



19 May 2021

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To the Councillors of Spelthorne Borough Council

Summons to the Annual Council Meeting of Spelthorne Borough Council

I hereby summon you to attend a meeting of the Council to be held in the **Spelthorne Leisure Centre, Knowle Green, Staines-upon-Thames** on **Thursday, 27 May 2021** commencing at **6.00 pm** for the transaction of the following business.

**Daniel Mouawad**

*Chief Executive*

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

*Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Council meeting.*

**Following the singing of the National Anthem and before the Mayor starts the agenda proper, the Mayor's Chaplain will lead prayers.**

**Spelthorne Borough Council, Council Offices, Knowle Green**

**Staines-upon-Thames TW18 1XB**

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## AGENDA

Description	Page nos.
<p><b>1. Election of the Mayor</b> (a) To elect the Mayor of the Borough for the Municipal Year 2021-22 (b) The Mayor to make the Declaration of Acceptance of Office.</p>	
<p><b>2. Apologies for absence</b> To receive any apologies for non-attendance.</p>	
<p><b>3. Minutes</b> To confirm as a correct record the minutes of the Council meeting held on 22 April 2021.</p>	5 - 34
<p><b>4. Disclosures of Interest</b> To receive any disclosures of interest from Councillors in accordance with the Council's Code of Conduct for Members.</p>	
<p><b>5. Election of the Deputy Mayor</b> (a) To elect the Deputy Mayor of the Borough for the Municipal Year 2021-22 (b) The Deputy Mayor to make the Declaration of Acceptance of Office.</p>	
<p><b>6. Announcements from the Mayor</b> To receive any announcements from the Mayor.</p>	
<p><b>7. Election of the Leader of the Council</b> To elect the Leader of the Council for the Municipal Year 2021-22.</p>	
<p><b>8. Announcements from the Leader</b> To receive any announcements from the Leader.</p>	
<p><b>9. Election of Deputy Leader of the Council</b> To elect the Deputy Leader of the Council for the Municipal Year 2021-22.</p>	
<p><b>10. Minor amendments to the Constitution for implementation of the Committee system</b> To consider the adoption of the proposed minor changes to the Constitution required to operate implement the Committee System.</p>	To Follow

## 11. Establishment of Committees 2021-22

### (1) Establishment of Committees and Sub-Committees

To Follow

In accordance with Articles 6 and 9 of the Council's Constitution and pursuant to Part 4a – Standing Order 8.3, to appoint the following Committees and Sub-Committees of the size indicated below and with the Terms of Reference and functions set out in Part 3b of the Council's Constitution.

<b>Committee</b>	<b>Total voting members</b>
Corporate Policy and Resources Committee	15
Environment and Sustainability Committee	15
Community Wellbeing and Housing Committee	13
Economic Development Committee	9
Neighbourhood Services Committee	9
Administrative Committee	9
Audit Committee	7
Licensing Committee	13
Planning Committee	15
Standards Committee	9
Spelthorne Joint Committee	7
Development Sub-Committee	7

### (2) Allocation of seats on Committees and Sub-Committees – Appendix A

Pursuant to Section 15 of the Local Government and Housing Act 1989, to agree the representation of the different political groups on Committees.

*(Appendix A will be circulated in advance of the Annual Council meeting)*

### (3) Appointment of members to Committees and Sub Committees – Appendix B

In accordance with the Council's Constitution, to appoint the members to serve on the above-mentioned Committees, and Sub-Committee, including Mr. Ian Winter as the non-elected Chairman of the Standards Committee and Mr. Dylan Price as the non-elected Vice-Chairman of the Standards Committee.

*(Appendix B, the nominations to Committees, will be circulated in advance of the meeting).*

### (4) Appointment of Chairs and Vice-Chairs to Committees and Sub-Committees – Appendix C

In accordance with the Council's Constitution, to appoint the Chairs and Vice Chairs to serve on the above-mentioned Committees and Sub-Committees.

*(Appendix C will be circulated in advance of the Annual Council meeting)*

**(5) Appointment of Substitutes to Committees – Appendix D**

In accordance with the Council's Constitution, to appoint the Substitute members to serve on the above-mentioned Committees.

*(Appendix D will be circulated in advance of the Annual Council meeting)*

**12. Members Allowances**

Council is asked to consider the recommendations of the Independent Remuneration Panel on the Members' Allowances Scheme for 2021-22, as set out in full in the attached report.

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**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 April 2021 at 6.00 pm**

**Present:**

Councillors:

M.M. Attewell	R.D. Dunn	J. McIlroy
C.L. Barratt	S.A. Dunn	A.J. Mitchell
R.O. Barratt	T. Fidler	L. E. Nichols
C. Bateson	N.J. Gething	R.J. Noble
I.J. Beardsmore	M. Gibson	D. Saliagopoulos
J.R. Boughtflower	K.M. Grant	J.R. Sexton
S. Buttar	A.C. Harman	R.W. Sider BEM
R. Chandler	N. Islam	V. Siva
J.H.J. Doerfel	T. Lagden	R.A. Smith-Ainsley
J.T.F. Doran	V.J. Leighton	B.B. Spoor
S.M. Doran	M.J. Madams	J. Vinson

Councillor C.F. Barnard, The Mayor, in the Chair

**Apologies:** Apologies were received from Councillors A. Brar, H. Harvey, I.T.E. Harvey and O. Rybinski

- **Minutes silence in remembrance of His Royal Highness, Prince Phillip, The Duke of Edinburgh**

The Council observed a minutes silence in remembrance of His Royal Highness, Prince Phillip, The Duke of Edinburgh.

**A) Minutes**

The minutes of the Council meeting held on 25 February 2021 and the Extraordinary meetings held on 4 and 25 March were agreed as a correct record.

**116/21 Disclosures of Interest**

There were no disclosures of interest.

**103/21 Announcements from the Mayor**

The Mayor made the following announcements.

- I was honoured to be able to stand on the steps of this office to give condolences to Her Majesty, the Queen, and the Royal family on behalf of the Council and residents of this borough for the sad loss of His Royal Highness Prince Phillip, The Duke of Edinburgh.
- I was also honoured to be invited to Guildford Cathedral on Friday 16 April to attend a socially distanced service of condolence held in honour of His Royal Highness. The service was extremely moving and was attended by other Mayors, The Lord Lieutenant of Surrey, Deputy Lieutenants and the High Sheriff of Surrey.
- It was a privilege to be invited to visit the 2<sup>nd</sup> Sunbury Brownies last Friday afternoon and I intend to visit a number of Brownie, Guide, Scout and Cub packs and groups over the next couple of months. As members will know, they are one of my chosen charities so please do let me know if you would like me to visit any groups within your wards.

**104/21 Announcements from the Leader**

The Leader made the following announcements:

This Council would like to put on record its expression of sympathy to Her Majesty The Queen and the Royal Family following the sad passing of the Duke of Edinburgh on Friday 9th April.

This Borough, along with the rest of England is slowly emerging from the recent lockdown, with non-essential retail shops and outdoor hospitality opening on 12 April. I know this continues to be a very difficult time for many of our residents and businesses in the Borough. It has been 13 and a half months since Spelthorne was the first Surrey council to declare a Borough-wide emergency and, during this time, we have made over 17,000 welfare calls, visits and checks to vulnerable residents, made over 28,500 phone calls to residents through our community helpline and delivered over 39,000 meals on wheels. Neighbourhood Services have collected over 31,500 tonnes of waste and recycling and cleared over 2,000 fly-tips. The Council continues to support business in Spelthorne and to date and have provided nearly £40million in relief and grants during the pandemic so far. A new walk-through coronavirus testing facility has opened for those with symptoms to book appointments at Kingston Road Car Park with residents encouraged to get twice weekly tests.

Spelthorne Borough Council can continue to pride itself on its strong financial performance and is able to report that its commercial investment portfolio remains robust and is performing well ahead of the wider national average. Furthermore, for the 12-month period from March 2020, despite the UK experiencing the worst economic downturn for more than three hundred years, it has only written off 0.02% of the commercial rent due for 2020-21.

A further 55 homes will become available in the Borough from April with the delivery of the first phase of Spelthorne Council's new housing development in Sunbury. 44 homes will be affordable with 11 of these also dedicated to key workers. The project is part of the Council's plans to relieve housing pressure in the local area by providing good quality and affordable housing. The development converted disused commercial offices at Benwell House in Green Street into 55 one and two-bedroom apartments. The Council have also approved their new key worker policy, which can be viewed on our website.

To-date, Spelthorne has received over 100 emails from residents and of these 90% were in support of Spelthorne to remain as an independent Borough. Additionally, and as part of the Leader's residents' forums, many concerns have been raised on what it would mean for the Borough if the unitary proposals went ahead.

Spelthorne Borough Council is refreshing and realigning its corporate plan which will earmark four 'CARE' priorities; Community wellbeing, Affordable homes provision, Recovery and Environment for delivering services and supporting residents in the Borough. The proposals will refocus the Council's priorities overseen by the administration in tandem with the management team, reinforcing the strength of relationship between Councillors and Officers.

The swimming pools at Sunbury Leisure Centre were closed last year when a problem was identified with some of the pool tiles. The work at Sunbury Pool is expected to be completed in July and residents will be kept updated regarding the progress of these works on our website and social media channels.

Spelthorne Borough Council has now honoured 91 children as Spelthorne Litter Heroes for taking part in litter picks across the Borough. We have also been engaging with the public through our #NoRubbishExcuses social media campaign to try and bring about behavioural change in Spelthorne. Our video also features on the digital screens at the Elmsleigh Centre. We are continuing to encourage our residents to take pride in their surroundings and hope to honour further children with the title of Spelthorne Litter Hero.

Spelthorne Borough Council has launched a new commercial waste collection service, Spelthorne Direct Services Limited, as part of its drive to become carbon neutral by 2050.

Last month, the Spring edition of the Bulletin was delivered to residents. This edition is dedicated to the environment and details just some of the work Spelthorne Borough Council has done to help combat climate change. The middle eight pages focus on our green initiatives and how residents can 'be the change' by adapting how they deal with food, transportation and energy usage.

Spelthorne Borough Council will be eliminating 5.7 tonnes of annual carbon dioxide emissions with the installation of solar panels at the Council's depot in Ashford. The works, which have been supported by an £11,000 grant by the Enterprise M3 Clean Growth Programme, will be taking place in Spring.

The Council has opened entries for the 2021 Spelthorne Business Awards and Capture Spelthorne 2021. Details about these competitions are on our website.

We are pleased to announce that for this year we will be instigating a one-off increase of £1,000 per Councillor in their Better Neighbourhood Grants. This money will be ring fenced for green and climate change activities and projects within Councillors' wards. This proposal provides a chance for 'bottom up' initiatives from residents to tackle climate change and allows for the development of a wider set of proposals at grassroots level to meet carbon reduction targets. Funding for this initiative will come from the Climate Change Initiatives Fund.

On Tuesday 20th April, the UK government announced it was setting the world's most ambitious climate change target into law, to reduce UK emissions by 78% by 2035 compared to 1990 levels. This is a significant step by a Conservative Government ahead of the 26th Conference of the Parties (COP26) meeting, which is due to be held in Glasgow in November this year.

As this Council has declared a Climate Emergency and aligned our policies to the Government's targets, the imperative now is to accelerate the development of our own list of further practical actions to undertake our move towards significantly reducing Spelthorne's carbon emissions, and to fully play our part in delivering these new national targets.

To assist in this process, I am therefore pleased to announce that any unallocated balance in the Council's special projects fund which will be identified in our 2020/21 out-turn report going to Cabinet in May, will be added to the Council's Climate Change Initiatives Fund budget provision, specifically to implement projects to reduce the Council's carbon footprint and assist with us in our aim of meeting the Government's new target by 2035. I would propose that these funds come under the auspices of the new Environment and Sustainability Committee, when the Council's committee system of governance is implemented.

This reinforces this administration's firm commitment to tackling climate change as demonstrated in our new CARE priorities, which include the environment (in particular climate change) as one of the four key areas we will be focussing on. I am sure that this initiative will be supported by all corners of this virtual chamber.

Finally, I am delighted to announce that Spelthorne is the happiest place to live in Surrey, according to official data based on personal well-being from the Office for National Statistics. The ONS broke down the average ratings of four factors, which included life satisfaction, the feeling that the things done in life



are worthwhile, happiness and anxiety, in order to measure personal well-being across the UK.

