

Minutes of Cabinet

24 February 2021

Present:

Councillor J.R. Boughtflower, Leader
Councillor J. McIlroy, Deputy Leader
Councillor M.M. Attewell, Deputy Leader and Portfolio Holder for Community Wellbeing and Housing
Councillor R.O. Barratt, Portfolio Holder for Compliance, Waste and Risk
Councillor S. Buttar, Portfolio Holder for Finance
Councillor R. Chandler, Portfolio Holder for Leisure Services and New Leisure Centre Development
Councillor A.J. Mitchell, Portfolio Holder for Planning and Economic Development
Councillor R.J. Noble, Portfolio Holder for Environment, Communications and Corporate Management

Apologies:

None.

Councillors in attendance:

Councillor J.T.F. Doran
Councillor C. Bateson
Councillor R.D. Dunn
Councillor T. Fidler
Councillor K.M. Grant
Councillor V.J. Leighton
Councillor L. E. Nichols
Councillor D. Saliagopoulos
Councillor J.R. Sexton
Councillor R.W. Sider BEM
Councillor R.A. Smith-Ainsley

2817/21 Minutes

The minutes of the Cabinet meeting held on 27 January 2021 were agreed as a correct record.

2818/21 Disclosures of Interest

There were none.

2819/21 Leader's announcements

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

- Spelthorne was praised in a recent Local Government Association (LGA) Corporate Peer Review report after inviting the LGA to conduct a financial peer review of the Council in late 2020. As part of the LGA's first ever

virtual review, a team of senior officers, an experienced Council Leader from another authority and government experts from across England undertook virtual interviews and focus groups with Spelthorne's staff, Councillors and stakeholders, spending over 300 hours developing its findings. The report was shared with all Councillors once it was received and published on our website with an accompanying press release on the 29 January.

- The Council has partnered with the Purple Angels to launch the 'Send a Smile' campaign which encourages young people to send positive messages and drawings to residents living with dementia.
- Work to build an extension at the Fordbridge Day Centre in Ashford has begun to allow more visitors.
- Our Support4Spelthorne Community Hub is still open for residents needing support during the pandemic. To get in touch, call 01784 446446 or email covid19welfare@spelthorne.gov.uk (Monday - Friday, 9am - 6pm).
- At the extraordinary Cabinet meeting on 25 January it was agreed that work on three proposed developments in Staines-upon-Thames would be placed on hold until the Annual Council Meeting in May to allow time for further analysis and consultation to take place. A planning application for a key worker housing development on Victory Close in Ashford has also been deferred until the March Planning Committee to enable improvements to be made to the scheme.
- The Deputy Leader, Councillor Jim McIlroy has written to the Secretary of State for Homes Communities and Local Government, Robert Jenrick MP, to express concern regarding the housing target which has been set by the Government for Spelthorne.
- Phase one of the redevelopment of Benwell House on Green Street in Sunbury is on target for completion in March and will provide 55 new homes, 27 of which will be affordable.
- Production of the Staines Development Framework, formerly known as the Masterplan, has reached the next stage as Spelthorne prepares to launch a public consultation this spring. Once adopted, the Framework will set a clear vision and strategy for the transformation and regeneration of the centre of Staines. It is anticipated that the consultation will run for six weeks from mid-April to late May 2021.
- The Council recently announced the purchase of former Marks & Spencer building in the heart of Staines-upon-Thames, which will support the Council's regeneration plans for the town centre.
- Following the presentation of new evidence at a Public Inquiry into the closure of the railway crossing at Moor Lane, Spelthorne Council has taken the decision to withdraw its objection to the closure.

- A consultation is underway to establish whether residents support the introduction of a Public Space Protection Order prohibiting the possession and use of 'legal highs' such as Nitrous Oxide. The consultation closes on Sunday 28 February.

2820/21 Recommendations from the Overview and Scrutiny Committee

Cabinet considered the recommendations contained in the report from the Overview and Scrutiny Committee on the Draft Capital Strategy 2021 to 2026 and Detailed Revenue Budget for 2021/22.

