exclude pensioners)	Council should use its millions in reserves

Discounts and Premia Scheme

Empty homes – takes more than 1 month to sell and when empty there is no demand on council resources	0% discount will encourage owners to adequately maintain the housing stock. Not acceptable for there to be empty homes when so many people need them	Compulsorily purchase homes empty for more than 2 years for others to live in
Empty homes – need a stepped reduction in payments	Commercial properties should pay 200% if vacant for more than a year	Council should find more ways to make money/pay too much council tax for a poor service/should cut number of cllrs and managers
Empty homes – need government tax incentives to get people to rent them out	People with second homes should pay full council tax (Note: we now require this)	

67% of replies were from council tax payers, 31% from council tax support claimants, 1.9% from online surveys owners and 0.1% from empty home owners.

Individual responses from organisations

A2 Dominion

As the main affordable housing provider, an email consultation was undertaken with A2Dominion to explain the scheme, and listen to their comments. In their view, any local scheme for council tax support should minimise the possible impact on their clients. They

expressed concern that the combination of this change, along with the benefit cap, changes to under occupation and universal credit would create a real challenge for some of its clients.

Their clear preference out of the two options given was for a scheme that requires working age claimants to pay 25% and those with disabilities to pay 10%. They also comments that the people who will be affected the most are working age people either partially or wholly reliant on benefits who are not in receipt of Disability benefits. It is hard to see in some instances how they will afford these changes especially people under the age of 25. They also asked if there is a discretionary pot of money to help such people.

Citizen's Advice Bureau (CAB)

The CAB give a lot of advice to Spelthorne residents who are facing potential difficulties and their views on a proposed scheme were key. In their view, any local scheme for council tax support should minimise the possible impact on residents. They expressed concern that the combination of this change, along with the benefit cap, changes to under occupation and universal credit would create a real challenge

Voluntary Action In Spelthorne (VAIS) / Disability Groups

VAIS were contacted and it was their responsibility to disseminate the consultation amongst the voluntary organisations which it represents (including those with disabilities). No individual responses were received as a result of the consultation/survey.

Conclusion

The aim of this conclusion is to summarise the findings of the consultation.

General

There was a clear consensus that council taxes should not be increased to cover the cost of the local council tax support scheme (81.5%). Similarly, there was a widely held view that services should not be cut either (77%). Both of these indicate broad support for a scheme where those who currently are in receipt of benefit pay something, and that those who have more than one property should pay accordingly.

Council tax support

The survey gave two options on changes to the Local Scheme. Option 1 was that those of a working age should pay 30% and those with a disability should receive 100% protection. Option 2 advocated that those of a working age should pay 25% and those with a disability should pay 10%.

Overall responses indicated that there was a preference for Option 1 over Option 2. It is worth noting that 54% of people were in support of those of a working age paying 30%. However there was an even split (42% and 44%) when it came to the question of whether they should pay 25% and those with a disability should pay 10%.

Council Tax Benefit claimants

Those who responded were evenly split on the 30% payment - 47% in support v 48% against (of those who gave a view). They were clearly not in favour of the 25% and 10% option - 35% in support v 56% against (of those who gave a view).

General Council Tax payers

Those who responded were clearer in their views on the 30% payment - 58% in support v 32% against (of those who gave a view). However, they also supported the 25% and 10% option – 45% in support v 37% against (of those who gave a view).

It is evident from this that there is no over-riding consensus on which of the options those consulted favoured, although Option 1 (30% payment for those of a working age with 100% protection for disabled people) had more support. What is clear is that the majority of those consulted did have a view that generally there needed to be an increase in the percentage paid. However, the precise level at which this should be made is not conclusive from an assessment of the survey results.

Council tax premiums and discounts

The survey gave two options. Option 1 was a 25% discount on uninhabitable properties and that empty homes should benefit from 100% discount for month 1 with a 0% discount from month 2. Option 2 was a 0% discount on uninhabitable properties and that empty homes should benefit from 100% discount for month 1 with a 0% discount from month 2

Overall responses indicated that there was a preference for option 2 over option 1. The consultation responses show that there was not a clear preference for either of the options in the consultation. Whilst for option 1 there were more responses saying there should not be a 25% discount on uninhabitable properties, this only represented 46% of replies.

Council Tax Benefit claimants

Those who responded were not in favour of the 25% discount for uninhabitable properties - 35% in support v 49% against (of those who gave a view). However, nor were they in favour of the 0% discount - 37% in support v 49% against (of those who gave a view).

General Council Tax payers

Those who responded were not in favour of the 25% discount for uninhabitable properties, but this was not overwhelmingly so - 37% in support v 44% against (of those who gave a view). There was support for the 0% discount but this was fairly evenly split - 43% in support v 39% against (of those who gave a view).

It is evident from this that there is no over-riding consensus on which of the options those consulted favoured, although Option 2 (0% discount on uninhabitable properties and that empty homes should benefit from 100% discount for month 1 with a 0% discount from month 2) had more support. However, there was not a clear consensus on which option was favoured by those consulted.

Appendix 4

Council Tax Modelling examples 2014/15 onwards

There are currently 5486 council tax benefit claimants.

These are broken down into 55 separate categories. Detailed below is a sample of the top 7 categories affecting 1784 working age claimants.

2 further categories identify the most vulnerable groups which affect 199 claimants.

GROUP	NUMBER OF CLAIMANTS EFFECTED	CURRENT ENTITLEMENT £5.7m 91.5% working age 100% disabled	PROPOSED OPTION 25% working age 10% disabled
SAVINGS	Target £610k 13/14 Target £630k 14/15 Target £643k 15/16	£318k Council Tax Support (CTS) £236k Empty Homes £142k Government Transition Grant £696k Total	£817k CTS
Working age Passported (Group 39)	503 Job Seekers Allowance (JSA) Employment Support Allowance (ESA)		
Ashford Band C £1382.78 £1037.08 spd	Ms C IS	£948.93 Instalments £9	£775.68 Instalments £26
Stanwell Band D £1555.63	Mr T ESA (IR)	£1423.40 Instalments £13	£1163.53 Instalments £39
Ashford Band D £1555.63	Ms T ESA (IR)	£1423.40 Instalments £13	£1163.53 Instalments £39
Lone Parent with children U5 Passported (Group 19)	354 Income Support (IS)		
Stanwell Band C £1382.78 £1037.80 spd	Miss P IS 1 child (8) 1 child (2)	£948.93 Instalments £9	£775.68 Instalments £26
Ashford Band D £1555.63 £1162.72	Ms W IS 1 child (3) 1 child (5)	£1067.55 Instalments £10	£872.65 Instalments £29
Stanwell Band D £1555.63	Mrs H IS 2 children (1,3) 2 non deps	£1423.40 Instalments £13	£1163.53 Instalments £39
Working age Non passported 1 child (Group 65)	210		
Shepperton Band D	Ms H Working 25 hr	£466.03 Instalments	£245.52 Instalments

Appendix 4

£1555.63	1 child (14) 1 non dep (19) Weekly income £351	£109	£131
Stanwell Band D £1555.63 £1166.72 spd	Mrs R Tax Credits 1 child (9) Weekly income £290	£302.94 Instalments £86	£108.04 Instalments £105
Sunbury Band D £1555.63 £1166.72	Ms P Tax credits Capital £6754 2 children (13,15) Weekly income £257	£1067.55 Instalments £10	£872.65 Instalments £29
Working age Passported 1 child Group 31	173 Income Support (IS)		
Stanwell Band E £1901.32 £1425.99 spd	Mrs B ESA (IR) 2 children (15,16)	£1304.78 Instalments £13	£1066.57 Instalments £36
Sunbury Band C £1382.78	Mrs H ESA (IR) 1 child (6) 1 non dep (24)	£1265.24 Instalments £12	£1034.25 Instalments £35
Sunbury Band C £1382.78 £1037.08 spd	Mrs O JSA 1 child (7)	£948.93 Instalments £9	£775.68 Instalments £26
Working Age Passported Disability Group 13	209 Employment Support Allowance (ESA) Job Seekers Allowance (JSA) Income Support (IS) Disability Living Allowance (DLA/DLL/DLH)		
Ashford Band D £1555.63	Miss M ESA & DLL Capital 1 non dep (42)	£1555.63 Instalments £0	£1396.24 Instalments £16
Laleham Band C £1382.78	Mr & Mrs H Mrs on IS & DLA Capital 1 child (2)	£1382.78 Instalments £0	£1241.10 Instalments £14
Staines Band C £1382.78 £1037.08 spd	Mr K ESA (IR) DLA DLL	£1037.08 Instalments £0	£930.82 Instalments £10
Working Age Non Passported Child Under 5 (Group 55)	173		
Stanwell Band C £1382.78	Miss G Tax Credits 1 child (2) Working 20hrs Weekly income	£1265.24 Instalments £12	£1034.25 Instalments £35

Appendix 4

	£226		
Shepperton Band C £1382.78	Miss C Tax Credits Working 36 hours 2 Children (1,4) Weekly Income £409	£341.58 Instalments £104	£119.88 Instalments £126
Shepperton Band D £1555.63	Mr R & Ms S Working 24hr 2 children (6,4) Weekly income £428	£1200.93 Instalments £35	£941.80 Instalments £61
Working Age Non Passported 2 Child (Group 63)	162		
Sunbury Band C £1382.78	Ms H Working 17 hr 2 children (13,9) Non dep (22) Weekly income £342	£821.14 Instalments £56	£607.85 Instalments £77
Sunbury Band D £1555.63	Mr & Mrs B Working 40 hr 2 children (17,8) 1 non dep(20) Weekly income £400	£638.13 Instalments £92.00	£381.66 Instalments £117
Staines Band D £1555.63	Ms S & Mr R Working 35 hr 3 children (8,9,17) Weekly income £490	£382.21 Instalments £117	£126.13 Instalments £143
Working Age Passported Severe disability (Group 9)	167 Income Support (IS) Disability Living Allowance (DLA/DLM/DMH) Incapacity Benefit (IBN)		
Stanwell Band D £1555.63 £1166.72 spd	Mrs H IS DLA DLM IBN	£1166.72 Instalments £0	£1047.18 Instalments £12
Stanwell Band E £1901.32 £1425.99 spd	Mrs O IS DLA DMH 1 Child (15) Severe Disability	£1425.99 Instalments £0	£1279.88 Instalments £14
Stanwell Band B £1209.94 £907.45 spd	Ms N IS DLH DMH	£907.45 Instalments £0	£814.47 Instalments £9
Working Age Non Passported Severe Disability Group 43	32 Disability Living Allowance (DLA/DLM/DLH) Incapacity Benefit (IBN/IBB)		

Appendix 4

Stanwell Band B £1209.94 £907.45	Mr I DLA DLA IBN	£907.45 Instalments £0	£814.47 Instalments £9
Stanwell Band D £1555.63	Mr & Mrs S Mr Blind & Severally disabled Capital DLH DMH IBN IIB	£716.23 Instalments £84.00	£559.14 Instalments £100
Staines Band C £1382.78 £1037.08 spd	Mr S Severally disabled DLA Working Weekly income £311.60	£372.04 Instalments £67	£268.44 Instalments £77
Number of small value bills issued < £150			577
Collection rate risks	Target £610k 13/14 Target £630k 14/15 Target £643k 15/16		£723k CTS @ 75% £94k (disa) @ 95% £631k (2014/15) £643k (2015/16)

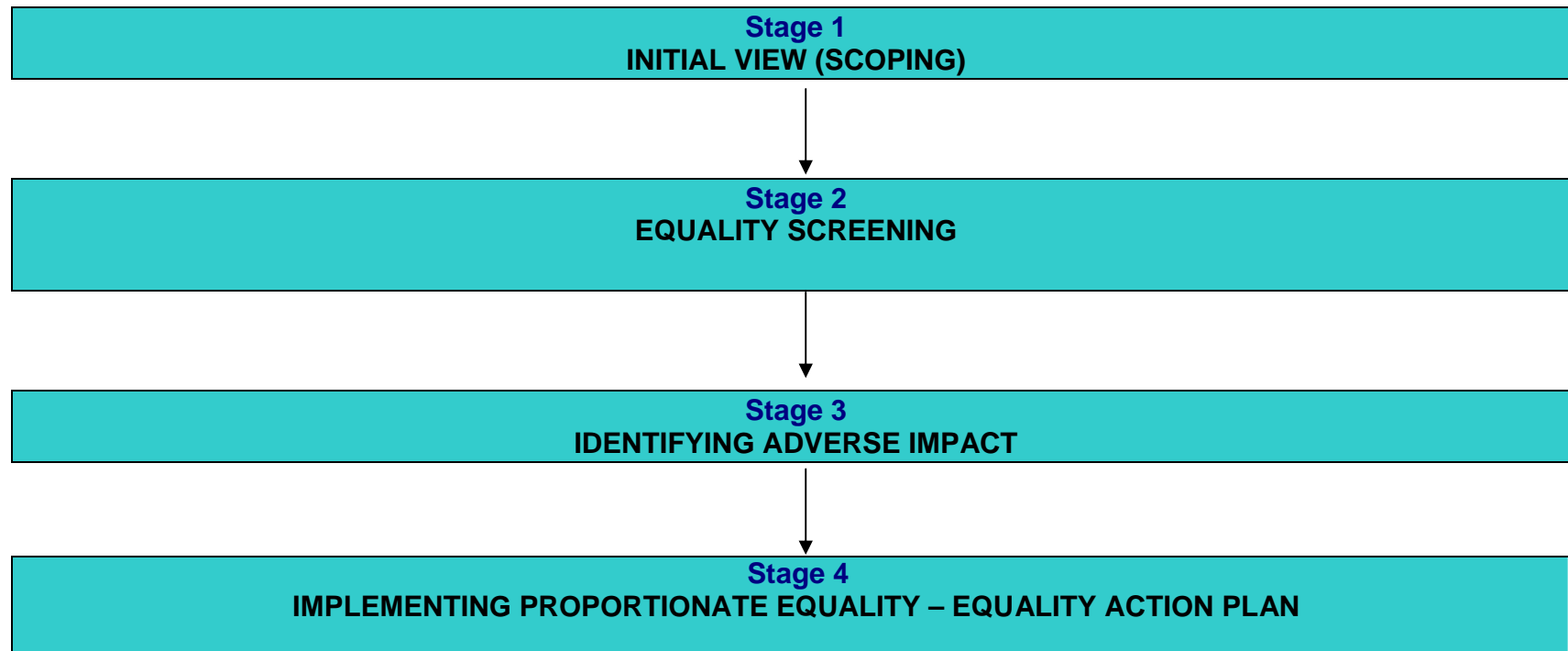
- ❖ Target collection rates assume 1.99% increase in council tax for 2014/15 and 1.94% for 2015/16
- ❖ Target collection rate assumes 10% cut in council tax benefit subsidy from central government

NB: If you do not have data to support your objectives you will need to develop monitoring mechanisms that will support and help you identify the gaps in service provision or employment issues.

SPELTHORNE BOROUGH COUNCILS

EQUALITY IMPACT ASSESSMENT TOOLKIT

6. EQUALITY IMPACT ASSESSMENT FLOWCHART



APPENDIX 5

STAGE 1 – SCOPING

Scoping is the initial planning stage of the assessment. The aim of this scoping is to identify how the EIA will be conducted and assessing at this early stage:

AGREEING WHO WILL LEAD AND CARRY OUT THE ASSESSMENT

Establishing responsibility and ownership has been identified as a critical part of making the assessments a meaningful exercise.

1.1 Policy, Practice, Functions or Service being assessed	<i>Please state policy or service being assessed</i>
Council Tax Support	
1.2 Lead Officer	<i>Please state name and contact details of lead officer who will be conducting the review.</i>
Terry Collier Assistant Chief Executive (01784) 446296 t.collier@spelthorne.gov.uk Heather Morgan Project Manager (01784) 446352 h.morgan@spelthorne.gov.uk	

1.3 What do you think are the main issues relating to diversity within your policy or service area?	It is suggested that it would be helpful for those who carry out the assessment to begin by offering an initial view of what they think are the main issues relating to diversity for the policy or service being assessed. This can then help shape the questions that will form the basis of the assessment and ensure that the assessments are tailored to the specifics of the service, rather than just working
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APPENDIX 5

	<p>through a set of standard questions.</p> <p><i>Some things you may wish to consider.</i></p> <ul style="list-style-type: none"> • <i>How do you think that your policy or service currently meets the needs of different communities in Spelthorne?</i> • <i>Do you think that your policy/service specifically contributes to promoting Equality and Diversity in Spelthorne? if so, in what way?</i> • <i>Do you think that your policy or service presents any barriers to any community or group? if so please provide evidence.</i> • <i>How can your service or policy tackle these barriers ((gender, disability and race at least) age, religion/faith and sexuality))</i> • <i>Are there any equality objectives that are on-going or planned for the future, if so please state.(These could be included in your Equality Action Plans (Stage 4)</i> • <i>Please list our proposed equality objectives, at this stage, if any?</i>
<p><u>Current</u></p> <p>The existing Council tax benefit scheme was abolished by central government on 1 April 2013. At present, there are around 5,582 claimants of council tax benefit, with 2,411 pensioners and 3,171 of working age. Of these 72% are on maximum benefit (i.e. they pay nothing and are passported). This equates to around 2,280 individuals.</p>	

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The system gives claimants full or partial support in paying their council tax depending on income/savings, age and personal circumstances. No benefit is paid if you have savings over £16,000. Benefits are paid to those who claim a disability allowance.

There is no differentiation of protected groups as opposed to any other members of society under the current scheme.

On 21 January 2013 the council adopted a local council tax support scheme. The new scheme is a partially funded scheme. Authorities have been awarded an upfront grant amounting to 90% of the Governments estimated expenditure, leaving authorities to find/fund the remaining 10%. The £700,000 for Spelthorne would be split between the borough (£77,000), county and police (£623,000).

Pensioners have been excluded from the changes (i.e. are not affected by the proposed reductions) and they equate to around 41% of all those residents in the borough who claim council tax benefit. As such, the burden of the reduction has fallen on the working age who are claiming benefit, equating to an 18% shortfall in funding in the council tax benefits were to be fully funded by the changes to council tax support.

The current adopted Local Scheme is as follows:

100% protection for pensioners (outside the scheme altogether)

100% protection for disabled people

91.5% protection for everyone else

Retain second adult rebate

Capital limit £16,000

Three months backdating of claims

Continue 100% disregard for war widows pensions

The local scheme which the Council adopted took advantage of a one off transitional grant from central government. This was designed to “support local authorities in developing well designed Council Tax Support Schemes and maintain positive incentives to work”. The Council also decided to use monies from increases to council tax discounts and premiums to partially offset the saving s required for council tax support

APPENDIX 5**Future**

The transitional funding was for one year only and is no longer available. There has also been a reduction in income from empty homes to help offset the council tax support savings which need to be found. The Council has also had to consider a more fundamental issue, which is whether or not the council tax support savings which have to be made should be entirely borne by the council tax support claimants or not.

From 2014/15 onwards the Council has decided that it will therefore require council tax support claimants to cover the whole cost of the 10% government savings (£630,000)

STAGE 2: EQUALITY SCREENING PROCESS (Risk Assessment)

1. Introduction

Stage 2 consists on undertaking a screening (or equalities risk assessment). Key areas to consider are?

- What are the key policies, functions and services which may have 'Relevance' to equality and diversity?
- How will you rank these?
- Will you consider individual policies

The outlined Equality Screening Process (ESP) should be used where Service areas are conducting Service based Equality Impact Assessments (EIAs) and/or Policy based EIAs. The purpose of this screening process is to identify policies or practices we believe have a 'Relevance' to disadvantaged groups e.g. BME communities, people with disabilities, women or men, etc. This process should enable the lead officer to identify what are the key equality issues in their respective service area and to identify policies or practices believed to could have an adverse impact on disadvantaged groups.

2. How to use the Equality Screening Process

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Each Lead Officer is asked to identify which services, functions, policies or practices that have a ‘Relevance’ on service delivery in relation to the six diversity themes using the scoring sheet. Points should be provided on the basis of actual or presumed ‘Relevance’ based on the information provided in section 1. By the end of the exercise you should have added all the points and given a score. The next stage is to identify which polices/practices have a high/medium or low adverse impact.

2a. Points

- 5 – This policy or practice could have a very high relevance on our service delivery
- 4 – This policy or practice could have a relatively relevance on our service delivery
- 3 – This policy or practice could have a medium relevance on our service delivery
- 2 – This policy or practice could have a relatively low relevance on our service delivery
- 1 – This policy or practice could have a very low relevance on our service delivery

2b. Scoring

- 1-10 points** – Low Relevance
- 11 – 20 points** – Medium Relevance
- 21 and above** – High Relevance

Please see example below:

Service, Function, Policy, Practice.	Age	Disability	Gender	Gender Reassignment	Marriage / Civil partnership	Pregnancy	Race	Religion / Belief	Sexual Orientation	Total Points	Impact H/M/L
Example Services	3	2	1	3	1	2	3	1	2	12	Med

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3. Equality Screening Process

Service, Function, Policy, Practice.	Age	Disability	Gender	Gender Reassignment	Marriage / Civil partnership	Pregnancy	Race	Religion / Belief	Sexual Orientation	Total Points	Impact H/M/L
Council Tax Support	4	4	1	1	2	2	2	2	2	20	High

4. Conclusion – Policy or Service EIA?

If a policy/practice has a score of 25 or over, it is advisable that a Policy based EIA is undertaken. If most policies score below 25, it would be advisable to conduct a service based EIA, which will involve an EIA that overviews all policies or practices in your respective service area.