**105/21 Announcements from the Chief Executive**

The Chief Executive made the following announcements.

The 13<sup>th</sup> March 2021 marked the one-year anniversary of this Council moving onto an emergency footing due to the Coronavirus pandemic. This presented possibly the biggest challenge ever faced by this authority, with our staff having to ramp up a rapid response to support people in need, safeguard life by supporting over 17,000 vulnerable residents and implementing a plethora of Government Regulations and guidance to help prevent the spread of COVID-19. As part of our programme to keep Councillors informed throughout this period, officers have provided over 70 virtual briefings for Members.

During that time, officers have also had to deal with 18 non-COVID related Extraordinary Council meetings, 66 non-COVID related motions to Council and over 115 non-COVID related Council questions. This is on top of the extensive work necessary to deliver this Chamber's desire to move the Council towards a Committees system of governance at accelerated speed, work which has also included the need to consult our residents on these proposals, work with the Committee System Working Group and draft all the necessary constitutional changes required.

Additionally, our officers have also organised and participated in a Local Government Association Financial Peer Review during this time, the first virtual peer review the LGA have undertaken anywhere in the country.

I would again like to put on record my deep appreciation for all the hard work our staff have had to put in over this period to respond to these incredible challenges and to thank Councillors for their continued understanding and support throughout this period in recognising that we have rightly had to focus on prioritising more pressing matters, whilst also maintaining all the routine essential services our residents rely on so much.

In response the Mayor expressed his thanks to the Chief Executive and his team for their hard work.

**106/21 Questions from members of the public**

The Mayor reported that, under Standing Order 14, twenty questions had been received from eight members of the public.

**1. Question from Mr A McLuskey**

In the light of the 'scorched earth' policy being pursued by gravel company Cemex at Stanwell Quarry in clear opposition to information in the public domain and also totally against the tenor of the recent 'Green' messages in the Spelthorne Bulletin - will the Council use its good offices to represent to

both Cemex and Surrey County Council that the spoilation of this beautiful location cease forthwith ?

**Response from Councillor R. Noble**

Surrey County Council (SCC) are the responsible authority for ensuring that restoration schemes that have been approved on waste and minerals sites are implemented according to the permission as granted. Spelthorne Borough Council regularly discuss with SCC's planners and environment officers the relevant schemes and the progress of implementation of these. SCC officers visit the sites where these schemes are being implemented on a regular basis and any enforcement action against non-compliance can be taken by the County. Spelthorne BC submit representations on proposed and on-going restoration schemes as well as planning applications relating to waste and mineral sites to ensure the Borough's views are taken account of in the decision-making process.

In relation specifically to the Cemex site at Stanwell Place, officers from Spelthorne have met with officers from SCC to discuss the on-going works. SCC officers have conducted visits to the site and are satisfied with the works being undertaken. Spelthorne are aware that SCC are in discussions with Cemex to ensure that the approved landscaping scheme is being implemented in a accordance with the submitted plans. Spelthorne will continue to engage with Surrey to ensure that the scheme continues to be implemented by Cemex as agreed.

**2. Question from Mr A. Woodward**

Given that the Council has committed to sustainable development defined as, "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs." and to "using sound science responsibly", will the Council ensure that the Local Plan and the Staines upon Thames Development Framework take account of the latest science indicating that global warming is on track to exceed safe limits, including measures such as; restricting any new large scale construction, refurbishing existing structures and protecting the remaining greenbelt?

**Response from the Deputy Leader, Councillor J. McIlroy**

Spelthorne must plan for around 611 new homes per year over a 15-year period as part of the Government's aim to see more housing built and as such it will not be possible to restrict large scale construction in the borough. In order to find sites for this number of new homes, we do need to consider whether some Green Belt should be released, however these decisions will be made by the Council's Local Plan Task Group and referred to the Cabinet. Sustainability Appraisal (often known as SA) is an integral element to the development of the new Local Plan. Its purpose is to promote sustainable development through the incorporation of social, environmental and economic considerations into plan preparation. The report sets out the appraisal of policy alternatives with the aim of ensuring sustainable development is incorporated into the Local Plan. The Sustainability Appraisal process takes place alongside the evolution of the Local Plan and it is a legal requirement for local authorities to carry this out.

The new Spelthorne Local Plan will include a policy on sustainable design and renewable/low carbon energy generation. The wording of this policy will be finalised at the next stage of consultation on the Local Plan. Consultation on the Local Plan Preferred Options document took place over 11 weeks ending in January 2020. The Draft Policy DS2: Sustainable Design and Renewable/Low Carbon Energy Generation was part of the document entitled 'Spelthorne Local Plan Preferred Options Consultation – Policies' ([here](#)) which remains on the Council website. The policy included wording on:

- maximising energy efficiency and integrating the use of renewable and low carbon energy
- passive solar gain and passive cooling
- sustainable construction and demolition techniques
- water efficiency of 110 litres per person per day
- flexibility and adaptability of use or layout
- electrical vehicle charging
- Combined Heat & Power (CHP) distribution networks
- storage of cycles
- storage of recyclable waste
- protection of and net gains in biodiversity
- reduction of carbon emissions below the relevant Target Emission Rate
- how energy hierarchy has been applied

The Staines Development Framework (formerly known as the Staines Masterplan) will set a clear vision and strategy for the transformation and regeneration of the centre of Staines, focusing on deliverable outcomes and policies. It is intended to be capable of adoption as a Supplementary Planning Document. Supplementary planning documents (SPDs) build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing Supplementary Planning Documents.

The Development Framework is an important element of the new Local Plan as it will set out the opportunities for Staines to deliver new homes, commercial activity, and vital infrastructure. It will also address key issues such as managing traffic problems, improving public transport links, capitalising on the riverside frontage, and enhancing the environment and public spaces. It will also provide the opportunity to consider the long term sustainability of the town centre as a holistic approach, taking into account the social economic and environmental aspects. The initial timeframe for the production of the Staines Development Framework has been delayed, as has the Local Plan preparation. Initial consultation is planned to begin in May this year. The proposed questionnaire includes a question on support for measures for the town centre to become more environmentally sustainable such as:

- Car-free developments without parking provision
- Green or planted “living” roofs and walls
- Higher energy efficiency and carbon reduction standards
- Low-carbon local deliveries
- Low-carbon district heating network
- Centralised refuse collection points

There will also be opportunities for additional suggestions and comments to be made on these measures.

### **3. Question from Mr P. Hollingworth**

I understand that KGE Ltd submits its accounts to Companies House and they can be viewed online here [KNOWLE GREEN ESTATES LIMITED - Filing history \(free information from Companies House\)](#).

Furthermore, I understand from KGE's website that, "Because KGE is a 'controlled company' of the Council, its activities and decision making are open to inspection and scrutiny by the Council's auditors, councillors and the public. In addition, the company is regularly reviewed by Cabinet, Audit Committee and the Overview & Scrutiny Committee, and its accounts are separately audited."

Therefore, please can the Council:

- a) provide an example of the financial reporting which is provided by Knowle Green Estates to the Council for performance monitoring purposes, state how often is it provided and where is it shown in Council reports?
- b) state how many full-time-equivalent employees KGE Ltd currently has and confirm if they are considered to be in the Council headcount?
- c) state, having now been established for nearly 5 years, what the latest key performance indicators are showing us for KGE Ltd and whether the full Council is happy with the value for money to date (in particular the £113k showing for the 'management charge' in the 2019 accounts)?
- d) can you outline why SBC still needs Knowle Green Estates and what purpose it serves?

### **Response from Councillor S. Buttar**

Thank you for your question, I will address the four elements of your question in turn.

- A) The recharges and financial transactions between Spelthorne Borough Council and Knowle Green Estates are summarised in the regular revenue monitoring reports which under the Council's current Governance system go to Cabinet and Overview and Scrutiny Committee. Both Cabinet and Overview and Scrutiny reviewed the Knowle Green Estates Business Plan.

This summer, Knowle Green Estates will produce an annual report to provide to its Council stakeholder. This month, Overview and Scrutiny Committee had a useful additional meeting focused on the transfers to Knowle Green Estates of the West Wing and Benwell House Phase 1

residential schemes, this included focusing on and clarifying the financial assumptions underpinning the transfers.

The outturn Knowle Green Estates figures are consolidated into the Group Accounts section of the Group Annual Statement of Accounts. The company's accounts are available in the public domain and the company's Board decided, on grounds of transparency, to publish full accounts rather than filleted accounts which as small company they would have been entitled to do. The company's external auditors have just completed a positive audit of the accounts for 2019-20, which they have signed off, and this will be reported to the Council's next Audit Committee. The company's accounts are then in turn considered by the Council's external auditors when they audit the Council's accounts and consider the Group Accounts.

- B). Knowle Green Estates does not have any employees. Council staff provide a number of services for the company which are recharged at costs.
- C). Delivery of housing which meets the needs of the Borough's residents is one of the Council's key corporate priorities. Yes, the Council is happy with the performance of Knowle Green Estates. The purpose of the company is to act as a delivery vehicle for a key part of the Council's Housing Strategy with respect to managing, on a long term basis, a mix of affordable, key worker and private rental housing units, to provide much needed housing accommodation for the residents of the Borough. The pipeline of units to be managed by Knowle Green Estates is about to grow significantly with the 55 units (a mix of affordable, key worker and private rental flats) transferring as the Benwell Phase 1 scheme, and 25 affordable rental flats at West Wing, Knowle Green converted from office space previously occupied by the Council to be transferred across over the next two months. Potentially a further six hundred or so affordable, keyworker and private rental homes will transfer across to Knowle Green Estates over the next five years, so its role is getting bigger.

In order to support its work, the Knowle Green Estates Board has put in place a number of policies and performance management measures including:

- A complaints Policy
- A Vulnerable Persons Policy - This policy sets out Knowle Green Estates' approach to assisting vulnerable and struggling residents. By having this policy in place, we aim to support residents to live independently.
- A Fire Policy – the company has a health and safety compliance schedule which is reported to every Board meeting.
- Capitalisation and Depreciation policies.
- A set of Key Performance Indicators – including rent collection, percentage of rent arrears, lettings (including the number of voids), average time between reletting units, repairs and maintenance (including percentage of repairs completed within target response times), the number of complaints and complements received and the number of homeless households received.

The last measure mentioned above is a particularly important measure for the Council, as for each family on its Housing Register that the Council transfers out of emergency accommodation into a Knowle Green affordable rental units, the Council saves an average of £6,500 per year. The above measures will be reported in the company's Annual Report mentioned above.

The Council is satisfied that it is receiving good value for money from Knowle Green Estates.

- D) By end of June, the company will be managing 57 affordable or key worker units, along with 11 private rental units which have come under its management since end of 2018. In comparison, during the same period developers and registered social landlords in the Borough have delivered a total of 28 affordable rental units. With the pipeline of further affordable, keyworker and private rental units coming through, the Council is going to need Knowle Green Estates to manage these units on an ongoing basis.

#### **4. Question from Mrs K. Sanders**

The balance of the Project Delivery Fund (£497k) was identified in the Q3 Revenue Monitoring Report as being available for "consideration for release for other projects". I have asked several councillors in the administration whether these funds specifically could be repurposed for Green Initiatives but have received no reply. Now that we have reached year-end, please can the Council confirm if the provision was identified as "savings" and released or whether it has been used/put aside for some other purpose?

#### **Response from Councillor S. Buttar**

Thank you for your question. Whilst the financial year end was 31<sup>st</sup> March, the final year-end adjustments are currently being put through as a result of COVID-19 related impacts and transactions the 2020/21 accounting process has been particularly complicated, and the issue of the putting aside funds into earmarked reserves and allocating them for specific purposes will be addressed as part of the Outturn Report going to Cabinet in May. Cabinet will make a decision on this when they have the full outturn figures available to them.

