

**Roberto Tambini  
Chief Executive**

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Our Ref:  
Date:- **15 October 2009**

**NOTICE OF MEETING:**

**CABINET**

**DATE: TUESDAY 27 OCTOBER 2009**

**TIME: 5.00 p.m.**

**PLACE: GODDARD ROOM, COUNCIL OFFICES, KNOWLE GREEN, STAINES**

***[Refreshments for Members are available from 4.30pm in the Members' Room.]***

**TO: THE MEMBERS OF THE CABINET:-**

<b>Members of the Cabinet</b>	<b>Cabinet Member Areas of Responsibility</b>
J.D. Packman [Chairman]	Leader of the Council
R.A. Smith-Ainsley [Vice-Chairman]	Planning and Housing
F. Ayers	Community Safety
S. Bhadye	Health and Independent Living
C.A. Davis	Regeneration
G.E. Forsbrey	Environment
Mrs. D.L. Grant	Young People and Cultural Services
A.P. Hirst	Communications and Engagement
Mrs. V.J. Leighton	Corporate Services

**EMERGENCY PROCEDURE [THE LIFT MUST NOT BE USED]**

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

**[PLEASE NOTE THAT THIS AGENDA IS AVAILABLE IN LARGE PRINT ON REQUEST TO RICHARD POWELL ON TEL: 01784 446240]**

## **IMPORTANT PUBLIC NOTICE**

### **MOBILE TECHNOLOGY – ACCEPTABLE USE**

Use of mobile technology (e.g. mobile telephones, Blackberries, XDA's etc.) in meetings can:

- Interfere with the Public Address and Induction Loop systems;
- Distract other people at the meeting;
- Interrupt presentations and debates;
- Mean that you miss a key part of a decision taken.

#### **PLEASE:**

Either switch off your mobile telephone etc. **OR** switch off its wireless/transmitter connection and sound for the duration of the meeting.

***THANK YOU FOR YOUR CO-OPERATION IN THIS MATTER.***

**1 APOLOGIES FOR ABSENCE**

To receive any apologies for non-attendance.

**2 CABINET MINUTES – 15 AND 17 SEPTEMBER 2009 - (pages 1 to 7)**

To confirm the Minutes of the Meetings held on 15 and 17 September 2009.

**3 DISCLOSURES OF INTEREST**

To receive any disclosures of interest from Members in accordance with the Council's Code of Conduct for Members.

**4 RECOMMENDATIONS FROM THE PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE HELD ON 8 SEPTEMBER 2009 (pages 8 to 12)**

To consider the recommendations from the Performance Management and Review Committee meeting held on 8 September 2009.

**5 MINUTES AND RECOMMENDATIONS OF THE MEMBERS' DEVELOPMENT STEERING GROUP HELD ON 14 SEPTEMBER 2009 (pages 13 to 15)**

To consider the Minutes and Recommendations of the Members' Development Steering Group meeting held on 14 September 2009.

**6 MINUTES OF THE SPELTHORNE YOUTH COUNCIL MEETINGS HELD ON – 17 SEPTEMBER 2009 [Pages 16 to 18] AND 13 OCTOBER 2009 [18a to 18b] [Cabinet Member – Councillor Mrs. Grant]**

To receive the Minutes of the Spelthorne Youth Council meetings being held on 17 September and 13 October 2009.

**7 MANAGEMENT TEAM REPORTS**

**To consider the reports of the Chief Executive [CX], the Deputy Chief Executive [DCX], the Assistant Chief Executives [ACX] and the Chief Finance Officer [CFO] on the following items:-**

- (a) International Financial Reporting Standards (IFRS) Implementation Timetable [CFO]  
**(pages 19 to 28) [Cabinet Member – Councillor Mrs. Leighton]**
- (b) Corporate Plan 2008–2011 and Cabinet Responsibilities - Key Decision [ACX] **(pages 29 to 43) [Annex A – Members' Room only]**  
**[Cabinet Member – Councillor Packman]**
- (c) Community Engagement – Key Decision [CX]  
**(pages 44 to 52) [Cabinet Member – Councillor Hirst]**
- (d) Spelthorne Together – Key Decision [CX]  
**(pages 53 to 56 and 73) [Appendix B – Members' Room only]**  
**[Cabinet Member – Councillor Packman]**
- (e) Updated Corporate Customer Complaints System [ACX]  
**(pages 74 to 84) [Cabinet Member – Councillor Smith-Ainsley]**
- (f) Update on Safeguarding Policy and Procedures (Children and Young People and Vulnerable Adults) [ACX]  
**(pages 85 to 88) [Appendices 1 and 2 – Members' Room only]**  
**[Cabinet Members Councillors Mrs. Grant and Bhadye]**

- (g) Surrey Climate Change Strategy – Key Decision [ACX]  
**(pages 137 to 141) [Appendix – Members’ Room only]**  
**[Cabinet Member – Councillor Forsbrey]**
- (h) Review of Contract Standing Orders [DCX]  
**(pages 174 to 184) [Cabinet Member – Councillor Mrs. Leighton]**
- (i) The Local Government and Public Involvement in Health Act 2007 – New Powers for Overview and Scrutiny Committees [DCX]  
**(pages 185 to 201) [Cabinet Member – Councillor Davis]**
- (j) Police and Justice Act 2006 – Implications for Overview and Scrutiny [DCX] **(pages 202 and 204 to 208)**  
**[Cabinet Member – Councillor Ayers]**

## **8 THE CABINET FORWARD PLAN (pages 209 to 214)**

To note the updated version of the Council’s Cabinet Forward Plan for the period from 1st October 2009 to 30th September 2010.

## **9 ISSUES FOR FUTURE MEETINGS**

Members are requested to identify issues to be considered at future meetings.

## **10 URGENT ITEMS**

To consider any items which the Chairman considers are urgent.

## **11 EXEMPT BUSINESS**

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

## **12 EXEMPT MANAGEMENT TEAM REPORTS [Gold Paper]**

**To consider the exempt reports of the Chief Finance Officer [CFO] and the Joint Heads of Housing Benefits and Housing Options [JHHB&HO] on the following items:**

- (a) Write-Offs [CFO]  
***[Paragraphs 1 and 3 – Information relating to any individual and Information relating to the financial or business affairs of any particular person [including the authority holding that information.]***  
***[Cabinet Member – Councillor Mrs. Leighton]***
- (b) Housing Benefit Write-Offs [CFO and JHHB&HO]  
***[Paragraphs 1 and 3 – Information relating to any individual and Information relating to the financial or business affairs of any particular person [including the authority holding that information.]***  
***[Cabinet Member – Councillor Smith-Ainsley]***

**MINUTES OF THE CABINET**

**15 SEPTEMBER 2009**

**PRESENT:**

Councillor J.D. Packman (Leader of the Council, Chairman of the Cabinet, and Cabinet Member - Leader of the Council);  
Councillor R.A. Smith-Ainsley (Deputy Leader of the Council, Vice-Chairman of the Cabinet, and Cabinet Member for Planning and Housing);  
Councillor F. Ayers (Cabinet Member for Community Safety);  
Councillor S. Bhadye (Cabinet Member for Health and Independent Living);  
Councillor C.A. Davis (Cabinet Member for Regeneration);  
Councillor Mrs. D.L. Grant (Cabinet Member for Young People and Cultural Services);  
Councillor A.P. Hirst (Cabinet Member for Communications and Engagement); and  
Councillor Mrs. V.J. Leighton (Cabinet Member for Corporate Services).

**Apologies:** Councillor G.E. Forsbrey.

**1497. MINUTES**

The Minutes of the Meeting held on 21 July 2009 were confirmed as correct record.

**1498. PETITION OBJECTING TO STOPPING OF GRASS CUTTING IN SYKES DRIVE, STAINES - REFERRED FROM COUNCIL ON 23 JULY 2009**

The Cabinet considered a report on the petition from Mrs. Helena Weston of 9 Millers Close, Priory Green, Staines objecting to the decision to stop grass cutting in Sykes Drive, Staines which had been referred to the Cabinet by the Council at its meeting on 23 July 2009.

Cabinet Members were reminded that the frequency and amount of grass cutting that now takes place within the Borough [including that in Sykes Drive, Staines] was reviewed and agreed by the former Executive on 20 January 2009, as part of the setting of the specifications for the operation of the new Grounds Maintenance Contract. The options considered were in the main body of the report.

**RESOLVED:**

1. That Mrs. Helena Weston be advised that the decision to stop grass cutting in Sykes Drive, Staines will be reviewed in late 2009 as part of an overall review of all Council Grass Cutting within the Borough.
2. That this review will be commenced by the Officers as soon as the grass cutting season finishes in late 2009, so that they will be able to analyse the full effects of the changes made to the frequency and amount of grass cutting that now takes place within the Borough.
3. That the report by the Officers on the outcome of the overall review of all Council Grass Cutting within the Borough will be reported to Performance Management and Review Committee on 8 December 2009 and then to the Cabinet at its meeting on 19 January 2010.

## **CABINET – 15 SEPTEMBER 2009**

### **1499. GARDEN WASTE SCHEME EXTENSION AND ALTERATIONS**

The Cabinet considered a report on the Garden Waste Scheme Extension and Alterations.

The options considered were in the main body of the report.

**RESOLVED** to:

1. Proceed with Option 2, which is to extend the current scheme.
2. Waive Contract Standing Orders to allow the order for new bins to be placed directly with the Council's current supplier.
3. Authorise the financial implications and approve a supplementary capital estimate for 2009-2010 of £110,000.
4. Increase the annual charge for one bin to £45.00 and to incentivise early sign-up by charging £40 if residents sign-up before the end of January 2010 and by freezing the price at £40.00 per annum for two years for those that sign up before 31 January 2010.

### **1500. \*HOUSING STRATEGY 2009-2014 – KEY DECISION**

The Cabinet considered a report on the Housing Strategy 2009-2014.

The options considered were in the main body of the report.

**RESOLVED** to note that the Improvement and Development Committee on 3 September 2009 had recommended the Cabinet to adopt the four priorities for the new Housing Strategy 2009-2014 and the Action Plans.

**RESOLVED TO RECOMMEND** that the Council adopt the four priorities for the new Housing Strategy 2009-2014 and the Action Plans, as set out at Appendix A to the report by the Deputy Chief Executive.

### **1501. REPORT SEEKING APPROVAL FOR CAPITAL FUNDING A SALIX PROJECT**

The Cabinet considered a report seeking approval for capital funding a Salix project.

The options considered were in the main body of the report.

**RESOLVED** to agree £46,000 capital provision for 2009-2010, in order to proceed with the Salix funded projects at the Tothill Multi storey Car Park, on the understanding that the Council's 50% up front contribution of £23,000 towards these projects is reimbursed to the Council prior to or at the end of the two year pay back period.

### **1502. EMERGENCY RESPONSE PLAN REVISION – KEY DECISION**

The Cabinet considered a report on the Emergency Response Plan Revision.

## **CABINET – 15 SEPTEMBER 2009**

The options considered were in the main body of the report.

### **RESOLVED to:**

1. Note that the Improvement and Development Committee on 3 September 2009 had recommended the Cabinet to adopt the Emergency Response Plan Revision.
2. Approve, in principle, the draft Emergency Response Plan Revision, subject to final approval by the Assistant Chief Executive, in consultation with the Cabinet Member for Environment, by 1 November 2009 to allow for any further corrections or amendments to be made to the Plan when all the feedback from Members has been received.

### **1503. CUSTOMER SERVICE STRATEGY – 2009 TO 2012**

The Cabinet considered a report on the Customer Service Strategy – 2009 to 2012.

The options considered were in the main body of the report.

**RESOLVED** to approve and adopt the Customer Service Strategy and action plans as set out at Appendix 1 to the report by the Assistant Chief Executive, subject to the purpose of report and any similar references in the Strategy being amended to read “This report presents the proposed revised Customer Service Strategy, which shows how we will be working to improve customer service delivery over the next 3 years.”

### **1504. DELIVERY OF SAVINGS BUILT INTO 2009-2010 REVENUE BUDGET – KEY DECISION**

The Cabinet considered a report by the Chief Finance Officer on the Delivery of Savings built into the 2009-2010 Revenue Budget.

The options considered were in the main body of the report.

**RESOLVED** to note the report of the Chief Finance Officer on the Delivery of Savings built into the 2009-2010 Revenue Budget.

### **1505. 2009-2010 - REVENUE MONITORING REPORT**

The Cabinet considered a report by the Chief Finance Officer on the 2009-2010 - Revenue Monitoring.

The options considered were in the main body of the report.

**RESOLVED** to note the report of the Chief Finance Officer on the 2009-2010 - Revenue Monitoring, with the amended total figure of £84,000 to be inserted in the table shown in paragraph 2.11 of the report.

### **1506. 2009-2010 - CAPITAL MONITORING REPORT**

The Cabinet considered a report by the Chief Finance Officer on the 2009-2010 - Capital Monitoring.

## CABINET – 15 SEPTEMBER 2009

The options considered were in the main body of the report.

**RESOLVED** to note the report of the Chief Finance Officer on the 2009-2010 - Capital Monitoring.

### 1507. THE CABINET FORWARD PLAN

**RESOLVED** to note the updated version of the Council's Cabinet Forward Plan for the period from 1st September 2009 to 31st August 2010.

