



**Spelthorne
Borough Council**

Council Meeting
Thursday, 26 April 2018



18 April 2018

Please reply to:

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To the Councillors of Spelthorne Borough Council

I hereby summon you to attend a meeting of the Council to be held in the **Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Thursday, 26 April 2018** commencing at **7.30 pm** for the transaction of the following business.

Daniel Mouawad
Chief Executive

NOTE:

All Councillors are asked to wear appropriate sombre dress for this occasion to mark the passing of Gerry Ceaser, former Mayor, Leader and Honorary Freeman.

Councillors are encouraged to wear their badge of past office at the Council meeting.

For those Councillors wishing to participate, prayers will be said in the Leader's office starting at 7pm.

AGENDA

Description	Page nos.
<p>1. Minute's Silence for former Mayor, Gerry Ceaser</p> <p>The Mayor will invite all present to join her in a minute's silence in respect for the late Gerry Ceaser, former Mayor, Leader and Honorary Freeman, who sadly passed away on 25 February 2018.</p>	
<p>2. Apologies for absence</p> <p>To receive any apologies for non-attendance.</p>	
<p>3. Minutes</p> <p>To confirm as a correct record the minutes of the Council meeting held on 22 February 2018.</p>	7 - 20
<p>4. Disclosures of Interest</p> <p>To receive any disclosures of interest from Councillors in accordance with the Council's Code of Conduct for Members.</p>	
<p>5. Announcements from the Mayor</p> <p>To receive any announcements from the Mayor.</p>	
<p>6. Announcements from the Leader</p> <p>To receive any announcements from the Leader.</p>	
<p>7. Announcements from the Chief Executive</p> <p>To receive any announcements from the Chief Executive.</p>	
<p>8. Questions from members of the public</p> <p>The Leader, or his nominee, to answer any questions raised by members of the public in accordance with Standing Order 14.</p> <p><i>Note: the deadline for questions to be considered at this meeting is 12 noon on Thursday 19 April 2018.</i></p>	
<p>9. Petitions</p> <p>To receive any petitions from members of the public.</p>	

- 10. Recommendations of the Cabinet**
- To consider the recommendations of the Cabinet from its meetings held on 21 March and 25 April 2018 relating to: 21 - 22
- a) Review of the Code of Corporate Governance 23 - 50
- b) Anti-fraud, Bribery and Corruption Strategy To Follow
- 11. Report from the Leader of the Council**
- To receive the report from the Leader of the Council on the work of the Cabinet at its meetings on 21 March (copy attached) and 25 April 2018 (to follow). 51 - 52
- 12. Report from the Chairman of the Audit Committee**
- To receive the report from the Chairman of the Audit Committee on the work of her Committee. 53 - 54
- 13. Report from the Chairman of the Licensing Committee**
- To receive the report from the Chairman of the Licensing Committee on the work of his Committee. To Follow
- 14. Report from the Chairman of the Overview and Scrutiny Committee**
- To receive the report from the Chairman of the Overview and Scrutiny Committee on the work of her Committee. 55 - 56
- 15. Report from the Chairman of the Planning Committee**
- To receive the report from the Chairman of the Planning Committee on the work of his Committee. 57 - 58
- 16. Motions**
- To receive any motions from Councillors in accordance with Standing Order 19.
- Note: The deadline for motions to be considered at this meeting was Monday 16 April 2018 and none were received.*
- 17. Questions on Ward Issues**
- The Leader, or his nominee, to answer questions from Councillors on issues in their Wards, in accordance with Standing Order 15.
- Note: the deadline for questions to be considered at this meeting is 12 noon on Thursday 19 April 2018.*

18. General questions

The Leader, or his nominee, to answer questions from Councillors on matters affecting the Borough, in accordance with Standing Order 15.

Note: the deadline for questions to be considered at this meeting is 12 noon on Thursday 19 April 2018.

Two questions were received by 18 April 2018:

Question from Councillor Q.R. Edgington:

"A week's notice is required to submit a general question to Full Council but the reply is only provided to the Councillor who asked the question at the Meeting. So that a considered supplementary question can be asked (if the Councillor considers that the response to his/her question is inadequate), does the Leader agree with me that the reply should be given to the Councillor concerned at least 24 hours before the Meeting?"

Question from Councillor H.R. Williams:

"Those in the chamber may not be aware that the Members' Code of Conduct Committee has no authority over Spelthorne councillors who insult or attack other Spelthorne councillors. It is toothless and can do nothing when councillors act in ways to other councillors that would not be tolerated if those offenders were targeting members of the public with their aggressive, offensive emails, and social media messages. In the light of recent physical attacks and threats to councillors, the council introduced extra security measure for councillors. What is the council doing to protect councillors from email and social media bullying by other councillors and when is the Members' Code of Conduct Committee going to be given the remit to investigate and punish attacks by councillors on other councillors?"

MINUTES OF THE SPELTHORNE BOROUGH COUNCIL

Minutes of the Council Meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Thursday, 22 February 2018 at 7.30 pm

Present:

Councillors:

M.M. Attewell	K. Flurry	S.C. Mooney
R.O. Barratt	M.P.C. Francis	D. Patel
I.J. Beardsmore	A.E. Friday	J.M. Pinkerton OBE
J.R. Boughtflower	N.J. Gething	O. Rybinski
S.J. Burkmar	A.C. Harman	D. Saliagopoulos
R. Chandler	I.T.E. Harvey	A. Sapunovas
S.M. Doran	N. Islam	J.R. Sexton
S.A. Dunn	A.T. Jones	R.A. Smith-Ainsley
Q.R. Edgington	J.G. Kavanagh	B.B. Spoor
T.J.M. Evans	A.J. Mitchell	H.R.D. Williams

Councillor V.J. Leighton, The Mayor, in the Chair

In Attendance

Miss Sue Faulkner, Vice-Chairman of the Members' Code of Conduct Committee

Apologies: Apologies were received from Councillors C.B. Barnard, S. Capes, C.A. Davis, P.C. Edgington, A.L. Griffiths, M.J. Madams, R.W. Sider BEM and H.A. Thomson

30/18 Minutes

The minutes of the Council meeting held on 14 December 2017 were agreed as a correct record.

31/18 Disclosures of Interest

There were no disclosures of interest.

32/18 Announcements from the Mayor

The Mayor reported that since the last meeting of this Council she had attended a number of functions and fund raising events including Reigate & Banstead Holocaust Memorial Evening, Shepperton Studios Film Evening, and Sunbury Cricket Club Music Night.

The Mayor announced some forthcoming events: a Horse Racing event at Kempton Park on 21st March; the Annual Charity Ball at BP on 7th April and St.George's Day Ladies Lunch on 23rd April at London Irish.

33/18 Announcements from the Leader

The Leader made the following announcements:

Heathrow has launched a ten-week public consultation regarding expansion at Heathrow, which runs until 28th March. The Council has publicised the consultation and drop-in events in the Borough Bulletin, on our website and social media, and has also published an online summary explaining the potential impact of the airport expansion on the local area.

The Old Market Square in Staines was recently used as a filming location for the 'we buy any car.com' television advert. The Council was paid a fee.

The first Spelthorne Means Business Awards were launched on 6 February. Held at Caffe Gusto in Staines, local businesses and Council representatives gathered to open the competition which is designed to celebrate the achievements of local companies and showcase the 'best of the best' in Spelthorne.

A leaflet is being designed to accompany the Council Tax bills which will give residents information about how the bill is divided between the Police, Surrey County Council and Spelthorne.

Cedars Recreation Park in Sunbury-on-Thames is to under-go refurbishment, thanks to funding from London Irish Rugby Club.

Registration has opened for the Staines 10K race taking place on 13 May.

Work to build eight new flats has started on the site of the former Bugle Pub in Upper Halliford and three two-bedroom homes on the site of the former Churchill Hall in Sunbury. Both projects are expected to be completed in September.

The Council recently announced the purchase of a landmark commercial property. '12 Hammersmith Grove' is in a prime location with outstanding transport infrastructure adjacent to Hammersmith Underground Station. The building was purchased for a sum in the region of £170m and is fully let on long leases. This will generate an ongoing net annual revenue surplus of approximately £2.1m and has made a major contribution towards balancing the 2018-19 Budget and providing services for our residents.

He thanked all councillors who had responded to the challenge to see Every Ward at its Best and asked them to continue to submit ideas and to work across party in their wards.

He had two pieces of sad news:

Firstly, he was very sorry to report that a much respected former Mayor and Leader, and an Honorary Freeman, Gerry Ceaser remained seriously ill in hospital. He and his family are in our thoughts and prayers.