It is important to note that you can only use savings put into such a reserve once. However, we recognise the importance of taking steps to mitigate the Climate Change Emergency; this is indeed one of the key priorities of this Administration. It is therefore our intention to set aside all of the £497,000 from the Project Delivery Fund to top up the Green Initiatives Fund on a one-off basis

#### **5. Question from Mrs K. Sanders**

Given Cllr Boughtflower's acknowledgement at the February 2021 Council Meeting that the government's Objectively Assessed Need (OAN) figure of 606 dwellings per annum for Spelthorne can be considered a "starting point", what further work has been done to date by the Local Plan Task Group on

ways to reduce the local housing need figures to sustainable targets to take account of the large proportion of the borough designated as Green Belt or otherwise covered by LOCAL "absolute constraints" (e.g. water, functional floodplain etc)? By further work, I mean over and above the two approaches to the Ministry for Housing, Communities and Local Government (MHCLG) asking them to change the government's standard methodology.

**Response from the Deputy Leader, Councillor J. McIlroy**

In the first instance, Councils are expected to show that they have exhausted all options for meeting their full housing need before alternative options can be considered. We are still at this stage of making sure we show that we have tried to meet our housing need in full. The Local Plan Task Group and officers are working together to ensure that existing and new sites utilise land as efficiently as possible.

As per national planning guidance, this further work to consider whether housing targets could be reduced should only be undertaken once we have demonstrated that no stone has been left unturned in trying to meet our needs in full. We can expect any proposed reduction in housing numbers to be subject to heavy scrutiny by the inspector and other interested parties at the Local Plan examination.

It should also be noted that before the introduction of the Government's standard methodology for calculating housing need, we assessed our housing needs through our Strategic Housing Market Assessment 2015 (SHMA), which inputted a number of local factors. This identified a housing need figure for Spelthorne of 552-757 dwellings per year. As the standard method figure of 611 (as of 2021) falls within this range, this demonstrates that the standard method level of need is representative for Spelthorne if local considerations are factored in. If we were to re-run this exercise now, it could be considerably higher than the standard method generates.

**6. Question from Mrs K. Sanders**

Given this Council's stated commitment to flood risk prevention and mitigation, what is the possible justification for excluding some building footprints in the highest risk area (Flood Zone 3b) from the definition of Functional Floodplain as proposed in Local Plan Policy E2 (Flooding), and exactly which building footprints (of what size) in Flood Zone 3b does the Council have in mind?

**Response from the Deputy Leader, Councillor J. McIlroy**

Policy wording has been guided by the National Planning Practice Guidance (PPG) and the Spelthorne Strategic Flood Risk Assessment. Paragraph: 015 of the PPG states:

*"Areas which would naturally flood, but which are prevented from doing so by existing defences and infrastructure or solid buildings, will not normally be identified as functional floodplain".*

The Council's Strategic Flood Risk Assessment follows this definition and the two documents have guided the policy wording. The Environment Agency did

not disagree with, nor proposed, any amendments to this definition or wording when they responded to the consultation.

#### **7. Question from Mr A. Woodward**

Please see below the text of a question that I would like addressed to the Councillor Noble at the forthcoming meeting on Thursday 22<sup>nd</sup> April.

I am grateful to Cllr Noble's answer to my question at the last Council meeting in which he stated that all departments across the Council are now aware of the need to take account of the climate emergency in their planning. Does the Council have a programme of staff training to ensure that all Council staff understand the nature of the climate emergency and are equipped to understand how they need to adapt their planning in response to this emergency?

#### **Response from Councillor R. Noble**

Thank you for your question. The Council is currently developing the detail of its action plan on the climate emergency, which will include further training for staff on climate change. We are also currently looking at how we can integrate an on-line climate change module developed for Surrey into our one-line training courses for staff. The Local Plan team are already building climate change mitigation and adaptation into the Council's future policies. The Continuous Improvement Team as part of the transformation programme are taking account of the climate emergency in their interactions with the service teams to ensure climate change issues are addressed in both their daily work and projects.

#### **8. Question from Ms S. Woodward**

I would like to ask the following question of Councillor Noble at the Council meeting on 22nd April 2021.

In the Spring Bulletin, I was delighted to read that Spelthorne Council believes, 'there needs to be a greater step change to reduce carbon emissions and damage to the environment for our residents and future generations'. It was therefore with great shock and dismay that I found that an area in Lammas Park, adjacent to the refreshment kiosk, and consisting of raised beds supporting beautiful, mature, carbon capturing shrubs, plants and soil had been destroyed.

These habitats for birds, pollinators, small mammals, annelids and invertebrates have been replaced by barren, impermeable tarmac!

Can the council explain how this can happen without consultation with local residents and how such desecration fits in with the council's published intent to, 'review everything we control and manage as your council and ensure we can carry out our work with the least impact on the environment' ?

#### **Response from Councillor R. Barratt**

Thank you for your question and I would confirm that we understand your concerns. To provide a little background on the works and put it in context. I can confirm that the raised beds were removed because they were in a poor



state of repair having been there for what officers believe is over 30 years. The structure of the raised beds was failing, and bricks were falling away mainly due to the massed root system in the beds. The soil in the beds was root-bound leaving a lot of empty space and no chance to replant. New plants would not have survived the soil conditions. There were also dangers identified in relation to the structure of the planters for these reasons a decision was therefore made to remove the beds as soon as possible for safety reasons, which ruled out any option for consultation.

As with all activities, we review environmental issues in consideration of the displacement of wildlife before work is carried out in order to minimise the effect. In this case and as a mitigation measure for these works, officers have already considered the introduction of pergolas with appropriate planting to encourage wildlife, the extension of the wildflower area and additional tree planting within the park.

An additional aspect we had to consider is the high number of incidents of anti-social behaviour (ASB) which have been reported in this area. It is difficult to catch those responsible as the planters hid from view those hiding in this space and CCTV was not beneficial. Opening this area has allowed us to install some high-level CCTV cameras which are located in areas which give more opportunity to pick-up those who intend to commit crime, the latest of which was the terrible fire in the play area. We urgently need to combat this type of ASB, which displaces wildlife and ruins the opportunity for residents and their children to enjoy the park.

The removal of the planters is just the first stage of wider plans for the park in terms of opening the river view and providing more useable space within the park environment. This park already has many areas of biodiversity and environments suitable for the birds and mammals that were living in these raised beds to relocate. Park improvements will include new floral environments suitable as habitats for wildlife and will also cater for the many residents and visitors who have no personal outdoor space. We have received other questions from residents and groups around Staines-upon-Thames who have in the main been supportive of the work and plans, once they are explained. Park users will be able to visit the Lammas to enjoy a new environment where they can meet friends, find seating for picnics at the same time as being able to enjoy the park's wildlife, the view of the river and take part in the activities planned over the summer.

#### **9. Question from Mr A. Peters**

I would be grateful if you could arrange for the following questions to be asked of The Council Leader at the April full council meeting regarding the serious concerns raised in the report by the developments and investments review group.

The report by the working group reviewing the Councils developments and investments stated that the group believed there is a lack of public involvement in the Councils ambitious development programme highlighting in particular the Benwell House development. In this case the report states

"Public consultation only took place on the final design for a 5-storey block in Phase 2 with no alternatives offered". This lack of local involvement has resulted in a Phase 2 proposal which is widely resisted locally and has led to over 225 planning objection letters. Can the leader please outline what processes will be put in place to ensure such shameful lack of public consultation does not occur ever again, and will he commit to a proper and meaningful consultation on Phase 2 of Benwell House.

**Response from the Leader, Councillor J.R Boughtflower**

Legally, there is no requirement as part of the planning process for any developer to undertake pre-application consultation, although it is very strongly recommended. The Council undertook a pre-application exercise on Benwell House phase 2, with a face-to-face consultation event which all local residents were able to attend. The views given at that consultation were considered with other aspects of the development before the application was submitted.

The large number of objections referred to by the questioner reflects the fact that consultation has indeed taken place. These will be taken into consideration by the planning officer when they make their recommendation to the planning committee, and in turn by the committee when they make their final decision.

It is true that no alternative development options were given, as that is not the aim of such a pre-application consultation exercise.

As you are aware, under my leadership the Council has moved to being more open and transparent. One clear example is the Assets Programme Board which is a Sub Committee of Cabinet which will then become a cross-party Sub Committee of the Corporate Policy and Resources Committee. This will ensure Councillors who sit on those committees will have a greater involvement in the development process at key stages from start to finish.

I have insisted that all the Council developments which are currently in the pipeline go to this Sub Committee and I have no doubt that the extent of public consultation will be part of that discussion. In light of my desire for more inclusive decision making, I would not wish to pre-judge any comments which might be made by that wider group of councillors.

**10. Question from Mr A. Peters**

The report by the working group reviewing the Councils developments and investments stated that:

- council officials were reluctant to engage in the review process,
- that intervention of the Council Leader was required for officers to engage even partially in the review,
- that even now officers have been reluctant to identify who made the decisions regarding the ballooning scope and costs of the developments and have still not provided full DIG reports

Despite the leadership changing and an apparent political will to review the current opaque practices around the development programme it appears

there is huge organisational inertia to any change of direction, not least from senior council officials and the many contractors employed to push these schemes through. Can the leader please describe what steps have been taken to ensure that senior council officials are on-board with the recommendations of the working group report and give the public confidence that we will see evidence of a marked improvement in their performance and transparency.

**Response from the Leader, Councillor J.R Boughtflower**

I need to make it clear that the vast majority of the concerns raised within the report around transparency are in fact a product of the Strong Leader governance model. The headline conclusion was that, and I quote, “the current governance structure within the Council has serious limitations that must be addressed”. That system gave considerable power to the Leader, and whilst the report does make comment on ‘opaque practices’, those decisions (whether we liked them or not) including the involvement of officers were made entirely correctly within that Strong Leader model. We are now moving away from that model to one of greater councillor involvement and oversight with the proposed implementation of a Committee system of governance.

All projects are fully reported regularly to the Leadership and any questions are discussed weekly with the Leadership. Furthermore, the Council went through a Peer Review at the end of last year and is subject to full and frequent audits, both internally and externally.

With regards to officer engagement, I do not agree that officers were reluctant to engage in the review process or that there has been any ‘*organisational inertia to any change of direction*’ as you have stated. Firstly, officers (being guided by a Councillor led Task Group) have pulled out all the stops to move away from a Cabinet system to a committee led system in less than a year. This has been an incredible effort and one which even in normal times most Councils do over a period of two years not one.

Secondly, I know that a very significant amount of officer time within assets and finance has been spent over the last year or so providing information and in virtual face to face meetings, even though the Council has been operating on an amber footing as a result of the on-going COVID-19 pandemic. Officers have also, on a number of occasions, offered to provide additional detailed briefings for those councillors who desired them. This work has extended to hundreds of hours across the organisation. I would like to thank them for their efforts in this respect.

Council officers have responded to all the requests that I have made of them as Leader, and indeed other Councillors who have asked for information.

Officers have also responded positively to the new aims which have been set out by my administration. This is best evidenced by the active shift of strategy to provide a minimum of 50% affordable housing on every development, which officers have actively embraced. Indeed, they have looked to go

beyond this by considering higher percentages where feasible, as well as looking at providing more key worker accommodation

In answer to your question of what has been done to implement the five recommendations of the working group, I can advise that they have all either been implemented in full or are actively being progressed as follows:

1. An Assets Programme Board which is a Sub Committee of Cabinet has been set up to oversee all development projects and this will become a Sub Committee of the Corporate Policy and resources Committee from the end of May.
2. The Officer group (DIG) will be reporting to that Sub Committee at agreed key stages.
3. Officers have provided detailed information on the well-established development industry project management methodology currently used for the development projects, which the Leader's Task Group are currently considering.
4. The resourcing of the assets team (management, staffing, skills and resources of the investment and commercial properties), is a matter for the Chief Executive as Head of Paid Service. The report acknowledged that the resourcing of the team was dependent on the Council's 'aspirations and appetite for development'. This is clearly a matter which is for the political leadership to give direction on. None of these audits or the review have indicated that skills or resources are an issue which have come under review.
5. There have been a number of actions to further improve liaison between councillors and officers, including a new reporting line into the Assets Programme Board I've previously mentioned.

I cannot agree that the assets team have not been performing effectively, as you suggest. We are proud that they have delivered the Phase 1 project during unprecedented times of pandemic, along with White House, Harper House and West Wing Knowle Green at the same time which will deliver much need affordable housing for our residents.

#### **11. Question from Mr A. Peters**

The working group raised serious concerns about the long-term resource requirements and skills necessary for the development and management of the portfolio. Given that the entire budget for Benwell House has already been spent on Phase 1 these concerns appear well founded. Can the leader please describe what steps have been taken to fill the resourcing and skills gaps identified in the report.