The Chairman of the Overview and Scrutiny Committee, Councillor Leighton, informed the Cabinet that the Committee had discussed both items in detail as reflected in the minutes of the meeting with the main points as follows.

The Draft Capital Strategy

Members of the Overview and Scrutiny Committee expressed the view that although it was a live document the Strategy was too long and that it needed to be stripped back and re-written.

The Overview and Scrutiny Committee acknowledged that there was not time for a complete re-write but that the historical appendices could be removed and some tweaks made.

The Chairman of the Overview and Scrutiny Committee acknowledged that officers had already made amendments to make the Strategy more concise.

Resolved that Cabinet agreed with the three recommendations of the Overview and Scrutiny Committee (noting that recommendations 2 and 3 had been implemented) as follows:

Recommendation 1: That in future the Strategy is more forward focused, and a tracked changes version is available for members to review to see how the Strategy has evolved.

Recommendation 2: That officers update the Strategy to make it more concise, replacing appendices with links where possible, prior to being presented to Cabinet on 24 February 2021.

Recommendation 3: That the information provided in paragraph 6.9 is updated to make it clear that the figures quoted are from the Strategic Land Availability Assessment and not any future planning application or any previous development scenarios members may have seen.

Detailed Revenue Budget

The Chairman of the Overview and Scrutiny Committee advised Cabinet that members of the Overview and Scrutiny Committee felt that they needed to have access to the budget earlier to enable them to be fully involved in the shaping of the budget.

The Overview and Scrutiny Committee were concerned over the adequacy of the monies set aside for green issues and climate change, which they believed undermines the pledge in the draft Capital Strategy that climate change is a Council priority.

Resolved that Cabinet agreed with the two recommendations of the Overview and Scrutiny Committee (noting that recommendation 1 had been implemented) as follows:

Recommendation 1: The Committee was concerned over the adequacy of the monies set aside for green issues and climate change, which undermines the pledge in the draft Capital Strategy that climate change is a priority and asks Cabinet to review this.

Recommendation 2: That next year the Overview and Scrutiny Committee (or Service Committees if the Council agrees to adopt the Committee System governance model at the Annual Council meeting in May) will have sight of the budget earlier in the process to enable them to be fully involved in the shaping of the final budget before it is presented to Council for approval.

2821/21 *Treasury Management Strategy Statement 2021/22

Cabinet considered the Treasury Management Strategy Statement 2021/22.

Cabinet noted that the Council had taken advice from its Treasury advisers, Arlingclose, to ensure a prudent and robust approach was taken in this strategy.

Resolved to:

1. **recommend** that Council approves the Treasury Management Strategy for 2021/22 as set out in the report, and
2. note the updated Treasury Management Practices (TMP) and Schedules.

Reason for decision:

The Council is required to approve a strategy before the start of the financial year and the Council had taken advice from its Treasury advisers, Arlingclose, to ensure a prudent and robust approach in this strategy.

2822/21 *Capital Strategy 2021 to 2026

Cabinet considered the Capital Strategy Report 2021 to 2026.

Cabinet noted that the Strategy for 2021 was very different to those that preceded it and that it puts 'front and centre' how the Council's new priorities of delivering affordable housing, achieving the regeneration of its town centres and ensuring a sustainable future in recognition of declaring a climate change emergency are to be delivered.

Members noted that over the past few years private developers had failed to provide sufficient affordable housing to meet the growing needs of the

Councils residents and that the Capital Strategy sets out how the Council will actively reverse this trend by directly intervening in the direct delivery of additional housing and affordable homes, and that there is a commitment that Council developments will deliver at least 50% affordable provision on its schemes.

Cabinet noted that Spelthorne Council had joined a growing number of domestic and international authorities in declaring a climate emergency and adopting a carbon-neutral target, that a Climate Change Task Group had been set up and that the Council had started assessing its own carbon footprint, along with developing a carbon trajectory to reach carbon neutrality, and that focus areas for capital investment in green measures included a new Spelthorne Leisure Centre to be the first fully compliant Passivhaus Leisure Centre in the country.

Resolved to recommend that Council approves the Capital Strategy for 2021 to 2026.