#### **NOTES:-**

- (1) *Members of the Improvement and Development and Performance Management and Review Committees are reminded that under Overview and Scrutiny Procedure Rule 16.2 in the Council's Constitution, 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 Improvement and Development and Performance Management and Review Committees 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 either the Improvement and Development or the Performance Management and Review Committee are able to "call in" a decision which falls within the functions of their own particular Committee;*
- (4) *To avoid delay in considering an item "called in", an extraordinary meeting of the relevant 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 an 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 their 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.*



## CABINET – 15 SEPTEMBER 2009

- (6) *The deadline of three working days "for call in" by Members of the Improvement and Development and Performance Management and Review Committees in relation to the above decisions by the Cabinet is the close of business on TUESDAY – 22 SEPTEMBER 2009.*

**MINUTES OF THE CABINET**

**17 SEPTEMBER 2009**

**PRESENT:**

Councillor J.D. Packman (Leader of the Council, Chairman of the Cabinet, and Cabinet Member - Leader of the Council);  
Councillor R.A. Smith-Ainsley (Deputy Leader of the Council, Vice-Chairman of the Cabinet, and Cabinet Member for Planning and Housing);  
Councillor F. Ayers (Cabinet Member for Community Safety);  
Councillor S. Bhadye (Cabinet Member for Health and Independent Living);  
Councillor C.A. Davis (Cabinet Member for Regeneration);  
Councillor G.E. Forsbrey (Cabinet Member for Environment);  
Councillor Mrs. D.L. Grant (Cabinet Member for Young People and Cultural Services);  
Councillor A.P. Hirst (Cabinet Member for Communications and Engagement); and  
Councillor Mrs. V.J. Leighton (Cabinet Member for Corporate Services).

**In Attendance:** Councillors Miss M.M. Bain, K. Chouhan, K.E. Flurry, D.L. McShane, Mrs. J.M. Pinkerton, Jack D. Pinkerton, Mrs. M.W. Rough, S.J. Rough and H.A. Thomson.

**1508. DISCLOSURES OF INTEREST**

Under the Members Code of Conduct, Councillor C.A. Davis disclosed a personal interest in Minute 1509 - Airtrack Transport and Works Act Submission, as his home was in close proximity to the proposed route to be used by Airtrack.

**1509. \*AIRTRACK TRANSPORT AND WORKS ACT SUBMISSION – KEY DECISION**

The Cabinet considered a report on the Airtrack Transport and Works Act Submission.

The Cabinet was advised that the Airtrack scheme has been promoted by Heathrow Airport Limited (HAL) to provide improved car access to Heathrow from south and west of London. However, it has a substantial adverse impact on Spelthorne where most of the new infrastructure is to be built. These adverse impacts are explained in detail in Appendix A to the report by the Deputy Chief Executive. The issues involved are not only matters the Council would normally assess in its role as 'the local planning authority', but also the Council's land ownership interests.

The options considered were in the main body of the report.

**RESOLVED TO RECOMMEND** to the Council the objections set out in Appendix A.

**RESOLVED** that the Chief Executive be authorised to respond, in liaison with the Leader, to any proposals by Heathrow Airport Limited (HAL) to overcome the Council's objections and other matters that may arise before and during the Public Inquiry.

**RESOLVED** that the Chief Executive be authorised to forward the Cabinet's decision to the Secretary of State on 18 September 2009 as the Council's response, which is subject to formal agreement by the Council at its meeting on 29 October 2009.

## SPECIAL CABINET – 17 SEPTEMBER 2009

### NOTES:-

- (1) **Members of the Improvement and Development and Performance Management and Review Committees are reminded that under Overview and Scrutiny Procedure Rule 16.2 in the Council's Constitution, 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 Improvement and Development and Performance Management and Review Committees 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 either the Improvement and Development or the Performance Management and Review Committee are able to "call in" a decision which falls within the functions of their own particular Committee;**
- (4) **To avoid delay in considering an item "called in", an extraordinary meeting of the relevant 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 an 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 their 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 Improvement and Development and Performance Management and Review Committees in relation to the above decisions by the Cabinet is the close of business on THURSDAY – 24 SEPTEMBER 2009.**

**RECOMMENDATION FROM THE PERFORMANCE MANAGEMENT  
AND REVIEW COMMITTEE – 8 SEPTEMBER 2009**

**1. PARTNERSHIP GOVERNANCE – DRAFT POLICY**

- 1.1 Partnership governance was one area that had been identified as an area for improvement by the Corporate Governance Task Group and since that time the Committee has been working towards the production of a policy for significant partnerships.
- 1.2 The Committee at its meeting on 8 September 2009 considered a draft partnership policy which was drawn from advice provided by CIPFA, SOLACE and the Audit Commission. The policy consolidates and updates the guidance offered to managers on this topic. For the first time this guidance is brought together as a proposed council policy.
- 1.3 The Committee also considered ways to scrutinise the performance and governance of significant partnerships in the future. The Committee has adopted for itself a framework against which it would propose to assess significant partnerships (full details can be found in the Committee report). and agreed that this aspect should be delegated to myself as Chairman and the Vice Chairman to take it forward.
- 1.4 The Committee **recommends to the Cabinet** the adoption of the **attached [Partnership Governance Policy](#)**.

**Councillor Philippa Broom**

**Chairman of the Performance Management and Review Committee**

**MEMBERS DEVELOPMENT STEERING GROUP**

**14 SEPTEMBER 2009**

Present:

Councillor A.P. Hirst (Chairman)

Councillor Miss M.M. Bain (Vice-Chairman)

Councillor Mrs V.J. Leighton

Councillor Mrs M.W. Rough

**APOLOGIES:** Apologies were received from Councillor Mrs P.A. Amos.

**1/09 ELECTION OF CHAIRMAN**

**RESOLVED** that Councillor A.P. Hirst be elected Chairman of the Steering Group for the Municipal Year 2009/2010.

**2/09 APPOINTMENT OF VICE CHAIRMAN**

**RESOLVED** that Councillor Miss M.M. Bain be appointed Vice Chairman of the Steering Group for the Municipal Year 2009/2010.

**3/09 MINUTES**

The minutes of the meeting held on 16 February 2009 were confirmed as a correct record.

**4/09 SEE CHARTER FOR MEMBER DEVELOPMENT – RE-ACCREDITATION**

The Chairman, welcomed Mark Palmer, Development Director, South East Employers, who was in attendance to give a presentation on the assessment process for the re-accreditation of the Charter for Member Development (before March 2010) and to discuss the opportunity to participate in the Charter Plus scheme.

It was noted that the process had been updated since the original award with the main change being to the documentation to be provided in advance of the assessment.

In support of the presentation and circulated at the meeting were details of the accreditation good practice guidelines which had been developed by the IDeA and South East Employers as well as being heavily influenced by the Investors in People national quality standard. The 5 key stages covered:

- Commitment to Member Development
- Strategic Approach to Member Development
- Member Learning and Development Plan in Place
- Learning and Development is Effective in Building Capacity
- Supporting Councillors

To undertake the re accreditation there would need to be a portfolio of evidence to include a Policy Statement, training needs statements, review of progress since the mid term review and plans for the future. A full day assessment would be required which would involve a panel of assessors meeting with Members and officers to determine whether we continue to meet the standards. The cost of the re assessment would be in the region of £2,000 to £2,500 and would include a consultancy day from South East Employers.

The Steering Group discussed the option of participating in the higher level standard – Charter Plus which was being developed for any charter accredited authorities who wish to further stretch their member development arrangements. There would be no additional cost to the Council if a commitment was given to participate in the Charter Plus within 18 months of obtaining the re accreditation.

**The Steering Group recommend to the Cabinet:**

**1. To agree to undertake the re accreditation for the South East Employers Charter for Member Development subject to the cost being negotiated; and**

**2. A decision on whether or not to participate in the Charter Plus be made at a later date.**

At the conclusion of the presentation Councillor Hirst thanked Mark Palmer for attending the meeting to discuss the arrangements with members of the Steering Group.

**5/09 MEMBER DEVELOPMENT ACTIVITY 2008/2009** – The Steering Group discussed member development activities during 2008/2009 which had generally been well attended with attendance continuing to be at 50%.

The **Steering Group agreed** to note the report of the Assistant Chief Executive on Member Development Activity for 2008/2009.

**6/09 MEMBER DEVELOPMENT PROGRAMME 2009/2010** – The Steering Group discussed the development events for 2009/2010 which had been planned in line with Year 3 of the Member Development Framework as well as taking account of any requirements identified by the annual members' survey. It was noted that training arrangements for year 3 would include a further media skills event.

The Steering Group went on to discuss, with the Assistant Chief Executive, whether or not the training for members, which would support the councils achievement in reaching level 3 of the Local Government Equality Standards, could be undertaken in house by officers who had already received training rather than paying for external consultants.

**The Steering Group agreed** to note the action being taken by the Assistant Chief Executive to progress the arrangements for 2009/2010 development programme.

**7/09 Member Development Budget 2009/2010 and 2010/2011** – The Steering Group discussed development events held to date and future events known at present together with detailed information on the budgetary provision both for this year and 2010/2011 as the intensity of member training was running down as the election year approached.

**The Steering Group recommends to the Cabinet that the Member Development Budget for both 2009/2010 and 2010/2011 be reduced to £5,000 for each year.**

**8/09 DATE AND FUTURE MEETINGS**

The next meeting of the Steering Group would be held at 5.30pm on 7 December 2009.

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SPELTHORNE YOUTH COUNCIL  
MINUTES

17 September 2009

Held in Goddard Room, Council Offices, Knowle Green, Staines

PRESENT:

James Adams	Emily Hammond	Olivia Ortega
Gemma Anscombe	Dominic Hillman	David Porter
Anthony Appleyard	Dan Hitch	Chris Portsmore
Sophie Clark	Grace Millard	Ryan Smith
George Corr	Vivien Miller	Matthew Sutch
George Daubney		

Apologies: Connie Cronin, Sox Ghosal, Joseph McVey,

In attendance:

Leigh Middleton – SCC Youth Development Officer

Pauline Braham – SCC Youth Worker

Gail Lewis – SCC Youth Worker

Andy Holdaway – SBC Youth and Arts Manager

Gill Hobbs – Committee Manager

37/09 MINUTES

The Minutes of the meeting held on 9 June 2009 were approved as a correct record.

38/09 ROLE OF A YOUTH COUNCILLOR

Andy gave a presentation on the role of a Youth Councillor and the items the Youth Council considers at its monthly meetings.

The Youth Council discussed the possibility of involving schools in the election of the Management Committee, due to take place next month, and how this might work in practice.

Leigh explained the remit of the Surrey County Council Local Committee and invited the Youth Council to put forward any ideas or suggestions that came out of their meetings to the Local Committee.

39/09 CABINET – 21 JULY 2009

The report of the Cabinet Member for Young People and Cultural Services on the work of Cabinet, which summarised the items of business discussed at the Cabinet meeting on 21 July 2009, was circulated with the agenda.

The Youth Council noted the report.



#### 40/09 WORKSHOP 1

The Youth Council split into groups to discuss one of two local issues.

1. How to address a lack of facilities for young people in the Borough
  - Youth Centre type activities in a Leisure Centre
  - Free/cheap discos for 12-15yrs and 16-18yrs every two weeks in Leisure Centre/Village Halls/The Barn
  - Deals for young people during weekdays at the American Golf Club driving range
  - Deals for young people at Rileys pool/snooker club
  - Improve BMX track at Upper Halliford and look at other locations for similar facility

Encourage use of existing facilities by:

- Publicity on school websites Home pages and bill boards
  - Publicising free stuff
  - Survey people to establish what events they would attend
  - Organise free/reduced price transport to events
  - Goody bags for those who attend events
2. How to address Transport issues in the Borough
    - Reduced student fare on buses for teens in recognized school uniform
    - Provide more Green Man crossings
    - Increase number of buses – double deckers/at key times i.e. start and end of school day
    - Increase frequency of buses
    - Better traffic control outside schools
    - Designated drop off zones at schools

#### 41/09 WORKSHOP 2

After a short break, the Youth Council again split into groups to discuss ideas for projects as follows:

- Residential –it's a good opportunity to get to know everyone through workshops and team building. New members feel more confident in speaking and giving ideas.
- Comedy evening at Leisure Centre or Thames Club to address lack of things to do for 16-18 year olds.
- Trip to European Parliament (if funding available)
- Stranger danger/self defence classes
- Paint balling
- Go Karts
- Skills days
- Family fun days
- Skate park/Skaterham-Make your own ramp/SK8, BMX, blading
- Voluntary courses for students e.g. self-esteem
- Unsigned band nights
- Carnival – annual Community event with judged themed floats

42/09 YOUTH OPPORTUNITY FUND GRANTS

The Youth Council discussed imaginary applications for Youth Opportunity Fund (YOF) grants, to give them a feel for what it would be like to be on the Grant Givers group ahead of the coming Youth Council Management Committee elections.

43/09 CALENDAR OF MEETINGS

The dates of the Youth Council and Children and Young People Partnership meetings were circulated at the meeting. Youth Councillors were asked to note the dates of future meetings.

**SPELTHORNE YOUTH COUNCIL  
MINUTES**

13 October 2009

Held in Goddard Room, Council Offices, Knowle Green, Staines

**PRESENT:**

Gemma Anscombe	George Daubney	Olivia Ortega
Sophie Clark	Dominic Hillman	David Porter
Connie Cronin	Joseph McVey	Ryan Smith
	Vivien Miller	

Apologies: Dan Hitch, Grace Millard

In attendance:

Pauline Braham – SCC Youth Worker

Andy Holdaway – SBC Youth and Arts Manager

Gill Hobbs – Committee Manager

**44/09 ELECTIONS**

Andy Holdaway advised that elections for positions on the Management Committee of the Youth Council for 2009/10 had been held in all the Borough's schools and that Grace Millard, George Daubney and Sophie Clark had been duly elected.