#### **Response from the Leader, Councillor J. Boughtflower**

The costs for the Benwell House project have been openly reported, both at Cabinet level and at Overview and Scrutiny (either via briefings, project management updates or capital reports). The extra cost referred to is for the Phase 2 project, and is as a result of looking to maximise the development opportunity on the site to secure the greatest level of affordable housing feasible for the site. Phase 1 is on budget.

I have already answered the question on resourcing in my earlier response

**12. Question from Mr C. Hyde**

As a Spelthorne resident, I would like to ask the following question at the Council meeting on 22 April 2021.

Question addressed to Cllr Boughtflower or Cllr Noble:

"In response to a question, Cllr Noble stated during the Council meeting of 25th February 2021 that there were "large contingencies for the Climate emergency". How much in actual figures are the contingencies that were referred to and that have been put aside by this Council for the Climate Emergency?".

**Response from Councillor R. Noble**

Thank you for the question Mr. Hyde. My comments made at the meeting were made with respect to the Council's broader financial plans both Revenue and Capital. The various funding provisions I referred to were for climate change related measures that include not only the £250k Green Initiatives fund built into the 2021-22 Revenue Budget as growth but also ...

- £4m provision in Capital Programme on the provision to build a new leisure centre meeting the Passivhaus criteria – this will be the first leisure centre in the country which will be fully Passivhaus compliant
- The Administration, subject to the views of the Assets Programme Board, is planning to invest an extra £1.5m on additional environmental measures, such as air source heat pumps on the Victory Place residential scheme being built and developed by this council
- We are investing an initial £195k into a feasibility study to develop local cycling and walking plans with Surrey County Council and identify that this could lead to capital investment of some £3m to £5m over a number of years
- We have set aside £100k for the purchase of an electric community transport vehicle
- In addition, we have committed £42,500 match funding towards a Surrey County Council led trial which will see 20 dual on-street Electric Vehicle charging points installed in the Borough.
- This Administration has also made a commitment to purchase electric handheld machinery for our grounds services when current equipment reaches end of life, this equates to approximately £10k per year
- We have also invested £8k in an electric bin lift for a new fleet vehicle operating in the waste service
- Also, as you have already heard this evening our Administration is committing to allocate the unspent special projects provision of £497k from 2020-21 being carried forward to add to the Green Initiatives Fund on a one-off basis

Taking all the above together you will note this Administration is planning to spend approximately £5m in the coming year on climate change related measures.

If you were to look at the plans of other councils in terms of what they are actually planning to spend in the coming financial year you will struggle to find any councils – whether District, Unitary, City or Boroughs of our size with just over 98,500 residents who are investing as much as this Conservative Administration on green measures.

**13. Question from Ms S. Molloy**

In the recent Council spring bulletin, Cllr Noble called on everyone to take "personal responsibility and adopt.. a more selfless attitude" to protect the planet, plant life and species. How does he consider that his own planning application (20/01544/FUL) to develop his **own** Green Belt site is compatible with his call on others to change **their** ways and does he consider that the duty to protect the environment and green belt only applies to others?

**Response from Councillor R. Noble**

The development of the site was to replace a dilapidated caravan and three sheds with a permanent residence. Since purchasing the overgrown and disused site, I have cleared the site and riverbank of detritus and pollution and improved the ecological environment for local wildlife evidence of which was provide to the Planning Committee. I do not consider the duty to protect the environment and green belt only applies to others.

**14. Question from Mrs K. Sanders**

Where can interested parties find the Water Cycle Study which the Environment Agency has twice recommended be carried out as part of the Local Plan Evidence Base and, if not yet complete, when will this be available please [View Comment - Spelthorne Local Plan - Preferred Options Consultation: Policies and Site Allocations - Spelthorne?](#)

**Response from the Deputy Leader, Councillor J. McIlroy**

The Water Cycle Study is on the Local Plan Evidence Base and Supporting documents web page and can be accessed via the following link: [www.spelthorne.gov.uk/New-Local-Plan-Evidence](http://www.spelthorne.gov.uk/New-Local-Plan-Evidence)

I would just like to take the opportunity to add that this is a simple question that could have been answered by an officer in the Strategic Planning Team. I don't agree with valuable Council time at this meeting being taken up by responding to this type of question. We are here to serve the public and where there are questions that warrant being raised and discussed in this forum we will always be happy to reply but asking the location of a document should be directed to officers and only brought to Council where the response has been unsatisfactory.

**15. Question from Mrs K. Sanders**

Does the Local Plan Task Group plan to incorporate the Sustainable Design principles advocated by Rachel Rae from the Environment Agency's

Sustainable Places team in their Preferred Options consultation submission from 21st January 2020 [View Comment - Spelthorne Local Plan - Preferred Options Consultation: Policies and Site Allocations - Spelthorne?](#)

**Response from the Deputy Leader, Councillor J. McIlroy**

The Local Plan Task Group will agree the wording for each policy as we move towards the development of the publication Local Plan. Strong weight will be given to the comments of statutory consultees, including the Environment Agency. Stakeholders will be consulted as appropriate on any revised wording as the Local Plan progresses.

This response and the two that I'll respond to afterwards have the same reply as the issues raised are the same, namely the extent to which consultation comments will be taken into account. I would like to explain that the primary work of the Local Plan Task Group over the past few months has been to agree the overall strategy for the Local Plan and the future of the Borough. Once the strategy has been agreed, we still have work to do on finishing drafting the policies themselves. As you know, the draft policies were consulted on during the Preferred Options consultation and we received a wealth of feedback that is being considered. This will be the focus of the Task Group's activities going forward so that we be assured that the submission version of the Plan has taken full account of comments raised in consultation, particularly where key stakeholders such as the Environment Agency have responded as they will cover technical matters that will ensure the Local Plan can be found 'sound' when it is examined by an independent inspector.

**16. Question from Mrs K. Sanders**

Does the Local Plan Task Group plan to incorporate the Green & Blue Infrastructure recommendations advocated by Rachel Rae from the Environment Agency in her Preferred Options consultation submission [View Comment - Spelthorne Local Plan - Preferred Options Consultation: Policies and Site Allocations - Spelthorne?](#)

**Response from the Deputy Leader, Councillor J. McIlroy**

The Local Plan Task Group will agree the wording for each policy as we move towards the development of the publication Local Plan. Strong weight will be given to the comments of statutory consultees, including the Environment Agency. Stakeholders will be consulted as appropriate on any revised wording as the Local Plan progresses.

**17. Question from Mrs K. Sanders**

Does the Local Plan Task Group plan to incorporate the Sustainable Drainage Schemes (SuDS) advocated by Rachel Rae from the Environment Agency in her Preferred Options consultation submission [View Comment - Spelthorne Local Plan - Preferred Options Consultation: Policies and Site Allocations - Spelthorne](#)

**Response from the Deputy Leader, Councillor J. McIlroy**

The Local Plan Task Group will agree the wording for each policy as we move towards the development of the publication Local Plan. Strong weight will be

given to the comments of statutory consultees, including the Environment Agency. Stakeholders will be consulted as appropriate on any revised wording as the Local Plan progresses.

**18. Question from Mrs K. Sanders**

Please can you tell interested parties when the Authority Monitoring Report for 2019/20 will be published as it doesn't appear to be on the website yet? [Authority Monitoring Report - Spelthorne Borough Council](#)

**Response from the Deputy Leader, Councillor J. McIlroy**

The Authority Monitoring Report 2019/20 is now available on the Council's website. This is available on the Authority Monitoring Report webpage.

As I said in my response to the earlier question regarding where the Water Cycle Study can be found, this question could have been answered by officers rather than needing to be put to this Council meeting.

**19. Question from Mrs K. Sanders**

I understand that certain numbers in the budget are required for statutory reporting and I can see that the budgeted **Council Tax for the Year of £8,000,300 (Figure C) in accordance with Section 31 to 36 of the Local Government Act 1992** equals the bottom line of the Council Tax calculation in Appendix 4 (i.e. "**Net sum to be recovered through Council Tax**"). However, please could officers clarify how two of the other headline numbers from the Local Council Tax 2021/22 Budget (**namely A = £104,340,381 and B = £96,340,081**) reconcile back to the Council Tax calculation in Appendix 4 of the Revenue Budget presented in February 2021 as this is not clear and I cannot see these two numbers in any other report (and my email enquiry has not been answered)?

NB Appendix 1 has similar numbers for the "Charge to Collection Fund" of £103,992,781 and £95,992,480 (with a net figure of £8,000,300) but these are obviously both out by a difference of £347,600.

**Response from Councillor S. Buttar**

Thank you for your question. Officers have reviewed the figures in the statement for S31 to 36 of the Local government Act 1992 and can confirm that these figures are correct.

The figures quoted relate to the aggregate expenditure and income for each area of the budget, with the difference representing the net expenditure, which is covered by the Council Tax levy, for the council to meet its statutory requirement to deliver a balance budget for taxpayers.

In preparing the appendices for the budget book, a contra accounting entry of £347,600 was netted off in Appendix 1 rather than shown gross in the income and expenditure totals, as per the S31 to 36 declaration. This had no impact on the Council Tax yield of £8,000,300. As it was not noticed until after the budget book had been published, and there was no impact on the net



expenditure or Council Tax yield, no further action was taken in respect of Appendix 1 or Appendix 4.

Appendix 4 figures are taken directly from Appendix 1 figures and restate the Council Tax Yield in a different format for taxpayers using the aggregate net service expenditure as a starting point and is consistent with previous years.

All the figures quoted can be seen in the net expenditure column for 2021/21, apart from aggregate service expenditure £62,412,268, which can be seen in the Service Expenditure row (approximately half way down the page) in the expenditure column.

#### **20. Question from Mrs K. Sanders**

I understand the pandemic has caused major changes in the finances of every organisation. However, please could interested parties get more explanation of the major variances in the financial reporting going forward? Specifically for now, for example, why is the budgeted Pensions allowance of **£205,000 for 2021/22 only 20% of the allowance made in 2020/21 when it was £1,058,000?** That is, in itself, a difference of £853,000 which was not fully explained in the report or the meeting.

NB The Revenue Budget report does talk in section 3.3.2 about a reduction in the secondary pension rate from £2.122m in 2020/21 to £1m in 2021/22 but these numbers cannot be seen in the detailed Revenue Budget in Appendix 1 (and they don't marry up with the numbers quoted for Pensions in that report).

#### **Response from Councillor S. Buttar**

Thank you for your question. The movement in the employer's pension contribution budget was explained in the Outline Budget report which went to Cabinet and Overview and Scrutiny Committee in January 2021.

Spelthorne, as a member of the Surrey Pension Fund, is required to pay both ongoing pension contributions for current staff (17.3% on all employees in the pension scheme, which is reflected in employee costs across all services), and also additional contributions relating to pensions liabilities accrued as a result of past service of employees.

Every three years, all local government Pension Fund schemes are revalued by actuaries and this process then determines the employers' contribution rates for the following three financial years. The Surrey Pension Fund is administered by Surrey County Council. The last valuation was done as at 31<sup>st</sup> March 2019, with the revised employer rates to apply from 2020-21.

In undertaking this latest three-yearly valuation the actuaries identified that, in addition to the £1.2m annual past service contribution Spelthorne had been paying, there was a need for us as employers to pay an additional £1m to cover the following three year period.

One option would have been to spread that impact out equally over each of those three years, However, as part of the medium term financial planning we

undertook a year ago, it was identified that that there was an opportunity to make use of the greater budget headroom we were projecting in 2020-21 compared to the subsequent two financial years, and pay most of the additional past service contributions upfront in 2020-21. In doing so, the Council over the three year period makes a £40,000 saving, as it gets paid interest by the Surrey Pension Fund to reflect the cashflow benefit they gain.

The figures referred to in the question to are from the Outline Budget summary which highlights incremental changes year on year. So there the £1m additional increase in past service contributions made in 2020-21 relative to 2019-20 which then drops out in 2021-22 – which is one of the factors which has assisted the Council in being able to set a balanced budget in 2021-22 despite the impacts of the COVID-19 pandemic. However there was an adjustment made in 2021-22 to the estimated cost of the current service pension contributions of £205k which was shown as movement relative to 2020-21.