Reason for decision:

There has been a statutory requirement for every authority to have a Capital Strategy in place since April 2018 and it must be formally adopted by Council.

2823/21 *Capital programme 2021/22

Cabinet considered the Capital Programme and Strategy 2021/22 to 2024/25

Resolved to recommend that Council approves the proposed Capital Programme for 2021/22 to 2024/25 and Prudential Indicators for 2021/22 to 2024/25 as set out in the report.

Reason for Decision:

To enable the Authority to develop its Capital Investment Programme and agree the inclusion of the new Capital Bids within the Capital Programme

2824/21 Fees and Charges 2021/22

Councillor Buttar introduced the report and advised Cabinet that a record was missing from the list of charges and that this missing record (1243) was the Street Trading pre application Fee of £86.50.

Cabinet noted that the Council must perform a balancing act between maximising additional income that can be generated through fees and charges and setting fee levels which are sustainable whilst being mindful of the impact on residents and the local business community from any increases in fees and charges.

Resolved to approve the proposed fees and charges for 2021/22 as set out in Appendix A of the report.

Reason for Decision:

Fees and Charges are an important source of income for the authority each year and are a key importance in balancing the budget.

2825/21 Annual Grants 2021/22 - Key Decision

Cabinet considered the Annual Grant Awards 2021/22 report and noted that the Council had maintained its funding for voluntary organisations this year, making £209,600 available for allocation along with a carry forward of £34,650 from last year meaning a total of £244,250 was available to be allocated.

The Grants Panel met in December 2020 and January 2021 to assess the applications received and £228,200 was allocated and will be paid in April 2021. The surplus of £16,050 has been ring-fenced for projects which may arise during the year.

Alternative options considered and rejected by the Cabinet:

Not to award grants as recommended.

Resolved that:

1. the grants awards for 2021/22 be approved,
2. all other support to the voluntary/charity sector be noted,
3. £3k to be donated to the Mayor's charities from the grant fund, and
4. any unallocated Councillor's Better Neighbourhood Grant monies be transferred to the Grants Panel for allocation.

Reasons for decision:

1. Agreement of the award grants for 2021/22 will enable existing charities and voluntary organisations to continue to provide support, assistance and other essential service for Borough residents and new organisations to begin to provide such services.
2. Cabinet would like to support the Mayor's charities in a year when fundraising has been made difficult due to COVID-19.
3. Transferring unallocated Councillor's Better Neighbourhood Grants will allow this funding to be allocated to local organisations.

2826/21 *Pay Award 2021/22

Cabinet considered the Pay Award 2021/22 report noting that a number of consultation meetings had been held with UNISON and an agreement had been reached.

Cabinet agreed that to award less or no pay award would affect the motivation and retention of staff and if they did not remove scale points 8 and 9 from Scale 1 lower paid staff would receive a less meaningful incremental increase.

Resolved to recommend that Council approves the 2021/22 pay award and deletion of scale points as follows:

1. 0.75% to all scale points including personal salaries and apprentices;
2. An additional 0.25% for scales 1 to 3;
3. A one-off, non-consolidated payment of £100 (gross) to all staff (excluding casual workers), and
4. The deletion of scale points 8 and 9 from Scale 1

Reason for decision:

As a result of moving to local pay on 1 April 2019, the pay award for 2021/22 is to be decided by full Council.

The pay award is made to help attract and retain staff and is in recognition of their ongoing hard work and dedication in supporting the Council's services.

The one off payment of £100 was in recognition of the additional efforts staff had made to ensure services were delivered as usual during the pandemic.

The deletion of the scale points is to remove the discrepancy of a minor increment between scale points and to allow for a fair incremental increase between each point.

2827/21 *Pay Policy Statement 2021/22

Cabinet considered the Pay Policy Statement 2021/22.

Cabinet noted that the Discretions Policy (an appendix of the Pay Policy) had been reviewed to include the Exit Cap Regulations, which came into force on 4 November 2020, and to reflect the potential changes to the Discretions Policy should the Reforming Local Government Exit Pay and Local Government Pension Scheme (Restriction of Exit Payments) Regulations, currently in consultation, come into force in 2021

Resolved to recommend that Council approves the Pay Policy Statement.