Vivienne Miller and Ryan Smith gave short presentations for election to the remaining position on the Management Committee. The Youth Council elected Ryan Smith to the vacant position.

The newly elected Management Committee then conducted the rest of the business on the agenda.

**45/09 MINUTES**

The Minutes of the meeting held on 17 September 2009 were approved as a correct record.

**46/09 CABINET – 15 AND 17 SEPTEMBER 2009**

The report of the Cabinet Member for Young People and Cultural Services on the work of Cabinet, which summarised the items of business discussed at the Cabinet meetings on 15 and 17 September 2009, was circulated with the agenda.

The Youth Council noted the report and discussed the issues around reduced grass cutting in the Borough. They felt that the long grass looked messy and attracted dogs and would prefer grass to still be cut during the summer months.

The Youth Council asked for more information on the areas where grass cutting had been reduced in the Borough. This could be found in the report to the January 2009 meeting of Cabinet, on the Council's website at:

[www.spelthorne.gov.uk/20jan09\\_grounds\\_maintenance.pdf](http://www.spelthorne.gov.uk/20jan09_grounds_maintenance.pdf)

The Youth Council were advised of the potential implications for the Borough and surrounding areas if the proposed Airtrack scheme went ahead. More information was available via the Council's website: [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk)

#### 47/09 FEEDBACK FROM YOUTH COUNCILLORS

None of the schools represented had held a student council meeting since the start of term. It was noted that the Youth Council was not represented by all the schools in the Borough. The Youth Council agreed to write to the unrepresented schools and invite two representatives, from years 8 and 9 in each school, to join.

In addition Andy asked that all youth councillors encourage their friends and members of their school's student council to join the Youth Council.

#### 48/09 PROJECT GROUPS

The Youth Council agreed to participate in the organisation of a Spelthorne's Got Talent competition which had been set up by Surrey Police's Youth Intervention and Schools Liaison officers and was aimed at students in years 9-11. The competition was due to take place on 3 December at Shepperton Studios and entries would need to focus on the effects of drugs and alcohol abuse.

The Youth Council discussed ideas for the event and how it might be run.

The Youth Council agreed to postpone the decision on their choice for a second project until a meeting when more youth councillors were in attendance.

**INTERNATIONAL FINANCIAL REPORTING STANDARDS (IFRS)  
IMPLEMENTATION TIMETABLE**

**Resolution Required**

**Report of the Chief Finance Officer**

**Executive Summary**

**How does the content of this report improve the quality of life of borough residents**

The implementation of IFRS will enable the readers of the Statement of Accounts to have a clearer understanding of the Council's financial position and enable closer comparison with other financial institutions including private sector companies

**Purpose of the Report**

To inform Members of the detailed timetable for implementing International Financial Reporting Standards (IFRS) to local authority accounting.

To set out the resources to be used when implementing the change.

**Key Issues**

- To ensure that the deadline for implementation is met and the Council produces statutory accounts which fully meet the requirements of the new code.
- Sufficient resources are available to ensure the deadline is met and that the processes and knowledge gained is kept within the authority for future years
- Ensuring that all areas of the Council are aware of the change and the part that they need to play in it to ensure the process is robust and auditable.

**Financial Implications**

As detailed in this report.

**Corporate Priorities**

All.

**Officer Recommendations**

**The Cabinet is asked to agree the following:**

1. The detailed implementation timetable.
2. The requirement for Audit Committee and the Cabinet to be fully briefed and aware of the implications of implementing the change.

**Contact: Terry Collier, Chief Finance Officer, 01784 446296**

**Cabinet Member: Councillor Mrs. Vivienne Leighton**

# REPORT

## 1. BACKGROUND

- 1.1 The principal statements of the accounting practices applicable to local authority accounts are:
- 1.2 The Code of Practice for Local Authority Accounting in the United Kingdom 2008 (the Code) and associated guidance. This is a comprehensive statement of the structure of local authority statements of accounts, and the accounting concepts, accounting policies and estimation techniques to be applied in preparing them.
- 1.3 The Best Value Accounting Code of Practice. This sets out a mandatory service analysis for local authorities and a definition of "total cost" to be used in reporting service expenditure.
- 1.4 In recent years there has been a drive to make public sector accounts generally more compliant with what is termed "Generally Accepted Accounting Practices" ("UK GAAP").
- 1.5 International Financial Reporting Standards (IFRS) aim to "harmonise financial reporting in a world of cross-border trade and investment, and increased globalisation".

## 2. KEY ISSUES

- 2.1 International Financial Reporting Standards (IFRS) aim to "harmonise financial reporting in a world of cross-border trade and investment, and increased globalisation". IFRS has been adopted by both the Australian and New Zealand public sectors. More generally, the term IFRS refers to the international equivalent to UK GAAP.
- 2.2 There is much in common between UK GAAP and IFRS. For instance, the UK GAAP requirements for accounting for financial instruments (adopted by local authorities in 2007/08) are very similar to IFRS requirements. However, there are also areas of considerable change.
- 2.3 There is a whole new terminology associated with IFRS. The main change is that the Financial Reporting Standards (FRS) used under UK GAAP will be replaced by International Financial Reporting Standards (IFRS) and International Accounting Standards (IAS). These are supported by interpretations issued by the International Financial Reporting Interpretations Committee (IFRIC).
- 2.4 Listed entities in the UK private sector adopted IFRS in 2005. Experience shows that considerable effort was needed to convert to this new regime for public limited companies. When listed companies implemented IFRS, the average length of financial statements increased by 60%. This was because IFRS places a lot of emphasis on disclosures in the notes to the accounts. This, of course, means more work in preparing and auditing the accounts.
- 2.5 Central Government and the NHS all need to adopt IFRS within the same timetable. Local authorities will begin reporting on an IFRS basis in 2010/11. This is a mandatory requirement and failure to comply would lead to our

accounts being qualified which in turn would adversely affect our CAA use of resources and organisational assessments,

2.6 The implementation timetable for local Government is illustrated in [Appendix A](#)

2.7 The detailed implementation timetable for the Authority is attached as [Appendix B](#).

2.8 Accountancy has had initial discussions with our external auditors KPMG regarding our approach and their expectations.

2.9 Early work has already been commenced on one of the areas. We are currently reviewing all of our leases to determine whether they should be classified as operating or finance leases in accordance with IAS 17. This is likely to present challenges if original documentation for longstanding leases cannot be located hence the requirement to start the process earlier than other areas.

## 2.10 **The proposed way forward and other identifiable issues**

2.11 Now that the close of accounts process has been substantially completed it will be possible to begin the transition process to IFRS reporting. This approach will have the benefit of ensuring that close of accounts is still fresh in the minds of the Accountancy team and that we have the time to implement the new guidelines fully and obtain the agreement of External Audit to the assumptions that have been made to ensure that we are fully compliant in the statutory timescales. The final guidance legislation and layout requirements are still to be confirmed by CIPFA.

2.12 The increased workload will impact on the sections ability to do other proposed services improvements such as the Zero Based Budgeting (ZBB) exercise.

2.13 It is anticipated that the size of the Statement of Accounts publication will be increased by up to 50% due to the increased disclosure requirements.

2.14 Surrey Chief Accountants Group (CAG) agreed to work together in sharing knowledge, best practice and the methodology for doing the changes. A seminar has been arranged for 30 October 2009 to commence this process. The seminar follows on from external training days organised by CIPFA on the recent updates, the process and the methodologies required for the latest position on the guidance.

## **3. PROPOSALS**

3.1 It is proposed that we manage the transformation to IFRS from existing resources and set up an implementation group headed by the Chief Accountant to meet the timetable shown in Appendix B. The makeup of the implementation team is currently being discussed with the appropriate Heads of Service. The approach outlined will ensure the ongoing knowledge and awareness of the Authority is maintained and that we keep the in house knowledge once the IFRS changes have been fully implemented in 2010/11. It will also ensure that the necessary information from other services can be progressed at an early stage.

- 3.2 Legal Service has already commenced the process of obtaining the necessary external support in order to assist in classifying the Authority's leases correctly.
- 3.3 Once the finalised proposals have been published we look at the levels of information required from other services Asset Management and Legal Services to ensure that they are able to cope with the necessary workload and they then join the implementation team in completing the transformation to IFRS.

#### **4. BENEFITS AND SUSTAINABILITY**

- 4.1 The transformation to IFRS is a statutory requirement and we must meet the deadline for its implementation. It is likely to increase the Sections workload in the short term and size of the Statement of Accounts publication for ongoing years. Once the procedures have been finalised they should be manageable within current resources.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 Additional costs of £40k for an accountant at a scale of grade M1 / M2 for a maximum of one year to backfill the implementation teams workload were approved by MAT in May 2009 (and this would have been funded from part of the anticipated VAT refund) but it is currently anticipated that the workload can be addressed by realigning workloads and that a one off honorarium be paid for those staff who are involved in the implementation rather than employing an additional resource.
- 5.2 Legal Service has already commenced the process of obtaining the necessary external support, as also agreed by MAT in May, in order to assist in classifying the Authority's leases correctly at a current estimated cost of £10 - £15k.

#### **6. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

- 6.1 The Council needs to meet the deadline for implementation as it is a statutory requirement to do so.

#### **7. RISKS AND HOW THEY WILL BE MITIGATED**

- 7.1 The Council needs to meet the deadline for implementation as it is a statutory requirement to do so and will result in qualified accounts if this does not happen. Careful planning, sufficient resource provision and use of the timetable guidance will need to be undertaken to ensure that it happens in the agreed timescale and to the prescribed rules and regulations.
- 7.2 Regular communications and progress meetings with the Chief Finance Officer, the Implementation Team, Cabinet Member for Resources and KPMG (External Auditors) will ensure that the progress being made is in line with both the timetable and to satisfy the audit requirements fully.

#### **8. TIMETABLE FOR IMPLEMENTATION**

- 8.1 See **Appendix A**, the implementation timetable, for the Local Government deadlines.
- 8.2 See **Appendix B** for the detailed breakdown timetable in implementing the change at Spelthorne.
- 8.3 Work has already commenced on the areas outlined as potentially time consuming and will be continued in conjunction with and throughout the close of accounts process.



8.3 A draft set of accounts in the new format will be prepared by 31 December 2009 for reviewing by KPMG.

**Author: David Lawrence, Chief Accountant, Tel: 01784 446471**

**Background Papers:**

**Local Authority accounting bulletins**

**CIPFA publications**

**Audit Commission draft guidelines**

**MAT Report May 2009**

**CORPORATE PLAN 2008-11 AND CABINET ARRANGEMENTS -  
KEY DECISION**

**Recommendation Required  
Report of the Assistant Chief Executive  
REPORT SUMMARY**

**How does the content of this report improve the quality of life of Borough Residents**

The Corporate Plan establishes the aims and objectives for the Borough Council together with the actions we will take to achieve them. This will have a direct effect on the quality of life in the Borough.

**Purpose of Report**

To report progress on the first year's achievements of the Corporate Plan 2008-2011 and suggest amendments to the plan. To consider changes to Cabinet responsibilities in the light of the last years experience and suggest changes.

**Key Issues**

- Corporate Plan 2008-11 was approved in February 2008 along with changes to Executive member responsibilities
- Report on progress in achieving the aims of the Corporate Plan

**Financial Implications**

There are no financial implications to the plan itself. The Council will decide the allocation of funding according to its priorities and the resources available. This document sets these priorities.

**Corporate Priority** The Corporate Plan sets the corporate priorities.

**Officer Recommendations**

**The Cabinet is asked to recommend the Council to approve, as follows:**

1. **Amendments to the Corporate Plan 2008-2011 as attached at [Annex A](#) (copy in the Members' Room).**
2. **Amendment of the constitution to amend Cabinet Member titles and responsibilities attached at [Annex C](#).**

**Contact: Bob Coe, Assistant Chief Executive (01784 446257)  
Cabinet member: Councillor John Packman, Leader of the Council**

## MAIN REPORT

### 1. BACKGROUND

- 1.1 In 2008, the Council adopted a new Corporate Plan for the period 2008-11 with twelve priority themes. At the same time it changed its Executive arrangements to allocate specific responsibilities to individual member of the (then) Executive to lead and achieve the priorities.
- 1.2 After a year of operation it is appropriate to review achievements against targets in the Corporate Plan and in the light of experience of the changed Executive arrangements.

### 2. KEY ISSUES

- 2.1 **CORPORATE PLAN** – The previous Corporate Plan set objectives for each of the new priority themes to be achieved by 2011. It also set interim milestones to assess progress towards those objectives. Progress in achieving the milestones is shown in the revised Corporate Plan which is at **Annex A (copy in the Members' Room)**. Changes from the original plan are shown in bold type.
- 2.2 As can be seen, good progress is being made against the milestones in most of the areas.
- 2.3 In the light of what has happened in the last year some amendments to our 2011 targets are proposed. In some cases these suggest that the current target is too ambitious – e.g. increasing the satisfaction levels of young people in Spelthorne.
- 2.4 In other cases, experience shows that we have already significantly over achieved against the target that was set for 2011 – e.g. reduction in residual waste produced and number of people in temporary accommodation.
- 2.5 Finally, the wording of some targets has been changed to clarify what we are aiming for and what the Council's contribution is to schemes that are being worked for in partnership – e.g. Future Builders.
- 2.6 The revised version of the Corporate Plan is also significantly shorter than the original. By cutting out previous appendices and focussing solely on what we want to achieve and how we are progressing then the document is much shorter and accessible. It also uses, so far as is possible, existing documents as Appendices which can be changed as and when those documents are updated.