Conclusion – service based EIA

STAGE 3. IDENTIFYING ADVERSE IMPACT

The aim of an assessment is to identify whether the service or policy has an adverse impact upon people with disabilities, black and minority ethnic communities, men and women, heterosexual, gay, bisexual and lesbian communities, older and younger people and faith communities. The assessment should ultimately produce proportionate equality objectives, which help remove barriers and link into service plans. The end result must, at least, produce one equality objective for each of the three equality themes listed by the Local Government Equality Standard, namely gender, disability and race.

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Stage three comprises of two sections.

- Concentration on the aims of the service, policy, function or practice.
- Focuses on the practical delivery of the policy or service.

Assessing the Aims and Criteria of the Policy or Service

This section will determine whether the underlying aims, policies and procedures of the policy or service comply with the Disability Discrimination Act 1995, and Disability Discrimination Act 1995 and (Amendment) 2005, Sex Discriminations Act 1977, and Single Equality Act 2005, Equal Pay Act 1970, Employment Directive (Religion/belief) 2003, Employment Directive (Sexual Orientation) 2003, Employment Directive (Age Discrimination) 2006 and the Local Government Equality Standard. In addition to the key questions below, you may wish to include any specific issues that were identified during the scoping stage of the assessment.

Key Questions	Issues to consider
3.1 What are the aims of the policy, practice, function or service?	<p><i>What needs is the policy/service designed to meet?</i></p> <p><i>What are the current priorities?</i></p> <p><i>You could also refer to your current Service Plans</i></p>
<p>Government changes mean that Spelthorne are looking to adopt a local scheme for council tax support as follows:</p> <ul style="list-style-type: none"> 90% protection for disabled people 75% protection for everyone else Retain second adult rebate Capital limit £16,000 Three months backdating of claims Continue 100% disregard for war widows 	

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<p>3.2 What do your staff/team members say about your initial view?</p>	<p>You could:</p> <ul style="list-style-type: none"> • What do staff members feel are the gaps, or what do they feel could improve the service? • Speak to your colleagues within your team <p><i>List what equality objectives that are currently implemented or will soon be implemented.</i></p>
<p>There has been extensive discussion about the elements of the local scheme which are to be included at service and Project Board level. There is consensus over the changes as set out above.</p>	
<p>Key Questions</p> <p>3.3 What does available data and the results of any consultations show about the take up of services? What is the impact on different groups? (qualitative and quantitative)</p>	<p>Issues to consider</p> <p><i>You could look at:</i></p> <ul style="list-style-type: none"> • <i>previous community consultation exercises,</i> • <i>customer service reviews and analysis.</i> • <i>Census data</i> • <i>What are the experiences of front-line staff in relation to the provision of the service?</i> • <i>location of facilities.</i> • <i>lack of access to translation/interpretation or access to building or services,</i> • <i>eligibility rules could be a barrier?</i>
<p><u>CLG</u></p> <p>The CLG have undertaken some relevant national impact work themselves, and advise:</p>	

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The measures are aimed at ensuring any scheme promotes work and personal responsibility
 It continues to support disabled people
 It does not expect that this policy will disproportionately affect any particular gender or ethnicity

National statistics and comments from organisations

5.9 million council tax benefit customers as at April 2012 (but only two thirds of those who are entitled claim it)
 3.3 million working age council tax benefit customers (55%)
 2.7 million pensioner age council tax benefit customers (45%)
 48% of benefit recipients under 65 may have at least one adult or child who is disabled
 18% of benefit recipients under 65 have caring responsibilities
 3.9 million council tax benefit customers receive a passported benefit (66%) of which 55% are working age
 £4.9 billion is awarded each year at an average £15.69 per person per week

Institute for Fiscal Studies have said that all options for cutting council tax support tends to hit the poor the most. Cuts involve reducing support for those entitled to maximum benefit to collecting tax from those with the lowest incomes.

The Joseph Rowntree Foundation have said that a local scheme will enable Council to promote employment and growth but may well discourage low income families from living in an area. It has commented that 85% of council tax benefit goes to the lower income half of households, and as such any cuts are bound to hit predominantly poorer families.

DWP

The DWP undertook at EIA assessment when developing the policy which allows Councils to develop a local scheme. It concluded:

Some groups are out of work for longer and may have to rely on benefits more than others. Women's employment rates are lower (69% compared to 75%), ethnic minorities compared to white (60% compared to 74%) disabled compared with non-disabled (48% compared to 77%)

Poverty affects some groups more than others (e.g. disabled adult and highest for workless disabled adults)

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The current welfare system has adapted to meet needs (children, lone parents, disabled) which do not necessarily reflect the equalities groups

The current system acts as a disincentive to work due to its complexity (ethnic minority groups). The new system would make work pay and promote equality of opportunity

2011 Census -I Local Area Profile

Key relevant information from the 2011 census for Spelthorne is as follows:

Total population	95,598
Total households	39,512
Males	49%
Females	51%
Child 0 -18	20.6% (6.3% 0-4 years)
Adult 18 – 64	62%
Adult 65+	17.5%
Non-white ethnic	19%
Christian	65%
People limited by disability	15%
People providing unpaid care	10%
People with bad/very bad health	3.2%

Spelthorne statistics

5582 households receive council tax benefit

2411 are pensioners

3171 are working age

72% are pass ported (co activia figure) which means 2280 claims are pass ported

808 claims are working(co activia figure) which means 25% of working age are earning

Of 808 non pass ported:

- 38 receive severe disablement premium - 5%

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<ul style="list-style-type: none"> • 128 receive disability premium - 15% • 32 receive disabled child premium - 4% 	
<p>3.4 Can you identify any gaps? What are the reasons for this?</p> <p><i>(Please note: If you do not have any data, you may wish to develop service based monitoring mechanisms that collate data on under-represented groups)</i></p>	<ul style="list-style-type: none"> • <i>Are communities or service users aware of this policy or service?</i> • <i>Are there any accessibility issues?</i> • <i>Is service provision monitored, if so how?</i> • <i>Is there a lack diversity awareness amongst staff?</i>
<p>There are no gaps which have been identified. All current council tax benefit claimants were consulted directly about the changes and asked to complete a consultation survey. In addition, a selection of general council tax payers were consulted (who may or may not be affected in the future).</p> <p>Voluntary Action in Spelthorne, along with the Citizens Advice Bureau, faith and disability groups were consulted and/or advised about the proposed changes and asked for their views. Information was also available on the Councils website (as well as an online survey).</p> <p>Full details are set out in the consultation survey results (Appendix 3 of the 17 December 2013 cabinet report)</p> <p>Staff have all had equalities training and deal with these issues on a daily basis.</p>	
<p>3.5 What practical changes do you feel would help reduce any adverse impact on particular groups?</p>	<p><i>For example, changes in communication methods, language support, disability measures, changes in eligibility criteria, developing monitoring mechanisms, diversity training?</i></p>
<p><u>Age</u></p>	

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Pensioners are protected under the government regulations and should not be adversely affected.

There is no change to entitlement to second adult rebate as part of the local scheme. Second adult rebate is commonly paid where there is a single adult with a parent living with them (and this could include some older people).

Backdating will apply to all claims made within a three month period of a change of circumstance. This is unchanged for pensioners. For younger people (who may have less experience of the benefits system) the three month period will give sufficient time to apply for this element. For older people it will give some time to apply (if for example it is not immediately possible to do so due to ill health). It is not considered necessary to have a hardship fund with this period in place.

The capital limit is being kept at £16,000 and there will be no additional impact on those older working age people who may have saved throughout their life.

War widows will continue to benefit from 100% disregard. (Note: all war widows in the borough are currently of pension age).

Working families would not be unduly penalised by the scheme, as they would pay no more than 25% maximum, and maintains incentives to work. This would equate to £7.48 per week reduction in council tax for a band D property. This ensures that those working families with children will not be severely affected by the changes, taking into account the decision of the Council for the 10% savings to be found by council tax claimants alone (with no cross subsidy). Families clearly have less disposable income and it is recognised that council tax is only one of a number of bills which need to be paid. The limited additional amount which people would need to pay is consistent with the Council's duty to safeguard and promote the welfare of children. The scheme also recognises that younger people who are starting out in work could find it more difficult to increase their income than those who have more experience of work.

Disability

Those with disabilities have the potential to be one of the groups most affected by the local scheme. Particular consideration has therefore been given to this, and as a result the proposed scheme does provide additional protection for people with disabilities, bearing in mind the principle that 'everyone pays something' and that any requirement from a

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disability perspective should be proportionate. It ensures that the most vulnerable people would pay is a maximum of 10% of their council tax bill. This would equate to £2.99 per week reduction in council tax for a band D property. In many cases it would be lower than this.

There is no change to entitlement to second adult rebate as part of the local scheme. Second adult rebate is commonly paid where there is a single adult with a parent living with them (and this could very well include those people with a disability who need a carer). Retaining the second adult rebate will ensure that, for example, adult sons or daughters, relatives or carers are still able to receive a maximum of 25% reduction on the council tax bill.

Backdating will apply to all claims made within a three month period of a change of circumstance. For those with a disability it will give some time to apply (if for example it is not immediately possible to do so due to a deterioration in health). It is not considered necessary to have a hardship fund with this period in place.

The capital limit is being kept at £16,000 and there will be no additional impact on those vulnerable people who may have been able to save.

Working families would not be significantly penalised by the scheme, as they would pay no more than 25% maximum, and maintains incentives to work. This would equate to £7.48 per week reduction in council tax for a band D property. This ensures that those working families with children will not be severely affected by the changes, taking into account the decision of the Council for the 10% savings to be found by council tax claimants alone (with no cross subsidy).

The limited additional amount which people would need to pay is consistent with the Council's duty to safeguard those with a disability.

Some disabled households are larger as extra accommodation space may be required. A disabled band reduction can be granted in certain prescribed circumstances on the council tax liability which reduces the charge to that of a property in the next council tax band down. However a resident could still be affected if the reduced band remains higher than an implemented restriction. This is likely to be minimal.

Gender and Gender re-assignment

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Women are more likely to be single parents and are more likely to have an adult who has remained living with them or returned to live with them. Single parents living with an adult child are more likely to claim second adult rebate so women could be disproportionately affected.

There is no change to entitlement to second adult rebate as part of the local scheme. This will ensure that those who find themselves in the situation above will not be affected.

Backdating will apply to all claims made within a three month period of a change of circumstance. For younger people (who may have less experience of the benefits system) the three month period will give sufficient time to apply for this element. For older people it will give some time to apply (if for example it is not immediately possible to do so due to ill health). It is not considered necessary to have a hardship fund with this period in place.

The capital limit is being kept at £16,000 and there will be no additional impact on men or women who may have saved during their careers.

Working families would not be significantly penalised by the scheme, as they would pay no more than 25% maximum, and maintains incentives to work. This would equate to £7.48 per week reduction in council tax for a band D property. This ensures that those working families with children will not be severely affected by the changes, taking into account the decision of the Council for the 10% savings to be found by council tax claimants alone (with no cross subsidy).

This would ensure protection for single parents (more likely to be women) in the same way as it would any other family.

Marriage/civil partnership

No negative specific impact has been identified.

Pregnancy

No negative specific impact has been identified.

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In some communities it is more common for parents to live with their adult children or for adult children to remain living in their parents' home for longer periods. In these circumstances it is common for a second adult rebate to be claimed.

There is no change to entitlement to second adult rebate as part of the local scheme. This will ensure that those who find themselves in the situation above will not be affected.

Backdating will apply to all claims made within a three month period of a change of circumstance. For those where English may not be their first language the three month period will give sufficient time to seek advice and support where necessary and apply for this. For older people it will give some time to apply (if for example it is not immediately possible to do so due to ill health). It is not considered necessary to have a hardship fund with this period in place.

The capital limit is being kept at £16,000 and there will be no additional impact on those who may have saved during their careers.

Working families would not be significantly penalised by the scheme, as they would pay no more than 25% maximum, and maintains incentives to work. This would equate to £7.48 per week reduction in council tax for a band D property. This ensures that those working families with children will not be severely affected by the changes, taking into account the decision of the Council for the 10% savings to be found by council tax claimants alone (with no cross subsidy).

Religion/belief

In some communities it is more common for single parents to live with their adult children or for adult children to remain living in their parents' home for longer periods. In these circumstances it is common for a second adult rebate to be claimed.

There is no change to entitlement to second adult rebate as part of the local scheme. This will ensure that those who find themselves in the situation above will not be affected.

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Backdating will apply to all claims made within a three month period of a change of circumstance. For those where English may not be their first language the three month period will give sufficient time to seek advice and support where necessary and apply for this. For older people it will give some time to apply (if for example it is not immediately possible to do so due to ill health). It is not considered necessary to have a hardship fund with this period in place.

The capital limit is being kept at £16,000 and there will be no additional impact on those who may have saved during their careers.

Working families would not be significantly penalised by the scheme, as they would pay no more than 25% maximum, and maintains incentives to work. This would equate to £7.48 per week reduction in council tax for a band D property. This ensures that those working families with children will not be severely affected by the changes, taking into account the decision of the Council for the 10% savings to be found by council tax claimants alone (with no cross subsidy).

Sexual orientation

No negative specific impact has been identified.

3.6 What would be the benefits of making the above changes and are there any negative impacts that such an action would have on different communities?

You may want to consider the benefits and consequences for the group(s) concerned, other communities and the Council, if we were not to make the suggested changes?

The changes have the potential to encourage people to get back into work as they will not be unduly penalised by the proposed local scheme. It could also encourage people to continue to save up to £16,000 as they will not be adversely affected.

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STAGE 4. IMPLEMENTING PROPORTIONATE EQUALITY OBJECTIVES & MAINSTREAMING DIVERSITY – THE EQUALITY ACTION PLAN

Your Equality Action Plan (Draft)

5.1 Referring to **Stages 1** (Scoping), **Stage 2** (Screening) and **Stage 3** (Adverse Impact) please list what objectives you will implement to mainstream diversity in your service area.

Please complete your Equality Action Plan ensuring that you have listed at least objectives in regards to disability, gender and race/ethnicity.

Outcome	Objectives	Lead	Resources	Deadline	Progress
Age – younger people and children Monitor any adverse impact in the first year to see if the policy requires review	Assess whether this equalities group has been affected by any particular aspect of the policy change	Benefits Manager	Staff time	April 2014	
Disability Monitor any adverse impact in the first year to see if the policy requires review	Assess whether this equalities group has been affected by any particular aspect of the policy change	Benefits Manager	Staff time	April 2014	
Gender Monitor any adverse impact in	Assess whether this equalities group has been	Benefits Manager	Staff time	April 2014	

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the first year to see if the policy requires review	affected by any particular aspect of the policy change				
Race Monitor requests for assistance and information in alternative formats. Provide information in another language/format on request	Monitor any adverse impact on whether this equalities group has been affected by any particular aspect of the policy change	Benefits Manager	Staff time	April 2014	
Staff Monitor any incidences of stress or abuse faced by staff from irate clients and increased workload	Assess what impact the changes are having on staff. To ensure that communication takes place and appropriate training is given.	Benefits Manager	Staff time	April 2014	

Congratulations, you have now completed your Equality Impact Assessment. Please send a copy of your EIA to:

Arif Sain, Senior Consultant
Office: 01279 460022
Mob: 07906 380 976
E:mail: Inclusivity_consultancy@yahoo.co.uk

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Cabinet

17 December 2013



Title	Technical Reforms to Council Tax Discounts and Premia (final decision)		
Purpose	Resolution required		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Tim Evans	Key Decision	Yes
Report Author	Heather Morgan – Project Manager		
Summary and Key Issues	<ul style="list-style-type: none"> Income from council tax discounts and premia will not be used to cross subsidise the savings which need to be made from the Local Council Tax Support Scheme Current scheme – 50% discount on uninhabitable properties and progressive discount for empty homes (100% month one, 50 % month two, 25% month three, 0% month four) Proposed new scheme –25% discount on uninhabitable properties and maximise income from unfurnished and empty properties (100% discount month one, 0% discount from month two) Continued risk around collection on long term empties and new risk regarding uninhabitable properties 		
Financial Implications	<ul style="list-style-type: none"> As at annual billing (February 2013) an additional £420,000 was levied on empty homes There are risks around collection of up to £200,000 for 2013/14 (ie net collectable might be as low as £220,00) on empty homes Local decisions on discounts and premia in 2014/5 could deliver an additional maximum £144,566 of income 		
Corporate Priority	Service delivery		
Recommendations	<p>That Cabinet:</p> <p>Considers the outcome of the public consultation and the Equalities Impact Assessment</p> <p>Recommends to Council revised council tax discounts and premia from 1 April 2014 (for a period of a minimum of two years) as set out in paragraph 4.2 subject to the application on the regulations issued for schemes under the Local Government Finance Act 2012</p>		

1. **Background**

- 1.1 As part of the Local Government Finance Bill 2012 (which received Royal Assent on 31 October 2012), the government decided to replace the national council tax benefit scheme with localised council tax support.

Current position - National

- The new scheme came into effect on 1 April 2013
- Reforms centred on providing more flexibility on second homes and certain empty properties.
- The reforms provided a strong lever to make sure that housing stock is effectively used
- Extra revenue can be used either to reduce the impact of council tax increases or to offset some of the impact of the changes to council tax support
- Councils are now able to determine discounts for uninhabitable (class A), empty and unfurnished (class C)
- Second homes discount can now be reduced to 0% and there is the potential to charge 150% premium on long empty properties
- The single person discount (25%) cannot be altered
- The government has not reduced grant as a result of the changes

Current position – Spelthorne’s local council tax support scheme

- 1.2 On 21 January 2013 the Council adopted its own local scheme after extensive public consultation.
- 1.3 **The scheme which was adopted is set out below:**
- No discount for second homes
 - 50% discount for uninhabitable properties (class A)
 - Progressive discount for empty homes (class C) - 100% month one, 50% month two, 25% month three, 0% from four months onwards
 - 50% premium for long term empties
- 1.4 As at February 2013, an additional £420,000 was raised on empty homes as follows:
- £42,000 Uninhabitable properties
 - £283,000 Unfurnished properties
 - £95,000 Long term empty properties subject to a premium
- 1.5 A further £139,000 has been raised through the removal of the 10% discount from second homes.
- 1.6 Based on 31 July 2013 figures, the impact of the scheme has been as follows:
- Reduction in number of empty homes from 932 (July 2012) to 684 out of a total dwellings base of 42,000

- Long term empty properties have reduced from 131 down to 59 which is a drop of 72
- As at 1 April 2013, the discounts and premia scheme generated an additional £559,000
- As at 31 July 2013, this has fallen to £306,000 due to changes in occupation (£253,000 of the £559,000 could not be collected as properties were no longer long term empty or being used as a second home)
- Loss of income from the long term empties premium is offset by monies from New Homes Bonus (NHB) which will be around £89,500 pa for the remaining three years of the six year scheme (assuming the 72 properties now back in use are Band D properties and the NHB is 80% of the council tax). However, it should be noted that from 2015/16, 35% of every Councils NHB is proposed to be 'top sliced' for Local Enterprise Partnerships to deliver strategic housing.
- Each of these previously long term empty properties will also have paid 100% council tax. Working on the basis of a Band D property this would equate to £111,960 pa.
- No issues from second home owners and very few appeals from others

Funding

Current position – funding the local council tax support scheme

- 1.7 In 2013/14 the Council had to make estimated savings of £700,000 to cover the 10% reduction in government grant for council tax support.
- 1.8 The local scheme which the Council adopted took advantage of a one off transitional grant from central government. This was designed to “support local authorities in developing well designed Council Tax Support Schemes and maintain positive incentives to work”. As a result we received £142,000 towards the £700,000 savings we needed to make (£16,000 for Spelthorne, £19,000 for Police and £107,000 for Surrey County)
- 1.9 However this did mean that the Council could only require new claimants to pay a maximum of 8.5% of their council tax. This quite significantly limited how much money we could expect to collect (setting aside what percentage we might actually be able to recover). It was estimated that we would collect £253,000 from this 8.5% ‘cap’ which even with the £142,000 grant fell well short of the required £700,000.
- 1.10 At Cabinet on 21 January 2013 it was decided that the £306,000 which could be collected from the discounts and premia (which was not at risk) would be: “used to offset part of the loss of government funding in 2013/14 and therefore reduce the level of savings required from the Local Council Tax Support Scheme”.

2. Key issues

- 2.1 There are a number of key changes for 2014/15 onwards which have a bearing on the revised discounts and premia which the Council eventually adopt.
- 2.2 Firstly, the transitional grant of £142,000 for council tax support referred to in paragraph 1.8 above was a 'one off'. Secondly, there has been a significant (but not unexpected) reduction in long term empty properties and the income that this would generate. For 2013/14 this has meant that we have not been able to collect £253,000 from the original estimate of £559,000 (as people have said their properties were occupied and therefore paid 100% council tax instead of 150%).
- 2.3 The effect of these key changes is that were the Local Council Tax Support Scheme and the discounts and premia to remain unchanged the Council would be looking at a potential shortfall in 2014/15 of around £306,000 (ie £559,000 less £253,000 now no longer collectible) out of a required £630,000 which needs to be found (council tax support). In addition we will no longer be receiving the £142,000 from the grant.
- 2.4 There is also a more fundamental issue, which is whether or not the council tax support savings which have to be made should be entirely borne by the housing benefit claimants or not. The withdrawal of government funding and the increasing pressure on council tax means that the Council has had to re-evaluate its position. Consideration has been given to a 'do nothing' option or a revised scheme which allows for what is called 'transitional protection' (i.e. a phased scheme over two years).
- 2.5 Neither of these are deemed acceptable and from 2014/15 onwards the Council will therefore require housing benefit claimants to cover the whole cost of the 10% government savings (i.e. £630,000).
- 2.6 This will free up the income from discounts and premia to be used for other purposes, including helping offset the impact of council tax increases. The options in section 3 therefore look at ways for maximising this income for those purposes.