**107/21 Petitions**

There were none.

**108/21 Calendar of Meetings 2021-2022**

It was proposed by Councillor J.R Boughtflower and seconded by Councillor J. McIlroy that the draft calendar of meetings for 2021 to 2022, as set out in Appendix 1a to the report, be approved.

**Resolved** to approve the Calendar of Meetings for 2021-2022 as attached to the agenda.

**109/21 Report from the Leader of the Council**

The Leader of the Council, Councillor J. Boughtflower, presented the reports of the ordinary Cabinet meeting held on 24 March 2021 and extraordinary Cabinet meetings held on 29 March and 14 April 2021, which outlined the matters the Cabinet had decided since the last Council meeting.

**110/21 Report from the Chairman of the Audit Committee**

The Chairman of the Audit Committee, Councillor L.E Nichols, presented his report which outlined the matters the Committee had decided since the last Council meeting.

**111/21 Report from the Chairman of the Overview and Scrutiny Committee**

The Chairman of the Overview and Scrutiny Committee, Councillor V.J. Leighton, presented her report which outlined the matters the Committee had decided since the last Council meeting.

**112/21 Report from the Chairman of the Planning Committee**

The Chairman of the Planning Committee, Councillor T. Lagden, presented his report which outlined the matters the Committee had decided since the last Council meeting.

**113/21 Motions**

In accordance with standing order 19(d) the Leader, Councillor J.R Boughtflower, moved a motion without notice that the two motions on the agenda be referred to the Environment and Sustainability Committee to enable full, detailed and informed discussions to take place on these important matters.

The motions on the agenda were as follows:

**Motion 1**

**To Support the Climate and Ecological Emergency Bill (the background information provided with this Motion is attached to the agenda)**

That Council resolves to:

- i. Support the Climate and Ecological Emergency Bill
- ii. Inform the local media of this decision;
- iii. Write to Mr Kwasi Kwarteng asking him to support the CEE Bill; and
- iv. Write to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support ([campaign@ceebill.uk](mailto:campaign@ceebill.uk)).

**Proposer: Councillor J. Doerfel**

**Secunder: Councillor T. Lagden**

**Motion 2 – Project Delivery Fund**

The Council notes:

- that the Forecast Outturn for 2021/22 shows that £497k can be released from the Project Delivery Fund for other projects as stated at section 2.4 of the Revenue Monitoring Report 2020/2021.
- that these are "savings" in the 2020/21 Forecast Outturn and hence would not have any impact on the 2021/22 Budget as presented to Council on 25<sup>th</sup> February.

The Council herewith decides to allocate these funds (to the value of £497k) to the £250k identified in the Budget for 2021/22 as seed funding for Green Initiatives (including projects to tackle the climate emergency) bringing the total to £747,000 for both capital and revenue grants available to local organisations.

**Proposer: Councillor J. Doerfel**

**Secunder: Councillor T. Lagden**

The motion was seconded by Councillor J. McIlroy.

The motion was put to the vote and carried.

**Resolved** that the two motions on the agenda be referred to the Environment and Sustainability Committee to enable full, detailed and informed discussions to take place on these important matters.

**114/21 Questions on Ward Issues**

There were no questions on Ward issues.

**115/21 General questions**

The Mayor reported that three general questions had been received, in accordance with Standing Order 15, from Councillors J.H. Doerfel, L.E Nichols and T Lagden.

**1. Question from Councillor J. Doerfel**

On 20 October 2020, this Council passed a motion on idling. What has this Council done in the last 6 months to "declare a no idling zone as a matter of urgency", to "encourage all residents and businesses to stop engine idling", to raise awareness in Council publications, communications, and Council campaigns about the harm of idling, to "encourage and assist schools, businesses, and other partners in the Borough to highlight the health hazards and environmental impact of idling and to take measures to combat idling through signage and other measures", to write to Surrey County Council urging the Council to proactively address the declaration of a Clean Air Zone and combat idling as a matter of urgency including through the implementation of a Traffic Regulation Order to this effect, increased use of custom signage, idling penalties and increased enforcement resourcing for monitoring of idling hotspots including in busy shopping areas, car parks, near schools and in residential areas and to write to the Government for legislative reform?

**Response from Councillor R. Noble**

Thank you Cllr Doerfel for your question.

1. In terms of declaring a no idling zone we need to consult with and involve others especially Surrey Highways Authority and organisations such as Highways England who have responsibility for the strategic road network, which is the primary source of emissions in Spelthorne. Obtaining views from such organisations takes time but must be undertaken prior to the declaration. of any "no idling zones".
2. This has not prevented us from undertaking various activities to address the issue and encourage others to stop or prevent idling. For example, as a planning condition on new developments in the Borough, signage is required in all parking and set down areas instructing drivers to switch off engines for the prevention of air pollution.

3. Communications are also key to encouraging drivers to switch off when parked. Work is in its early stages to produce a 'No idling' campaign which will:
- encourage drivers to switch off their engines when parked up and waiting (idling) outside schools, shops, train stations, parks and recycling centres.
  - draw attention to the health risks of continued idling.

The council will use a variety of Council platforms including signage, social media and the Bulletin magazine. We will also be looking to engage with residents, schools and businesses across the Borough.

Posters for community notice boards and the use of Vehicle Messaging Signs messaging will be implemented once the need for COVID-19 related messaging is reduced. A further measure that was considered and postponed due to COVID-19 was the use of a banner on Spelthorne Borough Council emails which are currently displaying COVID-19 messaging. If appropriate, such a banner could be used regarding the Climate Emergency and reducing emissions of both greenhouse gases and air pollutants.

Spelthorne through its role in the Surrey Air Alliance has been involved in designing a pilot Anti-Idling Schools project to target idling engines outside Schools. The project hopes to achieve preliminary funding to target two school sites in Surrey. If successful, this will enable access to further funds to roll out the project across the whole of Surrey.

The Surrey Air Alliance have proposed that the project includes a competition for school children in Surrey to design an anti-idling banner to be deployed outside schools.

Additionally, the use of hand-held air quality monitoring equipment to provide demonstrations of idling emissions from a vehicle to school children is also being considered as part of the project.

If funding is secured the project will begin in September 2021.

4. As requested, Spelthorne did write to Surrey Highways Authority regarding the idling issue for their consideration. As the Highways Authority Surrey County Council, not Spelthorne, would have to issue any Traffic Regulation Orders to allow enforcement of a no idling zone on the highway. Their response was as follows:

*"Idling is not currently enforced in Surrey, except for (advisory) posters asking drivers to switch off their engines when queuing at level crossings. The topic of idling was considered as part of Surrey County Council's **Low Emissions Transport Strategy (link below) (approved by Surrey County Council Cabinet in 2018)**, However, idling was not deemed to be a priority for the county in regards to this strategy. The Transport Policy*

*Team at SCC consider that this is primarily due to the impact of idling on overall air quality being very low, and due to difficulties in enforcing idling. <https://www.surreycc.gov.uk/roads-and-transport/policies-plans-consultations/transport-plan/surrey-transport-plan-strategies/low-emissions-transport-strategy>".*

5. We fully intend writing to the Government on this issue, but it has been necessary to progress a number of the above matters first to establish the level of support we are likely to receive from the key partners outlined above, This will then enable us to frame our ask of Government accordingly.
6. Other activities to mitigate air pollution in the Borough and impact on idling include:
  - A successful bid produced by the Pollution Control team in October 2020 for DEFRA funds to undertake an educational project with Taxi and Private Hire drivers, encouraging the uptake of EV vehicles. Funds were awarded in March 2021. The Taxi and Private Hire road user group are being targeted for this project as their vehicles typically pick-up passengers' kerbside and wait outside properties. The use of EV vehicles will help to reduce idling emissions from this road user group. The Project involves seven Surrey Boroughs and Surrey County Council.
  - Construction Environmental Management Plans are being screened for anti-idling measures for construction HGVs /staff vehicles. Where these measures are not present, this is being raised via the Local Planning Authority.

The issue of idling vehicles on Charlton Lane waiting to enter the EcoPark during busy periods has been raised directly with the facility after Spelthorne Pollution Control Officers observed a large volume of traffic waiting to enter the site. The team now has a policy to highlight idling to other businesses where this is observed in the Borough.

## **2. Question from Councillor Lawrence Nichols**

The LGA Peer Review took place in November 2020, with the draft report made available in December. The Council issued a press release on 29th January this year in which the Leader is quoted saying "We fully commit to action the recommendations made in the report and are already putting in place plans to address them which will be regularly reviewed by the Leader and the Cabinet."

Could the Leader please advise when Members will be informed what these plans and associated actions are and are the Cabinet satisfied with progress to date?

## **Response from the Leader, Councillor J.R Boughtflower**

Thank you for the question and for your interest in this matter. As Councillor Nichols states, we published the final report once the text of the final version

of the report had been agreed with the Local Government Association, on the 29<sup>th</sup> January. We are aware there have been some social media comments suggesting incorrectly that we have only recently published the report.

The report commented positively on the strong response the Council made in response to the COVID-19 pandemic and made 26 constructive recommendations across a range of issues as to how we can build upon the arrangements we already have in place.

Since the receipt of the final report, officers have worked up an Action Plan, which has since been circulated to all councillors on 19<sup>th</sup> April, setting out actions, implementation timescales and action owners. In many instances, the suggested actions were already in train or planned at the time of the Peer Review and have been progressed, and a number of the other recommendations are well underway. For example:

- We produced a refreshed Reserves Strategy which went to both Cabinet and the Overview and Scrutiny Committee.
- Despite the additional timing challenges created by COVID-19, we built in extra sessions for Opposition Groups and Overview and Scrutiny to have input into the Budget process.
- We modelled more scenarios as options for the Outline Budget.
- Agreeing as part of new Constitution, arrangements to recruit independent lay member to Audit Committee.
- Agreeing to establish the new Assets Programme Board which will become a sub-committee of the Corporate Policy and Resources Committee.

As Councillor Nichols will be aware, our new Chief Accountant has some good proposals for refining the way our financial reports and financial information is presented to councillors, and this will be taken forward with the new Committees system.

As will have been seen from the circulated Action Plan, some of the budget related recommendations will not be able to be fully implemented until February 2022.

In accordance with Standing Order 15.2, Councillor L.E Nichols asked the following supplementary question:

I note that in connection with the response to the LGA Review we could get a press release out in January with 1,200 words mainly of self-congratulation, in contrast the response document, 4 months in the making, is an embarrassment, it is no surprise that we have been asked to keep the contents confidential, it should not be allowed out in its current form. A couple of examples, the LGA recommendation 13 to have an independent member on the Audit Committee is to be addressed as part of the new committee governance – this committee structure isn't changing so why are we delaying? Recommendation 4, improve the Capital programme scheme implementation performance. This is responded to by changes in the accounting and

reporting. This is window dressing not action. My question is, where the Leader and Cabinet consulted in the preparation of this document and does the Leader think that this action plan is an adequate response to the LGA review?

**In accordance with Standing Order 15.2, Councillor L.E Nichols asked the following supplementary question:**

I note that in connection with the response to the LGA Review we could get a press release out in January which had 1,200 words, mainly of self-congratulation. In contrast the response document, four months in the making, is an embarrassment - it is no surprise that we have been asked to keep the contents confidential, it should not be allowed out in its current form. A couple of examples:

- LGA recommendation 13 - to have an independent member on the Audit Committee is "To be addressed as part of the new Committee's governance" – this committee's structure is not changing so why are we delaying?
- Recommendation 4 – "Improve Capital Programme Scheme implementation performance" is responded to by changes in accounting and reporting. This is window dressing not action.

My question is: were the Leader and Cabinet consulted in the preparation of this document and does the Leader think that this Action Plan is an adequate response to the LGA review?

**Response to supplementary question from Councillor J. Boughtflower:**

Thank you for your supplementary question.

I am disappointed with the tone of your question which demonstrates your lack of understanding of the pressures the Council have been under over the last 13 months. As was stated at the beginning of the Council meeting, it is important to understand the pressures officers have been under during the recent period dealing with the second wave of COVID-19 and supporting the recovery from the Pandemic. The new Chief Accountant, Paul Taylor, started with the Council on the day the Peer Review team gave their initial feedback, and it was appropriate to allow Paul time to bed in and get to understand the opportunities and challenges before he helps us improve the financial reporting provided.