Secondly, he was sorry to announce that we were saying goodbye to Sue Faulkner who served as the Vice-Chairman of the Members' Code of Conduct Committee, and formerly the Standards Committee, for 10 years. He thanked Sue on behalf of the Council for her many years of service and wished her well for the future.

34/18 Announcements from the Chief Executive

The Chief Executive made the following announcement:

He was pleased to announce that as part of the Council's plans to work more efficiently and effectively, detailed plans have been drawn up for staff to consolidate and occupy a smaller space within Knowle Green.

This work, which is called Project Lima, will enable us to reduce our operating costs, deal with the backlog of maintenance issues and prepare to generate a sustainable income stream from the office space vacated. The existing civic space within Knowle Green, including the Council Chamber, will be retained.

The project team have been engaged in full consultation with staff and existing tenants within Knowle Green, and the first phase of work is due to commence towards the end of April.

The plans would be available for councillors to view in the Members' Room from Friday 23 February 2018.

35/18 Questions from members of the public

The Mayor reported that no questions had been received from members of the public.

36/18 Petitions

There were none.

37/18 Treasury Management Strategy Statement 2018-2019

The Council considered the recommendation of Cabinet from its meeting held on 21 February 2018 on the Treasury Management Strategy Statement 2018–2019.

The proposed Strategy represented an appropriate balance between risk management and cost effectiveness.

Resolved to approve the Treasury Management Strategy Statement for 2018–2019.

38/18 Revenue Budget 2018/19

The Council considered the recommendation of Cabinet on the detailed Revenue Budget for 2018-19 and the proposed Council Tax for 2018-19. The Mayor referred councillors to the Budget Book (green cover) reflecting the decisions and recommendations made by Cabinet on 21 February 2018, including the precepts being levied by Surrey County Council and the Surrey Police.

The Mayor asked the Council to agree, in accordance with Standing Order 20.4, that the respective Budget speeches of the Group Leaders may each exceed 10 minutes in length if necessary.

Resolved to agree that the respective Budget speeches of the Group Leaders may each exceed 10 minutes in length if necessary.

The Leader of the Council, Councillor I.T.E. Harvey and the portfolio holder for Finance, Councillor H.R. Williams, made a joint statement on the Budget and the Council Tax and moved and seconded the recommendations on the detailed Budget for 2018-19 as set out in the report circulated in the Budget Book. The Leader of the Ashford and Staines Residents' Group then made a statement. Councillor Beardsmore, Leader of the Liberal Democrats declined the opportunity to make a speech.

A copy of Councillor Harvey's speech is attached to these minutes as **Appendix A**.

At the conclusion of the debate on the Revenue Budget, the Mayor explained it was a legal requirement to record in the minutes of the proceedings the names of the persons who cast a vote for the decision or who abstained from voting.

Councillor Burkmar was absent from the Chamber for the vote on Item 38/18.

The voting was as follows:

FOR (23)	Councillors I.T.E. Harvey (Leader); A.C. Harman (Deputy Leader); M.M. Attewell; R.O. Barratt; J.R. Boughtflower; R. Chandler; T.J.M. Evans; K. Flurry; M.P.C. Francis; A.E. Friday; N.J. Gething; N. Islam; A.T. Jones; J.G. Kavanagh; V.J. Leighton; A.J. Mitchell; S.C. Mooney; D. Patel; J.M. Pinkerton; O. Rybinski; A. Sapunovas; R.A. Smith-Ainsley; H.R.D. Williams
AGAINST (3)	Councillors D. Saliagopoulos; Q.R. Edgington; J. Sexton
ABSTAIN (4)	Councillors I.J. Beardsmore; S.M. Doran; S.A. Dunn; Spoor

Resolved:

1. To participate in the Surrey wide 2018/19 Business Rates Retention pilot scheme;

2. To continue the Council's Local Council Tax Support Scheme with the current rules and regulations;
3. To continue the complete disregard of war pension /armed forces pension income from benefit calculations;
4. The growth and savings items as set out in the report's appendices;
5. The Council Tax Base for the whole council area for 2018-19. [Item T in the formula in Section 31b(3) of the Local Government Finance Act 1992, as amended (the "act")] should be 39,280.00 band D equivalent dwellings and calculate that the Council Tax requirement for the Council's own purpose for 2018-2019 is £197.44 Per Band D equivalent dwelling;
6. To approve a £5 or 2.6% increase on Band D in the Spelthorne Borough Council element of the Council Tax for 2018-19. Moreover: The revenue estimates as set out in Appendix 1 be approved.
 1. No Money, as set out in this report is appropriated from General Reserves in support of Spelthorne's local Council tax for 2018/19;
 2. To agree that the Council Tax base for the year 2018/19 is 39,280.00 band D equivalent dwellings calculated in accordance with regulation 3 of the Local Authorities (Calculation of Council tax base) Regulations 1992, as amended, made under Section 35(5) of the Local Government Finance Act 1992.

That the following sums be now calculated by the Council for the year 2018/19 in accordance with Section 31 to 36 of the Local Government Act 1992.

A	87,047,100	Being the aggregate of the amount which the council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
B	79,291,700	Being the aggregate of the amount which the Council estimates for the items set out in Section 31A(3) of the Act
C	7,755,400	Being the amount at 3(c) above (Item R), all divided by Item T (2 above) calculated

		by the Council in accordance with Section 31B(1) of the Act, as the basic amount of its Council tax for the year (including Parish precepts)
D	197.44	Being the amount at 3(c)above(item R), all dividend by item T(2above) calculated by the Council in accordance with Section31B(1) of the act, as the basic amount of its Council Tax for the year(including Parish precepts)
E	0	Being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
F	197.44	Being the amount at 3(d) above less the result given by dividing the amount at 3 (e) above by Item T(2 above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings on those parts of its area to which no Parish precept relates.

That the following amounts be calculated for the year 2018/19 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011.

A £	B £	C £	D £	E £	F £	G £	H £
131.63	153.56	175.50	197.44	241.32	285.19	329.07	394.88

Being the amounts given by multiplying the amount at (e) above by the number which in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the sum which in that proportion is applicable to dwellings listed in valuation band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different bands.

That it be noted that for the year 2018/19 Surrey County Council and Surrey Police and Crime Commissioner have stated the following amounts in precepts issued to Spelthorne Borough Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings shown below:

Precepts issued to the Council

	A £	B £	C £	D £	E £	F £	G £	H £
Surrey County Council	940.86	1,097.67	1,254.48	1,411.29	1,724.91	2,038.53	2,352.15	2,822.58
Surrey Police & Crime Commissioner	157.71	184.00	210.28	236.57	289.14	341.71	394.28	473.14

That, having calculated the aggregate in each case above the Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011, hereby sets the amounts as the amounts of Council tax for the year 2018/19.

The Council has determined that its relevant basic amount of Council Tax for 2018/19 is not excessive in accordance with the principles approved under Section 52ZB Local Government Finance Act 1992.

As the billing authority, the council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2018/19 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

39/18 Capital Programme and Strategy 2018/19 to 2021/22

The Council considered the recommendation of Cabinet from its meeting held on 21 February 2018 on the Capital Programme and Strategy 2018/19 to 2021/22 and the Prudential Indicators for 2018/19 to 2021/22.

Resolved to:

1. Approve the Capital Programme for 2018/19 to 2021/22;
2. Approve the Prudential Indicators for 2018/19 to 2021/22.

40/18 Pay Policy Statement 2018/19

The Council considered the recommendation of Cabinet from its meeting held on 21 February 2018 on the Pay Policy Statement 2018/19.

The Pay Policy Statement must set out the Council's policies on a range of issues relating to the pay of its workforce, particularly its senior staff and the lowest paid employees, including:

- Remuneration of its Chief Officers
- Remuneration of its lowest paid employees
- The relationship between the remuneration of its Chief Officers and the remuneration of those employees who are not Chief Officers
- The publication of and access to information relating to remuneration of Chief Officers.

Resolved to approve the Pay Policy Statement 2018/19.

41/18 Report from the Leader of the Council

The Leader of the Council, Councillor I.T.E. Harvey, presented the reports of the Cabinet meetings held on 24 January 2018 and 21 February 2018, which outlined the matters the Cabinet had decided since the last Council meeting.

42/18 Report from the Chairman of the Overview and Scrutiny Committee

The Chairman of the Overview and Scrutiny Committee, Councillor S.C. Mooney, presented her report which outlined the matters the Committee had decided since the last Council meeting.

43/18 Report from the Chairman of the Planning Committee

The Chairman of the Planning Committee, Councillor R.A. Smith-Ainsley, presented his report which outlined the matters the Committee had decided since the last Council meeting.

