



To:
All members of the Council

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Date: 26 April 2018

Supplementary Agenda

Council - Thursday, 26 April 2018

Dear Councillor

I enclose the following items which were marked 'to follow' on the agenda for the Council meeting to be held on Thursday, 26 April 2018:

- | | |
|---|----------------|
| 10b. Recommendations from Cabinet | 3 - 8 |
| Anti-fraud, Bribery and Corruption Strategy | |
| 11. Report from the Leader of the Council | 9 - 10 |
| To receive the report from the Leader of the Council on the work of the Cabinet at its meeting held on 25 April 2018. | |
| 13. Report from the Chairman of the Licensing Committee | 11 - 12 |
| To receive the report from the Chairman of the Licensing Committee on the work of his Committee. | |

Yours sincerely

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To the members of the Council

Councillors:

M.M. Attewell
C. Barnard
R.O. Barratt
I.J. Beardsmore
J.R. Boughtflower
S.J. Burkmar
S. Capes
R. Chandler
C.A. Davis
S.M. Doran
S.A. Dunn
P.C. Edgington
Q.R. Edgington

T.J.M. Evans
K. Flurry
M.P.C. Francis
A.E. Friday
N.J. Gething
A.L. Griffiths
A.C. Harman
I.T.E. Harvey
N. Islam
A.T. Jones
J.G. Kavanagh
V.J. Leighton (Mayor)
M.J. Madams

A.J. Mitchell
S.C. Mooney
D. Patel
J.M. Pinkerton OBE
O. Rybinski
D. Saliagopoulos
A. Sapunovas
J.R. Sexton
R.W. Sider BEM
R.A. Smith-Ainsley
B.B. Spoor
H.A. Thomson
H.R.D. Williams

Recommendations of the Cabinet

Cabinet meeting held on 25 April 2018

1. Anti-fraud, Bribery and Corruption Strategy

- 1.1. We considered a recommendation from the Audit Committee to approve the changes to the Anti-fraud, Bribery and Corruption Strategy following its annual review.
- 1.2. **Cabinet recommends that Council** approves the amendments to the Anti-fraud, Bribery and Corruption Strategy, as attached at Appendix 1.

Councillor Ian Harvey
Leader of the Council

26 April 2018

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APPENDIX 1 - ANTI FRAUD, BRIBERY AND CORRUPTION STRATEGY

Introduction

1. This strategy is applicable to Members and staff. The Borough of Spelthorne is committed to providing a high standard of service and accountability. An important aspect of this is a strategy which protects against fraud, bribery and corruption within the Council itself and from external sources.

In this context

Fraud means - the illicit gaining of cash or other benefit by deception; and

Corruption means - the dishonest influencing of actions and decisions.

Bribery means – the offering, giving or soliciting of an inducement or reward which may influence a person to perform a function or activity improperly.

2. The Council recognises that it is already subject to a high degree of external scrutiny of its affairs by a variety of parties. This includes the general public, Council Tax / Business Rates payers, service users, The European Institute for combatting corruption and fraud (TEICCAF), the Local Government Ombudsman, Central Government, in particular, HM Revenue and Customs, the Department for Communities and Local Government and the Department for Work and Pensions.
3. It also has external auditors who advise whether the Council has in place adequate arrangements for the prevention and detection of fraud, bribery and corruption.
4. While this external scrutiny assists in protecting against fraud, bribery and corruption the Council believes a clear statement of its own strategy is needed.
5. The key elements of the Council's strategy to combat fraud, bribery and corruption are:
 - An open and honest culture
 - Adequate preventative measures
 - Systems for detection and investigation
 - Understanding and awareness within the Council and the adoption of a "whistleblowing" policy

Culture

6. The Council expects Members and staff at all levels to behave with integrity and propriety and to act within the law and the regulations, procedures and

practices laid down in relation to the conduct of the Council's business. The Council believes this is achieved best through the promotion of an atmosphere of honesty and openness.

7. The Council encourages Members and staff to raise any concerns they have about fraud, bribery and corruption immediately as they occur. It will treat all concerns raised, seriously and in confidence.
8. The Council has three senior officers who have particular responsibility for regulating the conduct of the Council and its activities. These are:

Chief Finance Officer (currently Terry Collier)

Responsible for the financial management, audit and financial probity of the Council and also for its proper personnel policies and practices.