3. Consultation

- 3.1 At Cabinet on 9 September 2013, it was agreed that the current local scheme needed to be revised. Two options were considered at that stage, which were variations of the current Discounts and Premia Scheme. Both options retained the following elements of the current scheme:
- No discount for second homes
 - 50% premium for long term empties
- 3.2 The options focused on two areas. (1) the level of discount on uninhabitable properties (2) the discount given to unfurnished and empty properties.
- Option 1 (preferred)
- 3.3 This option would give:
- 25% discount from day one for uninhabitable properties (class A)

- 100% discount for the first month on unfurnished and empty properties which would drop to 0% from month two (class C)

Option 2

3.4 This option would give:

- 0% discount from day one for uninhabitable properties (class A)
- 100% discount for the first month on unfurnished and empty properties which would drop to 0% from month two onwards (class C)

Surrey County Council and Surrey Police Authority

3.5 The Council was required to carry out a consultation first with precepting authorities (Surrey County and Surrey Police) and then with the wider public.

3.6 The Police & Crime Commissioner did not have any specific comments relating to the proposed changes to council tax discounts and premiums (See Appendix 1 of the preceding report on Local Council Tax Support Scheme)

3.7 Surrey County Council have comments that Spelthorne should “fully optimise” any flexibilities available on discounts and exemptions (See Appendix 2 of the preceding report on Local Council Tax Support Scheme).

Wider Public Consultation

3.8 Public consultation took place between 23 September and 4 November 2013. The survey asked a number of questions which covered the options set out in the September Cabinet report as well as a number relating to empty and second homes. A copy of the survey is included in the report on the consultation feedback.

3.9 ‘Targeted’ paper surveys were sent to 3078 current council tax benefit claimants, 3400 randomly selected council tax payers and 166 empty home owners (6644 surveys in total). Electronic copies were sent to affordable housing providers (including A2D), VAIS, the Citizens Advice Bureau, residents associations and amenity groups. An online survey was available on the website throughout the consultation period.

3.10 In total, 751 were received (11% of the ‘targeted’ surveys sent out). A copy of the consultation feedback and analysis report is attached as Appendix 3 of the preceding report on Local Council Tax Support Scheme). It is important to bear in mind that the level of statistical reliability that can be placed on surveys of this type depends, amongst other things, on the total number of responses received. The ‘industry standard’ is that a response rate of 15% is the minimum for statistical reliability. Some caution is therefore required when looking at the survey responses because the numbers of responses is still small in absolute terms.

3.11 In their considerations, Cabinet need to bear in mind that 67% of replies were from council tax payers, 31% from council tax support claimants, 1.9% from online surveys owners and 0.1% from empty home owners. The table overleaf sets out the main findings:

Question	Yes (no. & %)	No (no.& %)	No reply
Do you think that council tax should be raised to cover the cost of these changes?	136 (18%)	597 (79%)	18 (3%)
Do you think services should be cut to fund the benefit gap?	157 (21%)	562 (75%)	32 (4%)
Should people who cannot work be given more council tax benefit than those who could work but are unemployed?	483 (64%)	247 (33%)	21 (3%)
<u>Discounts and Premia Option 1</u>			
Should there be a 25% discount for uninhabitable properties and a 100% discount for empty homes for month 1 and a 0% discount from month 2?	270 (36%)	349 (46%)	132 (18%)
<u>Discounts and Premia Option 2</u>			
Should there be a 0% discount for uninhabitable properties and a 100% discount for empty homes for month 1 and a 0% discount from month 2?	305 (41%)	324 (43%)	122 (16%)

- 3.12 The consultation responses show that there was not a clear preference for either of the options in the consultation. Whilst for option 1 there were more responses saying there should not be a 25% discount on uninhabitable properties, this only represented 46% of replies. It was not a definitive response. The responses on option 2 were almost evenly split which again points to the fact that there was no one clear view on the best option to adopt.
- 3.13 The Cabinet is asked to consider carefully the feedback received as part of its decision making process, and to note that it has been used in the Equalities Impact Assessment for the local scheme for council tax support.

4. Options analysis and proposal

- 4.1 The two options set out in paragraphs 3.3 and 3.4 have been carefully considered in light of the responses from the precepting authorities, the consultation surveys and direct feedback from various organisations.
- 4.2 It is proposed that the council tax discounts and premia scheme from 2014/15 onwards (for a minimum of two years) will be:

No discount for second homes

50% premia for long term empties

25% discount for uninhabitable properties

100% discount for empty homes for month 1 and a 0% discount from month 2

Reason for recommendation

- 4.3 Set out below are the reasons why this approach is being put forward:
- The Council considers that a balanced and considered approach is most likely to achieve the additional income projected, as well as meeting the governments' aim of bringing empty homes back into active use.
 - There is no reason why, if people own a second home, they are not in a position to pay their council tax in full. A similar argument applies to re-possessed properties.
 - Properties which have been empty for more than two years will pay the maximum premium allowed under the government proposals, reflecting the views of residents. It will encourage properties to be brought forward, but it is accepted that there is a risk that owners may try to 'side step' the premium in a number of ways. For uninhabitable properties there is a risk that if there is no discount applied then the properties may be altered so that they are taken out of the council tax regime altogether (e.g. demolished or roof taken off). A 25% reduction removes this perverse incentive whilst providing some positive encouragement to get the property back into use.
 - The Council considers that a phased reduction in discounts for empty homes will ensure a quick turnaround in void properties, helping to maximise the housing stock available. However it will not penalise them immediately which could be seen as overly punitive. There have been issues of the public understanding the current phased approach over four months and the proposed changes will make this much clearer.
 - A phased reduction in discounts will also ensure that there is a good prospect that the income will be achieved. Experience elsewhere has shown that a 0% discount on uninhabitable properties means people claim that their house is empty and would therefore pay nothing in that first month.

5. Financial implications

- 5.1 Modelling has been undertaken on 2012/13 data (which has been modified to reflect the current in year position as far as possible) to estimate what the income generated by these options might be. Details of the income likely to be achieved are set out in [Appendix 1](#). The additional income from the 100% discount in month 1 and 0% discount in month 2 for empty homes is projected to be £74,346, and the additional income from a 25% discount for uninhabitable properties is projected to be £30,861.
- 5.2 The revenue generated will depend both on the number of properties affected in future years and on the Council's ability to identify and collect the monies due. There is likely to be some additional administration work in identification and collection but this will be significantly less than the boroughs share of the revenue collected. No additional staff are sought for these changes.

- 5.3 The additional revenue is shared by Surrey (76%), Police (13%) and Spelthorne (11%). As the billing authority the borough is responsible for any additional collection costs (see paragraph above). Additional revenue raised is not ring fenced for any particular purpose and the Council therefore has the flexibility to decide how it wants to use this additional income.

6. Other considerations

Equalities Impact Assessment

- 6.1 An Equalities Impact Assessment is included at Appendix 2. The Council has power under the Local Government Finance Act 1992 to reduce (partially or fully) the amount payable by a taxpayer to a level it thinks fit.

Communications

- 6.7 How we communicate the message about these changes is absolutely essential. Our reputation as a Council will depend on how well we get this difficult message across. We therefore need to get it right first time.
- 6.8 It is critical that all our communication is done in a way that everyone understands, and that we target our efforts on those who will be directly affected. Targeting those directly affected by the changes as part of the consultation worked very well in 2013. We will apply the same principles this time.
- 6.10 We will need to be very clear about why we are revising the scheme further. A detailed communications timetable/plan will be developed closer to the time to ensure that we get the right message out. The Cabinet Member for Communications will be involved throughout this process.

7. Risks and how they will be mitigated

- 7.1 The main risks to the proposed changes are the additional adverse impacts brought about by further changes. It is considered that there is a very significant risk around Option 2 in relation to uninhabitable properties (paragraph 3.4). Evidence from other Councils has shown that people will instead opt for one month for an unfurnished and empty property (class C) and not tell the Council that the property is uninhabitable. This could mean that with Option 2 virtually none of the anticipated income is collected, whereas with Option 1 there is a realistic chance that the estimated income could be collected.
- 7.2 As we have seen from the current scheme, there will continue to be a general risk around avoidance (although the risk regarding houses which have been empty for more than two years is now somewhat reduced). There will continue to be difficulties in recovering some money. To mitigate this, the modelling makes realistic assumptions about collection rates.
- 7.3 The assumptions which have been made are:
- (a) 95% collection for second homes (0% discount) which has been borne out by 2013/14 scheme
 - (b) 50% collection for long term empty properties (150% premium) which has been borne out by 2013/14 scheme

- (c) 70% collection for uninhabitable class A (25% discount)
- (d) 95% collection for unfurnished and empty properties class C (100% discount month one and 0% discount from month two onwards)

7.4 There is a risk of legal challenge if the Equalities Impact Assessment (EIA) is not deemed sufficient. No challenge arose in 2012 and we propose to adopt the same approach this time.

8. Timetable for implementation

8.1 There are a number of key dates which need to be met:

17 December	Cabinet agree final scheme
19 December	Council agrees final scheme
31 January	'Cut-off' date for agreeing revised scheme
1 April	Revised council tax discounts and premia implemented

Background papers:

Appendices:

- 1 Modelling and financial implications
- 2 Equalities Impact Assessment

Council Tax Discounts and Premiums - Modelling

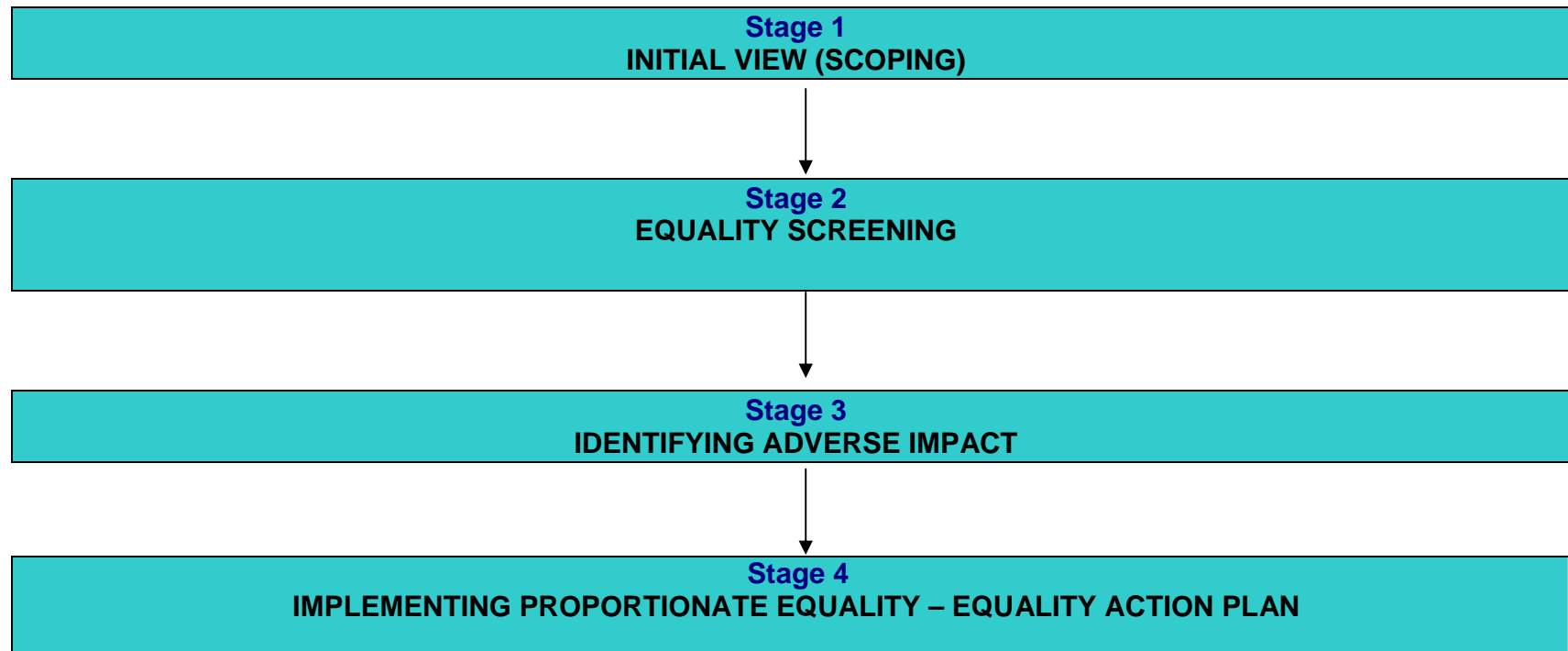
Option	Modelling	Second Home @ 95% (195 properties)	Class A @ 70% (70 properties)	Class A @ 70% (70 properties)	Class C @95% (210 properties)	Premium @ 50% (59 properties)	Total
1.	No discount for second homes 25% discount for uninhabitable properties (class A) Empty homes (discount by month) <ul style="list-style-type: none"> • 100% month one • 0% month two onwards (class C) Premium for long term empties 50%	£15,033	N/A	£30,861	£74,346	£24,236	£144,566

NB: If you do not have data to support your objectives you will need to develop monitoring mechanisms that will support and help you identify the gaps in service provision or employment issues.

SPELTHORNE BOROUGH COUNCILS

EQUALITY IMPACT ASSESSMENT TOOLKIT

6. EQUALITY IMPACT ASSESSMENT FLOWCHART



APPENDIX 2

STAGE 1 – SCOPING

Scoping is the initial planning stage of the assessment. The aim of this scoping is to identify how the EIA will be conducted and assessing at this early stage:

AGREEING WHO WILL LEAD AND CARRY OUT THE ASSESSMENT

Establishing responsibility and ownership has been identified as a critical part of making the assessments a meaningful exercise.

1.1 Policy, Practice, Functions or Service being assessed	<i>Please state policy or service being assessed</i>
Council Tax Discounts and Premiums	
1.2 Lead Officer	<i>Please state name and contact details of lead officer who will be conducting the review.</i>
Terry Collier Assistant Chief Executive (01784) 446296 t.collier@spelthorne.gov.uk Heather Morgan Project Manager (01784) 446352 h.morgan@spelthorne.gov.uk	

1.3 What do you think are the main issues relating to diversity within your policy or service area?	It is suggested that it would be helpful for those who carry out the assessment to begin by offering an initial view of what they think are the main issues relating to diversity for the policy or service being assessed. This can then help shape the questions that will form the basis of the assessment and ensure that the assessments are tailored to the specifics of the service, rather than just working
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	<p>through a set of standard questions.</p> <p><i>Some things you may wish to consider.</i></p> <ul style="list-style-type: none"> • <i>How do you think that your policy or service currently meets the needs of different communities in Spelthorne?</i> • <i>Do you think that your policy/service specifically contributes to promoting Equality and Diversity in Spelthorne? if so, in what way?</i> • <i>Do you think that your policy or service presents any barriers to any community or group? if so please provide evidence.</i> • <i>How can your service or policy tackle these barriers ((gender, disability and race at least) age, religion/faith and sexuality))</i> • <i>Are there any equality objectives that are on-going or planned for the future, if so please state.(These could be included in your Equality Action Plans (Stage 4)</i> • <i>Please list our proposed equality objectives, at this stage, if any?</i>
--	--

Current

On 1 April 2013, the new Technical Reforms to Council tax gave Spelthorne (as a billing authority) more flexibility on the exemptions and discounts which we award in certain circumstances, including ‘empty homes’ and ‘second’ homes. The changes have allowed councils to decide how long the exemptions should apply for three of the ‘empty homes’ classes.

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The changes have also meant that Councils are able to remove or reduce the 'second home' discount scheme and to apply an extra charge to 'long term empty' properties.

Some empty homes may be owned by individuals from particular equalities groups. There is potential for financial impact on some householders and as a result they may have to pay more or be exempt for shorter periods. There is limited data available on individual properties and their owners.

The scheme which was adopted and applied from 1 April 2013 was as follows:

No discount for second homes

150% premiums for long term empty properties (2 years plus)

50% discount for uninhabitable properties (class A)

Progressive discount for empty homes (class C) – 100% month one, 50% month two, 25% month three, 0% month four

Future

The Council is now looking at how it can maximise the income from Class A and Class C

STAGE 2: EQUALITY SCREENING PROCESS (Risk Assessment)

1. Introduction

Stage 2 consists on undertaking a screening (or equalities risk assessment). Key areas to consider are?

- What are the key policies, functions and services which may have 'Relevance' to equality and diversity?
- How will you rank these?
- Will you consider individual policies

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The outlined Equality Screening Process (ESP) should be used where Service areas are conducting Service based Equality Impact Assessments (EIAs) and/or Policy based EIAs. The purpose of this screening process is to identify policies or practices we believe have a ‘Relevance’ to disadvantaged groups e.g. BME communities, people with disabilities, women or men, etc. This process should enable the lead officer to identify what are the key equality issues in their respective service area and to identify policies or practices believed to could have an adverse impact on disadvantaged groups.

2. How to use the Equality Screening Process

Each Lead Officer is asked to identify which services, functions, policies or practices that have a ‘Relevance’ on service delivery in relation to the six diversity themes using the scoring sheet. Points should be provided on the basis of actual or presumed ‘Relevance’ based on the information provided in section 1. By the end of the exercise you should have added all the points and given a score. The next stage is to identify which polices/practices have a high/medium or low adverse impact.

2a. Points

- 5 – This policy or practice could have a very high relevance on our service delivery
- 4 – This policy or practice could have a relatively relevance on our service delivery
- 3 – This policy or practice could have a medium relevance on our service delivery
- 2 – This policy or practice could have a relatively low relevance on our service delivery
- 1 – This policy or practice could have a very low relevance on our service delivery

2b. Scoring

- 1-10 points** – Low Relevance
- 11 – 20 points** – Medium Relevance
- 21 and above** – High Relevance

Please see example below:

Service, Function, Policy,	Age	Disability	Gender	Gender Reassignment	Marriage / Civil partnership	Pregnancy	Race	Religion / Belief	Sexual Orientation	Total Points	Impact H/M/L
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Practice.											
Example Services	3	2	1	3	1	2	3	1	2	12	Med

3. Equality Screening Process

Service, Function, Policy, Practice.	Age	Disability	Gender	Gender Reassignment	Marriage / Civil partnership	Pregnancy	Race	Religion / Belief	Sexual Orientation	Total Points	Impact H/M/L
Council Tax Discounts and premiums	1	2	1	1	1	1	1	1	1	10	L

4. Conclusion – Policy or Service EIA?

If a policy/practice has a score of 25 or over, it is advisable that a Policy based EIA is undertaken. If most policies score below 25, it would be advisable to conduct a service based EIA, which will involve an EIA that overviews all policies or practices in your respective service area.

Conclusion – service based EIA

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STAGE 3. IDENTIFYING ADVERSE IMPACT

The aim of an assessment is to identify whether the service or policy has an adverse impact upon people with disabilities, black and minority ethnic communities, men and women, heterosexual, gay, bisexual and lesbian communities, older and younger people and faith communities. The assessment should ultimately produce proportionate equality objectives, which help remove barriers and link into service plans. The end result must, at least, produce one equality objective for each of the three equality themes listed by the Local Government Equality Standard, namely gender, disability and race.

Stage three comprises of two sections.

- Concentration on the aims of the service, policy, function or practice.
- Focuses on the practical delivery of the policy or service.

Assessing the Aims and Criteria of the Policy or Service

This section will determine whether the underlying aims, policies and procedures of the policy or service comply with the Disability Discrimination Act 1995, and Disability Discrimination Act 1995 and (Amendment) 2005, Sex Discriminations Act 1977, and Single Equality Act 2005, Equal Pay Act 1970, Employment Directive (Religion/belief) 2003, Employment Directive (Sexual Orientation) 2003, Employment Directive (Age Discrimination) 2006 and the Local Government Equality Standard. In addition to the key questions below, you may wish to include any specific issues that were identified during the scoping stage of the assessment.

Key Questions	Issues to consider
3.1 What are the aims of the policy, practice, function or service?	<i>What needs is the policy/service designed to meet?</i> <i>What are the current priorities?</i>

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<p><i>You could also refer to your current Service Plans</i></p>	
<p>Government changes mean that Spelthorne are looking to review three classes:</p> <p>Class A – uninhabitable properties. The current maximum exemption is 12 months and the proposal is to remove the exemption and replace it with a discount of 25%.</p> <p>Class C – empty or unfurnished properties. The proposal is to reduce the length of the exemption. 100% month one and 0% from month two</p> <p>The a ‘second home’ discount has already been removed (1 April 2013)</p> <p>Owners of ‘long term empties’ (e.g. properties which have been empty for more than two years) currently pay a premium of 150% on their council tax (1 April 2013).</p>	
<p>3.2 What do your staff/team members say about your initial view?</p>	<p>You could:</p> <ul style="list-style-type: none"> • What do staff members feel are the gaps, or what do they feel could improve the service? • Speak to your colleagues within your team <p><i>List what equality objectives that are currently implemented or will soon be implemented.</i></p>
<p>There has been discussion about the additional flexibilities being given to Council at service and Project Board level. There is consensus over the changes as set out above.</p>	

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Key Questions	Issues to consider
<p>3.3 What does available data and the results of any consultations show about the take up of services? What is the impact on different groups? (qualitative and quantitative)</p>	<p><i>You could look at:</i></p> <ul style="list-style-type: none"> • <i>previous community consultation exercises,</i> • <i>customer service reviews and analysis.</i> • <i>Census data</i> • <i>What are the experiences of front-line staff in relation to the provision of the service?</i> • <i>location of facilities.</i> • <i>lack of access to translation/interpretation or access to building or services,</i> • <i>eligibility rules could be a barrier?</i>

This is a new 'freedom' which the government has delegated to Councils. As such, there is very limited data available to assess what the impact of the changes might be on the equalities groups.