44/18 Motions

There were no motions.

45/18 Questions on Ward Issues

There were no questions on Ward issues.

46/18 General questions

The Mayor reported that five general questions had been received, in accordance with Standing Order 15, from Councillors Sider, Sexton and Saliagopoulos.

1. Question from Councillor R.W. Sider BEM:

“Will the Leader and Members of this council join me in congratulating Freeman of the Borough Colin Squire on his being awarded the OBE in Her Majesty’s New Year’s Honours List?”

Response from the Leader, Councillor I.T.E. Harvey:

“Thank you for your Question Councillor Sider. Yes I am delighted to congratulate Freeman of the Borough and good friend of this Council, Colin Squire on being awarded the OBE in Her Majesty’s New Year Honours List. I am sure all Members join me in expressing our warm congratulations to Colin and thank him for all his charity work that has so richly earned him this accolade.”

2. Question from Councillor J. Sexton:

“Once again earlier this month I had to alert the Council to the dire cleaning regime carried out at Knowle Green Leisure Centre. Members of the public had alerted me to the public areas which were obviously not cleaned for weeks. Their photographs proved it. Officers of the Council have been sent these photographs. I was astounded to find out that there is still no record keeping of cleansing of the public areas - something when I was in position as Cabinet Member, was set up. The officer in charge informed me that this would be put in place for the future. Why was this slippage allowed - it is surely mandatory to inspect the public areas for cleanliness? Our residents need to have confidence that the Leisure Centre is clean and well kept.

Whilst I thank the Cabinet Member for her intervening to once again try and sort this out, how can the users of the Leisure Centre have confidence that this will continue? Are we now leaving it to residents to have to make complaints? If a proper regime of inspection had been put in place this would not be an issue here today. Officer need to ensure that there are proactive measures at the Leisure Centre and not continual reactive ones.”

Response from Cabinet member for Community and Wellbeing, Councillor M. Attewell:

“I can confirm that there are cleaning checklists for the public toilets and changing areas in place and have never ceased to be available. Regular

monitoring of these checks are undertaken both by the Everyone Active management and Spelthorne Leisure Services staff.

Detailed cleaning schedules are in place for all areas of the Centre. Both contract cleaners and in house teams undertake the cleaning regularly. The location and task being undertaken will determine the frequency of cleaning. There are checklists for these and managers also undertake regular spot checks.

The contract cleaner at the Centre has recently been changed and the Everyone Active is working with the contractor to ensure continual improvement. Monthly contractor cleaning audits are carried out by Everyone Active.

Officers from the Council visit the Centre weekly and report the issues they have noted. The contract monitoring officer has monthly meetings with management where the issues identified are discussed. Officers and senior managers undertook two unannounced visits on 14 and 15 February 2018. Over the two visits the whole Centre was inspected. The general cleanliness of the centre was good, however, there is clearly an issue with the high level cleaning (including cobwebs) and cleaning of the vents in the swimming pool area.

These issues have been raised with the contract manager. He has informed us that a high level clean will be undertaken next month and then regularly twice a year, or more frequently if required. Specialist equipment is hired in for this task. The vents in the swimming pool area have been cleaned and will continue to be cleaned weekly.

The leisure teams monitoring will continue and monitoring of the high level cleaning will be a priority.

The leisure team regularly review customer comments. In the last 3 months 137 comments were received. 6 of these were negative comments referring to cleaning. Considering that there are approximately 47,000 visits to Spelthorne Leisure Centre each month, the number of complaints received are very small.

Due to these findings, officers are confident that the leisure centre is being well managed. Whilst accepting that there are some issues that need to be addressed, the usage of the Centre and the customer feedback confirms an overall satisfaction in this facility.”

In accordance with Council Standing Order 15.2, Councillor J. Sexton asked the following supplementary question:

“I will send photographs that I took yesterday showing that there are still issues to be addressed. Can the Leader confirm that a robust monitoring regime will be put in place to avoid the need for "panic visits" by officers?”

Councillor M. Attewell responded at the meeting as follows:

“I believe that this is a request to the Leader rather than a question but will ask officers to respond further. I did ask Councillor Sexton if she was happy with the officers’ response and she indicated that she was not. If she would like to send details to me then I will pass that on.”

Councillor M. Attewell responded further after the meeting as follows:

“A comprehensive monitoring regime is in place for both centres. Monthly meetings are held between SBC and centre management and monitoring information including customer comments, bacterial water test results, cleaning tasks completed, attendance figures and the number of accidents occurring is sent monthly to the client officer. Any issues of concern are raised and addressed. In addition to this, energy consumption, marketing and communication plans, Quest improvement plans, deep cleaning programmes and staff training records are monitored quarterly and among other things safe systems of work and health and safety inspections are reviewed bi-annually. Every 6 months there is a strategic review meeting with senior management from both SBC and SLM. The cabinet member is also invited.

Quarterly meetings are held with Sunbury Manor School who share the dual use site to monitor how things are viewed from the school’s point of view.

Ad hoc visits occur regularly and members of the leisure team and group heads visit the centres both in an official capacity and as users of the centres. The client officer is in almost daily contact with the centres and feeds back any comments or concerns in between meetings.

Many SBC staff members are also users of the facilities and any comments received are fed back to the client officer so they can be addressed.”

3. Question from Councillor D. Saliagopoulos:

“At the request of Councillor Colin Davis, the then Chairman of the Overview & Scrutiny Committee, the Council was put to extra expense on a so called security issue; can I please be advised as to the extra cost incurred to the Council on this whim? Can the Leader assure me that tax payers’ monies were protected at all times? it would appear that the said Councillor for Staines Town is no longer the Chairman of the Overview & Scrutiny - which may I add is an excellent move on the part of the Leader - and indeed no longer a member of the ruling Conservative group - can the Council please be assured that the Committee will now run as a proper scrutiny committee rather than a platform which was used to belittle and dismiss the opposition? As the Leader is aware, scrutiny is something that is vital to any Council. Unfortunately it has been stifled continuously by the above named individual (and only the above named individual) due to his own personal agenda. I

believe the local taxpayer needs to be aware of this and that indeed I would seek the Leader's assurance that this individual will no longer be in any position of authority on this Council."

Response from the Leader, Councillor I.T.E. Harvey:

"Thank you for what are actually four questions within this Question.

Firstly I can confirm that there are currently 10 Members actively using the Lone Worker alarms, including myself. Two other councillors took and then returned them. I personally resisted taking one initially, however as many Members know I was physically attacked on the front steps of this very building in the presence of my nine year old son. I was thereafter prevailed upon to take and use one. Given the fact that those in public office are now seemingly the frequent targets of various forms of assault and abuse I do not accept that the use of these is a "whim". I commend all Members to use one, in particular if you consider yourself in any way vulnerable or are in difficult situations from time to time. The cost of each alarm is approximately £12 per month and I do not believe the residents of the Borough begrudge this, especially given our much improved financial basis under my leadership. I will certainly support any Member, including opposition, using one.

With regard to the change of Chairmanship of the Overview and Scrutiny Committee, I can confirm that I expect all Members of my Group, and I am sure all Group Leaders will endorse this, to perform their function to the highest standards and with honesty, integrity, courtesy and impartiality within non-political roles. I would like to think that I and my colleagues set a good example in this. I have every confidence in Councillor Mooney and am sure that she will henceforth Chair the Overview and Scrutiny in the appropriate manner.

You will appreciate that I cannot give an undertaking regarding the former Chair of Overview and Scrutiny but as he is no longer a member of the controlling Conservative Group I have no anticipation of appointing him to any specific position, however as was famously observed by Harold Wilson, "a week is a long time in politics"

Whilst these are three answers I hope they address your four points adequately."

4. Question from Councillor D. Saliagopoulos:

"Would the Leader please give consideration to the questioning of individual Cabinet Members in full Council? Questions relating to individual portfolio holders are always answered by the Leader. Of course the opposition is aware that the leadership of the Council is only as good as their team. Of course scrutiny of Cabinet Members can be carried out in other committees - with their officers in attendance. If the Leader is not prepared to agree to this - why? At a recent Overview and Scrutiny I asked a question to the portfolio

member for housing - a very important brief to the Council - he did not answer the question and left it to the officer - as opposition we want to pursue this further. Whilst on this issue, any questions ever put to Cllr Howard Williams have been answered with expertise and thorough knowledge. If the Leader has such confidence in the remaining Cabinet members he will surely allow them to answer questions on their portfolios in the future? If not, why not?"

Response from the Leader, Councillor I.T.E. Harvey:

"The Constitution already permits councillors to put questions to the Leader, his nominee or a member of the Cabinet about an issue in the councillor's ward; or in which the Council has powers or duties or which affects the Borough.