As the report going to Cabinet setting out the Action Plan highlights, a number of the elements of the Peer Review recommendations have already in part been actioned. It is also worth not losing sight of the fact that as the Peer Review acknowledged our relatively strong financial position has helped the Council weather so far the impacts of COVID-19 and protect services to residents and enabled us to flexibly respond to provide support for vulnerable residents



Dealing with your two examples:

- A) We have not delayed introducing an independent member on the Audit Committee as you have suggested. Under the current Council Constitution we did not have power to appoint independent lay members to the Audit Committee and to make such a change required a review of the Constitution. It therefore made sense to align to the review of the Constitution being undertaken as part of the move to the new Committees system. We are aiming to have a new independent member recruited and scheduled in time for the next scheduled meeting of the Audit Committee in July.
- B) The response to recommendation 4 is not window dressing as you have claimed. The Chief Accountant will be implementing clear multi-year cumulative Capital Monitoring to enable councillors to understand the position on multi-year projects. This I know is something Cllr Nichols has been keen to see. Officers and the Administration are keen to work with councillors across the chamber to improve financial monitoring to ensure it best meets the needs of councillors and the committees. It is disappointing the proposed changes to report being proposed by officers before we have seen the draft outcome of the work. The Assets Programme Board, as a Sub-Committee of the Corporate Policy and Resources Committee, has been set up and I believe this will make a significant contribution towards councillors having more effective input into the monitoring of progress of the most significant elements of the Capital Programme.

To answer Cllr Nichol's question, yes officers consulted the Administration on the progression of the draft plan, with the Finance Portfolio Holder having the opportunity to input, and then myself and my two Deputy Leaders. To answer the question do we think this is an adequate response, yes we do in the difficult circumstances we have been working on due to the pandemic and the changes being implemented to move towards a committee system

It is important to note that the Action Plan is meant to be a living document, kept under review and refined as necessary. Officers would therefore be happy to discuss Cllr Nichols', and indeed any councillors' suggestions as to how we can best address the Peer Review's recommendations.

### 3. Question from Councillor Tom Lagden

Question to Cllr Noble:

At the 'Extraordinary Council Meeting' of 21st January 2021, you made the following comment:

"...about the Green Belt...I've received some independent calls...about planning issues within Spelthorne,...it's been made clear to me, and I'm talking about not only **developers** but also **councillors** from other authorities. If I were a major developer looking in the south west of London, and I'm looking at planning committees, and I look at chairs of planning committees

and their political persuasions...those outside people have commented to me on the nature of the political background of our current chair of planning and I'm not sure that's going to help us attract other developers to come into this borough..".

Who are the developers and councillors you refer to - who seek to influence planning decisions at Spelthorne Borough Council that have made you biased enough to call for me removal as chair for being a Green Party supporter advocating with officer recommendations in order to protect it?

*As chair of the Planning Committee, I note that you have at no stage declared any such lobbying during any of the Planning Committee meetings but have lodged continued with an application to build on Green Belt that officers refused to accept.*

In light of this. When will you retract and publicly apologise for this assault against me politically and rightfully step down from the Planning Committee?

**Response from Councillor R. Noble**

I understand that you have made a formal complaint to the Council's Monitoring Officer about my comments at the meeting on the 21 January 2021. Under the arrangements for dealing with complaints this matter was referred to the Group Leaders for resolution who were unable to agree a course of action. This will now be referred back to the Monitoring Officer.

I was appointed to the Planning Committee by the Council and I will not be stepping down.

**116/21 Appointment of a representative Trustee**

It was proposed by Councillor Boughtflower and seconded by Councillor McIlroy that Councillors Tony Harman and Robin Sider BEM be appointed as Council representative trustees to the Ashford Relief in Need Charity until April 2025.

It was proposed by Councillor Saliagopoulos and seconded by Councillor Smith Ainsley that that Councillors Joanne Sexton and Robin Sider BEM be appointed as Council representative trustees to the Ashford Relief in Need Charity until April 2025.

A vote was held on the nominations.

**Resolved** that Councillors Tony Harman and Robin Sider BEM be appointed as a Council representative trustee to serve on the Ashford Relief in Need Charity for a four year term of office until April 2025.

# Council

27 May 2021



<b>Title</b>	Members' Allowances Scheme 2021/22
<b>Purpose of the report</b>	To make a decision
<b>Report Author</b>	Gillian Scott, Committee Services Support Officer
<b>Corporate Priority</b>	This item is not in the current list of Corporate Priorities but still requires a Council decision
<b>Recommendations</b>	<b>Council is asked to consider the recommendations of the Independent Remuneration Panel on the Members' Allowances Scheme for 2021-22, as set out in full in the attached report.</b>
<b>Reason for Recommendation</b>	<b>The Council is required to make a scheme of allowances and the Independent Remuneration Panel is appointed by the Council to advise on the type of its allowances and the amounts to be paid.</b>

## 1. Key issues

- 1.1 The Independent Remuneration Panel met on 21 and 28 April 2021 to review the Members' Allowances Scheme for 2021/22.
- 1.2 It is a matter for the Council to decide the level of members' allowances under the Spelthorne Members' Allowances Scheme.
- 1.3 The function of the Independent Remuneration Panel (the Panel) is to provide the Council with advice on the type of its allowances and the amounts to be paid.
- 1.4 The statutory position is that Spelthorne Borough Council "shall have regard to" the advice from the Panel and the Council cannot make any changes to its Scheme of Members' Allowances without first considering the Panel's advice on the issues involved. The Panel acknowledges that it is a matter for the Council to decide the level of Members' Allowances. In having regard to the Panel's advice, the Council is to "give proper consideration" to the Panel's report. In this way, the Council can take full account of its particular circumstances and be directly accountable to its electorate.

## 2. Options analysis and proposal

- 2.1 The proposals recommended by the Panel are set out in detail in the attached report. A summary of the Panel's recommendations can be found on pages 12-13 of the report.

### **3. Financial implications**

- 3.1 The budget for Members' Allowances for 2020/21 was £354,652. Taking into account the proposed increase in the Basic Allowance for all members and the changes in the level of Special Responsibility Allowances to reflect the Council's move to a Committee System of governance, the Scheme recommended by the Panel requires a reduction in the budget to £347,617 for 2021/22.

### **4. Other considerations**

- 4.1 There are none.

### **5. Equality and Diversity**

- 5.1 There are no impacts on equality and diversity arising from the recommendations in the Panel's report.

### **6. Sustainability/Climate Change Implications**

- 6.1 There are no impacts on sustainability or climate change arising from the recommendations in the Panel's report.

### **7. Timetable for implementation**

- 7.1 Subject to Council approval on 27 May 2021, the changes to the levels of basic and special responsibility allowances will take effect immediately.
- 7.1 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 the Scheme will be made available on the website and a notice published in a local newspaper giving details of the Scheme and the amounts payable in respect of each allowance mentioned in the Scheme.

**Background papers:** There are none.

#### **Appendices:**

Report of the Independent Remuneration Panel – May 2021



**REPORT OF THE**

**INDEPENDENT REMUNERATION PANEL**

**ON**

**THE MEMBERS' ALLOWANCES SCHEME 2021 - 2022**

**FOR**

**SPELTHORNE BOROUGH COUNCIL**

May 2021

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## INTRODUCTION

1. This report has been prepared in accordance with the *Local Authorities (Members' Allowances) (England) Regulations 2003* ("the 2003 Regulations") as amended, which require all local authorities to appoint an Independent Remuneration Panel ('the Panel') to advise on the terms and conditions of their Scheme of Members' Allowances ('the Scheme').
2. The Panel acknowledges that it is a matter for the Council to decide the level of Members' Allowances. The statutory position (Paragraph 19 of the 2003 Regulations) is that Spelthorne Borough Council "**shall have regard to**" the advice from the Panel and the Council cannot make any changes to its Scheme without first considering the Panel's advice on the issues involved. In "having regard" to the Panel's advice, the Council is to "give proper consideration" to the Panel's report. In this way, the Council can take full account of its particular circumstances and be directly accountable to its electorate.
3. The function of the Panel is therefore to provide the Council with advice on the type of its allowances and the amounts to be paid.
4. The 2003 Regulations require the authority to make copies of the Scheme available for inspection by members of the public at all reasonable hours and publish a notice in a local newspaper giving details of the Scheme and the amounts payable in respect of each allowance mentioned in the Scheme.

## INDEPENDENT REMUNERATION PANEL

5. Spelthorne Borough Council has appointed the following persons to comprise the Panel:  
Sir Ivan Lawrence QC (Chairman)  
Mr. Colin Squire  
Ms. Alison Osmond
6. The members of the Panel have between them diverse experience in central Government, the law, local and national business, human resources and charity work.
7. The Panel is fully independent of the Council and is not fettered in any way from providing impartial enquiry, scrutiny, advice and recommendation.
8. The Panel does not receive any payment for the time or work that it expends in undertaking the annual review of Members' Allowances.

## TERMS OF REFERENCE

9. Our terms of reference are in accordance with the requirements of the 2003 Regulations, together with "Guidance on Consolidated Regulations for Local Authority Allowances" ("the Guidance") issued in 2003. We are required to make recommendations to the Council about the following:
  - a) The amount of basic allowance payable to all Council members;
  - b) The categories of Council members who should receive a special responsibility allowance (SRA) and the amount of that allowance;

- c) Whether the Scheme should include an allowance for the expenses of arranging for the care of children and dependants, and, if so, the amount of this;
- d) The amount of travel and subsistence allowances and the approved duties in respect of which they can be paid;
- e) Allowances for co-optees (for example the independent members appointed by the Council to serve on the Council's Members' Code of Conduct Committee); and
- f) Whether adjustments to the level of allowances may be determined according to an index and, if so, which index and how long that index should apply, subject to a maximum of four years before its application is reviewed.

## PRINCIPLES UNDERPINNING OUR REVIEW

10. Before the Panel arrived at its recommendations it determined that its deliberations should continue to be underpinned by the following principles, taking into account the current statutory provisions: -
- (i) The basic allowance is intended to recognise the time devoted by councillors to their work, not just work in formal council meetings, but in the community and in meetings with constituents, officers and their political group, and also to cover incidental costs (such as the use of their homes and private telephones).
  - (ii) Special responsibility allowances (SRAs) are used to recognise the *significant additional responsibilities* which attach to some roles, not just the extra time required.
  - (iii) Members' allowances are not intended to compensate for loss of earnings, nor are they to recompense for the total number of hours councillors spend on their duties, bearing in mind the voluntary element of service in fulfilling the role of a local councillor, as recognised in government guidance. Councillors are not paid employees of the Council and their allowances should not be treated as salary.
  - (iv) The Scheme<sup>1</sup> should be fair, easy to understand and straightforward to administer.
11. Alongside the general principle that the payment of an allowance is not intended to compensate for loss of earnings, the Panel advocates a principle of fair remuneration and subscribes to the view promoted by the Independent Councillors' Commission which says that remuneration should not be an incentive for service as a councillor, nor should lack of remuneration be a barrier. The level of remuneration should be sufficient to allow most people to consider becoming an elected member without suffering unreasonable financial disadvantage and equally applies to existing councillors who may be deterred from fulfilling their role successfully if the remuneration is not sufficient.<sup>2</sup>
12. The Panel has sought to reflect the views of ordinary ratepayers in considering its recommendations. It aspires to a Scheme that is both fair to members and seen to be fair by council taxpayers.

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<sup>1</sup>Proposed Scheme payments for 2021 is attached at Annex 1

<sup>2</sup>Rodney Brooke and Declan Hall, *Members' Remuneration: Models, Issues, Incentives and Barriers*. London: Communities and Local Government, 2007.



## CURRENT SCHEME

13. The current Scheme is based on the following methodologies, agreed at previous reviews:
  - The Basic Allowance is calculated on the basis of the daily average earnings of employees across all occupations in the south east.
  - The calculation for Basic Allowance is based on an overall average time spent on undertaking the councillor role of 15 hours per week.
  - A Public Service Discount of 33% applies to the level of Basic Allowance. The application of the discount means that the councillor gives five hours '*pro bono publico*' and is remunerated for the remaining ten hours through the Basic Allowance.
  - The methodology for calculating SRAs is based on an agreed level of allowance for the Leader and then establishing the allowances for the other roles as a percentage of the Leader's allowance.
14. The Panel's last review of Members' Allowances for the financial year 2020/21 took place in January 2020.
15. In undertaking its review for 2020/21, the Panel took 'a light touch' approach and compared the Council's allowances against other Surrey authorities. As both Basic and Special Responsibility Allowances compared favourably with those of neighbouring local authorities the Panel recommended an increase in all allowances which reflected the staff pay award for 2020/21. This was agreed by the Council at its meeting in February 2020.

