



**Spelthorne
Borough Council**

Council Meeting
Thursday, 28 April 2022



20 April 2022

Please reply to:

Contact: Gary Lelliott

Direct line: 01784 446337

E-mail: g.elliott@spelthorne.gov.uk

To the Councillors of Spelthorne Borough Council

I hereby summon you to attend a meeting of the Council to be held at The Council's Offices, Knowle Green, Staines-upon-Thames on **Thursday, 28 April 2022** commencing at **7.00 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.

For those Councillors wishing to participate, prayers will be said in the Mayor's office, starting at 6.45pm. Please email mayor@spelthorne.gov.uk if you wish to attend.

Councillors are reminded to notify Committee Services of any Gifts and Hospitality offered to you since the last Council meeting so that these may be entered in the Gifts and Hospitality Declaration book.

AGENDA

Description	Page nos.
1. Minute's Silence for Mary Madams The Council will observe one minute's silence in memory of Mary Madams.	
2. Apologies for absence To receive any apologies for non-attendance.	
3. Minutes To confirm as a correct record the minutes of the Council meetings held on 24 February 2022 and 10 March 2022.	9 - 38
4. Disclosures of Interest To receive any disclosures of interest from Councillors in accordance with the Council's Code of Conduct for Members.	
5. Special Borough Volunteer Award A special award will be presented to representatives of Voluntary Support North Surrey.	
6. Announcements from the Mayor To receive any announcements from the Mayor.	
7. Announcements from the Leader To receive any announcements from the Leader.	
8. Announcements from the Chief Executive To receive any announcements from the Chief Executive.	
9. Questions from members of the public The Leader, or his nominee, to answer any questions raised by members of the public in accordance with Standing Order 13.	39 - 40
10. Petitions To receive any petitions from members of the public.	

11. Referral of a decision of the Development Sub-Committee on 5 April 2022

The Development Sub-Committee referred the following decision to Council, in accordance with Section 1.a) of the Council's Referral Scheme:

41 - 90

- Oast House – review and viability assessment

Discussion on this item will be held in accordance with part 4.a) of the Council's Constitution (Rules of Debate).

12. Referral of decisions of the Community Wellbeing and Housing Committee on 29 March 2022

To consider the referrals made by Councillors O Rybinski, H Harvey and C Barnard in accordance with the Council's Reservation Scheme, in relation to the following items:

- Tenancy Strategy
- Key Worker Policy Review

A procedure note for this item is attached. A paper responding to the reasons for the referrals is attached. The documents as considered by the Community Wellbeing and Housing Committee on 29 March 2022 are attached.

To follow.

13. Leisure Centre Operator Procurement

To follow.

14. Review of Committee System and changes to the Constitution

This report seeks to propose changes to the Council's Constitution arising from the interim review of the Committee System and following consideration of responses to an all member survey.

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15. Calendar of Meetings 2022-2023

To follow.

16. Refurbishment of Ground Floor Offices and Reception at 3 Roundwood Avenue

To follow.

17. Money Laundering Policy

To consider the Money Laundering Policy, as recommended by the Audit Committee on 24 March 2022.

225 - 234

- 18. Member Mental Health Champion**
To follow.
- 19. Report from the Leader of the Council**
To note the work of the Corporate Policy and Resources Committee. 235 - 240
The Committee met on 14 March 2022 and 20 April 2022.
- 20. Report from the Chair of the Administrative Committee**
To note the work of the Administrative Committee.
The Committee is due to meet on 21 April 2022.
To follow.
- 21. Report from the Chair of the Audit Committee**
To note the work of the Audit Committee. 241 - 242
The Committee met on 24 March 2022.
- 22. Report from the Chair of the Community Wellbeing and Housing Committee**
To note the work of the Community Wellbeing and Housing Committee. 243 - 246
The Committee met on 29 March 2022.
- 23. Report from the Chair of the Economic Development Committee**
To note the work of the Economic Development Committee. 247 - 248
The Committee met on 22 March 2022.
- 24. Report from the Chair of the Environment and Sustainability Committee**
To note the work of the Environment and Sustainability Committee. 249 - 250
The Committee met on 8 March 2022 (attached) and is due to meet on 26 April 2022 (to follow).
- 25. Report from the Chair of the Neighbourhood Services Committee**
To note the work of the Neighbourhood Services Committee. 251 - 254
The Committee met on 3 March 2022.

- 26. Report from the Chair of the Licensing Committee**
To note the work of the Licensing Committee. 255 - 256
The Licensing Sub-Committee met on 4 April 2022.
- 27. Report from the Chair of the Planning Committee**
To note the work of the Planning Committee. 257 - 258
The Committee met on 2 March 2022, 30 March 2022 (both attached) and is due to meet on 27 April 2022 (to follow).
- 28. Report from the Chair of the Standards Committee**
To note the work of the Standards Committee.
The Committee met on 16 March 2022.
To follow.
- 29. Motions**
To receive any motions from Councillors in accordance with Standing Order 16.
There are no motions.
- 30. General questions**
The Leader, or his nominee, to answer questions from Councillors on matters affecting the Borough, in accordance with Standing Order 14.
There are no questions.

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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, 24 February 2022 at 7.00 pm

Present:

Councillor I.T.E. Harvey, The Mayor, in the Chair

Councillors:

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

Apologies: Apologies were received from Councillors R. Chandler, M.J. Madams and D. Saliagopoulos and

1/22 Apologies for absence

24 February 2022: (Agenda items 1 to 18)

Apologies were received from Councillors R. Chandler, M. Madams and D. Saliagopoulos.

10 March 2022 continuation (Agenda items 19 to 31)

Apologies were received from Councillors Barnard, J. Doran, S. Doran, R. Dunn, S. Dunn, T. Fidler, M. Gibson, M. Madams and B. Spoor

2/22 Minutes

The minutes of the Council meeting held on 09 December 2021 were agreed as a correct record.

3/22 Disclosures of Interest

Agenda item 19 (Referral of a decision of the Development Sub-Committee on 5 January 2022) – Members of the Planning Committee were entitled to take part in the debate on this item without making reference to the planning merits of the case. They were required to keep an open mind when considering the matter if and when it came before the Planning Committee.

Councillor T. Fidler disclosed a conflict of interest on item 12 Pay Award as a family member worked for the Council, and would be impacted by the decisions. He left the meeting during consideration of this matter.

Councillor S. Mooney declared that she was a Surrey County Councillor for Staines and Cabinet Member of Adult Social Care and Health.

4/22 Announcements from the Mayor

The Mayor made the following announcements:

“I cannot start this meeting without referring to the horrendous events that started early this morning in Ukraine. Not only is the Russian invasion a blatant attack on the sovereignty of Ukraine and on its people, but of course, democracy itself. Ukraine has been a free democracy for over 30 years, and we must assume that this invasion signals the end of that, at least for the time being. This has a particular poignancy for the Mayoress and I as her father had to flee Hungary in 1956 under threat of imminent death, in the face of the Soviet invasion, which was again to put down democracy. I am sure you all join me in sending our best wishes to the Ukrainian nation and people.

Since our last, pre-Christmas Council meeting, my Mayoral year continues to be impacted by the enduring impacts of COVID. In particular, I had to make the difficult decision at very short notice to cancel my Christmas Mayors Church Service due to a spike. We have now been able to rearrange this. The pre-Christmas spike did not stop the Mayoress and I enjoying Christmas lunch at both our Day Centres at Fordbridge and Greeno. Thank you to both staff and guests for their warm welcomes.

On the second of February the \chief Executive and I welcomed the High Sheriff of Surrey, Dr Julie Llywellyn here to Knowle Green for informal discussions.

Sunday sixth February saw the Mayoress and I attending Guildford Cathedral for a service to mark the seventieth anniversary of the accession of Her Majesty the Queen. This was a very real privilege. It was also sombre as of course it also marked the passing of her father King George Sixth. I have several events coming up, to which you should have all received invitations.

In particular I encourage you to book to attend our ABBA tribute night on Saturday 5th March at the Holiday Inn Shepperton. This should be a light-

hearted and fun evening with a quiz and also “fancy dress” competition. Tickets are only £45 and all profits to my charities East to West and Ashford Youth Centre. You can also take advantage of a heavily discounted overnight stay for £85 for two, to include breakfast.

On the 18th of March Sunbury Cricket Club are very kindly hosting a concert in aid of these charities and you can book via the mayor’s office.

I want to take this opportunity to express my sincere thanks and best wishes to our Monitoring Officer, Victoria Statham who is leaving Spelthorne at the end of March after over 21 years. She will be taking up a post at Elmbridge Borough Council and I would say that our loss is certainly their gain. Victoria has always been very supportive and she will be sorely missed.

It continues to be a great honour to serve the residents of Spelthorne.

Thank you”

5/22 Announcements from the Leader

The Leader made the following announcements:

“Today is a very sad and shocking day as we woke up to the news that Vladimir Putin has brought war back to Europe on what has been described as a catastrophe for our continent. At this time I would like to express my deepest empathy for the people of Ukraine. This Borough stands in solidarity with those who will be all impacted by this act of aggression.

Yesterday a by-election was held in Stanwell North and on behalf of this authority I would like to officially welcome Councillor Jon Button to Spelthorne Borough Council.

The Prime Minister announced earlier this week that all Covid restrictions will be lifted and from today, 24 February, you will not be legally required to self-isolate if you test positive for COVID-19. I ask that we all make sensible choices to minimise the risk to those most vulnerable in the community. As we emerge from the pandemic, I want to, once again, place on record my admiration for the many in of our community who volunteered to support others and Officers in this authority who have been serving Spelthorne diligently during the pandemic.

To reflect on the last 2 years Spelthorne will be creating a long-lasting memorial in the Borough and we are consulting with residents about how best to commemorate the difficulties our community has faced. We want the memorial to be resident-led and are keen to hear from anyone with ideas and suggestions on a fitting tribute. Please email news@spelthorne.gov.uk

If you are a business based in Spelthorne there are still a number of grant funded support services available – including website provision, free digital media training and free business coaching. If you would like to take

advantage of these services please get in touch with our Economic Development Team.

The Borough will benefit from a multimillion-pound contract between Amazon Prime Video and Shepperton Studios for exclusive use of new production facilities. Shepperton Studios have launched a £500,000 community fund to support local individuals, non-profit and voluntary organisations. The fund will be distributed over ten years and will benefit the Shepperton area and wider borough of Spelthorne.

I would like to make Members and Residents aware of two consultations being undertaken by Surrey County Council.

Firstly the latest draft of their long-term vision for the county, known as the 2050 Place Ambition.

Secondly the County are also undertaking a consultation in relation to their preparation of a new Minerals and Waste Local Plan (MWLP) for Surrey. Details of both are on our consultation webpage.

Spelthorne Council continues to welcome applications for funding through the Community Infrastructure Levy (CIL) for local projects and improvements and the 31 March deadline is fast approaching. Examples of the types of projects Local CIL can be used for are community centre improvements, community notice boards, bike shelters and local signage.

And finally, 2022 is the Queen's Platinum Jubilee year and, as of 6 February 2022 Her Majesty the Queen became the first British Monarch to celebrate a Platinum Jubilee, marking 70 years of service to the people of the United Kingdom and the Commonwealth. On behalf of the Council, I would like to extend my congratulations to Her Majesty and wish her well in her recovery from Covid. At the special bank holiday in June there will be lots of events in Spelthorne, and residents should check our website for more details, including advice on street party applications.”

6/22 Announcements from the Chief Executive

The Chief Executive made the following announcements:

“The Monitoring Officer, Victoria Statham, after 21 years of loyal service has recently chosen to move to a neighbouring authority. Victoria’s last day of employment with Spelthorne will be the 18 March 2022. As Head of Paid Services, I should like to place on record our deep appreciation for Victoria’s professionalism, integrity and hard work in support of this Chamber and the democratic mandate that underpins our collective public service commitment. Victoria, Thank You and we wish you the very best in your future endeavours.

Last Friday, a red weather warning was issued by the Met Office for Storm Eunice as very high winds battered Spelthorne and the rest of the South-East. Many colleagues worked and remained on stand-by over the weekend to cover essential services supporting our residents. As Chief Executive, I want

to pay tribute to our Neighbourhood Services team. Despite the adverse weather conditions, all scheduled waste and cleansing work across the Borough was undertaken and completed without incident. The demands on the Parks Team have equally been significant, clearing fallen trees and debris from roads and footpaths. I also want to thank our Community Wellbeing Team and Meals on Wheels Staff who ensured vulnerable residents were prioritised and supported. All in all, another prime example of how this authority keeps our communities at the very heart of what we do.

Indeed, this authority goes to incredible lengths to serve our residents, particularly those most needy in pursuing our corporate priorities and values as elucidated in our corporate plan. As an authority, we remain a learning authority, keen to excel and adopt best practice. That is why, subject to support from the Corporate Policy and Resource Committee, we intent to initiate an LGA Corporate 'whole-system' Peer Review. Peer Reviews are a valuable 'health-check' for any authority and with our recently completed LGA Finance Peer Review firmly under our belt, it is now time to advance in securing a Corporate Peer Review, maximising the return on our annual c£10,000 LGA subscription.

Late last night, Mr Jon Button was duly announced as elected Councillor for the vacant seat of Stanwell North. Congratulations Councillor Button. As Returning Officer, I should like to thank our election team for their sterling endeavours in delivering yet another smooth election supporting our democratic mandate. Mr Mayor, may I also thank you for your Civic assistance at the count and ensuing result announcement.

Referencing the prospect of future elections, I ought to also inform this chamber that the Local Government Boundary Commission for England has decided to undertake an electoral review of Spelthorne Borough Council. The purpose of an electoral review is to consider the number of councillors elected to the council, the names, number and boundaries of the wards, and the number of councillors to be elected to each ward. The Local Democracy, Economic Development and Construction Act 2009 sets out the duty placed on the Commission to undertake an electoral review of every principal local authority in England 'from time to time'. The last electoral review of Spelthorne Borough Council was undertaken in 1998. Accordingly, the Commission considers that a review of this authority is now due."

7/22 Questions from members of the public

The Mayor reported that, under Standing Order 14, 6 questions had been received from members of the public.

1. Question from Nigel Rowe:

"Surrey 2050 has a long history. It seems clear from reading the documentation, the Surrey Interim Local Strategic Statement and Minutes of meetings of the EM3 Joint Leaders Board that decisions and commitments on the future development of Staines were made a very long time ago, based on proposals by or with the acquiescence of Spelthorne Borough Council to the

Surrey Joint Leaders Board and Surrey Future Steering Board. The then Leader of SBC (Cllr Ian Harvey) was a member of the Surrey Joint Leaders board at the time. SBC's Chief Executive was and still is a member of the Surrey Future Steering Board. The Council's apparent long-standing commitment to EM3, to Staines as a 'Step Up' town, and to the Longcross-Staines-Heathrow corridor has major implications for how the town will develop and the need for a significant increase in its population. When does the Council plan to explain all of this to residents of Staines? Surrey County Council Leader Cllr Tim Oliver says it is important Surrey 2050 is something done "with" and not "to" the affected communities. Spelthorne Borough Council has a constitutional requirement "to work in partnership with residents to make Spelthorne a place where people are fully engaged, and to encourage the active involvement of the community in the decisions that affect them". The community is surely entitled to know what 'vision' the Council has committed to for the future development of the town; how this vision will impact on the town's amenity, townscape, skyline and character; and how the Council intends to deal with the high demands of its infrastructure requirements (schools, medical services, utility supply, road access to the town, etc)? Network Rail is mounting a drop-in exhibition and consultation on its plans to rebuild the Iron Bridge and has invited residents across Staines and on the other side of the Thames. Given such an exercise for such a comparatively minor undertaking, does the Council agree that it should mount a major drop-in exhibition and consultation over a few days to inform the residents of Staines on the planned dramatic transformation of the town and, if so, when can we expect it to happen?"

Response from Councillor Beardsmore, Chair of the Environment and Sustainability Committee

"There is a lot of confusion and misunderstanding in your question, so I am going to have to go into some detail and history in order to try and make sense of what you ask.

'Step Up Staines' was announced in a document issued by EM3 in March 2014. It is described on page 'v' of the executive summary of the document thus...

The following interventions have been assembled into integrated Growth Packages that offer targeted solutions at three broad spatial levels:

Step Up Staines is one of the 'interventions' in spatial level 2.

In the previous year EM3 had already clarified the role of LEPs as:

organisations leading on plans for local growth and who, as announced in the Budget in March 2013, will have funding devolved to them from government from 2015.

So, by the end of 2013 EM3 were in control of our strategic growth. In fact, by 2014 EM3 had secured funding of £428m ! An eye watering amount. It is no accident that the start of this process of giving huge amounts of money to LEPs mirrors the start of austerity and wholesale cuts in funding to local authorities. In effect, we helped subsidise the LEP with service cuts.

Please note that LEPs are not accountable or subject to scrutiny in any way. We understand that their current board does have five councillors on it, including the leader of Surrey County Council, the deputy leader of Hampshire County Council and the Leader of Runnymede. Four of the five councillors are from the same political party. One is well known for having very close links with a major developer who I believe is Inland Homes.

In your question you refer to Councillor Ian Harvey. He only became a councillor in 2013 and like most other councillors would have known nothing about any of this.

This was the first iteration of the development of Staines

Fast Forward to 2018, where an EM3 report decided that Step Up Towns should become corridors. The reason for this seems to be that the step up towns have collectively failed to match expectation.

This was the second iteration of the development of Staines

Surrey Future Draft 1 2019

This is a very light document, however it does define the Longcross/Staines/Heathrow corridor and has this to say about Staines:

'Regeneration to deliver improved commercial, retail and residential opportunities to support the sub-regional role of Staines is a priority of Enterprise M3 LEP'.

So Staines has again been promoted by EM3. Pity they don't seem to have told us.

This was the third iteration of the development of Staines

So to our current situation. The Surrey Place Ambition 2050 Draft Implementation Framework is a document that is merely pulling together existing/emerging strategies and local plans into one document across the County (effectively just collating in one place what is already known and in place or being worked on by all the districts and boroughs and others). As a footnote, EM3 have to date invested at least £10m into strategic infrastructure for Staines.

The amount of future development in Staines (and the associated infrastructure) is for the Staines Development Framework (SDF) to determine. The Surrey vision is simply stating that this document needs to be developed (it is not setting out any parameters in terms of what is expected). That

decision sits solely with Spelthorne, and ultimately the Councillors who will approve the Local Plan and the draft Development Framework for submission to the Planning Inspectorate (known as Reg 19).

There is nothing new in this draft document that has not either been in the public domain for a number of years (Spelthorne Borough Council's desire for a Southern Light Rail access from Staines-upon-Thames to Heathrow, and Staines as an EM3 Step Up Town), or is not being developed by Spelthorne Council and therefore in the public domain since work first started on the document (e.g. Staines Development Framework).

There will be a public consultation on the draft Staines Development Framework once the SDF Task Group are satisfied that the draft is ready to be formally considered by the Local Plan Task Group and Environment and Sustainability (E&S) Committee. A consultation programme will be laid out when those documents are considered by the E&S committee. However, officers can confirm now that the intention is (COVID variants permitting) that these will be in-person events with Staines to ensure residents visitors and businesses have the opportunity to understand what that proposal is, and for them to feed in their thoughts.

We welcome this change and apparent opening up of the strategic process, because for the first time in 8 years we actually get a say in our future.

In terms of a public meeting, I absolutely agree that these are hugely important, but logically they need to be done at the start of the process where they can have a real influence. Spelthorne did just this. The statutory consultation to launch a Reg 18 draft Preferred Options Consultation on a Local Plan is six weeks. Spelthorne's was eleven ! (Between 5 November 2019 and 11 January 2020). More importantly within that there were NINE public meetings open to any resident in the Borough. 511 residents and RA reps attended those meetings. They could submit prepared questions or ask any question they liked on the night. Other consultation included a special edition of the Borough Bulletin with an 8 page pull out, a dedicated consultation page with a purpose built on line portal for responses, presentation to councillors and Residents Associations plus over 1,200 emails and around 240 letters to stakeholders on our consultation database.

All this input played a major role in shaping our policy. The one thing Spelthorne can say with confidence is that our emerging plan has gone far beyond statutory requirements in obtaining and incorporating the views of our residents."

2. Question from Nigel Rowe:

"As we understand it, there are two routes to securing a lower housing 'target' for the borough. One would be for Spelthorne to present the Planning Inspectorate with a Local Plan supported by a compelling case that justifies a departure from the national standard methodology. The other is to persuade the relevant government department to make an exception for Spelthorne and

apply a different methodology to this borough. Does the Council believe the case it has put to Kwasi Kwarteng MP in response to his offer last summer to assist the Council in its endeavours to secure a lower number is compelling and persuasive, and, if it does, why has it steadfastly refused to pursue the first option via its Local Plan and instead opted to rely on the government making an exception for Spelthorne?”

Response from the Councillor Beardsmore, Chair of the Environment and Sustainability Committee

It is a question of the rules we have to operate under. It is cheap and easy for a minister to claim our housing number is not mandatory. He simply leaves out key pieces of information. Firstly, the National Planning Policy Framework (NPPF) is absolutely clear that all councils must always try to meet their housing need figure. Following on from that, all councils must make maximum use of any brownfield sites they have available. Because of the proposed zoning in Staines, Spelthorne would fail this test. As such we would have no grounds to seek a lower housing number. Until these rules change, we are stuck in terms of sound process.

In terms of the housing need figure the Council has made several representations to Mr Kwarteng and to the Department for Levelling Up, Housing and Communities concerning the high level of housing need for the Borough. The most recent letter from the Leader of the Council was sent in November 2021 and sets out clearly residents’ concerns over the high housing number and the impacts on Green Belt and the character of the Borough with high rise development.

This letter also sets out that the continued use of 2014-household projections as a basis for the standard methodology is unsound, given the projected slowdown in population growth from the latest figures. The standard methodology uses a formula to identify the minimum number of homes expected to be planned for, as a means of addressing projected household growth and historic under-supply. These projections, in conjunction with the amount of Green Belt and waterbodies in the Borough, remain robust reasons for reducing the Borough’s housing requirement.

Whilst we continue to push for a revised methodology, the most effective means of protecting the Borough from unplanned and speculative development is to have an up-to-date Local Plan in place. At present, no Local Planning Authority has been successful in having a Plan adopted where their housing figure is below that set out by the standard method, since transition arrangements ceased to apply. By delaying the Local Plan, Spelthorne is at risk of being subject to continued applications for unplanned development. This vulnerability is hugely damaging to the Borough as shown by the recent appeal decision for Elmsleigh Road by Inland Homes, where the Planning Inspector clearly set out that the Borough’s under delivery of housing and lack of five-year housing land supply were key factors in allowing the development and were given ‘significant’ weight. This argument was also successful at appeal when the Council’s decision on Bugle Nurseries in the

Green Belt was overturned. An adopted Local Plan will ensure that the Borough has sufficient housing supply which can be delivered in a managed way to minimise impacts in Spelthorne.

It is a simple fact that despite many attempts, no-one using the 2017 methodology has been able to get their housing numbers reduced. We are already facing two examples of predatory development, and the longer we go without a draft plan the greater the risk of more such attempts being made.

3. Question from Nigel Rowe:

“Why has the Council not yet published a summary (called for by the Environment & Sustainability Committee last October) of the findings of its public consultation last summer on the future development of Staines, what conclusions has the Council drawn from the findings of the consultation, and why has it not committed to take any account of these findings/conclusions in its development plans for the town? To simply state that the consultation will inform work on the Local plan means nothing if there is not clarity on the conclusions the Council has drawn from it and those aspects it accepts must be accommodated.”

Response from the Councillor Beardsmore, Chair of the Environment and Sustainability Committee

“Two summaries of the Staines Development Framework (SDF) Objectives and Options report were produced: a summary produced by consultants David Lock Associates (DLA) at the request of Members and a comprehensive report produced by Officers, which contains tables of every response, sorted by frequency. The SDF web page was updated between the 18 and 26 January 2022 and the report produced by DLA was mistakenly deleted from the web page. It was reinstated on 9 February 2022. The officer report has remained on the website from its publication in October. It is also on the website as an appendix to the Environment & Sustainability (E&S) Committee report from October 2021.

The comments from the consultation opposing high rise in Staines are noted and are being considered by Members of the Staines Development Task Group and DLA. The extent to which they will be committed to in the draft SDF depends on whether they can be incorporated into sound policy that will withstand scrutiny by an inspector at Examination in Public of this document and the Local Plan. We have already shown through consideration of zoning proposals for more sensitive areas of the town that we are trying to accommodate the reasonable wishes and expectations of our residents in a way that we believe will withstand that scrutiny in the face of national policy that seeks to optimise densities on brownfield land and in town centres. None of the contents in the draft SDF can be formally ‘accepted’ for inclusion until considered by the E&S Committee when it is asked to agree the draft for consultation as the Task Group is not a decision-making body.”

4. Question from Nigel Rowe:

“A large proportion of flats in new high-rise tower blocks are often bought by buy-to-let investors or overseas buyers, some apparently happy to let them remain unoccupied while the value of their investment grows or simply as a depository for their funds. This is already happening in Staines, with flats in new apartment blocks being advertised worldwide. Does the Council agree it should insist that developers allocate a high/defined number of flats in any new tower block development for sale to owner-occupiers only and, if the answer to this is ‘yes’, will it seek urgently to overcome whatever obstacles there are to achieving this?”

Response from the Councillor Beardsmore, Chair of the Environment and Sustainability Committee

“The issue of buy-to-let investors who are just looking to make a quick profit by growing the value of their funds through capital appreciation is, unfortunately, not just a problem being faced by Spelthorne; it has rippled out from London and will apply to a large number of areas within the south-east.

Some councillors and residents will be aware that Australia does have very strict rules. All foreign non-residents and holders of short-term visas have to apply to the Foreign Investment Review Board if they want to buy property. Its rules state that they can do so only if their investment leads to an increase in available dwellings.

Last year (April 2021) the Government introduced a 2% surcharge on stamp duty land tax for non-UK buyers of UK residential property. This applies to existing homes, buildings under construction and off-plan purchases. The surcharge has been introduced to pay for more affordable housing for UK residents. As we understand it, the Government is not planning to change stamp duty in the short term. Locally, Spelthorne is now applying the unoccupied surcharge on wherever it can.

Government advice dating back as far as the now superseded Circular 11/95 has made it very clear that there is seldom good reason to restrict the occupancy of houses. The underlying government principle is that undue restrictions would interfere too greatly in the rights of individual owners. The current Planning Policy Guidance advice is the “Planning permission usually runs with the land and it is rarely appropriate to provide otherwise. There may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit from the permission... A condition limiting the benefit of the permission to a company is inappropriate because its shares can be transferred to other persons without affecting the legal personality of the company”. Despite numerous opportunities, no government of any political complexion has sought to change this.

It should be remembered that developments undertaken by Spelthorne Borough Council are intended to be directly let, ensuring full occupation.”

5. Question from Nigel Rowe:

“The chair of the Environment & Sustainability Committee, who is also chair of the Local Plan Task Group, some time ago proposed a zoning approach for new developments in Staines. This would restrict the height of new developments to defined limits close to the river Thames and adjacent to existing residential areas. This was enthusiastically welcomed by residents and embraced by the Staines Development Framework Task Group. What is the current status of this proposal, and can we be assured it will be enshrined in the new Local Plan and strictly adhered to?”

Response from the Councillor Beardsmore, Chair of the Environment and Sustainability Committee

“To expand on the answer to Question 3 already given, at the time of speaking the proposals for zoning certain areas of the town to limit heights and densities remain at the forefront of discussions with the Staines Development Task Group and we anticipate they will feature in the Staines Development Framework. As already stated, the Task Group is not a decision-making body and reports to the Environment & Sustainability Committee, which will be called upon to agree the draft for public consultation, together with the Local Plan. Our ability to include the zoning proposals is dependent on a strategy that meets our housing need in full, so that we are able to argue that we have a sound plan that, although not optimising densities in all areas of the town, still delivers overall on our housing needs for the Borough as a whole.”

6. Question from Kath Sanders:

“Thank you very much to Cllr Beardsmore for the answer to my question in December about the 2021/22 Green Initiatives Fund and how much of the £747k had been allocated as of 30th September 2021. It was also good to see the information on the bidding process discussed at the Environment & Sustainability meeting on 18th January 2022 (Item 11/22).

Please would it now be possible for residents to get a further update as to how much of the £39k Green Better Neighbourhood Grant element has been allocated as of 31st December 2021 and what further progress has been made in terms of utilising the remaining funds this year (or whether agreement has been reached to rollover and potentially add to the Green Initiatives Fund in the next fiscal year)? Thank you.

Response from the Councillor Beardsmore, Chair of the Environment and Sustainability Committee

Thank you for your question, Ms Sanders. As you have outlined, we have allocated £39,000 from our Green Initiatives Fund for Green Better Neighbourhood Grants. Councillors have been asked to submit their proposals for allocating these grants, with the closing date for responses being 28 February. To date, we have received applications to the value of

£11,252 and expect to receive more bids by the close of business next Monday.

Alongside these projects, the Council has also received requests to utilise the Green Initiatives Fund for a range of other initiatives and the following proposals are being put forward to the Environment and Sustainability Committee for consideration at their meeting in March (as of 22 February 2022 these are):

- £20,000 towards Phase 1 of the Local Walking Cycling Infrastructure Plan
- £49,000 (including on-costs) for a Climate Change Officer post
- £9,000 for an energy audit of the Council's main buildings to identify opportunities for reducing energy and implementation of renewable energy schemes
- £2,000 for membership of Association for Public Service Excellence, which provides access to climate change best practice information and knowledge, and access to studies
- £3,000 for training staff to embed consideration of climate change in all aspects of the Council's work
- £5,000 membership of Colne Valley Partnership to open up opportunities for accessing funding for projects along the River Colne
- £7,500 towards electric mopeds for the parking services team

Carry over of any unused funds will be a matter for councillors as part of the forthcoming outturn process.

8/22 Petitions

There were none.

9/22 Recruitment of Monitoring Officer

Council considered a report that sought to ensure that an interim Monitoring Officer is designated in accordance with the Local Government and Housing Act 1989 and that there is a clear and efficient process for the recruitment to the permanent role.

It was proposed by Councillor L Nichols and seconded by Councillor J Sexton and **resolved** to:

1. Delegate authority to the Chief Executive to make an interim appointment as Group Head of Corporate Governance,
2. Designate Jayne La Grua as Monitoring Officer (on an interim basis) from 21 March 2022,
3. Constitute the Appointments Committee as set out in the report, and
4. Delegate authority to the Appointments Committee to designate the next Group Head of Corporate Governance

10/22 Application of the six months' rule to Councillor M. Madams

Council considered a report that sought approval for Councillor Madams's absence from attendance of meetings from 14 October 2021 until the Annual Meeting of the Council on 26 May 2022.

It was proposed by Councillor J Boughtflower and seconded by Councillor M Attewell and **resolved** to grant a dispensation for Councillor M Madams for non-attendance in accordance with Section 85 (1) of the Local Government Act 1972.

11/22 2021-22 additional pay uplift

Council considered a report that sought approval for an additional pay uplift of 1% to all scale points including personal salaries and apprentices.

It was proposed by Councillor L Nichols and seconded by Councillor J Sexton and **resolved** to agree an additional pay uplift of 1% for 2021/22, as recommended by the Corporate Policy and Resources Committee.

12/22 Pay Award 2022-23

Council considered a report that sought approval of the 2022/23 pay award.

It was proposed by Councillor L Nichols and seconded by Councillor J Sexton and **resolved** to agree the staff pay award for 2022/23, as follows:

2% to all scale points including personal salaries and apprentices and an additional 0.5% for scales 1 to 5 inclusive, as recommended by the Corporate Policy and Resources Committee.

13/22 Pay Policy Statement

Council considered a report that sought approval of the Pay Policy Statement.

It was proposed by Councillor L Nichols and seconded by Councillor J Sexton and **resolved** to agree the Pay Policy Statement.

14/22 Treasury Management Strategy Statement

Council considered a report that outlined the Treasury Management Strategy Statement 2022/23.

It was proposed by Councillor L Nichols and seconded by Councillor J Sexton and **resolved** to approve:

1. The Treasury Management Strategy for 2022/23; and
2. To note the updated Treasury Management Practices (TMP) and Schedules.

15/22 Detailed Revenue Budget 2022/23

The Council considered the recommendation of Corporate Policy and Resources Committee on the detailed Revenue Budget for 2022-23 (including the precepts being levied by Surrey County Council and Surrey Police) and the proposed Council Tax for 2022-23.

It was moved, seconded and

Resolved to agree that in accordance with Standing Order 17(f), the respective Budget speeches of the Group Leaders may each exceed 10 minutes in length if necessary.

Resolved that:

1. A 2.4% increase on Band D for the Spelthorne Borough Council element of the Council Tax for 2022/23 be approved. Moreover:
 - a) The revenue estimates as set out in Appendix 1 be approved.
 - b) No money, as set out in this report be appropriated from General Reserves in support of Spelthorne's local Council tax for 2022/23.
 - c) The Council Tax base for the year 2022/23 be 40,703 Band D equivalent dwellings calculated in accordance with regulation 3 of the Local Authorities (Calculation of Council tax base) Regulations 1992, as amended, made under Section 35(5) of the Local Government Finance Act 1992.
2. The Council's Local Council Tax Support Scheme with the current rules and regulations be continued.
3. The complete disregard of war pension / armed forces pension income from benefit calculations be continued.
4. The growth and savings items as set out in the report's appendices 2 and 3 be agreed.
5. The Chief Finance Officer's commentary in section 4 of the report on the robustness of budget estimates and levels of reserves under sections 25 and 26 of the Local Government Act 2003 be noted.
6. The Council Tax Base for the whole council area for 2021/22. [Item T in the formula in Section 31b (3) of the local government Finance Act 1992, as amended (the "act")] be 40,703 band D equivalent dwellings and calculate that the Council Tax requirement for the Council's own purpose for 2022/23 is £210.05 Per Band D equivalent dwelling.

That the following sums be now calculated by the Council for the year 2022/23 in accordance with Section 31 to 36 of the Local Government Act 1992.

A	119,603,377	Being the aggregate of the amount which the council estimates for the items set out in Section
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		31A (2) of the Act considering all precepts issued to it by Parish Councils.
B	111,053,652	Being the aggregate of the amount which the Council estimates for the items set out in Section 31A (3) of the Act
C	8,549,725	Being the amount by which the aggregate at (A) above exceeds the aggregate at (B) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year
D	210.05	Being the amount at (C) above divided by the amount at 5c (above), calculated by the Council in accordance with Section 31B (1) of the act, as the basic amount of its Council Tax for the year (including Parish precepts)
E	0	Being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
F	210.05	Being the amount at (D) above less the result given by dividing the amount at (E) above by the amount at 5c (above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings on those parts of its area to which no Parish precept relates.

That the following amounts be calculated for the year 2022/23 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011.

A	B	C	D	E	F	G	H
140.03	161.37	186.71	210.05	258.73	304.41	350.08	420.10

As required by the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended), Council held a recorded vote on the Revenue Budget 2022/23.

For: Councillors S Doran, C Bateson, I Beardsmore, M Beecher, J Button, J Doran, R Dunn, S Dunn, T Fidler, K Grant, T Lagden, L Nichols, J Sexton, V Siva, R Smith-Ainsley, B Spoor, J Vinson – **17 votes**

Against: Councillors I Harvey, M Attewell, C Barnard, C Barrett, R Barrett, J Boughtflower, A Brar, N Gething, T Harman, H Harvey, N Islam, V Leighton, T Mitchell, S Mooney, O Rybinski, R Sider BEM – **16 votes**

Abstain: Councillors S Buttar, M Gibson, R Noble – **3 votes**

It was proposed by Councillor Smith-Ainsley and seconded by Councillor Barnard and **resolved** by Council that Standing Orders should be suspended to enable items 16, 17 and 18 to be considered.

16/22 Capital Strategy 2022 to 2027

Council considered the Capital Strategy 2021/22 to 2025/26 Report that sought approval of the following:

1. The Capital Strategy as set out in the report,
2. That all development and investment projects, along with all significant projects follow the previously approved business case governance process as set in in Section 11 of the report,
3. That no financing resources, unless stipulated in regulations or necessary agreements, are ring fenced,
4. The Council plans to continue its use of capital receipts to fund the revenue costs of eligible proposals (subject to full business cases for each project),
5. The financing of the Capital Programme and revenue implications as set out in Section 14 of the report and;
6. The financing of the Capital Programme being delegated to the Corporate Policy & Resources Committee to provide sufficient flexibility to allow for the most effective use of Council resources.

It was proposed by Councillor L Nichols and seconded by Councillor J Sexton and **resolved** to agree the Capital Strategy for 2021/22 to 2025/26.

17/22 Estimated 2022/23 to 2025/26 Capital Programme

Council considered the Estimated 2022/23 to 2025/26 Capital Programme report.

It was proposed by Councillor L Nichols and seconded by Councillor J Sexton and **resolved** to agree the Estimated 2022/23 to 2025/26 Capital Programme.

18/22 Estimated 2022/23 to 2025/26 Capital Programme update - Victory Place

Council considered an addendum to the Estimated 2022/23 to 2025/26 Capital Programme report.

It was proposed by Councillor L Nichols and seconded by Councillor J Sexton and **resolved** to agree the Estimated 2022/23 to 2025/26 Capital Programme,

19/22 Ashford Victory Place – Appointment of Contractor for Construction Works Contract

It was proposed by Councillor J Boughtflower, Seconded by Councillor T Fidler and **resolved** that the public and press be excluded during consideration of this item, in accordance with paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) because it was likely to disclose information relating to the financial or business affairs of any

particular person (including the authority holding that information) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority in being able to undertake even-handed negotiations and finalising acceptable contract terms.

Council considered a report on Ashford Victory Place.

It was proposed by Councillor T Mitchell and seconded by Councillor J Boughtflower that this item be discussed at the Council meeting on 10 March 2022 when the remaining items on the agenda would be considered.

This motion **fell**.

It was proposed by Councillor R Noble and seconded by Councillor L Nichols and **resolved** to agree the recommendations as set out in the report.

The meeting was adjourned until 7.00pm on 10 March 2022.

Reconvened meeting

Council reconvened at 7.00pm on 10 March 2022 to consider the remaining items..

A minute's silence was observed as a symbol of unity with the people of Ukraine following the invasion by Russia.

20/22 Referral of a decision of the Development Sub-Committee on 5 January 2022

Councillors M Beecher, S Mooney, D Saliagopoulos, J Sexton, C Bateson and V Siva had referred the following decision for consideration by the Council, in accordance with the Council's Reservation Scheme.

Decision made by the Development Sub-Committee on 5 January 2022 in relation to the Oast House/Kingston Road Car Park and Health and Wellbeing Centre – Pre application consultation.

The Sub-Committee resolved to:

- 1. Agree the key objectives which the Council is looking to achieve from the wider site as set out in paragraph 2.4 of the report, and*
- 2. Agree the preferred option for the residential element of the Oast House/Kingston Road site (Option 1).*

Councillor M. Beecher spoke on behalf of the councillors who had requested the referral. Councillor R. Noble, Chair of the Development Sub-Committee, responded for the Development Sub-Committee.

Councillors H. Harvey and Buttar joined the meeting during the debate.

Council voted on the following options:

1. Note the decision of the Development Sub-Committee (Note)
2. Refer the decision back to the Development Sub-Committee (Refer)
3. Withdraw the decision of the Development Sub-Committee (Withdraw)
4. Abstain

A recorded vote was requested by the Mayor.

OPTION	COUNCILLORS
Note (6)	Mayor I. Harvey, A. Brar, H. Harvey, R.Noble, O. Rybiinski, R. Smith-Ainsley
Refer (1)	I. Beardsmore
Withdraw (21)	M. Attewell, C. Barratt, R. Barratt, C. Bateson, M. Beecher, J. Boughtflower, S. Buttar, J. Button, R. Chandler, N. Gething, K. Grant, T. Harman, N. Islam, V. Leighton, T. Mitchell, S. Mooney, D. Saliagopoulos, J. Sexton, R. Sider BEM, V. Siva, J. Vinson
Abstain (1)	L. Nichols

Council **resolved** to withdraw the decision of the Development Sub-Committee made on 5 January 2022.

21/22 Report from the Leader of the Council

The Leader of the Council, Councillor L. Nichols, presented the report of the Corporate Policy and Resources Committees held on 19 January and 07 February 2022, which outlined the matters the Committee had decided since the last Council meeting.

22/22 Report from the Chairman of the Administrative Committee

The Administrative Committee had not met formally since the last Council meeting.

23/22 Report from the Chair of the Community Wellbeing and Housing Committee

In the absence of the Chair and Vice Chair of the Committee, the Mayor presented the report of the Community Housing and Wellbeing Committee meeting held on 01 February 2022 which outlined the matters the Committee had decided since the last Council meeting.

24/22 Report from the Chairman of the Environment and Sustainability Committee

The Chair of the Environment and Sustainability Committee, Councillor I. Beardsmore, presented the report of the Environment and Sustainability

Committee meeting held on 18 January 2022, which outlined the matters the Committee had decided since the last Council meeting.

He advised that he had spoken to Mr Gbangbola to update him on Counsel's advice that the Council did not have the jurisdiction to continue any further investigative work and the Committee's acceptance of that.

25/22 Report from the Chair of the Economic Development Committee

The Vice Chair of the Economic Development Committee, Councillor V. Leighton, presented the report of the Economic Development Committee meeting held on 25 January 2022 which outlined the matters the Committee had decided since the last Council meeting.

26/22 Report from the Chair of the Neighbourhood Services Committee

The Chairman of the Neighbourhood Services Committee, Councillor A. Brar, presented the report of the Neighbourhood Services Committee meeting held on 13 January 2022 which outlined the matters the Committee had decided since the last Council meeting.

27/22 Report from the Chairman of the Audit Committee

The Audit Committee had not met since the last Council meeting so there was no report to present.

28/22 Report from the Chairman of the Planning Committee

The Vice Chair of the Planning Committee, Councillor R. Smith-Ainsley, presented the report of the Planning Committee meetings held on 05 January and 02 February 2022, which outlined the matters the Committee had decided since the last Council meeting.

29/22 Report from the Chairman of the Standards Committee

The Standards Committee had not met since the last Council meeting so there was no report to present.

30/22 Report from the Chairman of the Licensing Committee

The Chairman of the Licensing Committee, Councillor R.W. Sider BEM, presented his report which outlined the matters the Committee had decided since the last Council meeting.

31/22 Motions

In accordance with Standing Order 16 the Council received two written Notices of Motions.

Motion 1

The Mayor informed the Council that Councillor R. Smith-Ainsley had requested an alteration to his motion and that a copy of the altered motion had been laid around the Chamber. In accordance with Standing Order 18.7

the Mayor sought the consent of the Council and it was **resolved** that the altered motion be accepted.

Councillor C. Bateson moved and Councillor J. Sexton moved the following motion:

“That Officers consider options which would include the possibility of the Council making a Public Space Protection Order (PSPO) under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 in respect of areas within the Borough that have seen a marked and sustained increase in street drinking associated with Anti-Social Behaviour. Officers to report back to the Neighbourhood Services Committee on proposed next steps by the end of April.”

The motion was carried.

It was **resolved** that:

“That Officers consider options which would include the possibility of the Council making a Public Space Protection Order (PSPO) under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 in respect of areas within the Borough that have seen a marked and sustained increase in street drinking associated with Anti-Social Behaviour. Officers to report back to the Neighbourhood Services Committee on proposed next steps by the end of April.”

Motion 2

Councillor V. Siva withdrew her motion in accordance with Standing Order 16.4.

32/22 General questions

The Mayor reported that four general questions had been received, in accordance with Standing Order 15, from Councillors M. Beecher, H. Harvey and O. Rybinski.

1. Question from Councillor Malcolm Beecher

"Could the Leader or Chair of the Audit Committee, advise what is the current market value of Spelthorne's commercial property portfolio?"

Response from the Leader

“The Council’s investment assets are revalued every year in line with proper accounting practice. The assets are currently being revalued by independent valuers to confirm a valuation as at 31 March 2022 for the 2021-22 Accounts. This process has not yet been completed. So, the latest valuation is as per the Statement of Accounts for the Council published for 2020-21, which totals £939.75 million”

2. Question from Councillor Helen Harvey

“Broken down by ward and out of ward/borough, please can you identify the amount of staff time, and cost of that time (appreciating this might be an estimate), which has been dedicated to answering questions from members of the public about the Council’s developments across the borough and is this impacting on service delivery in any areas?”

Response from the Leader

“Without having a time recording system in place it is difficult to arrive at a definitive figure, therefore officers have reviewed a number of options and using established standard costing methodology has arrived at an estimate cost of £600 per question submitted to Council. Shown below are the number of questions by ward multiplied by the standard costs per question.”