### 3. CABINET MEMBER RESPONSIBILITIES

- 3.1 The 2008 resolution of Council increased the size of the Executive (Cabinet) to nine members and also specified the areas of responsibility for each portfolio. One reason for doing this was to balance out the workload amongst members of the Cabinet where the Corporate Services portfolio had a significantly greater workload than the other portfolios. Analysis of reports to Cabinet over the last year shows that the number of reports submitted for the Corporate Services portfolio has reduced, but is still much higher than some of the other portfolios.
- 3.2 Consequently, it is suggested that the title for this Cabinet responsibility is changed to Resources and responsibilities re-allocated as outlined in [Annex B](#), together with other changes to titles and responsibilities. Should the Cabinet agree these changes then appropriate parts of the Corporate Plan will be updated accordingly.

3.3 The full list of responsibilities for each Cabinet Member, as amended, is shown at Annex C.

#### **4. OPTIONS ANALYSIS**

4.1 **Corporate Plan** – The suggested amendments can be accepted or further amendments made.

4.2 **Cabinet Responsibility** – The changes to areas of responsibility can be amended, accepted or rejected.

#### **5. PROPOSALS**

5.1 It is proposed that the amendments to the Corporate Plan at Annex A and the changes to the Cabinet area of responsibility are recommended to Council for adoption.

#### **6. FINANCIAL IMPLICATIONS**

6.1 There are no financial implications to the Corporate Plan itself as it sets the priorities and the Council allocates resources according to those priorities.

6.2 There are no financial implications to the change of areas of responsibility for Cabinet Members.

#### **7. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

7.1 Changing the areas of responsibility for Cabinet Members and their titles will require a change to the Council's Constitution.

#### **8. RISKS AND HOW THEY WILL BE MITIGATED**

8.1 There is a risk that if the Council does not have clear strategic aims the resources will be devoted to non-priority areas. Having an up to date Corporate Plan will mitigate this risk.

#### **9. TIMETABLE FOR IMPLEMENTATION**

9.1 The amendments to the Constitution and Corporate Plan can be submitted to Council on 22 October 2009.

**Report Author: Bob Coe, Assistant Chief Executive (01784 446257)**

#### **Background Papers:**

There are none.

## **COMMUNITY ENGAGEMENT – KEY DECISION**

### **Resolution Required Report of the Chief Executive EXECUTIVE SUMMARY**

#### **How does the content of this report improve the quality of life of Borough Residents**

Holding effective community engagement events will increase the knowledge and satisfaction of residents with the services provided by the Council and partners.

#### **Purpose of Report**

The report looks back at the most recent round of Have Your Say events and makes proposals for future community engagement events.

#### **Key Issues**

- Feedback from the recent 2009 Have Your Say programme.
- Proposals for the future.
- Other community engagement events.

#### **Financial Implications**

There are no financial implications as a result of this report.

#### **Corporate Priority**

Community Engagement

#### **Officer Recommendations**

The Cabineted to agree the proposals for future community engagement events as set out at paragraph 4 in this report.

**Contact: Brian Harris, Assistant Chief Executive (People & Partnerships) 01784 446249**

**Cabinet member: Councillor Andrew Hirst**

## MAIN REPORT

### 1. BACKGROUND

- 1.1 The Council's Constitution states that area forums will be constituted for the five main areas of Spelthorne. Their role is to allow residents the opportunity to meet their local councillors and make known their views on local issues, as well as to receive information and raise issues of concern. At the March meeting of the Executive it was agreed to hold a sixth event at Sunbury Common and rename area forums as "Have Your Say".
- 1.2 The Cabinet receives regular reports about community engagement events. Such reports have looked back at the previous set of the forums and forward to the next set.
- 1.3 The Government is increasingly expecting Councils to engage with its communities and proposals are being made to introduce an 'inform, consult, involve' power. 'Have your say events' would be a key element of this initiative.

### 2. KEY ISSUES

#### Summer 2009 Have Your Say

- 2.1 In January and March the Cabinet agreed a number of changes to the format and arrangements for the previously named Area Forums. These changes included –
  - Rebrand as Have Your Say (HYS)
  - Hold in summer months (June/July)
  - Introduce a market place with partners for residents to visit as part of the programme
  - Pilot with earlier start time at Ashford (5-7pm)
  - Pilot event sharing with Shepperton Residents Association
  - Increase number of events held from 5 to 6 by splitting Sunbury into Sunbury Common and Lower Sunbury
  - Introduce use of banners for publicity
- 2.2 The summer forums achieved some of the best attendances – see [Appendix A](#) for further details. One of the main reasons for this was the high attendance at first joint meeting with Shepperton Residents Association (also see paragraph 2.10[f]).
- 2.3 The cost of each forum is approximately £600 to cover venue, postage, printing, publicity and the administrative staff costs prior and at the meeting. These costs do not include the salaries of senior officers as they do not receive additional payments for attending the meetings.
- 2.4 Partners from Surrey County Council, NHS Surrey, Ashford & St. Peters Hospitals Trust, Surrey Fire and Rescue Services and Surrey Police attended all of the meetings. Other partners attended particular meetings such as A2Dominion at Stanwell.

2.5 All the Have Your Say events received presentations from Ashford & St. Peters Hospitals trust on their bid for Foundation Trust status. Other details were as follows:

Area	Date	Venue	Chairman	Local Topic
Sunbury Common	11 June	Kenyngton Manor School	Cllr Smith-Ainsley	Area Investment Programme
Ashford	22 June (5-7pm)	Salvation Army Hall	Cllr Trussler	
Shepperton	23 June (8-10pm)	Shepperton Village Hall*	Cllr Sider	
Lower Sunbury	7 July	Riverside Arts Centre	Cllr Hirst	
Stanwell & Stanwell Moor	14 July	Stanwell Village Hall	Cllr Ayers	Stanwell New Start
Staines	29 July	Staines	Cllr Budd	Developments in Staines

\* Event shared with Shepperton Residents Association.

2.6 The advertising for the forums comprised: an article in the Borough Bulletin, press releases, two newspaper adverts in the Staines Informer and Heathrow Villager, letters to residents' associations and neighbourhood watches, introduction of banners, information to all Councillors asking them to publicise, and posters which were sent to local businesses and libraries and displayed on the Council's notice boards.

2.7 When questions were received in advance, verbal answers were given at the meetings. Written replies were also sent to people not present.

2.8 The local aspect of each forum is also reflected in the questions asked by the public. Sunbury forum, for example, always has questions about planning development and air pollution, thus we ensure the appropriate officers are present to answer the questions.

2.9 Notes of the meetings were produced and posted on the Council's website and were sent to the local libraries to hold for reference. Summaries of the issues raised at the forums were also displayed on the Council's notice boards along with information on how to get a full copy of the notes. It is important that officers provide updates to these notes prior to the next forum; however, this has not always been achieved especially when partner organisations are responsible.

2.10 Following the events partners and the Chairmen were sent a survey to gauge their views on HYS plus a meeting was held with the Chairmen and the Leader. The consensus of views was as follows –

a) Generally the new format/rebranding was regarded as a success.

b) Holding the events in the summer during the light evenings was regarded as a success.

c) Because of the light evenings it was felt that the events should start at 7pm.

d) The market place was regarded as a great success with partners very keen to be involved. There were space issues that will need to be sorted out for the next time

e) Generally the venues were regarded as the most appropriate apart from perhaps using St. Paul's Catholic College for Lower Sunbury and reconsider the Shepperton event.

f) Although the numbers were higher than previously the event at Shepperton was not regarded as a success, partly because of the lack of time for Spelthorne issues and trying to cram too much into the hour allocated. The Shepperton event also, it is felt, missed out because it did not have the market place, which was such a great success elsewhere. It was never intended to do so but in any case, the Village Hall would not have lent itself to such an arrangement in view of the numbers attending.

g) Splitting Sunbury into Sunbury Common and Lower Sunbury was also regarded as a success in terms of the different people attending from the previous Area Forums.

h) The banners were regarded as a limited success as they were displayed at five sites which were not always appropriate for the venue. Action is being taken to extend the number of locations to display banners.

i) The seating of Ward Councillors is also an issue with some preferring to sit in the audience, others at the front. It is essential for the management of the meeting that the Members confirm their attendance and do attend. Partners need to be introduced and introduce themselves.

j) The reading of the financial statement was not regarded as a success because of the length and complexity.

- 2.11 A fundamental question to ask is whether the Have Your Say events fulfil this purpose and add value. Should we continue to hold Have Your Say events in a concentrated programme in the summer bearing in mind the costs, logistics and preparation needed especially when weighed up against the small proportion of Spelthorne residents attending?
- 2.12 An alternative could be to hold more theme specific meetings with the public in busy shopping areas. The downside of this would be that Members might not be able to attend such events which is one the strengths of Have Your Say.
- 2.13 Another option is to hold a Have Your Say event in a particular location when a 'hot' topic in that area crops up. The Chairmen agreed there should be flexibility to hold such events in addition to the annual programme. Sunbury for instance, is likely to hold an additional Have Your Say on the London Irish development proposals. The problem with this approach could be that no events are held in a particular location in any given year.
- 2.14 If Have Your Say events are to continue in the same format at one particular time of the year then a number of recommendations have been suggested. These are set out at [Appendix B](#).
- 2.15 In addition to the suggestions made at 2.12 and 2.13, another issue is whether other community engagement events should be held during the year. Current events are set out at [Appendix C](#). Another suggestion is to set up a Question and Answer event for the Cabinet and partners plus market place in say, two



bigger venues in the Borough (Salvation Army/Riverside Arts) in November or January.

### **3. OPTIONS ANALYSIS**

3.1 The options for further community engagement events are as follows:

- (a) Not to hold Have Your Say events in the future
- (b) Hold Have Your Say events as per **Appendix B**
- (c) Only to hold Have Your Say events when there is a 'hot' topic in a particular location plus some specific meetings as per paragraphs 2.12 and 2.13 of the report.

### **4. PROPOSALS**

4.1 The Cabinet is asked to agree either the option set out at 3.1(b) or 3.1(c).

### **5. BENEFITS AND SUSTAINABILITY**

5.1 It is beneficial to enable detailed discussion with residents on given topics and for the residents to be able to question key public sector partners on specific issues.

### **6. FINANCIAL IMPLICATIONS**

6.1 There are no financial implications as a result of this report.

### **7. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

7.1 The community engagement events promote an open and positive relationship between the Council and local residents.

### **8. RISKS AND HOW THEY WILL BE MITIGATED**

8.1 Not to hold the events would risk dissatisfaction amongst the regular attendees and also reduce the level of engagement with residents, at a time when the government are advocating more community engagement.

### **9. TIMETABLE FOR IMPLEMENTATION**

9.1 Have Your Say will be held in summer 2010 so there will be plenty of time to book suitable locations and manage the events.

**Report Author: Brian Harris, Assistant Chief Executive (People & Partnerships)  
01784 446249**

#### **Background Papers:**

**Appendix A – Area Forum Attendances**

**Appendix B – Issues/Recommendations**

**Appendix C – Community Engagement Events**

## **SPELTHORNE TOGETHER – KEY DECISION**

### **Resolution Required**

### **Report of the Chief Executive**

### **EXECUTIVE SUMMARY**

#### **How does the content of this report improve the quality of life of Borough Residents**

Spelthorne Together (formerly the Local Strategic Partnership) brings together key bodies both statutory and non statutory to work together to help make Spelthorne a “safe, healthy, inclusive, prosperous and sustainable community”.

#### **Purpose of Report**

To note progress on the Community Plan, 2005-2015, including the recent Spelthorne Together Assembly.

#### **Key Issues**

- Recent changes to Spelthorne Together
- Spelthorne Together Assembly 2009
- Revised priorities

#### **Financial Implications**

There are no direct financial implications to the Council as a result of this report although the Community Plan budget for 2009/10 has been reduced.

**Corporate Priority** \* 1. Community Safety, 2. Younger People, 3. Environment, 4. Housing, 5. Independent Living, 6. Economic Development, 7. Healthy Community, 8. Community Engagement

#### **Officer Recommendations**

**The Cabinet is asked to note progress on the Community Plan 2005-2015.**

**Contact: Brian Harris, Assistant Chief Executive (01784) 446249**

**Cabinet member: Councillor John Packman, Leader of the Council**

## MAIN REPORT

### 1. BACKGROUND

- 1.1 Spelthorne Together is the local strategic partnership for the Borough and is responsible for ensuring the Community Plan is carried out.
- 1.2 The Spelthorne Community Plan 2005-2015 is a long term document with specific priorities for improvements set on a two/three year basis. The current priorities were updated in 2008. As a result of changes in the structure of Spelthorne Together further work has been undertaken with a view to publishing an update in 2010.
- 1.3 Spelthorne Together holds an annual stakeholders conference, called the Assembly. The Assembly's role is to provide the overall direction for the work of Spelthorne Together and to oversee progress towards the targets in the Spelthorne Community Plan 2005-2015.

### 2. KEY ISSUES

- 2.1 A lot of work has been undertaken during 2008/09 by the Spelthorne Together Executive to improve the way it works. Structures and governance arrangements have been reviewed and a new Chairman (Chief Superintendent Steve Rodhouse – unfortunately recently resigned) and new Vice Chairman (Sue Robertson, Ashford and St. Peter's Hospitals Trust) have been appointed.
- 2.2 The number of theme groups has also been reviewed to align Spelthorne's Community Plan with the County wide Community Strategy and Local Area Agreements (LAA) targets. The themes have been changed as follows:

#### Previous

Safer Stronger

Children and Young People

Health and Well Being

Thriving

Getting About

Learning

#### New

Safer Stronger

Children and Young People

Health and Well Being

Economic Development

Housing, Infrastructure and Environment

Essentially, Thriving, Getting About and Learning are now covered under either Economic Development or Housing, Infrastructure and Environment.