I am very happy for Cabinet members to answer fair questions that fall within the remit of their portfolios at Council meetings. However, I am sure Councillor Saliagopoulos will appreciate from personal experience that Cabinet members cannot always have every fact at their fingertips and it is entirely right that they should refer to officers to assist with responses at meetings or in writing afterwards where appropriate."

In accordance with Council Standing Order 15.2, Councillor D. Saliagopoulos asked the following supplementary question:

"Do you agree that it is not terribly clear how we might question individual Cabinet members?"

Councillor I.T.E. Harvey responded at the meeting as follows:

"If you send any questions to Committee Services then they will forward those on to the appropriate portfolio holder for a response"

5. Question from Councillor D. Saliagopoulos:

"What are the Leader's thoughts on the recently announced high Council Tax rise by Surrey County Council - indeed some of the Councillors here are also on Surrey and voted for the 6% increase! As the Leader is working to ensure the future viability of Spelthorne by acquiring properties - something which the opposition have supported - surely this is a kick in the teeth. Is there something he could teach the leader of Surrey? How will the Leader now explain to the residents of Spelthorne that they are going to have to pay more once again?"

Response from the Leader, Councillor Ian Harvey:

"I am unable to comment on the Council Tax increase at Surrey County Council as I do not sit on it and have no control or influence over it. I am sure Cllr Saliagopoulos has a much better understanding of their finances than I do as she was a Surrey Councillor until May 2017. I try to concentrate, with my

colleagues, on doing the best for the residents of Spelthorne on matters over which we do have control.

I have the greatest of admiration and respect for my colleague and good friend, the Leader of Surrey and I know that he is doing his very best, in very difficult circumstances and through no fault of his own or his administration to minimise the impact of central government cuts upon Surrey's budget. I would not have the audacity to try to teach him how to run a council!

I believe that I and Cllr Williams have already given a very good and detailed explanation tonight of the Spelthorne Council Tax precept and it is not for me to explain the precept set by others."

In accordance with Council Standing Order 15.2, Councillor D. Saliagopoulos asked the following supplementary question:

"There has been a lot of talk about how Surrey County Council cuts, devastating to this authority, are to continue and get worse. Would you agree that we are, to an extent, dependent on what comes down to us from Surrey County Council via central government?"

Councillor I.T.E. Harvey responded at the meeting as follows:

"Yes"

Recommendations of the Cabinet

Cabinet meeting held on 21 March 2018

1. Review of Code of Corporate Governance

- 1.1. We considered a recommendation from the Overview and Scrutiny Committee to approve the Code of Corporate Governance which had been updated to reflect key changes in the guidance issued by the Chartered Institute of Public Finance & Accountancy (CIPFA) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE).
- 1.2. **Cabinet recommends that Council** approves the amendments to the Local Code of Corporate Governance in the Constitution, as shown by tracked changes in the attached Appendix 1 and the accompanying Principles of Good Corporate Governance at Appendix 2.

Councillor Ian Harvey
Leader of the Council

26 April 2018

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LOCAL CODE OF CORPORATE GOVERNANCE

1. INTRODUCTION

1.1 Spelthorne Borough Council recognises the need to ensure that its affairs are managed in a way which achieves the highest standards of corporate governance. Corporate governance in this context means the systems, processes and values by which the Council ensures that it is doing the right things, in the right way, for the right people in a timely, inclusive, open, honest and accountable way.

1.2 On the basis that effective leadership is the foundation for effective corporate governance the Council commits:

- ⇒ To engage in effective partnerships and provide leadership for and with the community
- ⇒ To ensure the delivery of high quality local services whether directly or in partnership or by commissioning
- ⇒ To perform a stewardship role which protects the interests of local people and makes best use of resources
- ⇒ To develop citizenship, local democracy and communities

2. THE PRINCIPLES OF CORPORATE GOVERNANCE

2.1 The Council recognizes that its commitments for corporate governance need to be reflected in its working arrangements. The framework for corporate governance published by CIPFA (Chartered Institute of Public Finance) and SOLACE (Society of Local Authority Chief Executives) suggests, and the Council accepts, that the following core principles should be applied to its activities:

- ~~⇒ Focusing on the purpose of the Council and on outcomes for the community and creating and implementing a vision for the local area.~~
- ~~⇒ Councillors and staff working together to achieve a common purpose with clearly defined functions and roles~~
- ~~⇒ Promoting values for the Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour~~
- ~~⇒ Taking informed and transparent decisions which are subject to effective scrutiny and managing risk~~

- ~~⇒ Developing the capacity and capability of councillors and staff to be effective.~~
- ⇒ Behave with integrity demonstrating strong commitment to ethical value and respecting the rule of law.
- ⇒ Ensure openness and comprehensive stakeholder engagement
- ⇒ Define outcomes in terms of sustainable economic, social, and environmental benefits
- ⇒ Determining the interventions necessary to optimise the achievement of the intended outcome
- ⇒ Manage the entity's capacity, including the capability of its leadership and the individuals within
- ⇒ Managing risks and performance through robust internal control and strong public financial management
- ⇒ Implementing good practices in transparency, reporting, and audit to deliver effective accountability

The detail of what is covered by each principle and the Council's approach to each is set out in the **Appendix**.

3. ARRANGEMENTS FOR CORPORATE GOVERNANCE

- 3.1 The Council has established structures, procedures, processes and a system of controls to ensure that the necessary standards of corporate governance are achieved and maintained. It first reviewed these against the framework for corporate governance published by CIPFA (Chartered Institute of Public Finance) and SOLACE (Society of Local Authority Chief Executives) in April 2002. Since then it has reported on a regular basis to the Overview and Scrutiny Committee. In 2015~~8~~ the Council reviewed its arrangements for corporate governance taking into account the revised framework published by CIPFA and SOLACE in the 2012~~6~~ addendum– “Delivering Good Governance in Local Government”.
- 3.2 Most of the arrangements are set out in the Council's constitution and supporting policies and documentation. However, the Council recognises that these arrangements must be kept up-to-date and need to be kept under review to ensure that they remain appropriate and are improved where possible. Without proper monitoring, the effectiveness of the Council's arrangements could be compromised so the Council will ensure that systems are in place to monitor compliance with the agreed processes and procedures including the Annual Governance Statement and the Review of the Effectiveness of the System of Internal Audit.

- 3.3 Various staff members have responsibility for different areas of the Council's corporate governance arrangements. The majority of these responsibilities are established in the Council's constitution. These responsibilities will change over time as the Constitution develops and management structures change. However, overall responsibility for ensuring that the Council's Corporate Governance arrangements are followed and that they remain adequate, lies with the Chief Finance Officer.
- 3.4 Councillors will need to be assured that the activities of the Council are properly controlled and the Chief Finance Officer will be responsible for providing the Cabinet with an annual report on compliance with the arrangements and any actions required to improve these.
- 3.5 In addition, the ~~Heads of~~ Audit Services Manager and Head of Corporate Governance will review the Council's arrangements against the Code and the standards laid down in the CIPFA/SOLACE framework and will ~~report annually to~~ advise the Overview and Scrutiny Committee as necessary on the adequacy and effectiveness of the Code and the extent of compliance.

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How Spelthorne Borough Council intends to meet the Principles of Good Corporate Governance

This Appendix sets out how Spelthorne Council aims to work to the principles of good Corporate Governance.

What is Corporate Governance?

Corporate Governance is about the systems, processes and values by which Councils operate and by which they engage with, and are held accountable to, their communities and stakeholders.

Spelthorne Borough Council is committed to the principles of effective corporate governance and has therefore adopted a Code of Corporate Governance which follows the latest guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE), entitled "Delivering Good Governance in Local Government (2016)".

The guidance defines the seven core principles, each supported by subprinciples that should underpin the governance framework of a local authority.

- A - Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rules of law.
- B - Ensuring openness and comprehensive stakeholder engagement.
- C - Defining outcomes in terms of sustainable economic, social and environmental benefits.
- D - Determining the interventions necessary to optimise the achievement of the intended outcomes.
- E - Developing the Council's capacity, including the capability of its leadership and the individuals within it.
- F - Managing risks and performance through robust internal control and strong public financial management.
- G - Implementing good practices in transparency, reporting, and audit, to deliver effective accountability.

What are the benefits of having a Code of Corporate Governance?

Good governance leads to good management, good performance, good stewardship of public money, good public engagement and ultimately good outcomes for citizens and service users. It enables the Council to pursue its vision effectively as well as underpinning that vision with mechanisms for control and the management of risk.