Overall the total number of properties affected by the changes is limited. In 2013/14 there were a total of 720 properties which fell within one of the classes or areas where the changes are being made. The borough has 41,206 properties overall. Of these:

<u>Class</u>	<u>Number</u>	<u>% of overall number</u>
Class A	69	0.17%
Class C	248	0.60%
Second Homes	185	0.45%
Long Term Empty	161	0.39%
Empty Premiums	57	0.14%

The likely impacts are financial through increased costs in relation to Class A and C, 'second' homes and 'long term empties'. Those most affected by changes to Class A and C, and long term empties will be registered social landlords (e.g. A2Dominion), private landlords and individual.

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<p>National data suggests that most of the ‘long term empties’ are owned by developers or landlords, but there are also likely to be a number where there are issues over probate (which can take a long time to sort out).</p> <p>Equality monitoring information is not collected from those claiming discounts or exemptions. As such, it is not possible to say precisely what the impact will be on the equalities groups. However, even from the data above it is clear that whilst the landlords, companies and registered social landlords may see this as an ‘increased business charge’ (213 properties), there will be an increased financial burden for individual owners (696 or 77%).</p> <p>A consultation survey was carried out on these changes (as well as those to council tax support). There was general support for the changes being proposed. This did not come from any particular group, and could apply equally to any of the equality groups.</p>	
<p>3.4 Can you identify any gaps? What are the reasons for this?</p> <p><i>(Please note: If you do not have any data, you may wish to develop service based monitoring mechanisms that collate data on under-represented groups)</i></p>	<ul style="list-style-type: none"> • <i>Are communities or service users aware of this policy or service?</i> • <i>Are there any accessibility issues?</i> • <i>Is service provision monitored, if so how?</i> • <i>Is there a lack diversity awareness amongst staff?</i>
<p>There are no gaps which have been identified. All owners of empty properties were consulted about the changes and are being notified in writing when payments are due.</p>	
<p>3.5 What practical changes do you feel would help reduce any adverse impact on particular groups?</p>	<p><i>For example, changes in communication methods, language support, disability measures, changes in eligibility criteria, developing monitoring mechanisms, diversity training?</i></p>
<p> </p>	

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No particular issues have been identified for those with protected characteristics. However they may be an individual owner who could own one of the properties affected by these changes. There is a small possibility that properties being adapted for use by those with disabilities may be left empty for some time while the changes are made.

Legislation gives Councils powers to reduce the amount of tax payable, which can be used to offset hardship that might result due to the changes to 'empty' and 'second' homes. In cases of real financial hardship, discounts can be granted where the Council is satisfied that the individual concerned has made their best efforts to sell or let the property and to ask them to pay a council tax charge would cause exceptional financial hardship. This power would only be used in very exceptional circumstances.

3.6 What would be the benefits of making the above changes and are there any negative impacts that such an action would have on different communities?

You may want to consider the benefits and consequences for the group(s) concerned, other communities and the Council, if we were not to make the suggested changes?

The changes have the potential to have a positive impact on some disadvantaged groups. If effective, the changes should reduce the number of properties that are standing empty for long periods of time. As a result, there should be a small increase in the overall amount of housing available (whether to buy or to rent) for Spelthorne residents.

Communities often express concern at empty properties and the adverse impact they have on the look of a local area. Encouraging early occupation of such properties will have a positive effect for the community concerned.

STAGE 4. IMPLEMENTING PROPORTIONATE EQUALITY OBJECTIVES & MAINSTREAMING DIVERSITY – THE EQUALITY ACTION PLAN

Your Equality Action Plan (Draft)

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5.1 Referring to **Stages 1** (Scoping), **Stage 2** (Screening) and **Stage 3** (Adverse Impact) please list what objectives you will implement to mainstream diversity in your service area.

Please complete your Equality Action Plan ensuring that you have listed at least objectives in regards to disability, gender and race/ethnicity.

Outcome	Objectives	Lead	Resources	Deadline	Progress
Monitor any adverse impact in the first year to see if the policy requires review	Assess whether any of the equalities groups have been affected by any particular aspect of the policy change	Head of Customer Services	Staff time	April 2015	

Congratulations, you have now completed your Equality Impact Assessment. Please send a copy of your EIA to:

Arif Sain, Senior Consultant
 Office: 01279 460022
 Mob: 07906 380 976
 E:mail: **Inclusivity_consultancy@yahoo.co.uk**

Cabinet**17 December 2013**

Title	Corporate Plan 2013-15		
Purpose	Recommendation required		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Robert Watts	Key Decision	Yes
Report Author	Lee O'Neil, Assistant Chief Executive		
Summary and Key Issues	<p>The purpose of the report is for Cabinet to agree the content of Spelthorne's proposed Corporate Plan for 2013-15 ('the Plan'), and to recommend its adoption by Council. The Corporate Plan is a key document which specifies:</p> <ul style="list-style-type: none"> • Spelthorne's mission, vision, values and priorities for the next two years; • the Council's key achievements in 2013; • the key actions proposed under each of the priority areas; • the Plan also outlines the Council's strategy for a sustainable financial future and indicates how progress with the key actions specified will be reported 		
Financial Implications	The Corporate Plan outlines the priority areas where some of the Spelthorne's resources will be targeted to achieve the key actions listed. These priorities will therefore be closely linked to the Council's future budget planning process.		
Corporate Priority	The report outlines the new priorities for Spelthorne going forward.		
Recommendations	The Cabinet is asked to recommend Council to adopt the proposed Corporate Plan for 2013-15 as appended to this report.		

1. Background

- 1.1 The Corporate Plan is a key document in setting the Council's strategic direction over the next three years, outlining its vision for the future; the priority areas it will be concentrating some of its resources on; and the goals it has set itself to achieve.

2. Key issues

- 2.1 The purpose of the report is for Cabinet to agree the content of Spelthorne's Corporate Plan for 2013-15 and to recommend its adoption by Council.
- 2.2 The Plan specifies the Council's mission, vision, values and priorities for the next two years.
- 2.3 The Plan outlines five values which underpin the way the Council will deliver its services to its residents and other stakeholders. These are:
- Community
 - Opportunity
 - Self-reliance
 - Accountability
 - Tradition
- 2.4 The Plan specifies three priorities; areas where the Council will target some of its resources during the term of the plan. These are:
- Economic development
 - Planning and housing
 - Council assets

The Council has identified a number of flagship projects under each of these priorities, which are outlined in the Plan.

It is recognised that these priorities may need to change from time to time to take into account the changing environment/economic circumstances in which the Council operates and the changing needs of Spelthorne's communities. The plan will therefore be reviewed annually.

- 2.5 The plan outlines the Council's key achievements during 2013, including the awards it has received during the year.
- 2.6 Under each priority heading there is a list of key actions proposed during the term of the Plan.
- 2.7 The report also outlines the Council's strategy for a sustainable financial future, taking into account the challenging economic circumstances faced by local authorities and the UK as a whole.

3. Options analysis and proposal

- 3.1 It is proposed that the Cabinet agree the content of the Corporate Plan as appended to this report and recommend its adoption by Council. **(Preferred option)**

3.2 Cabinet could, however, recommend that changes be made to the Plan. Should this be the case these would need to be agreed by Cabinet and incorporated into the Plan prior to Council on 19 December 2013.

4. Financial implications

4.1 Like most local authorities, Spelthorne faces considerable financial challenges over the next few years. The Corporate Plan outlines the priority areas where some of the Council's resources will be targeted to achieve the key actions listed. It will therefore be important to ensure that these priorities are closely linked to the Council's future budget planning process.

5. Other considerations

5.1 In developing the new Corporate Plan a consultation exercise was undertaken to seek residents' views on the proposed priorities and values.

6. Risks and how they will be mitigated

6.1 As outlined in section 2.4 above, it is essential that the Corporate Plan remains relevant to the circumstances in which the Council operates and the needs of Spelthorne's communities. The Council will ensure that this is achieved by reviewing the Plan on an annual basis and updating it as necessary.

7. Timetable for implementation

7.1 If agreed by Cabinet the Plan will be presented to Full Council on 19 December for adoption.

7.2 If adopted by Council, the Plan will take immediate effect.

Background papers:

None

Appendices:

Draft of proposed Corporate Plan 2013-15 (**to follow**)

Meeting Next Steps



Economic Development Task Group

Wednesday 27 November 2013

Present:

Cllr N. Gething (Chairman)	Cllr C. Frazer	Cllr C.A. Davis
Cllr M Rough	Cllr M.P.C. Francis	Cllr Ayub

In attendance:

Terry Collier	Keith McGroary	John Brooks
Sam Ridley	Sabine Lohmann	Mike Ramlakhan
Dave Phillips		

Apologies

Cllr R.D. Dunn	Cllr Harman	Cllr Harvey
Cty Cllr R. Evans		

Next Steps

No.	Action	By whom	When
1.	Next steps for 5 September – Task Group agreed with the 'Next Steps'		
2.	<p>Draft Economic Strategy-</p> <p>John Brooks presented a, summary of the responses received (from seven organisations) to the consultation on the draft Strategy and recommended some changes to the text. John Brooks also highlighted a further change to Action A10 placing more emphasis on seeking to encourage the take-up of apprenticeships. Other minor changes to improve the text were also highlighted.</p> <p>.</p> <p>Task Group acknowledged key importance of raising education and skill levels and reference was made to recent presentations at the Spelthorne Local Committee.</p> <p>Chairman suggested desirability of putting more emphasis in Action 30 on developing Heathrow-Staines light rail proposals.</p>		

Meeting Next Steps



	<p>John Brooks explained that Surrey County Council's Rail Strategy, which Cabinet has recently endorsed, did not include this as it lacked a business case and did not fit in with the broader approach to rail development, in particular to Heathrow, in that Strategy. Task Group requested that officers write to County to ask that they keep light rail options under review.</p> <p>Keith McGroary highlighted the importance of following up on implementation of the Action Plan.</p> <p>The Task Group agreed to ask Cabinet to recommend that Council agrees the Spelthorne Economic Strategy.</p>	J Brooks	17/12
		Cllr Gething	Dec Cabinet
3.	<p>Staines-upon-Thames sub-group update – Cllr Davis highlighted need for additional Members for the sub-group. Sabine Lohmann agreed to join the Group. Cllr Davis suggested County Cllr and Borough Cllr Saliagopoulos join the sub-group. Chairman of Task Group to speak to Leader of Council re drafting in additional Members</p>	Sabine Lohman	
		Cllr Gething	
4.	<p>Ashford sub-group update – Cllr Frazer circulated an update paper which was noted.</p>	Cllr Frazer	
5.	<p>Feedback on seminar “Town Centres: is there a commercial future?”</p> <p>Task Group agreed it was a useful session. Cllr Davis highlighted interest from existing local retailers for vinyl photomontages across vacant retail front windows. Cabinet to be asked to seek to facilitate.</p> <p>Sabine suggested exploring opportunities for pop-up shops. Council could seek to encourage.</p>	K McGroary	
		K McGroary	
6.	<p>Review of Fixed Assets - Dave Philips explained context to the list the Economic Development Task Group had been asked to consider.</p> <p>List of assets, supplemented with additional information, to be distributed to the Task Group. Members of Task Group to review and feedback any suggestions. .</p>	D Phillips	
7.	<p>Any other business – None</p>		
8.	<p>Next meeting - February – date to be confirmed</p>	McGroary	February

Text of proposed adopted version of the Economic Strategy agreed and recommended to Cabinet by the Economic Development Task Group at its meeting on 27 November.

This version includes all agreed changes

(Note – page layouts will be tidied up in the final adopted version and a cover put on the document)

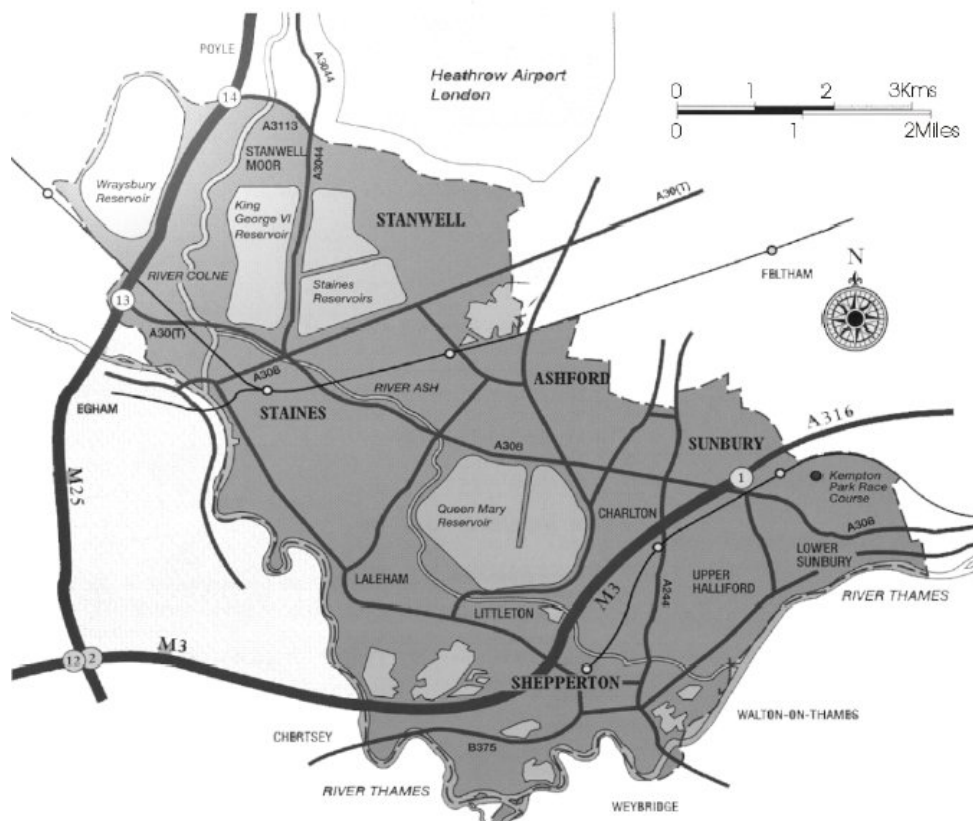
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1. Introduction

- 1.1 Spelthorne has an excellent location immediately to the south of Heathrow and adjacent to the economically buoyant area to the west of London. The Borough has exceptional communication links, a substantial business base with many successful international businesses and a strong economy.
- 1.2 The worldwide recession that began in 2008 has nevertheless meant that even in Spelthorne economic growth has not been what it would have been. There are now strong expectations for growth in the local economy¹ but future economic success needs to be planned and managed.
- 1.3 This Economic Strategy was adopted by the Council on 19 December 2013. It sets out the actions the Council will be taking over the coming few years to further secure the sustainable growth of the local economy.
- 1.4 These actions have been developed following public consultation. Many will be longer term but this strategy will be regularly reviewed. Much of this work will be in partnership with other organisations. Together we will build on the strengths of the economy as well as deal with any issues that arise.

Map 1 Borough of Spelthorne



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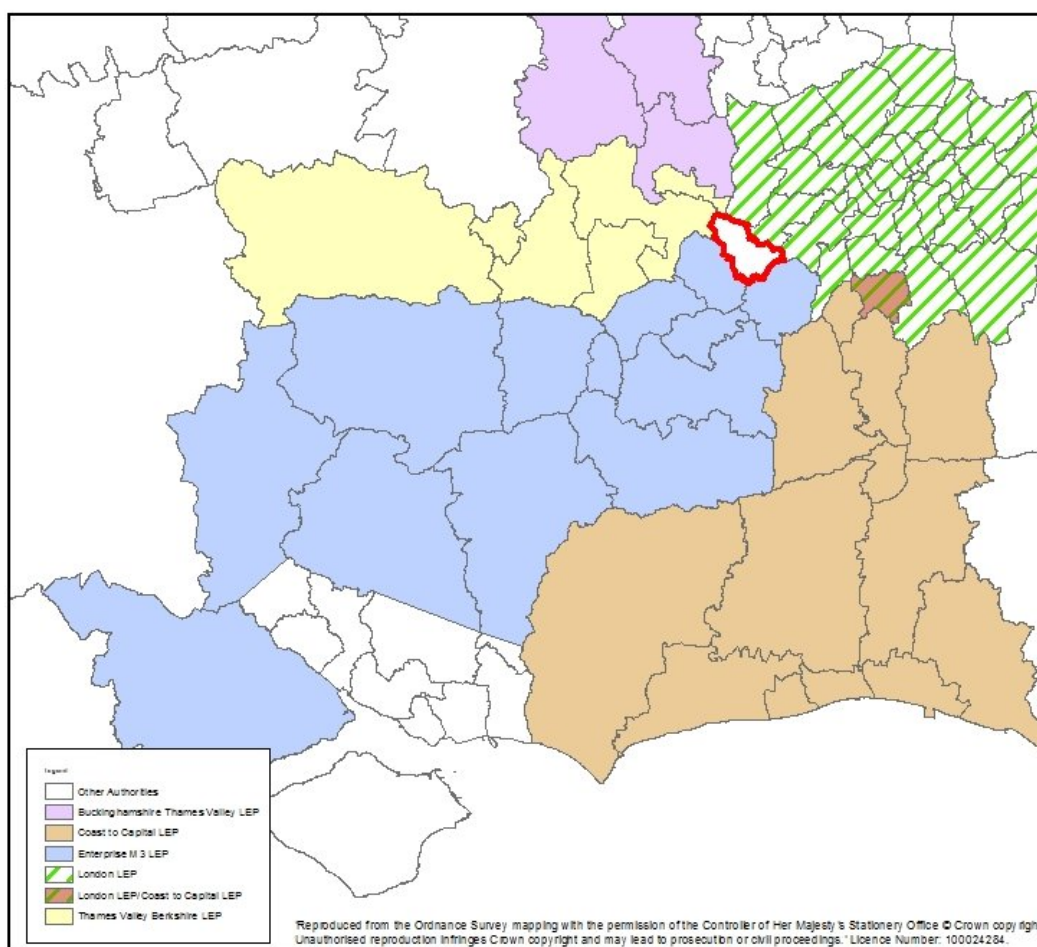
¹ See the Council's Local Economic Assessment

2. The Spelthorne Economy

a. Background

- 2.1 Spelthorne is part of the Enterprise M3 Local Economic Partnership (LEP) area stretching from the Borough to the New Forest. This area is ranked as the most resilient Local Enterprise Partnership area in England². Spelthorne is recognised as the best connected Borough in the Partnership area. The Partnership seeks to ‘drive prosperity in the M3 corridor’ and has a common vision for the area to become ‘*The premier location in the country for enterprise and economic growth balanced with an excellent environment and quality of life*’.

Map 2 Local Economic Partnerships



- 2.2 Spelthorne is also part of the county of Surrey. Surrey Connects³ is an independent business-led economic development company supported by the County Council and the 11 districts. The County is already the largest contributor to the national economy outside London. Surrey Connects seeks to position Surrey as a world class economy and shape ‘*a county where knowledge, creativity and innovation drive economic growth to bring prosperity and quality of life for all*’. Specifically it seeks to foster ‘smart economic growth’ which brings innovation and jobs but also maintains the things that make Surrey an attractive location to live and work.

² Enterprise M3 – Strategy for Growth, May 2013.

³ www.surreyconnects.com

- 2.3 In September 2013 the Council completed a detailed Local Economic Assessment of the Borough as part of the background to preparing this strategy. The findings⁴ confirm Spelthorne's excellent connectivity as well as other significant strengths in terms of the amount of business activity, diversity of business sectors, presence of growth sectors and a growing small business sector. It also has a significant retail sector focussed on Staines-upon-Thames.
- 2.4 The Council consulted businesses and other groups on the assessment and there was a strong support for the analysis and conclusions it presented.
- 2.5 This was supported by a survey of local businesses which gauged current business experiences. The survey results were very encouraging and showed that 78% of those who responded expected to expand their business in the next two years and 68% expected to take on more staff.
- 2.6 The assessment and business responses did, however, show a range of current challenges in terms of costs, competitiveness, availability of finance and winning new business. It also highlighted the need to improve the skills of the resident workforce and further increase the already high levels of participation in the labour market. This improvement could increase levels of disposable income and in turn support even higher levels of business activity.
- 2.7 The following paragraphs outline, under four headings, further details about the key findings of the local economy:
- Locational context
 - Scale and nature of business activity
 - Economic performance
 - Employment and the labour market

.....findings confirm Spelthorne's excellent connectivity as well as other significant strengths...

b. Locational Context

- 2.8 The Borough is small geographically, being only some 7 miles long by 2.5 miles wide. However, it has more business space per hectare than any other Surrey district.
- 2.9 With over 940,200m² of business floorspace, 4,500 businesses, a population of over 95,000 and over 50,000 residents in employment, it is an important integral part of the sub-regional economy centred at Heathrow.
- 2.10 Spelthorne has excellent connections with the M3 and M25 motorways passing through it as well as the A30 trunk road. The M4 motorway is only 5 minutes travel time away.
- 2.11 The Borough's connectivity is enhanced by its high level of rail access with six railway stations in the Borough. Staines is the fifth busiest passenger station in Surrey. London Waterloo is just 32 minutes travel time from Staines and services also go to

⁴ Local Economic Assessment – paras 3.50 – 3.52

Reading, Windsor and Weybridge. The Shepperton branch-line also provides services to London Waterloo via Kingston-upon-Thames.