Taking into account the above caveat about estimation, and having reviewed all 83 questions from members of the public received at Council meetings in the current and the last municipal year, we have identified 13 questions directly relating to the Council’s developments. With a total cost of responding of £7,900. This is broken down as follows:

Sunbury Common	3 questions at a cost of £1.8k
Staines	6 questions at a cost of £3.7k
Non-ward specific	4 questions at a cost of £2.4k
Total	£7.9k

In addition to the questions submitted to Council which have been estimated above, officers have undertaken an assessment of the time spent and costs of responding to general correspondence using a similar standard methodology. Please note that only records relating to Staines Ward could be located.

Ward	Number of pieces of correspondence/discussions	Time	Cost
Staines	89	489.5 hours	£58,740

Therefore the total for all questions is £66,640.

In accordance with Standing Order 14.3, Councillor H. Harvey asked the following supplementary question:

“Considering the disappointing and challenged budget projected deficit gaps for the next few years, I find it shocking as I am sure many of our residents will be, to learn of the level of officers’ time estimated at £58,000, and over £66,000 in total, which has been spent in answering questions raised by persons or person residing outside our borough. Indeed in the first part of this meeting, which we held a couple of weeks ago, we dedicated 17 minutes in answering questions from a person not resident in this borough. In view of this can the Chair of the Corporate Policy and Resources Committee agree to add

to the forward plan an action to review the comments, complaints and compliments policy to ensure it is fit for purpose and does not unduly take up officers time over and above that which is reasonable, balanced and fair and furthermore does not prevent officers from their other job responsibilities to the detriment of the smooth running and effective running of the Council.

Response from the Leader of the Council

“I will undertake to consult with the Monitoring Officer to establish what are the appropriate obligations of the Council in responding to questions and to take forward consideration of whether or not alternations are required to the processes we have got”

3. Question from Councillor Olivia Rybinski

“As the Deputy Chair of O&S during the previous Boughtflower strong leader model administration, I have continued to take a particular interest in transparency and scrutiny of the business of the council and during the past months, have become increasingly concerned with the apparent failure of each committee to scrutinise their own decisions and also the leader and deputy leader seemingly acting outside their remit.

I recall that during the full council debate on the introduction of the committee system, Cllr Leighton, the then long-standing Chair of O&S, raised her concern over the risk to the authority of no longer having an O&S committee. Apparently, it was the decision of the committee system working group to no longer have an O&S committee!

In view of the clear ongoing need for an O&S committee function does the leader think it was a mistake to lose an O&S committee and will he be recommending in the upcoming review of the committee system, that such a committee be formed or added to the role of another committee such as Administration, as there is at our neighbour at Runnymede council?”

Response from the Leader

“Thank you, Councillor Rybinski, for your continued interest in ensuring that we have effective governance at Spelthorne. The Committee System Working Group, which has representatives from all groups, and representation from independent members, is in the process of reviewing the current committee structure. Please do pass any suggestions that you may have for the working group’s consideration to your group’s representative who is Councillor Ian Harvey. The working group will then review suggestions, along with the results of the recent survey, before making its recommendations to Council, via the Standards Committee, in due course.

My personal opinion on this subject is that some form of scrutiny committee would be a good idea. There are however some complex issues that would need to be addressed, for example who could serve on the committee and

what outcomes would be available. I would not want to see the creation of a new committee that could simply overrule decisions of a Service Committee. It is important that we encourage all committees to make decisions after a detailed and rigorous review of the options.”

4. Question from Councillor Helen Harvey

“During the last full council meeting on 9th December 2021, I asked the leader a formal question regarding how was the £23m Capital funding gap for the new leisure centre going to be met? This was a concern that I had previously raised to the former cabinet portfolio holder Cllr Attewell during the council meeting (and additionally in part 2) on the new replacement leisure centre proposal 22 October 2020.

GetSurrey gave an incisive report on 10th December on the issue, highlighting the weak and vague answer provided by the leader and failure to provide a credible financial solution to meet such a significant estimated gap of £750k per year for the revenue budget, on an ongoing sustainable basis.

My follow-on question was: - ‘Are you confident that this chamber should proceed with this state-of-the-art leisure centre, when it appears to me that this answer does not project far enough into the future as to how the gap will be closed?’

In reply, Cllr Nichols informed me that I would be provided with a written answer. On 2nd January 2022, I wrote to remind him that members were yet to be furnished with that answer. On 12th January Cllr Nichols replied to me saying that he had a draft response but was just checking some things with Finance.

I have still not yet received this answer and it’s now over 2 months and today is the deadline for submitting questions for the next Full Council. Due to this failure, I am now compelled to ask the following additional question irrespective of whether Cllr Nichols retrospectively sends me the answer before next weeks’ full council meeting:-

One wonders if there is something been hidden. Why have I and members, not been provided with a clear and unambiguous financial plan for how this huge funding gap will be met on a long term and sustainable basis and since the tender for the build has not yet been agreed, will you give an undertaking to provide members with a detailed, transparent and sustainable financial plan covering the short term up to 5 years, 6-20 years and 20-50 as to how this gap is to be met before you proceed to enter into the build contract?”

Response from the Leader

Thank you for your question Councillor Harvey.

I wish to start by offering a sincere apology to Cllr Harvey for failing to answer her supplementary question. I would assure her that this is the consequence of a mistake on my part, and that I never intended to avoid answering her question or to hide anything. I did provide what I believed to be an answer, but which was in fact the answer to the original question at the Council meeting on 9th December.

The circumstances are best explained by providing a chronology of events.

9th Dec	Cllr Harvey asked a supplementary question at the Council meeting and a written reply was promised.
2nd Jan	Cllr Harvey sent an email chasing a reply to her supplementary question. I wished to check exactly what the question was and the draft minutes of the Council meeting were not yet available on the website.
3rd Jan	I wrote to Committee Services asking for confirmation of the wording of the supplementary question.
3rd Jan	The reply was 'Does the Leader feel confident that this Chamber should proceed with this state of the art Leisure Centre when it appears to me that this answer does not project far enough into the future as to how the gap will be closed ongoing'.
3rd Jan	I further asked if a minute of the verbal reply I gave at the time existed.
4th Jan	A draft minute was provided. This was in fact the answer to original question and not the supplementary. I did not have a copy of the answer I read out at the Council meeting and mistook the minute provide for an answer to the supplementary. I thought that it did address the supplementary question, albeit in a roundabout way. I should have been more careful in my checking.
12th Jan	I confirmed with the officer who had written the answer that it was still correct. I did not indicate that I thought this was the answer to the supplementary, and I assumed this was understood.
12th Jan	I wrote to Cllr Harvey saying I was having the response checked.
12th Jan	The response was confirmed by the officer.
16th Jan	I sent the response to Cllr Harvey. I have received no subsequent communication on this matter.

There was no attempt to hide anything. The failure to provide a proper answer was the result of a misunderstanding on my part.

Once again I sincerely apologise for failing to provide the written answer as promised.

I will now directly address the substance of your original supplementary question.

Appendix 1 to February's Detailed Budget report projects indicative balanced Budget figures forwards to 2025/26 inclusive, with a budget surplus of £290k in 2024/25 rising to £362k in 2025/26. The last two years in the Outline Budget period, take into account an assumed £750k per annum impact on the element of the annual loan financing which will not be offset by additional income generated by the centre post completion. So, it can be seen that when we set the Budget on 24th February, given that we were showing a better than balanced budget for each of those years, we had currently closed the funding gap to cover the impact of the Leisure centre funding.

In Part II of the later Council meeting this evening, we will be discussing the impact of construction cost inflation on the scheme. Councillors will see in that debate that despite allowing for very significant cost inflation in the build cost and also allowing for an uplift in Public Works Loan Board long term rates of fifty basis points, we are still projecting, other assumptions remaining unchanged, an overall Council budget surplus of £20k in 2024-25 rising to £90k in 2025/26. Clearly over the next few years the Council, as indeed all organisations, will be facing pressures across a range of expenditure categories, however we have time to put in place measures to mitigate those pressures. Officers will be commencing in April consideration of strategies to offset those pressures.

In the context of rising energy costs the business case for investing in a low carbon leisure centre with Passivhaus design is becoming ever stronger. We also have feedback from across the country that it is newly built leisure facilities which are bouncing back the strongest in terms of their income streams post the COVID-19 lockdowns.

MINUTES OF THE SPELTHORNE BOROUGH COUNCIL

Minutes of the Extraordinary Council Meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Thursday, 10 March 2022 at 7.30 pm

Present:

Councillor I.T.E. Harvey, The Mayor, in the Chair

Councillors:

M.M. Attewell	R. Chandler	R.J. Noble
C.L. Barratt	N.J. Gething	O. Rybinski
R.O. Barratt	K.M. Grant	D. Saliagopoulos
C. Bateson	A.C. Harman	J.R. Sexton
I.J. Beardsmore	H. Harvey	R.W. Sider BEM
M. Beecher	N. Islam	V. Siva
J.R. Boughtflower	V.J. Leighton	R.A. Smith-Ainsley
A. Brar	A.J. Mitchell	J. Vinson
S. Buttar	S.C. Mooney	
J. Button	L. E. Nichols	

Apologies: Apologies were received from Councillors S.M. Doran, C.F. Barnard, J.T.F. Doran, R.D. Dunn, S.A. Dunn, T. Fidler, M. Gibson, M.J. Madams, B.B. Spoor and Lee O'Neil and

Announcements

The Mayor made the following announcements and also invited Councillor R. Sider, BEM to speak about an appeal for the people of Ukraine:

“For two years COVID has dominated the news and our thoughts. It is often said that everyone of a certain age can recall where they were when they heard that Kennedy had been assassinated. I believe most of us can also recall when we realised that COVID was so serious, .I don't think any of us expected it to last so long or have such an impact on our daily lives.

As many will be aware I have this evening just unveiled a piece of artwork commemorating the hard work and sacrifices of Spelthorne staff during these two difficult years. I am aware that a separate sub-committee is looking at exploring what we do for the general public.

Many will be aware that we have a new political party represented here tonight. Cllrs Siva and Vinson have joined a new party called Breakthrough. You may wish to check their website to learn more about what they stand for.

On Mayoral matters, on Sunday 27th February we had the Mayor's Church Service at St Mary's, Sunbury. We had an excellent turnout and those present were very complimentary.

This last Saturday night we held our charity fundraising ABBA tribute event at the Holiday Inn Shepperton and everyone attending appeared to thoroughly enjoy themselves. I certainly did!

Coming up we have a music night at Sunbury Cricket Club with all profits going to my Mayoral Charity. This takes place on Friday 18th March. Tickets can be purchased on the door at £10 each.

Also an early "save the date" for our Mayor's Spring Blossom Ball, which will be our main charity event of the year, at the Holiday Inn Shepperton on Friday 29th April.

Despite premature announcements at the last Council meeting, this really is our last meeting of the Council at which Victoria Statham, our outgoing Monitoring Officer. On behalf of all, I would like to thank you Victoria for all your years of loyal service and wish you the best for the future.

On a personal note, can I just mention that my wife Cllr Helen Harvey and I celebrate our 30th wedding anniversary this coming Monday.

We have still got a lot to get through tonight so can I ask that if you wish to speak, can you please be succinct

Finally, Councillor Sider has asked to address the Chamber with regard to Ukraine."

Councillor Sider then spoke about an appeal in Shepperton in support of the Ukrainian people:

"I am grateful to you allowing me to speak Mr. Mayor.

On Saturday 5 March this year, history was made in Shepperton. As the result of an idea by Mr Mike Brennan and Councillor Maureen Attewell it was suggested that we have an appeal for the people of Ukraine.

This was circulated on social media and for once in a lifetime this social media was spreading good news, and not tearing people apart as social media often does.

Mr Mayor, the response was unbelievable: at 8.30 there were three 4x4 vehicles already full and we were overwhelmed, and by 11 o'clock in the morning we had piles of donations 6 feet high by 5 feet wide and we had to store them

somewhere, so we asked colleagues in Ashford if they would open an office so we could move some of the stuff there until it could be sorted. Throughout the morning volunteers came from everywhere, the young, the old, and children bringing their teddies. It was so emotional.

As the morning wore on we had more donations than ever and we were fortunate that we were able to open the Village Hall and move all of these donations across in black bags. The Post Office in Shepperton came out with their large crates, six of them, to help and brought them into the Village Hall. During the afternoon on Saturday we sorted all the parcels and black bags and moved a great deal of them to a warehouse in Egham which Mr. Brennan had arranged with a colleague of his.

On Sunday we continued moving all of these items. That said, they were all now located in the warehouse in Egham and had to be sorted into men's, women's, children's and miscellaneous items. This was completed on Wednesday.

The team spirit among the volunteers was absolutely amazing, this was what team spirit was all about, it was quite exciting.

At the end of the day having been sorted they were put into large boxes and onto pallets. The first vehicle left today en route to the Red Cross in Poland. The total weight of all our donations, Mr. Mayor, was 18.5 tonnes. It was phenomenal. The second articulated lorry will be leaving at 1.00pm tomorrow. The boxes are labelled with the Union flag and also from Shepperton and parents.

Mr. Mayor I would ask if it is possible that this be documented into the annals of this Council and into the Museum because it is most unlikely that we will ever see anything like this again.

Thank you Mr. Mayor"

700/22 Disclosures of Interest

There were no disclosures of interest.

701/22 Recruitment of Monitoring Officer

It was proposed by Councillor L. Nichols, seconded by Councillor J. Sexton and **resolved** to designate Petra Der Man as interim Monitoring Officer from 21 March 2022.

702/22 Committees and sub-committees

- a Allocation of seats on committees and sub-committees

It was moved by Councillor L. Nichols and seconded by Councillor J. Sexton and **resolved** to agree the political allocation of seats on Committees and Sub-Committees as set out in item 4a in the supplementary agenda.

b Appointment of members to committees and sub-committees

It was moved by Councillor L. Nichols and seconded by Councillor J. Sexton and **resolved** to agree the appointment of members to committees and sub-committees as set out in item 4b of the supplementary agenda.

Councillor D. Saliagopoulos left the meeting at this point.

703/22 Spelthorne Leisure Centre

It was proposed by Councillor N. Gething, Seconded by Councillor J. Boughtflower and **resolved** that the public and press be excluded during consideration of this item, in accordance with paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) because it was likely to disclose information relating to the financial or business affairs of any particular person (including the authority holding that information) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority and potentially the selected provider in a competitive procurement process by allowing other bidders to know the financial position of the Council and the selected provider. This in turn prejudices the Council by (i) distorting the procurement process and (ii) prejudicing the opportunity for the Council to achieve the most economically advantageous contract and (iii) might dissuade organisations bidding for the Council's tenders if their commercial information was put into the public domain.

It was proposed by Councillor R Noble and seconded by Councillor L Nichols and **resolved** to agree the recommendations as set out in the report.

A recorded vote was requested.

OPTION	COUNCILLORS
For (27)	Mayor I. Harvey, M. Attewell, C. Barratt, R. Barratt, C. Bateson, M. Beecher, J. Boughtflower, A. Brar, S. Buttar, J. Button, R. Chandler, N. Gething, K. Grant, T. Harman, N. Islam, V. Leighton, T. Mitchell, S. Mooney, L. Nichols, R. Noble, O. Rybinski, J. Sexton, R. Sider BEM, V. Siva, R. Smith-Ainsley and J. Vinson
Against (0)	
Abstain (1)	H. Harvey

Questions from members of the public

Question 1 – Alan Doyle

“The moratorium on development in Staines: how much has that cost Spelthorne Council?”

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Development Sub Committee

5 April 2022



Title	Oast House, Kingston Road, Staines – Design Revisions & Viability
Purpose of the report	To make a decision
Report Author	Richard Mortimer (Development Advisor)
Exempt	No
Reason for Exemption	N/A
Corporate Priority	Community, Affordable Housing, Environment.
Recommendations	<p>Development Sub Committee (DSC) are asked to:</p> <ol style="list-style-type: none"> 1. Refer the decision on the Oast House development to Council under the Council’s referral scheme. <p>Full Council are asked to:</p> <ol style="list-style-type: none"> 2. Approve a mixed-use scheme for the Oast House site with revised maximum residential heights of 12+10+9 storeys on the two rear blocks. The remaining block heights are 4,3 and 2 storeys towards the site boundary where it adjoins existing residential properties. 3. Approve NHS Heartlands proposed community health and wellbeing centre provision as part of the above mixed-use development. 4. Delegate to Chair of the Development Sub Committee in consultation with the Deputy Chief Executive Officer and S151 Officer authority to approve final terms and enter into a binding Collaboration Agreement with NHS Surrey Heartlands Healthcare. This is to facilitate the submission and determination of a planning application for a mixed-use scheme comprising residential, healthcare and other uses including the restoration of a Listed building. Thereafter a Development Agreement will be required to facilitate the delivery of the health and wellbeing centre requiring both DSC and NHS approval.

<p>Reason for Recommendations</p>	<ol style="list-style-type: none"> 1. Continued delays in moving forward with the development of this site risks losing the investment of up to £37m in a new NHS health and wellbeing centre in Staines. The health centre (primary and secondary care) is a unique opportunity for Staines to secure new higher quality modern infrastructure to meet residents current and future health needs. 2. This NHS project is only one of 6 pilot projects being undertaken nationwide. However, the NHS are working to tight timescales that assumes a planning application is submitted in October 2022. Continual scheme delays are impinging on progress with design development. Unless a decision is made this month regarding the overall scheme, there is a significant risk this investment will be redirected elsewhere nationally. 3. The current revised proposal is the absolute minimum required to maintain a financially viable scheme that represents value for money. This is in line with previous DSC and Council declarations, namely that the Council must at least have a financially break-even scheme that does not burden Spelthorne's taxpayers for decades with subsidising the development, either directly or indirectly through community service cuts. 4. The moratorium on council owned schemes and the subsequent delay has seen holding costs accrue and build costs increase exponentially. This has directly resulted in this scheme incurring holding costs of £47,500 per month, though this is dwarfed by the increase in build costs of £13m so far directly attributable to the delays caused by the moratorium. Further delays exacerbate the ability to secure a financially viable scheme as increased labour, materials and fuel costs bite. 5. The revised scheme brings forward a unique offering for the town, namely 182 new homes available at affordable rents for local people on our housing waiting list. This is significantly lower than the 350 planned for the site when Cabinet approved the site acquisition in March 2019 for a price of £19.5m 6. At 193 dwellings per hectare, this density of housing is considerably lower than any commercial developer would propose (nearby commercial schemes are roughly double the proposed density). Any further reduction in the density of the development makes the scheme become unviable. 7. The maximum height of the scheme's larger rear blocks are 12 + 10 + 9 storeys. The revised scheme is marginally viable. To continue delaying the scheme will ultimately increase pressure on viability rendering this proposal financially unviable unless additional density (height) is added to mitigate these impacts.
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1. **Background**

- 1.1 On 27 March 2019, Cabinet were presented with a paper that proposed a potential residential scheme for 350 in order to support the proposed purchase price of this site. This was the basis upon which approval was granted. The site purchase was completed in October 2019.
- 1.2 Design team appointments were concluded in December 2019 and feasibility works commenced in mid-December 2019. However, progress was frustrated three months later due to the unforeseen events of Covid 19. This led to the Local Planning Authority (LPA) being unavailable for physical meetings between late March 2020 to September 2020 however limited progress was made using virtual technology. During this period, there was also a change in political leadership which resulted in further delays in obtaining buy-in to proposals/progress whilst the new Administration considered its strategic ambitions.
- 1.3 In December 2020, the Council sought to impose a moratorium on all developments in Staines. It is notable that this moratorium was not enforceable against third-party developers and ended up only affecting council owned developments. This remained in place until the end of 2021.
- 1.4 Officers had also advised Council during 2020, that any delays to projects would lead schemes incurring unnecessary significant construction cost increases due to the impacts of Brexit, loss of construction labour and evolving Covid 19 working practices which have extended programme durations. It is now evident that these delays such as the moratorium have cost this project alone approximately £13m in increased capital costs making its viability very marginal. The holding costs continue to run at approximately £47,500 per month.
- 1.5 Since July 2021, NHS Surrey Healthcare have expressed interest in investing in a new healthcare facility on part of the site. This will be one of six pilot projects that are to be rolled out nationally. Not only is this likely to provide a significant investment up to £37m in the regeneration of Staines Town Centre, it also helps in front loading and expanding much needed locally available healthcare facilities to support future housing development and meet the wider needs of the Borough's growing population.
- 1.6 The Council's Assets Team have been in consultation with Staines ward councillors during the last quarter of 2021 in order to refine the mixed-use elements of the scheme with a particular focus on the heights of the residential blocks towards the rear of the site. Whilst the preference of ward councillors has been for a scheme offering optimal heights of 9 storeys, it results in the inevitable consequence of making the entire mixed-use development financially unviable. In the event that a reduced height scheme is approved, the likely negative impact will be borne by future council taxpayers.
- 1.7 At Full Council meeting on 10 March 2022, the 14 +8 storey residential element that was recommended for approval by Development Sub-Committee

was rejected, two directives were that any scheme brought forward needed to address heights and importantly needed to be financially viable. The revised scheme being proposed responds to these directives.

2. Planning Considerations

2.1 It is worth reminding Councillors what densities are being achieved on other sites, some are in the immediate vicinity –

Scheme	No Of Apartments	Density Per Hectare	Planning Status
Eden Grove, Fairfield Ave/London Rd	489 apartments (14 storeys)	491 (14 storeys)	Granted
London Square	302 apartments (12 storeys)	320 (12 storeys)	Granted
Renshaw Industrial Estate	397 apartments (13 storeys)	370 (13 storeys)	LPA recommended for approval. Rejected.
Inland Homes, Thames St	206 apartments (15 storeys)	389 (15 storeys)	Granted at Appeal
Oast House, Kingston Road	182 apartments proposed + Healthcare	193 (12+10+9 maximum storeys). Revised Scheme	Pre-Planning Submission

2.2 It should be noted that the minimum density being proposed by officers to ensure the site remains financially viable is 298 dwellings per hectare less than Eden Grove which is within a minute's walking distance and 127 dwellings less than the Charter Square scheme. Furthermore, the revised scheme sits comfortably around the proposed zoning limits for density per hectare (dph) set in the Staines Development Framework proposals for 180 units and healthcare facilities.

2.3 If a private developer were looking to develop the Oast House site, these are the densities they would be using as a precedent to justify a scheme in the order of 350 units.

2.4 The moratorium also exacerbated delays in the LPA's ability to meet its Housing Delivery Targets. Failure to bring forward the Council's own sites has also contributed to the LPA delivering only 50% of its target as reported in 2021. This has reinforced the presumption in favour of development and the "tilted balance" case for developers to bring forward more ambitious (higher density) schemes. If the LPA were able to maintain +75% of their target then they would have greater control over the quantum and quality of future housing delivery schemes rather than decisions being taken out of their hands and determined by the Planning Inspectorate. The Inland Homes decision is a

clear example of what happens when political intervention frustrates housing targets. A Planning Inspector may also view the moratorium and continual rejection of LPA supported major schemes by the Planning Committee on weak grounds as the Council taking a “nimby” stance towards development.

- 2.5 The Oast House site provides a unique opportunity to not only front load much needed healthcare facilities but also deliver a substantial quantum of affordable housing for local people and reduce our ever-increasing Housing Register. It can also be seen that the revised heights respond to Councillor concerns and would be much lower than a private developer seeking to maximise profits.

3 NHS Surrey Healthcare – Proposition

- 3.1 In July 2021, the DSC authorised the Group Head for Regeneration and Growth to engage with the NHS Estates team regarding the provision of a new healthcare (primary and secondary care) facility in Staines. Several options were considered and their preferred options were the Spelthorne Leisure Centre site and the Oast House.
- 3.2 For obvious reasons, the leisure centre site was not a viable option and the surplus land where the nursery is located is subject to a lease until June 2025. Also, their spatial and layout requirements would most likely result in an overdevelopment of the site. Therefore, initial designs have been tested at the Oast House site in collaboration with their technical team and a deliverable scheme can be achieved subject to planning.
- 3.3 After several months of engagement, the NHS Outline Business Case has been approved by NHS England to progress the project. Full Business Case approval will be granted once planning permission has been secured.
- 3.4 As stated, this project is one of six pilot projects being rolled out nationally and represents a one-off opportunity for Staines to benefit from this new state of the art facilities. However, time is of the essence for the NHS in terms of getting these new centres built. The NHS have provided a **Statement of Intent (Appendix 1)** and a **Staines Health & Well Being Centre Briefing at Appendix 2)** which also **includes a schedule of accommodation.**
- 3.5 As a statement of their intent, the NHS have committed £250,000 towards the design fees to enable the project to be progressed up to planning submission. This payment was made in late March 2022. This assumes that design development starts in mid-April and a planning application is submitted by October 2022 with a construction start at the earliest possible opportunity next year. However, this is at risk if Council cannot agree a viable scheme for the entire site.
- 3.6 Both parties have agreed that it is in their mutual interests to enter into a Collaboration Agreement which aligns their respective interests in progressing the entire mixed use scheme proposals up to planning permission. A key NHS requirement is that the programme provides for the submission of the planning application by October 2022. This necessitates the need for a viable scheme for the entire site to be agreed by Council no later than 27 April 2022 so work can start being progressed.

- 3.7 The Collaboration Agreement will also include for the release of further funds by agreement between the parties to cover detailed design fees should they decide it is commercially advantageous to progress this concurrently with the planning determination period. Given the cost of time (£47,500 per month) and the current rate of build cost inflation this may be prudent.
- 3.8 Once planning permission has been obtained, the NHS will be able to submit their Full Business Case for approval. This is expected to take around 8-10 weeks. During this period, pre-commencement conditions will start to be discharged and the Development Agreement will be entered into for the delivery of their building subject to final NHS and DSC/Council approval. The final contract sum and appointment of a main contractor will also take place at this point thereby locking down our financial exposure to the project. Demolition and construction will start thereafter with practical completion anticipated in 2025.
- 3.9 The scheme will be subject to NHS and Council/KGE financial viability and approval of construction budgets for the entire mixed-use scheme.

4. **Design Considerations**

- 4.1 This report primarily focuses on the residential part of the scheme proposals as this is the area which has been of greatest interest to members. However, the layout and configuration of the blocks has been defined by several factors which have informed the various iterations which have been shared with councillors.
- 4.2 Firstly, the NHS have specific standardised requirements which dictate the layout and configuration in order to meet their technical specifications. Secondly, there are site constraints which need to be taken into account such as privacy/adjacency distances, daylighting/sunlighting, amenity provision, site legibility and maximising useable public realm. For these reasons, only 2-4 storey development occupies adjacencies towards the boundary with Florida Court and homes on Kingston Road. Therefore, increased massing has been placed (in consultation with the LPA) in locations to the rear of the site which have minimal impact on nearby dwellings.
- 4.3 Deliveries, fire services, disabled parking and waste collection services need access to the buildings at the rear of the site as well as turning space. Furthermore, there are minimum highways standards/distances between junctions so the "street's" location within the site is informed by this and the NHS buildings footprint.
- 4.4 Parking is proposed in a multi-storey car park over part of the Elmsleigh Surface Car Park that sits between the intersection of the two rail tracks. The NHS require 118 spaces and the residential is expected to require 128 spaces. This is the most economic way of delivering parking on an under-utilised site that is already allocated for Thameside House parking at ground level. Traffic impacts can be managed on the network as marginal peak hour increases are anticipated. Healthcare tends to have visitors throughout the day and the residential is located in a highly sustainable location. Also, with remote working and online shopping trends set to increase peak hour impacts on the highway network are anticipated to be very marginal. This will be

addressed in the formal Transport Assessment that needs to be submitted as part of a future planning application.

5. Options analysis and proposals

Several options have been considered and discussed with the Development Sub Committee and with Staines ward Councillors.

5.1 Option 1 - Revised Scheme 12+ 10 storeys (Preferred Option) financially viable for Council and KGE

This revised option follows a similar footprint to other previous options and comprises lower elements of 2-4 storeys where the site adjoins existing residential properties to mitigate the impacts on adjacent residences. The taller parts between 10-12 storeys are located at the rear of the site in the least sensitive locations. This adjustment provides this option with a total 182 apartments of which 143 are 2 beds and 39 are 1 bed units. The 2 bed apartments represent 79% of the total which is designed to align with our Housing Team's greatest need. The ground floor comprises 6,690sqft commercial/workspace accommodation. **See illustrations at Appendix 3&4.**

As Council will be aware, the Listed building did not get awarded grant funding by the Arts Council for a theatre/cultural offer. Therefore, this element has been ring-fenced whilst alternative funding options are considered.

The benefit of this option is that the residential blocks positively respond to Council's request for a reduction in height **and** for the scheme to remain financially viable. Without the entire scheme being viable, the NHS scheme cannot be delivered.

5.2 Option 2 - Rejected Scheme (14+8 storeys)

By comparison to the revised 12 storey option, and as a reminder to Council, the rejected 181-unit scheme had the same composition of apartments but one less two bedroom unit. However, its built form comprised the higher 14 storey element that wasn't accepted by Council. This option was financially viable.

5.3 Option 3 - 10 storey Option

This was a variation requested by Staines councillors. However, not only was it unviable, it is not supported by the LPA due to its incongruous bulk and massing. Therefore, this option has not been progressed.

5.4 Option 4 - 10 + 8 Storey Option

This option was also requested by Staines councillors. It comprises 149 apartments with ground floor commercial uses. Whilst it seeks to mitigate the issues with bulk and massing of the 10 storey option by providing additional articulation by stepping down to 8 storeys, it exacerbates financial losses. Therefore, this option has not been progressed.

5.5 Option 5 - Site Sale

There are many reasons that make this an unattractive option. Firstly, there would be redemption penalties to pay if the PWLB loan was terminated. Secondly, there are approximately £1.2m of costs that would need to be

written off. These are currently capitalised and would provide a significant hit on the Revenue account if the site were sold.

A site sale would give a 3rd party developer the opportunity to pursue a scheme closer to 350 units and would most likely succeed in achieving this higher density at appeal due to the Council's continual failure to meet Housing Delivery Targets. As stated, the moratorium has done nothing to indicate Council has any commitment to achieving these targets and this approach to major brownfield sites may be portraying a nimby attitude. Therefore, a Planning Inspector is unlikely to take a sympathetic line given the current presumption in favour of sustainable development and "tilted balance" approach to applications. Most importantly, a private developer would prioritise maximising profits and the unique opportunity to deliver the healthcare facility would be lost.

5.6 **Option 6 - Do Nothing Option**

Doing nothing will result in the Council continuing to incur monthly holding costs of £47,500pcm indefinitely. Also, any future scheme would incur increased build cost inflation as a consequence of deferring a decision to progress the scheme. In addition, costs to date would need to be written off to Revenue which provides a significant hit and may affect service provision.

Most importantly, from a community infrastructure perspective, doing nothing would result in the loss of the NHS healthcare provision and its investment in Staines town centre.

6 Construction Market & Phasing

- 6.1 Construction costs have been subject to unprecedented levels of price inflation and market volatility. **Appendix 5** illustrates current market inflation forecasts. These figures exclude increased fuel costs and impacts of the Russia/Ukraine conflict which is also affecting materials availability. Ultimately, this is a conservative picture of the market.
- 6.2 Members will also be aware from recent papers that the leisure centre costs have increased 15% and Ashford Victory Place by 17% despite robust negotiations by the Assets Team. All the Council's projects are subject to similar inflationary pressures and the Council's ability to be decisive will be a mitigating factor in how great this liability will be. The Assets Team are currently investigating the potential for offsite fabrication for some schemes in order to expedite quicker delivery times allowing for earlier fixing of prices, lower labour demands and increased programme certainty. This also will help support our ambitions towards the delivery of net zero carbon buildings. However, in isolation this will not be sufficient to mitigate cost pressures unless informed timely decisions are made by Council to allow these schemes to be progressed.
- 6.3 In terms of **phasing options**, both a single and two phased approach has been considered to explore if the healthcare centre could be delivered in isolation. However, there are good reasons why a two phased approach is **not** viable –
- a. This would extend the programme resulting in the deferral of much needed housing at affordable rents. It would also delay the income stream flowing

from the development which can be used to support a wide range of services within the council.

- b. Part of the residential forms the upper parts of the healthcare premises. Therefore, it is not possible to build this part without delivering the residential too.
- c. There would be an unnecessary doubling up in main contractor prelims which adds costs undermining financial viability. Therefore, higher densities would be required to mitigate these costs.
- d. The project would incur increased and unnecessary construction cost inflation due to prolongation. This would make the development scheme unviable or as above require additional density to offset additional costs.
- e. A two phased development and its longer programme would also lead to prolonged construction disruption to local residents and the new healthcare facility. It may also complicate and delay the delivery of any S106/278 obligations as well as public realm connectivity to the Elmsleigh Car Park and the town centre.
- f. Logistics, health and safety risks would also increase with a two phased scheme. It would also result in the need for increased “just in time” deliveries thereby increasing traffic flows in/out of the site resulting in increased costs too.

The Listed Building, which will be a conversion is the only element which could be delivered as a single phase as most of the works would be internal.

7 Financial implications

- 7.1 Officers have been advising Councillors about forecast price increases for over 18 months and the risks of delaying the Council’s development schemes. The table below sets out the key viability metrics for two options discussed with councillors and a new 12+10 storey option -

Scheme	NHS, 12+10 storeys residential	NHS, 10 storeys residential	NHS, 10+8 storeys residential
Units	182	171	149
Gross Value	£116.65m	£109.9m	£101.4m
Costs	£115.8m	£112.9m	£105.3m
Viable yes/no for KGE (ie will be able to sustain the loan repayments to the Council)	Yes (100% AH) although this leads to a 7% p.a. shortfall in revenue income for the Council, over the next 50 years, this will not impact on our service delivery.	No (100% AH) as this leads to an 18% p.a. shortfall in revenue income for the Council, over the next 50 years, and will mean that services will need to be cut.	No (100% AH) as this leads to a 27% p.a. shortfall in revenue income for the Council over the next 50 years and will mean that services will need to be cut.

AH = Affordable Housing

- 7.2 Any increase in costs will be passed on to Knowle Green Estates Ltd (KGE). As future transactions from SBC to KGE will be based on cost rather than value, the Council will not be ultimately exposed to a valuation shortfall risk. However, due to the increase in build costs the cost of debt is likely to be higher to KGE which makes it more challenging for any scheme to be viable. This transaction is also subject to formal approval by the KGE Board.
- 7.3 A KGE Viability Statement is attached which demonstrates the scheme still remains viable at 12 +10 + 9 storeys. **(See Appendix 6).**

8 Procurement

- 8.1 Soft market testing has been undertaken with our Procurement team. It is evident that the earlier we can get design detail developed and start engaging with contractors the greater the prospects of mitigating construction cost inflation.
- 8.2 A formal procurement process for the construction tender will not be undertaken until the team are closer to submitting a planning application. A commercial decision will then need to be made in collaboration with the Development-Sub Committee and Council around the timing when an appointment should be made.

9 Risks

- 9.1 To summarise, key risks to the development of this site are -
- a. Further delay in Council approving a financially viable scheme option risks the loss of the NHS facility. This provides a unique opportunity to front load healthcare infrastructure in Staines town centre.
 - b. Further delay will result in increased holding costs which run at £47,500 per month.
 - c. Further delay will result in the scheme being subjected to unnecessary build cost inflation that is currently running at unprecedented levels. The only way to potentially mitigate these impacts is to increase height and density.
 - d. The construction market is also facing labour shortages and this situation is likely to worsen before it gets better. This will impact on programme certainty and could result in delays to our project. Again, the earlier Council makes a commitment to a viable scheme the earlier the Assets Team can start engaging with contractors to place early orders, source materials and secure scarce labour resources. This is a complex project in normal market conditions and Council needs to be decisive in order to mitigate these impacts.
 - e. Continuing delay means the deferral of much needed homes being available at affordable rents to local people. Housing delivery aligns with the Council's Affordable Housing corporate priority. This is against a backdrop of increasing numbers of applicants on our Housing Register.

f. The provision of this innovative healthcare provision is dependent upon receipt of funding from NHS England. This funding is itself dependant on the Council meeting NHS critical path project deadlines. Delay in Council approving a viable scheme will negatively impact on the Council's ability to meet these deadlines.

10 Sustainability/Climate Change Implications

- 10.1 The scheme will target Breeam Excellent for the NHS part and net carbon zero for the residential. This compares to the Council's own policy requirement of 10% above Part L of the Building Regulations for energy efficiency.

11 Timetable -

Development Sub Committee Presentation – 5 April 2022

Full Council Decision – 28 April 2022

Knowle Green Estates Board - 18 May 2022

Target Planning Submission – October 2022

Target Planning Determination – February 2023

Demolition – April 2023

Main Build Mobilisation – Late July 2023

Main Build Works Commence – Mid August 2023

Forecast Practical Completion – End July 2025

12 Legal Comments

- 12.1 It is confirmed that the proposed referral of this item to Council complies with Part 4(b), para 1(a) of the Council's constitution.
- 12.2 It is confirmed that the preferred recommendation complies with the Council's Best Value duty with regard to the disposal of land.
- 12.3 In the event that Council approves a scheme for mixed uses at the Oast House site, Legal Officers will assist the Development Manager finalise terms for the Collaboration Agreement and ensure its execution in accordance with Council instructions.
- 12.4 Careful legal advice will also be provided throughout the development to ensure the scheme and any leases comply with the various statutory requirements including Public Contracts Regulations 2015 and whether an approval from the Secretary of State would be required for the disposal of land associated with the community health and wellbeing centre.

Background papers:

Appendix 1	NHS Statement of Intent
Appendix 2	NHS-Staines Health/Well Being Centre Briefing
Appendix 3	BPA Revised Scheme (12+10+9 Storeys)
Appendix 4	BPA Revised Site Layout Plan
Appendix 5	Materials Price Inflation Indicator 2021. (J.Sisk Ltd)
Appendix 6	KGE Viability

NHS – Statement Of Intent 11.4.22

Intent:

The NHS England & Improvement (NHSE/I) Pioneer programme is aimed to pilot a simpler model of premises provision in which the NHS directly bears the cost of premises in multi-use new build, removing the need for bureaucratic premises reimbursement systems, promoting integration of service delivery and optimal use of space. The new Pioneer health and wellbeing centres are in-community health and wellbeing buildings, offering a range of joined-up health and social care services, closer to home. The new Pioneer health and wellbeing centres form part of a national estates programme, and are designed around a core primary care offering. They will promote the co-location of community services, outpatients, diagnostics and other NHS health services – in addition to third sector and local authority services. The new Staines Pioneer health and wellbeing centre will be system owned and managed and will deliver high-quality, modern, flexible healthcare and wellbeing services and facilities for the local population.

The six Pioneers are tasked to test and deliver this new concept, in preparation for the next national spending review and wider roll-out nationally. It is Surrey Heartlands CCG's intention to deliver Staines as one of the six national Pioneers chosen to deliver this new premise and service provision concept in partnership with Spelthorne Borough Council. It is the only Pioneer that will truly deliver local authority and system integration with affordable housing and a range of services across all sectors, forming a community hub 'campus' health and wellbeing site.

This new Pioneer health and wellbeing centre is part of a broader partnership with Spelthorne Borough Council through the Alliance that has seen NHS resources invested in Borough discretionary services, step down housing, joint teams etc., and this gives us the basis to continue to grow that work.

We aim to deliver this new Pioneer health and wellbeing centre ahead of the expected large population growth in Staines (c10,000 by 2035) and expect CIL contribution to assist in capital affordability.

Benefits:

The NHSE/I Pioneer programme is underpinning the success of the NHS Long Term Plan and HM Government manifesto commitments through investment in primary care estate. It has targeted investment to support the 'levelling up' of access to services and reduce health inequalities. It has ministerial support to deliver this new concept and access to a range of national subject matter experts.

The Pioneer programme will provide a modern, fit-for-purpose health and wellbeing centre, unlocking liability of the estate from GPs, supporting staff recruitment and retention through improved working conditions and environment. The delivery of the new Pioneer health and wellbeing centre will use modern methods of construction, helping to meet the sustainability agenda and work towards carbon 'net-zero'. Creating this new Pioneer health and wellbeing centre will enable co-location of health, community, social, mental health care, third sector organisations etc., a reality to support primary care networks and preventative healthcare agendas. The new health and wellbeing centre will be a flexible adaptable building supporting diversification of services under one roof, allowing for specialised and focused sectors meeting the local population growth.

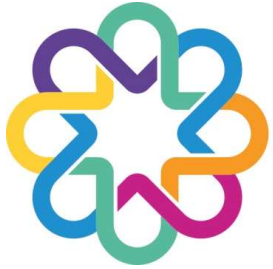
The new Staines Pioneer health and wellbeing centre will support the regeneration of Staines town centre, which is a key ambition, improving housing, environmental factors and economic

prosperity. The new Pioneer health and wellbeing centre will also provide opportunities for local businesses to participate/engage with the local community. Through the development of the business case, many cash releasing, non-cash releasing and societal benefits have been identified.

Some of the other benefits include, improved primary care access and capacity, community and secondary care services, flexible voluntary sector space contributing to mental health support. The Centre Manager will also be responsible for connections with Borough services, to ensure the local population and integrated services benefit from this new facility gaining local ownership as a community hub 'campus' site.

The Oast House site in Staines delivers both the intent and benefits to the local population and to the system. All other site options have been exhausted during development of the NHS business case. If the Oast House site is further delayed beyond an October planning submission there is a real risk that Staines will drop out of the NHSE/I Pioneer programme.

Lyn Reynolds | Estates Development Programme Director
NHS Surrey Heartlands CCG



**NW Surrey
Alliance**

Working together for better
Health, Care and Wellbeing

Staines 'Pioneer' Health & Wellbeing Centre

Briefing for Spelthorne Borough Council

April 2022

Background

- Staines is 1 of 6 NHS England & Improvement (NHSE/I) Pioneer sites
- Pioneers aim to redesign primary care estates and associated services
- The Pioneer centres are designed to bring together primary care, community care, mental health, hospital out-reach and a range of other voluntary/complementary services and activities to support the wider determinants of health and provide system and local population benefits

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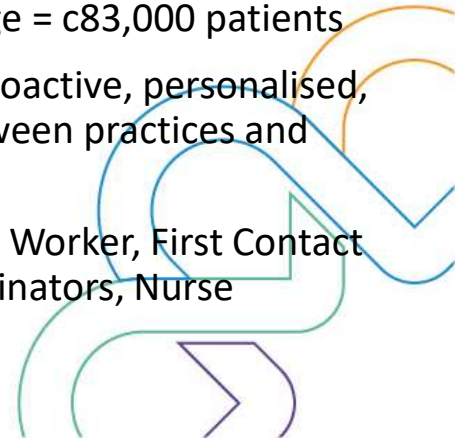
The regeneration of Staines town centre is a key ambition, improving housing, environmental factors and economic prosperity.

- There remains a risk regarding affordability and a need for a CIL contribution.
- The proposed development is progressing through the NHSE/I Pioneer programme and is at the Business Case stage. It will be an important test of new principles to develop modern primary care estate and to build different partnerships with local business, with the potential to use the asset to also bring external revenue into our system.