- 2.3 Each theme group has also looked at its governance arrangements. [Appendix A](#) sets out the key links/people involved with each theme.
- 2.4 A performance management system has also been introduced to improve accountability and reporting to the Spelthorne Together Executive.
- 2.5 The Spelthorne Together Assembly was held at Spelthorne Leisure Centre on 21 September 2009. Approximately 120 delegates attended including Borough and County Councillors and Officers, various public sector partners such as Surrey Police, NHS Surrey, Surrey and Fire Rescue Services, Voluntary, community and faith sector, business and many local residents.

- 2.6 The format for the events is covered in the brochure - [Appendix B](#) [copy in the **Members' Room**], which was distributed to each delegate in advance for the Assembly 2009 event. This was the first time this had been done and went down very well. It included the agenda, updates on priorities, progress reports on each theme group and progress on the five geographical areas discussed at the 2008 Assembly. The representation and structure of Spelthorne Together is also covered.
- 2.7 The main input from delegates was over the proposed new priorities for each of the theme groups. Delegates were able to give their views and discuss at theme based tables. Issues identified will be considered by each theme group and reported back to the Spelthorne Together Executive at its December meeting. The meeting will then ratify the key priorities per theme, which will be published in an updated Community Plan in the New Year. The updated Community Plan will be submitted to the Cabinet for agreement before then.
- 2.8 [Appendix C](#) sets out the draft priorities per theme plus two priorities for the Spelthorne Together Executive. The Executive will continue to work on Stanwell New Start and also NI4 - % of people who feel they can influence decisions in their area.
- 2.9 In order to facilitate better results as regards NI4 a Communications Group network has been set up with representatives from key partners in Spelthorne Together. It is hoped that such a network can engage with a range of Spelthorne residents by better use of those organisations' current internal and external communication channels. It must be remembered that a large number of the organisations' staff are also residents of Spelthorne.

### **3. BENEFITS AND SUSTAINABILITY**

- 3.1 By working with other organisations the Council will be able to better address a number of its key priorities and fulfil its community leadership role.

### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications to the Council as a result of this report although the budget for Community Planning has been reduced for 2009/10 from £12,000 to £10,000.
- 4.2 The Council employs one member of staff part of whose role is to provide the administrative support for the running of the Partnership, which includes monitoring the work being undertaken in the Plan. Other officers contribute towards various actions contained in the action plans as part of their normal day-to-day work.

### **5. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

- 5.1 The Council is required under Statute, Local Government Act 2000, to produce a community strategy with its partners.

### **6. TIMETABLE FOR IMPLEMENTATION**

- 6.1 The revised draft Plan will be submitted to the Cabinet in the New Year.

**Report Author: Brian Harris, Assistant Chief Executive (01784) 446249**

**Background Papers**  
**There are none**

## UPDATED CORPORATE CUSTOMER COMPLAINTS SYSTEM

### Resolution required

### Report of the Assistant Chief Executive

### REPORT SUMMARY

#### **How does the content of this report improve the quality of life of Borough Residents**

A Complaints System is important to the residents in the borough as it can help the Council understand what it is doing well and what it needs to improve.

#### **Purpose of Report**

To present to the Cabinet the updated Corporate Complaints system for the Council.

#### **Key Issues**

- Part of the Customer Service strategy.
- Not all services adhere to the complaints system and as such there is inadequate monitoring.
- Need to rebrand the Complaints System
- No central recording of Members complaints.
- Need to use comments/complaints to improve services.
- Need to communicate to users/clients/residents about comments/complaints.

#### **Financial Implications**

Some of the literature relating to the complaints system will need rebranding but this can be absorbed within existing budgets.

**Corporate Priority**      Community Engagement.

#### **Officer Recommendations**

The Cabinet is asked to agree the updated Complaints System, for Spelthorne Borough Council as attached at [Appendix 1](#).

**Contact: Liz Borthwick, Assistant Chief Executive, telephone number 01784 446376.  
Cabinet member: Councillor Richard Smith-Ainsley**

## MAIN REPORT

### 1. BACKGROUND

- 1.1 The Council has had a corporate complaints system for a number of years with some services using the process and reporting regularly to the Head of Customer Services. This is not though carried out across all services and as such the Council does not have a robust complaints system.
- 1.2 The Performance Management and Review Committee (PMR) during its review of Corporate Governance identified that the corporate complaints system needed to be reviewed and improved.
- 1.3 Also at that time a working group was established to support the development of the updated Customer Service Strategy. It was agreed that this group would also review the corporate complaints procedure as this would be part of the updated Customer Services Strategy. The group consisted of Liz Borthwick (Assistant Chief Executive), John Foggo (Head of Customer and Office Services) and Richard Wilkinson (Head of IT) and Bob Coe (Assistant Chief Executive).
- 1.4 A number of interim reports have been presented to Management Team and Performance Management Review and this report does try to incorporate the comments.

### 2. KEY ISSUES

- 2.1 The key issues to include from the PMR is that it would be beneficial to include information of complaints by ward.
- 2.2 PMR also had issues relating to the monitoring of the process. The Standards Committee are the monitoring committee at present, but there is the view that service complaints should be part of the scrutiny role. The view from the Standards Committee is that they would wish to retain this role as they provide an independent process but PMR would wish to have an update report as a standing item on its Agenda.
- 2.3 Another area of concern raised by some Members is that there is no recording of Member's complaints.
- 2.4 Following a review of a number of complaints procedures in other Surrey Authorities, Spelthorne has a similar approach to many of the organisation. Most Authorities follow the Local Government Ombudsman's guidance on running a complaints system (Guidance on Good Practice) which has just been updated. The purpose of a complaints system is to put right what has gone wrong and learn from it.
- 2.5 The key features of an effective complaints procedure is as follows
  - **Accessibility**
    - It is well publicised. It is easy to understand by staff and public.
  - **Communications**
    - It includes early direct contact with the person making the complaint and continued contact through the complaints process.
    - Effective communications between Council staff and parties.

There is an effective recording and feedback so improvements can be made.

- **Timeliness**
  - There should be a published target for response times.
- **Fairness**
  - It is clear about role and responsibilities.
  - Complaints are dealt with in an open-minded and impartial way.
  - Responses are proportionate; one size does not fit all.
- **Credibility**
  - It is managed by someone who can take an overview and can implement change in the system.
- **Accountability**
  - Information is provided in a clear and open way and is managed.
  - There is regular monitoring to ensure timescales and satisfaction levels are met.

2.6 The Council has used the above as a check list to ensure that our system is robust and provides valuable data for improvement but also to ensure the system is as simple as it can be.

2.7 In reviewing our present system the Council does have a three stage approach as detailed below.

(a) Stage One - resolved by the service quickly and complainant satisfied.

(b) Stage Two - complainant not happy with stage one and referred to senior officer.

(c) Stage Three - complainant to Council not happy with response at stage two and it would then be investigated by the monitoring officer.

2.8 Having reviewed other Surrey/Hampshire Districts' complaints systems, officers would conclude that the three stage complaint process does provide a procedure that is accessible and fair to the community and does fulfil the guidance on good practice. It also allows the Council to try to resolve complaints before Ombudsman involvement.

2.9 Having reviewed the complaints system the areas that the Council needs to improve are

- communications on our system to staff and the Community
- accountability
- credibility

#### Communications – Changing the Culture

2.10 One of the key issues is to engage staff in the process and ensuring a belief that the purpose of a complaints system is to put right what has gone wrong and to learn from it.

2.11 The first action will be to rebrand the complaints system to "Tell us" how we're doing, (comments, suggestions and complaints). For staff this is a more positive approach. It is not just about what we do wrong it can also be about suggestions and comments.

2.12 The process of recording will be simple and either a manual or e-form. The form will be logged or sent back to Customer Services who will allocate a unique

reference number. The customer service team will be responsible for tracking any complaints not dealt with straight away.

- 2.13 The Head of Customer Services is establishing a small officer group to drive through the implementation of the Customer Services Strategy and the complaints systems will be part of this groups responsibility. The group will provide the system.

#### Communications and Accountability - Staff Engagement

- 2.14 The updated complaints system will be launched as part of the new Customer Service Strategy.
- 2.15 The lead officer for the Customer Service Strategy and the complaints system will be the Head of Customer Services (John Foggo). The Head of Customer Services will be the Champion and provides the accountability for the complaints system.
- 2.16 The process for re-launching will be
- (a) Via the weekly meetings of the Service Managers Network.
  - (b) Via team meetings.
  - (c) Via staff meeting.

#### Credibility

- 2.17 Management Team will review the complaints data and will provide the challenge at an officer level with the PMR committee receiving update by categories as An agenda item. Once a year the Standards Committee will review all the information on complaints and, as appropriate, will ask PMR to scrutinise specific service complaints.

### **3. OPTIONS ANALYSIS**

- 3.1 The Council has the option to re-launch the complaints system with some minor changes and review its success in April 2010 or the Council could continue as it is with inadequate monitoring.
- 3.2 One of the key areas of the Customer Services Excellence Award as achieved by Housing Benefits and Council Tax is that there is a robust complaints system. For this reason alone to do nothing is not regarded as a viable option.

### **4. PROPOSALS**

- 4.1 The present procedure (**Appendix 1**) will be re-launched but rebranded.
- 4.2 The complaint will be logged in a simple e-form or on a manual form and will be forwarded to Customer Services who will manage the information.
- 4.3 There will be 4 categories of complaints:
- (a) Policy
  - (b) Services Delivery
  - (c) Customer Care
  - (d) Member complaints on the above issues

Complaints will also be identified by ward as this will provide useful information for Members.



- 4.4 Customer Services will manage the complaints system as a key function of the Customer Service Strategy. Reports will be prepared for Management team every quarter and this information will also be reported to the appropriate committee.
- 4.5 One of the key areas that the Council needs to improve on is publishing the process to staff and public. Communication is seen as a key feature of an effective complaints procedure.
- 4.6 It is proposed that we rebrand the system as “Tell Us how we are doing” and that this is launched via the Council’s web site and Borough Bulletin. The web site will need to be updated so only relevant information is provided.
- 4.7 As appropriate our marketing material will be updated to promote the fact that the Council wants to know:
- What we are getting right?
  - How a customer feels we can improve our service?
  - What a customer feels the Council should be doing differently?

#### Reporting of suggestions/complaints to the Community

- 4.8 An effective complaints procedure has a feedback process and this means not just back to the individual. Good authorities will tell people what have been the issues and how they have been resolved. The Customer Service Champion will provide feedback on general issues on the website and via the Bulletin.

### **5. BENEFITS AND SUSTAINABILITY**

- 5.1 A good learning organisation will use complaints and suggestions to improve service delivery and drive up customer satisfaction.

### **6. FINANCIAL IMPLICATIONS**

- 6.1 There will be the need to update leaflets but this will be managed in existing budgets.

### **7. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

- 7.1 The complaints system will be accessible to all and as such will support equality and diversity.

### **8. RISKS AND HOW THEY WILL BE MITIGATED**

- 8.1 The key risk will be staff engaging with the process and as such this is why the system needs to be simple and timely. In branding the system, the Council aims to engage staff and the Community.

### **9. TIMETABLE FOR IMPLEMENTATION**

- Report to Cabinet October 2009.
- Launch November 2009
- Report to Policy Performance and Review June 2010.

**Report Author: Liz Borthwick, Assistant Chief Executive, contact 01784 446376  
John Foggo, Customer Services Manager, contact 01784 446388**

#### **Background Papers:**

**Local Government Ombudsman Guidance of running a complaints system.**

**UPDATE ON SAFEGUARDING POLICY AND PROCEDURES  
(CHILDREN AND YOUNG PEOPLE AND VULNERABLE ADULTS)**

**Resolution Required**

**Report of the Assistant Chief Executive**

**EXECUTIVE SUMMARY**

**How does the content of this report improve the quality of life of Borough Residents**

Updating the safeguarding policies for children and vulnerable adults helps protect the more vulnerable in Spelthorne.

**Purpose of Report**

The purpose of this report is to update the Council's safeguarding policy and to procedures for children and vulnerable adults and to promote the importance of safeguarding the most vulnerable. The report also highlights future changes with the introduction of the Independent Safeguarding Authority (ISA).

**Key Issues.**

- Changes in personnel at the Council.
- Outcome of Joint Area Review at Surrey County Council.
- Need to remind staff about the importance of safeguarding.
- National issues such as the "baby P" case.
- Strict guidance about Criminal Record Bureau Checks (CRB).
- New Independent Safeguarding Authority (ISA).

**Financial Implications**

- There are no direct financial issues arising from this report.

**Corporate Priority** Children Younger People, Health and Independent Living, Communications, Housing, Community Safety.