Reason for decision:

The Pay Policy Statement must be agreed by full Council and be published by 31 March each year.

2828/21 *Detailed Revenue Budget for 2021/22

Cabinet considered the Revenue Budget for 2021/22.

Cabinet noted that the budget had considered the impact of COVID-19, but through sound financial management, the Council were able to propose a 0.0% increase in the Spelthorne Borough Council element of the Council Tax for 2021/22, to assist its residents during these challenging times.

Cabinet also noted that the Chief Finance Officer had taken on board the recommendations of the Overview and Scrutiny Committee and made an

additional £150,000 available for green initiatives enabling the Council to provide a total of £250,000 which would be in addition to the unused £900,000 Green Belt initiative which had been put into an earmarked reserve to be available to be called upon if required in the future, rather than returning the funds to the General Fund.

Resolved to recommend Council to agree

1. To approve a 0.00% increase on Band D for the Spelthorne Borough Council element of the Council Tax for 2021/22 and also that:
 - a) The revenue estimates as set out in Appendix 1 be approved
 - b) No money, as set out in the report will be appropriated from General Reserves in support of Spelthorne's local Council Tax for 2021/22
 - c) The Council Tax base for the year 2021/22 is 39,016 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
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. To approve the growth and savings items as set out in the report's appendices.
5. To note the Chief Finance Officer's commentary in Section 4 of the report on the robustness of budget estimates and levels of reserves under Section 25 and 26 of the Local Government Act 2003.
6. To note that the Council Tax Base for the whole Council area for 2021/22 (Item T in the formula in Section 31b (3) of the Local Government Finance Act 1992, as amended (the 'act') should be 39,016 Band D equivalent dwellings and calculate that the Council Tax requirement for the Council's own purpose for 2021/22 is £205.05 per Band D equivalent dwelling.

That the following sums now be calculated by the Council for the year 2020/21 in accordance with Section 31 to 36 of the Local Government Act 1992:

A	104,340,381	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
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Cabinet, 24 February 2021 - continued

		issued to it by Parish Councils
B	96,340,081	Being the aggregate of the amount which the Council estimates for the items set out in Section 31A (3) of the Act
C	8,000,300	Being the amount by which the aggregate at (A) above exceeds the aggregate at (B) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year
D	205.05	Being the amount at (C) above divided by the amount at 5c (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)
E	0	Being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act
F	205.05	Being the amount at (D) above less the result given by dividing the amount at (E) above by the amount at 5c (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
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That the following amounts be calculated for the year 2021/22 in accordance with Sections 31 to 36 of the Local Government Finance Act as amended by the Localism Act 2011:

A £	B £	C £	D £	E £	F £	G £	H £
136.70	159.48	182.27	205.05	250.62	296.18	341.75	410.10

Being the amounts given by multiplying the amount at (F) 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 band.

That it be noted that for the year 2021/22 Surrey County Council and Surrey Police and Crime Commissioner have stated the following amounts (subject to ratification on 2 & 7 February) 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:

	A £	B £	C £	D £	E £	F £	G £	H £
Surrey County Council	1,032.72	1,204.84	1,376.98	1549.08	1,893.32	2,237.56	2,581.80	3,098.16
Surrey Police & Crime Commissioner	190.38	222.11	253.84	285.57	349.03	412.49	475.95	571.14

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 2021/22.

The Council has determined that its relevant basic amount of Council Tax for 2021/22 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 2021/22 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

Reason for decision:

The Authority is required to set a balanced budget and a Council tax rate for the financial year 2021/22.

2829/21 Capital Monitoring Q3 (Oct-Dec)

Cabinet considered the Capital Monitoring Report 2020/21 as at 31 December 2020.

Resolved to note that the current level of actual spend, committed spend and projected underspend in capital expenditure in 2020/21 as at 31 December 2020.

2830/21 Revenue Monitoring Q3 (Oct - Dec)

Cabinet considered the Revenue Monitoring Report 2020/21 as at 31 December 2020.

Resolved to note that the forecast outturn for 2020/21 as at 31 December 2020.