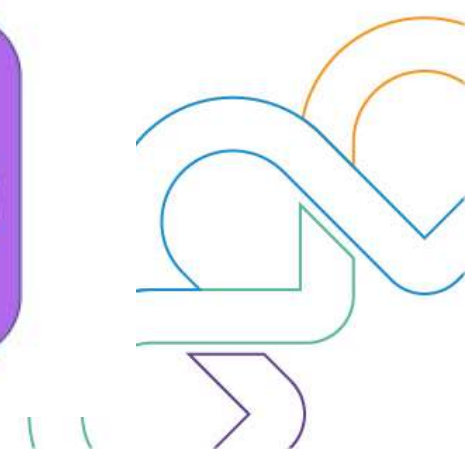
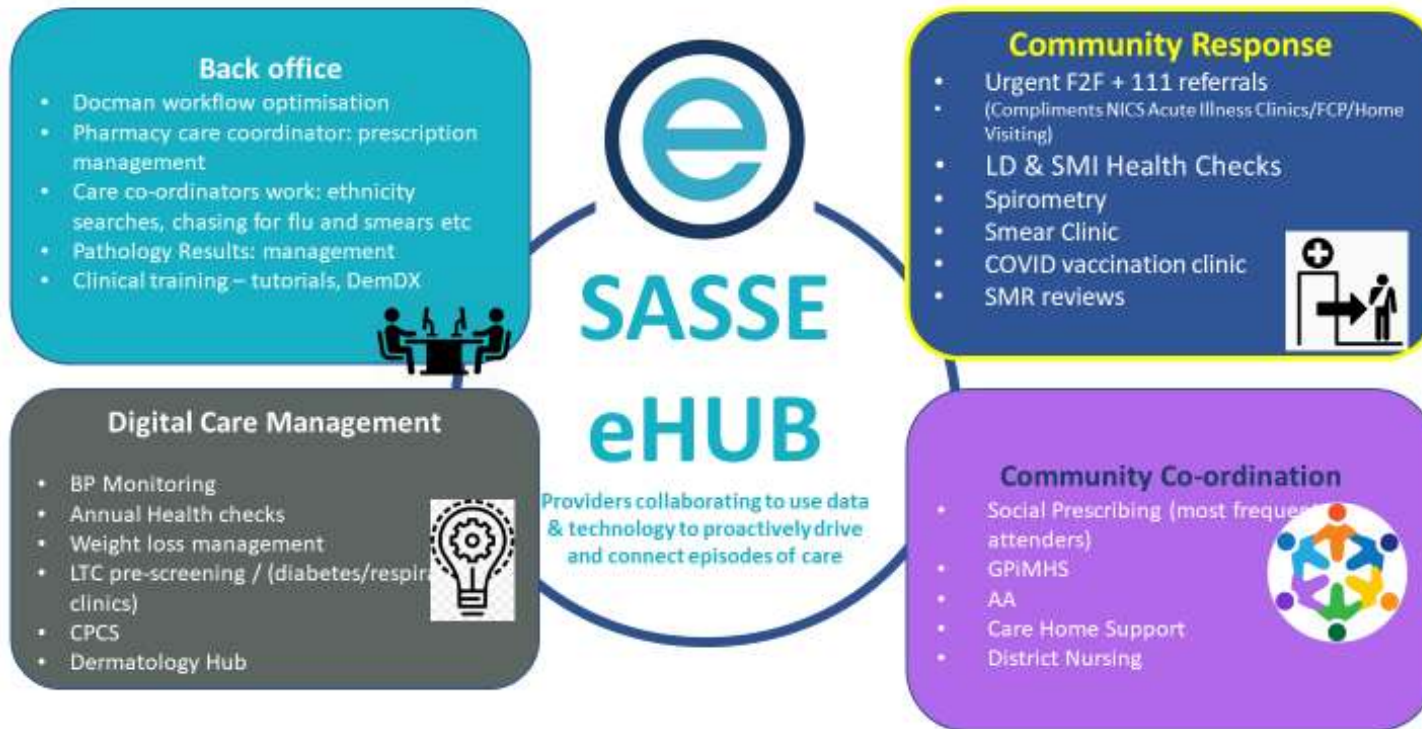
Population & Primary Care Information

- The local population will be served by 3 x GP Practices:
 - Staines Health Group (training practice, Minor Surgery)
 - Knowle Green Practice (training practice, Cancer photo hub)
 - The Hythe (branch) Practice
- The Hythe branch practice is a smaller satellite/spoke to the main Hythe surgery site based on Rochester Rd, Staines (which covers residents in Runnymede) and the branch site serves thousands of Spelthorne patients.
- There is a significant population increase anticipated in the Staines area
- This will increase the collective patient list size from c24,000 to c32,000 forecast by 2035
- The Pioneer centre will also serve 2 x Primary Care Networks (PCNs), total list size coverage = c83,000 patients
- PCNs build on the core of current primary care services and enable greater provision of proactive, personalised, coordinated and more integrated health and social care through better collaboration between practices and others in the local health and social care system.
- PCNs provide multi-skilled workforce including Clinical Pharmacist, Social Prescribing Link Worker, First Contact Physio, Physician Associate, Pharmacy Technician, Health & Wellbeing Coach, Care Co-ordinators, Nurse Associate & Trainee, Community Paramedic & Mental Health Practitioners.



Primary Care Network e-Hub

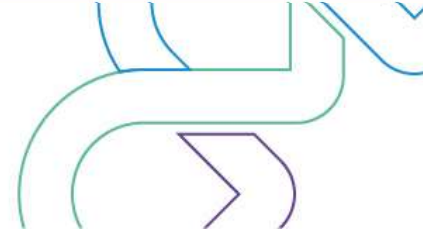
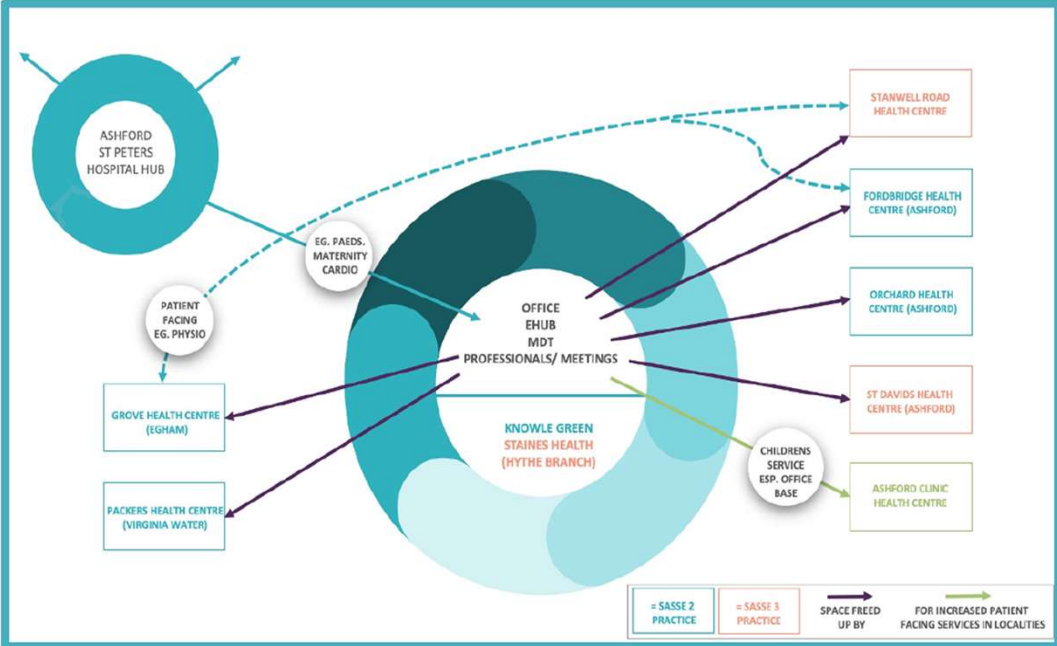
Services available from the PCN e-Hub, which will move into the new Staines Pioneer centre:



Pioneer Centre Hub

Page 5

- Serving two PCNs, the Staines Pioneer centre provides space for an expanding primary care workforce.
- By considering the New Pioneer Centre as a hub and spoke model, it greatly widens system solutions provided by the new building.
- The spokes would be to GP practices not in the centre itself, to facilities and services on the high street, to and from the local hospital, voluntary/complementary services, charities, community and mental health providers.
- There is the potential to maximise patient facing services in localities whilst moving office based, or multi-professional meetings or e-Hub work to the space in the Pioneer Centre.



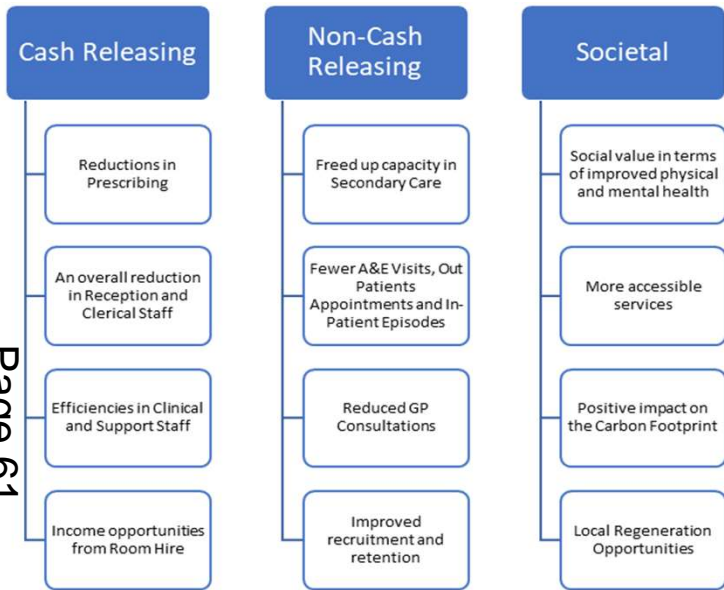
Services/Facilities to be Provided

Provider	Service
GP Practices	Three GP practices with 24,000 list size (forecasting increase to 32,000 in 2035)
PCNs	Two PCNs providing Additional roles/services and an e-Hub (slide 4)
Community Childrens Services	Community services 0-19s, School Nursing, Health Visitors, Paediatric Therapies sensory room (with specialist equipment TBC) and clinical rooms, Paediatric Audiology, Children's Safe Guarding Team Immunisation Team (plus Admin)
Community Adult / Corp'te services	OOHs Nursing team, Imms, Safeguarding, Community Nursing Service, Podiatry, Wound Care/Lymphodema Team, Speech and Language Therapy, Community Rehabilitation, Older Adults/Frailty Prevention
Ashford St Peters Hospital	Ultrasound, Paediatric Outreach, Maternity Hub (anti & post natal, feeding support etc), MDT/GP Hub Clinics
Mental Health	GPIMHS, CAMHS (bookable space), Catalyst MH Charity, adult safe haven
Citizens Advice Bureau	Advice on legal, debt, consumer, housing and other problems
Community Dentistry	Special Care & Paeds
Voluntary / Wellbeing services	Active Surrey , Community Kitchen, Centre Café, Voluntary Support North Surrey, North Surrey Domestic Abuse Service, group rooms for physical/wellbeing activities
Others	Adult Social Care (hot desking), business links (e.g A2 Dominion, Pinewood, Maclaren), plus others as the centre develops



Intent & Benefits

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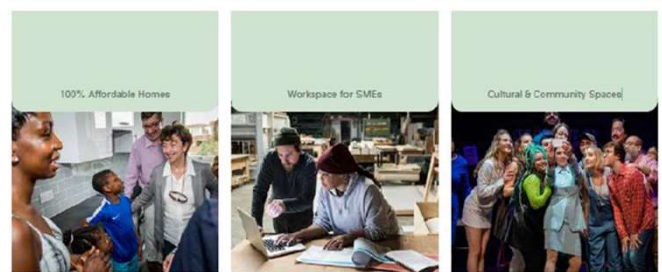


- A system owned and maintained asset
- Provides much needed space/capacity for 3 x GP practices and 2 x expanding PCNs
- Frees up vacated space within current estate portfolio
- Sale of Staines health Centre land
- NHSE/I investment available
- Provides state of the art flexible, adaptable spaces for the entire local community
- Integrates place based health, care and support services
- Provides opportunities for local businesses to participate/engage with community
- Integration with affordable residential homes and a cultural centre
- Act as a hub to the local community within a 'Campus' health & wellbeing site

Wellbeing - Strong Community



Wellbeing - Life Opportunities



Wellbeing - Health



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OASTHOUSE, STAINES

12 storey test option

29 March 2022



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Stage 2

Massing

Flat Size	Count	Percentage
1B2P	34	18.8%
2B3P	45	24.9%
2B4P	102	56.35%
Total	181	100%

- Listed Oast house
- Commercial
- NHS
- Residential Duplexes
- Residential Flats

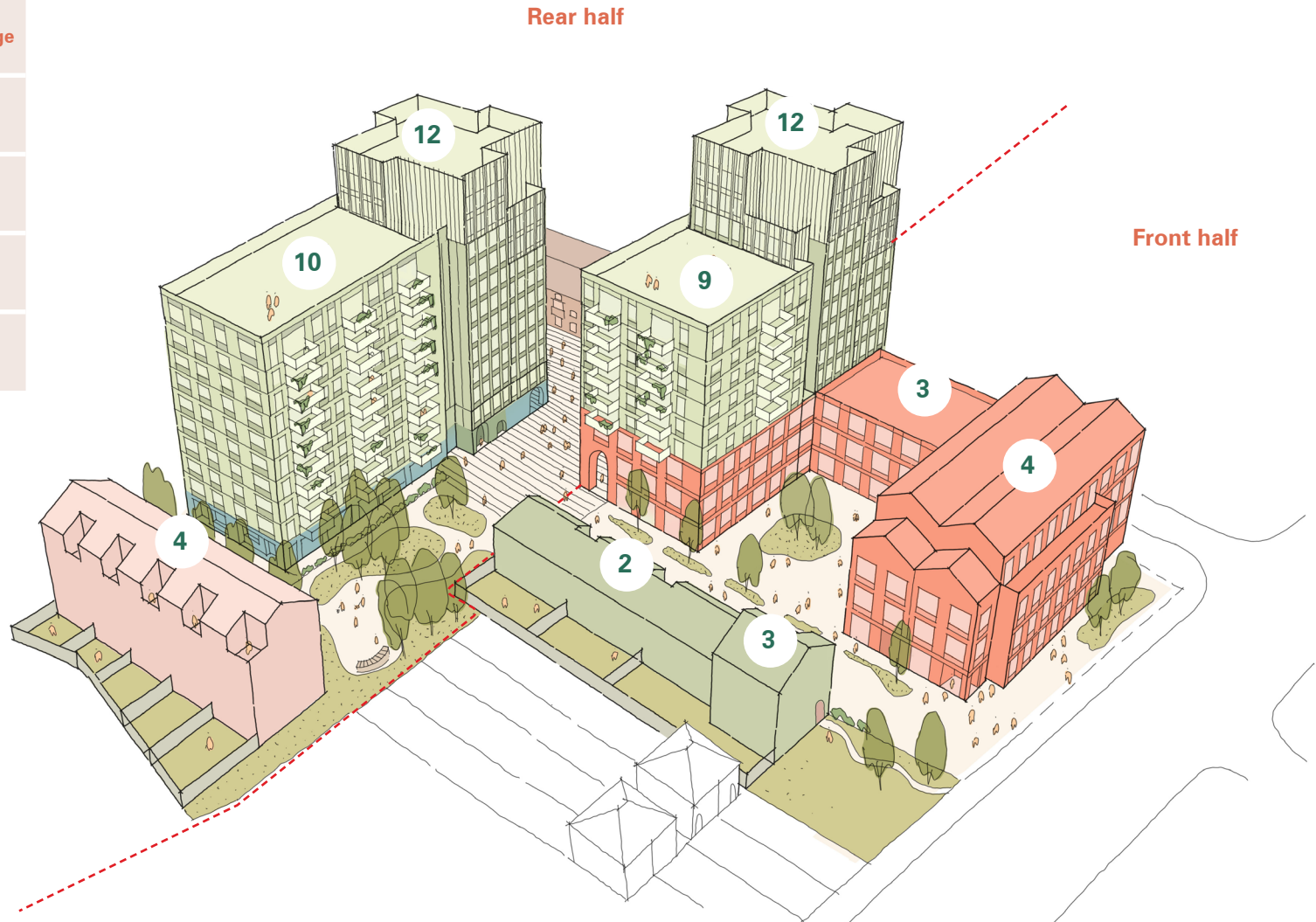


Revised option maximum 12 storeys

Massing

Flat Size	Count	Percentage
1B2P	39	21.4%
2B3P	51	28%
2B4P	92	50.6%
Total	182	100%

- Listed Oast house
- Commercial
- NHS
- Residential Duplexes
- Residential Flats



Density front of site:
167 dwellings per hectare

Density rear of site:
217 dwellings per hectare

Density for whole site:
193 Dwellings per hectare

Revised option maximum
12 storeys

View south along Sidney Road



Revised option maximum
12 storeys

View west along Kingston Road



Revised option maximum 12 storeys

Schedules

Unit Mix per Block (Rooms) - Stage 2						
Comments	Count	Percentage Count	Percentage	Habitable Rooms	Bicycles	Refuse
Block A						
1B2P	20	20	30%	40	20	1000 L
2B3P	12	12	18%	36	12	1020 L
2B4P	34	34	52%	102	34	2890 L
	66	66	100%	178	66	4910 L
Block B						
1B2P	17	17	17%	34	17	850 L
2B3P	36	36	37%	108	36	3060 L
2B4P	45	45	46%	135	45	3825 L
	98	98	100%	277	98	7735 L
Block C						
2B4P (Duplex)	10	5	100%	30	10	850 L
	10	5	100%	30	10	850 L
Block D						
1B2P	2	2	25%	4	2	100 L
2B3P	3	3	38%	9	3	255 L
2B4P	3	3	38%	9	3	255 L
	8	8	100%	22	8	610 L
	182			507	182	14105 L

Unit Mix per Block per Level (Rooms) - Stage 2							
Comments	Count	Percentage Count	Percentage	Level	Habitable Rooms	Bicycles	Refuse
Block A							
03-A							
1B2P	2	2	3%	03-A	4	2	100 L
2B3P	2	2	3%	03-A	6	2	170 L
2B4P	5	5	8%	03-A	15	5	425 L
	9	9	14%		25	9	695 L
04-A							
1B2P	2	2	3%	04-A	4	2	100 L
2B3P	2	2	3%	04-A	6	2	170 L
2B4P	5	5	8%	04-A	15	5	425 L
	9	9	14%		25	9	695 L
05-A							
1B2P	2	2	3%	05-A	4	2	100 L
2B3P	2	2	3%	05-A	6	2	170 L
2B4P	5	5	8%	05-A	15	5	425 L
	9	9	14%		25	9	695 L
06-A							
1B2P	2	2	3%	06-A	4	2	100 L
2B3P	2	2	3%	06-A	6	2	170 L
2B4P	5	5	8%	06-A	15	5	425 L
	9	9	14%		25	9	695 L
07-A							
1B2P	2	2	3%	07-A	4	2	100 L
2B3P	2	2	3%	07-A	6	2	170 L
2B4P	5	5	8%	07-A	15	5	425 L
	9	9	14%		25	9	695 L
08-A							
1B2P	2	2	3%	08-A	4	2	100 L
2B3P	2	2	3%	08-A	6	2	170 L
2B4P	5	5	8%	08-A	15	5	425 L
	9	9	14%		25	9	695 L
09-A							
2B4P	4	4	6%	09-A	12	4	340 L
	4	4	6%		12	4	340 L
10-A							
1B2P	4	4	6%	10-A	8	4	200 L
	4	4	6%		8	4	200 L
11-A							
1B2P	4	4	6%	11-A	8	4	200 L
	4	4	6%		8	4	200 L
Block A	66	66	100%		178	66	4910 L
Block B							
1-B							
1B2P	1	1	1%	1-B	2	1	50 L
2B3P	4	4	4%	1-B	12	4	340 L
2B4P	5	5	5%	1-B	15	5	425 L
	10	10	10%		29	10	815 L
2-B							
1B2P	1	1	1%	2-B	2	1	50 L
2B3P	4	4	4%	2-B	12	4	340 L
2B4P	5	5	5%	2-B	15	5	425 L
	10	10	10%		29	10	815 L
3-B							
1B2P	1	1	1%	3-B	2	1	50 L
2B3P	4	4	4%	3-B	12	4	340 L
2B4P	5	5	5%	3-B	15	5	425 L
	10	10	10%		29	10	815 L
B - 04							
1B2P	1	1	1%	B - 04	2	1	50 L

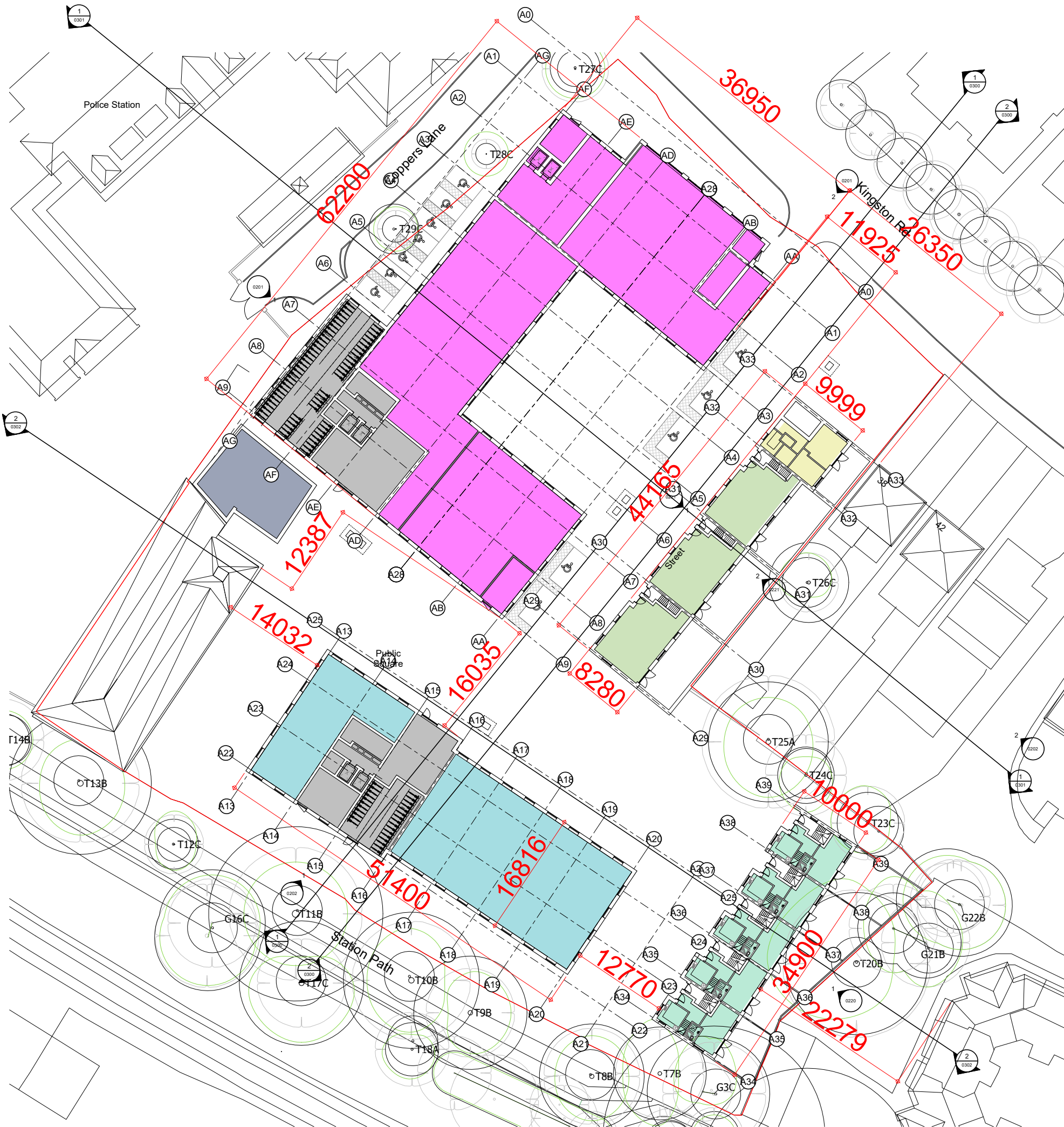
Unit Mix per Block per Level (Rooms) - Stage 2							
Comments	Count	Percentage Count	Percentage	Level	Habitable Rooms	Bicycles	Refuse
B - 04							
2B3P	4	4	4%	B - 04	12	4	340 L
2B4P	5	5	5%	B - 04	15	5	425 L
	10	10	10%		29	10	815 L
B - 05							
1B2P	1	1	1%	B - 05	2	1	50 L
2B3P	4	4	4%	B - 05	12	4	340 L
2B4P	5	5	5%	B - 05	15	5	425 L
	10	10	10%		29	10	815 L
B - 06							
1B2P	1	1	1%	B - 06	2	1	50 L
2B3P	4	4	4%	B - 06	12	4	340 L
2B4P	5	5	5%	B - 06	15	5	425 L
	10	10	10%		29	10	815 L
B - 07							
1B2P	1	1	1%	B - 07	2	1	50 L
2B3P	4	4	4%	B - 07	12	4	340 L
2B4P	5	5	5%	B - 07	15	5	425 L
	10	10	10%		29	10	815 L
B - 08							
1B2P	1	1	1%	B - 08	2	1	50 L
2B3P	4	4	4%	B - 08	12	4	340 L
2B4P	5	5	5%	B - 08	15	5	425 L
	10	10	10%		29	10	815 L
B - 09							
1B2P	1	1	1%	B - 09	2	1	50 L
2B3P	4	4	4%	B - 09	12	4	340 L
2B4P	5	5	5%	B - 09	15	5	425 L
	10	10	10%		29	10	815 L
B - 10							
1B2P	4	4	4%	B - 10	8	4	200 L
	4	4	4%		8	4	200 L
B - 11							
1B2P	4	4	4%	B - 11	8	4	200 L
	4	4	4%		8	4	200 L
Block B	98	98	100%		277	98	7735 L
Block C							
0							
2B4P (Duplex)	5	2.5	50%		15	5	425 L
	5	2.5	50%		15	5	425 L
02-C							
2B4P (Duplex)	5	2.5	50%	02-C	15	5	425 L
	5	2.5	50%		15	5	425 L
Block C	10	5	100%		30	10	850 L
Block D							
0							
1B2P	1	1	13%		2	1	50 L
2B4P	3	3	38%		9	3	255 L
	4	4	50%		11	4	305 L
01-C							
1B2P	1	1	13%	01-C	2	1	50 L
2B3P	2	2	25%	01-C	6	2	170 L
	3	3	38%		8	3	220 L
1-B							
2B3P	1	1	13%	1-B	3	1	85 L
	1	1	13%		3	1	85 L
Block D	8	8	100%		22	8	610 L
	182	177			507	182	14105 L

BELL PHILLIPS ARCHITECTS

Unit 305, Metropolitan Wharf
70 Wapping Wall
London
E1W 3SS, UK

t: +44 (0)20 7234 9330
w: www.bellphillips.com

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All drawings to be read in conjunction with specifications, schedules and all other consultant information.

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Notes

- 1B2P
- 2B4P
- 2B4P (Duplex)
- Ancillary
- Health Centre
- Theatre
- Workspace

Key Plan
1:2500



Rev	Issued by	Description	Date
REVISIONS			

Project **0670 Oasthouse**
34-36 Kingston Road
Staines, London
TW18 4LN

Title **Proposed Ground Floor Plan**

Date **06/20** Drawn by **AS/RF** Checked by **JM** Scale at A1 **1 : 250**

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Unit 305, Metropolitan Wharf T 020 7234 9330
70 Wapping Wall E info@bellphillips.com
London E1W 3SS W www.bellphillips.com

Status **DRAFT**







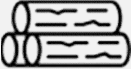





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Market Update Dashboard

Procurement UK Material Price Movements

(13th Sept 2021)

MATERIAL	PRICE CHANGE	CURRENT MOVEMENT 12 MTH	FORECAST 12 MTH	AVAILABILITY CONCERN	MATERIAL	PRICE CHANGE	CURRENT MOVEMENT 12 MTH	FORECAST 12 MTH	AVAILABILITY CONCERN
 AGGREGATES		8%	↑ 8%		 BRICKS		3%	↑ 15%	
 CONCRETE		4%	↑ 8%		 INSULATION		15%	↑ 20%	
 REBAR & MESH		40%	↑ 7%		 PLASTERBOARD		3%	↑ 7%	
 TIMBER /BOARD		80%	↑ 20%		 METAL STUD		35%	↑ 8%	
 STEEL		50%	↑ 7%		 DIESEL		65%	↑ 65%	
 ALUMINIUM		20%	↑ 10%		 SHIPPING		1500%	→ 0%	

Note All rates are estimates on the market overall and not linked to individual products as this can vary within product groups. General material cost inflation is forecast to rise by between 7 and 8 per cent over the next year, according to the Office for National Statistics. Recent Industry Survey By RICS suggest 10% increases on materials

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CONCRETE

Concrete Market.

<p>Current Price movements £3 M3 (Circa 4% on £75mix) from 1st June July 1st - No current changes - carbon increase still looming Aug - Environmental Surcharges confirmed effective immediately - £2.60/M3 on CEM1 and £1.60/M3 on Blended products Sept - £3.75 increases from Hanson (circa 4-5%)</p>	<p>6 Month Outlook CO₂ Legislative increases dependent on out come of Carbon auction - between £1.50 an £3.00/M3 (4%) Aug - Increase applied Sept - 5% hanson increase</p>	<p>12 Month Outlook Current Cement Shortages appear short term. Standard increases likely to be requests circa £6 M3. Typically negotiated in adv.</p>
<p>Market Drivers</p> <ul style="list-style-type: none"> • Global cement demand causing import export imbalance. • Stronger than estimated covid rebound • Limited Haulage in some geographies with a lack of ships for cement or lack of drivers to deliver 	<p>Availability Cement Shortages are impacting Concrete and other cement rich products (mortar) causing supply issues in some geographies. Likely to avlieviate in June but could vary by supplier based on planned maintance shut downs July 1st - Whilst not resolved, indications remain athat cement stocks will improve in the summer Aug - No significant changes, still anticipated to improve towards the end of the summer Sept- Competing with the market for Drivers is sporadically affect supply</p>	
<p>Mitigations</p> <ul style="list-style-type: none"> • Scheduling is critical, demand plan with key suppliers and Subcontractors. Short notice requests are unlikely to be serviced 		

REBAR

Rebar Market		
<p>Current Price movements May Position Current rate £760/tn LME Steel Rebar market May 20 was USD 398. Today it is 742USD JUNE UPDATE: LME @ \$742p/t - no change. Recent offers into UK building for known tonnages are in the region of £750p/t for immediate order placement. £790 - £800 for order placement in 1 months time fixed for 12 month call-off. The price of concrete rebar is up almost 43 per cent on what it was a year ago AUG - Market rate £820 TN being quoted Sept - Current market rate £770 - £790</p>	<p>6 Month Outlook Unclear, considered still rising but exceeding market forecast. Estimate potential 10% increase on current rate. Sept - market is flattening but no signs of decreasing rates, possibility of slight inc.</p>	<p>12 Month Outlook Scrap market price escalation is beginning to plateau, price escalation to slow down over longer term. 15%</p>
<p>Market Drivers</p> <ul style="list-style-type: none"> Escalating Raw material Strong Chinese import market reducing volume in the UK market Strong domestic European market reducing volume in the UK market Global post Covid demand increase Global shipping increases Carbon Voucher auction uncertainty 	<p>Availability Material curenly available at a price, though lead times are are longer than standard. HS2 under estimate has added a significant qty to the required volumes in the next year. Securing supply will be important. Restrcted supply perfect environment for faked certifications, be aware. Sept - lead times of up to 5 weeks being experienced in some subcontractor packages. NOTE - Mesh supply very sporadic, order early!</p>	
<p>Risks</p> <ul style="list-style-type: none"> No long term rate fixes - 12m's max and not always offered. No way to tell how close to the top, could be caught with expensive steel UK Quotas - though unlikely to exceed they are in place High Demand sparking uncertified material 	<p>Mitigations</p> <ul style="list-style-type: none"> Link material cost to appropriate indicies Dont accept material risk Secure supply asap to obtain cost certainty - buy on behalf of SC. Agree Delivery schedules early Review all documentation carefully (CARES) 	

SOFTWOOD TIMBER

Softwood Timber Market

Current Price movements

May Position

Bi-monthly significant price increases.

June Update

Prices increases of between 40% and 60% reported from merchants on MDF and Sterling Board products - supply extremely restricted.

June price rises between 5% and 25% on other timber products

Aug - The situation remains very unstable with availability and price under pressure

Sept - Price has stabilised this month and standard increases have not been received from

6 Month Outlook

Still rising, unclear on likely magnitude, forward buying by SC is at 'zero cost' i.e. without agreed price

Sept - sideways movements with increase in some products.

12 Month Outlook

Continued price pressure leads to a forecast peak of Spring 2022 - likely 15% from June 21 prices

Market Drivers

- traditional UK stock level depleted due to none replenishment in pandemic.
- pre-pandemic UK stock level artificially high due to earlier Brexit deal uncertainty stockpiling.
- Unprecedented DIY usage from Furlough
- European Sawmills on shutdown/reduced staff levels due to Pandemic
- European Sawmills now moving into summer shut down periods
- House building up 30% for first 3 months of 2021 compared to same period last year
- Some countries implementing 'Log Export Bans' to protect domestic market further hampering supply
- CA Marking compliance likely to be deferred
- CA Marking has now been deferred to 2023
- America has become an importer of scandinavian timber, this is driving price pressure here.
- Forest fires and Tree disease/pests impacting supply particularly in the USA
- Canada committing to reduce Exports

Availability

Securing supply remains paramount as UK stocks remain very limited.

Carcassing and Fencing are in particular short supply.

Limited and worsening.

Commitment from merchants for requirements beyond July unlikely.

European Sawmills likely to close for summer shutdowns in June/July will further restrict supply.

Mitigations

Delivery schedules must be in place at point of order for full quantum, could be index linked if suppliers cannot hold price.

BRICKS

Brick Work Market.

<p>Current Price movements Price increase in Jan 2021 av. 2.65%, however Jan 2022 price increase forecast at between 7 - 9%</p> <p>Aug update - lbstock have announced 10% increase from Nov 1st</p>	<p>6 Month Outlook Increasing for wire cut (if available) and stable for more expensive imported bricks as stock available</p>	<p>12 Month Outlook 15% increases anticipated from Jan 2021</p>
<p>Market Drivers Demand is increasing but predominantly from the House Building sector (up 30% first Quarter of 2021 compared to same period 2020) this is meaning 'cheaper' wire cut bricks are in high demand.</p>	<p>Availability As 'architectural' bricks are usually covered by Factors/Merchants way in advance of production and duly allocated there are less issues here. Stock in Europe for export to UK also remains high. Wire-cut bricks are in limited supply with most large housebuilders failing to secure new stock and consolidating existing provision across sites to manage supply.</p> <p>Mitigations Consideration of bricks stocked in Europe for immediate need. Early order placement and coverage by Factor key to ensuing supply and price certainty once bricks approved.</p>	

STEEL

Structural steel Market

Current Price movements

May Position

Rapid Increases recently

£/ tonne rise: July +£30; August +£30; Nov +£40, Dec +£80; Jan +£50; March +£30; May +£50; May +£100

Total of £410 increase in the last 12 months

June Update

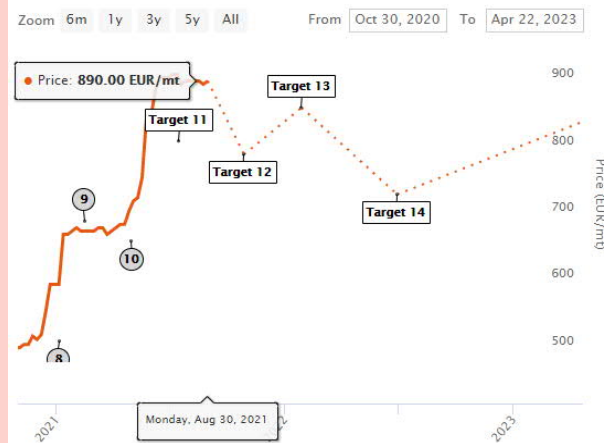
Month increase of av £75pt (British at £80 and Arcelor Mittal a £70)

- Total increase £490/Tn in the year

Aug - No new increases in the period

Sept- No new increases in the period

Fig. 1 Steel merchant bars. Domestic price delivered Europe.



6 Month Outlook

Unclear, considered still rising but exceeding market forecast. Estimate 15% increase.
Aug - potentially flattening for a period - unclear when reduction will hit
Sept - rates flattening but demand is high and securing material is paramount

12 Month Outlook

Longer term reduction expected towards Summer 2022 as supply catches up with demand.

Availability

British Steel advise material will remain available and recent suspension of orders was temporary. However, the market is very tight and Heavy sections could reduce if manufacturers favour more profitable hollow sections.
Aug - Steel cable management supply availability advised as problematic

Mitigations

- Link material cost to appropriate indices
- Dont accept material risk
- Secure supply asap to obtain cost certainty
- Agree Delivery schedules early

Risks

- Availability
- Subcontract liquidity for larger purchases, may result in shorter

Market Drivers

Aluminium

Structural steel Market

Current Price movements

Price increases received from numerous aluminium System suppliers;
Apr/May 5-8% depending on system
July/August 5% - 12% depending on system
Sept- As previously forecast - Raw aluminium rates are now sideways moving with smaller fluctuations and this will take some time to reach the Sub contractors.



Market Drivers

- As with steel (although to a lesser magnitude) escalating material costs were primary driver for first half of year increases.
- There has been a reduction in billet charge however which has lessened the overall magnitude of prices.
- Recent increases in demand as aluminium now being specified in-lieu of 'extensive steel' is likely to result in a further price increase later in the year. Net 30% from January Position.

Risks

- Prices 'held' artificially high by system suppliers post 'normalisation' - to be challenged
- Subcontract liquidity for larger purchases, may result in shorter payment terms

6 Month Outlook

Expect further price increases of 15% towards year end as demand for aluminium increases in favour of steel.

12 Month Outlook

Longer term price pressure should reduce as steel prices come back down. System providers prices should not be held artificially high, challenge required.

Availability

No issues with availability to note as of yet, if demand continues to increase for aluminium as a steel substitute, pressure on demand may be encountered.

Mitigations

- Link material cost to appropriate indices
- Don't accept material risk
- Secure supply asap to obtain cost certainty
- Agree Delivery schedules early

INSULATION

Insulation Market.

<p>Current Price movements May Position Kingspan circa 15% June Update 10% price increases also recieved in month (on January numbers) for PIR. Sept Update ISover, Celotex and Kanuf have all confirmed 10% increases</p>	<p>6 Month Outlook 10% July 21 September 10% increase - chemical costs increasing so may see more before stabilising</p>	<p>12 Month Outlook Unclear when Chemical demand will stabilise. Could see further increases.</p>
<p>Market Drivers</p> <ul style="list-style-type: none">• Chemical raw ingredient demand• Strong global demand reducing exports	<p>Availability Longer lead times than usual but manageable with scheduling</p> <p>Aug - Kingspan advise 20 Week lead times on some products</p> <p>Sept - Roockwool have advised shortages and allocations on some product greoups</p>	
	<p>Mitigations</p> <ul style="list-style-type: none">• Scheduling is critical and early ordering	

Plasterboard

Plasterboard Market

Current Price movements
 May Position
 Knauf (6%) and Siniat (3%) implementing increases from June 1st.
 No price increase from BG
June update
 British Gypsum are announcing price increase from 1st October @7%.
 Aug - 6.3% increase on Thermaline products from 1st Sept
 Sept - no new changes

6 Month Outlook
 7% increase announced from Oct (BG only)
 Aug - 6.3% increase on Thermaline products from 1st Sept

12 Month Outlook
 No Exceptional increases expected beyond those noted in the next six months.

Market Drivers

- Knauf and Siniat import raw materials and as such more effected by shipping charges
- Global demand has reduced imports
- Increased domestic demand post covid
- Reduced stockholding at merchant level post covid, as quick as it is ordered it is being issued to projects.
- Paper supply has improved for BG and additional investment has been made to secure Haulliers.

Availability
 Due to market demand Plasterboard has returned to allocation in June. Long Lead times and material quota will be experienced. Historically, this is normally in place for approximately 3 months but this has not been confirmed. Allocation likely to continue well in to 2022 now as demand

Mitigations

- Scheduling is critical and early order placement in the supply chain as distributors have limited stocks based on previous stock requirements

Metal Stud

Metal Stud Market.

Current Price movements

May Position

Increase between 12% and 15% in March on all steel products

June update

BG Oct price increase annouced of 22% on all metal studs (this isnt on top of earlier reported gains)

Purlins and decking forecast to also increase by similar amount in Q3/Q4 by 15% to 21%

Aug - no new updates

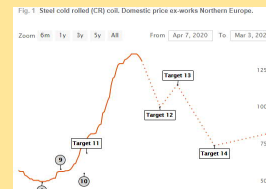
Sept - No new Increases advised

6 Month Outlook

Potential peak reached - Side ways movement in the Kairos Price forecast. Decrease in cost will take some time to hit the market as materials secured in advance and Deman dreains Strong.

12 Month Outlook

Cold Rolled Coil price leveling out and declining over longer term - no January Price increases expected beyond those announced to date.



Market Drivers

- Responding to escalating Steel cost
- Prices in an extreme bubble - Kairos
- Increased domestic demand post covid
- Especially bouyant House builder environment
- Reduced stockholding at merchant level post covid, as quick as it is ordered it is being issued to projects.
- Tariffs on exporting scrap (Russia)

Availability

Leadtimes curently at 6-8 weeks and availability on some sections are limited. Raw Material supply is unpredictable leading to certain products not being manufactured when sheduled

Risks

- Potential further allocations and longer lead times

Mitigations

- Sheduling is critical
- Stay Close to the distributor, Sub contractor and Manufacturer for project

SHIPPING

Shipping Market

Current Price movements

May position

Increase continues;

- current 20ft container price from China circa May USD7000, Jan 21 circa USD4000, Sept 20 USD1100

June updates

Shipping rates from China remain at May levels.

September - 18000USD China to UK

6 Month Outlook

Flat no further increases or decreases anticipated in the period.

12 Month Outlook

Likely to level and decrease slowly - not clear that Sept 20 prices will be achieved again

Market Drivers

- Containers are still not 'where they should be' post Pandemic - stuck in ports, used to stockpile materials or being shipped empty - estimated 5.5% of all ocean capacity is currently waiting outside a port.

- Current increasing demand also driving up prices

- Small additional cost around due diligence post brexit but likely minimal.

- Significant port restrictions/closures remain, along with container shortage – some ships taken offline due to reduction in manufacturing levels. Not a quick thing to put back in service, market waiting for manufacturing levels to

Availability

Lumpy due to container locations and Haulier availability for transporting across EU boundary

Reported UK driver shortage of approx 45,000 hampering this further.

Mitigations

Consider domestic supply chain
Factor in Shipping cost and delay

DIESEL

Diesel Market

Current Price movements

65 % increase per L Since last year on Brent Crude Oil rates
 Aug - current rate 0.61ppl. removal of Diesel Duty next april will significantly increase costs
 Sept - Price holding 61p per L

Brent Crude Oil forecast for 22



6 Month Outlook
 Short term Side ways movement from current price

12 Month Outlook
 Crude oil forecast circa 20% decreases in 12 month period on commodity.
 Aug - from April 22 duty rebate not available - rate to increase to circa £1.10 (hence 'Red' Outlook)

Availability
 - Currently sourcing HVO alternative in line with changing Duty requirements for Red Diesel.

Market Drivers

- Global Crude Oil volatility and demand as consumption increases
- Increased use of HVO as diesel tax rebate reduced next year

Mitigations

Consider HVO alternatives
 Aug - Eligible Diesel uses of HVO alternatives are still eligible for duty rebates. The schedule of uses has not been finalised by the gov. yet but will include energy generators reducing cost to 65ppl

AGGREGATES

Aggregates Market.

Current Price movements

Single Size £1.40/TN

Sub base £1.10/TN

Circa 8% from Jun 1st 2021

July 1st - No further notification of increases in the period

Aug - No Significant change in period

Sept - No Significant change in period

6 Month Outlook

Non scheduled but could respond to increasing demand leading reduced availability of hauliers

12 Month Outlook

Expect Typical Annual increase next year in line with those seen here 5-8 %

Market Drivers

- Large Scale infra structure projects providing strong demand HS2
- Haulier availability affected post brexit due to labour

Availability

Regional supply can be lumpy dependng on product specification and haulage operators in the local.

Sept - No change - HS2 remains significant supply demand fro both material and Drivers.

Mitigations

Deliver schedules must be in place at point of order for full quantum, could be index linked if suppliers cannot hold price.

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Development Sub Committee

Appendix 3

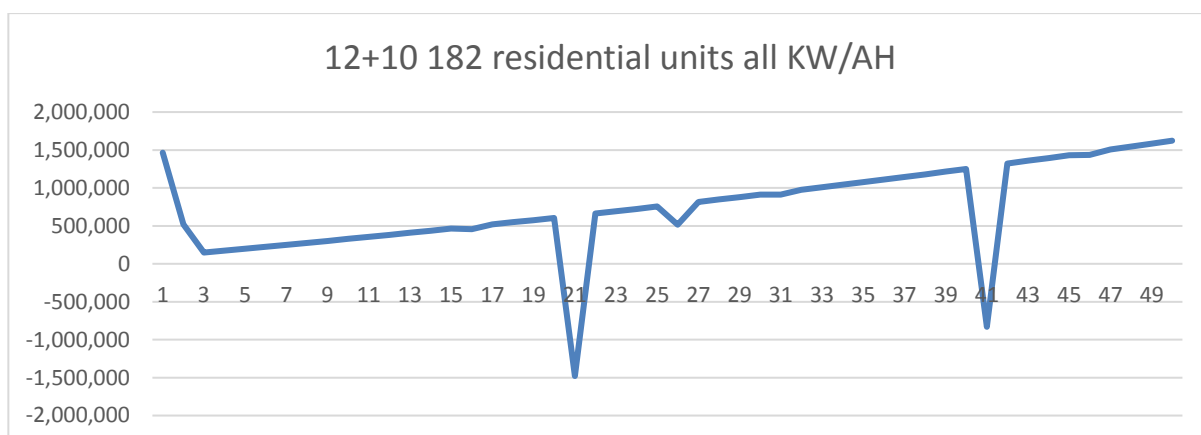


Knowle Green Estates (KGE) Rental Viability Analysis for Oast House based on 182 apartments 12+10 storeys

Monday 5 April 2022

1. Executive Summary

- 1.1 The above project is financially viable meaning that KGE will be able to meet all its liabilities as they fall due and therefore there will not be a future need for the Council to provide subsidy which might require service spending cuts elsewhere, and reflects the revised capital cost, taking into account recent construction inflation trends, for construction and the change in footprint for the commercial property and its reduced footprint.
- 1.2 The chart below shows the annual cash inflows and (outflows) for the next first 50 years of the project:



2. Officers have prepared the viability report below key issues

- 2.1 The Development Sub-Committee requested that each development goes through a viability study.
- 2.2 Officers have not entered into any speculation as to the closing value of the property valuations through professional valuers, however, based on extrapolation and taking into account past growth in the residential property market, the Oast House Residential units, duly maintained, could be worth between £150m and £250m in 50 years' time.
- 2.3 The projections indicate that, including componentisation of various parts of the building, the project has a positive outcome and placed Spelthorne Borough Council, as the sole shareholder of KGE, in a strong position, enabling them to consider and formulate a strategy based on strong net positive cashflows over the period, to regenerate the Borough. Equally this will help give the Board of KGE assurance that they are able to accept receipt

of transfer of the proposed scheme without undermining the viability of KGE as a company.