- 2.12 Staines-upon-Thames, the Borough's principal town centre, is one of the closest town centres to Heathrow – approximately 10 minutes by road to Terminal 5. Staines-upon-Thames is both an important business and retail centre serving north Surrey and beyond.

c. Scale and nature of business activity



2.13 The large and diverse number of businesses in Spelthorne are spread widely across the Borough.

2.14 Industrial and warehouse premises represent the largest amount of floorspace at 384,300m². These are concentrated mainly in defined industrial estates and other areas across the Borough. Many of the warehouses are part of the large air freight sector.

2.15 Office floorspace amounts to 200,300m² with over 40% of office users occupying premises of 49m² or less. The

major offices are located in Staines-upon-Thames and to a lesser extent in Sunbury-on-Thames close to junction 1 of the M3. There are several serviced business centres offering space to small businesses.

- 2.16 Much of the 209,500 m² of retail floorspace in the Borough is located within existing shopping centres of which Staines-upon-Thames is by far the largest. The other main retail centres are in Ashford, Sunbury-on-Thames and Shepperton.
- 2.17 In the areas immediately adjoining the Borough there are further significant amounts of business floorspace, placing the Borough in an area of very high business activity. This includes Heathrow Airport, Poyle Trading Estate and the Causeway, Staines-upon-Thames which is on the south side of the River Thames in the Borough of Runnymede. Heathrow in particular makes a significant and positive economic impact on the wider area.

d. Economic Performance

- 2.18 The biggest employers in the Borough and the wider area are BP at Sunbury, Shepperton Studios and Heathrow Airport, each of which is in sectors of the national economy that are strong and growing. There is a particular concentration of transport/storage businesses in the Borough many of which have business directly related to activities at Heathrow Airport. Shepperton Studios, which is part of Pinewood Studios, is one of two film/TV studios in Spelthorne and part of a loose 'cluster' of like businesses in the outer/west London area.

- 2.19 In terms of the UK Index of Competitiveness the Borough is in the top quartile nationally and is in one of the most economically buoyant areas of the UK. The recent business survey shows the particular expectations for growth in the Borough.
- 2.20 The level of vacant business floorspace is only around 7.9%. This is relatively low compared to some areas but does provide some capacity for further business growth.
- 2.21 In the retail sector there are over 800 premises with a vacancy rate of 9%. This again is well below the national average. In the 12 months to April 2013 over 5% of retail premises changed hands which provides a positive sign of business formation. These are all further signs of strength of the local economy.
- 2.22 As at March 2013 there was planning permission for a net growth of over 71,000m² of new business floorspace in the Borough⁵. The Council has a supply of 1,125 dwellings that can be readily developed⁶ (equivalent to more than 6 years supply). There is therefore considerable scope for expansion in the construction sector in Spelthorne.
- 2.23 The scope for business growth from both vacant premises and the implementation of sites with planning permission and other proposals represents significant capacity for further economic growth.
- 2.24 In comparison with other adjoining authorities the proportion of small businesses in Spelthorne is slightly smaller. In part this reflects the amount of employment provided by several very large employers. The latest evidence on business start-ups shows that despite the continuing recession there is an encouraging net growth in small businesses.

‘...significant capacity for further economic growth’



e. Employment and the labour market

- 2.25 Spelthorne is located within a relatively urbanised area with over 95,000 people living in the Borough. Over 50,000 are in work which is a very high proportion of the economically active population⁷.
- 2.26 There are over 1.21 million people living in the seven adjoining boroughs of which over 641,000 are in work. This

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e
presents a substantial labour supply for local businesses with high levels of short distance commuting in and out of the Borough to adjoining areas. Heathrow Airport is a major source of employment

‘The biggest employers in the Borough and the wider area are BP at Sunbury, Shepperton Studios and Heathrow Airport...’

⁵ This represents scope for growth of 9% compared to existir floorspace.

⁶ Source: Appendix 4, Planning Monitoring Report 2013: Sta date 1 April 2013.

⁷ 2011 Census showed 46.4% of all 16-74 year olds in Spelthorne were in full-time employment – the highest percentage of any adjoining or Surrey authority.

with over 76,000 working there⁸.

- 2.27 Spelthorne has a very low unemployment rate (1.7% in July 2013⁹) although this is still slightly higher than the Surrey average (1.4% July 2013).
- 2.28 The level of skill represented in the Spelthorne workforce is lower than many adjoining areas and is reflected in the types of work people do. In turn these lower skills and work types are reflected in lower incomes. The business survey revealed some evidence of the need for greater skill levels and work readiness of those entering the labour market. Overall there is scope to grow both levels of skill and consequently disposable income.
- 2.29 The number of people with health problems or other physical limitations to work is, in absolute terms, quite small but is a little higher than the average for Surrey. This is supported by evidence from both the 2011 Census and the North West Surrey Clinical Commissioning Group. This also impacts on employment levels and disposable income.

f. Strengths and Weaknesses

- 2.30 There are substantial strengths in the Spelthorne economy but also some weaknesses which are summarised in the previous sections and drawn from the Council’s local Economic Assessment. The key issues are summarised in the following table. These weaknesses need attention through this strategy to optimise the Borough’s potential for further economic growth.

Strengths	Weaknesses/Opportunities
Large business base.	Scope for greater inward investment utilising existing planning permissions, proposals and vacant floorspace.
Diverse range of businesses.	Need for longer term infrastructure improvements.
Borough’s location in an area of business success.	Current consideration by government of aviation capacity in the South East and role of Heathrow as a ‘hub’ airport.
Capacity for further business growth.	Scope to improve local labour force skills.
Excellent location.	Scope to improve residents’ health, fitness and work readiness.
Excellent connections by road, rail and air.	Scope to significantly increase the levels of disposable income.

g. Existing policy

- 2.31 Whilst this is the Council’s first Economic Strategy it has nevertheless had a longstanding positive approach to economic development which is set out in its

⁸ 8.3% of the Spelthorne workforce is employed at Heathrow Airport.

⁹ Based on those receiving Job Seekers Allowance.

planning policies¹⁰; these provide the context to this strategy. They can be summarised as follows:

- a. Maintain the employment capacity of the Spelthorne economy by supporting the renewal of employment floorspace through redevelopment and extensions and protecting the main employment areas¹¹.
- b. Maintain the four main town centres of Staines-upon-Thames, Ashford, Sunbury-on-Thames, Shepperton and local centres as the focus for shopping and to seek opportunities for their continued improvement¹².
- c. Continually improve Staines-upon-Thames by encouraging development that contributes to its vitality and viability through growing its retailing, retail services and businesses¹³.
- d. Improve traffic management in Staines-upon-Thames including access by public transport, its role as a public transport hub and further improving its environment and town centre management¹⁴.
- e. Encourage measures to improve accessibility to Heathrow Airport from the Borough¹⁵.
- f. Support initiatives to improve the skills of the local workforce and community facilities¹⁶.

3. Vision for the Spelthorne Economy

- 3.1 The Council's objective is to secure sustained economic growth. It also recognises that the environment and character of the Borough is important in attracting many businesses and residents rightly see its protection to be of great importance. Its vision is therefore:

To secure sustained growth of the local economy for the benefit of businesses and residents whilst protecting the Borough's environment and character.

- 3.2 In pursuing this vision the Council will address the strengths and weaknesses previously described and build on the positive growth prospects revealed in its latest

¹⁰ Core Strategy and Policies Development Plan Document, February 2009 and Allocations Development Plan Document, December 2009.

¹¹ Core Strategy Policies SP3 and EM1.

¹² Core Strategy Policies SP4 and TC3.

¹³ Core Strategy Policy TC1.

¹⁴ Core Strategy Policies SP4, SP7 and TC1.

¹⁵ Core Strategy Policy CC4.

¹⁶ Core Strategy Policies SP3, SP5 and CO1.

business survey¹⁷. In particular it will seek to increase the number of businesses in the Borough and their level of business activity as well as growth in the proportion of residents in work and their income levels.

4. Implementing the Vision

4.1 Four 'theme' areas emerge from the Council's assessment of the economy and the 'actions' under each 'theme' will help to implement the 'vision'. The 'themes' are::

1. Implementing and maintaining a capacity for growth.
2. Developing skills and employability.
3. Supporting business.
4. Improving infrastructure.

'Spelthorne's inherent economic strength..... means its scope for future economic growth is very strong'.

4.2 The 'actions' reflect both existing initiatives and new work. They include short term and one-off initiatives as well as on-going/longer term work necessary to sustain a continuous process of attracting and growing new businesses. Some actions involve further investigation. For each 'action' specific details are provided about the implementation, timescale and the lead committee/task group/senior officer.

4.3 This 'vision' and the detailed actions are consistent with the 'Strategy for Growth' prepared by Enterprise M3 and the work of Surrey Connects.

Theme 1 - Implementing and maintaining a capacity for growth

4.4 Spelthorne's inherent economic strength, in terms of business base, excellent communication links and location, means its scope for future economic growth is very strong.

4.5 The availability of positive planning policies, sites available with planning permission and vacant premises provide the physical capacity for both expansion of businesses already in the area as well as those looking to relocate. This will support continuing inward investment to the Borough.

4.6 Nevertheless, in the wider area, including the Enterprise M3 LEP, the supply of vacant premises and sites with planning permission are considerable in comparison to current market demand. Therefore, if the Council is to realise the potential for growth it needs to be more pro-active in securing the implementation of development and in attracting new businesses.

4.7 There are various existing initiatives, including those to further promote the Borough generally and specifically Staines-upon-Thames. The Council will take actions to further this work and also secure the long term success of Ashford and explore the need for further initiatives to support Shepperton, Sunbury-on-Thames and Stanwell.

4.8 A number of services the Council provide either affect businesses or are relied on by them. These include planning and building control, food inspections, licensing,

¹⁷ The findings of the business survey are set out in the Local Economic Assessment paras 3.50–3.52

pollution control, etc. The Council recognises the need to continue to ensure these operate in a way that, as appropriate, supports business needs.

Actions to implement and maintain a capacity for growth

Ref	Action	Implementation
	Promoting the Economy	
A1	Develop detailed plans to promote business growth and inward investment to the Borough. (To include, as appropriate, specific measures/approaches for each of the main towns of Staines-upon-Thames, Ashford, Shepperton, Sunbury-on-Thames and Stanwell.	<p>a. Seek advice from the Local Government Association on how to develop detailed plans to promote growth and secure inward investment.</p> <p>Timescale: by end of June 2014. Lead: EDTG¹⁸/EDM¹⁹.</p> <p>b. Prepare a Borough-wide action plan.</p> <p>Timescale: from July 2014 onwards. Lead: EDTG/EDM.</p> <p>c. Develop a work programme to produce a strategy for Staines-upon-Thames town centre to promote business growth.</p> <p>Timescale: by end of June 2014. Lead: Staines-upon-Thames Sub Group of the EDTG/HoPHS²⁰.</p> <p>d. Develop a work programme to produce a strategy for Ashford town centre to promote business growth.</p> <p>Timescale: by end of February 2014. Lead: Ashford Sub Group of the EDTG/EDM.</p> <p>e. Investigate the need for specific strategies to promote business growth in Sunbury-on-Thames, Shepperton and Stanwell.</p> <p>Timescale: by end of March 2014 and, as necessary, develop appropriate plans by end of July 2014 and implement from September 2014 onwards. Lead: EDTG/EDM.</p>
A2	Enhance the pro-business culture in the Council to further focus Council services to effectively meet business needs.	<p>The Council will review the extent to which its services are delivered in a way which is sensitive to business needs.</p> <p>Timescale: complete a review and</p>

¹⁸ Economic Development Task Group

¹⁹ Economic Development Manager

²⁰ Head of Planning and Housing Strategy

Ref	Action	Implementation
		implement by March 2014 and annually update. Lead: EDTG/Chief Executive.
A3	Investigate scope for the Council to develop arrangements for regular on-going close liaison with major businesses in the Borough (often referred to as 'key account management').	Investigate with partners (particularly Enterprise M3, Surrey County Council and Surrey Connects) potential scope and resource implications. Timescale: by April 2014. Lead: EDTG/EDM

Implementing Developments		
A4	Encourage entrepreneurship through support for the establishment of small businesses.	<p>a. Investigate provision of start-up/incubation premises for small businesses and whether any additional facilities/support is required including working with public and private sector organisations including Surrey Connects.</p> <p>Timescale: by September 2014. Lead: EDTG/EDM.</p> <p>b. If a need exists, assess the best means of provision, including public and private options.</p> <p>Timescale: by December 2014. Lead: EDTG/EDM.</p>
A5	Proactively seek to implement development on appropriate Council sites in Staines-upon-Thames, including: <ul style="list-style-type: none"> a. Bridge Street Car Park, Staines-upon-Thames – residential development (Allocations DPD: site A9). b. Elmsleigh Centre extensions, Staines-upon-Thames – Phase 3 and 4 (Allocations DPD: site A10). 	<p>This is part of an existing implementation strategy for Staines-upon-Thames.</p> <p>Timescale: On-going. Lead: Cabinet/HoPHS.</p>
A6	Proactively work with developers/landowners to implement approved development on private sites. To include:	<p>a. Sites (a) and (b) are part of the existing implementation strategy for Staines-upon-Thames.</p> <p>Timescale: On-going.</p>

Ref	Action	Implementation
	<ul style="list-style-type: none"> a. Former Majestic House, High Street, Staines-upon-Thames. b. Former Centrica site, London Road, Staines-upon-Thames. c. Extension of Shepperton Studios, Shepperton. 	<p>Lead: Cabinet/HoPHS.</p> <p>b. Investigate resources needed to encourage implementation of sites outside of Staines-upon-Thames.</p> <p>Timescale: by end of March 2014. Lead: EDTG/HoPHS.</p>
A7	The Council will seek to use its assets to assist the economy of the Borough where this is consistent with the delivery of other services.	<p>To be kept under continual review.</p> <p>Timescale: On-going. Lead: Task Group on Fixed Assets.</p>
A8	To ensure the planning service facilitates a process of appropriate on-going extension and redevelopment of business floorspace to maintain a stock of modern business premises ²¹ .	<ul style="list-style-type: none"> a. Monitoring the effectiveness of planning policies to ensure they remain effective. <p>Timescale: On-going. Lead: HoPHS</p> <ul style="list-style-type: none"> b. Monitoring the need or otherwise for additional employment land. <p>Timescale: On-going. Lead: HoPHS</p> <ul style="list-style-type: none"> c. Identify unmet business needs that may arise and investigate appropriate site/opportunities –to include hotel/conference facilities (see also A24). <p>Timescale: On-going. Lead: EDTG/EDM/HoPHS.</p>

Theme 2 - Developing skills and employability

- 4.9 Evidence shows there are lower skill levels amongst residents in work in Spelthorne. Whilst significant improvements in educational attainment have been achieved in the last 10 years in the Borough, the quality of facilities and delivery of education need to improve further to close the attainment gap with some adjoining higher performing authorities.

²¹ This reflects Core Strategy Policy EM1 (b)

4.10 Surrey County Council is the Local Education Authority (LEA) for primary and secondary education in Spelthorne. Whilst new models of organisation, including ‘academy’ status, reduce the extent of LEA control it nevertheless have ultimate responsibility. The Spelthorne Local Committee of the County Council, as well as the Children and Education Select Committee, has a particular role to scrutinise and support local schools. The Borough Council will encourage Surrey County Council to raise teaching standards and attainment levels and it will also work with Spelthorne Together²² to further improve skill levels. Brooklands College is a Further Education College with a campus at Ashford. It has a particular focus on vocational courses. It had planning permission and funding approval in July 2008 to rebuild the College but in late 2009 Government funding was withdrawn nationally. The College is currently seeking funding from the Skills Funding Agency to redevelop its site albeit requiring some enabling development to secure this.



4.11 The Council recognises the contribution of apprenticeships in raising overall the proportion of those in the labour market with formal qualifications and will explore how it can contribute to increasing their take-up. A successful Further Education College is seen by the Council as vital in securing improved educational attainment in the Borough. New College premises and accompanying supporting development could also have significant economic benefit for Ashford town centre.

4.12 There are slightly higher levels of poorer health in Spelthorne compared to some adjoining areas. The new North West Surrey Clinical Commissioning Group²³ has primary responsibility for health and health promotion and its strategy, which is currently under preparation, will be critical to future health improvements in the Borough.

4.13 The Council has been involved with or supported a number of initiatives to foster interest in training and assist the ‘work-readiness’ of those who are unemployed, including 16-19 year olds ‘not in education, employment or training’ (NEETs). Through its Leisure & Culture Strategy and provision of leisure centres and other facilities the Council has an important supporting role in improving health. It also has an important complementary role through its economic development activities, community safety role and work with young people through various strategies.

Actions to develop skills and employability

Ref	Action	Implementation
	Education Provision	
A9	The Council will encourage Surrey County Council (SCC) to raise teaching standards and attainment levels in primary and secondary schools in the	To be achieved through a range of actions and regular review and scrutiny of progress.

²² Spelthorne Together is a Local Strategic Partnership which draws together public, private and voluntary sector organisations. Spelthorne Together has a Skills, Education and Training Sub Group.

²³ Clinical Commissioning Groups replaced Primary Care Trusts in April 2013.

Ref	Action	Implementation
	Borough.	Timescale: On-going. Lead: SCC through its Education Authority role and local review through its Spelthorne Local Committee ²⁴ .
A10	The Council will support the development of vocational training including: A. Encourage the further take-up of apprenticeships B. Support Brooklands College in bringing forward an appropriate comprehensive development of its Ashford Campus to secure permanent teaching facilities on the site.	The Council will investigate how it can best support the increased take-up of apprenticeships Timescale: by end of September 2014 Lead: HoED It will support Brooklands College through: a. Timely planning and other advice. b. As necessary, support for the College in securing appropriate Government funding. Timescale: On-going. Lead: HoPHS.
Promoting education, training and high levels of attainment		
A11	Support for the Heathrow Academy.	This provides the compulsory 2 weeks training necessary for many of the 'air-side' work opportunities at Heathrow. The scheme draws people from Spelthorne and 4 other boroughs around Heathrow and focusses on construction, retailing and aviation. Timescale: On-going. Lead: EDM.
A12	Support for the Jobs and Careers Fair (including the Heathrow JSF which is an established annual event for those of 16+ (years 11-13).	This assists in informing young people about work opportunities and associated training needs. Timescale: On-going. Lead: EDM/Heathrow Airport Ltd.
A13	Support for business's schools programmes (including existing schemes by BP and Heathrow) which focus on Science, Technology, Engineering and Maths (STEM).	By the businesses concerned. Timescale: On-going. Lead: EDM.
A14	Support for Enterprise M3 in its work to identify and develop skills training.	Timescale: On-going. Lead: EDM.

²⁴ Spelthorne Local Committee has an equal number of Borough and County Councillors appointed to it.

Ref	Action	Implementation
A15	Support for the Local Strategic Partnership (LSP) – Skills, Education and Training Sub Group and initiatives it brings forward.	Timescale: On-going. Lead: EDTG/EDM.
	Assisting 'work readiness'	
A16	Supporting Families Programme – working with 280 families in Spelthorne, Elmbridge and Epsom and Ewell where there is either a) an adult on an out of work benefit; b) poor school attendance/exclusion; c) anti-social behaviour involving children; d) issues of mental health, alcohol or drugs.	The Council leads the management of the programme and provides accommodation and other practical assistance. Timescale: Current programme runs to March 2015 but Surrey County Council plans to extend the work through its Public Service Transformation Programme. Lead: Asst CX (LB) ²⁵
A17	Through its Leisure and Community Safety teams the Council supports specific initiatives to develop positive social skills and greater 'work readiness'.	The Council will achieve this through such schemes as a) intergenerational projects; b) Play Scheme vouchers; c) multi-agency initiatives working with young people. Timescale: On-going. Lead: EDM/LSM ²⁶ .
A18	Investigate scope for an on-going programme of 'Back to Work' events (such as the over-50s job club, which assists people with work readiness and enhancing employability and success in securing work, funded by Surrey Life Long Learning Partnership).	Timescale: Investigate by February 2014. Lead: EDM.
	Health Improvement	
A19	Support as appropriate the North West Surrey Clinical Commissioning Group (CCG) in developing and implementing its Strategic Community Plan for 2014-2017 and the Surrey County Council Health and Well Being Plan.	The Council will achieve this by: <ul style="list-style-type: none"> a. Sharing information. b. Liaising on the scope for joint programmes. c. Seeking ways through its existing work to complement the CCGs and SCCs programmes. Timescale: On-going. Lead: Asst CX (LB).

²⁵ Assistant Chief Executive (Liz Borthwick).

²⁶ Leisure Services Manager.