The Council has a robust governance framework in place. The documents and arrangements which comprise the framework demonstrate that the Council continually seeks to ensure it is and remains, well governed, through integration of its processes and structures with the core principles of the CIPFA/SOLACE framework into all aspects of the Council's conduct and operation.

The Monitoring Officer is responsible for ensuring the Code is reviewed regularly, and the outcome of the review, along with any required amendments is reported to the Overview and Scrutiny Committee for approval.

Principle A - Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.

Summary:

Local government organisations are accountable not only for how much they spend, but also for how they use the resources under their stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes they have achieved. In addition, they have an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, they can demonstrate the appropriateness of all their actions and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
<p>Behaving with integrity</p>	<p>Ensuring members and officers behave with integrity and lead a culture where acting in the public interest is visibly and consistently demonstrated thereby protecting the reputation of the organisation</p> <p>Ensuring members take the lead in establishing specific standard operating principles or values for the organisation and its staff and that they are communicated and understood. These should build on the Seven Principles of Public Life (the Nolan Principles)</p> <p>Leading by example and using the above standard operating principles or values as a framework for decision making and other actions</p> <p>Demonstrating, communicating and embedding the standard operating principles or values through</p>	<p>Maintain shared values between the Council and its officers. These are defined in the Constitution and reflect public expectations about the conduct and behaviour of individuals.</p> <p>Use shared values as a guide for decision making and as a basis for developing positive and trusting relationships within the Council. We demonstrate this by adherence to the Constitution.</p> <p>Have adopted formal codes of conduct defining standards of personal behaviour for Members and Officers</p> <p>Maintain a Committee to support the Members' Code of Conduct Committee to raise awareness and take the lead in ensuring high standards of conduct are embedded within the Council's culture.</p>	<ul style="list-style-type: none"> • The Constitution which includes: <ul style="list-style-type: none"> ○ Financial procedure Rules ○ Contract Standing Orders ○ Anti-Fraud and Corruption Policy ○ Anti-Bribery Policy ○ Rules relating to members external interests (Register of Interests) • Human Resources Policies • Staff Induction Procedures

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	appropriate policies and processes which are reviewed on a regular basis to ensure that they are operating effectively.		
Demonstrating strong commitment to ethical values	<p>Seeking to establish, monitor and maintain the organisation's ethical standards and performance</p> <p>Underpinning personal behaviour with ethical values and ensuring they permeate all aspects of the organisation's culture and operation</p> <p>Developing and maintaining robust policies and procedures which place emphasis on agreed ethical values</p> <p>Ensuring that external providers of services on behalf of the organisation are required to act with integrity and in compliance with ethical standards expected by the organisation</p>	<p>Have put in place arrangements to ensure that Members and officers of the Council are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders. We have put in place appropriate processes to ensure that these arrangements are workable including declaration of interests and anticorruption policies.</p> <p>Ensure that systems and processes for financial administration and control together with protection of the Council's resources and assets comply with ethical standards; and are subject to monitoring of their effectiveness.</p>	<ul style="list-style-type: none"> • Members' Induction Procedures • Member's Code of Conduct • Staff Code of Conduct • Scheme of Delegation to officers • Information Security Policy
Respecting the rule of law	<p>Ensuring members and staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations</p> <p>Creating the conditions to ensure that the statutory officers, other key post holders, and members, are able to fulfil their responsibilities in accordance with legislative and regulatory requirements</p>	<p>Ensure that professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making if appropriate.</p> <p>Officers will actively recognise the limits of lawful activity placed on them but also strive to utilise their powers to the full benefit of their communities.</p> <p>Officers will observe all specific legislative requirements placed upon the Council as well as</p>	<ul style="list-style-type: none"> • Money Laundering Policy • Whistle-blowing Policy • Rules relating to members external interests (Standing Orders) • Annual Governance Statement

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	<p>Striving to optimise the use of the full powers available for the benefit of citizens, communities and other stakeholders</p> <p>Dealing with breaches of legal and regulatory provisions effectively</p> <p>Ensuring corruption and misuse of power are dealt with effectively</p>	<p>the requirements of general law, and in particular integrate the key principles of administrative law – rationality, legality and natural justice into the procedures and decision making.</p> <p>Have put in place effective systems to protect the rights of staff. We ensure that policies for whistleblowing which are accessible to staff and those contracting with the Council, and arrangements for the support of whistle blowers, are in place.</p> <p>Publish an Annual Governance Statement, signed by the Leader and the Chief Executive, and reviewed through the Audit Committee to review the effectiveness of the Council's governance framework</p>	<ul style="list-style-type: none"> • External inspections of accounts • Internal Audit Annual Plan • Assurance Framework supporting the Annual Governance Statement • Equal Opportunities Policy • Registers of Gifts and Hospitality • Legal (Monitoring Officer) Role • Corporate Complaints Procedure • MCC Committee (supporting Members' observation of their Code of Conduct) • Overview and Scrutiny functions

Principle B - Ensuring openness and comprehensive stakeholder engagement.

Summary:

Local government is run for the public good; organisations therefore should ensure openness in their activities. Clear, trusted channels of communication and consultation should be used to engage effectively with all groups of stakeholders, such as individual citizens and service users, as well as institutional stakeholders.

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
<p>Openness</p>	<p>Ensuring an open culture through demonstrating, documenting and communicating the organisation's commitment to openness</p> <p>Making decisions that are open about actions, plans, resource use, forecasts, outputs and outcomes. The presumption is for openness. If that is not the case, a justification for the reasoning for keeping a decision confidential should be provided</p> <p>Providing clear reasoning and evidence for decisions in both public records and explanations to stakeholders and being explicit about the criteria, rationale and considerations used. In due course, ensuring that the impact and consequences of those decisions are clear</p> <p>Using formal and informal consultation and engagement to determine the most</p>	<p>Ensure that the Council's priorities within the Corporate Plan and targets are developed in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated.</p> <p>Maintain a culture of accountability so that Members and Officers understand to whom they are accountable and for what.</p> <p>Strive to engage with stakeholders on an individual and collective basis to demonstrate that we deliver services and outcomes that meet the needs and expectations of the public. These arrangements will recognise that different sections of the community have different priorities and establish robust processes for dealing with these competing demands.</p>	<ul style="list-style-type: none"> • Corporate Plan • Consultation strategy • Constitution • Scheme of Delegation to officers • Budget reports • Corporate Risk Register and risks identified in committee reports

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	appropriate and effective interventions/courses of action		
Engaging comprehensively with institutional stakeholders	<p>NB institutional stakeholders are the other organisations that local government needs to work with to improve services and outcomes (such as commercial partners and suppliers as well as other public or third sector organisations) or organisations to which they are accountable.</p> <p>Effectively engaging with institutional stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear so that outcomes are achieved successfully and sustainably</p> <p>Developing formal and informal partnerships to allow for resources to be used more efficiently and outcomes achieved more effectively</p> <p>Ensuring that partnerships are based on trust, a shared commitment to change and a culture that promotes and accepts challenge among partners and that the added value of partnership working is explicit</p>	<p>Publish reports giving information on the Council's strategies, plans and financial statements as well as information about outcomes, achievements.</p> <p>Ensure that the Council as a whole is open and accessible to the community, service users and staff and we are committed to openness and transparency in all dealings.</p> <p>Publish all committee reports under Part 1 – open for inspection the public - unless there is a legitimate need to preserve confidentiality on the basis of the statutory tests.</p>	<ul style="list-style-type: none"> • Statement of Accounts • Cabinet Forward Plan • Council Website • Formal consultation arrangements and staff surveys • Community and voluntary sector representation on Partnership Boards • Freedom of Information publication scheme • Overview and Scrutiny functions • Community Safety • External Auditor provides an annual organisational assessment of the Council's performance through the Value for Money conclusion
Engaging stakeholders effectively,	Establishing a clear policy on the type of issues that the organisation will meaningfully consult with or involve	As above	As above

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
<p>including individual citizens and service users</p>	<p>communities, individual citizens, service users and other stakeholders to ensure that service (or other) provision is contributing towards the achievement of intended outcomes</p> <p>Ensuring that communication methods are effective and that members and officers are clear about their roles with regard to community engagement</p> <p>Encouraging, collecting and evaluating the views and experiences of communities, citizens, service users and organisations of different backgrounds including reference to future needs</p> <p>Implementing effective feedback mechanisms in order to demonstrate how views have been taken into account</p> <p>Balancing feedback from more active stakeholder groups with other stakeholder groups to ensure inclusivity</p> <p>Taking account of the impact of decisions on future generations of tax payers and service users</p>		

Principle C - Defining outcomes in terms of sustainable economic, social, and environmental benefits.