**Officer Recommendations**

**The Cabinet is asked to agree the updated safeguarding policy and procedures for children, young people and vulnerable adults - Appendices 1 and 2 [copies in the Members' Room].**

**Contact: Liz Borthwick, Assistant Chief Executive, contact telephone 01784 446376  
Cabinet Members: Councillors Mrs. Denise Grant and Simon Bhadye**

## MAIN REPORT

### 1. BACKGROUND

- 1.1 The outcome of the review of the Victoria Climbié case by Lord Laming resulted in the updated legislation Every Child Matters. Every Child Matters places better outcomes for children, family and the centre of all policies and approaches involving children services. These outcomes are:
- Be healthy
  - Stay safe
  - Enjoy and achieve through learning
  - Make a positive contribution to society
  - Achieve economic well-being
- 1.2 Every Child Matters also requires all lead Authorities of Children Services to establish a Children's Trust, which for Spelthorne is Surrey County Council. Also District and Borough Councils were given a duty to Safeguard and co-operate in improving the outcomes for children and young people.
- 1.3 The Council has had a policy and procedure for safeguarding children since 2004. Many staff at that time were involved in a training programme to ensure an understanding on what they needed to be aware of and what they needed to do in regards to safeguarding issues.
- 1.4 Although there is no statutory requirements for Districts and Boroughs to support the safeguarding of vulnerable adults, all Districts and Boroughs have signed up to Surrey County Council's Safeguarding protocol for vulnerable adults.
- 1.5 Over time staff responsible for safeguarding at Spelthorne have left and many processes have changed in SCC. SCC have a very poor Joint Area Review (JAR) in 2008 resulting in major changes as how they operate with partners and more importantly how they support children and young people.
- 1.6 Media attention was again focussed on safeguarding of children with the "Baby P" case in Haringey which had a devastating effect on the Council
- 1.7 There will be the introduction of the new Independent Safeguarding Authority (ISA) October 2009 which could result in further changes.

### 2. KEY ISSUES

- 2.1 Officers felt it was appropriate to review and refresh the safeguarding policy and procedures for Spelthorne for the following reasons:-
- a) Change in staff
  - b) Joint Area Review of Surrey County Council
  - c) Baby P case
  - d) Regulation surrounding who should and should not be CRB checked.
  - e) New Independent Safeguarding Authority.
- 2.2 The New Independent Authority  
The murder of Jessica Chapman and Holly Wells in 2002 led to the Bichard Inquiry. One of the issues identified the way employers recruit people to work with children and vulnerable adults.

- 2.3 The Inquiry recommendations led to the Safeguarding Vulnerable Groups Act 2006 which recognised the need for a single agency to vet all individuals who want to work or volunteer with vulnerable people.
- 2.4 The ISA (England, Wales and Northern Ireland) should from October 2009 administer a list of people considered unsuitable to work with children and vulnerable adults. The ISA will work closely with the CRB to decide who goes on the ISA barred list. Information about people's ISA status will be securely stored for employers and voluntary organisations to use when recruiting. Final details of the scheme such as definitive lists of those who need to be registered have not been issued but the key dates are as follows:

October 2009

- Wider definition of Regulated Activities
- Two new barred lists in one central organisation (at present three Government Departments involved).

July 2010

- People new to the workforce or working now in regulated activities may apply for ISA registration.

Nov 2010

- The legal requirement for employees to register with the vetting and barring scheme and employees to check their status coming into force in November 2010.

Nov 2011

- Ensuring employees and volunteers with no CRB check must apply for ISA registration at its regulated authority.

- 2.5 During this time the Council's safeguarding policies and recruitment policies will need to be updated as appropriate.

### **3. OPTIONS ANALYSIS**

- 3.1 To adopt updated safeguarding policy and procedures, or not to adopt.

### **4. PROPOSALS**

- 4.1 A full copy of the policy and procedures for Children and Young People and Vulnerable Adults is available in the Members room, but the key areas to highlight are as follows:

#### **4.2 Staff who need CRB checks**

It is not appropriate for all staff to be CRB checked, in fact the Council could lose its registration if we abuse the strict criteria. Posts that require a CRB check are listed in the policy (confidential area) including the posts that require an enhanced CRB disclosure. Human Resources will retain this list and make appropriate checks as needed.

#### **4.3 Training for new employees and members**

All new employees attend induction training which includes information on safeguarding and child protection, and a handy guide on what to do if they have concerns is being produced for staff.

- 4.4 Existing staff will have safeguarding leaflets with payslips and a short presentation at staff meetings. All employees will undertake e-learning module on Spelnet which is also available to Members.
- 4.5 Staff who have regular contact with the public as part of their job will undertake a half day training (provided by Surrey shared training.) Staff who work on a very regular basis with children, young people and adults will take further training as approved by the Surrey Safeguarding Board. (Details of which staff are involved is detailed in the policy).
- 4.6 Members  
Member training will take place through a Members Seminar but also they have the opportunity to e-learn and Members should attend as it is likely that they could visit the homes of vulnerable adults or meet with young people. As part of the Mayor, Deputy Mayor induction, a briefing will take place with an officer to ensure an understanding of safeguarding.
- 4.7 Named Officers  
It is appreciated that some staff have more experience with dealing with safeguarding issues than others and a list is enclosed in each policy. It will be the responsibility of the named officers to record identified issues on a secured electronic site.
- 4.8 Common Assessment Framework for Children & Young People (CAF)  
At present the Common Assessment Framework (CAF) is under review and as such there could be a requirement to update Spelthorne's procedure if required. It is proposed to issue all staff with a postcard leaflet identifying the process for children and young people and vulnerable adults as detailed in **Appendices 1 and 2 [copies in the Members' Room]**.

## **5. BENEFITS AND SUSTAINABILITY**

- 5.1 Having clear guidelines will enable the Council to fulfil its duty to safeguard Children and Vulnerable Adults.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 At present there are no additional cost arising from this report. The training is provided by Surrey County Council or in-house and any promotional/information material is accounted for within existing budgets.

## **7. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

- 7.1 The Council has a duty to safeguard Children and Young People under Every Child Matters.

## **8. RISKS AND HOW THEY WILL BE MITIGATED**

- 8.1 Safeguarding issues if not identified correctly can ultimately result in the death of a child or a vulnerable adult so the consequences are high. Providing training, guideline and support for staff will help to ensure that children and vulnerable adults are safe.

## **9. TIMETABLE FOR IMPLEMENTATION**

- 9.1 Training to commence November 2009.

**Report Author: Liz Borthwick, Deputy Chief Executive, telephone 01784 446376**  
**Background Papers: Every Child Matters, Briefing note on the Independent Safeguarding Authority (ISA).**

**SURREY CLIMATE CHANGE STRATEGY – KEY DECISION**

**Resolution Required**

**Report of the Assistant Chief Executive**

**EXECUTIVE SUMMARY**

**How does the content of this report improve the quality of life of Borough Residents**

By tackling climate change issues we can identify savings for residents in the short term whilst longer term provide information on adaptation to climate change, which will enable residents to cope more effectively with climate change.

**Purpose of Report**

To approve the Surrey Climate Change Strategy.

**Key Issues**

- The Surrey Climate Change Partnership (officers and members)
- Surrey Improvement Partnership
- Meeting LAA targets on climate change (10% reduction) and longer term targets set by the 2008 Climate Change Act.

**Financial Implications**

- Staff time
- Savings achieved through efficiencies measures options and joint working
- Possible future invest to save projects

**Corporate Priority**

Environment

**Officer Recommendations**

**The Cabinet are asked to**

1. **Approve the Surrey Climate Change Strategy [copy in Members' Room].**
2. **Support through the Surrey Climate change members group development of the strategy work streams.**

**Contact: Bob Coe Assistant Chief Executive 01784 446300**

**Portfolio Holder: Councillor Gerry Forsbrey**

## MAIN REPORT

### 1. BACKGROUND

- 1.1 This report introduces a county-wide Climate Change Strategy which has been commissioned by the Surrey Climate Change Partnership (SCCP) as part of a climate change project funded by the Surrey Improvement Partnership (SIP).
- 1.2 The context for the Strategy is established by explaining the roles of the SCCP, SIP and the climate change project. The Strategy has been designed to give strategic direction on climate change action and activity for local authorities within Surrey whilst recognising the different levels of existing activity and support for this agenda.
- 1.3 The strategy has been developed with officers attending the SCCP and the strategy has been amended in line with feedback. The strategy has also been endorsed by the first meeting of the Surrey Members Climate Change Group on 30 September. The SCCP members and officers would like endorsement of the Strategy by Members and senior officers at each local authority by autumn 2009.
- 1.4 The Surrey Climate Change Partnership (SCCP) is an officer group attended by representatives of all eleven districts and borough councils and the County Council.
- 1.5 The Partnership was established to
  - facilitate and develop joint working on climate change issues;
  - develop best practice, which can be shared throughout the county and region; and
  - create a Surrey wide approach that can lead to improvement and efficiency
- 1.6 The Surrey Improvement Partnership (SIP) is part of [Improvement and Efficiency South East \(IESE\)](#). The partnership is designed to bring together all of the local authorities in Surrey to deliver improvements and efficiencies in local government services throughout the County.
- 1.7 SIP is funded by Improvement and Efficiency South East and it is one of seven such partnerships in the South East. It sits under the guidance and management of the Surrey Local Government Association (SLGA). More information is available at [www.surreyimprovement.info/sip](http://www.surreyimprovement.info/sip)
- 1.8 There are currently six projects under SIP
  - Officer learning and development
  - Enhanced neighbourhood engagement
  - Surrey together
  - Infrastructure Capacity in Surrey
  - Member development
  - Creating Capacity to address climate change targets

- 1.9 The overarching objectives of the SIP climate change project are:
- Joint working and sharing good practice.
  - Build capacity to address climate change.
  - Promote local and national good practice and disseminate learning
- 1.10 It is essential that project benefits are realised both across the county and that they can be shared and replicated across the South East region.
- 1.11 Member training sessions about the climate change project have been run through May, June and July. Further details about the training session and project are available
- 1.12 One of the work streams of the SIP climate change project has as its objectives the production of a Surrey-wide climate change strategy which will provide a 'core strategy' that establishes agreed objectives and actions for Surrey local authorities. The SCCP leads on this work stream and as such commissioned Jacobs consultants to create a county-wide Climate Change Strategy
- 1.13 The Brief given to Jacobs stated that the Strategy should
- Establish a consistent approach and overarching county policy
  - Build on work to date and plan future activity through identified work streams
  - Communicate key messages internally within local authorities and externally to residents
  - Provide an exemplar approach for the South East region
- 1.14 It was important to the SCCP and to Jacobs to recognise existing levels of activity across Surrey authorities in relation to climate change action. As such Jacobs undertook an activity review which consisted of:
- Reviewing current activity against themed climate change areas.
  - Reviewing individual authority strategies and action plans.
  - A programme of meetings with all 12 SCCP council representatives.
  - Further follow up to obtain information on SCCP member activity.
- 1.15 Following the activity review a series of observations around how the Strategy should be developed were established:
- A top level strategy giving common direction to Surrey local authorities, whilst recognising, and not compromising, individual authority activities and strategies already in place.
  - Member and senior officer support is essential to the delivery of the strategy's objectives.
  - Recognition of the need for a wide variance in levels of resource and investment.



- The Strategy will provide a useful and consistent approach to reporting for climate change National Indicators.
- There should be a range of good practice examples from different local authorities within different areas of activity.
- The Strategy must recognise the need to engage with the community for effective delivery of NI186 (per capita reduction in CO<sub>2</sub> emissions in the LA area).
- Common priorities for Surrey local authorities were agreed as: the need to engage with the business community and schools; the need to increase the profile and show leadership on climate change activities; and an increased focus on climate change adaptation.

## **2. Options Analysis**

- 2.1 By supporting the strategy the Council would be supporting its own priority of environment, partnership working between Surrey authorities and tackling the issues of climate change which have the potential to have significant environmental, financial and social impacts on residents, businesses and communities in Spelthorne.
- 2.2 If the Council were not to support the strategy we would be missing the opportunity to work in partnership and also risk not achieving LAA and national indicator targets.

## **3. Proposals**

- 3.1 It is proposed that the Council support the strategy and further development of the action plan by the Surrey Climate Change Partnership, through the action plan.

## **4. BENEFITS AND SUSTAINABILITY**

- 4.1 Climate change is an issue that faces us across the globe. Increasingly society and Governments are becoming more aware of the implications and likely urgent timescales within which we need effective action. Without starting to take action now we will face increasing costs to services and the community.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The Council has already invested in energy efficiency projects which have resulted in savings of 10% (£4,500 year on year) on energy bills for Knowle Green. However, working in partnership will bring opportunities for sharing costs and joint projects to meet the climate change targets.
- 5.2 As for the SALIX programme climate change projects will be brought before Cabinet for agreement e.g. Tothill car park lighting and other projects are being developed.

## **6. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

- 6.1 At this stage of the Action Plan there are none.

## **7. RISKS AND HOW THEY WILL BE MITIGATED**

- 7.1 Not addressing climate change will miss opportunities to save our community money through resource efficiencies. Also not looking at opportunities to adapt to climate change could have significant financial and environmental implications

for our services either through issues such as flooding or impact on services such as grass cutting.

## **8. TIMETABLE FOR IMPLEMENTATION**

- 8.1 The action plan and timetable will be further developed by SCCP but within the sustainability strategy there are Spelthorne orientated projects on climate change which are timetabled.

**Report Author: Sandy Muirhead, Head of Environment Services, Tel: (01784) 446318.**

**Background Papers:**

**[Appendix 1 Surrey Climate Change Strategy](#)**

## **REVIEW OF CONTRACT STANDING ORDERS**

### **Recommendation Required Report of Deputy Chief Executive EXECUTIVE SUMMARY**

#### **How does the content of this report improve the quality of life of Borough Residents**

Not applicable.

#### **Purpose of Report**

To obtain the necessary consent for the amendment of the Contract Standing Orders which form part of the Council's Constitution.

#### **Key Issues**

- Amendments and restructuring of the Council's Contract Standing Orders, to ensure greater ease of use and incorporate reform requests from various Services.

#### **Financial Implications**

There are no immediate financial implications.