- 2.4 A word of caution, construction materials and labour costs have significantly increased over the last few months and if this trend continues, it could have a significant impact on this project, which is one reason why officers do not feel there is any further scope to reduce the scale of the residential scheme.
- 2.5 The original projections agreed by the KGE Board in June 2021:
- (a) Showed a higher market rental for the apartments in Oast House, compared to this viability report, with income reducing by 8%
 - (b) Did not account for the £37m contribution from the NHS Cavel Centre, which has seen a 32% reduction in our borrowing and repayment requirements.
 - (c) Indicate that when the depreciation charge (it is not tax allowable) is added back for tax purposes, KGE will be making profits which will be subject to Corporation Tax, currently 19%.

Council

28 April 2022



Title	Interim Review of the Committee System
Purpose of the report	To make a decision
Report Author	Petra Der Man, Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	The efficient operation of the Committee System supports all Corporate priorities.
Recommendations	<p>Council is asked to:</p> <ol style="list-style-type: none"> 1. Consider and determine options for a revised Call-in procedure; 2. Consider and determine options for Membership of the Development Sub-Committee; 3. Approve proposed changes to Terms of Reference of Committees; and 4. Approve other proposed changes to Parts 3d, 4a and 4d of the Constitution, <p>for implementation from the Annual Council meeting on 26 May 2022.</p>
Reason for Recommendation	<p>The Committee System Working Group has reviewed councillor responses to an interim survey on the operation of the Committee System. The proposed changes aim to address concerns around timely decision-making, balancing the workload between Committees, and providing as much time during meetings to debate the most significant matters.</p> <p>Changes to Parts 3d, 4a and 4d of the Constitution seek to address technical issues and improve the process for managing business at Council meetings.</p>

1. Summary of the report

- 1.1 This report seeks to propose changes to the Council's Constitution arising from the interim review of the Committee System and following consideration of responses to an all member survey.

2. Key issues

- 2.1 The Committee System form of governance was introduced by the Council in May 2021. The Committee System Working Group, which comprises all Group Leaders and independent members, developed the current structure (adopted in May 2021) and agreed to review the new arrangements after 6 months of operation.
- 2.2 To facilitate this interim review, a Member survey was undertaken between 12 January and 1 February 2022 to elicit the views of all Members as to how they felt the first few months of operation of the new structure had gone generally and specifically the extent to which each Committee was meeting the agreed objectives of the Committee System, namely:
- **Accountability** –responsibilities and accountability should be clear within the Council and to residents
 - **Credibility** –governance should assist good decision making, which involves proper and early scrutiny
 - **Transparency** –the decision-making process should be open and transparent to Members and to the public
 - **Collaboration** -decision making should be collaborative across parties and less combative
 - **Timeliness** –decision making should be both quick and effective and, when necessary, allow for urgent decision-making.
- 2.3 20 members out of 39 responded to the survey or provided comments on some aspects of it. All the responses were discussed by the Committee System Working Group and factored into its recommendations.
- 2.4 The majority of responses were positive both as regards how the new Committee System is working and how well each Committee is meeting the agreed objectives. Comments reflected the general feeling that members were more aware of what was happening in the Council as a whole and given the opportunity to participate in decision-making. Many comments acknowledged that the Committee System is causing both members and officers more work than they experienced under the Leader/Cabinet model.
- 2.5 The survey also identified the following issues raised by two or more members which were given consideration by the Committee System Working Group at its four meetings held between February and April 2022:
- (a) The number and frequency of meetings
 - (b) Reservation Scheme -v- lack of scrutiny
 - (c) Terms of Reference and membership of Committees – balancing out the workload and addressing length of meetings due to the number of items/reports on agendas
- 2.6 To facilitate the Working Group’s discussions, officers looked at how the Committee System operated in other Councils to establish any lessons that we could learn and examples of good practice to simplify and streamline the structure. These were reflected in the options presented to members for inclusion in this Council’s structure.
- 2.7 The recommendations proposed in this report comprise those elements of best practice which the Working Group accepted and wish to recommend to

fine tune the operational arrangements of the Committee System for the next municipal year.

- 2.8 The Working Group accepted that the Committee System results in a heavier workload for councillors and officers. The Working Group considered options to reduce the burden of the Committee System through rationalising the structure. It decided not to pursue those at this review but to allow the System to embed and undertake a further review starting in December 2022.

Internal Audit Review

- 2.9 A separate review by Internal Audit to consider the robustness of the Committee System considered feedback from officers and councillors. It identified risks and issues requiring attention and set out recommendations where improvements were considered necessary to manage the associated risks.
- 2.10 The proposed call-in procedure and training on scrutiny referred to in this report have already started addressing the concerns raised in the Internal Audit Review in relation to demonstrating a more robust scrutiny role within the Committee System. The findings from the Audit review and progress with recommended improvements will be presented to the Committee System Working Group when it begins its next review.
- 2.11 One of the recommendations arising from the Audit review concerned the importance of members having the skillset to participate effectively in decision making. A programme of training is being developed to improve councillors' knowledge and understanding of how decision-making works in a Committee System and how Members can make effective use of it. The training will also cover the changes proposed in this report, subject to Council approval, particularly relating to the Call-in procedure and criteria.

3. Options analysis and proposal

Number and Frequency of meetings

- 3.1 The recommendations of the Working Group on changes to the number and frequency of meetings are reflected in the draft calendar of meetings for 2022-2023 which is the subject of a separate recommendation from Corporate Policy and Resources Committee to Council for approval at this meeting.

Reservation Scheme

- 3.2 The Working Group considered how to address the issues raised by members around:
- (a) The delay to decision-making caused by referrals to Council
 - (b) The lack of effective scrutiny during debate of matters at Council
 - (c) The size of the Development Sub-Committee as a contributory factor leading to referrals to Council
- 3.3 The Working Group considered the revision of the Reservation Scheme and how matters were scrutinised, at length. It noted that in a Committee System every decision is taken in a politically balanced committee, where all councillors who are members of that committee have an opportunity to question and debate the issues at hand in a public forum and participate in the decision-making process. The existing terms of reference for the Service

Committees gives each the ability to call third party agencies, relevant to the Committee's functions, to account.

- 3.4 The Working Group acknowledged that councillors needed to become used to the new way of working. It agreed that councillors would benefit from training on the scrutiny function within the Committee System and requested that officers arrange this for the new municipal year.
- 3.5 The Working Group recommends that the Reservation Scheme be replaced by a Call-in procedure that brings items before the Administrative Committee. This would address the issues raised above by:
- (a) The ability to call extraordinary meetings of the Administrative Committee more easily and in a timely manner, if required
 - (b) The capacity for effective scrutiny at a Committee meeting
- 3.6 The Working Group recommends the adoption of one of the two options below for the Call-in procedure for Council to consider as drafted at Appendix 1:

Option A

Approve the Call-in procedure with the inclusion of paragraph 11, which states:

“In exceptional cases, where there is clear evidence that a delay to the implementation of a decision would lead to a specific and significant financial or reputational harm to the Council, a call-in request may be refused by the Chief Executive following consultation with the Chair and Vice-Chair of Administrative Committee.”

This option enables the mitigation of significant reputational and financial risks to the Council in exceptional cases only and following consultation with both the Chair and Vice-Chair of the Administrative Committee.

Option B

Approve the Call-in procedure without the inclusion of paragraph 11 as stated above.

This option would mean implementation of a decision on any matter subject to a valid Call-in would be delayed by a minimum of 7 working days with the potential for significant risk implications in exceptional cases.

Development Sub-Committee - membership

- 3.7 The Working Group also considered whether the size of the Development Sub-Committee was a contributory factor in the number of matters which were being referred to Council for a decision [see para. 3.1(c)].
- 3.8 The Working Group recommends the adoption of one of the two options regarding the membership of the Development Sub-Committee, for Council to consider.

Option A

Agree to the increase in membership of the Development Sub-Committee to 11 members.

- 3.9 Pros - This option would result in a wider representation of members involved in decision-making on significant financial and high-profile development

matters. This *may* lead to less matters being subject to call-in with the inherent delays that brings.

- 3.10 Cons – The Working Group recognised the difficulty in filling the 7 seats on the Sub-Committee with suitably skilled members who have the necessary time to dedicate to this involved role and there is a possibility that the additional 4 seats will remain unfilled.
- 3.11 Members of the Development Sub-Committee are awarded a Special Responsibility Allowance of £2000 each. This option results in a financial implication of a further £8000 per annum under the current member allowances scheme, although this will be reviewed by the Independent Remuneration Panel in due course.

Option B

Agree to retain the existing membership of the Development Sub-Committee at 7 members

- 3.12 Pros – no financial implications from retaining the current position.
- 3.13 Cons – *potential* for continued level of call-ins on development matters if members feel they are excluded from the decision-making process, with consequential delays to implementation.

Composition of Development Sub-Committee membership

- 3.14 Regardless of the number of members that Council agrees for the Development Sub-Committee, the councillors filling those seats must be appointed for the Municipal Year 2022-23 in accordance with the Local Government Act 1972.
- 3.15 The current composition of the Development Sub-Committee is stated in the Constitution as:
“5 members nominated by the Corporate Policy and Resources Committee and 2 members nominated by the Environment and Sustainability Committee drawn from all members of the Council and reflecting political balance.”
- 3.16 This stipulation means that Council cannot appoint the members of the Development Sub-Committee at the Annual Council meeting in May 2022.
- 3.17 The Corporate Policy and Resources and Environment and Sustainability Committees are not scheduled to meet until early July 2022. Their nominations drawn from all members of the Council, for membership of the Development Sub-Committee would be put to Council in July 2022 for appointment.
- 3.18 The consequence of this procedure is that the Development Sub-Committee would be unable to meet between the Annual Council meeting in May 2022 until the end of July 2022 when the appointments are confirmed. This has the potential for significant legal and financial implications for the matters the Committee is responsible for.

Option A (recommended)

- 3.19 It is proposed to remove the stipulation for nominations by Service Committees, and permit Group Leaders to nominate members to fill the seats allocated to their groups, in the same way nominations are proposed for all Service Committee seats.

- 3.20 There are several benefits to this proposal:
- (a) Appointments can be made at the Annual Council meeting
 - (b) The Sub-Committee can meet in a timely manner after May 2022
 - (c) Decision-making is not delayed
 - (d) Group Leaders can nominate those members who are suitably qualified to sit on this Committee
 - (e) There will be no change in the political balance of the Committee whether members are nominated by the Service Committees or by the Group Leaders.

Option B

- 3.21 Council can decide to retain the requirement for nominations from the Corporate Policy and Resources and Environment and Sustainability Committees, drawn from all members of the Council on a politically balanced basis.
- 3.22 The disadvantages of this option are:
- (a) Appointments will not be confirmed until end of July 2022
 - (b) Without appointments for the Municipal Year 2022-23 the Development Sub-Committee cannot meet before the end of July 2022.
 - (c) There is the potential for delayed decision-making with accompanying significant financial and legal implications
 - (d) Members of the nominating Committees may not have sufficient knowledge of other members of the Council to select those most suitably qualified to sit on the Sub-Committee.

3.23 **Option A is recommended to Council for approval.**

Terms of Reference of Committees and meeting workloads

- 3.24 The Working Group considered the workload of the Service Committees during the first 6 months operation of the new model of governance. It did not wish to pursue options to rationalise the structure by combining some of the Committees but agreed there was a need to fine-tune their terms of reference in an attempt to rebalance workloads.
- 3.25 The Working Group considered that changes to the meeting frequency of some Committees would address concerns around meeting length and quantity of items.
- 3.26 The proposed changes to Committees' terms of reference in this report will not, in isolation, lessen the workloads which are inherent in a Committee System. However, two initiatives aim to supplement the Committee reporting process with a view to providing Committees with additional capacity to scrutinise more substantial agenda items:
- (a) Reports that update, are 'to note' or are 'for information' being provided to all councillors in a monthly briefing pack instead of being considered during Committee meetings.
 - (b) Management Team are now providing fortnightly 'all councillor' briefings covering a wide range of corporate matters

- 3.27 **The Working Group recommends that Council approves the proposed revisions to the terms of reference as set out in Appendix 2.**

Other changes to the Constitution

- 3.28 An internal review of other parts of the Constitution identified some technical matters which needed to be addressed and proposed changes to some procedural matters which if approved will improve the process for managing business at Council meetings.
- 3.29 A summary of the proposed changes is detailed in Appendix 3. The proposed revisions are included at Appendices 4 - 7.
- 3.30 **The Working Group considered and agreed to recommend Council to approve the proposed changes to Parts 3d, 4a and 4d of the Constitution.**
- 3.31 **Further changes identified in Parts 3c and 3d and explained in Appendix 3 are recommended to Council for approval.**

4. Financial implications

- 4.1 The primary financial implication arising out of the proposals in this report relate to the option of increasing the membership of the Development Sub-Committee, as set out at paragraph 3.10.
- 4.2 There are ongoing resource implications around officer time and capacity to facilitate the Council's governance arrangements, particularly in the event of there being additional meetings to those scheduled.

5. Other considerations

- 5.1 Tracked change versions of all the Parts of the Constitution shown in the Appendices have been made available to councillors in the Modern.Gov app library.

6. Equality and Diversity

- 6.1 The proposal in Part 4a Standing Orders, to limit the length and number of questions to Council from any one member of the public will provide greater opportunity for a wider range of residents to ask their question at Council meetings.

7. Sustainability/Climate Change Implications

- 7.1 The proposals have no effect on sustainability or climate change issues.

8. Timetable for implementation

- 8.1 Those proposals approved by Council will be implemented from the Annual Council Meeting on 26 May 2022.
- 8.2 The operation of the Committee System will be kept under review by the Committee System Working Group. Members' views on the operation of the committee system will again be sought towards the end of 2022, following 18 months of operation.
- 8.3 If further changes are then required to the Committee System these will be developed by the Working Group in early 2023 and proposed to Council in April 2023 for implementation from the Annual Council Meeting in May 2023.

9. Contact

- 9.1 Gillian Scott, Corporate Governance Support Officer.
G.scott@spelthorne.gov.uk

Background papers: There are none.

Appendices:

Appendix 1 – Proposed Call-in Procedure and pro-forma to request call-in (Part 4b)

Appendix 2 – Proposed revised Terms of Reference (Part 3b)

Appendix 3 – Summary of proposed changes to Parts 3c, 3d, 4a and 4d

Appendix 4 - Proposed revised Delegations in Consultation with Chairmen (Part 3c)

Appendix 5 – Proposed revised Delegations to Officers (Part 3d)

Appendix 6 - Proposed revised Standing Orders (Part 4a)

Appendix 7 – Proposed revised Financial Regulations (Part 4d)

Spelthorne Borough Council – Call-In Request Form

1. Decision to be called in: (Required)

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2. Which exceptional circumstance is being relied upon in exercising the right of Call-in? Tick all those which apply

Required by Section 1 of the Call-in Scrutiny Procedure Rules within the Constitution

(a) one or more of the principles of decision making in Article 11 of the constitution has not been applied – please indicate below:

(a) Proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) Due consultation and taking of professional advice from Officers;	
(c) Respect for human rights;	
(d) A presumption in favour of openness;	
(e) Clarity of aims and desired outcomes; and reasonableness	

OR

(b) one or more of the Council's Corporate Plan priorities is not supported to the detriment of the majority of the Borough's residents – please indicate below:

Community	
Affordable Housing	
Recovery	
Environment	
Service Delivery	

OR

(c) explicit Council Policy or legal requirements were disregarded – please indicate below

Council Policy – <i>please name this</i>	
Legal requirements – <i>please specify</i>	

3. Evidence which demonstrates the decision in question was not made in accordance with Article 11 or does not support the Corporate priorities or that Council Policy or legal requirements have been disregarded when the decision was made:

Required by Section 1 of the Call-in Scrutiny Procedure Rules within the Constitution

--

4. Names of the members supporting the call-in:
(minimum of three as per Section 2 of the Call-in Procedure Rules)

5. Dated:

CALL - IN SCRUTINY PROCEDURE RULES

Overview

All of the rules and procedures relating to call-in seek to recognize that in a Committee System every non-delegated decision is taken in a politically balanced committee, where all councillors who are members of that committee have the opportunity to question and debate the issues in hand in a public forum and participate in the decision-making process.

Call-in procedures and practices should recognise this, and the procedures set out here intend to allow decisions to be swiftly implemented.

Call-in is intended to be used only in exceptional circumstances, the procedure being seen as a last resort through which councillors may request scrutiny of a decision they believe to be contrary to the authority's decision-making principles, Corporate Plan, Council Policy or legal requirements. The process cannot be used simply because members disagree with a decision that has been taken.

Key Principles

Decisions taken by a committee, sub-committee or an officer key decision may be called-in for review by a meeting of the Administrative Committee in accordance with the following procedures:

1. Call-in should only be used where the members exercising this right can demonstrate the following exceptional circumstances:
 - a. Evidence which suggests that the decision maker, did not take the decision in accordance with the principles set out in Article 11 (Decision Making); or
 - b. Evidence that the decision fails to support one or more of the Council's Corporate Plan priorities to the detriment of the majority of the Borough's residents; or
 - c. Evidence that explicit Council Policy or legal requirements were disregarded.
2. The request for call-in must be on standard pro-forma (appended), specifying the reasons for the call-in as described in 1. above and:
 - a. be signed by at least three members from two or more political groups, subject to 3. below, and must be received by the Chief Executive before 5pm three working days after publication of the decision, or

- b. be signed by a non-aligned member, with the support of two other members from one or more political groups subject to 3. Below.
3. In the case of 2a) and 2b) above, the members exercising the right of call-in must not be members of the committee which considered the matter.
4. Decisions taken by a Service Committee or Sub-Committee or a key decision taken by an officer must not be implemented until at least 5pm three working days after the publication of the decision.
5. Once the request for 'call-in has been deemed valid by the Monitoring Officer the decision will be suspended until this procedure has been exhausted
6. The Chief Executive, in consultation with the relevant officer, will determine if the interests of the Council or Borough would be prejudiced by a delay in implementing a decision such that the call-in cannot wait until its next ordinary meeting.
7. Where the call-in cannot wait until the next ordinary meeting, the Monitoring Officer will arrange an extraordinary meeting of the Administrative Committee to review the decision subject to call-in at the earliest possible opportunity.
8. Where the call-in relates to a decision taken by the Administrative Committee, the decision will be referred to the next ordinary meeting of the Council for review and final decision.
9. The right to call-in such matters described in section 4. does not apply to:
 - (a) An item which has been identified on the written agenda as urgent business,
 - (b) An urgent decision taken by the Chief Executive in accordance with Part 3(a) of the Constitution,

The need and reasons for urgency must be included in the report to the Committee or as part of the officer decision record.
 - (c) Decisions to award a contract following a lawful procurement process
10. The right to call-in a matter will also not apply to decisions:
 - reserved to full Council
 - on regulatory matters
 - on member conduct issues.
11. In exceptional cases, where there is clear evidence that a delay to the implementation of a decision would lead to a specific and significant financial or reputational harm to the Council, a call-in request may be refused by the Chief Executive following consultation with the Chair and Vice-Chair of Administrative Committee.

12. A request under 2. above can be withdrawn prior to the Administrative Committee meeting, through written notice by the 3 or more members who made the call-in request initially.

Procedure for dealing with Call-in Scrutiny at Administrative Committee Meetings

13. The Committee will consider the matter by report, advice and debate in the usual manner.
14. The members requesting the call-in shall be called upon to explain their reasons for the request.
15. Having considered the matter, the Administration Committee may either uphold the decision or refer the matter back to the Service Committee or Sub-Committee, with any comments and recommendations it wishes to make.
16. The matter will be reconsidered at the next ordinary meeting of the Service Committee or Sub-Committee, unless the matter is sufficiently urgent to require an extraordinary meeting.
17. The right to call-in a decision may only be exercised once in respect of the same matter.

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TERMS OF REFERENCE

All Committees will have the following functions in respect of their respective areas:

- To develop the Council's policy, strategy and budget proposals
- To work at meeting the Council's corporate objectives, as set out in the Corporate Plan.
- To encourage performance improvement in relevant services, consistent with Value for Money principles and within the policy and budgetary framework agreed by the Council. This includes responding appropriately to statutory reports on external inspections and service reviews.
- To develop a full understanding of the functions and services within the Committee's remit
- To facilitate and encourage public participation in the Council's activities by engaging key stakeholders in the Council's processes for decision making.
- To oversee the publication of consultation papers on key issues and ensure that there is appropriate public consultation.
- To consider budget priorities and actions on the delivery of Council services within the overall policy and budgetary framework agreed by the Council.
- To consult with local Ward councillors about policy developments or service initiatives which have a specific relevance to the Committee.
- To support positive relationships and practices through co-operative working with staff.
- To commission studies or the collection of information relating to policy issues (Corporate Policy and Resources Committee) or service delivery (Service Committees).
- Where a function does not clearly fall within the remit of one particular Service Committee, the Corporate Policy and Resources Committee shall direct which Committee shall deal with the function, or deal with the matter itself.
- Each Committee is limited in authority to grant expenditure to £1 million for any particular project without seeking approval from full Council. Any project must be taken as a whole, and the project cannot be sub-divided into its constituent parts with each being authorised separately to avoid this limit set by this rule.

CORPORATE POLICY & RESOURCES COMMITTEE

Membership

15 members reflecting political balance, comprising the Chairs and Vice-Chairs of the Service Committees and with the Leader and Deputy Leader appointed as Chair and Vice-Chair of this Committee

Functions

This committee has responsibility for the following functions of the Council:

- Formulation of the Council's annual budget, including the capital and revenue budgets, prudential controls and council tax, and putting forward a draft budget to Council for approval
- Overseeing and managing the Council's financial strategies, plans, and regulations
- Formulating the Council's Community and Corporate Plans for recommendation to Council
- Formulating and co-ordinating the Council's Policy Framework and to making recommendations to Council accordingly
- Considering periodic budgetary monitoring and variation reports and making any recommendations to the Council as necessary
- Revenues and benefits
- Property asset management including investment, purchases and disposals, and compulsory purchases
- Matters that cross the remits of two or more 'service' committees and/or to resolve conflict
- To monitor and review Council policies and strategies that do not fall within a Service Committee's remit.
- To review and scrutinise service delivery and in particular ensuring that best value in service delivery is being obtained for the community.
- To undertake scrutiny and monitor the performance of external bodies who deliver services to the community
- Any other matters which do not clearly fall within the remit of any of the other Service Committees or delegated to officers.

Development Sub-Committee

Objective:

Within the overall policies and strategies set by the Council, to provide leadership, decision making and accountability for the implementation of the Council's planned programme of capital works, both housing and large - scale non-housing schemes, as well as decision making in respect of the management of the Council's Assets.

Membership

7 Members reflecting political balance

Functions

1. Acquisitions
 - (a) To receive recommendations from officers (where officer/member delegation financial limits are exceeded) as to possible new property acquisitions
 - (b) Following (a) above, to give an initial steer on whether to investigate further those potential acquisitions
 - (c) Following (b) above and any subsequent reports from officers, to make recommendations to the Corporate Policy & Resources Committee to proceed with particular acquisitions in accordance with relevant Council procedure rules.

2. Disposals
 - (a) To receive recommendations from officers (where officer/member delegation financial limits are exceeded) as to the potential freehold (or long leasehold) disposal of property assets
 - (b) Following (a) above, to give an initial steer on whether to investigate further those potential disposals
 - (c) Following (b) above and any subsequent reports from officers, to make recommendations to the Corporate Policy & Resources Committee to proceed with particular freehold (or long leasehold) disposals in accordance with relevant Council procedure rules.

3. Management of Strategic Investments and residential developments
 - (a) To approve leasehold disposals (lettings) in residential developments, investment and retail properties (where officer/member delegation financial limits are exceeded)
 - (b) To approve the transfer of residential property assets from and to Knowle Green Estates Ltd if deemed necessary for the appropriate and effective management of the estate
 - (c) To receive quarterly reports on the management of the investment assets, including rental income, potential letting opportunities, significant assignments and any other estate management issues based on officer recommendations.
 - (d) To approve the exercise of a break option under the terms of lease of land or property where officer/member delegation financial limits are exceeded.
 - (e) To approve or agree to the surrender of a lease of land or property where officer/member delegation financial limits are exceeded.

4. Management of Municipal Portfolio

- (a) To approve leasehold disposal (lettings) of municipal properties which exceed officer/member financial delegation limits
- (b) To approve the exercise of a break option under the terms of lease of land or property where officer/member delegation financial limits are exceeded.
- (c) To approve or agree to the surrender of a lease of land or property where officer/member delegation financial limits are exceeded.

5. Development

- (a) To fully review the business case for all potential development projects including scheme detail, build costs, risks and issues and financial performance including viability
- (b) To oversee the budget for each approved project and the effective implementation of the council's development programme
- (c) To approve the award of development contracts over the Public Contracts Regulations threshold or where the requirement is strategic/critical in accordance contract standing orders
- (d) To receive reports from officers and make decisions as set out on the Development-Gateway stages - Appendix A to this document. This includes instances (at any point in the Gateway stage process) where there has been any variance of projected costs over and above the agreed budget (whether the budget was set by the P&R Committee in a specific report, or in the Capital Programme).
- (e) To receive bi-monthly 'Red, Amber and Green' rating reports on all approved development projects. To include high-level finance projections, risk registers and project timeline.
- (f) To receive bi-annual presentations of the longer-term expenditure plan across the development portfolio which is to indicate future funding streams and expectations.
- (g) To receive an annual report on progress and success, setting out performance against any targets (including projected expenditure and costs).

Appendix A – Development-Gateway stages

Five stages of sign off:

1. Acquisition/Feasibility
2. Outline design
3. Detailed design prior to planning permission application
4. Construction
5. Transfer to business as usual

Stage	Decision	Reference back to CP&R	Documentation required
Acquisition/feasibility	To undertake initial design development up to feasibility stage. Appointment of consultants if decision at	For actual purchase if appropriate.	Project brief

	committee level is under contract standing orders.		
Outline design	To progress to Concept design (RIBA stage 2) up to planning submission	If supplementary expenditure required	Outline design and project progress report
Detailed design	To sign off detailed design (RIBA stage 3-4) post grant of planning permission. Sign off tender for contractor if required under CSOs.	If supplementary expenditure required	Detailed design and project progress documentation
Construction	To award the contract for the contractor if required under CSOs. To progress to construction	If supplementary expenditure required	Tender report and project progression documentation
Transfer to business as usual	To make any transfer to KGE. Project sign off	Report to note on outcome	Project completion documentation.

ENVIRONMENT & SUSTAINABILITY COMMITTEE

Membership

15 members reflecting political balance.

Functions

This committee has responsibility for the following functions of the Council:

- Planning policy
- The Local Plan
- Recycling
- Biodiversity
- Climate change – including carbon management, mitigation and adaptation measures
- Pollution control including contaminated land and air quality
- Emergency planning
- Review and scrutiny of the exercise by the relevant authorities of the flood risk management functions which may affect the Council's area.
- To monitor and review relevant Council policies and strategies and recommend changes or new policies to the Corporate Policy and Resources Committee.
- To review and scrutinise service delivery and in particular ensuring that best value in service delivery is being obtained for the community.
- To undertake scrutiny and monitor the performance of external bodies who deliver services to the community
- To review and scrutinise budget proposals relevant to the Committee's functions and make recommendations to the Corporate Policy and Resources Committee.

ECONOMIC DEVELOPMENT COMMITTEE

Membership

9 members reflecting political balance.

Functions

This committee has responsibility for the following functions of the Council:

- Economic development, business partnerships and town centre viability & regeneration
 - Heathrow liaison
 - Business transformation, support and inward investment
 - Tourism
 - Transport
 - To monitor and review relevant Council policies and strategies and recommend changes or new policies to the Corporate Policy and Resources Committee.
 - To review and scrutinise service delivery and in particular ensuring that best value in service delivery is being obtained for the community.
 - To undertake scrutiny and monitor the performance of external bodies who deliver services to the community
 - To review and scrutinise budget proposals relevant to the Committee's functions and make recommendations to the Corporate Policy and Resources Committee.
- + The scrutiny of Heathrow to be carried out jointly with Environment & Sustainability Committee

COMMUNITY WELLBEING & HOUSING COMMITTEE

Membership

11 members reflecting political balance.

Functions

This committee has responsibility for the following functions of the Council:

- Leisure, libraries, arts, sports and culture
- Community development and engagement
- Voluntary sector strategy and liaison
- Housing policy & strategy
- Housing options, allocations and support services
- Affordable housing and homelessness
- Private sector and social housing enforcement
- Home Improvement Agency
- Grants to outside bodies
- Education and young people
- Services for older people
- Day centres
- Supported living independently – including meals on wheels
- Family support
- Disability issues and grants
- To monitor and review relevant Council policies and strategies and recommend changes or new policies to the Corporate Policy and Resources Committee.
- To review and scrutinise service delivery and in particular ensuring that best value in service delivery is being obtained for the community.
- To undertake scrutiny and monitor the performance of external bodies who deliver services relevant to this Committee, to the community; in particular to exercise the Council's statutory scrutiny responsibilities arising under the Police and Justice Act 2006 in relation to crime and disorder.
- To review and scrutinise budget proposals relevant to the Committee's functions and make recommendations to the Corporate Policy and Resources Committee.

NEIGHBOURHOOD SERVICES AND ENFORCEMENT COMMITTEE

Membership

9 members reflecting political balance.

Functions

This committee has responsibility for the following functions of the Council:

- Street cleansing services
- Street Scene
- Waste strategy and management
- Parking Services
- Parks, open spaces and allotments
- Building Control
- Cemeteries
- Community safety and crime & disorder
- Civil Enforcement (JET)
- Workplace Health & Safety enforcement of businesses in the community
- Licensing matters save for those specifically reserved to the Licensing Committee,
- Environmental health functions including food safety, housing conditions and pollution control, with the exception of air quality and contaminated land.
- Planning enforcement
- To monitor and review relevant Council policies and strategies and recommend changes or new policies to the Corporate Policy and Resources Committee.
- To review and scrutinise service delivery and in particular ensuring that best value in service delivery is being obtained for the community.
- To undertake scrutiny and monitor the performance of external bodies who deliver services to the community
- To review and scrutinise budget proposals and make recommendations to the Corporate Policy and Resources Committee.

ADMINISTRATIVE COMMITTEE

Membership

12 members reflecting political balance comprising 3 members drawn from each of the Service Committees (Environment and Sustainability, Neighbourhood Services and Enforcement, Community Wellbeing and Housing and Economic Development)

Functions

This committee has responsibility for the following functions of the Council:

- Performance management, Project management & service delivery options/transformation
- Making such appointments to Outside Bodies which are not reserved to Council
- Customer Services
- Corporate Services including Communications, Legal Services, ICT, Democratic Services and Electoral Services
- Human Resources Policy
- This Committee has responsibility for scrutinising matters referred to it by the Service Committees or councillors in accordance with the Council's Call-in Scheme (Part 4b of this Constitution).

POLICE AND CRIME COMMISSIONER'S PANEL

The Panel is a joint committee, made up of both appointed and co-opted members. All county, district and borough councillors are eligible to be Panel members.

In Surrey, there are 12 appointed members equating to the 12 councils. One councillor from Spelthorne Borough Council (appointed annually by Council) is a member of the Panel. In addition, there must be at least 2 co-opted members on the Panel (co-opted by the Panel itself, not the constituent councils) but the size of the Panel must not exceed 20 members in total. Surrey County Council is the lead authority administering the work of the Panel.

The Panel is established as an Overview and Scrutiny body and therefore has the legal powers to:

- Require any papers in the Police and Crime Commissioner's (PCC) possession (except those that are operationally sensitive).
- Require the PCC (and his staff) to attend the Panel to answer questions.
- Request the Chief Constable attends to answer questions where the PCC has been required to appear before the Panel.
- Make reports and recommendations on any action or decision of the Commissioner.

The Police Reform and Social Responsibility Act 2011 details the functions that the Panel exercises as follows:

- Review the draft police and crime plan, or draft variation, given to the Panel by the PCC and make a report or recommendations on the draft plan or variation to the PCC.
- Review the PCC's annual report and make a report or recommendations on the report to the PCC.
- Review or scrutinise decisions made or other action taken by the PCC in connection with the discharge of the PCC's functions.
- Publish any report and recommendations made to the PCC.
- Review certain senior appointments made by the PCC.
- Review Chief Constable appointments, with the power to veto the appointment with a two-thirds majority.
- Review and report on the PCC's proposals to remove a Chief Constable.
- Review the PCC's level of precept, with the power to veto the proposed precept with a two-thirds majority.
- Suspend the PCC if he or she is charged with certain criminal offences.
- Appoint an acting PCC if necessary.
- Initial handling and informal resolution of complaints about the conduct of the PCC or his Deputy.

REGULATORY COMMITTEES

AUDIT COMMITTEE

(7 councillors reflecting political balance and one independent member)

1. To provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process:
 - To approve (but not direct) the internal audit's strategy plan and performance.
 - To review summary internal audit reports and the main issues arising and to seek assurance that action has been taken where necessary.
 - To consider the reports of external audit and inspection agencies.
 - To consider the effectiveness of the authority's risk management arrangements, the control environment and associated anti-fraud, bribery and anti-corruption arrangements.
 - Seek assurances that action is being taken on risk related issues identified by auditors and inspectors.
 - To be satisfied that the authority's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and to take actions required to improve it.
 - To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
 - To review the financial statements, external auditors' opinion and reports to councillors, and monitor management action in response to the issues raised by external audit.

2. To receive Corporate Project Management updates

LICENSING COMMITTEE

13 members reflecting political balance

1. Subject to staff delegations, In relation to the Licensing Act 2003:
 - a. The determination of an application for a premises licence where relevant representations have been made and not withdrawn;
 - b. The determination of an application for a club premises certificate where relevant representations have been made and not withdrawn;
 - c. The determination of an application for a provisional statement where relevant representations have been made and not withdrawn;
 - d. The determination of an application for variation of a premises licence/club premises certificates where relevant representations have been made and not withdrawn;
 - e. The determination of an application to vary the designated premises supervisor following objections from a Responsible Authority;
 - f. The determination of an application for the transfer of a premises licence following objections from a Responsible Authority;
 - g. Consideration of an objection from a Responsible Authority made to an interim authority notice;
 - h. The decision to give counter notice following objections from a Responsible Authority to a temporary event order;
 - i. The determination of an application for the grant of a personal licence following objections from the Responsible Authority;
 - j. The determination of an application for a review of a premises licence.
2. In relation to the Gambling Act 2005:
 - a. The determination of an application for a licence where relevant representations have been made and not withdrawn;
 - b. The determination of an application for a variation of a licence where relevant representations have been made and not withdrawn;
 - c. The determination of an application for the transfer of a licence where relevant representations have been received from the Gambling Commission;
 - d. The determination of an application for a provisional statement where relevant representations have been received and not withdrawn;
 - e. The determination of an application for a review of a licence;
 - f. The determination of an application for club gaming / club machine permits where objections have been made and not withdrawn;
 - g. The cancellation of club gaming / club machine permits where relevant representations have been received and not withdrawn;

- h. The decision to give a counter notice to a temporary use notice.
3. In relation to Part II Schedule 3 of the Local Government (Miscellaneous Provision) Act 1982:
 - a. To grant or refuse applications for the grant, renewal or transfer of licences for sex establishments;
 - b. To grant or refuse applications for variations;
 - c. To attach such terms, conditions and restrictions to licences as is seen necessary and appropriate;
 - d. To revoke licences
 - e. To determine whether a charge should be made and where applicable, the level of such fees and charges for the issue, approval, consent, licence or permit, or other registration pursuant to powers set out in the Local Government (Miscellaneous Provisions) Act 1982.
 4. In relation to taxi and private hire licensing:
 - a. the adoption of all policies relating to taxi and private hire licensing.
 - b. In relation to the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 to revoke, refuse, to grant or renew, hackney carriage and private hire drivers and operators licences in circumstances where staff consider it appropriate to refer the matter to the Committee or Sub-Committee;
 - c. To determine whether a charge should be made and where applicable, the level of such fees and charges for the issue, approval, consent, licence or permit, or other registration pursuant to powers set out in the Local government (Miscellaneous Provisions) Act 1976 and the Local Government (Miscellaneous Provisions) Act 1982;
 - d. To determine applications for the revision of the taxi fare tariff pursuant to section 65 of the Local Government (Miscellaneous Provisions) Act 1976.
 5. The passing of a resolution that the schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.
 6. To monitor and review relevant Council policies and strategies and recommend changes or new policies to the Corporate Policy and Resources Committee, where they do not require a Council decision under the Policy Framework at Article 4 of this Constitution.
 7. To review and scrutinise service delivery and in particular ensuring that best value in service delivery is being obtained for the community.

All members of the Licensing Committee may serve on a Sub-Committee and delegated authority is given to the Monitoring Officer, in consultation with the Chairman of the Licensing Committee, to select members to serve on a Sub-Committee on a case by case basis.

PLANNING COMMITTEE

(15 Members reflecting political balance)

Subject to staff delegations, any applications for planning permission under Part III of the Town and Country Planning Act 1990 to which any of the following below apply AND subject to no decisions being issued within 21 days of the application's appearance on the Publicity Schedule;

- 1 Where councillor representations are received in writing within the specified "call in" period within the approved scheme.
- 2 Where the Planning Development Manager decides, after consultation with the Chairman of the Planning Committee, that an application should be submitted to the Planning Committee on planning grounds, or where there is significant public concern or where it is very contentious.
- 3 Where the application is submitted by the Council or by the Council with another person (individual or corporate).
- 4 Where the application is submitted by an officer of the Council (which shall also include applications for lawful development under Part VI of the 1990 Act).
- 5 Where an application is submitted by a councillor (which shall also include applications for lawful development under Part VI of the 1990 Act).
- 6 Approval of over 9 (nine) net additional residential units by new build (minor application).
- 7 Approval of over 1,000m² net additional floor space by new build (major application)
- 8 Recommendation of no objection for over 1,000m² net additional building floor space or 1 hectare net additional land area in connection with new Surrey County Council minerals and waste applications (gravel extraction/restoration).
- 9 Recommendation of no objection for extension of time limits for Surrey County Council minerals and waste applications where the net additional land area is over 5000m².
- 10 Powers under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as revised or amended)
- 11 For the local listing of any building

STANDARDS COMMITTEE

(9 Councillors reflecting political balance + 2 Independent Members)

Promoting the maintenance of high standards of conduct by councillors and any co-opted members of the Council.

In addition to the broad functions of the Committee set out in Article 8 it is also delegated to undertake the following work on behalf of the Council:

- to keep an overview on the arrangements for dealing with complaints under the code of conduct, making alterations and publishing them where it considers necessary;
- to devise such further protocols and procedures as are necessary for the efficient management of complaints which have to be considered by a hearings panel;
- to consult with the Independent Person on any matters which have broad implications for the promotion of high standards by the Council;
- to make recommendations to Council on standing orders for the registration and declaration of Disclosable Pecuniary Interests and other interests; and,
- to make recommendations to Council on any revisions to the Members' Code of Conduct and the registration of interests.
- To promote, manage and agree a programme of member development.

Hearings Panels (comprising three councillors drawn from the membership of the Standards Committee and chaired by an independent member) established under the Council's published arrangements for dealing with complaints may:

- require the Member to apologise either privately or in public;
- require the Member to attend training;
- censure the Member;
- send a report to Council to censure the Member;
- require the Monitoring Officer to publish a report in the newspaper or on the Council's website about the councillor's conduct;
- withdraw privileges provided by the Council such as computer equipment, internet or email access;
- recommend to the councillor's group leader that the councillor be removed from a Committee, or an outside body (as appropriate);or,
- a combination of any of the above.

APPEALS COMMITTEE

MEMBERSHIP

A Panel of five councillors. All councillors form a panel and are eligible to serve on the Committee with membership selected by the group leaders on a proportional basis as and when the Committee is required to sit. The members chosen to serve on this Committee may not also sit on the Investigating and Disciplinary Committee in respect of the same matter.

RESPONSIBILITIES

To hear appeals against action taken short of dismissal in relation to the Council's chief officers in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) and conduct any further investigation it considers necessary to reach a decision either to confirm the action or to award no sanction or a lesser sanction.

INVESTIGATING AND DISCIPLINARY COMMITTEE

MEMBERSHIP

A panel of five councillors. All councillors form a panel and are eligible to serve on the Committee with membership selected by the group leaders on a proportional basis as and when the Committee is required to sit.

RESPONSIBILITIES

1. To conduct an initial assessment of allegations against the Chief Executive, Chief Finance Officer or Monitoring Officer (together known as Statutory Officers), or other issues under investigation.
2. To consider whether it is appropriate to suspend a Statutory Officer if an allegation is such that if proven it would amount to gross misconduct or if the continuing presence at work of the Statutory Officer might compromise the investigation or impair the efficient exercise of the council's functions.
3. The Chairman of the IDC may suspend the Statutory Officer immediately in an emergency if an exceptional situation arises whereby allegations of misconduct by the Statutory Officer are such that his / her remaining presence at work poses a serious risk to the health and safety of others or the resources, information or reputation of the authority.
4. To agree or authorise any protocols which are necessary to manage the suspension of the Statutory Officer and the investigation.
5. To review the suspension of the Statutory Officer after a period of two months has elapsed.
6. To decide whether to appoint an Independent Investigator to undertake a more detailed investigation of an allegation against the Statutory Officer or other issues under investigation.
7. To appoint an Independent Investigator selected from the list maintained by the National Joint Secretaries, providing the necessary facilities, paying the remuneration and providing all available information about the allegations.
8. To consider the report of the Independent Investigator, and also give the Statutory Officer the opportunity to state his / her case and to question witnesses, where relevant, before making a decision.

INDEPENDENT PANEL

MEMBERSHIP

A Panel shall comprise of independent persons (at least two in number) who have been appointed by the Council, or by another Council, for the purposes of the council members' conduct regime under section 28(7) of the Localism Act 2011.

Invitations for membership of the Panel shall be issued in accordance with the following priority order, as and when the Panel is required to sit:

- (a) an independent person who has been appointed by the Council and who is a local government elector in the authority's area
- (b) any other independent person who has been appointed by the Council and
- (c) an independent person who has been appointed by another council or councils

RESPONSIBILITIES

1. In a case where the Investigating and Disciplinary Committee (IDC) is proposing dismissal of a Statutory Officer:
 - to receive any oral representations from the Statutory Officer
 - to invite any response on behalf of the IDC to the points made
 - to review the decision and prepare a report for Council offering any advice, views or recommendations it may have to the council on the proposal for dismissal

Appropriate training should be provided for Independent Panel members.

Members of an Independent Panel may claim out of pocket expenses in relation to their work on the Panel.