Summary:

The long-term nature and impact of many of local government's responsibilities mean that it should define and plan outcomes and that these should be sustainable. Decisions should further the authority's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
<p>Defining outcomes</p>	<p>Having a clear vision, which is an agreed formal statement of the organisation's purpose and intended outcomes containing appropriate performance indicators, which provide the basis for the organisation's overall strategy, planning and other decisions</p> <p>Specifying the intended impact on, or changes for, stakeholders including citizens and service users. It could be immediately or over the course of a year or longer</p> <p>Delivering defined outcomes on a sustainable basis within the resources that will be available</p> <p>Identifying and managing risks to the achievement of outcomes</p> <p>Managing service users' expectations effectively with regard to determining priorities and making</p>	<p>Make a clear statement of the Council's purpose and use it as a basis for corporate and service planning.</p> <p>Publish annual reports to communicate the Council's activities and achievements, its financial position and performance.</p> <p>Ensure that those making decisions are provided with financial and non-financial information that is fit for the purpose relevant, timely and gives clear explanations of technical issues and their implications.</p> <p>Identify and monitor service performance indicators which demonstrate how the quality of service for users is to be measured.</p>	<ul style="list-style-type: none"> • Corporate Plan • Budget Reports • Audit Reports • Statement of Accounts • External Auditors letter & reports • External Audit Inspections • Performance management framework • Project Management arrangements

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	the best use of the resources available Sustainable economic, social and environmental benefits		
<p>Defining sustainable economic, social and environmental benefits</p>	<p>Considering and balancing the combined economic, social and environmental impact of policies and plans when taking decisions about service provision</p> <p>Taking a longer-term view with regard to decision making, taking account of risk and acting transparently where there are potential conflicts between the organisation's intended outcomes and short-term factors such as the political cycle or financial constraints</p> <p>Determining the wider public interest associated with balancing conflicting interests between achieving the various economic, social and environmental benefits, through consultation where possible, in order to ensure appropriate trade-offs</p> <p>Ensuring fair access to services</p>	<p>Maintain a prudential financial framework, balance commitments with available resources; and monitor income and expenditure levels to ensure this balance is achieved.</p> <p>Ensure compliance with the CIPFA codes regarding a Prudential Framework for Capital Finance and Treasury Management.</p>	<ul style="list-style-type: none"> • Project Management arrangements • Treasury Management strategy • Regular budget reporting • Internal and external audit

Principle D - Determining the interventions necessary to optimise the achievement of the intended outcomes.

Summary:

Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions. Determining the right mix of these courses of action is a critically important strategic choice that local government has to make to ensure intended outcomes are achieved. They need robust decision-making mechanisms to ensure that their defined outcomes can be achieved in a way that provides the best trade-off between the various types of resource inputs while still enabling effective and efficient operations. Decisions made need to be reviewed continually to ensure that achievement of outcomes is optimised.

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
Determining interventions	<p>Ensuring decision makers receive objective and rigorous analysis of a variety of options indicating how intended outcomes would be achieved and associated risks. Therefore ensuring best value is achieved however services are provided</p> <p>Considering feedback from citizens and service users when making decisions about service improvements or where services are no longer required in order to prioritise competing demands within limited resources available including people, skills, land and assets and bearing in mind future impacts</p>	<p>Make a clear statement of the Council's purpose and use it as a basis for corporate and service planning.</p> <p>Clear process for decision making.</p> <p>Have risk management arrangements in place including mitigating actions to support the achievement of the Council's intended outcomes.</p> <p>Ensure that there are effective arrangements in place to monitor service delivery.</p>	<ul style="list-style-type: none"> • Corporate Plan • Risk Management Framework • Service Plans • Service Risk Registers • Performance Management Reports to Committees and to the Leadership Team • Business Continuity Plans
Planning interventions	Establishing and implementing robust planning and control cycles	Put in place effective arrangements to deal with a failure in service delivery and explore	<ul style="list-style-type: none"> • Emergency & Resilience Plans

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	<p>that cover strategic and operational plans, priorities and targets</p> <p>Engaging with internal and external stakeholders in determining how services and other courses of action should be planned and delivered</p> <p>Considering and monitoring risks facing each partner when working collaboratively, including shared risks</p> <p>Ensuring arrangements are flexible and agile so that the mechanisms for delivering goods and services can be adapted to changing circumstances</p> <p>Establishing appropriate key performance indicators (KPIs) as part of the planning process in order to identify how the performance of services and projects is to be measured</p> <p>Ensuring capacity exists to generate the information required to review service quality regularly</p> <p>Preparing budgets in accordance with objectives, strategies and the medium term financial plan</p> <p>Informing medium and long term resource planning by drawing up realistic estimates of revenue and</p>	<p>options for improving service delivery and outcomes for our residents.</p> <p>Have prepared contingency arrangements including disaster recovery plans and business continuity plans to ensure resilience in delivering services, for example during adverse weather conditions.</p> <p>Provide senior managers and Members with timely financial and performance information.</p> <p>Ensure that budget calculations are robust.</p> <p>Align financial and performance data to provide an overall understanding of performance.</p>	<ul style="list-style-type: none"> • Feedback from consultation exercises • Monitoring of all KPI's and key projects. • Budget monitoring arrangements. • Project monitoring and action taken to support the implementation of key projects. • Process for committee approvals and delegated approval

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	capital expenditure aimed at developing a sustainable funding strategy		
Optimising achievement of intended outcomes	<p>Ensuring the medium term financial strategy integrates and balances service priorities, affordability and other resource constraints</p> <p>Ensuring the budgeting process is all-inclusive, taking into account the full cost of operations over the medium and longer term</p> <p>Ensuring the medium term financial strategy sets the context for ongoing decisions on significant delivery issues or responses to changes in the external environment that may arise during the budgetary period in order for outcomes to be achieved while optimising resource usage</p> <p>Ensuring the achievement of 'social value' through service planning and commissioning</p>	As above	As above

Principle E - Developing the Council’s capacity, including the capability of its leadership and the individuals within it.

Summary:

Local government needs appropriate structures and leadership, as well as people with the right skills, appropriate qualifications and mind-set, to operate efficiently and effectively and achieve their intended outcomes within the specified periods. A local government organisation must ensure that it has both the capacity to fulfil its own mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the organisation as a whole. Because both individuals and the environment in which an authority operates will change over time, there will be a continuous need to develop its capacity as well as the skills and experience of the leadership of individual staff members. Leadership in local government entities is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
Developing the Council’s capacity	<p>Reviewing operations, performance and use of assets on a regular basis to ensure their continuing effectiveness</p> <p>Improving resource use through appropriate application of techniques such as benchmarking and other options in order to determine how resources are allocated so that defined outcomes are achieved effectively and efficiently</p> <p>Recognising the benefits of partnerships and collaborative working where added value can be achieved</p> <p>Developing and maintaining an effective workforce plan to enhance the strategic allocation of resources</p>	<p>Through the Constitution set out a clear statement of the respective roles and responsibilities of the Committees and individual Members.</p> <p>Set out a clear statement of the respective roles and responsibilities of the Council’s senior officers.</p> <p>Have developed protocols to ensure effective communication between Council Members and officers in their respective roles.</p>	<ul style="list-style-type: none"> • Constitution • Annual Pay Policy Statement • Members' Allowance Scheme • Scheme of Delegation

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
<p>Developing the capability of the Council's leadership and other individuals</p>	<p>Developing protocols to ensure that elected and appointed leaders negotiate with each other regarding their respective roles early on in the relationship and that a shared understanding of roles and objectives is maintained</p> <p>Publishing a statement that specifies the types of decisions that are delegated and those reserved for the collective decision making of the governing body</p> <p>Ensuring the leader and the chief executive have clearly defined and distinctive leadership roles within a structure whereby the chief executive leads in implementing strategy and managing the delivery of services and other outputs set by members and each provides a check and a balance for each other's authority</p> <p>Developing the capabilities of members and senior management to achieve effective leadership and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks by:</p>	<p>Conduct for Elected Members are adhered to.</p> <p>Assess the skills required by Members including the understanding of financial systems.</p> <p>Assess the skills required by officers through the appraisal process and address any training gaps, to enable roles to be carried out effectively.</p> <p>Develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed.</p> <p>Ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the Council.</p> <p>Provide the Chief Finance Officer with the resources, expertise and systems necessary to perform the role effectively within the Council.</p> <p>Provide operational divisions with the resources, expertise and systems necessary to perform the role effectively within the Council.</p> <p>Monitor all key corporate projects</p>	<ul style="list-style-type: none"> • Personal Development Plans • Appraisals • Member Induction & Development Programme • ICT Digital Strategy • Organisational Development Plan? • Project management arrangements • Corporate Projects Register

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	<p>— ensuring members and staff have access to appropriate induction tailored to their role and that ongoing training and development matching individual and organisational requirements is available and encouraged</p> <p>— ensuring members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis</p> <p>— ensuring personal, organisational and system-wide development through shared learning, including lessons learnt from governance weaknesses both internal and external</p> <p>Ensuring that there are structures in place to encourage public participation</p> <p>Taking steps to consider the leadership's own effectiveness and ensuring leaders are open to constructive feedback from peer review and inspections</p> <p>Holding staff to account through regular performance reviews which</p>		

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	<p>take account of training or development needs</p> <p>Ensuring arrangements are in place to maintain the health and wellbeing of the workforce and support individuals in maintaining their own physical and mental wellbeing</p>		

Principle F - Managing risks and performance through robust internal control and strong public financial management.