#### **Corporate Priority**

Not applicable.

#### **Officer Recommendations**

**The Cabinet is asked to recommend the Council to approve the revisions to the Contract Standing Orders as detailed in Appendix 1 to this report and to authorise the Head of Corporate Governance to make the necessary amendments to the Council's Constitution.**

**Contact: Michael Graham, Head of Corporate Governance, 01784 446227  
Cabinet Member: Councillor Mrs Vivienne Leighton**

## **MAIN REPORT**

### **1. BACKGROUND**

- 1.1 The Constitution is a working document for both staff and councillors. It should reflect and encourage best practice and modern methods of working. By revising the Contract Standing Orders and removing inconsistencies, it is ensured that officers are able to easily check and adhere to the rules and requirements placed on them.
- 1.2 The revised version of the Contract Standing Orders is easier to read and understand. By demystifying the rules relating to the procurement process, staff will be able to concentrate on the importance of assessing the whole life cost of procurement and how it is going to benefit the residents of Spelthorne, rather than be tied down with administrative work.
- 1.3 Carrying out a consultation process with the Service departments it emerged that staff wished to have a simpler document to work with. This proposal takes staff concerns into account.

### **2. KEY ISSUES**

- 2.1 Contract Standing Orders have been amended to revise some of the financial thresholds which have been highlighted as an impediment to service delivery by Officers. Under the previous Standing Orders there was no simplified process for the most minor procurements. Formal contracts had to be drafted for all procurement undertaken. This resulted in unnecessary delays for minor contracts, requiring a quick response. In addition, there are occasions where the standard terms and conditions of the supplier do not pose a risk to the council and can be accepted.
- 2.2 By creating a simplified procedure of rules for minor contracts, (£0 to £5,000) it is ensured that can spend more time in searching for the right solution rather than be tied down in the administrative work of implementing it. The procedure facilitates a quick response to challenges, while ensuring staff consider the risks to the Council, and obtain the best value possible. By freeing up the time of staff on minor works, it is ensured that they have greater time for due diligence, on more significant procurement projects.

### **3. OPTIONS ANALYSIS**

- 3.1 One option is to retain the current document, but the Council will have to continue to work with inconsistencies and outdated information and practices.

### **4. PROPOSALS**

- 4.1 The proposal being put forward to the Cabinet is that the amendments to the Constitution with regards to Contract Standing Orders are agreed as shown in [Appendix 1](#) and that a recommendation is put forward to Council that these be accepted.

### **5. FINANCIAL IMPLICATIONS**

- 5.1 There are none identified.

### **6. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

- 6.1 None apparent. .

## **7. RISKS AND HOW THEY WILL BE MITIGATED**

- 7.1 With any vital change comes the responsibility to ensure that all staff are made aware of the change in their responsibilities. Legal Services will run a procurement refresher for all staff involved with procurement. In addition the Council's procurement handbook has been updated to reflect the proposed changes to create a unified and watertight self reinforcing system that is easy for all staff to use and understand.

## **8. TIMETABLE FOR IMPLEMENTATION**

- 8.1 Report and the amended version of the Contract Standing Orders should go before Cabinet on the 27th of October 2009, and be put before Council for ratification on the 29th of October 2009. Whilst this timetable is short between Cabinet and Council it will allow staff to proceed with the rollout of the new electronic procurement portal.

**Report Author: Laszlo Zsoldos (Legal Officer) 01784 446332**

### **Background Papers:**

There are none.

**THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH  
ACT 2007 - NEW POWERS FOR OVERVIEW AND SCRUTINY  
COMMITTEES**

**Recommendation Required  
Report of the Deputy Chief Executive  
EXECUTIVE SUMMARY**

**How does the content of this report improve the quality of life of Borough Residents**

Not applicable

**Purpose of Report**

This report gives an overview of recent changes in legislation that will provide new powers for overview and scrutiny committees aimed at empowering communities and enabling local people, through their councillors, to participate in decisions that affect their day to day lives.

**Key Issues**

- Councillor Call for Action
- Delegation of council functions to individual councillors
- Requiring information from partner authorities
- Establishing joint county and district overview and scrutiny committees
- Enhancing the powers of district overview and scrutiny committees

**Financial Implications**

The Councillor Call for Action has minimal financial implications but there is a need for monitoring to establish trends and effects on staff time and resources.

Delegated powers to Members, if adopted, could have considerable resource implications, given the significant financial constraints within which the Council is currently operating.

**Corporate Priority:** All Corporate Priorities

**Officer Recommendations:**

1. **that all Members note the new scrutiny powers contained in the Local Government and Public Involvement in Health Act 2007, and in particular the Councillor Call for Action;**
2. **that Cabinet is asked to recommend to Council, the arrangements for operating the Councillor Call for Action (CCfA), as set out in this report, Appendix 2 (flowchart) and Appendix 3 (Councillor CCfA form);**
3. **that the Head of Corporate Governance be authorised to amend the Constitution to facilitate the arrangements for CCfA;**
4. **that a CCfA will initially be discussed by the Member putting forward the Call for Action with the Chairman of the relevant Scrutiny Committee together with the appropriate scrutiny Lead Officer, to agree how it should be processed.**

5. **that the Performance Management and Review Committee be asked to review the Councillor Calls for Action procedure after one year's operation; and**
6. **that in the current economic climate the option to delegate powers to Councillors under s236 of the Act be deferred and reviewed in a year's time when operational and financial data may be available from other local authorities which have implemented s236 of the Act;**

**Contact: Michael Graham, Head of Corporate Governance 01784 446227  
Cabinet Member : Councillor Colin Davis**

## MAIN REPORT

### 1. BACKGROUND

1.1 The Local Government and Public Involvement in Health Act 2007 includes a number of provisions designed to enhance councils' scrutiny powers. These provisions are:

- Councillor Call for Action
- Delegation of council functions to individual ward councillors
- Requiring information from partner authorities
- Establishing joint county and district overview and scrutiny committees
- Enhancing the powers of district overview and scrutiny committees

1.2 In some instances these changes will require amendments to the Council's constitution and the development of protocols, taking into account Regulations and Guidance produced by Government and the Centre for Public Scrutiny (CfPS), a summary of which is attached at [Appendix 1](#). The full version is available at <http://www.idea.gov.uk/idk/aio/9410414>. A copy will also be placed in the Members room.

### 2. KEY ISSUES

#### Councillor Call for Action

2.1 The Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006 introduced new powers for ward councillors to help them tackle constituency problems. Councillors now have the ability to call for debate and discussion at Overview and Scrutiny (O&S) Committees, a topic of concern in their neighbourhood. This power is known as the "Councillor Call for Action" (CCfA). The powers are limited to issues affecting single council wards, and referring items to scrutiny should always be a last resort. Calls for action need to relate to local government matters, although the intention is that this should be interpreted in a broad sense and include issues relating to the Council's partners. More general policy issues (affecting more than one ward) can still be dealt with by Overview and Scrutiny Committees under their existing powers.

2.2 Any member of an authority can bring a CCfA on any issue they choose, subject to the following exceptions specified in the Overview and Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2008:

- if a CCfA is vexatious
- where it deals with an individual complaint
- if it concerns an individual licensing or planning matter

2.3 CCfA is designed as a long stop to be used when all other attempts at resolution have failed. It is not designed to provide an immediate solution, but offers a chance to bring a pressing issue to a wider audience and to discuss such issues in an independent, neutral forum.

2.4 A ward councillor can refer a matter even if no constituent has asked them to consider it, and there is no requirement for councillors in multi-member wards to consult or agree with the others. Any one of them can refer a matter.

2.5 Councillors will be expected to demonstrate what action has been taken to resolve a matter before raising a call for action, such as:



- ensuring that any relevant complaints procedure has been followed;
- discussions with the relevant service manager have taken place;
- discussions with relevant partners or partnership bodies have been held; and
- discussions with the relevant Cabinet Member have taken place.

- 2.6 The focus of the CCfA is on neighbourhood or locality issues and specifically the quality of public service provision at a local level such as a series of complaints about a service, which demonstrate a continuing trend of poor performance.
- 2.7 It is important to recognise that Councillor Call for Action is not guaranteed to solve a given issue. Councillor Call for Action provides a method for discussing such issues and, through discussion, trying to overcome them. It is not designed to provide an immediate solution and, as such, a key part of the process will be managing the expectations of members and the community of the outcomes that CCfA can achieve.
- 2.8 Another Act of Parliament, the Police and Justice Act 2006 (which is the subject of a separate report), makes similar provision for a CCfA for crime and disorder and community safety issues. However, CCfA for crime and disorder matters procedures have been made the same as for local government matters, in order to minimise unnecessary bureaucracy.
- 2.9 Legislation and guidance has left it to councils to develop local CCfA procedures that best suit individual councils, although it is expected that a local authority would agree a single process for operating CCfA under both Acts.
- 2.10 Best practice guidance on the scrutiny of local government matters has been published by the Centre for Public Scrutiny / Improvement and Development Agency, which covers CCfA, scrutiny of partner organisations, and powers relating to joint committees and scrutiny by District Councils.
- 2.11 In general, a councillor would be able to approach the chairman of the relevant O&S Committee to request that a CCfA on an issue be considered at committee. The chairman would then decide if a CCfA was appropriate, based on the council's procedure and the rules on exclusions. If agreed, the issue would be placed on the agenda for a subsequent meeting.
- 2.12 Once a Call for Action has been referred, scrutiny committees would be able to use their powers to invite officers and representatives of partner organisations to attend, and to request information. To this end, regulations and guidance are expected on new powers to scrutinise a wide range of national, regional and local bodies.
- 2.13 These new powers for Overview and Scrutiny Committees may have a positive impact in delivery of LAA target NI4 – the percentage of people who feel they can influence decisions in their locality. It is also a LSP priority target. In addition there are a range of LAA indicators relating to crime and disorder.
- 2.14 The new legislation also introduces the opportunity for a District Councillor to request that a County Scrutiny Committee considers an issue and vice versa. In all instances, however, the intention is that the Councillor will have tried all other means at their disposal to resolve an issue before raising a CCfA.

2.15 In response to the above issues, two documents have been drafted to assist the Council in operating CCfA arrangements. The documents, which are attached are as follows:-

[Appendix 2](#) (flowchart)

The draft flowchart explains the path(s) a CCfA issue could take.

[Appendix 3](#) (CCfA form)

The draft form is an example of what Members would need to complete and submit with accompanying evidence, to initiate a Councillor Call for Action.

2.16 These appendices have been compiled following research with other local authorities and are put forward for adoption by the Council and it is suggested that they then be reviewed by the Performance Management and review Committee after one year's operation. This approach will assist the Council in complying with the recent legislative changes whilst enabling the scrutiny of procedures which will ultimately need to replace the proposed interim measures.

### **Delegation of council functions to individual councillors**

2.17 Under section 236 of the Act, councils will also be permitted to delegate functions to individual councillors to allow them to make decisions at ward level. Supplementing the call for action provisions, the aim is to enhance the role of ward councillors and to let them get things done without going through the existing formal decision-making process.

2.18 However unlike the CCfA, these powers are optional. Any council choosing to progress this option would need to put in place appropriate support for councillors, including arrangements for the recording of decisions.

2.19 The CfPS also provides guidance for those councils that wish to use their powers to delegate functions under s236, and suggests ways that this might be done so as to complement CCfA and existing neighbourhood working arrangements.

2.20 If the Council decides to delegate powers to individual Members under s236 of the Act the training, support structure, monitoring and recording of their decisions will undoubtedly have staffing and therefore financial implications. It is suggested, particularly in the current economic climate, that this matter be deferred and reviewed in a year's time when operational data may be available from other local authorities who have implemented s236 of the Act.

2.21 If the Council decides to use these powers of delegation, I will look at this legislation and any associated guidance and report to a future meeting on proposed procedures to support Councillors and any required amendments to the Constitution.

### **Requiring information from partner authorities**

2.22 Section 121 of the Act concerns the information that, in a two tier area, the County Council or partners (other than a police authority or chief constable) should make available to a district council overview and scrutiny committee in relation to targets within the Local Area Agreement.

2.23 It also covers other information which the County Council or partners may have that might facilitate the work of the overview and scrutiny committee generally.

- 2.24 The government envisages making only limited regulations on these matters, setting out information that must be disclosed and information that may not be disclosed by partner and associated authorities to scrutiny committees.

### **Establishing joint County and District overview and scrutiny committees**

- 2.25 Section 123 of the Act allows the Secretary of State to make regulations enabling a county council in a two tier area to establish a joint overview and scrutiny committee with one or more district councils in the area.
- 2.26 The aim of these joint committees is to enable authorities to work together collaboratively to make reports and recommendations on progress being made in meeting LAA targets.
- 2.27 The Government proposes to develop this new power further in Clause 28 of the Local Democracy, Economic Development and Construction Bill that is currently before Parliament, which expands the remit of joint committees to include anything that affects the area of the group of partner authorities or the inhabitants of that area.
- 2.28 The CfPS is currently preparing guidance on the arrangements around joint committees, and it is hoped that this will be available shortly.

### **Enhancing the powers of district overview and scrutiny committees**

- 2.29 Section 124 of the 2007 Act enables district overview and scrutiny committees to play an active role in scrutinising the delivery of LAA targets connected to the district council's area.
- 2.30 The Government is proposing to make regulations in relation to these powers that will allow district council overview and scrutiny committees to make reports and recommendations on a matter relating to an LAA improvement target to the relevant county council. The county council will then be required to respond within two months to the district council scrutiny committee's report.
- 2.31 The CfPS is also preparing guidance on this new power, although there is no indication yet as to when this will be published.