## METHODOLOGY FOR 2021/22

16. The Panel met virtually on 21 and 28 April 2021 to consider its approach and methodology for the 2021/22 review.
17. The Panel reviewed background information relevant to the coming years' Scheme to inform their deliberations, in particular:
  - the current political structures and composition of Council committees, under the Cabinet model of governance, compared to a return to the Committee system of governance that Spelthorne Borough Council would be adopting with effect from the Council AGM in May 2021.
  - the principles for the new Scheme supported by the Group Leaders Working Group on the Committee System to guide the IRP in its deliberations that:
    - The current budget envelope for members' allowances should not be exceeded.
    - The level of basic allowances for all councillors should remain the same as now. The Group supported the existing principle that any increases in the basic allowance should be linked to officer pay reviews.

- The special responsibility allowances for the Leader and Deputy Leaders should be reduced to reflect the fact that they will not have the statutory executive responsibilities under the committee system that they currently have.
  - The current allowance for the Opposition Group Leader should be deleted under the new arrangements.<sup>3</sup>
  - There was no support for the Mayor to have a special responsibility allowance for chairing the Council meeting over and above the expenses that postholder currently receives.
  - There should be the same special responsibility allowances for all committee chairmen and a lesser amount for vice-chairmen, but this will be reviewed once workload and frequency of meetings are known.
- the revised roles of councillors under the new governance arrangements.
  - the terms of reference for the Committees under the new governance arrangements.

The Panel also looked at relevant benchmarking information about members' allowances elsewhere in Surrey.

18. The Panel recognised that a lot of assumptions have had to be made in its deliberations and would like to review the recommendations they have made in a year's time, following the proposed review of the new governance arrangements. The Panel could then consider any recommendations for changes to the Scheme of Allowances arising from that review.
19. The Panel assessed the hierarchy of the new Committees and from that determined the Special Responsibility Allowances that would be attributed to these.
20. It is from these principles, processes and deliberations that the Panel has arrived at the recommendations set out in this report.
21. Whilst the Panel's recommendations are not mandatory, it is hoped that if the Council disagrees with the actual figures recommended, that the Council would accept the Panel's logic. The recommendations presented in this report represent the view of the Panel and not the official view of Spelthorne Borough Council.

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<sup>3</sup> As Spelthorne does not currently have a 'controlling group' there is no requirement to pay an allowance to the Leader of the Opposition Group under the Local Authorities (Members Allowances) (England) Regulations 2003 (regulation 5). If the political situation changes and there is a controlling group, this allowance should be reviewed in accordance with the regulations

## CONSIDERATIONS AND RECOMMENDATIONS

### Basic Allowance

22. The Panel noted the statutory guidance it must pay regard to, that the authority's Scheme of allowances must include provision for a Basic Allowance, payable at an equal flat rate to all councillors.<sup>4</sup>
23. The Panel agreed that the basic allowance should be increased to reflect the change in governance arrangements as Members will have increased decision-making responsibilities and will need to increase their knowledge.
24. The Panel acknowledged that it was unable to determine now, the extent of additional work which councillors would have under the new governance arrangements. It therefore felt that a small increase should be made to the basic allowance and this be reviewed after the system has operated for a year.
25. The Panel compared Spelthorne's current Basic Allowance against the other Surrey Boroughs and Districts (Annex 2). It noted that Spelthorne has maintained its position as third highest in Surrey.

Council	Basic Allowance (£) 2020-21 <sup>5</sup>
Guildford Borough Council	7405
Woking Borough Council	7200
<b>Spelthorne Borough Council</b>	6355
Reigate & Banstead Borough Council	5670
Elmbridge Borough Council	5313
Surrey Heath Borough Council	5288
Waverley Borough Council	4989
Mole Valley District Council	4591
Tandridge District Council	4317
Runnymede Borough Council	4086
Epsom & Ewell Borough Council	3718

26. The Panel also noted that 6 of the other 10 authorities link increases in their Members' Allowances to the staff pay award at that Council.
27. As Spelthorne Borough Council's level of Basic Allowance still compared favourably against the other Surrey authorities, the Panel agreed a small increase in Basic Allowance for 2021 to take into account the enhanced role that they will have under the new committee structure. The Panel agreed to recommend the increase reflects the staff pay award for 2021/22. This would be both fair and reasonable and ensure that most councillors continue to not be financially disadvantaged as a result of undertaking their role.

<sup>4</sup> The Local Authorities (Members' Allowances) (England) Regulations 2003: Part 2, Regulation 4.

<sup>5</sup> Data from South East Employers, Members' Allowances Survey 2020 (October 2020)

28. The staff pay award for 2021/22 has been agreed at 0.75%. This uplift applied to the Basic Allowance equates to £6403.

**RECOMMENDATION**

**The Panel recommends that the Basic Allowance payable to all members of Spelthorne Borough Council should be increased to take into account the enhanced role under the new committee structure, by reference to the staff pay award for 2021/22, resulting in an allowance of £6403.**

29. The Panel considered and agreed not to commit to an index by which to uplift the Basic Allowance each year, preferring to undertake an annual review, particularly in view of the upcoming changes to governance arrangements.

**Special Responsibility Allowances**

30. A Special Responsibility Allowance (SRA) may be paid to recognize the significant additional time and responsibility that certain roles in the Council require of councillors, over and above the generally accepted duties of a councillor. The SRAs do not have to be the same across different roles.
31. The 2003 Regulations do not limit the number of SRAs which may be paid, nor do they prohibit the payment of more than one SRA allowance to any one Member. The Regulations specify the categories of role which the Council may make provision for paying an SRA. Amongst these is: chairing meetings of a council committee or a sub-committee, or a joint committee of the council and one or more other authorities, or a sub-committee of such a joint committee.
32. The Panel considered the effect of changes in the governance arrangements on those roles previously identified as meriting payment of an SRA and the views of the Group Leaders, as detailed at paragraph 17 of this report.
33. The Panel agreed with the Group Leaders that the SRA for the Leader should be reassessed in recognition of the fact that under the new Committee model, the role of Leader would no longer have the executive authority which it had under the Leader/Cabinet model.
34. The Panel felt that in terms of the Committees that should receive a Special Responsibility Allowance, there was a clear hierarchy structure in terms of responsibilities and quantity of work, and they based their determination in the level of SRAs on this hierarchy, which is illustrated as follows:-

<b>1<sup>st</sup> tier</b>			Policy and Resources	
<b>2<sup>nd</sup> tier</b>	Environment & Sustainability	Community Wellbeing & Housing	Neighbourhood Services	Economic
<b>3<sup>rd</sup> tier</b>			Planning	
<b>4<sup>th</sup> tier</b>			Licensing	
<b>5<sup>th</sup> tier</b>			Audit	
<b>6<sup>th</sup> tier</b>			Administrative	

35. **Leader of the Council/Chair of Policy and Resources Committee**

The Panel recognised that the role of the Leader of the Council under the new governance arrangements would change, specifically that the decision-making powers would not be as strong as they were under the Cabinet Model, and this would mean a considerable reduction in this role's responsibilities. The role of the Leader will remain as political head but without the previously held general executive powers. The Leader will also be the chief advocate and spokesperson for the whole of the Borough and will chair the Council's Policy and Resources Committee. The Panel accepted that the quantity of work as Chair of Policy and Resources Committee may not become apparent until the new arrangements have been in operation for a while. For this reason the Panel wishes to look at the extra responsibilities of this role again at the next review to establish whether the level of SRA fairly reflects its responsibilities.

36. The Panel compared the SRA paid to Leaders across Surrey, bearing in mind that Runnymede Borough Council is the only other authority operating a Committee System. The Panel's recommendation aims to reflect the reduction in the role's responsibilities under the Committee System whilst maintaining the importance Spelthorne places on the role through its level of remuneration compared to neighbouring authorities.

**RECOMMENDATION**

**The Panel recommends that the Special Responsibility Allowance payable to the Leader be reduced by approx. 25% to a remuneration of £11,000, to reflect the change in role.**

37. **Deputy Leader/Vice-Chair of Policy and Resources Committee**

The Panel recognized that similarly to the Leader's role, the Deputy Leader's role would become less significant under the Committee System. However, it also considered that the role would continue to have significant responsibility as the Vice-Chair of the Policy and Resources Committee.

**RECOMMENDATION**

**The Panel recommends that the Special Responsibility Allowance payable to the Deputy Leader be set at 50% of the Leader's allowance, £5,500, to reflect the change in role.**

38. **Service Committees**

The Panel put these as second tier Committees in the belief that their responsibilities were of greater significance than those on the third tier. The Panel considered that the Chairs of these Committees would have a broader role and assume many of the former responsibilities of Cabinet members but without the decision-making powers. The Panel noted the enhanced role for Vice-Chairs of the Service Committees under the proposed Committee System and agreed that the significant additional time and responsibility of the role merited an allowance. The Panel will review these allowances next year once workload and frequency of meetings are known.

**RECOMMENDATION**

**The Panel recommends that the Special Responsibility Allowance payable to**  
**a) the Chairs of Service Committees be set at 70% of the Leader's allowance, which equates to £7,700, to reflect the significant responsibilities of this new role, and**

**b) the Vice-Chairs of Service Committees be set at 35% of the Leader's allowance, (50% of the Chair's allowance) which equates to £3,850.**

**39. Chair and Vice-Chair of Planning Committee**

The Panel considered the role of Chair of the Planning Committee and although the role would not change under the Committee System it continued to have a significant responsibility. The Panel placed this as a third tier committee in the belief its responsibilities were of greater significance than those on the fourth tier.

40. The Panel considered the role of Vice-Chair also merited an Allowance in the belief that it had a significant responsibility in supporting the Chair, on a par with that of the Vice-Chairs of Service Committees.

**RECOMMENDATION**

**The Panel recommends that the Special Responsibility Allowance payable to**

**a) the Chair of Planning Committee be set at 60% of the Leader's allowance, which equates to £6,600, to reflect the continuing significant responsibilities of this role, and**

**b) the Vice-Chair of Planning Committee be set at 30% of the Leader's allowance, (50% of the Chair's allowance) which equates to £3,300.**

**41. Chair and Vice-Chair of Licensing Committee**

The Panel considered the role of Chair of the Licensing Committee and although the role would not change under the Committee System it continued to have a significant responsibility. The Panel placed this as a fourth tier committee in the belief its responsibilities were of greater significance than those on the fifth tier but of less significance than those on the third tier.

42. The Panel considered the role of Vice-Chair also merited an Allowance in the belief that it had a significant responsibility in supporting the Chair, on a par with that of the Vice-Chairs of Service Committees.

**RECOMMENDATION**

**The Panel recommends that the Special Responsibility Allowance payable to**

**a) the Chair of Licensing Committee be set at 50% of the Leader's allowance, which equates to £5,500, to reflect the continuing significant responsibilities of this role, and**

**b) the Vice-Chair of Licensing Committee be set at 25% of the Leader's allowance, (50% of the Chair's allowance) which equates to £2,750.**

**43. Chair and Vice-Chair of Audit Committee**

The Panel considered the role of Chair of the Audit Committee and that this continued to have a significant responsibility in the new Committee System. The Panel placed this as a fifth tier committee in the belief its responsibilities were of greater significance than those on the sixth tier but of less significance than those on the fourth tier.

44. The Panel considered the role of Vice-Chair also merited an Allowance in the belief that it had a significant responsibility in supporting the Chair, on a par with that of the Vice-Chairs of Service Committees.