Summary:

Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision making activities. A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, strategic allocation of resources, efficient service delivery, and accountability. It is also essential that a culture and structure for scrutiny is in place as a key part of decision making, policy making and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful delivery.

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
Managing risk	<p>Recognising that risk management is an integral part of all activities and must be considered in all aspects of decision making</p> <p>Implementing robust and integrated risk management arrangements and ensuring that they are working effectively</p> <p>Ensuring that responsibilities for managing individual risks are clearly allocated</p>	<p>Maintain an effective Audit Committee which is independent of the executive and scrutiny functions.</p> <p>Ensure that risk management is embedded into the culture of the Council, with Members and managers at all levels recognising that risk management is part of their job.</p>	<ul style="list-style-type: none"> • Risk Management Strategy • Regular Corporate Risk Management Reports • Service Risk Registers • Budget Reports
Managing performance	<p>Monitoring service delivery effectively including planning, specification, execution and independent post implementation review</p> <p>Making decisions based on relevant, clear objective analysis and advice</p>	<p>Ensure our arrangements for financial and internal control and management of risk are formally addressed within the annual governance statement.</p>	<ul style="list-style-type: none"> • Annual Governance Report • Performance Management Framework and

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	<p>pointing out the implications and risks inherent in the organisation's financial, social and environmental position and outlook</p> <p>Ensuring an effective scrutiny or oversight function is in place which provides constructive challenge and debate on policies and objectives before, during and after decisions are made thereby enhancing the organisation's performance and that of any organisation for which it is responsible</p> <p>Encouraging effective and constructive challenge and debate on policies and objectives to support balanced and effective decision making</p>		<p>reporting cycle to all Committees</p>
<p>Robust internal control</p>	<p>Providing members and senior management with regular reports on service delivery plans and on progress towards outcome achievement</p> <p>Ensuring there is consistency between specification</p> <p>Aligning the risk management strategy and policies on internal control with achieving objectives</p>	<p>Ensure effective internal control arrangements exist for sound financial management systems and processes.</p> <p>Ensure that a there is a performance management framework and performance is report to relevant committee for improvement.</p>	<ul style="list-style-type: none"> • Internal Auditing standards • Annual Audit Plan • Internal Audit Reports • Internal Audit Manager's annual opinion of assurance • Corporate Projects Register

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	<p>Evaluating and monitoring risk management and internal control on a regular basis</p> <p>Ensuring effective counter fraud and anti-corruption arrangements are in place</p> <p>Ensuring additional assurance on the overall adequacy and effectiveness of the framework of governance, risk management and control is provided by the internal auditor</p> <p>Ensuring an audit committee or equivalent group/function, which is independent of the executive and accountable to the governing body:</p> <ul style="list-style-type: none"> — provides a further source of effective assurance regarding arrangements for managing risk and maintaining an effective control environment — that its recommendations are listened to and acted upon 		<ul style="list-style-type: none"> • Medium Term Financial Strategy. • Budget targets and monitoring reports to Committee
Managing data	Ensuring effective arrangements are in place for the safe collection, storage, use and sharing of data, including processes to safeguard personal data	Effective arrangements are in place for the safe collection, storage and sharing of data including processes to safeguard personal data.	<ul style="list-style-type: none"> • IT Security & Acceptable Use Policy • Data Protection Policies • Retention and Disposal Policies

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	<p>Ensuring effective arrangements are in place and operating effectively when sharing data with other bodies</p> <p>Reviewing and auditing regularly the quality and accuracy of data used in decision making and performance monitoring</p>		
Strong public financial management	<p>Ensuring financial management supports both long term achievement of outcomes and short-term financial and operational performance</p> <p>Ensuring well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls</p>	<p>Enable the Chief Finance Officer can bring influence to bear on all material decisions and provide advice on the levels of reserves and balances to be retained.</p>	<ul style="list-style-type: none"> • Annual Budget Speech

Principle G - Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

Summary:

Accountability is about ensuring that those making decisions and delivering services are answerable for them. Effective accountability is concerned not only with reporting on actions completed, but also ensuring that stakeholders are able to understand and respond as the organisation plans and carries out its activities in a transparent manner. Both external and internal audit contribute to effective accountability.

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
<p>Implementing good practice in transparency</p>	<p>Writing and communicating reports for the public and other stakeholders in a fair, balanced and understandable style appropriate to the intended audience and ensuring that they are easy to access and interrogate</p> <p>Striking a balance between providing the right amount of information to satisfy transparency demands and enhance public scrutiny while not being too onerous to provide and for users to understand</p>	<p>Comply with the local government transparency code and publish all required information in a timely manner.</p>	<ul style="list-style-type: none"> • Council’s Committee Wepages
<p>Implementing good practices in reporting</p>	<p>Reporting at least annually on performance, value for money and stewardship of resources to stakeholders in a timely and understandable way</p> <p>Ensuring members and senior management own the results reported</p>	<p>Have established a medium term financial planning process in order to deliver a financial strategy ensuring sustainable finances, a robust annual budget process ensuring financial balance and an adequate monitoring process; all of which are subject to regular review.</p>	<ul style="list-style-type: none"> • Medium Term Financial Strategy • Towards a Sustainable Future Strategy

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	<p>Ensuring robust arrangements for assessing the extent to which the principles contained in this Framework have been applied and publishing the results on this assessment, including an action plan for improvement and evidence to demonstrate good governance (the annual governance statement)</p>		
<p>Assurance and effective accountability</p>	<p>Ensuring that this Framework is applied to jointly managed or shared service organisations as appropriate</p> <p>Ensuring the performance information that accompanies the financial statements is prepared on a consistent and timely basis and the statements allow for comparison with other, similar organisations</p> <p>Ensuring that recommendations for corrective action made by external audit are acted upon</p> <p>Ensuring an effective internal audit service with direct access to members is in place, providing assurance with regard to governance arrangements and that recommendations are acted upon</p>	<p>Put in place effective transparent and accessible arrangements for dealing with complaints.</p> <p>Maintain an effective scrutiny function which encourages constructive challenge and enhances the Council's performance overall.</p> <p>Maintain an effective Audit Committee.</p> <p>Ensure an effective internal audit function is resourced and maintained.</p> <p>Take corrective action from internal and external audit reports.</p> <p>Maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based.</p> <p>Publish all committee reports under Part 1 open to inspection by the public – unless there is a legitimate need to preserve</p>	<ul style="list-style-type: none"> • Corporate Complaints Procedure • Audit Committee • Constitution • Mod.Gov • Whistle-blowing Policy • Monthly budget and quarterly monitoring Reports • Annual Pay Policy Statement • Compliance with Transparency Agenda • Partnership Risk Register • Internal audit plan and the monitoring of the implementation of audit recommendations

Supporting Principles	Behaviours and actions that demonstrate good governance in practice	To meet the requirements of these Principles the Council will:	How this will be evidenced
	<p>Welcoming peer challenge, reviews and inspections from regulatory bodies and implementing recommendations</p> <p>Gaining assurance on risks associated with delivering services through third parties and that this is evidenced in the annual governance statement</p> <p>Ensuring that when working in partnership, arrangements for accountability are clear and the need for wider public accountability has been recognised and met</p>	<p>confidentiality on the basis of the statutory tests.</p> <p>Ensure when working in partnership, arrangements for accountability are clear and the need for wider accountability has been recognised and met.</p>	<p>Head of internal audit's annual opinion of assurance</p>

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

Meeting held on 21 March 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 on 21 March 2018.

1. Response to Heathrow Consultation – Key Decision

1.1. We considered a report on Spelthorne Borough Council's response to the first public consultation by Heathrow on the proposed third runway.

1.2. The report reiterated its support, in principle, to the third runway but proposed a number of requirements to protect and enhance the lives of affected residents in the borough.