Ref	Action	Implementation
A20	The Council to continue to implement existing initiatives to support improved health and fitness and develop further initiatives as appropriate,, thereby enhancing long-term work capability.	<p>To include continued implementation of the following schemes:</p> <ul style="list-style-type: none"> a. Exercise referral scheme – leisure centres take referrals from GPs to aid recuperation from illness and surgery and/or develop an exercise habit. b. Weight Management Programme – leisure centres take referrals from GPs for dietary awareness and exercise sessions. c. Walking for Health scheme – volunteer-led short walks and coordinated by the Council’s Leisure team. d. Promoting the benefits of physical activity and sport. <p>Timescale: On-going. Lead: LSM.</p>

Theme 3 - Supporting Business

- 4.14 The Council has an important role to play in supporting businesses and business organisations in the Borough. This can be achieved firstly through its on-going support and secretarial resources for the Spelthorne Business Forum (SBF)²⁷.
- 4.15 The Council has a long-standing relationship with major employers and businesses such as BP, the Elmsleigh Centre, Two Rivers and Shepperton Studios. There is scope to extend such relationships to a greater number of organisations and widen the support the Council can give.
- 4.16 The Council has land and other assets which, subject to wider service delivery to the public can be used to support the economy generally. For example, it owns the freehold of the Elmsleigh Centre in Staines-upon-Thames providing not only an income to the Council but opportunity to help ensure it continues to best meet the shopping needs of those who live in its catchment area.
- 4.17 The Council also has a role in championing the needs of businesses generally and, where appropriate, seeing how it can assist in fostering new or existing business sectors. Several of the following actions reflect this. The Council’s membership of Enterprise M3 and its role in promoting business across a wider area is increasingly



²⁷ Membership of the SBF is free and it operates monthly and networking and speakers at breakfast events. Membership currently exceeds 700 businesses and business groups. Support is also given to local Chambers of Commerce and business organisations.

important as the Government seeks to direct more financial resources and responsibility for spending to LEPs.

- 4.18 The Council has recognised for a long time the huge amenity asset it has in the River Thames and river frontage of more than 12 miles. It recognises the scope to develop the visitor economy, taking advantage of the Thames and the many parks, open spaces and historic villages which adjoin it. Under Action (A24) the council will further investigate the scope to grow the visitor economy/tourism.

Actions to support businesses

Ref	Action	Implementation
A21	The Council will provide on-going support to the Spelthorne Business Forum as the primary business support and promotion organisation in the Borough.	<p>The Council will provide the Spelthorne Business Forum with:</p> <ul style="list-style-type: none"> a. Secretarial support to run networking, training and promotional events. b. Financial support to meet the costs of meetings where sponsorship arrangements prove insufficient. c. Promotional space on the Council's website. <p>Timescale: On-going. Lead: EDM</p>
A22	Promoting opportunities for local businesses to tender for Council contracts.	<p>Further development of information currently provided on the Council's website.</p> <p>Timescale: by end of July 2014 and then on-going up-dating. Lead: EDM.</p>
A23	The Council will champion the needs of businesses in Spelthorne and ensure they are properly recognised in the wider area.	<p>The Council will ensure that through its own economic development activity, Enterprise M3, Surrey Connects, Surrey County Council and its Surrey Future initiative and support for the Spelthorne Business Forum, that the needs of Spelthorne and strengths of its economy are appropriately reflected.</p> <p>Timescale: On-going. Lead: EDM.</p>
A24	The Council will initiate investigation of business sectors where there appears scope for growth, including tourism, possible business clusters and hotel/conference facilities.	<ul style="list-style-type: none"> a. The Council will consider the actions necessary to promote tourism in Spelthorne – particularly associated with the River Thames. <p>Timescale: Complete an assessment by June 2014. Lead: EDM with Local Government Association support.</p>

Ref	Action	Implementation
		<p>b. The Council will keep under review the scope for targeted growth and support in other business sectors.</p> <p>Timescale: On-going. Lead: EDTG</p>
A25	On-going provision of security to retailers in Staines-upon-Thames through its 'Staisafe' initiatives which support rapid reporting and identification of criminals via a radio network.	<p>Through the 'Staisafe' co-ordinator employed by the Council.</p> <p>Timescale: On-going. Lead: 'Staisafe' Co-ordinator and EDM.</p>

Theme 4 - Improving Transport Infrastructure

- 4.19 Good transport infrastructure has an important role in supporting an efficient local economy and its attractiveness for further investment. Spelthorne, like most authorities close to London, experiences congestion to varying degrees within its town centres. Ensuring effective management of the transport network is the responsibility of Surrey County Council as highway authority.
- 4.20 The County Council is currently undertaking studies as part of a Staines Movement Study and associated studies of walking and cycling across the Borough. In addition the County Council is developing a Surrey Cycle Strategy and envisages this being followed up by the preparation of local cycle strategies for each borough. The County Council has already identified the widening of Staines Bridge as a major infrastructure project as part of a package of measures to be progressed through Enterprise M3 post 2019.
- 4.21 As part of its leisure work the Borough Council is also considering with the County Council complementary measures to further promote cycling for its potential health benefits.
- 4.22 The Borough Council has a proposal to improve the bus station in South Street, Staines-upon-Thames as part of a comprehensive extension of the Elmsleigh Centre²⁸. There are, however, some parts of the Borough where bus services are limited and improvements would be beneficial.
- 4.23 A significant infrastructure issue is the role and future of Heathrow as an international hub airport. The airport provides significant economic benefits to the Borough in terms of work for local residents and the associated business it attracts.
- 4.24 In February 2008 the Council agreed its support in principle for the provision of a third runway at Heathrow subject to environmental and other safeguards²⁹ and the importance of maintaining its 'hub' status.
- 4.25 The Davies Commission³⁰ was set up by the Government in September 2012 to consider where future runway capacity should be provided in the UK. The debate this

²⁸ Allocations Development Plan Document, Site A10

²⁹ Spelthorne Borough Council agreed on 21 February 2008 to support the White Paper for a third runway at Heathrow subject to: compliance with mandatory EU air quality limits; no increase in the area affected by aircraft noise; surface transport improvements; no mixed mode and market value compensation for loss of property.

has generated includes proposals for alternatives to Heathrow as the UK's 'hub' airport. The Commission has consulted people on the various proposals put forward, and in September 2013 the Council reiterated its support for Heathrow as the UK's 'hub' airport and the provision of a third runway with additional terminal capacity. It supports the north-west option as the quickest, cheapest and least complex way of providing a full length runway to thereby safeguard both local and national economic interests³¹.

- 4.26 The Borough has good rail access but two issues need to be resolved in the longer term. Firstly the provision of a southern rail link to Heathrow and secondly increased rail capacity in the approaches to Waterloo (Wimbledon to Waterloo) to enable continued growth of rail services. These two projects are highlighted in the recent Surrey Rail Strategy which the Borough fully supports. That strategy particularly highlights the potential roles of Crossrail 2 (regional option) and an extended HS2 in providing solutions to both problems. The Shepperton branch line comes within the proposed Crossrail 2 network and therefore has potential to bring about rail service improvements in the east of the Borough. As part of its Rail Strategy, Surrey County Council is also currently considering shorter term surface access improvements to Heathrow pending longer term comprehensive rail solutions which are integrated with the existing network.

Actions to support improvements to Transport Infrastructure

Ref	Action	Implementation
A26	The Council will work with Surrey County Council to secure completion of the Staines Movement Study, identification of appropriate proposals and their timely implementation.	Timescale: On-going. Lead: Spelthorne Local Committee
A27	The Council will seek to secure an improved Staines Bus Station through comprehensive extensions of the Elmsleigh Centre.	Timescale: On-going. Lead: Economic Development Task Group/HoPHS.
A28	The Council will support measures to reduce local congestion including through initiatives to secure modal shift to cycling and walking and support improvements to, and usage off, public transport generally.	Timescale: On-going. Lead: Spelthorne Local Committee.
A29	The Council will support measures to maintain Heathrow Airport's 'hub' status subject to satisfactory environmental safeguards.	Timescale: On-going. Lead: Cabinet/HoPHS.
A30	The Council will actively support the implementation of the Surrey Rail Strategy and improvement to rail services	Support the work of Surrey Future in progressing the Surrey Rail Strategy and lobbying Government as appropriate.

³⁰ The Independent Airports Commission – increasing international competitiveness of UK airlines and airports, chaired by Sir Howard Davies. It is required to produce by December 2013 an interim report and shortlist of proposals for further investigation and deliver a final report to the government by mid 2015.

³¹ Spelthorne Borough Cabinet decision, 24 September 2013.

Ref	Action	Implementation
	<p>generally. In particular:</p> <ul style="list-style-type: none"> a. A southern rail access to Heathrow. b. Improved rail capacity in the Waterloo approaches through Crossrail 2. c. Shorter term proposals to improve surface access to Heathrow. 	<p>Timescale: On-going. Lead: Cabinet/HoPHS.</p>

5. Monitoring and Review

- 5.1 Progress on each of the 'actions' in this strategy will be regularly monitored by the Council's Economic Development Task Group. In addition to this it will assess the extent to which the economy as a whole is performing.
- 5.2 On a three yearly basis it will comprehensively review its Local Economic Assessment. It will annually monitor changes in key data areas. In particular it will look at the following key performance indicators as measures of the effectiveness of this strategy:
- a. Net change in total business rates.
 - b. Net change in total business rated premises.
 - c. Unemployment/job vacancy levels.
 - d. Vacancy levels in commercial property.
 - e. Planning permissions for commercial development –permitted, implemented and net changes in employment floorspace.
 - f. Information on educational attainment.
- 5.3 This strategy will be formally reviewed by the Council within 3 years.

6. Further information

- 6.1 For further information about this strategy and enquiries about development and business in Spelthorne please contact the Council's Economic Development Manager:

Keith McGroary
Economic Development Manager
Spelthorne Borough Council
Knowle Green
Staines-upon-Thames
TW18 1XB
Email: K.McGroary@spelthorne.gov.uk
Tel: 01784 444224

- 6.2 For advice on planning matters please contact the Council's Head of Planning and Housing Strategy:

Heather Morgan
Head of Planning and Housing Strategy
Spelthorne Borough Council
Knowle Green
Staines-upon-Thames
TW18 1XB
Email: H.Morgan@spelthorne.gov.uk
Tel: 01784 446352

Cabinet**17 December 2013**

Title	The Licensing Act 2003 - Adoption of a Statement of Licensing Policy 2014 to 2019		
Purpose	Recommendation required		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Penny Forbes-Forsyth	Key Decision	Yes
Report Author	Dawn Morrison		
Summary and Key Issues	<ul style="list-style-type: none"> • There is currently a requirement under Section 5 of the Licensing Act 2003 for licensing policies to be revised at least every three years, following a period of consultation. The existing policy, published in 2011, has therefore been updated to take effect from the start of January 2014. • The consultation process for the draft revised policy started on 25 September and concluded on 23 October 2013. Only one response to the draft policy was received, from Surrey Police. Minor amendments have been made to the policy as a result of this response. • The requirement has recently been changed to allow Licensing Authorities to revise licensing policies every five years, instead of three years, hence the duration of the proposed policy being from 2014 to 2019. • The policy has primarily been updated to reflect legislative changes in the period since the policy was last updated. • On 14 November 2013, the Licensing Committee agreed to recommend the Licensing Policy 2014-2019 to Cabinet for adoption. 		
Financial Implications	The costs of implementing the proposed policy will be met within existing budgets.		
Corporate Priority	Service delivery Communication Reducing crime and antisocial behaviour		
Recommendations	Cabinet is asked to recommend Council to adopt the proposed Licensing Policy for implementation from 5 January 2014.		

1. Background

- 1.1 This Council's existing policy of 2011 to 2014, which was published on 5 January 2011 has, over the last three years, promoted the four licensing objectives laid out in the Licensing Act 2003 (2003 Act).
- 1.2 Statutory Guidance issued under section 182 of the Licensing Act 2003 by the Home Office has been revised several times since 2011 to take into account supplementary legislation and emerging case law.

2. Key issues

- 2.1 Section 5 of the 2003 Act requires each local authority to review, update and publish their Statement of Licensing Policy every three years. Spelthorne's existing policy expires on 5 January 2014 and must therefore be reviewed and replaced.
- 2.2 On 24 September, Cabinet approved a draft version of the policy to be adopted for consultation with responsible authorities, such as Surrey Police, Surrey Fire and Rescue Service, Surrey County Council and other stakeholders. This process ended on 23 October 2013.
- 2.3 Information about the consultation process was sent to the consultees listed in Annex 1 of the policy. These have been amended to reflect changes of name or contact details that came to light as a result of the consultation. In addition, a link to the Policy was created on the home page of the Council's website.
- 2.4 Only one response was received, from Surrey Police. This has been replicated in **Appendix B**.
- 2.5 As a result of this response some minor amendments have been made to the proposed policy. These relate to suggested "conditions" for off licences for applicants preparing operating schedules. The highlighted tracked changes in the text of the document show the proposed amendments that have been made following the consultation process.
- 2.6 The review process has also taken into account the following factors:
 - Current statutory government guidance on the 2003 Act.
 - Changes to the 2003 Act or its associated regulations.
- 2.7 Apart from some small amendments to wording, the main changes to the existing policy are as follows:
 - The Licensing Authority and Health Bodies, in our case NHS Surrey, are now "Responsible Authorities" within the meaning of the 2003 Act. This means that they have to be copied in on applications made under the 2003 Act and are able to make representations and/or objections on them.
 - "Interested Parties" - this term has been removed from the legislation and guidance because there is no longer a restriction in who can make representations to licensing applications. Previously anyone wanting to make representations to licensing applications, or call licences in for review, had to live or work in the vicinity of the premises (or to represent those living or working nearby). There is no longer a

requirement to live or work nearby and the term “interested parties” has been replaced with “any other person”.

- Temporary Event Notices (TENs) - Environmental Health Officers are now able to make representations or objections to TENs as well as the Police and will have three working days to do so (rather than the previous 48 hours). The maximum duration of single events and total number of days per year TENs can be held has increased, and there are new provisions for “late TENs”.
- Statements of Licensing Policy can be reviewed every five years rather than three, hence the five year duration of the proposed policy.
- Determination of applications – Conditions imposed on licences can now be “appropriate” rather than “necessary”. They must still be “proportionate”. This can be seen as giving licensing sub-committees more scope in their decision making.
- Payment of Annual Licence Fee – licences must be suspended if the statutory annual fee is not paid. The only recourse for non-payment of fees prior to this was through the Civil courts.
- The Live Music Act 2012 came into effect in October 2012 and exempted certain live music from having to be authorised as regulated entertainment. These changes are reflected in this policy.
- Statistics on the number of licensed premises, and in relation to alcohol related crime have been updated. Alcohol related crime figures have been updated and show a consistent fall. For example, recorded statistics for public place violence across Spelthorne has dropped from 984 in 2007/2008 to 468 in 2012/2013 – a fall of more than half.
- Explanations of Early Morning Restrictions Orders and Late Night Levies have been added to the policy. These are both provisions brought in by The Police Reform and Social Responsibility Act 2011.

2.8 On 14 November 2013 the Licensing Committee agreed that the Licensing Policy 2014-2019 be recommended to Cabinet for adoption (Minute 324/13).

3. Options analysis and proposal

3.1 The preferred option is that the proposed policy is approved for adoption in accordance with the timetable set out in paragraph 7.1

3.2 There is an option to either amend the proposed policy or reject it and propose an alternative version of the policy. However, if the latter course of action was followed this would cause a delay in implementing any final policy beyond the required time limit.

4. Financial implications

4.1 The revisions to this policy and consultation process were carried out within existing budgets.

5. Other considerations

5.1 It is proposed that the Statement of Licensing Policy is recommended to Cabinet for adoption and publication by 5 January 2014.

6. Risks and how they will be mitigated

6.1 There is always a possibility that in the future if someone feels aggrieved with the content of the policy they may seek to challenge it by Judicial Review.

However, this Council have conducted a thorough and comprehensive review of its policy and widely consulted on it. Careful consideration has been given to government guidance on the preparation and revision of policies. Therefore, the chances of such a Judicial Review being sought or succeeding are viewed as unlikely.

7. Timetable for implementation

- 7.1 The timetable for implementation of the proposed policy would be as follows:
- a. Licensing Committee recommend to Cabinet the adoption of the policy - 14 November 2013
 - b. Cabinet recommend to Council the adoption of the policy – 17 December 2013
 - c. Council adopt proposed policy – 19 December 2013.
 - d. Publish final policy – 5 January 2014.

Background papers: None

Appendices:

Copies available in the Members' Room

Appendix A – Spelthorne's proposed Statement of Licensing Policy 2014 to 2019

Appendix B – Surrey Police response

Appendix B

Summary of Surrey Police response to Licensing Consultation – Draft Policy 2014 to 2019, received on 30 September 2013:

Page number	Surrey Police Suggestion	Alteration made
Page 9	Under conditions, perhaps add that conditions are also not added (to licences) that are covered by other legislation.	This is covered in Section 20 under “relationship with other legislation”. However, a sentence has been added at page 9.
Page 17	Under “Shops and off licences”. Surrey Police would prefer that refusals records consist of a bound book with consecutively numbered pages. Also, that refusals records should include the reason for the refusal.	Additional wording has been added.
Page 17	In this section you may also wish to add (a requirement to participate in or join) “off watch” schemes, as the NSO in Shepperton has recently set up an off watch for the licensed stores in the Shepperton area.	Additional wording has been added.

Cabinet**17 December 2013**

Title	Scrap Metal Dealers Act 2013 – fee setting and delegations		
Purpose	Recommendation required		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Penny Forbes-Forsyth	Key Decision	Yes
Report Author	Dawn Morrison, Licensing Manager.		
Summary and Key Issues	The purpose of this report is to update Cabinet on the implementation of the Scrap Metal Dealers Act 2013 (2013 Act).		
Financial Implications	The proposed fee levels are set to ensure this Council recovers its costs in administering the duties under the 2013 Act.		
Corporate Priority	*Service delivery *Reducing crime and antisocial behaviour		
Recommendations	Cabinet is asked to recommend Council to approve the fee levels as follows: Site Licence: £520 Collector's Licence: £330 Variation: £60 Replacement of licence: £25 To approve delegations outlined in 2.7 to 2.9 of the main report		

1. Background

- 1.1 The Scrap Metal Dealers Act 2013 (“2013 Act”) was given Royal Assent on 28 February 2013. The main provisions came into force on 1 October 2013 and the 2013 Act will be fully enforceable from 1 December 2013. The 2013 Act replaces the Scrap Metal Dealers Act 1964 and the parts of the Vehicles (Crime) Act 2001 that deal with Motor Salvage Operators.
- 1.2 The increased cost of metal world-wide has resulted in an increase in metal theft across the UK. A wide range of sectors have experienced metal theft including national transport, electricity and telephone links, street furniture, memorials and commercial and residential buildings including churches and schools. The 2013 Act will provide effective and proportionate regulation of the sector creating a more robust local authority run licensing regime that will support legitimate dealers and provide the powers to effectively tackle unscrupulous/ illegal operators.
- 1.4 The 2013 Act maintains local authorities as the principal regulator of these industries. It gives local authorities the power to better regulate these industries by providing a power to refuse to grant a licence and revoke licences if the dealer is considered ‘unsuitable’. Unsuitability will be based on a number of factors including any relevant criminal convictions. The 2013 Act will also provide local authorities and police officers with suitable powers of entry and inspection of scrap metal dealers.
- 1.5 A report summarising the provisions of the 2013 Act was presented to Spelthorne’s Licensing Committee on 5 September 2013.

2. Key issues

Fees

- 2.1 Fees are to be determined locally and must reflect the true cost of administering the 2013 Act. Licensing Authorities must have regard to guidance issued by the Secretary of State in August 2013, and to European Service Directive 2006/123/EC (Services in the Internal Market). The Directive requires that fees “must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities”.
- 2.2 Initial start-up costs can be recovered from the licence fee and therefore the true cost of procedures and formalities may be lower once the scheme is established. This can then be reflected in a reduction in fees following a review. Proposed fees in Spelthorne for each type of licence, on a cost recovery basis only, have been calculated as follows:
- Scrap Metal Dealer Site Licence: £520.00
 - Scrap Metal Collector’s Licence: £330.00

The above licences last for a period of three years and then have to be renewed. Additional charges may be levied for replacement of lost licences (£25) and variations of licences (£60).

At the time of writing this report, there were three applications for site licences and 13 applications for collectors’ licences being processed at Spelthorne. A further seven individuals have been sent application forms.

The scheme will be funded by the licence holders but recent case-law means that the cost of enforcing against unlicensed dealers cannot be recovered from fees and must be met from existing budgets.

- 2.3 As part of Spelthorne's Environmental Health Service's current business improvement programme, licensing processes are being streamlined in order to ensure this extra work can be dealt within existing staff resources.
- 2.4 The Finance Department's accountants have worked with Environmental Health to ensure that the Council charges the appropriate level of fees. Since this is a new regime, some costs have been estimated. However, the level at which these fees are set by the Council will be reviewed on an annual basis and adjusted, if necessary, to ensure they are only based on the cost of the service.

Delegations

- 2.5 In introducing this new licensing regime, Councils will have to put in place appropriate procedures for considering applications and deciding whether an applicant is a suitable person to carry on a business as a scrap metal dealer.
- 2.6 In determining whether the applicant is a suitable person, Councils may have regard to any information which it considers to be relevant. Such information includes:
- whether the applicant or any site manager has been convicted of any relevant offence;
 - whether the applicant or any site manager has been the subject of any relevant enforcement action.