Monitoring Officer (currently Michael Graham)

Responsible for the legal probity and avoidance of maladministration or injustice by the Council.

Chief Executive (currently Daniel Mouawad)

Responsible as Head of Paid Service for the overall management and direction of the Council and for ensuring adequate staff resources for services.

9. In addition each Group Head and senior manager have responsibility for the proper organisation and conduct of their service area.
10. Concerns should be raised with any of the above officers or with the Council's Internal Audit Manager (Punita Talwar).
11. More detailed guidance and advice on how to raise any concerns is contained in the Council's whistleblowing policy.
12. If anyone feels they are unable to raise their concerns through any of the above routes they may contact 'Public Concern at Work' (0207 404 6609), a registered charity whose services are free and strictly confidential.

Prevention

13. The adoption of proper and adequate measures to prevent fraud, bribery and corruption is the responsibility of Members, Chief Executive, Deputy Chief Executives, Group Heads and other managers. Preventative measures can be classified under two broad headings - Codes/Procedures and Systems.

1. Codes/Procedures

All Members and staff need to be aware of, and have ready access to, the Council's agreed policies and procedures eg. Financial Regulations,

Standing Orders, Codes of Conduct, **Code of Corporate Governance** and any relevant practice and procedure documents. **The Governance Framework has been developed and enhanced to reflect the increasing commercial asset acquisitions and investments.**

In particular staff must observe the Council's Code of Conduct for Staff (a copy of which is made available to all staff) and any relevant professional codes.

References will be taken up for all permanent and temporary staff to verify their suitability, honesty and integrity.

Members will in particular observe the Spelthorne code of conduct adopted on the 27 June 2012 and subsequently revised on 25 June 2013 any other local Spelthorne code. The Members Code of conduct is kept under review by the Members Code of Conduct Committee. Members will be supplied with a copy of any relevant code, policy and procedure and advised of their responsibilities.

In accordance with the Government's Serious and Organised Crime Strategy, an audit review is required to identify areas where Spelthorne is at most risk of being targeted by serious and organised crime, in close consultation with the local police. Organised crime includes drug trafficking, human trafficking, child sexual exploitation, high value fraud and cyber-crime. Group Heads and Managers will be providing input in assessing governance arrangements in place to combat risks in this area.

2. Systems

The Council has and will maintain in place systems and procedures which incorporate internal controls, including adequate separation of duties to ensure that, as far as possible, errors, fraud, bribery and corruption are prevented.

The Chief Finance Officer has a statutory responsibility under Section 151 of the Local Government Act 1972 to ensure the proper administration of the Council's financial affairs. Financial procedures detail key financial systems and provide guidance which underpins the Council's Financial Regulations.

Chief Executive, Deputy Chief Executives, Group Heads and managers are responsible for ensuring that appropriate internal controls are properly maintained.

A detailed analysis of the risks associated with any service should be carried out by managers (with assistance from Audit Services as necessary) to ensure that fraud, bribery and corruption is minimised.

Detection and investigation

14. Concerns should be reported to one of the individuals referred to in paragraphs 8 to 10 above or in accordance with the Council's whistleblowing policy. A detailed investigation of any concerns raised will be undertaken with the assistance of the Council's Internal Audit Service.

15. The Council will deal with any instances of fraud or corruption swiftly. Disciplinary action will be taken if appropriate after the police have been informed/involved, and the relevant Cabinet Member informed where necessary. Where the Council has adopted a prosecution policy for any business area (eg Housing Benefit Fraud or Housing register) this will be followed.
16. In the event that fraud is suspected on the part of contractors' employees or internally, by staff involved in agency or contract work on behalf of other bodies, procedures and responsibilities for reporting and initial investigation are the same as for staff. The Council will inform and involve employing contractors or agencies when appropriate.
17. Given the significance of corporate fraud in national and local statistics, the Council recognises the important role of its Fraud Investigation team in preventing and detecting fraud.
18. **Awareness**
18. The Council recognises the continuing effectiveness of the Anti Fraud, Bribery and Corruption Strategy depends largely on the awareness and responsiveness of Members and staff. It is essential that both Members and staff are made aware of the strategy when they join the Council and receive a copy for inclusion in their personal records and, in addition, have ready access to all other relevant documents, policies and procedures which regulate the Council's activities. Action will be taken on a regular basis to remind both Members and staff of the importance the Council places on avoiding and preventing fraud and corruption. Effective methods for training and raising awareness shall be periodically explored.