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Summary of proposed changes to the Constitution

Part 3 - Responsibility for Functions

Part	Document	Paragraph	Amendment
(c)	Delegations in Consultation with Chair/Vice-Chair	PH1	* To reflect the changes to Part 3d para 4.2(a), it is proposed to increase this financial limit also, for the same reasons as set out below. There is the same note of clarity added for lettings made through the Community Lettings Policy.
(d)	Delegations to officers	<p>New 1.11</p> <p>4.1 (a)</p> <p>4.1 (h)</p> <p>4.2</p>	<p>To address the requirement in the Party Wall Act 1996</p> <p>*This is just a point of clarity to ensure that where leases are held by trustees/directors, officers can deal with changes to those named officers, as they would with any other assignment.</p> <p>*This has also been added for reasons of clarity to ensure licences to alter premises or property are covered by the delegations.</p> <p>This has now been set out in three parts.</p> <p>*(a) – This has been amended to increase the value to £100k. The original financial limit was set many years ago and does not reflect current rents even in the Municipal Portfolio.</p> <p>*(b) – Whilst break options are already agreed within the terms of an existing lease, it is prudent at this stage to add a new delegation for reasons of transparency, to demonstrate how a decision can be made on whether such an option is exercised. The proposal is therefore to add this to the officer delegations but propose a financial limit. All matters exceeding that limit will need to be referred up to Development Sub-Committee.</p> <p>*(c) – A delegation to agree and accept surrenders of leases already exists within the current officer delegations. Currently, there is no financial limit on this delegation. In line with the other proposals in 4.2, it is proposed that we add a financial limit to the officer delegation. This gives clarity on when and who can make these decisions and greater transparency on the decision-making process. Matters exceeding the financial limit will be referred to Development Sub-Committee.</p> <p>There are also two notes added to the delegation 4.2, most importantly to add clarity</p>

		New 8.3	for officers on the procedure for lettings which have been through the Community Lettings Policy which require wider consultation with Members. In relation to stands in Staines High Street under the Highways Act.
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*the Committee System Working Group has not considered these proposals

Part 4 - Procedural Rules

Part	Document	Paragraph	Amendments
(a)	Council Standing Orders	SO 3.1 SO 13.3 SO13.4 SO13.5 SO 16.3 SO 30.2 SO 30.3 SO32.4 and 32.5	<ul style="list-style-type: none"> • Inclusion of ability for any councillor to be elected to Chair Council in absence of Mayor and Deputy. • Amendment of public question deadline from 7 to 8 working days before Council, to accommodate re-submission of questions under SO 13.4 in time for publication deadline of agenda • Addition to introduce a 100 word limit on public questions. • To limit number of questions from any member of public to 2 to give a fair opportunity to all public who wish to ask a question within the time limit. • Amendment of deadline for Motions at Council to 12 noon seven working days prior to the meeting to align with deadline for member questions at 14.1. • Amendment to specify that the Chair of a Committee may amend the programme of scheduled meetings for the efficient conduct of business. • Amendment to require the majority of a Committee to request an extraordinary meeting of that Committee. • Inclusion of referral of a decision to a parent body from the previous Reservation Scheme.
(d)	Financial Regulations	D21	<ul style="list-style-type: none"> • Updated to reflect the write-off limits in the updated Write-Off Policy agreed by Cabinet in May 2021.

DELEGATED RESPONSIBILITIES IN CONSULTATION WITH THE CHAIRS AND VICE-CHAIRS OF COMMITTEES

FUNCTION	OFFICER IN CONSULTATION WITH THE CHAIR/VICE-CHAIR
PH1 To approve freehold or leasehold disposals or acquisitions of land or interests in land not exceeding an estimated value of £150,000 per transaction.	Chief Finance Officer in consultation with the Chair and Vice-Chair of Corporate Policy and Resources Committee. (Note: for lettings granted under the Community Lettings Policy, there must also be consultation with the Chairs and Vice Chairs of Corporate Policy and Resources and Community Wellbeing and Housing Committees.)
PH2 To authorise the transfer of expenditure from one financial year to another.	Chief Executive, after consultation with the Chief Finance Officer and the Chair and Vice-Chair of Corporate Policy and Resources Committee.
PH3 To approve grants not exceeding £3000 from the Good Causes Fund.	Chief Finance Officer in consultation with the Chair and Vice-Chair of Community, Wellbeing and Housing Committee and the Ward Councillors.
PH4 The allocation of names of new streets.	The relevant Deputy Chief Executive, in consultation with Chair and Vice-Chair of Neighbourhood Services Committee.
PH5 To respond to the consultations from the Local Government Association, DCLG and other Departments or other bodies which are other than routine or technical consultations.	Chief Executive or the relevant Deputy Chief Executive in consultation with the Chair and Vice-Chair of Corporate Policy and Resources Committee.
PH6 To seek and undertake works for other public bodies in accordance with the policy established by the relevant Committee.	The relevant Deputy Chief Executive and Group Head Neighbourhood Services after consultation with the Chair and Vice-Chair of Neighbourhood Services Committee.

PH7	In regard to termination on grounds of redundancy and efficiency under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 to award compensation in line with the Council's policies	Chief Executive in consultation with the Chair and Vice-Chair of Corporate Policy and Resources Committee.
PH8	Authority to make decisions/grant discretions to staff under the Local Government Pensions Scheme (Benefits, Membership and Contributions) Regulations 2007	Chief Executive in consultation with the Chair and Vice-Chair of Administration Committee.
PH9	Under Sections 30-36 of Part 4 of the Anti-Social Behaviour Act 2003, to agree to the designation of areas within the Borough where the Police could disperse groups causing intimidation.	Chief Executive in consultation with the Chair and Vice-Chair of Neighbourhood Services Committee.
PH10	To issue, revoke and renew Street trading permits under the Local Government (Miscellaneous Provisions Act 1982	Senior Environmental Health Manager and Building Control in consultation with Chair and Vice-Chair of Neighbourhood Services Committee.
PH11	To finalise detailed budget proposals to cover areas of funding settlement if late notification is made by the Government	Chief Finance Officer in consultation with the Chair and Vice-Chair of Corporate Policy and Resources Committee.

DELEGATIONS TO OFFICERS	
Column 1 – Function	Column 2 – Authorised Officer
1. GENERAL	
1.1 To enter land and premises for the purpose of inspections, surveys, testing and examinations as required pursuant to any powers or functions of the Council under any enactment	Any Group Head, the Medical Advisor, the Property Inspector for Council Tax and Business Rates, the Senior Environmental Health Manager or such other officer who maybe authorised in writing by the above named
1.2 To serve notices to obtain particulars of a person's interest in land	Group Head of Corporate Governance, Senior Environmental Health Manager or Planning Development Manager or other such officer who may be authorised in writing by the above named
1.3 To serve notice under any enactment (not separately authorised under this scheme of delegations) and to take follow up action	Group Head of Corporate Governance Strategic Planning Manager, Planning Development Manager or Senior Environmental Health Manager
1.4 To authorise officers to conduct directed surveillance or the use of covert human intelligence sources in accordance with the Regulation of Investigation Powers Act 2000	Strategic Planning Manager, Planning Development Manager and Senior Environmental Health Manager
1.5 To administer simple cautions	Strategic Planning Manager, Planning Development Manager or Senior Environmental Health Manager
1.6 To respond to routine and technical consultations from the Local Government Association, the MHCLG, , other Government bodies or departments and any other bodies	Chief Executive, Deputy Chief Executive. Strategic Planning Manager, Planning Development Manager or Senior Environmental Health Manager or such officer who may be authorised in writing by the above named
1.7 Under the provisions of the Children Act 1989 and the Council's Safeguarding Children and Vulnerable Adults Policy and	Deputy Chief Executive responsible for Safeguarding

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<p>Procedures, to undertake responsibility for making contact with Social Services and for making decisions and referrals, including making Disclosure and Barring Service (DBS) checks on officers or other persons seeking employment with children, young people or vulnerable adults</p>	
<p>1.8 To undertake the function of Company Secretary for Knowle Green Estates Limited and any subsidiary companies</p>	<p>Group Head of Corporate Governance</p>
<p>1.9 To invite members:</p> <p>a) of the Licensing Committee to participate in meetings of Licensing Sub-Committees convened to determine various applications within the responsibility of the Licensing Committee; and</p> <p>b) of the Standards Committee to participate in meetings of Assessment Panels.</p>	<p>Group Head of Corporate Governance</p>
<p>1.10 To amend the membership of a political group's seats on any particular committee, at the request of the Group Leader.</p>	<p>Chief Executive</p>
<p>1.11 To be designated the Council's 'Appointed person' in accordance with s10(8) of the Party Wall Act 1996</p>	<p>Building Control Manager</p>
<p>2 LEGAL AND LEGAL PROCEEDINGS</p>	
<p>Column 1 – Function</p>	<p>Column 2 – Authorised Officer</p>
<p>2.1 To instigate, conduct and settle proceedings or disputes (administrative, criminal or civil) on the Council's behalf in any Court, Tribunal or other body and/or in relation to any matters associated thereto, but in respect of settlements this is limited to £50,000 and anything above this level be referred to the Corporate Policy and Resources Committee.</p>	<p>Group Head of Corporate Governance</p>

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<p>2.2 To instigate and conduct legal proceedings for any offence or any matter arising under:</p> <ul style="list-style-type: none"> a. legislation which gives the Council a right or duty to prosecute b. any order notice or licence issued in pursuance to any legislation under which the Council has powers or duties c. any other order or regulation under which the Council has powers or duties 	<p>Group Head of Corporate Governance</p>
<p>2.3 To accept service of proceedings on behalf of the Council</p>	<p>Group Head of Corporate Governance (or Chief Finance Officer in respect of insurance claims)</p>
<p>2.4 To instruct Counsel, Solicitors or relevant agents to represent or advise the Council</p>	<p>Group Head of Corporate Governance (or any Chartered Town Planner in respect of planning matters)</p>
<p>2.5 To take necessary action, including legal proceedings, for the recovery of possession of the Council's land and premises or for protecting the interests of the Council in any land or common land</p>	<p>Group Head of Corporate Governance</p>
<p>2.6 Authority to make a formal complaint at the Magistrates Court and to appear in the Magistrates and County Courts on behalf of the Council for the recovery of Council Tax, non domestic rates, other revenues and penalties, including formal proof of debt in bankruptcy cases, liquidations and debt proceedings</p>	<p>Revenues and Customer Services Manager, Senior Recovery Officer, Recovery Officer or Technical and System Support Officer</p>
<p>2.7 To represent the Council at the Local Valuation Tribunal</p>	<p>Revenues and Customer Services Manager or Technical and System Support Officer</p>
<p>2.8 To appear on behalf of the Council in all proceedings before any Court or Tribunal</p>	<p>All employees of the Council who are qualified Barristers, Solicitors or Legal Executives and any other member of staff authorised in writing by the Group Head of Corporate Governance</p>
<p>2.9 To appear on behalf of the Council in proceedings in the Magistrates Court in respect of offences in the Council's car</p>	<p>All employees of the Council who are qualified Barristers, Solicitors or Legal Executives and any other member of staff authorised in</p>

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parks	writing by the Group Head of Corporate Governance, the Group Head Neighbourhood Services and any member of the Car Parks staff authorised in writing by the Group Head Neighbourhood Services.
2.10 To instigate legal proceedings under Section 1 of the Crime and Disorder Act 1998 in respect of anti-social behaviour orders.	Group Head of Corporate Governance
3 AUTHORITY TO SIGN AND SEAL DOCUMENTS	
Column 1 – Function	Column 2 – Authorised Officer
3.1 Authority to sign all legal documents relating to recovery of monies due to the Council	Chief Executive, Chief Finance Officer, Group Head of Corporate Governance, Group Head Community Wellbeing or Deputy Group Head Customer Relations
3.2 Authority to sign all legal documents for the acquisition or disposal of land (unless under seal)	Chief Executive, Chief Finance Officer or Group Head of Corporate Governance
3.3 Authority to sign all contracts and agreements (unless under seal) for expenditure within their service budget or for no value within their service area PROVIDED that Contract Standing Orders have been followed including legal advice being obtained for contracts over £20,000	Chief Officers, Group Head of Corporate Governance, other Group Heads, Planning Development Manager, Strategic Planning Manager or Senior Environmental Health Manager
3.4 To affix the Council's common seal	Chief Executive, Chief Finance Officer or Group Head of Corporate Governance
4 LAND ISSUES	
Column 1 – Function	Column 2 – Authorised Officer
4.1 In respect of properties leased/licensed to or by the Council: a. to refuse or consent to assignments or sub-lettings, including changes to Trustees or Directors details, subject to satisfactory	Group Head – Regeneration and Growth

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<p>references;</p> <ul style="list-style-type: none"> b. to negotiate, approve and document rent reviews; c. to agree low level less than best value rents/licence fees for community groups where proper justification has been acquired and documented; d. to agree to variations to any of the terms or covenants; subject to valuation advice where appropriate; e. to renew leases which have security of tenure under the Landlord and Tenant Act 1954; f. to serve notices for renewals or terminations of leases under the Landlord and Tenant Act 1954; g. to settle terms of management arrangements and any variations to them; h. to agree to the grant of Licences to Alter 	
<p>4.2</p> <ul style="list-style-type: none"> a. To approve freehold or leasehold disposals or acquisitions of land or interests in land not exceeding an estimated value of £100,000 per transaction. b. To approve the exercise of a break option under the terms of lease of land or property where the financial impact does not exceed the value £100k. c. To accept or agree a surrender where the land or property is no longer required by the Council or the Landlord/Tenant as appropriate, where the financial impact does not exceed £100k <p><i>Note: Financial impact to be based on contracted rental values</i></p>	<p>Group Head Regeneration and Growth in consultation with the Chief Finance Officer.</p> <p><i>(Note: for lettings granted under the Community Lettings Policy, there must also be consultation with the Chairs and Vice Chairs of Corporate Policy and Resources and Community Wellbeing and Housing Committees.)</i></p>
<p>4.3 To grant or take miscellaneous licences, wayleaves, easements and other agreements as required</p>	<p>Group Head – Regeneration and Growth</p>

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4.4 To enter into a Tenancy at Will	Group Head – Regeneration and Growth
4.5 To determine applications for rights of way or other easements over land	Chief Finance Officer after consultation with Group Head – Regeneration and Growth
4.6 To approve the release of covenants subject to obtaining appropriate legal and valuation advice	Group Head – Regeneration and Growth
4.7 To determine if an asset nominated for inclusion on the list of assets of community value: (i) is within the local authority’s area (ii) has been properly nominated (iii) meets the statutory criteria set out in section 88 of the Localism Act 2011 and (iv) does not fall within an excluded category.	Group Head Regeneration and Growth
4.8 To review decisions made regarding the inclusion of assets on the list of assets of community value in accordance with section 92 of the Localism Act 2011	Group Head Corporate Governance
4.9 To maintain the list of assets of community value in accordance with section 87 of the Localism Act 2011	Group Head Regeneration and Growth
4.10 To assess and determine compensation applications to private property owners arising out of listings of assets of community value in accordance with section 99 of the Localism Act 2011 and Schedule 2 of The Assets for Community Value (England) Regulations 2012	Group Head Regeneration and Growth
4.11 To review decisions made regarding compensation award in accordance with Schedule 2 of The Assets for Community Value (England) Regulations 2012	Group Head Corporate Governance
5 FINANCIAL MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
5.1 To make a formal demand for payment of monies expended in carrying out works in default under statutory powers, including interest payable thereon	Relevant Deputy Chief Executive

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<p>5.2 To raise in line with inflation any financial limits specified in these delegations to officers, contract standing orders or financial regulations</p>	<p>Chief Finance Officer</p>
<p>5.3 In connection with the provision of services under their control:</p> <p>a. Expenditure of any type within approved budgets (subject to delegation 3.3 - as to signature of contracts);</p> <p>b. Day to day running and operation of services, including maintenance and repairs of all buildings, land and equipment within the responsibility of the service area, in accordance with the policies set down by the Council or relevant Committee; and</p> <p>c. Control, purchase and disposal of stores or surplus materials</p> <p>d. To enter into any arrangement with a creditor for payment to be made by way of instalment</p>	<p>Relevant budget holders</p>
<p>5.4 To implement all the Council's borrowing and investment strategies, in accordance with the Treasury Policy Statement and Capital Strategy</p>	<p>Chief Finance Officer</p>
<p>5.5 To determine the tax base, in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, as amended</p>	<p>Chief Finance Officer</p>
<p>5.6 To deal with applications for local council tax discounts in very exceptional cases. Such cases to include flooding and where committal action through the courts is not deemed appropriate. The latter will need to be supported by third party reports generally from a social worker or doctor</p>	<p>Chief Finance Officer or Deputy Group Head Customer Relations</p>
<p>5.7 To take all necessary steps relating to the demand, collection and recovery of council tax non-domestic rates and Business Improvement District levy payments and to issue all necessary notices and statements and to sign all relevant documentation</p>	<p>Revenues and Customer Services Manager</p>

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5.8 To sign certificates issued under Section 116 of the Social Security Administration Act 1992	Deputy Group Head Customer Relations
5.9 To exercise the Council's responsibilities under Regulation 6 of the Accounts and Audit (England) Regulations 2011, to maintain an adequate and effective system of internal audit of the accounting records and control systems	Chief Finance Officer
5.10 To take decisions in applications under section 44A of the Local Government Finance Act 1988 and subsequent regulations	Chief Finance Officer or Deputy Group Head Customer Relations
5.11 To grant applications for mandatory rate relief under in accordance with section 43 of the Local Government Finance Act 1988	Chief Finance Officer or Deputy Group Head Customer Relations
5.12 To grant application for discretionary rate relief for properties in accordance with Council policies provided that element of the relief recoverable from local taxpayers does not exceed £9000 in any one case.	Chief Finance Officer or Deputy Group Head Customer Relations
5.13 To grant disabled relief under the Local Government Finance Act 1992 and subsequent regulations	Chief Finance Officer or Deputy Group Head Customer Relations
5.14 To serve the Valuation Officer with notice of objection to any proposals for alteration of the valuation banding lists.	Chief Finance Officer or Deputy Group Head Customer Relations
5.15 To make proposals for the alteration of the valuation list for the inclusion of particular properties in the valuation list. To sign valuation agreements and to serve on the Valuation Officer proposals to alter the council tax banding list	Chief Finance Officer or Deputy Group Head Customer Relations
5.16 To pay sums due from the Council	Chief Finance Officer
5.17 To write off debts for non-domestic rates not exceeding £9000 and for Council tax not exceeding £5000.	Deputy Group Head Customer Relations
5.18 To write off debts for Housing Benefits not exceeding £5000	Group Heads Community Wellbeing

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5.19 To write off debts not exceeding £5000 and to write off all debts without limit where bankruptcy, liquidation proceedings, administration or receiverships proceedings have been instigated	Deputy Group Head Customer Relations
5.20 To fix interest rates for housing loans in accordance with legislation and Council policy	Chief Finance Officer
5.21 To determine the local average interest rates for local authority mortgages, in accordance with section 438 and schedule 16 of the Housing Act 1985 and Council policy	Chief Finance Officer
5.22 To provide all necessary insurance cover and to settle insurance claims	Chief Finance Officer
5.23 To make determinations under sections 42,50, 56,60 and 63(1) of the Local Government and Housing Act 1989	Chief Finance Officer
5.24 To serve completion notices for Council Tax and Business Rate proposals	Chief Finance Officer or Deputy Group Head Customer Relations
5.25 To set fees for Local Land Charges services	Chief Finance Officer
5.26 Approval of grants from any funds remaining from the Council's former local lottery	Chief Finance Officer
5.27 To make appropriate staged payments for grants for development	Chief Finance Officer
6 PERSONNEL MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
6.1 To give approval to services to advertise or to fill a staffing vacancy	Chief Executive, Deputy Chief Executive or Group Heads
6.2 Within staffing budgets and overall management structure to approve all matters relating to the organisation, appointment (other than appointments above grade Group Head) and management (including disciplinary action) of staff in accordance with the Council's	Chief Executive, Deputy Chief Executive or Group Heads

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staff policies and procedures	
6.3 To implement national awards affecting wages, salaries and conditions of service	Chief Executive, Relevant Deputy Chief Executive or Group Head Neighbourhood Services for local rate overtime
6.4 To administer the Council's car loan scheme	Chief Finance Officer
6.5 To agree redundancy payments under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 in cases approved by Management Team	Chief Executive in consultation with the Leader of the Council

7. ENVIRONMENTAL HEALTH MATTERS		
Column 1 – Function	Column 2 – Authorised Officer	
<p>7.1 To exercise the Council’s functions in respect of environmental health matters, including, but not limited to the following functions:</p> <ul style="list-style-type: none"> a. Statutory and Public Nuisances; b. Control of Noise; c. Light nuisance; d. Control of Air Pollution; e. Contaminated Land; f. Control of rats and mice; g. Insects; h. Prevention of Damage by Pests; i. The provision, management and control of Cemeteries, Mortuaries and Crematoria and the discharge of the Council’s functions relating to burials and cremation generally; j. Safety of buildings; k. Food, Drinking Water, Food Hygiene and associated matters; l. Functions in connection with the Welfare and Control of Animals; m. Control of Diseases, infectious diseases and General Public Health matters; n. Filthy or verminous premises, articles or persons; o. Accumulations; p. Drains and private sewers and any other environmental health functions in relation to sewerage or, water (by arrangement with the service operators if appropriate); 	<p>Senior Environmental Health Manager; or:</p> <p>In relation to 7.1(i) the Group Head of Neighbourhood Services</p> <p>In relation to 7.1(j) the Building Control Manager</p>	

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<ul style="list-style-type: none"> q. Health and Safety at Work; r. Provisions relating to shops including Sunday trading; s. Hazardous Substances; t. Slaughterhouses, Knackers Yards and Cutting Premises; u. Tattooing, acupuncture, body piercing, semi-permanent skin colouring and electrolysis 	
<p>7.2 To issue any notices, penalties, permits or certificates in respect of environmental health matters, including, but not limited to:</p> <ul style="list-style-type: none"> a. Local Government (Miscellaneous Provisions) Act 1976 Local Government (Miscellaneous Provisions) Act 1982; b. Public Health Act 1936 ss. 45, 48, 49, 83, 84, 275 and 287; c. Public Health Act 1961 ss. 17, 22 and 34; d. Building Act 1984 ss. 59, 64, 66, 67, 70, 72, 76, 84, 95 and 97; e. Environmental Protection Act 1990 f. Food Safety Act 1990; g. Prevention of Damage by Pests Act 1949 h. Health and Safety at Work etc. Act 1974; i. Noise Act 1996; j. Anti-Social Behaviour Act 2003; k. Clean Neighbourhoods and Environment Act 2005; l. Animal Welfare Act 2006; m. Health Act 2006; n. House to House Collections Act 1939; o. Pet Animals Act 1951; p. Riding Establishments Act 1964; q. Riding Establishments Act 1970; 	<p>Senior Environmental Health Manager; and</p> <p>in relation to 7.2 (d) and (II) the Building Control Manager</p>

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<ul style="list-style-type: none">r. Animal Boarding Establishments Act 1963;s. Breeding of Dogs Act 1973;t. Breeding of Dogs Act 1991;u. Dangerous Wild Animals Act 1976;v. Hypnotism Act 1952;w. Smoke-free (Premises and Enforcement) Regulations 2006;x. Smoke-free (Signs) Regulations 2012y. Smoke-free (Exemptions and Vehicles) Regulations 2007z. Smoke-free (Penalties and Discounted Amounts) Regulations 2007;aa. Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007;bb. Pollution Prevention and Control Act 1999;cc. Control of Pollution Act 1974;dd. Public Health (Control of Disease) Act 1984;ee. Private Security Industry Act 2001;ff. Meat (Sterilisation and Staining) Regulations 1982;gg. Clean Air Act 1993;hh. Land Compensation Act 1973 s.37;ii. Sunday Trading Act 1994;jj. Criminal Justice and Public Order Act 1994 ss.77 and 78;kk. Working Time Regulations 1998;ll. Building Regulations 2010;mm. Building (Approved Inspectors etc.) Regulations 2010;nn. Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002;oo. Land Drainage Act 1991;pp. Scrap Metal Dealers Act 2013;qq. Sunbeds (Regulation) Act 2010;rr. The Caravan Sites and Control of	
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<p>Development Act 1960;</p> <p>ss. Mobile Homes Act 2013;</p> <p>tt. Water Industry Act 1991;</p> <p>uu. Environmental Protection (Control on Ozone-Depleting Substances) Regulations 2011;</p> <p>vv. Waste (England and Wales) Regulations 2011</p> <p>ww. Tattooing of Minors Act 1969</p> <p>xx. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018</p> <p>yy. Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and any subsequent related legislation.</p> <p>zz. The Business and Planning Act 2020</p> <p>aaa. Town Police Clauses Act 1847</p> <p>bbb. Highways Act 1980</p> <p>ccc. Policing and Crime Act 2017</p> <p>ddd. Live Music Act 2012</p> <p>eee. Deregulation Act 2015</p> <p>fff. Police, Factories & c. (Miscellaneous Provisions) Act 1916</p> <p>ggg. Licensing Act 2003</p> <p>hhh. Gambling Act 2005</p> <p>iii. Zoo Licensing Act 1981</p> <p>jjj. Environmental Damage Regulations (Prevention and Remediation) (England) Regulations 2015</p> <p>kkk. Control of Pollution (Amendment) Act 1989</p> <p>lll. Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020</p> <p>mmm. Environment Act 1995 (section 108[(1) and (4)a–m])</p> <p>nnn. Noise and Statutory Nuisance Act 1993 (Schedule 2)</p>	
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<p>ooo. Public Health (Control of Disease) Act 1984</p> <p>ppp. Clean Air Act 1993 (section 56)</p>	
<p>7.3 To exercise the Council's functions under the Acts listed in 7.2 to this Scheme of Delegations and any other acts subsequently enacted.</p>	<p>Senior Environmental Health Manager</p>
<p>7.4 Subject to the Terms of Reference of the Licensing Committee to exercise all functions relating to the Licensing Act 2003.</p>	<p>Senior Environmental Health Manager</p>
<p>7.5 Subject to the Terms of Reference of the Licensing Committee to exercise all functions relating to the Gambling Act 2005</p>	<p>Senior Environmental Health Manager</p>
<p>7.6 Under the Licensing Act 2003 and the Gambling Act 2005 to make a decision on whether a representation is irrelevant, frivolous or vexatious</p>	<p>Environmental Health Manager</p>
<p>7.7 To exercise all powers of the Council under sections 19-22 of the Criminal Justice and Police Act 2001 concerning closure of unlicensed premises</p>	<p>Senior Environmental Health Manager (in consultation with the Chair and Vice-Chair of Licensing Committee)</p>
<p>7.8 Authority under the Food Safety Acts, and any associated Regulations to make application for Emergency Prohibition Orders for appropriate premises and to issue certificates that the measures specified by the Prohibition Orders have been carried out.</p> <p>7.9 European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020 relating to retained EU regulations including numbers 178/2002, 852-854/2004, 2017/625 and 2073/2005, which relate to food and feed</p>	<p>Senior Environmental Health Manager or authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds</p>
<p>7.10 To exercise the Council's powers under the Food Safety and Hygiene (England) Regulations 2013 and relevant EU Directives and any associated</p>	<p>All Environmental Health Staff identified for this purpose by the Senior Environmental Health Manager or authorised officers</p>

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	regulations to serve/apply for (as appropriate) hygiene improvement notices, hygiene prohibition orders, hygiene emergency prohibition notices and orders, remedial action notices and detention notices	from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds
7.11	To exercise the Councils powers under the Official Feed and Food Control (England) Regulations 2009, including (but not limited to) detention, destruction, special treatment and the re-dispatch of feed and food, the service of notices, the procurement of samples of food and to take other appropriate measures'	Senior Environmental Health Manager or authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds
7.12	Authority in relation to Waste Disposal to pass on to commercial customers the full increased costs of all future Landfill Taxes imposed by Central Government.	Senior Environmental Health Manager, Group Head Neighbourhood Services
7.13	To make minor changes to the Building Control Charges Scheme No. 1.	Building Control Manager
7.14	To issue fixed penalty notices under section 33(1)(a) of the Environmental Protection Act 1990, to persons whom the officer has reason to believe have committed a small scale fly tipping offence	Group Head of Neighbourhood Services and Senior Environmental Health Manager

8. MARKETS	
Column 1 – Function	Column 2 – Authorised Officer
8.1 To operate a market in Staines under the terms of the Staines Town Hall and Market Act 1872	Group Head Neighbourhood Services
8.2 To set and enforce regulations for any markets within the Borough	Group Head Neighbourhood Services
8.3 To respond to requests for stands in Staines High Street on non-market days under the terms of s115E of the Highways Act	Group Head Neighbourhood Services

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9. FREEDOM OF INFORMATION, ENVIRONMENTAL INFORMATION REGULATIONS AND DATA PROTECTION	
Column 1 – Function	Column 2 – Authorised Officer
9.1 To add documents to the Council’s publication scheme	Data Protection Officer/Information Governance Co-ordinator
9.2 To determine whether any requests under the above acts are repeated or vexatious	Data Protection Officer/Information Governance Co-ordinator
9.3 To determine whether any exemptions apply under the above Acts and Regulations	Data Protection Officer /Information Governance Co-ordinator
9.4 To review decisions made to place items in Part II of agendas and to authorise the disclosure of such items where the reasons for confidentiality no longer apply or where it would be in the public interest to disclose of such items.	Group Head of Corporate Governance in consultation with the Leader of the Council
10. HOUSING AND COMMUNITY CARE MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
10.1 To approve mandatory/discretionary grants under the Housing Grants, Construction and Regeneration Act 1996 in accordance with the policies approved from time to time by the Council.	Group Head(s) Community Wellbeing
10.2 To exercise the powers and the functions of the Council under the Housing Grants and Regeneration Act 1996 and any regulations made thereunder.	Group Head(s) Community Wellbeing
10.3 Authority to require repayment of mandatory/discretionary grants in accordance with Government guidelines and within the timescales laid down in the Council’s approved policies.	Group Head(s) Community Wellbeing
10.4 Under the Local Government and Housing Act 1989 repayment of grant provisions, authority to waive the	Group Head(s) Community Wellbeing

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<p>requirement to repay grant in any case where the owner disposes of their property, in order to go to live in sheltered housing or a residential care home, as his/her only or main residence.</p>	
<p>10.5 Pursuant to the Housing Acts and all relevant Orders and Regulations thereunder:-</p> <ul style="list-style-type: none"> a. to serve notices requiring the abatement of overcrowding; b. to serve notices requiring the demolition of houses, subject to Demolition Orders, carry out demolition in default and recover the cost; c. to make a declaration of an area as a slum clearance area subject to legislative requirements for Slum Clearance Declarations d. to revoke Closing or Demolition Orders on the satisfactory completion of works to render the house free from serious hazards; e. to serve statutory notices requiring the execution of repairs, carry out work in default and recover the costs; f. to serve notice requiring the production of documents and for entry into premises for inspection, survey and works. g. to exercise the Council's powers under the Housing Act 2004 for the issue of/application for (as appropriate) Improvement Notices, Prohibition Orders, Hazard Awareness Notices, Emergency Remedial Action Notice, Emergency Prohibition Orders and empty property management orders and in respect of houses in multiple occupation, to: <ul style="list-style-type: none"> i. make interim and final management orders; ii. serve notices requiring compliance with management regulations, the execution of works, including the provision of facilities and fire escapes; iii. make directions to prevent or reduce overcrowding; 	<p>Senior Environmental Health Manager</p>

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<p>iv. carry out works in default of compliance with (e)(i), (ii) and (iii) above and to recover the costs.</p> <p>v. To determine and issue licences under the Housing Act 2004</p>	
<p>10.6 To discharge the duties or exercise the powers of the Council under the Housing Act 1996 Parts VI and VII with regard to the allocation of housing accommodation, operation of the housing register, provision of housing advice, and matters relating to homelessness and the arrangement of accommodation for households where necessary under the legislation.</p>	<p>Group Head(s) Community Wellbeing</p>
<p>10.7 The placing of homeless persons in bed and breakfast or other temporary accommodation and the fixing, collection and recovering of contributions therefore</p>	<p>Group Head(s) Community Wellbeing</p>
<p>10.8 To make nominations to housing association accommodation of applicants on the Housing Register, in accordance with the Council's bands scheme.</p>	<p>Group Head(s) Community Wellbeing</p>
<p>10.9 To make nomination to housing association accommodation outside the bands scheme to applicants considered as special cases.</p>	<p>Group Head(s) Community Wellbeing</p>
<p>10.10 To make nominations to housing association accommodation of persons nominated by other local authorities/housing associations under any mobility scheme in which the Council agrees to participate.</p>	<p>Group Head(s) Community Wellbeing</p>
<p>10.11 To agree terms for the lease from private landlords of premises to be used for the provision of temporary accommodation for the homeless.</p>	<p>Group Head(s) Community Wellbeing</p>
<p>10.12 Administration of the Spelthorne Personal Alarm Network Scheme ("SPAN") and the negotiation of service charges with other public bodies.</p>	<p>Group Heads Community Wellbeing</p>
<p>10.13 To take any necessary action to deal</p>	<p>Group Head of Corporate</p>

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with illegal encampments on Council owned land and on privately owned land, with the owner's permission.	Governance
10.14 To exercise the Council's power and functions in relation to determination and payment of Housing Benefit, rent allowances and Council Tax benefit and recovery of housing benefit overpayments in accordance with the regulations.	Group Head(s) Community Wellbeing
10.15 The carrying out of such duties necessary for the prosecution, administrative penalties and formal cautioning in cases where housing benefit fraud is detected.	Group Head(s) Community Wellbeing
10.16 The initial decision to decide Discretionary Housing Payments	Appeals and Review Officer and Housing Benefit Manager
10.17 Review of a Discretionary Housing Payments decision	Group Head(s) Community Wellbeing
10.18 The requisition of the supply of water, gas, electricity, telephones and other services necessary for properties provided or to be provided for housing purposes.	Group Heads Community Wellbeing
10.19 To exercise the Council's powers and functions in relation to Community Care and related issues.	Group Heads Community Wellbeing
10.20 To undertake day to day management of Day/Community Centres and the Meals on Wheels Service.	Group Head(s) Community Wellbeing
11. LEISURE AND ASSOCIATED MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
11.1 The management and letting of all sports, recreational and community facilities provided by the Council subject to the Community Lettings Policy, including:- a. the fixing of charges for special events	Group Heads Neighbourhood Services and Community Wellbeing

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<p>not covered by the annual review of fees and charges;</p> <p>b. Negotiation of variations in charges for use of sports, recreational and community facilities within established policy;</p> <p>c. The power to waive fees and charges; and</p> <p>d. The setting of opening hours for facilities and the duration of sports seasons.</p>	
<p>11.2 The promotion of musical, artistic, cultural, sporting and community activities, including negotiation of sponsorship arrangements.</p>	<p>Group Head(s) Community Wellbeing</p>
<p>11.3 The management of allotments, including entering into management agreements for sites, lettings, mal-cultivation notices, notices to quit and decisions on applications for permission to erect structures by tenants or allotment associations.</p>	<p>Group Head Neighbourhood Services</p>
<p>11.4 The management of cemeteries, including the allocation, re-allocation and grant of grave spaces, including the repurchase of grave spaces and other associated matters.</p>	<p>Group Head Neighbourhood Services</p>
<p>11.5 The administration of Leisure Development Grants to be made to Voluntary Organisations, in accordance with the policy guidelines approved from time to time by the Community Wellbeing and Housing Committee.</p>	<p>Group Head(s) Community Wellbeing</p>
<p>12. ENVIRONMENT AND PUBLIC AMENITIES MATTERS</p>	
<p>Column 1 – Function</p>	<p>Column 2 – Authorised Officer</p>
<p>12.1 To determine applications made in respect of land under the control of the Council for the following:-</p> <p>a. Placing of structures.</p> <p>b. Erection of directional signs.</p>	<p>Senior Environmental Health Manager or Group Head Neighbourhood Services</p>

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<ul style="list-style-type: none"> c. Erection of banners. d. Street trading consent under Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act, 1982. e. Fun runs, marathons, filming and other similar activities. 	
<p>12.2 In relation to the Council's Car Parks:-</p> <ul style="list-style-type: none"> a. to authorise proceedings in respect of offences against any car park regulations; and b. to determine applications by outside bodies or persons for use of the car parks, subject to any consent not prejudicing the normal use of the car park. 	Deputy Chief Executive
<p>12.3 To authorise and determine payment of an appropriate commuted sum when taking over private lighting schemes under Section 161 of the Public Health Act 1875.</p>	Relevant Deputy Chief Executive
<p>12.4 The siting of bus shelters, bus stops, seats and other street furniture.</p>	Relevant Deputy Chief Executive
<p>12.5 The numbering and renumbering of premises in streets.</p>	Deputy Chief Executive with responsibility for Environmental Health & Building Control
<p>12.6 All necessary steps in connection with the removal and disposal of abandoned vehicles under the Refuse Disposal (Amenity) Act 1978.</p>	Group Head Neighbourhood Services
<p>12.7 To make representations to Surrey County Council regarding the provision of tendered bus services under the Transport Act, 1985.</p>	Relevant Deputy Chief Executive
<p>12.8 To exercise the Council's powers under the following provisions of the Local Government (Miscellaneous Provisions) Act, 1976:-</p> <ul style="list-style-type: none"> a. Section 23 (in relation to dangerous trees); b. Section 25 (in relation to dangerous excavations). 	Deputy Chief Executive with responsibility for Environmental Health & Building Control

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12.9	To institute proceedings in the County Court or High Court to gain possession of highway land occupied by caravans, tents or other residential structures.	Group Head of Corporate Governance
12.10	To make objections on amenity grounds to applications submitted to the Traffic Commissioners for Goods Vehicle Operators Licences.	Relevant Deputy Chief Executive or Group Head Neighbourhood Services
12.11	To issue Private Hire Vehicle and Hackney Carriage licences where applicants comply with the criteria agreed from time to time by the Council or relevant Committee.	Senior Environmental Health Manager
12.12	Immediate revocation of a Hackney Carriage driver and Private Hire driver licenses in accordance with the Council's adopted procedure. Power to revoke is under section 61 Local Government (Miscellaneous Provisions) Act 1976.	Senior Environmental Health Manager in consultation with the Chair and Vice-Chair of Licensing Committee
12.13	To suspend Hackney Carriage driver and Private Hire driver Licences in accordance with the Council's adopted procedure. Power to suspend is under section 61 Local Government (Miscellaneous Provisions) Act 1976	Senior Environmental Health Manager in consultation with the Chair and Vice-Chair of Licensing Committee
12.14	To suspend Hackney Carriage and private hire vehicle licenses in accordance with the Council's adopted procedure. Power to suspend a vehicle is section 60 of Local Government Miscellaneous Provisions) Act 1976)	Senior Environmental Health Manager
12.15	To administer the hackney carriage and private hire licensing Penalty Points Scheme and issue penalty points in accordance with the Scheme	Senior Environmental Health Manager
12.16	To determine appeals against penalty points under the Council's Penalty Points Scheme	Senior Environmental Health Manager in conjunction with the Deputy Chief Executive
12.17	To administer the applications for Pavement Licensing	Senior Environmental Health Manager

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12.18 To administer the Licensing Act 2003	Senior Environmental Health Manager
12.19 To administer House to House Collections under the House to House Collections Act 1939	Senior Environmental Health Manager
12.20 To administer Scrap Metal licensing under Scrap Metal Dealer's Act 2013	Senior Environmental Health Manager
12.21 To administer Gambling licensing under Gambling Act 2005	Senior Environmental Health Manager
12.22 To administer Sex Establishments under Local Government (Miscellaneous Provisions) Act 1982	Senior Environmental Health Manager
12.23 To administer Street Collections under Police, Factories & Miscellaneous Provisions) Act 1916	Senior Environmental Health Manager
12.24 To exercise the Council's powers under clause 21 of the Town Police Clauses Act 1847	Deputy Chief Executive
12.25 To arrange for the discharge of the Council's statutory functions relating to burials and cremations	Senior Environmental Health Manager or Group Head Neighbourhood Services
12.26 To exercise the Council's functions in respect of investigations and enforcement under the Clean Neighbourhoods and Environment Act 2005 (CNEA 2005)	Joint Enforcement Team and Senior Environmental Health Manager
12.27 To exercise the Council's functions and to serve Notices under the Anti-Social Behaviour, Crime and Policing Act 2014.	Deputy Chief Executive
13. BYELAWS	
Column 1 – Function	Column 2 – Authorised Officer
13.1 To grant authority in writing to any named person (not being a council officer or police constable) to enforce the Byelaws made by the Council	Chief Executive

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14. PLANNING AND DEVELOPMENT MANAGEMENT		
14.1	Subject to the Terms of Reference of the Planning Committee, to exercise all functions relating to town and country planning and development management and the following:	Planning Development Manager
14.2	Agreement for any variation and to determine any application under section 106A of the Town and Country Planning Act 1990 (the "1990 Act").	Planning Development Manager
14.3	Power to serve an enforcement notice under section 172 of the 1990 Act.	Planning Development Manager
14.4	Power to withdraw or vary any enforcement notice issued under section 173 A of the 1990 Act.	Planning Development Manager
14.5	Power to serve a stop notice under s183(1) of the 1990 Act	Planning Development Manager
14.6	Power to withdraw a stop notice under s183(7) of the 1990 Act	Planning Development Manager
14.7	Power to serve a planning contravention notice under s171C of the 1990 Act	Planning Development Manager
14.8	Power to serve a temporary stop notice under s171E of the 1990 Act.	Planning Development Manager
14.9	Power to withdraw a temporary stop notice under s171E of the 1990 Act	Planning Development Manager
14.10	Power to serve a breach of condition notice under s187A of the 1990 Act	Planning Development Manager
14.11	Power to prosecute for demolition in a conservation area under s196D of the 1990 Act	Planning Development Manager
14.12	Power to seek an injunction under s187B of the 1990 Act.	Planning Development Manager
14.13	Power to issue a notice for untidy land under s215 of the 1990 Act.	Planning Development Manager
14.14	Power to issue a requisition for information under section s330 of the 1990 Act to require information as to interests in land.	Planning Development Manager
14.15	Power to take direct action under s178 of the 1990 Act	Planning Development Manager
14.16	Enforcement rights of entry without warrant under s196A of the 1990 Act.	Planning Development Manager

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14.17	Power to authorise the stopping-up or diversion of a footpath, bridleway or restricted byway under s 257 of the 1990 Act.	Planning Development Manager
14.18	Power to extinguish public rights of way over land held for planning purposes under s 258 of the 1990 Act.	Planning Development Manager
14.19	Powers relating to the preservation of trees under s 197 to s214D of the 1990 Act and the Town and Country Planning (Tree Preservation) (England) Regulations 2012.	Planning Development Manager
14.20	Power to confirm a Tree Preservation order where no objections have been raised.	Planning Development Manager
14.21	Power to issue screening and scoping opinions under the Environmental Impact Assessment Legislation.	Planning Development Manager
14.22	Power to issue a decision on the need for an Appropriate Assessment under the Habitats Directive.	Planning Development Manager
14.23	Powers relating to the protection of important hedgerows under the Hedgerows Regulations 1997 (S.I. 1997/1160).	Planning Development Manager
14.24	Powers relating to high hedges under Part 8 of the Anti-Social Behaviour Act 2003	Planning Development Manager
14.25	To grant relief and exemptions under the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager Planning Development Manager
14.26	To issue all notices, orders and apply surcharges and/or interest under the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager Planning Development Manager or Group Head of Corporate Governance
14.27	To determine reviews of the calculation of a chargeable amount under the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager Planning Development Manager

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14.28 To require any owner or relevant person to provide the Council with such further information, documents or materials as considered relevant under regulation 108A of the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager Planning Development Manager
14.29 Agreement of any amendments to the Local List of Requirements for the validation of planning applications.	Planning Development Manager
14.30 Power to object or make representation against a goods vehicle (operator's) licensing application in accordance with the Goods Vehicles (Licensing of Operators Act 1995 and the Goods Vehicles (Licensing of Operators) Regulations 1995.	Planning Development Manager

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COUNCIL STANDING ORDERS

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These Standing Orders are the rules which apply to meetings of the Council and should be read in conjunction with the Access to Information Procedure Rules and the Budget and Policy Framework Procedure Rules

1. TIME AND PLACE OF MEETINGS

- 1.1 Meetings of the Council and Committees will normally take place at 7.00pm in the Council Chamber at the Council Offices, Knowle Green, Staines unless otherwise notified by the proper officer in the summons to the meeting.
- 1.2 Meetings of Sub-Committees, Panels, Working and Task Groups will normally take place during the daytime, subject to councillors' availability.

2. NOTICE OF AND SUMMONS TO MEETINGS

- 2.1 The Chief Executive will notify the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a meeting, (unless the law requires the business to be transacted by a particular date) the Chief Executive will send a summons signed by him/her to every councillor giving the date, time and place of the meeting and specifying the business to be transacted and will be accompanied by any reports which are available.
- 2.2 The Chief Executive may cancel a meeting of the Council or its Committees where the agenda has already been issued if it is considered expedient to do so. The Chief Executive shall not exercise such power without prior consultation with the Mayor or the Committee Chair (as appropriate). Any outstanding business will be held over to the next scheduled meeting on a date to be arranged.