The relevant offences and relevant enforcement actions the Council may take into account when determining applications are specified in regulations made under the 2013 Act.

- 2.7 No method of deciding licensing applications is set out in the 2013 Act, so Councils will have to decide which applications (if any) should be considered by their licensing committee(s). Given the rights of applicants to make representations if their licence application are refused, revoked or varied, it would be appropriate for applications where Council officers recommend refusal, revocation or variation of a licence for any representations to be decided by one of the Council's Licensing Sub-committees. Delegation is therefore sought for Spelthorne's licensing sub-committees to determine applications where officers recommend refusal, revocation or variation of a licence on the grounds that the applicant is unsuitable in accordance with statutory guidance.
- 2.8 Delegations are sought for the Assistant Chief Executive to issue, renew or vary a scrap metal site licence or collector's licence.
- 2.9 Delegation is also sought for the Assistant Chief Executive to enforce all provisions, including the issue of a Closure Notice, where appropriate, in respect of unlicensed sites. Closure Notices are formal documents that can be served by police or a local authority where premises are being used as a scrap metal site without a site licence. A Closure Notice must:
- (a) state that the constable or local authority is satisfied that the premises is being used as a scrap metal site without the appropriate licence;

(b) give the reasons that the constable or local authority are so satisfied;

(c) state that the constable or local authority may apply to the court for a closure order; and

(d) specify the steps which may be taken to ensure that the alleged use of the premises ceases.

3. Options analysis and proposal

3.1 It is recommended that the proposed fees and delegation of functions to administer and enforce the provisions of the 2013 Act are approved. This should enable the Council to fully recover the costs of providing this service and properly exercise its statutory duties.

3.2 Members could set lower or higher levels of fees. However, if the Council set lower fees it would be unlikely to recover its costs. If higher fees were set the Council could exceed the costs of the service and be in breach of the legislation. It would therefore be at risk of legal challenge.

3.3 The proposed delegations set out in 2.7 to 2.9 above are in accordance with Local Government Association and Home Office guidance.

4. Financial implications

4.1 The proposed fee levels are set to ensure this Council recovers its costs in administering the duties under the 2013 Act.

5. Other considerations

5.1 Suitable application forms have been prepared to capture the information required in Schedule 1 paragraph 2 of the 2013 Act as well as procedures for licence holders to notify the Council of variations in the licence under section 8.

5.2 In addition Spelthorne will have procedures in place for ensuring that any licences issued are placed on the national register of licences maintained by the Environment Agency.

5.3 Spelthorne will take appropriate measures to ensure adequate training is provided to its members and officers. In particular any Council officers engaged in enforcement will be made aware of the requirements on dealers to keep records of who they have bought metal from, metal they have received and disposed of, along with the cashless transaction provisions. They will also need to understand the rights they have to enter licensed and unlicensed sites, and the procedures necessary to follow in order to make closure orders.

6. Risks and how they will be mitigated

6.1 Under Schedule 1, 6(1), of the 2013 Act applications must be accompanied by fees determined by the Council. The scheme for determining the appropriate level of fees must be robust and compliant with the Directive and case law requirements in order to withstand possible future legal challenge. The Council's proposed fees are appropriate for the reasons outlined in paragraph 2.4 of this report. Therefore, any future legal challenges are unlikely to succeed.

6.2 Recommended delegations are in accordance with statutory guidance and will be compatible with procedures in place for other licensing regimes in existence within the Council.

7. Timetable for implementation

7.1 If approved the proposed fees and delegations will be implemented as follows:

- a) Report to Cabinet to seek a recommendation for approval – 17 December 2013;
- b) Council approve proposed fees and delegations – 19 December 2013;
- c) Fees and delegations take effect from 20 December 2013.

Background papers:

Home Office Guidance Scrap Metal Dealer Act 2013: licence fee charges. August 2013

Home office Guidance: Determining suitability to hold a scrap metal dealer's licence

Home Office Guidance: Supplementary Guidance October 2013

Appendices: There are none.

Cabinet**17 December 2013**

Title	How to deal with the issues of spitting and chewing gum waste.		
Purpose	Recommendation required		
Report of	Monitoring Officer	Confidential	No
Cabinet Member	Councillor Tony Mitchell	Key Decision	No
Report Author	Samuel Nicholls, Trainee Committee Manager		
Summary	<p>This report researches the prospect of implementing a new byelaw to prohibit spitting and littering of chewing gum in public open spaces.</p> <p>There are three key issues highlighted in this report.</p> <ul style="list-style-type: none"> • Introduction of an anti-spitting byelaw • Introduction of a borough-wide spitting ban • Issuing of Fixed Penalty Notices for chewing gum related offences 		
Financial Implications	<ul style="list-style-type: none"> • Requirement to enforce may require the Council to provide additional resources. 		
Corporate Priority	This matter is not in the list of corporate priorities		
Recommendations	Cabinet is asked to agree to option 3 (3.2) of this report to be implemented on a trial basis for a period of three months in Staines-upon-Thames high street.		

1. Background

- 1.1 Historically, spitting on pavements was an offence in this area and was covered by the County Council of Middlesex's Good Rule and Government Byelaws 1933. These were previously issued under section 319 of the Local Government Act 1933, but have since been repealed following the Middlesex and Surrey boundary changes in 1965.
- 1.2 Spitting as a general offence was also covered by the Public Health Act 1936 and incurred a £5 fine following prosecution and conviction in the magistrates Court. This measure was directed primarily to reduce the spread of tuberculosis which was prevalent at the time. However this legislation was repealed in 1990 following the enactment of the Environmental Protection Act 1990 and since then there has been no legislation to deal with spitting in public.
- 1.3 Notwithstanding the repeal of those provisions, there has been concern expressed about spitting in recent years.

Byelaw

- 1.4 With regards to a byelaw restricting spitting, the Council has powers to make byelaws under Section 235 of the Local Government Act 1972. Under the guidance issued by the Department for Communities and Local Government (DCLG) a Council must provide evidence that introducing a byelaw would 'directly address a genuine and specific local problem and... not attempt to deal in general terms with essentially national issues'. Therefore to provide this evidence a period of consultation would be required to satisfy the likely requirements of the DCLG in relation to any subsequent application for a byelaw.
- 1.5 It is important to note currently the London Borough of Enfield and Doncaster Metropolitan Council have submitted applications to the Secretary of State for byelaws which prohibit spitting but to date neither of the applications have been accepted. (The reason for this may derive from the DCLG byelaw guidance which fails to list spitting as a suitable topic for a byelaw therefore trying to obtain approval for the byelaw may be an uphill struggle as it is runs contrary to the DCLG guidance.)
- 1.6 If the Council was interested in taking this path there are three stages to legitimately enact a byelaw:
 - a. An application would need to be submitted by the Council to the DCLG for provisional approval. This would involve the Council producing a detailed report explaining the Council's case for the new byelaw, including the proven need and demand for it; given in the form of a consultation and review. Furthermore examples and evidence of incidents, previous measures to address the nuisance, and an explanation of how it will be enforced will all need to be outlined in the report. DCLG will scrutinise the application and will notify the Council whether it can proceed to make the byelaw. There is then a prescribed period of time when the byelaw is officially advertised and available for public inspection during which objections to the byelaw can be made.
 - b. If the DCLG gives provisional authorisation for the byelaw the Council would formally vote on the adoption of the byelaw at a Council meeting and the process would move to the next stage.

- c. Following this vote and expiry of the period for objections, the Council would then submit the byelaw for confirmation to the Secretary of State. Where objections have been made to the byelaw, the Secretary of State may order a public inquiry before confirming the byelaw. Once the byelaw has been approved by the Secretary of State a date is fixed on which the byelaw will come into force, normally one month from confirmation.

Enforcement under Environmental Protection Act 1990

- 1.7 There is an alternative way of dealing with the spitting issue using existing legislation, rather than a byelaw, to issue Fixed Penalty Notices (FPNs) to offenders, which the London Borough of Waltham Forest has adopted. Heeding residents' concerns, it adopted measures in February 2013 to tackle the acts of spitting and urinating in public, purporting to use the powers granted to local authorities by the Environmental Protection Act 1990 (EPA).
- 1.8 Under Section 87 of the EPA a person is guilty of an offence if he throws down, drops or otherwise deposits any litter in any place to which this section applies.' The EPA does not specifically define what constitutes 'litter'. As a result, the London Borough of Waltham Forest has determined that the most appropriate way to deal with the actions of spitting and urinating in public would be to classify those acts as generating 'litter'. Furthermore, as the legislation is already in place Council approval and Secretary of State approval is not required and therefore the measure was implemented immediately. Nonetheless some councils, including the London Borough of Enfield, have expressed concerns with using the Environmental Protection Act 1990 in this manner as this interpretation is considered to have significant legal risks.

Enforcement under Clean Neighbourhoods and Environment Act 2005

- 1.9 The Clean Neighbourhoods and Environment Act 2005 makes no reference to spitting however, section 87 of the Environmental Protection Act 1990 as amended by the Clean Neighbourhoods and Environment Act 2005 declares that a person who leaves litter (including chewing gum) in any public open space commits an offence under the Act and is liable to a fine not exceeding level 2 on the standard scale of penalties. Therefore issuing Fixed Penalty Notices for the littering of chewing gum is a course of action that the Council is already entitled to follow without having to opt into any legislation.

Fixed Penalty Notices

- 1.10 Under section 88 (1) of the Environmental protection Act 1990, fixed penalty notices can be issued for litter and can be set at a local level. The default level is £75 but the level can be set anywhere between £50 - £80. Regarding who can issue FPNs litter authority authorised officers, including person not directly employed by the authority; Police Community Support Officers and other persons accredited under the Community Accreditation scheme under the Police Reform Act 2002 can issue them.

2. Key issues

2.1 Byelaw

Presently it is not recommended that the Council follow the path of the London Borough of Enfield and Doncaster Metropolitan Council to seek the introduction of a 'spitting' byelaw. The main problem with following this route

is that the byelaw would require the approval of the Secretary of State, as they are the 'confirming authority' as mentioned in Section 235 of the Act and to date no applications regarding spitting have been accepted.

- 2.2 Furthermore the work associated with issuing a borough-wide consultation on the issue may prove to be wasteful if there is no likelihood that the byelaw would be accepted. Interestingly however, according to Doncaster Metropolitan Council, following a change in stance from the Department for Communities and Local Government, indications are now that a byelaw to prohibit spitting may be approved., therefore there would be some benefit in waiting to see how the situation develops.
- 2.3 In addition there is evidence that the status quo is changing and public interest in the issue has increased. For instance a survey conducted by YouGov in April 2012 found that 74% of people say they would support such a byelaw in their area that covered spitting. Nevertheless until a byelaw is passed by the Secretary of State for a local authority in England the Council is not advised to take this path.
- 2.4 Enforcement under Environmental Protection Act 1990
- There are risks associated with using the London Borough of Waltham Forest's interpretation of the Environmental Protection Act 1990. The definition of litter to include spitting is not covered by the guidance and so the approach of Waltham Forest has to be considered as "novel" in that context. The main danger would be if the ban, enforced by issuing Fixed Penalty Notices, was declared to be unlawful. The Council could be subjected to refunding revenue it may have collected. This would be an undeniably poor outcome for the Council and therefore caution is advised.
- 2.5 It must be noted that despite Waltham Forest Council's view that the ban is legal, the London Borough of Enfield has interpreted the 1990 Act differently and was advised that enforcing a ban in this way was unlawful.
- 2.6 Recently, however Waltham Forest Council has been successful at prosecuting two individuals for spitting in the street. On 20 September this year Thames Magistrates Court convicted Khasheem Kiah Thomas and Zilvinus Vitkas and fined them £160, a £20 victim surcharge and also awarded costs to the Council in both cases to the sum of £120.
- 2.7 This is therefore the first example of its kind in the country where the interpretation of the Environmental Protection Act 1990 has been successfully upheld albeit in a lower court.
- 2.8 Fixed Penalty Notices for chewing gum related offences
- The issue of chewing gum is slightly different as it is specifically mentioned in guidance as being litter. Chewing gum takes up to five years to degrade and the cost of removing it is between 50p-£2 per piece. Throwing gum away or spitting it out would constitute litter and an offence under the EPA. The most appropriate way to tackle the problems associated with gum would be to concentrate resources to enforce existing legislation targeting littering by chewing gum. The fact that it already is an offence under the Environmental Protection Act 1990 would mean that no action regarding changing Council policy would be required.
- 2.9 However it must be stressed that the Council at this time does not have the capacity to enforce such an offence. The added workload demand and

resources needed to enforce a FPN for this offence would be too high for existing Enforcement Officers to achieve as the Council is currently only limited to two officers. Furthermore the difficulty associated with finding perpetrators in the act of committing the offence, could be onerous, or otherwise require unnecessary superfluous man-hours.

- 2.10 If the Council was interested in taking on board these measures, existing Enforcement Officers would not be able to impose the ban and issue Fixed Penalty Notices to offenders. It is proposed that the added workload would be absorbed into a new Enforcement Officer's work demands which could include litter fixed penalty notice offences, fly tipping investigations, car litter reports and other waste investigations.

3. Options and proposal

- 3.1 Option (1) Spitting byelaw - Not recommended
- 3.1 Option (2) Spitting Enforcement under Environmental Protection Act 1990 - Not recommended
- 3.2 Option (3) Fixed Penalty Notices for littering of Chewing gum – Recommended, but caution noted as to the level of enforcement which can be achieved with current resources.

4. Financial implications

- 4.1 There are a number of financial implications arising from the decision to enforce the offence of chewing gum littering to a higher degree than present. The main financial effect is the making of a budgetary provision which will be needed to enforce it. In addition there would be a cost of either increasing existing enforcement officer work hours or acquiring a new member of staff to add to the current enforcement officer team. Furthermore with regards to savings the removal of gum off the streets is a Surrey County Council cost therefore there is no direct financial saving to Spelthorne Borough Council.
- 4.2 Despite these costs there could be small income generated for the Council as a result of enforcing the Act, as any fixed penalty income received will be retained by the Council. However compared with the financial deductions caused by the added work demand, and the difficulty of finding offenders in the act of committing the offence, it is unlikely that the Council will benefit monetarily. Furthermore it must be noted that the Council has issued less than 10 fixed penalty notices over the past four years which is a significantly low number. Thus the Head of StreetScene advises that the Council remain in taking the approach of educating individuals rather than enforcing.

5. Other considerations

- 5.1 None

6. Risks and how they will be mitigated

- 6.1 Covered in the main report.

Appendices: None.

Background papers: None.

Cabinet**17 December 2013**

Title	Laleham Park Boathouse lease.		
Purpose	Resolution required		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Nick Gething	Key Decision	No
Report Author	Dave Phillips		
Summary and Key Issues	To request approval to grant a new lease of the Council's land to Sir William Perkin's School to enable them to construct and run a boathouse for rowing at Laleham Park.		
Financial Implications	Generating annual rental income of initially £5,000 per annum for use of Council assets .		
Corporate Priority	*Efficient use of assets		
Recommendations	Cabinet is asked to approve the disposal of an interest in land over £75,000		

1. Background

- 1.1 Members will be aware that the Council have been in negotiations with Sir William Perkin's school to provide an externally funded rowing facility with community access within one of our major parks.
- 1.2 **The new rowing facility in Laleham Park.**
- 1.3 It is proposed to construct a boathouse to provide rowing facilities for the pupils of William Perkin's School, with community involvement based on local schools and residents accessing the facilities.
- 1.4 Planning permission has been granted for the facility and heads of terms are being drawn up for the new lease.
- 1.5 A 125 year lease will be granted. Initial ground rent will be £5,000 per annum, with 5 yearly rent reviews. The lease is conditional on community involvement based on local schools and residents accessing the facilities. The Council has had positive discussions with the school on the nature of that community access. Construction cost estimated (leaseholder's finance) at £900,000. Work will start in 2014 and opening by 2015.
- 1.6 To ensure Spelthorne Borough Council (SBC) obtains the maximum benefit from these and any future proposals within Manor Park, Sunbury Park, Dupmsey Meadow and the majority of Laleham Park, the Head of Asset Management has negotiated the purchase of the freehold interest in the land from Surrey County Council (SCC) for the sum of £3.00.
- 1.7 The terms of the purchase of the Freehold, remove the requirement for SBC having to obtain consent from SCC for any developments in the parks, on the condition that if SBC dispose of any Freehold interest in the land or let a lease at a "Premium" then SCC would be entitled to a proportion of the income.
- 1.8 Officers have been working with the Portfolio Holders and members on this proposal for some time and it was original anticipated that we would have used Delegated authority (PH2) to approve the disposal of an interest in land. However, as the income from the ground rent exceeds the limit £75,000 per transaction Cabinet approval is now required.

2. Financial implications

- 2.1 No expenditure from the council. £5k additional ongoing revenue income generated from ground rent.

3. Other considerations

- 3.1 This proposal support economic development, employment and additional community facilities for local residents at no on-going financial cost to the Council.

4. Risks and how they will be mitigated

- 4.1 There is a risk that leaseholders may not be able to raise finances for construction, in which case lease would be cancelled and land returned to council.

Background papers: There are none

Appendices: There are none

Cabinet**17 December 2013**

Title	Residential properties in parks		
Purpose	Recommendation required		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Nick Gething	Key Decision	No
Report Author	David Phillips		
Summary	Members asked for information on the residential properties in parks & their use as temporary accommodation for homeless families.		
Financial Implications	As detailed in the report.		
Corporate Priority	This item is not in the list of Corporate Priorities		
Recommendations	Cabinet is asked to note the information within this report and to authorise the Strategic Housing Group to investigate the possibility of a business model for provision of accommodation for homeless families.		

1. Background

- 1.1 Members have asked for information on any residential properties in our parks.
- 1.2 The Council have a number of residential facilities attached to our parks and cemeteries that were originally occupied by the directly employed parks and cemetery staff. Over the last 30 years there have been many changes in the way the council has managed its facilities and the use and occupants have changed to reflect the circumstances.
- 1.3 The following is a list of all the properties that were built as residential accommodation and were still owned by the council post LSVT and their current uses.
- 1.4 **Bishop Duppas Park** – 3 bedroom flat above pavilion now leased to a children’s day nursery on a term of **15** years at a rent of **£5,250 pa** (Tenant responsible for refurbishment and all internal repairs)
- 1.5 **Bagster House Club Bishop Duppas Park** – Stewards 1 bed flat attached to club and included as part of the overall lease to the club for a term of **14** years at a rent of **£5,250 pa**. (Tenant responsible for all internal and external repairs).
- 1.6 **Ashford Recreation Ground** – 2 bedroom flat above pavilion. Occupied by ground maintenance contractor’s staff until recently, now let for minimum of 3 years on a lease to Dramatize who support people with learning difficulties, at a rent of £9,000 pa. (Tenant responsible for internal refurbishment and repairs)
- 1.7 **Beresford House Fordbridge Park** – 3 bedroom detached house, let for last 20 years as commercial offices and now being let to Spelthorne Mental Health Association on a full repairing lease for a term of **15** years at a rent of **£8,000**
- 1.8 **Ashford Cemetery** – Still occupied by former council employee.
- 1.9 **Staines Cemetery** – Freehold sold over 12 years ago
- 1.10 **Council Offices Knowle Green** – converted into office accommodation over 15 years ago.
- 1.11 **Staines Park** – 2 bedroom flat above pavilion. Vacant at the moment.
- 1.12 **Long Lane Recreation Ground** – 2 bedroom flat above pavilion. Vacant at the moment.

2. Key issues

- 2.1 Members will be aware of the shortage of temporary accommodation available to the Council to place homeless families in.
- 2.2 As a result there has been a large increase in the number of households placed in bed and breakfast accommodation (42 as of 6 November in comparison with approximately 20 November 2012). Current projections are that the bed and breakfast net budget of £70,000 will be overspent by £70,000.
- 2.3 There are numerous health and social problems associated with the use of bed and breakfast particularly where used to place families with children. Strategic Housing Group has identified an urgent need to procure additional

properties in the private sector for use as temporary accommodation. A number of options are being progressed.

- 2.4 The two 2 bedroom flats that are currently vacant, as indicated above, could be utilised for temporary accommodation
- 2.5 The (Joint) Head of Housing Karen Sinclair has visited the two sites and consider both properties as suitable for temporary accommodation, subject to some re-furbishment works. (Estimates being obtained).
- 2.6 Furthermore, a business case is being submitted in relation to future use of the ground floor at Long Lane with possible use as a community café. If this option does not progress, the ground floor (currently various changing rooms and a hall) has the potential, subject to planning permission, to be converted to a number of self-contained flats or a small bed and breakfast for use by homeless families.
- 2.7 The Council Leader Councillor Watts, supported by Councillor Pinkerton has given a very strong directional steer that he now wishes to progress towards letting these properties.
- 2.8 Members will be aware that at the moment all the council's parks are locked at night to prevent vehicular access, If we let these properties then we will either have to leave vehicular gates open or provide keys to the proposed occupiers.
- 2.9 In order to facilitate this proposal and take forward any other options to reduce the homeless situation, officers need to investigate the best way forward of setting up a "vehicle" to manage the properties either by way of a Registered Provider or by setting up some form of arm's length company to manage and maintain any properties that we elect to nominate or acquire for use as temporary accommodation.

