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**Decisions taken at the meeting held on Monday, 16 October 2023.**

**Meeting Time:**

7.00 pm

**Meeting Venue:**

Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

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**PRESENT:** Councillor Joanne Sexton (Chair), Councillor Chris Bateson (Vice-Chair), Councillor Malcolm Beecher, Councillor John Boughtflower, Councillor Jon Button, Councillor John Doran, Councillor Sue Doran, Councillor Michele Gibson, Councillor Kathy Grant, Councillor Karen Howkins, Councillor Matthew Lee, Councillor Lawrence Nichols, Councillor Olivia Rybinski, Councillor Katherine Rutherford and Councillor Howard Williams

**5. ENVIRONMENTAL HEALTH & BUILDING CONTROL ENFORCEMENT POLICY 2023/2026\***

The Committee **resolved** to:

1. Adopt the Environmental Health & Building Control Enforcement Policy (2023-2026),
2. Approve that minor changes can be made to the Policy with the approval of the Deputy Chief Executive with responsibility for Place, Protection and Prosperity; and
3. Note Spelthorne Borough Council's Environmental Health 'Procedure for Setting Financial Penalties – Banding the Offence and Determining Appropriate Sanctions'.

**6. DEVELOPMENT DELIVERY OPTIONS FOR COUNCIL OWNED DEVELOPMENT SITES**

The Committee **resolved** to approve that:

The Development Sub-Committee, with support from officers:

1. Progress a comprehensive mixed use, phased masterplan strategy for Council owned site in Staines,
2. Identify suitable development delivery options for Council owned sites, in other parts of the Borough and not included as part of a comprehensive Staines masterplan or subject to early disposal to mitigate high holding costs,
3. Identify and progress options for mitigating holding costs via:
  - a) Early disposal of sites, which have high monthly holding costs and are not

- suitable for inclusion in a comprehensive masterplan for Staines-upon-Thames,
- b) Work to obtain fixed costs for the demolition of Thameside House to offset high holding costs,
  - c) Temporary lettings for those sites which will continue to remain in the Council's ownership in the medium to long term; and
  - d) Delegate authority to the Development Sub-Committee to agree the terms and completion of lettings where these are not covered under the Officer Scheme of Delegation.

**12. COST OF LIVING SUPPORT FUND\***

The Committee **resolved** to:

1. Note the amount of funds available for the Cost of Living Support Fund,
2. Approve the recommendation from the Community Wellbeing & Housing Committee to use the Spelthorne Healthy Communities Partnership Board to allocate the remaining money; and
3. Approve the proposed governance applied to this fund.

**16. STAFFING REPORT - INDEPENDENT LIVING\***

The Committee **resolved** to agree the recommendations as outlined in the exempt report.

**17. PROCUREMENT OF LEISURE CENTRE OPERATOR**

The Committee **resolved** to:

1. Note the full evaluation process to identify the preferred Operator (Bidder B) as the preferred Leisure Centre Operator,
2. Approve the report going onto Council on 19 October 2023 who will then be asked to:
  - a) Approve the Council entering into a management agreement (subject to the required standstill period) with Bidder B to manage Sunbury Leisure Centre and the new Spelthorne Leisure Centre on behalf of the Council for a period of 10 years from the opening of the new centre and with the option (at the sole discretion of the Council and subject to satisfactory performance) to extend the contract for a further period of 5 years; and
  - b) Authorise the Group Head of Assets to agree terms in respect of any necessary leasehold arrangements with the Preferred Bidder in respect of the new Spelthorne Leisure Centre and Sunbury Leisure Centre and to authorise the Group Head Corporate Governance to enter into a contract with the Preferred Bidder.

**NOTES:-**

- (1) *Members are reminded that the "call-in" procedure as set out in Part 4b of the Constitution, shall not apply to the following matters:*
- (a) *Urgent decisions as defined in Paragraph 9. of the Call-in Scrutiny Procedure Rules;*
  - (b) *Decisions to award a contract following a lawful procurement process;*

- (c) *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 submission of the standard call-in pro-forma, may ask for that decision to be referred to a meeting of the Administrative Committee for review (call-in). The completed pro-forma must be received by the Proper Officer by 5pm three working days after publication of the decision.*
  
- (4) *The members exercising the right of call-in must not be members of the Committee which considered the matter.*
  
- (5) *When calling in a decision for review the members doing so must 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.*
  
- (6) *Once the request for 'call-in' has been deemed valid by the Monitoring Officer the matter will be suspended until the call-in procedure has been exhausted.*
  
- (7) *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 the next ordinary meeting of the Administrative Committee.*
  
- (8) *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.*
  
- (9) *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.*
  
- (10) *In reviewing a matter referred to it under the call-in scrutiny procedure rules, the Administrative Committee shall follow the procedure for dealing with call-in scrutiny at its meetings as set out in Part 4b of the Constitution.*
  
- (11) *The deadline of three working days for "call in" in relation to the above decisions by the Committee is the close of business on **26 October 2023**.*