3. CHAIRING OF MEETINGS

- 3.1 The Mayor, if present, will chair the meeting. If the Mayor is absent the Deputy Mayor will take the chair. If both the Mayor and Deputy Mayor are absent, the councillors present will elect a councillor to take the Chair for the meeting.
- 3.2 The references to the Mayor also include the Chair of any Committee or Sub-Committee and references to Deputy Mayor also include the Vice-Chair of any Committee or Sub-Committee, unless the matter relates to Council meetings only.
- 3.3 The person presiding at the meeting may exercise any power of duty of the Mayor.

4. QUORUM

- (a) The quorum of the Council is one quarter of the total number of councillors and no business shall be considered unless a quorum is present.
- (b) If there is no quorum present at the time set for the start of a meeting, the start will be delayed for 30 minutes and if a quorum is still not present the meeting will stand adjourned to another day.
- (c) If, during the meeting, the Mayor declares that there is no quorum, the meeting will adjourn immediately for up to 10 minutes. If the meeting is not quorate after 10 minutes the meeting will stand adjourned.

- (d) Any business remaining shall be dealt with on a date and time fixed by the Mayor or if a date and time is not found, at the next ordinary meeting of the Council.

5. DURATION OF MEETING

- 5.1 The Chief Executive or his representative at any Council meeting will indicate to the councillors present when any meeting has lasted for 3 hours.
- 5.2 Unless the majority of councillors present then agree that the meeting should continue, it will automatically be adjourned. Any business not considered will be considered at a time and date fixed by the Mayor. If the Mayor does not fix a date the remaining business will be considered at the next ordinary meeting.

6. ORDINARY MEETINGS

- 6.1 Ordinary meetings of the Council will take place in accordance with a programme decided at, or before, the Council's annual meeting or as otherwise agreed from time to time by the Council.
- 6.2 The Council will sing the National Anthem, led by the Mayor, at the commencement of proceedings, or at such point in the proceedings as the Mayor may otherwise direct.
- 6.3 The agenda at an ordinary Council meeting will normally be to:-
 - (a) Elect a person to preside if neither the Mayor or Deputy Mayor are present (see Standing Order 3.1)
 - (b) Receive any apologies for absence
 - (c) Approve the minutes of the last meeting
 - (d) Receive any declarations of interest from councillors
 - (e) Receive any announcements from the Mayor, Leader (or his nominated spokesperson), Committee Chairs and/or the Chief Executive
 - (f) Receive questions from members of the public and hear the Leader or other appropriate councillor provide answers
 - (g) Receive petitions; (See Standing Order 15)
 - (h) Deal with any business from the last Council meeting
 - (i) Deal with referrals from Service Committees in accordance with Standing Orders 32.4 and 32.5
 - (j) Deal with any recommendations from the Committees
 - (k) Receive reports from the Committee Chairs and any questions arising from those reports
 - (l) Receive reports about and hear questions and answers on the business of joint arrangements and external organisations
 - (m) Consider motions
 - (n) Hear the Leader or his nominee or appropriate Committee Chairs answer any questions from councillors on matters generally affecting the Borough or for which their committee has responsibility; and

- (o) Consider any other business specified in the summons to the meeting.

7. EXTRAORDINARY MEETINGS

7.1 Calling Extraordinary Meetings

Those listed below may request the Chief Executive to call Council meetings in addition to ordinary meetings of the Council:

- (a) The Council by resolution
- (b) The Mayor
- (c) The Monitoring Officer; and
- (d) Any five councillors if they have signed a requisition presented to the Mayor and the Mayor has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

7.2 Date of Extraordinary meeting

When considering a requisition, the Mayor shall decide, in consultation with the Chief Executive whether the meeting should be called on the same date as the next scheduled ordinary meeting of the Council or an alternative date in wholly exceptional circumstances.

7.3 Business

The business at an extraordinary meeting will be confined to consideration of the specific issue(s) for which it was called.

8. ANNUAL MEETING

8.1 Timing and business

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in May/

8.2 The Council will sing the National Anthem, led by the Mayor, at the commencement of proceedings, or at such point in the proceedings as the Mayor may otherwise direct.

The Annual meeting will:

- (a) Elect a person to preside if the Mayor is not present
- (b) Elect a councillor to be the Mayor of the Council
- (c) Elect a councillor to be Deputy Mayor of the Council
- (d) Approve the minutes of the last ordinary meeting
- (e) Receive any declarations of interest
- (f) Receive any announcements from the Mayor
- (g) Elect councillors to be the Leader and Deputy Leader for the next municipal year
- (h) Approve a programme of ordinary meetings of the Council for the year if one has not previously been agreed; and
- (i) Consider any business set out in the notice convening the meeting

8.3 Selection of Councillors on Committees and Outside Bodies

At the Annual meeting, the Council will:

- (a) Decide which committees to establish for the municipal year

- (b) Decide the size and terms of reference for those committees
- (c) Decide the allocation of seats to political groups in accordance with the political balance regulations
- (d) Appoint the Leader and Deputy Leader to be the Chair and Vice-Chair respectively of the Corporate Policy and Resources Committee
- (e) Appoint the Chairs and Vice-Chairs of the other committees on a politically proportionate basis, and where feasible these positions on any one Committee being filled by members from different political groups
- (f) Appoint the Chairs and Vice-Chairs of sub-committees, where necessary
- (g) Receive nominations of Councillors to serve on each committee and those councillors to stand as substitute member on each Committee
- (h) Appoint to such outside bodies not delegated to a Committee, that require a Council decision i.e. Police and Crime Commissioner's Panel and South West Middlesex Crematorium Board

8.4 The Council may however decide at subsequent meetings to dissolve committees, alter their terms of reference or appoint new committees.

8.5 SPELTHORNE JOINT COMMITTEE MEMBERSHIP

The Spelthorne Borough Council representative appointed to the office of Chairman or Vice-Chairman may not also be a Surrey County Councillor.

9. SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES

9.1 A Councillor may nominate another Councillor of his or her own political group to act as a substitute in the absence of the nominating Councillor at a meeting of a committee or sub-committee, in accordance with the Substitution Scheme set out in Part 4(c)

10. MINUTES

10.1 Signing the Minutes

The Mayor will sign the minutes of a meeting at the next suitable meeting. The Mayor will move that the minutes of the previous meeting be conformed and signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

10.2 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

Where, in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

10.3 Form of Minutes

Minutes will contain all motions and amendments in the exact form and order the Mayor put them.

11. DECLARATION OF INTEREST

11.1 Where in relation to an item on the agenda, a councillor has a **Disclosable Pecuniary Interest**, that interest should be declared at the start of the meeting by giving full details of the interest and the item to which it relates. The councillor must thereafter leave the room when that matter falls to be discussed and take no part in the debate or the vote for that business.

11.2 Where in relation to an item on the agenda, a councillor has

- (a) a **Non-Pecuniary interest** arising under paragraphs 15 and 16 of the Code of Conduct for Councillors and Co-opted Members (the “Members’ Code of Conduct”) (membership of outside bodies etc.), or,
- (b) any other **Conflict of Interest**

then such interest should be declared at the start of the meeting by giving full details of the interest and the item to which it relates. A councillor is not required to leave the room when the item is debated but may do so if, in the opinion of the councillor concerned, it is advisable in all the circumstances of the case. A councillor with such an interest, who has remained for the debate, is entitled to speak and vote on the matter to which it relates.

12. REPORTS OF COMMITTEES

12.1 Where the Committee is reporting a matter which is reserved to Council the relevant Committee Chair (or a member of the relevant committee nominated by the chair of that committee) will introduce the report. The normal rules of debate will apply to any debate on the recommendations.

12.2 A Councillor may ask a question on any recommendation from Committees in accordance with standing order 14.1.

13. PUBLIC INVOLVEMENT IN COUNCIL

13.1 General

Meetings of the Council will allow for a period not exceeding 30 minutes during which time members of the public may ask the Leader or Committee/Sub-Committee Chairs, questions relating to matters over which the Council has powers or duties or which affect the Borough.

13.2 Order of Questions

Questions will be asked in the order received, except that the Mayor may group together similar questions.

13.3 Notice of Questions

A question may only be asked if notice has been given by delivering the question in writing to the Chief Executive no later than 12 noon eight working days prior to the day of the Council meeting. Each question must give the name and address of the questioner and indicate the councillor to whom it is to be put.

13.4 Length of Questions

- a) No question shall exceed 100 words in length in order to allow all members of the public submitting questions to have a fair and equitable opportunity to ask their question within the time allotted as stipulated at 13.1.
- b) The Chief Executive, or his representative, shall request that a question exceeding 100 words in length is re-submitted to meet this requirement, within one working day of the request being made.
- c) Any question that fails to be re-submitted in accordance with 13.4 b) will receive a written response only, within 5 working days of the Council meeting for which it was submitted.

13.5 Number of Questions

A member of the public may not submit more than 2 questions for any Council meeting.

13.6 Scope of Questions

The Chief Executive may reject a question if it:

- (a) Is not about a matter for which the Council has a responsibility or which affects the Borough;
- (b) Is defamatory, frivolous or offensive; or
- (c) Requires the disclosure of confidential or exempt information.

13.7 Record of Questions

The Chief Executive will keep a record of each question and will, on receipt, send a copy of the question to the Councillor to whom it is to be put. Rejected questions will include reasons for rejection.

Questions, including those dealt with under Standing Order 13.4c), and the answers given will be recorded in the minutes of the meeting.

13.8 Asking the Question at the Meeting

The Mayor will invite the questioner to put the question to the councillor named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf and indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

13.9 Supplementary Question

No supplementary questions will be allowed.

13.10 Written Answers

Any question which cannot be dealt with during public question time, either due to lack of time, or the non-attendance of the councillor to whom it was to be put, or because not all the information was available, will be dealt with by a written answer.

13.11 Reference of Question to a Committee or Sub-Committee

Unless the Mayor decides otherwise, no discussion will take place on any question, but any councillor may move that a matter raised by a question be referred to a Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

14. QUESTIONS BY COUNCILLORS

14.1 General

Provided that the Chief Executive has received a copy of the question to be asked before 12 noon seven working days prior to the day of the Council meeting, a councillor may at any ordinary Council meeting

- (a) ask the Leader or the relevant Chair of any Committee or Sub-Committee, about an issue in the councillor's ward; or
- (b) ask the Leader or the relevant Chair of any Committee or Sub-Committee about some issue in which the Council has powers or duties or which affects the Borough; or
- (c) ask the Chair of a Committee about something for which their Committee has responsibility.

14.2 Procedure on questions

Subject to Standing Order 14.3, every question shall be put and answered without discussion, but the councillor putting the question may ask one supplementary question,

The supplementary question must be one which either directly arises out of the answer given or is required to clarify some part of the answer.

The person to whom any question has been put may either:

- (a) give a direct answer; or
- (b) where the desired information is in a publication of the Council or other published work, refer the questioner to that publication or
- (c) where the reply cannot conveniently be given orally, give a written answer circulated within 7 days.

14.3 Written Answers

Where the Mayor considers that:

- (a) a question, or the likely answer to a question, is, or is likely to be excessively long, or
- (b) that the number of questions at a meeting is excessive; or
- (c) that the amount of other business to be transacted at the meeting demands it.

then the Mayor may direct that any question and answer shall be given in writing without being read aloud at the meeting

14.4 Where the Mayor directs written questions and answers in advance of the meeting, the question and answer shall be made available in writing at the meeting and shall be incorporated within the minutes of the meeting.

14.5 Nothing within Standing Order 14.3 shall prevent a councillor from putting a supplementary question at the meeting, except that the Mayor may direct any supplementary question to be answered in writing at a later

date to enable a properly considered response to be given where the councillor to whom the question was put cannot reasonably be expected to have the level of information at hand to answer the point without prior notice.

15. PRESENTATION OF PETITIONS TO THE COUNCIL

15.1 If a petition is presented and relates to a matter in respect of which the Council has powers or duties or which affects the Borough, and it contains more than 4,500 signatures (1,000 for a single ward issue), it will automatically be referred to Council for debate in accordance with the Petition Scheme.

15.2 Presentation of a petition on the following business will not be allowed, as set out in the Petition Scheme:

- (a) matters which are “confidential” or “exempt” under the Local Government Access to Information Act 1985; or
- (b) planning applications
- (c) licensing applications
- (d) statutory petitions

15.3 A petition organiser may present the petition to the Council meeting for no more than 3 minutes, provided that confirmation has been given to the Council’s Committees Section at least 10 working days before the meeting.

15.4 The Mayor will request any Councillor present at the meeting to move a motion to:

- (a) take the action the petition requests; or
- (b) not to take the action requested for reasons put forward in the debate; or
- (c) note the petition and keep the matter under review; or
- (d) if the content relates to a matter on the agenda for the meeting the petition be considered when the item is debated; or
- (e) the petition be referred to the relevant Committee for further consideration.

15.5 Once the motion is seconded the petition will be discussed in accordance with the rules of debate. Any Councillor can move an alternative motion stated in 15.4 which will be seconded and debated as any amended motion.

15.6 The petition organiser will receive written confirmation of the decision.

16. MOTIONS ON NOTICE

16.1 Any councillor may give notice of a motion for consideration at any ordinary meeting of the Council.

16.2 Notice

These will be recorded in a book, open to public inspection.

- 16.3** Notice of any motion, except one which under these Standing Orders can be moved without notice, must be given in writing or email to the Chief Executive before 12 noon seven working days prior to the day of the Council meeting. (This will enable the information to be published with the Council agenda)
- 16.4** **Motion Set Out In the Agenda**
Motions for which notice has been given will be listed on the agenda in the order in which they are received, unless prior to publication of the agenda the councillor giving notice states, in writing or email, that they propose to move it to a later meeting or withdraw it.
- 16.5** **Scope of Motion**
Every Motion must relate to matters in which the Council has powers or duties and must not include declaratory statements relating to matters outside the ambit of the Council. Motions should be about something for which the Council has responsibilities, or which affects the Borough. Motions should be about a single discreet issue and not be in the opinion of the Chief Executive defamatory, frivolous, offensive or otherwise out of order
- 16.6** Length of Motion
No motion shall exceed 100 words in length.
- 16.7** **Motion Not Moved**
If a motion set out in the summons is not moved, either by the councillor who gave notice or by some other councillor on their behalf, it shall, unless the Council agrees otherwise, be treated as withdrawn. The motion may not be moved without fresh notice.
- 17. MOTIONS WITHOUT NOTICE**
The following motions may be moved without notice and will then be followed by no more than the number of speakers in brackets.
- (a) To appoint a Chairman of the meeting at which the motion is moved (none);
 - (b) In relation to the accuracy of the minutes (no limit);
 - (c) To change the order of business on the agenda (none);
 - (d) To refer something to an appropriate Committee or Sub-Committee (no limit);
 - (e) To withdraw a motion (none);
 - (f) To extend the time limit for speeches (none);
 - (g) To amend a motion (no limit);
 - (h) To proceed to the next business (none, except a right of reply in accordance with standing order **);
 - (i) That the question be now put (non, except a right of reply in accordance with standing order **);
 - (j) To adjourn a debate (none);
 - (k) To adjourn a meeting (none);
 - (l) To suspend a particular Standing Order (two);

- (m) To exclude the public and press in accordance with the Access to Information Procedure Rules (two)
- (n) To not hear further a councillor named under Standing Order 23.4 or to exclude them from the meeting under Standing Order 23.5 (none)
- (o) To give the consent of the Council where its consent is required by the Constitution (no limit)
- (p) To continue the meeting beyond 3 hours (none)

18. RULES OF DEBATE

18.1 No Speeches until Motion Seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

18.2 Right to Require Motion in Writing

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to the Chief Executive before it is discussed.

18.3 Secunder's Speech

When seconding a motion or amendment, a councillor may reserve their speech until later in the debate.

18.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point or order.

No speech may exceed FIVE minutes without the consent of the Mayor and may only exceed ten minutes with the consent of the Council.

18.5 When a Member May Speak Again

A councillor who has spoken on a motion or an amendment may not speak again whilst it is the subject of debate, except:

- (a) In exercise of a right of reply
- (b) On a point of order, or
- (c) By way of personal explanation.

18.6 Amendment to Motions

An amendment to a motion must be relevant to the motion and either be:

- i) To refer the matter to an appropriate Committee or Sub-Committee for consideration or reconsideration;
- ii) To leave out words;
- iii) To leave out words and add others; or
- iv) To add words.

18.6.1 An amendment which forms the negative of the motion will not be allowed. Councillors should aim to keep the length of the amendment in line with that of the motion, which shall not exceed 100 words in length.

18.6.2 The Mayor may require the amendment to be written down and handed to the Chief Executive before it is discussed.

18.6.3 Only one amendment may be moved and discussed at any one time.

No further amendment may be moved until the amendment under discussion has been voted on or withdrawn by the mover and seconder. Amendments to motions must be moved at the earliest possible opportunity during the debate.

18.6.4 If an amendment is not agreed, other amendments to the original motion can be moved.

18.6.5 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

18.6.6 After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, or if no member indicates they wish to speak, he/she will put it to the vote.

*A diagram showing how decisions can be made is at **Appendix 1**.*

18.7 Alteration of motion

- (a) A councillor may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion;
- (b) A councillor may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

18.8 Withdrawal of Motion

A councillor may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

18.9 Right of Reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) If an amendment has already been carried, the mover of that is deemed to be the mover of the substantive motion and therefore has the right of reply at the close of the debate on a further amendment.
- (d) The mover of an amendment has not right of reply to the debate on his or her amendment

18.10 Motions Which May Be Moved During Debate

When a motion is under debate, no other motion may be moved expect the following procedural motions:

- (e) To withdraw a motion;
- (f) To amend a motion;
- (g) To proceed to the next business;
- (h) That the question be now put (if an amendment is being debated, the amendment will be voted on);
- (i) To adjourn a debate;
- (j) To adjourn a meeting
- (k) To exclude the public and press in accordance with the Access To Information Procedure Rules; and
- (l) To not hear further a councillor names under Standing Order 23.4 or to exclude them from the meeting under Standing Order 23.5; and
- (m) That the meeting continue beyond 3 hours in duration.

18.11 Closure motions

A councillor may move, without comment, the following motions at the end of a speech of another councillor;

- (n) To proceed to the next business;
- (o) That the question be now put;
- (p) To adjourn a debate; or
- (q) To adjourn a meeting.

18.11.1 If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, the Mayor will put the procedural motion to the vote. If it is passed the Mayor will give the mover of the original motion a right of reply before putting the motion to the vote.

18.11.2 If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, the Mayor will put the procedural motion to the vote. If it is passed the Mayor will give the mover of the original motion a right of reply before putting the motion to the vote.

18.11.3 If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, the Mayor will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

18.12 Point of Order

A councillor may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Standing Orders or the law. The councillor must indicate the Standing Order or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

18.13 Personal Explanation

A councillor may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by

the councillor which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

19. ANNOUNCEMENTS

The Mayor, the Leader, Chairs of Committees and the Chief Executive may make announcements of which notice is not required.

20. PREVIOUS DECISIONS AND MOTIONS

20.1 Motion to Rescind A Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least twelve councillors.

20.2 Motion similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least twelve councillors. Once the motion or amendment has been dealt with, no one can propose a similar motion or amendment for six months unless it is signed by at least twelve councillors.

21. VOTING

21.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those councillors voting and present in the room at the time the question was put.

21.2 Voting at Regulatory Committees

No member at a Regulatory Committee may vote unless they have been present for the entire consideration of the item under discussion.

21.3 Chairman's Casting Vote

If there are equal numbers of votes for and against, the Mayor will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.

21.4 Show of Hands

Unless a recorded vote is requested, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

21.5 Recorded Vote

(a) If any councillor present at the meeting requests it before the vote is taken, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

- (b) Where the Council makes a budget decision either (i) a calculation in accordance with the Local Government and Finance Act 1992 or (ii) issues a precept under Chapter 4 of Part 1 of that Act then a recorded vote shall be held. For the avoidance of doubt this applies to proposed amendments as well as to the original and any substantive motion

21.6 Right to Require Individual Vote To Be Recorded

Where any councillor requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

21.7 Voting on Appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

In relation to the appointment of Chairs of Committees and in the event of deadlock, the Chair will be elected by drawing lots.

22. OFFICERS SPEAKING DURING DEBATES

22.1 Any Chief Officer or his representative may signify his wish to speak. The Mayor shall then use his discretion to call upon the Officer at an appropriate point during the debate. The subject matter on which an Officer may speak shall be confined to:

- i) providing relevant information; or
- ii) explanation or interpretation of any law, regulation, protocol or procedure

22.2 The Mayor may, at his discretion, permit a councillor to seek, through the Chair, the opinion of any Officer present at the meeting on a particular point.

22.3 Any Officer may be called upon to speak by the Mayor who shall indicate the subject matter.

22.4 Where an Officer is presenting a report of which prior notice has been given, the above rules do not apply, in relation to the presentation.

23. COUNCILLORS' CONDUCT

23.1 Role of Mayor

The Mayor is required to ensure that the meeting is conducted in a calm atmosphere of decorum.

23.2 Standing to Speak

When councillors speak at Council they must stand and address the meeting through the Mayor, unless the Mayor's permission has been obtained for the relevant Councillor to remain seated. If more than one

councillor stands, the Mayor will ask one to speak and the others must sit. Other councillors must remain seated whilst a councillor is speaking unless they wish to make a point of order or a point of personal explanation.

23.3 Mayor Standing

When the Mayor stands during a debate, any councillor speaking at the time must stop and sit down. The meeting must be silent.

23.4 Member Not to Be Heard Further

If a councillor persistently disregards the ruling of the Mayor by behaving improperly or offensively or deliberately obstructs business, the Mayor may move that the councillor be not heard further. If seconded, the motion will be voted on without discussion.

23.5 Member to Leave the Meeting

If the councillor continues to behave improperly after such a motion is carried, the Mayor may move that either the councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

23.6 General Disturbance

If there is a general disturbance making orderly business impossible, the Mayor may adjourn the meeting for as long as he/she thinks necessary.

24. DISTURBANCE BY THE PUBLIC

24.1 Removal of Member of the Public

If a member of the public interrupts or intrudes upon proceedings or otherwise prevents the orderly business of the meeting, the Mayor will warn the person concerned. If they continue to interrupt etc., the Mayor will order their removal from the meeting room.

24.2 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared.

25. EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or under Standing Order 24 (Disturbance by public).

26. RECORD OF ATTENDANCE

All councillors present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

27. PHOTOGRAPHY AND AUDIO/VISUAL RECORDING OF MEETINGS

Audio/visual recording at Council meetings is permitted in accordance with the Openness of Local Government Bodies Regulations 2014 and in accordance with the Council's protocol in part 5 of the Constitution.

28. SUSPENSION AND AMENDMENT OF COUNCIL STANDING ORDERS

28.1 Suspension

All these Standing Orders except for Standing Orders 10.1 (signing of minutes), 21.6 (enabling a councillor to record their vote) or 38.2 and 38.3 (continuation of meeting beyond 3 hours up to an absolute cut-off of 11pm) may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

28.2 Amendment

Any motion to add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council to which the Monitoring Officer shall submit a report. Unless prior notice of the proposal has been the subject of consideration and report by the Monitoring Officer and has been placed on the agenda of the meeting.

29. APPLICATION TO ALL COMMITTEES AND SUB COMMITTEES

All the preceding Standing Orders apply to meetings of Council and to meetings of Committee and Sub-Committees except where different rules apply.

ADDITIONAL RULES APPLYING TO COMMITTEES

30. CALLING OF COMMITTEE MEETINGS

30.1 Each Service Committee shall meet in accordance with a programme of scheduled meetings approved annually by the Council and meetings will normally commence at 7.00pm.

30.2 This programme may be amended and additional meetings called as required throughout the year to ensure the efficient conduct of business. Amendments shall be agreed by the Chair of the relevant Committee.

30.3 The majority of the Committee or Sub-Committee may call an extraordinary meeting of that Committee or Sub-Committee to consider any matter requiring consideration, which cannot wait until the next ordinary meeting.

30.4 The Monitoring Officer or the Section 151 Officer may require the Chief Executive to convene an extraordinary meeting of any Committee or Sub-Committee in pursuance of their statutory duties.

31. PUBLIC OR PRIVATE MEETINGS OF COMMITTEES

All Committee and Sub-Committee meetings will normally be held in public as set out in the Access to Information Rules unless the consideration of a specific item of business warrants the exclusion of the press and public because it contains exempt or confidential information.

32. HOW ARE COMMITTEE DECISIONS TAKEN?

- 32.1** Formal decisions that have been delegated by the Council to Committees and Sub-Committees will be taken at a meeting convened in accordance with the Access to Information Rules. All Committee and Sub-Committee decisions are collective decisions. No formal decisions may be taken by the Chair of a Committee or Sub-Committee on behalf of the Committee or Sub-Committee.
- 32.2** In taking decisions, Committees and Sub-Committees will accord with the plans and strategies set out in the Council's Budget and Policy Framework and will abide by the protocols in the Constitution.
- 32.3** The Chair of any Committee or Sub-Committee has discretion to deal with the debate on any item on an agenda in a manner other than as prescribed in the Rules of Debate (SO18), and which is appropriate for that item.

Referral of decision to parent body

- 32.4** The Committee may pass a resolution at the relevant meeting that the decision on a particular item of business before the Committee shall be referred to the parent body even though it is normally a delegated function. This will not prevent the Committee from debating the matter and making a recommendation.

Such a request cannot be made if:

- the item has been identified on the written agenda as the subject of an urgent decision. In this context, urgent decisions are those which:
 - (a) cannot wait until the next scheduled meeting or
 - (b) are defined as 'cannot reasonably be deferred'

The need and reasons for urgency must be included in the report to the Committee.

Or:

- the delay caused by referring the decision to the parent body will lead to breach of a legislative or contractual deadline; or
- the Chair of the meeting is satisfied, having consulted any or all of the Chief Executive, Monitoring Officer, Chief Finance Officer, and other appropriate and available staff, that the Council's interests will be substantially prejudiced by the delay.

A request for a referral made under 32.4 may only be withdrawn by the referring Committee or the Chair of that Committee with the approval of the parent body to which it was referred.

33. WHO PRESIDES AT A COMMITTEE MEETING

The appointed Chair of a Committee or Sub-Committee will preside at any meeting of the relevant Committee or Sub-Committee at which he is

present. In the absence of the Chair, the Vice Chair will preside. In the absence of both the Chair and Vice Chair, the meeting will elect a Chair for that meeting only.

34. BUSINESS TO BE TRANSACTED AT A COMMITTEE MEETING

34.1 At each meeting of a Committee or Sub-Committee, the following business will be conducted:

- (a) Election of a Chair, if necessary;
- (b) Consideration of the minutes of the previous meeting;
- (c) Declarations of interest, if any;
- (d) Representations by members of the public in respect of any matters set out in the agenda will be dealt with using the public speaking rules outlined in this Constitution;
- (e) Matters arising from the relevant Committee's section of the Council's Forward Plan;
- (f) Matters requested by any member of the relevant Committee or Sub-Committee or referred to it by the Council
- (g) Any other matter set out on the agenda requiring a decision or consideration as determined by the relevant Committee or Sub-Committee Chair

34.2 At each ordinary meeting of a service committee, two Councillors (who are not members of the Committee) may speak for up to three minutes each on matters specific to their wards.

- (a) A Councillor may only speak under this procedure rule if they have given notice in writing or by email to the Monitoring Officer and/or Committee Services by no later than 12 noon, five working days before the meeting, indicating the issue on which they wish to speak and the nature of any proposal(s) to be made, and giving sufficient information to enable the relevant Committee Chair or Vice-Chair to provide a considered response.
- (b) If by the deadline, more than two Councillors have indicated a wish to speak, the Monitoring Officer will draw lots to determine which two should be allowed to do so
- (c) At the end of each Councillor's speech, the relevant Committee Chair or Vice-Chair (or the nominated spokesperson) will reply, addressing in particular any specific proposals that may have been made.
- (d) In the absence of the Councillor who had given due notice, either of the other ward councillors may present the issue. If neither is willing/able to do so, a written answer will be produced (based on the information provided in accordance with this Standing Order) and included in the minutes of the meeting.

- (e) No more than one ward concern item may be presented by any one councillor at any meeting of a committee where ward concerns are listed on the agenda. It is expected that presentation of ward concerns will be shared between councillors representing the ward and that no subject presented as a ward concern may be presented again to the relevant committee within a period of six months.

35. ATTENDANCE OF ELECTED MEMBERS NOT APPOINTED TO A PARTICULAR COMMITTEE OR SUB-COMMITTEE

Any Councillor may attend a Committee or Sub-Committee of which he is not one of the appointed members. With the permission of the relevant Committee or Sub-Committee Chair, he/she may speak once on each item they request to speak on. The relevant Committee or Sub-Committee must agree for the Councillor to speak more than once on any particular item or to participate in the ensuing debate. The Councillor attending a meeting under this rule is not entitled to vote on any item. Any Councillor wishing to speak at a meeting under the provisions of this standing order must give the relevant committee chair at least 24 hours' notice of their intention to do so.

36. ATTENDANCE BY OTHERS AT A COMMITTEE MEETING

Following consultation with the relevant Deputy Chief Executive/Group Head, the Chair of the Committee or Sub-Committee may agree to invite individuals other than Councillors and Officers to attend their meetings to discuss issues of local concern or provide expert OPINION.

37. APPOINTMENT OF SUB-COMMITTEE

37.1 All Committees will recommend to the Council the appointment of one or more Sub-Committees with decision-making powers to execute any of the functions delegated by the Council to that Committee.

37.2 Membership of Sub-Committees does not need to be restricted to Members of the relevant parent Committee.

38. DURATION OF COMMITTEE AND SUB-COMMITTEE MEETINGS

38.1 The Committee Manager present at the meeting will indicate to the councillors present when any meeting has lasted for 3 hours.

38.2 Unless the majority of councillors present then agree that the meeting should continue, subject to an absolute cut-off of 10.30pm, it will automatically be adjourned. Any business not dealt with will be considered at a time and date fixed by the Chair. If the Chair does not fix a date the remaining business will be considered at the next ordinary meeting.

38.3 Any Committee or Sub-Committee meeting in session at 10.30pm will automatically be adjourned. Any business not dealt with will be considered at a time and date fixed by the Chair. If the Chair does not fix a date the remaining business will be considered at the next ordinary meeting.

39. PUBLIC PARTICIPATION IN COMMITTEE AND SUB-COMMITTEE MEETINGS

39.1 Members of the public who either live or work in the borough are able to participate in Committee and Sub-Committee meetings in accordance with the policies and rules established by the Council from time to time, this includes the ability to submit written questions in accordance with Standing Order 40.

39.2 The following Standing Order does not apply to meetings of Planning Committee or Licensing Sub-Committees, which have separate procedures for public participation.

40. PUBLIC QUESTIONS AT COMMITTEE AND SUB-COMMITTEE MEETINGS

40.1 General

Members of the public may ask Committee/Sub-Committee Chairs questions relating to a public item on the agenda for any meeting, at which the question is to be put.

40.2 Notice of Questions

A question may only be asked if notice has been given by delivering the question in writing to the Committee Services section (committeeservices@spelthorne.gov.uk) and Monitoring Officer (p.derman@spelthorne.gov.uk) no later than 5pm five working days prior to the day of the meeting.

40.3 Each question must give the name and address of the questioner and indicate the agenda item to which it relates.

40.4 Scope of Questions

The Monitoring Officer may reject a question if it:

- a) Is not relevant to an item on the agenda of the meeting to which it is to be put;
- b) Is defamatory, frivolous or offensive; or
- c) Requires the disclosure of confidential or exempt information.

40.5 Number of Questions

The number of questions asked on any one item on an agenda of a Committee/Sub-Committee meeting will be limited to two.

40.6 Questions will be asked on a first come first served basis.

40.7 Questions that exceed this limit will receive a written response from an officer.

40.8 Record of Questions

The Chief Executive will keep a record of each question and will, on receipt, send a copy of the question to the Chair of the Committee/Sub-Committee to which it is to be put. Rejected questions will include reasons for rejection.

40.9 Questions and the answers given will be recorded in the minutes of the meeting.

40.10 Asking the Question at the Meeting

The Chair will invite the questioner to put the question at the start of consideration of the relevant agenda item. If a questioner who has submitted a written question is unable to be present, they may ask the Chair to put the question on their behalf. The Chair may ask the question on the questioner's behalf and indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

40.11 Supplementary Question

No supplementary questions will be allowed.

40.12 Duplication of Questions

A question put to a Committee or sub-Committee may not also be asked at a Council meeting, or vice-versa, unless 6 months have elapsed since the question was put.

41. PLANNING COMMITTEE – SPEAKING BY THE PUBLIC AND WARD COUNCILLORS

41.1 The Planning Committee will receive representations from members of the public and applicants in accordance with procedures agreed from time to time by the Committee.

41.2 Any councillor may attend meetings of the Planning Committee but must sit separately from the members of the Committee so that it is clear to members of the public who are the members of the Committee.

41.3 Any councillor in attendance may, when invited to do so by the Chairman, speak at the meeting in relation to an item relating to his ward provided he/she has notified the Chairman, before the start of the meeting, of his wish to speak on the item.

42. LICENSING COMMITTEE – SPEAKING BY WARD COUNCILLORS

Any councillor may attend meetings of the Licensing Committee but must sit separately from the members of the Committee so that it is clear to members of the public who are the members of the Committee. Any councillor in attendance may, when invited to do so by the Chairman, speak at the meeting in relation to an item relating to his ward provided he has notified the Chairman, before the start of the meeting, of his wish to speak on the item.

43. AUDIT COMMITTEE – ATTENDANCE BY NON-COMMITTEE COUNCILLORS

Any councillor may attend meetings of the Audit Committee of which he/she is not a member but shall sit separately from the members of the Committee so that it is clear to members of the public who are the

members of the Committee. A councillor in attendance at such meetings may, when invited to do so by the Chairman, speak at the meeting in relation to an issue being discussed provided he/she has notified the Chairman before the start of the meeting of a wish to speak on an item.

44. CHAIRING OF COMMITTEES

No councillor shall hold more than one Chair's position at any time and in this Standing Order "chairing" means the office of Chairman or Vice-Chairman of a Committee.

FINANCIAL REGULATIONS

INTRODUCTION

Background

1. The Local Government Act 1972 section 151 requires the Council to make arrangements for the proper administration of its financial affairs. Together with the Contract Standing Orders, they regulate the conduct of Council business.
2. These Financial Regulations must be available to and apply to every councillor and employee of the Council and anyone acting on its behalf. They will apply to agents and consultants acting for the Council and to services carried out under agency arrangement, unless specifically excepted by the relevant Group Head and the Chief Finance Officer.
3. They will also apply to all arms-length organisations, wholly owned companies, agencies and partnerships with whom the Council does business and for whom the Council is the relevant accounting body. Where the Council is not the relevant accounting body, but is a responsible partner, staff must ensure that the accounting body has in place adequate Regulations and proper schemes of delegation and ensure that the arrangements are agreed with the Section 151 Officer..
4. Copies of Financial Regulations are provided to the Chief Executive, Deputy Chief Executives, Chief Finance Officer, all Group Heads and Service Managers and are included in the Council's Constitution.
5. To help you understand the terminology used in Financial Regulations, a Glossary of Terms is attached at the end.

Scope & Review

6. It is the responsibility of the Chief Executive, Deputy Chief Executives, Chief Finance Officer and Group Heads to ensure Financial Regulations are followed.
7. Group Heads are responsible for ensuring that all staff in their departments are aware of the existence and content of the Financial Regulations and that they comply with them. Equally, staff have a reciprocal responsibility to comply with the regulations.
8. All councillors and employees have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised, provides value for money and achieves best value. In doing so, proper consideration must be given at all times to matters of probity and propriety in managing the assets, income and expenditure of the Council.
9. Failure to follow Financial Regulations and Contract Standing Orders will be reported to the Chief Finance Officer immediately and may, in consultation with Human Resources, be treated as a disciplinary offence.

10. Financial Regulations should be reviewed in line with inflation every two years by the Chief Finance Officer in consultation with the Chair and Vice Chair of Corporate Corporate Policy and Resources Committee.

Financial Regulation A – Financial Accountabilities and Management

- A1 Financial management covers all financial accountabilities in relation to the running of the Council including the policy framework and budget and should be read in conjunction with the Council's Constitution and in particular the Budget and Policy Framework Procedure Rules.

COUNCIL

- A2 The Council has the general responsibility for setting the Council's policy and budget framework.
- A3 The Council is responsible for:-
- a. adopting and changing the Council's Constitution and Members' Code of Conduct;
 - b. approving the policy framework, including the Capital Strategy, the Treasury Management Strategy and the Revenue Budget and Reserves Strategy within which the Council operates;
 - c. approving and monitoring compliance with the Council's overall framework of accountability and control. The framework is set out in the Council's Constitution;
 - d. monitoring compliance with the agreed policy, related strategy decisions by Corporate Policy and Resources Committee and Local Code of Corporate Governance; and
 - e. approving procedures for recording and reporting decisions taken. This includes those key decisions delegated by and decisions taken by the Council and its committees. These delegations and details of who has responsibility for which decisions are set out in the Constitution.

Corporate Policy and Resources Committee

- A4 The Council is responsible for delegating the following functions to the Corporate Policy and Resources Committee in accordance with the the Constitution:
- a) proposing the policy framework, its overall community and corporate strategies and budget strategy to the Council; and
 - b) monitoring the performance of Services, projects and programmes; and
 - c) discharging its functions and responsibilities as set out in the Council's Constitution and in accordance with the Policy Framework and Budget approved by Council.

The Corporate Policy and Resources Committee can delegate its decision making powers to a formally constituted sub-committee of the Committee, a staff member or a joint committee in accordance with the scheme of delegation as set out in the Council's Constitution.

ROLE OF OFFICERS

STATUTORY OFFICERS

Chief Executive (Head of Paid Service)

- A5 The Chief Executive as Head of Paid Service for the purposes of the Local Government Act 1989 is responsible for overall corporate and strategic management and has operational responsibility for the management of the Council as a whole. He must report as necessary to the Council and to the Corporate Policy and Resources Committee (and other service committees). He is responsible for provision of professional advice to all parties in the decision making process. The Chief Executive is also responsible together with the Monitoring Officer, for the system of record keeping in relation to all the Council's decisions.

Group Head of Corporate Governance (Monitoring Officer)

- A6 The Group Head of Corporate Governance as the Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee. The Group Head of Corporate Governance will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors. He/she is also responsible for reporting any actual or potential breaches of the law or maladministration to the Council and/or to Corporate Policy and Resources Committee, and for ensuring that procedures for recording and reporting key decisions are operating effectively.
- A7 The Group Head of Corporate Governance will ensure that relevant staff reports and background papers are made publicly available as soon as possible. He/she must also ensure that councillors are aware of decisions made by committees and employees who have delegated responsibility in accordance with the Council's Constitution.

Deputy Chief Executive (Chief Finance Officer)

- A8 Under Section 151 of the Local Government Act 1972 and the general direction of the Corporate Policy and Resources Committee, the Chief Finance Officer is responsible for the proper administration of the Council's financial affairs.
- A9 Under Section 114 of the Local Government Act 1988, the Chief Finance Officer (CFO) is also responsible for reporting to the Council if councillors or staff make or are about to make a decision involving unlawful expenditure, loss or deficiency, or if proposed expenditure is likely to exceed available resources.
- A10 The Chief Finance Officer, as defined in the Constitution has statutory duties in relation to the financial administration and stewardship of the Council. This statutory responsibility cannot be overridden. The statutory duties arise from:
- a) Section 151 of the Local Government Act 1972
 - b) Local Government Finance Act 1988
 - c) The Local Government and Housing Act 1989

- d) The Accounts and Audit Regulations (England) 2015
- e) The Local Government Act 2003

A11 The CFO is responsible for:

- a) the proper administration of the Council's financial affairs
- b) setting and monitoring compliance with accounting and financial management procedures and standards
- c) maintaining an effective and adequate internal audit and all audit arrangements
- d) advising on the corporate financial position
- e) key financial controls necessary to secure sound financial management providing financial information
- f) preparing and controlling forward financial plans, budget strategies, the Revenue Budget, the Capital Strategy and Capital Programme
- g) treasury management and banking arrangements financial and related IT systems
- h) procedures and controls for ordering services, supplies and works
- i) payment of accounts and collection of income
- j) pay and pensions;
- k) providing advice and training to budget holders including advice on financial and operational controls.

A12 Section 114 of the Local Government Finance Act 1988 requires the Chief Finance Officer to report to the Council and External Audit if the Council or its staff:

- has made, or is about to make a decision which involves or would involve unlawful expenditure
- has taken or is about to take a course of action which if pursued to its conclusion would be unlawful and likely to result in a loss or deficiency by the Council; or
- is about to make an unlawful entry in the Council's accounts

A13 The Chief Finance Officer must also make a report under this section if it appears that the expenditure of the authority (including expenditure it is proposing to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to meet that expenditure. In preparing a report the Chief Finance Officer shall consult as far as practicable with the Chief Executive, as the Head of the Council's Paid Service, and with the Group Head of Corporate Governance under the Local Government and Housing Act 1989.

A14 Section 114 of the 1988 Act also requires that the Deputy Chief Finance Officer performs these functions in the absence of the Chief Finance Officer. The Chief Accountant is the Council's statutory Deputy Chief Finance Officer.

- A15 The Council is required to provide the Chief Finance Officer with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under section 114.
- A16 The Chief Finance Officer is responsible for advising the Corporate Policy and Resources Committee or the Council about whether a decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be ‘contrary to the budget’ include:
- a) initiating new policies and financial commitments
 - b) committing expenditure in future years above budget
 - c) budget or spending transfers above virement limits
- A17 The Chief Finance Officer is responsible for considering and approving requests to waive the regulations and will consult the Chief Executive and councillors where he considers this appropriate. All waivers will be reported by the Chief Finance Officer to the Corporate Policy and Resources Committee.
- A18 **Delegated Authorities**
- Under delegations to officers authority to make financial transactions is delegated to the Chief Executive, Deputy Chief Executives and Chief Finance Officer. However, some delegation to other staff is necessary for practical purposes. These delegations form lines of accountability which should be clear, well communicated and regularly reviewed. They also provide control through appropriate levels of authorisation, limited numbers and separation of duties.
- A19 Deputy Chief Executives will keep a list of their staff authorised to make financial transactions, copy that list to Chief Finance Officer for entry onto the financial system, and review it regularly.
- A20 An authorised signatory matrix is available to record delegated authorities. Essential details are staff member’s name, grade, specimen signature, transaction type, value limit of authority and evidence of approval by the Deputy Chief Executives, Management Team and the CFO.
- A21 In an emergency the Chief Executive, Deputy Chief Executives or Chief Finance Officer may authorise such expenditure as is necessary, to be later ratified by the Corporate Policy and Resources Committee.
- A22 A Group Head is a staff member fully responsible to a Deputy Chief Executive or Chief Executive (as applicable), for the management and provision of an identifiable service in accordance with service plans and strategies.
- A23 Group Heads are responsible for:
- a) ensuring that the Corporate Policy and Resources Committee or relevant service committee is advised of the financial implications of all proposals and that the financial implications have been agreed by the Chief Finance Officer;
 - b) operating financial processes within their departments. To do this they must ensure that adequate operational controls are in place;
 - c) controlling expenditure and income, monitoring performance and taking the necessary action to remain within budgets and cash limits;

A24 It is the responsibility of Group Heads to consult with the Chief Finance Officer and seek approval regarding any matters which are liable to affect the Council's finances materially, before any commitments are incurred.

MANAGING EXPENDITURE: SCHEME OF VIREMENT (BUDGET TRANSFERS)

A25 The Scheme of Virement is intended to enable the Corporate Policy and Resources Committee, Chief Executive, Deputy Chief Executives and Group Heads and their staff to manage budgets with a degree of flexibility within the overall policy framework determined by the Council and therefore, to optimise the use of resources.

A26 The Council is responsible for agreeing procedures for virement of expenditure between budget headings.

A27 Virements are the temporary transfer of surplus budget provisions between 'estimate' headings. These do not affect the base budgets for future years.

A28 Group Heads are responsible for agreeing in-year virements within delegated limits, in consultation with the Chief Finance Officer where required.

A29 Key controls for the Scheme of Virement are:

- a) It is administered by the Chief Finance Officer within guidelines set by the Council. Any variation from this scheme requires the approval of the Corporate Policy and Resources Committee.
- b) The overall budget is agreed by the Corporate Policy and Resources Committee and approved by the Council. The Deputy Chief Executives, Group Heads and budget managers are therefore authorised to incur expenditure in accordance with the estimates that make up the budget. The rules below cover virement. For this purpose, a service comprises a separate page or column in the published budget.
- c) Virement does not create additional overall budget liability. Virements are not permitted on the following revenue expenditure heads unless the Chief Finance Officer has approved their use:
 - a) Business rates resulting from revaluation
 - b) Insurance
 - c) Capital financing charges
 - d) Members' allowances
 - e) Government grants
 - f) And any others identified by the Chief Finance Officer

A30 The Chief Executive, Deputy Chief Executives and Group Heads are expected to exercise their overall discretion in managing their budgets reasonably and prudently. For example they should aim to avoid supporting recurring expenditure from on-off sources of savings or additional income of

creating future commitments, including full-year effects of decisions made partway through a year for which they have not identified future resources.