3. Financial implications

- 3.1 To be confirmed as part of the proposals

Background papers: There are none

Appendices: There are none

Cabinet

17 December 2013



Title	Remote working pilot project update		
Purpose	For Information		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Daxa Patel	Key Decision	No
Report Author	Jonathan Bramley, Environmental Health Manager		
Summary and Key Issues	<p>The main purpose of this report is to highlight the main conclusions and recommendations from the project. These are as follows:</p> <ul style="list-style-type: none"> • It is expected that Spelthorne's finances will come under on-going pressure and it will need to continue finding ways to cut its costs. Reducing accommodation costs and exploiting new ways of working will assist in this aim. • If Spelthorne opted to remain at Knowle Green it could reduce its operating costs and therefore better protect service delivery by reducing the office space occupied by its staff. • If Spelthorne reduced its office occupancy by 40% it could potentially obtain an estimated £209,000 to £261,000 in rental income per year. • Spelthorne already has fit for purpose technology in place to enable a remote working solution and this should be continued and further utilised across its services. • The impending replacement of the Council's telephony system will further improve opportunities for remote working and also support "hot desking" practices, if introduced. • Questionnaire surveys conducted of Spelthorne staff who do work remotely, revealed some positive outcomes. <p>There are significant cultural and organisational changes that would need to be made if the Council wished to progress with new ways of working.</p>		
Financial Implications	There are currently none – this project will shortly be concluded and no further expenditure from the budget assigned to it is anticipated.		
Corporate Priority	Service delivery; Communication; Efficient use of assets		
Recommendations	Cabinet is asked to note the contents of this report and conclusions and recommendations listed in Appendix A .		

1. Background

1.1 This pilot project commenced in February 2011 within Spelthorne's Environmental Health and Building Control Services. Its main aims were as follows:

- a) Assess what technology was available (especially mobile technology);
- b) Gather knowledge from other local authorities who had introduced new ways of working such as remote/mobile or "hot desking" practices;
- c) Identify and assess the likely cultural/organisational issues for Spelthorne relating to these new working practices;
- d) Weigh up potential benefits against costs; and
- e) Inform future decisions for Spelthorne.

Definitions of remote, mobile/agile and flexible working are given in **Appendix B**.

1.2 Updates on the pilot remote working project were given to the Overview and Scrutiny Committee at its meetings on 10 September and 12 November 2013. The main issues discussed at these meetings included reporting on the findings of the pilot project within Environmental Health and Building Control services; outlining the results of the staff questionnaire surveys; identifying the actual and potential number of Council staff who could work remotely/agilely; outlining the potential reduction in Knowle Green office space that could be achieved by Spelthorne; providing estimates of costs to reduce our office space and potential rental income that could be achieved from letting out the freed office areas; highlighting some of the main cultural, organisational and staff issues that would need to be addressed if new ways of working were implemented.

2. Key issues

2.1 It is expected that Spelthorne's finances will come under on-going pressure from Central Government and it will need to continue finding ways to cut its costs. Reducing accommodation costs and exploiting new ways of working will assist in this aim.

2.2 If Spelthorne opted to remain at Knowle Green it could reduce its operating costs and therefore better protect service delivery by reducing the office space occupied by its staff. As a result of achieving this aim the Council would have opportunities to let out more office space for rental income.

2.3 It is possible for Spelthorne to reduce the office space currently occupied by its staff by 40% (1353 square metres), by using smart office re design techniques and a move to open plan. This freed up space could potentially provide an estimated £209,000 to £261,000 in rental income per year. These figures assume all the freed up office space is let out to organisations who would be required to pay rent to Spelthorne, which cannot be guaranteed, particularly in the current economic climate. Furthermore, there would be significant costs involved in re designing Knowle Green offices such as paying for any initial feasibility study costs; associated building works relating to office re design phase; replacement of office furniture; and the potential need for additional car parking facilities to accommodate increasing demand if other organisations rented out space at Knowle Green.

- 2.4 Spelthorne already has fit for purpose technology in place to enable a remote working solution and this should be continued and further exploited across its services. A survey of Spelthorne Heads of Service revealed that an estimated 28% of staff based at Knowle Green (69 out of 250) already work remotely either regularly (at least once a week) or occasionally (once a month or less). A further 20% of staff (49) were identified as potentially being able to work remotely who do not at the moment.
- 2.5 The impending implementation of the new “MS Lync” telephony system across all Council services, over the next 18 months, will further improve opportunities to remote work and also support “hot desking”, if introduced. The significant practical benefit is that wherever a member of staff is logged onto Spelthorne’s systems – either remotely or in the office – their work landline telephone number follows them. The Lync system also opens up opportunities for the use of instant messaging, video conferencing and it integrates with “Outlook” and supports file and desk top sharing.
- 2.6 Questionnaire surveys were conducted of a total of 47 Spelthorne staff across 13 services (35 who work remotely and 12 office based staff). It revealed some positive experience of remote working, i.e. the ability to complete office based tasks more effectively (80% of responders); reliable access to “back office” systems (83% of responders), satisfactory ICT support (71% of responders) and a better work/life balance (54%). Furthermore, of all the 47 staff who completed the questionnaire, 41 stated that they had not experienced difficulties contacting a member of staff working from home (87%).
- 2.7 There are a number of challenges, apart from the financial costs, that would need to be met and overcome if Spelthorne was to go ahead with the measures outlined in 2.3 above. Organisational, staff and cultural issues would need to be carefully addressed. These new ways of working would be a significant departure from how Spelthorne currently operates. If the Council wanted to extend remote working and move to agile/mobile working and/or hot desking, then an integrated corporate wide electronic document management system would be essential. This would reduce the Council’s reliance on paper based systems and overcome some of the challenges to remote working/hot desking practices and security of data.
- 2.8 Feedback from staff that took part in the remote working questionnaire surveys revealed a general reluctance on the part of staff to the idea of permanently moving to hot desking practices or remote working out on district (60%) as opposed to 23% in favour of such a move. There was slightly less resistance to permanently WFH (48% against and 34% in favour). Staff preferred the flexibility to remote work on a part time basis, depending on need. It was also felt that remote working and hot desking may suit some services more than others.
- 2.9 Agile/mobile working technology will become more commonplace in all local authorities as the technology continues to improve. However, at this point in time it is not recommended that Spelthorne commits significant upfront costs to such a project. When Spelthorne does consider introducing agile/mobile technology, it is recommended that it seeks a corporate rather than “bespoke” solution(s). A “bespoke” solution is normally only tailored to specific service areas and therefore does not provide value for money across the organisation.

3. Options analysis and proposal

- 3.1 There are no options currently being proposed, because the purpose of this report is to provide an update on the remote working project and outline some of the key issues the Council will need to address in the future.

4. Financial implications

- 4.1 There are currently none – this project will shortly be concluded and no further expenditure from the budget assigned to it is anticipated.

5. Other considerations

- 5.1 The main conclusions and recommendations are summarised in **Appendix A**. However, it should be noted that the more Spelthorne can reduce its operational costs the less pressure there will be to cut services to residents.

6. Risks and how they will be mitigated

- 6.1 As in paragraph 5.1 in relation to potential future risks to this project.

7. Timetable for implementation

- 7.1 There are currently none. The findings from this pilot project should be used to inform future decisions made by Spelthorne on issues relating to new ways of working and accommodation needs. A full evaluation report of this project will shortly be completed and made available to members and staff.

Background papers: None

Appendices: Appendix A – Summary of the main conclusions and recommendations from remote working pilot project evaluation report; Appendix B – Definitions of remote, mobile/agile and flexible working

Appendix A – Summary of the main conclusions and recommendations from remote working pilot project evaluation report

1.0 Conclusions

- 1.1 Potential savings** - The move to new ways of working such as flexible, remote, agile/mobile and “hot desking” is becoming more commonplace across local authorities. If local government finances continue to come under pressure from central government, Spelthorne will need to find ways of further cutting its costs. Potentially significant savings could be realised through these new ways of working.
- 1.2 Links to other Spelthorne projects** - This pilot project has close links to two current “flagship projects” being undertaken by Spelthorne – the “Knowle Green hub” and the impending replacement of the organisation’s telephone system. The information obtained from this remote working pilot project should be highly relevant to these projects.
- 1.3 Lessons learnt from other local authorities** - Introducing new ways of working requires one or more drivers in place to support them. It has also required firm direction and support from leadership teams, i.e. senior management and Councillors.
- 1.4 Lessons learnt from other local authorities** - The introduction of mobile working technology, in particular, has led to major challenges within organisations. This technology has improved, but there are still on-going issues. If it is implemented in the future a clear business case is required and it is recommended to opt for a corporate rather than “bespoke” solution.
- 1.5 Spelthorne’s current technology** - Spelthorne already has the technology in place to enable a relatively simple remote working solution. Feedback from Spelthorne staff that already remote work confirms that it is fit for purpose. The introduction of the “MS Lync” telephony system, over the next 18 months, across all Spelthorne services will further improve opportunities for remote working and also support “hot desking” practices, if introduced.
- 1.6 Remote working staff questionnaire surveys** – These surveys have revealed that staff who work from home (WFH) were more able to complete important and complex office based tasks working remotely compared to working in the office. They experienced fewer interruptions. Furthermore, they had reliable contact with back office systems and received satisfactory support from Spelthorne’s ICT service.
- 1.7 Performance of services that formed the pilot project** - Implementation of remote working practices within the Environmental Health and Building Control services has not had an adverse impact on performance or service delivery. Analysis of the main performance indicators showed that some of them were being maintained, or had improved during the two financial years after the project was introduced, compared to the preceding two years.

Appendix A – Summary of the main conclusions and recommendations from remote working pilot project evaluation report

- 1.8 **Accommodation issues** - The current office space within Knowle Green Council offices is inefficiently utilised. There is greater scope, through smart office re-design, to reduce the office area currently occupied by Spelthorne's staff by 40% and therefore make savings on our accommodation costs by moving to open plan offices. This could provide opportunities to potentially let out the freed up space for increased rental income. There would be significant financial costs involved in transforming Knowle Green in this way, because it would not be easy to convert to open plan offices.
- 1.9 **Accommodation issues** - The long term future of the Knowle Green offices is under detailed negotiation between Spelthorne and its partners/stakeholders and is not confined to the option of re designing the existing building. For example, another option being considered is to vacate the existing Council offices, rent out space from commercial offices that may be better suited to Spelthorne's long term needs and potentially re develop the Knowle Green site.
- 1.10 **Cultural/staff issues** - There are significant cultural, organisational and operational issues to address if the Council particularly wished to roll out remote working on a wider scale or implement mobile/agile working and "hot desking" practices. Evidence from the staff questionnaire surveys revealed a general reluctance from responders to the idea of permanently moving to hot desking practices or remote working out on district. There was slightly less resistance to permanently WFH. There is a clear preference for building in flexibility to remote work on a part time basis. Staff also mentioned that the continuing reliance on paper based systems did not support these new ways of working. Concerns were also expressed over risk of staff isolation from colleagues and break down in team spirit/working.
- 1.11 **Cultural/staff issues** – staff concerns about risks of isolation and break down in team spirit/working, if new ways of working were introduced, can be addressed by a number of methods. For example, more regular, but shorter team meetings can be arranged and the impending introduction of video conferencing facilities, via the new telephony system being implemented across Spelthorne, will enable staff to talk with and see colleagues via their new "soft phones".

2.0 Recommendations

- 2.1 **Current remote working practices** - Although the pilot project is coming to an end it is the intention that current remote working practices continue within the Environmental Health and Building Control services. Furthermore, other Spelthorne Service Heads and managers should be updated on the potential benefits of remote working practices within their teams.

Appendix A – Summary of the main conclusions and recommendations from remote working pilot project evaluation report

- 2.2 New Telephony system** - Spelthorne already has fit for purpose technology in place to enable a remote working solution. This will be enhanced when the new “MS Lync” telephony system is implemented across the Council.
- 2.3 Protecting Spelthorne services** - Spelthorne has to continue looking for opportunities to make savings and/or create income. Whether or not the Council remains at the Knowle Green offices it is strongly recommended, in the medium to long term, to reduce the current office space Spelthorne staff occupy. This will allow its operating costs to be reduced and better protect front line services. The impending introduction of the new telephone system along with wider implementation of remote and hot desking practices would facilitate this objective.
- 2.4 Knowle Green office accommodation** - If Spelthorne opted to remain at Knowle Green the office space occupied by its staff must be more efficiently utilised. Although there are challenges to converting Knowle Green into open plan, it is possible. It is estimated that the office space occupied by Spelthorne staff could be reduced by 40% through smart re-design techniques. This would not only reduce the organisation’s operating costs, but also allow it to let out additional office space for rental income.
- 2.5 Cultural/staff issues** - There are a number challenges that would need to be met and overcome if Spelthorne was to adopt recommendation 2.4, as well as introducing more remote working and hot desking practices. There would be short term financial costs involved in carrying major internal refurbishments within Knowle Green. In addition, staff and cultural issues would need to be carefully addressed. If the Council wants to extend remote working and move to agile/mobile working and/or hot desking, then an integrated corporate wide electronic document management system is essential. This will reduce the Council’s reliance on paper based systems and overcome some of the challenges to remote working/hot desking practices and security of data.
- 2.6 Agile/mobile working technology** - At this point in time it is not recommended that Spelthorne commits significant upfront costs in introducing mobile working technology.
- 2.7 Agile/mobile working technology** – When Spelthorne does consider introducing agile/mobile technology, it is recommended that it seeks a corporate rather than “bespoke” solution(s). A “bespoke” solution is normally only tailored to specific service areas and therefore does not provide value for money across the organisation.

Appendix B – Definitions of remote, mobile/agile and flexible working

Remote working:

Ability to access “back office systems” in real time using laptop/tablet from one or more fixed locations via a router.

Mobile (agile) working:

Ability to access “back office systems” in real time, using laptop/tablet from any location using mobile phone/3G/4G technology.

Flexible working:

Flexible working gives employees flexibility on how long, where and when they work. The use of remote/mobile working technology can help facilitate this.

Cabinet**17 December 2013**

Title	Staisafe Radio Network – revised 9 December 2013		
Purpose	Recommendation required		
Report of	Assistant Chief Executive	Confidential	No
Cabinet Member	Councillor Nick Gething	Key Decision	No
Report Author	Keith McGroary		
Summary and Key Issues	<p>A report for a replacement radio system was previously submitted to the Cabinet in November last year where £13,000 capital funding was approved. This related to a radio system that used technology similar to a mobile phone, but when a visit was made to another location where it was in use, it was found not to be fit for purpose.</p> <p>Purpose:</p> <p>To provide a radio communication system to replace the existing provision in Staines-upon-Thames which would cover the whole of the Borough.</p> <p>To develop an income to help support businesses within our centres at no cost to the council.</p> <p>This is an income generation project</p>		
Financial Implications	<ul style="list-style-type: none"> • £45,000 would be required for the one-off capital purchase of the radios and equipment including training and set up, and aerial installation to extend coverage across the Borough • Cost of the salary for the Staisafe Coordinator to be paid from revenues (£18.5k including on-costs) 		
Corporate Priority	<ul style="list-style-type: none"> *Service delivery *Communication *Reducing crime and antisocial behaviour 		
Recommendations	Cabinet is asked to support a supplementary capital estimate of £45,000 being made available for the purchase of radios and new mast.		

- 1.1 Staines-upon-Thames town centre has been serviced by a radio scheme which links into CCTV control rooms as well as police officers who are provided with a radio working in the town centre. This has operated for a number of years. The system is important as it provides retailers with the ability to very quickly report offenders / incidents and threats to staff, this in turn gives confidence to staff and acts as a deterrent to would be thieves. The scheme is intended to generate an income and reduce the incidence of crime as well as support detection and help improve the economic well-being of the towns in the Borough.

Research with management of the Two Rivers CCTV control room and Surrey police indicate that they believe almost 100% of all calls made that result in arrests or other related activity are generated by the Staisafe radio system.

- 1.2 The scheme currently generates around £35,000 for a company called Shop-safe who are the current providers from a paying membership of 60. Shopsafe pay £18,000 towards the salary of the coordinator employed by the Council to manage the scheme. There is the potential to increase coverage to the rest of the Borough if an additional radio mast was erected. Tesco and Sainsbury's have also indicated an interest in accessing the radios should the scheme be available outside Staines-upon-Thames, which would further increase revenues

2. Key issues

- 2.1 The current system employed to deliver the radio system does not quite generate sufficient income to the council to pay the wages of the Staisafe coordinator (28 hours per week).
- 2.2 With reductions to the council's funding it has been difficult to provide support for local businesses at a time of significant economic difficulties; local authorities are also to be financially affected by the payment of business rates due to new legislation making them more vulnerable to sharp decreases in tenancy. This would provide an opportunity to support our town centres now and in future years at no cost to the council by allocating a proportion of the revenue generated as a lump sum for the members of the Staisafe scheme to decide on how it should be spent to support business.
- 2.3 The council are dependent upon the current supplier paying a proportion of the fees in a timely fashion so that this off-sets the cost of the Staisafe Radio Coordinator. Any delay or failure means the council uses its own funds to pay the salary.
- 2.4 This scheme has not been tendered for a number of years and therefore it is considered an appropriate time to test the market.
- 2.5 There are organisations in the market selling radios which have better technology than the present system which may provide greater protection for the shops and the Council.

3. Options analysis and proposal

- 3.1 We could continue with the current scheme and keep the status quo; this would leave the scheme vulnerable due to insufficient income to pay for a coordinator. Continuing with the same provider will not fulfil the Council duty to test the market.

- 3.2 We could look for another organisation to run the system of the same basis as the current scheme; this would merely replace the existing provider with another one and not yield any additional benefits.
- 3.3 Option 3 is the preferred selection which would result in the council owning the radios and renting them out to retailers and retaining revenues generated and extending the scheme across the Borough via a new radio mast. This would allow the capital cost of purchase to be repaid over time and a re-investment within the business communities with funds provided by business for this service – a virtuous circle.

4. Financial implications

- 4.1 The council would purchase up to 90 radios initially together with the associated equipment and then lease them back to retailers using a similar model to the current process employed with larger employers paying more than sole traders. This would require a one-off capital investment of around £45,000 (dependent on type of radios selected). The scheme would generate funding to both pay for the investment in the radios, the salary of the Staisafe Coordinator and provide for a fund to be available to support initiatives / events within (in due course) all our 5 towns.
- 4.2 Under the current model there are 60 members all based in Staines-upon-Thames generating £35k per year; early indications suggest that an increase to 80 members is achievable in Staines-upon-Thames alone as Two Rivers (and others) would also take on the new system for their staff. This would (based on the current pricing mechanism) generate in excess of £46k. Taking out the full on costs of the Staisafe Coordinator of £18.5k (28 hours a week), this would leave £27.5k in year one. Tesco and Sainsbury's have also indicated an interest in accessing the radios should the scheme be available outside Staines-upon-Thames, which could further increase revenues and make our Borough safer.
- 4.3 After year 1 the scheme would be reviewed, additional funds could also be used to increase the hours of the Staisafe coordinator. This role could be extended so that he would be delivering some services more associated with a town centre manager. Again, additional income generated by the scheme could be used to pay for events in the town centre, not just Staines-upon-Thames; so this scheme would be an income generator with some of the surplus ploughed back into the support of the businesses within our towns with events and other beneficial activities. Ultimately it would be businesses paying for a service and a portion of the money businesses have put in, going back to support businesses. This would reflect well upon the council in the eyes of the community; enhancing service, support and safety.
- 4.4 Parking Services would be provided with a radio which would save £8,300 per annum, less the cost of the radios as a one off payment of around £350 per radio.

5. Other considerations

- 5.1 SBC taking on the purchase of the radios overtly demonstrate support for the business community.
- 5.2 SBC would also find use of the radio system for its own officers (H&S / duty of care) once an additional mast is installed to give full coverage of the Borough.

6. Risks and how they will be mitigated

- 6.1 There could be an insufficient take-up of the scheme which would make the scheme less profitable; prior to any purchase businesses would be approached to take on the new radio scheme and they in turn would need to give 3 months' notice to the existing provider. This would enable us to ensure as close as possible the number of members and number of radios to purchase.

7. Timetable for implementation

- 7.1 Initial discussions have taken place and the proposal has been met with enthusiasm from all retailers with a desire to get this in place as soon as possible subject to Council approval.
- 7.2 A comparison will be made between the specification of the current radio system and those that are tendered for procurement to ensure we improve upon the current radio provision. A statement of requirements specification document has been completed.
- 7.3 Communication has taken place in Hertfordshire where that Town Centre Partnership has withdrawn from the same providers as Staisafe currently use.
- 7.4 New radios would be ordered through an appropriate tender process (in accordance with contract standing orders) in time for delivery and implementation by April 2014.

Background papers:

There are none.

Appendices: There are none.

Cabinet**17 December 2013**

Title	Appointment to an Outside Body 2013-2014		
Purpose	Resolution required		
Report of	Chief Executive	Confidential	No
Cabinet Member	Councillor Robert Watts	Key Decision	No
Report Author	Greg Halliwell		
Summary and Key Issues	This report seeks approval to change the current representation on the South East Employers' (SEE) organisation due to the change in the portfolio responsibilities for Councillor Leighton.		
Financial Implications	There are none.		
Corporate Priority	Communications		
Recommendations	The Cabinet is asked to appoint a new representative to the South East Employers' (SEE) organisation.		

APPOINTMENT OF A REPRESENTATIVE TO AN OUTSIDE BODY FOR 2013-2014

1. SOUTH EAST EMPLOYERS (SEE)

Councillor Watts to replace Councillor Leighton as the main representative.