2831/21 Managed Service for the Incubator

Cabinet considered the Management of Incubator report and noted the amendment to the recommendation that the contract term be for 3 years at a nominal rent noting that it is a concessions contract that can be terminated at any time with 1 months' notice and a possible extension after 3 years.

Cabinet noted that there were 28 businesses that opened the Request For Quote (RFQ) but only one tender for the contract was made from a company who already successfully manage two other incubators of a similar size in Surrey. Cabinet further noted that the lack of tenders was more than likely due to this being a niche market, and as a result not many businesses were equipped with the experience and skill set required to bid.

Alternative options considered and rejected by the Cabinet:

Not to enter into the contract and instead recruit a manager for the premises as a paid employee of the Council to run the incubator on behalf of the Council.

Not to enter into the contract and instead use existing staff from the Economic Development Team to run and manage the incubator.

Resolved to agree to enter into a contract to manage the Business Incubator with the tender specified in Appendix B to include the grant of a lease of the premises at the Summit Centre 33 Hanworth Road Sunbury on Thames for a term of 3 years at a nominal rent noting that it is a concessions contract that can be terminated at any time with 1 months' notice and a possible extension after 3 years.

Reason for Decision:

Under contract standing orders the appointment of a contractor for a contract of this value sits with Cabinet.

The tender achieved a very high score, so, although only one application was received, it was of a very high standard and strongly recommended for this contract.

2832/21 Transfer of properties from Spelthorne Borough Council to Knowle Green Estates Ltd.

Councillor McIlroy informed the Cabinet that he had asked officers to provide more information on the transfer before Cabinet consider the matter and requested that the item be deferred and considered by Cabinet at its next meeting on 24 March 2021.

Resolved to defer the item for consideration at the next Cabinet meeting on 24 March 2021.

2833/21 Urgent Actions

The Chief Executive advised Cabinet that since the publication of the agenda there had been an additional urgent action taken on 24 February 2021 to agree a new letting in the Charter Building.

Cabinet noted the three urgent actions taken by the Chief Executive in consultation with the Leader since the last Cabinet meeting in January 2021.

2834/21 Urgent items

There were none.

2835/21 Establishing a Programme Board

Cabinet considered the draft terms of reference for the Assets Programme Board published in the supplementary agenda.

Resolved to establish the Assets Programme Board (Investment and Development) as a Sub-Committee of Cabinet and agreed the terms of reference.

NOTES:-

- (1) *Members of the Overview and Scrutiny Committee are reminded that under Overview and Scrutiny Procedure Rule 16, the “call-in” procedure shall not apply to recommendations the Cabinet makes to the Council. The matters on which recommendations have been made to the Council, if any, are identified with an asterisk [*] in the above Minutes.***
- (2) *Members of the Overview and Scrutiny Committee are entitled to call in decisions taken by the Cabinet for scrutiny before they are***

implemented, other than any recommendations covered under (1) above.

- (3) Within five working days of the date on which a decision of the Cabinet or a Cabinet Member is published, not less than three members [one of whom must be the Chairman] of the Overview and Scrutiny Committee are able to "call in" a decision;***
- (4) To avoid delay in considering an item "called in", an extraordinary meeting of the Overview and Scrutiny Committee will be convened within seven days of a "call in" being received if an ordinary meeting is not scheduled in that period;***
- (5) When calling in a Cabinet decision for review the members doing so should in their notice of "call in":-***
 - Outline their reasons for requiring a review;***
 - Indicate any further information they consider the Overview and Scrutiny Committee needs to have before it in order to conduct a review in addition to the written report made by officers to the Cabinet;***
 - Indicate whether, where the decision was taken collectively by the Cabinet, they wish the Leader or his nominee (who should normally be the Cabinet Member) or where the decision was taken by a Cabinet Member, the member of the Cabinet making the decision, to attend the committee meeting; and***
 - Indicate whether the officer making the report to the Cabinet or the Cabinet Member taking the decision or his/her representative should attend the meeting.***
- (6) The deadline of five working days for "call in" by Members of the Overview and Scrutiny Committee in relation to the above decisions by the Cabinet is the close of business on 4 March 2021.***