Report from the Leader of the Council on the work of the Cabinet

Meeting held on 25 April 2018

This is my report as the Leader of the Council on the work of the Cabinet. It is an overview of the main business considered by the Cabinet at its meeting held on 25 April 2018.

However, we also considered one further item of business; the Anti-fraud, Bribery and Corruption Strategy which was a recommendation to Council and therefore it has already been considered earlier on this agenda.

1. Recommendation from the Local Plan Working Party

1.1 We agreed:

- To publish:
 - the Gypsy and Traveller Accommodation Assessment
 - the interim Strategic Flood Risk Assessment
 - the Employment Land Needs Assessment
 - the Retail and Town Centre Study;
- the Consultation Strategy for the upcoming Issues and Options consultation for the new Local Plan; and
- the content of the Consultation Paper, and gave authority to the Strategic Planning Manager to make minor amendments and corrections that do not affect the overall content.

2. Procurement Strategy

2.1 We considered a review of the Procurement Strategy which had been updated following the appointment of the Procurement and Contracts Manager in September 2017. This had enabled the Council to start fully implementing the strategy and ensure our contract register is up to date.

2.2 The strategy and action plan provide a strategic approach with practical implementation through the action plan to improve our commissioning and procurement approaches.

2.3 We approved the updated Strategy and action plan.

3. Acquisition of Properties K, L, and M

3.1 We considered exempt reports on the acquisition of 3 assets for investment.

3.2 We approved the acquisition of the investment assets and gave authority to:

- the Chief Executive to undertake any necessary negotiations and complete the acquisitions (in consultation with the Chief Finance Officer, the Leader and the Cabinet Member for Finance);

- the Chief Finance Officer to decide the most financially advantageous funding arrangements for the purchases and ensure the acquisitions are prudentially affordable; and
- the Head of Corporate Governance to enter into any legal documentation necessary to acquire the assets.

Councillor Ian Harvey

Leader of the Council

26 April 2018

Report of the Chairman on the work of the Licensing Committee

There has been one Licensing Committee and two Sub-Committee meetings since my last report. Details of these meetings are set out below.

1. Licensing Committee – 28 February 2018

The Committee considered a report on Spelthorne's Hackney Carriage and Private Hire Licensing Policy which included a number of proposed amendments to the policy as a result of consultations with other local authorities and the Surrey Safeguarding Children Board. Following discussions, it resolved to:

- (a) Adopt the final version of the Surrey-wide convictions policy and attach it to the Hackney Carriage and Private Hire Licensing Policy;
- (b) Approve the requirement for all existing taxi and private hire drivers to undertake mandatory Child Sex Exploitation (CSE) training by 1 May 2019 subject to more information on the proposed method of training being provided to the Committee;
- (c) Approve the requirement for all new taxi and private hire drivers to undertake mandatory CSE training from 11 April 2018 subject to more information on the proposed method of training;
- (d) Approve all other minor amendments to the Policy and Penalty Points Scheme;
- (e) Agree to delegate to the Senior Environmental Health Manager, in consultation with the Licensing Committee Chairman, to make minor changes to the Spelthorne Hackney Carriage and Private Hire Policy as and when they arise.

2. Licensing Sub-Committee – 13 April 2018

A Licensing Sub-Committee considered a report on an application for a Premises Licence at Bakshish, Thames Edge Court, Staines-upon-Thames.

The Sub-Committee resolved to adjourn the hearing until such time as the applicant can demonstrate to the Licensing Authority that the landlord has agreed to enter into a viable lease.

3. Licensing Sub-Committee – 20 April 2018

A Licensing sub-committee considered a report on an application for a full variation to the licence for MRH Shepperton, Walton Bridge Road, Shepperton. The application was to extend the hours for sale of alcohol to 24 hours daily. The Sub-Committee resolved to grant the licence subject to the addition of a condition agreed prior to the hearing, for the reasons set out in the decision notice.

Councillor Robin Sider
Chairman of the Licensing Committee

26 April 2018

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