1.3. We agreed:

- the response to the consultation subject to the addition of the following additional comment:

“Following some feedback we recognise that the whole borough is likely to be affected by Heathrow's expansion plans. However the extent to which different communities might be affected is not yet clear due to the complete absence of any detailed information. As the picture becomes clearer the Council may well need to revise or alter its list of requirements, and is reserving its right to do so.

As always the Council must have the protection of all its residents foremost in our minds.”

- to approve the response to the land use strategy for submission.
- to endorse the list of requirements that the Borough is submitting to Heathrow.

2. The Food Safety and the Workplace Health and Safety Service Plans 2018-2019

2.1. We agreed to adopt the proposed food and health and safety service plans for 2018-19, which outline the aims and objectives for the year ahead and evaluate the achievements of the previous year.

3. Award of Contract for Provision of Insurance Services – Key Decision

3.1. We considered an exempt report on the award of a contract for the provision of insurance services.

3.2. We agreed to approve the result of the Tender and award a contract as recommended in the report based upon the economic advantages to the Council.

4. Council Offices consolidation project - Key Decision

4.1. We considered an exempt report on proposals to progress with the Council Offices consolidation project, including proposed building works, refurbishment, installation of new double glazed aluminium windows and purchase of office internal infrastructure and fittings.

4.2. We agreed to:

- Approve the decision to progress building works, refurbishment and the installation of new double glazed aluminium windows.
- Approve the decision to purchase offline internal infrastructure and fittings.
- Exempt contract standing orders and delegate authority to the Deputy Chief Executive (in consultation with the Portfolio Holder) to select an internal infrastructure and fittings supplier from a pre-procured Framework as recommended.

Councillor Ian Harvey

Leader of the Council

26 April 2018

Report of the Chairman on the work of the Audit Committee

The Audit Committee held a meeting on 22 March 2018 and considered the following items of business.

1. Corporate Risk Management

- 1.1 The Committee noted and accepted the update on the Corporate Risk Register and recommended it to Cabinet as an accurate reflection of the current corporate risks affecting the Council.

2. Review of Procurement Strategy and update

- 2.1 The Committee received an update on the annual review of the Procurement Strategy and the actions and processes required to comply with contract standing orders and public contract regulations.

3. Recruitment and Retention update

- 3.1 The Committee noted an update on action taken to recruit or retain staff in departments where difficulties had been experienced with these issues, and also progress made in the provision of apprenticeships. The Committee requested a further update for their November 2018 meeting.

4. Partnerships update

- 4.1 The Committee were provided with a report and list of partnerships currently in place.

5. Code of Corporate Governance update

- 5.1 Terry Collier, Deputy Chief Executive, reported on the changes made to the Code and its approval by Cabinet on 5 March 2018.

6. Confidential Reporting Code (Whistleblowing Policy)

- 6.1 The Committee noted and approved the Confidential Reporting Code (Whistleblowing Policy) and leaflet.
- 6.2 The Code remained unchanged but the leaflet that is placed on internal notice boards had been updated.

7. Anti-Fraud, Bribery and Corruption Strategy

- 7.1 The Committee noted and accepted the changes to the Anti-Fraud, Bribery and Corruption Strategy and recommended it to Cabinet.

8. Annual Audit Plan

- 8.1 The Committee noted the Internal Audit Plan 2018-19 which demonstrated how the authority would fulfil its statutory requirement to 'maintain an adequate and effective system of internal audit of its accounting records and of its system of internal control in accordance with proper internal audit practices.'

9. Committee Work Programme

- 9.1 The Committee Work Programme for 2018-19 was approved subject to one amendment, namely that the Annual Governance Statement is considered at its July meeting as it forms part of the Statement of Accounts.

Councillor M.J. Madams

Chairman of the Audit Committee

26 April 2018

Report of the Chairman on the work of the Overview and Scrutiny Committee

This report gives an overview of the issues considered at the 13 March 2018 meeting.

1. Update on implementation of Homelessness Reduction Act

1.1 The Committee received a verbal update on progress made with the implementation of the Act which came into effect this month.

2. Update on Heathrow Third Runway, Flight Path Design Consultations and the Compton Route

2.1 The Committee noted a report on the process relating to the expansion of Heathrow and information about the Compton route, including the flight paths taken.

2.2 Rachel Thomas and Dan Foster of Heathrow's Airspace Team attended the meeting and responded to questions regarding the Compton Route, air noise and pollution levels, the existing flight paths and planning of new ones. They indicated that they were willing to return to answer further questions if required.

3. Use of Lay-bys by Large Goods (LGVs) and other vehicles

3.1 The Committee received a report on the management of lay-bys which rested with a variety of different organisations and agencies according to the route.

3.2 Mr Richard O'Keefe, of Connect Plus, attended the meeting to answer questions and concerns about their cleaning regime and agreed to provide details of his organisation's cleaning frequencies and contractor obligations in relation to maintenance of the A30.

4. Planning Enforcement in Spelthorne

4.1 The Committee noted the report which explained what planning enforcement is, the time limits for enforcement action and the options available to the local planning authority to deal with possible breaches. They noted the work and performance of the Planning Enforcement service and the workload of the team including recent successes.

4.2 The Committee thanked the Planning Enforcement Team for their work.

5. Review of Code of Corporate Governance

5.1 The Committee considered an updated Code of Corporate Governance following the publication of the updated 'Delivering Good Governance in Local Government' framework which defines the principles that should underpin the Council's governance structure. The new framework was broadly similar, however the key principles had substantially changed.

5.2 The Committee noted the report and recommended approval of the updated Code of Corporate Governance to Cabinet.

6. Financial Monitoring Reports Quarter 3

6.1 The Committee noted the current levels of capital and revenue spend for the period April to December 2017.

7. Corporate Projects

7.1 The Committee noted an update on the progress of the Council's key projects and requested an update on the People Safe project when it was fully rolled out.

8. Update on Leader's Task Group for Economic Development

8.1 The Committee noted the update on the Leader's Task Group for Economic Development (EDEG).

Councillor Sinead Mooney

Chairman of the Overview and Scrutiny Committee

26 April 2018

Report of the Chairman on the work of the Planning Committee

The Planning Committee has met on two occasions since the previous report was prepared for the Council meeting. This report therefore gives an overview of the key items considered by the Committee at its meetings on 7 March 2018 and 4 April 2018.

Planning Committee – 7 March 2018

1. The March meeting dealt with three planning applications. Public speaking took place on one item, with a Ward Councillor also speaking as he called in the same item. The items considered by the Committee are set out below.
2. Planning Application 18/00123/FUL related to the Council owned property of Benwell House, Green Street, Sunbury-on-Thames. The Committee approved the conversion of existing third floor roof space.
3. The second application, 17/01759/RVC, related to “Kenavon”, Ferry Lane, Shepperton, and sought the retention of the replacement dwelling as built with differences compared to the previously approved scheme (Ref: 16/01210/FUL) – citing a variation to Condition 7.of that permission so as to allow the substitution of plans. In addition to Public Speakers, Councillor Barnard spoke on this item, as he had called it in.
The application was approved by the Committee.
4. The final application of the evening was TPO 257/2017, relating to ‘the open space’ outside 145-147 Manygate Lane, Shepperton. This “Tree Preservation Order” sought to protect the Sycamore, because of its ‘significant contribution to the visual amenities of the locality’. The application was ‘Confirmed without modification’ by the Committee.

Planning Committee – 4 April 2018

5. At the Planning Committee meeting on 4 April 2018, three planning applications were considered, one having been withdrawn prior to the meeting. The items considered by the Committee are set out below, 4 public speakers taking the opportunity to address the Committee on two of the items.
6. The first application, 17/01365/OUT, for the redevelopment of the Renshaw Industrial Estate, 28 Mill Mead, Staines-upon-Thames into 275 residential units, in two buildings, with 250 parking spaces, was approved/refused by Committee subject to conditions (S106 agreement).
7. The second item was 17/01890/FUL relating to the Ashford Depot, Poplar Road, Ashford and sought approval for the redevelopment of the site comprising of the demolition of the existing building and erection of 2 buildings to provide 30 flats and the erection of 6 houses with associated access road and parking. The Committee approved the application.

8. The third Item, 17/01804/FUL related to 16 Springfield Road, Ashford but was withdrawn prior to the meeting.
9. The final Application, 15/00048/PLNCON, pertaining to 5 New Park Road, Ashford, sought that an 'Enforcement Notice' be issued to secure the removal of the unauthorised caravan and cessation of use of the land as a caravan site.
The Committee approved that the Enforcement Notice be issued.

Councillor Richard Smith-Ainsley

Chairman of Planning Committee

26 April 2018