- A31 The Chief Executive, and Deputy Chief Executives may transfer or "vire" funds between budget heads (both revenue and capital) within their services, subject to the following general parameters:
- (a) All corporate guidelines and policies will be followed;
 - (b) Conditions of Service will be complied with;
 - (c) A single 'one-off' budget may not be transferred to fund a new ongoing item of expenditure; and
 - (d) Budgets not under effective control of the budget holder may not be vired eg rates and insurance.
- A32 Any such transfer will be agreed with the Group Head and discussed with the service accountant before implementation and agreed by the Chief Finance Officer.
- A33 Any proposal to transfer funds between services requires the approval of the Management Team (MAT) and the Corporate Policy and Resources Committee.
- A34 Any virement (revenue or capital) with a value greater than £100,000 must be approved by the Corporate Policy and Resources Committee..

Supplementary Estimates

- A35 If an essential increase in spending cannot be contained within existing budgets through the transfer arrangements described above, the relevant Deputy Chief Executive will consult with the Chief Finance Officer and report to the Corporate Policy and Resources Committee (where applicable), to obtain a supplementary estimate. No expenditure may be incurred until the supplementary estimate has been approved.
- A36 The Chief Finance Officer in consultation with the Chair and Vice Chair of Corporate Policy and Resources Committee is authorised to approve a total supplementary expenditure in a year not exceeding **5%** of the approved Net Revenue Budget, and **£20,000** on any approved capital scheme.
- The Corporate Policy and Resources Committee is authorised to approve a total supplementary expenditure in a year not exceeding **10%** of the approved Net Budget, Requirement of the Council and **£1,000,000** on any approved capital scheme.
- A37 The Chief Finance Officer shall maintain a record of all supplementary estimates approved.
- A38 If a claim is made against the Council which is not recoverable under an insurance policy, the Leader has authority to spend as necessary in resisting the claim, and/or in deciding and meeting the terms of any settlement made in the best interests of the Council. The Chief Executive is authorised to decide the terms of any settlement involving expenditure not exceeding £30,000, and to spend such amounts subject to report on the circumstances of the claim

and settlement to the next meeting of the Corporate Policy and Resources Committee.

Treatment of year-end balances

- A39 The Chief Finance Officer is responsible for agreeing procedures for the carrying forward of underspendings on budget headings.
- A40 The rules below cover arrangements for the transfer of resources between accounting years, i.e a carry-forward. For this purpose, a budget head is a line in the estimates report or, as a minimum, at an equivalent level to the standard service subdivision as defined by the Chartered Institute of Public Finance and Accountancy (CIPFA) in its Service Expenditure Analysis.

Responsibilities of the Chief Finance Officer

- A41 To administer the scheme of carry forward.
- A42 To report all major underspendings (£50k) on services estimates to the Corporate Policy and Resources Committee
- A43 To report all major overspends (£50k) service estimates to the Corporate Policy and Resources Committee and to the Council.
- A44 To monitor the spending of any carry forwards and report to Management Team.

Responsibilities of the Corporate Policy and Resources Committee

- A45 To consider and approve as appropriate the items put forward on the carry forward list.

Responsibilities of Deputy Chief Executives and Group Heads

- A46 Any overspending on service estimates in total on budgets under the control of the Chief Executive, Deputy Chief Executive or Group Heads must be explained to the Chief Finance Officer. The Chief Finance Officer will report the extent of major over and under spendings to the Corporate Policy and Resources Committee and in the case of major overspendings also to the Council.

ACCOUNTING POLICIES

- A47 The Chief Finance Officer is responsible for determining accounting policies and financial systems and ensuring that they are applied consistently. The Chief Finance Officer is responsible for the preparation of the Council's Statement of Accounts, in accordance with proper practices as set out in the format required by the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC) for each financial year ending 31 March, and the Accounts and Audit (England) Regulations 2015.
- A48 The key controls for accounting policies are:
- a) Systems of internal control are in place that ensure financial transactions are lawful;
 - b) Suitable accounting policies are selected and applied consistently;

- c) Proper accounting records are maintained; and
- d) Financial statements are prepared which present fairly the financial position of the Council and its expenditure and income.
- e) External audit of these financial statements.

Responsibilities of the Chief Finance Officer

- A49 To select suitable accounting policies and to ensure that they are applied consistently.
- A50 To exercise supervision over financial and accounting records and systems with a view to ensuring their uniformity, co-ordination and compatibility.
- A51 To prepare and publish reports containing the statements on the overall finances of the Council, including the Council's Annual Report and Accounts.
- A52 To make proper arrangements for the audit of the Council's accounts in accordance with the provisions of the Accounts & Audit Regulations Act 1996 (as amended and updated);
- A53 To prepare and publish the audited accounts in accordance with the statutory timetable for the approval of the Audit Committee before the national target date; and
- A54 To ensure Services have in place suitable arrangements for compiling and submitting all claims for funds, including grants, by the due date.

Responsibilities of the Deputy Chief Executives and Group Heads

- A55 To adhere to the accounting policies and guidelines approved by the Chief Finance Officer.
- A56 To obtain the approval of the Chief Finance Officer before introducing any books, forms or procedures or other records relating to cash, stores or other accounts of the Council which may affect the Council's finances.
- A57 To submit to the Chief Finance Officer any information as the latter considers necessary for accounting and costing purposes and allow the Chief Finance Officer access at all reasonable times to all accounting records and documents which may affect the Council's finances.
- A58 To consult the Chief Finance Officer when preparing publications containing financial information.

ACCOUNTING RECORDS AND RETURNS

- A59 The Chief Finance Officer is responsible for determining the accounting procedures and records for the Council.
- A60 All accounting procedures and records will be approved by the Chief Finance Officer.
- A61 All accounts and accounting records will be compiled by the Chief Finance Officer or under his/her direction. The form and content of records maintained in other services will be approved by the Chief Finance Officer.
- A62 The following principles will apply in accounting procedures:

- a. calculating, checking and recording of sums due to or from the Council will be separated as completely as possible from their collection or payment;
- b. staff responsible for examining and checking cash transaction accounts will not process any of these transactions themselves;
- c. reconciliation procedures are carried out to ensure transactions are correctly recorded;
- d. procedures are in place to enable accounting records to be reconstituted in the event of systems failure; and
- e. prime documents are retained in accordance with legislative and other requirements.

A63 The Chief Finance Officer is responsible for ensuring financial management and accounting information is available for all services administered by the Council, in either electronic or hard copy format.

A64 The need to balance speed and accuracy with cost in producing accounting statements will be considered and determined by the Chief Finance Officer, after consulting the Group Head concerned.

The Annual Statement of Accounts

A65 The Audit Committee is responsible for approving the annual statement of accounts, which have to be signed by the Chief Finance Officer and the Chairman of the Audit Committee. The Chair of Corporate Policy and Resources Committee and Chief Executive also to sign off the Annual Governance Statement incorporated into the Statement of Accounts

FINANCIAL REGULATION B: FINANCIAL PLANNING

B1 The Council is responsible for agreeing the Council's policy framework and budget, which will be proposed by the Corporate Policy and Resources Committee. . In terms of financial planning, the key elements are:

- the corporate strategy in the form of the Corporate Plan;
- service plans;
- the medium term financial strategy;
- the Outline Budget;
- the Revenue Budget;
- the Reserves Strategy
- Treasury Management Strategy
- the Capital Strategy and
- the Capital Programme.

THE BUDGET PROCESS

Introduction

B2 Each year, the Chief Finance Officer and Chief Accountant will prepare timetables for the preparation, submission and approval of the Outline Budget, Capital Budget and detailed Revenue Budget. These budgets will comply with the Code of Practice on a Prudential Approach to Local Authority Commitments.

B3 The order of paragraphs in this section roughly follows the order in which the budget process is carried out.

Capital Programme

B4 The Chief Executive, and Deputy Chief Executives will prepare provisional estimates of income and expenditure on capital schemes for each of their services, for each of the next four financial years, together with details of any revenue implications. The Chief Finance Officer will specify the form these estimates should take and the timetable for their submission.

B5 Capital expenditure differs from revenue expenditure in several ways, and falls into the following general categories:

- a) purchase or construction of an asset;
- b) enhancement of an asset; and
- c) grants for capital purposes.

B6 Council assets include land, buildings, vehicles, plant and equipment. The Council makes grants for capital purposes such as improvement grants and grants to housing associations which are classed as capital expenditure.

B7 Capital expenditure is often of high value and the benefit is expected to be spread over a number of years. Revenue expenditure is the annual running costs in relation to the provision of a service.

- B8 Provisional estimates will distinguish between committed and uncommitted expenditure. A scheme can only be included in provisional estimates after detailed evaluation by Management Team in accordance with agreed criteria.
- B9 Management Team will consider the provisional capital programme. After making any necessary amendments, the Chief Finance Officer will submit the summarised programme and estimated resources to the the Corporate Policy and Resources Committee, together with a report on the revenue implications of the programme and any other relevant information.
- B10 The programme recommended by services and a report by the Chief Finance Officer will be submitted to the Corporate Policy and Resources Committee, for final consideration in the context of the Council Tax to be levied.

Outline Budget Forecast

- B11 Management Team will prepare information needed to produce an Outline Budget Forecast for each of their services. The Chief Finance Officer will specify the form this Forecast should take and the timetable for its submission.
- B12 This information will include :-
- i. an indication of the continued need for the service at its current level and in its current form;
 - ii. the impact on the service of known or likely legal or contractual changes over the next four years;
 - iii. the impact over the next four years of any policy changes already approved by the Management Team
 - iv. The impact other changes on service levels and net income such as anticipated population growth, state of the economy

- B13 Management Team will consider the initial Outline Budget Forecast. After making any necessary amendments, the Chief Finance Officer will submit it to the Corporate Policy and Resources Committee, together with a report on the possible central government funding levels as set out in the Local Authorities Provisional Settlement ,other grant funding and anticipated retained business rates income, availability of reserves and implications for the Council Tax.
- B14 The Corporate Policy and Resources Committee will consider this and determine the overall level of resources to be made available, and the limits within which detailed budgets can be prepared.

Detailed Revenue Budget

- B15 Management Team will prepare provisional detailed estimates of income and expenditure on the revenue account in accordance with the Corporate Plan for each of their services for the next financial year. The Chief Finance Officer will specify the form these estimates should take and the timetable for their submission.
- B16 These estimates will reflect the Outline Budget Forecast and the decisions of the Corporate Policy and Resources Committee detailed at paragraph B13 above.
- B17 All revenue budgets will be prepared at current costs, and converted to outturn prices by Financial Services. The forecast for inflation will be decided by the Chief Finance Officer.

- B18 Each budget head will be cash limited, and any minor variations in spending will be met from the approved budget. A budget head is an individual sum specified in the published service budget.
- B19 The Chief Finance Officer will submit the detailed draft Revenue Budget to Management Team for consideration and approval and subsequently submit it to the Corporate Policy and Resources Committee.

Approval of the Annual Revenue Budget

- B20 By 1 March at the latest each year, the Corporate Policy and Resources Committee will submit to the Council estimates of income and expenditure on the revenue account which it recommends for the next financial year, together with statements of precepting authorities' requirements, and its recommendation for the Council Tax necessary to meet the expenses of both the Council and precepting authorities.
- B21 The Council will meet by 1 March each year to consider the total budget proposals submitted by the Corporate Policy and Resources Committee and decide the amount of Council Tax to be levied for the next financial year.
- B22 Once approved by the Council, amounts detailed in the Annual Budget may only be applied to the objects specified under their relevant budget head, or "voted". See paragraph A31 above for procedures to vary these approvals.

BUDGETARY CONTROL

- B23 Budgetary control ensures that once budget has been approved by the Council, resources allocated are used for their intended purposes and are properly accounted for. Budgetary control is a continuous process, enabling the Council to review and adjust its budget targets during the financial year. It also provides the mechanism that calls to account managers responsible for defined elements of the budget.

CAPITAL

Authorisation of Capital Expenditure

- B24 Capital expenditure on a scheme not included in estimates or budgets may only be incurred after full evaluation of that scheme by the Corporate Policy and Resources Committee and/or its Development sub-committee (as appropriate) (if under £1 million). Any proposed capital expenditure over £1 million must be evaluated and agreed by majority of Council Members. This will include a statement explaining the scheme's purpose, the need for it and a detailed analysis of capital costs involved. Exceptions are any payments authorised under paragraph A35 above. If the estimated expenditure is expected to cover more than one financial year, the estimate will show:

- i. the total estimated expenditure, and
- ii. the proposed levels of spend for each financial year involved.

This paragraph (B24) shall take priority over any other clause or paragraph within this Constitution that may be, or appear to be, in conflict.

- B25 The scheme evaluation will also include a statement of estimated revenue expenditure and income generated by the scheme:
- (a) during the construction period, and
 - (b) for the first three years following the completion of the project.
- B26 The Deputy Chief Executives can authorise reasonable expenditure on necessary preliminary works, fees and salaries on schemes for which they are responsible, within the approved capital programme.
- B27 Accountability for each capital project is to be accepted by a named manager.

Capital Expenditure Monitoring

- B28 No Group Head responsible for the implementation of a capital scheme may incur capital expenditure greater than the approved budget for that year.
- B29 As soon as a staff member becomes aware of a likely overspend on a Capital Scheme, they must report to Management Team and the Corporate Policy and Resources Committee (as applicable), requesting a supplementary estimate in accordance with A35 and expenditure under A36.
- B30 The Group Head for Neighbourhood Services is authorised to purchase new equipment other than programmed replacements, provided such purchases are contained within Neighbourhood Services' revenue plan as agreed in advance with the Chief Finance Officer.

RESPONSIBILITIES OF THE CHIEF FINANCE OFFICER

- B31 To prepare capital estimates jointly with the Chief Executive, Deputy Chief Executives and Group Heads and to report them to the Corporate Policy and Resources Committee for approval. The Corporate Policy and Resources Committee will make recommendations on the capital estimates and on any associated financing requirements to the Council.
- B32 To prepare and submit reports to the Corporate Policy and Resources Committee on the projected income, expenditure and resources compared with the approved estimates.
- B33 To issue guidance concerning capital schemes and controls, for example on project appraisal techniques.
- B34 To approve the re-phasing of capital schemes within the approved capital programme between financial years, subject to the availability of resources to make the most effective use of those resources.

Responsibilities of Chief Executive, Deputy Chief Executives and Group Heads

- B35 To comply with guidance concerning capital schemes and controls issued by the Chief Finance Officer.
- B36 To ensure that all major capital proposals have undergone a project appraisal in accordance with the Council's project management methodology.
- B37 To ensure that adequate records are maintained for all capital contracts.

- B38 To proceed with projects only when there is adequate provision in the capital programme.
- B39 To prepare and submit reports jointly with the Chief Finance Officer to the Corporate Policy and Resources Committee on any variation in contract costs greater than the approved limits.
- B40 To ensure all credit arrangements such as leasing arrangements, are not entered into without the prior approval of the Chief Finance Officer.

Prudential Code

- B41 Under the Local Government Act 2003 the Council is required by regulation to have regard to the Chartered Institute of Public Finance and Accountancy's (CIPFA) Prudential Code for Capital Finance in Local Authorities (the Code). The key objectives of the Prudential Code are to ensure that within a clear framework, the capital investment plans of local authorities are affordable, prudent and sustainable. A further objective is to ensure that treasury management is undertaken in a manner that supports prudence, affordability and sustainability.
- B42 The Council is responsible for approving prior to the commencement of the financial year the prudential indicators for the forthcoming financial year and at least the two subsequent financial years required by the Code. The indicators required as a minimum are:

For the three year period:

Estimates of the ratio of financing costs to net revenue stream;
Estimates of the Council Tax that would result from the totality of the authority's plan;
Estimates of capital expenditure;
Estimate of capital financing requirement (underlying need to borrow for a capital purpose);
Authorised limit for external debt;
Operational boundary for external debt; and
aAny locally determined indicators considered appropriate

After the year end actual values are to be calculated for:

Ratio of financing costs to net revenue stream;
Capital expenditure;
Capital financing requirement; and
External debt.

Responsibilities of the Chief Finance Officer

- B43 The Chief Finance Officer is responsible for establishing procedures to both monitor performance against all forward looking prudential indicators and for ensuring that net external borrowing does not exceed the capital financing requirement. The Chief Finance Officer will report to Council any significant deviations from expectations. The Chief Finance Officer will ensure that regular monitoring is undertaken in year against the key measures of affordability and sustainability, by reviewing estimates of financing costs to revenue and the

capital financing requirement. Significant variation in the estimates used to calculate these prudential indicators, for example caused by major overruns of expenditure on projects or not achieving in-year capital receipts, will require a report to Council setting out management action.

REVENUE

Authorisation of Revenue Expenditure

B44 Subject to Financial Regulations, Contract Standing Orders and any other specific limitations, the Chief Executive, and each Deputy Chief Executive is authorised to spend those sums voted to his/her areas of responsibility for the financial year. With the exception of Regulations B47-B52 below, revenue expenditure may only be incurred for purposes specified in the Annual Budget, and is strictly limited to the amounts voted under relevant budget heads.

Key Controls

B45 The key controls for managing budgets are:

There is a nominated budget manager for each cost centre heading;

Budget managers accept accountability for their budgets and the level of service to be delivered and understand their financial responsibilities;

Budget managers follow an approved certification process for all expenditure; and

Income and expenditure are properly accounted for.

Responsibilities of the Chief Finance Officer

B46 To establish an appropriate framework of budgetary management and control that ensures that:

- a) Budget management is exercised within annual cash limits;
- b) Each Deputy Chief Executive and Group Head has available timely information on receipts and payments on each budget which is sufficiently detailed to enable managers to fulfil their budgetary responsibilities;
- c) Ensure each cost centre has a single named Manager determined by the, relevant Deputy Chief Executive or Group Head. As a general principle, budgetary responsibility should be aligned as closely as possible to the decision making processes that commits expenditure;
- d) To be responsible for providing appropriate financial information to enable budgets to be monitored effectively;
- e) To administer the Council's scheme of virement; and
- f) To prepare and submit reports on the Council's projected income and expenditure compared with the budget to Management Team, Group Heads and Corporate Policy and Resources Committee on a regular basis.

Responsibilities of the Chief Executive, Deputy Chief Executives and Group Heads

- B47 The Chief Executive, Deputy Chief Executives are responsible for supervising income and expenditure within their services. Similarly Group Heads are responsible for supervising income and expenditure within their departments.
- B48 To control income and expenditure within their areas and to monitor performance taking account of financial information provided by the Chief Finance Officer. They should take any action necessary to avoid exceeding their budget allocation and alert the Chief Finance Officer to any problems.
- B49 To maintain budgetary control within their services and to ensure that all income and expenditure is properly recorded and accounted for.
- B50 To ensure that spending remains within a services's overall cash limit and that individual budget heads are not overspent by monitoring the budget and taking appropriate corrective action where significant variations from the approved budget are forecast.
- B51 To ensure compliance with the scheme of virement.
- B52 To agree with the relevant Chief Executive, Deputy Chief Executive or Group Head where it appears that a budget proposal, including a virement proposal may impact materially on another service area.

REPORTS WITH FINANCIAL IMPLICATIONS

- B53 The Chief Finance Officer will be consulted on any report on any matter affecting or likely to affect the Council's finances.
- B54 This consultation will take place as early as possible, before any meeting of staff or councillors at which the report is first considered.
- B55 Any Committee report with financial implications will first be submitted to Management Team.

FINANCIAL REGULATION C: CONTROL OF RESOURCES

INTRODUCTION

- C1 It is essential that robust systems are maintained for identifying and evaluating all significant operational risks to the Council on an integrated basis. This includes the active participation of all staff associated with planning and delivering services

Risk management

- C2 Risk Management is the whole process of identifying, and evaluating and controlling the strategic and operational risks of the Council. A risk is the chance or possibility of loss, damage, injury or failure to achieve objectives by an unwanted or uncertain action or event. This includes the risk of 'missed opportunities'.
- C3 As the Council is the custodian of public funds risk management is particularly significant and the level of risk that can be tolerated in its activities will need to be carefully considered with risks and reward carefully evaluated.
- C4 The sections below outline key components of the Council's adopted risk management framework.
- C5 The key controls for risk management are:-
- a) establishing clear roles, responsibilities and reporting lines within the Council for risk management;
 - b) maintaining a clear Corporate Risk Register and Policy;
 - b) incorporating risk management considerations into all operations and decision making processes;
 - c) maintaining documented procedures for the control of risk and the provision of suitable information, training and supervision;
 - d) maintaining an appropriate incident reporting and recording system with investigation procedures to establish cause and prevent recurrence;
 - e) offering a framework for allocating resources to identified priority risk areas;
 - f) operating appropriate project management methodologies proportionate to the scale of projects;
 - g) reinforcing the importance of effective risk management as part of the everyday work of employees by offering training;
 - h) maintaining effective communication and the active involvement of every councillor and employee of the Council;
 - i) including risk management as an agenda item at meetings as appropriate and holding Corporate Risk Management Group meetings;
 - j) providing opportunities for shared learning on risk management across the Council; and
 - k) preparing contingency plans in areas where there is a potential for an occurrence having a catastrophic effect on the Council and its business capability.

- C6 The Chief Finance Officer is responsible for ensuring regular corporate assessments of risk and Group Heads for reviewing risks annually.
- C7 The Chief Finance Officer is responsible for developing specific programmes and procedures for establishing and maintaining risk management activities and to ensure the dispersal of vital information and, where appropriate, provide guidance, interpretation and understanding of the systems involved.
- C8 The Chief Finance Officer has implemented a risk management structure involving the Management Team, a Corporate Risk Management Group, Internal Audit and Group Heads to support his/her responsibilities.
- C9 Group Heads will take responsibility for risk management in their department having regard to advice from the Chief Finance Officer and other specialist staff (e.g. health and safety, internal audit).

INSURANCE

- C10 The Chief Finance Officer will arrange all insurance cover, keep a register of insurances and ensure the Council's insurance arrangements are reviewed each year.
- C11 Before the annual renewal of insurance cover, the Chief Finance Officer will provide the Deputy Chief Executives as necessary with a summary of all current insurances to check and review their adequacy.
- C12 Each Group Head will provide the Chief Finance Officer immediately with details of all new risks to be insured, and of any alterations affecting existing insurable risks.
- C13 Each Deputy Chief Executive will forward any new or renewal contract terms to the Chief Finance Officer for risk analysis before any contract is let and appropriate insurance cover arranged.
- C14 Each Deputy Chief Executive will ensure that any proposals for new buildings or alterations to existing buildings are copied to the Chief Finance Officer before any tenders are requested, for risk analysis and arrangement of appropriate insurance cover.
- C15 The appointment of insurance brokers to act on behalf of the Council will be reviewed every three years by the Chief Finance Officer.
- C16 Any event which may result in an insurance claim will be immediately notified to the Chief Finance Officer, to make all claims on the Council's Insurers. Where an incident has occurred Group Heads must take steps to mitigate any future incident, but where a repair is required should first take a photograph for evidence purposes.
- C17 No staff member will admit liability, take any action or enter into any correspondence admitting liability on behalf of the Council.
- C18 All staff and voluntary workers on Council business are included in a suitable fidelity guarantee policy.

Internal control

- C19 Internal Control is a key component in the Council's Risk Management process. It relates to the whole system of policies, processes and checks employed to mitigate risks.
- C20 Internal control refers to the systems of control to ensure that the Council's objectives are achieved in a manner which promotes economical, efficient and effective use of resources, that the Council's assets and interests are safeguarded, and that organisational goals will be achieved.
- C21 The Chief Finance Officer is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use.
- C22 It is the responsibility of Group Heads to establish sound arrangements for planning, appraising, authorising and controlling their operations in order to control risks.

Internal Audit requirements

- C23 The authority of the Internal Audit function is derived from legislation and for local authorities this is implied by Section 151 of the Local Government Act 1972, which requires that authorities shall *'make arrangements for the proper administration of their financial affairs and shall ensure that one of their officers has responsibility for the administration of those affairs'*.

The Accounts and Audit (England) Regulations 2015 more specifically state *'A local government body shall maintain an adequate and effective system of internal audit of its accounting records and of its system of internal control in accordance with proper practices in relation to internal control'*.

All audit work must be conducted in accordance with the Public Sector Internal Audit Standards.

- C24 Significant issues arising from audit reports will be reported to the relevant Deputy Chief Executive, and periodic reports will be made to Management Team and the Audit Committee.
- C25 The Chief Finance Officer and the Internal Audit Manager or their authorised representatives shall have authority where necessary in the performance of Council duties to:
- enter any Council premises or land in the occupation of the Council;
 - have access to all records, documents and correspondence relating to any financial and other transaction of the Council;

- require and receive oral or written explanations from any employee as he/she thinks necessary concerning any matter under examination; and
- require any employee of the Council to produce cash, stores or any other Council property under his/her control.

C26 The Audit Committee is to approve the annual audit plan prepared by the Internal Audit Manager to take account of the characteristics and relative risks of the activities involved.

C27 Any suspected fraud or irregularity must be reported to the Chief Finance Officer who will refer the matter to Internal Audit for investigation.

Internal Audit will have organisational independence through direct reporting lines to the Section 151 Officer, the Chief Executive and Audit Committee.

The Audit Committee will approve the Annual Governance Statement

Responsibilities of Chief Executive, Deputy Chief Executives and Group Heads

C28 To ensure that internal auditors are given access at all reasonable times to premises, personnel, documents and assets which the auditors consider necessary for their work.

C29 To ensure that auditors are given any information and explanations they seek in the course of their work.

C30 To consider and respond promptly to recommendations in audit reports.

C31 To ensure that any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.

C32 To ensure that new systems for maintaining financial records, or records of assets, or changes to such systems, are discussed with and agreed by the Internal Audit Manager before implementation.

C33 The Council may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenue and Customs who have statutory rights of access.

Preventing fraud and corruption

C34 The Council is a public body and therefore will not tolerate any fraud and corruption in the administration of its responsibilities, whether from inside or outside the authority. All councillors and employees are expected to lead by example on all aspects of honesty, propriety and accountability. The Council also expects that individuals and organisations with whom it comes into contact (e.g. suppliers, contractors, service providers, and partners) will act towards the authority with integrity.

- C35 The Council's Anti-fraud, Bribery and Corruption policy sets the culture for the organisation to address the risk of fraud and corruption, and summarises the methods of prevention, detection and investigation in place.
- C36 All managers are responsible for developing and maintaining procedures to prevent fraud and corruption.

FINANCIAL IRREGULARITIES

- C37 The Chief Finance Officer will be notified of any irregularity in the financial affairs of the Council or in the exercise of its functions.
- C38 Irregularities will be reported as appropriate to the Chief Executive and councillors.
- C39 Any councillor or staff member who is aware of any suspected fraud, theft, irregularity, improper use or misappropriation of the Council's property, resources or systems, should immediately report it to their Group Head, Chief Finance Officer, Internal Audit Manager, Chief Executive, Deputy Chief Executives, Monitoring Officer or External Auditor, having regard to the Council's Anti-Fraud, Bribery and Corruption Policy. Pending investigation and reporting, the Group Head should take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration
- C40 If officers feel they cannot raise their concerns through any of these routes, they may contact Protect (0203 117 2520), a registered charity whose services are free and strictly confidential.
- C41 Where irregularities involve either councillors or staff the Chief Finance Officer, in consultation with the Chief Executive, is responsible for deciding whether to involve the police.

Assets

- C42 Group Heads must ensure that records and assets are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.
- C43 Separate registers are maintained for the following fixed assets:
- land and buildings (maintained on the Property Terrier);
 - vehicles and plant;
 - ICT equipment
 - furniture and equipment financed from capital; and
 - infrastructure expenditure.
- C 44 It would be uneconomic and inefficient for the cost of assets to outweigh their benefits. Obsolete, non-repairable or unnecessary resources should be disposed of in accordance with the law and the approval of the Deputy Chief Executives.

- C45 If the Council decides to become involved in the commercial exploitation of inventions, the matter should proceed in accordance with its approved intellectual property procedures.

SECURITY

General

- C46 The Deputy Chief Executives, along with the Group Heads, are responsible for the security of buildings, stocks, stores, furniture, equipment, cash etc under their control. The Chief Finance Officer will be consulted where security may be failing or where special security arrangements may be needed.

Data Protection and Information Security

- C47 The Chief Executive, and Deputy Chief Executives are responsible for the security and privacy of information held within their services and for ensuring compliance with Data Protection, Copyright and Computer Misuse Acts.
- C48 All staff members will be made aware of their obligations under the Acts and the Council's policy regarding data and systems security as set out in the Finance Procedure Manual and on Spelnet. This includes physical security, privacy and passwords, back ups, viruses and software copyright.

Responsibilities of the Chief Finance Officer

- C49 The Chief Finance Officer is responsible through the Group Head for Regeneration and Growth, for strategic management and maintenance issues.
- C50 The Chief Finance Officer is responsible in liaison with Accountancy, ICT Services and Asset Management for maintaining the Council's Asset Register.
- C51 To ensure that asset registers are maintained in accordance with good practice for fixed assets. The function of asset registers is to provide the Council with information about fixed assets so that they are:
- safeguarded;
 - used efficiently and effectively; and
 - adequately maintained.

To ensure that assets are valued in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC).

- C52 To report to the Corporate Policy and Resources Committee any significant (over £50k) write-off of stocks and stores.

Responsibilities of Chief Executive, and Deputy Chief Executives

C53 The Chief Executive, Deputy Chief Executives and Group Heads are responsible for day to day management of assets used within their services and are accountable for ad hoc maintenance.

Responsibilities of Group Heads

C54 The Group Head for Regeneration and Growth must maintain an Asset Register in a form approved by the Chief Finance Officer for all land and buildings. The Group Head for Neighbourhood Services is to maintain asset registers in a form approved by the Chief Finance Officer for vehicles and plant currently owned or used by the Council. The Group Head for Commissioning and Transformation to maintain an asset register of all ICT equipment in a form approved by the Chief Finance Officer. Any use of property by a department or establishment other than for direct service delivery, with the exception of investment properties, should be supported by documentation identifying terms, responsibilities and duration of the use.

C55 The Group Head for Neighbourhood Services is responsible for organising ad hoc maintenance of Neighbourhood Services' assets.

C56 Group Heads are to ensure the proper security of all buildings and other assets under their control. Investment property let to third parties is their responsibility to secure.

C57 To pass the title deeds to the Group Head of Corporate Governance, who is responsible for custody of all title deeds.

C58 To ensure that the department maintains an inventory of moveable assets in accordance with guidance defined by the Chief Finance Officer.

C59 To ensure that controls are in place to ensure that staff members do not carry out private work in Council time and that staff are aware of an employer's rights with regard to intellectual property.

All assets

C60 To ensure the safe custody of vehicles, equipment, furniture, stock, stores and other property belonging to the Council.

C61 To record all disposal or part exchange of assets and notify the Finance team. Individual assets valued at £1,200 or more should be disposed of or part exchanged by competitive tender or public auction unless the Chief Finance Officer agrees otherwise.

C62 To arrange for the valuation of assets for accounting purposes to meet requirements specified by the Chief Finance Officer.

- C63 To seek advice from the relevant Deputy Chief Executive, or Chief Executive on the disposal of surplus or obsolete materials, stores or equipment, subject to paragraph C61 above.
- C64 To ensure that income received for disposal of an asset is properly banked and coded.
- C65 Assets for disposal should be identified and disposed of:
- a) at the most appropriate time;
 - b) when it is in the Council's best interests; and
 - c) for the best price (taking into account factors such as environmental issues).

Land, buildings and other assets

- C66 To ensure that leaseholders and other prospective occupiers of Council land are not allowed to take possession of or enter the land until a lease or agreement, in a form approved by the relevant Deputy Chief Executive, has been established as appropriate.

Moveable assets

- C67 To ensure that assets are identified, their location recorded and that they are appropriately marked.
- C68 The Deputy Chief Executives and Group Heads are responsible for all furniture and equipment in their departments. Wherever practicable, items will be marked as the property of the Council.
- C69 A central inventory of all furniture, fittings and equipment, plant and machinery will be maintained by the Group Head of Regeneration and Growth , with each Service providing details of all acquisitions and disposals. Services are to liaise with the Finance team
- C70 Council property may not be removed unless on Council business and with the written agreement of the Chief Executive, or Deputy Chief Executive concerned.
- C71 All items on the inventory will be checked annually by Group Heads, and any discrepancies reported to the Chief Finance Officer. As part of the annual check services are to review the condition of assets and take action in relation to surpluses or deficiencies, annotating the inventory accordingly. Attractive and portable items such as laptops, computer equipment, cameras and recording equipment should be identified with security markings as belonging to the Council.
- C72 The Chief Finance Officer will approve write-off of discrepancies, except where the authority of the Corporate Policy and Resources Committee is required under paragraphs D20 to D22 below.
- C73 The Deputy Chief Executives and Group Head for Neighbourhood Services may authorise the disposal of furniture and equipment with an estimated market value of up to £1,200 (per item or collectively). The Chief Finance Officer will approve disposal of more valuable items in writing.

- C74 To make sure that property is only used in the course of the Council's business unless the Chief Executive, or Deputy Chief Executive concerned has given permission otherwise.

Stocks and stores

- C75 The Chief Executive, Deputy Chief Executives and the Group Head for Neighbourhood Services are responsible for all stores held in their services. Wherever practicable, all items will be effectively marked as the property of the Council.
- C76 Stores held will not exceed reasonable requirements.
- C77 All goods received will be checked against the copy order at time of delivery and the supplier immediately notified of rejected goods.
- C78 All receipts, issues and balance of stock items will be properly recorded in a form agreed by the Chief Finance Officer.
- C79 The Chief Executive, Deputy Chief Executives and the Group Head for Neighbourhood Services will regularly check that items are accounted for, and arrange for continuous and independent stocktaking to be carried out. Any material shortfalls will be reported to the Chief Finance Officer. The Chief Executive, Deputy Chief Executives and the Group Head Neighbourhood Services will also arrange for stocktakes and the provision of signed stock certificates as at 31 March each year, as good management and to satisfy external audit requirements.
- C80 The write-off of shortfalls will be approved in writing by the Chief Finance Officer, except where the authority of the Policy and Resources Committee is required under paragraphs D20 to D22 below
- C81 The Deputy Chief Executives and Group Head for Neighbourhood Services may authorise the disposal of stores with an estimated market value of up to £1,200 (per item or collectively). The Chief Finance Officer will approve disposal of more valuable items in writing.
- C82 Where the disposal value is less than £1,200, the Group Head must dispose of the item in a fair and effective manner and keep a record of the disposal.
- C83 Procedures for disposal of such stocks and equipment where their value is over £1,200 should be by competitive quotations or auction unless the Chief Finance Officer advises otherwise in a particular case.

Cash

- C84 Maximum limits for cash holdings will be agreed with the Chief Finance Officer and not exceeded without their permission. Group Heads are to ensure cash holdings on premises are kept within the agreed limits. Group Heads to ensure that keys to safes and similar receptacles are carried on the person of those responsible whilst the site is occupied and removed from the premises when the site is unoccupied and to ensure that access codes, combinations and passwords remain confidential and are made available to the Finance team.

TREASURY MANAGEMENT

- C85 Treasury Management covers all activities associated with any monies borrowed (Loans) or invested (Investments) on behalf of the Council irrespective of the time period covered by the transactions. It also embraces the management and control of the Council's banking arrangements.
- C86 The Council has adopted CIPFA's "Code of Practice for Treasury Management in Local Authorities".
- C87 A Treasury Policy Statement setting out its strategy and procedures has been adopted by the Council, and its implementation and monitoring delegated to the Corporate Policy and Resources Committee.
- C88 All money (as defined in the Treasury Policy Statement) in the hands of the Council will be aggregated for the purposes of Treasury Management and be under the control of the Chief Finance Officer as the officer designated for the purposes of Section 151 of the Local Government Act, 1972.
- C89 The Chief Finance Officer is responsible for reporting to the Council a proposed treasury management and annual investment strategy for the coming financial year at or before the start of each financial year. The report will set out the proposed levels for the prudential treasury management indicators required by the CIPFA Prudential Code for Capital Finance in Local Authorities.
- C90 All executive decisions on borrowing, investment or financing will be delegated to the Chief Finance Officer, who is required to act in accordance with CIPFA's "Code of Practice for Treasury Management in Local Authorities", the Treasury Policy Statement and Systems Documentation.
- C91 All investments of the Council's funds will be made in the name of the Council by the Chief Finance Officer, unless the Council has authorised its investments to be made by an outside agent, when they should be in the name of Trustees for the Council.
- C92 All loans to the Council will be negotiated by the Chief Finance Officer and paid direct by the lender or his agent into the Council's bank account.
- C93 All stocks of interim loan receipts, temporary loan receipts and bond certificates will be controlled by the Chief Finance Officer.
- C94 The Chief Finance Officer is the only primary authorised signatory to any form of loan receipts, including such receipts issued under seal.
- C95 Repayment of loans will, wherever possible, be made through the head office of the Council's bankers in exchange for the original loan receipt.
- C96 The Chief Finance Officer is authorised to borrow temporarily pending receipt of money from Business Rates, loans, Council Tax, Government Grants and other income properly due to the Council, within the limit agreed by the Council each year.
- C97 The Chief Finance Officer will report to the Corporate Policy and Resources Committee twice each financial year on the activities of the Treasury

Management operation, and on the exercise of Treasury Management powers delegated to him/her. One of these reports will be an Annual Report on Treasury Management to be presented by 30 September of the succeeding financial year.

BANKING ARRANGEMENTS

- C98 The Chief Finance Officer is responsible for operating and supervising the Council's Bank and Giro Accounts, including ordering, custody and issue of all cheques. The Chief Finance Officer will review the Council's banking arrangements at least every 5 years.
- C99 The Chief Finance Officer, the Deputy Chief Finance Officer and the 1st signatory, and others approved in writing by the Chief Finance Officer, each have authority, in accordance with the mandate given to the bank, to sign cheques and be accepted as satisfactory signatories for any other purpose in connection with the Council's Bank and Giro Accounts.
- C100 All payment instructions for amounts of £21,000 and above require two authorising signatures, namely, the Chief Finance Officer or the Deputy Chief Finance Officer as the 1st signatory, and others approved in writing by the Chief Finance Officer as the 2nd signatory.
- C107 Where the Chief Finance Officer's signature or name, or that of his/her predecessor, is pre-printed on cheques or Giro-cheques, or is printed by computer or by cheque signing machine, adequate security arrangements will be made for the custody and control of both cheques and signature plates.
- C101 All banking accounts will be reconciled with the cash book each month.

PETTY CASH ACCOUNTS

- C102 When there is no easy access to the Cashiers at the Council offices, the Chief Finance Officer will advance petty cash balances to responsible staff members. An account of total petty cash spent with vouchers, certified by the Chief Executive, Deputy Chief Executives or person authorised by them, will be passed to the Chief Finance Officer for reimbursement. The petty cash account will be kept in a form and manner agreed by the Chief Finance Officer.
- C103 Use of petty cash will be kept to a minimum and limited to expenses which are unavoidably or conveniently payable in this manner. They will not include items over £30 unless agreed by the Chief Finance Officer.
- C104 Income received on behalf of the Council will not be paid into a petty cash account, but paid to the Council in accordance with paragraphs D8 –D19 below.
- C105 Officers responsible for petty cash accounts will give the Chief Finance Officer an annual certificate for each account balance by 15 April.
- C106 On returning a petty cash account, a staff member will account to the Chief Finance Officer for the amount advanced to them.
- C107 Petty cash and other floats will be available for inspection by audit.

Credit Cards

C108 Maximum limits for credit card facilities will be agreed by the Chief Finance Officer and these will not be exceeded without their permission. Group Heads and Service Managers are to authorise the monthly expenditure incurred by their staff who are authorised credit card users. No personal expenditure is to be incurred on an authorised council credit card and it is the responsibility of the authorised card holder to keep PIN numbers safe and immediately advise their manager and credit card provider if the card becomes cloned or lost.

Unofficial Funds

C109 Management Team is responsible for ensuring the proper administration of unofficial funds, that is any funds associated with Council business, supervised or managed by Council staff, but not part of the Council's funds, such as social funds in Day Centres.

C110 The Chief Finance Officer will be notified of any unofficial funds and give advice on keeping and auditing them.

C111 Any staff member holding unofficial funds will produce an accurate account in writing of all financial transactions, with associated supporting documentation.

PROTECTION OF PRIVATE PROPERTY IN THE TEMPORARY CUSTODY OF THE AUTHORITY/LOST PROPERTY

C112 The Chief Executive, and Deputy Chief Executives will ensure that details of any lost property is recorded before removal, that two officers certify the accuracy of the record, and that items are held securely until disposal.

C113 The Chief Executive, and Deputy Chief Executives will obtain proof of ownership prior to release of property.

C114 The Chief Executive, and Deputy Chief Executives will agree how to dispose of unclaimed items with the Chief Finance Officer.

SALARIES AND WAGES

C115 The Chief Finance Officer is responsible for the payment of all salaries, wages, compensation and any other sums to current and former employees.

C116 The Chief Executive, and Deputy Chief Executives will notify the Chief Finance Officer immediately of all appointments, resignations, or any other events affecting terms of employment or pay, including all sick absences, accidents on or off duty, or special leave without pay.

C117 Where required, time sheets in a form approved by the Chief Finance Officer will:-

- (a) be completed by the employees themselves unless illiterate, when the supervisor will complete them, with a note of the circumstances;
- (b) be certified by the appropriate supervisor unless otherwise agreed by the Chief Finance Officer; and
- (c) be forwarded to the Chief Finance Officer at a time agreed by him.

C118 Claims for expenses will be in a form approved by the Chief Finance Officer and signed by the Chief Executive, or Deputy Chief Executive concerned or their nominated staff member, to certify their accuracy and reasonableness. Claims must be submitted within seven days of the end of the month in which the expenditure was incurred.

CODE OF CONDUCT FOR EMPLOYEES

C119 The Staff Code of Conduct (Part 5b of this Constitution) applies to and will be followed by all staff members. It covers:

Standards, disclosure of information, political neutrality, relationships, appointments and other employment matters, outside commitments, personal interests, equality issues, separation of roles during tendering, sponsorship, gifts and hospitalit, and use of financial resources.

Financial Regulation D – Systems and Procedures

- D1 Sound systems and procedures are essential to an effective framework of accountability and control.

General

- D2 The Chief Finance Officer is responsible for the operation of the Council's IT systems for financial and business-related purposes, for accounting systems, the form of accounts and the supporting financial records. Any changes made to the existing financial systems or the establishment of new systems must be approved by the Chief Finance Officer. However, Group Heads are responsible for the proper operation of financial processes in their own departments.
- D3 Any changes to agreed procedures by Group Heads to meet their own specific service needs should be agreed with the Chief Finance Officer.
- D4 Group Heads should ensure that their staff receive relevant financial training which has been approved by the Chief Finance Officer.
- D5 Group Heads must ensure that, where appropriate, details of system containing personal data are provided to the Data Protection Officer so that where applicable they are registered in accordance with Data Protection legislation.
- D6 Group Heads must ensure that staff are aware of their responsibilities under the freedom of information legislation and comply with guidance issued by the Group Head of Commissioning and Transformation or the Group Head of Corporate Governance.

Income and expenditure

- D7 It is the responsibility of Group Heads to ensure that a proper scheme of delegation has been established within their area and is operating effectively. The scheme of delegation should identify staff members authorised to act on the Group Heads' behalf in respect of payments, income collection and for placing orders together with the limits of their authority.

The Chief Finance Officer is responsible for specifying the procedure to be followed in ordering, making payments, collecting income and approving procedures for writing off debts as part of the overall control framework of accountability and control.

INCOME

Setting Fees and Charges

- D8 Fees and charges will be reviewed at least annually as part of the budget setting process.

- D9 Any changes or new charges will be agreed by the Corporate Policy and Resources Committee or the Chief Executive or Deputy Chief Executives, as set out in the constitution.

Invoicing and Collection of Income Due

Responsibilities of the Chief Finance Officer

- D10 The Chief Finance Officer is responsible for agreeing arrangements for the collection of all income due to the Council and approving the procedures, systems and documentation for its collection.
- D11 All receipt forms, books, tickets and similar items will be ordered and supplied to Services by the Chief Finance Officer.
- D12 The Chief Finance Officer is responsible for paying all monies received into the Council's bank, normally not later than the next business day.
- D13 To approve all debts to be written-off in accordance with the scheme of delegation.