**RECOMMENDATION**

**The Panel recommends that the Special Responsibility Allowance payable to**

- a) **the Chair of Audit Committee be set at 40% of the Leader’s allowance, which equates to £4,400, to reflect the continuing significant responsibilities of this role, and**
- b) **the Vice-Chair of Audit Committee be set at 20% of the Leader’s allowance, (50% of the Chair’s allowance) which equates to £2,200.**

45. **Chair of Administrative Committee**

The Panel considered the role of Chair of the Administrative Committee under the Committee System and believed this role had a significant additional responsibility, although its workload and frequency of meetings was likely to be less than the other Committees. The Panel placed this as a sixth tier committee in the belief its responsibilities were less significant than those on the fifth tier.

46. The Panel did not consider the role of Vice-Chair was likely to have a significant additional responsibility and did not recommend an allowance for this role.

**RECOMMENDATION**

**The Panel recommends that the Special Responsibility Allowance payable to the Chair of Administrative Committee be set at 20% of the Leader’s allowance, which equates to £2,200, to reflect the significant responsibilities of this role.**

47. **Chair and Vice-Chair of Spelthorne Joint Committee**

The Panel considered that this role continued to have a significant additional responsibility and placed this as a fourth tier committee in the belief its responsibilities were of greater significance than those on the fifth tier but of less significance than those on the third tier.

The Panel noted that the appointment of a Borough Councillor to the position of Chair and Vice-Chair alternated on an annual basis with a Surrey County Councillor.

**RECOMMENDATION**

**The Panel recommends that the Special Responsibility Allowance payable to the Chair and Vice-Chair of Spelthorne Joint Committee be set at 50% of the Leader’s allowance, which equates to £5,500, to reflect the significant responsibilities of this role.**

48. **Opposition Group Leader**

The Panel noted the Local Authorities (Members Allowances) (England) Regulations 2003 (regulation 5) which does not require payment of an allowance to the Leader of the Opposition Group, where there is no ‘controlling group’. The Panel agreed with the view of the Group Leaders that this allowance be deleted in the 2021/22 Scheme. If the political situation at Spelthorne changes and there is a controlling group, the Panel will review this allowance in accordance with the regulations.

49. **One third rule and one SRA only rule**

The Panel noted that the current Scheme states that, “No one councillor shall be entitled to receive *more than one Special Responsibility Allowance except that this rule be waived only in the situation where the Chairman/Vice-Chairman of the Joint Committee is a Borough Councillor already in receipt of an SRA under the Scheme*” and “*no more than one third of all councillors should be in receipt of Special Responsibility Allowances at any given time.*”

50. Under the proposed Scheme, there would be 18 councillors in receipt of an SRA. The Panel noted the 2003 Regulations do not limit the number of SRAs which may be paid, nor do the Regulations prohibit the payment of more than one SRA allowance to any one member.
51. The Panel was satisfied that the roles it had identified as meriting an SRA under the new governance arrangements were likely to have significant additional responsibilities and that it should not impose a limit on the number of SRAs which may be paid. The Panel noted that of the 10 other Surrey Boroughs and Districts, 7 do not apply any rule in this regard and 2 apply a 50% rule, in place of a one third rule.
52. The Panel considered that any councillor taking on the work of more than one role, should be given the allowance for both those roles. However, the Panel would prefer to retain the 'one SRA only' rule as in the current Scheme, to dissuade councillors from taking on more than one significant role, but in recognition that there can be situations where an exception needs to be made.
53. The Panel will reconsider its position at its next review if this decision is causing unfairness.

#### **RECOMMENDATION**

**The Panel recommends that**

- a) **the 'one third only' rule be removed from the Member's Allowances Scheme but**
- b) **the 'one SRA only' rule be retained as in the current Scheme except, for example, it is recognised that this rule should be waived in the situation where the Chairman/Vice-Chairman of the Joint Committee is a Borough Councillor already in receipt of an SRA under the Scheme.'**

#### **OTHER ALLOWANCES**

54. **Co-opted Members of Standards Committee**  
The current Scheme pays an allowance of £1500 and £750 to the Chair and Vice-Chair respectively of the Members' Code of Conduct Committee, both of whom are co-opted members.
55. The Members' Code of Conduct Committee would become the Standards Committee under the new governance arrangements, but its remit would remain substantially the same as at present.
56. The Panel noted that the co-optees allowances had been increased at the last review of the allowances scheme.

#### **RECOMMENDATION**

**The Panel recommends that no change be made to the current remuneration of £1500 and £750 for the Chair and Vice-Chair respectively, of the Standards Committee.**

57. **Independent Person on Audit Committee**  
The Panel noted that the Council had agreed to appoint an Independent Person (IP) to the Audit Committee under the new Committee System. This person would be



recruited from the community and not be appointed as the Chair or Vice-Chair of the Audit Committee. Additionally, the IP would not have voting rights.

58. The Panel was provided with examples of role profiles for the Independent Person at a District authority and a London Borough. It noted that only 3 authorities in the South East<sup>6</sup> pay an allowance to their IP of between £600 and £1000.
59. The Panel considered that the role of the IP was less than that of the co-opted members of the Standards Committee, but that it merited an allowance.

#### **RECOMMENDATION**

**The Panel recommends that an allowance of £500 be paid to the Independent Person on the Audit Committee.**

60. **Dependants' Carer's allowance**

The current Scheme for Dependants' Carer's allowance (DCA) provides that members are reimbursed the actual costs incurred for expenditure in relation to the care of dependant relatives or children while they are undertaking approved Council duties, subject to submission of receipts/invoices in support of claims.

61. The Panel considered that the reasoning underpinning the level of this allowance had not changed since its previous review. It noted there were no claims this year, which undoubtedly was due to meetings being held virtually as a result of the Covid-19 pandemic.

#### **RECOMMENDATION**

**The Panel recommends that no change be made to the current Scheme for Dependants' Carer's allowances.**

62. **Travel and subsistence allowance**

The current payments for travel allowances which are payable at the same rate as for Council officers on a sliding scale dependent on engine size for car use, and for motorcycles, for journeys undertaken in relation to approved duties are as follows.

63. The current payments for cars, per mile, is:

	<b>2020/21</b>
up to 999cc	46.9p
1000cc - 1199cc	52.2p
1200cc and over	65p

64. The current payment for motorcycles is 24p per mile and for bicycles is 20p per mile.
65. The Panel did not review these payments at this time as there had been no claims during the past year, since all meetings had been held virtually.

#### **RECOMMENDATION**

**The Panel recommends that the current arrangements for payment of travel and subsistence allowances be retained as at present.**

<sup>6</sup> Data from South East Employers, Members' Allowances Survey 2020 (October 2020)

## SUMMARY OF PANEL'S RECOMMENDATIONS

The Panel makes the following recommendations to the Council on the Members' Allowances Scheme for 2021-2022:

Allowance	Current	Recommended Allowance for 2021/2022	Number
<b>Basic:</b>	<b>£6355</b>	<b>£6403</b>	<b>39</b>
<b>Special Responsibility:</b>			
Leader of the Council and Chair of Policy & Resources Committee	<b>£14616</b>	<b>£11000</b> (reduction of approx. 25% to reflect change in role)	<b>1</b>
Deputy Leader and Vice-Chair Policy & Resources Committee	<b>£9647 (x2)</b>	<b>£5500</b> (50% of Leader's allowance)	<b>1</b>
Cabinet Members	<b>£7308 (x5)</b>	<b>N/A</b>	<b>-</b>
Cabinet member for Strategic Planning	<b>£5846</b>	<b>N/A</b>	<b>-</b>
Service Committee Chairs: Environment and Sustainability Community Wellbeing and Housing Economic Neighbourhood Services	<b>N/A</b>	<b>£7700</b> (70% of Leader's allowance)	<b>4</b>
Planning Committee Chair	<b>£5846</b>	<b>£6600</b> (60% of Leader's allowance)	<b>1</b>
Planning Committee Vice-Chair	<b>N/A</b>	<b>£3300</b> (30% of Leader's allowance)	<b>1</b>
Spelthorne Joint Committee Chair/Vice-Chair	<b>£5124</b>	<b>£5500</b> (50% of Leader's allowance)	<b>1</b>
Licensing Committee Chair	<b>£5116</b>	<b>£5500</b> (50% of Leader's allowance)	<b>1</b>
Licensing Committee Vice-Chair		<b>£2750</b> (25% of Leader's allowance)	<b>1</b>
Overview and Scrutiny Committee Chair	<b>£5116</b>	<b>N/A</b>	<b>-</b>
Audit Committee Chair	<b>£3654</b>	<b>£4400</b> (40% of Leader's allowance)	<b>1</b>
Audit Committee Vice-Chair		<b>£2200</b> (20% of Leader's allowance)	<b>1</b>
Service Committee Vice-Chairs	<b>N/A</b>	<b>£3850</b> (35% of Leader's allowance)	<b>4</b>
Administrative Committee Chair	<b>N/A</b>	<b>£2200</b> (20% of Leader's allowance)	<b>1</b>
Opposition Group Leader	<b>£3405</b>	<b>N/A</b>	<b>-</b>
Co-optees' Allowance	<b>£1500</b> (Chair) <b>£750</b> (Vice-Chair)	<b>£1500</b> (Chair) <b>£750</b> (Vice-Chair)	<b>1</b> <b>1</b>
Independent Person on Audit	<b>N/A</b>	<b>£500</b>	<b>1</b>
<b>Total Budget</b>	<b>£354,652</b>	<b>£347,617</b>	<b>18</b>

<b>Allowance for expenditure incurred in relation to Approved Duties (Schedule 1 to Scheme)</b>	<b>Unchanged allowances for 2021/22</b>
<b>Dependants' Carer's Allowance</b>	<b>Reimbursement of actual costs incurred</b>

<b>Travelling and Subsistence Allowances</b>	
<b>Motor Mileage Allowance (per mile)</b>	
<b>Cars</b>	<b>Up to 999cc – 46.9p 1000cc – 1199cc – 52.2p 1200cc and over – 65p</b>
<b>Motorcycles</b>	<b>24p</b>
<b>Cycle</b>	<b>Nil</b>
<b>Day Subsistence Allowance</b>	<b>Reimbursement of actual costs incurred</b>

The Panel recommends that

- a) the 'one third only' rule be removed from the Member's Allowances Scheme but
- b) the 'one SRA only' rule be retained as in the current Scheme except, for example, it is recognised that this rule should be waived in the situation where the Chairman/Vice-Chairman of the Joint Committee is a Borough Councillor already in receipt of an SRA under the Scheme.'

Sir Ivan Lawrence (Chairman)  
Colin Squire  
Alison Osmond

May 2021

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Comparison of allowances against neighbouring Surrey authorities

Annex 2

	1	2	3	4	5	6	7	8	9	10	11
Local Authority	Woking	Guildford	Spelthorne	Reigate and Banstead	Surrey Heath	Elmbridge	Waverley	Mole Valley	Tandridge DC	Epsom & Ewell	Runnymede
Linked to staff pay award	Y	Y	Y	linked to CPI		Y	Y	Y	Y	20/21 figures unknown	increase linked to RPI
Basic Allowance 19/20	7200	7001	6200	5599	5087	5183	4867	4468	4317	3718	4000
Basic Allowance 20/21	7200	7405	6355	5670	5288	5313	4989	4591	4317		4086
Leader's SRA 19/20	12000	8236	14259	13901	13864	12956	14298	7668	6123	2767	10000
Leader's SRA 20/21	12000	14810	14616	14151	13749	13283	14656	7879	6123		10224
Dep. Leader SRA 19/20	3600	1373	9412	11353	8686	0	9898	4346	1531	n/a	2500
Dep. Leader SRA 20/21	3600	7405	9647	11557	8249	0	10146	4465	1531		2556
Audit Chair 19/20	0	3432	3566	0	3700	3887	3299	2183	0	2602	1650
Audit Chair 20/21	0	3703	3654		3712	3985	3382	2243	0		1686
Licensing Chair 19/20	600	3432	4991	433	3700	2591	3299	547	0	2602	5000
Licensing Chair 20/21	600	3703	5116	441	3712	2657	3382	562	0		5112
Planning Chair 19/20	2400	5491	5703	5346	4283	5830	3299	2618	3062	3718	8750
Planning Chair 20/21	2400	5924	5846	5442	4812	5977	3382	2689	3062		8931
Committee Chairs 20/21	n/a	varies	n/a	n/a	3712	n/a	3382	n/a	3062		varies
Spelthorne Joint Cttee Chair	8016		4999							5000	
Spelthorne Joint Cttee Vice-Chair	1503		4999							2500	

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