## **3. OPTIONS ANALYSIS**

- To consider the delegation of powers to Members
- To defer the implementation of delegation of powers to Members

- 3.1 As far as the CCfA is concerned not to implement this part of the legislation is not an option.
- 3.2 The delegation of powers to ward councillors is however, optional but may have financial implications in setting up, training and providing a support structure for members in order for their decisions to be carried out, recorded and monitored.
- 3.3 The preferred option is to introduce the procedure outlined in this report to enable CCfA powers contained in the Act to be operated with immediate effect, followed by a review by the Performance Management and Review Committee after one year's operation.
- 3.4 In view of the financial implications and the current financial situation it is suggested that delegated decisions to ward councillors be deferred to allow those authorities who have decided to go ahead to give an indication as to

financial and service data so that proper budgetary provision can be made for the future.

#### **4. PROPOSALS**

- 4.1 It is proposed to introduce the procedure outlined in this report to enable CCfA powers contained in the Act to be operated with immediate effect, followed by a review by the Performance Management and Review Committee after one year's operation.
- 4.2 That with regard to delegated decisions to ward councillors be deferred for a year.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 Whilst there may be an increase in Scrutiny Committee business/meetings and officer time in preparing for CCfA's, this will depend on the amount of work generated by the new procedure and will need to be monitored carefully in the first year of operation to evaluate trends for future years and any financial implications. In the meantime the new procedures are expected to have a minimal impact and it is likely that expenditure may be contained within existing budgets.
- 5.2 However, if the Council decides to delegate powers to individual Members under s236 of the Act the training, support structure, monitoring and recording of their decisions will undoubtedly have staffing and therefore financial implications.

#### **6. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

- 6.1 The CCfA is a legislative requirement and the Council must therefore put in place suitable arrangements to fulfil such requirements.

#### **7. RISKS AND HOW THEY WILL BE MITIGATED**

- 7.1 None apparent.

#### **8. TIMETABLE FOR IMPLEMENTATION**

- 8.1 Recommendation from Cabinet to Council for 17 December 2009 to allow members to become familiar with the proposals in this report.

**Report Author: Trevor Baker, Senior Committee Manager 01784 446267**

#### **Background Papers**

There are none.

## **POLICE AND JUSTICE ACT 2006 – IMPLICATIONS FOR OVERVIEW AND SCRUTINY**

### **Resolution and Recommendation Required**

#### **Report of the Deputy Chief Executive**

#### **EXECUTIVE SUMMARY**

**How does the content of this report improve the quality of life of Borough Residents** Not applicable.

#### **Purpose of Report**

This report outlines new scrutiny responsibilities arising under the Police and Justice Act 2006, which have recently come into force.

The provisions also allow residents to make complaints to ward councillors in respect of crime and disorder matters, which then have to be actioned – the Community Call for Action (CCfA).

#### **Key Issues**

- Legislative requirement for all councils to ensure that they have an overview and scrutiny committee with the power to consider crime and disorder matters
- Crime and Disorder Committees
- New role for councillors
- Constitution
- Training

#### **Financial Implications**

Some additional staffing time will be required which can be accommodated within current resources.

**Corporate Priority** Not applicable.

#### **Officer Recommendations**

The Cabinet is asked to recommend the Council on 17 December 2009 to:-

1. **Note the new scrutiny powers for crime and disorder arising under the Police and Justice Act 2006.**
2. **Note the new Community Call for Action [CCfA] role for all councillors.**
3. **Approve the preferred option for dealing with the scrutiny of crime and disorder in Spelthorne by designating the Performance Management and Review Committee.**
4. **Authorise the Head of Corporate Governance to make the necessary amendments to the Constitution.**
5. **Request that the Performance Management and Review Committee develop its Crime and Disorder Scrutiny Rules of Procedure in association with the Crime and Disorder Reduction Partnership [CDRP].**

**Contact: Michael Graham, Head of Corporate Governance 01784 446227**

**Cabinet Member: Councillor Frank Ayers**

## MAIN REPORT

### 1. BACKGROUND.

- 1.1 This report outlines the new responsibilities arising under the Police and Justice Act 2006 and Regulations, which have recently come into force.
- 1.2 The key provisions in the Act relating to Overview and Scrutiny are that:
- all local authorities will be expected to put in place arrangements, either individually or jointly with other local authorities, for committees which will review, scrutinise, and report on the decisions made and action taken by responsible authorities under the Crime and Disorder Act 1998 i.e. by the agencies in the Spelthorne Safer Stronger Partnership;
  - there is no requirement on a local authority to set up a separate committee specifically for crime and disorder, but it may choose to do so;
  - the Overview and Scrutiny Committee responsible for crime and disorder functions may set up one or more sub-committees and arrange for the discharge of its functions by any such sub-committee.
  - In addition, Councillor Call for Action for crime and disorder matters procedures will be the same as for local government matters, to minimise unnecessary bureaucracy. CCfA is the subject of a separate report.
- 1.3 The Act also allows the Secretary of State to issue guidance to local authorities, councillors of those authorities and Crime and Disorder Committees with regard to the exercise of their respective functions.
- 1.4 The Secretary of State has made regulations supplementing the provisions of the Act, and in particular these regulations:
- allow co-option of additional members to the Crime and Disorder Committee – with non-voting powers unless the Committee so determines;
  - include provisions as to the frequency with which such committees consider Crime and Disorder matters;
  - require information to be provided to the Committee by the responsible authorities and the co-operating persons and bodies;
  - impose restrictions in certain cases on such information provided
  - require officers or employees of the responsible authorities and the co-operating bodies to attend before the relevant committee to answer questions; and,
  - specify periods within which responsible bodies and co-operating bodies have to consider and respond to a report or recommendation of the committee.
- 1.5 The provisions will extend the remit of Overview and Scrutiny to include the ability to scrutinise the Community Safety Partnership activity (in Spelthorne's case the Spelthorne Safer Stronger Partnership (SSSP)) in relation to reducing crime and community safety issues, and should support the increased accountability of the Partnership for decisions and outcomes.
- 1.6 The definition of crime and disorder, in relation to a Member of a local authority called upon to exercise Councillor Call for Action, means a matter concerning:

- anti-social behaviour or other behaviour adversely affecting the local environment in the area represented by the Member, or
- the misuse of drugs, alcohol and other substances in that area.

## **2. KEY ISSUES**

### **Crime and Disorder Committees**

- 2.1 The new powers require authorities to identify responsibility for the scrutiny of Crime and Disorder Reduction Partnerships (SSSP) within the Council's overview and scrutiny arrangements. This can be within one or other of Spelthorne's existing overview and scrutiny committees and does not necessarily mean that a new or stand-alone committee has to be established.
- 2.2 This role, like that of health scrutiny, can involve contributions to strategy development, performance review, and in-depth enquiries into particular issues of local concern which need partnership solutions.
- 2.3 The Home Office has suggested that members of the police authority should be co-opted onto the Crime and Disorder Committee. These proposals have been developed in Regulations and Guidance to be issued by the Secretary of State.
- 2.4 Where any report is made to the authority or to the Cabinet, then it must also be provided to each of the responsible authorities named in the Act i.e. to the Police, PCTs and Fire and Rescue Authorities and also to each of the co-operating persons and bodies involved in crime and disorder partnerships under the Crime and Disorder Act 1998 and those specified in regulations by the Secretary of State.

### **New Roles for Members**

- 2.5 When considered in conjunction with the new "Councillor Call for Action" powers set out in the Local Government and Public Involvement in Health Act 2007, the Police and Justice Act 2006 provides similar and additional responsibilities on elected Members and emphasises their role as community "Champions" in respect of local issues, particularly in respect of crime and disorder.
- 2.6 The new Police and Justice Act 2006 imposes an entirely new duty on all councillors who are asked to consider a local crime and disorder matter by a person who lives or works in the area which the councillor represents.
- 2.7 Once notified:
  - the councillor must consider the matter and respond to the person who has asked for it to be considered, indicating what (if any) action the councillor proposes to take.
  - the councillor may refer the matter to the Committee considering crime and disorder matters.
  - Where the designated crime and disorder committee considers a matter referred to it by a Councillor, it shall consider the matter and make a report or recommendations to the Council or the Cabinet.
  - Any report or recommendation must also be referred to the responsible authorities and such other co-operating bodies as are considered appropriate.

- Anyone receiving a copy of the report or recommendations, either more generally in relation to crime and disorder, or in respect of a specific matter referred to a Member, must consider the report or recommendations and respond to the designated Crime and Disorder Committee indicating what action (if any) it proposes to take and must subsequently have regard to the report or recommendation in exercising its own functions.

## **Constitution**

- 2.8 Whichever option is chosen the Constitution will need to be amended.
- 2.9 In the case of a separate scrutiny committee it will be necessary to establish a Crime and Disorder Committee with a defined membership, excluding any Member of Cabinet, to deal with crime and disorder matters to discharge the scrutiny and review functions conferred by Section 19 and Schedule 8 of the Police and Justice Act 2006 and regulations made under Section 20 Police and Justice Act 2006 in relation to the Crime and Disorder Reduction Partnership.
- 2.10 If the Council decide to give the new scrutiny function to an existing Overview and Scrutiny Committee its Terms of Reference will need to be amended to include the following:
- (a) review and / or scrutinise decisions made or action taken in connection with the discharge by the Crime and Disorder Reduction Partnership of its crime and disorder functions;
  - (b) make reports and / or recommendations to the Council and / or any appropriate Committee in connection with the discharge of the Crime and Disorder Reduction Partnership functions, providing a copy to the responsible authorities and co-operating persons and bodies of the CDRP;
  - (c) consider "Councillor Calls for Action" concerning local crime and disorder matters; and,
  - (d) if it considers it appropriate, report annually to the Council on its workings.
- 2.11 Further consideration will need to be given to developing Rules of Procedure for the way in which the scrutiny committee engages with the CDRP along the lines of the Overview and Scrutiny Procedure Rules in the Constitution, but reflecting the provisions of the Police and Justice Act 2006 and the Crime and Disorder (Overview and Scrutiny) Regulations 2009. It is suggested that these are left to the scrutiny committee and the Partnership to draw up and agree and do not need to be incorporated in to the Constitution.
- 2.12 A scrutiny committee responsible for Crime and Disorder matters is only required to meet once a year.
- 2.13 It should be noted that the legislation gives powers to the local authority to scrutinise the CDRP, rather than the individual partners, with the role of the committee supporting:
- a focus based on policy and finding solutions;
  - the Crime and Disorder Reduction partnership, as a 'critical friend', providing it with constructive challenge at a strategic level rather than adversarial fault-finding at an operational level;
  - the fact that scrutiny is focused on improvement, on enhancing the performance of existing services, and on a constructive examination of the priorities of the partnership;



## **Government Guidance and procedure**

- 2.14 The changes to scrutiny outlined involve a significant development to the role of scrutiny in Spelthorne. These, together with the increased responsibilities of Members under the CCfA in the Local Government and Public Involvement in Health Act 2007, which is the subject of a separate report, will require further guidance. The government has produced detailed guidance, "Guidance for the Scrutiny of Crime and Disorder Matters – England – Implementing sections 19 and 20 of the Police and Justice Act 2006", a copy of which has been placed in the Members Room.
- 2.15 As mentioned in paragraph 2.1 above the procedure for calling a CCfA is the same as set out in the flowchart which accompanies the report on the Local Government and Public Involvement in Health Act 2007 New Powers for Overview and Scrutiny Committees.

## **3. OPTIONS ANALYSIS**

- 3.1 The Act and the Regulations do not require councils to alter existing committee structures. There must, however, be a formal place where community safety matters can be discussed. The crime and disorder scrutiny role could be undertaken by:
- a dedicated crime and disorder overview and scrutiny committee
  - the main overview and scrutiny committee, in those authorities which only have one or two scrutiny committees. The committee could establish task and finish groups with the specific remit to deal with crime and disorder scrutiny matters, while retaining the ultimate responsibility to look at community safety issues.
- 3.2 There is also an option for a Scrutiny Committee to set up its own sub-committee to deal specifically with Crime and Disorder issues. However, this matter would have to be decided by the Scrutiny Committee designated to take on board the new powers if this option was pursued.
- 3.3 The suggested option for the Council is to designate Performance Management and Review Committee as the crime and disorder scrutiny committee for Spelthorne.

## **4. PROPOSALS**

- 4.1 It is suggested that the Head of Community Safety and Corporate Services in consultation with the Cabinet Member for Community Safety, the Chairman of the Performance Management and Review Committee and the Chairman of the Crime and Disorder Reduction Partnership consider the best way of implementing this new responsibility in a way that adds value to the process but without adding unduly to the Committee's work programme, which is already congested.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The Crime and Disorder (Overview and Scrutiny) Regulations 2009 specify that the scrutiny committee shall meet at least once in every twelve month period. However, the Committee will be free to agree further meetings during the municipal year to meet the needs of its work programme. There will clearly be additional work for officers affected by preparing for the review of crime and disorder matters but at this stage it is anticipated that use of the CCfA power under the Police and Justice Act 2006 will have a minimal influence on the number of meetings the designated crime and disorder scrutiny committee is required to hold.

## **6. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

- 6.1 This is a legislative requirement and the Council must therefore put in place suitable arrangements to fulfil such requirements.

## **7. RISKS AND HOW THEY WILL BE MITIGATED**

- 7.1 None apparent.

## **8. TIMETABLE FOR IMPLEMENTATION**

- 8.1 Immediate.

**Report Author: Trevor Baker, Senior Committee Manager 01784 446267**

**Background Papers:  
There are none**