Responsibilities of Chief Executive, Deputy Chief Executives, and Group Heads

- D14 The Chief Executive, or each of the Deputy Chief Executives will provide the Chief Finance Officer with details of all amounts due.
- D15 All monies received by a staff member on behalf of the Council will be paid without delay to the Chief Finance Officer as follows, unless direct deposit with the Council's bankers is arranged.
- Cash – daily
cheques exceeding £1,000 – daily
cheques not exceeding £1000 – within 3 days
- All cheques and postal orders received in any part of the Council will be crossed with "Account Borough of Spelthorne".
- D16 Every sum received by a member of Council staff will be immediately acknowledged by the issue of an official receipt, ticket or voucher, except for cheques where the Chief Finance Officer may agree other arrangements.
- D17 Every transfer of official money from one staff member to another will be immediately acknowledged by the issue of a receipt or, where appropriate, by signature in a cash accounting record.
- D18 The Chief Finance Officer shall be notified of contracts, leases and other agreements and arrangements entered into which involve the receipt of money by the Council.
- D19 The Chief Executive, Deputy Chief Executives and Group Heads will notify the Chief Finance Officer of all income due before the end of the financial year but not yet invoiced, in accordance with the closure timetable prepared each year by the Chief Finance Officer.

WRITE-OFFS OF INCOME, STOCKS, FURNITURE AND EQUIPMENT

- D20 The Chief Finance Officer may write off income or physical items with a value not exceeding £5,000 or unlimited where there is bankruptcy, liquidation proceedings, administration or receivership proceedings have been instigated.
- D21 Group Heads and the Deputy Group Head for Customer Services and Deputy Chief Executive (Chief Finance Officer) may write off debts for individual outstanding balances up to the following values:
- Council Tax to the value of £5,000
 - Business Rates to the value of £9,000
 - Housing Benefits to the value of £5,000
 - Sales Ledger to the value of £3,000
- D22 An up to date record of all income written-off will be maintained by the Chief Finance Officer, and an independent reconciliation of write-off sums to approved lists for write-off will be made periodically.

SPONSORSHIP

- D23 Where an outside organisation wishes to sponsor or is asked to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts and hospitality applies, as detailed in the Code of Conduct for Employees.
- D24 A Gifts, Hospitality and Sponsorship Register is maintained by Corporate Governance, where details of any sponsorship accepted by staff on behalf of the authority will be entered.

ORDERS FOR WORKS, GOODS AND SERVICES

Responsibilities of the Chief Finance Officer

- D25 The Chief Finance Officer will approve the form and control of all official orders.

Responsibilities of Chief Executive, Deputy Chief Executives and Group Heads

- D27 The Chief Executive, Deputy Chief Executives and Group Heads are responsible for the control and use of official orders in their respective services.
- D28 The Chief Finance Officer will be notified in writing of staff authorised to issue orders on behalf of the Chief Executive and Deputy Chief Executives, with specimen signatures and details of authority limits, in accordance with the delegations approved under paragraphs A20-A23 above. Group Heads are to ensure that their department reviews periodically a list of staff members approved to authorise invoices.
- D29 All orders will be issued through the financial system except in agreed circumstances, such as for supplies of gas and electricity services, petty cash purchases or where a formal contract is to be prepared.

- D30 If it is not practicable to issue an official order when an order is placed, one will be completed immediately afterwards by the staff member placing the order, and marked "Confirmation of telephone or verbal order"
- D31 Wherever possible the Council will seek to transmit to suppliers by electronic means official purchase orders.
- D32 Official orders will be goods receipted by the staff member responsible for the works or receiving goods. It is important to provide separation of duties between staff raising and goods receipting orders. The Chief Finance Officer will agree accounts to evidence of receipt before making payment.
- D33 As a general principle and subject to Contract Standing Orders, all purchases will be open to competition wherever reasonable and cost effective.

PAYMENT OF ACCOUNTS

Responsibilities of the Chief Finance Officer

- D34 The Chief Finance Officer is responsible for examining, verifying and certifying invoices and any other payment vouchers or accounts through the financial system. Any exceptions will be returned to originating officers for certification. Details of staff members authorised to sign such records will be sent to the Chief Finance Officer by the Chief Executive and each Deputy Chief Executive, together with specimen signatures and authority limits, in accordance with the delegations described at paragraphs A18-A21 above.
- D35 To ensure that all payments for works, goods, and services are made within the statutory 30 days (Late Payment of Commercial Debts (Interest) Act 1988) unless any other terms or conditions have been agreed in writing. Any interest incurred under that act will be recharged to the cost centre of the original payment.
- D36 The Chief Finance Officer will pay accounts due at set intervals, usually not less than once every week.
- D37 A register of periodical payments will be maintained by the Chief Finance Officer for control and monitoring purposes.

Responsibilities of Chief Executive, Deputy Chief Executives and Group Heads

- D38 The certifying officer will ensure:
- (a) the work, goods or services to which the account relates have been received, carried out, examined and approved;
 - (b) the prices, extensions, calculations, trade discounts, other allowances, credits and tax are correct and agree with the official order or contract;
 - (c) the relevant expenditure has been properly incurred and is within the relevant budget;
 - (d) appropriate entries have been made in inventories, stores records or other records as required;
 - (e) the account has not been previously passed for payment and is a proper liability of the Council; and

- (f) the correct expenditure code has been inserted in respect of each item.

- D39 For purchase of land or property, details of the purchase, the name of the vendor and the purchase price and acquisition expenses will be given in a statement for certification by the Chief Executive. Full details of such purchases will be entered in the official Asset Register, to be kept by the Chief Finance Officer.
- D40 The Chief Executive, and Deputy Chief Executives will notify the Chief Finance Officer of all outstanding expenditure relating to the previous financial year in accordance with the agreed closure timetable prepared each year by the Chief Finance Officer .
- D41 Group Heads are to ensure that invoices are passed for payment promptly to ensure they can be paid within 30 days.

CONTRACTS FOR BUILDING, CONSTRUCTION OR ENGINEERING WORK, ASSOCIATED MAINTENANCE CONTRACTS AND EMPLOYMENT OF CONSULTANTS

Contract Standing Orders

- D42 The Chief Executive, and Deputy Chief Executives will ensure compliance with the Council's Contract Standing Orders.

Tenders

- D43 The Chief Finance Officer will investigate the financial status of tenderers as necessary.
- D44 No contract will be entered into unless the Chief Executive, or relevant Deputy Chief Executive is confident of the tenderer's ability to complete the contract.
- D45 The Chief Executive, and Deputy Chief Executives will provide the Chief Finance Officer and the Corporate Procurement Manager with details of all contracts for entry into the contracts register.

Contract Register

- D46 The Chief Finance Officer will maintain an online up to date register of all contracts with a total value of more than £5,000. Purchase orders which have been properly authorised in accordance with the Contract Standing Orders, will not for this purpose constitute contracts.
- D47 The Deputy Chief Executives and Group Heads will be responsible for notifying the Chief Finance Officer and the Corporate Procurement Manager with details of all new contracts and forthcoming contracts necessary to enable the register to be maintained.

Contract Payments

- D48 Payments on account to contractors will only be made on a certificate issued by the supervising officer and signed by the relevant Group Head.
- D49 The payment certificate will show the total amount of the contract, the sum paid to date, the instalment certified, the balance remaining, the retention monies, and Value Added Tax (VAT).

- D50 The Chief Executive, or Deputy Chief Executive concerned is responsible for obtaining all necessary sub-contractors' tax certificates and forwarding them to the Chief Finance Officer prior to payment.
- D51 Under the Inland Revenue Construction Industry Scheme (IR14/15(CIS)) introduced 1 August 1999, payments cannot be made to sub-contractors unless a tax certificate has been obtained.

Variations

- D52 Where practical changes are necessary which do not alter the essential nature of the original contract, as opposed to additional works, goods or service, the Chief Executive, or relevant Deputy Chief Executive may approve such variations after consultation with the Chief Finance Officer, provided the cost of the proposed variation can be met from within the total budget approved for the contract and such variation also accords to the procedures in Contract Standing Orders.
- D53 Where the approved budget would be exceeded, approval for any variation must be obtained in accordance with the provisions for amendments to budgets within these regulations.
- D54 The reasons for and details, including cost, of every variation must be recorded on the relevant contract file, specifically authorised in writing by the supervising officer and endorsed by the Chief Executive or appropriate Deputy Chief Executive, and a copy supplied to the Chief Finance Officer at the time of issue.
- D55 Documented variation orders are not required where site instructions are issued for routine repairs under a maintenance contract, such as for park seat repairs, street cleaning or clearance of fly tipping, provided a budget is built into the contract to cover such work.

Final Account

- D56 The final certificate of completion will not be issued until the supervising officer has provided the Chief Finance Officer with a detailed statement of account and all relevant documents required.
- D57 The Chief Finance Officer will examine contract final accounts, make all necessary enquiries and receive any information and explanations he requires to confirm the accuracy of the accounts.
- D58 Claims from contractors for matters not clearly within the terms of any existing contract will be referred to the Group Head of Corporate Governance to consider the Council's legal liability and, where necessary, to the Chief Finance Officer for financial consideration before a settlement is reached.

Agency Arrangements

- D59 As far as practicable, Financial Regulations apply to works entered into on behalf of a body from whom the Council has accepted delegated powers, or for whom the Council acts as an agent. The requirements of any such body should be followed if they differ from these Financial Regulations or Contract Standing Orders.

Consultants

D60 In the case of contracts entered into by the Council and supervised by consultants, any agreement with the latter should include a requirement to comply with the Council's Financial Regulations.

VALUE ADDED TAX (VAT)

D61 The Chief Finance Officer is responsible for maintaining all records, accounts and claims as directed by the Valued Added Tax Act, 1983.

VAT on Payments

D62 The Chief Finance Officer will take reasonable steps to ensure that the payment documentation provided by all suppliers of goods, works, or services conforms to the requirements of a proper VAT invoice.

VAT on Receipts

D63 Each staff member responsible for raising invoices on behalf of the Council will ensure within reason that the Council has complied with relevant Value Added Tax legislation regarding the supply of its services.

Exempt Supplies

D64 For services where VAT supplies are classified as Exempt under VAT regulations, officers will ensure that all activities are fully evaluated for VAT purposes and any tax implications are identified before any expenditure is committed or contractual arrangements made.

D65 The following are usually classified as Exempt activities under VAT rules:

Land & Buildings (unless have opted to tax)	Social Services	Education	Burial & Cremation
Insurance	Finance	Health	

Payments to employees and Councillors and co-opted members

D66 The Chief Finance Officer is responsible for paying all employees and allowances to Councillors and co-opted members.

MEMBERS' ALLOWANCES

D67 The Chief Finance Officer will make payments to any Members or co-opted members entitled to claim allowances on receipt of the proper form, completed and certified in accordance with the Council's scheme for allowances.

Taxation

D68 The Chief Finance Officer is responsible for advising Management Team/Group Heads, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the Council.

D69 The Chief Finance Officer is responsible for maintaining the Council's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

Financial Regulation E – External Arrangements

- E1 The Council provides a distinctive leadership role in the community. As part of the Community Strategy it brings together other local public, private, voluntary and community sector organisations in partnership to address local needs.
- E2 A partner can be an organisation undertaking part funding or participating as a beneficiary in a project, or a body whose nature or status give it a right or obligation to support the project, or a body working on a joint venture with the Council for the delivery or acquisition of services.

Partnerships

- E3 The Corporate Policy and Resources Committee is responsible for approving partnership arrangements with other public, private, voluntary and community sector organisations to address local needs.
- E4 The Council and service committees can delegate functions – including those relating to partnerships – to staff. These are set out in the scheme of delegation that forms part of the Council's Constitution and any subsequent delegations.
- E5 The Chief Executive is responsible for ensuring the due diligence and legality for all partnership arrangements.
- E6 Group Heads are responsible for informing the Chief Finance Officer and Group Head of Corporate Governance of partnership arrangements entered into so that they can ensure that accounting arrangements adopted relating to partnerships and joint ventures are satisfactory and that the overall corporate governance arrangements are satisfactory when contracts are arranged with external bodies. The Chief Finance Officer must ensure that the risks have been fully appraised before agreements are entered into with external bodies.

External funding

- E7 The Chief Finance Officer is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Council's accounts.

Work for third parties

- E8 The Chief Finance Officer and the Group Head of Corporate Governance are responsible for approving the contractual framework for any work for third parties or external bodies.

GLOSSARY OF TERMS

Accrual	A sum included in the final accounts to cover income or expenditure attributable to that year but for which payment was not received/made during that year. Local authorities only accrue for revenue expenditure; capital expenditure is recorded on a receipts and payments basis.
Appropriation	The transfer of ownership of land or buildings from one service to another. Transfer of the purpose for holding land from one purpose to another.
Budget	A statement of the authority's plans for revenue and capital expenditure and income over a specified period of time.
Budget Head	A specific area of activity where expenditure may be incurred or income collected.
Capital Discharged	The amount of capital expenditure which has been paid for out of revenue or other sources.
	.
Capital Receipts	Proceeds from the sale of assets and other receipts of a capital nature over £10,000.
Capital Receipts Unapplied	Capital receipts not yet used for repayment of debt, or to finance capital expenditure.
Deferred Capital Receipts	Deferred Capital Receipts are the amounts derived from sales of assets which will be received in instalments over agreed periods of time.
Fidelity Guarantee	Insurance against fraudulent losses.
Government Grants	Sums paid by central Government towards either specific services or in aid of services generally.

Net Revenue Budget	
Outturn	The actual income and expenditure for a period or financial year as disclosed by the quarterly reports or final accounts.
Precept	A rate which the Council is required to levy on behalf of a non-rating authority, e.g. Surrey County Council.
Rateable Value	The annual assumed rental value of a property, to which rate poundages are applied to arrive at rates payable.
Reserves	Funds set aside to meet future revenue and capital expenditure on specific items or as a contingency against future losses.
Revenue Contributions to Capital Outlay (REFCUS)	The financing of capital expenditure directly from revenue, as permitted under statute.
Revenue Expenditure	The day to day costs of providing services, i.e., staff costs and overheads, such as, advertising, subscriptions and vehicle running costs.
Value for Money	<p>The National Audit Office (NAO) uses three criteria to assess the value for money of government spending i.e. the optimal use of resources to achieve the intended outcomes:</p> <p>Economy: minimising the cost of resources used or required (inputs) – spending less;</p> <p>Efficiency: the relationship between the output from goods or services and the resources to produce them – spending well; and</p> <p>Effectiveness: the relationship between the intended and actual results of public spending (outcomes) – spending wisely.</p>
Virement	The transfer of funds between budget heads, once approved by the Chief Financial Officer

Voted	Sums approved by councillors for expenditure against budget heads.
Working Balances	Sum provided within the accounts to meet those expenses which are incurred in advance of the receipt of income as well as for unforeseen contingencies.

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RECOMMENDATION OF THE AUDIT COMMITTEE

Audit Committee Meeting held on 24 March 2022

1. Anti-Money Laundering Policy

- 1.1 The Anti-Money Laundering Policy forms part of the Council's Constitution and aims to maintain high standards of conduct by preventing criminal activity through money laundering.
- 1.2 The policy has been reviewed to ensure that it reflects current good practice and updated to reflect the five key principles within the CIPFA Code of Practice and details of the roles and responsibilities of officers. The proposed changes are highlighted in yellow in the attached Appendix 1.
- 1.3 The policy also sets out the procedures to be followed; these are still relevant and do not require updating.
- 1.4 The Audit Committee reviewed the proposed changes to the Anti-Money Laundering Policy at its meeting on 24 March 2022 and agreed to recommend the revised policy to Council for adoption.

Audit Committee recommendation:

That Council approves the revised Anti-Money Laundering Policy attached at Appendix 1.

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Audit Committee

24 March 2022



Title	Updates to the Money Laundering Policy
Purpose of the report	To make a recommendation Council
Report Author	Victoria Statham, Group Head of Corporate Governance
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Committee/Council decision.
Recommendations	Committee is asked to: Recommend to Council the adoption of the revised Money Laundering Policy as set out in Appendix A.
Reason for Recommendation	Although fit for purpose the Money Laundering Policy has not been reviewed since 2016.

1. Summary of the report

- 1.1 On the 28 April 2016 the Council adopted the current Money Laundering Policy to reflect changes to legislation which had come into effect.
- 1.2 The Money Laundering Policy applies to all Councillors (and co-opted members) and all officers. The aim of the policy is to maintain high standards of conduct by preventing criminal activity through money laundering. The policy sets out the procedures that need to be followed.
- 1.3 The Money Laundering Policy has not been amended since April 2016. This has been reviewed to ensure that it reflects current good practice.

2. Key issues

- 2.1 The Money Laundering Policy forms part of the Council's constitution and therefore needs to be approved by the Council.
- 2.2 Attached at Appendix A is the recommended revised policy, with the suggested amendments highlighted. The procedures within the policy are still relevant and do not require amendment. The amendments made are to

ensure that there is reference to wider governance issues that link into this policy.

2.3 Who undertakes the role of the Money Laundering Reporting Officer (MLRO) has been amended to be the generic roles rather than named individuals.

2.4 No further amendments are suggested as the policy remains robust and fit for purpose.

3. Options analysis and proposal

3.1 Recommend the amendments to the Council for adoption to ensure that the policy is up to date. This is the recommendation.

3.2 The committee could propose further amendments to the policy, these would need to be inline with the Council's duties and responsibilities under the relevant legislation.

3.3 The committee could consider that the policy does not require amendment. If this option is progressed under delegations the named MLRO can be amended.

4. Financial implications

4.1 There are none.

5. Other considerations

5.1 There are none.

6. Equality and Diversity

6.1 There are none in relation to the revised policy.

7. Sustainability/Climate Change Implications

7.1 There are none

8. Timetable for implementation

8.1 If there is a recommendation from Audit Committee to Council to adopt the revised policy, this will be on the agenda for the 28 April 2022 meeting. Once Council makes their decision the revised policy will come into effect.

9. Contact

9.1 Victoria Statham, Group Head of Corporate Governance

Background papers: There are none.

Appendices:

Appendix A – revised Money Laundering Policy with amendments highlighted.

Spelthorne Borough Council

PROCEEDS OF CRIME & ANTI-MONEY LAUNDERING POLICY & PROCEDURES

1. Introduction

1.1 There have been significant changes to legislation concerning money laundering that have broadened the definition of money laundering and increased the range of activities caught by the statutory framework. The relevant legislation includes the Terrorism Act 2000, the Proceeds of Crime Act 2002 and Money Laundering Regulations 2007 as amended. The obligations impact on certain areas of local authority business and require local authorities to set up internal procedures to prevent the use of their services for money laundering.

1.2 Chartered Institute of Public Finance and Accountancy (CIPFA) has a code of practice 'Managing the risk of fraud and corruption' which has five key principles. These are:

- Acknowledge the responsibility of the governing body for countering fraud and corruption.
- Identify the fraud and corruption risks.
- Develop an appropriate counter fraud and corruption strategy.
- Provide resources to implement the strategy.
- Take action in response to fraud and corruption.

2. Scope of the Policy

2.1 This policy applies to all members and employees of the Council and aims to maintain high standards of conduct by preventing criminal activity through money laundering. The policy sets out the procedures that must be followed, such as reporting any suspicions of money laundering activity.

2.2 Further information is available from either Legal or Audit Services. This policy and procedures is intended to work with the Council's Confidential Reporting Code and Anti-Fraud, Bribery and Corruption Strategy to strengthen our arrangements for corporate governance.

2.3 Failure to comply with the procedures set out in this policy may result in disciplinary action and criminal prosecution, the penalties for which are serious fines and / or imprisonment.

3. What is Money Laundering?

3.1 Money laundering means:

- 3.1.1 Concealing, disguising, converting, transferring criminal property or removing it from the UK
 - 3.1.2 Entering into or becoming concerned in an arrangement **you know or suspect** facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person
 - 3.1.3 Acquiring, using or possessing criminal property
 - 3.1.4 **Becoming concerned in an arrangement facilitating concealment**, removal from jurisdiction, transfer to nominees or any other retention or control of terrorist property.
- 3.2 Potentially any member of staff could be caught by money laundering provisions **if they suspect money laundering and either become involved with it in some way and / or do nothing about it**. Practical examples might be receipt of a large cash payment for any sum due such as for business rates or council tax, and large or repeated overpayments to the authority that require significant refunds. An assessment of risks to Spelthorne indicates low likelihood of this happening, but if it did the impact on the authority and individuals involved could be significant.
- 3.3 This policy meets statutory duties and protects both the authority and individual staff members from risks associated with money laundering. Procedures set out how any concerns should be raised.

4. Roles and Responsibilities

Audit Committee: The Council has an Audit Committee to review the assessment of fraud risks and potential harm to the council from fraud and corruption.

Councillors: Councillors are expected to act in a manner which sets an example to the community whom they represent and to the employees of the council who deliver services. Councillors will comply with the Code of Conduct for Councillors.

Chief Finance Officer: has the statutory responsibility to ensure the proper arrangements of the council's financial affairs.

Monitoring Officer: will act as the MLRO

Internal Audit: will carry out reviews of the adequacy of the council's control environment and report on any weaknesses found. Investigation of any matters of irregularity.

Employees: employees are expected to be aware of the possibility that fraud, corruption and theft may exist in the workplace and share their concerns in accordance with this policy.

Contractors and suppliers: those organisations employed to work on behalf of the council are expected to maintain strong anti-fraud principles.

5. Actions to be Taken

- 5.1 To meet its statutory duties, the Council must:

- 5.1.1 Approve an appropriate policy and set of procedures for identifying and reporting money laundering
- 5.1.2 Nominate a Money Laundering Reporting Officer (MLRO) to receive reports from colleagues and make reports as necessary to the National Crime Agency (NCA)
- 5.1.3 Provide appropriate training to staff and
- 5.1.4 Maintain required record keeping procedures

6. The Money Laundering Reporting Officer (MLRO)

- 6.1 The staff member nominated to receive reports about any known or suspected money laundering activity within the Council is the Group Head of Corporate Governance/Monitoring Officer. In the absence of the MLRO, the Deputy Monitoring Officer is authorised to deputise for him/her.

PROCEDURES

7. Reporting to the MLRO

- 7.1 As soon as any money laundering activity becomes known or suspected, it must be reported to the MLRO. This should be within “hours” of the activity being identified, not days or weeks later. Failure to act in this way could lead to prosecution.
- 7.2 The report **must be written and include as much detail as possible**, such as:
 - Full details of all people involved, including yourself if relevant, eg name, date of birth, address, company names, directorships, contact details etc
 - Full details of their / your involvement
 - The types of money laundering activity involved (as set out in para. 3 above)
 - The dates of such activities, including whether the transaction have happened, are ongoing or imminent, where they took place, how they took place, the likely amount of money or assets involved and exactly why you are suspicious.

You should also copy any relevant supporting documentation. The NCA will require as much detail as possible, as will the MLRO in making a decision on whether to report to NCA.

- 7.3 Further guidance on reporting is available from both Legal and Audit Services. Please do not hesitate to seek advice from your manager, Legal and / or Audit Services as soon as any activity is suspected. **Do not take any action such as stopping a suspect transaction.** It may be that NCA want to proceed with a transaction as part of their investigation. Our duty is **to report only.**

7.4 Once reported to the MLRO, **you must not make any further enquiries into the matter yourself. Any necessary investigation will be done by NCA.** All staff will be required to cooperate with the MLRO and authorities during any subsequent investigation.

7.5 **Also, at no time and under no circumstances should any indication of suspicion be made to the person(s) suspected of money laundering.** This must be observed even if NCA has given consent to a particular transaction proceeding. Otherwise, staff may commit a criminal offence of “tipping off” those suspected. So be careful not to make any reference on a client file to MLRO reporting. If the client sees their file, such a reference could tip them off and make staff liable to prosecution. The MLRO will keep appropriate confidential records.

8. Action by the MLRO

8.1 On receipt of a disclosure report, the MLRO must record the date or receipt, acknowledge receipt and set a deadline for reply to the reporting officer.

8.2 The MLRO should consider the report and any further internal information required, such as data on other transaction patterns and volumes, the length of any business relationship involved, the number of any one-off transactions and linked one-off transactions and any identification evidence held.

The MLRO should also make any other appropriate enquiries to ensure all available information is considered in deciding whether a report to NCA is required (without tipping off those involved).

8.3 Once the disclosure report and any other relevant information is evaluated, the MLRO must make a timely determination as to whether there is actual or suspected money laundering taking place, or there are reasonable grounds to know or suspect that is the case, and whether consent should be sought from NCA for a particular transaction to proceed.

8.4 Where the MLRO does so conclude, the matter must be disclosed to NCA as soon as possible on their standard report forms and in the prescribed manner **unless** there is a reasonable excuse for non-disclosure to NCA. For example, a lawyer may wish to claim legal professional privilege for not disclosing the information. Up to date forms can be downloaded from the NCA website at www.nationalcrimeagency.gov.uk

8.5 Where the MLRO suspects money laundering but has a reasonable excuse for non-disclosure, then the report must be noted

accordingly. The MLRO may then immediately give consent for any ongoing or imminent transactions to proceed. **Full legal advice must be obtained before this course of action is taken.**

- 8.6 Where consent is required from NCA for a transaction to proceed, no further action should be taken until specific consent is obtained or consent is deemed through expiry of relevant time limits without objection from NCA.
- 8.7 Where the MLRO decides there are no reasonable grounds to suspect money laundering, the report must be marked accordingly and the MLRO must give consent for any transactions to proceed.
- 8.8 All reports received by the MLRO and reports made to NCA must be kept by the MLRO in a confidential file for a minimum of five years.
- 8.9 The MLRO commits a criminal offence if he knows or suspects, or has reasonable grounds to do so through a disclosure made to him/her, that another person is engaged in money laundering and he/she does not disclose this as soon as practicable to NCA.**

9. Client Identification Procedure

Please note this procedure is restricted to finance, accountancy, audit and certain legal services.

- 9.1 Where these services form an ongoing business relationship with a client, undertake a one-off transaction involving payment by or to the client of €15,000 or the current equivalent in Sterling or more, undertake a series of linked one-off transactions involving total payment by or to the client of €15,000 or the current equivalent in Sterling or more, or it is known or suspected that such transactions involve money laundering, then the following client identification procedure must be observed before any business is undertaken for that client.
- 9.2 In these circumstances, staff in the relevant service must obtain satisfactory evidence of the identity of the prospective client as soon as practicable after instructions are received (unless such evidence has already been obtained).
- 9.3 Evidence of identity should be obtained as follows:
- 9.3.1 For internal clients, appropriate evidence of identity of Council departments will be signed, written instructions on Council headed notepaper or an internal email. Such instructions should be appropriately filed and clearly identified as such evidence.

- 9.3.2 For external clients, the MLRO will maintain a central file of general client identification evidence regarding the external organisations to whom financial, accountancy, audit and legal services provide professional services (such as housing associations). Staff in these services should check with the MLRO that such external clients are recorded in the central file and check relevant details. If the organisation is not included in the central file, the MLRO should be informed. Appropriate evidence of identity for external clients will be written instructions on the organisation's official letterhead or an email from the organisations e-communication system.
- 9.3.3 All such evidence should be kept for at least five years from the end of the business relationship or transactions.

10. Record Keeping Procedures

- 10.1 Records of client identification and all relevant business transactions carried out for clients must be kept for at least five years, so they may be used as evidence in any subsequent investigation by the authorities into money laundering. As external audit requires retention of key accounting documents for six years, this should not involve any changes to current procedures.
- 10.2 The exact form of records is not prescribed by law, but must be capable of providing an audit trail during any subsequent investigation. Again, this is usual practice for council services and should not involve any changes to current procedures.

Corporate Policy and Resources Committee

Decisions taken at the meeting held on Monday, 14 March 2022.

Meeting Time:

7.00 pm

Meeting Venue:

Council Offices, Knowle Green, Staines-upon-Thames

PRESENT: Councillor Lawrence Nichols (Chairman), Councillor Ian Beardsmore, Councillor Malcolm Beecher, Councillor John Boughtflower, Councillor Sue Doran, Councillor Nick Gething, Councillor Naz Islam, Councillor Vivienne Leighton, Councillor Sinead Mooney, Councillor Olivia Rybinski and Councillor Veena Siva

1. APOLOGIES AND SUBSTITUTES*

Councillor Sexton, Councillor Barnard and Councillor Dunn (substituted by Councillor Bateson).

2. DISCLOSURES OF INTEREST*

There were none.

3. QUESTIONS FROM MEMBERS OF THE PUBLIC*

There were none.

4. WARD ISSUES*

There were none.

5. EXPECTATIONS ON DEVELOPER CONSULTATIONS FOR SIGNIFICANT PRE-APPLICATION PLANNING PROPOSALS

The proposals, as set out in the report, were agreed.

6. CORPORATE HEALTH AND SAFETY POLICY

The Committee:

- Agreed that the corporate Health and Safety Policy be adopted.
- Authorised the Chief Executive to agree minor variations to the adopted health and safety policy, and requested that reference be made to links with partner organisations when events were held in public open spaces.

7. 2022/23 TO 2024/25 FUNDING SUPPORT FOR KGE

The Committee agreed the proposals, as set out in the report, subject to the funding support arrangement being reviewed by 31 March 2023 to consider support for a further year in 2023/24.

8. REVENUE MONITORING REPORT Q3 (OCT-DEC 2021)

The Committee noted the forecast outturn for 2021/22 as at 31 December 2021.

9. CAPITAL MONITORING REPORT Q3 (OCT-DEC 2021)

The Committee noted the current level of overspend on capital expenditure against its Capital Programme provision as at 30 September 2021.

10. CALENDAR OF MEETINGS 2022-2023*

The Committee:

- Recommended that Council approve the calendar of meetings for 2022-2023 as set out in Appendix 1.
- Noted that alterations may be made to the calendar of meetings prior to it being agreed by Council, where such amendments became necessary.

11. FORWARD PLAN*

The forward plan was noted.

12. URGENT BUSINESS

Ukrainian refugees

Support for Ukrainian refugees would be raised at an upcoming Home Office meeting where support provided to Afghan refugees was to be discussed.

Queen's Platinum Jubilee celebrations

A portion of the underspend on the Revenue Budget would be used to provide a one-off uplift to the Better Neighbourhood Grant for each ward, to support communities in celebrating the Queen's Platinum Jubilee. Further information would follow in due course.

NOTES:-

- (1) *Members of the Committee are reminded that the "call-in" procedure as set out in Part 4b Reservation Scheme, of the Constitution, shall not apply to the following matters:*
- (a) *Urgent decisions as defined in Paragraph 5. of the Reservation Scheme*
 - (b) *Those decisions:*
 - i. *reserved to full Council*
 - ii. *on regulatory matters*
 - iii. *on member conduct issues.*
- (2) *Those matters to which Note (1) applies, if any, are identified with an asterisk [*] in the above Minutes.*

- (3) *Within three working days of the date on which this decision is published, not less than three members from two or more political groups by written notice or e mail may ask for that decision to be referred to the next Council meeting for review and final determination (call-in). This notice must be received by the Proper Officer by 5pm three working days after publication of the decision.*
- (4) *When calling in a decision for review the members doing so should in their notice of "call in":*
 - (a) *set out the decision/matter which the members exercising the right of reservation require to be reserved,*
 - (b) *specify the names of the members who have exercised the right of reservation, and*
 - (c) *the reasons why the decision should be referred to Council.*
- (6) *Once the request for 'reservation' has been deemed valid by the Proper Officer the matter will be suspended unless and until it has been approved at the meeting of the Council to which it was referred.*
- (7) *The deadline of three working days for "call in" in relation to the above decisions by the Committee is 5.00pm on 30 March 2022.*

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Gravesham Borough Council – Decisions taken by the CommitteeName on MeetingDate

Agenda Item No	Topic	Decision
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Part A – Items considered in public

A1		
A2		

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Report of the Chairman on the work of the Audit Committee

The Audit Committee held a meeting on 24 March 2022 and considered the following business:

1. External Auditors report

- 1.1 The Committee received an update from the external auditors, BDO, on work completed for the Homes England compliance audit and benefits assurance programme.
- 1.2 BDO were awaiting the outcome of the KPMG 2017/18 VFM opinion before commencing work on the outstanding accounts audits.

2. Risk Appetite Framework

- 2.1 An update was provided on progress made in the implementation of a Risk Appetite Framework.
- 2.2 The Committee strongly supported the initiative and agreed to a soft implementation approach provided a timeframe and plan was put in place.
- 2.3 The Committee proposed that a risk section was added to Committee report templates going forward to demonstrate that risk was being considered when any decision was made.

3. Homes England Compliance Audit

- 3.1 The Committee received a report which outlined the results of the Homes England Compliance Audit in relation to funding received for the development of the White House Hostel.
- 3.2 All programme requirements and guidance had been met and no breaches identified.
- 3.3 The Committee noted the outcome of the compliance audit.

4. Corporate Risk Management

- 4.1 The Committee received a report setting out the risks faced in achieving corporate objectives and how these were managed, monitored and reported.
- 4.2 The Committee agreed to:
 - Present the significant strategic risks and issues highlighted in the report to the Corporate Policy and Resources Committee (CPRC) with a view to CPRC deciding on an appropriate course of action.
 - Pursue with CPRC scope for wider reporting of the Corporate Risk Register and Risk Action Plan across other Committees.

5. Covid-19 Risk Considerations

- 5.1 The Committee considered the report which highlighted the pandemic recovery risks for Spelthorne.
- 5.2 The Committee's view was sought on future risk reporting and whether this should be extended beyond the pandemic to include other factors.
- 5.3 The Committee agreed to:
 - Note the COVID-19 pandemic recovery risk report and Risk Assessment.

- For future risk reporting, redefine the focus from the pandemic to wider external factors that impact the Council and its communities.

6. Changes to 2022/2023 Accounting Policies for SBC and Group

- 6.1 The Committee received a report proposing a change in methodology to apply depreciation across the Council's lands and buildings to reflect the likely life expectancy of the various components of the assets
- 6.2 The Committee noted the changes.

7. Anti-Money Laundering Policy

- 7.1 The Committee considered the proposed changes to the Anti-Money Laundering Policy which had been reviewed and updated.
- 7.2 The Committee agreed to recommend adoption of the revised policy to Council.

8. Internal Audit Annual Plan 2022/23

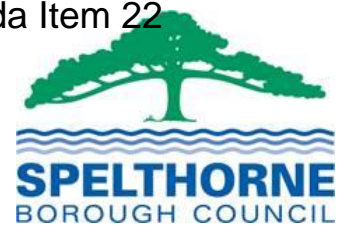
- 8.1 The Committee considered the proposed plan for 2022/23.
- 8.2 The Committee was concerned that the plan would need to be refined should resource not be available for the appointment of an Audit Apprentice Officer.
- 8.3 The Committee agreed to note the plan and requested that the item was referred to the next meeting of the Committee in July for further consideration

9. Committee's Forward Plan for 2022/23

- 9.1 The Committee noted the forward plan subject to the addition of:
 - The Risk Appetite Framework (July 2022)
 - Internal Audit Annual Plan 2022/23 (July 2022)
 - Budget setting process for additional staff (July 2022)
 - Revenue equalisation reserve (date to be confirmed)

10. VFM Task Group update

- 10.1 The Committee noted that KPMG had given an indication of the conclusions they were minded to make and the Council had responded through the VFM Task Group.
- 10.2 A further response from KPMG was awaited advising to what extent those comments had been considered and how they intended to bring the matter to resolution.



Community Wellbeing and Housing Committee

Decisions taken at the meeting held on Tuesday, 29 March 2022.

Meeting Time:

7.00 pm

Meeting Venue:

Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

PRESENT: Councillor Sandra Dunn (Chairman), Councillor Sue Doran (Vice-Chairman), Councillor Clare Barratt, Councillor Richard Barratt, Councillor Chris Bateson, Councillor Nick Gething, Councillor Michele Gibson, Councillor Olivia Rybinski and Councillor Jenny Vinson

5. CAPITAL MONITORING REPORT Q3 (OCT-DEC 2021)

The Committee **resolved** to note the report.

6. REVENUE MONITORING REPORT Q3 (OCT-DEC 2021)

7. COMMUNITY WELLBEING & HOUSING STRATEGY*

The Committee **resolved** to adopt the Spelthorne Health & Wellbeing Strategy 2022-2027.

9. PROCUREMENT OF PROPERTY ACQUISITION SERVICE AND FUNDING BID FOR ROUGH SLEEPING ACCOMMODATION PROGRAMME (RSAP)*

The Committee **resolved** to:

1. approve the proposed procurement of a Property Acquisition Service for the duration of 5 years,
2. delegate the appointment of the Contractor to the Group Head of Community Wellbeing in consultation with the Chair and Vice-Chair of the Community Wellbeing and Housing Committee; and
3. authorise the Group Head of Corporate Governance to enter into any legal documentation necessary to implement the new contract.

10. HOMES ENGLAND COMPLIANCE AUDIT

The Committee **resolved** to note the report.

11. TENANCY STRATEGY*

The Committee **resolved** to approve the Tenancy Strategy.

12. PROCUMENT OF HOUSING FIRST PROVIDER*

The Committee **resolved** to:

1. approve the proposed procurement of a Housing First service for the duration of 3 years, with 3 x 1 year extensions in the Council's sole discretion subject to government funding availability and the performance of the contract,
2. delegate the appointment of the Contractor to the Group Head of Housing in consultation with the Chair and Vice Chair of the Community Wellbeing and Housing Committee; and
3. authorise the Group Head of Corporate Governance to enter into any legal documentation necessary to implement the new contract.

13. KEY WORKER POLICY REVIEW*

The Committee **resolved** to approve the revised Key Worker Policy.

14. HOUSING DISREPAIR ISSUES

The Committee **resolved** to note the verbal update.

15. FORWARD PLAN

The Committee **resolved** to note the Forward Plan for the business of the Community Wellbeing and Housing Committee.

16. URGENT BUSINESS

The Committee **resolved** to note the verbal update on the review of the Spelthorne Personal Alarm Network that was presented as an urgent item.

NOTES:-

- (1) *Members of the Committee are reminded that the "call-in" procedure as set out in Part 4b Reservation Scheme, of the Constitution, shall not apply to the following matters:*
 - (a) *Urgent decisions as defined in Paragraph 5. of the Reservation Scheme*
 - (b) *Those decisions:*
 - i. *reserved to full Council*
 - ii. *on regulatory matters*
 - iii. *on member conduct issues.*
- (2) *Those matters to which Note (1) applies, if any, are identified with an asterisk [*] in the above Minutes.*
- (3) *Within three working days of the date on which this decision is published, not less than three members from two or more political groups by written notice or e mail may ask for that decision to be referred to the next Council meeting for review and final determination (call-in). This notice must be received by the Proper Officer by 5pm three working days after publication of the decision.*
- (4) *When calling in a decision for review the members doing so should in their notice of "call in":*
 - (a) *set out the decision/matter which the members exercising the right of reservation require to be reserved,*
 - (b) *specify the names of the members who have exercised the right of reservation, and*
 - (c) *the reasons why the decision should be referred to Council.*

- (6) *Once the request for 'reservation' has been deemed valid by the Proper Officer the matter will be suspended unless and until it has been approved at the meeting of the Council to which it was referred.*
- (7) *The deadline of three working days for "call in" in relation to the above decisions by the Committee is the close of business on 04 April 2022.*

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Gravesham Borough Council – Decisions taken by the CommitteeName on MeetingDate

Agenda Item No	Topic	Decision
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Part A – Items considered in public

A1		
A2		

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Gravesham Borough Council – Decisions taken by the CommitteeName on MeetingDate

Agenda Item No	Topic	Decision
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Part A – Items considered in public

A1		
A2		

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Neighbourhood Services Committee

Decisions taken at the meeting held on Thursday, 13 January 2022.

Meeting Time:

7.00 pm

Meeting Venue:

Council Chamber, Knowle Green, Staines-upon-Thames TW18 1XB

PRESENT: Councillor Amar Brar (Chairman), Councillor Richard Dunn, Councillor Sandra Dunn, Councillor Vivienne Leighton, Councillor Sinead Mooney, Councillor Bob Noble and Councillor Bernie Spoor

1. MINUTES

The minutes of the meeting held on 11 November 2021 were agreed as a correct record.

2. DISCLOSURES OF INTEREST

There were none.

3. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were none.

4. WARD ISSUES

There were none.

5. CASHLESS PARKING - KEY DECISION*

The Committee **resolved** to:

1. Authorise the Group Head of Neighbourhood Services to introduce "Cashless" payment as an approved payment method in The Spelthorne Borough Council (Off-Street Parking Places) Order;

2. Agree for the transaction charges to be paid directly by the customer, in addition to the existing tariff charges;

3. Authorise the Group Head of Neighbourhood Services to enter into a procurement exercise to tender for a Cashless parking provider;

4. Delegate the appointment of the contractor to the Group Head of Neighbourhood Services in consultation with the Chair and Vice-Chair of the Neighbourhood Services Committee;

5. Authorise the Group Head of Corporate Governance to complete any legal documentation necessary to implement the new contract.

6. ELECTRIC VEHICLE CHARGING POINTS IN CAR PARKS

The Committee **resolved** to note the report on electric vehicle charging points in Spelthorne Borough Council owned car parks.

7. DOMESTIC ABUSE UPDATE

The Committee **resolved** to note the update on the Domestic Abuse Strategy for inclusion in the review of the Community Safety Strategy for 2022.

8. CAPITAL BIDS 2022/23 (PART OF ANNUAL BUDGET PROCESS)

The Committee **resolved** to rate both proposed capital growth bids as green (commence in 2022/23) for recommendation to the Corporate Policy and Resources Committee.

9. COMMITTEE REVIEW OF FEES AND CHARGES FOR SERVICE AREAS 2022/23 (PART OF ANNUAL BUDGET PROCESS)

The Committee **resolved** to agree all Fees and Charges as proposed for recommendation to the Corporate Policy and Resources Committee.

10. REVENUE GROWTH AND SAVINGS BIDS 2022/23 (PART OF ANNUAL BUDGET PROCESS)

The Committee **resolved** to agree every proposed rating by officers as presented to the Committee for recommendation to the Corporate Policy and Resources committee.

11. FORWARD PLAN

The Committee **resolved** to note the Forward Plan.

12. URGENT BUSINESS

The Chair used her discretion to allow Councillor S. Mooney to make a brief statement about Covid-19 rates within the borough.

NOTES:-

- (1) *Members of the Committee are reminded that the "call-in" procedure as set out in Part 4b Reservation Scheme, of the Constitution, shall not apply to the following matters:*
 - (a) *Urgent decisions as defined in Paragraph 5. of the Reservation Scheme*
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 - (c) *the reasons why the decision should be referred to Council.*

- (6) *Once the request for 'reservation' has been deemed valid by the Proper Officer the matter will be suspended unless and until it has been approved at the meeting of the Council to which it was referred.*
- (7) *The deadline of three working days for "call in" in relation to the above decisions by the Committee is the close of business on 19 January 2022.*

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Report of the Chairman on the work of the Licensing Committee

There has been one Licensing sub-Committee meeting since the last report, and I set out the main item of business considered at that meeting.

4 April 2022

The Sub-Committee considered an application by Trading Standards for a review of a Premises Licence at Sunbury Food and Wine, 13 The Parade, Staines Road West, Sunbury-on-Thames TW16 7AB. A representation had also been made by Surrey Police. The Sub-Committee resolved to revoke the premises license for the reasons set out in the decision notice.

Councillor Robin Sider BEM
Chairman of the Licensing Committee

28 April 2022

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Report of the Chairman on the Work of the Planning Committee

The Planning Committee has met on two occasions since the previous report to Council. This report gives an overview of the key items considered by the Committee at its meetings on 02 March 2022 and 30 March 2022 .

1. Planning Committee Meeting – 02 March 2022

1.1 The Committee considered two applications.

1.2 Application No. 21/01742/FUL, Crownage Court, 99 Staines Road West, Sunbury-on-Thames, TW16 7AE – This application was for the erection of an extension on top of the existing building to provide a further 14 residential units comprising 6 x 1 bed, 7 x 2 bed and 1 x 3 bed units.

1.3 The application was **approved**.

1.4 Application No. 21/01276/FUL, Land adjacent to former Swan Inn House, Moor Lane, Staines-upon-Thames, TW19 6EB – This application was for the erection of a 4-bedroom two storey dwelling with dormers in the roof to front and rear and a single storey garage and car port to the side.

1.5 The application was **approved**.

2. Planning Committee Meeting – 30 March 2022

2.1 The Committee considered one application.

2.2 The former Debenhams Building, Thames Street, Staines-upon-Thames - This item was to consider adding the former Debenhams building to the Local List of Buildings and Structures of Architectural or Historic Interest.

2.3 The application was **approved**.

Councillor T Lagden
Chairman of Planning Committee

20 April 2022

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